IN THE SENATE OF THE UNITED STATES

DECEMBER 12, 2005

Received; read twice and referred to the Committee on Energy and Natural Resources

AN ACT

To authorize the Secretary of the Interior to prepare a feasibility study with respect to the Mokelumne River, and for other purposes.

1 Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
SECTION 1. AUTHORIZATION OF MOKEULMNE RIVER REGIONAL WATER STORAGE AND CONJUNCTIVE USE PROJECT STUDY.

Pursuant to the Reclamation Act of 1902 (32 Stat. 388) and Acts amendatory thereof and supplemental thereto, not later than 2 years after the date of the enactment of this Act, the Secretary of the Interior (hereafter in this Act referred to as the “Secretary”), through the Bureau of Reclamation, and in consultation and cooperation with the Mokelumne River Water and Power Authority, shall complete and submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate copies of a study to determine the feasibility of constructing a project to provide additional water supply and improve water management reliability through the development of new water storage and conjunctive use programs.

SEC. 2. USE OF REPORTS AND OTHER INFORMATION.

In developing the study under section 1, the Secretary shall use, as appropriate, reports and any other relevant information supplied by the Mokelumne River Water and Power Authority, the East Bay Municipal Utility District, and other Mokelumne River Forum stakeholders.
SEC. 3. COST SHARES.

(a) Federal Share.—The Federal share of the costs of the study conducted under this Act shall not exceed 50 percent of the total cost of the study.

(b) In-Kind Contributions.—The Secretary shall accept, as appropriate, such in-kind contributions of goods or services from the Mokelumne River Water and Power Authority as the Secretary determines will contribute to the conduct and completion of the study conducted under this Act. Goods and services accepted under this section shall be counted as part of the non-Federal cost share for the study.

SEC. 4. WATER RIGHTS.

Nothing in this Act shall be construed to invalidate, preempt, or create any exception to State water law, State water rights, or Federal or State permitted activities or agreements.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Secretary $3,300,000 for the Federal cost share of the study conducted under this Act.
SEC. 6. SUNSET.

The authority of the Secretary to carry out any provisions of this Act shall terminate 10 years after the date of the enactment of this Act.

Passed the House of Representatives December 6, 2005.

Attest: KAREN L. HAAS,

Clerk.