

United States or by its employees or agents prior to the date of conveyance. Nothing in this section increases the liability of the United States beyond that provided in chapter 171 of title 28, United States Code (popularly known as the Federal Tort Claims Act).

#### SEC. 5. BENEFITS.

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

(1) such distribution system shall not be considered to be a part of a Federal reclamation project; and

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

#### SEC. 6. COMPLIANCE WITH OTHER LAWS.

(a) COMPLIANCE WITH ENVIRONMENTAL AND HISTORIC PRESERVATION LAWS.—Prior to any conveyance under this Act, the Secretary shall complete all actions required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), the National Historic Preservation Act (16 U.S.C. 470 et seq.), and all other applicable laws.

(b) COMPLIANCE BY THE DISTRICT.—Upon the conveyance of the Goleta Water Distribution System under this Act, the District shall comply with all applicable Federal, State, and local laws and regulations in its operation of the facilities that are transferred.

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

#### SEC. 7. REPORT.

If, 12 months after the date of the enactment of this Act, the Secretary has not completed the conveyance required under section 3, the Secretary shall complete a report that states the reason the conveyance has not been completed and the date by which the conveyance shall be completed. The Secretary shall submit a report required under this section to Congress not later than 14 months after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from California (Mr. ISSA) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

#### GENERAL LEAVE

Ms. BORDALLO. Thank you, Mr. Speaker. I ask unanimous consent that all Members may have 5 days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Guam?

There was no objection.

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

H.R. 3323, introduced by our colleague from California, Congresswoman LOIS CAPPs, authorizes the Secretary of the Interior to convey all rights of the United States to the Goleta Water Distribution System to the Goleta Water District in Santa Barbara, California.

Mr. Speaker, I would like to thank Congresswoman CAPPs for her hard work on this important legislation, and

I strongly urge my colleagues to support H.R. 3323, as amended.

I reserve the balance of my time.

Mr. ISSA. Mr. Speaker, I too rise in support of this bill. It's always a good thing when the Federal Government evaluates land it does not need, that has previously been owned by local municipalities or private individuals and takes steps to return that at no cost to the taxpayers. So I join with the gentlelady from Guam and my colleague from California, LOIS CAPPs, in urging support for the return of this land to the Goleta Water District.

Mrs. CAPPs. Mr. Speaker, I rise in strong support of H.R. 3323, the Goleta Water Distribution System Conveyance Act of 2007—a bill I introduced last year that would authorize the title transfer of a federally owned water distribution system in my congressional district from the Bureau of Reclamation to the Goleta Water District.

First, I want to thank the chairman of the Natural Resources Committee, Mr. RAHALL, and chairwoman of the Subcommittee on Water and Power, Ms. NAPOLITANO, as well as the ranking members of the full Committee and Subcommittee for bringing H.R. 3323 before us today.

The purpose of the legislation is to simplify the operation and maintenance of the District's water distribution system and eliminate unnecessary paperwork and consultation between the District and the Bureau.

The Goleta Water District has operated and maintained the facilities proposed for transfer since the 1950s. They have worked through all requirements of the Bureau's title transfer process, including public meetings, fulfillment of their repayment obligations, completion of an environmental assessment, and compliance with all other applicable laws.

The only step remaining to complete the process is an act of Congress enabling the Secretary of the Interior to transfer title.

It is important to note that the proposed transfer would apply only to lands and facilities associated with the District and would not affect the District's existing water service contract with the Santa Barbara County Water Agency nor the Federal government receipts from water deliveries under the contract. In addition, the proposed transfer does not envision any new physical modification or expansion of the service infrastructure.

I'm pleased the administration is supporting my legislation, which will allow the Bureau to focus its limited resources where they are needed most. In my view, this is an example of local problem-solving at its best. I commend the staff of the water district and the Bureau for their efforts to reach this agreement. I know that they have been working on this for several years now.

Again, I would like to thank the Natural Resources Committee for supporting this bill, and urge its immediate passage.

Mr. ISSA. I yield back the balance of my time.

