



MEMORANDUM OF AGREEMENT
Between
THE DEPARTMENT OF THE INTERIOR
And
THE DEPARTMENT OF COMMERCE
On
THE KLAMATH IRRIGATION PROJECT

This Memorandum of Agreement (Agreement) is made and entered into between the United States Department of the Interior (Interior Department), through the Secretary of the Interior, and the United States Department of Commerce (Commerce Department), through the Secretary of Commerce, in order to promote the expeditious achievement of the directives and objectives established in the Presidential Memorandum on Promoting the Reliable Supply and Delivery of Water in the West (Presidential Memorandum).

WHEREAS, on October 19, 2018, the President of the United States, in response to decades of uncoordinated regulatory actions that have diminished the ability of our Federal infrastructure to deliver water and power in an efficient and cost-effective way, issued the Presidential Memorandum;

WHEREAS, the Presidential Memorandum directs the Secretary of the Interior and Secretary of Commerce to, *inter alia*: 1) to the extent permitted by law, work together to minimize unnecessary regulatory burdens and foster more efficient decision-making processes so that water projects are better able to meet the demands of their authorized purposes; 2) identify major water infrastructure projects in California for which the Interior Department and Commerce Department have joint responsibilities under the Endangered Species Act of 1973 (ESA) (Public Law 93-205) or individual responsibilities under the National Environmental Policy Act of 1969 (NEPA) (Public Law 91-190); and 3) designate one official to coordinate the Agencies' ESA and NEPA compliance responsibilities for each identified project (Lead Official);

WHEREAS, designation of the Lead Official will provide the United States Government with one Federal voice to direct and manage each project's compliance with the deadlines and requirements established in the Presidential Memorandum; and

WHEREAS, the Bureau of Reclamation (Reclamation), Bureau of Indian Affairs (BIA), and United States Fish and Wildlife Service (USFWS) within the Interior Department, and the National Marine Fisheries Service (NMFS) within the Commerce Department, serve a vital role in fulfilling the multiple statutory and trust objectives that apply to each Department's Klamath Basin obligations, and will be an integral part of each Department's implementation of the Presidential Memorandum;

NOW, THEREFORE, the Interior Department and Commerce Department agree as follows:

- I. The Klamath Irrigation Project is a major infrastructure project in California and Oregon for which the Interior Department and Commerce Department have joint responsibility under ESA or individual responsibilities under NEPA.
- II. Mr. Paul Souza, Regional Director for the Pacific Southwest Region of the USFWS, is hereby designated as the Lead Official and single executive for supervising the implementation of the Presidential Memorandum as applied to the Klamath Irrigation Project (Klamath Irrigation Project Lead Official).
- III. The Klamath Irrigation Project Lead Official shall:
 - A. Report to the Secretary of the Interior and Secretary of Commerce solely through the Deputy Secretary of the Interior Department and Deputy Secretary of Commerce Department (Deputy Secretaries);
 - B. Provide oversight, guidance, coordination and direction to Interior Department and Commerce Department Agencies and Bureaus for applicable ESA and NEPA responsibilities;
 - C. Provide regular updates regarding applicable ESA and NEPA processes to the Deputy Secretaries; provide input and information to enable the Deputy Secretaries to provide monthly updates to the Chair of the Council on Environmental Quality and other components of the Executive Office of the President regarding progress in meeting timelines established by the Presidential Memorandum; and ensure that the Deputy Secretaries have sufficient opportunity to review and approve relevant environmental documents on behalf of the Secretary of the Interior and Secretary of Commerce.
 - D. Complete the following by November 19, 2018:
 - i. Identify regulations and procedures that potentially burden the Klamath Irrigation Project; and

- ii. Develop a proposed plan to appropriately suspend, revise, or rescind any regulations or procedures that unduly burden the Klamath Irrigation Project beyond the degree necessary to protect the public interest or otherwise comply with the law;
 - E. Perform any other actions necessary, consistent with applicable law, to achieve compliance with the deadlines, directives, and objectives of the Presidential Memorandum.
- IV. Reclamation, BIA, USFWS, and NMFS shall each immediately designate a Klamath Irrigation Project Liaison, who shall report to and receive direction from the Klamath Irrigation Project Lead Official. The Klamath Irrigation Project Liaison shall provide all necessary resources, consistent with applicable law, including (but not limited to) staff assistance and funding, to assist the Klamath Irrigation Project Lead Official in the fulfillment of the objectives and directives established by the Presidential Memorandum.

IN WITNESS HEREOF, the Parties hereto have signed their names and executed this Agreement.

