

Uncommon Dialogue on Hydropower, River Restoration, and Public Safety

April 2022 Update

The following email provides updates on recent and upcoming activities within the Uncommon Dialogue (UCD) on Hydropower, River Restoration, and Public Safety.

WG 6 Improve Federal Hydropower Licensing, Relicensing, and License Surrender Processes

Working Group 6 efforts shifted to legislative strategy and outreach in April. The Uncommon Dialogue team sent the Working Group 6 package of amendments on the Federal Power Act to key House, Senate and Executive Branch offices on April 4, drawing national coverage from the Wall Street Journal (<https://www.wsj.com/articles/tribes-industry-groups-reach-deal-to-boost-u-s-hydroelectric-power-11649044803>) and other outlets. The lead drafters of the Working Group 6 package are working with key members of Working Group 7 in a new Licensing Reform Group to coordinate legislative strategy and outreach for the package with the objective of having a bill introduced for consideration in the current session of Congress. Uncommon Dialogue members from the industry, Tribal and environmental caucuses have briefed the White House, the Federal Energy Regulatory Commission, the Department of Interior and House and Senate offices on the package.

On Thursday, May 12, the Energy Subcommittee of the House Energy and Commerce Committee held a hearing on hydropower licensing, focused on the Working Group 6 package. Uncommon Dialogue leads Mary Pavel, Tom Kiernan, and Malcolm Woolf testified, representing Tribes, the conservation caucus, and the hydropower industry, respectively. More details on the hearing, “Modernizing Hydropower: Licensing and Reforms for a Clean Energy Future,” including witnesses' written testimony and video of the full hearing, are available at the Energy and Commerce Committee website (<https://energycommerce.house.gov/committee-activity/hearings/hearing-on-modernizing-hydropower-licensing-and-reforms-for-a-clean>) .

Steering Committee (SC) and Planning Group (PG)

The Planning Group met through April to discuss the processes and next steps for the License Reform Group legislative coordination. The Planning Group will meet monthly to strategize on the Uncommon Dialogue process. The next Steering Committee meeting is expected to take place in the summer.

Working Group (WG) 1 Accelerate Development of Hydropower Technologies and Practices to Improve Generation Efficiency, Environmental Performance, and Solar and Wind Integration

The Technologies Working Group Co-Chairs are completing a final round of edits and review of a White Paper on Technology to advance the 3Rs. The Co-Chairs have incorporated feedback heard from industry and Lab participants and engaged representatives from the E-NGO Caucus for their perspective and edits to the paper. The revised White Paper will be distributed soon to Working Group 1 and the Steering Committee for voluntary sign-on.

WG 2 Dam Safety

The Dam Safety Working Group leads are developing a game plan for addressing this topic. This work is expected to ramp up in the second half of 2022.

WG 3&5 Increase Basin-Scale Decision-Making and Access to River-Related Data and Advance Effective River Restoration through Improved Off-site Mitigation Strategies

The Basin-Scale Subgroup met in mid-April and agreed to develop a Guidance Document for basin-scale planning. The Subgroup will present a draft outline of the Guidance Document to the full WG 3&5 in May. The WG 3&5 meeting will also include an update on the WG6 FPA package content related to off-site mitigation as well as a discussion of river-related data.

WG 4 Improve the Measurement, Valuation of, and Compensation for Hydropower Flexibility and Reliability Services and Support for Enhanced Environmental Performance

The full WG4 met at the end of April to discuss subgroup updates on enhanced environmental performance, grid valuation, Idaho National Lab's Power Evaluation Tool, and methane emissions. In the coming months, WG4 members will meet for more in-depth discussions on these focus areas.

WG 7 Policy, Strategy, and Implementation of the 3 Rs (Rehabilitation, Retrofit, and Removal)

WG7 members are continuing their efforts to incorporate recommendations into the Water Resources Development Act reconciliation (WRDA), monitor the Congressional Appropriations process, and support key legislative initiatives. While waiting for the WRDA language to be developed by Congress, the WG7 members are in the process of drafting a letter of request for Congressional Appropriations that supports funding for the 3Rs. In addition to their legislative work, WG7 members are continuing their efforts to review the implementation plans of the agencies that are receiving funding from the Infrastructure Bill. From the initial review, WG7 members have concluded that year-one funding by the agencies may be different than the second-year spending. Moving forward it will be important to ensure that the intent of the 3R's

recommendations are understood, supported, and incorporated into the implementation plans and that agencies are held accountable.

Tribal Engagement

Tribes and Tribal organizations were very engaged in the WG6 License Reform package, and some provided letters of support for the package that was sent to Congress. Tribes will continue to be engaged throughout the License Reform process and other topics as part of the Uncommon Dialogue.

River Connectivity Workshop

On April 27, Kearns & West facilitated a workshop focused on the broad and multi-faceted nature of river connectivity and explore varying perspectives on river connectivity. 188 participants joined to hear eight presentations from American Rivers, Cal Trout, Inter-Fluve, The Freshwater Trust, Natel Energy, and representatives from the Yurok Tribe, the Grand Traverse Band of Ottawa and Chippewa Indians, and the Upper Skagit Tribe.

The workshop stemmed from conversations between the hydropower industry and the conservation community about technologies to improve river connectivity. By exploring what river connectivity means to different stakeholders, highlighting the connectivity issues that rivers face, and looking at several approaches to maintaining or improving components of river connectivity, the workshop aimed to foster a common foundation for collaborative solutions.

A summary of the meeting will be distributed soon.

If there are others you think would like to get engaged with the Uncommon Dialogue, please forward their contact information to Katy Kennedy (kkennedy@kearnswest.com (<mailto:kkennedy@kearnswest.com>)).

For more information on the Uncommon Dialogue, refer to Stanford's Uncommon Dialogue website: <https://woods.stanford.edu/research/hydropower>.

Please feel free to contact Dan Reicher (dreicher@stanford.edu (<mailto:dreicher@stanford.edu>)) or Kelsey Rugani (krugani@kearnswest.com (<mailto:krugani@kearnswest.com>)) if you have any questions!