TITLE III—HYDROELECTRIC PROJECTS IN ARIZONA

SEC. 301. PROJECTS ON FRESH WATERS IN THE STATE OF HAWAII.

Section 4(e) of the Federal Power Act (16 U.S.C. 799(e)) is amended in the first sentence by striking “several States, or upon” and inserting “several States (except fresh waters in the State of Hawaii, unless a license would be required under section 23), or upon”.

IV—ARIZONA NATIONAL FOREST IMPROVEMENT ACT OF 1999

The Senate proceeded to consider the bill (S. 1088) to authorize the Secretary of Agriculture to convey certain administrative sites in national forests in the State of Arizona, to convey certain land to the City of Sedona, Arizona for a wastewater treatment facility, and for other purposes.

S. 1088

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

TITLE I. SHORT TITLE

This Act may be cited as the “Arizona National Forest Improvement Act of 1999”.

SEC. 2. DEFINITIONS.

In this Act:

(1) CITY.—The term “City” means the city of Sedona, Arizona.

(2) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

SEC. 3. SALE OR EXCHANGE OF ADMINISTRATIVE SITES.

(a) IN GENERAL.—The Secretary may sell to the City of Sedona, Arizona, by quitclaim deed in fee simple, all right, title, and interest of the United States in and to the following National Forest System land and administrative sites:

(1) The Camp Verde Administrative Site, comprising approximately 213.60 acres, as depicted on the map entitled “Camp Verde Administrative Site”, dated April 12, 1997.

(2) A part of the Fredonia Administrative Site, comprising approximately 16 acres, as depicted on the map entitled “Cave Creek Administrative Site”, dated May 1, 1997.

(3) The Fredonia Duplex Housing Site, comprising approximately 1.40 acres, and the Fredonia Housing Site, comprising approximately 7.86 acres, as depicted on the map entitled “Fredonia Duplex Dwelling, Fredonia Ranger Dwelling”, dated August 28, 1997.

(4) The Groom Creek Administrative Site, comprising approximately 7.86 acres, as depicted on the map entitled “Groom Creek Administrative Site”, dated April 29, 1997.

(5) The Payson Administrative Site, comprising approximately 0.30 acres, as depicted on the map entitled “Payson Administrative Site”, dated May 1, 1997.

(b) D ESCRIPTION.—A legal description of each site shall be provided to the City.

(c) CONSIDERATION.—The Secretary may accept a cash equalization payment in excess of 25 percent of the value of any land or administrative site exchanged under subsection (a).”

(d) S HALL BE.—The Secretary shall deposit the proceeds of a sale or exchange of land under subsection (a) in the Treasury of the United States if the Secretary determines that—

(1) the City has not complied with the requirements of this section or the conditions prescribed by the Secretary in the deed of conveyance; or

(2) the conveyed land is not used for disposal of treated effluent or other purposes related to the construction of an effluent disposal system in Yavapai County, Arizona.

SEC. 4. CONVEYANCE TO CITY OF SEDONA.

(a) IN GENERAL.—The Secretary may sell to the City of Sedona, Arizona, by quitclaim deed in fee simple, all right, title, and interest of the United States in and to approximately 300 acres of land as depicted on the map in the environmental assessment entitled “Sedona Effluent Management Plan”, dated June 1, 1997, of an effluent disposal system in Yavapai County, Arizona.

(b) DESCRIPTION.—A legal description of the land conveyed under subsection (a) shall be available for public inspection in the office of the Chief of the Forest Service, Washington, District of Columbia.

(c) CONSIDERATION.—

(1) FAIR MARKET VALUE.—As consideration for the conveyance of land under subsection (a), the City shall pay to the Secretary an amount equal to the fair market value of the land as determined by an appraisal acceptable to the Secretary and prepared in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions.

(2) COST OF APPRAISAL.—The City shall pay the cost of the appraisal of the land.

(3) PAYMENT.—Payment of the amount determined under paragraph (1) shall be made to the Secretary, without further Act of appropriation, at the request of the City for Federal Land Acquisitions.

AMENDMENT NO. 2803

(Purpose: To reduce the amount of consideration to be paid by the City by the amount of special use permit fees paid by the City)

On page 5, line 15, strike the period at the end and insert “, reduced by the total amount of special use permit fees for wastewater treatment facilities paid by the City to the Forest Service during the period beginning on January 1, 1999, and ending on the date of the conveyance.”

On page 5, line 18, strike “the amount determined under paragraph (1)” and insert “the amount determined under paragraph (3)B”.

The amendment (No. 2803) was agreed to.

The bill (S. 1088), as amended, was passed, as follows:

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 “Arizona National Forest Improvement Act of 1999”.

SEC. 2. DEFINITIONS.

In this Act:

(1) CITY.—The term “City” means the city of Sedona, Arizona.

(2) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.
CONGRESSIONAL RECORD—SENATE

SEC. 3. SALE OR EXCHANGE OF ADMINISTRATIVE SITES.

