

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 **REGIONAL 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.*