

Alabama Rivers Alliance*American Packrafting Association*American Rivers*American
Whitewater*Apalachicola Riverkeeper*Appalachian Mountain Club*Atlantic Salmon
Federation*California Outdoors*California Sportfishing Protection Alliance*Cascadia
Wildlands*Center for Biological Diversity*Center for Environmental Law and Policy*Columbia
Bioregional Education Project*Connecticut River Conservancy*Conservatives for Responsible
Stewardship*Defenders of Wildlife*Deschutes River Alliance*Downeast Salmon
Federation*Earthjustice*Earthworks*Endangered Habitats League*Endangered Species
Coalition*Environmental Protection Information Center (EPIC)*Foothill Conservancy*Friends
of Butte Creek*Friends of the Kinni*Friends of the River*Golden West Women
Flyfishers*Grand Riverkeeper Labrador*Green Latinos*High Country Conservation
Advocates*Idaho Rivers United*Illinois Council of Trout Unlimited*Klamath Forest
Alliance*Kootenai Environmental Alliance*League of Conservation Voters*Lower Columbia
Canoe Club*Maine Rivers*Michigan Environmental Council*Michigan Hydro Relicensing
Coalition*Mono Lake Committee*Mousam and Kennebunk Rivers Alliance*National Heritage
Institute*National Park Conservation Association*National Wildlife Federation*Native Fish
Society*Natural Heritage Institute*Natural Resources Defense Council*Natural Resources
Defense Council*Naturaland Trust*North Cascades Conservation Council*Northwest
Environmental Advocates*Northwest Resource Information Center*Oregon Kayak and Canoe
Club*Oregon Natural Desert Association*Pacific Coast Federation of Fishermen's
Associations*Pacific Rivers*Penobscot Paddle and Chowder Society*Planning and
Conservation League*Prairie Rivers Network*River Network*Riverkeeper Network*Rogue
Riverkeeper*Save Our Wild Salmon*Save the Colorado*Selkirk Conservation
Alliance*Southern Environmental Law Center*St. Mary's River Watershed Association*The
Lands Council*The Mountaineers*The Sierra Club*Tributary Whitewater Tours,
LLC*Tuolumne River Trust*Upstate Forever*Washington Environmental Law
Center*Washington Wild*WaterWatch of Oregon*Wild Earth Guardians*Wild Earth
Guardians*Wild Washington Rivers*

November 7, 2017

Dear Representative:

On behalf of our millions of members and supporters nationwide, we are writing to urge you to oppose H.R. 3043, the Hydropower Policy Modernization Act. This bill is a devastating assault on our nation's rivers and the people and wildlife that depend upon them. Its passage would end 95 years of balance in hydropower licensing, tipping the scales against taxpayers and in favor of huge utilities.

Hydropower licenses are issued for up to 50 years. Many hydropower facilities that are coming up for relicensing now were first constructed before virtually all modern environmental laws were in place. It is during relicensing proceedings that the public gets the opportunity to ensure that dam owners make the necessary changes to comply with modern laws. The opportunity to mitigate for the damage to the environment, while still providing reliable electricity, only arises once in a generation or two.

The balance the Federal Power Act currently strikes between power and non-power values has existed for almost a century. Current law protects the public's right to enjoy its rivers, a right which can and should be compatible with responsible electricity production. However, H.R. 3043 upends that balance. Simply put, the bill is a massive giveaway to special interests at the expense of healthy rivers and the fish, wildlife, and people that depend upon them. If H.R. 3043 passes, power company profits will go to the head of the line, ahead of every other user.

We appreciate that the House Committee on Energy and Commerce heard testimony from recreational and conservation interests who raised serious concerns about its many provisions. Unfortunately, the Committee chose to make no changes to reflect the constructive suggestions that the Hydropower Reform Coalition put forward that would improve the licensing process while maintaining environmental protections. The Committee also failed to solicit testimony from states, tribes, and federal natural resource agencies whose authorities will be usurped by the Federal Energy Regulatory Commission (FERC) if H.R. 3043 is enacted. You are now being asked to vote on a bill that no state, tribe, or conservation organization publicly supports. The bill under consideration today will only benefit power companies at the expense of every other user of a waterway.

H.R. 3043 attempts to streamline the hydropower licensing process by centralizing power and allowing FERC to set an aggressive licensing schedule that all federal and state agencies must adhere to throughout the licensing process. There are no requirements that FERC or the licensee provide the agencies with the information they deem necessary to quickly and competently exercise their Clean Water Act or Endangered Species Act authority. This creates a dynamic where, unless every step of the process proceeds seamlessly, agencies are faced with the impossible decision to either exercise their authority without necessary information (which exposes them to legal liability) or to fail to meet the schedule. This change will constrain federal, state, and tribal agencies use of their independent authorities and rush decision making, potentially making it more difficult to protect water quality, recover threatened and endangered species, and manage tribal-trust resources and public lands.

Other provisions of H.R. 3043, such as the changes to the Trial Type Hearing process for alternative conditions, the requirement that federal natural resource agencies conduct costly, wasteful and time consuming review of matters outside of their scope of expertise and jurisdiction, and the requirement that scientific decisions be made only by political appointees in

Washington, DC are all examples of how H.R. 3043 tilts the balance toward the interests of power companies.

In order to protect clean water, irrigation, meeting tribal treaty and trust obligations, wildlife, recreational fishing, commercial fishing, whitewater boating, water quality, municipal water supply, fire safety, flood control, or any other purpose other than generating power, we urge you to vote NO on H.R. 3043.

Sincerely,

Alabama Rivers Alliance

American Packrafting Association

American Rivers

American Whitewater

Apalachicola Riverkeeper

Appalachian Mountain Club

Atlantic Salmon Federation

California Outdoors

California Sportfishing Protection Alliance

Cascadia Wildlands

Center for Biological Diversity

Center for Environmental Law and Policy

Columbia Bioregional Education Project

Connecticut River Conservancy

Conservatives for Responsible Stewardship

Defenders of Wildlife

Deschutes River Alliance

Downeast Salmon Federation

Earthjustice

Earthworks
Endangered Habitats League
Endangered Species Coalition
Environmental Protection Information Center (EPIC)
Foothill Conservancy
Friends of Butte Creek
Friends of the Kinni
Friends of the River
Golden West Women Flyfishers
Grand Riverkeeper Labrador
Green Latinos
High Country Conservation Advocates
Idaho Rivers United
Illinois Council of Trout Unlimited
Klamath Forest Alliance
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Lower Columbia Canoe Club
Maine Rivers
Michigan Environmental Council
Michigan Hydro Relicensing Coalition
Mono Lake Committee
Mousam and Kennebunk Rivers Alliance
National Heritage Institute
National Park Conservation Association

National Wildlife Federation
Native Fish Society
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Natural Resources Defense Council
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North Cascades Conservation Council
Northwest Environmental Advocates
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Oregon Natural Desert Association
Pacific Coast Federation of Fishermen's Associations
Pacific Rivers
Penobscot Paddle and Chowder Society
Planning and Conservation League
Prarie Rivers Network
River Network
Riverkeeper Network
Rogue Riverkeeper
Save Our Wild Salmon
Save the Colorado
Selkirk Conservation Alliance
Southern Environmental Law Center
St. Mary's River Watershed Association
The Lands Council

The Mountaineers

The Sierra Club

Tributary Whitewater Tours, LLC

Tuolumne River Trust

Upstate Forever

Washington Environmental Law Center (see Western Environmental Law Center)

Washington Wild

WaterWatch of Oregon

Wild Earth Guardians

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