DICKINSON DAM BASCULE GATES SETTLEMENT ACT OF 1999

The Senate proceeded to consider the bill (S. 769) to provide a final settlement of certain debt owed by the city of Dickinson, North Dakota, for construction of the bascule gates on the Dickinson Dam, which had been reported from the Committee on Energy and Natural Resources, with an amendment as follows:

(1) in boldface brackets and the part of the bill intended to be inserted is shown in italic.)

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

SECTION 1. SHORT TITLE. This Act may be cited as the “Dickinson Dam Bascule Gates Settlement Act of 1999”.

SEC. 2. FINDINGS.

Congress finds that—

(a) the Secretary shall enter into an agreement with the City to allocate responsibilities for operation and maintenance costs of the Dam and bascule gates; and

(7) it is in the public interest to resolve this issue by providing for a single payment to the United States in lieu of the scheduled annual payments and for the termination of any further repayment obligation.

SEC. 3. DEFINITIONS.

In this Act:

(a) the term “bascule gates” means the structure constructed on the Dam to provide additional water storage capacity in the Lake;

(b) the term “City” means the city of Dickinson, North Dakota;

(c) the term “Secretary” means the Secretary of the Interior, acting through the Commissioner of the Bureau of Reclamation.

griffith project prepayment and conveyance act

The Senate proceeded to consider the bill (S. 986) to direct the Secretary of the Interior to convey the Griffith Project to the Southern Nevada Water Authority, which had been reported from the Committee on Energy and Natural Resources, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. SHORT TITLE. This Act may be cited as the “Griffith Project Prepayment and Conveyance Act”.

SEC. 2. DEFINITIONS.

In this Act:

(a) the term “Authority” means the Southern Nevada Water Authority, organized under the laws of the State of Nevada;
and regulatory facilities, electric substations, and related works and improvements listed pursuant to “Robert B. Griffith Water Project (Formerly Southern Nevada Water Project); Nevada: Southern Clark County, Lower Colorado Region Bureau of Reclamation” on file at the Bureau of Reclamation, and interests in land acquired under Public Law 89-292, as amended.

(3) The term “Secretary” means the Secretary of the Interior.

(4) The term “Acquired Land(s)” means all interests in land, including fee title, rights-of-way, and easements(s), acquired by the United States from the Federal Lands by purchase, donation, exchange, or condemnation pursuant to Public Law 89-292, as amended for the Griffith Project.

(5) The term “Public Land” means lands which have never left Federal ownership and are under the jurisdiction of the Bureau of Land Management.

(6) The term “Withdrawn Land” means Federal lands which are withdrawn from settlement, sale, location of minerals, or entry under some or all of the general land laws and are reserved for a particular public purpose pursuant to Public Law 89-292, as amended, under the jurisdiction of the Bureau of Reclamation, or are reserved for a particular public purpose pursuant to Public Law 89-292, as amended, under the jurisdiction of the National Park Service.

SEC. 3. CONVEYANCE OF GRIFFITH PROJECT.

(a) In General.—In consideration of the Authority assuming from the United States all liability for administration, operation, maintenance, and replacement of the Griffith Project and subject to the prepayment by the Authority of the Federal repayment amount of $121,204,348 (which amount shall be increased to reflect any accrued unpaid interest and shall be decreased by the amount of any additional principal payments made by the Authority after September 15, 1999, prior to the date on which prepayment occurs), the Secretary shall, pursuant to the provisions of this Act—

(1) convey and assign to the Authority all of the right, title, and interest of the United States in and to improvements and facilities of the Griffith Project in existence as of the date of this Act; and

(2) convey and assign to the Authority all of the right, title, and interest of the United States to Acquired Lands that were acquired for the Griffith Project; and

(3) convey and assign to the Authority all interests reserved and developed as of the date of this Act for the Griffith Project in lands patented by the Federal Government.

(b) Pursuant to the authority of this section, from the effective date of conveyance of the Griffith Project, the Authority shall have a right of way at no cost across all Public Land and Withdrawn Land—

(1) on which the Griffith Project is situated; and

(2) across any Federal lands as reasonably necessary for the operation, maintenance, replacement, and repair of the Griffith Project, including public lands not transferred to the Authority.

Rights of way established by this section shall be valid for as long as they are needed for municipal water supply purposes and shall not require payment of rental or other fee.

(c) Within twelve months after the effective date of this Act—

(1) the Secretary and the Authority shall agree upon a description of the land subject to the rights of way established by subsection (b) of this section; and

(2) the Secretary shall deliver to the Authority a document memorializing such rights of way.

