

Reclamation Manual

Directives and Standards

Title Transfer Information Sheet

Questions	Notes/Responses/Discussion	Action Items and Outstanding Questions
1. Why is title transfer being requested?		
2. Who is the current operator of the requested facilities?		
3. What are the Project's features? Which ones are requested for title transfer?		
A. Dam		
B. Reservoir		
C. Water conveyance or water distribution facilities		
D. Lands		
E. Buildings		
F. Power generation facilities		
G. Pumping plants		
H. Transmission lines and equipment		
I. Recreation areas		
J. Other (dikes, fish facilities, etc.)		

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Questions	Notes/Responses/Discussion	Action Items and Outstanding Questions
4. What are the current and planned Project purposes? Which ones are impacted by title transfer?		
A. Irrigation		
B. Municipal and industrial		
C. Power		
D. Flood control		
E. Fish and wildlife		
F. Recreation		
G. Highway improvement		
H. Other considerations		
5. What facilities are operationally, hydrologically, or financially integrated with the requested facilities? Consider the following:		
A. Non-project facilities		
B. Other Reclamation Project facilities		
C. Other Project purposes and beneficiaries		

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Questions	Notes/Responses/Discussion	Action Items and Outstanding Questions
6. What other interests are adjacent to or intermingled with the Project? Consider the following:		
A. State parks		
B. Federal lands ¹		
C. Cabin sites		
D. Other recreation facilities		
E. Other water users		
F. Other		
7. Are the requested facilities tied to the following?		
A. International treaties that affect Project operations (e.g., water to Mexico, flyway and habitat treaties)		
B. Interstate compacts or concerns		
C. Tribal interests (e.g., water rights, nearby Tribes, sacred sites, non-adjudicated water, tribal trust assets)		

¹ Consider the U.S. Forest Service, Bureau of Land Management and the National Park Service.

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Questions	Notes/Responses/Discussion	Action Items and Outstanding Questions
D. Public benefits associated with the requested facilities (e.g., fish and wildlife, flood control, and recreation)		
E. Threatened or endangered species		
8. Who might oppose this transfer and why?		
9. What actions have been taken to resolve any potential opposition?		
10. What contracts apply to the requested facilities? What is the repayment status and expiration date (if applicable)? Consider the following:		
A. Repayment		
B. Water service		
C. Exchange		
D. Warren Act		
E. Safety of Dams		
F. Extraordinary maintenance		
G. Project use power		
H. Lease of power privilege		

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Questions	Notes/Responses/Discussion	Action Items and Outstanding Questions
I. Operations and maintenance transfer		
J. Recreation		
K. Other		
11. Does the requestor receive aid to irrigation for any obligation based on its ability to pay?		
A. What preference power group(s) are responsible for repaying requestor aid to irrigation costs?		
B. What is the total sum of costs due and when are costs due?		
C. How will Reclamation and the requestor communicate with preference power groups?		
12. What land interests are being requested for title transfer?		
A. Lands		
(1) Fee title lands		
(2) Withdrawn lands		
a. Bureau of Land Management		
b. U.S. Forest Service		

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Questions	Notes/Responses/Discussion	Action Items and Outstanding Questions
c. Other		
B. Easements		
(1) On fee title		
(2) On withdrawn land		
C. Canal Act		
D. Subsurface rights		
E. Rights-of-way		
F. Environmental mitigation lands		
G. Other		
13. Are boundary surveys current? Is other title research necessary?		
14. What water rights are being sought? What water rights could be impacted by title transfer? Consider the following:		
A. Direct flow		
B. Storage rights		
C. Exchange rights		

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Questions	Notes/Responses/Discussion	Action Items and Outstanding Questions
D. Reserved rights, including Indian or Federal water rights		
E. State law requirements		
F. Ownership		
G. Other		
15. Are there incidental revenues? Consider the following:		
A. Grazing		
B. Oil and gas		
C. Timber		
D. Minerals		
E. Water-related contracts		
F. Wheeling of power		
G. Lease of power privilege		
H. Other		
16. How are operations and maintenance activities carried out?		

