

Alabama Rivers Alliance * American Packrafting Association * American Rivers * American Whitewater * Apalachicola Riverkeeper * Appalachian Mountain Club * Association of Northwest Steelheaders * Atlantic Salmon Federation * Baltimore Canoe and Kayak Club * California Hydropower Reform Coalition * California Outdoors * California Sportfishing Protection Alliance * California Trout * Cascade Forest Conservancy * Cascadia Wildlands * Cecil Land Use Association * Center for Biological Diversity * Center for Environmental Law and Policy * Central Sierra Environmental Resource Center * Columbiana * Congaree Riverkeeper * Connecticut River Conservancy * Conservation Northwest * 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 Graham Lake * Friends of Grays Harbor * Friends of the Eel River * Friends of the Kinni * Friends of the River * Golden West Women Flyfishers * Grand Riverkeeper Labrador * Greater Hells Canyon Council * GreenLatinos * High Country Conservation Advocates * Hip Hop Caucus * Hydropower Reform Coalition * Idaho Rivers United * Illinois Council of Trout Unlimited * Kalmiopsis Audubon Society * Klamath Forest Alliance * Klamath-Siskiyou Wildlands Center * Kootenai Environmental Alliance * League of Conservation Voters * Lower Columbia Canoe Club * Maine Rivers * Michigan Environmental Council * Michigan Hydro Relicensing Coalition * Milwaukee Riverkeeper * Mono Lake Committee * Mousam and Kennebunk Rivers Alliance * National Heritage Institute * National Parks Conservation Association * National Wildlife Federation * Native Fish Coalition * Native Fish Society * Natural Heritage Institute * Natural Resources Council of Maine * Natural Resources Defense Council * Naturaland Trust * New England FLOW * 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 * Religious Coalition for the Great Lakes * River Network * Rogue Riverkeeper * San Juan Citizens Alliance * Save Our Wild Salmon * Save the Colorado * Selkirk Conservation Alliance * Smith River Alliance * Snake River Waterkeeper * Southern Environmental Law Center * St. Mary's River Watershed Association * Susitna River Coalition * The Lands Council * The Mountaineers * The Sierra Club * Tributary Whitewater Tours, LLC * Tuolumne River Trust * United Sludge Free Alliance * Upper Missouri Riverkeeper * Upstate Forever * Washington Environmental Law Center * Washington Wild * WaterWatch of Oregon * WESPAC Foundation * Western Environmental Law Center * Wild Earth Guardians * Wild Washington Rivers *

November 8, 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

Association of Northwest Steelheaders

Atlantic Salmon Federation

Baltimore Canoe and Kayak Club

California Hydropower Reform Coalition

California Outdoors

California Sportfishing Protection Alliance

California Trout

Cascade Forest Conservancy (formerly Gifford Pinchot Task Force)

Cascadia Wildlands
Cecil Land Use Association
Center for Biological Diversity
Center for Environmental Law and Policy
Central Sierra Environmental Resource Center
Columbiana (aka Columbia River Bioregional Educational Project)
Congaree Riverkeeper
Connecticut River Conservancy
Conservation Northwest
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 Graham Lake
Friends of Grays Harbor
Friends of the Eel River
Friends of the Kinni
Friends of the River

Golden West Women Flyfishers
Grand Riverkeeper Labrador
Greater Hells Canyon Council
GreenLatinos
High Country Conservation Advocates
Hip Hop Caucus
Hydropower Reform Coalition
Idaho Rivers United
Illinois Council of Trout Unlimited
Kalmiopsis Audubon Society
Klamath Forest Alliance
Klamath-Siskiyou Wildlands Center
Kootenai Environmental Alliance
League of Conservation Voters
Lower Columbia Canoe Club
Maine Rivers
Michigan Environmental Council
Michigan Hydro Relicensing Coalition
Milwaukee Riverkeeper
Mono Lake Committee
Mousam and Kennebunk Rivers Alliance
National Heritage Institute
National Parks Conservation Association
National Wildlife Federation
Native Fish Coalition

Native Fish Society
Natural Heritage Institute
Natural Resources Council of Maine
Natural Resources Defense Council
Naturaland Trust
New England FLOW
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
Prarie Rivers Network
Religious Coalition for the Great Lakes
River Network
Rogue Riverkeeper
San Juan Citizens Alliance
Save Our Wild Salmon
Save the Colorado
Selkirk Conservation Alliance
Smith River Alliance
Snake River Waterkeeper

Southern Environmental Law Center

St. Mary's River Watershed Association

Susitna River Coalition

The Lands Council

The Mountaineers

The Sierra Club

Tributary Whitewater Tours, LLC

Tuolumne River Trust

United Sludge Free Alliance

Upper Missouri Riverkeeper

Upstate Forever

Washington Environmental Law Center (see Western Environmental Law Center)

Washington Wild

WaterWatch of Oregon

WESPAC Foundation

Western Environmental Law Center

Wild Earth Guardians

Wild Washington Rivers