

106TH CONGRESS
1ST SESSION

S. 1620

To direct the Secretary of Agriculture to convey certain land to Federal Energy Regulatory Commission permit holders.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 22, 1999

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 Federal Energy Regulatory Commission 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 any provision in
5 the 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 and by quitclaim
9 deed, the parcels of land (including roads) necessary for
10 development of the small hydroelectric power project sites,

1 located in whole or in part within the Mt. Baker/
2 Snoqualmie National Forest, Washington, described as
3 follows:

4 (1) Anderson Creek, comprising approximately
5 26.3 acres, Sections 21, 28, 29, and 32, T37N, R9E
6 Willamette meridian.

7 (2) Irene Creek, comprising approximately 10.3
8 acres, T35N, R12E, Sections 18 and 19, Willamette
9 meridian.

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

13 (4) Big/Grade Creeks, comprising approxi-
14 mately 19.96 acres, T33N, R11E, Sections 7, 8, 9,
15 17, and 18, Willamette meridian.

16 (5) Cumberland Creek, comprising approxi-
17 mately 8.46 acres, T35N, R6E, Sections 23, 24, and
18 25, Willamette meridian.

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

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

1 the parcels described in subsection (a) during the period
2 beginning on January 1, 1990, and ending on December
3 31, 1996.

4 (c) TIMING.—A conveyance under subsection (a)
5 shall be made as soon as practicable after receipt of a writ-
6 ten request made by a permit holder that—

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

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

12 (d) ADDITIONAL LAND.—The Secretary of
13 Agriculture—

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

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

21 (e) CONSIDERATION.—On removal and sale of timber
22 required for project development under a license issued by
23 the Federal Energy Regulatory Commission for a parcel,
24 the licensee shall pay the net proceeds, if any, of the sale
25 to the Secretary of Agriculture.

1 (f) USE OF PROCEEDS.—Proceeds received by the
2 Secretary of Agriculture under subsection (e) shall—

3 (1) be deposited in a separate account in the
4 Treasury of the United States; and

5 (2) remain available to the Secretary of Agri-
6 culture, without further Act of appropriation, for use
7 in watershed and species management activities to
8 ensure proper implementation of the Northwest For-
9 est Plan in the Mt. Baker/Snoqualmie National For-
10 est.

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