

Mr. DOOLITTLE. Mr. Speaker, I urge passage of this important bill.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. DOOLITTLE] that the House suspend the rules and pass the bill, H.R. 2292, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GUNNISON COUNTY, COLORADO, LAND CONVEYANCE

Mr. DOOLITTLE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2438) to provide for the conveyance of lands to certain individuals in Gunnison County, CO, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2438

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. BOUNDARY ADJUSTMENT AND LAND CONVEYANCE, RAGGEDS WILDER- NESS, WHITE RIVER NATIONAL FOR- EST, COLORADO.

(a) FINDINGS.—The Congress finds the following:

(1) Certain landowners in Gunnison County, Colorado, who own real property adjacent to the portion of the Raggeds Wilderness in the White River National Forest, Colorado, have occupied or improved their property in good faith and in reliance on erroneous surveys of their properties that the landowners reasonably believed were accurate.

(2) In 1993, a Forest Service resurvey of the Raggeds Wilderness established accurate boundaries between the wilderness area and adjacent private lands.

(3) The resurvey indicated that a small portion of the Raggeds Wilderness is occupied by adjacent landowners on the basis of the earlier erroneous land surveys.

(b) PURPOSE.—It is the purpose of this section to remove from the boundaries of the Raggeds Wilderness certain real property so as to permit the Secretary of Agriculture to use the authority of Public Law 97-465 (commonly known as the Small Tracts Act; 16 U.S.C. 521c-521i) to convey the property to the landowners who occupied the property on the basis of erroneous land surveys.

(c) BOUNDARY ADJUSTMENT.—The boundary of the Raggeds Wilderness, Gunnison and White River National Forests, Colorado, as designated by section 102(a)(16) of Public Law 96-560 (16 U.S.C. 1132 note), is hereby modified to exclude from the area encompassed by the wilderness a parcel of real property approximately 0.86-acres in size situated in the SW¼ of the NE¼ of Section 28, Township 11 South, Range 88 West of the 6th Principal Meridian, as depicted on the map entitled "Encroachment-Raggeds Wilderness", dated November 17, 1993. Such map shall be on file and available for inspection in the appropriate offices of the United States Forest Service, Department of Agriculture.

(d) CONVEYANCE OF LAND REMOVED FROM WILDERNESS AREA.—The Secretary of Agriculture shall use the authority provided by Public Law 97-465 (commonly known as the

Small Tracts Act; 16 U.S.C. 521c-521i) to convey all right, title, and interest of the United States in and to the real property excluded from the boundaries of the Raggeds Wilderness under subsection (c) to those owners of real property in Gunnison County, Colorado, whose real property adjoins the excluded lands and who have occupied the excluded lands in good faith reliance on an erroneous survey.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. DOOLITTLE] and the gentleman from California [Mr. MILLER] each will control 20 minutes.

The Chair recognizes the gentleman from California [Mr. DOOLITTLE].

Mr. DOOLITTLE. Mr. Speaker, I yield myself such time as I may consume.

(Mr. DOOLITTLE asked and was given permission to revise and extend his remarks.)

Mr. DOOLITTLE. Mr. Speaker, I rise in support of H.R. 2438, introduced by Mr. MCINNIS of Colorado. H.R. 2438 corrects an encroachment into the Raggeds Wilderness on the White River National Forest, just west of the Town of Marble, CO. The encroachment, discovered in 1993 following a new boundary survey, consists of approximately 400 feet of power line and 450 feet of road. In addition, portions of four subdivision lots extend into the wilderness. The road is a county road and provides the sole legal access to the four lots. The entire encroachment is less than 1 acre of land.

The land in question does not have any wilderness characteristics. This land was used as it is today for 23 years before Congress designated the Raggeds Wilderness in 1982. Although only 0.86 acres is affected, the Forest Service cannot settle the matter under authority of the Small Tracts Act because the lands in question are within the Raggeds Wilderness.

H.R. 2438 adjusts the wilderness boundary to exclude the 0.86 acres from the wilderness area, and, as amended in the Subcommittee on National Parks, Forests and Lands, it directs the Secretary of Agriculture to convey the affected lands to the landowners under the authority of the Small Tracts Act.

I urge the Members of the House to support H.R. 2438, so that the Forest Service will have the authority it needs to complete this minor land adjustment.

Mr. Speaker, I reserve the balance of my time.

Mr. MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have no objection to the consideration of this measure. The bill was amended by the Committee on Resources to require that land transfers should be made pursuant to the Small Tracts Act, thereby protecting the public interest in this land transfer.

Mr. Speaker, H.R. 2238 deletes approximately 1 acre from the Raggeds Wilderness and authorizes the transfer of this land to the adjacent private landowners who thought the

land was theirs based on erroneous private surveys.

