

110TH CONGRESS  
1ST SESSION

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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

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

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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,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Sierra Vista Subwater-

5       shed Feasibility Study Act”.

6       **SEC. 2. DEFINITIONS.**

7       In this Act:

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

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

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

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

17                  (a) STUDY.—

18                  (1) IN GENERAL.—In accordance with the rec-  
19                  lamation laws and the principles and guidelines, the  
20                  Secretary, acting through the Commissioner of Rec-  
21                  lamation, may complete a feasibility study of alter-  
22                  natives to augment the water supplies within the Si-  
23                  erra Vista Subwatershed in the State of Arizona  
24                  that are identified as appropriate for further study  
25                  in the appraisal report.

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

4                   (A) include—

5                      (i) any required environmental re-  
6       views;

7                      (ii) the construction costs and pro-  
8       jected operations, maintenance, and re-  
9       placement costs for each alternative; and

10                  (iii) the economic feasibility of each  
11       alternative;

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

17                  (C) establish the basis for—

18                      (i) any cost-sharing allocations; and  
19                      (ii) anticipated repayment, if any, of  
20       Federal contributions; and

21                  (D) perform a cost-benefit analysis.

22                  (b) COST SHARING REQUIREMENT.—

23                  (1) IN GENERAL.—The Federal share of the  
24       total costs of the study under subsection (a) shall  
25       not exceed 45 percent.

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

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

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

15    **SEC. 4. WATER RIGHTS.**

16    Nothing in this Act affects—

17                          (1) any valid or vested water right in existence  
18    on the date of enactment of this Act; or  
19                          (2) any application for water rights pending be-  
20    fore the date of enactment of this Act.