

119TH CONGRESS
2D SESSION

H. R. 9785

To direct the Secretary of the Interior to conduct studies to determine the feasibility of constructing projects to supply municipal, rural, and industrial water in certain parts of the Missouri River basin, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 20, 2026

Mr. JOHNSON of South Dakota introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To direct the Secretary of the Interior to conduct studies to determine the feasibility of constructing projects to supply municipal, rural, and industrial water in certain parts of the Missouri River basin, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “South Dakota Water Feasibility Studies Act”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—WESTERN SOUTH DAKOTA WATER SUPPLY PROJECT
FEASIBILITY STUDY

Sec. 101. Short title.

Sec. 102. Definitions.

Sec. 103. Western South Dakota water supply project feasibility study.

TITLE II—LEWIS AND CLARK REGIONAL WATER SYSTEM
EXPANSION FEASIBILITY STUDY

Sec. 201. Short title.

Sec. 202. Definitions.

Sec. 203. Lewis and Clark Regional Water System expansion feasibility study.

TITLE III—DAKOTA MAINSTEM WATER SUPPLY PROJECT
FEASIBILITY STUDY

Sec. 301. Short title.

Sec. 302. Definitions.

Sec. 303. Dakota Mainstem water supply project feasibility study.

1 TITLE I—WESTERN SOUTH DA-
2 KOTA WATER SUPPLY
3 PROJECT FEASIBILITY STUDY

4 SEC. 101. SHORT TITLE.

5 This title may be cited as the “Western South Dakota
6 Water Supply Project Feasibility Study Act”.

7 SEC. 102. DEFINITIONS.

8 In this title:

9 (1) NON-FEDERAL PROJECT ENTITY.—The
10 term “non-Federal project entity” means the West-
11 ern Dakota Regional Water System, Inc., a non-
12 profit corporation.

13 (2) PROPOSED RURAL WATER SUPPLY
14 PROJECT.—The term “proposed rural water supply
15 project” means the proposed project to supply mu-
16 nicipal, rural, and industrial water from the Mis-

1 souri River to the Western Dakota Regional Water
2 System.

3 (3) SECRETARY.—The term “Secretary” means
4 the Secretary of the Interior.

5 **SEC. 103. WESTERN SOUTH DAKOTA WATER SUPPLY**
6 **PROJECT FEASIBILITY STUDY.**

7 (a) STUDY.—

8 (1) IN GENERAL.—The Secretary, in coordina-
9 tion with the non-Federal project entity, shall carry
10 out a study to determine the feasibility of the pro-
11 posed rural water supply project.

12 (2) FEASIBILITY REPORT.—After completion of
13 the feasibility study for the proposed rural water
14 supply project under paragraph (1), the Secretary
15 shall—

16 (A) develop a feasibility report that in-
17 cludes a recommendation of the Secretary on—

18 (i) whether the proposed rural water
19 supply project should be authorized for
20 construction; and

21 (ii) the appropriate non-Federal share
22 of construction costs, which shall be—

23 (I) at least 25 percent of the
24 total construction costs; and

1 (II) determined based on an
2 analysis of the financial capability-to-
3 pay the allocated construction and op-
4 erations, maintenance, and replace-
5 ment costs of the recommended plan;

6 (B) submit the report under subparagraph
7 (A) to the Committee on Energy and Natural
8 Resources of the Senate and the Committee on
9 Natural Resources of the House of Representa-
10 tives; and

11 (C) make the report under subparagraph
12 (A) publicly available, along with associated fea-
13 sibility study documents.

14 (3) CONSULTATION AND COOPERATION.—In ad-
15 dition to the non-Federal project entity, the Sec-
16 retary shall consult and cooperate with appropriate
17 Federal, State, Tribal, regional, and local authorities
18 during the conduct of the feasibility study and devel-
19 opment of the feasibility report under this sub-
20 section.

21 (b) COST-SHARING AGREEMENT FOR FEASIBILITY
22 STUDY COSTS.—The Secretary shall enter into a cost-
23 sharing agreement (or an appropriate financial assistance
24 agreement, as determined by the Secretary) with the non-
25 Federal project entity to conduct a study under subsection

1 (a) that complies with the reclamation feasibility stand-
2 ards.

3 (c) FEDERAL SHARE OF FEASIBILITY STUDY
4 COSTS.—The Federal share of the total costs of carrying
5 out the feasibility study under subsection (a) shall not ex-
6 ceed 50 percent.

7 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
8 authorized to be appropriated to the Secretary to carry
9 out this section \$10,000,000.

10 (e) TERMINATION OF AUTHORITY.—The authority
11 provided by this section expires on the date that is 10
12 years after the date of enactment of this Act.

13 **TITLE II—LEWIS AND CLARK RE-**
14 **GIONAL WATER SYSTEM EX-**
15 **PANSION FEASIBILITY STUDY**

16 **SEC. 201. SHORT TITLE.**

17 This title may be cited as the “Lewis and Clark Re-
18 gional Water System Expansion Feasibility Study Act”.

19 **SEC. 202. DEFINITIONS.**

20 In this title:

21 (1) NON-FEDERAL PROJECT ENTITY.—The
22 term “non-Federal project entity” means—

23 (A) the Lewis and Clark Regional Water
24 System, Inc.; and

1 (B) any nonprofit successor entity to the
2 corporation described in subparagraph (A).

