

Agriculture to convey to the town of Dolores, Colorado, the current site of Joe Rowell Park, which had been reported from the Committee on Energy and Natural Resources, with amendments as follows:

(Omit the part in black brackets and insert the part printed in italic.)

S. 1972

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

SECTION 1. CONVEYANCE OF JOE ROWELL PARK.

(a) IN GENERAL.—The Secretary of Agriculture shall convey to the town of Dolores, Colorado, for no consideration, all right, title, and interest of the United States in and to the parcel of real property described in subsection (b), for open space, park, and recreational purposes.

(b) DESCRIPTION OF PROPERTY.—

(1) IN GENERAL.—The property referred to in subsection (a) is a parcel of approximately 25 acres of land comprising the site of the Joe Rowell Park (including all improvements on the land and equipment and other items of personal property as agreed to by the Secretary) [in section 16 (Map 1), township 37 north, range 15 west, NMPM, Dolores, Colorado.] *depicted on the map entitled "Joe Rowell Park," dated July 12, 2000.*

(2) SURVEY.—

(A) IN GENERAL.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(B) COST.—As a condition of any conveyance under this section, the town of Dolores shall pay the cost of the survey.

(c) POSSIBILITY OF REVERTER.—Title to any real property acquired by the town of Dolores, Colorado, under this section shall revert to the United States if the town—

(1) attempts to convey or otherwise transfer ownership of any portion of the property to any other person;

(2) attempts to encumber the title of the property; or

(3) permits the use of any portion of the property for any purpose incompatible with the purpose described in subsection (a) for which the property is conveyed.

(d) *The map referenced in subsection (b)(1) shall be on file for public inspection in the Office of the Chief of the Forest Service at the Department of Agriculture in Washington, DC.*

The committee amendments were agreed to.

The bill (S. 1972), as amended, was read the third time and passed, as follows:

COAL MARKET COMPETITION ACT OF 2000

The Senate proceeded to consider the bill (S. 2300) to amend the Mineral Leasing Act to increase the maximum acreage of Federal leases for coal that may be held by an entity in any 1 State.

The bill (S. 2300) was read the third time and passed, as follows:

S. 2300

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

SECTION 1. TITLE.

This Act may be cited as the "Coal Market Competition Act of 2000".

SEC. 2. FINDINGS.

Congress finds that—

(1) Federal land contains commercial deposits of coal, the Nation's largest deposits of coal being located on Federal land in Utah, Colorado, Montana, and the Powder River Basin of Wyoming;

(2) coal is mined on Federal land through Federal coal leases under the Act of February 25, 1920 (commonly known as the "Mineral Leasing Act") (30 U.S.C. 181 et seq.);

(3) the sub-bituminous coal from these mines is low in sulfur, making it the cleanest burning coal for energy production;

(4) the Mineral Leasing Act sets for each leasable mineral a limitation on the amount of acreage of Federal leases any 1 producer may hold in any 1 State or nationally;

(5)(A) the present acreage limitation for Federal coal leases has been in place since 1976;

(B) currently the coal lease acreage limit of 46,080 acres per State is less than the per-State Federal lease acreage limit for potash (96,000 acres) and oil and gas (246,080 acres);

(6) coal producers in Wyoming and Utah are operating mines on Federal leaseholds that contain total acreage close to the coal lease acreage ceiling;

(7) the same reasons that Congress cited in enacting increases for State lease acreage caps applicable in the case of other minerals—the advent of modern mine technology, changes in industry economics, greater global competition, and the need to conserve Federal resources—apply to coal;

(8) existing coal mines require additional lease acreage to avoid premature closure, but those mines cannot relinquish mined-out areas to lease new acreage because those areas are subject to 10-year reclamation plans, and the reclaimed acreage is counted against the State and national acreage limits;

(9) to enable them to make long-term business decisions affecting the type and amount of additional infrastructure investments, coal producers need certainty that sufficient acreage of leasable coal will be available for mining in the future; and

(10) to maintain the vitality of the domestic coal industry and ensure the continued flow of valuable revenues to the Federal and State governments and of energy to the American public from coal production on Federal land, the Mineral Leasing Act should be amended to increase the acreage limitation for Federal coal leases.

