

Union Calendar No. 401

106TH CONGRESS
2D SESSION

S. 986

[Report No. 106-717]

IN THE HOUSE OF REPRESENTATIVES

JANUARY 27, 2000

Referred to the Committee on Resources

JULY 10, 2000

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

AN ACT

To direct the Secretary of the Interior to convey the Griffith
Project to the Southern Nevada Water Authority.

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 “Griffith Project Pre-
5 payment and Conveyance Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) The term “Authority” means the Southern
2 Nevada Water Authority, organized under the laws
3 of the State of Nevada.

4 (2) The term “Griffith Project” means the
5 Robert B. Griffith Water Project, authorized by and
6 constructed pursuant to the Southern Nevada Water
7 Project Act, Public Law 89–292, as amended, (com-
8 monly known as the “Southern Nevada Water
9 Project Act”) (79 Stat. 1068), including pipelines,
10 conduits, pumping plants, intake facilities, aque-
11 ducts, laterals, water storage and regulatory facili-
12 ties, electric substations, and related works and im-
13 provements listed pursuant to “Robert B. Griffith
14 Water Project (Formerly Southern Nevada Water
15 Project), Nevada: Southern Clark County, Lower
16 Colorado Region Bureau of Reclamation”, on file at
17 the Bureau of Reclamation and all interests in land
18 acquired under Public Law 89–292, as amended.

19 (3) The term “Secretary” means the Secretary
20 of the Interior.

21 (4) The term “Acquired Land(s)” means all in-
22 terests in land, including fee title, right(s)-of-way,
23 and easement(s), acquired by the United States from
24 non-Federal sources by purchase, donation, ex-

1 change, or condemnation pursuant to Public Law
2 89–292, as amended for the Griffith Project.

3 (5) The term “Public Land” means lands which
4 have never left Federal ownership and are under the
5 jurisdiction of the Bureau of Land Management.

6 (6) The term “Withdrawn Land” means Fed-
7 eral lands which are withdrawn from settlement,
8 sale, location of minerals, or entry under some or all
9 of the general land laws and are reserved for a par-
10 ticular public purpose pursuant to Public Law 89–
11 292, as amended, under the jurisdiction of the Bu-
12 reau of Reclamation, or are reserved pursuant to
13 Public Law 88–639 under the jurisdiction of the Na-
14 tional Park Service.

15 **SEC. 3. CONVEYANCE OF GRIFFITH PROJECT.**

16 (a) IN GENERAL.—In consideration of the Authority
17 assuming from the United States all liability for adminis-
18 tration, operation, maintenance, and replacement of the
19 Griffith Project and subject to the prepayment by the Au-
20 thority of the Federal repayment amount of \$121,204,348
21 (which amount shall be increased to reflect any accrued
22 unpaid interest and shall be decreased by the amount of
23 any additional principal payments made by the Authority
24 after September 15, 1999, prior to the date on which pre-

1 payment occurs), the Secretary shall, pursuant to the pro-
2 visions of this Act—

3 (1) convey and assign to the Authority all of
4 the right, title, and interest of the United States in
5 and to improvements and facilities of the Griffith
6 Project in existence as of the date of this Act;

7 (2) convey and assign to the Authority all of
8 the right, title, and interest of the United States to
9 Acquired Lands that were acquired for the Griffith
10 Project; and

11 (3) convey and assign to the Authority all inter-
12 ests reserved and developed as of the date of this
13 Act for the Griffith Project in lands patented by the
14 United States.

15 (b) Pursuant to the authority of this section, from
16 the effective date of conveyance of the Griffith Project,
17 the Authority shall have a right of way at no cost across
18 all Public Land and Withdrawn Land—

19 (1) on which the Griffith Project is situated;
20 and

21 (2) across any Federal lands as reasonably nec-
22 essary for the operation, maintenance, replacement,
23 and repair of the Griffith Project, including existing
24 access routes.

1 Rights of way established by this section shall be valid
2 for as long as they are needed for municipal water supply
3 purposes and shall not require payment of rental or other
4 fee.

5 (c) Within twelve months after the effective date of
6 this Act—

7 (1) the Secretary and the Authority shall agree
8 upon a description of the land subject to the rights
9 of way established by subsection (b) of this section;
10 and

11 (2) the Secretary shall deliver to the Authority
12 a document memorializing such rights of way.

13 (d) REPORT.—If the conveyance under subsection (a)
14 has not occurred within twelve months after the effective
15 date of this Act, the Secretary shall submit to Congress
16 a report on the status of the conveyance.

17 **SEC. 4. RELATIONSHIP TO EXISTING CONTRACTS.**

18 The Secretary and the Authority may modify Con-
19 tract No. 7–07–30–W0004 and other contracts and land
20 permits as necessary to conform to the provisions of this
21 Act.

22 **SEC. 5. RELATIONSHIP TO OTHER LAWS AND FUTURE BEN-**
23 **EFITS.**

24 (a) If the Authority changes the use or operation of
25 the Griffith Project, the Authority shall comply with all

1 applicable laws and regulations governing the changes at
2 that time.

3 (b) On conveyance of the Griffith Project under sec-
4 tion 3 of this Act, the Act of June 17, 1902 (43 U.S.C.
5 391 et seq.), and all Acts amendatory thereof or supple-
6 mental thereto shall not apply to the Griffith Project. Ef-
7 fective upon transfer, the lands and facilities transferred
8 pursuant to this Act shall not be entitled to receive any
9 further Reclamation benefits pursuant to the Act of June
10 17, 1902, and all Acts amendatory thereof or supple-
11 mental thereto attributable to their status as a Federal
12 Reclamation Project, and the Griffith Project shall no
13 longer be a Federal Reclamation Project.

14 (c) Nothing in this Act shall transfer or affect Fed-
15 eral ownership, rights, or interests in Lake Mead National
16 Recreation Area associated lands, nor affect the authori-
17 ties of the National Park Service to manage Lake Mead
18 National Recreation Area including lands on which the
19 Griffith Project is located consistent with the Act of Au-
20 gust 25, 1916 (39 Stat. 535), Public Law 88–639, Octo-
21 ber 8, 1964 (78 Stat. 1039), or any other applicable legis-
22 lation, regulation, or policy.

23 (d) Nothing in this Act shall affect the application
24 of Federal reclamation law to water delivered to the Au-

1 thority pursuant to any contract with the Secretary under
2 section 5 of the Boulder Canyon Project Act.

3 (e) Effective upon conveyance of the Griffith Project
4 and acquired interests in land under section 3 of this Act,
5 the United States shall not be liable for damages of any
6 kind arising out of any act, omission, or occurrence based
7 on its prior ownership of the conveyed property.

Passed the Senate November 19, 1999.

Attest:

GARY SISCO,
Secretary.

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