



March 12, 2020

The Honorable John Barrasso, Chairman
Senate Committee on Environment
and Public Works
410 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Tom Carper, Ranking Member
Senate Committee on Environment
and Public Works
456 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Barrasso and Ranking Member Carper:

The National Water Supply Alliance expresses its support for the principles outlined in the Cramer-Merkley Water Supply and Natural Flow language amending the Flood Control Act of 1944, 58 Stat. 887 (“FCA”), and the Water Supply Act of 1958, 72 Stat. 319 (“WSA”). The proposed language highlights that States—and not the federal government—should retain the authority to allocate water and water rights to users within their borders. This includes the right to allocate natural flows and other water that may enter federal projects in accordance with State law.

NWSA’s members depend on State-granted water rights to meet the water supply needs of millions of Americans across the Nation. Preserving States’ control over water and water rights—and ensuring that NWSA members that have purchased storage in, or withdraw water from, federal projects can exercise those rights—is of paramount importance. NWSA thus supports Congress’s direction that the Secretary, in carrying out section 6 of the FCA and section 301 of the WSA, “act in accordance with applicable laws of any State relating to the control, appropriation, use, or distribution of water, or any vested right acquired under a State law.”

Unfortunately, recent actions by the U.S. Army Corps of Engineers have intruded upon traditional State control water and water rights and interfered with the exercise of State-granted water rights by our members. A return to the longstanding and proper understanding of the FCA and the WSA is essential to ensuring the most effective and efficient management of water supplies by the nation’s water supply providers. The Cramer-Merkley language is a great starting point for the necessary clarification on the management of water supplies under a federal-state-local partnership.

President, Darren Gore, PE, City of Murfreesboro, TN
Vice President, Dan Buhman, PE, Tarrant Regional Water District
Secretary, Katherine Zitsch, PE, BECC, Atlanta Regional Commission
Treasurer, Glenn Page, PE, Cobb County-Marietta Water Authority
Past President, Earl Lewis, PE, Kansas Water Office

Director, Andrew Dehoff, PE, Susquehanna River Basin Commission
Director, Jennifer Verleger, Esq, PE, State of North Dakota
Director, Brad Brunett, Brazos River Authority
Director, Greg Volkhardt, Tacoma Water
Dave Mitamura, Executive Director

The National Water Supply Alliance appreciates the Committee's focus on improving water resources policy and management and looks forward to working with the Committee and the proposing members.

Sincerely,

A handwritten signature in black ink that reads "Dave Mitamura". The signature is fluid and cursive, with a long horizontal stroke at the end.

Dave Mitamura
Executive Director