

## Union Calendar No. 54

113TH CONGRESS  
1ST SESSION

# H. R. 251

**[Report No. 113-78]**

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.

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### IN THE HOUSE OF REPRESENTATIVES

JANUARY 15, 2013

Mr. CHAFFETZ introduced the following bill; which was referred to the  
Committee on Natural Resources

MAY 17, 2013

Committed to the Committee of the Whole House on the State of the Union  
and ordered to be printed

# **A BILL**

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.

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

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

18            (A) comprise those portions of the Straw-  
19       berry Valley Project power distribution system  
20       that are rated at a voltage of 12.5 kilovolts and  
21       were constructed with Strawberry Valley  
22       Project revenues; and

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

1           (4) IRRIGATION OR POWER FACILITIES  
2           LANDS.—The term “irrigation or power facilities  
3           lands” means all Federal lands and interests in  
4           lands where the fixtures are located on the date of  
5           the enactment of this Act and which are encumbered  
6           by other Strawberry Valley Project irrigation or  
7           power features, including lands underlying the  
8           Strawberry Substation.

9           (5) DISTRIBUTION FIXTURE LANDS.—The term  
10          “distribution fixture lands” means all Federal lands  
11          and interests in lands where the fixtures are located  
12          on the date of the enactment of this Act and which  
13          are unencumbered by other Strawberry Valley  
14          Project features, to a maximum corridor width of 30  
15          feet on each side of the centerline of the fixtures’  
16          power lines as those lines exist on the date of the  
17          enactment of this Act.

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

24          (7) SECRETARY.—The term “Secretary” means  
25          the Secretary of the Interior.

1 **SEC. 3. CONVEYANCE OF ELECTRIC DISTRIBUTION SYS-**  
2 **TEM.**

3 (a) IN GENERAL.—Inasmuch as the Strawberry  
4 Water Users Association conveyed its interest, if any, in  
5 the Electric Distribution System to the District by a con-  
6 tract dated April 7, 1986, and in consideration of the Dis-  
7 trict assuming from the United States all liability for ad-  
8 ministration, operation, maintenance, and replacement of  
9 the Electric Distribution System, the Secretary shall, as  
10 soon as practicable after the date of the enactment of this  
11 Act and in accordance with all applicable law convey and  
12 assign to the District without charge or further consider-  
13 ation—

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

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

18 (B) the distribution fixture land;

19 (2) license for use in perpetuity of the shared  
20 power poles to continue to own, operate, maintain,  
21 and replace Electric Distribution Fixtures attached  
22 to the shared power poles; and

23 (3) licenses for use and for access in perpetuity  
24 for purposes of operation, maintenance, and replace-  
25 ment across, over, and along—

1 (A) all project lands and interests in irri-  
2 gation and power facilities lands where the  
3 Electric Distribution System is located on the  
4 date of the enactment of this Act that are nec-  
5 essary for other Strawberry Valley Project fa-  
6 cilities (the ownership of such underlying lands  
7 or interests in lands shall remain with the  
8 United States), including lands underlying the  
9 Strawberry Substation; and

10 (B) such corridors where Federal lands  
11 and interests in lands—

12 (i) are abutting public streets and  
13 roads; and

14 (ii) can provide access that will facili-  
15 tate operation, maintenance, and replace-  
16 ment of facilities.

17 (b) COMPLIANCE WITH ENVIRONMENTAL LAWS.—

18 (1) IN GENERAL.—Before conveying lands, in-  
19 terest in lands, and fixtures under subsection (a),  
20 the Secretary shall comply with all applicable re-  
21 quirements under—

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

24 (B) the Endangered Species Act of 1973  
25 (16 U.S.C. 1531 et seq.); and

1 (C) any other law applicable to the land  
2 and facilities.

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

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

7 (B) the Endangered Species Act of 1973  
8 (16 U.S.C. 1531 et seq.).

9 (c) POWER GENERATION AND 46KV TRANSMISSION  
10 FACILITIES EXCLUDED.—Except for the uses as granted  
11 by license in Shared Power Poles under section 3(a)(2),  
12 nothing in this Act shall be construed to grant or convey  
13 to the District or any other party, any interest in any fa-  
14 cilities shared or otherwise that comprise a portion of the  
15 Strawberry Valley Project power generation system or the  
16 federally owned portions of the 46 kilovolt transmission  
17 system which ownership shall remain in the United States.

18 **SEC. 4. EFFECT OF CONVEYANCE.**

19 On conveyance of any land or facility under section  
20 3(a)(1)—

21 (1) the conveyed and assigned land and facili-  
22 ties shall no longer be part of a Federal reclamation  
23 project;

24 (2) the District shall not be entitled to receive  
25 any future Bureau or Reclamation benefits with re-

1       spect to the conveyed and assigned land and facili-  
2       ties, except for benefits that would be available to  
3       other non-Bureau of Reclamation facilities; and

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

10 **SEC. 5. REPORT.**

11       If a conveyance required under section 3 is not com-  
12       pleted by the date that is 1 year after the date of the  
13       enactment of this Act, not later than 30 days after that  
14       date, the Secretary shall submit to Congress a report  
15       that—

16               (1) describes the status of the conveyance;

17               (2) describes any obstacles to completing the  
18       conveyance; and

19               (3) specifies an anticipated date for completion  
20       of the conveyance.



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