

**Alabama Rivers Alliance \* American Rivers \* American Whitewater \* Anacostia Watershed Society \* Animal Welfare Institute \* Appalachian Mountain Club \* Atlantic Salmon Federation \* California River Watch \* California Sportfishing Protection Alliance \* Cascadia Wildlands \* Center for Biological Diversity \* Center for Environmental Law & Policy \* Central Sierra Environmental Resource Center \* Clean Water Action \* Colorado River Waterkeeper Network \* Congaree Riverkeeper \* Connecticut River Conservancy \* Crab Apple Whitewater \* Defenders of Wildlife \* Deschutes River Alliance \* Downeast Salmon Federation \* Earthjustice \* Endangered Habitats League \* Environmental Protection Information Center \* Foothills Water Network \* Friends of the Kinni \* Friends of the River \* Friends of the White Salmon River \* Grand Canyon Trust \* Hells Canyon Preservation Council \* High Country Conservation Advocates \* Holy Spirit Missionary Sisters \* Huron River Watershed Council \* Hydropower Reform Coalition \* Idaho Rivers United \* Illinois Council of Trout Unlimited \* Kenai River Watershed Foundation \* Klamath Forest Alliance \* Kootenai Environmental Alliance \* League of Conservation Voters \* Michigan Hydro Reform Coalition \* Middle Susquehanna RIVERKEEPER \* Milwaukee Riverkeeper \* Mousam & Kennebunk Rivers Alliance \* Natural Resources Council of Maine \* Naturaland Trust \* Nature Abounds \* Naugatuck River Revival Group \* New England FLOW \* New Hampshire Rivers Council \* Friends of Merrymeeting Bay \* Northwest Environmental Advocates \* Olympic Forest Coalition \* Oregon Kayak and Canoe Club \* Pacific Coast Federation of Fishermen's Associations \* Pacific Rivers \* Planning and Conservation League \* Prince William Soundkeeper \* Religious Coalition for the Great Lakes \* River Alliance of Wisconsin \* River Guardian Foundation \* Rogue Riverkeeper \* San Juan Citizens Alliance \* Save Our Saluda \* Save Our Wild Salmon Coalition \* Spokane Riverkeeper \* Tennessee Clean Water Network \* The Roanoke River Basin Association \* Waterkeeper Alliance \* WaterWatch of Oregon \* Wild Washington Rivers**

June 28, 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.

We appreciate that the Committee 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. Instead, the Committee is moving forward with a markup of legislation that 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.

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.

If you care about 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, then you should vote NO on H.R. 3043.

Sincerely,

Alabama Rivers Alliance

American Rivers

American Whitewater

Anacostia Watershed Society

Animal Welfare Institute

Appalachian Mountain Club

Atlantic Salmon Federation

California River Watch

California Sportfishing Protection Alliance

Cascadia Wildlands

Center for Biological Diversity

Center for Environmental Law & Policy

Central Sierra Environmental Resource Center

Clean Water Action

Colorado River Waterkeeper Network

Congaree Riverkeeper

Connecticut River Conservancy

Crab Apple Whitewater

Defenders of Wildlife

Deschutes River Alliance

Downeast Salmon Federation

Earthjustice

Endangered Habitats League

Environmental Protection Information Center

Foothills Water Network

Friends of the Kinni

Friends of the River

Friends of the White Salmon River

Grand Canyon Trust

Hells Canyon Preservation Council

High Country Conservation Advocates

Holy Spirit Missionary Sisters

Huron River Watershed Council

Hydropower Reform Coalition

Idaho Rivers United

Illinois Council of Trout Unlimited

Kenai River Watershed Foundation

Klamath Forest Alliance

Kootenai Environmental Alliance

League of Conservation Voters

Michigan Hydro Reform Coalition  
Middle Susquehanna RIVERKEEPER  
Milwaukee Riverkeeper  
Mousam & Kennebunk Rivers Alliance  
Natural Resources Council of Maine  
Naturaland Trust  
Nature Abounds  
Naugatuck River Revival Group  
New England FLOW  
New Hampshire Rivers Council  
Friends of Merrymeeting Bay  
Northwest Environmental Advocates  
Olympic Forest Coalition  
Oregon Kayak and Canoe Club  
Pacific Coast Federation of Fishermen's  
Associations  
Pacific Rivers  
Planning and Conservation League  
Prince William Soundkeeper  
Religious Coalition for the Great Lakes  
River Alliance of Wisconsin  
River Guardian Foundation  
Rogue Riverkeeper  
San Juan Citizens Alliance  
Save Our Saluda  
Save Our Wild Salmon Coalition  
Spokane Riverkeeper  
Tennessee Clean Water Network  
The Roanoke River Basin Association  
Waterkeeper Alliance  
WaterWatch of Oregon  
Wild Washington Rivers