SEC. 3. COAL MINING ON FEDERAL LAND.

Section 27(a) of the Act of February 25, 1920 (30 U.S.C. 184(a)), is amended—

(1) by striking "(a)" and all that follows through "No person" and inserting "(a) COAL LEASES.—No person";

(2) by striking "forty-six thousand and eighty acres" and inserting "75,000 acres"; and

(3) by striking "one hundred thousand acres" each place it appears and inserting "150,000 acres".

THE DEADLINE FOR COMMENCEMENT OF CONSTRUCTION OF A HYDROELECTRIC PROJECT IN THE STATE OF PENNSYLVANIA

The Senate proceeded to consider the bill (S. 2499) to extend the deadline for commencement of construction of a hydroelectric project in the State of Pennsylvania.

The bill (S. 2499) was read the third time and passed, as follows:

S. 2499

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

SECTION 1. EXTENSION OF DEADLINE AND REINSTATEMENT OF LICENSE.

(a) IN GENERAL.—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 7041, the Commission shall, at the request of the licensee for the project, extend the period required for commencement of construction of the project until December 31, 2001.

(b) EFFECTIVE DATE.—Subsection (a) takes effect on the expiration of the period required for commencement of construction of the project described in subsection (a).

(c) REINSTATEMENT OF EXPIRED LICENSE.—If the license for the project described in subsection (a) has expired before the date of enactment of this Act, the Commission shall reinstate the license effective as of the date of its expiration and extend the time required for commencement of construction as provided in subsection (a).

SAINT HELENA ISLAND NATIONAL SCENIC AREA ACT

The Senate proceeded to consider the bill (H.R. 468) to establish the Saint Helena Island National Scenic Area which had been reported from the Committee on Energy and Natural Resources, with an amendment as follows:

(Omit the part in black brackets and insert the part printed in italic)

H.R. 468

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 "Saint Helena Island National Scenic Area Act".

SEC. 2. ESTABLISHMENT OF SAINT HELENA ISLAND NATIONAL SCENIC AREA, MICHIGAN.

(a) PURPOSE.—The purposes of this Act are—

(1) to preserve and protect for present and future generations the outstanding resources and values of Saint Helena Island in Lake Michigan, Michigan; and

(2) to provide for the conservation, protection, and enhancement of primitive recreation opportunities, fish and wildlife habitat, vegetation, and historical and cultural resources of the island.

(b) ESTABLISHMENT.—For the purposes described in subsection (a), there shall be established the Saint Helena Island National Scenic Area (in this Act referred to as the "scenic area").

(c) EFFECTIVE UPON CONVEYANCE.—Subsection (b) shall be effective upon conveyance of satisfactory title to the United States of the whole of Saint Helena Island, except that portion conveyed to the Great Lakes Lighthouse Keepers Association pursuant to section 1001 of the Coast Guard Authorization Act of 1996 (Public Law 104-324; 110 Stat. 3948).

SEC. 3. BOUNDARIES.

(a) SAINT HELENA ISLAND.—The scenic area shall comprise all of Saint Helena Island, in Lake Michigan, Michigan, and all associated rocks, pinnacles, islands, and islets within

one-eighth mile of the shore of Saint Helena Island.

(b) **BOUNDARIES OF HIAWATHA NATIONAL FOREST EXTENDED.**—Upon establishment of the scenic area, the boundaries of the Hiawatha National Forest shall be extended to include all of the lands within the scenic area. All such extended boundaries shall be deemed boundaries in existence as of January 1, 1965, for the purposes of section 8 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-9).

