

**Defenders of Wildlife * Friends of the River * Golden State Salmon Association
Natural Resources Defense Council * Pacific Coast Federation of Fisherman's Associations
Restore the Delta * Sierra Club * The Bay Institute * Winnemem Wintu Tribe**

April 24, 2023

Rep. Cliff Bentz, Chair
Subcommittee on Water, Wildlife and Fisheries
Committee on Natural Resources
U.S. House of Representatives
Washington, D.C. 20036

Rep. Jared Huffman, Ranking Member
Subcommittee on Water, Wildlife and Fisheries
Committee on Natural Resources
U.S. House of Representatives
Washington, D.C. 20036

RE: Opposition to H.R. 215 (Valadao)

Dear Chair Bentz and Ranking Member Huffman:

On behalf of the undersigned organizations and our millions of members and supporters, we write to express our opposition to H.R. 215 by Rep. Valadao (R-CA). H.R. 215 violates and preempts state law, undermines critical protections for salmon and other fish and wildlife that Native American Tribes and thousands of fishing jobs depend on, and reignites divisions over water rights and environmental and public health protections to benefit certain water users at the expense of others. For these reasons and those outlined below, we urge you to **oppose H.R. 215**.

First, H.R. 215 overrides state law in order to authorize and appropriate funding for the enlargement of Shasta Dam. This project would harm Native American Tribes, salmon fishermen, and the environment, as well as violate state law. The Bureau of Reclamation has admitted that this project would destroy sacred sites of the Winnemem Wintu Tribe. State and federal agencies, including the U.S. Fish and Wildlife Service, have concluded that the project would harm native fish and wildlife, including native salmon runs that thousands of fishing jobs on the West Coast depend on. The State of California has repeatedly opposed this project, including lawsuits by the Attorney General of the State of California.

Second, H.R. 215 overrides the Endangered Species Act and reinstates the Trump Administration's blatantly unlawful biological opinions, which threatens West Coast salmon fisheries. Those biological opinions were issued and their requirements deficient as the result of political interference, and the federal courts have remanded the biological opinions as a result of litigation by the State of California and conservation and fishing groups. The salmon fishery in California and most of Oregon has been completely closed this year, resulting in thousands of lost jobs, and the science is clear that the next biological opinions must strengthen protections for Central Valley salmon. Instead, H.R. 215 would reinstate and lock in the Trump Administration's unlawful biological opinions for 7 years, setting a dangerous legal precedent that threatens the future of California wildlife that are already experiencing a precipitous decline. The bill also appears to preempt state law with respect to operations of the State Water Project. And despite the fact that H.R. 215 proposes to lock these biological opinions into place, the day after Rep. Valadao introduced H.R. 215 he demanded that the Biden Administration violate these

same biological opinions in order to increase water pumping, demonstrating the bad faith inherent in H.R. 215.

Third, H.R. 215 irresponsibly prioritizes taxpayer subsidies for antiquated, economically inefficient and environmentally destructive surface water storage projects. These provisions ignore hundreds of millions of dollars appropriated for water storage projects in the Bipartisan Infrastructure Bill and override the Act’s eligibility and funding requirements.

Finally, H.R. 215 threatens wildlife refuges, migratory birds, and salmon by threatening restoration funding required by the 1992 Central Valley Project Improvement Act (CVPIA). H.R. 215 deems the CVPIA “complete,” despite the Department of the Interior’s failure to meet the CVPIA’s requirements for water deliveries to wildlife refuges, which would harm what is left of California’s inland wetland refuges and threaten populations of waterfowl and shorebirds that migrate north each year. Similarly, the CVPIA’s salmon doubling goal has not been achieved, as salmon populations have further declined in recent years in part due to unsustainable water diversions.

H.R. 215 threatens Native American Tribes and the thousands of fishing jobs and communities in California and Oregon that depend on healthy salmon runs from California’s Bay-Delta. The closure of the salmon fishery in 2008 and 2009 resulted in thousands of lost jobs in these states, and the West Coast is facing that devastating reality once again in 2023. The livelihoods of commercial and recreational salmon fishermen, Delta farmers, fishing guides, tackle shops, and communities across California and along the West Coast depend on the environmental protections that H.R. 215 would eliminate.

For all of these reasons and more, we urge you to oppose H.R. 215. Thank you for your consideration.

Sincerely,



Ashley Overhouse
Defenders of Wildlife



Doug Obegi
Natural Resources Defense Council



Glen Spain
Pacific Coast Federation of Fishermen’s
Associations



Barbara Barrigan-Parilla
Restore the Delta



Scott Artis
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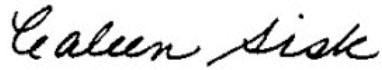
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