

104<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 2518

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## AN ACT

To authorize the Secretary of Agriculture to exchange certain lands in the Wenatchee National Forest, Washington, for certain lands owned by Public Utility District No. 1 of Chelan County, Washington, and for other purposes.

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## AN ACT

To authorize the Secretary of Agriculture to exchange certain lands in the Wenatachee National Forest, Washington, for certain lands owned by Public Utility District No. 1 of Chelan County, Washington, 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,*

1 **SECTION 1. LAND EXCHANGE.**

2 (a) EXCHANGE.—Subject to subsection (c), the Sec-  
3 retary of Agriculture (referred to in this section as the  
4 “Secretary”) shall convey all right, title, and interest of  
5 the United States in and to the National Forest System  
6 lands described in subsection (b)(1) to Public Utility Dis-  
7 trict No. 1 of Chelan County, Washington (referred to in  
8 this section as the “Public Utility District”), in exchange  
9 for the conveyance to the Department of Agriculture by  
10 the Public Utility District of all right, title, and interest  
11 of the Public Utility District in and to the lands described  
12 in subsection (b)(2).

13 (b) DESCRIPTIONS OF LANDS.—

14 (1) NATIONAL FOREST SYSTEM LANDS.—The  
15 National Forest System lands referred to in sub-  
16 section (a) are 122 acres, more or less, that are par-  
17 tially occupied by a wastewater treatment facility re-  
18 ferred to in subsection (c)(4)(A) with the following  
19 legal description:

20 (A) The NE<sup>1</sup>/<sub>4</sub> of SW<sup>1</sup>/<sub>4</sub> of section 27 of  
21 township 27 north, range 17 east, Willamette  
22 Meridian, Chelan County, Washington.

23 (B) The N<sup>1</sup>/<sub>2</sub> of SE<sup>1</sup>/<sub>4</sub> of SW<sup>1</sup>/<sub>4</sub> of such  
24 section 27.

25 (C) The W<sup>1</sup>/<sub>2</sub> of NW<sup>1</sup>/<sub>4</sub> of SE<sup>1</sup>/<sub>4</sub> of such  
26 section 27.

1           (D) The NW<sup>1</sup>/<sub>4</sub> of SW<sup>1</sup>/<sub>4</sub> of SE<sup>1</sup>/<sub>4</sub> of such  
2 section 27.

3           (E) The E<sup>1</sup>/<sub>2</sub> of NW<sup>1</sup>/<sub>4</sub> of the SE<sup>1</sup>/<sub>4</sub> of such  
4 section 27.

5           (F) That portion of the S<sup>1</sup>/<sub>2</sub> of SE<sup>1</sup>/<sub>4</sub> of  
6 SW<sup>1</sup>/<sub>4</sub> lying north of the northerly edge of  
7 Highway 209 right-of-way of such section 27.

8           (2) PUBLIC UTILITY DISTRICT LANDS.—The  
9 lands owned by the Public Utility District are  
10 109.15 acres, more or less, with the following legal  
11 description:

12           (A) S<sup>1</sup>/<sub>2</sub> of SW<sup>1</sup>/<sub>4</sub> of section 35 of township  
13 26 north, range 17 east, Willamette Meridian,  
14 Chelan County, Washington.

15           (B) The area specified by Public Utility  
16 District No. 1 as Government Lot 5 in such  
17 section 35.

18           (c) REQUIREMENTS FOR EXCHANGE.—

19           (1) TITLE ACCEPTANCE AND CONVEYANCE.—  
20 Upon offer by the Public Utility District of all right,  
21 title, and interest in and to the lands described in  
22 subsection (b)(2), if the title is found acceptable by  
23 the Secretary, the Secretary shall accept title to such  
24 lands and interests therein and shall convey to the  
25 Public Utility District all right, title, and interest of

1 the United States in and to the lands described in  
2 subsection (b)(1).

3 (2) APPRAISALS REQUIRED.—Before making an  
4 exchange pursuant to subsection (a), the Secretary  
5 shall conduct appraisals of the lands that are subject  
6 to the exchange to determine the fair market value  
7 of the lands. Such appraisals shall not include the  
8 value of the wastewater treatment facility referred to  
9 in paragraph (4)(A).

10 (3) ADDITIONAL CONSIDERATION.—If, on the  
11 basis of the appraisals made under paragraph (1),  
12 the Secretary determines that the fair market value  
13 of the lands to be conveyed by one party under sub-  
14 section (a) is less than the fair market value of the  
15 lands to be conveyed by the other party under sub-  
16 section (a), then, as a condition of making the ex-  
17 change under subsection (a), the party conveying the  
18 lands with the lesser value shall pay the other party  
19 the amount by which the fair market value of the  
20 lands of greater value exceeds the fair market value  
21 of the lands of lesser value.

22 (4) CONVEYANCE OF WASTEWATER TREATMENT  
23 FACILITY.—(A) As part of an exchange made under  
24 subsection (a), the Secretary shall convey to the  
25 Public Utility District of Chelan County, Washing-

1 ton, all right, title, and interest of the United States  
2 in and to the wastewater treatment facility (includ-  
3 ing the wastewater treatment plant and associated  
4 lagoons) located on the lands described in subsection  
5 (b)(1) that is in existence on the date of the ex-  
6 change.

7 (B) As a condition for the exchange under sub-  
8 section (a), the Public Utility District shall provide  
9 for a credit equal to the fair market value of the  
10 wastewater treatment facility conveyed pursuant to  
11 subparagraph (A) (determined as of November 4,  
12 1991), that shall be applied to the United States'  
13 share of any new or modified wastewater treatment  
14 facilities constructed by the Public Utility District  
15 after November 4, 1991.

16 (d) ADDITIONAL TERMS AND CONDITIONS.—The  
17 Secretary may require such additional terms and condi-  
18 tions in connection with the exchange under this section  
19 as the Secretary determines appropriate to protect the in-  
20 terests of the United States.

Passed the House of Representatives September 4,  
1996.

Attest:

*Clerk.*