

# Congress of the United States

Washington, DC 20515

May 23, 2007

The Honorable James Oberstar  
Chairman  
House Committee on Transportation  
and Infrastructure  
2165 Rayburn HOB  
Washington, D.C. 20515

The Honorable John Mica  
Ranking Member  
House Committee on Transportation  
and Infrastructure  
2163 Rayburn HOB  
Washington, D.C. 20515

Dear Chairman Oberstar and Ranking Member Mica,

Thank you for your efforts to quickly move H.R. 1495, the Water Resources Development Act of 2007, through the U.S. House of Representatives. As you begin to conference with your counterparts from the U.S. Senate, we respectfully ask that you consider the attached language as an alternative to Senate Sec. 5016. If such a revision is not possible, we ask that you remove Sec. 5016 from the bill.

In a 2004 Record of Decision on the Master Water Control Manual (Master Manual), the U.S. Army Corps of Engineers (Corps) committed to initiating a Missouri River Recovery and Implementation Committee (MRRIC). This committee—composed of government entities and local stakeholders—would make recommendations on how to improve the functioning of the river while minimizing the impact to human users.

While we support MRRIC, Senate Section 5016 authorizes MRRIC in a way that does not allow for all the interests of river users to be represented, ignores some important Missouri river issues and does not provide for the public disclosure that such a weighty issue requires. In contrast, the language we propose focuses MRRIC on the recovery of the federally listed species, while also taking into account the impact of recovery efforts on human users, provides an improved system of stakeholder participation and ensures that the MRRIC process is accessible to the general public.

Specifically, Senate Section 5016 does not allow MRRIC to consider the impact of recovery activities on municipalities, agriculture, navigation, recreation, utilities and flood control uses of the river. Ignoring the impact recovery activities have upon those who benefit from these congressionally authorized uses of the Missouri River will adversely impact countless stakeholders. The language we are proposing corrects this oversight by directing MRRIC to study the effect of recovery of the federally listed species on these congressionally authorized users of the river.

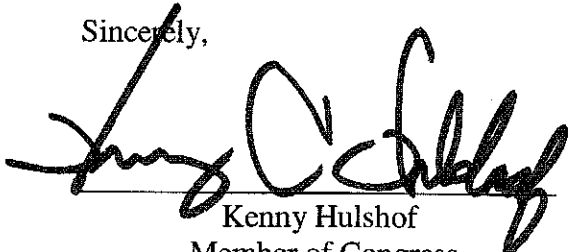
Moreover, the Senate language allows the Corps to compose MRRIC in a manner that could exclude certain groups of stakeholders. In contrast, the language we propose requires that MRRIC be composed equally of individuals representing the tribes, the upper basin, lower basin, environmental advocates, flood control districts, farmers, utilities, water supply, navigation and other interests. By mandating this equality, our language ensures that the decisions that come out of MRRIC are acceptable to all river interests.

Additionally, at least one of the federally listed endangered species—the pallid sturgeon—makes its home in both the Missouri and Mississippi Rivers. For this reason, any activities aimed at pallid sturgeon recovery should take into consideration all scientific knowledge from both basins so that a uniform recovery plan is implemented.


Finally, the language we propose subjects MRRIC to the requirements of the Federal Advisory Committee Act (FACA). Over the past decade a concerning level of distrust has developed among the stakeholders of the Corps and the U.S. Fish and Wildlife Service. We believe this distrust will be lessened by ensuring that MRRIC abides by the rules established in FACA.

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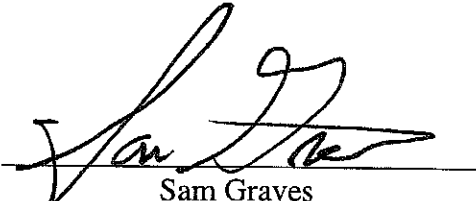
Sincerely,




