

106TH CONGRESS  
1ST SESSION

# H. R. 992

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

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 4, 1999

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

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

6       **SEC. 2. DEFINITIONS.**

7       For purposes of this title:

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. Such transfer shall be subject to a reversion in  
23 favor of the United States if the remaining repayment ob-  
24 ligations to the United States, referred to in section 5(a),  
25 are not completed.

1 (b) DEADLINE.—

2 (1) IN GENERAL.—If no changes in Project op-  
3 erations are expected following the conveyance under  
4 subsection (a), the Secretary shall complete the con-  
5 veyance expeditiously, but not later than 180 days  
6 after the date of the enactment of this Act.

7 (2) DEADLINE IF CHANGES IN OPERATIONS IN-  
8 TENDED.—If the District intends to change Project  
9 operations as a result of the conveyance under sub-  
10 section (a), the Secretary—

11 (A) shall take into account those potential  
12 changes for the purpose of completing any re-  
13 quired environmental evaluation associated with  
14 the conveyance; and

15 (B) shall complete the conveyance by not  
16 later than 2 years after the date of the enact-  
17 ment of this Act.

18 (3) ADMINISTRATIVE COSTS OF CONVEY-  
19 ANCE.—If the Secretary fails to complete the con-  
20 veyance under this title before the applicable dead-  
21 line under paragraph (1) or (2), the full cost of ad-  
22 ministrative action and environmental compliance for  
23 the conveyance shall be borne by the Secretary. If  
24 the Secretary completes the conveyance before that

1 deadline, one-half of such cost shall be paid by the  
2 District.

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

4 (a) IN GENERAL.—Nothing in this title shall be con-  
5 strued as significantly expanding or otherwise changing  
6 the use or operation of the Project from its current use  
7 and operation.

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

12 **SEC. 5. RELATIONSHIP TO CERTAIN CONTRACT OBLIGA-**  
13 **TIONS.**

14 (a) PAYMENT OBLIGATIONS NOT AFFECTED.—The  
15 conveyance of the project under this title does not affect  
16 the payment obligations of the District under the contract  
17 between the District and the Secretary numbered 14–06–  
18 200–7734, as amended by contracts numbered 14–06–  
19 200–4282A and 14–06–200–8536A. At any time, the Dis-  
20 trict may elect to prepay its remaining repayment obliga-  
21 tions under contract numbered 14–06–200–7734, as  
22 amended by contracts numbered 14–06–200–4282A and  
23 14–06–200–8536A, by tendering to the Secretary the net  
24 present value, at that time, of the remaining repayment  
25 obligation as determined by Office of Management and

1 Budget Circular A-129 (in effect on the date of enactment  
2 of this title). Effective on the date of such tender, or on  
3 the date of completion of all repayment obligations, which-  
4 ever occurs first, any reversionary interest of the United  
5 States in and to the Project is extinguished.

6 (b) PAYMENT OBLIGATIONS EXTINGUISHED.—Provi-  
7 sion of consideration by the District in accordance with  
8 section 403(b) shall extinguish all payment obligations  
9 under contract numbered 14-06-200-949IR1 between the  
10 District and the Secretary.

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

12 (a) RECLAMATION LAWS.—Except as provided in  
13 subsection (b), upon conveyance of the Project under this  
14 title, the Reclamation Act of 1902 (82 Stat. 388) and all  
15 Acts amendatory thereof or supplemental thereto shall not  
16 apply to the Project.

17 (b) PAYMENTS INTO THE CENTRAL VALLEY  
18 PROJECT RESTORATION FUND.—The El Dorado Irriga-  
19 tion District shall continue to make payments into the  
20 Central Valley Project Restoration Fund until the year  
21 2029. The District's obligation shall be calculated in the  
22 same manner as Central Valley Project water contractors.

23 **SEC. 7. LIABILITY.**

24 Except as otherwise provided by law, effective on the  
25 date of conveyance of the Project under this title, the

1 United States shall not be liable for damages of any kind  
2 arising out of any act, omission, or occurrence based on  
3 its prior ownership or operation of the conveyed property.

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