

Union Calendar No. 393

110TH CONGRESS
2D SESSION

H. R. 3323

[Report No. 110-631]

To authorize the Secretary of the Interior to convey a water distribution system to the Goleta Water District, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 2, 2007

Mrs. CAPPS introduced the following bill; which was referred to the Committee on Natural Resources

MAY 13, 2008

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on August 2, 2007]

A BILL

To authorize the Secretary of the Interior to convey a water distribution system to the Goleta Water District, 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,*

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Goleta Water Distribu-*
3 *tion System Conveyance Act of 2008”.*

4 **SEC. 2. DEFINITIONS.**

5 *In this Act:*

6 (1) *AGREEMENT.*—*The term “Agreement” means*
7 *Agreement No. 07–LC–20–9387 between the United*
8 *States and the District, entitled “Agreement Between*
9 *the United States and the Goleta Water District to*
10 *Transfer Title of the Federally Owned Distribution*
11 *System to the Goleta Water District”.*

12 (2) *DISTRICT.*—*The term “District” means the*
13 *Goleta Water District, located in Santa Barbara*
14 *County, California.*

15 (3) *GOLETA WATER DISTRIBUTION SYSTEM.*—*The*
16 *term “Goleta Water Distribution System” means the*
17 *facilities constructed by the United States to enable*
18 *the District to convey water to its water users, and*
19 *associated lands, as described in Appendix A of the*
20 *Agreement.*

21 (4) *SECRETARY.*—*The term “Secretary” means*
22 *the Secretary of the Interior.*

23 **SEC. 3. CONVEYANCE OF THE GOLETA WATER DISTRIBUTION SYSTEM.**
24

25 *The Secretary is authorized to convey to the District*
26 *all right, title, and interest of the United States in and to*

1 *the Goleta Water Distribution System of the Cachuma*
2 *Project, California, subject to valid existing rights and con-*
3 *sistent with the terms and conditions set forth in the Agree-*
4 *ment.*

5 **SEC. 4. LIABILITY.**

6 *Effective upon the date of the conveyance authorized*
7 *by section 3, the United States shall not be held liable by*
8 *any court for damages of any kind arising out of any act,*
9 *omission, or occurrence relating to the lands, buildings, or*
10 *facilities conveyed under this Act, except for damages*
11 *caused by acts of negligence committed by the United States*
12 *or by its employees or agents prior to the date of convey-*
13 *ance. Nothing in this section increases the liability of the*
14 *United States beyond that provided in chapter 171 of title*
15 *28, United States Code (popularly known as the Federal*
16 *Tort Claims Act).*

17 **SEC. 5. BENEFITS.**

18 *After conveyance of the Goleta Water Distribution Sys-*
19 *tem under this Act—*

20 *(1) such distribution system shall not be consid-*
21 *ered to be a part of a Federal reclamation project;*
22 *and*

23 *(2) the District shall not be eligible to receive*
24 *any benefits with respect to any facility comprising*
25 *the Goleta Water Distribution System, except benefits*

1 *that would be available to a similarly situated entity*
2 *with respect to property that is not part of a Federal*
3 *reclamation project.*

4 **SEC. 6. COMPLIANCE WITH OTHER LAWS.**

5 (a) *COMPLIANCE WITH ENVIRONMENTAL AND HIS-*
6 *TORIC PRESERVATION LAWS.—Prior to any conveyance*
7 *under this Act, the Secretary shall complete all actions re-*
8 *quired under the National Environmental Policy Act of*
9 *1969 (42 U.S.C. 4321 et seq.), the Endangered Species Act*
10 *of 1973 (16 U.S.C. 1531 et seq.), the National Historic Pres-*
11 *ervation Act (16 U.S.C. 470 et seq.), and all other applica-*
12 *ble laws.*

13 (b) *COMPLIANCE BY THE DISTRICT.—Upon the con-*
14 *veyance of the Goleta Water Distribution System under this*
15 *Act, the District shall comply with all applicable Federal,*
16 *State, and local laws and regulations in its operation of*
17 *the facilities that are transferred.*

18 (c) *APPLICABLE AUTHORITY.—All provisions of Fed-*
19 *eral reclamation law (the Act of June 17, 1902 (43 U.S.C.*
20 *371 et seq.) and Acts supplemental to and amendatory of*
21 *that Act) shall continue to be applicable to project water*
22 *provided to the District.*

23 **SEC. 7. REPORT.**

24 *If, 12 months after the date of the enactment of this*
25 *Act, the Secretary has not completed the conveyance re-*

1 *quired under section 3, the Secretary shall complete a report*
2 *that states the reason the conveyance has not been completed*
3 *and the date by which the conveyance shall be completed.*
4 *The Secretary shall submit a report required under this sec-*
5 *tion to Congress not later than 14 months after the date*
6 *of the enactment of this Act.*

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