Kenny Hulshof  
Member of Congress




Russ Carnahan  
Member of Congress



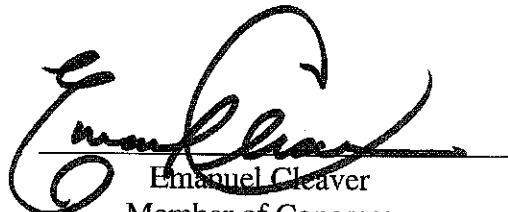
Sam Graves  
Member of Congress



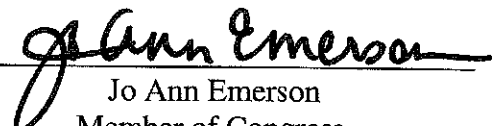
Ike Skelton  
Member of Congress




W. Todd Akin  
Member of Congress



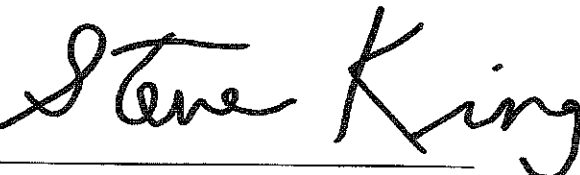
Emanuel Cleaver  
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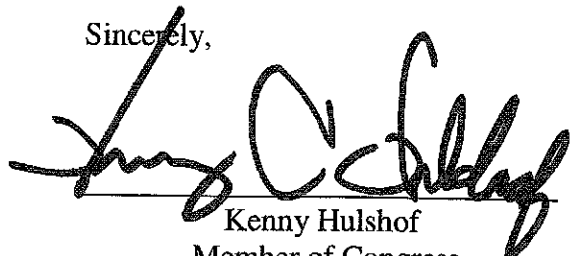
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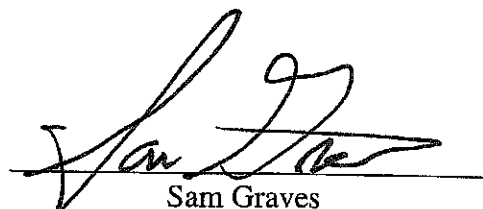
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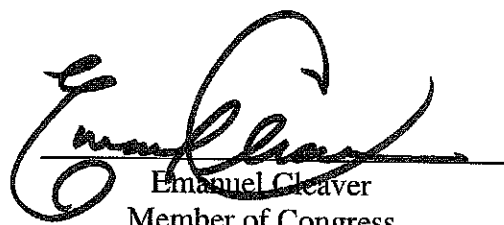
  
Kenny Hulshof  
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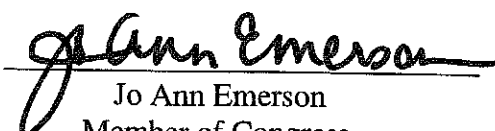
  
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Chairwoman  
Subcommittee on Water Resources  
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B-376 Rayburn HOB  
Washington, D.C. 20515

The Honorable Richard Baker  
Ranking Member  
Subcommittee on Water Resources  
and the Environment  
B-375 Rayburn HOB  
Washington, D.C. 20515

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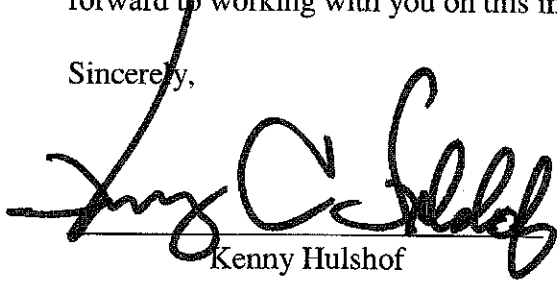
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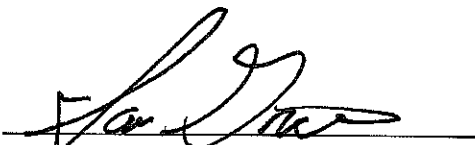
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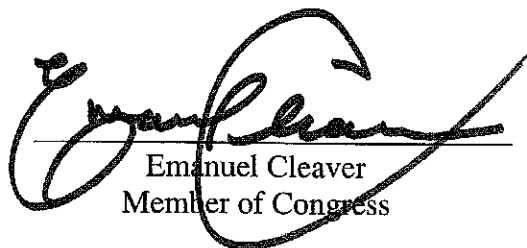
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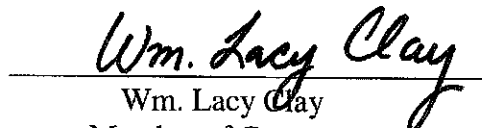
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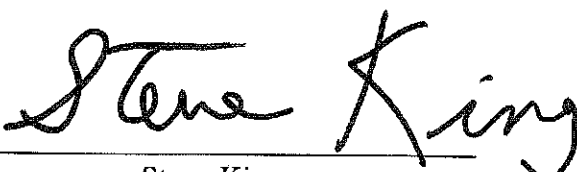
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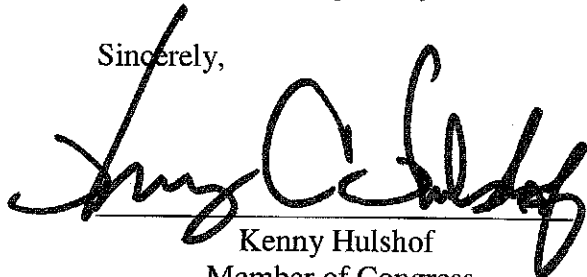
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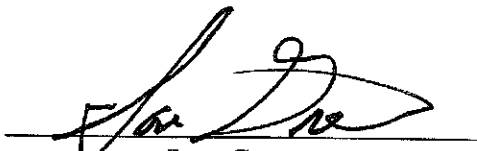
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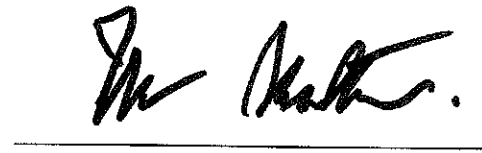
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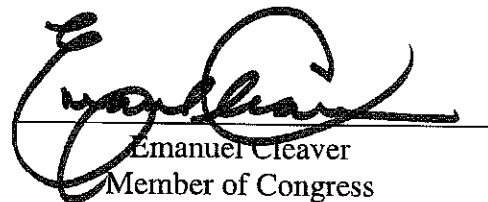
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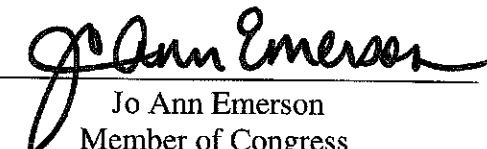
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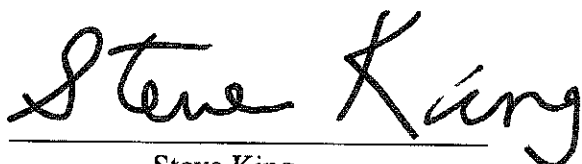
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