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6 EXPOSING PRESIDENT BIDEN'S PLAN TO

7 DISMANTLE THE SNAKE RIVER DAMS AND THE

8 NEGATIVE IMPACTS TO THE UNITED STATES

9 TUESDAY, JANUARY 30, 2024

10 House of Representatives,

11 Subcommittee on Energy, Climate, and Grid Safety

12 Committee on Energy and Commerce,

13 Washington, D.C.

14

15 The subcommittee met, pursuant to call, at 10:01 a.m.,  
16 in Room 2123 Rayburn House Office Building, Hon. Jeff Duncan  
17 [chairman of the subcommittee] presiding.

18

19 Present: Representatives Duncan, Latta, Guthrie,  
20 Griffith, Bucshon, Walberg, Palmer, Lesko, Pence, Armstrong,  
21 Weber, Balderson, Pfluger, Rodgers (ex officio); DeGette,

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22 Matsui, Tonko, Veasey, Kuster, Schrier, Sarbanes, Cardenas,  
23 Blunt Rochester, and Pallone (ex officio).

24 Also present: Representatives Fulcher and Obernolte.

25

26 Staff present: Kate Arey, Digital Director; Sarah  
27 Burke, Deputy Staff Director; David Burns, Professional Staff  
28 Member; Nick Croker, Senior Advisor & Director of Coalitions;  
29 Sydney Greene, Director of Operations; Rebecca Hagigh,  
30 Executive Assistant; Nate Hodson, Staff Director; Daniel  
31 Kelly, Press Assistant; Patrick Kelly, Staff Assistant; Sean  
32 Kelly, Press Secretary; Alex Khlopin, Staff Assistant; Peter  
33 Kielty, General Counsel; Emily King, Member Services  
34 Director; Elise Krekorian, Counsel; Mary Martin, Chief  
35 Counsel; Brandon Mooney, Deputy Chief Counsel; Kaitlyn  
36 Peterson, Clerk; Karli Plucker, Director of Operations  
37 (shared staff); Peter Spencer, Senior Professional Staff  
38 Member; Michael Taggart, Policy Director; Dray Thorne,  
39 Director of Information Technology; Waverly Gordon, Minority  
40 Deputy Staff Director and General Counsel; Tiffany Guarascio,  
41 Minority Staff Director; Brian Hall, Minority Energy Fellow;  
42 Kristopher Pittard, Minority Professional Staff Member; Emma

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43 Roehrig, Minority Staff Assistant; Kylea Rogers, Minority  
44 Policy Analyst; Medha Surampudy, Minority Professional Staff  
45 Member; Tuley Wright, Minority Staff Director; and Deyonna  
46 Burton, Minority Intern.

47

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48           \*Mr. Duncan. The Subcommittee on Energy, Climate, and  
49 Grid Security will now come to order. The chair recognizes  
50 himself for five minutes for an opening statement.

51           I want to thank you all for being here today and welcome  
52 to the Energy, Climate, and Grid Security Subcommittee  
53 hearing titled Exposing President Biden's Plan to Dismantle  
54 the Snake River Dams and the Negative Impacts to the United  
55 States. Today we will examine the draft mediated agreement  
56 recently released by the White House, U.S. Government  
57 Commitments in Support for the Columbia River Basin  
58 Restoration Initiative and Partnership with the Six  
59 Sovereigns.

60           This agreement was released in December \_ on December  
61 14, 2023, and it followed a presidential memorandum issued by  
62 President Biden in September that directs federal agencies to  
63 prioritize the restoration of "healthy and abundant" salmon,  
64 steelhead, other native fish populations in the Columbia  
65 River Basin. The agreement was filed in the District Court  
66 in Oregon and set commitments made by the Federal Government.  
67 It was implemented through a memorandum of understanding  
68 between the United States, four Native American tribes, and

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69 environmental nonprofit organizations.

70 On the first panel today we will hear from government  
71 stakeholders with various roles in managing the dams. One of  
72 these is the Council of Environmental Quality, CEQ, who is  
73 responsible for convening this secret and confidential  
74 mediation to develop the draft agreement that lays the  
75 groundwork for eventually breaching the Lower Snake River  
76 Dams. On the second panel we will hear from stakeholders  
77 impacted by this agreement, many of whom had no input in this  
78 secret agreement.

79 This agreement was brokered without any input from the  
80 electric providers, those responsible for delivering reliable  
81 energy. It is important we hear from one of their  
82 representatives today. Jim Matheson, the CEO of the Rural  
83 Electrical Cooperative Association, will testify about how  
84 the potential agreement would jeopardize electric reliability  
85 and increase the cost for millions of Americans throughout  
86 the Pacific Northwest.

87 Electric cooperatives operate in 48 states and are  
88 responsible for providing electricity and energy to millions  
89 of rural Americans. Hydroelectric power generated by the

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90 Columbia River System is the backbone of the electric grid in  
91 the Pacific Northwest. It is the reason the lights stay on.  
92 This agreement jeopardizes this carbon-free resource.

93       Of course, the Lower Snake River Dams and the over 3,000  
94 megawatts of electricity they provide are critical to Chair  
95 Rodgers's district where hydropower accounts for nearly 70  
96 percent of electricity generation, but hydropower is also  
97 critical for states and counties all over the country.  
98 Hydropower is the Nation's largest source of renewable  
99 energy, and I am worried about the precedent this agreement  
100 sets.

101       For example, in my district, the 3rd District of South  
102 Carolina, the Duke Energy Bad Creek Hydroelectric Project is  
103 able to provide enough energy to power nearly one million  
104 homes. Last summer I was able to host members of this  
105 committee and the House Energy Action Team on a tour of this  
106 facility. It is an approximately 1600 megawatt battery that  
107 stores mainly renewable solar energy as well as excess  
108 nuclear baseload power that would otherwise be curtailed  
109 because it was generated during periods of low demand.

110       Also in my district on Lake Hartwell Dam is an Army

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111 Corps-managed dam as part of the Savannah River System, which  
112 is critical to hydropower generation in South Carolina and  
113 Georgia.

114 On the second panel we will also hear about the  
115 agreement's impacts on agriculture transportation in the  
116 region from Casey Chumrau, CEO of the Washington Grain  
117 Commission, and Neil Maunu, Executive Director of the Pacific  
118 Northwest Waterways Association.

119 There are some broader impacts. This agreement  
120 represents ineffective governing and stripping the people of  
121 Chair Rodgers's district of their right to be heard in the  
122 process. Shutting out critical stakeholders will result in a  
123 disastrous outcome for the state. Too many times we have  
124 seen this administration kowtow to radical environmentalists  
125 who rely on political objectives instead of science and  
126 facts. This creates a policy that undercuts energy  
127 affordability and reliability, something this committee's  
128 focused on, and ends up having a negative environmental  
129 impact.

130 Look no further than the Biden administration decision  
131 to halt permits for new LNG export projects. Special

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132 interest and big funded climate groups are running this  
133 administration, not the American people.

134 [The statement of Mr. Duncan follows:]

135

136 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

137



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138           \*Mr. Duncan. So I look forward to this hearing today,  
139 and I will now recognize the Ranking Member DeGette for five  
140 minutes.

141           \*Ms. DeGette. Thank you so much, Mr. Chairman. The  
142 Pacific Northwest is home to the Columbia River Basin, and  
143 the Columbia River Basin is home to 13 species of salmon and  
144 steelhead that are listed as endangered or threatened under  
145 the Endangered Species Act. The principal tributary of the  
146 Columbia River, the Snake River, houses four large dams  
147 constructed by the Federal Government in the 1960s and early  
148 1970s.

149           Construction and operation of the dams, private dam  
150 building, and population growth have negatively impacted wild  
151 fish populations. This has led to years of litigation and  
152 court rulings which have found operation of the dams violates  
153 the Endangered Species Act. In addition, historically low  
154 numbers of fish harm the Federal Government's treaty  
155 obligations to tribal nations which depend on the Columbia  
156 River's fish \_ Basin's fish supply. Fish are integral to the  
157 culture, economy, and way of life for tribal nations in the  
158 region, and the U.S. has a responsibility to support their

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159 rights.

160           So why am I setting this stage? Why are we holding this  
161 hearing? Our committee has oversight responsibilities over  
162 our Nation's energy sector. The Snake River Dams provide  
163 energy for the U.S. verse \_ via hydropower, which supplies a  
164 significant amount of power to the region. This power,  
165 transported and marketed by the federal Bonneville Power  
166 Administration, is vital to millions in the West. But valid  
167 court challenges intended to protect and allow for fish  
168 repopulation have resulted in the reduction of hydropower  
169 generation.

170           So here we find ourselves being pulled in multiple  
171 different directions to ensure that we can live up to our  
172 commitments under our treaty obligations and the Endangered  
173 Species Act all while providing the Pacific Northwest with  
174 abundant clean power. I think I speak for everybody here  
175 when I say energy security and reliability are of utmost  
176 importance to this subcommittee, and we can't afford to risk  
177 the uncertainty that would come from upholding the status quo  
178 and allowing for 10 more years of litigation.

179           That is why I am thankful that the Biden administration

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180 has prioritized finding a solution to this difficult  
181 situation. The administration has brought together the  
182 states of Oregon and Washington with four native tribes,  
183 known collectively as the Six Sovereigns, to chart a path  
184 forward for the Pacific Northwest and the Columbia River  
185 System. This historic agreement, announced last December,  
186 provides for a 10-year stay of litigation to provide much  
187 needed stability for the region.

188         It will also allow time to invest in a clear path  
189 forward that considers the needs of relevant states, tribal  
190 nations, and stakeholders. As part of the agreement, the  
191 Biden administration will bring in more than a billion  
192 dollars in federal investments to the Columbia River Basin.  
193 These investments will restore salmon, steelhead, and other  
194 native fish populations while also supporting the development  
195 of one to three gigawatts of tribally-sponsored clean energy  
196 projects.

197         Part of the agreement also includes creating a PNW  
198 tribal energy program within the Department of Energy. This  
199 program would support the Six Sovereigns in identifying  
200 resources provided by IRA and the Bipartisan Infrastructure

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201 Act to support the development of their own clean energy  
202 resources. Through this agreement, the Biden administration  
203 made commitments to strengthen our relation with tribal  
204 nations, restore wild fish populations, and invest in clean  
205 energy.

206 This is an action plan that I support over the  
207 uncertainty over the alternative that we have seen play out  
208 over the last 20 years. The future of the Columbia River  
209 Basin is already better off because of the partnership in the  
210 U.S. and the Six Sovereigns have established because  
211 hydropower is an important resource that is vital to our  
212 transition to clean energy, and this agreement will prevent  
213 continued litigation from chipping away at energy generation  
214 in the region. We hope this incredibly complicated situation  
215 can be resolved in a way that maximizes clean energy  
216 generation while protecting endangered species and honoring  
217 our treaty obligations to tribes.

218 Now my colleagues on the other side of the aisle are  
219 attempting to assert that the agreement calls for the removal  
220 of the dam while no alternative solutions that are supported  
221 by the many stakeholders that deserve a seat at the table.

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222 That is simply not true. Here is the reality. The agreement  
223 reasserts that only Congress can authorize the removal of the  
224 Snake River Dams. It doesn't mandate us to do anything.

225 So I would be interested in a hearing that looks into  
226 what action Congress should take, a hearing grounded in  
227 reality, because no one that \_ not one that relies on  
228 misinformation and fearmongering, which I hope this hearing  
229 will not devolve into.

230 [The statement of Ms. DeGette follows:]

231

232 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

233

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234           \*Ms. DeGette. And may I take a moment of personal  
235 privilege, Mr. Chairman, to recognize our dear friend and  
236 former Energy and Commerce member, Jim Matheson, who we miss  
237 every day. Welcome.

238           [Applause.]

239           \*Mr. Duncan. Jim, good to see you.

240           The gentlelady yields back. I now recognize the chair  
241 of the full committee, Chair Rodgers, for five minutes for  
242 her opening statement.

243           \*The Chair. Thank you, Mr. Chairman. Good morning,  
244 everyone. The Columbia River System is the beating heart of  
245 the Pacific Northwest. This critical infrastructure helped  
246 transform our region into one of the most productive  
247 agriculture regions in the world. It serves as super marine  
248 highway for farmers to ship their products all across America  
249 while keeping thousands of trucks off the roads every year.

250           The dams along the Lower Snake River have strengthened  
251 our energy grid, lowered energy costs, and made us a leader  
252 in reducing carbon emissions. They help prevent life  
253 threatening blackouts during extreme weather not just in  
254 Washington State but in California, Idaho, Oregon, Montana,

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255 and Wyoming, and support a thriving tourism economy and small  
256 businesses. They help protect our region and cities from  
257 devastating floods. To put it simply, the Columbia River  
258 System is critical to our entire way of life.

259       Unfortunately, some people don't see it that way,  
260 including a few of our witnesses here today. For more than  
261 two years the Biden administration worked behind closed doors  
262 with a select group to develop a secret package of actions  
263 and commitments that would temporarily settle litigation,  
264 temporarily, over the future of our river system. The  
265 agreement was released last month and I am deeply concerned.

266       It advances efforts to remove the four Lower Snake River  
267 dams. While the administrative will say only Congress has  
268 the authority to breach the dams, they wasted no time  
269 entering into commitments that bypass Congress and agreeing  
270 to spend more than a billion dollars to achieve their  
271 political goal, again without congressional approval. What  
272 is worse is despite my repeated calls for transparency, the  
273 White House actively and deliberately left out voices of  
274 those who depend on the river system the most. Dozens of  
275 stakeholders and utility companies practically begged to be

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276 heard in this process, only to be turned away, shut out, and  
277 ignored.

278 I am sure our witnesses will say they spoke to everyone,  
279 but it is not honest. I have heard from many who the  
280 administration didn't talk to. And here is 40 letters  
281 representing individuals and organizations that represent  
282 thousands in the Pacific Northwest that were not included.

283 This process was never about getting results for  
284 endangered salmon, it was a reckless pursuit of an activist  
285 agenda, a misguided mission to tear out our dams with no  
286 scientific data to back it up. In fact, this agreement  
287 relies entirely, almost entirely on an inconclusive NOAA  
288 report, which it itself acknowledges may not save the salmon.  
289 It also fails to acknowledge our historic investments that  
290 have made the dams nearly transparent to fish.

291 But apparently a few unelected bureaucrats at the White  
292 House think that they know better than the people whose  
293 lives depend on them. And sadly, this level of arrogance is  
294 not surprising. After all, it isn't the first time an  
295 administration has felt empowered to impose its will on the  
296 Pacific Northwest.



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297           In the 1990s after countless lawsuits, the Federal  
298 Government came up with a recovery plan for the Northern  
299 Spotted Owl, and it locked up millions of acres of forest  
300 without scientific evidence to support such a drastic  
301 decision. This devastated timber communities. Thousands of  
302 people lost their jobs. Our forest became diseased and bug-  
303 infested, which has led to millions of acres being burned,  
304 catastrophic wildfires.

305           Now, almost 40 years later, the Spotted Owl population  
306 in the Pacific Northwest has declined. It has declined  
307 nearly 70 percent, thanks to an invasive barred owl and a  
308 misguided plan that didn't work.

309           No one has ever been held accountable for the harm this  
310 did, and no one will be, which is how we find ourselves here  
311 today fighting another plan we didn't ask for. We all share  
312 the goal of recovering endangered salmon populations, but we  
313 have to focus on what is actually going to get results. Like  
314 addressing the exploding sea lion population at the mouth of  
315 the Columbia River. They are not native. Prioritizing  
316 habitat restoration, improving the ocean conditions. It is  
317 like a black hole out there.

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318           If we do not learn from the past, history is bound to  
319 repeat itself, and we are seeing it happen right before our  
320 eyes. The Lower Snake River Dams are not the problem and  
321 breaching them is not the solution. The sooner we accept  
322 that reality, the truth, the sooner we can get back to having  
323 a regional dialogue that includes all voices and achieves our  
324 shared goals.

325           This is something that the administration failed \_ is  
326 failing to understand. So I look forward to exposing the  
327 truth today about a plan that will destroy the lives, the  
328 people I represent.

329           [The statement of The Chair follows:]

330

331 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

332

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333           \*The Chair. Thank you. I yield back.

334           \*Mr. Duncan. Well said. The gentlelady yields back. I  
335 now go to the ranking member of the full committee, Mr.  
336 Pallone from New Jersey, for five minutes.

337           \*Mr. Pallone. Thank you, Mr. Chairman. Today the  
338 subcommittee is holding a hearing on a strong agreement that  
339 the Biden administration negotiated to provide much needed  
340 certainty to the Pacific Northwest and the Columbia River  
341 Basin. Over the past 20 years, courts have consistently  
342 found that the current operation of the Columbia River System  
343 violates the Endangered Species Act. It was important for  
344 the Biden administration to act so that the region's power  
345 system was not put at risk and to ensure we are meeting our  
346 treaty and trust responsibilities to the Columbia River Basin  
347 tribes.

348           The Biden administration found a path forward with the  
349 tribes and the State of Washington's \_ both Washington and  
350 Oregon that allows for a more predictable clean energy future  
351 and makes much needed investments in the steelhead and salmon  
352 that have nearly been driven to extinction in the region.  
353 This agreement provides for a decade long stay of litigation

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354 and was the product of years of hard work from stakeholders  
355 across the region, including federal and state governments,  
356 tribal nations, and industries that rely on the river.

357       Unfortunately, this agreement has been clouded by  
358 misinformation and we are likely to hear more of that  
359 misinformation here today. Since Republicans have been  
360 unable to propose serious solutions to the complex issues  
361 facing the Columbia River Basin, they are now baselessly  
362 attacking the Biden administration's action in order to  
363 distract from their own inability to govern.

364       The Republican majority's hyperbole around this hearing  
365 has been ridiculous. They claim that the Biden  
366 administration has a secret plan to dismantle the Snake River  
367 Dams, apparently it is so secret that the administration's  
368 detailed 56-page agreement doesn't even mention it.  
369 Republicans also claim that the administration's goal is to  
370 destroy lives in Washington State, a claim so over the top  
371 that it would be laughable if it wasn't so offensive.

372       So let's go to the facts. Nothing in this agreement  
373 provides for the removal or breach of the dams. The  
374 agreement is very precise in noting that it does not

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375 constitute a decision by the U.S. government to support  
376 legislation to authorize dam breaching. Only Congress can  
377 authorize breach or removal of the dams and the only member  
378 of Congress currently calling for that is a Republican,  
379 Representative Mike Simpson of Idaho.

380         The reality is that the status quo on the river is  
381 unsustainable. For two decades now the United States  
382 government has consistently lost case after case in the  
383 courts involving the operations of the river system and its  
384 impact on endangered fish in the ecosystem. Multiple court  
385 orders have required the Bonneville Power Administration,  
386 which operates the dams, to alter their operations so they  
387 are no longer producing hydropower when the region needs it  
388 most.

389         If litigation had proceeded on any of these fronts, the  
390 Pacific Northwest would face unacceptable uncertainty on the  
391 status of dam operations that it relies on. This agreement  
392 provides certainty going forward.

393         [The statement of Mr. Pallone follows:]

394

395 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

396

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397           \*Mr. Pallone. So with that, I want to yield to \_ the  
398 remainder of my time to Dr. Schrier, who represents a  
399 district in Washington State directly impacted by the river  
400 system and this agreement.

401           \*Ms. Schrier. Thank you, Ranking Member Pallone, for  
402 yielding to me to make a few remarks on this hearing,  
403 particularly relevant to my district and home state.

404           For the rest of my colleagues who may not be familiar,  
405 this is an incredibly nuanced issue. Salmon are an  
406 inseparable part of the cultural identity of the Pacific  
407 Northwest. Because of the foundational role in sustaining  
408 Native American populations, salmon have a tremendous value  
409 as a religious and a cultural resource.

410           Dams like those on the Snake River, along with climate  
411 change, warming waters, and other hazards are having profound  
412 effects on the journey these remarkable fish make upstream to  
413 spawn and then downstream to the ocean as juveniles,  
414 threatening their existence. Some salmon species are now  
415 listed as endangered and sockeye from the Snake River are  
416 considered to be the most endangered.

417           While a threat to salmon, the Lower Snake River Dams

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418 also provide Washingtonians emission-free, reliable,  
419 affordable energy and allow growers and farmers in my  
420 district to irrigate and transport their grain by barge with  
421 a low carbon footprint. In December, Chair Rodgers and I,  
422 along with Representatives Gluskamp Perez and Newhouse sent  
423 a letter to the Council on Environmental Quality expressing  
424 concern with some of the ambiguity surrounding this  
425 settlement in a few outstanding issues. I have long said  
426 that the issue of the Lower Snake River Dams is incredibly  
427 complex, and because of that, all constituents who have a  
428 stake need to have a seat at the table. No decision can be  
429 made in a vacuum.

430 I hope this hearing will provide an opportunity to  
431 provide answers to those questions and hear from stakeholders  
432 on this issue.

433 [The statement of Ms. Schrier follows:]

434

435 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

436

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437           \*Ms. Schrier. I yield back the remainder of my time.

438           \*Mr. Pallone. I now yield back, Mr. Chairman.

439           \*Mr. Duncan. The gentleman yields back, and that will  
440 conclude member opening statements. The chair would like to  
441 remind members that pursuant to the committee rules, all  
442 members' opening statements will be made part of the record.

443           So we will now move to the witness testimony, and I want  
444 to thank all of our witnesses for being here today, taking  
445 time to testify before this subcommittee on this very  
446 important topic. Each witness will have an opportunity to  
447 give an opening statement for five minutes followed by a  
448 round of questions for members. There is lights in front of  
449 you, it is pretty self-explanatory, green, yellow, red. When  
450 it gets to red, your time is up. I ask you to try to adhere  
451 to that.

452           We have two panels today and a number of panelists. So  
453 let me introduce our panelists today. First we have the  
454 Honorable Brenda Mallory, Chair of the Council on  
455 Environmental Quality; Mr. John Hairston, Administrator and  
456 CEO of Bonneville Power Administration; the Honorable Michael  
457 Connor, Assistant Secretary of the Army Civil Works with the



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458 United States Army; and Assistant Administrator Janet Coit,  
459 Assistant Administrator for Fisheries of the National Oceanic  
460 and Atmospheric Administration; and Jeremiah Baumann, Senior  
461 Advisor, Office of the Undersecretary of Infrastructure at  
462 the United States Department of Energy.

463 So thank you all for being here, we appreciate it. And  
464 I will now recognize Chair Mallory for five minutes for an  
465 opening statement.

466 \*Ms. Mallory. Thank you so much.

467 \*Mr. Duncan. Is it Mallory or Mallory?

468 \*Ms. Mallory. Mallory.

469 \*Mr. Duncan. Mallory. I am sorry about that.

470 \*Ms. Mallory. That is quite all right, it is a common  
471 mistake.

472 \*Mr. Duncan. I have got somebody in my district that  
473 says it differently, but you are recognized for five minutes.

474 \*Ms. Mallory. Thank you very much.

475

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476 STATEMENT OF THE HON. BRENDA MALLORY, CHAIR, COUNCIL ON  
477 ENVIRONMENTAL QUALITY; JOHN HAIRSTON, ADMINISTRATOR AND CEO,  
478 BONNEVILLE POWER ADMINISTRATION; THE HON. MICHAEL L. CONNOR,  
479 ASSISTANT SECRETARY OF THE ARMY (CIVIL WORKS), U.S. ARMY;  
480 JANET COIT, ASSISTANT ADMINISTRATOR FOR FISHERIES, NATIONAL  
481 OCEANIC AND ATMOSPHERIC ADMINISTRATION; AND JEREMIAH BAUMANN,  
482 SENIOR ADVISOR, DIRECTOR OF POLICY AND IMPLEMENTATION, OFFICE  
483 OF THE SECRETARY, U.S. DEPARTMENT OF ENERGY

484

485 STATEMENT OF THE HON. BRENDA MALLORY

486

487 \*Ms. Mallory. Chairman Duncan, Vice Chair Curtis,  
488 Chairwoman McMorris Rodgers, Ranking Member DeGette, Ranking  
489 Member Pallone, and distinguished members of this  
490 subcommittee, thank you for the opportunity to testify today  
491 on historic commitments made by the Biden-Harris  
492 administration to honor the United States's obligations to  
493 tribal nations, restore fish populations, support clean  
494 energy, and benefit communities throughout the Columbia River  
495 Basin.

496 This work builds on efforts of leaders in the region,

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497 including tribes, Senator Patty Murray, Governor Jay Inslee,  
498 and Congressman Mike Simpson who envision a future for the  
499 Columbia River Basin marked by regionally developed solutions  
500 and partnerships rather than conflict.

501 Salmon, an essential source of food and prosperity, have  
502 been central to the cultures and ways of life for tribal  
503 nations in the Pacific Northwest since time and memorial.  
504 For nearly two centuries, major dams, logging, canneries, and  
505 other factors depleted salmon and native wildlife populations  
506 from the Columbia River Basin, to the detriment of tribes and  
507 the region. Since 1991, the National Marine Fisheries  
508 Service had determined that 13 Columbia River Basin salmon  
509 and steelhead stocks require protection under the Endangered  
510 Species Act.

511 Starting in 1992, environmental organizations have filed  
512 litigation alleging that the United States failed to comply  
513 with its obligations under the Endangered Species Act. Over  
514 the following decades, tribes, states, environmental groups,  
515 fishing groups, and others have brought lawsuits collectively  
516 challenging the operation of the Columbia River System.  
517 Repeated injunctions have limited the operational

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518 flexibility, including spill amounts.

519           In 2021, a group of plaintiffs filed a motion for the  
520 most recent district court litigation seeking to further  
521 alter hydropower operations in the basin. The United States  
522 government had a choice: defend and face the prospect of  
523 another injunction or work with the plaintiffs and others in  
524 the region to find a path forward that could lay the  
525 groundwork for an enduring partnership with mutually-  
526 beneficial solutions. We chose partnership.

527           CEQ convened an interagency group and engaged mediators  
528 to facilitate dialogue with states, tribal nations, and  
529 stakeholders. We provided opportunities for public comment,  
530 which are described in detail in my written testimony. Last  
531 fall, Pres \_ the President issued a memorandum on restoring  
532 healthy and abundant salmon, steelhead, and other native fish  
533 populations in the Columbia River Basin. The memorandum  
534 directs a whole of government approach that is good for  
535 communities that rely on the basin's federal dams, fish,  
536 clean energy, and agriculture.

537           In September, the United States signed a historic  
538 agreement with the Spokane Coeur d' Alene and Colville Tribes

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539 to support their plan for the next 20 years to study  
540 reintroduction of salmon in the upper Columbia River. On  
541 December 14th, the Biden-Harris administration announced  
542 another historic agreement to work in partnership with the  
543 states of Oregon and Washington, the Nez Perce, Umatilla,  
544 Warm Springs, and Yakama Nation Tribes, and the  
545 environmental and fishing groups to restore wild fish  
546 populations, expand tribally sponsored clean energy  
547 production, and provide stability for communities that depend  
548 on the Columbia River System. And this agreement allows us  
549 to secure 10 years of stability for river users.

550 Let me be clear. The agreement does not usurp  
551 congressional authority on whether to breach any dams. It  
552 does not exponentially raise rates on Bonneville customers.  
553 Instead, it will benefit fish and communities. It will  
554 provide stability and contain costs for rate payers and  
555 navigation interests, and it will provide a roadmap of  
556 information and investments needed to realize a resilient  
557 Columbia River Basin in partnership with tribes and states  
558 rather than in conflict.

559 I am joined at the witness table today by experts from

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560 the agencies making key commitments under this agreement. We  
561 are committed to honoring the United States's obligations to  
562 tribal nations and protecting and restoring natural wonders  
563 for future generations while also recognizing the important  
564 benefits that the Columbia River System provides the region.

565 Thank you for the opportunity to testify today, and I  
566 look forward to our continued partnership. Welcome any  
567 questions.

568 [The statement of Ms. Mallory follows:]

569

570 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

571

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572           \*Mr. Duncan. Okay. The chair will now recognize Mr.  
573   Hairston for five minutes.  
574

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575 STATEMENT OF JOHN HAIRSTON

576

577           \*Mr. Hairston. All right. Good morning, Chairman  
578 Duncan and members of the subcommittee. I am John Hairston,  
579 Administrator and CEO of the Bonneville Power Administration,  
580 and I am pleased to be here to describe Bonneville's  
581 commitments in the Columbia River Salmon Agreement of  
582 December of 2023.

583           Now Bonneville is a federal power marketing agency  
584 headquartered in Portland, Oregon. We market the power  
585 generated from 31 federal hydroelectric dams in the Pacific  
586 Northwest and one nuclear plant, the Columbia Generating  
587 Station, located in Washington State. Bonneville owns and  
588 operates over 15,000 miles of high voltage transmission. The  
589 federal grid is the backbone of a reliable transmission  
590 system connecting British Columbia to California and the  
591 Pacific Ocean to the Rocky Mountains.

592           The federal power and transmission system of the  
593 Columbia River Basin is a major driver of the Pacific  
594 Northwest's economy. We supply carbon-free electric power at  
595 cost to over 140 publicly-owned utilities. Affordable and



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596 reliable electricity is the life blood of their communities,  
597 and our power services reach millions of homes and  
598 businesses.

599       Bonneville, its customers, and all who benefit from the  
600 multiple purposes of the Columbia and Snake River Dams  
601 recognize their impacts. Their construction and operation  
602 along with other development activities, harvest, ocean  
603 conditions, and changing climate have had an adverse impact  
604 on fish and wildlife resources in the river, and especially  
605 to Pacific Northwest tribes.

606       Since the passage of the 1980 Northwest Power Act,  
607 Bonneville has invested billions of dollars in improving the  
608 configuration and operations of the dams, as well as offsite  
609 restoration efforts for the benefit of fish and wildlife.  
610 These efforts have been in partnership with tribes, states,  
611 and rural communities. I make this point to emphasize that  
612 the Columbia River Salmon Agreement is in addition to  
613 significant investments that Bonneville and Pacific Northwest  
614 rate payers continue to make.

615       Our funding for fish and wildlife project implementation  
616 is over 300 million dollars a year. In my written testimony,

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617 I list examples of significant accomplishments from this  
618 funding. In addition, before signing the Columbia River  
619 Salmon Agreement, Bonneville entered into a memorandum of  
620 understanding and settlement agreement with the upper  
621 Columbia tribes to provide certain funding for a second phase  
622 of studies to assess reintroducing specific non-federally  
623 protected salmonoid stocks above Chief Joseph and Grand  
624 Coulee Dams.

625 Bonneville is funding 200 million dollars over 20 years  
626 to implement this agreement. In December, the United States  
627 government with Bonneville signed the Columbia River Salmon  
628 Agreement with the Yakama, Umatilla, Warm Springs, and Nez  
629 Perce Tribes and the states of Oregon and Washington,  
630 collectively referred to as the Six Sovereigns. This  
631 agreement includes a stay of litigation and changes to  
632 hydropower operations.

633 Now Bonneville's commitment in this agreement are  
634 specific and limited. These commitments are our previously  
635 committed addition of 20 million dollars in 2024 and 2025 for  
636 capital and expense fish and wildlife program funding; 200  
637 million dollars over 10 years in capital funding for

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638 modernization, upgrades, and maintenance of Lower Snake River  
639 compensation plan hatcheries; and an additional hundred  
640 million dollars over 10 years for fish restoration projects  
641 to be prioritized by the Six Sovereigns.

642         Also, Bonneville will initiate a pilot program to expand  
643 the use of grant and multi-year agreements for the Six  
644 Sovereigns' portfolio of projects in our fish and wildlife  
645 program. Importantly, nothing in the U.S. government's  
646 commitments or implementing agreement is intended to affect  
647 Bonneville's reimbursement obligations. If Congress  
648 appropriates funds that require additional reimbursement by  
649 Bonneville, those reimbursements will count towards  
650 Bonneville's funding commitment as I just described.

651         Now Bonneville is proud of our record of collaboration  
652 with regional partners to operate one of the largest carbon-  
653 free power systems in the United States, if not the world, to  
654 promote energy efficiency, to interconnect new, clean energy  
655 resources, to improve fish survival through the Columbia and  
656 Snake River Dams, and to achieve additional fish and wildlife  
657 benefits throughout the Columbia River Basin.

658         Now that concludes my testimony, Mr. Chairman, and I

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659 would be happy to respond to the subcommittee's questions.

