

Suspend the Rules and Pass the Bill, H.R. 7938, With an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

118TH CONGRESS
2^D SESSION

H. R. 7938

To amend the Klamath Basin Water Supply Enhancement Act of 2000 to provide the Secretary of the Interior with certain authorities with respect to projects affecting the Klamath Basin watershed, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 11, 2024

Mr. BENTZ introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To amend the Klamath Basin Water Supply Enhancement Act of 2000 to provide the Secretary of the Interior with certain authorities with respect to projects affecting the Klamath Basin watershed, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Klamath Basin Water
5 Agreement Support Act of 2024”.

1 **SEC. 2. KLAMATH PROJECT WATER AND POWER.**

2 (a) ADDRESSING WATER, POWER, AND FACILITIES
3 MANAGEMENT FOR IRRIGATION.—Section 4 of the Klamath
4 Basin Water Supply Enhancement Act of 2000 (Public
5 Law 106–498) is amended by adding at the end the
6 following:

7 “(d) RESTORATION ACTIVITIES.—The Secretary
8 may—

9 “(1) plan, design, construct, operate, and maintain
10 projects in the Klamath Basin watershed, including—
11

12 “(A) facilities to reduce fish entrainment;

13 “(B) projects that reduce or avoid impacts
14 on aquatic resources of facilities involved in the
15 storage or diversion of water for irrigation in
16 the Klamath Project service area; and

17 “(C) projects that restore habitats in the
18 Klamath Basin watershed, including Tribal
19 fishery resources held in trust;

20 “(2) undertake studies, including feasibility
21 studies, and improvements that the Secretary determines
22 to be necessary to implement this subsection;

23 “(3) in implementing this subsection, enter into
24 contracts, memoranda of understanding, financial
25 assistance agreements, cost-sharing agreements, or
26 other appropriate agreements with—

1 “(A) State, Tribal, and local governmental
2 agencies; and

3 “(B) private parties; and

4 “(4) accept and expend non-Federal funds in
5 order to facilitate implementation of this subsection.

6 “(e) GOALS.—The goals of activities under sub-
7 sections (b) and (d) shall include, as applicable—

8 “(1) the short-term and long-term reduction
9 and resolution of conflicts relating to water in the
10 Klamath Basin watershed; and

11 “(2) compatibility and utility for protecting nat-
12 ural resources throughout the Klamath Basin water-
13 shed, including the protection, preservation, and res-
14 toration of Klamath River Tribal fishery resources,
15 particularly through collaboratively developed agree-
16 ments.

17 “(f) PUMPING PLANT D.—The Secretary may enter
18 into 1 or more agreements with the Tulelake Irrigation
19 District to reimburse the Tulelake Irrigation District for
20 not more than 69 percent of the cost incurred by the
21 Tulelake Irrigation District for the operation and mainte-
22 nance of Pumping Plant D, subject to the condition that
23 the cost results in benefits to the United States.

24 “(g) KENO AND LINK RIVER DAMS.—The Secretary
25 of the Interior shall comply with the terms of the agree-

1 ment entitled ‘2016 Klamath Power and Facilities Agree-
2 ment’(‘Agreement’), including Attachment A to the Agree-
3 ment.’’.

4 (b) ADMINISTRATION; EFFECT.—

5 (1) COMPLIANCE.—In implementing the amend-
6 ments made by this section, the Secretary of the In-
7 terior shall comply with—

8 (A) the National Environmental Policy Act
9 of 1969 (42 U.S.C. 4321 et seq.);

10 (B) the Endangered Species Act of 1973
11 (16 U.S.C. 1531 et seq.); and

12 (C) all other applicable laws.

13 (2) EFFECT.—None of the amendments made
14 by this section—

15 (A) modify any authority or obligation of
16 the United States with respect to any Tribal
17 trust or treaty obligation of the United States;

18 (B) create or determine any water right; or

19 (C) affect any water right or water right
20 claim in existence on the date of the enactment
21 of this Act.