Union Calendar No. 252

110TH CONGRESS
1ST SESSION

H. R. 523

[Report No. 110–398]

To require the Secretary of the Interior to convey certain public land located wholly or partially within the boundaries of the Wells Hydroelectric Project of Public Utility District No. 1 of Douglas County, Washington, to the utility district.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 17, 2007

Mr. HASTINGS of Washington introduced the following bill; which was referred to the Committee on Natural Resources

OCTOBER 22, 2007

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 introduced bill, see copy of bill as introduced on January 17, 2007]

A BILL

To require the Secretary of the Interior to convey certain public land located wholly or partially within the boundaries of the Wells Hydroelectric Project of Public Utility District No. 1 of Douglas County, Washington, to the utility district.

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 "Douglas County, Wash-*

5 *ington, PUD Conveyance Act".*

6 **SEC. 2. DEFINITIONS.**

7 *In this Act:*

8 *(1) PUBLIC LAND.—The term "public land"*

9 *means the approximately 622 acres of Federal land*

10 *managed by the Bureau of Land Management and*

11 *identified for conveyance on the map prepared by the*

12 *Bureau of Land Management entitled "Douglas*

13 *County Public Utility District Proposal" and dated*

14 *March 2, 2006.*

15 *(2) SECRETARY.—The term "Secretary" means*

16 *the Secretary of the Interior.*

17 *(3) PUD.—The term "PUD" means the Public*

18 *Utility District No. 1 of Douglas County, Wash-*

19 *ington.*

20 *(4) WELLS HYDROELECTRIC PROJECT.—The*

21 *term "Wells Hydroelectric Project" means Federal*

22 *Energy Regulatory Commission Project No. 2149.*

SEC. 3. CONVEYANCE OF PUBLIC LAND, WELLS HYDRO-
          ELECTRIC PROJECT, PUBLIC UTILITY DIS-
          TRICT NO. 1 OF DOUGLAS COUNTY, WASH-
          INGTON.

    (a) CONVEYANCE REQUIRED.—Notwithstanding the land use planning requirements of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), and notwithstanding section 24 of the Federal Power Act (16 U.S.C. 818) and Federal Power Order for Project 2149, and subject to valid existing rights, if not later than 45 days after the date of completion of the appraisal required under subsection (b), the Public Utility District No. 1 of Douglas County, Washington, submits to the Secretary of the Interior an offer to acquire the public land for the appraised value, the Secretary shall convey, not later than 30 days after the date of the offer, to the PUD all right, title, and interest of the United States in and to the public land.

    (b) APPRAISAL.—Not later than 60 days after the date of enactment of this Act, the Secretary shall complete an appraisal of the public land. The appraisal shall be conducted in accordance with the "Uniform Appraisal Standards for Federal Land Acquisitions" and the "Uniform Standards of Professional Appraisal Practice".

    (c) PAYMENT.—Not later than 30 days after the date on which the public land is conveyed under this section,

1 *the PUD shall pay to the Secretary an amount equal to*
2 *the appraised value of the public land as determined under*
3 *subsection (b).*

4 *(d) MAP AND LEGAL DESCRIPTIONS.—As soon as*
5 *practicable after the date of enactment of this Act, the Sec-*
6 *retary shall finalize legal descriptions of the public land*
7 *to be conveyed under this section. The Secretary may correct*
8 *any minor errors in the map referred to in section 2 or*
9 *in the legal descriptions. The map and legal descriptions*
10 *shall be on file and available for public inspection in appro-*
11 *priate offices of the Bureau of Land Management.*

12 *(e) COSTS OF CONVEYANCE.—As a condition of convey-*
13 *ance, any costs related to the conveyance under this section*
14 *shall be paid by the PUD.*

15 *(f) DISPOSITION OF PROCEEDS.—The Secretary shall*
16 *deposit the proceeds from the sale in the Federal Land Dis-*
17 *posal Account established by section 206 of the Federal*
18 *Land Transaction Facilitation Act (43 U.S.C. 2305) to be*
19 *expended to improve access to public lands administered by*
20 *the Bureau of Land Management in the State of Wash-*
21 *ington.*

22 **SEC. 4. SEGREGATION OF LANDS.**

23 *(a) WITHDRAWAL.—Except as provided in section*
24 *3(a), effective immediately upon enactment of this Act, and*

1 *subject to valid existing rights, the public land is with-*

2 *drawn from—*

3   *(1) all forms of entry, appropriation, or disposal*

4   *under the public land laws, and all amendments*

5   *thereto;*

6   *(2) location, entry, and patenting under the*

7   *mining laws, and all amendments thereto; and*

8   *(3) operation of the mineral leasing, mineral*

9   *materials, and geothermal leasing laws, and all*

10   *amendments thereto.*

11 *(b) DURATION.—This section expires two years after*

12 *the date of enactment of this Act or on the date of the com-*

13 *pletion of the conveyance under section 3, whichever is ear-*

14 *lier.*

15 **SEC. 5. RETAINED AUTHORITY.**

16 *The Secretary shall retain the authority to place condi-*

17 *tions on the license to insure adequate protection and utili-*

18 *zation of the public land granted to the Secretary in section*

19 *4(e) of the Federal Power Act (16 U.S.C. 797(e)) until the*

20 *Federal Energy Regulatory Commission has issued a new*

21 *license for the Wells Hydroelectric Project, to replace the*

22 *original license expiring May 31, 2012, consistent with sec-*

23 *tion 15 of the Federal Power Act (16 U.S.C. 808).*

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