660 [The statement of Mr. Hairston follows:]

661

662 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

663

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664           \*Mr. Duncan. Thank you for that. The chair will now  
665 recognize Secretary Connor for five minutes.  
666

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667 STATEMENT OF THE HON. MICHAEL L. CONNOR

668

669 \*Mr. Connor. Chair Duncan, Ranking Member DeGette,  
670 members of the subcommittee, thank you for the opportunity to  
671 testify. I am Mike Connor, Assistant Secretary of the Army  
672 for Civil Works. I oversee and provide policy direction in  
673 the Department of the Army for all aspects of the civil works  
674 program of the U.S. Army Corps of Engineers.

675 The Corps has three main mission areas, which are flood  
676 and damage storm reduction, commercial navigation, and  
677 aquatic ecosystem restoration. Other missions include  
678 hydropower production, fish and wildlife conservation, water  
679 supply storage, recreation, and disaster response. In the  
680 Columbia River Basin, the Corps \_ Congress authorized the  
681 Corps and the Bureau of Reclamation to construct, operate,  
682 and maintain 14 projects for multiple specified purposes,  
683 including but not limited to commercial navigation and  
684 hydropower production.

685 Impacts to ecosystems and native species from these  
686 projects and other actions and the watershed have been a  
687 contentious issue in the region for decades. Chair Mallory

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688 has already gone through the history of litigation and  
689 conflict that exists. I will just add that the \_ there is  
690 great value to the collaboration that resulted in the  
691 agreement of December 2023. It builds on the foundation of  
692 renewing and growing a partnership with Oregon, Washington,  
693 and the Columbia River treaty tribes, which have been deeply  
694 involved in the mediation, as well as others across the  
695 region who are looking to partner with the United States on  
696 this and other issues.

697 The stay promotes certainty and stability for all  
698 stakeholders. It is time \_ gives time for working with all  
699 of these stakeholders on a regional plan, and that was the  
700 vision set out by Governor Inslee and Senator Murray in the  
701 report that they issued in the summer of 2022.

702 Overall, the Corps will be an important partner and take  
703 numerous actions as part of a comprehensive whole of  
704 government approach to restore Columbia River Basin's salmon  
705 and other native fish populations, honor federal commitments  
706 to tribal nations, and build resilience in the region to the  
707 ongoing impacts of climate change. These actions will be  
708 consistent with the authorized purposes of the projects and

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709 applicable law.

710           Of course, the Columbia River system also provides  
711 benefits to the energy and transportation sectors of the  
712 region. As part of the agreement to stay the litigation, the  
713 U.S. will adjust operations of the federal dams to deliver a  
714 net benefit for fish while still supporting commercial  
715 navigation and grid reliability. While the agreement  
716 includes changes to the Corps' operations of the lower  
717 Columbia River and Lower Snake River Dams, human health and  
718 safety will remain a top priority and the Corps will continue  
719 working with maritime navigators to ensure modified  
720 operations continue to provide safe navigation conditions.

721           Lower Snake River restoration has received a lot of  
722 attention, but to be clear, the MOU and U.S. commitments  
723 documents describe numerous actions beyond just Lower Snake  
724 River restoration, and the documents expressly recognize that  
725 any breaching of the Lower Snake River Dams would require  
726 specific authorization and appropriations from Congress. As  
727 such, this agreement does not endorse or commit to breaching  
728 any of the Lower Snake River Dams.

729           Under the MOU and U.S. commitments, the Corps would



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730 participate in and help fund studies to assist in analyzing  
731 alternatives to the commercial transportation and recreation  
732 services provided by the Lower Snake River Dams. In-depth  
733 analyses informed with broad input from affected parties is  
734 important to any decisions that might ultimately be made  
735 regarding the status of any of our current infrastructure.

736 In summary, Congress has authorized the Corps and other  
737 federal agencies to operate the Columbia River System  
738 projects for multiple purposes. The Columbia River Basin is  
739 a complex system and the Corps, working in partnership with  
740 other federal agencies, tribal nations, states, and  
741 stakeholders, will continue to focus on providing innovative  
742 solutions to the very serious issues facing the Columbia  
743 River Basin, including actions to protect and enhance both  
744 communities and ecosystems consistently with congressionally-  
745 authorized project purposes and other programs.

746 I look forward to your questions.

747 [The statement of Mr. Connor follows:]

748

749 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

750

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751           \*Mr. Duncan. I thank the gentleman. I will now  
752 recognize Assistant Administrator Coit for five minutes.  
753

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754 STATEMENT OF JANET COIT

755

756           \*Ms. Coit. Good morning. Chairman Duncan, Chair  
757 Rodgers, Ranking Member DeGette, and Ranking Member Pallone,  
758 and members of the subcommittee, thank you for the  
759 opportunity to testify today. My name is Janit Coit and I am  
760 the assistant administrator for NOAA Fisheries.

761           We appreciate the committee's interest in this  
762 important, complex, and longstanding set of issues  
763 surrounding the Columbia River System. NOAA is committed to  
764 working with our state and tribal fishery co-managers, other  
765 federal agencies, and a broad range of stakeholders on a  
766 durable solution that takes into account the important  
767 interest across the Columbia River Basin.

768           Of course, my role as the head of NOAA Fisheries is  
769 focused on fish, fish and their habitats, including  
770 fulfilling out treaty obligations, carrying out the  
771 provisions of the Magnuson-Stevens Act, which directs NOAA to  
772 foster and maintain the diversity of fisheries in the United  
773 States, as well as the Endangered Species Act, where we are  
774 responsible for recovering marine and anadromous species.

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775           The Columbia River was once one of the top five most  
776 productive salmon rivers in the world. From its mouth to its  
777 headwaters, it has supported the culture, commerce, health,  
778 and identity of tribal nations. However, changes to the  
779 Columbia River System and impacts from climate change have  
780 contributed to the decline in many stocks of salmon and  
781 steelhead, and since the early 1990s, NOAA Fisheries has  
782 listed 13 stocks in the Columbia River Basin under the  
783 Endangered Species Act, or ESA.

784           Despite considerable efforts to mitigate the risk of  
785 extinction, salmon and steelhead are currently at abundances  
786 far below those necessary for fully supporting tribal,  
787 commercial, and recreational harvest. Delisting endangered  
788 and threatened species is the goal under the Endangered  
789 Species Act, but these targets are not necessarily the only  
790 end point. Broad recovery goals aim for healthy stocks of  
791 salmon and steelhead that contribute fully to the culture,  
792 environment, and economy of the region.

793           In addition to our duties under federal statutes, NOAA  
794 is committed to fulfilling the United States government's  
795 longstanding treaty and trust responsibilities to Columbia

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796 River tribes, so there will always be fish to harvest. In  
797 July 2020, NOAA Fisheries issued its latest biological  
798 opinion under the ESA addressing the ongoing operation and  
799 maintenance of the 14 federal Columbia River System Dams. We  
800 concluded that the proposed action was not likely to  
801 jeopardize the continued existence of listed salmon and  
802 steelhead or result in the destruction or adverse  
803 modification of their designated critical habitat. However,  
804 we remain concerned about the future prospects of ESA listed  
805 salmon and steelhead in the basin. In general, these fish  
806 remain at a high risk of extinction, particularly considering  
807 the potential effects of climate change.

808 To help inform our discussions on salmon recovery, NOAA  
809 fisheries developed the Rebuilding Interior Columbia Basin  
810 Salmon and Steelhead Report. We finalized this report in  
811 September 2022 with input and support of the U.S. Fish and  
812 Wildlife Service and scientists and fishery co-managers  
813 throughout the basin. The foundation of the Rebuilding  
814 Report was guided by goals established by the Columbia River  
815 Basin Partnership Task Force that was originally convened in  
816 2017.

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817 NOAA's Rebuilding Report provides a comprehensive set of  
818 actions with the highest potential to achieve the  
819 partnership's mid-range abundance goals. These goals exceed  
820 the abundances required under the Endangered Species Act, the  
821 \_ which requires progress towards delisting salmon and  
822 steelhead and aims for progress towards healthy and  
823 harvestable fish stocks.

824 In December, the Biden-Harris administration announced a  
825 historic agreement to work in partnership with tribes and  
826 states from the Pacific Northwest. This is a pivotal moment  
827 where we move away from the courtroom and move towards  
828 collaboration. The December agreement includes a number of  
829 NOAA-specific commitments, including seeking opportunities to  
830 include fish recovery needs within our competitive grant  
831 programs, supporting efforts to restore fish passage into the  
832 upper basin, developing steps to restore mid-Columbia salmon  
833 and steelhead over the next 10 years, developing tools to  
834 track ocean productivity and indicators for restoration  
835 planning, and addressing priority Mitchell Act Hatchery  
836 infrastructure needs, including through funding provided  
837 through the Inflation Reduction Act.

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838           Together with multiple federal agencies, the December  
839 agreement will bring an unprecedented level of new  
840 investments to salmon and steelhead recovery over the next  
841 decade. Recovery of \_ and conservation of salmon and  
842 steelhead are goals that we all share. We value working with  
843 the subcommittee on these important issues and appreciate  
844 your interest in NOAA Fisheries.

845           Be happy to answer questions. Thank you.

846           [The statement of Ms. Coit follows:]

847

848           \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

849

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850           \*Mr. Duncan. Thank you, Ms. Coit. I will now recognize  
851 Mr. Baumann for five minutes.  
852



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853 STATEMENT OF JEREMIAH BAUMANN

854

855           \*Mr. Baumann. Thank you, Chairman Duncman \_ Duncan,  
856 Ranking Member DeGette, and distinguished members of the  
857 subcommittee. It is an honor for me to appear to you today  
858 and represent the Department of Energy at this hearing on the  
859 Columbia River System.

860           My name is Jeremiah Baumann, and I am a senior advisor  
861 to our undersecretary for infrastructure, which is the part  
862 of the Department of Energy which houses the four power  
863 marketing administrations, including Bonneville as well as  
864 most of the programs that deal with supporting the electrical  
865 grid infrastructure, the current energy ecosystem, and  
866 generally bringing new energy technologies to the private  
867 sector and to communities and states across the country using  
868 the resources of the Bipartisan Infrastructure Law and the  
869 Inflation Reduction Act.

870           DOE is committed to ensuring reliable, resilient, and  
871 affordable electricity in the United States. We, as part of  
872 this, work to enable the maintenance and development of  
873 hydropower along with other zero carbon energy technologies.

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874 Hydropower has of course provided clean, low-cost electricity  
875 for over a century as the Nation's first renewable source of  
876 electricity. The Pacific Northwest plays an important role  
877 in that. I am proud to have cut my teeth on energy policy in  
878 Oregon where the first long distance transmission of  
879 electricity that did originate from a hydropower dam took  
880 place.

881         Hydropower also plays an important role in the clean  
882 energy future, particularly in the Pacific Northwest, using  
883 both existing and new technologies and infrastructure.  
884 Hydropower, including pump storage, provides flexibility,  
885 inertia, storage, and a variety of grid services to support  
886 the integration of variable renewable energy sources, as the  
887 chairman's opening statement noted. I won't elaborate on it  
888 here, as there is much more detail in my written testimony,  
889 but the Department of course operates a number of programs to  
890 support hydropower, including multiple hydropower incentive  
891 programs funded in President Biden's Bipartisan  
892 Infrastructure Law.

893         Under the direction of Secretary Granholm and President  
894 Biden, DOE is also deeply committed to taking its

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895 responsibilities to tribal nations seriously and doing its  
896 part to address the damage that energy infrastructure  
897 development, especially from earlier generations, has too  
898 often done to tribal lands, tribal communities, and sacred  
899 ways of tribal life.

900         For generations, the Columbia River Basin ecosystem and  
901 infrastructure in the basin have been an integral economic  
902 and cultural cornerstone. For tribal nations, the Columbia  
903 River Basin and its natural abundance have provided a  
904 foundation for culture, health, religion, and more. The  
905 administration's historic agreement reinforces the  
906 President's responsibility, his commitment to honoring the  
907 Federal Government's treaty and trust responsibilities. And  
908 this agreement will contribute to restoring a species that is  
909 critical to tribal nations and the whole regional economy at  
910 the same time that it provides long-term stability and  
911 operational reliability for the hydropower system that  
912 Bonneville and its customers have long sought.

913         In the agreement, the Department of Energy has several  
914 key roles in the commitments listed. The first I will  
915 highlight is in partnership with the Department of

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916 Agriculture, the Department's going to provide technical  
917 assistance, planning, and help identify funding opportunities  
918 for the confederated tribes and bands of the Yakama Nation,  
919 the confederated tribes of the Umatilla Indian Reservation,  
920 the confederated tribes of the Warm Springs Reservation of  
921 Oregon, and the Nez Perce Tribe to help them develop  
922 tribally-sponsored clean energy projects.

923         The agreement also includes a commitment to make  
924 adjustments in the way the federal hydroelectric power system  
925 operates to deliver net benefits for fish at the same time  
926 that we deliver net benefits for grid reliability. I will  
927 let \_ we can speak to this more later if the committee  
928 wishes, but the \_ this is a big improvement in the operations  
929 of the system for the region, something Bonneville's  
930 customers had sought to achieve in getting operational  
931 management of the hydropower system out of the hands of  
932 federal courts into a situation with stability and certainty  
933 for the long term.

934         The agreement provides 10 years of predictable  
935 hydropower operations for the regions, and on top of that,  
936 DOE and the Pacific Northwest National Laboratory are

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937 committed to working with states, regional entities, tribes,  
938 and utilities as well as other stakeholders to convene and  
939 support a regional energy planning process. That process is  
940 designed to help regional partners access DOE National Labs'  
941 best tools to answer a range of thorny issues that they and  
942 others across the region and the country face. Not primarily  
943 about hydropower, but about the energy transition that is  
944 underway on the electricity system that we have got today.

945         They are asking how to plan across service territories  
946 when it comes to new infrastructure needs when every utility  
947 is recognizing the need for massive infrastructure  
948 investment. They are asking us how to improve forecasting  
949 electricity demand and load growth in an era where  
950 transportation is starting to shift towards electricity, and  
951 that could have very different patterns across geographies  
952 and time, how to meet accelerating demands for new single  
953 large loads like new manufacturing capacity and more.

954         This regional energy planning process has been started  
955 and in the planning works before this agreement and started  
956 outside of this agreement, but I mention it because you will  
957 see in the agreement that what we have committed is that this

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958 process is where we will look at how the region's  
959 infrastructure needs over the next 20 or 30 years would be  
960 different if Congress were to authorize the breach of the  
961 Lower Snake River Dams and authorize or direct DOE or  
962 Bonneville to replace that power.

963 DOE and its interagency partners look forward to working  
964 with Congress to implement the commitments made in this  
965 historic agreement and we thank the committee for the  
966 opportunity to testify on this important topic.

967 [The statement of Mr. Baumann follows:]

968

969 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

970

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971           \*Mr. Duncan. Appreciate the witnesses' testimony and  
972 will now move into the question and answer portion of this  
973 hearing, and I will recognize myself for five minutes. And  
974 before I do, a lot of thoughts go through our heads as we  
975 listen to the testimony provided today, and it is a  
976 complicated issue, I get that.

977           So I will start with Mr. Connor. As the assistant  
978 secretary for civil works, you oversee the Army Corps of  
979 Engineers which owns and operates Lower Snake River Dam and  
980 more than 700 dams across the country. Do you agree that the  
981 Army Corps' dams serve a wide range of benefits, including  
982 flood control, irrigation, navigation, and clean power  
983 production?

984           \*Mr. Connor. Absolutely.

985           \*Mr. Duncan. Were you involved in this secret  
986 negotiation led by CEQ to dismantle the Lower Snake River  
987 Dams?

988           \*Mr. Connor. I was, sir, only involved in negotiating  
989 with the parties and participating in a whole of government  
990 discussion to come up with the federal position, yes.

991           \*Mr. Duncan. Okay. The Army Corps has been a long-time

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992 supporter of the Lower Snake River Dams and the value they  
993 serve to the Nation as a whole. Does this MOU change Army  
994 policy with respect to the dams?

995 \*Mr. Connor. This MOU does not change Army policy. We  
996 are continuing to operate those facilities to carry out their  
997 authorized purposes. We are doing that and making  
998 adjustments so that we improve the conditions for native and  
999 anadromous fish.

1000 \*Mr. Duncan. The Army Corps' website states that the  
1001 Lower Snake River System of locks and dams deliver a  
1002 significant economic benefit to the Nation. Barging on the  
1003 Columbia Snake River System moves on average approximately 10  
1004 million tons of cargo valued at over three billion dollars  
1005 each year. 40 percent of the Nation's wheat transits through  
1006 the system. Do you agree with that statement?

1007 \*Mr. Connor. I do.

1008 \*Mr. Duncan. Will this secret MOU have any immediate  
1009 effect on the Army Corps facility's operation on the Snake  
1010 River?

1011 \*Mr. Connor. We are making adjustments to operations at  
1012 our facilities, how we move water through them so that they



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1013 can better serve the needs of the fisheries while we are  
1014 continuing to produce hydropower as well as carry out our  
1015 navigation mission.

1016 \*Mr. Duncan. What percent does it set for other dams  
1017 like the \_ or what precedent rather, does it set for other  
1018 dams like the Army Corps dams on the Savannah River?

1019 \*Mr. Connor. Every dam situation, the operations of the  
1020 \_ carrying out the purposes of the authorization of those  
1021 facilities or any discussions that exist amongst the 2,000  
1022 dams that have been removed in this country since the early  
1023 1900s, all of those are very fact-specific circumstances that  
1024 involve the stakeholders that are associated with those  
1025 facilities, so I would say the \_ this activity and the  
1026 discussions that we are having with stakeholders in the  
1027 Pacific Northwest on the Snake River Dams doesn't have  
1028 precedent for any other facilities.

1029 \*Mr. Duncan. So I have witnessed in my tenure in  
1030 Congress even before that the management of the Savannah  
1031 River Lake's water levels have been managed for downstream  
1032 flow because of a non-indigenous species of sturgeon, so the  
1033 lake levels have to go down. I think this sets a bad

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1034 precedent that there is a potential down the road for the  
1035 Savannah River Lake's dams to be removed for non-indigenous  
1036 species. Is that a real possibility based on this precedent?

1037 \*Mr. Connor. Well, I don't think based on this  
1038 precedent. I think, once again, the situations that exist at  
1039 Savannah River, and I am not as familiar with those  
1040 facilities, I should be more familiar with them, Chair  
1041 Duncan, I don't think \_ the issues of operations, et cetera  
1042 will be dealt with with those communities, with the state,  
1043 with the stakeholders in that particular situation. And I  
1044 haven't heard anything about dam removal being a necessity  
1045 there.

1046 \*Mr. Duncan. Those are just thoughts that go through my  
1047 head. Only Congress can authorize the removal of the federal  
1048 dams. Does the Army Corps plan to limit hydropower  
1049 production on the Snake River or Army Corps dams on the  
1050 Savannah River in any way?

1051 \*Mr. Connor. No intention to reduce hydropower  
1052 production. We are going to operate the facilities  
1053 consistent with multiple purposes. Those have impact, you  
1054 know, how we operate for power production, it impacts

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1055 navigation, it impacts fisheries. We try and adjust and  
1056 optimize all of those purposes.

1057 \*Mr. Duncan. Thank you for that.

1058 I will go to Mr. Baumann. I was deeply troubled to  
1059 learn that the CEQ intervened in a lawsuit brought by an  
1060 environmental activist and entered into a secret negotiation  
1061 with a small group of special interest groups. This MOU  
1062 makes commitments on behalf of the entire U.S. government  
1063 using taxpayer money that Congress appropriated for other  
1064 uses. The MOU commits DOE to pay for clean renewable,  
1065 socially just energy resources to offset 1,000 and 3,000  
1066 megawatts that would be lost if the Snake River Dams were  
1067 breached. What statutory authority are you relying on to  
1068 earmark funding for the \_ to these four tribes?

1069 \*Mr. Baumann. Thank you, Mr. Chairman. The commitment  
1070 in the \_ that is described in there is to provide the  
1071 technical assistance to help the tribes with the planning and  
1072 development of energy projects. We don't make any  
1073 commitments to fund specific projects because there is noth-  
1074 \_ there is no \_ we can't vary from the competitive rules that  
1075 apply to virtually all DOE funding.

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1076           So the agreement is not actually committing to  
1077 specifically fund any number of energy projects. DOE also  
1078 doesn't have the authority actually go out and sort of  
1079 develop and fund the final project's development phase.

1080           \*Mr. Duncan. What type of resources do DOE plan to  
1081 build?

1082           \*Mr. Baumann. The resources that will be used here are  
1083 the technical assistance resources that we use for a variety  
1084 of private sector, tribal, state, and city stakeholders who  
1085 are seeking our assistance on how to advance their energy  
1086 projects.

1087           \*Mr. Duncan. Well, I will say this, my time is about  
1088 up, but it will be spent on weather-dependent solar panels,  
1089 probably not 24/7 baseload energy production we provide  
1090 currently with the hydroelectric dams.

1091           The last thing I will say is that we have a republic and  
1092 states have a voice or are supposed to have a voice in these  
1093 type things. Stakeholders that Chair Rodgers mentioned  
1094 earlier that weren't heard from in this should have a voice.  
1095 We are their voices, and that is why I think this committee  
1096 hearing is so important. The need for electricity generation

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1097 in this country is growing as our Nation continues to grow.  
1098 To remove hydroelectric, clean energy sources like these dams  
1099 at this time is wrong.

1100 And so now I will recognize the Ranking Member DeGette  
1101 for five minutes.

1102 \*Ms. DeGette. Thank you, Mr. Chairman. So throughout  
1103 his questioning, the chairman kept referring to a "secret  
1104 MOU.'" But, in fact, the MOU was filed in court, was it now,  
1105 Chair Mallory?

1106 \*Ms. Mallory. Thank you, Congresswoman. Yes, it was  
1107 filed in court.

1108 \*Ms. DeGette. Okay. So, Mr. Chairman, I would ask  
1109 unanimous consent to put a copy of the MOU in the record of  
1110 this hearing so even more people can get access to it.

1111 \*Mr. Duncan. Do you have a copy of it?

1112 \*Ms. DeGette. You bet we do.

1113 \*Mr. Duncan. We will be glad to enter it in the record  
1114 if we have a copy of it. I haven't seen it but \_

1115 [The information follows:]

1116

1117 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

1118

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1119           \*Ms. DeGette. Okay, thank you.

1120           Now, Chair Mallory, I also want to ask \_ I want to talk  
1121 to you a little bit about the process by which the government  
1122 and Six Sovereigns came into the agreement. Every party \_  
1123 Chair Mallory, every party involved in the various  
1124 litigations on the Columbia River Basin was invited to  
1125 participate in the mediation process, is that correct?

1126           \*Ms. Mallory. That is correct.

1127           \*Ms. DeGette. And also my understanding is that the  
1128 mediation process run by the Federal Mediation Service has  
1129 fairly strict confidentiality requirements that are imposed  
1130 on the parties. So, Chair Mallory, I wonder if you can talk  
1131 for a moment about how that imposed restriction on what  
1132 mediation participants could or could not say as negotiations  
1133 were ongoing?

1134           \*Ms. Mallory. Thank you so much, Congresswoman, for  
1135 that question. Yes, I think one of the things that was a \_  
1136 that was a focal framework for the conversations that went on  
1137 over the last couple of years was that we sought out the  
1138 expertise of the federal mediation and conciliation service  
1139 because we recognized the complexity of this. And the

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1140 mediation has confidentiality requirements that all  
1141 participants were required to sign onto which structured the  
1142 way in which the conversations occurred.

1143 We went outside of that in order to create an  
1144 opportunity for members to have an opportunity to provide  
1145 input. We created listening sessions, we created a mailbox,  
1146 we did a request for information from CEQ so that folks would  
1147 have a chance to voice their views on some of these issues,  
1148 all of which was then made available to the people who were  
1149 participating in the mediation.

1150 \*Ms. DeGette. So the fact that the mediation service  
1151 has the confidentiality requirements, that wasn't entered  
1152 into with any nefarious purpose by you folks?

1153 \*Ms. Mallory. No, no, no. That is a typical medication  
1154 process so that people can speak openly with one another.

1155 \*Ms. DeGette. Okay. Now I want to talk about the  
1156 concrete impacts of the agreement. So, Administrator  
1157 Hairston, the 300 million dollar commitment from Bonneville  
1158 represents one of the largest concrete commitments in the  
1159 agreement, so I want to clear up some of this confusion. The  
1160 200 million dollars for hatchery modernization and upgrades

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1161 and the 100 million dollars for salmon restoration projects  
1162 are the only direct funding commitments from rate payers in  
1163 this December agreement, is that right?

1164 \*Mr. Hairston. Correct.

1165 \*Ms. DeGette. And so to make sure I am clear about the  
1166 rate payer impacts of those commitments, there was a document  
1167 released showing that BPA's commitments under this agreement  
1168 would only have a .7 percent impact on rate payer costs, or  
1169 roughly .02 cents per kilowatt hour. Is that your  
1170 understanding?

1171 \*Mr. Hairston. That is correct.

1172 \*Ms. DeGette. Now, Administrator Hairston, to end on a  
1173 positive note, can you talk a little bit about the positive  
1174 operational impacts this agreement would have on Bonneville  
1175 by giving it flexibility to perform dam spill in the spring  
1176 and fall rather than the summer, which would enable the dams  
1177 in the summer to run at a higher capacity factor to meet peak  
1178 summer demand?

1179 \*Mr. Hairston. Yes, Congresswoman. So for us, we were  
1180 able to, through this agreement, negotiate now pulling back  
1181 some of the spill that we were experiencing in August, which



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1182 is a very trying month for us. You know, as the system loses  
1183 water, we would like to have a little bit more flexibility  
1184 going into August because of the hot temperatures.

1185 So through this negotiation, we were able to move some  
1186 of that spill into the spring where it is actually more  
1187 beneficial for fish and then pull back some of that spill in  
1188 August, actually limit it to the end of July. And so we have  
1189 got two weeks now that we can actually flex the system when  
1190 we experience heat events.

1191 \*Ms. DeGette. Great, thank you.

1192 Thank you so much, Mr. Chairman. I yield back.

1193 \*Mr. Duncan. The gentlelady yields back. It is now my  
1194 pleasure to recognize the chair of the full committee, Chair  
1195 Rodgers, for five minutes.

1196 \*The Chair. Chair Mallory, do you \_ do you agree that  
1197 only Congress has the authority to remove the Lower Snake  
1198 River Dams?

1199 \*Ms. Mallory. Yes.

1200 \*The Chair. Do you think it is appropriate for the U.S.  
1201 government to establish a new public policy in a confidential  
1202 sue and settle negotiation?

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1203           \*Ms. Mallory. There was no sue and settle negotiation  
1204 here, Congresswoman.

1205           \*The Chair. So I \_ a billion dollars to the plaintiffs,  
1206 temporarily no more lawsuits for five years. Chair Mallory,  
1207 in your testimony you mentioned that you have received  
1208 hundreds of emails from public and stakeholders on this issue  
1209 since the agreement was signed. Would you classify the  
1210 groups being represented on the second panel today, whose  
1211 lives will be upended if the dams were removed, as  
1212 stakeholders?

1213           \*Ms. Mallory. Yes.

1214           \*The Chair. How many emails have you received from the  
1215 public opposed to the agreement?

1216           \*Ms. Mallory. Congresswoman, I have not gone through  
1217 every one of those emails. I don't know whether those folks  
1218 also sent emails.

1219           \*The Chair. Okay. Reclaiming my time. I will just say  
1220 I have 40 letters here I will enter into the record. 40  
1221 representing thousands of people in the Pacific Northwest.  
1222 CEQ cut a secret backroom deal to please radical  
1223 environmentalists who are profiting from a campaign to tear

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1224 out our dams. You ignored the science and the law and there  
1225 will be consequences for that.

1226 Mr. Hairston, if the Lower Snake River Dams were  
1227 breached, what would it mean for the region's electricity  
1228 rates?

1229 \*Mr. Hairston. Well, that is an open question. Most  
1230 likely they will go up.

1231 \*The Chair. Thank you. What would it mean for grid  
1232 reliability?

1233 \*Mr. Hairston. You know, when you take out baseload  
1234 resources as well as resources that allow a lot more  
1235 flexibility and shape, the \_ with the opportunity to shape  
1236 variable resources, it could have a diminishing impact on  
1237 reliability.

1238 \*The Chair. Thank you. Thank you. What would it \_  
1239 what would be the result \_ would it result in more carbon  
1240 emissions?

1241 \*Mr. Hairston. I couldn't tell you if it would.

1242 \*The Chair. Well, you know, when you think of  
1243 Washington State, what do you think of weather wise? Rain.  
1244 But CEQ is deciding we are going to go solar. Isn't that

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1245 sweet? I think it is going to have an impact here.

1246 Mr. Hairston, CEQ has committed 300 million dollars from

1247 BPA as a part of the MOU, yet still ensures that BPA will be

1248 able to make its own rate-making decisions, right.

1249 independently of the White House. Is that true?

1250 \*Mr. Hairston. That is correct.

1251 \*The Chair. Will you still be able to function

1252 independently and fulfill your responsibility to keep rates

1253 low for our customers?

1254 \*Mr. Hairston. That is correct.

1255 \*The Chair. Can you confidently say that BPA would not

1256 be forced to buy power from a tribal energy program as

1257 proposed in the agreement?

1258 \*Mr. Hairston. Yes, I can.

1259 \*The Chair. Thank you.

1260 Ms. Coit, NOAA's job is to follow the science and to

1261 help policymakers balance the costs and benefits of the dams

1262 to avoid "jeopardizing endangered or threatened fish.'" That

1263 is what the law, the Endangered Species Act, authorizes NOAA

1264 to do. Yes or no. The science on endangered salmon in the

1265 Pacific Northwest shows that there are multiple threats from

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1266 pollution in the Puget Sound to illegal fishing to predation  
1267 by sea lions and other natural predators. Is that \_ isn't  
1268 that correct?

1269 \*Ms. Coit. Thank you for the question. Yes, there \_

1270 \*The Chair. Thank you.

1271 \*Ms. Coit. \_ is a multitude of threats.

1272 \*The Chair. Thank you. Yes or no. Does the Endangered  
1273 Species Act say anything about restoring "healthy and  
1274 abundant salmon?'"

1275 \*Ms. Coit. No, that is not \_

1276 \*The Chair. Thank you.

1277 \*Ms. Coit. \_ in the Endangered Species Act.

1278 \*The Chair. Thank you. Yes or no. Do you believe that  
1279 we can restore "healthy and abundant populations of salmon"  
1280 without tearing out the dams?

1281 \*Ms. Coit. Our report concludes that in order to give  
1282 the best possible chance of restoring salmon, we would need  
1283 to breach the Lower Snake River Dams, and that is to achieve  
1284 the healthy and harvestable goal.

1285 \*The Chair. And that is the report that was used by CEQ  
1286 to enter into the commitments and actions, is that correct?

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1287 \*Ms. Coit. That report was developed by NOAA with input  
1288 from the states, and the tribes, and others, and was \_

1289 \*The Chair. A select few. Thank you. Since there are  
1290 many threats to the salmon, why did NOAA move the goalpost  
1291 from avoiding actions that would further jeopardize the  
1292 salmon to this new standard of healthy and abundant?

1293 \*Ms. Coit. That standard came from the \_ originally  
1294 from the Columbia Basin Partnership Report that was endorsed  
1295 in the last administration, and it had a consensus that not  
1296 just delisting but having healthy and harvestable levels of  
1297 fish \_

1298 \*The Chair. Thank you. Thank you.

1299 \*Ms. Coit. \_ to support our tribal obligations \_

1300 \*The Chair. Thank you.

1301 \*Ms. Coit. \_ was a goal.

1302 \*The Chair. Thank you. Reclaiming my time. What are  
1303 the status of the salmon runs on the Lower Snake River?

1304 \*Ms. Coit. So the \_ all of the runs on the lower Snake  
1305 are either threatened or endangered.

1306 \*The Chair. Are they \_ they are improving.

1307 \*Ms. Coit. They \_

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1308 \*The Chair. They are improving.

1309 \*Ms. Coit. In recent \_

1310 \*The Chair. Would you say \_ would you tell me  
1311 specifically which ones are improving?

1312 \*Ms. Coit. In recent years, several of the runs have  
1313 improved, but our recent stock \_

1314 \*The Chair. Yes. And I am out of time. And what about  
1315 the runs on Puget Sound? The salmon runs in Puget Sound, are  
1316 they improving or are they in decline? Are they in crisis?

