

Mr. DOOLITTLE. Mr. Speaker, I yield 6 minutes to my friend and colleague, the gentleman from California (Mr. HERGER), in whose district this project is located.

Mr. HERGER. Mr. Speaker, I would like to thank the gentleman from California (Chairman DOOLITTLE) and the members and staff of the Subcommittee on Water and Power of the Committee on Resources for their hard work on this important piece of legislation.

I would also like to command and thank the Clear Creek Community Services District for their perseverance, cooperation, and patience in working with the Bureau of Reclamation and the subcommittee.

H.R. 862, the Clear Creek Distribution System Conveyance Act is a modest and noncontroversial measure that authorizes the Secretary of the Interior to convey title to the Clear Creek distribution system out of the hands of the United States and into the hands of the Clear Creek Community Service District.

The Clear Creek Community Services District is a local agency that provides water services for domestic and agricultural use to a large area of western Shasta County in the Northern California district I represent.

Clear Creek entered into a contractual relationship with the United States in 1963 for construction of the distribution system, as well as a long-term water services contract and a commitment to long-term repayment of the construction cost of the system.

The district commenced making payments on its repayment obligation starting in 1967. Thereafter, the district took full and complete responsibility for the administration, operation, maintenance, and repair of the system. Legal title to the system, however, remained in the name of the United States.

Now that the district's repayment obligation has been satisfied by the terms of its agreement with the Bureau, both the district and Bureau seek to have title to the federally-owned facilities transferred back to the district.

The district took advantage of the administration's title transfer program and negotiated the terms and conditions of an agreement whereby title to the distribution facilities would be transferred in a manner satisfactory to all concerned parties. This legislation will effectuate that agreement, and will bring title and authority over these facilities back to the 8,000 or so people who are served by them.

Although the district already carries out all aspects of the operation and maintenance of the system, transfer of title will allow the customers and water users in the district to be better served by more cost-effective and responsive administration of the facility.

Mr. Speaker, the Clear Creek title transfer is uncluttered by any adverse or controversial issues related to environmental impact, water allocation,

hazardous waste, Federal power, or endangered species. It has the full support of the Clear Creek Community Services District, the citizens, communities, and businesses served by the district, and the Bureau of Reclamation.

Further, it advances the objective of creating a government that works better and costs less by transferring these facilities to State and local units of government where they can be more efficiently managed.

I urge the Members to vote in favor of this noncontroversial proposal, which provides a definite win-win situation for all parties involved. I appreciate the opportunity to speak on its behalf.

Mr. DOOLITTLE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank my friend and colleague, the gentleman from Guam (Mr. UNDERWOOD), for his help in this matter, and I urge an aye vote.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. DOOLITTLE) that the House suspend the rules and pass the bill, H.R. 862, as amended.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read:

"A bill to direct the Secretary of the Interior to implement the provisions of an agreement conveying title to a distribution system from the United States to the Clear Creek Community Services District."

A motion to reconsider was laid on the table.

SLY PARK UNIT CONVEYANCE ACT

Mr. DOOLITTLE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 992) to convey the Sly Park Dam and Reservoir to the El Dorado Irrigation District, and for other purposes, as amended.

The Clerk read as follows:

H.R. 992

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DEFINITIONS.

For the purpose of this Act, the term—

- (1) "Secretary" means the Secretary of the Interior;
- (2) "Sly Park Unit" means the Sly Park Dam and Reservoir, Camp Creek Diversion Dam and Tunnel, and conduits and canals as authorized under the American River Act of October 14, 1949 (63 Stat. 853), including those used to convey, treat, and store water delivered from Sly Park, as well as all recreation facilities thereto; and
- (3) "District" means the El Dorado Irrigation District.

SEC. 2. TRANSFER OF SLY PARK UNIT.

(a) IN GENERAL.—The Secretary shall, as soon as practicable after date of enactment of this Act and in accordance with all applicable law, transfer all right, title, and interest in and to the Sly Park Unit to the District.

