

106TH CONGRESS
1ST SESSION

H. R. 3023

To authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to convey property to the Greater Yuma Port Authority of Yuma County, Arizona, for use as an international port of entry.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 5, 1999

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

A BILL

To authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to convey property to the Greater Yuma Port Authority of Yuma County, Arizona, for use as an international port of entry.

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. CONVEYANCE OF LANDS TO THE GREATER**
4 **YUMA PORT AUTHORITY.**

5 (a) AUTHORITY TO CONVEY.—

6 (1) INITIAL CONVEYANCE.—The Secretary of
7 the Interior, acting through the Bureau of Reclama-
8 tion, may, in the 5-year period beginning on the date

1 of the enactment of this Act and in accordance with
2 the conditions specified in subsection (b)—

3 (A) convey to the Greater Yuma Port Au-
4 thority the interests described in paragraph (2);
5 or

6 (B) enter into an agreement with the
7 Greater Yuma Port Authority that grants to
8 the authority an option to purchase the inter-
9 ests described in paragraph (2) at any time in
10 the 7-year period beginning on the date of the
11 enactment of this Act.

12 (2) INTERESTS DESCRIBED.—The interests re-
13 ferred to in paragraphs (1) and (2) are the fol-
14 lowing:

15 (A) All right, title, and interest of the
16 United States in and to the lands comprising
17 Section 23, Lots 1–4, NE¹/₄, N¹/₂ NW¹/₄, ex-
18 cluding lands located within the 60-foot border
19 strip.

20 (B) All right, title, and interest of the
21 United States in and to the lands comprising
22 Section 22, East 300 feet of Lot 1, excluding
23 lands located within the 60-foot border strip.

24 (C) All right, title, and interest of the
25 United States in and to the lands comprising

1 Section 24, West 300 feet, excluding lands in
2 the 60-foot border strip.

3 (D) All right, title, and interest of the
4 United States in and to the lands comprising
5 Section 15, East 300 feet.

6 (E) The right to use lands in the 60-foot
7 border strip excluded under subparagraphs (A),
8 (B), and (C), for ingress to and egress from the
9 international boundary between the United
10 States and Mexico.

11 (b) CONDITIONS OF CONVEYANCE.—Any conveyance
12 under subsection (a) shall be subject to the following con-
13 ditions:

14 (1) WATER RIGHTS.—The interests conveyed
15 shall not include any water rights.

16 (2) RETAINED RIGHT OF ACCESS.—The United
17 States shall retain such rights of access as the Sec-
18 retary determines to be necessary or appropriate for
19 the construction, operation, and maintenance by the
20 Government of the United States of the five-mile
21 protective and regulatory pumping well field and ap-
22 purtenant works authorized by the Colorado River
23 Basin Salinity Control Act (88 Stat. 266).

24 (3) CONSIDERATION.—In the case of convey-
25 ance of right, title, and interest of the United States

1 described in subsection (a)(2)(A), the Greater Yuma
2 Port Authority shall pay to the United States con-
3 sideration equal to the fair market value thereof—

4 (A) on the date of the enactment of this
5 Act, in the case of a conveyance under sub-
6 section (a)(1)(A); and

7 (B) on the date of the signing of an agree-
8 ment under subsection (a)(1)(B), in the case of
9 a conveyance under an option to purchase
10 granted by the agreement.

11 (4) USE.—The Greater Yuma Port Authority
12 and its successors shall use the interests conveyed
13 solely for the purpose of the construction and oper-
14 ation of an international port of entry and related
15 activities.

16 (5) COMPLIANCE WITH LAWS.—Before the date
17 of the conveyance, actions required with respect to
18 the conveyance under the National Environmental
19 Policy Act of 1969 (42 U.S.C. 4321 et seq.), the
20 Endangered Species Act of 1973 (16 U.S.C. 1531 et
21 seq.), the National Historic Preservation Act (16
22 U.S.C. 470 et seq.), and other applicable Federal
23 laws must be completed at no cost to the United
24 States.

1 (6) USE OF 60-FOOT BORDER STRIP.—Any use
2 of the 60-foot border strip shall be made in coordi-
3 nation with Federal agencies having authority with
4 respect to the 60-foot border strip.

5 (7) ADDITIONAL TERMS AND CONDITIONS.—
6 Such additional terms and conditions as the Sec-
7 retary considers appropriate to protect the interests
8 of the United States.

9 (c) COSTS DURING OPTION PERIOD.—The Secretary
10 may negotiate with the Greater Yuma Port Authority and
11 include in any agreement under subsection (a)(1)(B)
12 terms requiring the Greater Yuma Port Authority to pay,
13 during the term of the option granted by the agreement,
14 costs that would otherwise be incurred by the United
15 States with respect to lands that are subject to the option.

16 (d) DESCRIPTION OF PROPERTY.—The exact acreage
17 and legal description of property conveyed under this sec-
18 tion, and of any right-of-way that is subject to a right
19 of use conveyed pursuant to subsection (b)(2)(E), shall be
20 determined by a survey satisfactory to the Secretary. The
21 cost of the survey shall be borne by the Greater Yuma
22 Port Authority.

23 (e) DEFINITIONS.—

24 (1) 60-FOOT BORDER STRIP.—The term “60-
25 foot border strip” means lands in any of the Sec-

1 tions referenced in this Act located within 60 feet of
2 the international boundary between the United
3 States and Mexico.

4 (2) GREATER YUMA PORT AUTHORITY.—The
5 term “Greater Yuma Port Authority” means—

6 (A) the entity by that name established
7 pursuant to an intergovernmental agreement
8 among the Cocopah Tribe, the County of Yuma,
9 Arizona, the city of Somerton, Arizona, and the
10 city of San Luis, Arizona; or

11 (B) any successor joint powers agency or
12 public purpose entity designated by all of the
13 entities referred to in subparagraph (A) to ad-
14 minister the interests conveyed by the United
15 States under this section.

16 (3) SECRETARY.—The term “Secretary” means
17 the Secretary of the Interior, acting through the Bu-
18 reau of Reclamation.

19 (4) SECTION.—The term “Section” means a
20 section located in Township 11 South, Range 24
21 West, Gila and Salt River base and meridian, Yuma
22 County, Arizona.

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