

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—118th Cong., 1st Sess.

S. 1662

To direct the Secretary of the Interior to convey to the Midvale Irrigation District the Pilot Butte Power Plant in the State of Wyoming, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by _____

Viz:

1 Strike all after the enacting clause and insert the fol-

2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Pilot Butte Power

5 Plant Conveyance Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) AGREEMENT.—The term “Agreement”

9 means the agreement entered into under section

10 3(a).

1 (2) DISTRICT.—The term “District” means the
2 Midvale Irrigation District located in Pavillion, Wyo-
3 ming.

4 (3) POWER PLANT.—The term “Power Plant”
5 means the Pilot Butte Power Plant and other appur-
6 tenant facilities in the State of Wyoming authorized
7 under the Act of March 2, 1917 (39 Stat. 969,
8 chapter 146), transferred to the jurisdiction of the
9 Bureau of Reclamation under the Act of June 5,
10 1920 (41 Stat. 874, chapter 235), and incorporated
11 into the Riverton Unit of the Pick-Sloan Missouri
12 Basin Program under Public Law 91–409 (84 Stat.
13 861), including the underlying land.

14 (4) SECRETARY.—The term “Secretary” means
15 the Secretary of the Interior, acting through the
16 Commissioner of Reclamation.

17 **SEC. 3. AGREEMENT, CONVEYANCE, AND REPORT.**

18 (a) AGREEMENT.—

19 (1) IN GENERAL.—Not later than 2 years after
20 the date of enactment of this Act, the Secretary
21 shall enter into good faith negotiations with the Dis-
22 trict to enter into an agreement to determine the
23 legal, institutional, and financial terms for the con-
24 veyance of the Power Plant from the Secretary to
25 the District.

1 (2) REQUIREMENT.—Notwithstanding section
2 8002(3)(B) of the John D. Dingell, Jr. Conserva-
3 tion, Management, and Recreation Act (43 U.S.C.
4 2902(3)(B)), the Secretary shall negotiate the agree-
5 ment under paragraph (1) in accordance with the
6 criteria, terms, and conditions described in subtitle
7 A of title VIII of that Act (43 U.S.C. 2901 et seq.).

8 (b) CONVEYANCE.—

9 (1) IN GENERAL.—The Secretary shall offer to
10 convey and assign to the District all right, title, and
11 interest of the United States in and to the Power
12 Plant—

13 (A) subject to valid leases, permits, rights-
14 of-way, easements, and other existing rights;
15 and

16 (B) in accordance with—

17 (i) the terms and conditions described
18 in the Agreement; and

19 (ii) this Act.

20 (2) STATUS OF LAND.—Effective on the date of
21 the conveyance of the Power Plant to the District
22 under paragraph (1), the Power Plant shall not be
23 considered to be a part of a Federal reclamation
24 project.

1 (c) REPORT.—If the conveyance authorized under
2 subsection (b)(1) is not completed by the date that is 1
3 year after the date of enactment of this Act, the Secretary
4 shall submit to the Committee on Energy and Natural Re-
5 sources of the Senate and the Committee on Natural Re-
6 sources of the House of Representatives a report that de-
7 scribes—

8 (1) the status of the conveyance under that
9 subsection;

10 (2) any obstacles to completing the conveyance
11 under that subsection; and

12 (3) an anticipated date for the completion of
13 the conveyance under that subsection.

14 **SEC. 4. COMPLIANCE WITH OTHER LAWS.**

15 Effective on the date of the conveyance of the Power
16 Plant to the District under section 3(b)(1), the District
17 shall comply with all applicable Federal, State, and local
18 laws (including regulations) with respect to the operation
19 of the Power Plant.