

Union Calendar No. 269

106TH CONGRESS
1ST SESSION

H. R. 1695

[Report No. 106-471]

To provide for the conveyance of certain Federal public lands in the Ivanpah Valley, Nevada, to Clark County, Nevada, for the development of an airport facility, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 5, 1999

Mr. GIBBONS introduced the following bill; which was referred to the Committee on Resources

NOVEMBER 16, 1999

Additional sponsors: Mr. YOUNG of Alaska, Mr. DUNCAN, Mr. DOOLITTLE, Mr. CANNON, Mrs. CUBIN, Mr. RADANOVICH, Mrs. CHENOWETH-HAGE, Mr. HANSEN, Mr. HAYES, Mr. SHERWOOD, Mr. POMBO, Mr. HEFLEY, Mr. SIMPSON, Mr. TAUZIN, Mr. THORNBERRY, Mr. PETERSON of Pennsylvania, Mr. GILCHREST, Mr. SAXTON, Mr. SCHAFFER, and Mr. WALDEN of Oregon

NOVEMBER 16, 1999

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on May 5, 1999]

A BILL

To provide for the conveyance of certain Federal public lands in the Ivanpah Valley, Nevada, to Clark County, Nevada,

for the development of an airport facility, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Ivanpah Valley Airport*
5 *Public Lands Transfer Act”.*

6 **SEC. 2. CONVEYANCE OF LANDS TO CLARK COUNTY, NE-**
7 **VADA.**

8 (a) *IN GENERAL.*—*Notwithstanding the land use plan-*
9 *ning requirements contained in sections 202 and 203 of the*
10 *Federal Land Policy and Management Act of 1976 (43*
11 *U.S.C. 1712 and 1713), but subject to subsection (b) of this*
12 *section, the Secretary shall convey to the County all right,*
13 *title, and interest of the United States in and to the Federal*
14 *public lands identified for disposition on the map entitled*
15 *“Ivanpah Valley, Nevada-Airport Selections” numbered 01,*
16 *and dated April 1999, for the purpose of developing an air-*
17 *port facility and related infrastructure. The Secretary shall*
18 *keep such map on file and available for public inspection*
19 *in the offices of the Director of the Bureau of Land Manage-*
20 *ment and in the district office of the Bureau located in Las*
21 *Vegas, Nevada.*

22 (b) *CONDITIONS.*—*The Secretary shall make no con-*
23 *veyance under subsection (a) until each of the following con-*
24 *ditions are fulfilled:*

1 (1) *The County has conducted an airspace as-*
2 *essment to identify any potential adverse effects on*
3 *access to the Las Vegas Basin under visual flight*
4 *rules that would result from the construction and op-*
5 *eration of a commercial or primary airport, or both,*
6 *on the land to be conveyed.*

7 (2) *The Federal Aviation Administration has*
8 *made a certification under section 4(b).*

9 (3) *The County has entered into an agreement*
10 *with the Secretary to retain ownership of Jean Air-*
11 *port, located at Jean, Nevada, and to maintain and*
12 *operate such airport for general aviation purposes.*

13 (c) *PAYMENT.—*

14 (1) *IN GENERAL.—As consideration for the con-*
15 *veyance of each parcel, the County shall pay to the*
16 *United States an amount equal to the fair market*
17 *value of the parcel.*

18 (2) *DEPOSIT IN SPECIAL ACCOUNT.—The Sec-*
19 *retary shall deposit the payments received under*
20 *paragraph (1) in the special account described in sec-*
21 *tion 4(e)(1)(C) of the Southern Nevada Public Land*
22 *Management Act (31 U.S.C. 6901 note).*

23 (d) *REVERSION AND REENTRY.—*

24 (1) *IN GENERAL.—During the 5-year period be-*
25 *ginning 20 years after the date on which the Sec-*

1 *retary conveys the lands under subsection (a), if the*
2 *Secretary determines that the County is not devel-*
3 *oping or progressing toward the development of the*
4 *conveyed lands as an airport facility, all right, title,*
5 *and interest in those lands shall revert to the United*
6 *States, and the Secretary may reenter such lands.*

7 *(2) PROCEDURE.—Any determination of the Sec-*
8 *retary under paragraph (1) shall be made only on the*
9 *record after an opportunity for a hearing.*

10 *(3) REFUND.—If any right, title, and interest in*
11 *lands revert to the United States under this sub-*
12 *section, the Secretary shall refund to the County all*
13 *payments made to the United States for such lands*
14 *under subsection (c).*

15 **SEC. 3. MINERAL ENTRY FOR LANDS ELIGIBLE FOR CON-**
16 **VEYANCE.**

17 *The public lands referred to in section 2(a) are with-*
18 *drawn from mineral entry under the Act of May 10, 1872*
19 *(30 U.S.C. 22 et seq.; popularly known as the Mining Law*
20 *of 1872) and the Mineral Leasing Act (30 U.S.C. 181 et*
21 *seq.).*

22 **SEC. 4. ACTIONS BY THE DEPARTMENT OF TRANSPOR-**
23 **TATION.**

24 *(a) DEVELOPMENT OF AIRSPACE MANAGEMENT*
25 *PLAN.—The Secretary of Transportation shall, in consulta-*

1 *tion with the Secretary, develop an airspace management*
2 *plan for the Ivanpah Valley Airport that shall, to the max-*
3 *imum extent practicable and without adversely impacting*
4 *safety considerations, restrict aircraft arrivals and depart-*
5 *ures over the Mojave Desert Preserve in California.*

6 **(b) CERTIFICATION OF ASSESSMENT.**—*The Adminis-*
7 *trator of the Federal Aviation Administration shall certify*
8 *to the Secretary that the assessment made by the County*
9 *under section 2(b)(1) is thorough and that alternatives have*
10 *been developed to address each adverse effect identified in*
11 *the assessment, including alternatives that ensure access to*
12 *the Las Vegas Basin under visual flight rules at a level that*
13 *is equal to or better than existing access.*

14 **SEC. 5. COMPLIANCE WITH NATIONAL ENVIRONMENTAL**
15 **POLICY ACT OF 1969 REQUIRED.**

16 *Prior to operation of an airport facility on lands con-*
17 *veyed under section 2, all actions required under the Na-*
18 *tional Environmental Policy Act of 1969 (42 U.S.C. 4321*
19 *et seq.) with respect to that operation shall be completed.*

20 **SEC. 6. DEFINITIONS.**

21 *In this Act—*

22 (1) *the term “County” means Clark County, Ne-*
23 *vada; and*

24 (2) *the term “Secretary” means the Secretary of*
25 *the Interior.*

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