

Public Law 118–246
118th Congress

An Act

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.

Jan. 4, 2025

[H.R. 7938]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Klamath Basin
Water Agreement
Support Act
of 2024.

SECTION 1. SHORT TITLE.

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

SEC. 2. KLAMATH PROJECT WATER AND POWER.

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

114 Stat. 2221;
132 Stat. 3886.

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

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

“(A) facilities to reduce fish entrainment;

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

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

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

Studies.

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

Contracts.
Memorandums.

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

“(B) private parties; and

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

“(e) GOALS.—The goals of activities under subsections (b) and (d) shall include, as applicable—

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

“(2) compatibility and utility for protecting natural resources throughout the Klamath Basin watershed, including the protection, preservation, and restoration of Klamath River Tribal fishery resources, particularly through collaboratively developed agreements.

“(f) PUMPING PLANT D.—The Secretary may enter into 1 or more agreements with the Tululake Irrigation District to reimburse the Tululake Irrigation District for not more than 69 percent of the cost incurred by the Tululake Irrigation District for the operation and maintenance of Pumping Plant D, subject to the condition that the cost results in benefits to the United States.

Compliance.

“(g) KENO AND LINK RIVER DAMS.—The Secretary of the Interior shall comply with the terms of the agreement entitled ‘2016 Klamath Power and Facilities Agreement’ (‘Agreement’), including Attachment A to the Agreement.”.

(b) ADMINISTRATION; EFFECT.—

(1) COMPLIANCE.—In implementing the amendments made by this section, the Secretary of the Interior shall comply with—

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

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

(C) all other applicable laws.

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

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

(B) create or determine any water right; or

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

Approved January 4, 2025.

LEGISLATIVE HISTORY—H.R. 7938:

HOUSE REPORTS: No. 118–847 (Comm. on Natural Resources).

CONGRESSIONAL RECORD, Vol. 170 (2024):

Dec. 17, considered and passed House.

Dec. 19, considered and passed Senate.