



June 30, 2017

Chairman Greg Walden
The Energy and Commerce Committee
U.S. House of Representatives
Washington, D.C. 20515

Ranking Member Frank Pallone, Jr.
The Energy and Commerce Committee
U.S. House of Representatives
Washington, D.C., 20515

Dear Chairman Walden and Ranking Member Pallone:

On behalf of our millions of members and supporters, I urge you to oppose H.R. 3043, the Hydropower Policy Modernization Act when it goes to the House floor. While NRDC agrees that hydropower can be an important energy resource, we also recognize that some hydropower projects have had devastating impacts on rivers, water quality, and fisheries across the western United States. Rather than improving the hydropower licensing process, H.R. 3043 would undermine longstanding environmental safeguards that are intended to protect Native American tribes, fishing jobs, and local communities from these adverse impacts of hydropower projects. This legislation undermines the delicate balance between environmental protection and energy production, and the authority of States, under existing law.

Under existing law, state and federal agencies have authority to condition hydropower licenses to protect native fisheries and the environment, and the communities and jobs that depend on them. This ensures that those state and federal agencies that are trustees for wildlife and fisheries, have authority to design the conditions necessary to allow hydropower projects to proceed while also protecting the environment. Moreover, because hydropower licenses are issued for up to 50 years, many facilities that are currently being relicensed were constructed before modern environmental laws. The relicensing process provides tribes, fishermen, local communities and the public the opportunity to ensure that hydropower projects are conditioned to comply with existing laws and protect water quality, fisheries, and the environment.

In contrast, H.R. 3043 would usurp the existing authority of States and federal agencies to condition hydropower licenses and strictly limit their authority. Instead, it would centralize authority with the Federal Energy Regulatory Commission, at the expense of the States and federal agencies that have expertise regarding impacts to water quality, fisheries, and the environment. It would allow the Commission to set arbitrary deadlines to complete the licensing process without ensuring that states

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and other agencies obtain the necessary scientific information to appropriately condition hydropower projects. H.R. 3043 also would create additional barriers to imposing new conditions on existing projects that would ensure these projects comply with existing environmental laws.

Over the past several years, legislation that is very similar to H.R. 3043 has been strongly opposed by States, Tribes, fishing groups, local communities, and conservation groups. We share their concerns and urge you to oppose this legislation.

Thank you for consideration of our views.

Sincerely,

Scott Slesinger
Legislative Director