

Speech Opposing H.R. 5781
Congressman John Garamendi (CA)
Monday, December 08, 2014

Mr. Chairman, I rise today in opposition of H.R. 5781, yet another California water-grab bill. If enacted, H.R. 5781 would dictate specific actions for water management agencies' experts to take while undermining state water rights and state environmental laws. These directives would eliminate flexibility in the system by making it more difficult for state and federal agencies to make real-time, science-based decisions to address the drought.

In addition to my colleagues speaking out against the bill today, the Administration issued a Statement of Administration Policy on the bill which states:

H.R. 5781 makes operational determinations regarding the use of limited water resources during the ongoing drought, and contains many new provisions that could lead to unintended consequences or further litigation, the Administration cannot support the bill in its current form.

Further, the Administration highlighted its ongoing work to address the drought:

The United States Department of Agriculture has directed millions of dollars in food, conservation, and emergency water assistance to tens of thousands of residents in areas hardest hit by drought. The Bureau of Reclamation has provided cost-share assistance for nine water reclamation and reuse projects in the State as well as millions of dollars in grants to build long-term resiliency to drought. ...The President has directed Federal agencies to work with state and local officials in real-time to maximize limited water supplies, prioritize public health and safety, meet state water quality requirements, and ensure a balanced approach to providing for the water needs of people, agriculture, businesses, power, imperiled species and the environment.

Instead of legislating how the current dwindling supply of water should be moved within the state, we should follow the Administration's lead and fund conservation, recycling, and storage projects to create new water.

Additionally, over 30 environmental, natural resource, and fishing groups sent letters of opposition to H.R. 5781 to Congress. Fishing industry groups oppose the bill because:

The bill would undermine existing legal protections for salmon, endangered species, and other species in the Bay-Delta ecosystem, in order to pump more water out of the most important salmon producing system south of the Columbia River. For example, the bill would rewrite and override protections required under the Endangered Species Act and replace the best available science with political micro-management."

Authors of H.R. 5781 believe it will boost the economy in part of California, but in this haphazard attempt at amelioration, they risk eliminating jobs in the \$1.4 billion salmon industry by, jobs in the Delta tourism industry, and jobs in Northern California agriculture.

Natural resource and bird organizations oppose the bill because of the devastating impact it could have on migratory birds and other fish and wildlife in the Bay-Delta estuary. According to these groups:

California has already lost more than 90 percent of its existing wetlands and in the current drought conditions, migratory birds are crowding onto the small remaining habitat areas, suffering from decreased food and increased risk of disease.

With at least a billion birds migrating along the Pacific Flyway each year, we cannot afford to eliminate even more habitat. We must ensure water supplies are properly balanced for all needs and mandating exports to water users south of the Delta will not achieve this balance.

In addition to being deeply flawed, this bill is being rammed through at the last minute. Introduced just last week, this bill is circumventing all regular order and will be voted on despite having no hearings and no mark-ups. As the *Sacramento Bee* states, “The new bill deserves a full public hearing so that we know its full implications for California.”

As I have stated before, this drought is caused by nature – something so painfully obvious, it can be seen from space. Circumventing science and legislating how to operate a water system is irresponsible and we must find ways to add to our water supply instead of taking water from one group and giving to another for political gain. For these reasons, I urge my colleagues to oppose this bill.