(c) **PAYMENTS TO LOCAL GOVERNMENTS.**—Solely for purposes of payments to local governments pursuant to section 6902 of title 31, United States Code, lands acquired by the United States under this Act shall be treated as entitlement lands.

SEC. 4. ADMINISTRATION AND MANAGEMENT.

(a) **ADMINISTRATION.**—Subject to valid existing rights, the Secretary of Agriculture (in this Act referred to as the "Secretary") shall administer the scenic area in accordance with the laws, rules, and regulations applicable to the National Forest System in furtherance of the purposes of this Act.

(b) **SPECIAL MANAGEMENT REQUIREMENTS.**—**[With-in 3 years of the date of the enactment of this Act, the Secretary shall seek to develop a management plan for the scenic area as an amendment to the land and resources management plan for the Hiawatha National Forest.] Within 3 years of the acquisition of 50 percent of the land authorized for acquisition under section 7, the Secretary shall develop an amendment to the land and resources management plan for the Hiawatha National Forest which will direct management of the scenic area.** Such an amendment shall conform to the provisions of this Act. Nothing in this Act shall require the Secretary to revise the land and resource management plan for the Hiawatha National Forest pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604). In developing a plan for management of the scenic area, the Secretary shall address the following special management considerations:

(1) **PUBLIC ACCESS.**—Alternative means for providing public access from the mainland to the scenic area shall be considered, including any available existing services and facilities, concessionaires, special use permits, or other means of making public access available for the purposes of this Act.

(2) **ROADS.**—After the date of the enactment of this Act, no new permanent roads shall be constructed within the scenic area.

(3) **VEGETATION MANAGEMENT.**—No timber harvest shall be allowed within the scenic area, except as may be necessary in the control of fire, insects, and diseases, and to provide for public safety and trail access. Notwithstanding the foregoing, the Secretary may engage in vegetation manipulation practices for maintenance of wildlife habitat and visual quality. Trees cut for these purposes may be utilized, salvaged, or removed from the scenic area as authorized by the Secretary.

(4) **MOTORIZED TRAVEL.**—Motorized travel shall not be permitted within the scenic area, except on the waters of Lake Michigan, and as necessary for administrative use in furtherance of the purposes of this Act.

(5) **FIRE.**—Wildfires shall be suppressed in a manner consistent with the purposes of this Act, using such means as the Secretary deems appropriate.

(6) **INSECTS AND DISEASE.**—Insect and disease outbreaks may be controlled in the scenic area to maintain scenic quality, prevent tree mortality, or to reduce hazards to visitors.

(7) **DOCKAGE.**—The Secretary shall provide through concession, permit, or other means docking facilities consistent with the management plan developed pursuant to this section.

(8) **SAFETY.**—The Secretary shall take reasonable actions to provide for public health and safety and for the protection of the scenic area in the event of fire or infestation of insects or disease.

(c) **CONSULTATION.**—In preparing the management plan, the Secretary shall consult with appropriate State and local government officials, provide for full public participation, and consider the views of all interested parties, organizations, and individuals.

SEC. 5. FISH AND GAME.

Nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the State of Michigan with respect to fish and wildlife in the scenic area.

SEC. 6. MINERALS.

Subject to valid existing rights, the lands within the scenic area are hereby withdrawn from disposition under all laws pertaining to mineral leasing, including all laws pertaining to geothermal leasing. Also subject to valid existing rights, the Secretary shall not allow any mineral development on federally owned land within the scenic area, except that common varieties of mineral materials, such as stone and gravel, may be utilized only as authorized by the Secretary to the extent necessary for construction and maintenance of roads and facilities within the scenic area.

SEC. 7. ACQUISITION.

(a) **ACQUISITION OF LANDS WITHIN THE SCENIC AREA.**—The Secretary shall acquire, by purchase from willing sellers, gift, or exchange, lands, waters, structures, or interests therein, including scenic or other easements, within the boundaries of the scenic area to further the purposes of this Act.

