



Committee on Natural Resources U.S. House of Representatives

Chairman Doc Hastings

FOR IMMEDIATE RELEASE
Wednesday, July 17, 2013
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CONTACT: [Press Office](#)
202-226-9019

Blueways Under Fire

*Members and Witnesses Express Continued Concerns Despite Interior Dept's
New Claims that Program Put on "Pause"*

WASHINGTON, D.C. – Today, the House Natural Resources Subcommittee on Water and Power held an oversight hearing on *"A Washington, DC- Based Bureaucratic Invention with Potential Water Conservation and Property Rights Impacts: The National Blueways Order."* This hearing highlighted current and potential problems with the National Blueways Order, which imposes a federal watershed designation process with questionable legal authorities, little to no community input, and a lack of transparency.

At this morning's Full Committee hearing, Secretary of the Interior Sally Jewell announced that she was putting a "pause" on the National Blueways program. However, Members continued to express concerns over the impact of future designations and questioned exactly what the Department means by a "pause." Despite an invitation being sent to Rebecca Wodder, senior advisor at the Department of the Interior who has been leading the effort on the Blueways Order, the Department refused to send Ms. Wodder or any other official to testify at today's hearing.

"Earlier today in response to rapidly building opposition, the new Secretary of the Interior off-handedly announced she's calling a pause to the Blueways Order 'until we figure out the future of the program.' The Subcommittee welcomes this announcement but the question occurs: does this mean a pause until the heat dies down or does it mean a genuine intention to step back from a legally suspect, economically damaging and politically unpopular initiative? That's one of the questions I would have liked to have asked Ms. Wodder," **said Subcommittee Chairman Tom McClintock.** *"The Congress and the American People are entitled to forthright answers from this administration, not stonewalling. This is particularly urgent in light of the avowed intention by the programs supporters to turn their sights on all 3.5 million miles of American streams and rivers."*

During the hearing, witnesses discussed many potential and actual challenges with the order including questions on its legal validity, lack of local and public input and lack of transparency of nominations.

[Ms. Karen Budd-Falen](#), Attorney, Budd-Falen Law Offices, Cheyenne, Wyoming,

challenged the legal validity of the Blueways Order, *“The question before this Subcommittee should be whether Congress has enacted a statute which would grant to the DOI the authority to create the National Blueways Initiative. A review of the statuses cited in Executive Order 3321 shows that the answer is ‘No’.”*

The Honorable Robert Griffin, Judge, Independence County, Arkansas, testified on the impacts of the White River Blueways Order on the community, economy and agricultural interests, *“Somehow the wording of unintended does not give comfort when the executive branch is expecting results and some of the goals seem to target our way of life Agriculture is identified as the single largest contributor to issues within the watershed, both good and bad. When the top income generator of your economy is targeted as the biggest contributor of bad issues within the watershed, the words not intended are somewhat disconcerting when the goals such as are stated belie the issue.”*

Mr. Eddy Justice, Small Business Owner, Poplar Bluff, Missouri, highlighted the flawed process and lack of public outreach behind the White River Blueways listing, *“To the best of my knowledge, not one single town hall meeting was held to gather local input. Not one request was issued for public input regarding this designation. Not one representative or letter was sent to any county commissioner in the affected area, advising them of the plans by the DOI to implement this designation. The failure of the Department of the Interior to bother with obtaining local input while claiming to have issued this designation after having collaborated with local governments and organizations is irresponsible at best and at least hints at dishonesty and possible ulterior motives.”*

Background:

The National Blueways Secretarial Order was signed by Secretary Salazar in 2012 and creates unilateral authority for the Secretary to designate entire watersheds as “National Blueways.” On June 28th, Chairman Hastings sent a letter to Secretary Jewell highlight concerns and seeking further information about the implementation of the National Blueways Program.

There are growing concerns that the Order has the potential to impose land and water use restrictions and undermine property rights.

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