Mr. Speaker, I yield back the balance of my time.

Mr. DOOLITTLE. Mr. Speaker, I urge the passage of this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. DOOLITTLE] that the House suspend the rules and pass the bill, H.R. 2438, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1415

WENATACHEE NATIONAL FOREST LAND EXCHANGE

Mr. DOOLITTLE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2518) to authorize the Secretary of Agriculture to exchange certain lands in the Wenatchee National Forest, WA, for certain lands owned by Public Utility District No. 1 of Chelan County, WA, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2518

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LAND EXCHANGE.

(a) EXCHANGE.—Subject to subsection (c), the Secretary of Agriculture (referred to in this section as the "Secretary") shall convey all right, title, and interest of the United States in and to the National Forest System lands described in subsection (b)(1) to Public Utility District No. 1 of Chelan County, Washington (referred to in this section as the "Public Utility District"), in exchange for the conveyance to the Secretary of Agriculture by Public Utility District of all right, title, and interest of the Public Utility District in and to the lands described in subsection (b)(2).

(b) DESCRIPTIONS OF LANDS.—

(1) NATIONAL FOREST SYSTEM LANDS.—The National Forest System lands referred to in subsection (a) are 122 acres, more or less, that are partially occupied by a wastewater treatment facility referred to in subsection (c)(4)(A) with the following legal description:

(A) The NE¼ of SW¼ of section 27 of township 27 north, range 17 east, Willamette Meridian, Chelan County, Washington.

(B) The N½ of SE¼ of SW¼ of such section 27.

(C) The W½ of NW¼ of SE¼ of such section 27.

(D) The NW¼ of SW¼ of SE¼ of such section 27.

(E) The E½ of NW¼ of the SE¼ of such section 27.

(F) That portion of the S½ of SE¼ of SW¼ lying north of the northerly edge of Highway 209 right-of-way of such section 27.

(2) PUBLIC UTILITY DISTRICT LANDS.—The lands owned by the Public Utility District are 109.15 acres, more or less, with the following legal description:

(A) S½ of SW¼ of section 35 of township 26 north, range 17 east, Willamette Meridian Chelan County, Washington.

(B) The area specified by Public Utility District No. 1 as Government Lot 5 in such section 35.

(c) REQUIREMENTS FOR EXCHANGE.—

(1) TITLE ACCEPTANCE AND CONVEYANCE.—Upon offer by the Public Utility District of all right, title, and interest in and to the lands described in subsection (b)(2), if the title is found acceptable by the Secretary, the Secretary shall accept title to such lands and interests therein and shall convey to the Public Utility District all right, title, and interest of the United States in and to the lands described in subsection (b)(1).

(2) APPRAISALS REQUIRED.—Before making an exchange pursuant to subsection (a), the Secretary shall conduct appraisals of the lands that are subject to the exchange to determine the fair market value of the lands. Such appraisals shall not include the value of the wastewater treatment facility referred to in paragraph (4)(A).

(3) ADDITIONAL CONSIDERATION.—If, on the basis of the appraisals made under paragraph (1), the Secretary determines that the fair market value of the lands to be conveyed by one party under subsection (a) is less than the fair market value of the lands to be conveyed by the other party under subsection (a), then, as a condition of making the exchange under subsection (a), the party conveying the lands with the lesser value shall pay the other party the amount by which the fair market value of the lands of greater value exceeds the fair market value of the lands of lesser value.

(4) CONVEYANCE OF WASTEWATER TREATMENT FACILITY.—(A) As part of an exchange made under subsection (a), the Secretary shall convey to the Public Utility District of Chelan County, Washington, all right, title, and interest of the United States in and to the wastewater treatment facility (including the wastewater treatment plant and associated lagoons) located on the lands described in subsection (b)(1) that is in existence on the date of the exchange.

(B) As a condition for the exchange under subsection (a), the Public Utility District shall provide for a credit equal to the fair market value of the wastewater treatment facility conveyed pursuant to subparagraph (A) (determined as of November 4, 1991), that shall be applied to the United States' share of any new or modified wastewater treatment facilities constructed by the Public Utility District after November 4, 1991.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the exchange under this section as the Secretary determines appropriate to protect the interests of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. DOOLITTLE] and the gentleman from California [Mr. MILLER] each will control 20 minutes.

The Chair recognizes the gentleman from California [Mr. DOOLITTLE].

Mr. DOOLITTLE. Mr. Speaker, I yield myself such time as I may consume.

(Mr. DOOLITTLE asked and was given permission to revise and extend his remarks.)

Mr. DOOLITTLE. Mr. Speaker, I rise in support of H.R. 2518, introduced by Mr. HASTINGS of Washington. This legislation provides for the transfer of 122 acres of National Forest System lands and a sewage treatment plant to Public Utility District No. 1 of Chelan County. In exchange, the Forest Service will receive 109 acres of unencumbered land owned by the P.U.D. on the Wenatchee River.

