

# Calendar No. 252

117TH CONGRESS  
2D SESSION

# S. 569

[Report No. 117-55]

To direct the Secretary of Agriculture to transfer certain National Forest System land to the State of South Dakota, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MARCH 3, 2021

Mr. THUNE (for himself and Mr. ROUNDS) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

JANUARY 19 (legislative day, JANUARY 18), 2022

Reported by Mr. MANCHIN, with an amendment

[Omit the part struck through and insert the part printed in *italie*]

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## A BILL

To direct the Secretary of Agriculture to transfer certain National Forest System land to the State of South Dakota, 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 “Gilt Edge Mine Con-  
5 veyance Act”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) FEDERAL LAND.—The term “Federal land”  
4 means all right, title, and interest of the United  
5 States in and to approximately 266 acres of Na-  
6 tional Forest System land within the Gilt Edge Mine  
7 Superfund Boundary, as generally depicted on the  
8 map.

9 (2) MAP.—The term “map” means the map en-  
10 titled “Gilt Edge Mine Conveyance Act” and dated  
11 August 20, 2020.

12 (3) SECRETARY.—The term “Secretary” means  
13 the Secretary of Agriculture, acting through the  
14 Chief of the Forest Service.

15 (4) STATE.—The term “State” means State of  
16 South Dakota.

17 **SEC. 3. LAND CONVEYANCE.**

18 (a) IN GENERAL.—Subject to the terms and condi-  
19 tions described in this Act, if the State submits to the  
20 Secretary an offer to acquire the Federal land for the mar-  
21 ket value, as determined by the appraisal under subsection  
22 (c), the Secretary shall convey the Federal land to the  
23 State.

24 (b) TERMS AND CONDITIONS.—The conveyance  
25 under subsection (a) shall be—

26 (1) subject to valid existing rights;

1 (2) made by quitclaim deed; and

2 (3) subject to any other terms and conditions  
3 as the Secretary considers appropriate to protect the  
4 interests of the United States.

5 (c) APPRAISAL.—

6 (1) IN GENERAL.—~~Before submitting an offer~~  
7 ~~under subsection (a), the State~~ *After the State sub-*  
8 *mits an offer under subsection (a), the Secretary* shall  
9 complete an appraisal to determine the market value  
10 of the Federal land.

11 (2) STANDARDS.—The appraisal under para-  
12 graph (1) shall be conducted in accordance with—

13 (A) the Uniform Appraisal Standards for  
14 Federal Land Acquisitions; and

15 (B) the Uniform Standards of Professional  
16 Appraisal Practice.

17 (d) MAP.—

18 (1) AVAILABILITY OF MAP.—The map shall be  
19 kept on file and available for public inspection in the  
20 appropriate office of the Forest Service.

21 (2) CORRECTION OF ERRORS.—The Secretary  
22 may correct any errors in the map.

23 (e) CONSIDERATION.—As consideration for the con-  
24 veyance under subsection (a), the State shall pay to the  
25 Secretary an amount equal to the market value of the Fed-

1 eral land, as determined by the appraisal under subsection  
2 (c).

3 (f) SURVEY.—The State shall prepare a survey that  
4 is satisfactory to the Secretary of the exact acreage and  
5 legal description of the Federal land to be conveyed under  
6 subsection (a).

7 (g) COSTS OF CONVEYANCE.—As a condition on the  
8 conveyance under subsection (a), the State shall pay all  
9 costs associated with the conveyance, including the cost  
10 of—

11 (1) the appraisal under subsection (c); and

12 (2) the survey under subsection (f).

13 (h) PROCEEDS FROM THE SALE OF LAND.—Any pro-  
14 ceeds received by the Secretary from the conveyance under  
15 subsection (a) shall be—

16 (1) deposited in the fund established under  
17 Public Law 90–171 (commonly known as the “Sisk  
18 Act”) (16 U.S.C. 484a); and

19 (2) available to the Secretary until expended,  
20 without further appropriation, for the maintenance  
21 and improvement of land or administration facilities  
22 in the Black Hills National Forest in the State.

23 (i) ENVIRONMENTAL CONDITIONS.—Notwith-  
24 standing section 120(h)(3)(A) of the Comprehensive Envi-  
25 ronmental Response, Compensation, and Liability Act of

1 1980 (42 U.S.C. 9620(h)(3)(A)), the Secretary shall not  
2 be required to provide any covenant or warranty for the  
3 Federal land conveyed to the State under this Act.

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