(d) REPORT.—If the conveyance under subsection (a) has not occurred within twelve months after the effective date of this Act, the Secretary shall submit to Congress a report on the status of the conveyance.

SEC. 4. RELATIONSHIP TO EXISTING CONTRACTS.

The Secretary and the Authority shall modify Contract No. 7-07-30-W0004 and other contracts and land permits as necessary to conform to the provisions of this Act.

SEC. 5. RELATIONSHIP TO OTHER LAWS AND FUTURE BENEFITS.

(a) If the Authority changes the use or operation of the Griffith Project, the Authority shall comply with all applicable laws and regulations governing the changes at that time.

(b) On conveyance of the Griffith Project under section 3 of this Act, the Act of June 17, 1902 (43 U.S.C. 391 et seq.), and all Acts amendatory thereof or supplemental thereto shall not apply to the Griffith Project. Effective upon transfer of the Griffith Project and subject to the prepayment by the Authority of the Federal repayment amount of $121,204,348 (which amount shall be increased to reflect any accrued unpaid interest and shall be decreased by the amount of any additional principal payments made by the Authority after September 15, 1999, prior to the date on which prepayment occurs), the Secretary shall, pursuant to the provisions of this Act—

(1) convey and assign to the Authority all of the right, title, and interest of the United States to Withdrawn Land and Acquired Lands that were acquired for the Griffith Project; and

(2) convey and assign to the Authority all interests reserved and developed as of the date of this Act for the Griffith Project in lands patented by the United States.

(b) Pursuant to the authority of this section, from the effective date of conveyance of the Griffith Project, the Authority shall have a right of way at no cost across all Public Land and Withdrawn Land—

(1) on which the Griffith Project is situated; and

(2) across any Federal lands as reasonably necessary for the operation, maintenance, replacement, and repair of the Griffith Project, including existing access routes.

Rights of way established by this section shall be valid for as long as they are needed for municipal water supply purposes and shall not require payment of rental or other fee.

(c) Within twelve months after the effective date of this Act—

(1) the Secretary and the Authority shall agree upon a description of the land subject to the rights of way established by subsection (b) of this section; and

(2) the Secretary shall deliver to the Authority a document memorializing such rights of way.

(d) REPORT.—If the conveyance under subsection (a) has not occurred within twelve months after the effective date of this Act, the Secretary shall submit to Congress a report on the status of the conveyance.

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(a) If the Authority changes the use or operation of the Griffith Project, the Authority shall comply with all applicable laws and regulations governing the changes at that time.

(b) On conveyance of the Griffith Project under section 3 of this Act, the Act of June 17, 1902 (43 U.S.C. 391 et seq.), and all Acts amendatory thereof or supplemental thereto shall not apply to the Griffith Project. Effective upon transfer, the lands and facilities transferred pursuant to this Act shall not be entitled to receive any further Reclamation benefits pursuant to the Act of June 17, 1902, and all Acts amendatory thereof or supplemental thereto attributable to their status as a Federal Reclamation Project, and the Griffith Project shall no longer be a Federal Reclamation Project.

(c) Nothing in this Act shall transfer or affect Federal ownership, rights, or interests in Lake Mead National Recreation Area associated lands, nor affect the authorities of the National Park Service to manage Lake Mead National Recreation Area including lands on which the Griffith Project is located consistent with the Act of August 25, 1916 (39 Stat. 533), Public Law 88-639, October 8, 1964 (78 Stat. 1039), or any other applicable legislation, regulation, or policy.

(d) Nothing in this Act shall affect the application of Federal reclamation law to water delivered to the Authority pursuant to any contract with the Secretary under section 5 of the Boulder Canyon Project Act.

(e) Effective upon conveyance of the Griffith Project and acquired interests in land under section 3 of this Act, the United States shall be released from all damages and any arising out of any act, omission, or occurrence based on its prior ownership of the conveyed property.

EXCHANGE OF PRIVATE LAND IN CAMPBELL COUNTY, WYOMING

The Senate proceeded to consider the bill (S. 1030) to provide that the conveyance by the Bureau of Land Management of the surface estate to certain land in the State of Wyoming in exchange for certain private land will not result in the removal of the land from operation of the mining laws, which had been reported from the Committee on Energy and Natural Resources, with an amendment; as follows:

(The part of the bill intended to be inserted is printed in italic.)

SEC. 1. 60 BAR LAND EXCHANGE.