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Questions	Notes/Responses/Discussion	Action Items and Outstanding Questions
A. When was the last Reclamation operations and maintenance facility review completed?		
B. Has a title transfer inspection been scheduled or completed?		
C. Are there outstanding operations and maintenance corrective maintenance recommendations?		
17. What are the requestor’s capabilities to carry out all operations and maintenance responsibilities of the requested facilities?		
18. Are there outstanding Safety of Dams issues or monitoring equipment on facilities being considered for transfer?² Consider the following:		
A. Is there currently instrumentation monitoring done by Reclamation?		
B. After title transfer, who will serve as the responsible party for Safety of Dams activities?		

² See Reclamation Manual Directives and Standards *Dam Safety Issues in Title Transfers* (FAC 06-02).

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C. After title transfer, who will carry out dam safety inspections?		
D. Is the State’s Safety of Dams program able to assume these responsibilities?		
19. Have disclosures been made of environmental, health, or safety findings, such as asbestos, lead, or pending environmental liabilities?		
20. How might title transfer impact Reclamation Reform Act compliance³?		
21. What are the anticipated environmental compliance issues and activities?		
A. What actions will trigger National Environmental Policy Act analysis?		
(1) Transfer of title		
(2) Possible changes in Project operations		
(3) Other actions		

³ Consider whether the Project is currently subject to Reclamation Reform Act, and whether this is a full or partial title transfer.

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B. What are the Endangered Species Act considerations?		
C. What are the National Historic Preservation Act considerations?		
D. What hazardous sites and associated remediation may be necessary?		
E. What Water Quality or Clean Water Act requirements might apply? ⁴		
F. What other compliance activities may be necessary?		
22. Do the requested facilities receive Project Use Power?		
A. How much Project Use Power is currently under contract or otherwise obligated to the requestor and the facilities?		
B. What are the historic Project Use Power monthly and annual consumption levels?		
C. Is this anticipated to continue after the transfer?		

⁴ Consider salinity or selenium issues.

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D. What are the existing load sources authorized for Project Use Power?		
E. Which Power Marketing Agency is involved?		
23. Is the requestor willing to assume all liability for the requested facilities?		
A. Does the requestor know what their insurance requirements and costs will be?		
24. Is there outstanding litigation regarding the facilities, land, or requestor that could impact the title transfer?		
25. Are there any Federal employees working at the facilities who would be affected by the title transfer?		
26. Who are the Project beneficiaries, stakeholders, and other members of the public that might have an interest in this title transfer? Identify all parties, including those within the following categories:		
A. Non-Federal		
(1) Irrigation		

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Questions	Notes/Responses/Discussion	Action Items and Outstanding Questions
(2) Municipal and industrial		
(3) Recreation		
(4) Environmental groups		
(5) Power		
(6) Landowners		
(7) County government		
(8) City and municipal government		
(9) State government ⁵		
(10) Tribes		
(11) Leaseholders – cabins, grazing, oil and gas, others		
(12) Other		
B. Departments and Federal Agencies		
(1) Bureau of Land Management		
(2) The National Park Service		
(3) Bureau of Indian Affairs		

⁵ Consider sub-divisions, such as water resources, State engineer, fish and game, State Historic Preservation Officer, water quality, public health, and parks and recreation agencies.

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Questions	Notes/Responses/Discussion	Action Items and Outstanding Questions
(4) U.S. Fish and Wildlife Service		
(5) Office of Natural Resource Revenue		
(6) The U.S. Army Corps of Engineers		
(7) The National Oceanic and Atmospheric Administration, Fisheries		
(8) Western Area or Bonneville Power Administrations		
(9) The Treasury Department		
(10) The Department of Defense (Army, Navy, etc.)		
(11) Federal Energy Regulatory Commission		
(12) Environmental Protection Agency		
(13) Office of Management and Budget/Congressional Budget Office		
C. Congressional Staff		
(1) House member(s)		
(2) Senator(s)		

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Questions	Notes/Responses/Discussion	Action Items and Outstanding Questions
(3) House committee staff		
(4) Senate committee staff		
27. Which stakeholders or other interested parties have been notified of the potential transfer?		
28. What level of public involvement and participation is the requestor willing to carry out?		
29. What title transfer activities have already been initiated or completed?		
A. Memorandum of Agreement between Reclamation and the requestor		
B. Initial transaction cost and valuation estimate		
C. Public outreach and communications plan		
D. Environmental compliance activities (National Environmental Policy Act, Hazardous Materials, National Historic Preservation Act)		
E. Land surveys (as needed)		
F. Asset valuation		

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Questions	Notes/Responses/Discussion	Action Items and Outstanding Questions
G. Draft title transfer agreement		