

104TH CONGRESS
1ST SESSION

H. R. 1340

To modify the project for Bonneville Lock and Dam, Columbia River, Oregon and Washington.

IN THE HOUSE OF REPRESENTATIVES

MARCH 28, 1995

Mrs. SMITH of Washington introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To modify the project for Bonneville Lock and Dam,
Columbia River, Oregon and Washington.

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. BONNEVILLE LOCK AND DAM, COLUMBIA**
4 **RIVER, OREGON AND WASHINGTON.**

5 (a) PROJECT MODIFICATION.—

6 (1) IN GENERAL.—The project for Bonneville
7 Lock and Dam, Columbia River, Oregon and Wash-
8 ington, authorized by the Act of August 20, 1937
9 (50 Stat. 731), and modified by section 83 of the
10 Water Resources Development Act of 1974 (88 Stat.

1 35), is further modified to authorize the Secretary of
2 the Army (hereinafter in this section referred to as
3 the “Secretary”) to convey to the city of North Bon-
4 neville, Washington, at no further cost to the city,
5 all right, title, and interest of the United States in
6 and to the following:

7 (A) Any municipal facilities, utilities fix-
8 tures, and equipment for the relocated city, and
9 any remaining lands designated as open spaces
10 or municipal lots not previously conveyed to the
11 city, specifically, Lots M1 through M15, M16
12 (the “community center lot”), M18, M19, M22,
13 M24, S42 through S45, and S52 through S60.

14 (B) The “school lot” described as Lot 2,
15 block 5, on the plat of relocated North Bonne-
16 ville.

17 (C) Parcels 2 and C, but only upon the
18 completion of any environmental response ac-
19 tions required under applicable law.

20 (D) That portion of Parcel B lying south
21 of the existing city boundary, west of the sew-
22 age treatment plant, and north of the drainage
23 ditch that is located adjacent to the northerly
24 limit of the Hamilton Island landfill, provided
25 the Secretary determines, at the time of the

1 proposed conveyance, that the Department of
2 the Army has taken all action necessary to pro-
3 tect human health and the environment.

4 (E) Such portions of Parcel H which can
5 be conveyed without a requirement for further
6 investigation, inventory, or other action by the
7 Department of the Army under the provisions
8 of the National Historic Preservation Act.

9 (F) Such easements as the Secretary
10 deems necessary for—

11 (i) sewer and water line crossings of
12 relocated Washington State Highway 14;
13 and

14 (ii) reasonable public access to the Co-
15 lumbia River across those portions of
16 Hamilton Island that remain under the
17 ownership of the United States.

18 (2) TIME PERIOD FOR CONVEYANCES.—The
19 conveyances referred to in paragraphs (1)(A),
20 (1)(B), (1)(E), and (1)(F)(i) shall be completed
21 within 180 days after the United States receives the
22 release referred to in paragraph (4). All other con-
23 veyances shall be completed expeditiously, subject to
24 any conditions specified in the applicable subsection.

1 (3) PURPOSE.—The purpose of the conveyances
2 authorized by paragraph (1) is to resolve all out-
3 standing issues between the United States and the
4 city of North Bonneville.

5 (4) ACKNOWLEDGMENT OF PAYMENT; RELEASE
6 OF CLAIMS RELATING TO RELOCATION OF CITY.—As
7 a prerequisite to such conveyances, the city of North
8 Bonneville shall execute an acknowledgment of pay-
9 ment of just compensation and shall execute a re-
10 lease of any and all claims for relief of any kind
11 against the United States growing out of the reloca-
12 tion of the city of North Bonneville, or any prior
13 Federal legislation relating thereto, and shall dis-
14 miss, with prejudice, any pending litigation, if any,
15 involving such matters.

16 (5) RELEASE BY ATTORNEY GENERAL.—Upon
17 receipt of the city's acknowledgment and release re-
18 ferred to in paragraph (4), the Attorney General of
19 the United States shall dismiss any pending litiga-
20 tion, if any, arising out of the relocation of the city
21 of North Bonneville, and execute a release of any
22 and all rights to damages of any kind under the
23 February 20, 1987, judgment of the United States
24 Claims Court, including any interest thereon.

1 (6) ACKNOWLEDGMENT OF ENTITLEMENTS; RE-
2 LEASE BY CITY OF CLAIMS UNDER THIS SUB-
3 SECTION.—Within 60 days after the conveyances au-
4 thorized by paragraph (1) (other than subparagraph
5 (F)(ii)) have been completed, the city shall execute
6 an acknowledgment that all entitlements under such
7 paragraph have been completed and shall execute a
8 release of any and all claims for relief of any kind
9 against the United States arising out of this sub-
10 section.

11 (7) EFFECTS ON CITY.—Beginning on the date
12 of the enactment of this Act, the city of North Bon-
13 neville, or any successor in interest thereto, shall—

14 (A) be precluded from exercising any jurisdic-
15 tion over any lands owned in whole or in
16 part by the United States and administered by
17 the United States Army Corps of Engineers in
18 connection with the Bonneville project; and

19 (B) be authorized to change the zoning
20 designations of, sell, or resell Parcels S35 and
21 S56, which are presently designated as open
22 spaces.

1 (b) REPEAL.—Section 9147 of the Department of
2 Defense Appropriations Act, 1993 (106 Stat. 1940–1941)
3 is repealed.

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