

# Committee on Natural Resources

Rob Bishop Chairman  
Mark-Up Memorandum

January 8, 2018

To: All Natural Resources Committee Members

From: Majority Committee Staff – Chris Marklund  
Subcommittee on Federal Lands (x6-7736)

Mark-Up: **H.R. 219 (Rep. Don Young)**, To correct the Swan Lake hydroelectric project survey boundary and to provide for the conveyance of the remaining tract of land within the corrected survey boundary to the State of Alaska.  
**January 10, 2017 at 10:00 a.m.; 1324 Longworth House Office Building**

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## H.R. 219, Swan Lake Hydroelectric Project Boundary Correction Act

### Summary of the Bill

H.R. 219, introduced by Rep. Don Young (R-AK-At Large) would direct the Secretary of the Interior, after consultation with the U.S. Forest Service, to correct the boundary of the Swan Lake Hydro Electric Project in Southeast Alaska and convey any additional land for the project to the State of Alaska.

### Background

The Swan Lake Hydroelectric Project is a remote facility located approximately 22 air miles northeast of Ketchikan, Alaska.<sup>1</sup> The facility is operated by the Southeast Alaska Power Agency (SEAPA), a regional Joint Action Agency of the State of Alaska.<sup>2</sup> The project was initiated by the State of Alaska in 1980 and placed into service in 1984.<sup>3</sup>

The Swan Lake Hydroelectric Project is comprised of an elliptical concrete thin arch dam, 174 feet high and 430 feet long at its crest.<sup>4</sup> The corresponding reservoir has a usable storage capacity of 86,000 acre feet and a surface area of approximately 1,500 acres.<sup>5</sup>

The project's powerhouse contains two turbine generating units with an installed capacity of 25 megawatts. The project and associated facilities supply wholesale power to the municipal utilities serving the cities of Petersburg, Wrangell, and Ketchikan<sup>6</sup> with a combined population of 19,395 residents.<sup>7</sup>

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<sup>1</sup> SEAPA Hydro, "Swan Lake Hydro Facility," Southeast Alaska Power Agency, 2013. <http://www.seapahydro.org/Swan-Lake-Hydro-Facility.php>

<sup>2</sup> SEAPA Hydro, "About Us," Southeast Alaska Power Agency, 2013. <http://www.seapahydro.org/about-us.php>

<sup>3</sup> Senate Report 115-98, <https://www.congress.gov/congressional-report/115th-congress/senate-report/98/1>

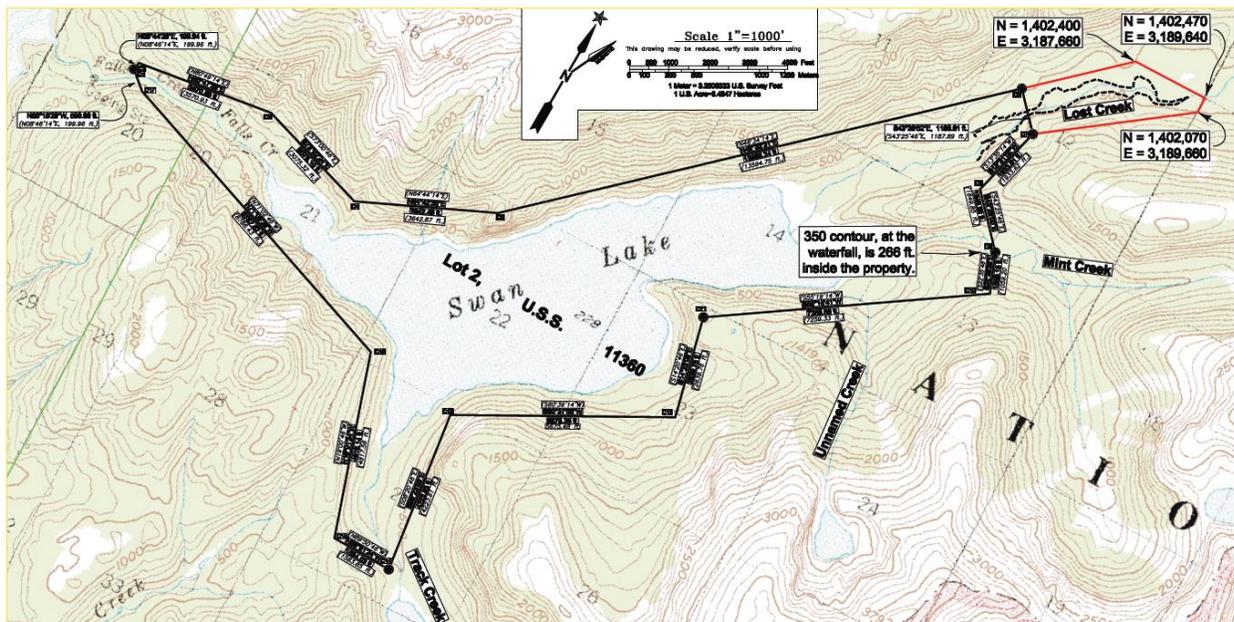
<sup>4</sup> SEAPA Hydro, "Swan Lake Hydro Facility." <http://www.seapahydro.org/Swan-Lake-Hydro-Facility.php>

