

April 2, 2015

Honorable Rob Bishop, Chairman
Honorable Raul Grijalva, Ranking Member
House Subcommittee on Public Lands and Environmental Regulation
1324 Longworth House Office Building
Washington, D.C. 20515

Dear Chairman Bishop and Ranking Member Grijalva:

The State of Colorado and much of the western United States has been hit with severe drought conditions for several years. This, coupled with areas of extensive insect infestation and thick stands of forest overgrowth, has created an environment ripe for intense wild fire. We therefore support the Healthy Forest Management and Wildfire Prevention Act of 2015 as a proactive measure to address forest health and mitigate the dangers that unnaturally intense wild fires cause.

Specifically, the bill declares the bark beetle epidemic, drought, deteriorating forest health conditions on National Forest System land and lands under the jurisdiction of the Bureau of Land Management, with the resulting risk of devastating wildfires, as an imminent threat. The Healthy Forest Management Act of 2015 gives governors the authority to designate high-risk areas within the National Forest System and lands under the jurisdiction of the Bureau of Land Management, and requires that governors consult with county commissioners from affected counties and affected tribes in designating high-risk areas. It excludes Wilderness Areas and National Monuments and protects all valid and existing rights on applicable lands.

The bill allows the Secretaries of Interior and Agriculture, working in consultation with governors, county commissioners from affected counties, and affected tribes, to designate high-risk areas on lands under their jurisdiction, and allows the Secretaries of the Interior and Agriculture to provide for the development of proposed emergency hazardous fuels reduction projects for high-risk areas in consultation with states. The Healthy Forest Management and Wildfire Prevention Act of 2015 also gives states the authority to provide for the development of proposed emergency hazardous fuels reduction projects for high-risk areas. Another valuable part of this bill is the extension of Stewardship Contracting to 20 years.

We further appreciate the application of the expedited procedures and authorities under the Healthy Forests Restoration Act of 2003 to emergency hazardous fuels reduction projects in designated high-risk areas and the expedited approval procedures for projects carried out in response to hazardous fuels in close proximity to utility or telephone infrastructure, campgrounds, roadsides, heritage sites, recreation areas, schools and other infrastructure.

It is the nature of the western United States' climate to see cycles of ample precipitation and drought, and insect infestation will always be a part of the equation. We have known for a long period that the state of our forests' health was, in many areas, experiencing some deterioration and a lack of diversity in tree age. It has been known that this condition would lend itself to large, intensive and destructive wild fires, and it seems that these predictions have come to fruition recently. It is our view that actions to combat the dangers posed by wild fires ought not be reactive, but proactive. In that light, we view the Healthy Forest Management and Wildfire Prevention Act of 2015 as a valuable tool to address fire mitigation in the long term, and wish to express our full support of the bill.

The Lower Arkansas Valley Water Conservancy District of Colorado appreciates your efforts regarding this issue and for providing state and local government the tools and provisions necessary to ensure the protection of our public lands and forest health. We very much hope this input proves valuable in this process.

Sincerely,

A handwritten signature in black ink, consisting of a stylized, cursive name followed by a long horizontal line extending to the right.

Lower Arkansas Valley *Serving Bent, Crowley, Otero, Prowers and Pueblo counties*
WATER CONSERVANCY DISTRICT



April 2, 2015

Honorable Rob Bishop, Chairman
Honorable Raul Grijalva, Ranking Member
House Subcommittee on Public Lands and Environmental Regulation
1324 Longworth House Office Building
Washington, D.C. 20515

Dear Chairman Bishop and Ranking Member Grijalva:

We understand that there has been an attempt by certain federal agencies to require federal permittees to assign their private water rights to the federal government as a condition of the permit. If this policy continues it will create a great risk to the water users both in the San Luis Valley and statewide. The Lower Arkansas Valley Water Conservation District supports the Water Rights Protection Act (WRPA) and will work with you to garner support to ensure protection of privately owned water rights from claims by federal agencies.

As we understand, the Water Rights Protection Act is being introduced as a means to protect water users from the seizure of privately owned water rights without just compensation. We believe the WRPA grants no new rights to any party, nor does it in any way infringe on existing rights of individuals, states or the federal government. It appears to us that this legislation simply reaffirms what has been existing law for generations and which is expressed in numerous places in federal law, including the Mining Act of 1866; the 1897 Organic Act establishing the U.S. Forest Service; the Taylor Grazing Act; and the Federal Land Policy and Management Act of 1976. The bill supports long-established recognition of the primacy of state water law and the title to water rights that are established thereunder.

We are aware of no provision in federal statutory law authorizing or permitting the Forest Service or the Bureau of Land Management to compel owners of lawfully acquired water rights to surrender those rights or to require that they be in the name of the United States. The Water Resources Protection Act does nothing more than assure holders of BLM or Forest Service permits that their lawfully acquired water rights will not be abridged and that federal agencies may not use the permit process to acquire water rights that are owned by non-federal entities.

The Lower Arkansas Valley Water Conservancy District of Colorado appreciates your efforts regarding this issue. It is necessary to ensure the protection of privately owned water rights without just compensation. We very much hope this input proves valuable in this process. We thank you for taking a leadership role in addressing this crucial issue.

Sincerely,

