

105TH CONGRESS
2D SESSION

H. R. 4048

To convey the Sly Park Dam and Reservoir to the El Dorado Irrigation District, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 11, 1998

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

A BILL

To convey the Sly Park Dam and Reservoir to the El Dorado Irrigation 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Sly Park Unit Convey-
5 ance Act”.

6 **SEC. 2. DEFINITIONS.**

7 For purposes of this Act:

8 (1) The term “District” means the El Dorado
9 Irrigation District, a political subdivision of the
10 State of California that has its principal place of

1 business in the city of Placerville, El Dorado Coun-
2 ty, California.

3 (2) The term “Secretary” means the Secretary
4 of the Interior.

5 (3) The term “Project” means all of the right,
6 title, and interest in and to the Sly Park Dam and
7 Reservoir, Camp Creek Diversion Dam and Tunnel,
8 and conduits and canals held by the United States
9 pursuant to or related to the authorization in the
10 Act entitled “An Act to authorize the American
11 River Basin Development, California, for irrigation
12 and reclamation, and for other purposes”, approved
13 October 14, 1949 (63 Stat. 852 chapter 690);

14 **SEC. 3. CONVEYANCE OF PROJECT.**

15 (a) IN GENERAL.—In consideration of the District
16 accepting the obligations of the Federal Government for
17 the Project and subject to the payment by the District
18 of the net present value of the remaining repayment obli-
19 gation, as determined by Office of Management and Budg-
20 et Circular A–129 (in effect on the date of enactment of
21 this Act), the Secretary shall convey the Project to the
22 District within one year after the date of enactment of
23 this Act. If the Secretary fails to convey the Project to
24 the District, pursuant to the preceding condition, within

1 that one-year period, the Project shall vest in the District
2 by operation of law as of the expiration of that period.

3 (b) FINANCING.—Nothing in this Act shall be con-
4 strued to affect the authority of the District to use a par-
5 ticular type of financing.

6 **SEC. 4. RELATIONSHIP TO EXISTING OPERATIONS.**

7 (a) IN GENERAL.—Nothing in this Act shall be con-
8 strued as significantly expanding or otherwise changing
9 the use or operation of the Project from its current use
10 and operation.

11 (b) FUTURE ALTERATIONS.—If the District alters
12 the operations or uses of the Project it shall comply with
13 all applicable laws or regulations governing such changes
14 at that time (subject to section 5).

15 **SEC. 5. RELATIONSHIP TO CERTAIN CONTRACT OBLIGA-**
16 **TIONS.**

17 (a) PAYMENT OBLIGATIONS NOT AFFECTED.—The
18 conveyance of the Project under this Act does not affect
19 the payment obligations of the District under the contract
20 between the District and the Secretary numbered 14–06–
21 200–7734, as amended by contracts numbered 14–06–
22 200–4282A and 14–06–200–8536A.

23 (b) PAYMENT OBLIGATIONS EXTINGUISHED.—Provi-
24 sion of consideration by the District in accordance with
25 section 3(b) shall extinguish all payment obligations under

1 contract numbered 14–06–200–949IR1 between the Dis-
2 trict and the Secretary.

3 **SEC. 6. RELATIONSHIP TO OTHER LAWS.**

4 (a) RECLAMATION LAWS.—Except as provided in
5 subsection (b), upon conveyance of the Project under this
6 Act, the Reclamation Act of 1902 (82 Stat. 388) and all
7 Acts amendatory thereof or supplemental thereto shall not
8 apply to the Project.

9 (b) PAYMENTS TO RESTORATION FUND.—The Dis-
10 trict shall make a payment of \$1,400,000 into the Central
11 Valley Project Restoration Fund as satisfaction of the Dis-
12 trict’s obligation to make payments into that fund re-
13 quired under section 3407 of Public Law 102–575.

14 (c) OTHER LAWS.—The conveyance of the Project
15 under this Act is a minor land transaction that does not
16 significantly affect the quality of the human environment
17 for purposes of the National Environmental Policy Act of
18 1969 (42 U.S.C. 4321 et seq.) and is not likely to affect
19 species protected by the Endangered Species Act of 1973
20 (16 U.S.C. 1531 et seq.). Therefore, consistent with the
21 National Environmental Policy Act of 1969 (42 U.S.C.
22 4321 et seq.) and the Endangered Species Act of 1973
23 (16 U.S.C. 1531 et seq.), additional environmental studies
24 are not necessary pursuant to such Acts for that convey-
25 ance.

1 **SEC. 7. LIABILITY.**

2 Effective on the date of conveyance of the Project
3 under this Act, the United States shall not be liable under
4 any law for damages of any kind arising out of any act,
5 omission, or occurrence relating to the conveyed property.

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