

Calendar No. 85

113TH CONGRESS
1ST SESSION**H. R. 251**

IN THE SENATE OF THE UNITED STATES

JUNE 12, 2013

Received; read twice and placed on the calendar

AN ACT

To direct the Secretary of the Interior to convey certain Federal features of the electric distribution system to the South Utah Valley Electric Service District, 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 “South Utah Valley
5 Electric Conveyance Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) DISTRICT.—The term “District” means the
9 South Utah Valley Electric Service District, orga-
10 nized under the laws of the State of Utah.

1 (2) ELECTRIC DISTRIBUTION SYSTEM.—The
2 term “Electric Distribution System” means fixtures,
3 irrigation, or power facilities lands, distribution fix-
4 ture lands, and shared power poles.

5 (3) FIXTURES.—The term “fixtures” means all
6 power poles, cross-members, wires, insulators and
7 associated fixtures, including substations, that—

8 (A) comprise those portions of the Straw-
9 berry Valley Project power distribution system
10 that are rated at a voltage of 12.5 kilovolts and
11 were constructed with Strawberry Valley
12 Project revenues; and

13 (B) any such fixtures that are located on
14 Federal lands and interests in lands.

15 (4) IRRIGATION OR POWER FACILITIES
16 LANDS.—The term “irrigation or power facilities
17 lands” means all Federal lands and interests in
18 lands where the fixtures are located on the date of
19 the enactment of this Act and which are encumbered
20 by other Strawberry Valley Project irrigation or
21 power features, including lands underlying the
22 Strawberry Substation.

23 (5) DISTRIBUTION FIXTURE LANDS.—The term
24 “distribution fixture lands” means all Federal lands
25 and interests in lands where the fixtures are located

1 on the date of the enactment of this Act and which
2 are unencumbered by other Strawberry Valley
3 Project features, to a maximum corridor width of 30
4 feet on each side of the centerline of the fixtures'
5 power lines as those lines exist on the date of the
6 enactment of this Act.

7 (6) SHARED POWER POLES.—The term “shared
8 power poles” means poles that comprise those por-
9 tions of the Strawberry Valley Project Power Trans-
10 mission System, that are rated at a voltage of 46.0
11 kilovolts, are owned by the United States, and sup-
12 port fixtures of the Electric Distribution System.

13 (7) SECRETARY.—The term “Secretary” means
14 the Secretary of the Interior.

15 **SEC. 3. CONVEYANCE OF ELECTRIC DISTRIBUTION SYS-**
16 **TEM.**

17 (a) IN GENERAL.—Inasmuch as the Strawberry
18 Water Users Association conveyed its interest, if any, in
19 the Electric Distribution System to the District by a con-
20 tract dated April 7, 1986, and in consideration of the Dis-
21 trict assuming from the United States all liability for ad-
22 ministration, operation, maintenance, and replacement of
23 the Electric Distribution System, the Secretary shall, as
24 soon as practicable after the date of the enactment of this
25 Act and in accordance with all applicable law convey and

1 assign to the District without charge or further consider-
2 ation—

3 (1) all of the United States right, title, and in-
4 terest in and to—

5 (A) all fixtures owned by the United States
6 as part of the Electric Distribution System; and

7 (B) the distribution fixture land;

8 (2) license for use in perpetuity of the shared
9 power poles to continue to own, operate, maintain,
10 and replace Electric Distribution Fixtures attached
11 to the shared power poles; and

12 (3) licenses for use and for access in perpetuity
13 for purposes of operation, maintenance, and replace-
14 ment across, over, and along—

15 (A) all project lands and interests in irri-
16 gation and power facilities lands where the
17 Electric Distribution System is located on the
18 date of the enactment of this Act that are nec-
19 essary for other Strawberry Valley Project fa-
20 cilities (the ownership of such underlying lands
21 or interests in lands shall remain with the
22 United States), including lands underlying the
23 Strawberry Substation; and

24 (B) such corridors where Federal lands
25 and interests in lands—

1 (i) are abutting public streets and
2 roads; and

3 (ii) can provide access that will facili-
4 tate operation, maintenance, and replace-
5 ment of facilities.

6 (b) COMPLIANCE WITH ENVIRONMENTAL LAWS.—

7 (1) IN GENERAL.—Before conveying lands, in-
8 terest in lands, and fixtures under subsection (a),
9 the Secretary shall comply with all applicable re-
10 quirements under—

11 (A) the National Environmental Policy Act
12 of 1969 (42 U.S.C. 4321 et seq.);

13 (B) the Endangered Species Act of 1973
14 (16 U.S.C. 1531 et seq.); and

15 (C) any other law applicable to the land
16 and facilities.

17 (2) EFFECT.—Nothing in this Act modifies or
18 alters any obligations under—

19 (A) the National Environmental Policy Act
20 of 1969 (42 U.S.C. 4321 et seq.); or

21 (B) the Endangered Species Act of 1973
22 (16 U.S.C. 1531 et seq.).

23 (c) POWER GENERATION AND 46KV TRANSMISSION
24 FACILITIES EXCLUDED.—Except for the uses as granted
25 by license in Shared Power Poles under section 3(a)(2),

1 nothing in this Act shall be construed to grant or convey
2 to the District or any other party, any interest in any fa-
3 cilities shared or otherwise that comprise a portion of the
4 Strawberry Valley Project power generation system or the
5 federally owned portions of the 46 kilovolt transmission
6 system which ownership shall remain in the United States.

7 **SEC. 4. EFFECT OF CONVEYANCE.**

8 On conveyance of any land or facility under section
9 3(a)(1)—

10 (1) the conveyed and assigned land and facili-
11 ties shall no longer be part of a Federal reclamation
12 project;

13 (2) the District shall not be entitled to receive
14 any future Bureau or Reclamation benefits with re-
15 spect to the conveyed and assigned land and facili-
16 ties, except for benefits that would be available to
17 other non-Bureau of Reclamation facilities; and

18 (3) the United States shall not be liable for
19 damages arising out of any act, omission, or occur-
20 rence relating to the land and facilities, including
21 the transaction of April 7, 1986, between the Straw-
22 berry Water Users Association and Strawberry Elec-
23 tric Service District.

1 **SEC. 5. REPORT.**

2 If a conveyance required under section 3 is not com-
3 pleted by the date that is 1 year after the date of the
4 enactment of this Act, not later than 30 days after that
5 date, the Secretary shall submit to Congress a report
6 that—

- 7 (1) describes the status of the conveyance;
8 (2) describes any obstacles to completing the
9 conveyance; and
10 (3) specifies an anticipated date for completion
11 of the conveyance.

Passed the House of Representatives June 11, 2013.

Attest:

KAREN L. HAAS,

Clerk.

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