

ALABAMA RIVERS ALLIANCE * ALASKA SURVIVAL * ALL OUTDOORS *
ALLIANCE FOR THE GREAT LAKES * ALPINE LAKES PROTECTION SOCIETY *
ALTAHAMA RIVERKEEPER * AMERICAN PACKRAFTING ASSOCIATION *
AMERICAN RIVERS * AMERICAN WHITEWATER * ANACOSTIA WATERSHED
SOCIETY * ANGLERS OF AU SABLE * APPALACHIAN MOUNTAIN CLUB *
ASSOCIATION OF NORTHWEST STEELHEADERS * ATLANTIC SALMON
FEDERATION * BLACK WARRIOR RIVERKEEPER * CALIFORNIA HYDROPOWER
REFORM COALITION * CALIFORNIA OUTDOORS * CALIFORNIA
SPORTFISHINGPROTECTION ASSOCIATION * CALIFORNIA TROUT * CASCADE
FOREST CONSERVANCY * CASCADIA WILDLANDS * CATAWBA RIVERKEEPER *
CENTER FOR BIOLIGICAL DIVERSITY * CENTER FOR ENVIRONMENTAL LAW AND
POLICY * COASTAL CONSERVATION LEAGUE * COLUMBIANA * CONGAREE
RIVERKEEPER * CONNECTICUT RIVER CONSERVANCY * CONSERVATION LAW
FOUNDATION * CONSERVATION NORTHWEST * CONSERVATIVES FOR
RESPONSIBLE STEWARDSHIP * COOSA RIVERKEEPER * DEFENDERS OF WILDLIFE
* DESCHUTES RIVER ALLIANCE * DOWNEAST RIVER ASSOCIATION * EARTH
DESIGN * ENDANGERED HABITATS LEAGUE * ENVIRONEMTNAL PROTECTION
INFORMATION CENTER * FOOTHILL CONSERVANCY * FOOTHILLS PADDLING
CLUB * FOOTHILLS WATER NETWORK * FRIENDS OF BUTTE CREEK * FRIENDS OF
COOPER LANDING * FRIENDS OF GRAYS HARBOR * FRIENDS OF KENAI NATIONAL
WILDLIFE REFUGE * FRIENDS OF MERRYMEETING BAY * FRIENDS OF THE
CROOKED RIVER * FRIENDS OF EEL RIVER * FRIENDS OF THE KINNI * FRIENDS OF
THE RIVER * FRIENDS OF THE WHITE SALMON RIVER * GOLDEN WEST WOMEN
FLYFISHERS * GREAT LAKES COUNCIL FLYFISHERS * GREEN LATINOS * HELLS
CANYON PRESERVATION COUNCIL * HIGH COUNTRY CONSERVATION
ADVOCATES * HOLY SPIRIT MISSIONARY SISTERS-USA-JPIC * HYDROPOWER
REFORM COALITION * IDAHO RIVERS UNITED * ILLINOIS COUNCIL OF TROUT
UNLIMITED * INSTITUTE FOR FISHERIES RESOURCES * JAMES RIVER
ASSOCIATION * KALMIOPSIS AUDUBON SOCIETY * KENNAI RIVER WATERSHED
FOUNDATION * KLAMATH FOREST ALLIANCE * KLAMATH RIVERKEEPER *
KLAMATH-SISKIYOU WILDLANDS CENTER * LOWER COLUMBIA CANOE CLUB *
LOWER SUSQUEHANNA RIVERKEEPER ASSOCIATION * MAINE RIVERS *
MICHIGAN ENVIRONMENTAL COUNCIL * MICHIGAN HYDRO RELICENSING
COALITION * MILWAUKEE RIVERKEEPER * MOUSAM AND KENNEBUNK RIVERS
ALLIANCE * NATIVE FISH SOCIETY * NATURAL HERITAGE INSTITUTE * NATURAL
RESOURCES COUNCIL OF MAINE * NATURALAND TRUST * NATURE ABOUNDS *
NAUGATUCK RIVER REVIVAL GROUP * NEW ENGLAND FLOW * NORTH
CASCADES CONSERVATION COUNCIL * NORTHWEST ENVIRONMENTAL
ADVOCATES * NORTHWEST GUIDES AND ANGLERS ASSOCIATION * NORTHWEST
RESOURCES INFORMATION CENTER * OREGON KAYAK & CANOE CLUB *
OREGON NATURAL DESERT ASSOCIATION * PACIFIC COAST FEDERATION OF
FISHERMEN'S ASSOCIATIONS * PACIFIC RIVERS * PLANNING AND
CONSERVATION LEAGUE * POTOMAC RIVERKEEPER * QUARTZ CREEK
HOMEOWNERS' ASSOCIATION * RELIGIOUS COALITION FOR THE GREAT LAKES *
RIVER ALLIANCE OF WISCONSIN * RIVER GUARDIAN FOUNDATION * RIVER
NETWORK * ROGUE RIVERKEEPER * SAN JUAN CITIZENS ALLIANCE * SAVE OUR

