

111TH CONGRESS  
1ST SESSION

# H. R. 89

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

JANUARY 6, 2009

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

---

## 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,*

3       **SECTION 1. SHORT TITLE.**

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

6       **SEC. 2. DEFINITIONS.**

7       In this Act:

8               (1) **AGREEMENT.**—The term “Agreement”  
9       means Agreement No. 07–LC–20–9387 between the  
10       United States and the District, entitled “Agreement

1 Between the United States and the Goleta Water  
2 District to Transfer Title of the Federally Owned  
3 Distribution System to the Goleta Water District”.

4 (2) DISTRICT.—The term “District” means the  
5 Goleta Water District, located in Santa Barbara  
6 County, California.

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

13 (4) SECRETARY.—The term “Secretary” means  
14 the Secretary of the Interior.

15 **SEC. 3. CONVEYANCE OF THE GOLETA WATER DISTRIBU-**  
16 **TION SYSTEM.**

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

23 **SEC. 4. LIABILITY.**

24 Effective upon the date of the conveyance authorized  
25 by section 3, the United States shall not be held liable

1 by any court for damages of any kind arising out of any  
2 act, omission, or occurrence relating to the lands, build-  
3 ings, or facilities conveyed under this Act, except for dam-  
4 ages caused by acts of negligence committed by the United  
5 States or by its employees or agents prior to the date of  
6 conveyance. Nothing in this section increases the liability  
7 of the United States beyond that provided in chapter 171  
8 of title 28, United States Code (popularly known as the  
9 Federal Tort Claims Act).

10 **SEC. 5. BENEFITS.**

11 After conveyance of the Goleta Water Distribution  
12 System under this Act—

13 (1) such distribution system shall not be consid-  
14 ered to be a part of a Federal reclamation project;  
15 and

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

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

23 (a) COMPLIANCE WITH ENVIRONMENTAL AND HIS-  
24 TORIC PRESERVATION LAWS.—Prior to any conveyance  
25 under this Act, the Secretary shall complete all actions

1 required under the National Environmental Policy Act of  
2 1969 (42 U.S.C. 4321 et seq.), the Endangered Species  
3 Act of 1973 (16 U.S.C. 1531 et seq.), the National His-  
4 toric Preservation Act (16 U.S.C. 470 et seq.), and all  
5 other applicable laws.

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

11 (c) APPLICABLE AUTHORITY.—All provisions of Fed-  
12 eral reclamation law (the Act of June 17, 1902 (43 U.S.C.  
13 371 et seq.) and Acts supplemental to and amendatory  
14 of that Act) shall continue to be applicable to project water  
15 provided to the District.

16 **SEC. 7. REPORT.**

17 If, 12 months after the date of the enactment of this  
18 Act, the Secretary has not completed the conveyance re-  
19 quired under section 3, the Secretary shall complete a re-  
20 port that states the reason the conveyance has not been  
21 completed and the date by which the conveyance shall be  
22 completed. The Secretary shall submit a report required  
23 under this section to Congress not later than 14 months  
24 after the date of the enactment the of this Act.

○