1317 \*Ms. Coit. The salm \_ unfortunately, the threatened and  
1318 endangered salmon across the Pacific Northwest are all not  
1319 doing well, all of the listed species, and so we are taking a  
1320 multitude of actions in Puget Sound as well as the Columbia  
1321 River Basin.

1322 \*The Chair. I will \_ I will ask some more questions  
1323 here.

1324 \*Ms. Coit. Thank you.

1325 \*The Chair. I wish you would accurately answer the  
1326 questions around the salmon runs on the Lower Snake. I will  
1327 come back to it later. I yield back.

1328 \*Mr. Duncan. The gentlelady yields back. I now

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1329 recognize the chair \_ the ranking member of the full  
1330 committee, Mr. Pallone, for five minutes.

1331 \*Mr. Pallone. Thank you, Mr. Chairman. We have heard a  
1332 lot already today about the potential impacts of this  
1333 agreement, but I would like to drill down to why it was  
1334 necessary for the Biden administration to negotiate the  
1335 agreement. For nearly two decades, the U.S. government has  
1336 been on a losing streak when it comes to court battles over  
1337 the impact of the Columbia River System's operations on  
1338 endangered fish.

1339 So let me ask Assistant Administrator Coit, can you talk  
1340 about the history of litigation on biological opinions that  
1341 NOAA Fisheries has published and the impacts that the  
1342 judgments against the government have had on the river  
1343 system's operations? But briefly because I have other \_

1344 \*Ms. Coit. Yeah, thank you. Thank you \_

1345 \*Mr. Pallone. I have other questions.

1346 \*Ms. Coit. Okay. So briefly, thank you for that  
1347 question. Ever since the first salmon were listed in the  
1348 early 1990s, the government has routinely lost litigation  
1349 over a period of 30 years in regard to the conclusions in our



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1350 biops, and that is why we are very hopeful about this  
1351 agreement where we can move away from litigation and work  
1352 collaboratively towards restoration.

1353 \*Mr. Pallone. Well, thank you. So it's clearly safe to  
1354 say that the continued operations of the river system were in  
1355 legal jeopardy by the time the Biden administration came into  
1356 office three years ago.

1357 But let me go to Chair Mallory and again to Assistant  
1358 Administrator Coit. Given that history of litigation, it is  
1359 quite clear to me that the status cooperations of the river  
1360 system were unsustainable. Could each of you talk about how  
1361 important it was for the administration to obtain a stay of  
1362 the litigation that provides certainty to the communities in  
1363 the Pacific Northwest that rely on the river's predicable  
1364 operations and to talk about the impacts that could have  
1365 occurred in the region if the government had lost in court  
1366 and the court had granted the plaintiff's request for an  
1367 injunction? Long questions, and I am always asking for brief  
1368 answers. We will start with Chair Mallory.

1369 \*Ms. Mallory. Thank you so much for the question. Yes,  
1370 I think that was front of mind for us as we came into the

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1371 office and this lawsuit was filed. The lawsuit raised the  
1372 threat again of having the operations within the Columbia  
1373 River System controlled by a court and controlled by what a  
1374 court thought was the reasonable path. And what we tried to  
1375 do was to think about how could we find a situation where we  
1376 were able to advance the broad range of issues important to  
1377 us, the tribal sovereignty, the conservation, the importance  
1378 of recognizing that we have an opportunity here to deal with  
1379 our energy needs in ways that would be beneficial overall.

1380         How do we do all of that in the context of what had been  
1381 a lose/lose situation? We wanted to create a win/win  
1382 opportunity through a path of collaboration. So we saw this  
1383 as the alternative that gave us the 10 years that would allow  
1384 us to have time for the regions to work through some of the  
1385 more complex issues which, as we have heard, are very  
1386 complex.

1387         \*Mr. Pallone. Thank you. And Admin \_ Assistant  
1388 Administrator?

1389         \*Ms. Coit. Briefly, yeah, we wanted to get away from  
1390 the unpredictability of court orders determining how the  
1391 system would be operated and into a predictable situation

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1392 where we would work together towards these multiple goals of  
1393 recovering salmon and achieving other system goals.

1394 \*Mr. Pallone. And I \_ and I do want to stress that, you  
1395 know, I know it is complex. I use to actually be involved  
1396 with fisheries with the New Jersey Marine Fisheries Service.  
1397 It was a sea grant. And, you know, it was \_ it was in many  
1398 ways more difficult than being here, to be perfectly honest,  
1399 in Congress.

1400 But I wanted to say on a separate and more personal  
1401 note, I wanted to thank you for your leadership and  
1402 engagement to further responsible development of offshore  
1403 wind power, which is a big issue now in New Jersey. You  
1404 know, you have been doing it at the same time that you are  
1405 protecting marine life in the Atlantic Ocean, and I know that  
1406 climate change is the biggest long-term threat to marine life  
1407 and the recreational and commercial fishing industries, which  
1408 are important in my district, and so we have to focus on  
1409 building out renewable energy. We can do both. We can have  
1410 offshore wind and address climate and at the same time, you  
1411 know, I think limit any threats to marine life.

1412 So I just want to continue to work with you to curb the

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1413 vessel strikes and the entanglements that are currently the  
1414 number one cause of whale injuries and deaths, which has also  
1415 been a big issue in my district, particularly the critically  
1416 endangered North Atlantic Right Whale. I know that NOAA and  
1417 BOEM just to put a statement about how they are going to  
1418 effectively, you know, deal with both issues, and I think you  
1419 are doing a good job.

1420           So I also wanted, Assistant Secretary Connor, I wanted  
1421 to take the opportunity to thank you and your team for your  
1422 work, especially the folks at the New York Field Office for  
1423 working closely with me to protect New Jersey's coastline  
1424 from rising seas and dangerous storms which continue to be a  
1425 threat. So thank you. Thank you all again, I appreciate it.

1426           I yield back, Mr. Chairman.

1427           \*Mr. Duncan. The gentleman yields back. I now  
1428 recognize the gentleman from Ohio, Mr. Latta, for five  
1429 minutes.

1430           \*Mr. Latta. Well thanks, Mr. Chairman, and thanks for  
1431 our witnesses for being with us today on this very, very  
1432 important subject that we have before us today.

1433           If I could start my questioning with Administrator

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1434 Hairston. In reviewing your testimony, you state in addition  
1435 to hydropower generation, these deams \_ dams are operated to  
1436 meet multiple specific purposes including flood risk  
1437 management, navigation, irrigation, fish and wildlife  
1438 conservation creation, recreation, and municipal and  
1439 industrial water supply. You know, I \_ in reading the rest  
1440 of this, pretty much there is not a lot else there talking  
1441 about energy, and this is the Energy and Commerce Committee,  
1442 so I would like to just talk about energy for a little bit  
1443 and ask some questions.

1444 In \_ and again, reviewing your testimony, I assume you  
1445 want to provide affordable power to the users that are  
1446 residential, commercial, and also manufacturing?

1447 \*Mr. Hairston. That is correct.

1448 \*Mr. Latta. And one of the questions I have asked  
1449 multiple times in this committee over the last, oh, year, do  
1450 you anticipate needing more or less power to meet those needs  
1451 in the future?

1452 \*Mr. Hairston. We anticipate needing more power.

1453 \*Mr. Latta. You are going to need more power.

1454 \*Mr. Hairston. [Crosstalk.]

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1455           \*Mr. Latta. Thank you. And then the next question, do  
1456 you anticipate you are going to need to have more hydropower  
1457 in the future or less hydropower?

1458           \*Mr. Hairston. Well, hydropower would be great to have.

1459           \*Mr. Latta. But do you anticipate you are going to need  
1460 more or less hydropower?

1461           \*Mr. Hairston. That is a pretty open question, quite  
1462 honestly. It depends on the resource mix, but \_

1463           \*Mr. Latta. Okay.

1464           \*Mr. Hairston. \_ I would say the existing system is  
1465 [crosstalk] \_

1466           \*Mr. Latta. Because the question was asked \_ let me \_  
1467 do you anticipate making more investment into hydropower in  
1468 the future?

1469           \*Mr. Hairston. We make investment in the system as it  
1470 currently is and capital to sustain the system.

1471           \*Mr. Latta. But in the \_ in the actual investment into  
1472 the hydropower not in the \_ to all the other parts that you  
1473 have?

1474           \*Mr. Hairston. Oh, absolutely. Into the hydropower,  
1475 the projects themselves.

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1476           \*Mr. Latta. So \_ okay. Could you do me a favor?  
1477 Because this is a question I like to ask, especially for  
1478 folks that are in the industry, so people in the \_ you know,  
1479 might not understand it. What is baseload capacity?

1480           \*Mr. Hairston. Yeah, so baseload capacity is the amount  
1481 of energy that we need to meet baseloads during any period of  
1482 time, whereas capacity, capacity allows us to flex and meet  
1483 the peaks during a day or during a period of time.

1484           \*Mr. Latta. Right. And that is the next question  
1485 because \_ do you think you are going to \_ do you need to be a  
1486 provider of baseload capacity or do you need to be a provider  
1487 of peaking power?

1488           \*Mr. Hairston. Well, we need to be able to provide  
1489 both. We provide loads \_ baseloads to our customers, but we  
1490 also provide peaking capability so when they do see those  
1491 peaks during certain periods of the day, we are able to meet  
1492 the loads.

1493           \*Mr. Latta. Oh, thank you.

1494           If I could turn to the Assistant Secretary Connor, let  
1495 me ask the same question. Again, because this is important  
1496 in this committee. Do we need more power or less power in

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1497 the future?

1498 \*Mr. Connor. Every indication seems more power.

1499 \*Mr. Latta. And how \_ and again, if we go back to my \_

1500 just asking a couple of questions I asked the administrator.

1501 Do you anticipate that we are going to need more or less

1502 hydropower in the future?

1503 \*Mr. Connor. I don't know the answer to that question.

1504 I \_

1505 \*Mr. Latta. I beg your \_ I'm sorry, I beg your pardon.

1506 \*Mr. Connor. I don't know the answer to the question of

1507 whether we are going to need more hydropower versus other \_

1508 \*Mr. Latta. Okay. But in the region we are speaking of

1509 in the states in the Northwest, are we going to need more

1510 hydropower or less hydropower?

1511 \*Mr. Connor. We need to maintain a certain level of

1512 hydropower and we need to look for other energy sources that

1513 we can develop that \_

1514 \*Mr. Latta. Okay. And again, as you just heard \_

1515 \*Mr. Connor. \_ that is clean energy.

1516 \*Mr. Latta. \_ the administrator mentioned about in

1517 describing what baseload capacity is, because again, we can't



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1518 run factories which provide the jobs for the people that live  
1519 in our areas, like my area in North \_ Northern Ohio. I have  
1520 86,000 manufacturing jobs, so I have got to have baseload  
1521 capacity to make sure those people can earn a living.

1522 So \_ and again, you know, what \_ as we look at \_  
1523 especially what I am thinking about with, yeah, the Corps of  
1524 Engineers. If we start looking at reducing the baseload and  
1525 also what can be \_ with the hydropower, especially if these  
1526 dams are breached, what happens to grid reliability?

1527 \*Mr. Connor. You have got to replace those services. I  
1528 think that is the bottom line. If there is situation because  
1529 of the presence of a dam and that whole totality of issues,  
1530 say we have got to consider that river system without that  
1531 dam, then you have got to replace those services if we are  
1532 going to maintain that reliability.

1533 \*Mr. Latta. And we are going to have it and they are  
1534 going to have to have it in the future. Just real quickly in  
1535 last \_ my last 20 seconds, if I could turn to Mr. Baumann, if  
1536 I may. It is the same question. From DOE's perspective, I  
1537 have had individuals that have been forced to testify before  
1538 when they have been here before. I would like to ask this

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1539 one question again. Do we need to have more power or less  
1540 power in the future?

1541 \*Mr. Baumann. We need more power.

1542 \*Mr. Latta. More power. Thank you, Mr. Chairman. I  
1543 have one second left, and I yield back.

1544 \*Mr. Duncan. The gentleman yields back. I now  
1545 recognize Ms. Matsui for five minutes.

1546 \*Ms. Matsui. Thank you very much, Mr. Chairman.  
1547 Hydropower is an important baseload clean energy source. In  
1548 Sacramento, our local utility, the Sacramento Municipal  
1549 Utility District, gets 22 percent of our electricity from  
1550 hydropower. Our path to a hundred percent clean energy would  
1551 be much more difficult without the reliable clean electricity  
1552 generated by hydropower.

1553 Dams like the Folsom and Shasta Dams are also essential  
1554 for flood control and for ensuring a reliable water supply in  
1555 dry years, which are becoming more frequent and more intense  
1556 due to climate change. However, dams have also affected  
1557 dramatic changes on the natural landscape with often dire  
1558 consequences for the many species that live or spawn in these  
1559 rivers.

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1560           The Sacramento River supports four runs of Chinook  
1561 salmon. The winter and spring runs are already designated  
1562 endangered and threatened. The fall runs have also seen  
1563 populations collapse in the last two years leading to the  
1564 closing of the California Salmon Fishery in 2023.

1565           Assistant Administrator Coit, what is the current status  
1566 of the fall and late fall runs of the Sacramento River  
1567 Chinook salmon?

1568           \*Ms. Coit. Congresswoman, thank you for that question.  
1569 As you mentioned, winter and spring are already listed but  
1570 unfortunately, the fall runs have also seen significant  
1571 declines in the last couple of years, as you know, leading to  
1572 the closing of the California Fishery last \_ in 2023.

1573           \*Ms. Matsui. Okay. And what are the threats to  
1574 Sacramento River Chinook salmon and why have fall run  
1575 populations collapsed recently?

1576           \*Ms. Coit. So the threats are similar to those we have  
1577 been discussing in the Columbia River in terms of water  
1578 quality, estuarine habitat, dams, predators. The fall run  
1579 seem particularly sensitive to lack of estuarine habitat and  
1580 changing ocean conditions. That is \_ as you know, climate

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1581 change is causing warming and ecosystem changes in the  
1582 oceans, and that affects salmon as well.

1583 \*Ms. Matsui. Absolutely. One solution to provide  
1584 better habitat for salmon is to install temperature control  
1585 devices on dams to release colder water from deep within the  
1586 reservoir. As part of the Folsom Dam Raise project, I  
1587 secured 38 million dollars in funding from the Infrastructure  
1588 Law to improve the temperature control device on Folsom Dam.

1589 Assistant Secretary Connor, can you provide an update on  
1590 that work and how to improve water temperatures below Folsom  
1591 Dam?

1592 \*Mr. Connor. Representative Matsui, thank you for the  
1593 funding. Incredibly important that we update our  
1594 infrastructure so that we can better address the needs of  
1595 providing water, generating power, and supporting healthy  
1596 fish runs.

1597 So we are at about a 35 percent design on the  
1598 temperature control device now. We are going to finalize the  
1599 design hopefully in 2026 and move towards construction in  
1600 2027.

1601 \*Ms. Matsui. Great. I am thankful for the investment

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1602 the Army Corps has made in implementing a full system flood  
1603 control approach in Sacramento. As we continue to improve  
1604 our flood control system, can you commit to continue to work  
1605 with our local communities to minimize and mitigate impacts  
1606 on a unique ecosystem?

1607 \*Mr. Connor. It is a joy to work with the local  
1608 communities in the state there because they are so innovative  
1609 and the things we are doing with the flood plain,  
1610 reconnecting it to the river, so \_ and planning for a new  
1611 future. Absolutely committed.

1612 \*Ms. Matsui. All right. And following up on that, the  
1613 Army Corps is very good at keeping our homes and businesses  
1614 safe from storms, but sometimes nature provides the best  
1615 flood protection. Assistant Secretary Connor, as you know  
1616 from your trips to my district, the Yolo Bypass shows how  
1617 flood control can be compatible with fisheries, wetlands,  
1618 wildlife, and agriculture. We are about to enter the third  
1619 year of the Yolo Bypass study. How important is considering  
1620 natural geography when evaluating flood control projects?

1621 \*Mr. Connor. It is incredibly important because they  
1622 are true win/wins. We can reconnect the flood plain to the

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1623 river, we can get better flood protection. We will  
1624 definitely get better access to habitat for the fisheries,  
1625 and we will improve water supply conditions when we do that,  
1626 so it is the trifecta there at a minimum.

1627 \*Ms. Matsui. Okay. Ms. Coit, can you provide an update  
1628 on NOAA's effort to reintroduce Chinook salmon to the McCloud  
1629 and Upper Sacramento Rivers above Shasta Dam?

1630 \*Ms. Coit. Thank you. Sure. As you know, we were able  
1631 to do reintroductions of experimental populations above  
1632 Shasta Dam working with the Winnemem Wintu Tribe and the  
1633 state, California Department of Fish and Wildlife, and it has  
1634 gone very well in terms of working together to reintroduce  
1635 the fish to where they had historically been. I would be  
1636 happy to give you a more detailed update, but in general I  
1637 want to echo what Assistant Secretary said that the  
1638 partnerships in this area are leading to really innovative  
1639 and successful restoration projects, so thank you.

1640 \*Ms. Matsui. Thank you, and I yield back my time.

1641 \*Mr. Duncan. The gentlelady yields back. I will now go  
1642 to the gentleman from Kentucky, Mr. Guthrie, for five  
1643 minutes.

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1644           \*Mr. Guthrie. Thank you, Mr. Chairman. Thank you all  
1645 the witnesses for being here.

1646           And, Secretary Connor, these questions are for you. And  
1647 I don't want to just bring my individual district's issues in  
1648 here, but I think it is lessons learned for the history of  
1649 the meeting. So I am working with the Louisville District  
1650 office with a dam removal project that is currently going on,  
1651 authorized by Congress, of the Green River Dam, Lock and Dam  
1652 Number 5 specifically. It was for navigational purposes. It  
1653 is not navigable for commercial traffic these days, and so to  
1654 be removed.

1655           So \_ and I will say that your Louisville office, all of  
1656 them \_ the professionals are professional. The commanders  
1657 have been great to work with. But it is a difficult  
1658 situation and they are kind of in a difficult situation. And  
1659 so what happened is, you know, we decided to get the  
1660 information to put in a bill to take out the dam, and the  
1661 argument that came from the local leaders was this is going  
1662 to affect our intake for our water system. And, well, the  
1663 studies say this can't happen at the lower level, it won't go  
1664 to the level that they say it is going to go to, it could

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1665 never happen.

1666 Well, guess what? Once the dam started coming out, we  
1667 had a drought, and the factor of safety was not there  
1668 anymore, so we are dealing with that issue. And the problem  
1669 is, if the Corps of Engineers has said you need to take the  
1670 dam out, it is the right thing to do, and we all agree to it,  
1671 but there could be some things that need mitigated, then  
1672 Congress could appropriate that in \_ within that bill.

1673 But now that is happening, we are having an issue, and  
1674 working with the Corps, they understand the problem, you  
1675 know, like I said your people are professional, but now they  
1676 are saying, well, we can't do anything unless Congress comes  
1677 back and help appropriate some moves forward, which is a  
1678 process that I am involved in and working for. We have a  
1679 water bill coming this year.

1680 But it is frustrating that we don't foresee these  
1681 problems and try to get a jump on them. Does the Corps look  
1682 at those issues before and then try to mitigate even moving  
1683 forward? I don't know how familiar you are with that  
1684 specific project, but that is important to us.

1685 \*Mr. Connor. I have become more familiar with it and I



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1686 hope to be out there in the next couple months. I owe  
1687 Louisville a visit.

1688 \*Mr. Guthrie. Oh, well we would love to have you, host  
1689 you. Absolutely.

1690 \*Mr. Connor. Yeah, so I appreciate your working with  
1691 our district office. We should be looking at those. I don't  
1692 know the specifics of the situation of how, you know, we did  
1693 not believe the levels were going to drop and then the intake  
1694 was at risk, so I need to learn more about that.

1695 But the bottom line is in any water resource project now  
1696 we under \_ we understand it is not just aquatic ecosystem,  
1697 flood, river \_ flood risk reduction, or water supply. They  
1698 all affect each other now, so if we didn't, we should be  
1699 looking at all those factors as we consider dam removal and  
1700 we consider all the benefits or the implications of it, so we  
1701 will do a deeper dive.

1702 But I appreciate, right now I think we have got a  
1703 strategy where some of the stakeholders are offering  
1704 assistance. And let me be clear, we will work with your  
1705 office. We do do environmental infrastructure projects, so  
1706 if we need to add that water supply piece to help effectuate

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1707 this overall dam removal process, we are definitely open to  
1708 working with you, Congressman.

1709 \*Mr. Guthrie. That would absolutely be helpful. And if  
1710 you come, we have Fort Knox right there, we have \_ this  
1711 project is about 10 minutes from Mammoth Cave National Park,  
1712 so it is \_ it would be worth your visit to come. We would  
1713 love to host you to be there.

1714 \*Mr. Connor. Thank you.

1715 \*Mr. Guthrie. And just so you know, overall when the  
1716 Corps looks at this, and I know this is a TVA dam, but I was  
1717 actually born in the Shoals area, so I understand \_ of Alabama, so  
1718 I understand this. I don't know the Columbia River System as  
1719 well as I know the Tennessee River System. And a hundred  
1720 years ago, it was pre-TVA, they built the Wilson Dam, which  
1721 backed up the water, and in over a hundred years, the entire  
1722 society has developed around it. I mean, it is a \_ when I  
1723 say Shoals Creek, you can ski on it.

1724 And there is not just recreational but commercial. I  
1725 think the wildlife has seemed to have adapted to it. And so  
1726 when you say go back to natural, I understand having a dam  
1727 there is not nature, but it all \_ nature has accommodated the

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1728 dam. And so if you say we are going to take dams out \_ I am  
1729 not \_ TVA is not talking about Wilson Dam, I am just using  
1730 that as an example, it does affect current society. And so  
1731 the question is do you all factor that in as well when you  
1732 start looking at projects for bringing dams out? What \_ I  
1733 know that it is not the way God created it, but it is the way  
1734 that human society has developed around it, and that is  
1735 important to factor in as well.

1736 \*Mr. Connor. Yes, Congressman, I have been involved in  
1737 a lot of dam removal situations in other capacities as well  
1738 as working with the Corps. Most of those situations are  
1739 driven by the interest of local stakeholders that started  
1740 dialogue and try and build a coalition. A lot of times it is  
1741 related to the benefits of this facility, while they were  
1742 once significant, are no longer of value, particularly when  
1743 you take into account the costs from an environmental  
1744 standpoint, or the implications as in other situations where  
1745 you are impacting other communities, such as tribes in the  
1746 Snake River Basin and the Columbian River System.

1747 So usually that is where the start of the dialogue  
1748 happens. That is why I say all the dam removal projects

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1749 breaching issues and some aren't breached is driven by local  
1750 circumstances and usually local folks.

1751 \*Mr. Guthrie. Thank you. Well, and I am out of time,  
1752 but if you could coordinate when I am \_ we are not in  
1753 session, I could be there with you. We would host you and it  
1754 would be worthwhile.

1755 \*Mr. Connor. Thank you, Congressman.

1756 \*Mr. Guthrie. Thank you very much. Appreciate it.  
1757 I yield back.

1758 \*Mr. Bucshon. [Presiding.] The gentleman yields back.  
1759 I recognize Mr. Veasey, five minutes.

1760 \*Mr. Veasey. Thank you, Mr. Chairman. Well, in Texas I  
1761 can tell you that we don't have that, you know, Pacific  
1762 Northwest with the trout and the salmon and that scenery like  
1763 some of your \_ some of the hydropower that they have up  
1764 there, but we know that every kilowatt counts, particularly  
1765 when we have extreme weather conditions. And I can tell you  
1766 just a couple of examples of that in my area.

1767 In Tarrant County where Forth Worth is located, the  
1768 water district installed hydropower generation not far from  
1769 my district in 2012, and Arlington Outlet Hydroelectric

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1770 Generator provides probably about 1.3 megawatt hours of  
1771 electric generation, and ERCOT continues to break demands for  
1772 records on the order of 85,000 megawatts. So again, every  
1773 little bit helps, and so I think hydropower definitely plays  
1774 an important role.

1775           And I wanted to ask, Mr. Baumann, in your testimony you  
1776 state that hydropower provides flexibility, inertia, storage,  
1777 and grid services to support the integration of variable  
1778 renewable energy resources. And I have noted that we don't  
1779 have an abundance of hydropower in Texas, but we do have a  
1780 lot of wind and a lot of solar. Can you elaborate on how  
1781 hydropower is a key piece and complement to other cleaner  
1782 resources?

1783           \*Mr. Baumann. Thanks for the question, Congressman  
1784 Veasey. Happy to talk about that topic. Yeah, it goes back  
1785 to what the \_ I can't remember whether it was the chairman or  
1786 Mr. Latta was saying about sort of this \_ the way \_ baseload  
1787 capacity. Because of the way hydropower operates, that  
1788 river's \_ for a good river that has got a good hydropower  
1789 system, it is running year round and you have got so much  
1790 data on what the river flows are likely to look like, and

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1791 then especially if you have got a reservoir and are storing  
1792 water, you have got a pretty controllable generator there.

1793 I think one of the members referred to it as essentially  
1794 battery, which is true. When that reservoir behind the dam  
1795 is filling up, it is just storing electricity. You generate  
1796 it whenever you want to generate it. So that is the value of  
1797 it, it is actual \_ and it can ramp up and down quickly, as we  
1798 talk about it.

1799 It may be, you know, only a couple gigawatts of total  
1800 power over the course of the year, but it might be far more  
1801 than that in any given instant when you need to rapidly  
1802 increase or decrease generation, either to match another form  
1803 of energy that is coming online, and we are learning a lot of  
1804 these extreme weather incidents, by the way, that it is not  
1805 just a matter of matching the ups and downs of wind and  
1806 solar, but when it turns out, you know, a gas plan or a gas  
1807 line somewhere hasn't been fit for cold weather, you might  
1808 need to change your operations to fill in there, too.

1809 \*Mr. Veasey. Yeah.

1810 \*Mr. Baumann. Now we have also learned over decades of  
1811 studying this that the problem is all of these things, just

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1812 like with energy \_ source of energy, there are tradeoffs.  
1813 Ramping up and down rapidly is not the best thing for fish  
1814 who are \_ can get damaged if they \_ when you are shifting  
1815 where the water is going, and one way is through turbines.  
1816 And so there is just a lot of factors that you have to factor  
1817 in here.

1818           And we are learning a lot of different things as new  
1819 storage technology that are other sources of power that can  
1820 also match wind and solar, which is why the department really  
1821 does think that the right response to this very complex issue  
1822 is to bring the best expertise from our labs together to  
1823 truly study it and look at are there the right combinations  
1824 of sources that could replace the services, and what would it  
1825 cost, and how long would it take.

1826           \*Mr. Veasey. Yeah, yeah. No, absolutely.

1827           Ms. Coit, I would like to pivot a little bit to focusing  
1828 in on the salmon populations that is so critical in this  
1829 agreement. I understand that the Endangered Species Act  
1830 baseline asks for NOAA to ensure recovery of salmon  
1831 populations which is a different baseline than what NOAA has  
1832 been pursuing. Can you elaborate on how NOAA has gone beyond

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1833 achieving Endangered Species Act delisting that hopes to  
1834 rebuild healthy and harvestable runs of salmon and steelhead  
1835 that will restore economic and cultural benefits to the  
1836 region from its fish populations?

1837       \*Ms. Coit. Thank you for that question. Yes, you are  
1838 really talking about two standards, one under the Endangered  
1839 Species Act, which requires that all federal agencies work to  
1840 recover threatened and endangered species so, you know, you  
1841 are trying to take them from the brink of extinction to a  
1842 stable population.

1843       But another threshold, which is the one we are talking  
1844 about here, aligns with our treaty obligations, for one  
1845 thing. The tribes were promised the right to fish in the  
1846 usual and accustomed places and you can't harvest many of  
1847 these species because they are listed as threatened or  
1848 endangered. So we are looking for healthy runs and  
1849 harvestable runs that can meet our tribal treaty obligations  
1850 and have a higher standard, which is also something that was  
1851 identified by the regional stakeholders that got together for  
1852 the Columbia Basin Partnership and is also enshrined in the  
1853 Magnuson-Stevens Act.



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1854           \*Mr. Veasey. Yeah. Well, thank you very much, I  
1855 appreciate that.

1856           Mr. Chairman, I yield back.

1857           \*Mr. Bucshon. The gentleman yields back. I know  
1858 recognize myself for five minutes.

1859           As we know, the dams throughout the Columbia River Basin  
1860 play a crucial role in providing renewable energy and  
1861 maintaining a navigable waterway for transportation.  
1862 Additionally, the dams benefit agricultural irrigation and  
1863 transportation needs that not only service the Pacific  
1864 Northwest but also have a lasting value throughout the rest  
1865 of the country. It is clear to me the economic impacts of  
1866 dam removal, the loss of hydroelectric power, flood control,  
1867 agricultural and transportation implications would be a  
1868 potentially serious mistake but, of course, we have to  
1869 balance these things with the environmental health of the  
1870 region.

1871           Numerous state and federal agencies are already involved  
1872 in planning and operating \_ the operation of the Columbia  
1873 River System to ensure compliance with existing law and  
1874 protections, specifically those concerning environmental

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1875 protections. I do have concerns that the administration  
1876 would try to pursue a avenue around Congress to circumvent  
1877 our authority to breach federally controlled dams in the  
1878 region through the implementation of the memorandum of  
1879 understanding and the sue and settle tactics through the  
1880 court system, but it sounds like based on the testimony that  
1881 is not the plan.

1882 But I guess, Ms. Mallory, on \_ I would ask under current  
1883 law, do you think there already is authority to remove the  
1884 dams if the administration determines that that would be the  
1885 way that they would handle the \_ and balance the situation in  
1886 the Pacific Northwest? Because \_ the reason I ask that  
1887 question is because we have seen reinterpretation of the  
1888 Clean Air Act, the Clean Water Act, and all kinds of federal  
1889 law over the years. Does it \_ do you feel that you already  
1890 have the authority \_ that we already have the authority  
1891 without further congressional action?

1892 \*Ms. Mallory. Thank you, Congressman, for that  
1893 question. I think that we were very clear in the agreement  
1894 that we believe we need congressional authority to move  
1895 forward on dam removal, and so I think as we have been saying

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1896 the purpose of the agreement was to try to take advantage of  
1897 this 10-year period to allow the important studies \_

1898 \*Mr. Bucshon. Sure.

1899 \*Ms. Mallory. \_ to be developed that would support  
1900 Congress considering the issue.

1901 \*Mr. Bucshon. I understand. That was not the total  
1902 answer to the question because as I said, we have seen  
1903 administrations in both political parties reinterpret  
1904 existing congressional authority, and you \_ do you feel that  
1905 we have to have further congressional action other than what  
1906 has already occurred \_

1907 \*Ms. Mallory. Yes.

1908 \*Mr. Bucshon. \_ for that to happen? So the answer  
1909 would be yes. Good. I mean, I would agree with that.

1910 So somebody mentioned in this \_ during the hearing this  
1911 billion \_ a billion dollars going to stakeholders in \_ for \_  
1912 in the agreement so that that would mitigate lawsuits for a  
1913 five-year period. Can you further elaborate on what is  
1914 actually in there and what actually is happening?

1915 \*Ms. Mallory. Yeah, that \_ a more accurate reflection  
1916 of that is that the agreement calls for dollars to be put

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1917 towards the kind of fish and wildlife management issues,  
1918 hatchery issues. Much of that money is coming through the  
1919 combination of commitments that Bonneville Power has made  
1920 that we already heard about \_

1921 \*Mr. Bucshon. Sure.

1922 \*Ms. Mallory. \_ from the Inflation Reduction Act,  
1923 Bipartisan Infrastructure Law, from existing authorization  
1924 that Congress has already made. And I think one of the  
1925 reasons for one of the studies is to see what more is needed.  
1926 And the idea is that we will likely need to have further  
1927 conversations within the administration and with Congress  
1928 about additional funding.

1929 \*Mr. Bucshon. Okay.

1930 \*Ms. Mallory. But the President's presidential  
1931 memorandum in September called on all of the agencies to  
1932 actually see how they could use their authorities to actually  
1933 support fish and wildlife.

1934 \*Mr. Bucshon. Okay. Does that include approximately  
1935 300 million to the local tribes for \_ to build green energy  
1936 projects and guaranteeing them that we will purchase the \_  
1937 that the power will be purchased if they create those \_ help

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1938       them create those?

