



— BUREAU OF — RECLAMATION

TITLE TRANSFER BACKGROUND:

Title Transfer Program

Since 1995, Reclamation has conveyed title to several project facilities, including dams, reservoirs, canals, laterals, buildings, project lands, and easements to project beneficiaries. The title transfer process followed a framework that Reclamation and its partners collaboratively developed; which included National Environmental Policy Act (NEPA) and other legal requirements; and involved project stakeholders. Title to these facilities was only transferred to project beneficiaries, usually the operating entities, after the passage of individual acts of Congress. This process was often costly and time consuming.

On March 12, 2019, the President signed into law the John D. Dingell, Jr. Conservation, Management and Recreation Act (P.L. 116-9). Title VIII of this Act provides Reclamation with new authority to transfer title to certain eligible facilities to qualifying entities without separate and individual acts of Congress.

“This new title transfer process embodies the President’s goals of streamlining bureaucratic processes and making our government more efficient and accountable. Title transfers are a win for local communities and a win for the American taxpayer. The Department looks forward to continuing our work with local water users to reduce title transfer costs, stimulate infrastructure investment through local ownership with the bottom-line goal of making this new streamlined approach a major success.” Interior Secretary David Bernhardt (5/22/19)

Oakes Test Area/ Dickey-Sargent Irrigation District

The Oakes Test Area (OTA) is a remnant of what was to be a much larger irrigation area under the Garrison Diversion Unit (GDU) Project. The OTA was designed as a 5,000-acre prototype irrigation test area to represent the GDU. OTA construction was completed in 1988. Until 1995, the OTA served as an irrigation test area to address recommendations of the International Joint Commission regarding irrigation return flows. The intended water supply from the Missouri River remains incomplete, leaving only temporary, limited supplies available. The OTA facilities are over 30 years old and have reached a point where significant rehabilitation is necessary to keep them operational. Dickey-Sargent Irrigation District (DSID) has expressed interest in assuming ownership of the OTA facilities. Transferring the OTA to DSID would provide DSID the capability and flexibility to operate into the future and would result in significant cost savings for the U.S., avoiding future liabilities, non-reimbursable expenses, and potential abandonment costs. Reclamation believes P.L. 116-9 provides authorization to transfer OTA to DSID provided the required criteria can be met.