

Written Testimony for the Record
Submitted to the Subcommittee on Water, Wildlife and Fisheries
For the hearing “Advancing Federal Water and Hydropower Development:
A Stakeholder Perspective” Dated April 30, 2025

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on behalf of the National Hydropower Association

Chairwoman Hageman, Ranking Member Hoyle, and Members of the Subcommittee – thank you for hosting this hearing. On behalf of the National Hydropower Association, I appreciate the opportunity to supplement the record with written testimony.

Hydropower and pumped storage are uniquely situated technologies to ensure a reliable electric grid for the 21st century. Hydropower technologies not only function as baseload resources, but they’re also capable of being dispatched up and down to meet the needs of the grid. Grid operators also rely on hydropower technologies provide essential grid services such as frequency control and spinning reserves. Finally, if the grid suffers a major outage as we just saw in Spain and Portugal, hydropower provides 40% of the black start capability in the United States. No other technology provides all these services in an emission-free manner. Not only does hydropower provide all of these services, communities rely on hydropower infrastructure for recreation, flood control, irrigation, and navigation.

Therefore, it is imperative that we improve the permitting process in the United States to not only maintain the existing fleet of resources but expand our base. The need to do so exists today. We cannot wait.

Approximately half of the fleet is regulated by the Federal Energy Regulatory Commission (FERC) and the other half is owned by the federal government (Tennessee Valley Authority, U.S. Army Corps of Engineers, and U.S. Bureau of Reclamation) with much of it marketed by the four Power Marketing Administrations. Currently, there are nearly 200 applications for new or original licenses at the FERC. There are approximately 50,000 MWs for new resources either in the FERC licensing process or those who have received preliminary permits. These applications go through a review process that spreads across 11 different agencies and can take nearly a decade to review *after* they’re filed at the FERC.

The federal fleet is also threatened by those entities who advocate for removal of dam infrastructure even though those facilities provide unique benefits to the grid and their communities. Between protecting communities in the Tennessee valley during Hurricane Helene in the fall of 2024 or ensuring the lights stay on in the Pacific Northwest during Martin Luther King Jr. weekend in 2024, the federal fleet continues to serve its communities with low-cost hydropower.

On behalf of the hydropower industry, I suggest the following reforms at the Departments of Interior, Commerce, etc. to improve the standing of hydropower in the United States.

- Pass H.R. 1897 – ESA Amendments Act of 2025.
- Modify the Federal Power Act (FPA) to ensure that mandatory conditions submitted under FPA Section 4(e) (16 U.S.C § 797(e)) are limited to provisions that mitigate future, direct effects of the project and balance all uses of federal lands that occur over the license term.
- Reform the FPA to ensure that fishway prescriptions under FPA Section 18 (16 U.S.C § 811) are justified through a cost-benefit analysis, that demonstrates direct, substantial, and quantifiable improvements to fish populations, and are limited to provisions that mitigate future, direct effects of the project occurring over the license term.
- Improve the trial-type hearing process by establishing that the Secretary concerned bears the burden of proof by a preponderance of the evidence for any condition or prescription filed with FERC by the Secretary concerned or their designee under FPA sections 4(e), 18, or 33 (16 U.S.C. § 823d); and establishing that a Secretary concerned shall not include in their submission of modified conditions or fishway prescriptions any new requirement that was absent in their preliminary prescriptions.

These simple, yet important process improvements would ensure that the licensing process for hydropower, where the Secretaries of Interior, Commerce, Agriculture, or Army are involved, is materially enhanced. I urge Congress to take up and pass these important reforms so that we can ensure hydropower and pumped storage can enable American energy dominance now and into the future.