1939               \*Ms. Mallory. That is not correct. I think there is  
1940       300 million dollars, and John is probably a better person to  
1941       break it down for you but \_

1942               \*Mr. Bucshon. Yeah, can we \_ can we clarify that then?  
1943       If that is not true, then can we clarify what that is?

1944               \*Mr. Hairston. Yeah, Congressman, so as I said in my  
1945       earlier testimony, 300 million dollars is comprised of 200  
1946       million dollars over 10 years in capital funding for  
1947       modernization upgrades and maintenance of the Lower Snake  
1948       River Compensation Plan Hatcheries, so it is a mixture of  
1949       capital \_

1950               \*Mr. Bucshon. Yeah.

1951               \*Mr. Hairston. \_ dollars that go to upgrades \_

1952               \*Mr. Bucshon. So can I ask a quick question? That  
1953       money has already been appropriated by Congress for that  
1954       purpose?

1955               \*Mr. Hairston. That is \_ that money that Bonneville is  
1956       paying does not need to be appropriated. Bonneville does not  
1957       receive appropriations. We will pay that through the  
1958       revenues that we bring in through the sales of \_

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1959           \*Mr. Bucshon. Okay. And so that will be passed on to  
1960 the rate payers, that money \_ that \_ it would have to be,  
1961 right?

1962           \*Mr. Hairston. That is correct.

1963           \*Mr. Bucshon. Okay, thank you.

1964           I am out of time. I yield back. Thank you.

1965           I will now recognize Dr. Schrier, five minutes.

1966           \*Ms. Schrier. Thank you, Doctor and Chair, today.

1967           Chair Mallory, I am hoping you will be able to put my  
1968 mind at ease and clear up some of the concerns I outlined in  
1969 a letter sent to your office last month. Some of this is  
1970 along the lines of what Dr. Bucshon was just referring to.

1971           One of my concerns is the sources of funding and where  
1972 the Federal Government is getting the funds to implement this  
1973 plan and other funding down the road. We are talking about  
1974 in some cases billions of dollars without details of where  
1975 the funding is coming from, and this is a legally binding  
1976 document. In Congress, where the road to authorizing and  
1977 appropriating is long and often contentious, the funding of  
1978 new programs is never a guarantee, especially in today's  
1979 political climate. It is especially important that we uphold

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1980 our treaty obligations to the tribes and not make commitments  
1981 that we cannot keep.

1982           So I will note that my office has not been notified of  
1983 any funding requests thus far regarding the commitments in  
1984 this document, and so I would like to understand kind of when  
1985 are we going to completely understand exactly what will be  
1986 Congress's responsibility.

1987           \*Ms. Mallory. Thank you so much, Congresswoman, for  
1988 that question. I think first to just stay up top, and I  
1989 believe this is actually stated specifically in the agreement  
1990 that the agreement does not \_ does not commit dollars that  
1991 have not already been appropriated, so the dollars that we  
1992 are laying out and talking about in the agreement are monies  
1993 that are available primarily, but then we know that we are  
1994 going to likely need more money to help on the fish and  
1995 wildlife issues.

1996           And so for those issues, I think we have committed, the  
1997 President doing a presidential memo that is authorizing or  
1998 directing the agencies to kind of use their authorities and  
1999 their dollars to the best extent that they can to support the  
2000 fish and wildlife in the area. So we expect as we are

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2001 identifying additional needs that we will turn to the  
2002 agencies for dollars that have already been appropriated or  
2003 we will go through the normal process, first with ONB, then  
2004 with Congress to secure additional funding that may be  
2005 necessary.

2006       \*Ms. Schrier. So we know that there will be additional  
2007 funding necessary because the part you have talked about is  
2008 just this \_ the part about mitigation, hatcheries, passage of  
2009 salmon, kind of the near term. But then there is the longer  
2010 term of building, connecting to the grid, tribal  
2011 contributions, when they develop clean energy of some sort,  
2012 and so I am wondering where that will come from because that  
2013 is really one of our big obligations is that you will be able  
2014 to build this and there will be a purchaser of this.

2015       \*Ms. Mallory. I think on the tribal side, and again,  
2016 there is probably others on this panel better positioned to  
2017 speak directly to that, but I think that for that funding,  
2018 the agreement does not address that funding. The agreement  
2019 addresses the technical assistance that we are providing to  
2020 tribes to position them to actual meet their energy needs and  
2021 goals. It doesn't go the next step that you are talking



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2022 about and therefore no commitment set forth in that. But  
2023 someone can correct me if that is wrong. Nods were, yes, it  
2024 is fine.

2025 \*Ms. Schrier. Okay.

2026 \*Mr. Baumann. The only think I would add would be that  
2027 for the tribes, or anyone developing an energy product, once  
2028 you have had it developed, the energy project is going to  
2029 have revenue from selling electricity, so it is sort of a  
2030 moot question whether someone needs to fund the full project  
2031 or not because the way the projects get structured, but the  
2032 commitment is really probably the technical assistance to  
2033 help them develop the projects and go seek funding.

2034 \*Ms. Schrier. So I only have a little bit of time left,  
2035 but my understanding is that there are clean energy projects  
2036 throughout the country that have not yet been connected to  
2037 the grid. The grid is not yet modernized. And so I just  
2038 want to make sure that if we are making a promise to the  
2039 tribes, that they will have this and they will be able to  
2040 market it, that it will be there. I \_ we can't break a  
2041 promise.

2042 I am going to turn to Administrator Hairston. I know

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2043 you are well aware of BPA's statutory obligations about  
2044 acquiring new resources and some of the restrictions on that  
2045 about efficiency and about appropriate cost effectiveness,  
2046 and I was just wondering if there is expectation that BPA  
2047 will be purchasing tribally owned or sponsored power  
2048 resources.

2049 \*Mr. Hairston. Thank you, Congresswoman. No, this  
2050 agreement does not require Bonneville to purchase those  
2051 resources. We have to follow our statutory requirement in  
2052 how we acquire resources. It doesn't change that.

2053 \*Ms. Schrier. My time is out, but I think this is  
2054 something we need to figure out before we make promises and  
2055 make sure we are not breaking any.

2056 Thank you. I yield back.

2057 \*Mr. Bucshon. Did she yield?

2058 \*Voice. Yes.

2059 \*Mr. Bucshon. The gentlelady yields back. I recognize  
2060 Mr. Walberg, five minutes.

2061 \*Mr. Walberg. Thank you, Mr. Chair, and thanks to the  
2062 panel for being here. I am sure that there are many states  
2063 that envy Michigan for the fact that it is a fact that you

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2064 are no more than six miles from a body of water in Michigan.  
2065 And my district runs from Lake Michigan to Lake Erie, the  
2066 entire southern border. So water is a very \_ special  
2067 important to us.

2068 Michigan is also home to over 2500 dams, and that is a  
2069 profound impact to hundreds of thousands of Michiganders and  
2070 many communities that are located close to these structures.  
2071 Dams offer a place to swim, to fish, to recreate and, of  
2072 course, as we are talking of today for hydropower. Many of  
2073 these facilities also support the tax base of local  
2074 communities through recreational activities and tourism.

2075 However, some of these structures, as you understand,  
2076 are extremely old and expensive to maintain, and no matter  
2077 who owns the dams, whether a utility, or a tribe, or HOA,  
2078 these organizations are facing decisions, significant  
2079 decisions of what they will look like in the future.

2080 Mr. Baumann, to meet federal safety standards, these  
2081 dams will require expensive improvements to comply with  
2082 federal safety requirements. How can we as Congress  
2083 incentivize these capital intensive projects to keep these  
2084 small communities afloat and continue to allow folks to

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2085 experience the natural beauty of the Great Lakes State?

2086           \*Mr. Baumann. Thank you, Mr. Walberg. You are  
2087 identifying indeed a big issue around the country, lots of  
2088 dams that are still providing important benefits also have  
2089 safety risks or other just infrastructure needs as they age.  
2090 We have a number of programs at the department that offer  
2091 some help with that. There is a relatively robust incentive  
2092 program under the Bipartisan Infrastructure Law that our grid  
2093 deployment office operates that I would be happy to connect  
2094 you to, and there is a few other ones like that. Our water  
2095 power technologies office has also technical assistance and  
2096 other support, so I would be happy to talk to you more about  
2097 that.

2098           \*Mr. Walberg. Moving on, it is clear that hydropower is  
2099 the leading source of renewable energy here in the United  
2100 States. The MOU reflects the Biden administration's vision  
2101 of replacing with other renewables. Hydro is reliable as a  
2102 baseload generator, and it is really not interchangeable with  
2103 wind and solar. In 2022, the Bonneville Power Administration  
2104 commissioned a study by E3 entitled BP Lower Snake River Dams  
2105 Power Replacement Study. That examined the costs associated

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2106 with replacing Lower Snake River Dams.

2107           The study reached a number of significant conclusions,  
2108 and I quote, "Even in best case scenario, replacement power  
2109 would cost several times as much as the Lower Snake River Dam  
2110 costs. This is driven by both energy replacement as well as  
2111 replacement of firm capacity and operational flexibility.  
2112 The firm capacity value is a significant driver of  
2113 replacements costs.''

2114           The so-called Murray-Inslee Report relied upon for this  
2115 agreement reached a similar conclusion when it stated, and I  
2116 quote again, "Replacing the characteristics of energy  
2117 provided by hydropower, however, requires energy technologies  
2118 that must continue to be developed.''

2119           And so, Mr. Baumann and Secretary Connor, these analyses  
2120 suggest to me that DOE and BPA believe that given the state  
2121 of current technology, the energy value of the Snake River  
2122 Dams is for all practical purposes irreplaceable. Is that a  
2123 fair conclusion, Mr. Baumann?

2124           \*Mr. Baumann. I wouldn't say that the report says  
2125 irreplaceable, I think the bottom line \_ the \_ what the  
2126 report says, which DOE does not disagree with, is it takes a

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2127 variety of kinds of energy sources to meet sort of any given  
2128 set of needs for an energy system, and those four dams do  
2129 happen to provide enough value to that system that it is not  
2130 just an easy, oh, you can replace that one with, you know,  
2131 batteries and some solar panels, as you are saying. What it  
2132 says is that you can use sort of existing off-the-shelf  
2133 emissions-free technology like wind, solar, and current  
2134 batteries for a big chunk, but then for that last bit, you  
2135 really do need \_

2136 \*Mr. Walberg. But not replaceable, yeah.

2137 \*Mr. Baumann. You need other technologies like  
2138 hydrogen, something that is going to be that 24/7  
2139 dispatchable piece, and right now those are very expensive  
2140 and hard to develop.

2141 \*Mr. Walberg. Secretary Connor?

2142 \*Mr. Connor. I wouldn't say irreplaceable either, but  
2143 they provide valuable baseload and peaking power  
2144 capabilities, the Snake River Dams, and so if they were going  
2145 to decommissioned, you would have to replace that power. And  
2146 I would just say, you know, I, formerly in the Bureau of  
2147 Reclamation and in partnership with the BPA, back in the

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2148 2010s or so we upgraded the generating capacity of that  
2149 hydropower unit from 6.6 gigawatts at Grand Coulee to almost  
2150 7.7 gigawatts. That is a thousand megawatts through  
2151 improvements.

2152 So there is investment in hydropower, there is value  
2153 recognized to hydropower, and if it is going to be replaced,  
2154 you got to look at those services that it provides.

2155 \*Mr. Walberg. Thank you. My time is expired. I yield  
2156 back.

2157 \*Mr. Duncan. [Presiding.] The gentleman's time is  
2158 expired. I commend him on his tie choice today. I will now  
2159 recognize Mr. Tonko for five minutes.

2160 \*Mr. Tonko. Thank you, Mr. Chair, and thank you to  
2161 today's witnesses for your great service to our Nation. Mr.  
2162 Baumann, I especially want to express my gratitude to you and  
2163 DOE for all of the hard work being done to implement the  
2164 Infrastructure Investment and Jobs Act and the Inflation  
2165 Reduction Act. These historic laws are providing incredibly  
2166 strong opportunities to grow our economy and transition us  
2167 into a clean energy future, and it is not enough to merely  
2168 achieve the ambitious clean energy deployment targets, we

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2169 must also achieve a more just and equitable energy system.

2170           So this means enabling everyone to have a fair say in  
2171 our energy future, especially low-income, disadvantaged, and  
2172 tribal communities, which have historically not had a role in  
2173 shaping the decision-making process. The administration's  
2174 December 14th agreement on the Columbia River Basin stated  
2175 that under a new program called the Pacific Northwest Tribal  
2176 Energy Program, the DOE will work with tribes to develop one  
2177 to three gigawatts worth of clean energy resources in the  
2178 region. So we have got our work to do, but it is an  
2179 impressive agenda.

2180           Mr. Baumann, can you explain what that partnership might  
2181 look like and what will be DOE's role in supporting tribally-  
2182 sponsored clean energy projects?

2183           \*Mr. Baumann. Thank you, Mr. Tonko, and I think this  
2184 may help address some of Congresswoman Schrier's questions  
2185 about the tribal energy as well. The way that partnership  
2186 looks, and we are working with the tribes and the states  
2187 right now to help put it together, we plan to work with the  
2188 tribes both one-on-one and collectively to help them figure  
2189 out what their goals are for the kinds of energy projects



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2190 they want to develop. Like any of the communities and states  
2191 that all of you represent, these projects could bring  
2192 revenue, they can create jobs, they could lower energy bills  
2193 for members of the tribe, and so help them shape the exact  
2194 kinds of projects they want, and then help them get the  
2195 technical assistance on what it takes to put together a  
2196 project that can become marketable and can get finance that  
2197 can actually get to launch. That is really the basics of it.

2198       \*Mr. Tonko. Thank you. And what are some of the  
2199 resources, including funding opportunities and technical  
2200 assistance, and capacity building that have been made  
2201 available under the IIJA and IRA that will support these  
2202 efforts?

2203       \*Mr. Baumann. There \_ it depends a little bit on  
2204 exactly what kinds of projects and for what purposes the  
2205 tribes want to pursue, but we have got technical assistance  
2206 resources I would say primarily out of our office of Indian  
2207 Energy Policies and Programs that does this kind of work with  
2208 tribes all over the country is the certainly ground zero and  
2209 the foundation of our work there. There is also a technical  
2210 assistance available for tribes out of our grid deployment

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2211 office, which has grid resilience funding that is available  
2212 for tribes as well as the office of state and community  
2213 energy programs, so you expect to draw on all those resources  
2214 to provide that kind of technical resource.

2215           And then because so many of our bigger funding  
2216 opportunities for projects out of, you know, the IIJA or the  
2217 IRA are competitive, what we do is we help advise people on  
2218 what kinds of projects are eligible for which programs and  
2219 then help them figure out how to get to the stuff that they  
2220 can apply.

2221           \*Mr. Tonko. Thank you. And broadly speaking, how have  
2222 these laws provided opportunities to the many communities  
2223 that have been historically locked out of these new energy  
2224 opportunities?

2225           \*Mr. Baumann. I would argue that the Bipartisan  
2226 Infrastructure Law and the IRA together are really a new and  
2227 historic way to look at how to advance energy projects while  
2228 thinking about community benefits in a whole new way. One of  
2229 the programs in the Bipartisan Infrastructure Law alone comes  
2230 to mind, the \_ I think we are calling it Renewing America's  
2231 Schools, and it is resources for schools across the country

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2232 to invest in energy efficiency, for solar, electric vehicles,  
2233 to get so that we don't have idling busses in the parking  
2234 lots, to improve the quality of life for students and  
2235 teachers, and to reduce energy bills.

2236 The projects that are coming out there, and we spent a  
2237 lot of time designing it so that lower income school  
2238 districts, in particular more isolated rural areas that don't  
2239 usually even have an energy staffer to help apply for these  
2240 things would be able to figure out how to do this. And the  
2241 people \_ the projects that are applying for it would just \_  
2242 you \_ I mean, you can't imagine how great they are, when they  
2243 are just transformative for some of these.

2244 You hear about schools that are using a coal boiler that  
2245 is 120 years old that no one wants to be using right now,  
2246 they can't event have a reliable source of coal nearby, and  
2247 it just \_ really it is transformative to be able to help a  
2248 low-income school have the resources to really change their  
2249 finances and their kids' experience.

2250 \*Mr. Tonko. Well, I thank you for your efforts, Mr.  
2251 Baumann, because they are truly transformational. I am a big  
2252 supportive of hydropower. I also appreciate that all clean

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2253 energy projects must be developed and operated in a  
2254 sustainable, environmentally sound manner, and I am certain  
2255 that some [indiscernible] facilities can do better on this  
2256 front. I also appreciate that hydropower is not immune from  
2257 the consequences of climate change. Extreme drought can  
2258 impact a facility's output.

2259         So, Mr. Baumann, are there reliability and resilience  
2260 benefits to having a more diverse generation mix of zero  
2261 emission resources?

2262         \*Mr. Baumann. Yes, it is \_ diversity is always the  
2263 first and great strategy for reliability when it comes to the  
2264 energy system because any energy source has its own  
2265 vulnerabilities, it can go down under its own circumstances,  
2266 has its own pros and cons. I would also say you are exactly  
2267 right that the hydrosystem is facing new challenges and  
2268 different regions of the country look very different in what  
2269 the changing climate likely means for their hydropower  
2270 profile.

2271         The Pacific Northwest National Lab has done \_ it has not  
2272 only got some of their leading models and analytics on the  
2273 Pacific Northwest hydropower system but also on the impacts

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2274 of extreme weather on the grid and different energy  
2275 technologies. So the energy planning process that you hear  
2276 me describe is partly to help the whole region understand all  
2277 of that going on with this.

2278 \*Mr. Tonko. Thank you so much. And with that, Mr.  
2279 Chair, I yield back.

2280 \*Mr. Duncan. I thank the gentleman, and I will now go  
2281 to Mr. Weber from Texas for five minutes.

2282 \*Mr. Weber. I thank the gentleman.

2283 Mr. Hairston, much \_ how much of the power that  
2284 Bonneville Power Administration provides is generated from  
2285 hydroelectricity?

2286 \*Mr. Hairston. On a firm basis, roughly 70 \_ about  
2287 7,000 megawatts, 7 to 8,000 megawatts.

2288 \*Mr. Weber. Pretty substantial amount?

2289 \*Mr. Hairston. Yes.

2290 \*Mr. Weber. If the Biden administration is successful  
2291 in their endeavors to remove the dams along the Snake River,  
2292 what is that going to do to reliability for your all's  
2293 customers? Do you have plans?

2294 \*Mr. Hairston. Well, it will have an impact on

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2295 reliability. I mean, if you look at the recent cold snap,  
2296 you know, we were able to call on those units for additional  
2297 megawatts. We also \_ they also provide voltage control for  
2298 the Tri-Cities area, which is an important factor in terms of  
2299 reliability.

2300 \*Mr. Weber. So I was listening to your exchange with  
2301 Congressman Latta earlier, and you talked about baseload  
2302 versus peak load.

2303 \*Mr. Hairston. Mm-hmm.

2304 \*Mr. Weber. So can you give us a percentage of how that  
2305 is going to be \_ of those \_ each of those, how that is going  
2306 to be affected if the dams are shut down?

2307 \*Mr. Hairston. Well, as an example, during this recent  
2308 cold snap, we had a sustained 18-hour peak where those dams  
2309 were able to provide a sustained peak of 1,071 megawatts.  
2310 The highest one-hour peak during that period of time was  
2311 1,137 megawatts. So, you know, we had both a long-term as  
2312 well as a short peak that those dams were able to meet during  
2313 that cold snap.

2314 \*Mr. Weber. So it is pretty reasonable to suspect that  
2315 as long as water continues to run downhill, it will be fairly

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2316 dependable? You know, I owned an air conditioning company  
2317 for 35 years. We used to put systems in the attics, and I  
2318 kept telling my guys, when you run the drain lines, please  
2319 understand that water doesn't run downhill. That creates  
2320 real issues in sheetrock.

2321         So I will go to Ms. Mallory, Mr. Connor, and Mr.  
2322 Baumann. The administration's memorandum of understanding  
2323 discussed allocating over one billion dollars to remove these  
2324 dams. What would be the additional cost of working with  
2325 confederated tribes to deploy "clean, renewable, socially  
2326 just energy resources," and we will start with you, Ms.  
2327 Mallory?

2328         \*Ms. Mallory. Thank you for that question. And let's  
2329 just be clear. Remember, the agreement does not call for the  
2330 removal of dams, and part of what we are doing over this 10-  
2331 year period is taking the time to put together the studies  
2332 about what would be needed. The regional energy needs  
2333 planning process that Jeremiah was talking about earlier. It  
2334 is part of assessing the needs in the area.

2335         So no cost of removal have been done because no decision  
2336 on removal has been made.

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2337           \*Mr. Weber. Is there no projected cost going forward  
2338 should that happen?

2339           \*Ms. Mallory. Not at this point because that is the  
2340 point of the analysis.

2341           \*Mr. Weber. But \_

2342           \*Ms. Mallory. That is the point of the study.

2343           \*Mr. Weber. But was that done in an open meeting?

2344           \*Ms. Mallory. The study?

2345           \*Mr. Weber. No, when you all were having these  
2346 discussions about this. I think we decided earlier that it  
2347 was not an open meeting.

2348           \*Ms. Mallory. I think you said that, but that is not  
2349 correct. I think what we have said about this process is  
2350 that the mediation actually which included \_ or included the  
2351 possibility of all of the litigants participating in that is  
2352 the mechanism that we used to arrive at what became the  
2353 ultimate agreement.

2354           \*Mr. Weber. Well, it is obviously since it is going to  
2355 affect a whole lot of customers, was there any form \_ I mean,  
2356 I am not a lawyer, I don't play one at night \_ on TV rather,  
2357 but anyway, was there any form of a public input where they



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2358 could actually have a comment period?

2359 \*Ms. Mallory. We created a number of mechanisms to get  
2360 input from people about the effort that was going on in the  
2361 Pacific Northwest. But since this process really just  
2362 launches a future 10-year effort, there will be multiple  
2363 opportunities in the future when we actually are at the point  
2364 of decision with information.

2365 \*Mr. Weber. When you created that process that you are  
2366 describing now for people to have input, is that on record,  
2367 can we get a copy of that? Was there any \_ you are talking  
2368 about public comment, did you get input?

2369 \*Ms. Mallory. Yes, we did.

2370 \*Mr. Weber. Okay. Is that public record?

2371 \*Ms. Mallory. I think we have at this point made  
2372 available the information that we received through a request  
2373 for information process and also through an email box that we  
2374 created.

2375 \*Mr. Weber. Can that be accessed online?

2376 \*Ms. Mallory. I think we have made it available for \_  
2377 to people.

2378 \*Mr. Weber. How?

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2379           \*Ms. Mallory. And I don't think it can be directly  
2380 accessed online, I think we have made it publicly available.

2381           \*Mr. Weber. How can we determine how to get it?

2382           \*Ms. Mallory. Well, happy to follow-up with you,  
2383 Congressman.

2384           \*Mr. Weber. Okay. But you don't know here today?

2385           \*Ms. Mallory. How you can get \_

2386           \*Mr. Weber. You don't have that information today?

2387           \*Ms. Mallory. Today I can say that I know we have made  
2388 it publicly available, but I can't tell you where to go.

2389           \*Mr. Weber. Okay, well people tell us where to go all  
2390 the time, so I appreciate that.

2391           [Laughter.]

2392           \*Ms. Mallory. Oh, I definitely didn't mean that.

2393           [Laughter.]

2394           \*Mr. Weber. Okay. I should \_ so some of that money  
2395 could have been used \_ I just wonder if you got comments,  
2396 because a lot of the fisherman \_ I am \_ you know, you talk  
2397 about Texas Gulf Coast, or fisherman, and a hunter as well,  
2398 was there any thought \_ you may not know this, any of those  
2399 comments that any of this money could be better used to

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2400 actually make the dams more environmentally fish \_  
2401 environmentally and fish friendly? Was there any comments  
2402 about that? You probably don't know that either.

2403 \*Ms. Mallory. Yeah, I can't speak to all of the  
2404 comments. I don't know, Mike's looking at me like he has  
2405 something to say.

2406 \*Mr. Weber. Let's come over here. You are my next \_  
2407 you are my next victim.

2408 \*Mr. Connor. Yes, Congressman. There is substantial  
2409 commitment \_

2410 \*Mr. Weber. Come on, Mr. Connor.

2411 \*Mr. Connor. There is substantial commitments in the  
2412 document for the Corps of Engineers to invest \_ reinvest in  
2413 the facilities, to improve fish passes, to improve hatchery  
2414 conditions, to improve a number of factors that will improve  
2415 the ability to recover those and advance those fisheries.

2416 \*Mr. Weber. I am sorry, I am way out of time. Thank  
2417 you very much, Mr. Chairman.

2418 \*Mr. Duncan. Time is expired. I will now go to the new  
2419 ranking member \_ acting ranking member, Mr. Cardenas, for  
2420 five minutes.

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2421           \*Mr. Cardenas. Thank you very much, Mr. Chairman,  
2422 appreciate this opportunity for us to have this very, very  
2423 important discussion, and I appreciate the witnesses' expert  
2424 opinions and information today.

2425           First I would like to applaud the collective efforts of  
2426 the Federal Government, tribes, states, and other  
2427 stakeholders to reach this historic agreement we are  
2428 discussing today. This deal not only restores ecosystems and  
2429 provides stability for communities that depend on the  
2430 Columbia River System, but also demonstrates the Biden  
2431 administration's commitment to honoring the United States's  
2432 obligations to our sovereign nations, tribal nations in  
2433 America.

2434           In past hearings, I have spoken about the importance of  
2435 bolstering tribal engagements and tribal self-determination,  
2436 whether that be in the context of new or already existing  
2437 energy projects. With that in mind, I would like to discuss  
2438 the DOE's proposed Pacific Northwest Tribal Energy Program  
2439 that was included in the White House's agreement. This  
2440 dedicated program would connect tribes with the investment  
2441 opportunities that were contained within Bipartisan \_ the

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2442 Bipartisan Infrastructure Law and the Inflation Reduction  
2443 Act.

2444           Mr. Baumann, can you talk about the proposed PNW Tribal  
2445 Energy Program and how it will work to connect tribes in the  
2446 region with these already existing and funded programs?

2447           \*Mr. Baumann. Absolutely. Thank you, Mr. Cardenas.  
2448 The program will work with individual tribes as well as with  
2449 tribes collectively to just start by establishing sort of  
2450 what their goals and vision are for the kind of energy  
2451 projects they want to see and then provide technical  
2452 assistance from DOE experts and National Lab experts on the  
2453 kinds of projects they can develop and what it takes to  
2454 develop a project, essentially, up to and including what it  
2455 takes to finance a project, both from private sector sources  
2456 and help them identify what are the different options out  
2457 there from Bipartisan Infrastructure Law or IRA funds that  
2458 they could apply to as well.

2459           \*Mr. Cardenas. Thank you. Per the terms of the  
2460 agreement, the department is working closely with the tribes  
2461 to create a memorandum of understanding, an MOU, by the end  
2462 of March of this year. I hope you can keep me and the rest

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2463 of the committee informed about the progress of that MOU.

2464       Also, it is also my understanding that the Department of  
2465 Energy will work with tribes to create a portfolio of energy  
2466 projects which would be eligible for funding by the Tribal  
2467 Energy Loan Guarantee Program. Can you describe how the  
2468 Tribal Energy Loan Guarantee Program is going to support the  
2469 tribal clean energy projects that might be built, and can you  
2470 talk about how the investments and changes in the Congress \_  
2471 that Congress made to the program in the IRA are vital in  
2472 making this program accessible to the tribes?

2473       \*Mr. Baumann. Yeah, absolutely, and thank you for that  
2474 question as well. The Tribal Energy Loan Guarantee Program  
2475 is a very important program at the Department of Energy  
2476 established a number of years ago in our loan programs  
2477 office. But the way it had been set up with a couple of just  
2478 the restrictions in the initial legislation meant that it  
2479 wasn't \_ it basically had been financing issues, essentially.  
2480 It had nothing to do with the projects or the applicants but  
2481 just the way the loans were working, it didn't quite work.  
2482 And then some key tweaks were made, as you refer,  
2483 legislatively.

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2484           So the \_ we are very excited to say that program is now  
2485 open for business and the initial projects are moving through  
2486 the process. The \_ to be clear, the program has its own  
2487 rules and nothing in the agreement says that there is, you  
2488 know, special access or anything like that, but will help  
2489 tribes understand what it takes to apply to that program.

2490           And the loan program office, as it does for all sorts of  
2491 applicants, also will provide technical assistance on  
2492 applicant \_ to applicants to help them get their project  
2493 ready to be considered by \_ for a loan.

2494           \*Mr. Cardenas. Yeah, that technical assistance is  
2495 something that is really important and I hope that we are all  
2496 proud of that. There are a lot of tribes and smaller  
2497 communities, small governments in America that would love to  
2498 access these funds that we have made available to them, but  
2499 they really do need technical assistance. They don't all  
2500 have the sophistication necessary to actually get it done and  
2501 put their applications in, so thank you for reminding us of  
2502 that.

2503           I also would like to \_ lastly, can you expand on the  
2504 efforts by the Department of Energy to advance tribal energy

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2505 sovereignty through this agreement and how these efforts will  
2506 provide better stability for communities in the region.

2507       \*Mr. Baumann. Absolutely. I would say the, you know,  
2508 tribal energy sovereignty is sort of \_ is where it comes in  
2509 our trust responsibilities and treaty responsibilities as the  
2510 U.S. government to help the tribes meet their goals is how I  
2511 think of it. We really look to the tribal leadership, the  
2512 sovereign nations to tell us what sovereignty means to them  
2513 in the energy area, but there are a lot of benefits that  
2514 developing their own energy projects can have, whether that  
2515 is revenue, what that is jobs, whether it is just higher  
2516 quality housing and lower energy bills for their members.

2517       \*Mr. Cardenas. Thank you. Honoring our obligations to  
2518 tribal nations is long overdue and I commend all of those who  
2519 are taking part in making sure that this historic agreement  
2520 actually follows through and respects them as well.

2521       My time expiring, I yield back, Mr. Chairman.

2522       \*Mr. Duncan. The gentleman yields back. I now go to  
2523 Mr. Balderson from Ohio for five minutes.

2524       \*Mr. Balderson. Thank you, Mr. Chairman. Thank you all  
2525 for being here today.



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2526           My first question is for Mr. Baumann. Sir, NERCs most  
2527 recent long-term reliability assessment, which was released  
2528 the day before the White House announced this agreement,  
2529 shows the Northwest United States faces significant demand  
2530 growth over the next decade while losing existing generation.  
2531 According to NERC, demand in the Northwest will grow from a  
2532 72-gigawatt peak in 2023 to a 84-gigawatt in 2033. At the  
2533 same time, the region is expected to lose 19 gigawatts of  
2534 existing generation over the next decade, mostly from  
2535 reliable dispatchable resources such as coal and natural gas.

2536           My first question, how much generation from the  
2537 hydropower will be lost if these four dams are breached?

2538           \*Mr. Baumann. Administrator Hairston could probably  
2539 give you a more precise number, but I want to say the  
2540 generation is about a thousand megawatts in a given year, and  
2541 then ramping capacity closer to 3,000.

2542           \*Mr. Hairston. Yes, that is correct. Baseload roughly  
2543 around a thousand megawatts and it can peak as high as 2,000  
2544 megawatts.

2545           \*Mr. Balderson. Thank you. Can you assure us that the  
2546 rate payers in the Pacific Northwest won't see increased

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2547 electric costs if the settlement moves forward and the dams  
2548 are breached?

2549 \*Mr. Baumann. I believe Administrator Hairston  
2550 testified \_

2551 \*Mr. Balderson. Let me go with Mr. Hairston again.  
2552 Sorry, sir.

2553 [Laughter.]

2554 \*Mr. Balderson. Mr. Hairston, go ahead.

2555 \*Mr. Hairston. So as Chair Mallory mentioned before,  
2556 this agreement does not call for the dams to be breached.  
2557 That is certainly a congressional act. But hypothetically  
2558 speaking, if the dams were breached, depending on what the  
2559 replacement resources were, it most likely would lead to some  
2560 rate increase.

2561 \*Mr. Balderson. Okay.

2562 \*Mr. Baumann. To be \_ were you asking about the cost of  
2563 the agreement or the cost of theoretical dam breach?

2564 \*Mr. Balderson. Theoretical dam breach. The \_ what it  
2565 could cost the rate payers.

