

112TH CONGRESS  
1ST SESSION

# S. 313

To authorize the Secretary of the Interior to issue permits for a microhydro project in nonwilderness areas within the boundaries of Denali National Park and Preserve, to acquire land for Denali National Park and Preserve from Doyon Tourism, Inc., and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 10, 2011

Ms. MURKOWSKI (for herself and Mr. BEGICH) 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 the Interior to issue permits for a microhydro project in nonwilderness areas within the boundaries of Denali National Park and Preserve, to acquire land for Denali National Park and Preserve from Doyon Tourism, Inc., 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. SHORT TITLE.**

4 This Act may be cited as the “Kantishna Hills Re-  
5 newable Energy Act of 2011”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1           (1) APPURTENANCE.—The term “appur-  
2           tenance” includes—

3                   (A) transmissions lines;

4                   (B) distribution lines;

5                   (C) signs;

6                   (D) buried communication lines;

7                   (E) necessary access routes for microhydro  
8           project construction, operation, and mainte-  
9           nance; and

10                   (F) electric cables.

11           (2) KANTISHNA HILLS AREA.—The term  
12           “Kantishna Hills area” means the area of the Park  
13           located within 2 miles of Moose Creek, as depicted  
14           on the map.

15           (3) MAP.—The term “map” means the map en-  
16           titled “Kantishna Hills Micro-Hydro Area”, num-  
17           bered 184/80,276, and dated August 27, 2010.

18           (4) MICROHYDRO PROJECT.—

19                   (A) IN GENERAL.—The term “microhydro  
20           project” means a hydroelectric power gener-  
21           ating facility with a maximum power generation  
22           capability of 100 kilowatts.

23                   (B) INCLUSIONS.—The term “microhydro  
24           project” includes—

1 (i) the intake pipeline located on Eu-  
2 reka Creek, approximately 1/2 mile up-  
3 stream from the Park Road, as depicted on  
4 the map;

5 (ii) each system appurtenance of the  
6 microhydro project; and

7 (iii) any distribution or transmission  
8 line required to serve the Kantishna Hills  
9 area.

10 (5) PARK.—The term “Park” means the Denali  
11 National Park and Preserve.

12 (6) SECRETARY.—The term “Secretary” means  
13 the Secretary of the Interior.

14 **SEC. 3. PERMIT FOR MICROHYDRO PROJECT.**

15 (a) IN GENERAL.—The Secretary may issue permits  
16 for microhydro projects in the Kantishna Hills area.

17 (b) TERMS AND CONDITIONS.—Each permit under  
18 subsection (a) shall be—

19 (1) issued in accordance with such terms and  
20 conditions as are generally applicable to rights-of-  
21 way within units of the National Park System; and

22 (2) subject to such other terms and conditions  
23 as the Secretary determines to be necessary.

24 (c) COMPLETION OF ENVIRONMENTAL ANALYSIS.—  
25 Not later than 180 days after the date of enactment of

1 this Act, the Secretary shall complete any analysis re-  
2 quired by the National Environmental Policy Act of 1969  
3 (42 U.S.C. 4321 et seq.) of a proposed microhydro project  
4 located on Eureka Creek within the Kantishna Hills area.

5 **SEC. 4. LAND EXCHANGE.**

6 (a) IN GENERAL.—For the purpose of consolidating  
7 Park land and land owned by Doyon Tourism, Inc., and  
8 subject to subsection (d), the Secretary may exchange  
9 Park land near or adjacent to land owned by Doyon Tour-  
10 ism, Inc., located at the mouth of Eureka Creek in sec.  
11 13, T.16 S., R. 18 W., Fairbanks Meridian, for approxi-  
12 mately 18 acres of land owned by Doyon Tourism, Inc.,  
13 within the Galena patented mining claim.

14 (b) MAP AVAILABILITY.—The map shall be on file  
15 and available for public inspection in the appropriate of-  
16 fices of the National Park Service.

17 (c) TIMING.—The Secretary shall seek to complete  
18 the exchange under this section by not later than Feb-  
19 ruary 1, 2015.

20 (d) APPLICABLE LAWS; TERMS AND CONDITIONS.—  
21 The exchange under this section shall be subject to—

22 (1) the laws (including regulations) and policies  
23 applicable to exchanges of land administered by the  
24 National Park Service, including the laws and poli-

1       cies concerning land appraisals, equalization of val-  
2       ues, and environmental compliance; and

3               (2) such terms and conditions as the Secretary  
4       determines to be necessary.

5       (e) EQUALIZATION OF VALUES.—If the tracts pro-  
6       posed for exchange under this section are determined not  
7       to be equal in value, an equalization of values may be  
8       achieved by adjusting the quantity of acres described in  
9       subsection (a).

10       (f) ADMINISTRATION.—The land acquired by the Sec-  
11       retary pursuant to the exchange under this section shall  
12       be administered as part of the Park.

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