

Calendar No. 307104TH CONGRESS
2^D SESSION**S. 1406****[Report No. 104-205]**

To authorize the Secretary of the Army to convey to the city of Eufaula, Oklahoma, a parcel of land located at the Eufaula Lake project, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 9, 1995

Mr. NICKLES introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

JANUARY 26, 1996

Reported by Mr. CHAFEE, without amendment

A BILL

To authorize the Secretary of the Army to convey to the city of Eufaula, Oklahoma, a parcel of land located at the Eufaula Lake project, 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. CONVEYANCE OF LAND AT EUFAULA LAKE**
2 **PROJECT.**

3 (a) IN GENERAL.—The Secretary of the Army (re-
4 ferred to in this section as the “Secretary”) may convey
5 to the city of Eufaula, Oklahoma, all right, title, and inter-
6 est of the United States in and to a parcel of land consist-
7 ing of approximately 4 acres located at the Eufaula Lake
8 project.

9 (b) CONSIDERATION.—Consideration for the convey-
10 ance under subsection (a) shall be the fair market value
11 of the parcel (as determined by the Secretary) and pay-
12 ment of all costs of the United States in making the con-
13 veyance, including the costs of—

14 (1) the survey required under subsection (d);

15 (2) any other necessary survey or survey
16 monumentation;

17 (3) compliance with the National Environ-
18 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.);
19 and

20 (4) any coordination necessary with respect to
21 requirements relating to endangered species, cultural
22 resources, and clean air (including the costs of agen-
23 cy consultation and public hearings).

24 (c) LAND SURVEYS.—The exact acreage and descrip-
25 tion of the parcel to be conveyed under subsection (a) shall
26 be determined by such surveys as the Secretary considers

1 necessary, which shall be carried out to the satisfaction
2 of the Secretary.

3 (d) ENVIRONMENTAL BASELINE SURVEY.—Prior to
4 making the conveyance under subsection (a), the Secretary
5 shall conduct an environmental baseline survey to deter-
6 mine the levels of any contamination (as of the date of
7 the survey) for which the United States would be respon-
8 sible under the Comprehensive Environmental Response,
9 Compensation, and Liability Act of 1980 (42 U.S.C. 9601
10 et seq.) and any other applicable law.

11 (e) CONDITIONS CONCERNING RIGHTS AND EASE-
12 MENT.—The conveyance under subsection (a) shall be sub-
13 ject to valid existing rights and to retention by the United
14 States of a flowage easement over all portions of the parcel
15 that lie at or below the flowage easement contour for the
16 Eufaula Lake project.

17 (f) OTHER TERMS AND CONDITIONS.—The convey-
18 ance under subsection (a) shall be subject to such other
19 terms and conditions as the Secretary considers necessary
20 and appropriate to protect the interests of the United
21 States.

Calendar No. 307

104TH CONGRESS
2^D SESSION

S. 1406

[Report No. 104-2051]

A BILL

To authorize the Secretary of the Army to convey to the city of Butfaula, Oklahoma, a parcel of land located at the Butfaula Lake project, and for other purposes.

JANUARY 26, 1996

Reported without amendment