H.R. 2518 requires the Secretary of Agriculture to conduct an appraisal to determine the current fair market value of the lands and requires payment needed to equalize any difference in land value. It also requires that all right, title, and interest in the wastewater treatment facility shall be conveyed to the P.U.D., and that the P.U.D. shall provide a credit, equal to the fair market value of the treatment facility, applied to the United States' share of any new or modified facilities constructed by the P.U.D. after November 4, 1991.

Mr. HASTINGS is to be commended for his efforts to ensure that the legislation fully meets the needs of both the Forest Service and the public utility district. H.R. 2518 is supported by the administration and is needed to provide for the more efficient management of wastewater treatment in the Lake Wenatchee area of Chelan County, Washington. Therefore, I urge my colleagues to facilitate this land exchange and support H.R. 2518.

Mr. Speaker, I reserve the balance of my time.

Mr. MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2518 would authorize the transfer of sewage treatment facilities and associated lands on the Wenatchee National Forest to Public Utility No. 1 of Chelan County, in exchange for lands of equal value and other consideration.

We have no objection to the measure and I would note that the administration also supports the bill. It is a fair deal for both the local utility district and the Federal Government.

Mr. Speaker, I yield back the balance of my time.

Mr. DOOLITTLE. Mr. Speaker, I yield 5 minutes to the gentleman from Washington [Mr. HASTINGS].

Mr. HASTINGS of Washington. Mr. Speaker, I thank the gentleman for yielding and rise in strong support of H.R. 2518.

This noncontroversial bill authorizes the transfer of 122 acres of Wenatchee National Forest land that includes a wastewater treatment plant, for 109 acres of unencumbered land along the Wenatchee River currently owned by Chelan Public Utility District No. 1.

In recent years, the septic system serving area businesses and private residences has failed due to rapid growth and development throughout the Lake Wenatchee community. The PUD will use the Forest Service facility to provide adequate services to this area.

H.R. 2518 merely implements this commonsense solution developed by the local community. The bill has the strong support of the PUD, the Forest Service, and the local county commissioners. All sides agree that the transfer of the Forest Service's wastewater treatment plant is the answer to the Lake Wenatchee community's current problems.

I want to thank Subcommittee Chairman HANSEN and Ranking Mem-

ber RICHARDSON for their prompt attention to this bill and urge its passage today.

Mr. DOOLITTLE. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. DOOLITTLE] that the House suspend the rules and pass the bill, H.R. 2518, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

DEL NORTE COUNTY, CA, LAND CONVEYANCE

Mr. DOOLITTLE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2709) to provide for the conveyance of certain land to the Del Norte County Unified School District of Del Norte County, CA, as amended.

The Clerk read as follows:

H.R. 2709

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONVEYANCE.

As soon as practicable after the date of the enactment of this Act, the Secretary of Agriculture shall convey to the Del Norte County Unified School district of Del Norte County, California, in accordance with this Act, all right, title, and interest of the United States in and to the property described in section 2.

SEC. 2. PROPERTY DESCRIPTION.

The property referred to in section 1 is that portion of Township 17 North, Range 2 East, Humboldt Meridian in Del Norte County, California, which is further described as follows:

Beginning at Angle Point No. 3 of Tract 41 as resurveyed by the Bureau of Land Management under survey Group No. 1013, approved August 13, 1990, and shown on the official plat thereof;

thence on the line between Angle Points No. 3 and No. 4 of Tract 41, North 89 degrees, 24 minutes, 20 seconds East, a distance of 345.44 feet to Angle Point No. 4 of Tract 41;

thence on the line between Angle Points No. 4 and No. 5 of Tract 41, South 00 degrees, 01 minutes, 20 seconds East, a distance of 517.15 feet;

thence West, a distance of 135.79 feet;

thence North 88 degrees, 23 minutes, 01 seconds West, a distance of 61.00 feet;

thence North 39 degrees, 58 minutes, 18 seconds West, a distance of 231.37 feet to the East line of Section 21, Township 17 North, Range 2 East;

thence along the East line of Section 21, North 00 degrees, 02 minutes, 20 seconds West, a distance of 334.53 feet to the point of beginning.

SEC. 3. CONSIDERATION.

The conveyance provided for in section 1 shall be without consideration except as required by this Act.

SEC. 4. CONDITIONS OF CONVEYANCE.

The conveyance provided for in section 1 shall be subject to the following conditions:

(1) Del Norte County shall be provided, for no consideration, an easement for County Road No. 318 which crosses the Northeast corner of the property conveyed.

(2) The Pacific Power and Light Company shall be provided, for no consideration, an