2566 \*Mr. Baumann. Oh. So a theoretical dam breach, you are  
2567 going to see costs all over the map in terms of different

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2568 estimates out there because it really depends on the mix of  
2569 technologies that end up getting used to provide that 24/7  
2570 dispatchable, reliable service. So there either kind of is \_  
2571 part of the reason \_ the main commitment related to the dam  
2572 breach is the study, is to understand what the potential  
2573 costs are.

2574 \*Mr. Balderson. Okay. Follow-up with you also and, Mr.  
2575 Hairston, you may jump in also if need be. Did you work or  
2576 seek the opinions or providers of utilities as the  
2577 administration and the Department of Energy developed this  
2578 agreement? Did you work with the utilities and everyone?

2579 \*Mr. Baumann. Yeah, many of the utility associations  
2580 and individual utilities participated in the mediation.

2581 \*Mr. Balderson. Okay. All right, perfect. According  
2582 to Mr. Matheson who is going to be up next, sir, how are you,  
2583 the CEO of the National Rural Electric Cooperative  
2584 Association, "Not a single person with responsibility to keep  
2585 the lights on was in the room when this deal was cut."  
2586 Those were his words. "I would strongly recommend you work  
2587 with a broader range of stakeholders moving forward because  
2588 it is important the administration understands the

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2589 shortcomings of replacing hydropower with wind and solar,  
2590 especially when the sun isn't shining and the wind isn't  
2591 blowing.'" So I would encourage that, please, to work with  
2592 them.

2593 Ms. Mallory, good afternoon, ma'am, how are you?  
2594 Honorable. Thank you for being here. In your testimony you  
2595 say the United States government will undertake or help fund  
2596 studies to assist in evaluating alternatives to the  
2597 irrigation services provided by these four dams. Can you  
2598 discuss what these alternatives to the irrigation services  
2599 provided by the four dams would look like?

2600 \*Ms. Mallory. Thank you, Congressman. I think the  
2601 point of the studies that we are talking about is to examine  
2602 that, to examine what would be possible and the cost issues,  
2603 as Jeremiah pointed out.

2604 \*Mr. Balderson. Okay. I am concerned, based on the  
2605 testimony from witnesses in the second panel, that farms  
2606 irrigated by the Snake River would be bankrupt by the loss of  
2607 this irrigation and I am worried that simply studying  
2608 potential alternatives after these dams are breached would be  
2609 too little too late. It is important to remember that

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2610 people's livelihoods and generational farms depend on this  
2611 irrigation.

2612 Chair Mallory, I understand that the settlement hopes to  
2613 replace generation lost from hydropower with new wind and  
2614 solar projects. Do you believe variable weather-dependent  
2615 resources need to be balanced and integrated by flexible,  
2616 dispatchable resources to maintain system reliability?

2617 \*Ms. Mallory. Yeah, Congressman, I just wanted to  
2618 clarify one thing. The studies are occurring before there is  
2619 even any decision by Congress to \_

2620 \*Mr. Balderson. Okay.

2621 \*Ms. Mallory. \_ breach, so that \_

2622 \*Mr. Balderson. Thank you.

2623 \*Ms. Mallory. So it is not coming afterwards. I think  
2624 that part of the regional needs assessment planning process  
2625 is to look fully at the opportunities for what energy would  
2626 even look like in the region, and I think that will be also  
2627 the information that will be available to Congress, should it  
2628 choose to move forward on this.

2629 \*Mr. Balderson. Okay. Thank you very much for all of  
2630 you.

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2631 Mr. Chairman, I yield back.

2632 \*Mr. Duncan. The gentleman yields back. I will now go  
2633 to Ms. Kuster for five minutes.

2634 \*Ms. Kuster. Thank you very much, Mr. Chairman. I want  
2635 to start out my questions by clearing a major misconception I  
2636 have heard from my friends on the other side of the aisle.  
2637 The Biden \_ that they are contending the Biden administration  
2638 is somehow anti-hydropower. Let's set the record straight.  
2639 The Biden administration is overseeing a historic effort to  
2640 invest in our Nation's hydropower system.

2641 I worked with my Republican colleague in the Senate,  
2642 Senator Rob Portman, to secure 753 million dollars in the  
2643 Bipartisan Infrastructure Law to rehabilitate our Nation's  
2644 existing hydropower fleet and retrofit hydropower dams \_  
2645 powered dams with hydropower generation. That is the single  
2646 largest investment in the Nation's private hydropower fleet  
2647 ever, and I am proud that the Biden administration is getting  
2648 that money into the field to increase hydropower generation.

2649 Mr. Baumann, I want to quickly run through some yes or  
2650 now questions which I think will help reinforce that this is  
2651 a pro hydropower administration. My first question, the

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2652 Department of Energy calls hydropower one of the oldest and  
2653 largest sources of renewable energy. NOAA Fisheries states  
2654 that hydropower accounts for approximately half of the  
2655 Nation's renewable-based electricity. If these expert  
2656 agencies state that hydropower is a renewable technology,  
2657 then in fact is hydropower a renewable technology? Yes or  
2658 no.

2659 \*Mr. Baumann. Yes, it is.

2660 \*Ms. Kuster. My second question, in public \_ publishing  
2661 the Section 45D, production tax credit for hydrogen, the  
2662 Department of Energy's greenhouse gasses regulated emissions  
2663 and energy use in technologies tool states that, "Hydropower  
2664 has a life cycle emissions rate of zero grams of carbon  
2665 dioxide per kilowatt of hydropower generated.'" Hydropower  
2666 obviously does not utilize combustion as a form of power  
2667 production. Is hydropower a carbon-free technology?

2668 \*Mr. Baumann. Yes.

2669 \*Ms. Kuster. Thank you. My third question, because of  
2670 hydropower's ability to generate power when the electric  
2671 system needs it, does hydropower provide dispatchable  
2672 generation that helps meet the changing demands of our grid?

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2673           \*Mr. Baumann. Depends a little on the hydrological  
2674 profile of the river it is in, but generally, yes, it does.

2675           \*Ms. Kuster. Great, thank you. And my fourth and final  
2676 question, does hydropower's dispatchability help incorporate  
2677 more renewables onto the energy system?

2678           \*Mr. Baumann. Yes, it does.

2679           \*Ms. Kuster. Great. Thank you so much. As these  
2680 answers show, the administration and Congress can agree  
2681 hydropower is a critical energy resource.

2682           Switching gears here to Assistant Secretary Connor. As  
2683 you know, the National Labs estimate that retrofitting non-  
2684 powered dam \_ Corps dams with hydropowered generation could  
2685 unlock eight gigawatts of clean, reliable power generation.  
2686 That is enough to power more than five million homes. One of  
2687 the major barriers to retrofitting non-powered Army Corps  
2688 dams is the Army Corps Section 408 review process, which  
2689 unfortunately varies across 24 Army Corps districts.

2690           I was proud to secure Section 8123 in the 2022 WRDA,  
2691 Water Resources Development Act, bill signed into law by  
2692 President Biden December of 2022. That section directs the  
2693 Corps to develop a "efficient, consistent, and coordinated



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2694 process across Army Corps districts for reviewing 408  
2695 applications to retrofit non-powered dams with hydropower.''  
2696 At our September 2023 hearing, I asked Acting Director Thomas  
2697 P. Smith about the precision \_ this provision and regretfully  
2698 I received a non-answer.

2699 In response to a question for the record, the Corps sent  
2700 my office a memo from November 2023 which extends the status  
2701 quo until it is superseded by rulemaking, ultimately ignoring  
2702 Congress's directive to create a consistent process for  
2703 reviewing applications to retrofit non-powered dams. So more  
2704 than a year after Congress passed and the President signed  
2705 the WRDA provision into the law, the Army Corps has yet to  
2706 act.

2707 So my question to you today, Assistant Secretary Connor,  
2708 pursuant to Section 8123 of WRDA, can you commit to release a  
2709 consistent coordinated process for Corps districts to review  
2710 408 applications to retrofit non-powered dams with hydropower  
2711 generation in the next six months?

2712 \*Mr. Connor. Thank you for the question, I can  
2713 certainly commit that we are moving forward with the 408  
2714 rulemaking process. That is within DOD right now before it

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2715 goes. I need to go back and check and see how we have  
2716 addressed the specific provision you raised in WRDA in that  
2717 rulemaking. And certainly we are moving through the process.  
2718 Unfortunately, rulemakings take time, but we are committed to  
2719 that, absolutely.

2720 \*Ms. Kuster. And can we get that done in six months?  
2721 Because we have already waited a year and that was Congress's  
2722 clear intent.

2723 \*Mr. Connor. There is no way unless the rulemaking  
2724 process went through me only that I would get that rulemaking  
2725 done in six months, but we will try and move it forward as  
2726 quickly as possible. It has been on our agenda, it is a  
2727 priority action. Unfortunately, it has got to go through the  
2728 rulemaking process.

2729 \*Ms. Kuster. Thank you. I will yield back.

2730 \*Mr. Duncan. The gentlelady's time is expired. I will  
2731 go to Mr. Palmer from Alabama for five minutes.

2732 \*Mr. Palmer. Thank you, Mr. Chairman. In this effort  
2733 to remove dams for producing hydropower, how \_ what would you  
2734 use to replace it? Do you not understand the question?

2735 \*Mr. Connor. Who was that question directed at?

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2736           \*Mr. Palmer. Oh, I will direct it to \_ I was directing  
2737 it to all of you, but Mr. Hairston, you are welcome to  
2738 respond to that.

2739           \*Mr. Hairston. Yes. So if the dams were breached, we  
2740 would have to evaluate what would be the correct mix of  
2741 resources to replace the dams with. But, you know, given the  
2742 landscape today, it could be a mix \_

2743           \*Mr. Palmer. What is your time \_ what is your timeline  
2744 for breaching the dams?

2745           \*Mr. Hairston. There is no timeline.

2746           \*Mr. Palmer. So it could be three years, five years, 25  
2747 years? I mean \_ and the reason I ask this is I worked for  
2748 two international engineering companies. I worked in  
2749 environmental systems, refuse energy, and you are not just  
2750 going to start taking out sources for hydropower, and  
2751 particularly in the State of Washington, that is 70 percent  
2752 of their power, and think you are going to replace it in just  
2753 a short time.

2754           I mean, just the permitting issues involved. I don't  
2755 see how you are going to do this at all, and particularly  
2756 when hydropower is one of the cleanest sources of power that

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2757 you can get, unless you are planning to replace it with  
2758 nuclear, and then again we get into the permitting issues.  
2759 So I think this discussion about breaching dams and how it  
2760 impacts people has enormous consequences.

2761           And I know my colleagues on the other side of the aisle,  
2762 they want to go to a hundred percent renewable. I just want  
2763 remind people that there is a consequence for that. In the  
2764 UK, for instance, since 2008 the British have tried to lead  
2765 Europe in going to renewables, but it has resulted in \_ it  
2766 has hammered their economy. They have the lowest economic  
2767 growth since 1780. I will remind you that is the year before  
2768 Yorktown and the American Revolution. It has resulted in  
2769 energy poverty that has resulted just last winter in what was  
2770 a relatively mild winter in Europe, over 13,000, almost  
2771 14,000 British citizens died because they couldn't afford to  
2772 adequately heat their homes. 68,000 died in Europe because  
2773 they couldn't afford their household utility bills and still  
2774 afford their medicine and food.

2775           So we come into these hearings and see things being  
2776 pushed by the Biden administration that really, as someone  
2777 who has worked in engineering, I just have to think what are

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2778 they thinking, because you are not going to \_ you are not  
2779 going to replace years and years of experience in producing  
2780 power overnight. We are talking decades to get some of this  
2781 done. And I just wonder, have you thought through this?

2782 \*Ms. Mallory. Congressman, can I just jump in here,  
2783 because I think it is important to emphasize the point that  
2784 we have made no decision about breaching the dams. The  
2785 agreement does not do that. That is not something that we  
2786 are \_ have in front of us. We are creating the path for  
2787 study.

2788 \*Mr. Palmer. It is not about \_ it is not a matter of  
2789 the decision you have made, it is a matter of whether or not  
2790 you are in reality understanding what it takes to produce  
2791 power, and my guess is you don't.

2792 \*Ms. Mallory. I think part of the analysis that will go  
2793 on over the next 10 years, which is what this agreement  
2794 allows for, will look at what the energy needs are, and what  
2795 is realistic and what is practical.

2796 \*Mr. Palmer. Well, I can tell you that we don't want to  
2797 get in a situation like the UK's gotten into where people are  
2798 dying needlessly, you know, people with respiratory issues,

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2799 cardiovascular issues, like they are in the UK, like they  
2800 have in Europe. That is not acceptable. We do not want to  
2801 see the incredible harm that this will inflict upon our  
2802 economy.

2803           And I have got news for you, as pointed out in a  
2804 previous hearing, China is building a coal-fired power plant,  
2805 about one a week, but they are not just building them in  
2806 China. I will let my friend, Mr. Armstrong, comment on that  
2807 when his time comes up to ask questions. But again, there is  
2808 practical realities that is involved in this, and I hope that  
2809 all of you are cognizant enough of the ramifications of what  
2810 you are looking into would have on people and on our country.  
2811 And as the rest of the world is trying to evolve out of  
2812 energy poverty, they are not going to adopt the programs that  
2813 this administration is pushing forward.

2814           With that, Mr. Chairman, I yield back.

2815           \*Mr. Duncan. The gentleman yields back. Seeing no  
2816 other members on the minority side, I will now go to Mr.  
2817 Armstrong for five minutes.

2818           \*Mr. Armstrong. Thank you, Mr. Chair. I yield my time  
2819 to Mr. Pfluger.

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2820           \*Mr. Pfluger. Well, thank you, Mr. Armstrong. Mr.  
2821 Chair, thanks for hosting this hearing.

2822           I will start with Ms. \_ Mr. Baumann and ask just a very  
2823 simple question about whether hydropower plays an important  
2824 role in the energy mix and get your overall thoughts on that  
2825 mixture.

2826           \*Mr. Baumann. Yeah, it does. It is the foundation of  
2827 many parts of the country's economy, so it is just \_ its very  
2828 existence and the amount of power it provides is important  
2829 but it also provides important services that other energy  
2830 sources don't necessarily provide right now.

2831           \*Mr. Pfluger. Is it your belief that the Department of  
2832 Energy supports hydropower?

2833           \*Mr. Baumann. Absolutely.

2834           \*Mr. Pfluger. Okay. Ms. Mallory, the Biden  
2835 administration has made their commitment to climate change  
2836 abundantly clear, and if dams are removed from the Snake  
2837 River, the significant \_ their significant clean energy  
2838 production will be replaced by alternatives and by sources  
2839 that the Biden administration is actively trying to kill.  
2840 How is the administration going to reconcile this?

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2841           \*Ms. Mallory. Thank you, Congressman. I think as I  
2842 have said, the regional needs assessment that is planned as  
2843 part of this effort is where the agencies and the experts  
2844 will be looking at what the mix is, what is possible, and  
2845 what is \_ what would be a practicable step forward if  
2846 Congress decides that it wants to pursue dam breach.

2847           \*Mr. Pfluger. Talk to me about what that mix looks  
2848 like, and can you also explain who has the authority when it  
2849 comes to removal?

2850           \*Ms. Mallory. Yes. As I have said, the authority to  
2851 determine that dams will be removed is Congress's, and so the  
2852 point of this effort that we are going through is to try to  
2853 gather the information that would be useful not only to those  
2854 in the regions who have been focused on this issue but also  
2855 to Congress, if that point comes.

2856           \*Mr. Pfluger. Yeah, and I think that is the point of  
2857 having this hearing is that Congress has that authority.

2858           \*Ms. Mallory. Correct.

2859           \*Mr. Pfluger. And what we want to establish here is a  
2860 baseline of \_ you know, we hear this word, all of the above,  
2861 but how about best of the above and the impact? And in this



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2862 particular case, there is an amazing source of energy right  
2863 at our fingertips that is in fact renewable and is working.

2864 My next question for you, and that is why we want to  
2865 have this hearing, but my next question, Ms. Mallory, is  
2866 while the administration has made commitments through an MOU  
2867 to prepare to breach four of the dams, can you clarify who \_  
2868 well, can you clarify what that process would look like on  
2869 the removal and why this is such an issue when it comes to  
2870 not wanting to keep these in place and maintain them?

2871 \*Ms. Mallory. Thank you. As I said, we have not made a  
2872 decision about removing the dams. That is not what the  
2873 commitments do. And I think importantly, I think one of the  
2874 things about these dams, which have obviously been of great  
2875 benefit to the region, is that it hasn't come without some  
2876 consequences, and it is as a result of the tribal  
2877 responsibilities and obligations that we have to \_ under the  
2878 treaties that this conversation has been pursued. It hasn't  
2879 come without consequences to the salmon.

2880 So we are trying to get to a place to address all of  
2881 these issues at the same time and looking at the potential  
2882 implications overall for the region.

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2883           \*Mr. Pfluger. What are the implications in the  
2884 production of electricity if these dams are removed?

2885           \*Ms. Mallory. I mean, again, I think that is what the  
2886 regional needs assessment is for. And so I \_ you have heard  
2887 a little bit from the hypothetical \_

2888           \*Mr. Pfluger. According to you, your thoughts.

2889           \*Ms. Mallory. I am not a expert on energy. The folks  
2890 who are experts are sitting next to me, and that is why we  
2891 set up the process so that there would be an assessment done  
2892 by experts.

2893           \*Mr. Pfluger. Is it your assessment that the  
2894 administration believes in a best of the above approach when  
2895 it comes to the generation and the production of electricity?

2896           \*Ms. Mallory. I think energy, as I think Jeremiah has  
2897 already talked about, is a complex matter that, depending on  
2898 the place and the type of energy, you may have a different  
2899 result.

2900           \*Mr. Pfluger. Yeah, it is a complex matter, and yet it  
2901 is very simple. When you have the ability to produce,  
2902 especially from something like hydropower, that should be  
2903 used, and in every case the benefit to the public, the

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2904 benefit to those that are living there, should be considered,  
2905 and I think that is why we are so worried here on this  
2906 committee, because we have resources, and the administration  
2907 has just taken steps to tell us that we are not going to be  
2908 able to export LNG and continue to grow that sector when the  
2909 President explicitly made a promise to our European allies  
2910 that we would produce additional LNG and we would export  
2911 that. It ties into this situation here.

2912           So I will let anybody from the energy sector answer.  
2913 Does the administration support a best of the above approach?

2914           \*Mr. Connor. I believe the administration supports a  
2915 clean energy approach, so we will look at all opportunities  
2916 to advance that.

2917           \*Mr. Pfluger. So not best of the above?

2918           \*Mr. Connor. That is \_ I don't know what the mix is.  
2919 It is a combination of renewables, batteries, carbon  
2920 sequestration. I don't know. We are concerned about climate  
2921 change, absolutely, and \_

2922           \*Mr. Pfluger. I think \_

2923           \*Mr. Connor. \_ limiting emissions. That is an  
2924 absolutely true statement.

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2925           \*Mr. Pfluger. I think it is clear that the priorities  
2926 are backwards in a lot of cases. With that, Mr. Chairman, I  
2927 yield back.

2928           \*Mr. Duncan. The gentleman yields back. Mr. Armstrong  
2929 passed over to Mr. Pfluger, and now I recognize Armstrong who  
2930 instructed me to recognize the chairwoman of the committee.  
2931 Ms. Rodgers, you are recognized for five minutes.

2932           \*The Chair. Thank you, Mr. Chairman. Chair Mallory,  
2933 you begin \_ you began your testimony stating that there is 13  
2934 salmon runs that were listed as endangered in the 1990s.  
2935 Behind me is a graphic showing the five runs listed as crisis  
2936 in Washington State. Only one passes through the Lower Snake  
2937 River Dams.

2938           Ms. Coit, if only one of these runs pass through the  
2939 Lower Snake River Dams, then does NOAA determine how \_ how  
2940 does NOAA determine that the Lower Snake River Dams are the  
2941 main source of the problem for these five runs that are in  
2942 crisis?

2943           \*Ms. Coit. Thank you for that question. I think what  
2944 we are saying is the Lower Snake River Dams are part of the  
2945 factors that put salmon at risk, not that they are the one

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2946 thing. So it is a suite of actions that put salmon at risk,  
2947 not just the dams. And certainly we have been working with  
2948 the Army Corps to improve the hydropower system so that it  
2949 does a better job with passage in both directions, and that  
2950 is part of this agreement as well.

2951 \*The Chair. Thank you. So if you look up and down the  
2952 West Coast, you know, there is rivers that don't have any  
2953 dams. The Fraser River in British Columbia don't have any  
2954 run \_ any dams on the Fraser River, and yet they have similar  
2955 salmon declines. So if we are seeing similar salmon declines  
2956 up and down the West Coast, is it possible, Ms. Coit, that  
2957 the main issue impacting the success of salmon are not the  
2958 dams but predation, pollution, habitat loss, and ocean  
2959 conditions?

2960 \*Ms. Coit. All of those things affect salmon during  
2961 their life cycle for sure, including the dams. And we have  
2962 seen like with the Elba Dam, when you take out dams that  
2963 salmon will return to places that they haven't been because  
2964 of the impediments.

2965 \*The Chair. Thank you. I would like to highlight that  
2966 this \_ the Snake River Fall Chinook run is approaching goal.

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2967 The Snake River Basin steelhead, making progress. There is  
2968 four other runs, two in Puget Sound, that are in crisis. I  
2969 have yet to see a plan to address those runs.

2970 Has NOAA under the Biden administration changed their  
2971 position with respect to the Lower Snake River Dams?

2972 \*Ms. Coit. The \_ I am not sure what you mean by  
2973 changing the position. I think what NOAA concluded was \_  
2974 considering \_

2975 \*The Chair. If I may clarify?

2976 \*Ms. Coit. Yeah. Okay, thanks.

2977 \*The Chair. Okay. NOAA issued a report Rebuilding  
2978 Interior Columbia Basin Salmon and Steelhead Report. Earlier  
2979 today you said that that report advocates for breaching the  
2980 dams. That is the report that CEQ has used in negotiating  
2981 these terms and conditions. So the question is, based upon  
2982 that report, did the Biden administration change its position  
2983 with respect to the Lower Snake River Dams?

2984 \*Ms. Coit. No. I think NOAA, in our report, says that  
2985 the best science indicates that among a number of centerpiece  
2986 actions considering breaching those dams would provide a  
2987 better outcome for fish.

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2988           \*The Chair. Okay, thank you.

2989           \*Ms. Coit. And then I think the agreement \_

2990           \*The Chair. Thank you.

2991           \*Ms. Coit. \_ doesn't speak to that specifically. The  
2992 memorandum of agreement that \_

2993           \*The Chair. Prior to this report, had NOAA ever issued  
2994 any report advocating for the breaching of the four Lower  
2995 Snake River Dams?

2996           \*Ms. Coit. I don't want to say anything inaccurate, so  
2997 I would like to double check, but I don't believe so.

2998           \*The Chair. So then you did change your position. If  
2999 you hadn't ever in the past, if NOAA had not issued a report  
3000 advocating for the breaching of the four Lower Snake River  
3001 Dams, then you did \_ NOAA changed its position.

3002           \*Ms. Coit. Well, I think what we did was take a look at  
3003 a regional consensus around a report that was provided to us  
3004 that we endorsed, and then we looked at those \_ as I said,  
3005 those goals are different from the Endangered Species Act  
3006 goals, and then the report that we put together looked at  
3007 what would provide the best suite of actions that would  
3008 provide the best chance of meeting those higher level goals,

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3009 the healthy and harvestable goals.

3010 \*The Chair. Well, bottom line, it sounds to me like  
3011 NOAA changed their position.

3012 Chair Mallory, can you tell me how many tribes are in  
3013 Washington State?

3014 \*Ms. Mallory. Actually, Congresswoman, I can't.

3015 \*The Chair. How many tribes were \_ well, there is 29.  
3016 How many tribes were included in this agreement?

3017 \*Ms. Mallory. So the litigation parties in the \_ in the  
3018 \_ that were related to this agreement included four specific  
3019 tribes.

3020 \*The Chair. Yeah, so four out of 29. Chair Mallory, do  
3021 you believe that removing the Snake River Dams will guarantee  
3022 our salmon runs are restored?

3023 \*Ms. Mallory. I was going to say as we discussed. I  
3024 believe that the information that we have on the Snake River  
3025 Dams is based on what NOAA has told us and what represents I  
3026 think the scientific view of \_

3027 \*The Chair. Ignoring predation, pollution, habitat  
3028 loss, ocean conditions. And for those who are saying this is  
3029 going to provide certainty, it is certainty for five years



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3030 with the possibility of another five years. There is still  
3031 more work to be done.

3032 I yield back.

3033 \*Mr. Duncan. The gentlelady yields back. I will now go  
3034 to Mr. Fulcher for five minutes.

3035 \*Mr. Fulcher. Thank you, Mr. Chairman, for allowing me  
3036 to be here today, to the panelists for being here.

3037 This is for Ms. Mallory, and I have a few questions  
3038 about the September 2022 report titled Rebuilding the  
3039 Interior Columbia Basin and Salmon Steelhead (sic), and just  
3040 for the sake of brevity, I am just going to refer to that as  
3041 the September 2022 Rebuilding Report, okay?

3042 \*Ms. Mallory. Yes.

3043 \*Mr. Fulcher. So CEQ was involved with coordinating  
3044 between federal agencies, tribal government, and members,  
3045 state governments, and nonprofits to compile information that  
3046 was used in that September 2022 Rebuilding Report, is that  
3047 correct?

3048 \*Ms. Mallory. I think by the time the report was  
3049 prepared our involvement was simply in helping to coordinate  
3050 the release of the report.

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3051           \*Mr. Fulcher. Okay, so you were involved with the  
3052 coordination of that. CEQ is also \_

3053           \*Ms. Mallory. Of the release.

3054           \*Mr. Fulcher. Well, so you didn't have anything to do  
3055 with the compilation?

3056           \*Ms. Mallory. Correct, did not.

3057           \*Mr. Fulcher. Okay. So CEQ was involved in drafting  
3058 the September 2022 Rebuilding \_

3059           \*Ms. Mallory. False, was not.

3060           \*Mr. Fulcher. You were not involved with \_

3061           \*Ms. Mallory. Not involved in the drafting.

3062           \*Mr. Fulcher. Okay. That \_ put that on the record.

3063 Thank you for that. As part of the drafting process,

3064 officials from CEQ reviewed drafts of the September 2022

3065 Rebuilding Report, is that right?

3066           \*Ms. Mallory. That is probably correct.

3067           \*Mr. Fulcher. Okay. So as part of the drafting  
3068 process, you reviewed that, but you weren't involved with the  
3069 drafting process, right?

3070           \*Ms. Mallory. No, we were not. I think we were  
3071 reviewing it to make sure that the two reports that actually

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3072 came out pretty close to one another, the energy report and  
3073 the \_

3074 \*Mr. Fulcher. Okay.

3075 \*Ms. Mallory. \_ NOAA Rebuilding Report were done \_ came  
3076 out at the right time together.

3077 \*Mr. Fulcher. Okay, all right. So CEQ coordinated and  
3078 worked with NOAA and NOAA Fisheries during the process to  
3079 develop the draft of the September 2022 Building (sic)  
3080 Report, is that right?

3081 \*Ms. Mallory. I mean, again it depends what you are  
3082 trying to say. We knew that there was a NOAA draft \_

3083 \*Mr. Fulcher. You either worked \_

3084 \*Ms. Mallory. \_ being created \_

3085 \*Mr. Fulcher. You either worked with NOAA or you didn't  
3086 on it.

3087 \*Ms. Mallory. We worked with NOAA \_

3088 \*Mr. Fulcher. Okay.

3089 \*Ms. Mallory. \_ but we did not get involved in the  
3090 science.

3091 \*Mr. Fulcher. That is fair. You worked with NOAA on \_

3092 \*Ms. Mallory. Well, I \_

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3093           \*Mr. Fulcher. All the work that CEQ did with NOAA and  
3094 NOAA Fisheries on the September 2022 Report, can you just  
3095 describe that?

3096           \*Ms. Mallory. Again, I think at that point we had  
3097 already started the interagency process that was focused on  
3098 how we were all going to work together around this issue.  
3099 And so we knew they were doing a report because they said  
3100 that there was a gap in the information, and we were  
3101 coordinating how the release of this information would be  
3102 made public.

3103           \*Mr. Fulcher. Okay. To what extent did CEQ task or  
3104 coordinate the agencies when it came to obtaining information  
3105 on the process for the 2022 Rebuilding Report and CEQ's  
3106 involvement? To what extent did CEQ task or coordinate the  
3107 agencies when it came to obtaining information on the process  
3108 for the 2022 Rebuilding Report?

3109           \*Ms. Mallory. So we were \_ we were operating in an  
3110 interagency process at that point, and I think if what your  
3111 question is is making sure that the agencies were providing  
3112 NOAA with information? Yes, I think we were involved in  
3113 that.

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3114           \*Mr. Fulcher. Was any of that coordination connected to  
3115 considering the option of dismantling, breaching, or  
3116 otherwise undermining operational control of the Lower Snake  
3117 River Dams?

3118           \*Ms. Mallory. I actually am not close enough to the  
3119 coordination to try to speak to that, but I \_ so I am going  
3120 to stop there. I was not involved.

3121           \*Mr. Fulcher. Ms. Mallory, just by these responses, it  
3122 is very clear to me you are posturing that CEQ was some  
3123 objective counselor. It is just disingenuous.

3124           \*Ms. Mallory. Congressman, I don't think I am posturing  
3125 that we are an objective counselor.

3126           \*Mr. Fulcher. That is exactly how you are \_

3127           \*Ms. Mallory. What I am posturing is that we are \_

3128           \*Mr. Fulcher. That is exactly how you are posturing it.

3129           \*Ms. Mallory. \_ in the White House \_

3130           \*Mr. Fulcher. And it is a disingenuous response.

3131           \*Ms. Mallory. \_ representing the President's agenda.

3132 That is what we are doing.

3133           \*Mr. Fulcher. Okay. Well, let me \_

3134           \*Ms. Mallory. We are advancing the President's agenda.

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3135           \*Mr. Fulcher. Let's just speak about that for a second.  
3136 On your website it says, CEQ was created in 1969 by the  
3137 National Environmental Policy Act, which advises the  
3138 President and develops policies on climate change,  
3139 environmental justice, federal sustainability, public lands,  
3140 and so on and so on. Ms. Mallory, in 1969 global warming  
3141 hadn't even been invented yet, much less climate change or  
3142 environmental justice, okay? And so this has turned into a  
3143 progressive rallying cry that is still in search of a  
3144 definition.

3145           Clearly the mission of CEQ has changed, okay, because  
3146 this wasn't what it was in 1969. And so right now I believe,  
3147 and I think your responses substantiate it, your mission has  
3148 been included to promote the breaching of the Lower Four  
3149 Snake River Dams.

3150           \*Ms. Mallory. Thank you, Congressman.

3151           \*Mr. Fulcher. And I for one, in terms of Congress, I am  
3152 not going to stand for it.

3153           \*Ms. Mallory. I would say on that \_

3154           \*Mr. Fulcher. Those dams provide hydro transportation  
3155 on barging, irrigation, flood control, and recreation. Those

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3156 are \_ the removal, or breaching, or bypassing would decimate  
3157 the economy of the Pacific Northwest. We are not going to  
3158 stand for that.

3159 Mr. Chairman, I yield back.

3160 \*Mr. Duncan. The gentleman yields back. I now go to  
3161 Mr. Obernolte \_ oh, Mr. Sarbanes is back. So, Mr. Sarbanes,  
3162 you are recognized for five minutes.

3163 \*Mr. Sarbanes. Thanks very much, Mr. Chairman. I  
3164 appreciate you all being here today. Obviously a very  
3165 complex set of issues when we look at these competing  
3166 interests, and the Columbia River Basin challenge gives us an  
3167 opportunity to do that deep dive. At these hydroelectric  
3168 dams all across the country, we have got to achieve that  
3169 balance. The importance of these sites, renewable hydropower  
3170 generation is undeniable, but oftentimes there is  
3171 environmental impacts, as we have discussed today, from their  
3172 operations.

3173 In Maryland I am very focused, as I represent the state,  
3174 on the Conowingo Dam, which sits on the Susquehanna River.  
3175 It provides half of the fresh water that reaches the  
3176 Chesapeake Bay. It is a non-federal hydroelectric dam that

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3177 generates around half of the renewable energy in our state  
3178 but has also been subject to years of litigation related to  
3179 how its operation impacts upstream and downstream ecosystems.

