

109TH CONGRESS
1ST SESSION

H. R. 3812

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 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, not later than 2 years after the date of the enact-
7 ment of this Act, the Secretary of the Interior (hereafter
8 in this Act referred to as the “Secretary”), through the
9 Bureau of Reclamation, and in consultation and coopera-
10 tion with the Mokelumne River Water and Power Author-
11 ity, shall complete and submit to the Committee on Re-
12 sources of the House of Representatives and the Com-
13 mittee on Energy and Natural Resources of the Senate
14 copies of a study to determine the feasibility of con-
15 structing a project to provide additional water supply and
16 improve water management reliability through the devel-
17 opment of new water storage and conjunctive use pro-
18 grams.

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

20 In developing the study under section 1, the Sec-
21 retary shall use, as appropriate, reports and any other rel-
22 evant information supplied by the Mokelumne River Water
23 and Power Authority, the East Bay Municipal Utility Dis-
24 trict, and other Mokelumne River Forum stakeholders.

1 **SEC. 3. COST SHARES.**

2 (a) FEDERAL SHARE.—The Federal share of the
3 costs of the study conducted under this Act shall not ex-
4 ceed 50 percent of the total cost of the study.

5 (b) IN-KIND CONTRIBUTIONS.—The Secretary shall
6 accept, as appropriate, such in-kind contributions of goods
7 or services from the Mokolunne River Water and Power
8 Authority as the Secretary determines will contribute to
9 the conduct and completion of the study conducted under
10 this Act. Goods and services accepted under this section
11 shall be counted as part of the non-Federal cost share for
12 the study.

13 **SEC. 4. WATER RIGHTS.**

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

18 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

19 There is authorized to be appropriated to the Sec-
20 retary \$3,300,000 for the Federal cost share of the study
21 conducted under this Act.

1 **SEC. 6. SUNSET.**

2 The authority of the Secretary to carry out any provi-
3 sions of this Act shall terminate 10 years after the date
4 of the enactment of this Act.

 Passed the House of Representatives December 6,
2005.

Attest:

KAREN L. HAAS,
Clerk.