Ms. BORDALLO. Mr. Speaker, I, again, urge my colleagues to support the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the

rules and pass the bill, H.R. 3323, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ISSA. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

### LAKE HODGES SURFACE WATER IMPROVEMENT AND RECLAMATION ACT OF 2008

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2649) to make amendments to the Reclamation Projects Authorization and Adjustment Act of 1992, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2649

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

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Lake Hodges Surface Water Improvement and Reclamation Act of 2008".*

#### SEC. 2. PROJECT AUTHORIZATION.

(a) IN GENERAL.—*The Reclamation Wastewater and Groundwater Study and Facilities Act (Public Law 102-575, title XVI, 43 U.S.C. 390h et seq.) is amended by inserting after section 16 the following:*

**"SEC. 16 . LAKE HODGES SURFACE WATER IMPROVEMENT AND RECLAMATION PROJECT.**

*"(a) AUTHORIZATION.—The Secretary, in cooperation with the Olivenhain Municipal Water District, California, is authorized to participate in the design, planning, and construction of projects to treat, reclaim, and reuse impaired surface water from Lakes Hodges in San Diego County, California.*

*"(b) COST SHARE.—The Federal share of the costs of the projects authorized by this section shall not exceed 25 percent of the total cost.*

*"(c) LIMITATION.—The Secretary shall not provide funds for the operation or maintenance of a project authorized by this section."*

*(b) CLERICAL AMENDMENT.—The table of sections in section 2 of the Reclamation Projects Authorization and Adjustment Act of 1992 is amended by inserting after the item relating to section 163 the following:*

*"Sec. 163 . Lake Hodges surface water improvement and reclamation project."*

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from California (Mr. ISSA) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

#### GENERAL LEAVE

Ms. BORDALLO. Thank you, Mr. Speaker. I ask unanimous consent that all Members may have 5 days to revise and extend their remarks and include

extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Guam?

There was no objection.

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

H.R. 2649, as amended, authorizes the Secretary of the Interior, acting through the Bureau of Reclamation, to participate in the Lake Hodges Surface Water Improvement and Reclamation Project. This project would pretreat 13,000 acre-feet of impaired Lake Hodges water currently unavailable for consumptive use.

We have no objection to this non-controversial bill, and I reserve the balance of my time.

Mr. ISSA. Mr. Speaker, I strongly support this legislation. The author of the bill, who will speak in a moment, and I share the very banks of this water area of Lake Hodges. But, most importantly, at a time in which gas prices have risen to \$4 a gallon, it's very clear that importing water or desalinating water in southern California, although necessary, should be avoided. We need to find ways to do better work, have more water, with less consumption of gasoline, diesel, and all the other fuels that are in such short supply and so expensive. So I strongly support this bill.

I would yield the balance of my time to the gentleman from California, the author of the bill, Mr. BILBRAY.

Mr. BILBRAY. Mr. Speaker, I rise in support of H.R. 2649, a bill that is looking at a precious resource that needs to be cleaned up and used.

Mr. Speaker, I want to thank you in working and speaking with me about other challenges we have environmentally around this country, one of them being the fact the Federal Government is still mandating the polluting of our air and the picking of our pockets with the mandate of corn and ethanol going into our gasoline. I don't know about in your State, but in our State, that impact has reached \$6 a comparable gallon untaxed ethanol being forced into our fuel system by the misguided approaches here in Washington.

I look forward to working with you in eliminating that mandate and protecting our air and protecting consumers when we go to the pump. But as we talk about liquid gold, out west it is not just gasoline and ethanol that are liquid gold, but actually clean drinking water. This bill would address a problem that has actually been created by a well-intentioned but misguided application of the Endangered Species Act and other Federal regulatory activities.

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Where Lake Hodges had traditionally had a clean watershed kept clear from debris and undergrowth, because of the Federal agencies' misguided application of our environmental regulations,

such as the Endangered Species Act, the local agencies and community were not allowed to clear the watershed while the water was low so that once the water did rise up we did not have rotting organic material in our water source. Sadly, Mr. Speaker, that has occurred, and the water quality of the lake is now in violation of the Clean Water Act, 303(d). This bill will allow us to give a portion of the money, probably around one-quarter of it, to allow the local community now to purify the water so that it can be compatible with 303 of the Clean Water Act.

