

Calendar No. 1022

110TH CONGRESS
2D SESSION**H. R. 3323**

IN THE SENATE OF THE UNITED STATES

MAY 22, 2008

Received; read twice and referred to the Committee on Energy and Natural
Resources

SEPTEMBER 16, 2008

Reported by Mr. BINGAMAN, without amendment

AN ACT

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Goleta Water Distribu-
5 tion System Conveyance Act of 2008”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) AGREEMENT.—The term “Agreement”
2 means Agreement No. 07–LC–20–9387 between the
3 United States and the District, entitled “Agreement
4 Between the United States and the Goleta Water
5 District to Transfer Title of the Federally Owned
6 Distribution System to the Goleta Water District”.

7 (2) DISTRICT.—The term “District” means the
8 Goleta Water District, located in Santa Barbara
9 County, California.

10 (3) GOLETA WATER DISTRIBUTION SYSTEM.—
11 The term “Goleta Water Distribution System”
12 means the facilities constructed by the United States
13 to enable the District to convey water to its water
14 users, and associated lands, as described in Appen-
15 dix A of the Agreement.

16 (4) SECRETARY.—The term “Secretary” means
17 the Secretary of the Interior.

18 **SEC. 3. CONVEYANCE OF THE GOLETA WATER DISTRIBUTION**
19 **SYSTEM.**

20 The Secretary is authorized to convey to the District
21 all right, title, and interest of the United States in and
22 to the Goleta Water Distribution System of the Cachuma
23 Project, California, subject to valid existing rights and
24 consistent with the terms and conditions set forth in the
25 Agreement.

1 **SEC. 4. LIABILITY.**

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

13 **SEC. 5. BENEFITS.**

14 After conveyance of the Goleta Water Distribution
15 System under this Act—

16 (1) such distribution system shall not be consid-
17 ered to be a part of a Federal reclamation project;
18 and

19 (2) the District shall not be eligible to receive
20 any benefits with respect to any facility comprising
21 the Goleta Water Distribution System, except bene-
22 fits that would be available to a similarly situated
23 entity with respect to property that is not part of a
24 Federal reclamation project.

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

2 (a) COMPLIANCE WITH ENVIRONMENTAL AND HIS-
3 TORIC PRESERVATION LAWS.—Prior to any conveyance
4 under this Act, the Secretary shall complete all actions
5 required under the National Environmental Policy Act of
6 1969 (42 U.S.C. 4321 et seq.), the Endangered Species
7 Act of 1973 (16 U.S.C. 1531 et seq.), the National His-
8 toric Preservation Act (16 U.S.C. 470 et seq.), and all
9 other applicable laws.

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

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

20 **SEC. 7. REPORT.**

21 If, 12 months after the date of the enactment of this
22 Act, the Secretary has not completed the conveyance re-
23 quired under section 3, the Secretary shall complete a re-
24 port that states the reason the conveyance has not been
25 completed and the date by which the conveyance shall be
26 completed. The Secretary shall submit a report required

- 1 under this section to Congress not later than 14 months
- 2 after the date of the enactment of this Act.

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