3180 Assistant Administrator Coit, could you just talk, and I  
3181 know you have done some of this already today, but about how  
3182 we approach the need to balance on the one hand our energy  
3183 needs and other things with the environmental perspective  
3184 that we need to bring to bear? Are you hopeful about how we  
3185 are starting to get our arms around that and certainly the \_  
3186 what the federal perspective on that can bring to bear?

3187 \*Ms. Coit. Thank you for that question, Congressman.  
3188 Yes, our job at NOAA Fisheries in regards to any listed  
3189 marine and anadromous fisheries \_ or species, excuse me, is  
3190 to work on \_ with action agencies, or developers, or  
3191 permittees on the mitigation that is required to make sure  
3192 that we avoid jeopardizing a listed species. And so I think  
3193 the work that we are doing now to promote clean energy is  
3194 being done, you know, consistent with the Endangered Species  
3195 Act and the Fish and Wildlife Coordination Act and looking  
3196 carefully at how to avoid, and minimize, and mitigate impacts  
3197 to species in the marine environment, and the river, and



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3198 other environments.

3199           \*Mr. Sarbanes. I mean, as a general matter, what I  
3200 think happens when we bring more of the environmental  
3201 considerations into play here is that we just take a lens  
3202 that may have been narrowed and we start to broaden it out,  
3203 and we bring other considerations to bear. When you look at  
3204 the \_ when you look at the Columbia River Basin challenge,  
3205 even if you leave aside the question of what is going to  
3206 happen with removal or not in terms of the dams, I imagine  
3207 these investments that we are seeing, for example, the 300  
3208 million dollars committed from Bonneville and so forth, are  
3209 ones that are going to benefit those fish populations  
3210 regardless, correct?

3211           \*Ms. Coit. Yes. We are making a lot of investments in  
3212 improving habitat that will result in healthier more  
3213 resilient fish that will do better in an impaired \_ or a  
3214 manipulated system or a natural system.

3215           \*Mr. Sarbanes. And I hope to see that perspective being  
3216 brought to bear with respect to the Conowingo Dam, which is  
3217 right now blocking American Shad and River Herring from  
3218 migrating upstream to spawning grounds, and generally other

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3219 states where dam operations can impede fish migration. And I  
3220 am glad the Federal Government is stepping in, and I want to  
3221 give the government credit for that.

3222 And, Chair Mallory, in the time that remains, maybe just  
3223 talk about how important it is for CEQ to take the convening  
3224 role, the kind of cross-agency convening role when it comes  
3225 to this balance that we are trying to achieve.

3226 \*Ms. Mallory. Thank you so much, Congressman. I think  
3227 the key point about CEQ's responsibilities is that we are  
3228 there to serve the President on the issues of the time, and  
3229 so the issues of the time right now very much are this  
3230 interrelationship between climate change and what it is doing  
3231 to our natural resources and what it means for our tribal  
3232 responsibilities.

3233 And so what we have tried to do when \_ on complex issues  
3234 like this is to make sure that the federal family is all at  
3235 least coming together and participating with one another  
3236 around some of these issues which are very hard and which  
3237 result in, you know, require us to kind of look at each of  
3238 the individual missions as we are trying to find a path  
3239 forward. So I think in this case, the interagency process

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3240 has been really critical to bringing us all along and to  
3241 arriving at a place where we are representing the President's  
3242 goals.

3243 \*Mr. Sarbanes. Thanks very much. I yield back.

3244 \*Mr. Duncan. The gentleman yields back. The chair will  
3245 now recognize Mr. Obernolte for five minutes. And I request  
3246 \_ would the gentleman yield for 30 seconds?

3247 \*Mr. Obernolte. Certainly, sir.

3248 \*Mr. Duncan. I thank the gentleman.

3249 Ms. Mallory, was the Federal Energy Regulatory  
3250 Commission, or FERC, involved in the decision making of  
3251 removing these dams?

3252 \*Ms. Mallory. There has been no decision to remove  
3253 dams, and they are not part of our interagency process  
3254 because it is an independent agency.

3255 \*Mr. Duncan. There is long-term implications there.  
3256 They should have been. They are involved on the front end of  
3257 approving electric projects, reliability, energy cost, but  
3258 they weren't involved in removing dams that could ultimately  
3259 affect energy prices for people in Washington State and the  
3260 Pacific Northwest.

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3261           \*Ms. Mallory. We are not removing dams [Laughter.] I  
3262 don't know how many times I am going to say that.

3263           \*Mr. Duncan. The gentleman from California is  
3264 recognized.

3265           \*Mr. Obernolte. Thank you, Mr. Chairman.

3266           Chair Mallory, thank you for being here today. In  
3267 addition to my role on the Energy and Commerce Committee, I  
3268 serve as the chairman of the Science, Space, and Technology  
3269 Subcommittee on Investigations and Oversight. Our  
3270 subcommittee over the last 10 months has been conducting an  
3271 investigation into a proposed rule that would require U.S.  
3272 government contractors to submit reports of their greenhouse  
3273 gas emissions and to a third party foreign entity that would  
3274 then set emissions reductions targets for those companies.

3275           We have been concerned with the role that CEQ played in  
3276 selecting this foreign company called SBTI, specifically the  
3277 fact that CEQ and SBTI appear to have a very close  
3278 relationship, that SBTI was selected in a non-merit based  
3279 process in a sole source contract, and the fact that quasi  
3280 regulatory authority is being delegated to a foreign entity  
3281 here. We have invited you on multiple occasions to testify

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3282 at hearings that we have held on this issue, and  
3283 unfortunately, you have not made yourself available, so I  
3284 thought I would take the opportunity to ask some of my  
3285 questions today.

3286 On four different occasions, your staff met with  
3287 subcommittee staff and stated unequivocally that CEQ had no  
3288 role in the rulemaking process past the initial drafting of  
3289 the rule and no role in the selection of SBTI. And your  
3290 deputy, Andrew Mayock, who testified before our subcommittee  
3291 hearing said the same thing on the record. However,  
3292 subsequent document production from CEQ make it unambiguously  
3293 clear that that is not correct.

3294 Last month, Ranking Member Foushee of my subcommittee  
3295 and Congresswoman Lofgren, the ranking member of the full  
3296 Science, Space ,and Technology Committee, sent you a letter  
3297 demanding that you correct the record on this issue. And let  
3298 me point out that when an agency has succeeded in upsetting  
3299 members of a subcommittee on both sides of the aisle, it is  
3300 an indication that the process has been badly mishandled.

3301 When do you intend to correct the record on this issue?

3302 \*Ms. Mallory. Thank you, Congressman, I appreciate

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3303 that, and I think we are \_ we are actually in the process, as  
3304 I indicated in a letter back to the ranking members, looking  
3305 at specifically the issues that arose in this situation. And  
3306 I think we obviously believe that there has been some  
3307 miscommunication, and that is a miscommunication that I am  
3308 trying to understand better.

3309 We are looking specifically at the questions raised in  
3310 the letter that went to the relationship between an employee  
3311 and these entities, and I think we had already determined at  
3312 a career staff level that there was not a conflict of  
3313 interest, but the issues of appearance are things that I am  
3314 looking at right now. So I am working on that. Will hear  
3315 back shortly.

3316 \*Mr. Obernolte. All right. Well, I mean, my concern is  
3317 that it seems like your agency made a material  
3318 misrepresentation on the record to my subcommittee, and I  
3319 would like to request that you correct the record on that  
3320 since it seems very clear that that correction is warranted.

3321 \*Ms. Mallory. Thank you, Congressman. As I said, we  
3322 are looking into that. I think we do not believe we made a  
3323 material misrepresentation, but we are definitely looking at

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3324 that.

3325           \*Mr. Obernolte. Well, I mean, members on both sides of  
3326 the aisle on my committee and our committee staff believe  
3327 that you did. I would like to read you something that your  
3328 office put out in response to our investigative memo. You  
3329 said, "The committee's incendiary allegations regarding the  
3330 motivation of the rulemaking are unfounded and represent an  
3331 attempt to distract from the administration's historic work  
3332 to build a climate resilient clean energy future.'"

3333           To be clear, we were not conducting a hearing on whether  
3334 or not the plan to require companies to set emissions  
3335 reductions targets was proper. We were investigating what we  
3336 perceived to be an improper relationship between CEQ and SBTI  
3337 and the role that CEQ played in selecting SBTI for this. How  
3338 is what was in our investigation memo unfounded? Because it  
3339 \_ that is the assertion that you made in your statement?

3340           \*Ms. Mallory. Thank you, Congressman. As I said, we  
3341 are in the midst of our own investigation right now. I do  
3342 not want to speak specifically to this issue. I think our  
3343 sense based on the reading \_ my reading of it as well is  
3344 there was some misunderstanding, both on our role and on the

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3345 facts of the circumstance because in part you only released  
3346 information about a narrow set of stakeholders who were  
3347 involved when we did a broad review of a \_ of stakeholders  
3348 who had a role in this particular kind of matter.

3349 \*Mr. Obernolte. All right. Well, I see that I am out  
3350 of time. I would like to invite you to appear before another  
3351 hearing of the subcommittee to discuss this further to  
3352 present CEQ's side of the issue. If there are documents that  
3353 are exculpatory, I would invite you to share them with us and  
3354 with the public. Is that something that you will consent to  
3355 do, to appear before the subcommittee?

3356 \*Ms. Mallory. Congressman, I appreciate the invitation.  
3357 We will certainly circle back. Thank you.

3358 \*Mr. Obernolte. Okay. I will take that as a maybe.  
3359 Thank you, Mr. Chairman. I yield back.

3360 \*Mr. Duncan. The gentleman yields back. That will  
3361 conclude the first panel. I want to thank all of our  
3362 witnesses for being here today. We are going to stand in  
3363 recess, pending call of the chair, give staff time to replace  
3364 the nametags, and then we will convene the second panel upon  
3365 the gavel. Stand in recess.



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3366 [Recess.]

3367 \*Mr. Duncan. All right, we will call the subcommittee  
3368 back to order. And I want to thank our witnesses on the  
3369 second panel today, and I will recognize them. Again, you  
3370 will have five minutes. There are lights in front of you,  
3371 green, yellow, red. It gets to red, just wrap it up. I am  
3372 going to try to keep on time.

3373 Our witnesses today, Mr. Jeremy Takala, member of the  
3374 Yakama Nations Tribal Council. Yakama, right? Yakama. I  
3375 have been on that Yakama River fishing, so I should have  
3376 known that. Honorable Jim Matheson, welcome back, CEO of  
3377 National Rural Electric Cooperative Association, former  
3378 member, and we are glad you are here. Mr. Casey \_ Ms. Casey  
3379 Chumrau? Chumrau. CEO of Washington Grain Commission. And  
3380 Mr. Neil Maunu, Executive Director of Pacific Northwest  
3381 Waterways Association.

3382 This may be the most complicated name group that we have  
3383 ever had here, but we will struggle through it. But thank  
3384 you guys for being here. I will now recognize Mr. Takala for  
3385 five minutes to give an opening statement.

3386

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3387 STATEMENT OF JEREMY TAKALA, MEMBER, YAKAMA NATION'S TRIBAL  
3388 COUNCIL; THE HON. JIM MATHESON, CEO, NATIONAL RURAL ELECTRIC  
3389 COOPERATIVE ASSOCIATION (NRECA); CASEY CHUMRAU, CEO,  
3390 WASHINGTON GRAIN COMMISSION; AND NEIL MAUNU, EXECUTIVE  
3391 DIRECTOR, PACIFIC NORTHWEST WATERWAYS ASSOCIATION (PNWA)

3392

3393 STATEMENT OF JEREMY TAKALA

3394

3395           \*Mr. Takala. Thank you. So good morning. Good  
3396 afternoon Chairman Duncan, Ranking Members DeGette, and  
3397 distinguished committee members. My name is Pax'una'shut,  
3398 and known as Jeremey Takala, today on behalf of the  
3399 Confederate Tribes and Bands of the Yakama Nation in my  
3400 capacity as the current Chair for the Yakama Nation Tribal  
3401 Council's Fish and Wildlife Committee.

3402           The Yakama Nation is deeply concerned that the  
3403 congressional representatives are hearing a one-sided story  
3404 fueled by fear and misinformation about the Biden  
3405 administration's December 14th agreement and what it means  
3406 for the people of the Pacific Northwest. Some have called  
3407 the agreement a backroom deal written by radical

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3408 environmental special interest group and rubber stamped by  
3409 the Biden administration. I was on the Yakama Nation's  
3410 negotiations team and I can tell you that this is simply  
3411 untrue.

3412 Others worry that the cost of implementing the agreement  
3413 will fall on BPA and its rate payers and significantly  
3414 increase electric bills in their communities. But BPA's own  
3415 analysis indicates that the agreement will have little to no  
3416 rate impacts. When misinformation is the point where  
3417 opponents of the agreement are telling you that massive dams  
3418 are actually good for fish passage and cold water, it is time  
3419 to take a step back. As a signatory to the agreement, the  
3420 Yakama Nation is happy to testify today and help set the  
3421 record straight.

3422 This agreement is a historic opportunity to help save  
3423 our salmon and secure a just and prosperous future for  
3424 everyone in the Columbia Basin. First for clarity, the  
3425 Yakama Nation is not a radical environmental special interest  
3426 group. The Yakama Nation is a sovereign Native nation  
3427 comprised of the confederated peoples of 14 historic tribes  
3428 and bands from the Columbia Plateau. Our inherent sovereign

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3429 rights and privileges are recognized and guaranteed by a  
3430 treaty we signed with the U.S. in 1855.

3431         Since time and memorial, the strength of our Yakama  
3432 Nation and its people have come from the Nch'i-wana, the Big  
3433 River, or the Clem River, and its tributaries, and from the  
3434 fish, game, roots, and berries nourished by their waters.  
3435 Today we have one of the largest and most sophisticated  
3436 fisheries management and restoration programs in the Nation,  
3437 but we also own and operate our own Yakama Power which  
3438 delivers electricity to more then 3,000 customers on the  
3439 Yakama Reservation and is the only tribal electric utility  
3440 with membership in a regional public power council.

3441         This agreement was not developed by environmental  
3442 special interest groups. The commitments are a direct  
3443 response to the comprehensive Columbia Basin Restoration  
3444 Initiative advanced to the administration by the following:  
3445 the Yakama Nation, the Umatilla, Warm Springs, and the Nez  
3446 Perce Tribes, and the States of Washington and Oregon. Each  
3447 leader of the Six Sovereigns that brokered this deal with the  
3448 U.S. government are elected government leaders and  
3449 accountable to their constituents, which have interest in

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3450 both improved salmon returns and affordable electricity.

3451       The initiative was developed because we all understand  
3452 that rapidly changing economic energy and climate conditions  
3453 in the Northwest in a dire status of Columbia Basin fisheries  
3454 require a comprehensive and urgent plan of action to respond  
3455 to inevitable changes and meet regional needs during the  
3456 coming decades. Healthy and abundant runs of salmon and  
3457 steelhead would not just benefit Indian people but the larger  
3458 population as well. Thousands of jobs in the sports,  
3459 fishing, and even commercial industry will loss with  
3460 diminished salmon runs. Those jobs and the millions of  
3461 dollars in income, and even taxes, would return with a  
3462 healthy fishery, and those economic benefits need to be  
3463 factored into this discussion.

3464       A federal mediation process aimed at resolving decades  
3465 of litigation over the operation of federal hydrosystem led  
3466 to this agreement. This process, like all mediation, was  
3467 confidential. The Biden administration has shown an  
3468 unprecedented and long overdue level of federal commitments  
3469 to saving Columbia Basin salmon and in upholding tribal  
3470 treaty rights, but the cost of implementing the December 14th

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3471 agreement will not be borne by the region's rate payers.

3472           This agreement brings the whole of the U.S. government's  
3473 commitment to salmon restoration on par with BPA's  
3474 longstanding obligations which have generally not been met.  
3475 Applying BPA's preliminary rate analysis to potential monthly  
3476 rate increase for an average residential customer would be  
3477 about 24 cents if the power came a hundred percent from BPA,  
3478 which is not typical. Only 24 cents. And there would be no  
3479 increased cost for customers of investor-owned utilities like  
3480 those serving the cities of Yakama, Spokane, which do not buy  
3481 firm power from BPA. For example, the Washington customers  
3482 of Vista Pacific Power, Puget Sound Energy would have zero  
3483 risk of rate increase from the December 14th agreement.

3484           In closing, the successful implementation of the  
3485 December 14th agreement is vitally important. Columbia Basin  
3486 salmon are in a crisis and the courtroom cannot deliver the  
3487 creative and comprehensive solutions that we need. And our  
3488 history has shown that salmon cannot survive under the status  
3489 quo.

3490           Putting the questions of breach aside, there are  
3491 millions of dollars in shovel-ready identified hatchery

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3492 habitat restoration plans and deferred maintenance of fish  
3493 passage facilities pending before agencies now that need to  
3494 be undertaken. We must restore Columbia Basin fisheries to  
3495 healthy and abundant levels. The economic and ecological  
3496 health of our region requires it and my people's tribal  
3497 treaty rights demand it. As the U.S. Supreme Court recently  
3498 affirmed, treaty fishing rights include the right to actually  
3499 catch fish, not just to dip our nets in empty waters without  
3500 salmon.

3501 I thank you today and thank you for your time, members.

3502 [The statement of Mr. Takala follows:]

3503

3504 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

3505

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3506           \*Mr. Duncan. All right, the gentleman's time is  
3507 expired. I will now recognize the Honorable Mr. Matheson for  
3508 five minutes.  
3509



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3510 STATEMENT OF THE HON. JIM MATHESON

3511

3512 \*Mr. Matheson. Thank you, Subcommittee Chair Duncan and  
3513 Ranking Member DeGette. It is good to be before the  
3514 committee today to testify.

3515 My name is Jim Matheson. I am the Chief Executive  
3516 Officer of the National Rural Electric Cooperative  
3517 Association, or NRECA. I am testifying today on behalf of  
3518 America's 900 not-for-profit community-owned electric  
3519 cooperatives, but most importantly, I am here representing  
3520 the 55 co-ops in the eight western states that get hydropower  
3521 from the Bonneville Power Administration System.

3522 Look, this ill-conceived Lower Snake River Dam  
3523 settlement agreement we are here to discuss, it was brokered  
3524 in secret without contributions from electric utilities, and  
3525 as a result, and not surprisingly, it does threaten electric  
3526 reliability. It also violates in a fundamental way the trust  
3527 communities in the Northwest put in the Federal Government,  
3528 and my written testimony provides a thorough set of comments  
3529 on why the settlement agreement is bad policy and it was  
3530 developed through a bad process. I will highlight five

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3531 concerns in my oral comments today.

3532           Number one. The settlement agreement threatens access  
3533 to 3,000 megawatts of nameplate capacity of carbon-free,  
3534 reliable, and affordable power in the Pacific Northwest and  
3535 the broader western interconnection at a time when in fact  
3536 our whole Nation and this part of the country needs more  
3537 electricity, not less. The four Lower Snake River Dams we  
3538 are discussing today are part of a vital hydropower system  
3539 makes up roughly 80 percent of BPA's generation capacity and  
3540 it has been said a lot, but this is \_ really is the backbone  
3541 of the economy of the Pacific Northwest.

3542           Number two. The four Lower Snake River Dams are  
3543 particularly valuable as a flexible, controllable carbon free  
3544 resource able to be ramped up or down with precision to  
3545 integrate intermittent renewables and make those renewables  
3546 all the more valuable, to \_ and to account for changing  
3547 demands on the system, and to provide reliability to keep the  
3548 lights on. And this is not just theoretical. The critical  
3549 value of these dams was demonstrated earlier this month when  
3550 a record cold snap hit the Northwest and the demand for  
3551 electricity set new records.

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3552           As demand went up, the wind stopped blowing. Wind  
3553 production across the BPA system dropped from January 11th  
3554 til January 13th by 94 percent as the cold intensified.  
3555 Hydropower filled the gap, increasing output by roughly 50  
3556 percent during the same period, keeping the lights on and  
3557 furnaces and space heaters running during the extreme cold  
3558 event when electricity was needed most. Wind simply didn't  
3559 perform and the dams did perform.

3560           Number three. If anyone is making the argument the  
3561 agreement doesn't specifically call for breaching the dams,  
3562 let's look at the implication of the agreement. I stipulate  
3563 it is up to Congress to vote on breaching the dam, so the  
3564 dams may not be physically breached by the agreement, but the  
3565 mandated spill and flow agreements chip away at the economic  
3566 viability of the dams with the goal of making them uneconomic  
3567 to operate.

3568           There are 22 times by my count in this settlement  
3569 agreement where the word breaching is mentioned. There are  
3570 25 times in this agreement where replacement power is  
3571 referenced. Why are we talking about replacement power  
3572 unless it assumes the dams are going to be breached?

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3573           So I get the first panel up here talking about, oh, we  
3574           can't do this, Congress has to do this. They know Congress  
3575           has to do it, but this settlement effort is a way to force  
3576           Congress's hand and put Congress in a position where  
3577           breaching is more likely. That is the fact and what this  
3578           agreement says.

3579           Number four. The intermittency of renewables creates  
3580           inescapable challenges for the electric grid and they cannot  
3581           replace the always available Lower Snake River Dam  
3582           hydropower. Simply put, the wind doesn't blow and the sun  
3583           doesn't shine 24 hours a day. Hydropower is a dispatchable  
3584           resource, meaning it can be adjusted to meet demand, it is  
3585           ever ready as a source of baseload power. Wind and solar, on  
3586           the other hand, are unpredictable.

3587           Now look, that doesn't mean they don't have value.  
3588           Electric cooperatives strongly support renewable energy, but  
3589           it must fit correctly into a reliable, diversified, electric  
3590           generation mix. Wind and solar simply don't work as direct  
3591           one-to-one replacements for hydropower. One megawatt of  
3592           solar is not the same one megawatt of hydro. Two megawatts  
3593           of solar isn't the same as one megawatt of hydro, or even

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3594 three isn't.

3595           Number five. Important stakeholders were in fact left  
3596 out of the important stages of the settlement agreement.  
3597 Sure, everyone was involved at the front end for some  
3598 listening sessions and people were asked to provide some  
3599 comments, and then when the real conversations happened over  
3600 the last several months, they were shut out of that process.  
3601 The people whose job it is to keep the lights on were kept in  
3602 the dark, and unfortunately that is the future of the Pacific  
3603 Northwest if this settlement agreement moves ahead and these  
3604 dams are breached.

3605           And I think the settlement process sets a dangerous  
3606 precedent of exclusion. CEQ, the federal mediation team, the  
3607 individuals that are given the privilege to negotiate, they  
3608 shouldn't be proud of this settlement. It undermines trust  
3609 in the Federal Government. It will invariably lead to more  
3610 litigation and it is going to harm electric reliability.

3611           Meeting future energy needs requires thoughtful  
3612 solutions and approaches inclusive of all energy resources to  
3613 maintain reliability and affordability. The Lower Snake  
3614 River Dam settlement does not strike this balance. NRECA and

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3615 the Nation's electric cooperatives look forward to working  
3616 with the committee and others in Congress to address our  
3617 concerns. I look forward to answering any questions.

3618 [The statement of Mr. Matheson follows:]

3619

3620 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

3621

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3622           \*Mr. Duncan. I thank the gentleman, and I will go to  
3623 Ms. Chumrau for five minutes.  
3624

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3625 STATEMENT OF CASEY CHUMRAU

3626

3627           \*Ms. Chumrau. Chairwoman Rodgers, Chairman Duncan,  
3628 Ranking Members Pallone and DeGette, good afternoon and thank  
3629 you very much for the opportunity to testify today on this  
3630 important issue.

3631           My name is Casey Chumrau, and I am the CEO of the  
3632 Washington Grain Commission. Grain growers in the Pacific  
3633 Northwest rely on the Columbia/Snake River System, and the  
3634 Lower Snake River Dams in particular, for their livelihoods.  
3635 The Columbia/Snake River System is the top wheat export  
3636 gateway in the Nation with more than 55 percent of all U.S.  
3637 wheat exports moving through the PNW by barge or rail.  
3638 Specifically, 10 percent of wheat that is exported from the  
3639 United States passes through the four locks and dams along  
3640 the Lower Snake River.

3641           This is especially important for our state because  
3642 Washington is the fourth, sometimes the third, largest wheat  
3643 producer in the Nation and exports 90 percent of the wheat  
3644 produced in the state. In addition, the agriculture  
3645 industry, the Columbia/Snake River System is the second



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3646 largest gateway for soybean and corn exports coming from as  
3647 far as the Midwest and serving an important channel to bring  
3648 crop inputs upriver to farmers in the region.

3649 Washington's agriculture industry and its ability to  
3650 produce and export products globally is critical to the state  
3651 and region's economy. The total value of wheat exported  
3652 through the PNW is nearly four billion dollars per year. For  
3653 Washington, the state is among the top 20 states for  
3654 agricultural exports in the Nation with over eight billion in  
3655 Washington-grown or processed food and agricultural exports  
3656 in 2022.

3657 A significant volume of food and agriculture products  
3658 from other states, including soybeans, wheat, and corn, are  
3659 exported through regional ports each year. Once these pass  
3660 through exports are combined with Washington-grown or  
3661 processed exports, the total value reaches over 23 billion  
3662 dollars.

3663 The Washington wheat industry alone contributed over 3.1  
3664 billion dollars to the state's economy in 2022, with a  
3665 heightened impact in rural areas. In the same year, total  
3666 direct employment associated with Washington wheat production

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3667 amounted to more than 3600 jobs. Indirect and induced  
3668 employment amounted to 11,000 additional jobs.

3669       The impact that Washington farmers have on their local  
3670 and regional economy is similar in communities across the  
3671 U.S. In addition to direct sales from farm goods and  
3672 commodities, farmers contribute to the economy and support  
3673 other rural businesses through purchases of farm business  
3674 inputs, everything from seed and fertilizer to business  
3675 services. Additionally, the personal purchases of both  
3676 farmers and their employees help to stimulate local economies  
3677 and keep small businesses running.

3678       Over the last 70 years, growers and their Federal  
3679 Government partners at USDA have invested billions of dollars  
3680 and countless hours in building strong relationships with our  
3681 overseas trading partners. The U.S. wheat industry  
3682 differentiates itself by providing high quality wheat and  
3683 reliable delivery. The United States is a reliable trading  
3684 partner in large part because of our world class, multimodal  
3685 infrastructure which allows us to ship products safely and  
3686 efficiently around the world. Any disruption to that system  
3687 would hurt our ability to consistently provide abundant, high

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3688 quality food products and weaken the competitiveness of U.S.  
3689 producers and global markets.

3690       There is insufficient infrastructure to replace the  
3691 barge shipments of grain along the Columbia/Snake River  
3692 System to export markets. Additionally, farmers in  
3693 Washington rely on the dams as a critical source of  
3694 irrigation. Not only is irrigation a critical tool for  
3695 farmers in low rainfall zones, but it also has environmental  
3696 benefits both on and off the farm.

3697       Many high value specialty crops across the region  
3698 utilize the advanced irrigation systems currently in place.  
3699 We strongly believe that dams and salmon can and do exist \_  
3700 co-exist. With a myriad of challenges facing the salmon  
3701 population, we are committed to building upon current  
3702 investments and technological advances. Currently, the Lower  
3703 Snake River Dams have world class fish passage and juvenile  
3704 survival rates upwards of 95 percent. We believe any work  
3705 moving forward should build off the fish passage systems  
3706 instead of eliminating them.

3707       The opportunities to ensure salmon populations continue  
3708 to grow do not have to come at the cost of destroying the

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3709 integrity of the Columbia/Snake River System and the ability  
3710 for farmers to produce a safe and abundant food supply. The  
3711 importance of the river system for the agriculture industry  
3712 and particularly for grain growers in Washington cannot be  
3713 overstated.

3714 I look forward to discussing the importance of the four  
3715 Lower Snake River Dams with you. Thank you very much.

3716 [The statement of Ms. Chumrau follows:]

3717

3718 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

3719

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3720           \*Mr. Duncan. The gentlelady yields back. I now go to  
3721 Mr. Maunu for five minutes.  
3722

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3723 STATEMENT OF NEIL MAUNA

3724

3725 \*Mr. Maunu. Chairwoman Rodgers, Chairman Duncan,  
3726 Ranking Member DeGette, and members of this subcommittee,  
3727 thank you for the opportunity to testify today.

3728 My name is Neil Maunu. I am the Executive Director of  
3729 the Pacific Northwest Waterways Association. PNWA is a trade  
3730 association that advocates for federal policies and funding  
3731 supporting regional economic development. We represent over  
3732 150 ports, public utilities, farmers, tug and barge  
3733 companies, marine terminals, cruise lines, and public  
3734 agencies. A subset of PNWA membership, the Inland Ports and  
3735 Navigation Group, has been a defendant intervenor in the  
3736 decades-long litigation surrounding salmon and the Lower  
3737 Snake River Dams.

3738 Considering breaching dams on the Lower Snake River  
3739 blatantly ignores the dramatic environmental and economic  
3740 costs that would result with far reaching negative impacts to  
3741 the transportation system into our Nation. Our region enjoys  
3742 the benefits of a robust transportation network and supply  
3743 chain with multiple modes, rail, truck, and barge all working

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3744 together, affording shippers options, fair rates, redundancy,  
3745 and resiliency.

3746         Just two weeks ago, as was mentioned, the entire Pacific  
3747 Northwest was in a deep freeze. Temperatures plummeted,  
3748 energy demands spiked to record levels, and road and rail  
3749 networks ground to a halt. But the river system remained  
3750 open. Despite winds in excess of a hundred miles per hour  
3751 and subzero temperatures, crews continued moving freight up  
3752 and down the river system.

3753         The navigable channel on the Columbia/Snake River System  
3754 is called Marine Highway 84, or M84. This publicly-owned  
3755 maritime transportation network transports 55 percent of U.S.  
3756 wheat exports, making it the Nation's number one wheat  
3757 gateway to the world. Over 33 million tons of grain are  
3758 exported to customers overseas from this system.

3759         M84 is a highway, it is infrastructure. Its purpose is  
3760 no different than the main highway, I84, that runs adjacent  
3761 to it, or the two mainline rail tracks that straddle either  
3762 side of it. But one significant disparity does exist.  
3763 Highways and rail in the Columbia River Gorge cannot be  
3764 expanded. Constructing more lanes or more rail is physically

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3765 not possibly. However, the river system, with existing  
3766 infrastructure, stands ready today to double its capacity.  
3767 We must maintain this infrastructure, not shrink it.

3768         Last February, DOT released its blueprint for  
3769 transportation decarbonization. It notes that maritime  
3770 transportation, including river barging, has the lowest  
3771 emissions per ton mile for freight. The blueprint calls for  
3772 actions before 2030 to "provide incentives to support greater  
3773 use of efficient travel modes and vehicles.'" Given that  
3774 maritime movement of freight is the most environmentally  
3775 efficient mode of transportation, we fail to understand how  
3776 the removal of the four Lower Snake River Dams could be  
3777 consistent with this blueprint.

3778         Dramatic increases in greenhouse gas emissions will  
3779 result by switching from barge to truck and rail if the Lower  
3780 Snake River Dams are removed. At a time when Washington  
3781 State and the administration are looking to decarbonize, this  
3782 plan fails to consider the negative impacts an increase in  
3783 truck and rail emissions would have. It is five million  
3784 gallons more per year of fuel consumption and millions of  
3785 tons of excess emissions. This is going in the wrong



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3786 direction.

3787           Additionally, the Lower Snake River Dams serves as a  
3788 pivotal conduit for substantial portions of our Nation's  
3789 agricultural commodities, moving large volumes of U.S. goods  
3790 to international markets. In 2022, the total commodity value  
3791 of goods and cargo handled on the Columbia/Snake River  
3792 System, import and export, was over 27 billion dollars, a  
3793 testament to the economic importance and impact this waterway  
3794 has on the United States. Should those dams be breached, a  
3795 chain reaction begins with elevated transportation costs due  
3796 to the need for wheat and other goods to be transported on  
3797 more expensive truck and rail systems. This shift will lead  
3798 to increased costs for producers and consumers nationwide.

