

106TH CONGRESS
2D SESSION

S. 2672

To provide for the conveyance of various reclamation projects to local water authorities.

IN THE SENATE OF THE UNITED STATES

JUNE 6, 2000

Mrs. FEINSTEIN introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To provide for the conveyance of various reclamation projects to local water authorities.

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 “Sugar Pine Dam and
5 Reservoir Conveyance Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) BUREAU.—The term “Bureau” means the
9 Bureau of Reclamation.

1 (2) DISTRICT.—The term “District” means the
2 Foresthill Public Utility District, a political subdivi-
3 sion of the State of California.

4 (3) PROJECT.—The term “Project” means the
5 improvements (and associated interests) authorized
6 in the Foresthill Divide Subunit of the Auburn-Fol-
7 som South Unit, Central Valley Project, consisting
8 of—

9 (A) Sugar Pine Dam;

10 (B) the right to impound waters behind
11 the dam;

12 (C) the associated conveyance system,
13 holding reservoir, and treatment plant;

14 (D) water rights;

15 (E) rights of the Bureau described in the
16 agreement of June 11, 1985, with the Super-
17 visor of Tahoe National Forest, California; and

18 (F) other associated interests owned and
19 held by the United States and authorized as
20 part of the Auburn-Folsom South Unit under
21 Public Law 89–161 (79 Stat. 615).

22 (4) SECRETARY.—The term “Secretary” means
23 the Secretary of the Interior.

24 (5) WATER SERVICES CONTRACT.—The term
25 “Water Services Contract” means Water Services

1 Contract #14-06-200-3684A, dated February 13,
2 1978, between the District and the United States.

3 **SEC. 3. CONVEYANCE OF THE PROJECT.**

4 (a) IN GENERAL.—As soon as practicable after date
5 of enactment of this Act and in accordance with all appli-
6 cable law, the Secretary shall convey all right, title, and
7 interest in and to the Project to the District.

8 (b) SALE PRICE.—Except as provided in subsection
9 (c), on payment by the District to the Secretary of
10 \$2,772,221—

11 (1) the District shall be relieved of all payment
12 obligations relating to the Project; and

13 (2) all debt under the Water Services Contract
14 shall be extinguished.

15 (c) MITIGATION AND RESTORATION PAYMENTS.—
16 The District shall continue to be obligated to make pay-
17 ments under section 3407(c) of the Central Valley Project
18 Improvement Act (106 Stat. 4726) through 2029.

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

20 (a) IN GENERAL.—Nothing in this Act significantly
21 expands or otherwise affects the use or operation of the
22 Project from its current use and operation.

23 (b) RIGHT TO OCCUPY AND FLOOD.—On the date
24 of the conveyance under section 3, the Chief of the Forest
25 Service shall grant the District the right to occupy and

1 flood portions of land in Tahoe National Forest, subject
2 to the terms and conditions stated in an agreement be-
3 tween the District and the Supervisor of the Tahoe Na-
4 tional Forest.

5 (c) CHANGES IN USE OR OPERATION.—If the Dis-
6 trict changes the use or operation of the Project, the Dis-
7 trict shall comply with all applicable laws (including regu-
8 lations) governing the change at the time of the change.

9 **SEC. 5. FUTURE BENEFITS.**

10 On payment of the amount under section 3(b)—

11 (1) the Project shall no longer be a Federal rec-
12 lamation project or a unit of the Central Valley
13 Project; and

14 (2) the District shall not be entitled to receive
15 any further reclamation benefits.

16 **SEC. 6. LIABILITY.**

17 Except as otherwise provided by law, effective on the
18 date of conveyance under section 3, the United States
19 shall not be liable for damages of any kind arising out
20 of any act, omission, or occurrence based on its prior own-
21 ership or operation of the Project.

22 **SEC. 7. COSTS.**

23 To the extent that costs associated with the Project
24 are included as a reimbursable cost of the Central Valley
25 Project, the Secretary may exclude the costs in excess of

- 1 the amount of costs repaid by the District from the pooled
- 2 reimbursable costs of the Central Valley Project until such
- 3 time as the Project is operationally integrated into the
- 4 water supply yield of the Central Valley Project.

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