

Congress of the United States
Washington, DC 20515

October 7, 2015

The Honorable Lisa Murkowski
United States Senate
709 Hart Senate Office Building
Washington, DC 20510

The Honorable Maria Cantwell
United States Senate
511 Hart Senate Office Building
Washington, DC 20510

Dear Chairman Murkowski and Ranking Member Cantwell:

We are writing to express our concerns with H.R. 2898, the Western Water and American Food Security Act of 2015, which passed the House in July and will be a part of the upcoming legislative hearing in your Committee tomorrow. This bill does nothing to solve California's water crisis or address the drought impacting Oregon, Arizona, Washington and states throughout the West. Instead, H.R. 2898 preempts state laws, reduces management flexibility, eliminates protections for salmon and other endangered species, and rolls back our nation's fundamental environmental laws.

The State of California opposes federal legislation that would "weaken state and federal environmental protections, pre-empt state law and favor one region or economic sector of the state over another," which is exactly what this bill does. Moreover, this proposal would not support the State's groundbreaking work to address the drought through water conservation programs, infrastructure improvements, and innovative water recycling initiatives.

We are pleased that state and federal agencies have been making great progress by working proactively and collaboratively. These agencies should retain the statutory flexibility to best manage our water supply rather than the prescriptive language proposed in H.R. 2898. In fact, the Department of the Interior agrees that this bill is the wrong course of action because it would, "impede an effective and timely response to the continuing drought while providing no additional water to hard hit communities."

H.R. 2898 is also yet another attempt to chip away at the Endangered Species Act. Important protections have been targeted in recent legislation for the African elephant, greater sage grouse, gray wolf, northern long-eared bat, Sonoran desert tortoise, and many other species. H.R. 2898 simply adds the Delta smelt and several salmon and steelhead runs to the list of species that have been deemed as no longer needing protection.

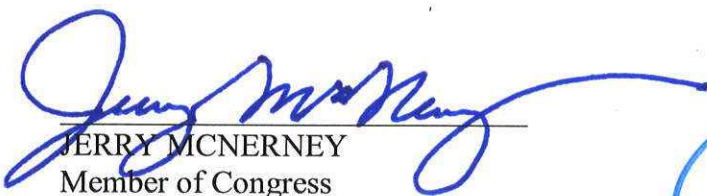
Further, the bill preempts state law, including California's long-standing system of water rights, overriding the regulations that Californians themselves have devised to administer the state's complex water supply system. An expansion of federal management over the world's most complicated water structure sets a bad precedent for states across the country.


H.R. 2898 also reaches into other Western states, including Oregon and Washington. By weakening protections for fish in California's Bay-Delta, this bill has potential far-reaching and damaging impacts on the Pacific Northwest's fishing industry, wildlife, and related economy. On multiple occasions, Senators and House Members of the Oregon delegation wrote to express parallel concerns with similar short-sighted legislation, H.R. 5781, that passed the House in the 113th Congress.

Furthermore, opposition to this legislation includes other key stakeholders such as commercial and sport fishermen, Native American tribes, environmental groups, and recreation employers. The Obama Administration also issued a veto threat against this bill because of its potential to undermine environmental laws.

Responsible solutions to the West's short and long-term water shortages require input from all stakeholders without prioritizing sectors of the economy or geographic regions over others, and without further endangering at-risk species. This historic drought demands an unprecedented compromise involving all affected parties. We remain committed to working on federal drought legislation that does not negatively impact the economies, farmers, communities, and environments of California, Oregon, Arizona, Washington, and other Western states.

Sincerely,


JERRY MCNERNEY
Member of Congress


JARED HUFFMAN
Member of Congress


PETER DEFAZIO
Member of Congress


MARK DESAULNIER
Member of Congress


SUSAN DAVIS
Member of Congress


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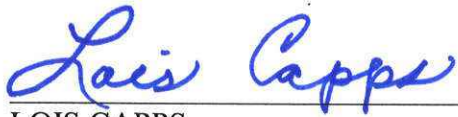
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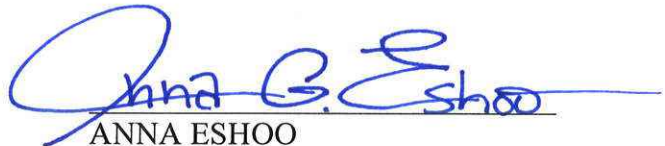
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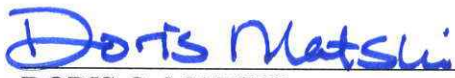
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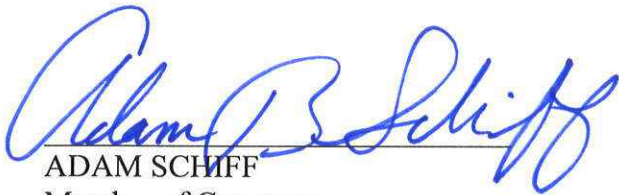
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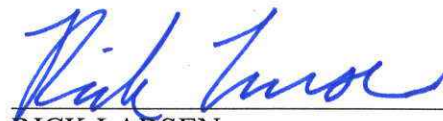
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cc:

The Honorable Al Franken
The Honorable Martin Heinrich
The Honorable Mazie Hirono
The Honorable Angus King
The Honorable Joe Manchin III
The Honorable Bernard Sanders
The Honorable Debbie Stabenow
The Honorable Elizabeth Warren
The Honorable Ron Wyden
The Honorable Barbara Boxer
The Honorable Dianne Feinstein