

111TH CONGRESS
2D SESSION

S. 3820

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.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 22, 2010

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

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 Re-
5 newable Energy Act of 2010”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) APPURTENANCE.—The term “appur-

2 tenance” includes—

3 (A) transmissions lines;

4 (B) distribution lines;

5 (C) signs;

6 (D) buried communication;

7 (E) maintenance roads; and

8 (F) electric cables.

9 (2) KANTISHNA HILLS AREA.—The term

10 “Kantishna Hills area” means the area of the Park

11 located within 2 miles of Moose Creek, as indicated

12 on the map.

13 (3) MAP.—The term “map” means the map en-

14 titled “Doyon-Kantishna Land Exchange Map” and

15 dated _____.

16 (4) MICROHYDRO PROJECT.—

17 (A) IN GENERAL.—The term “microhydro

18 project” means a hydroelectric power gener-

19 ating facility with a maximum power generation

20 capability of less than 100 kilowatts.

21 (B) INCLUSIONS.—The term “microhydro

22 project” includes—

23 (i) the intake pipeline located on Eu-

24 reka Creek, approximately ½ mile up-

1 stream from the Park Road, as depicted on
2 the map;

3 (ii) each system appurtenance of the
4 microhydro project; and

5 (iii) any distribution or transmission
6 line required to serve the Kantishna Hills
7 area.

8 (5) PARK.—The term “Park” means the Denali
9 National Park and Preserve in the State of Alaska.

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

12 **SEC. 3. PERMIT FOR MICROHYDRO PROJECT.**

13 (a) IN GENERAL.—Subject to subsection (b), not
14 later than 180 days after the date of enactment of this
15 Act, the Secretary shall issue in nonwilderness areas with-
16 in the boundaries of the Park permits for the microhydro
17 project.

18 (b) TERMS AND CONDITIONS.—Each permit under
19 subsection (a) shall be—

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

23 (2) subject to such other reasonable terms and
24 conditions as the Secretary determines to be nec-

1 essary to protect the purposes and values of the
 2 Park.

3 **SEC. 4. LAND EXCHANGE.**

4 (a) IN GENERAL.—Subject to subsection (d), the Sec-
 5 retary shall exchange the approximately 18 acres of land
 6 within the boundary of the Park, as generally depicted on
 7 the map, for the approximately 18 acres of land owned
 8 by Doyon Tourism, Inc., as generally depicted on the map.

9 (b) MAP AVAILABILITY.—The map shall be on file
 10 and available for public inspection in the appropriate of-
 11 fices of the National Park Service.

12 (c) TIMING.—The Secretary shall seek to complete
 13 the exchange under this section by not later than Feb-
 14 ruary 1, 2015.

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

17 (1) the laws (including regulations) and policies
 18 applicable to exchanges of land administered by the
 19 National Park Service, including the laws and poli-
 20 cies concerning land appraisals and equalization of
 21 values; and

22 (2) such terms and conditions as the Secretary
 23 considers to be appropriate.

24 (e) EQUALIZATION OF VALUES.—If the tracts pro-
 25 posed for exchange under this section are determined not

1 to be equal in value, an equalization of values may be
2 achieved by adjusting the quantity of acres described in
3 subsection (a).

4 (f) ADMINISTRATION.—The land acquired by the Sec-
5 retary pursuant to the exchange under this section shall
6 be administered as part of the Park.

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