

April 30, 2025

Harriet Hageman, Chair
Val Hoyle, Ranking Member
Subcommittee on Water, Wildlife and Fisheries
House Committee on Natural Resources
1324 Longworth House Office Building
Washington, DC 20515

RE: Advancing Federal Water and Hydropower Development: A Stakeholder Perspective

Dear Chair Hageman and Ranking Member Hoyle:

American Whitewater is pleased to offer this testimony on the Oversight Hearing titled “Advancing Federal Water and Hydropower Development: A Stakeholder’s Perspective” held by the Subcommittee on Water, Wildlife and Fisheries on Wednesday, April 30, 2025. We write today to respectfully share that the current regulatory limits on hydropower development and operations are essential to protecting important values that Americans care deeply about. It would not be in the public interest to reduce or eliminate those limits in order to favor hydropower development or generation.

American Whitewater is a national non-profit 501(c)(3) river conservation organization founded in 1954 with approximately 50,000 supporters, 6,000 dues-paying members, and 100 local-based affiliate clubs, representing whitewater enthusiasts across the nation. American Whitewater’s mission is to protect and restore America’s whitewater rivers and to enhance opportunities to enjoy them safely. The organization is the primary advocate for the preservation and protection of whitewater rivers throughout the United States, and connects the interests of human-powered recreational river users with ecological and science-based data to achieve the goals within its mission. American Whitewater has many decades of experience engaging in the relicensing of well over 100 Federal Energy Regulatory Commission regulated dams, as well as the operation of numerous federal dams that directly impact the public’s use and enjoyment of our public waterways.

The National Environmental Policy Act (NEPA) and the Federal Energy Regulatory Commission (FERC) dam relicensing process provide the forum for the public, and organizations like ours, to share what matters to them with regulators, and for regulators to weigh those interests against

others. It ensures the public has a meaningful role in protecting and restoring the rivers that flow through their communities and that are impacted by hydropower projects. Businesses and community leaders can highlight economically important outdoor recreation resources. Scientists and citizens can raise the needs of fisheries that are important biologically, economically, and culturally. Farmers and municipalities can explain the need for good water quality and quantity. Tribal governments have an opportunity to highlight cultural connections to waterways that have sustained them since time immemorial. Collectively these voices and interests, given regulatory weight and opportunity, result in good, balanced outcomes that are in the public interest. Power companies and the federal government cannot be expected to know what river-based communities need to flourish. Rather, it is almost always perspectives from the public that lead to the efficient and meaningful protection and enhancement of outdoor recreation, quality of life, and local river-based economies through the public engagement opportunities afforded by NEPA and the FERC licensing process. Protecting the role of the public is vital to ensuring fair and positive outcomes for communities.

Like our wise commitment to public participation in decision-making, our nation is rightly and legislatively committed to protecting threatened and endangered species from extinction. These species include numerous runs of salmon and steelhead in the western United States that are economically, culturally, and ecologically vital to the region's future. Scientists, including those from the U.S. Forest Service and National Marine Fisheries Service, are in the best position to understand how to ensure those species are recovered, and their ability to meaningfully engage in hydropower development and operation decisions is essential to the continuation of imperiled species. Ensuring these species persist is a legacy we owe to current and future generations.

The timeline for hydropower licensing is neither excessively long nor burdensome; it is appropriate given the significant public interest in the multifaceted values of our rivers that must be carefully balanced. The Integrated Licensing Process (ILP), established in 2003, was designed with clear timelines and deliverables for the Federal Energy Regulatory Commission (FERC), licensees, resource agencies, and other stakeholders. A 2021 assessment by the Department of Energy (DOE) concluded that the ILP offers the shortest and most consistent timeline among available processes.¹ On average, licensing under the ILP takes 5.9 years, closely aligning with the expected 5.5-year timeframe specified in regulations. Importantly, the DOE found that the choice of licensing process significantly influences the issuance timeline. Alternative and Traditional processes, chosen by licensees in some cases, tend to prolong the licensing period compared to the ILP. The DOE's assessment identifies incomplete or inadequate

¹ NREL, An Examination of the Hydropower Licensing and Federal Authorization Process (2021). Available at: <<https://www.nrel.gov/docs/fy22osti/79242.pdf>>.

information, provided by licensees, as a primary factor contributing to extended timelines. Addressing these informational gaps, and requiring licensees to provide required information to regulatory agencies in a more timely fashion could streamline the process and enhance efficiency across all licensing pathways.

As a general matter, 5.5 years is an appropriate duration for the hydropower licensing process. Breaking the ILP timeline down, stakeholders have a year to develop study plans, two years to conduct studies and for the licensee to file a license application, and then two years for FERC to take the study information, release a draft and final environmental document and finally issue a new license. The idea that the completion of the licensing process is unnecessarily long is a narrative perpetuated by those with little knowledge of the process.

We respectfully urge you to look beyond the regulations shaping hydropower development and consider the people those rules protect: the rafting outfitter whose livelihood depends on reliable dam releases, the families who rely on salmon and steelhead for food and income, and the countless others who depend on healthy, functioning rivers. Loosening these safeguards to accelerate hydropower growth would come at a real cost to nearly every other river-dependent community. The NEPA process and FERC relicensing already provide a framework where hydropower operators can generate power while balancing the broader public interest. We welcome continued dialogue with the Committee and strongly support oversight that ensures all stakeholders—especially those directly affected—are heard in shaping the future of our rivers.

Thank you for considering this testimony.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. R. Colburn', written in a cursive style.

Kevin R. Colburn
National Stewardship Director