

Union Calendar No. 262

106TH CONGRESS
1ST SESSION

S. 416

[Report No. 106-453]

IN THE HOUSE OF REPRESENTATIVES

JULY 12, 1999

Referred to the Committee on Resources

NOVEMBER 5, 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 referred bill, see copy of bill as referred on July 12, 1999]

AN ACT

To direct the Secretary of Agriculture to convey to the city of Sisters, Oregon, a certain parcel of land for use in connection with a sewage treatment facility.

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. FINDINGS.**

4 *Congress finds that—*

1 (1) *the city of Sisters, Oregon, faces a public*
2 *health threat from a major outbreak of infectious dis-*
3 *eases due to the lack of a sewer system;*

4 (2) *the lack of a sewer system also threatens*
5 *groundwater and surface water resources in the area;*

6 (3) *the city is surrounded by Forest Service land*
7 *and has no reasonable access to non-Federal parcels*
8 *of land large enough, and with the proper soil condi-*
9 *tions, for the development of a sewage treatment facil-*
10 *ity;*

11 (4) *the Forest Service currently must operate,*
12 *maintain, and replace 11 separate septic systems to*
13 *serve existing Forest Service facilities in the city of*
14 *Sisters; and*

15 (5) *the Forest Service currently administers 77*
16 *acres of land within the city limits that would in-*
17 *crease in value as a result of construction of a sewer*
18 *system.*

19 **SEC. 2. CONVEYANCE.**

20 (a) *IN GENERAL.*—*As soon as practicable and upon*
21 *completion of any documents or analysis required by any*
22 *environmental law, but not later than 180 days after the*
23 *date of enactment of this Act, the Secretary of Agriculture*
24 *shall convey to the city of Sisters, Oregon, (hereinafter re-*
25 *ferred to as the “city”) an amount of land that is not more*

1 *than is reasonably necessary for a sewage treatment facility*
 2 *and for the disposal of treated effluent consistent with sub-*
 3 *section (c).*

4 (b) *LAND DESCRIPTION.—The amount of land con-*
 5 *veyed under subsection (a) shall be 160 acres or 240 acres*
 6 *from within—*

7 (1) *the SE quarter of section 09, township 15*
 8 *south, range 10 west, W.M., Deschutes, Oregon, and*
 9 *the portion of the SW quarter of section 09, township*
 10 *15 south, range 10 west, W.M., Deschutes, Oregon,*
 11 *that lies east of Three Creeks Lake Road, but not in-*
 12 *cluding the westernmost 500 feet of that portion; and*

13 (2) *the portion of the SW quarter of section 09,*
 14 *township 15 south, range 10 west, W.M., Deschutes*
 15 *County, Oregon, lying easterly of Three Creeks Lake*
 16 *Road.*

17 (c) *CONDITION.—*

18 (1) *IN GENERAL.—The conveyance under sub-*
 19 *section (a) shall be made on the condition that the*
 20 *city—*

21 (A) *shall conduct a public process before the*
 22 *final determination is made regarding land use*
 23 *for the disposition of treated effluent,*

24 (B) *except as provided by paragraph (2),*
 25 *shall be responsible for system development*

1 charges, mainline construction costs, and equiva-
2 lent dwelling unit monthly service fees as set
3 forth in the agreement between the city and the
4 Forest Service in the letter of understanding
5 dated October 14, 1999; and

6 (C) shall pay the cost of preparation of any
7 documents required by any environmental law
8 in connection with the conveyance.

9 (2) *ADJUSTMENT IN FEES.*—

10 (A) *VALUE HIGHER THAN ESTIMATED.*—If
11 the land to be conveyed pursuant to subsection
12 (a) is appraised for a value that is 10 percent
13 or more higher than the value estimated for such
14 land in the agreement between the city and the
15 Forest Service in the letter of understanding
16 dated October 14, 1999, the city shall be respon-
17 sible for additional charges, costs, fees, or other
18 compensation so that the total amount of
19 charges, costs, and fees for which the city is re-
20 sponsible under paragraph (1)(B) plus the value
21 of the amount of charges, costs, fees, or other
22 compensation due under this subparagraph is
23 equal to such appraised value. The Secretary
24 and the city shall agree upon the form of addi-

1 *tional charges, costs, fees, or other compensation*
2 *due under this subparagraph.*

3 (B) *VALUE LOWER THAN ESTIMATED.*—*If*
4 *the land to be conveyed pursuant to subsection*
5 *(a) is appraised for a value that is 10 percent*
6 *or more lower than the value estimated for such*
7 *land in the agreement between the city and the*
8 *Forest Service in the letter of understanding*
9 *dated October 14, 1999, the amount of equivalent*
10 *dwelling unit monthly service fees for which the*
11 *city shall be responsible under paragraph (1)(B)*
12 *shall be reduced so that the total amount of*
13 *charges, costs, and fees for which the city is re-*
14 *sponsible under that paragraph is equal to such*
15 *appraised value.*

16 (d) *USE OF LAND.*—

17 (1) *IN GENERAL.*—*The land conveyed under sub-*
18 *section (a) shall be used by the city for a sewage*
19 *treatment facility and for the disposal of treated efflu-*
20 *ent.*

21 (2) *OPTIONAL REVERTER.*—*If at any time the*
22 *land conveyed under subsection (a) ceases to be used*
23 *for a purpose described in paragraph (1), at the op-*
24 *tion of the United States, title to the land shall revert*
25 *to the United States.*

1 (e) *AUTHORITY TO ACQUIRE LAND IN SUBSTI-*
2 *TUTION.—Subject to the availability of appropriations, the*
3 *Secretary shall acquire land within Oregon, and within or*
4 *in the vicinity of the Deschutes National Forest, of an acre-*
5 *age equivalent to that of the land conveyed under subsection*
6 *(a). Any lands acquired shall be added to and administered*
7 *as part of the Deschutes National Forest.*

Passed the Senate July 1, 1999.

Attest:

GARY SISCO,
Secretary.

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