U.S. Department of the Interior

By: 

Ryan K. Zinke
Secretary of the Interior

Date: 11/7/18

U.S. Department of Commerce

By: 

Wilbur Ross
Secretary of Commerce

Date: 11/7/18



MEMORANDUM OF AGREEMENT
Between
THE DEPARTMENT OF THE INTERIOR
And
THE DEPARTMENT OF COMMERCE
On
THE CENTRAL VALLEY PROJECT

This Memorandum of Agreement (Agreement) is made and entered into between the United States Department of the Interior (Interior Department), through the Secretary of the Interior, and the United States Department of Commerce (Commerce Department), through the Secretary of Commerce, in order to promote the expeditious achievement of the directives and objectives established in the Presidential Memorandum on Promoting the Reliable Supply and Delivery of Water in the West (Presidential Memorandum).

WHEREAS, on October 19, 2018, the President of the United States, in response to decades of uncoordinated regulatory actions that have diminished the ability of our Federal infrastructure to deliver water and power in an efficient and cost-effective way, issued the Presidential Memorandum;

WHEREAS, the Presidential Memorandum directs the Secretary of the Interior and Secretary of Commerce to, *inter alia*: 1) to the extent permitted by law, work together to minimize unnecessary regulatory burdens and foster more efficient decision-making processes so that water projects are better able to meet the demands of their authorized purposes; 2) identify major water infrastructure projects in California for which the Interior Department and Commerce Department have joint responsibilities under the Endangered Species Act of 1973 (ESA) (Public Law 93-205) or individual responsibilities under the National Environmental Policy Act of 1969 (NEPA) (Public Law 91-190); and 3) designate one official to coordinate the Agencies' ESA and NEPA compliance responsibilities for each identified project (Lead Official);

WHEREAS, designation of the Lead Official will provide the United States Government with one Federal voice to direct and manage each project's compliance with the deadlines and requirements established in the Presidential Memorandum; and

WHEREAS, the Bureau of Reclamation (Reclamation) and United States Fish and Wildlife Service (USFWS) within the Interior Department, and the National Marine Fisheries Service

(NMFS) within the Commerce Department, serve a vital role in fulfilling the multiple statutory objectives that apply to each Department's western water obligations, and will be an integral part of each Department's implementation of the Presidential Memorandum;

NOW, THEREFORE, the Interior Department and the Commerce Department agree as follows:

- I. The Central Valley Project is a major infrastructure project in California for which the Interior Department and Commerce Department have joint responsibility under the ESA or individual responsibilities under NEPA.
- II. Mr. Paul Souza, Regional Director for the Pacific Southwest Region of the USFWS, is hereby designated as the Lead Official and single executive for supervising the implementation of the Presidential Memorandum as applied to the Central Valley Project (Central Valley Project Lead Official).
- III. The Central Valley Project Lead Official shall:
 - A. Report to the Secretary of the Interior and Secretary of Commerce solely through the Deputy Secretary of the Interior Department and Deputy Secretary of Commerce Department (Deputy Secretaries);
 - B. Provide oversight, guidance, coordination, and direction to Interior Department and Commerce Department Agencies and Bureaus for applicable ESA and NEPA responsibilities;
 - C. Provide regular updates regarding applicable ESA and NEPA processes to the Deputy Secretaries; provide input and information to enable the Deputy Secretaries to provide monthly updates to the Chair of the Council on Environmental Quality and other components of the Executive Office of the President regarding progress in meeting timelines established by the Presidential Memorandum; and ensure that the Deputy Secretaries have sufficient opportunity to review and approve relevant environmental documents on behalf of the Secretary of the Interior and Secretary of Commerce;
 - D. Lead appropriate dialogue with the State of California for purposes of coordinated operations with the State Water Project;
 - E. Complete the following by November 19, 2018:
 - i. Identify regulations and procedures that potentially burden the Central Valley Project; and

ii. Develop a proposed plan to appropriately suspend, revise, or rescind any regulations or procedures that unduly burden the Central Valley Project beyond the degree necessary to protect the public interest or otherwise comply with the law;

F. Perform any other actions necessary, consistent with applicable law, to achieve compliance with the deadlines, directives, and objectives of the Presidential Memorandum.

IV. Reclamation, USFWS, and NMFS shall each immediately designate a Central Valley Project Liaison, who shall report to and receive direction from the Central Valley Project Lead Official. The Central Valley Project Liaison shall provide all necessary resources, consistent with applicable law, including (but not limited to) staff assistance and funding, to assist the Central Valley Project Lead Official in the fulfillment of the objectives and directives established by the Presidential Memorandum.

IN WITNESS HEREOF, the Parties hereto have signed their names and executed this Agreement.

U.S. Department of the Interior

By: 

Ryan K. Zinke
Secretary of the Interior

Date: 11/7/18

U.S. Department of Commerce

By: 

Wilbur Ross
Secretary of Commerce

Date: 11/7/18