<sup>5</sup> SEAPA Hydro, "Swan Lake Hydro Facility." <http://www.seapahydro.org/Swan-Lake-Hydro-Facility.php>

<sup>6</sup> Information provided to the Committee by Representative Don Young of Alaska's Office

<sup>7</sup> Alaska Department of Labor and Workforce Development, Research and Analysis Section, "2016 Population Estimates by Borough, Census Area, and Economic Region" <http://live.laborstats.alaska.gov/pop/>

At the time the project entered service, a future 15-foot increase in reservoir elevation was anticipated as a second phase to the project, which would raise the elevation of the reservoir from 330 feet to 345 feet (plus a 5-foot buffer).<sup>8</sup> As a result, in 1994 the State of Alaska sought a land selection of 1,500 acres of land inside the Tongass National Forest, sufficient land to secure the inundation area of the reservoir at the 350-foot elevation level. The land conveyance from the federal government to the State of Alaska was granted in 1997.



Source: Southeast Alaska Power Authority; courtesy of Rep. Don Young's office (AK-At Large)

In 2012, SEAPA conducted a land survey of the reservoir property as part of its due diligence before raising the height of the dam to its final anticipated height of 345 feet. The survey discovered an error in the 350-foot elevation contour on reference maps utilized during the State selection process.<sup>9</sup> The 2012 survey concluded raising the dam to its final anticipated height would inundate an additional 25.8 acres of federal land along one of Swan Lake's tributaries.<sup>10</sup>

There is no disagreement among the federal and State agencies that the 25.8 acres of Forest Service lands currently within the Project boundary remain within the Project boundary solely due to an error in establishing lands to be transferred to the State of Alaska back in 1997.<sup>11</sup>

H.R. 219 would correct the error by requiring the Secretary of the Interior, after consultation with the Secretary of Agriculture, to survey the exterior boundaries of the tract of

<sup>8</sup> SEAPA Hydro, "Swan Lake Reservoir Expansion" Southeast Alaska Power Agency, 2013.

[http://www.seapahydro.org/exp/pdfs/White\\_Paper/swl\\_white\\_paper.pdf](http://www.seapahydro.org/exp/pdfs/White_Paper/swl_white_paper.pdf)

<sup>9</sup> SEAPA Hydro, "Costs and Benefits Analysis for Increasing Storage at Swan Lake," Southeast Alaska Power Authority, 2012.

[http://www.seapahydro.org/exp/pdfs/White\\_Paper/cost-benefit.pdf](http://www.seapahydro.org/exp/pdfs/White_Paper/cost-benefit.pdf)

<sup>10</sup> SEAPA Hydro, "Costs and Benefits Analysis for Increasing Storage at Swan Lake," Southeast Alaska Power Authority, 2012.

[http://www.seapahydro.org/exp/pdfs/White\\_Paper/cost-benefit.pdf](http://www.seapahydro.org/exp/pdfs/White_Paper/cost-benefit.pdf)

<sup>11</sup> Information provided to the Committee by Representative Don Young of Alaska's Office

federal land within the Swan Lake Hydroelectric Project boundary and transfer the surveyed federal land within the project to the State of Alaska.

### **Major Provisions/Analysis of H.R. 219**

Section 1. Short Title. Provides that this Act may be cited as the Swan Lake Hydroelectricity Project Boundary Correction Act.

Section 2. Conveyance of Federal Land Within the Swan Lake Hydroelectric Project Boundary. Directs the Secretary of the Interior to consult with the Secretary of Agriculture and survey the exterior boundaries of the federal land tract within the boundaries of the Swan Lake Hydroelectric Project within 18 months of the enactment of the legislation. Following completion of the survey, the Secretary of the Interior is to issue a patent for the land to the State of Alaska in accordance with the survey and applicable federal laws.

### **Cost**

A Congressional Budget Office cost estimate has not yet been completed for this bill.

### **Administration Position**

In October 2017, Chief Tony Tooke of the U.S. Forest Service submitted testimony for the record to the Subcommittee on Federal Lands in support of H.R. 219. The testimony concurred that the 1997 survey included an error and that the remaining approximately 25.8 acres should be transferred to the State of Alaska.