

ONE HUNDRED FIFTEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115
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May 19, 2017

Mr. William Robert Irvin
President and CEO
American Rivers
1101 14th Street, N.W.; Suite 1400
Washington, DC 20005

Dear Mr. Irvin,

Thank you for appearing before the Subcommittee on Energy on Wednesday, May 3, 2017, to testify at the hearing entitled "Legislation Addressing Pipeline and Hydropower Infrastructure Modernization."

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached. The format of your responses to these questions should be as follows: (1) the name of the Member whose question you are addressing, (2) the complete text of the question you are addressing in bold, and (3) your answer to that question in plain text.

To facilitate the printing of the hearing record, please respond to these questions with a transmittal letter by the close of business on Monday, June 5, 2017. Your responses should be mailed to Grace Appelbe, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, DC 20515 and e-mailed in Word format to Wyatt.Ellertson@mail.house.gov.

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,



Fred Upton
Chairman
Subcommittee on Energy

cc: The Honorable Bobby L. Rush, Ranking Member, Subcommittee on Energy

Attachment

Attachment - Additional Questions for the Record

The Honorable Frank Pallone, Jr.

1. Mr. Irvin, in your oral testimony, you referenced methane emissions from hydroelectric reservoirs as contributors to global warming. Recent meta-analyses have indicated that the greenhouse gas emissions associated with these reservoirs are higher than previously believed. Are you aware of academic, private, or government surveys of methane emissions from reservoirs attached to hydroelectric projects or potential hydroelectric projects?

Could you provide more information on what the current research has shown and what the Committee should consider as it conducts oversight of hydroelectricity in the United States?

2. Mr. Irvin, Democratic Members of the Energy Subcommittee recently wrote to Chairman Upton and Chairman Walden to request a follow-up oversight hearing on hydroelectric licensing to receive testimony from Federal resource agencies, states and Native American tribes. These entities, as you know, have mandatory conditioning authority on hydroelectric licenses that is central to any discussion of legislative changes to the licensing process. As a member of the Congressional Native American Caucus, I'm particularly interested in ensuring the views of tribes are heard in this matter. Mr. Irvin, are you aware of any specific concerns by a Tribe with regard to the draft legislation?
3. Mr. Irvin, in your testimony, you state that FERC routinely denies study requests from state, federal, and tribal resource agencies because FERC itself does not believe the information is necessary for FERC to complete its own review. Further, because the state, federal, and tribal resource agencies, acting under separate statutory authority or pursuant to their directives under the Federal Power Act, are unable to complete their oversight of a license application until the requested information is provided by the applicant, FERC's refusal to transmit the study requests on the resource agencies' behalf causes unnecessary delays and confusion. Can you expand on the issue of study denial delays?

Do you know of instances in which applicants were aware that state, tribal, and federal resources agencies required information pursuant to their statutory authorities, that FERC had declined to include a request in its study plan, and the applicant chose to not collect the data necessary to establish a scientifically based and legally defensible condition on a license?