

**Opening Statement by Ranking Member Tom McClintock**  
**House Natural Resources Committee**  
**Sub-Committee on Water, Oceans and Wildlife**  
**May 21, 2019**

Mr. Chairman:

The sub-committee meets today to hear testimony from the National Oceanic and Atmospheric Administration and the U.S. Fish and Wildlife Service regarding their fiscal year 2020 budget requests of \$4.46 billion and \$2.8 billion, respectively.

This represents an eighteen percent reduction in NOAA and a three percent reduction in the U.S. Fish and Wildlife Service. These savings are largely affected by prioritizing the core missions of protection of life and property, while reducing unproductive grants to outside groups, duplicative climate research and reflecting the end of the Deepwater Horizon settlement. Frankly, I wish the President had gone farther and consolidated the Fish and Wildlife Service with the National Marine Fisheries Service, an efficiency reform long advocated by reformers on both sides of the aisle.

In his State of the Union Address in 2011, no less a far-right-wing icon than Barack Obama cited these two agencies as his “favorite example” of counter-productive and wasteful overlap among federal agencies. He went even further when he formally proposed merging the two agencies in his fiscal year 2013 budget request. Unfortunately, Congress failed to follow through.

Maintaining two agencies with such overlapping duties is manifestly wasteful, but it has also become comically counterproductive with tragic consequences. A prime example is what happened during the drought in California several years ago.

Operations of the federal Central Valley Project and the State Water Project in the Sacramento-San Joaquin Bay-Delta required biological opinions from both U.S. Fish and Wildlife Service and NMFS relating to impacts on the Delta Smelt and certain species of listed salmon species respectively.

On March 31, 2016, after reviewing Reclamation’s March forecast and water supply allocation, NMFS sent a concurrence letter. Two weeks after sending its concurrence letter, NMFS changed its mind and proposed to limit releases from Shasta Dam through the summer and into the fall in order to preserve cold water for Winter-run Chinook salmon.

At the same time NMFS sought to reduce Bay-Delta outflow for the salmon, FWS proposed to increase it for the Delta smelt.

At a July 2016 hearing of this sub-committee, the Water Policy Administrator for the San Luis & Delta-Mendota Water Authority, testified that the situation “squeezed virtually all of the operational flexibility from the Projects, causing the damaging effects of the natural drought to amplify the chronic water supply shortages of the regulatory drought, with devastating effect throughout the CVP service area, but especially in the San Joaquin Valley”.

Fortunately, in 2016, the previous administration began the process of scrapping this old and flawed Biological Opinion using the most updated science.

On October 19, 2018, President Trump transmitted the Presidential Memorandum on Promoting the Reliable Supply and Delivery of Water in the West.

Among other things, this Memorandum required streamlining the western water infrastructure regulatory process and required the Secretary of the Interior to submit his biological assessment for the Central Valley Project and California State Water Project by January 2019.

The Memorandum also instructs the two agencies in front of us today to issue their respective final Biological Opinions on the CVP and SWP within 135 days.

We are quickly approaching that deadline and I hope to hear from both of our witnesses here today that their respective agencies will adhere to the President’s direction.

I also hope to hear some assurance today that the Marx Brothers days of dysfunction between the two agencies are over. During the last drought, we suffered catastrophic water shortage in the west exacerbated by NMFS and U.S. Fish and Wildlife Service’s inability to work as a cohesive unit.