(a) In general—Sections 2201.1–2(d) and 2091.3–2(c) of title 43 Code of Federal Regulations, shall not apply in the case of the conveyance by the Secretary of the Interior of the land described in subsection (b) in exchange for approximately 9,480 acres of land in Campbell County, Wyoming, pursuant to the terms of the Cow Creek/60 Bar land exchange, WYW–14351.

(b) LAND DESCRIPTION.—The land described in this subsection comprises the following land in Campbell and Johnson Counties, Wyoming:

(1) Approximately 2,960 acres of land in the tract known as the “Bill Barlow Ranch”;

(2) Approximately 2,315 acres of land in the tract known as the “T-Chair Ranch”;

(3) Approximately 3,948 acres of land in the tract known as the “John Christensen Ranch”;

(4) Approximately 11,609 acres of land in the tract known as the “Bob Christensen Ranch”;

(5) Approximately 3,948 acres of land in the tract known as the “Christensen Ranch”;

(6) Approximately 11,609 acres of land in the tract known as the “John Christensen Ranch”;

(c) SEGREGATION FROM ENTRY.—Land acquired by the United States in the exchange under subsection (a) shall be segregate from entry under the mining laws until appropriate land use planning is completed for the land.

The committee amendment was agreed to.

The bill (S. 1030), as amended, was passed, as follows:

S. 1030

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

SECTION 1. 60 BAR LAND EXCHANGE.

(a) In general—Sections 2201.1–2(d) and 2091.3–2(c) of title 43 Code of Federal Regulations, shall not apply in the case of the conveyance by the Secretary of the Interior of the land described in subsection (b) in exchange for approximately 9,480 acres of land in Campbell County, Wyoming, pursuant to the terms of the Cow Creek/60 Bar land exchange, WYW–14351.

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(4) Approximately 11,609 acres of land in the tract known as the “Christensen Ranch”;

(5) Approximately 3,948 acres of land in the tract known as the “John Christensen Ranch”;

(6) Approximately 11,609 acres of land in the tract known as the “Bob Christensen Ranch”;

SEC. 1. AMENDMENT OF THE COLORADO RIVER BASIN SALINITY CONTROL ACT.

Section 208(c) of the Colorado River Basin Salinity Control Act (43 U.S.C. 1598(c)) is amended—

(1) in the first sentence—

(A) by striking “$75,000,000 for subsection 202(a)” and inserting “$175,000,000 for section 202(a)”;

(B) by striking “paragraph (6) of section 202(a)” and inserting “paragraph (6) of section 202(a)”;

(2) in the second sentence, by striking “paragraph (202(a)(6))” and inserting “section 202(a)(6)”.

SEC. 2. REPORT.

The Secretary of the Interior shall prepare a report on the status of implementation of the comprehensive program for minimizing salt contributions to the Colorado River from lands administered by the Bureau of Land Management directed by section 203(b)(3) of the Colorado River Basin Salinity Control Act (43 U.S.C. 1593). The report shall provide specific information on individual projects and funding allocation. The report shall be transmitted to the Committee on Energy and Natural Resources and the Committee on Resources of the House of Representatives no later than June 30, 2000.

The committee amendment was agreed to.

The bill (S. 1211), as amended, was passed, as follows:

S. 1211

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

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(A) by striking “$75,000,000 for subsection 202(a)” and inserting “$175,000,000 for section 202(a)”;

(B) by striking “paragraph (6) of section 202(a)” and inserting “paragraph (6) of section 202(a)”;

(2) in the second sentence, by striking “paragraph (202(a)(6))” and inserting “section 202(a)(6)”.

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The Secretary of the Interior shall prepare a report on the status of implementation of the comprehensive program for minimizing salt contributions to the Colorado River from lands administered by the Bureau of Land Management directed by section 203(b)(3) of the Colorado River Basin Salinity Control Act (43 U.S.C. 1593). The report shall provide specific information on individual projects and funding allocation. The report shall be transmitted to the Committee on Energy and Natural Resources and the Committee on Resources of the House of Representatives no later than June 30, 2000.

The committee amendment was agreed to.

The bill (S. 1211), as amended, was passed, as follows:

S. 1211

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

VICKSBURG CAMPAIGN TRAIL BATTLEFIELDS PRESERVATION ACT OF 1999

The Senate proceeded to consider the bill (S. 710) to authorize a feasibility study on the preservation of certain Civil War battlefields along the Vicksburg Campaign Trail, which had been reported from the Committee on Energy and Natural Resources, with amendments; as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italic.)

S. 710

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