



**NATURAL  
RESOURCES**  
COMMITTEE • DEMOCRATS  
RANKING MEMBER, RAÚL M. GRIJALVA

## **OPPOSE H.R. 23: GAINING RESPONSIBILITY ON WATER ACT (VALADAO, R-CA)**

***REPUBLICAN BILL PROVIDES NO NEW WATER, THREATENS THOUSANDS OF JOBS, PREEMPTS STATE WATER LAW, AND GUTS ENVIRONMENTAL PROTECTIONS***

H.R. 23 is being rushed to the House floor without vetting by the Committee of jurisdiction, state or federal water agencies, fishing interests, or tribes. The bill preempts state law, jeopardizes fishing industry jobs, weakens bedrock environmental laws and ***provides no new water***. Similar versions of this bill were previously opposed by nearly all House Democrats, the State of California, and the Obama administration (see H.R. 2898 from 114<sup>th</sup> Congress, H.R. 3964 from 113<sup>th</sup> Congress, H.R. 1837 from 112<sup>th</sup> Congress).

### **Partial Section-By-Section Analysis**

- Title I weakens protections for endangered and commercial fisheries that support thousands of fishing jobs across the West Coast. These protections are gutted to redistribute limited water supplies, primarily to large industrial farming operations in one area of California. Title I also effectively repeals the restoration of California's second longest river, and preempts state and federal laws that mandate restoration of the San Joaquin River and its native salmon runs. In addition, Title I weakens or repeals balanced environmental protections under the Central Valley Project Improvement Act, which was signed by President Bush in 1992 to ensure that federal water projects are operated in a manner that balances fish and wildlife protection with irrigation and power generation. The provisions of Title I will drive native fisheries extinct, preempt both state law and the federal Endangered Species Act, and threaten thousands of fishing industry jobs.
- Title III mandates specific water deliveries for a small set of water users at the expense of other water users, fisheries, and the environment.
- Title IV prohibits emergency releases of Trinity River water to prevent fish kills on the Klamath River in California.
- Titles II, V and VI truncate the environmental review process for new dam construction. Current law ensures that environmental impacts of projects funded with Federal dollars are fully analyzed, that a range of alternatives are considered, that environmental impacts are mitigated, and that the public has input in the federal decision-making process. The language of Title V is taken from H.R. 1654, which was opposed by nearly every House Democrat on the Floor last month.
- Title VII would prevent federal agencies from placing *any* limits on water use when issuing federal permits or approvals, if the use is recognized under state law. This would threaten the water rights of Indian Tribes and would allow water users to leave rivers and streams on public land dry. The language of Title VII is taken from H.R. 3189 from the 113<sup>th</sup> Congress, which was opposed by nearly every House Democrat and the Obama administration.

### **Stakeholder Views**

H.R. 23 is opposed by numerous conservation, refuge, and fishing industry groups including the Natural Resources Defense Council, Defenders of Wildlife, the Grassland Water District, the Golden Gate Salmon Association, and the Pacific Coast Federation of Fishermen's Associations.

***H.R. 23 would pick winners (big agricultural users) and losers (everyone else) among Western water users, rather than taking constructive steps to grow the water supply for everyone through water recycling, conservation, storm water capture, and water-use efficiency projects. The bill is an unpopular and unworkable partisan political ploy and should be defeated.***