

104TH CONGRESS  
2D SESSION

# S. 2017

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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## IN THE SENATE OF THE UNITED STATES

AUGUST 2, 1996

Mr. GORTON introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

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.

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. LAND EXCHANGE.**

4 (a) EXCHANGE.—Subject to subsection (c), the Sec-  
5 retary of Agriculture (referred to in this section as the  
6 “Secretary”) shall convey all right, title, and interest of  
7 the United States in and to the National Forest System  
8 lands described in subsection (b)(1) to Public Utility Dis-

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1 trict No. 1 of Chelan County, Washington (referred to in  
2 this section as the “Public Utility District”), in exchange  
3 for the conveyance to the Department of Agriculture by  
4 the Public Utility District of all right, title, and interest  
5 of the Public Utility District in and to the lands described  
6 in subsection (b)(2).

7 (b) DESCRIPTION OF LANDS.—

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

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

17 (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  
18 section 27.

19 (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  
20 section 27.

21 (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  
22 section 27.

23 (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  
24 section 27.

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

4 (2) PUBLIC UTILITY DISTRICT LANDS.—The  
5 lands owned by the Public Utility District are  
6 109.15 acres, more or less, with the following legal  
7 description:

8 (A) S<sup>1</sup>/<sub>2</sub> of SW<sup>1</sup>/<sub>4</sub> of section 35 of township  
9 26 north, range 17 east, Willamette Meridian,  
10 Chelan County, Washington.

11 (B) The area specified by Public Utility  
12 District No. 1 as Government Lot 5 in such  
13 section 35.

14 (c) REQUIREMENTS FOR EXCHANGE.—

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

24 (2) APPRAISALS REQUIRED.—Before making an  
25 exchange pursuant to subsection (a), the Secretary

1 shall conduct appraisals of the lands that are subject  
2 to the exchange to determine the fair market value  
3 of the lands. Such appraisals shall not include the  
4 value of the wastewater treatment facility referred to  
5 in paragraph (4)(A).

6 (3) ADDITIONAL CONSIDERATION.—If, on the  
7 basis of the appraisals made under paragraph (2),  
8 the Secretary determines that the fair market value  
9 of the lands to be conveyed by one party under sub-  
10 section (a) is less than the fair market value of the  
11 lands to be conveyed by the other party under sub-  
12 section (a), then, as a condition of making the ex-  
13 change under subsection (a), the party conveying the  
14 lands with the lesser value shall pay the other party  
15 the amount by which the fair market value of the  
16 lands of greater value exceeds the fair market value  
17 of the lands of lesser value.

18 (4) CONVEYANCE OF WASTEWATER TREATMENT  
19 FACILITY.—(A) As part of an exchange made under  
20 subsection (a), the Secretary shall convey to the  
21 Public Utility District of Chelan County, Washing-  
22 ton, all right, title, and interest of the United States  
23 in and to the wastewater treatment facility (includ-  
24 ing the wastewater treatment plant and associated  
25 lagoons) located on the lands described in subsection

1 (b)(1) that is in existence on the date of the ex-  
2 change.

3 (B) As a condition for the exchange under sub-  
4 section (a), the Public Utility District shall provide  
5 for a credit equal to the fair market value of the  
6 wastewater treatment facility conveyed pursuant to  
7 subparagraph (A) (determined as of November 4,  
8 1991), that shall be applied to the United States  
9 share of any new wastewater treatment facility con-  
10 structed by the Public Utility District after such  
11 date.

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

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