(a) In General.—The Secretary may, under such terms and conditions as the Secretary may prescribe, sell or exchange any and all land included in the Coconino National Forest if the Secretary determines that—

(1) the acquisition, construction, or improvement of administrative facilities for the Coconino National Forest, Kaibab National Forest, Prescott National Forest, and Tonto National Forest; and

(2) the acquisition of land and or an interest in land in the State of Arizona.

(c) Consideration.—

(1) Fair Market Value.—As consideration for the conveyance of land under subsection (a), the Secretary may require payment of an amount equal to the fair market value of the parcel of land as determined by an appraisal acceptable to the Secretary. The appraisal shall be made in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions, reduced by the total amount of special use permit fees for wastewater treatment facilities paid by the City to the Forest Service during the period beginning on January 1, 1999, and ending on the earlier of—

(A) the date that is 270 days after the date of enactment of this Act; or

(B) the date on which the full payment is made by the City under paragraph (3)(A) or the date on which first installment payment is made under paragraph (3)(B), depending on the election made by the City under paragraph (3)(B).

(2) Cost of Appraisal.—The City shall pay the cost of the appraisal of the land.

(3) Payment.—Payment of the consideration required by paragraph (1) (including any interest payable under paragraph (4)) shall be paid, at the option of the City—

(A) in full not later than 180 days after the date of the conveyance; or

(B) in 7 equal annual installments commencing not later than January 1 of the first year following the date of the conveyance and annually thereafter until the total amount has been paid.

(4) Interest Rate.—Any payment due for the conveyance of land under this section shall accrue, beginning on the date of conveyance, interest at a rate equal to the current (as of the date of the conveyance) market yield on outstanding, marketable obligations of the United States with maturities of 1 year.

(d) Release.—Subject to compliance with all Federal environmental laws by the Secretary before the date of conveyance of land under this section, the conveyance shall be void if the Secretary determines that—

(1) the conveyance interest rate exceeds the current market yield on outstanding, marketable obligations of the United States with maturities of 1 year.

(2) the conveyance of land is not used for disposal of treated effluent or other purposes related to the closed disposal system in Yavapai County, Arizona.

(e) Right of Reentry.—At any time before full payment is made for the conveyance of land under this section, the Secretary shall have the right of reentry to a portion of the land if the Secretary determines that—

(1) the City has not complied with the requirements of this section or the conditions prescribed by the Secretary in the deed of conveyance; or

(2) the conveyed land is not used for disposal of treated effluent or other purposes related to the closed disposal system in Yavapai County, Arizona.

(f) Revocations.—Notwithstanding any other provision of law, the Secretary may immediately void the conveyance if the Secretary determines that—

(1) the City has not complied with the requirements of this section or the conditions prescribed by the Secretary in the deed of conveyance; or

(2) the conveyed land is not used for disposal of treated effluent or other purposes related to the closed disposal system in Yavapai County, Arizona.

(g) Consideration.—As consideration for the conveyance of land under subsection (a), the City shall pay to the Secretary an amount equal to the fair market value of the land as determined by an appraisal acceptable to the Secretary. The appraisal shall be made in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions, reduced by the total amount of special use permit fees for wastewater treatment facilities paid by the City to the Forest Service during the period beginning on January 1, 1999, and ending on the earlier of—

(A) the date that is 270 days after the date of enactment of this Act; or

(B) the date on which the full payment is made by the City under paragraph (3)(A) or the date on which first installment payment is made under paragraph (3)(B), depending on the election made by the City under paragraph (3)(B).

(2) Cost of Appraisal.—The City shall pay the cost of the appraisal of the land.

(3) Payment.—Payment of the consideration required by paragraph (1) (including any interest payable under paragraph (4)) shall be paid, at the option of the City—

(A) in full not later than 180 days after the date of the conveyance; or

(B) in 7 equal annual installments commencing not later than January 1 of the first year following the date of the conveyance and annually thereafter until the total amount has been paid.

(4) Interest Rate.—Any payment due for the conveyance of land under this section shall accrue, beginning on the date of conveyance, interest at a rate equal to the current (as of the date of the conveyance) market yield on outstanding, marketable obligations of the United States with maturities of 1 year.

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(1) the City has not complied with the requirements of this section or the conditions prescribed by the Secretary in the deed of conveyance; or

(2) the conveyed land is not used for disposal of treated effluent or other purposes related to the closed disposal system in Yavapai County, Arizona.

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(2) the conveyed land is not used for disposal of treated effluent or other purposes related to the closed disposal system in Yavapai County, Arizona.

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(A) the date that is 270 days after the date of enactment of this Act; or

(B) the date on which the full payment is made by the City under paragraph (3)(A) or the date on which first installment payment is made under paragraph (3)(B), depending on the election made by the City under paragraph (3)(B).

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(2) the conveyed land is not used for disposal of treated effluent or other purposes related to the closed disposal system in Yavapai County, Arizona.