

105TH CONGRESS
2D SESSION

H. R. 3706

To authorize the Secretary of the Interior to implement the provisions of the Agreement conveying title to a Distribution System from the United States to the Clear Creek Community Services District.

IN THE HOUSE OF REPRESENTATIVES

APRIL 22, 1998

Mr. HERGER introduced the following bill; which was referred to the
Committee on Resources

A BILL

To authorize the Secretary of the Interior to implement the provisions of the Agreement conveying title to a Distribution System from the United States to the Clear Creek Community Services District.

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 “Clear Creek Distribu-
5 tion System Conveyance Act”.

6 **SEC. 2. DEFINITIONS.**

7 For purposes of this Act:

1 (1) SECRETARY.—The term “Secretary” means
2 the Secretary of the Interior.

3 (2) DISTRICT.—The term “District” means the
4 Clear Creek Community Services District, a Califor-
5 nia community services district located in Shasta
6 County, California.

7 (3) RECLAMATION.—The term “Reclamation”
8 means the United States Bureau of Reclamation.

9 (4) AGREEMENT.—The term “Agreement”
10 means Agreement No. 8–07–20–L6975 entitled
11 “Agreement Between the United States and the
12 Clear Creek Community Services District to Trans-
13 fer Title to the Clear Creek Distribution System to
14 the Clear Creek Community Services District.”

15 (5) DISTRIBUTION SYSTEM.—The term “Dis-
16 tribution System” means that term as defined in the
17 Agreement.

18 **SEC. 3. AUTHORITY TO CONVEY TITLE.**

19 The Secretary is hereby authorized to convey title to
20 the Distribution System consistent with the terms and
21 conditions set forth in the Agreement.

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

23 Following conveyance of title as provided in this Act,
24 the District shall comply with all requirements of Federal,

1 California, and local law as may be applicable to non-Fed-
2 eral water distribution systems.

3 **SEC. 5. NATIVE AMERICAN TRUST RESPONSIBILITY.**

4 The Secretary shall ensure that any trust responsibil-
5 ities to any Native American Tribes that may be affected
6 by the transfer under this Act are protected and fulfilled.

7 **SEC. 6. LIABILITY.**

8 Effective on the date of conveyance as provided in
9 this Act, the District agrees that it shall hold the United
10 States harmless and shall indemnify the United States for
11 any and all claims, costs, damages, and judgments of any
12 kind arising out of any act, omission, or occurrence relat-
13 ing to the Distribution System, except for such claims,
14 costs, or damages arising from acts of negligence commit-
15 ted by the United States or by its employees, agents, or
16 contractors prior to the date of conveyance for which the
17 United States is found liable under the Federal Tort
18 Claims Act (28 U.S.C. 2671 et seq.), provided such acts
19 of negligence exclude all actions related to the installation
20 of the Distribution System and/or prior billing and pay-
21 ment relative to the Distribution System.

22 **SEC. 7. DEAUTHORIZATION.**

23 Effective upon the date of conveyance, the Distribu-
24 tion System is hereby deauthorized as a Federal Reclama-
25 tion Project facility. Thereafter, the District shall not be

1 entitled to receive any further Reclamation benefits rel-
2 ative to the Distribution System. Such deauthorization
3 shall not affect any of the provisions of the District's exist-
4 ing water service contract with the United States (contract
5 number 14-06-200-489-IR3), as it may be amended or
6 supplemented. Nor shall such deauthorization deprive the
7 District of any existing contractual or statutory entitle-
8 ment to subsequent interim renewals of such contract or
9 renewal by entering into a long-term water service con-
10 tract.

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