(b) **ACQUISITION OF OTHER LANDS.**—The Secretary may acquire, by purchase from willing sellers, gift, or exchange, not more than 10 acres of land, including any improvements thereon, on the mainland to provide access to and administrative facilities for the scenic area.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

(a) **ACQUISITION OF LANDS.**—There are hereby authorized to be appropriated such sums as may be necessary for the acquisition of land, interests in land, or structures within the scenic area and on the mainland as provided in section 7.

(b) **OTHER PURPOSES.**—In addition to the amounts authorized to be appropriated under subsection (a), there are authorized to be appropriated such sums as may be necessary for the development and implementation of the management plan under section 4(b).

The committee amendment was agreed to.

The bill (H.R. 468), as amended, was read the third time and passed.

IVANAPAH VALLEY AIRPORT PUBLIC LANDS TRANSFER ACT

The Senate proceeded to consider the bill (H.R. 1695) to provide for the conveyance of certain Federal public lands in the Ivanpah Valley, Nevada, to Clark County, Nevada, and for the development of an airport facility, and for other purposes, which had been reported from the Committee on Energy and Natural Resources, with amendments as follows:

(Omit the part in black brackets and insert the part printed in italic)

S. 1695

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 "Ivanpah Valley Airport Public Lands Transfer Act".

SEC. 2. CONVEYANCE OF LANDS TO CLARK COUNTY, NEVADA.

(a) **IN GENERAL.**—Notwithstanding the land use planning requirements contained in sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712 and 1713), but subject to subsection (b) of this section and valid existing rights, the Secretary shall convey to the County all right, title, and interest of the United States in and to the Federal public lands identified for disposition on the map entitled "Ivanpah Valley, Nevada-Airport Selections" numbered 01, and dated April 1999, for the purpose of developing an airport facility and related infrastructure. The Secretary shall keep such map on file and available for public inspection in the offices of the Director of the Bureau of Land Management and in the district office of the Bureau located in Las Vegas, Nevada.

(b) **CONDITIONS.**—The Secretary shall make no conveyance under subsection (a) until each of the following conditions are fulfilled:

(1) The County has conducted an airspace [assessment] assessment, using the airspace management plan required by section 4(a), to identify any potential adverse effects on access to the Las Vegas Basin under visual flight rules that would result from the construction and operation of a commercial or primary airport, or both, on the land to be conveyed.

(2) The Federal Aviation Administration has made a certification under section 4(b).

(3) The County has entered into an agreement with the Secretary to retain ownership of Jean Airport, located at Jean, Nevada, and to maintain and operate such airport for general aviation purposes.

(c) **PAYMENT.**—

(1) **IN GENERAL.**—As consideration for the conveyance of each parcel, the County shall pay to the United States an amount equal to the fair market value of the parcel.

[(2) **DEPOSIT IN SPECIAL ACCOUNT.**—The Secretary shall deposit the payments received under paragraph (1) in the special account described in section 4(e)(1)(C) of the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2345). The second sentence of section 4(f) of such Act (112 Stat. 2346) shall not apply to interest earned on amounts deposited under this paragraph.]

(2) **DEPOSIT IN SPECIAL ACCOUNT.**—(A) *The Secretary shall deposit the payments received under paragraph (1) into the special account described in section 4(e)(1)(C) of the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2345). Such funds may be expended only for the acquisition of private inholdings in the Mojave National Preserve and for the protection and management of the petroglyph resources in Clark County, Nevada. The second sentence of section 4(f) of such Act (112 Stat. 2346) shall not apply to interest earned on amounts deposited under this paragraph.*

(B) *The Secretary may not expend funds pursuant to this section until—*

(i) *the provisions of section 5 of this Act have been completed; and*

(ii) *a final Record of Decision pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) has been issued which permits development of an airport at the Ivanpah site.*