WILD SALMON COALITION * SMITH RIVER ALLIANCE * SNAKE RIVER
WATERKEEPER * SOUTH CAROLINA NATIVE PLANT SOCIETY * SOUTH YUBA
RIVER CITIZENS LEAGUE * SPARTANBURG AREA CONSERVANCY * SPEARFISH
CANYON SOCIETY * ST MARY'S RIVER WATERSHED ASSOCIATION * THE
MOUNTAINEERS * TUOLUMNE RIVER TRUST * UPSTATE FOREVER *
WASHINGTON WILD * WATERKEEPERS CHESAPEAKE * WATERWATCH OF
OREGON * WESPAC FOUNDATION * WEST MICHIGAN HACKLERS * WESTERN
ENVIRONMENTAL LAW CENTER * WILD WASHINGTON RIVERS * WILDEARTH
GUARDIANS * YADKIN RIVERKEEPER * ZOAR VALLEY PADDLING CLUB

September 8, 2017

Dear Representative,

On behalf of our millions of members, we urge you not to support H.R. 3043, the Hydropower Policy Modernization Act of 2017. While we agree that improving the hydropower licensing process is a laudable goal, this legislation falls short in several key respects. If enacted, the 100 year-old balance in hydroelectric licensing would be upended and more and more decisions would be made by Federal Energy Regulatory Commission (FERC) employees in DC rather than state, tribal, or federal resource managers closest to the projects. We ask you to reject this bill's reversal of federalism and insist the Committee on Energy and Commerce at least hear testimony from states, tribes, and federal resource managers before it hands their authority to the unelected Commission.

H.R. 3043 changes the definition of what a "federal authorization" in hydroelectric licensing is, potentially implicating everything from state Supreme Court opinions on a state's water laws to U.S. Forest Service's road use permits. The change in definition would place these things and more within FERC's jurisdiction. The bill creates a dispute resolution process that allows FERC to subvert the Clean Water Act to remove local water quality management out of the hands of the states and tribes and place it into federal political appointees. This bill gives FERC the power to set a schedule for state, federal, and tribal resource managers to exercise their sovereign or statutory authority—something FERC has previously tried to do, only to be rebuffed by the courts. H.R. 3043 further empowers FERC to allow amendments to licenses to circumvent the current process and to reject conditions from states that would conform project operations to current law if FERC doesn't deem them "economically feasible."

The changes to the Federal Power Act (FPA) proposed by this bill would constrain the ability of resource agencies to protect public resources such as fish, wildlife, recreation, and rivers from the unnecessary negative impacts of hydropower projects. Congressionally granted agency authorities to protect fish and wildlife and water quality, such as those in the Clean Water Act and the Endangered Species Act, are critical components of the licensing process and allow for a fully informed licensing decision. Constraining these reviews by state, tribal, and federal agencies doesn't yield a better process, it just yields a less informed process that in turn, will create further delay. This is not in the public's interest.

We believe there is a better way to achieve the goal reducing delays in hydropower licensing. The single-greatest cause of delay in hydroelectric licensing is the failure of applicants to provide information required by oversight entities to contribute scientifically based and legally defensible license conditions. Adequate communication and cooperation between federal agencies, including FERC, is the single most effective way to ensure smooth and timely licensing process. FERC should grant study requests from federal, state, and tribal agencies that are necessary for them to carry out their independent reviews and promote memoranda of understanding (MOU) with tribes and states to improve coordination and prevent unnecessary delay.

H.R. 3043 is the wrong approach to improving hydropower. It takes power away from states and tribes and impairs the ability of federal resource managers to uphold the Endangered Species Act, Magnuson-Stevens-Act, and treaty rights and trust obligations to American Indian nations. We stand committed to improving the process, but not at the expense of responsible resource management based on science and trust obligations. Please vote NO on H.R. 3043 and help us work to preserve federalism, trust responsibilities, and timely hydroelectric licensing.

Sincerely,

Alabama Rivers Alliance
Birmingham, AL

Anacostia Watershed Society
Bladensburg, MD

Alaska Survival
Talkeetna, AK

Anglers of the Au Sable
Grayling, MI

All Outdoors
Lotus, CA

Appalachian Mountain Club
Boston, MA

Alliance for the Great Lakes
Chicago, IL

Association of Northwest Steelheaders
Milwaukie, OR

Alpine Lakes Protection Society
Seattle, WA

Atlantic Salmon Federation
Brunswick, ME

Altamaha Riverkeeper
Macon GA

Black Warrior Riverkeeper
Birmingham, AL

American Packrafting Association
Wilson, WY

California Hydropower Reform Coalition
Sacramento, CA

American Rivers
Washington, D.C.

California Outdoors
Coloma, CA

American Whitewater
Cullowhee, NC

California Sportfishing Protection Alliance
Berkeley, CA

California Trout
San Francisco, CA

Cascade Forest Conservancy
Portland, OR

Cascadia Wildlands
Eugene, OR

Catawba Riverkeeper
Charlotte, NC

Center for Biological Diversity
Washington D.C.

