

113TH CONGRESS
1ST SESSION

S. 25

To direct the Secretary of the Interior to convey certain Federal features of the electric distribution system to the South Utah Valley Electric Service District, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 22 (legislative day, JANUARY 3), 2013

Mr. HATCH (for himself and Mr. LEE) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To direct the Secretary of the Interior to convey certain Federal features of the electric distribution system to the South Utah Valley Electric Service District, 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 “South Utah Valley
5 Electric Conveyance Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) DISTRICT.—The term “District” means the
2 South Utah Valley Electric Service District, orga-
3 nized under the laws of the State of Utah.

4 (2) ELECTRIC DISTRIBUTION SYSTEM.—The
5 term “Electric Distribution System” means fixtures,
6 irrigation, or power facilities lands, distribution fix-
7 ture lands, and shared power poles.

8 (3) FIXTURES.—The term “fixtures” means all
9 power poles, cross-members, wires, insulators and
10 associated fixtures, including substations, that—

11 (A) comprise those portions of the Straw-
12 berry Valley Project power distribution system
13 that are rated at a voltage of 12.5 kilovolts and
14 were constructed with Strawberry Valley
15 Project revenues; and

16 (B) any such fixtures that are located on
17 Federal lands and interests in lands.

18 (4) IRRIGATION OR POWER FACILITIES
19 LANDS.—The term “irrigation or power facilities
20 lands” means all Federal lands and interests in
21 lands where the fixtures are located on the date of
22 the enactment of this Act and which are encumbered
23 by other Strawberry Valley Project irrigation or
24 power features, including lands underlying the
25 Strawberry Substation.

1 the Electric Distribution System, the Secretary shall, as
2 soon as practicable after the date of enactment of this Act
3 and in accordance with applicable law, convey and assign
4 to the District without charge or further consideration—

5 (1) all of the United States right, title, and in-
6 terest in and to—

7 (A) all fixtures owned by the United States
8 as part of the Electric Distribution System; and

9 (B) the distribution fixture land;

10 (2) license for use in perpetuity of the shared
11 power poles to continue to own, operate, maintain,
12 and replace Electric Distribution Fixtures attached
13 to the shared power poles; and

14 (3) licenses for use and for access in perpetuity
15 for purposes of operation, maintenance, and replace-
16 ment across, over, and along—

17 (A) all project lands and interests in irri-
18 gation and power facilities lands where the
19 Electric Distribution System is located on the
20 date of the enactment of this Act that are nec-
21 essary for other Strawberry Valley Project fa-
22 cilities (the ownership of such underlying lands
23 or interests in lands shall remain with the
24 United States), including lands underlying the
25 Strawberry Substation; and

1 (B) such corridors where Federal lands
2 and interests in lands—

3 (i) are abutting public streets and
4 roads; and

5 (ii) can provide access that will facili-
6 tate operation, maintenance, and replace-
7 ment of facilities.

8 (b) COMPLIANCE WITH ENVIRONMENTAL LAWS.—

9 (1) IN GENERAL.—Before conveying lands, in-
10 terest in lands, and fixtures under subsection (a),
11 the Secretary shall comply with all applicable re-
12 quirements under—

13 (A) the National Environmental Policy Act
14 of 1969 (42 U.S.C. 4321 et seq.);

15 (B) the Endangered Species Act of 1973
16 (16 U.S.C. 1531 et seq.); and

17 (C) any other law applicable to the land
18 and facilities.

19 (2) EFFECT.—Nothing in this Act modifies or
20 alters any obligations under—

21 (A) the National Environmental Policy Act
22 of 1969 (42 U.S.C. 4321 et seq.); or

23 (B) the Endangered Species Act of 1973
24 (16 U.S.C. 1531 et seq.).

1 (c) POWER GENERATION AND 46KV TRANSMISSION
2 FACILITIES EXCLUDED.—Except for the uses as granted
3 by license in Shared Power Poles under section 3(a)(2),
4 nothing in this Act shall be construed to grant or convey
5 to the District or any other party, any interest in any fa-
6 cilities shared or otherwise that comprise a portion of the
7 Strawberry Valley Project power generation system or the
8 federally owned portions of the 46 kilovolt transmission
9 system which ownership shall remain in the United States.

10 **SEC. 4. EFFECT OF CONVEYANCE.**

11 On conveyance of any land or facility under section
12 3(a)(1)—

13 (1) the conveyed and assigned land and facili-
14 ties shall no longer be part of a Federal reclamation
15 project;

16 (2) the District shall not be entitled to receive
17 any future Bureau or Reclamation benefits with re-
18 spect to the conveyed and assigned land and facili-
19 ties, except for benefits that would be available to
20 other non-Bureau of Reclamation facilities; and

21 (3) the United States shall not be liable for
22 damages arising out of any act, omission, or occur-
23 rence relating to the land and facilities, including
24 the transaction of April 7, 1986, between the Straw-

1 berry Water Users Association and the Strawberry
2 Electric Service District.

3 **SEC. 5. REPORT.**

4 If a conveyance required under section 3 is not com-
5 pleted by the date that is 1 year after the date of the
6 enactment of this Act, the Secretary shall, not later than
7 30 days after that date, submit to Congress a report
8 that—

9 (1) describes the status of the conveyance;

10 (2) describes any obstacles to completing the
11 conveyance; and

12 (3) specifies an anticipated date for completion
13 of the conveyance.

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