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REPORT
108–363

CARPINTERIA AND MONTECITO WATER DISTRIBUTION SYSTEMS CONVEYANCE ACT OF 2003

NOVEMBER 17, 2003.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. POMBO, from the Committee on Resources, submitted the following

R E P O R T

[To accompany H.R. 1648]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 1648) to authorize the Secretary of the Interior to convey certain water distribution systems of the Cachuma Project, California, to the Carpinteria Valley Water District and the Montecito Water District, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 1648 is to authorize the Secretary of the Interior to convey certain water distribution systems of the Cachuma Project, California, to the Carpinteria Valley Water District and the Montecito Water District.

BACKGROUND AND NEED FOR LEGISLATION

Since the Bureau of Reclamation began building water supply and distribution systems in the early 1900s, there has been an expectation that many of the facilities would ultimately be transferred to the local entities they were built to serve. Taking facilities off the federal books represents real budget savings for the future. Transfers help shrink the size and budget of the federal government, and help us manage our resources in a more efficient manner.

This Act would help simplify the operation and maintenance of the Carpinteria Valley and Montecito Water Districts' water distribution systems and eliminate unnecessary paperwork and con-

sultation between the Districts and the Bureau of Reclamation. The proposed transfer of ownership would include the following facilities: the distribution system of 36 miles (Carpinteria) and 9.5 miles of pipeline and laterals (Montecito); Gobernador Reservoir; Shepard Mesa Tank; Lateral 10L; Carpinteria, Shepard Mesa, Asegra, and Ortega Ridge pumping plants; several pressure regulating vaults located throughout the system; fences and structures; and rights-of-way, easements, leases and other property permitting access to the federal system.

H.R. 1648 would apply to only land and facilities and would not affect the Districts' 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 involve any new physical modifications or expansion of the service infrastructure. Finally, both Districts have worked through all Bureau of Reclamation requirements including payment obligations and required environmental reviews, and need only to complete the process with an act of Congress.

COMMITTEE ACTION

H.R. 1648 was introduced by Congresswoman Lois Capps (D–CA). The bill was referred to the Committee on Resources and within the Committee to the Subcommittee on Water and Power. On October 29, 2003, the Full Committee met to consider the bill. The Subcommittee was discharged from further consideration of the bill by unanimous consent. No amendments were offered and the bill was ordered favorably reported to the House of Representatives by unanimous consent.

SECTION-BY-SECTION

Section 1. Short title

This Act may be cited as the "Carpinteria and Montecito Water Distribution Systems Conveyance Act of 2003."

Section 2. Conveyance of water distribution systems of the Cachuma Project, California

(a)(1) This section provides that the Secretary may convey all right, title, and interest of the United States to the Carpinteria Distribution System of the Cachuma Project consistent with the terms and conditions set forth in Transfer Agreement Number 00–XC–20–0364.

(a)(2) This section provides that the Secretary of the Interior may convey all right, title, and interest of the United States to the Montecito Water District of the Cachuma Project consistent with the terms and conditions set forth in Transfer Agreement Number 01–XC–20–0365.

(b) This section provides that the United States shall not be held liable for any damages of any kind arising out of any act, omission, or occurrence relating to the distribution system effective upon the date of the title transfer of the distribution system.

(c)(1) This section states that after conveyance of the water distribution system to either of the Districts, the system shall no longer be considered a part of the federal reclamation project.

(c)(2) This section provides that after conveyance of the water distribution system to either of the Districts, that the respective water district will not receive any benefit from any of the facilities of the distribution system, except benefits that would be available to a similarly situated person with respect to such a facility of the system that is not part of a federal reclamation project.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. General Performance Goals and Objectives. This bill does not authorize funding and therefore, clause 3(c)(4) of rule XIII of the Rules of the House of Representatives does not apply.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, November 7, 2003.

Hon. RICHARD W. POMBO,
Chairman, Committee on Resources,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1648, the Carpinteria and Montecito Water Distribution Systems Conveyance Act of 2003.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Melissa E. Zimmerman.

Sincerely,

DOUGLAS HOLTZ-EAKIN,
Director.

Enclosure.

H.R. 1648—Carpinteria and Montecito Water Distribution Systems Conveyance Act of 2003

CBO estimates that implementing H.R. 1648 would have no significant impact on the federal budget. This bill would direct the Secretary of the Interior to convey all rights, title, and interest of the Federal Government in the Carpinteria Distribution System to the Carpinteria Valley Water District and in the Montecito Water Distribution System to the Montecito Water District. Both of these water distribution systems are part of the Cachuma Project in Santa Barbara County, California.

The Carpinteria Valley Water District has made all required payments on its contract with the Bureau of Reclamation for construction of the Carpinteria system. The Montecito Water District still owes about $7,000 for construction of its water distribution system and would be required to pay that sum as a condition of conveyance. Currently, the bureau spends less than $5,000 every three years to inspect these water distribution systems. The next inspections will take place in 2005. Once these systems are conveyed, all operations and maintenance (including inspections) would be the responsibility of the districts.

H.R. 1648 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on State, local, or tribal governments.

The CBO staff contact for this estimate is Melissa E. Zimmerman. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104–4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.

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