Center for Environmental Law & Policy
Seattle, WA

Coastal Conservation League
Charleston, SC

Columbiana
Oroville, WA

Congaree Riverkeeper
Columbia, SC

Connecticut River Conservancy
Greenfield, MA

Conservation Law Foundation
Boston, MA

Conservation Northwest
Bellingham, WA

Conservatives for Responsible Stewardship
Oakton, VA

Coosa Riverkeeper
Mt Laurel, AL

Defenders of Wildlife
Washington, D.C.

Deschutes River Alliance
Maupin, Oregon

Downeast Salmon Federation
Columbia Falls, ME

Earth Design
Annapolis, MD

Endangered Habitats League
Los Angeles, CA

Environmental Protection Information
Center
Arcata, CA

Foothill Conservancy
Jackson, CA

Foothills Paddling Club
Greenville, SC

Foothills Water Network
Coloma, CA

Friends of Butte Creek
Chico, CA

Friends of Cooper Landing
Cooper Landing, AK

Friends of Grays Harbor
Westport, WA

Friends of Kenai National Wildlife Refuge
Soldotna, AK

Friends of Merrymeeting Bay
Richmond, ME

Friends of the Crooked River
Peninsula, OH

Friends of the Eel River
Arcata, CA

Friends of the Kinni
River Falls, WI

Friends of the River
Sacramento, CA

Friends of the White Salmon River
White Salmon, WA

Golden West Women Flyfishers
San Francisco, CA

Great Lakes Council Fly Fishers
International
Pentwater, MI

Green Latinos
Washington, D.C.

Hells Canyon Preservation Council
La Grande, Oregon

High Country Conservation Advocates
Crested Butte, CO

Holy Spirit Missionary Sisters, USA-JPIC
Northfield, IL

Hydropower Reform Coalition
Washington, D.C.

Idaho Rivers United
Boise, ID

Illinois Council of Trout Unlimited
Oak Brook, IL

Institute for Fisheries Resources
Eugene, OR

James River Association
Richmond, VA

Kalmiopsis Audubon Society
Port Orford, OR

Kenai River Watershed Foundation
Cooper Landing, AK

Klamath Forest Alliance
Orleans, CA

Klamath Riverkeeper
Somes Bar, CA

Klamath-Siskiyou Wildlands Center
Ashland, OR

Lower Columbia Canoe Club
Portland, OR

Lower Susquehanna Riverkeeper Assn.
Wrightsville, PA 17368

Maine Rivers
Yarmouth, ME

Michigan Environmental Council
Lansing, MI

Michigan Hydro Relicensing Coalition
Pentwater, MI

Milwaukee Riverkeeper
Milwaukee, WI

Mousam and Kennebunk Rivers Alliance
Kennebunk, ME

Native Fish Society
Oregon City, OR

Natural Heritage Institute
San Francisco, CA

Natural Resources Council of Maine
Augusta, ME

Naturaland Trust
Greenville, SC

Nature Abounds
DuBois, PA

Naugatuck River Revival Group
Naugatuck, CT

New England FLOW
Lancaster, MA

North Cascades Conservation Council
Seattle, WA

Northwest Environmental Advocates
Portland, OR

Northwest Guides and Anglers Assn.
Clackamas, OR

Northwest Resources Information Center
Eagle, ID

Oregon Kayak & Canoe Club
Portland, OR

Oregon Natural Desert Association
Bend, OR

Pacific Coast Federation of Fishermen's
Associations
Eugene, OR

Pacific Rivers
Portland, OR

Planning and Conservation League
Sacramento, CA

Potomac Riverkeeper
Washington, D.C.

Quartz Creek Homeowners' Association
Cooper Landing, AK

Religious Coalition for the Great Lakes
Milwaukee, WI

River Alliance of Wisconsin
Madison, WI

River Guardian Foundation
Raleigh, NC

River Network
Boulder, CO

Rogue Riverkeeper
Ashland, OR

San Juan Citizens Alliance
Durango, Colorado

Save Our Wild Salmon Coalition
Seattle, WA

Smith River Alliance
Crescent City, CA

Snake River Waterkeeper
Boise, ID

South Carolina Native Plant Society
Greenville, SC

South Yuba River Citizens League
Nevada City, CA

Spartanburg Area Conservancy
Spartanburg, SC

Spearfish Canyon Society
Spearfish, SD

St. Mary's River Watershed Association
St. Mary's city, MD

The Mountaineers
Seattle, WA

Tuolumne River Trust
Modesto CA

Upstate Forever
Greenville, SC

Washington Wild
Seattle, WA

Waterkeepers Chesapeake
Takoma Park, MD

WaterWatch of Oregon
Portland, OR

WESPAC Foundation
White Plains, NY

West Michigan Hacklers
Pentwater, MI

Western Environmental Law Center
Eugene, OR

Wild Washington Rivers
Index, WA

WildEarth Guardians
Santa Fe, NM

Yadkin Riverkeeper
Winston-Salem, NC

Zoar Valley Paddling Club
Charlemont, MA