

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 1607
OFFERED BY MR. WESTERMAN OF ARKANSAS**

Strike all after the enacting clause and insert the following:

1 SECTION 1. LAND WITHDRAWAL AND RESERVATION.

2 (a) DEFINITIONS.—In this section:

3 (1) AGREEMENT.—The term “Agreement”
4 means the agreement between the United States and
5 the Association dated September 6, 1917, as amend-
6 ed.

7 (2) ASSOCIATION.—The term “Association”
8 means the Salt River Valley Water Users’ Associa-
9 tion.

10 (3) COVERED LAND.—The term “covered land”
11 means the portion of the National Forest System
12 land located on the south side of the Salt River from
13 the March 9, 1903, 1-mile withdrawal area for the
14 Bureau of Reclamation purposes extending an addi-
15 tional 2 miles from the Salt River at Roosevelt Dam
16 to 18.25 river miles downstream, in the State of Ari-
17 zona, not including the Superstition Mountain Wil-

1 derness Area and the Tonto National Monument, as
2 depicted on the Map.

3 (4) DISTRICT.—The term “District” means the
4 Salt River Project Agricultural Improvement and
5 Power District.

6 (5) MAP.—The term “Map” means the map
7 prepared under subsection (e)(1).

8 (6) SRP.—The term “SRP” means—

9 (A) the District; and

10 (B) the Association.

11 (b) RESERVATION OF COVERED LAND.—Subject to
12 valid existing rights, the covered land is reserved to the
13 United States, through the Secretary of the Interior, for
14 the exclusive right to use the covered land and interests
15 in the covered land for the development, generation, and
16 transmission of electrical power and energy for the use
17 and benefit of the Salt River Federal Reclamation Project
18 pursuant to the Agreement.

19 (c) WITHDRAWAL OF COVERED LAND.—The covered
20 land is permanently withdrawn from—

21 (1) all forms of entry, appropriation, and dis-
22 posal under the public land laws;

23 (2) location, entry, and patent under the mining
24 laws; and

1 (3) operation of the mineral leasing, mineral
2 materials, and geothermal leasing laws.

3 (d) FACILITIES.—With respect to facilities con-
4 structed by SRP on the covered land for the development,
5 generation, and transmission of electrical power and en-
6 ergy—

7 (1) the design and specifications shall conform
8 to Bureau of Reclamation standards, and final de-
9 signs shall be subject to review and approval by the
10 Secretary of the Interior;

11 (2) all construction work shall be subject to in-
12 spection and approval by the Secretary of the Inte-
13 rior;

14 (3) upon a determination of substantial comple-
15 tion of such facilities, the Secretary of the Interior
16 shall accept title on behalf of the United States as
17 part of the Salt River Federal Reclamation Project
18 pursuant to—

19 (A) section 6 of the Act of June 17, 1902
20 (32 Stat. 389, chapter 1093; 43 U.S.C. 498);
21 and

22 (B) the Agreement; and

23 (4) SRP shall be responsible for the care, oper-
24 ation, and maintenance pursuant to the Agreement.

25 (e) MAP.—

1 (1) IN GENERAL.—As soon as practicable after
2 the date of enactment of this Act, the Secretary of
3 Agriculture shall prepare a map depicting the
4 boundary of the covered land.

5 (2) AVAILABILITY.—The Map shall be on file
6 and available for public inspection in the appropriate
7 offices of the Forest Service and the Bureau of Rec-
8 lamation.

9 (f) MANAGEMENT OF COVERED LAND.—Manage-
10 ment of the covered lands shall be in accordance with the
11 Management Memorandum among the District, United
12 States Department of Agriculture, Forest Service, and the
13 Bureau of Reclamation, dated April 27, 1979, as amend-
14 ed.

15 (g) RELATION TO OTHER LAW.—

16 (1) COMPLIANCE WITH ENVIRONMENTAL
17 LAWS.—The Secretary of the Interior is directed to
18 carry out all necessary environmental compliance
19 under the National Environmental Policy Act of
20 1969 (42 U.S.C. 4321, et seq.), the Endangered
21 Species Act of 1973 (16 U.S.C. 1531, et seq.), and
22 all other applicable environmental laws and regula-
23 tions, prior to construction of facilities on the cov-
24 ered land for the development, generation, and
25 transmission of electrical power and energy.

1 (2) LEAD AGENCY.—The Bureau of Reclama-
2 tion shall be the lead agency with respect to environ-
3 mental compliance.

4 (3) WITHDRAWAL NOT MAJOR FEDERAL AC-
5 TION.—The withdrawal of the covered land shall not
6 constitute a major Federal action under the Na-
7 tional Environmental Policy Act of 1969 (42 U.S.C.
8 4321, et seq.).

9 (4) ANTIDEFICIENCY.—The United States shall
10 not be liable for failure to carry out any obligation
11 or activity authorized to be carried out under this
12 title (including any such obligation or activity under
13 the Agreement) if adequate appropriations are not
14 provided by Congress expressly to carry out the pur-
15 poses of this Act.

