

## WRDA 2020 Section 356 – Conveyances

### (a) GENERALLY APPLICABLE PROVISIONS.—

#### (1) SURVEY TO OBTAIN LEGAL DESCRIPTION.—

The exact acreage and the legal description of any real property to be conveyed under this section shall be determined by a survey that is satisfactory to the Secretary.

(2) APPLICABILITY OF PROPERTY SCREENING PROVISIONS.—Section 2696 of title 10, United States Code, shall not apply to any conveyance under this section.

(3) COSTS OF CONVEYANCE.—An entity to which a conveyance is made under this section shall be responsible for all reasonable and necessary costs, including real estate transaction and environmental documentation costs, associated with the conveyance.

(4) LIABILITY.—An entity to which a conveyance is made under this section shall hold the United States harmless from any liability with respect to activities carried out, on or after the date of the conveyance, on the real property conveyed. The United States shall remain responsible for any liability with respect to activities carried out, before such date, on the real property conveyed.

#### (5) ADDITIONAL TERMS AND CONDITIONS.—

The Secretary may require that any conveyance under this section be subject to such additional terms and conditions as the Secretary considers necessary and appropriate to protect the interests of the United States.

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(f) UPPER ST. ANTHONY FALLS LOCK AND DAM, MINNEAPOLIS, MINNESOTA.—

(1) CONVEYANCE AUTHORIZED.—As soon as practicable after the date of enactment of this Act, the Secretary shall, upon request—

(A) convey, without consideration, to the City of Minneapolis, Minnesota, or its designee, all or substantially all of the real property owned by the United States adjacent to or in the vicinity of the Upper St. Anthony Falls Lock and Dam, subject to the right of the Secretary to retain any easements in such property solely to the extent necessary to continue to operate and maintain the Upper St. Anthony Falls Lock and Dam; and

(B) provide, without consideration, to the City or its designee—

(i) access and use rights by license, easement, or similar agreement, to any real property and structures at the site of the Upper St. Anthony Falls Lock and Dam that is not conveyed under subparagraph (A); and

(ii) for any such property retained by the Secretary, exclusive license or easement over such property to allow the City or its designee to construct, use, and amenities thereon, and to utilize such property as a comprehensive recreational, touristic, and interpretive experience.

(2) OWNERSHIP AND OPERATION OF LOCK AND DAM.—Ownership rights to the Upper St. Anthony Falls Lock and Dam shall not be conveyed under this subsection, and the Secretary shall retain all rights to operate and maintain the Upper St. Anthony Falls Lock and Dam.

(3) REVERSION.—If the Secretary determines that the property conveyed under this subsection is not used for a public purpose, all right, title, and interest in and to the property shall revert, at the discretion of the Secretary, to the United States.

(4) UPPER ST. ANTHONY FALLS LOCK AND DAM DEFINED.—In this subsection, the term “Upper St. Anthony Falls Lock and Dam” means the lock and dam located on Mississippi River Mile 853.9 in Minneapolis, Minnesota.