(b) SALE PRICE.—The Secretary is authorized to receive from the District \$2,000,000 to relieve payment obligations and extinguish the debt under contract number 14-06-200-949R2, and \$9,500,000 to relieve payment obligations and extinguish all debts associated with contracts numbered 14-06-200-7734, as amended by contracts numbered 14-06-200-4282A and 14-06-200-8536A. Notwithstanding the preceding sentence, the District shall continue to make payments required by section 3407(c) of Public Law 102-575 through year 2029.

(c) CREDIT REVENUE TO PROJECT REPAYMENT.—Upon payment authorized under subsection (b), the amount paid shall be credited toward repayment of capital costs of the Central Valley Project in an amount equal to the associated undiscounted obligation.

SEC. 3. FUTURE BENEFITS.

Upon payment, the Sly Park Unit shall no longer be a Federal reclamation project or a unit of the Central Valley Project, and the District shall not be entitled to receive any further reclamation benefits.

SEC. 4. LIABILITY.

Except as otherwise provided by law, effective on the date of conveyance of the Sly Park Unit under this Act, the United States shall not be liable for damages of any kind arising out of any act, omission, or occurrence based on its prior ownership or operation of the conveyed property.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. DOOLITTLE) and the gentleman from Guam (Mr. UNDERWOOD) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. DOOLITTLE).

Mr. DOOLITTLE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, for more than 14 years the Sly Park Unit conveyance has been a legislative proposal before the Congress. It has passed both the House and Senate several times in various forms.

Today we have before us what I consider a fair proposal to all interested parties in the legislation. The Sly Park Unit in California was originally authorized under the American River Act of October 14, 1949. Since the project was completed in 1955, the district has operated and maintained the facilities.

Additionally, the district has played a major role in providing a safe, clean, and community-oriented recreation area that offers camping, boating, swimming, picnicking, and fishing.

Since I became the chairman of the Subcommittee on Water and Power, it has been my intent to pursue legislation to shrink the size and scope of the Federal government through the defederalization of these assets.

This defederalization should be done for two reasons. First, in the case of Sly Park, the unit will be completely paid for prior to conveyance.

Second, the district has demonstrated for more than four decades their expertise and financial capability in managing this project more efficiently than the Federal government.

During the 105th Congress two congressionally-initiated Bureau of Reclamation transfer bills were signed into law that directed the Secretary of the Interior to convey all right, title, and

interest to the United States in and to specified project facilities.

It is contemplated that the Sly Park Unit will be maintained and managed after the transfer so that there would be no significant changes in operation and maintenance or in land and water use in the reasonably foreseeable future.

Once transfer takes place, the future management of the facility will be the responsibility of the new owners, with any changes made pursuant to all then applicable laws. It is the committee's expectation that the completion of the conveyance should take no longer than 18 months from the date of enactment.

To accomplish this end, we have received assurances from the Bureau of Reclamation that they will complete as expeditiously as possible the requirements of the National Environmental Policy Act, or NEPA.

Furthermore, it is the committee's expectation that the district will cooperate with the Bureau of Reclamation in the environmental process and in the administrative tasks necessary to complete the transfer. If the conveyance is not completed within 18 months from the date of enactment, the Secretary can be expected to pay 100 percent of the costs of complying with the requirements of NEPA incurred as a direct result of executing this title transfer.

If the conveyance occurs within 18 months, the Bureau of Reclamation should be expected to pay up to 50 percent of the costs of complying with the requirements of NEPA incurred as a direct result of executing this title transfer.

Again, I would like to thank my colleagues, especially the gentleman from California (Mr. MILLER), and the Bureau of Reclamation for their work in assuring the passage of this important legislation. I would urge an aye vote on the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. UNDERWOOD. Mr. Speaker, I yield myself such time as I may consume.

(Mr. UNDERWOOD asked and was given permission to revise and extend his remarks.)

Mr. UNDERWOOD. Mr. Speaker, the committee has for more than a decade been considering various proposals to transfer ownership of the Sly Park Unit of the Central Valley Project. Many of the proposals we have seen have been so controversial that it has been impossible to secure passage of a bill.

We finally have a bill that resolves the most contentious issues, and the majority has worked with the administration to reach agreement on language that ensures the environmental review process will not be waived.

