

**Calendar No. 792**110<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**S. 1929****[Report No. 110-360]**

To authorize the Secretary of the Interior, acting through the Commissioner of Reclamation, to conduct a feasibility study of water augmentation alternatives in the Sierra Vista Subwatershed.

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**IN THE SENATE OF THE UNITED STATES**

AUGUST 1, 2007

Mr. KYL (for himself and Mr. MCCAIN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

JUNE 16, 2008

Reported by Mr. BINGAMAN, without amendment

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**A BILL**

To authorize the Secretary of the Interior, acting through the Commissioner of Reclamation, to conduct a feasibility study of water augmentation alternatives in the Sierra Vista Subwatershed.

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. SHORT TITLE.**

2 This Act may be cited as the “Sierra Vista Subwater-  
3 shed Feasibility Study Act”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) APPRAISAL REPORT.—The term “appraisal  
7 report” means the appraisal report concerning the  
8 augmentation alternatives for the Sierra Vista Sub-  
9 watershed in the State of Arizona, dated June 2007  
10 and prepared by the Bureau of Reclamation.

11 (2) PRINCIPLES AND GUIDELINES.—The term  
12 “principles and guidelines” means the report entitled  
13 “Economic and Environmental Principles and  
14 Guidelines for Water and Related Land Resources  
15 Implementation Studies” issued on March 10, 1983,  
16 by the Water Resources Council established under  
17 title I of the Water Resources Planning Act (42  
18 U.S.C. 1962a et seq.).

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

21 **SEC. 3. SIERRA VISTA SUBWATERSHED FEASIBILITY STUDY.**

22 (a) STUDY.—

23 (1) IN GENERAL.—In accordance with the rec-  
24 lamation laws and the principles and guidelines, the  
25 Secretary, acting through the Commissioner of Rec-  
26 lamation, may complete a feasibility study of alter-

1 natives to augment the water supplies within the Si-  
2 erra Vista Subwatershed in the State of Arizona  
3 that are identified as appropriate for further study  
4 in the appraisal report.

5 (2) INCLUSIONS.—In evaluating the feasibility  
6 of alternatives under paragraph (1), the Secretary  
7 shall—

8 (A) include—

9 (i) any required environmental re-  
10 views;

11 (ii) the construction costs and pro-  
12 jected operations, maintenance, and re-  
13 placement costs for each alternative; and

14 (iii) the economic feasibility of each  
15 alternative;

16 (B) take into consideration the ability of  
17 Federal, tribal, State, and local government  
18 sources and private sources to fund capital con-  
19 struction costs and annual operation, mainte-  
20 nance, energy, and replacement costs;

21 (C) establish the basis for—

22 (i) any cost-sharing allocations; and

23 (ii) anticipated repayment, if any, of  
24 Federal contributions; and

25 (D) perform a cost-benefit analysis.

1 (b) COST SHARING REQUIREMENT.—

2 (1) IN GENERAL.—The Federal share of the  
3 total costs of the study under subsection (a) shall  
4 not exceed 45 percent.

5 (2) FORM OF NON-FEDERAL SHARE.—The non-  
6 Federal share required under paragraph (1) may be  
7 in the form of any in-kind service that the Secretary  
8 determines would contribute substantially toward the  
9 conduct and completion of the study under sub-  
10 section (a).

11 (c) STATEMENT OF CONGRESSIONAL INTENT RELAT-  
12 ING TO COMPLETION OF STUDY.—It is the intent of Con-  
13 gress that the Secretary complete the study under sub-  
14 section (a) by a date that is not later than 30 months  
15 after the date of enactment of this Act.

16 (d) AUTHORIZATION OF APPROPRIATIONS.—There is  
17 authorized to be appropriated to the Secretary to carry  
18 out this section \$1,260,000.

19 **SEC. 4. WATER RIGHTS.**

20 Nothing in this Act affects—

21 (1) any valid or vested water right in existence  
22 on the date of enactment of this Act; or

23 (2) any application for water rights pending be-  
24 fore the date of enactment of this Act.



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