

YAKIMA-TIETON IRRIGATION DISTRICT CONVEYANCE ACT
OF 2005

NOVEMBER 10, 2005.—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. 1564]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 1564) to authorize the Secretary of the Interior to convey certain buildings and lands of the Yakima Project, Washington, to the Yakima-Tieton Irrigation 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. 1564 is to authorize the Secretary of the Interior to convey certain buildings and lands of the Yakima Project, Washington, to the Yakima-Tieton Irrigation District.

BACKGROUND AND NEED FOR LEGISLATION

The Yakima Project, owned and constructed by the Bureau of Reclamation of the Department of the Interior, was completed in the 1930s and provides irrigation water for approximately 450,000 acres of land on both sides of the Yakima River in south-central Washington. The Yakima-Tieton Irrigation District is one of the main divisions of the Project. The delivery of Project water to the District began in 1910 and the District assumed operation and maintenance of their water conveyance facilities in 1947. The District has repaid its Project capital repayment obligations to the United States.

H.R. 1564 directs the Secretary of the Interior to convey all federal right, title and interests of certain buildings and nine acres as-

sociated with the Yakima Project to the District. The terms of the transfer are included in a formal agreement between the Bureau of Reclamation and the District. Since Congressional approval is necessary for these transfers to take place, this legislation authorizes this specific transfer.

COMMITTEE ACTION

H.R. 1564 was introduced on April 12, 2005, by Congressional Doc Hastings (R-WA). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on Water and Power. On September 27, 2005, the Subcommittee held a hearing on the bill. On October 19, 2005, the Full Resources Committee met to consider the bill. The Subcommittee on Water and Power 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 ANALYSIS

Section 1. Short title

Section 1 cites the bill as the “Yakima-Tieton Irrigation District Conveyance Act of 2005.”

Section 2. Conveyance of certain buildings and lands of the Yakima project, Washington

Section 2 directs the Secretary of the Interior to transfer all right, title and interest in and to the buildings and lands of the Yakima Project in accordance with Contract No. 5-07-20-L1658 (an agreement between the United States and the District). The section releases the United States from any liability once the transfer takes place except for damages caused by acts of negligence before the transfer. After the conveyance, the transferred buildings and lands shall not be considered to be a part of the Yakima Project, and the District will not be eligible to receive any federal benefits with respect to the conveyed items. The section further requires the Secretary of the Interior to issue a report to Congress if the transfer does not take place within one year after the date of enactment of the bill. The report shall explain the reasons why the transfer has not been completed and state the date for the transfer.

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 compari-

son 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, credit authority, or an increase or decrease in revenues or tax expenditures. According to the Congressional Budget Office, enactment of this bill would result in a “negligible” increase in mandatory spending.

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:

H.R. 1564—Yakima-Tieton Irrigation District Conveyance Act of 2005

H.R. 1564 would direct the Secretary of the Interior to convey certain lands and buildings comprising a portion of the Yakima Project in Yakima County, Washington, to the Yakima-Tieton Irrigation District. Based on information from the Bureau of Reclamation, CBO estimates that enacting H.R. 1564 would have no significant effect on the federal budget.

This bill would transfer title for approximately nine acres of land and several buildings to the irrigation district. Other parts of the project, including the Tieton diversion dam and associated canals, would not be affected. The district has fully complied with all repayment agreements associated with the project, and currently makes only small payments to reimburse the Bureau of Reclamation for operations and maintenance of Yakima-Tieton facilities. Such payments are mandatory receipts to the Reclamation Fund, and would no longer be made if this bill were enacted, decreasing receipts and resulting in a negligible increase in mandatory spending. Under the bill, the bureau would no longer be responsible for the minor discretionary costs associated with operations and maintenance of the conveyed facilities.

H.R. 1564 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 land conveyance authorized by this bill would be voluntary on the part of the Yakima-Tieton Irrigation District. Any costs they might incur to comply with the conditions of the conveyance would be incurred voluntarily.

The CBO staff contact for this estimate is Mike Waters. The 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.