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The bill provides a financial solution that reflects agreement with the Office of Management and Budget. The man-

ager's amendment to H.R. 992 under consideration today no longer includes authority for the El Dorado Irrigation District to use tax exempt financing to pay off their remaining repayment obligations.

Under the bill as reported, Federal funds could be used to pay off this Federal debt. This inappropriate use of tax advantage funds municipal bond financing was opposed in dissenting views filed with the committee report, and it is appropriate that the offending language be removed from the bill.

Mr. Speaker, there have been significant and positive modifications to this legislation, and I understand that the administration now supports the bill, and we are prepared to support this legislation, H.R. 992, which is important for the gentleman from California (Mr. DOOLITTLE) in his district.

Mr. Speaker, I yield back the balance of my time.

Mr. DOOLITTLE. Mr. Speaker, I, too, am pleased to confirm that the administration is now officially on record in support of this legislation. I urge an aye vote.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from California (Mr. DOOLITTLE) that the House suspend the rules and pass the bill, H.R. 992, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

SOLANO WATER IMPOUNDMENT AND CONVEYANCE ACT

Mr. DOOLITTLE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1235) to authorize the Secretary of the Interior to enter into contracts with the Solano County Water Agency, California, to use Solano Project facilities for impounding, storage, and carriage of nonproject water for domestic, municipal, industrial, and other beneficial purposes.

The Clerk read as follows:

H.R. 1235

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. USE OF SOLANO PROJECT FACILITIES FOR NONPROJECT WATER.

(a) AUTHORIZATION.—The Secretary of the Interior is authorized to enter into contracts with the Solano County Water Agency, or any of its member unit contractors for water from the Solano Project, California, pursuant to the Act of February 21, 1911 (43 U.S.C. 523), for—

(1) the impounding, storage, and carriage of nonproject water for domestic, municipal, industrial, and other beneficial purposes, using any facilities associated with the Solano Project, California; and

(2) the exchange of water among Solano Project contractors, for the purposes set forth in paragraph (1), using facilities associated with the Solano Project, California.

(b) LIMITATION.—The authorization under subsection (a) shall be limited to the use of that portion of the Solano Project facilities downstream of Mile 26 of the Putah South Canal (as that canal is depicted on the official maps of the Bureau of Reclamation), which is below the diversion points on the Putah South Canal utilized by the city of Fairfield for delivery of Solano Project water.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. DOOLITTLE) and the gentleman from Guam (Mr. UNDERWOOD) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. DOOLITTLE).

Mr. DOOLITTLE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the city of Vallejo, California has tried to use its water supply facilities more efficiently, but has been limited by a provision in Federal law that prohibits the city from sharing space in an existing Federal water delivery canal. The city of Vallejo wants to wheel some of its drinking water through part of the canal serving California's Solano Project, a water project built by the Bureau of Reclamation in the 1950s. The city of Vallejo is prepared to pay any appropriate charges for the use of these facilities.

H.R. 1235 authorizes the Secretary of Interior to enter into contracts for the impounding, storage, and carriage of nonproject water using facilities associated with the Solano Project, California. In addition, any Warren Act contract affecting the Solano Project will be conducted with full compliance of all applicable environmental requirements.

I urge an aye vote on the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. UNDERWOOD. Mr. Speaker, I yield myself such time as I may consume.

(Mr. UNDERWOOD asked and was given permission to revise and extend his remarks.)

Mr. UNDERWOOD. Mr. Speaker, H.R. 1235 was introduced on March 23, 1999, by the gentleman from California (Mr. GEORGE MILLER). The gentleman from California (Mr. GEORGE MILLER), our friend and colleague, is, of course, the senior Democrat on the Committee on Resources; but he also represents California's 7th Congressional District, which includes the city of Vallejo; and, unfortunately, he is not able to be with us at this time.

The city of Vallejo has requested congressional approval of its proposal to use excess capacity in a Bureau of Reclamation project canal to move part of its raw municipal water supply to a new water treatment plant. Legislation must be enacted because a limitation in Federal law currently prohibits the city in sharing space in an existing Federal water delivery canal.

Once this legislation is enacted, Vallejo will be able to negotiate and sign a so-called Warren Act contract to