3 (2) PROPOSED RURAL WATER SUPPLY
4 PROJECT.—The term “proposed rural water supply
5 project” means the proposed project to supply mu-
6 nicipal, rural, and industrial water to expand the ca-
7 pacity and reach of the Lewis and Clark Regional
8 Water System in the States of Iowa, Minnesota, and
9 South Dakota.

10 (3) SECRETARY.—The term “Secretary” means
11 the Secretary of the Interior.

12 **SEC. 203. LEWIS AND CLARK REGIONAL WATER SYSTEM EX-**
13 **PANSION FEASIBILITY STUDY.**

14 (a) STUDY.—

15 (1) IN GENERAL.—The Secretary, in coordina-
16 tion with the non-Federal project entity, shall carry
17 out a study to determine the feasibility of the pro-
18 posed rural water supply project.

19 (2) FEASIBILITY REPORT.—After completion of
20 the feasibility study for the proposed rural water
21 supply project under paragraph (1), the Secretary
22 shall—

23 (A) develop a feasibility report that in-
24 cludes a recommendation of the Secretary on—

1 (i) whether the proposed rural water
2 supply project should be authorized for
3 construction; and

4 (ii) the appropriate non-Federal share
5 of construction costs, which shall be—

6 (I) at least 25 percent of the
7 total construction costs; and

8 (II) determined based on an
9 analysis of the financial capability-to-
10 pay the allocated construction and op-
11 erations, maintenance, and replace-
12 ment costs of the recommended plan;

13 (B) submit the report under subparagraph
14 (A) to the Committee on Energy and Natural
15 Resources of the Senate and the Committee on
16 Natural Resources of the House of Representa-
17 tives; and

18 (C) make the report under subparagraph
19 (A) publicly available, along with associated fea-
20 sibility study documents.

21 (3) CONSULTATION AND COOPERATION.—In ad-
22 dition to the non-Federal project entity, the Sec-
23 retary shall consult and cooperate with appropriate
24 Federal, State, Tribal, regional, and local authorities
25 during the conduct of the feasibility study and devel-

1 opment of the feasibility report under this sub-
2 section.

3 (b) COST-SHARING AGREEMENT FOR FEASIBILITY
4 STUDY COSTS.—The Secretary shall enter into a cost-
5 sharing agreement (or an appropriate financial assistance
6 agreement, as determined by the Secretary) with the non-
7 Federal project entity to conduct a study under subsection
8 (a) that complies with the reclamation feasibility stand-
9 ards.

10 (c) FEDERAL SHARE OF FEASIBILITY STUDY
11 COSTS.—The Federal share of the total costs of carrying
12 out the feasibility study under subsection (a) shall not ex-
13 ceed 50 percent.

14 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
15 authorized to be appropriated to the Secretary to carry
16 out this section \$10,000,000.

17 (e) TERMINATION OF AUTHORITY.—The authority
18 provided by this section expires on the date that is 10
19 years after the date of enactment of this Act.

20 **TITLE III—DAKOTA MAINSTEM**
21 **WATER SUPPLY PROJECT**
22 **FEASIBILITY STUDY**

23 **SEC. 301. SHORT TITLE.**

24 This title may be cited as the “Dakota Mainstem
25 Water Supply Project Feasibility Study Act”.

1 **SEC. 302. DEFINITIONS.**

2 In this title:

3 (1) DAKOTA MAINSTEM REGIONAL WATER SYS-
 4 TEM.—The term “Dakota Mainstem Regional Water
 5 System” means the Dakota Mainstem Regional
 6 Water System, Inc., a nonprofit corporation estab-
 7 lished and operated substantially in accordance with
 8 the reclamation feasibility standards to serve as a
 9 non-Federal project entity for purposes of the coop-
 10 erative agreement entered into under section
 11 303(a)(1).

12 (2) RECLAMATION FEASIBILITY STANDARDS.—
 13 The term “reclamation feasibility standards” means
 14 the eligibility criteria and feasibility study require-
 15 ments described in part 404 of title 43, Code of
 16 Federal Regulations (or successor regulations).

17 (3) SECRETARY.—The term “Secretary” means
 18 the Secretary of the Interior.

19 **SEC. 303. DAKOTA MAINSTEM WATER SUPPLY PROJECT**
 20 **FEASIBILITY STUDY.**

21 (a) STUDY.—

22 (1) IN GENERAL.—The Secretary, in consulta-
 23 tion with the Dakota Mainstem Regional Water Sys-
 24 tem, through a cooperative agreement, may under-
 25 take a study to determine the feasibility of con-
 26 structing a project to supply municipal, rural, and

1 industrial water to the Dakota Mainstem Regional
2 Water System service area in the States of South
3 Dakota, Iowa, Nebraska, and Minnesota.

4 (2) REQUIREMENT.—The study under para-
5 graph (1) shall comply with the reclamation feasi-
6 bility standards.

7 (b) FEDERAL SHARE.—The Federal share of the
8 total costs of carrying out the feasibility study under this
9 section shall not exceed 50 percent.

10 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
11 authorized to be appropriated to the Secretary to carry
12 out this section \$10,000,000.

13 (d) TERMINATION OF AUTHORITY.—The authority
14 provided by this section expires on the date that is 10
15 years after the date of enactment of this Act.

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