

107TH CONGRESS
2^D SESSION

H. R. 5584

To protect certain lands held in fee by the Pechanga Band of Luiseno Mission Indians from condemnation until a final decision is made regarding a pending fee to trust application for that land, to provide an environmentally sound process for the expeditious consideration and approval of an electricity transmission line right-of-way through the Trabuco Ranger District of the Cleveland National Forest and adjacent Federal lands, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 9, 2002

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

A BILL

To protect certain lands held in fee by the Pechanga Band of Luiseno Mission Indians from condemnation until a final decision is made regarding a pending fee to trust application for that land, to provide an environmentally sound process for the expeditious consideration and approval of an electricity transmission line right-of-way through the Trabuco Ranger District of the Cleveland National Forest and adjacent Federal lands, 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,*

1 **SECTION 1. LAND OF PECHANGA BAND OF LUISENO MIS-**
2 **SION INDIANS.**

3 (a) **LIMITATION ON CONVEYANCE.**—Land described
4 in subsection (b) (or any interest in that land) shall not
5 be voluntarily or involuntarily transferred or otherwise
6 made available for condemnation until the date on
7 which—

8 (1)(A) the Secretary of the Interior renders a
9 final decision on the fee to trust application pending
10 on the date of the enactment of this Act concerning
11 the land; and

12 (B) final decisions have been rendered regard-
13 ing all appeals relating to that application decision;
14 or

15 (2) the fee to trust application described in
16 paragraph (1)(A) is withdrawn.

17 (b) **DESCRIPTION OF LAND.**—The land referred to in
18 subsection (a) is land located in Riverside County, Cali-
19 fornia, that is held in fee by the Pechanga Band of
20 Luiseno Mission Indians, as described in Document No.
21 211130 of the Office of the Recorder, Riverside County,
22 California, and recorded on May 15, 2001.

23 (c) **RULE OF CONSTRUCTION.**—Nothing in this sec-
24 tion designates, or shall be used to construe, any land de-
25 scribed in subsection (b) (or any interest in that land) as
26 an Indian reservation, Indian country, Indian land, or res-

1 ervation land (as those terms are defined under any Fed-
2 eral law (including a regulation)) for any purpose under
3 any Federal law.

4 **SEC. 2. ELECTRICITY TRANSMISSION LINE RIGHT-OF-WAY,**
5 **CLEVELAND NATIONAL FOREST.**

6 (a) ISSUANCE.—The Secretary of the Interior and the
7 Secretary of Agriculture shall issue all necessary grants,
8 easements, permits, plan revisions or amendments, and
9 other approvals to allow for the siting and construction
10 of a high-voltage electricity transmission line right-of-way
11 running approximately north to south through the
12 Trabuco Ranger District of the Cleveland National Forest
13 in the State of California and adjacent lands under the
14 jurisdiction of the Bureau of Land Management and the
15 Forest Service. The right-of-way approvals shall provide
16 all necessary Federal authorization from the Secretaries
17 of Agriculture and the Interior for the routing, construc-
18 tion, operation, and maintenance of a 500 KV trans-
19 mission line capable of meeting the region’s long-term
20 electricity transmission needs between the existing Valley-
21 Serrano transmission line to the north and the Telega-
22 Escondido transmission line to the south, and for con-
23 necting to future generating capacity that may be devel-
24 oped in the region.

1 (b) PROTECTION OF WILDERNESS AREAS.—The Sec-
2 retary of the Interior and the Secretary of Agriculture
3 shall not allow any portion of a transmission line right-
4 of-way corridor identified in subsection (a) to enter any
5 identified wilderness area in existence as of the date of
6 the enactment of this Act.

7 (c) ENVIRONMENTAL AND ADMINISTRATIVE RE-
8 VIEW.—Nothing in this section shall affect the applica-
9 bility of any environmental or administrative review re-
10 quired under other provision of laws, including the Na-
11 tional Environmental Policy Act of 1969 (42 U.S.C. 4321
12 note) or the Endangered Species Act of 1973 (16 U.S.C.
13 1531 et seq.). The Secretary of the Interior, acting
14 through the Bureau of Land Management, shall be the
15 lead Federal agency with overall responsibility to ensure
16 completion of required environmental and other reviews of
17 the approvals to be issued under subsection (a). For the
18 portions of the corridor on Forest Service land, the Sec-
19 retary of Agriculture shall complete all required environ-
20 mental reviews and administrative actions, in coordination
21 with the Secretary of the Interior. It is anticipated that
22 the right-of-way route through the Trabuco Ranger Dis-
23 trict of the Cleveland National Forest will make it unnee-
24 cessary to construct regional transmission lines through
25 heavily populated lands in the Temecula Valley.

1 (d) TIME FOR REVIEW AND ISSUANCE.—Any Federal
2 agency that conducts or participates in any environmental
3 or administrative review of the approvals to be issued
4 under subsection (a) shall work expeditiously, and com-
5 plete such review as soon as possible, taking full advantage
6 of any ongoing governmental review processes for any
7 similar or associated projects and proposals, and using all
8 existing or ongoing studies, reports, and assessments to
9 satisfy review requirements. The necessary grants, ease-
10 ments, permits, plan amendments and other approvals for
11 the transmission line right-of-way shall be issued not later
12 than 60 days after the completion of the administrative
13 and environmental review under subsection (c) or March
14 31, 2004, whichever occurs first.

15 (e) PRESERVING STATE AUTHORITY.—Nothing in
16 this section shall affect the authority of the State of Cali-
17 fornia in making any decision regarding the siting or pub-
18 lic need for the transmission line described in subsection
19 (a).

20 (f) OTHER TERMS AND CONDITIONS.—The trans-
21 mission line right-of-way shall be subject to such terms
22 and conditions as the Secretary of the Interior and the
23 Secretary of Agriculture consider necessary, as a result
24 of the environmental review under subsection (c), to pro-
25 tect the value of historic, cultural, tribal, and natural re-

- 1 sources under the jurisdiction of the Department of the
- 2 Interior or the Department of Agriculture.

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