

FRIANT WATER AUTHORITY

Kent H. Stephens
Kern-Tulare W.D.
Chairman of the Board

Chris Tantau
Kaweah Delta W.C.D.
Vice Chairman

Cliff Loeffler
Lindsay-Strathmore I.D.
Secretary/Treasurer

Jason R. Phillips
Chief Executive Officer

Donald M. Davis
General Counsel

Douglas A. DeFlitch
Chief Operating Officer

Arvin-Edison W.S.D.
Edwin Camp

Chowchilla W.D.
Kole Upton

City of Fresno
Tim Orman

Fresno I.D.
George Porter

Hills Valley I.D.
Loren Booth

Lindmore I.D.
Michael Brownfield

Madera I.D.
Jim Erickson

Orange Cove I.D.
Harvey A. Bailey

Porterville I.D.
Eric Borba

Saucelito I.D.
Steven G. Kisling

Terra Bella I.D.
Edwin L. Wheaton

Tulare I.D.
Rick Borges

Main Office
854 N. Harvard Avenue
Lindsay, CA 93247
559.562.6305

www.friantwater.org

July 11, 2018

The Honorable Rob Bishop
Chairman
Committee on Natural Resources
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Raúl Grijalva
Ranking Member
Committee on Natural Resources
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Bishop and Ranking Member Grijalva:

I am writing to express the Friant Water Authority's support for the *Reclamation Title Transfer and Non-Federal Infrastructure Incentivization Act* (H.R. 3281), legislation to streamline the process for transferring ownership – title – of Bureau of Reclamation facilities to non-Federal interests that are eligible to take title under Reclamation Law.

The Friant Water Authority (Authority) is a public agency formed under California law to operate and maintain the Friant-Kern Canal, a component of the Central Valley Project (CVP) owned by the Bureau of Reclamation (Reclamation). The Authority (initially the Friant Water Users Authority) has operated and maintained the Friant-Kern Canal as a “transferred work” under contract to the Bureau of Reclamation since 1986. Reclamation retains ownership of the 152-mile-long Canal and its related distribution works, and Reclamation administers the contracts governing the purchase and delivery of CVP water to more than 1 million acres of farm land and several municipalities. The Authority is responsible for all aspects of the Canal's operation, maintenance and replacement (OM&R) as well as all costs related to those activities.

The Authority and its 15 member agencies have not yet determined whether acquiring title to the Friant-Kern Canal or its associated distribution works would be in the interest of long-term water contractors in the Friant Division of the CVP. Many complex issues remained to be considered by the Authority and the individual contractors it serves. But title transfer has the potential to

increase the flexibility of Friant Division contractors to improve water management, reduce costs, and address the challenges of aging infrastructure. Title transfer also could reduce costs to the Federal government and relieve it of potential liabilities.

The Authority is interested in engaging Reclamation in discussions about possible title transfers for the Friant-Kern Canal and smaller distribution facilities that have been operated and maintained by individual irrigation agencies for decades. However, Reclamation's current title transfer process, though developed with substantial input from Reclamation's customers, remains lengthy, overly complex and costly for the non-federal parties. And once the administrative process is successfully completed, an act of Congress is still required to transfer the title to a facility from Reclamation to a non-federal entity. Time, cost and uncertainty are powerful disincentives to undertaking a title transfer effort.

H.R. 3281 would streamline the title transfer process while continuing to guard the interests of the public, the environment and the Federal Treasury. In doing so, the legislation would provide an incentive for the Authority and similar agencies West-wide to weigh the potential benefits and drawbacks of title transfer and to actively engage Reclamation in discussions that could produce benefits for water users and the Federal government alike.

The Authority commends the Committee and the sponsors of H.R. 3281 for developing legislation to facilitate the title transfer process, and the Authority supports its passage by the House.

Sincerely,



Jason Phillips
Chief Executive Officer
Friant Water Authority