

105TH CONGRESS
2D SESSION

S. 2478

To direct the Secretary of Agriculture to convey certain land to FERC
permit holders.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 16, 1998

Mr. GORTON 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 Agriculture to convey certain
land to FERC permit holders.

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. CONVEYANCE.**

4 (a) IN GENERAL.—Notwithstanding anything in the
5 record of decision adopting the Northwest Forest Plan
6 dated April 13, 1994 (59 Fed. Reg. 18788), the Secretary
7 of Agriculture shall convey to the permit holders described
8 in subsection (b), at fair market value, by quitclaim deed,
9 the parcels of land (including roads) necessary for develop-
10 ment of the small hydroelectric power project sites, located

1 in whole or part within the Mt. Baker/Snoqualmie Na-
 2 tional Forest, Washington, described as follows:

3 (1) Anderson Creek, approximately 26.3 acres,
 4 Sections 21, 28, 29, and 32, T37N, R9E, Willam-
 5 ette meridian.

6 (2) Irene Creek, approximately 10.3 acres,
 7 T35N, R12E, Sections 18 and 19, Willamette me-
 8 ridian.

9 (3) Martin Creek, approximately 14.13 acres,
 10 T26N, R12E, Sections 12, 13, 24, and 25, and
 11 R13E, Section 8, Willamette meridian.

12 (4) Big/Grade Creeks, approximately 19.96
 13 acres, T33N, R11E, Sections 7, 8, 9, 17, and 18,
 14 Willamette meridian.

15 (5) Cumberland Creek, approximately 8.46
 16 acres, T35N, R6E, Sections 23, 24, and 25, Willam-
 17 ette meridian.

18 (6) O'Toole Creek, approximately 10.0 acres,
 19 T35N, R7E, Sections 28, 29, and 33, Willamette
 20 meridian.

21 (b) PERMIT HOLDERS.—The permit holders de-
 22 scribed in this subsection are the persons holding prelimi-
 23 nary permits issued by, or having filed license applications
 24 with, the Federal Energy Regulatory Commission covering

1 the sites described in subsection (a) during the period of
2 January 1, 1990, through December 31, 1996.

3 (c) TIMING.—A conveyance shall be made as soon as
4 practicable after receipt of a written request made by a
5 permit holder that—

6 (1) describes the Federal land or other real
7 property interest needed for project development;
8 and

9 (2) sets forth a fair market price, which shall
10 not include the value of timber on the land.

11 (d) ADDITIONAL LAND.—The Secretary of Agri-
12 culture—

13 (1) shall convey any additional land or property
14 interests that may be required under a license issued
15 by the Federal Energy Regulatory Commission for a
16 project described in subsection (b); but

17 (2) may retain in any quitclaim deed an ease-
18 ment for public access to Mt. Baker/Snoqualmie Na-
19 tional Forest land.

20 (e) CONSIDERATION.—Upon removal and sale of tim-
21 ber required for project development under a license issued
22 by the Federal Energy Regulatory Commission for a site,
23 the licensee shall pay the net proceeds, if any, of the sale
24 to the Secretary of Agriculture.

1 (f) USE OF PROCEEDS.—Proceeds received by the
2 Secretary of Agriculture under subsection (e) shall be de-
3 posited in a separate account in the Treasury of the
4 United States and shall be available to the Secretary of
5 Agriculture, without further Act of appropriation, for use
6 in watershed and species management activities to ensure
7 that the Northwest Forest Plan is being properly imple-
8 mented on the Mt. Baker/Snoqualmie National Forest.

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