



COMMITTEE ON
ENERGY & COMMERCE
DEMOCRATS
RANKING MEMBER FRANK PALLONE, JR.

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Pallone Remarks at Hydropower Hearing

Washington, D.C. – *Energy and Commerce Ranking Member Frank Pallone, Jr. (D-NJ) delivered the following opening remarks today at a Subcommittee on Energy hearing on “Improving the Hydropower Licensing Process.”*

I am glad that we are finally holding a hydropower hearing with the federal resource agencies. This is something we have been requesting ever since the Committee began to consider changes to the hydropower licensing provisions of the Federal Power Act. While we should have heard from these agencies before we moved legislation that fundamentally alters the licensing regime, I do appreciate the Chairman convening this hearing today.

I hope we will follow this up with a hearing with states and tribal governments on this issue, since they are equal and critical stakeholders in this process who should not be ignored.

Hydropower has provided reliable, baseload electricity for a century. It is an important source of renewable energy, and we certainly want it to continue providing power safely and reliably.

At the same time, we cannot ignore the fact that hydropower has major impacts on water quality, water supply management, fish and wildlife populations, and other important physical and cultural resources. We also must recognize that a lot of changes can occur over the period of a 30 to 50-year hydro license. Just think of the dramatic changes that are possible in weather patterns, population, economic development, and competition for water resources. These issues must be analyzed and addressed during the licensing process. And this is particularly important for facilities that were last licensed before modern environmental laws. This process will understandably be more complex and contentious.

We also must guarantee dam safety and structural integrity are reviewed carefully during this process. The damage to the Oroville Dam in California last year that led to the evacuation of more than 180,000 people is a wake-up call. These dams and hydropower facilities are critical infrastructure that require investment and physical maintenance to ensure they are

structurally sound and able to handle new conditions created by shifting weather patterns due to climate change.

I realize that companies and public power entities want faster, more efficient decision-making on their license applications. Dealing with multiple federal agencies, states, tribal governments, and other water users is complex and time-consuming. But, the fuel these licensees are using – water – is a resource owned by all of us. It is essential for everyone's daily life. Since licenses are granted for 30 to 50 years, the process must take proper account of the needs of others who also require the use of that water.

The Federal Energy Regulatory Commission has the difficult task of coordinating all stakeholders in this process. And, for the larger, older facilities, this is an especially difficult task. It is FERC's responsibility to ensure that license applicants provide all the necessary information for the Commission and all other participating agencies so they can make their decisions. An application is not complete until all participating agencies have the information required to make a sound analysis and support their decisions under the applicable laws.

I continue to believe that FERC could do more to support the information requests of other federal agencies, states, and tribes in these proceedings.

Unfortunately, one of the largest sources of delay continues to be licensees failing to provide complete applications, making it nearly impossible for resource agencies, states and tribal governments to complete their work on time. And, because the law provides for unlimited, automatic one-year license extensions, licensees failing to provide that information can game the process to their advantage without jeopardizing their licenses. We need to put an end to this if we are serious about expediting the licensing process.

We can have clean water, thriving fisheries, healthy watersheds, good jobs and affordable hydropower. It requires cooperation, collaboration and the inclusion of all stakeholders in the process. Returning to the days when power was the only consideration in issuing a license will not ensure that our water resources are managed to serve everyone's needs.

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