

Public Law 106-329  
106th Congress

An Act

To authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other land in the Black Hills National Forest and to use funds derived from the sale or exchange to acquire replacement sites and to acquire or construct administrative improvements in connection with the Black Hills National Forest.

Oct. 19, 2000

[H.R. 4226]

Black Hills  
National Forest  
and Rocky  
Mountain  
Research Station  
Improvement  
Act.  
South Dakota.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Black Hills National Forest and Rocky Mountain Research Station Improvement Act".

**SEC. 2. SALE OR EXCHANGE OF LAND, BLACK HILLS NATIONAL FOREST, SOUTH DAKOTA.**

(a) **IN GENERAL.**—The Secretary of Agriculture (referred to in this section as the "Secretary") may, under such terms and conditions as the Secretary may prescribe, sell or exchange any right, title, and interest of the United States in and to the approximately 362 acres contained in the following parcels of land in the State of South Dakota:

(1) Tract BLKH-1 "Spearfish Dwelling" (approximately 0.24 acres); N $\frac{1}{2}$  of Lot 8 and Lot 9 of Block 16, Section 10, T6N, R2E, Black Hills Meridian.

(2) Tract BLKH-2 "Deadwood Garage" (approximately 0.12 acres); Lots 9 and 11 of Block 34, Section 23, T5N, R3E, Black Hills Meridian.

(3) Tract BLKH-3 "Deadwood Dwellings" (approximately 0.32 acres); Lots 12-16, inclusive, of Block 44, Section 23, T5N, R3E, Black Hill Meridian.

(4) Tract BLKH-4 "Hardy Work Center" (approximately 150 acres); E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 19; NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 30, T3N, R1E, Black Hills Meridian.

(5) Tract BLKH-6 "Pactola Work Center" (approximately 100 acres); W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 25; E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 26, T2N, R5E, Black Hills Meridian.

(6) Tract BLKH-7 "Pactola Ranger District Office" (approximately 8.25 acres); Lot 1 of Ranger Station Subdivision, Section 4, T1N, R7E, Black Hills Meridian.

(7) Tract BLKH-8 "Reder Administrative Site" (approximately 82 acres); Lots 6 and 7, Section 29; Lot A of Reder Placer, Lot 19, NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 30, T1S, R5E, Black Hills Meridian.

(8) Tract BLKH-9 "Allen Gulch Properties" (approximately 21 acres); Lot 14 less and except Tract STA #0029, Section 25, and Lot 1, Section 36, T1S, R4E, Black Hills Meridian.

(9) Tract BLKH-10 "Custer Ranger District Office" (approximately 0.39 acres); Lots 4 and 9 of Block 125 and the East 15 feet of the vacated north/south alley adjacent to Lot 4, City of Custer, Section 26, T3S, R4E, Black Hills Meridian.

(b) TECHNICAL CORRECTIONS.—The Secretary may make technical corrections to the legal descriptions in paragraphs (1) through (9) of subsection (a).

(c) APPLICABLE AUTHORITIES.—Except as otherwise provided in this section, any sale or exchange of land described in subsection (a) shall be subject to laws (including regulations) applicable to the conveyance and acquisition of land for National Forest System purposes.

(d) CASH EQUALIZATION.—Notwithstanding any other provision of law, the Secretary may accept cash equalization payments in excess of 25 percent of the total value of the land described in subsection (a) from any exchange under subsection (a).

(e) SOLICITATIONS OF OFFERS.—

(1) IN GENERAL.—In carrying out this section, the Secretary may use solicitations of offers for sale or exchange under this section on such terms and conditions as the Secretary may prescribe.

(2) REJECTION OF OFFERS.—The Secretary may reject any offer under this section if the Secretary determines that the offer is not adequate or not in the public interest.

(f) DISPOSITION OF FUNDS.—Any funds received by the Secretary from a sale under this section or as cash equalization payments from an exchange under this section—

(1) shall be deposited into the fund established by Public Law 90-171 (commonly known as the "Sisk Act") (16 U.S.C. 484a); and

(2) shall be available for expenditure, on appropriation, for—

(A) the acquisition from willing sellers of land and interests in land in the State of South Dakota; and

(B) the acquisition or construction of administrative improvements in connection with the Black Hills National Forest.

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

### SEC. 3. REPLACEMENT LABORATORY, ROCKY MOUNTAIN RESEARCH STATION, RAPID CITY, SOUTH DAKOTA.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretary of Agriculture \$2,100,000 for a laboratory facility for the Rocky Mountain Research Station in Rapid City, South Dakota, to replace the obsolete laboratory capability at the research station. The replacement facility shall be colocated with at least one of the administrative improvements for the Black Hills National Forest acquired or constructed under the authority of section 2(f)(2)(B).

(b) CONDITIONS ON ACQUISITION OF PROPERTY.—No funds available to carry out this section may be used to purchase or otherwise acquire property unless—

- (1) the acquisition is from willing sellers; and
- (2) the property is located within the boundaries of the State of South Dakota.

Approved October 19, 2000.

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**LEGISLATIVE HISTORY—H.R. 4226 (S. 1599):**

HOUSE REPORTS: No. 106-816 (Comm. on Resources).

SENATE REPORTS: No. 106-210 accompanying S. 1599 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 146 (2000):

Sept. 18, considered and passed House.

Oct. 5, considered and passed Senate.