

108TH CONGRESS
2D SESSION

H. R. 4045

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 23, 2004

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 Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. AUTHORIZATION OF MOKELUMNE RIVER RE-**
2 **GIONAL WATER STORAGE AND CONJUNCTIVE**
3 **USE PROJECT STUDY.**

4 Pursuant to the Reclamation Act of 1902 (32 Stat.
5 388) and Acts amendatory thereof and supplemental
6 thereto, the Secretary of the Interior (hereafter in this Act
7 referred to as the “Secretary”) is authorized to prepare
8 a feasibility study entitled the “Mokelumne River Regional
9 Water Storage and Conjunctive Use Project Study” for
10 a project to provide additional water supply and improve
11 water management flexibility through the development of
12 new water storage and conjunctive use programs.

13 **SEC. 2. USE OF REPORTS AND OTHER INFORMATION.**

14 In developing the Mokelumne River Regional Water
15 Storage and Conjunctive Use Project Study, the Secretary
16 shall use, as appropriate, reports and any other relevant
17 information supplied by the Mokelumne River Water and
18 Power Authority, the East Bay Municipal Utility District
19 and other stakeholders.

20 **SEC. 3. DEADLINE.**

21 The Secretary shall complete the Mokelumne River
22 Regional Water Storage and Conjunctive Use Project
23 Study and provide copies of that study to the Committee
24 on Resources of the House of Representatives and the
25 Committee on Energy and Natural Resources of the Sen-

1 ate not later than 2 years after the date of the enactment
2 of this Act.

3 **SEC. 4. COST SHARES.**

4 (a) FEDERAL SHARE.—The Federal share of the
5 costs of the Mokelumne River Regional Water Storage and
6 Conjunctive Use Project Study shall not exceed 50 percent
7 of the total cost of the study.

8 (b) IN-KIND CONTRIBUTIONS.—The Secretary shall
9 accept, as appropriate, such in-kind contributions of goods
10 or services from the Mokelumne River Water and Power
11 Authority as the Secretary determines will contribute to
12 the conduct and completion of the Mokelumne River Re-
13 gional Water Storage and Conjunctive Use Project Study.
14 Goods and services accepted under this section shall be
15 counted as part of the non-federal cost share for that
16 study.

17 **SEC. 5. WATER RIGHTS.**

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

22 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

23 There is authorized to be appropriated to the Sec-
24 retary \$3,000,000 for the Federal cost share of the

- 1 Mokelumne River Regional Water Storage and Conjunc-
- 2 tive Use Project Study.

Passed the House of Representatives September 22,
2004.

Attest:

JEFF TRANDAHL,

Clerk.