3799           It is estimated that the loss of barging would increase  
3800 national grain shipping costs by 60 million dollars per year.  
3801 The cost increase for transportation could likely bankrupt  
3802 over 7600 farms unless U.S. farm subsidies to our region  
3803 increased over 1.7 billion dollars over 30 years. Bankrupt  
3804 farms and decreased land values means a decrease in the local  
3805 tax base, dramatically reducing basic services like education  
3806 and public safety in a region with many already living at or

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3807 below the poverty level. This would be devastating.

3808 For all these reasons, removal of the Lower Snake River  
3809 Dams is not just a regional issue, but a national issue with  
3810 global consequences. PNWA urges strong support for  
3811 evaluating all strategies to improve fish habitat and  
3812 increase returns of native fish. The impact of declining  
3813 ocean conditions, as was mentioned, on salmon and steelhead  
3814 populations has yet to be fully studied. Multiple runs of  
3815 salmon from Alaska to Northern California have dwindled  
3816 dramatically in recent years on river systems without locks  
3817 or dams.

3818 PNWA strongly supports and will continue to advocate for  
3819 efficient, reliable, and environmentally sustainable  
3820 waterways. We want to see salmon and steelhead populations  
3821 thrive in concert with climate friendly river navigation and  
3822 waterborne commerce.

3823 Thank you for the opportunity to testify. I am looking  
3824 forward to your questions.

3825 [The statement of Mr. Maunu follows:]

3826

3827 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

3828

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3829           \*Mr. Duncan. Well, I thank all the panelists for your  
3830 testimony. We will now move into the question and answer  
3831 section of this second panel. Mr. Math \_ and I recognize  
3832 myself for five minutes.

3833           Mr. Matheson, were your member utilities in the room for  
3834 these secret negotiations to dismantle the Snake River Dams?

3835           \*Mr. Matheson. Not when negotiations mattered. Look,  
3836 at the front end there were some listening sessions, I get  
3837 it, and taking information, but for the final several months,  
3838 no, it was reduced to four tribes and two states. All the \_  
3839 there was eight states served by BPA, by the way, so I am  
3840 talking about electric utilities not only representing states  
3841 but there were six states that weren't in the room, nor were  
3842 electric utilities.

3843           \*Mr. Duncan. You are concerned that the co-ops won't  
3844 have access to reliable power going forward?

3845           \*Mr. Matheson. I am here to talk about reliability, and  
3846 I think in an area where there is growing demand for  
3847 electricity, data centers, we are electrifying the economy  
3848 with electric vehicles, with heat pumps, we need more  
3849 electricity in this country, including the Pacific Northwest.

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3850 Removing a always available, dispatchable resource of the  
3851 value of the Lower Snake River Dams would be a big mistake.

3852 \*Mr. Duncan. So as a former member I ask you this  
3853 question I asked earlier. Why wasn't FERC in the room?

3854 \*Mr. Matheson. I can't answer for why people were or  
3855 were not invited. I think that FERC has a level of expertise  
3856 that is helpful in terms of understanding system grid  
3857 reliability in this country.

3858 \*Mr. Duncan. Yeah. Have you ever seen anything like  
3859 this, such a small group of people making decisions that  
3860 impact an economy and a region like this?

3861 \*Mr. Matheson. Well, this is a big one. This is a big  
3862 impact because it is such a significant part of this economy.  
3863 So it is \_ as I said, this is not a new issue, and I \_  
3864 everyone on both sides have mentioned, this is a complicated  
3865 issue. I stipulate to that. And I think that there is room  
3866 for a lot of conversation, but this is not the way to make  
3867 this decision, to put us on a path where, in my opinion as I  
3868 said in my opening statement, it may not say breaching  
3869 because Congress has to do it, but it is pushing everything  
3870 in the direction of putting Congress in a position to do it

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3871 by devaluing these assets.

3872 \*Mr. Duncan. Yeah. Does the intermittency of  
3873 renewables concern you in baseload generation?

3874 \*Mr. Matheson. I think that it is \_ renewables can be  
3875 part of a portfolio, but they do not have the capacity of  
3876 what this \_ these Lower Snake River Dams do in terms of  
3877 always being available, being able to ramp up and down 24/7.  
3878 And my example from two weeks ago illustrates that.

3879 \*Mr. Duncan. Yeah. You have \_ you said something in  
3880 your \_ in your opening, let me see if I can find it.  
3881 Actually, it was in your written statement. "The  
3882 intermittency of renewables creates inescapable challenges  
3883 for the electric grid and they cannot all replace always  
3884 available LSRD hydropower.'" To your point.

3885 \*Mr. Matheson. Right.

3886 \*Mr. Duncan. "Important stakeholders were left out of  
3887 negotiations which sets dangerous precedent. Not a single  
3888 person with a responsibility to keep the lights on was in the  
3889 room when this deal was cut.'" So thank you for that. That  
3890 is in his written testimony.

3891 I want to turn to Mr. Maunu. The Pacific Northwest

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3892 relies on inland ports to move grain and other products to  
3893 market. What would happen to the region if the Biden  
3894 administration removes the Lower Snake River Dams?

3895 \*Mr. Maunu. Those businesses, farmers, companies that I  
3896 mentioned in my testimony would simply go out of business.  
3897 It would be devastating to communities surrounding the region  
3898 and beyond

3899 \*Mr. Duncan. Is it feasible to put that much cargo,  
3900 grain, and whatnot on trucks and trains?

3901 \*Mr. Maunu. It is not physically possible.

3902 \*Mr. Duncan. I would say the carbon footprint of those  
3903 trucks and trains is a heck of a lot more than what is being  
3904 produced, almost zero at the hydroelectric projects.

3905 \*Mr. Maunu. One \_ yes, sir. And one four-barge tow,  
3906 one tugboat moving four barges is the equivalent of about 538  
3907 truckloads of cargo moving up and down through the Columbia  
3908 River Gorge scenic area.

3909 \*Mr. Duncan. What is going to happen to commodity  
3910 prices?

3911 \*Mr. Maunu. Skyrocket.

3912 \*Mr. Duncan. They are going to skyrocket. Ms. Chumrau,

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3913 were farmers part of the secret negotiations with CEQ?

3914 \*Ms. Chumrau. Excuse me. Thank you for the question.  
3915 Our organization was not involved. I think Mr. Maunu can  
3916 talk a little bit more about that, but we were not involved  
3917 and the few instances that we did have the opportunity  
3918 through the listening sessions, we did take part in that, but  
3919 they were far and few between.

3920 \*Mr. Duncan. I would say family farms are a big part of  
3921 Washington State and other Pacific Northwest farming  
3922 community. What is going to happen to the family farms?

3923 \*Ms. Chumrau. Absolutely. In fact, 96 percent of our  
3924 farms are family farms and these are the people that are  
3925 going to be affected the most. They do not get to set their  
3926 prices, and any change to our transportation system would  
3927 directly affect them.

3928 \*Mr. Duncan. Yeah. I want to thank you all's comments  
3929 and \_ thank you for your comments and perspective. This is  
3930 the Energy Subcommittee. I am focused on energy. I am  
3931 concerned about reliability, affordability in years forward.  
3932 I am concerned about the intermittency of renewables.

3933 We like renewables. I don't know anyone on our side of

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3934 the aisle that doesn't. They ought to be a part of the mix.  
3935 They are going to be a part of the mix, but we know what  
3936 provides that 24/7, 365 baseload power generation.  
3937 Hydroelectric projects provide a significant portion of that  
3938 nationwide, but definitely in the Pacific Northwest.

3939 So with that, I will yield back and recognize Ms.  
3940 DeGette for five minutes.

3941 \*Ms. DeGette. Thank you, Mr. Chairman.

3942 So the chairman keeps talking about this secret  
3943 negotiation and I am just getting more and more confused so,  
3944 Mr. Takala, I am hoping you can talk to me about some of  
3945 this. Chair Mallory said that every party involved in the  
3946 various litigations on the Columbia River Basin was invited  
3947 to participate in the mediation process. Is that right?

3948 \*Mr. Takala. Yeah, so we came together organically, you  
3949 know, during this mediation process because, you know, we  
3950 wanted to make sure that we faced the facts instead of, you  
3951 know, beating this issue over and over. I mean, you know,  
3952 tribes have been impacted since the first hydrosystem was put  
3953 into place. And so, you know, I know change is very  
3954 difficult but, you know, it is about time we, you know,



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3955 course engage with our regional sovereigns and stakeholders.

3956           And the thing that comes to mind is the work that we do  
3957 with our actual farmers in the Yakama Basin and Integrated  
3958 Partnership Program, and that is something I think that we  
3959 should mirror in this discussion and look forward to having  
3960 those conversations.

3961           \*Ms. DeGette. Okay, okay, but was there in fact a  
3962 secret negotiation like the Republicans keep saying?

3963           \*Mr. Takala. No.

3964           \*Ms. DeGette. Can you describe the nego \_ the process a  
3965 little bit?

3966           \*Mr. Takala. The process over the timeline, you know,  
3967 we had different meetings with different individuals and, you  
3968 know, the tribes that were involved again was the Nez Perce,  
3969 Warm Springs, and Umatilla, and Washington, and Oregon. And  
3970 so \_ and it was more of just developing and looking at the  
3971 facts, as I mentioned. So there was no secret negotiations,  
3972 it was a mediation.

3973           \*Ms. DeGette. Right. And everybody was invited to  
3974 participate, right?

3975           \*Mr. Takala. Yes.

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3976           \*Ms. DeGette. Now the other thing that \_ with the last  
3977 panel that my colleagues on the other side of the aisle kept  
3978 talking about was the extremist environmental groups that  
3979 were involved in this negotiation. I don't know if they were  
3980 referring to the Yakama Nation, but I am wondering if you  
3981 consider the Yakama Nation to be an extremist environmental  
3982 group?

3983           \*Mr. Takala. To answer your question, no.

3984           \*Ms. DeGette. Because that is the tribes.

3985           \*Mr. Takala. We are not a radical environmentalist, we  
3986 are a sovereign tribal nation that has been impacted by, you  
3987 know, the impacts of hydrosystems and other issues since, you  
3988 know, the beginning of, you know, settlers. And so we want  
3989 to make sure that everyone hears loud and clear that, you  
3990 know, Yakama Nation has seen over 10,000 acres of land, we  
3991 have seen historic fish runs drop dramatically, 13 species  
3992 now that are in \_ on the endangered species list. We are  
3993 talking about 18 million plus fish to while we are nowhere  
3994 near like one million, two million, that is it.

3995           \*Ms. DeGette. Okay. Now to be clear, when you were  
3996 negotiating the agreement with the U.S. government and the

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3997 other Six Sovereigns, what was your goal?

3998           \*Mr. Takala. Our goal was to look at healthy and  
3999 abundant levels of salmon and steelhead species to make sure  
4000 that we have the opportunity to have, for instance, my  
4001 children to have the opportunity to fish for salmon as we  
4002 have always done since the beginning of time. We have  
4003 ceremonies that utilize salmon and steelhead throughout the  
4004 seasonal rounds. This is a part of our way of life, it has  
4005 always been. Our vision is to make sure that this way of  
4006 life continues.

4007           And again, it is not only benefitting the tribal  
4008 nations, it is benefitting the whole region, including \_ I  
4009 heard the question earlier of how many tribes in Washinton  
4010 State. Well, according to, you know, some of the tribes that  
4011 fish out on the coast, they also benefit from this. Everyone  
4012 benefits from the healthy and abundant \_

4013           \*Ms. DeGette. Okay. So in your testimony, you talked  
4014 about the cooperative work that your nation has done in the  
4015 Yakama River Basin with other groups that have been at odds  
4016 with each other. This wasn't like a thing where everybody  
4017 came in in agreement. Can you talk a minute about how your

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4018 nation's trying to get a collaborative approach to solving  
4019 the issues in the river basin?

4020       \*Mr. Takala. So the Yakama Nation has been involved  
4021 with the Yakama Basin Integrated Partnership. We actually  
4022 have the ag or the farmers advocating for the fish and vice  
4023 versa, us advocating for the water needs of the farmers. We  
4024 have a list of projects that are ongoing, including the Cle  
4025 Elum Fish Passage where this coming year we will be up there  
4026 and inviting many folks here, including some of our, you  
4027 know, representatives in our district and those that had a  
4028 helping hand in that.

4029       So this is including stakeholders, farmers, county  
4030 commissioners. This list goes on. And so this was an  
4031 important time for Yakama Nation to turn that page, and  
4032 again, to like mirror what we are having this discussion  
4033 about today. I mean, the changes here, we have to really  
4034 think about where we are going forward in the future for the  
4035 next generation of \_ you know, and then also keeping a  
4036 balance of what is needed for salmon and also for the ag, you  
4037 know, transportation. We always talk about all those  
4038 different needs.

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4039           \*Ms. DeGette. I mean, are you guys concerned about  
4040 energy needs, too?

4041           \*Mr. Takala. Are we \_ excuse me?

4042           \*Ms. DeGette. Concerned about the energy needs also?

4043           \*Mr. Takala. Yes. We have a Yakama power utility  
4044 within our reservation that has grown. They are all tribal  
4045 members. We work well with the community. We envision some,  
4046 you know, possible projects that we want to be a part of that  
4047 movement. I think it is important that the tribes have that  
4048 opportunity as well as we see the different energy projects  
4049 that are going on nationwide.

4050           Washington State is being hit with, you know, Governor  
4051 Inslee's, you know, green energy proposals, but we want to  
4052 make sure that we do this in a responsible manner.

4053           \*Ms. DeGette. Thank you.

4054           \*Mr. Takala. So it will not have direct impacts on our  
4055 natural resources or our fisheries.

4056           \*Ms. DeGette. Thank you very much. I yield back.

4057           \*Mr. Duncan. I thank the gentlelady. I now go to Mr.  
4058 Weber for five minutes.

4059           \*Mr. Weber. I thank the chairman. Mr. Matheson, in

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4060 your written testimony you highlighted the role that  
4061 hydropower played in the cold snap in the Northwest earlier  
4062 this month. When I was reading through it \_ I didn't get to  
4063 be here when you all started, I had to be on another  
4064 conference call. You are the CEO of National Rural Electric  
4065 Cooperative Association and there is over 900 rural  
4066 associations I think that \_

4067 \*Mr. Matheson. That is correct, yes.

4068 \*Mr. Weber. \_ is part of that group. How long have you  
4069 been there?

4070 \*Mr. Matheson. I have been there for seven and a half  
4071 years as CEO.

4072 \*Mr. Weber. Just long enough to figure out what you are  
4073 doing, if you are like Congress.

4074 \*Mr. Matheson. I would like to think so.

4075 \*Mr. Weber. I understand. Have you ever seen anything  
4076 like what is going on with these dams in your time as CEO  
4077 there?

4078 \*Mr. Matheson. Well, this is a \_ this is a unique  
4079 situation in terms of it is a resource that is critically  
4080 important in a specific region of the country, and it is

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4081 where federal policy is talking about specific resource in  
4082 one spot. So in that sense, it is pretty unusual.

4083 \*Mr. Weber. Did you know about any of this when it got  
4084 started?

4085 \*Mr. Matheson. No. No, I didn't know about there were  
4086 conversations going on. Look, this has been in litigation  
4087 for 20 years, as the first panel said. This is not \_

4088 \*Mr. Weber. Right.

4089 \*Mr. Matheson. These are not new issues, right?

4090 \*Mr. Weber. Right.

4091 \*Mr. Matheson. And at the front end, there were some  
4092 listening sessions. I am trying to look at this. But when  
4093 it came time \_ you know, I hate the word secret because I  
4094 know people are making a big deal about that, but when it  
4095 came time to negotiate the deal, there were six parties,  
4096 other than the Federal Government, in the room. That was it.  
4097 Okay? So this was \_ this is what happened during the last  
4098 several months before it was announced in December.

4099 \*Mr. Weber. Did your invitation get lost in the mail?

4100 \*Mr. Matheson. We submitted comments. We never got a  
4101 response to our comments. After we heard about this on

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4102 December 14th, we wrote the administration directly along  
4103 with the American Public Power Association raising concerns.  
4104 We have heard no response to that either.

4105 \*Mr. Weber. Okay. Well, you also said about hydropower  
4106 paying a role \_ a role in the cold snap earlier this month.  
4107 Wind generation dropped 94 percent \_

4108 \*Mr. Matheson. Mm-hmm.

4109 \*Mr. Weber. \_ while hydro generate \_ hydropower  
4110 increased to fill that gap. The chairman said we like  
4111 renewables, pardon me, and I have coined a phrase of late  
4112 that says, you know what, renewables are good, we like  
4113 renewables. Renewables can play a supporting role in this  
4114 movie, they \_ it cannot be the leading actor role. And so I  
4115 think you would agree with us that reliable generation in  
4116 this instance would come more from hydropower than it would  
4117 from wind \_ from those renewables. Would you agree?

4118 \*Mr. Matheson. You need a portfolio that includes  
4119 adequate dispatchable, and dispatchable means always  
4120 available, resources to support all the intermittent  
4121 components that are wind and solar in a system, and they can  
4122 work together really well, by the way, but you got to have



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4123 that dispatchable energy to make it really reliable all the  
4124 time.

4125       \*Mr. Weber. On demand is one of the sayings that goes.  
4126 So understanding that wind and solar alone won't be enough to  
4127 replace electricity production that the dams provide, do you  
4128 think natural coal, gas, or other \_ natural gas, coal, or  
4129 other dispatchable resources would have to in fact be built?

4130       \*Mr. Matheson. If you want to maintain the level of  
4131 dispatchable resource, you either need to look \_ if you are  
4132 not going to have hydro, you are going to look at what are  
4133 the other dispatchable resources. Nuclear, coal, and gas,  
4134 right? And any combination of those could possibly be a  
4135 solution.

4136       But you want to talk about rate payer impact, this \_  
4137 again, this mediation settlement doesn't talk about what the  
4138 cost of the new replacement power would be in terms of rate  
4139 payer impact. You start adding those new resources, if you  
4140 can get them permitted \_

4141       \*Mr. Weber. Yeah. Well, I was \_ I was just going  
4142 there.

4143       \*Mr. Matheson. And \_

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4144           \*Mr. Weber. Get off my brain, will you?

4145           \*Mr. Matheson. But that applies to even if \_ the  
4146 settlement agreement anticipates up to three gigawatts of  
4147 renewable energy being added. That doesn't come for free and  
4148 that is not easy to permit either, by the way. So we have to  
4149 have \_ this is complicated stuff and there are a lot of  
4150 variables here, but let's have a legitimate conversation  
4151 about what it takes to get from Point A to Point B. But the  
4152 value, keeping the lights on is why I am here today because  
4153 that is what my members are all about.

4154           \*Mr. Weber. Well, keeping the lights on at a reasonable  
4155 rate.

4156           \*Mr. Matheson. Yeah.

4157           \*Mr. Weber. We don't want to lose that part, too. So  
4158 your time as a member in Congress, you were here how long?

4159           \*Mr. Matheson. 14 years.

4160           \*Mr. Weber. 14 years. Gosh, you were a slow learner.  
4161 So I shouldn't say that. I am messing with you. And so \_  
4162 and then seven and half years as CEO, so that is 21 and a  
4163 half years basically, so I think you have a unique  
4164 perspective.

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4165 Well, Mr. Chairman, I am going to go ahead and yield  
4166 back. I appreciate that.

4167 \*Mr. Matheson. Thank you.

4168 \*Mr. Duncan. The gentleman yields back. I will now go  
4169 to my friend, Mr. Tonko, for five minutes.

4170 \*Mr. Tonko. Thank you, Mr. Chair.

4171 Mr. Takala, I asked this of Mr. Baumann from the  
4172 Department of Energy during the first panel, but I am hoping  
4173 to get your perspective as well. The December 14th agreement  
4174 included a commitment that DOE and tribes would work together  
4175 to develop tribally-sponsored clean energy projects. Can you  
4176 tell us what you think of the potential for this Pacific  
4177 Northwest Tribal Energy Program?

4178 \*Mr. Takala. Thank you for the question. So I think it  
4179 is an opportunity, again as I mentioned earlier, that this  
4180 gives us an opportunity to be a part of that \_ the energy  
4181 movement. Again, I think more important, you know, we see  
4182 the impacts on some of these energy projects that have come  
4183 in, you know, like specifically hydrosystems and whatnot but,  
4184 you know, I think the tribes incorporating ecological or  
4185 attritional knowledge, you know, we can show not only the

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4186 region but the Nation that the tribes can lead these projects  
4187 in a responsible manner.

4188         Again, where they want to have direct impact on any of  
4189 our natural resources or, if not, minimal. You know, we talk  
4190 about climate change, you know. We live in Eastern  
4191 Washington, you know, we see a decrease of precipitation  
4192 going on and so, you know, these are actual real issues where  
4193 we have ESA listed species that are being impacted by  
4194 projects that need, you know, water.

4195         And even with the current green energy projects that a  
4196 few have mentioned earlier, I mean, I think we have to be  
4197 innovative and to not just focus on solar, battery, or wind,  
4198 you know, there is other energy projects that we have to be  
4199 mindful of.

4200         \*Mr. Tonko. Thank you. And how is it a departure from  
4201 how energy projects have historically been developed in the  
4202 region? How is it \_ how is this approach a departure from  
4203 how energy projects have historically been developed in the  
4204 region?

4205         \*Mr. Takala. Well, so I \_ the Yakama Nation, you know,  
4206 we \_ again, I know I am going to reiterate this again but,

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4207 you know, I think it is time for \_ the Yakama Nation, we are  
4208 all about turning the page and doing things differently. If  
4209 we continue to do things as usual, we will see the extinction  
4210 of salmon species.

4211 So I understand the needs from the panel today and  
4212 earlier talking about, you know, keeping a balance. You  
4213 know, we have transportation, the navigation, and then we  
4214 also have the increase or demand for power needs. But we  
4215 also want to keep in mind that our salmon have been declining  
4216 since the first hydrosystem came to play. There is numerous  
4217 amount of hydrosystems on the Columbia River Basin, so we  
4218 need to take a step and look at how can we have mineral \_  
4219 minimal impacts, you know, to our salmon species when they  
4220 are returning or migrating down to the ocean.

4221 I mean, we have seen issues during the summertime where  
4222 landlocked sturge and return of the sockeye have been dying  
4223 off because the system is pretty much warm water pools. I  
4224 mean, the past decade we had three or four times of doing a  
4225 little salmon vigil because why these species are not  
4226 returning to their spawning grounds or hatcheries. And so it  
4227 is time for us to do things differently rather than doing

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4228 business as usual. We can't be scared, we can't be led by  
4229 fear, we have to do things differently and have a partnership  
4230 and work together. Just like I said with the Yakama Basin  
4231 Integrated Plan.

4232 \*Mr. Tonko. Thank you. Well, I believe tribes have  
4233 been actively working to develop a proposal for meeting the  
4234 region's energy needs for some time. The Columbia River  
4235 Intertribal Fish Commission, which the Yakama Nation is a  
4236 part of, published a report, as we know, in 2022 entitled  
4237 Energy Vision for the Columbia River Basin.

4238 I think many of the recommendations in that report are  
4239 common sense. For example, the report suggests improving  
4240 energy efficiency by investing in weatherization of low-  
4241 income homes, utilizing demand response programs to reduce  
4242 peak demand, and deploying new utility scale battery storage  
4243 projects.

4244 So, Mr. Matheson \_ Congressman Matheson, an honor to  
4245 serve with you. Do you think your members would generally  
4246 support some of those recommendations like low-income  
4247 efficiency programs and developing cost-effective storage  
4248 programs?

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4249           \*Mr. Matheson. Absolutely. And the co-ops, because  
4250 they are smaller in size, sometimes that is an advantage  
4251 because they have the ability to embrace new innovation in a  
4252 really adept way because they are more nimble because of  
4253 their size. It is a big part of what we do across the  
4254 country.

4255           \*Mr. Tonko. Good. Thank you. And thankfully there are  
4256 many federal resources and tax incentives available under the  
4257 IIJA and IRA for states, tribes, and utilities, including  
4258 not-for-profit cooperatives to pursue those given strategies.

4259           So, Mr. Takala, can you outline for us your energy  
4260 vision for the region and are you hopeful that the  
4261 commitments included in the December 14th agreement can help  
4262 in achieving that vision?

4263           \*Mr. Takala. Yes. For Yakama Nation I probably could  
4264 say, you know, speaking for Warm Springs, Umatilla, and Nez  
4265 Perce, you know, we do feel like the commitments in the  
4266 agreement does do that for the tribes. I mean, I mentioned,  
4267 you know, some of the things that Yakama Power, Yakama  
4268 Nation, you know, the vision that we have in coordination,  
4269 like you mentioned, the [indiscernible]Energy Vision. You

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4270 know, we have Nez Perce, you know, I know they are doing the  
4271 battery storage. You have Umatilla doing solar, and you have  
4272 Warm Springs also doing solar.

4273 So I think the message here for folks is that, you know,  
4274 although, you know, we have concerns about maybe energy side  
4275 or the type of energy projects there are, we want to be clear  
4276 that tribes are for energy projects, but it has to be done in  
4277 a responsible manner.

4278 So we know there is going to see an increase in  
4279 population in the region. We know we are going see a  
4280 increase for power needs, and so therefore, we have to be  
4281 readily thinking about how we are going to make those changes  
4282 in a responsible way but also keeping the fact that we need  
4283 to keep a balance for the salmon needs as well because there  
4284 is demands for water. We all know that for the ag. I \_  
4285 Yakama Nation also operates a Yakama Nation Farms that we  
4286 just purchased two years ago, so \_

4287 \*Mr. Tonko. Thank you, sir.

4288 Mr. Chair, I yield back.

4289 \*Mr. Duncan. The gentleman's time is expired. They  
4290 have called votes. We are going to try to get two more



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4291 member's questions and then recess, and we will have to come  
4292 back for other members.

4293 I will go to Mr. Guthrie for five minutes.

4294 \*Mr. Guthrie. Thank you, Mr. Chair. And sorry, we have  
4295 two meet \_ hearings going on in this committee, so I have  
4296 been in the other committee, so I apologize.

4297 But \_ so, Mr. Matheson \_ Congressman Matheson, it is  
4298 good to see you again.

4299 \*Mr. Matheson. Good to see you.

4300 \*Mr. Guthrie. In my district, there is 197 dams and  
4301 only one provides hydropower, and it seems like we are  
4302 missing an opportunity. And just my question, what  
4303 percentage of your members \_ what percentage of power  
4304 generated by your members is hydro, and do you think what we  
4305 are talking about with the Snake River disincentivizes  
4306 investment in hydropower.

4307 \*Mr. Matheson. Well, to \_ the question for my  
4308 membership, a lot of our members participate where we are  
4309 buying hydro from resources that are in the power market  
4310 agencies, like BPA, like TVA, so we don't own that  
4311 specifically ourselves. Our members rely on hydropower for \_

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4312 roughly 15 to 20 percent of all the power we sell to our  
4313 members comes from hydro.

4314 \*Mr. Guthrie. So your members don't necessarily  
4315 generate it is what you are saying? Yeah.

4316 \*Mr. Matheson. That is right because a lot of these are  
4317 in federal power market agencies, yes.

4318 \*Mr. Guthrie. Right. Okay, thank you. So another  
4319 thing with navigable \_ I talked earlier with the Corps of  
4320 Engineers and about navigable waterways, and the Green River  
4321 isn't, but the others are. So, Ms. Chumrau? Is that  
4322 correctly, Chumrau?

4323 \*Ms. Chumrau. Yes.

4324 \*Mr. Guthrie. I know I have \_ Kentucky has a lot of  
4325 soybean, and corn, and grain producers, and our \_ and we use  
4326 the Ohio River and we use the Mississippi River quite a bit  
4327 for production and for movement, transportation. And so can  
4328 you walk us through how the changes being discussed today on  
4329 the Snake River and Columbia River Basin might effect  
4330 American agriculture in your region and how it will impact  
4331 food security nationally?

4332 \*Ms. Chumrau. Absolutely. Thank you very much for the

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4333 question. And you are right, there are many commodities  
4334 around the country that rely on our inland waterways.  
4335 Specifically in the Pacific Northwest we have over 10 percent  
4336 of all U.S. wheat exports going through our river system, and  
4337 we are the number one gateway for wheat. But we are also the  
4338 number two gateway for soy and corn, so we do see a lot of  
4339 those commodities moving from the Midwest out into \_ through  
4340 our \_ through our ports.

4341 So as you can imagine, that is a really significant  
4342 portion of our exports out of the United States and supports  
4343 our prices, supports our farmers, and our rural economies.  
4344 And I think, you know, one thing that would be important to  
4345 point out is we don't want to set a precedent for other  
4346 regions like yours or through the Mississippi River, through  
4347 the Great Lakes where we start looking at taking out any of  
4348 our critical infrastructure that really does support our  
4349 rural economies.

4350 \*Mr. Guthrie. Well, thank you. So my next question was  
4351 what precedent do you think we are setting, and you were  
4352 visionary, so I appreciate that answer to my question.

4353 So I know we got tight time, so I will yield back.

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4354           \*Mr. Duncan. The gentleman yields back. I will now go  
4355 to Ms. Schrier for fives minutes \_ Dr. Schrier for five  
4356 minutes.

4357           \*Ms. Schrier. Thank you, Mr. Chairman, and thank you to  
4358 the witnesses for being here today.

4359           Councilman Takala, it is great to see you here in the  
4360 other Washington. I first want to commend your great  
4361 collaboration with the diverse stakeholders in the Yakama  
4362 Basin Integrated Plan in that many groups with diverging  
4363 opinions, strongly diverging opinions, all came together with  
4364 a common goal of allocating increasingly scarce water  
4365 resources to ensure that there is enough for fish, for  
4366 farmers, and for the rest of us, and it was a pleasure to  
4367 work with you on that, and I think it is a model that we can  
4368 build off of and learn form, particularly in this dispute.

4369           I wanted to ask you about the tribal energy program.  
4370 The details have yet to be sorted out, but I wanted to ask  
4371 what the Yakama Nation envisions as the finished product or  
4372 the result of the program. We do need baseload and  
4373 dispatchable nature that comes with hydropower, as you have  
4374 heard, and that is one of the key reasons that utilities and

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4375 power groups are concerned. So as you think about this, and  
4376 you just actually answered the question that you are thinking  
4377 about the \_ something beyond solar wind and battery storage.  
4378 I was wondering if you could speak in a little bit more  
4379 detail to the non-greenhouse gas emitting energy sources that  
4380 the Yakama Nation's considering and whether that even  
4381 includes advanced nuclear.

4382 \*Mr. Takala. Thank you for the question. So I just  
4383 want to mention first and foremost, too, like I know some of  
4384 the questions were similar, but Yakama Nation, you know, we  
4385 want to be sure we are not left \_ or we are not, you know,  
4386 left out of this energy movement. We want to \_ we very much  
4387 want to be a part of it. You know, thank you for  
4388 acknowledging the YBIP, you know, I am sure that you have  
4389 known that we have had, you know, return of salmon and other  
4390 anadromous species into the area and also making sure that we  
4391 have water storage capabilities for our ag and farmers.

4392 So \_ but for Yakama Power, you know, we are still  
4393 growing our program. As I mentioned earlier, we serve 3,000  
4394 in-grown customers. You know, we have actually looked at,  
4395 you know, Klickitat County or Klickitat PUD and taking over

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4396 some of their customers within, you know, the Tract D area of  
4397 Mt. Adams. We are also looking at, you know, solar over the  
4398 canal project where we would pressurize the water, basically  
4399 taking out lateral canal systems and solar panels across, in  
4400 which there is benefits for pressurizing cooler water  
4401 temperatures. You are not facing evaporation and you are  
4402 also not having any pesticides coming into the water when it  
4403 was released back into the Yakama River.

4404 So this is a part of the envision that we are seeking at  
4405 Yakama Power. We are also looking at dry storage, dry \_ like  
4406 a dry pump storage project that the Yakama Nation has  
4407 identified within our own reservation. And so these are only  
4408 just two parts, you know. We are \_ you know, Yakama Power  
4409 has come a long way since it has first operated and served  
4410 its first customer.

4411 So again, I want to be clear that, you know, we are  
4412 looking at all energy project opportunities, not just  
4413 strictly wind and solar, as mentioned. I know it is not  
4414 producing, you know \_

4415 \*Ms. Schrier. I'm going to \_

4416 \*Mr. Takala. \_ seven days, 365 days a year, so \_

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4417           \*Ms. Schrier. Only because I have another question.  
4418 Thank you for considering those other. Maybe we can talk in  
4419 more detail later.

