

Calendar No. 810

110TH CONGRESS
2D SESSION**H. R. 523****[Report No. 110-378]**

IN THE SENATE OF THE UNITED STATES

OCTOBER 23, 2007

Received; read twice and referred to the Committee on Energy and Natural
Resources

JUNE 16, 2008

Reported by Mr. BINGAMAN, without amendment

AN ACT

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,
5 Washington, PUD Conveyance Act”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) PUBLIC LAND.—The term “public land”
4 means the approximately 622 acres of Federal land
5 managed by the Bureau of Land Management and
6 identified for conveyance on the map prepared by
7 the Bureau of Land Management entitled “Douglas
8 County Public Utility District Proposal” and dated
9 March 2, 2006.

10 (2) SECRETARY.—The term “Secretary” means
11 the Secretary of the Interior.

12 (3) PUD.—The term “PUD” means the Public
13 Utility District No. 1 of Douglas County, Wash-
14 ington.

15 (4) WELLS HYDROELECTRIC PROJECT.—The
16 term “Wells Hydroelectric Project” means Federal
17 Energy Regulatory Commission Project No. 2149.

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

22 (a) CONVEYANCE REQUIRED.—Notwithstanding the
23 land use planning requirements of sections 202 and 203
24 of the Federal Land Policy and Management Act of 1976
25 (43 U.S.C. 1712, 1713), and notwithstanding section 24
26 of the Federal Power Act (16 U.S.C. 818) and Federal

1 Power Order for Project 2149, and subject to valid exist-
2 ing rights, if not later than 45 days after the date of com-
3 pletion of the appraisal required under subsection (b), the
4 Public Utility District No. 1 of Douglas County, Wash-
5 ington, submits to the Secretary of the Interior an offer
6 to acquire the public land for the appraised value, the Sec-
7 retary shall convey, not later than 30 days after the date
8 of the offer, to the PUD all right, title, and interest of
9 the United States in and to the public land.

10 (b) APPRAISAL.—Not later than 60 days after the
11 date of enactment of this Act, the Secretary shall complete
12 an appraisal of the public land. The appraisal shall be con-
13 ducted in accordance with the “Uniform Appraisal Stand-
14 ards for Federal Land Acquisitions” and the “Uniform
15 Standards of Professional Appraisal Practice”.

16 (c) PAYMENT.—Not later than 30 days after the date
17 on which the public land is conveyed under this section,
18 the PUD shall pay to the Secretary an amount equal to
19 the appraised value of the public land as determined under
20 subsection (b).

21 (d) MAP AND LEGAL DESCRIPTIONS.—As soon as
22 practicable after the date of enactment of this Act, the
23 Secretary shall finalize legal descriptions of the public land
24 to be conveyed under this section. The Secretary may cor-
25 rect any minor errors in the map referred to in section

1 2 or in the legal descriptions. The map and legal descrip-
2 tions shall be on file and available for public inspection
3 in appropriate offices of the Bureau of Land Management.

4 (e) COSTS OF CONVEYANCE.—As a condition of con-
5 veyance, any costs related to the conveyance under this
6 section shall be paid by the PUD.

7 (f) DISPOSITION OF PROCEEDS.—The Secretary shall
8 deposit the proceeds from the sale in the Federal Land
9 Disposal Account established by section 206 of the Fed-
10 eral Land Transaction Facilitation Act (43 U.S.C. 2305)
11 to be expended to improve access to public lands adminis-
12 tered by the Bureau of Land Management in the State
13 of Washington.

14 **SEC. 4. SEGREGATION OF LANDS.**

15 (a) WITHDRAWAL.—Except as provided in section
16 3(a), effective immediately upon enactment of this Act,
17 and subject to valid existing rights, the public land is with-
18 drawn from—

19 (1) all forms of entry, appropriation, or disposal
20 under the public land laws, and all amendments
21 thereto;

22 (2) location, entry, and patenting under the
23 mining laws, and all amendments thereto; and

1 (3) operation of the mineral leasing, mineral
2 materials, and geothermal leasing laws, and all
3 amendments thereto.

4 (b) DURATION.—This section expires two years after
5 the date of enactment of this Act or on the date of the
6 completion of the conveyance under section 3, whichever
7 is earlier.

8 **SEC. 5. RETAINED AUTHORITY.**

9 The Secretary shall retain the authority to place con-
10 ditions on the license to insure adequate protection and
11 utilization of the public land granted to the Secretary in
12 section 4(e) of the Federal Power Act (16 U.S.C. 797(e))
13 until the Federal Energy Regulatory Commission has
14 issued a new license for the Wells Hydroelectric Project,
15 to replace the original license expiring May 31, 2012, con-
16 sistent with section 15 of the Federal Power Act (16
17 U.S.C. 808).

Calendar No. 810

110TH CONGRESS
2^D SESSION

H. R. 523

[Report No. 110-378]

AN ACT

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.

JUNE 16, 2008

Reported without amendment