



Dear Member of Congress,

March 11, 2014

We write to ask you to oppose HR 3189. This measure would, among other effects, prevent the Secretaries of the Interior and Agriculture from requiring conditions on water diversions on Federal lands to protect fish and wildlife, as well as recreational opportunities for our citizens.

It has long been a principle of Federal law that dams and diversions on Federal lands are subject to conditions and permits meant to protect the purposes of these Federal reservations. These include National Parks & Forests, BLM lands, wildlife refuges, Indian reservations. In addition, hydroelectric projects subject to the provisions of the Federal Power Act can be conditioned by Federal fish and wildlife agencies to require fish passage facilities around the project works.

This system of law goes back to the organic acts of Federal land-management agencies and the Federal Energy Regulatory Commission—which can date back more than a century.

As a result, state water law has not been constructed to serve as a substitute for the roles and responsibilities of Federal agencies to protect Federal lands and certain waters of the United States. HR 3189 would strip away this foundational body of Federal laws to rely on a substitute state system seldom designed to accomplish these critical purposes upon which Americans have every reason to rely.

Oppose HR 3189.

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