4420           I have a question for the Washington Grain Commission  
4421 and, Ms. Chumrau, thank you for being here today. Your  
4422 organization is not alone in raising concerns that this  
4423 agreement did not have enough feedback from transportation  
4424 agricultural interests, and economic and logistical overhaul  
4425 of this size will need a collaborative partnership, as we  
4426 just talked about.

4427           Under this MOU, the agreement includes 750,000 in  
4428 funding to study what other transportation infrastructure  
4429 could provide to the region. Can you talk about what sort of  
4430 collaboration you would like to see from the administration  
4431 and what optimal engagement would look like for you as we  
4432 move forward, if we move forward?

4433           \*Ms. Chumrau. Yes. Thank you for the question. And I  
4434 would like to start by thanking you for your support of  
4435 Washington agriculture and for the letter to help us get some  
4436 of these answers that we all \_ answers to the questions we  
4437 all have.

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4438           Yeah, as I mentioned earlier, the infrastructure does  
4439 not exist now to replace the barging that takes place in the  
4440 Lower Snake River Dams. There is no rail between Lewistown,  
4441 Idaho and the Tri-Cities, Washington. So we would very much  
4442 like to engage from the administration, talk about our  
4443 challenges, talk about the realities of the economics of  
4444 changing to some other type of transportation because it is  
4445 much more costly and also less carbon friendly to switch to  
4446 any other type of infrastructure and it would be very costly  
4447 to put all of that into place.

4448           \*Ms. Schrier. Thank you. I appreciate your attention  
4449 to this very nuanced issue. Thank you to both of you.

4450           And I yield back.

4451           \*Mr. Duncan. The gentlelady yields back. I will say  
4452 you will probably run into these reservoirs taken out to  
4453 surface water with draw limitations on river based on  
4454 downstream flows, based on the amount of agriculture in  
4455 Washington State.

4456           I will now recognize the gentlelady from Washington, the  
4457 chair of the full committee, Chair Rodgers, for five minutes.

4458           \*The Chair. As we heard in the first panel, CEQ and the



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4459 United States government have entered into this secret  
4460 agreement with two states, four tribes, and environmental  
4461 nonprofit organizations. It is clear the Biden  
4462 administration is prioritizing their wishes over those of the  
4463 people in the Pacific Northwest, and it is not how government  
4464 was designed to work, setting public policy through a secret  
4465 negotiated agreement and not \_ rather than through the people  
4466 and the people's representatives.

4467 Mr. Takala, I understand you or members of your tribe  
4468 were involved in these negotiations, but many stakeholders  
4469 and river users were cut out. Earlier today Ms. Mallory said  
4470 in her testimony that the administration has not taken a  
4471 position on breaching the Lower Snake River Dams, yet when  
4472 the agreement was released, some of the tribal leaders that  
4473 signed the MOU stated the agreement "lays out a pathway to  
4474 breaching.'" That concerns me deeply.

4475 Mr. Matheson, Ms. Chumrau, and Mr. Maunu, do you feel  
4476 like the negotiations process was inclusive and you and the  
4477 stakeholders you represent had an opportunity to be heard?  
4478 And I will start with Mr. Matheson.

4479 \*Mr. Matheson. Again, having some listening sessions at

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4480 the front end doesn't count. When the real discussions were  
4481 going on in the negotiations to develop a settlement, that is  
4482 when we were not part of the conversation. It was a handful  
4483 of people in the room. As I said earlier, no one from the  
4484 power sector, only six \_ I mean, only two of the eight states  
4485 that are represented with BPA areas were in the room. So, no  
4486 \_

4487 \*The Chair. Thank you.

4488 \*Mr. Matheson. \_ most people were shut out of the room.

4489 \*The Chair. Thank you. Ms. Chumrau.

4490 \*Ms. Chumrau. Thank you, Congresswoman. The word  
4491 navigation is not even listed in the commitments document, so  
4492 in \_ from our perspective, we certainly do not feel like our  
4493 needs were heard or that we were invited to share those  
4494 solutions.

4495 \*The Chair. Thank you. Mr. Maunu.

4496 \*Mr. Maunu. Thank you, Congresswoman. I have been  
4497 chomping at the bit to answer this question, so I will be  
4498 brief and to the point. I think Congresswoman DeGette said  
4499 it well just recently when she was speaking with the tribal  
4500 member here in that she said when you were negotiating with \_

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4501 when you and the Six Sovereigns were negotiating with the  
4502 U.S. government. And that tells it all.

4503       There were six people at the table. Our membership,  
4504 IPNG, PNWA, other intervenor defendants were involved in the  
4505 mediation process in the beginning, but shortly after a real  
4506 mediation, it dissolved into private caucuses. Those private  
4507 caucuses are confidential and not to be shared with any other  
4508 parties.

4509       So if you can imagine, a year or so ago everything  
4510 stopped. The mediation stopped. It divulged into private  
4511 caucuses, and those conversations, those negotiations were  
4512 what laid the groundwork and the framework for this MOU.

4513       \*The Chair. Thank you.

4514       \*Mr. Maunu. We and our members were not involved.

4515       \*The Chair. Thank you. Ms. Chumrau, it is clear the  
4516 agreement was written with little or no input from  
4517 agriculture stakeholders. How would breaching the dams  
4518 impact agriculture in the Pacific Northwest, the country,  
4519 and internationally?

4520       \*Ms. Chumrau. Thank you, Congresswoman. In the Pacific  
4521 Northwest specifically we export 80 percent of all of our

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4522 wheat production, and those Lower Snake River Dams carry 10  
4523 percent of all U.S. wheat exports. Obviously, we depend on  
4524 them very much to get our products to market.

4525         Across the country, we export 55 percent of all U.S.  
4526 wheat out of the Pacific Northwest, and the ability to put  
4527 the 10 percent on barging opens up capacity for the other  
4528 commodities to come through our region from the Midwest.

4529         \*The Chair. Thank you. Thank you. Mr. Maunu, how  
4530 would breaching the dams impact transportation and supply  
4531 chain security in the region? This is \_ this is considered a  
4532 marine highway.

4533         \*Mr. Maunu. It is, Congresswoman. Thank you. It \_ we  
4534 were talking about grain and wheat farmers and shippers being  
4535 price takers not price makers. So when you affect the price  
4536 a bushel and transportation costs that would increase from  
4537 rail and trucking, which as we discussed is not physically  
4538 possible, so the short answer it is not possibly physically,  
4539 but those rates would go up dramatically. And if I am a  
4540 shipper \_

4541         \*The Chair. Thank you.

4542         \*Mr. Maunu. \_ even if I am in Montana or whatever, I am

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4543 going to be affected.

4544           \*The Chair. Thank you. Mr. Matheson, NRECA and the  
4545 American Public Power sent a letter to Secretary Granholm  
4546 stating, "If this agreement is ratified it would jeopardize  
4547 electric reliability, increase costs for millions of  
4548 Americans throughout the Pacific Northwest.'" Some  
4549 independent studies even say replacing the lost firm power  
4550 from the dams could cost as much as 77 billion, 77 billion  
4551 with public power rates increasing as much as 18 percent.

4552           The White House is arguing the agreement keeps energy  
4553 affordable. It doesn't sound like that to me, it sounds like  
4554 there is a big deception underway. As a customer of BPA, Mr.  
4555 Matheson, what is your perspective on the impact on rates?

4556           \*Mr. Matheson. Yeah, look, the \_ they are saying it  
4557 doesn't affect a big impact on rates because they are not  
4558 including the cost of the replacement power. If you want to  
4559 build replacement power when you breach these dams, which I  
4560 don't think you can do and have the same comparable resource,  
4561 by the way, you are going to spend a lot of money and it will  
4562 have a big impact on rates.

4563           \*The Chair. Thank you, everyone.

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4564           \*Mr. Matheson. And by the way, we never got an answer  
4565 to that letter that we sent.

4566           \*The Chair. Oh, yeah. Well, thank you, everyone. This  
4567 is critical infrastructure. Critical infrastructure Thank  
4568 you everyone for being here.

4569           I yield back.

4570           \*Mr. Duncan. The gentlelady yields back. So we are  
4571 going to stand in recess. Members to go vote. There are two  
4572 votes, one is going on now. We will come back as soon as  
4573 possible. I ask witnesses to have a comfort break, do  
4574 whatever you need, and we will be back pending call of the  
4575 chair.

4576           [Recess.]

4577           \*Mr. Duncan. All right, I will call this subcommittee  
4578 back into order, and thank you for your patience on that. We  
4579 will now go to Mr. Latta for five minutes.

4580           \*Mr. Latta. Well thanks, Mr. Chairman, and thank you  
4581 for our panel for being with us on the second panel. You  
4582 know, as I mentioned in the \_ with the first panel, we \_ you  
4583 know, the need for probably more power.

4584           So I just would like to start with our former member,

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4585 former member of this committee, Mr. Matheson. We greatly \_  
4586 great to have you back. You know, we need energy sources  
4587 that are dependable and cheap to American consumers, and  
4588 hydropower has proven to be a clean and effective source. 24  
4589 hours a day, seven days a week.

4590 In your opinion, by removing several dams, isn't it  
4591 counterintuitive to the administration's goal of a renewable  
4592 energy policy by 2030?

4593 \*Mr. Matheson. Yeah, it is counterintuitive on a couple  
4594 levels. One is for that policy. If this administration  
4595 wants to reduce carbon emissions and embrace zero carbon  
4596 emission \_ zero carbon technology, why would you take out an  
4597 existing resource, particularly in this case one that has the  
4598 controls technology where it is very valuable for ramping up  
4599 and down and following \_ these Lower Snake River Dams are as  
4600 good as it gets in terms of having a valuable carbon-free  
4601 resource, so it is hard to imagine why we would want to tear  
4602 them out.

4603 \*Mr. Latta. Well, you know, one of the questions I have  
4604 asked all of our witnesses who have been coming before our  
4605 panel here \_ or the committee, you know, do we need more

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4606 power or less power in the future?

4607           \*Mr. Matheson. We definitely need more power. The  
4608 recent \_ just the International Energy Agency just issued a  
4609 report last week showing about two percent growth over the  
4610 next several years in the United States. Look, data centers  
4611 are using more and more power as we digitize the economy. AI  
4612 is going to use even more data center power. Electric  
4613 vehicles, heat pumps, and economic growth in general. We are  
4614 using more electricity in this country.

4615           And by the way, that is a good thing in terms of  
4616 economic growth, but we are going to need more generation to  
4617 make that \_ to make that happen.

4618           \*Mr. Latta. Well, you know, I am very fortunate in my  
4619 district that I have probably have the most number of  
4620 electric co-ops in the State of Ohio, and when I go out to my  
4621 co-ops I always like to ask, you know, what they are seeing  
4622 out there, and they are all saying the same things is that  
4623 they need more power generation. And, you know, the fear is  
4624 if we are taking our stations offline, we are going to be in  
4625 trouble in the future to be able to meet those needs, so it  
4626 is actually essential that we have that. So \_ and again, I



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4627 appreciate you being back before us in committee.

4628 \*Mr. Matheson. Yeah.

4629 \*Mr. Latta. Good to see you.

4630 Mr. Chumrau, you know, and, Mr. Maunu, if I could ask, I  
4631 represent the \_ I am sorry, Ms. Chumrau, excuse me. I  
4632 represent about the largest farm income producing district in  
4633 the State of Ohio, and I also have about 85, 86,000  
4634 manufacturing jobs. But on the agricultural side, you know,  
4635 we need a lot of power out there for what we do.

4636 And so, you know, I would like to ask especially what  
4637 happens with the transportation needs because again I worry  
4638 about, you know, the bottom line for farmers out there, and  
4639 our farmers out there are in a situation that, you know, a  
4640 lot of times that they are right at the margin that \_ and so  
4641 if you put more cost on them in transportation, what that is  
4642 going to do, and the second part of the question would for  
4643 both of you with my last minute and 38 seconds is what is  
4644 that going to do consumer, not just for the producer but also  
4645 the consumer if we don't have this transportation that we  
4646 have to have?

4647 \*Ms. Chumrau. Thank you, Congressman, for the question.

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4648 You are right, the transportation costs are something that  
4649 are a real concern for our farmers. As you mentioned, the  
4650 farmers are price takers not price makers, so anything that  
4651 is going to reduce their bottom line is something that we are  
4652 very concerned about and obviously has ripple effects  
4653 throughout the economy. And in terms of \_ I forgot the  
4654 second part of the question, I'm sorry.

4655 \*Mr. Latta. Well, for the consumer, because you have  
4656 got \_

4657 \*Ms. Chumrau. Oh, yes.

4658 \*Mr. Latta. For the consumer then.

4659 \*Ms. Chumrau. And, of course, those costs are going to  
4660 be passed along to the consumer as well, so we do expect that  
4661 there would be some kind of impact to food prices.

4662 \*Mr. Latta. Thank you.

4663 \*Mr. Maunu. And thanks, Congressman. If I could just  
4664 add briefly to that. You know, there have been some initial  
4665 studies done that \_ PNWA did some where it is estimated that  
4666 the cost per bushel could increase 20 to 40 cents, just on  
4667 the transportation side. So if you could move that in some  
4668 other manner other than barging, that cost would go up. In a

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4669 global market where we are not the only ones growing soft  
4670 white wheat, that is not going to work and those farmers are  
4671 going to go out of business. And we have the studies that we  
4672 have submitted to prove that.

4673 \*Mr. Latta. Well, I appreciate that because again, as I  
4674 said, that when I look at my district and looking around the  
4675 State of Ohio and the country, production costs keep going up  
4676 and all of the sudden if you are adding more to that, that is  
4677 going to hurt not only the producer but also the consumer  
4678 then.

4679 Mr. Chairman, my time is expired, and I yield back.

4680 \*Mr. Duncan. The gentleman yields back. I now go to  
4681 Mrs. Lesko for five minutes.

4682 \*Mrs. Lesko. Thank you, Mr. Chair. You know, the Biden  
4683 administration keeps saying they want to reduce emissions,  
4684 yet they want to close down hydroelectric dams that have zero  
4685 emissions. This makes absolutely no sense to me at all.

4686 You know, in the past \_ the previous panel in Panel  
4687 Number 1, the White House Counsel on Environmental Quality  
4688 Chairwoman, Ms. Mallory, seemed to get really upset when we  
4689 claimed that they were closing down dams. She kept saying we

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4690 are not closing down dams, we are not closing down dams. Ms.  
4691 \_ any one of you, do you really believe that that is not  
4692 their goal?

4693 \*Mr. Maunu. I will jump in. We mentioned earlier that  
4694 the amount of times that dam breaching was mentioned in this  
4695 commitments document. It is treated \_ it is treated in the  
4696 entire document as a foregone conclusion. And then I would  
4697 just point to the plaintiffs and the sovereigns publicly  
4698 talking about and discussing this very clear, excitable for  
4699 them, path to dam breaching. I think that speaks for itself.

4700 \*Mrs. Lesko. I do, too, and I think it is clear when we  
4701 have this Sierra Club. This is what they said about this  
4702 agreement, and I quote, "The Biden administration today  
4703 announced its intention to move forward with the removal of  
4704 four controversial dams on Washington's Lower Snake River.'"   
4705 Now if the Sierra Club says that, I think that is the goal,  
4706 is to close the dams.

4707 Mr. Takala, I appreciate you coming here today, and I  
4708 just have something I want to share with you about what has  
4709 happened in Arizona. And by the way, Arizona buys  
4710 hydroelectric energy from the northwest and then we trade it

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4711 back when \_ in \_ when we produce more of it. So we need more  
4712 electricity in the summer, and we can export it to the  
4713 northwest in our winter.

4714 But, Mr. Takala, I know you are trying to do what is  
4715 right for your Yakama Nation. I want to share with you a  
4716 similar good intention deal that happened in my state of  
4717 Arizona. The Navajo Nation was home to the Navajo Generating  
4718 Station. It was a 2.25 gigawatt coal-fired power plant  
4719 located in the Navajo Nation. This plant provided electrical  
4720 power to customers in Arizona, Nevada, and California. It  
4721 also provided the power for pumping Colorado River water for  
4722 the Central Arizona Project, which brings water to the  
4723 Phoenix area.

4724 The plant and mine annually paid out about 100 million  
4725 dollars in direct wages and 50 million dollars in leases and  
4726 royalties. The Navajo Generating Station had 538 employees.  
4727 The 1,786 acres for the plant site was leased from the Navajo  
4728 Nation. The coal mine that supplied the Navajo Generating  
4729 Station was on Hopi land and it supplied 85 percent of the  
4730 Hopi tribe revenue.

4731 The power plant and mine had enormous economic benefit

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4732 for both the Navajo and the Hopi. Things were prosperous for  
4733 both tribes. Then the Sierra Club and the Federal Government  
4734 came to town. The Sierra Club promised the world by saying  
4735 that they would replace the 538 great paying jobs with new  
4736 jobs in clean power. To date, the Navajo Nation has not  
4737 replaced any of these jobs. They did put up some small power  
4738 \_ solar power, but those tax benefits were quickly taken by  
4739 Wall Street bankers.

4740 Also, Arizona needs the power from the Navajo Generating  
4741 Station provided for grid reliability. Today, many Navajos  
4742 heat their homes with raw coal. The Sierra Club didn't seem  
4743 to care about that.

4744 The jobs and economic strength of the tribes have never  
4745 come back. I feel a sense of deja vu with this situation. I  
4746 just warn you that I would be aware when radical  
4747 environmentalists use tribal nations for the radical agenda.  
4748 I think you deserve better. I know that you believe you are  
4749 doing what is best for your nation, but I just want to share  
4750 with you what happened in Arizona.

4751 And I yield back.

4752 \*Mr. Duncan. The gentlelady yields back. I now go to a

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4753 gentleman from the Crossroads of America, Indiana, Mr. Pence,  
4754 for five minutes.

4755       \*Mr. Pence. Thank you, Chairman Duncan and Ranking  
4756 Member DeGette, for holding this hearing, and thank you for  
4757 the witnesses for being here. I will make kind of some  
4758 comments and then get into a couple questions.

4759       Decisions of this administration to shut down reliable  
4760 hydropower plants in Pacific Northwest demonstrates failure  
4761 to consider the economic harm in the region and across the  
4762 country, all the way to the Indiana 6th District. Beyond the  
4763 removal of reliable baseload electricity to surrounding  
4764 communities, these actions could have ripple effects across  
4765 the country for trade, our farmers, and a set \_ and set a  
4766 dangerous precedent of executive authority.

4767       As the Crossroads of America, Indiana knows very well  
4768 the complex nature of supply chains across our Nation's  
4769 interstate commerce system. Along the southern edge of  
4770 Indiana, the Ohio River contributes 30 billion dollars  
4771 annually to the Hoosier State and 150,000 jobs. Shipping  
4772 along the Ohio River by barge is an efficient option for our  
4773 agriculture industry and represents important economic

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4774 development for the surrounding communities. And as a  
4775 retired trucker, it is the safest way to move any product.

4776 If we didn't have these \_ this access to transportation,  
4777 our rail and trucking companies would be overwhelmed and  
4778 unable to maintain reliable delivery of goods. Excuse me.  
4779 For the Pacific Northwest, eliminating the option of shipping  
4780 by barge could have real tangible impacts on markets for our  
4781 agriculture products. Because of the interconnected nature  
4782 of interstate commerce routes, restrictions to transportation  
4783 in the Pacific Northwest can congest availability of other  
4784 modes of transportation far beyond Washington State. As Mrs.  
4785 Chumrau noted, how the grain does flow all the way out your  
4786 way.

4787 Mr. Maunu, your testimony discusses the impact that \_  
4788 price increases that could result, and I think you even said  
4789 something, 80 cents a bushel, is that right?

4790 \*Mr. Maunu. 20 to 40 cents a bushel, Congressman.

4791 \*Mr. Pence. 20 to 40 cents a bushel. And would that be  
4792 across the country is that \_ when you \_ when you use that, or  
4793 are you just talking about in the Northwest area?

4794 \*Mr. Maunu. That is just \_ that is just on the wheat



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4795 that is moving on the Northwest on barge right now.

4796 \*Mr. Pence. So even if it came from the State of  
4797 Indiana, it would be impacted by that?

4798 \*Mr. Maunu. We feel that by eliminating one of the best  
4799 modes of transportation, when you talk about market and  
4800 market competitiveness, that is removed, that ripple effect  
4801 goes all the way back to the Midwest, and it will be felt.

4802 \*Mr. Pence. Because it \_ because it restricts  
4803 availability of product?

4804 \*Mr. Maunu. Yes, sir.

4805 \*Mr. Pence. And \_

4806 \*Mr. Maunu. And shipping \_ modes of shipping.

4807 \*Mr. Pence. And supply.

4808 Ms. Chumrau, what \_ does soybean and corn go all the way  
4809 out there from Indiana as well?

4810 \*Ms. Chumrau. I am not sure from Indiana, but it is the  
4811 second largest gateway for soybeans and corn to be exported  
4812 through the PNW.

4813 \*Mr. Pence. Well, we grow a lot of both, yeah.

4814 \*Ms. Chumrau. Yes, you do.

4815 \*Mr. Pence. So, okay. So your study impacts the entire

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4816 country if you start shutting down. And, of course, as I  
4817 mentioned, we have the Ohio Waterway.

4818 Well, I am going to cut my \_ I thank you for your  
4819 testimony today and we need to keep talking to folks about  
4820 the impact it is going to have on the cost of food. And, of  
4821 course, energy, that is something we have talked about here a  
4822 lot. We have to think about that. And as my dear friend  
4823 from Arizona said, this is one of the cleanest energies, so  
4824 why would we get rid of hydropower? So thank you.

4825 Mr. Chair, I yield back.

4826 \*Mr. Duncan. The gentleman yields back. I will now go  
4827 to Mr. Palmer from Alabama for five minutes.

4828 \*Mr. Palmer. Thank you, Mr. Chairman. To follow up on  
4829 my colleague from Indiana's point about the cost of food, net  
4830 zero policies is predicted to increase fertilizer cost by up  
4831 to 60 percent and food prices up to 26 percent. Even  
4832 according to the folks who are for getting to net zero, they  
4833 understand this. It is my understanding that, for instance,  
4834 natural gas is about 80 percent of the cost of ammonia  
4835 nitrate, fertilizer.

4836 I just don't understand why this administration persists

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4837 in pursuing these policies that are going to be enormously  
4838 harmful to particularly low-income families. I grew up dirt  
4839 poor in a tiny little town in Northwest Alabama, Hackleburg,  
4840 and we grew a lot of our food. But at the rate they are  
4841 going, we are going to be back to where I was growing up,  
4842 plowing our gardens with a mule because we can't afford a  
4843 tractor. It is also going to impact energy costs.

4844         And I just got a study. I am one of these guys that is  
4845 always doing a little bit of research around a think tank. I  
4846 worked for two international engineering companies. And I  
4847 just saw a study that came out of the UK where British  
4848 government wanted to set the example for Europe, they wanted  
4849 to lead Europe in renewables. They started this in 2008.

4850         And what has happened is that their energy prices have  
4851 gone through the roof. They had over 13,000 people die last  
4852 year classified as excess winter deaths. They couldn't  
4853 afford to adequately heat their homes.

4854         But the interesting thing is is that they achieved the  
4855 lowest peace time growth rate in their economy since 1780.  
4856 Okay, that is not a misquote. 1780, the year before Yorkton.

4857         Mr. Matheson, if you would like to, I would like for you

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4858 to comment on how this \_ you are involved with the Rural  
4859 Electric Cooperative. I do a lot of work with them.

4860 \*Mr. Matheson. Sure. Look \_

4861 \*Mr. Palmer. Is that a good plan?

4862 \*Mr. Matheson. Look, I think \_ I think you hear a lot  
4863 of people in the energy sector talk about the need for  
4864 reliability and affordability \_ a reliable and affordable  
4865 energy supply. We really mean it, by the way. And from an  
4866 electric cooperative perspective, we are owned by the  
4867 consumers we serve and we serve 92 percent of all the  
4868 persistent poverty counties in America, so affordability  
4869 really means something. It might have served you where you  
4870 grew up in Alabama.

4871 \*Mr. Palmer. Well, almost.

4872 \*Mr. Matheson. Almost.

4873 \*Mr. Palmer. Yeah, my grandpa and grandma were on \_

4874 \*Mr. Matheson. On co-op lines.

4875 \*Mr. Palmer. -- co-op lines.

4876 \*Mr. Matheson. So \_

4877 \*Mr. Palmer. The other thing about this is to \_ I  
4878 mentioned over 13,00 died in the UK, and that was a

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4879 relatively mild winter. Last year there were 68,000 died in  
4880 Europe, and that is more than died from COVID because they  
4881 couldn't afford to adequately heat their homes. There is  
4882 people with other issues like cardiovascular, respiratory.  
4883 And there is consequences for these actions.

4884         And one of the things that really concerns me is you  
4885 look at the continent of Africa, they project there will be  
4886 three billion people on that continent by 2070. They are not  
4887 going to deny themselves access to reliable and affordable  
4888 power. They are trying to get out of poverty. You know, we  
4889 bash China a lot, but it is interesting when China started  
4890 building out their power grid in the 1990s that they added  
4891 almost eight years to the life expectancy and pulled 25  
4892 percent of their population out of poverty into the middle  
4893 class. India is doing the same thing.

4894         And for the life of me, I don't understand why the Biden  
4895 administration doesn't get this. How important it is to have  
4896 reliable, affordable energy, whether it is to power a  
4897 tractor, or a combine, or to transport food to the  
4898 marketplace, or to just heat and cool your home.

4899         Ms. Chumrau, you are involved in \_ apparently in

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4900 agribusiness, so we had a hearing and they talked about they  
4901 were going to add two percent methane tax at the wellhead for  
4902 natural gas and it was only two percent. I don't think they  
4903 understand that that two percent gets compounded all along  
4904 the line for farmers before it ever gets to a product on the  
4905 grocery store shelf. Would you like to comment on that?

4906 \*Ms. Chumrau. I would say all of our input costs have  
4907 gone up significantly over the last few years and that is  
4908 chipping away at the bottom line of our farmers.

4909 \*Mr. Palmer. And it is \_ get passed on to folks. You  
4910 know, they called it the Inflation Reduction Act, but it  
4911 really should have been called the Income Reduction Act  
4912 because from the time \_ the first two years of the Biden  
4913 administration, household income has gone down 17 percent,  
4914 adjusted for inflation.

4915 So with that, Mr. Chairman, I yield back.

4916 \*Mr. Duncan. The gentlemen yields back. I will now go  
4917 to Ohio's Mr. Balderson for five minutes.

4918 \*Mr. Balderson. Thank you, Mr. Chairman.

4919 My first question is for the former Congressman.

4920 Congressman, thank you, Mr. Matheson, for being here. I

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4921 understand this administration's hopes to ultimately breach  
4922 several dams in the Columbia River Basin and replacing the  
4923 existing clean hydropower with other forms of renewable  
4924 energy. Hydropower is available 24 hours, seven days a week,  
4925 and is a dependable form of dispatchable baseload  
4926 electricity, which you have talked about.

4927 \*Mr. Matheson. Mm-hmm.

4928 \*Mr. Balderson. This reliable source of electricity  
4929 should not be replaced by other forms of renewable energy  
4930 which are intermittent. Could you expand on the problems  
4931 with the administration's goal of simply replacing existing  
4932 hydropower generation with wind and solar, particularly in  
4933 the Pacific Northeast (sic)?

4934 \*Mr. Matheson. Well, you have highlighted the  
4935 distinction, which is one is always available and one is not,  
4936 it is intermittent. Look, the interesting thing about the  
4937 existing hydroelectric assets in the Pacific Northwest,  
4938 particularly these dams, because the Lower Snake River Dams  
4939 have the technology to ramp up and down in real time, they  
4940 enhance the value of the renewables that are on the system in  
4941 the Pacific Northwest. They make the wind resources more

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4942 valuable as a result. Why would we take away this very  
4943 valuable, baseload always available resource, which is there  
4944 when we need it? And I mentioned in my opening comments  
4945 about the winter \_ the cold snap two weeks ago where the wind  
4946 stopped blowing and the wind production went down to  
4947 practically nothing, and the dams were there to provide the  
4948 power that was needed when it was needed most.

4949         So it is not a one-to-one relationship between renewable  
4950 and hydro. Renewable has a role in the portfolio, but the  
4951 value of that baseload dispatchable energy, and in the  
4952 Pacific Northwest it is hydro. In your State of Ohio, it may  
4953 be coal and gas or nuclear. There are different forms of  
4954 dispatchable always available power that matter in an overall  
4955 portfolio to provide system reliability, and that is what  
4956 these dams provide in the Pacific Northwest.

4957         \*Mr. Balderson. Baseload is the name of the game. And  
4958 you were sitting here when I asked this question of the first  
4959 panel, Mr. Baumann with the Department of Energy, about the  
4960 participation of power providers, utilities, and co-ops in  
4961 the settlement process. You spoke briefly about that during  
4962 the second panel. He claimed, and I quote, "Many of the



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4963 utility associations and individual utilities participated in  
4964 the mediation.''

4965           Mr. Matheson, I believe that you have some concerns that  
4966 those responsible for keeping the lights on were not in the  
4967 room when this deal was cut. Could you discuss the  
4968 administration's failure to include or \_ in including  
4969 organizations representing the electrical utility sector in  
4970 the negotiating the plan that the administration filed with  
4971 the court, and can you discuss what insight you and your  
4972 members could have provided?

4973           \*Mr. Matheson. I appreciate the question. It has been  
4974 one of the great points of confusion in this hearing. And  
4975 the fact is, because everyone was invited at the front end,  
4976 but they didn't participate through the whole process,  
4977 doesn't mean, oh, everyone was involved. Sure, everyone was  
4978 involved at the front end in some listening sessions. That  
4979 is not the way this played out when it came to actually the  
4980 negotiations for this settle agreement, which are among six  
4981 entities, and that was it, and no one else was in the room.

4982           So for folks to say, oh, everyone was involved, yeah,  
4983 everyone was involved when we were all just sharing some

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4984 information or throwing out ideas, but when it was time to  
4985 cut the deal, they were not all involved. And that is  
4986 something that I think \_ I hope is understood for the  
4987 conclusion of this hearing because we heard a lot of  
4988 different comments on this during the course of both panels.

4989 \*Mr. Balderson. I think you have done a very good job  
4990 expressing that, so thank you.

4991 My final question is for Ms. Chumrau. I hope I say that  
4992 correctly. I apologize, ma'am. As the chairman said, the  
4993 most challenging names on this panel that we have seen in  
4994 quite some time.

4995 I understand that if the dams are breached, the loss of  
4996 irrigation would bankrupt many family farms in the region. I  
4997 also asked Chair Mallory in the first panel about the idea  
4998 that the United States government will help fund studies to  
4999 evaluate alternatives to this irrigation services provided by  
5000 these four dams. Unfortunately, Chair Mallory couldn't  
5001 identify any potential alternatives. It is concerning to you  
5002 that they moved ahead before identifying irrigation  
5003 alternatives?

5004 \*Ms. Chumrau. Irrigation is critical to many of our

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5005 farmers in the region. They produce very high value  
5006 specialty crops in the regions where they are serviced by  
5007 these dams. It would be incredibly cost \_ costly to try and  
5008 retrofit any of the equipment that is there, if it was  
5009 possible to do so. It would be absolutely critical to make  
5010 sure that we did all of the feasibility studies before we  
5011 were able to look at alternatives to what we have right now,  
5012 which is very efficient.

5013         And I would mention that the hydropower also provides  
5014 low-cost energy to run those irrigation systems, so it would  
5015 be costly on many levels.

5016         \*Mr. Balderson. Thank you. Thank you all for being  
5017 here.

5018         Mr. Chairman, I yield back.

5019         \*Mr. Duncan. The gentleman yields back. Seeing no  
5020 other members seeking recognition, this will bring our  
5021 hearing to a conclusion. I want to thank all of our  
5022 witnesses for being here today and for your testimony.

5023         Members may have additional written questions, which we  
5024 will submit. I remind members they have 10 business days to  
5025 submit the additional questions for the record, and I ask the

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5026 witnesses do their best to submit their responses within 10  
5027 business days upon receipt of the questions.

5028 I ask unanimous consent to insert into the record the  
5029 documents included on the staff hearing documents list.

5030 Without objection, that will be the order.

5031 [The information follows:]

5032

5033 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

5034

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5035           \*Mr. Duncan. And without objection, the subcommittee  
5036 will stand adjourned.  
5037           [Whereupon, at 2:43 p.m., the subcommittee was  
5038 adjourned.]