I hope that we will be able to work together, pass this bill, and be able to work with the local community. I look forward to working with you, Mr. Speaker, at not only cleaning up our water, but cleaning up our air and taking that ethanol out of our gasoline.

Mr. ISSA. I have no additional speakers at this time. I would urge strong support for this bill which, like so many, will help California deal with its water shortage.

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

Ms. BORDALLO. Mr. Speaker, I again urge all Members to support the bill, and yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 2649, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ISSA. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

#### SOBOBA BAND OF LUISEÑO INDIANS SETTLEMENT ACT

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4841) to approve, ratify, and confirm the settlement agreement entered into to resolve claims by the Soboba Band of Luiseño Indians relating to alleged interferences with the water resources of the Tribe, to authorize and direct the Secretary of the Interior to execute and perform the Settlement Agreement and related waivers, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4841

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Soboba Band of Luiseño Indians Settlement Act".

#### SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds the following:

(1) The Soboba Band of Luiseño Indians is a federally recognized Indian tribe whose Reservation of approximately 6,000 acres, extending east and north from the banks of the San Jacinto River in Riverside County, California, was created by an Executive Order dated June 19, 1883, and enlarged and modified by subsequent Executive Orders, purchases, and an Act of Congress.

(2) The Tribe's water rights have not been quantified, and the Tribe has asserted claims for interferences with the water resources of its Reservation, which the Tribe maintains have rendered much of the Tribe's Reservation useless for habitation, livestock, or Agriculture. On April 20, 2000, the Tribe filed a lawsuit against The Metropolitan Water District of Southern California for interference with the Tribe's water resources and damages to its Reservation allegedly caused by Metropolitan's construction and operation of the San Jacinto Tunnel, which is part of the Colorado River Aqueduct. The lawsuit, styled Soboba Band of Luiseño Indians v. Metropolitan Water District of Southern California, No. 00-04208 GAF (MANx), is pending in the United States District Court for the Central District of California.

(3) The Tribe also has made claims against Eastern Municipal Water District and Lake Hemet Municipal Water District, located adjacent to the Reservation, seeking to secure its water rights and damages arising from alleged past interference with the Tribe's water resources.

(4) After negotiations, which included participation by representatives of the Tribe, the United States on behalf of the Tribe, The Metropolitan Water District of Southern California, Eastern Municipal Water District, and Lake Hemet Municipal Water District, a Settlement Agreement has been developed to determine the Tribe's water rights, resolve all of its claims for interference with the water resources of, and damages to, its Reservation, provide for the construction of water projects to facilitate the exercise of the Tribe's rights, and resolve the lawsuit referenced in paragraph (2) of this section.

(5) The Settlement Agreement provides that—

(A) Eastern Municipal Water District and Lake Hemet Municipal Water District acknowledge and assure the Tribe's prior and paramount right, superior to all others, to pump 9,000 acre-feet of water annually from the San Jacinto River basin in accordance with the limitations and other conditions set forth in the Settlement Agreement;

(B) Eastern Municipal Water District and The Metropolitan Water District of Southern California will contract to supply water to Eastern Municipal Water District and Eastern Municipal Water District will use this water to recharge water supplies into the basin; and

(C) the three water districts will make substantial additional contributions to the settlement, including the conveyance of certain replacement lands and economic development funds to the Tribe, to carry out the Settlement Agreement's provisions.

(b) PURPOSES.—The purposes of this Act are—

(1) to approve, ratify, and confirm the Settlement Agreement entered into by the Tribe and non-Indians entities;

(2) to achieve a fair, equitable, and final settlement of all claims of the Soboba Band of Luiseño Indians, its members, and the United States on behalf of the Tribe and its members, to the water of the San Jacinto River basin;

(3) to authorize and direct the Secretary of the Interior to execute and perform all obligations of the Secretary under the Settlement Agreement; and

(4) to authorize the actions and appropriations necessary to meet obligations of the United States under the Settlement Agreement and this Act.