



April 19th, 2013

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

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

Dear Senator Wyden and Senator Murkowski:

Please accept this written testimony on behalf of the Oregon Water Resources Congress (OWRC) regarding the Committee on Energy & Natural Resources' hearing on energy efficiency and hydropower bills scheduled for April 23, 2013. We are writing to express our appreciation for the hearing on small hydropower legislation and to reiterate our unwavering support of both H.R. 267 and H.R. 678.

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. Approximately half of our members have contracts with or are in Bureau of Reclamation projects.

We applaud the bi-partisan efforts of the House and Senate on H.R. 267, the Hydropower Regulatory Efficiency Act of 2013, and Senator Murkowski's bi-partisan companion bill S. 545, the Hydropower Improvement Act of 2013. Equally important is H.R. 678 and its Senate companion S. 306, the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act. These legislative proposals create a mirror process for small low impact conduit hydro projects that will qualify for either a Federal Energy Regulatory Commission (FERC) small conduit exemption or Lease of Power Privilege (LOPP) permit from the Bureau of Reclamation (Reclamation). As a whole these four bills will create a plethora of positive benefits to not only OWRC members, but to other agricultural water providers throughout the country.

Low-impact hydropower projects in the West are often installed into man-made irrigation canals or pipelines (i.e. conduit projects) utilizing water already being diverted for irrigation. There is no increase in the amount of water diverted and thus no negative impact on stream flow, water quality or aquatic species and habitat from these projects. In essence, these projects use the same water twice; using the same amount to generate renewable energy and then again to irrigate crops and meet other agricultural water needs. The farmers and other water users still receive the water they need for their crops and also benefit from reduced irrigation expenses offset by hydropower revenue accrued over time. Also, these projects are often accompanied by water conservation or efficiency projects that yield increased flows for instream needs, further benefiting the environment.

The mission of the Oregon Water Resources Congress is to promote the protection and use of water rights and the wise stewardship of water resources.

The potential for expanding low-impact hydropower in the Western Reclamation States is not only high but is also very practical. Utilizing man-made irrigation canals to install either conventional turbine or low head technology is more affordable and feasible to implement than traditional hydropower. The revenue generated from hydropower over time can be used to improve or replace infrastructure to increase water efficiency and conservation or pay off debt incurred in the construction of the projects. The development of new low-head (or low flow) hydroelectric devices and other forms of technology has also created more opportunities for these types of extremely beneficial projects that would have not been possible a few years ago.

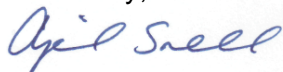
H.R. 267 and H.R. 678 both will help these beneficial low impact hydropower projects to move forward without time consuming, expensive and unnecessary regulations. The merits of the bills include:

- Both bills clarify jurisdiction between Reclamation and FERC, avoiding time-consuming and potentially contentious inter-agency consultations;
- Both bills remove unnecessary barriers and cut costs by providing for a streamlined process for small hydropower development not available under current Reclamation law and, therefore, not available in Reclamation's LOPP Directives and Standards;
- Both bills reinforce the water supply priority for Reclamation facilities used for hydropower development through LOPP authority;
- Both bills give irrigation districts and water users associations, functioning as the operation and maintenance providers and/or water distributors, the first right to develop small hydropower in their conduits;
- The Tipton bill, as amended, additionally directs Reclamation to use its NEPA categorical exclusion process for small conduit applications, providing a process parallel to that used by FERC; and
- The Tipton bill, as amended, also grandfathers existing FERC applications on Reclamation facilities.

Streamlining and clarifying the regulatory processes for small low impact hydropower projects will enable numerous economic and environmentally beneficial projects to occur in Oregon and the other Western states. The potential for small low impact conduit projects in the 17 Reclamation states numbers in the thousands. The cumulative benefit from hydroelectric generation becomes even more impressive over the life span of these projects. These projects will replace thousands of tons of carbon emissions with clean green power benefitting the environment and the economy, not only locally but nationally.

OWRC encourages the Committee to move both H.R. 267 and H.R. 678 out of Committee with unanimous consent. We look forward to supporting your efforts in passing these important legislative efforts and sending them to the President's desk for signature.

Sincerely,



April Snell
Executive Director