

March 7th, 2013

The Honorable Ron Wyden
Chairman, U.S Senate Committee on Energy & Natural Resources
304 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Lisa Murkowski
Ranking Member, U.S Senate Committee on Energy & Natural Resources
304 Dirksen Senate Office Building
Washington, DC 20510

The Oregon Water Resources Congress (OWRC) and the Northwest Hydroelectric Association (NWA) are both strong supporters of small low impact hydropower development. The opportunity of bipartisan support in the U.S House of Representatives and U.S Senate for multiple legislative efforts on this issue is extremely exciting and very timely.

Several OWRC districts and NWA members already operate hydroelectric projects of varying size and many more are exploring options for in-conduit small hydroelectric power. These small hydroelectric projects are either in an existing canal or pipeline. They have numerous benefits to the district, the water users they serve, and the environment. In-conduit hydropower provides safe and reliable renewable energy and often results in additional water instream for fish and wildlife through related piping projects. However, there are numerous regulatory hurdles that are preventing or deterring many good projects from moving forward.

OWRC and NWA support HR 267 which combines Senator Murkowski's beneficial drafting from S 629 and the bipartisan efforts from the House of by Representative McMorris-Rodgers and a bi-partisan group of nine colleagues. Importantly, the House of Representatives has already passed H.R. 267 and has sent it over to the Senate.

OWRC and NWA also support S. 306, which was introduced on February 13th by Senators Barrasso, Risch, Enzi and Crapo, that focuses on streamlining Reclamation's program. Its companion bill, H.R. 678, was introduced at the same time in the House by Rep. Scott Tipton and a bi-partisan group of eight colleagues.

Another item to address during your consideration of small-hydro legislation in the committee would be the inclusion of this language concerning NEPA:

“(3) The Bureau of Reclamation shall apply the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to small conduit hydropower development under this subsection, excluding siting of associated transmission facilities on Federal lands, as provided in 18 C.F.R. 380.4.”

This is the same language that pertains to the FERC small conduit exemption. By adopting this language, both the FERC process and the Bureau of Reclamation Lease of Power Privilege process would have the same NEPA requirement which is a Categorical Exclusion. That would help clarify any concerns raised with regard to NEPA requirements in these processes.

As you know, the water users in the Columbia River Basin of the Pacific Northwest have been consistently supportive of seeing that fish passage needs are addressed with regard to interaction with our facilities and continue to encourage your support for funding for those efforts.

There are additional issues such as interconnection and unregulated tariffs costs and other issues that should be addressed as you continue your efforts in this area of national energy policy. We would be pleased to work with you on them as you move forward on your drafting.

We appreciate the FERC expedited permit process for small conduit hydroelectric projects but there is definitely room for more improvement. Small, low-impact hydro should be plug and play type projects with simple applications.

The Oregon Water Resources Congress (OWRC) is a nonprofit trade association representing agricultural water suppliers in Oregon, primarily irrigation districts, as well as other special districts and local governments that deliver irrigation water. OWRC was established in 1912 to support member needs to protect water rights and encourage conservation and water management statewide. OWRC members operate complex water management systems, including water supply reservoirs, canal, pipelines, and hydropower production, delivering water to more than 560,728 acres of farm land state-wide, roughly 1/3 of all irrigated land in Oregon. About half of our members have contracts with or are in Bureau of Reclamation projects.

The Northwest Hydroelectric Association (NWAHA) has as its member's public and private utilities, water and irrigation districts, a range of consultants, manufacturers of industry equipment and unions. We seek to provide education and support for the hydroelectric industry members we represent. Almost all of the hydropower in the Northwest is represented by our membership. Our membership includes entities in Alaska, Idaho, Montana, Northern California, Oregon, Washington and western Canada. In addition to the large hydro installations our members operate, a number of the water and irrigation districts and cities are developing in-conduit projects to take advantage of existing infrastructure while providing clean, renewable energy to local communities.

Sincerely,



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