

# Union Calendar No. 103

112<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 441

**[Report No. 112-158]**

To authorize the Secretary of the Interior to issue permits for a microhydro project in nonwilderness areas within the boundaries of Denali National Park and Preserve, to acquire land for Denali National Park and Preserve from Doyon Tourism, Inc., and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 25, 2011

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

JULY 20, 2011

Reported with amendments, 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 *italie*]

[For text of introduced bill, see copy of bill as introduced on January 25, 2011]

# **A BILL**

To authorize the Secretary of the Interior to issue permits for a microhydro project in nonwilderness areas within the boundaries of Denali National Park and Preserve, to acquire land for Denali National Park and Preserve from Doyon Tourism, Inc., 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,*

3 **SECTION 1. SHORT TITLE.**

4        *This Act may be cited as the “Kantishna Hills Renew-*  
5 *able Energy Act of 2011”.*

6 **SEC. 2. DEFINITIONS.**

7        *In this Act:*

8            (1) *APPURTENANCE.*—*The term “appurtenance”*  
9 *includes—*

10                    (A) *transmission lines;*

11                    (B) *distribution lines;*

12                    (C) *signs;*

13                    (D) *buried communication lines;*

14                    (E) *necessary access routes for microhydro*  
15 *project construction, operation, and mainte-*  
16 *nance; and*

17                    (F) *electric cables.*

18            (2) *KANTISHNA HILLS AREA.*—*The term*  
19 *“Kantishna Hills area” means the area of the Park*  
20 *located within 2 miles of Moose Creek, as depicted on*  
21 *the map.*

22            (3) *MAP.*—*The term “map” means the map enti-*  
23 *tled “Kantishna Hills Micro-Hydro Area”, numbered*  
24 *184/80,276, and dated August 27, 2010.*

25            (4) *MICROHYDRO PROJECT.*—

1           (A) *IN GENERAL.*—The term “microhydro  
2           project” means a hydroelectric power generating  
3           facility with a maximum power generation ca-  
4           pability of 100 kilowatts.

5           (B) *INCLUSIONS.*—The term “microhydro  
6           project” includes—

7                   (i) intake pipelines, including the in-  
8                   take pipeline located on Eureka Creek, ap-  
9                   proximately  $\frac{1}{2}$  mile upstream from the  
10                  Park Road, as depicted on the map;

11                   (ii) each system appurtenance of the  
12                   microhydro projects; and

13                   (iii) any distribution or transmission  
14                   lines required to serve the Kantishna Hills  
15                   area.

16           (5) *PARK.*—The term “Park” means the Denali  
17           National Park and Preserve.

18           (6) *SECRETARY.*—The term “Secretary” means  
19           the Secretary of the Interior.

20   **SEC. 3. PERMITS FOR MICROHYDRO PROJECTS.**

21           (a) *IN GENERAL.*—The Secretary may issue permits  
22           for microhydro projects in the Kantishna Hills area.

23           (b) *TERMS AND CONDITIONS.*—Each permit under  
24           subsection (a) shall be—

1           (1) *issued in accordance with such terms and*  
2           *conditions as are generally applicable to rights-of-way*  
3           *within units of the National Park System; and*

4           (2) *subject to such other terms and conditions as*  
5           *the Secretary determines to be necessary.*

6           (c) *COMPLETION OF ENVIRONMENTAL ANALYSIS.—Not*  
7           *later than 180 days after the date on which an applicant*  
8           *submits an application for the issuance of a permit under*  
9           *this section, the Secretary shall complete any analysis re-*  
10          *quired by the National Environment Policy Act of 1969 (42*  
11          *U.S.C. 4321 et seq.) of any proposed or existing microhydro*  
12          *projects located in the Kantishna Hills area.*

13          **SEC. 4. LAND EXCHANGE.**

14          (a) *IN GENERAL.—For the purpose of consolidating*  
15          *ownership of Park and Doyon Tourism, Inc. lands, includ-*  
16          *ing those lands affected solely by the Doyon Tourism*  
17          *microhydro project, and subject to subsection (d), the Sec-*  
18          *retary may exchange Park land near or adjacent to land*  
19          *owned by Doyon Tourism, Inc., located at the mouth of Eu-*  
20          *reka Creek in sec. 13, T.16 S., R. 18 W., Fairbanks Merid-*  
21          *ian, for approximately 18 acres of land owned by Doyon*  
22          *Tourism, Inc., within the Galena patented mining claim.*

23          (b) *MAP AVAILABILITY.—The map shall be on file and*  
24          *available for public inspection in the appropriate offices of*  
25          *the National Park Service.*

1       (c) *TIMING.*—*The Secretary shall seek to complete the*  
2 *exchange under this section by not later than February 1,*  
3 *2015.*

4       (d) *APPLICABLE LAWS; TERMS AND CONDITIONS.*—  
5 *The exchange under this section shall be subject to—*

6           (1) *the laws (including regulations) and policies*  
7 *applicable to exchanges of land administered by the*  
8 *National Park Service, including the laws and poli-*  
9 *cies concerning land appraisals, equalization of val-*  
10 *ues, and environmental compliance; and*

11           (2) *such terms and conditions as the Secretary*  
12 *determines to be necessary.*

13       (e) *EQUALIZATION OF VALUES.*—*If the tracts proposed*  
14 *for exchange under this section are determined not to be*  
15 *equal in value, an equalization of values may be achieved*  
16 *by adjusting the quantity of acres described in subsection*  
17 *(a).*

18       (f) *ADMINISTRATION.*—*The land acquired by the Sec-*  
19 *retary pursuant to the exchange under this section shall be*  
20 *administered as part of the Park.*

Amend the title so as to read: “A bill to authorize the Secretary of the Interior to issue permits for microhydro projects in nonwilderness areas within the boundaries of Denali National Park and Preserve, to acquire land for Denali National Park and Preserve from Doyon Tourism, Inc., and for other purposes.”.



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