



April 4, 2022

Chairman Joe Manchin
 306 Hart Senate Office Building
 Washington, D.C. 20510

Chairman Frank Pallone, Jr.
 2107 Rayburn House Office Building
 Washington, D.C. 20515

Ranking Member John Barrasso
 307 Dirksen Senate Office Building
 Washington, D.C. 20510

Ranking Member Cathy McMorris Rodgers
 1035 Longworth House Office Building
 Washington, D.C. 20515

Dear Chairman Manchin, Chairman Pallone, Ranking Member Barrasso, and Ranking Member McMorris Rodgers:

As representatives of the hydropower industry, the environmental community, and tribal nations, we are pleased to share our joint recommendations for legislative reform of the Federal Power Act (FPA). This package, in development for more than a year, reflects our shared goal of enhancing the health of river ecosystems, respecting the rights of tribes, and providing greater regulatory certainty for hydropower facilities. It was developed as part of the Stanford University Uncommon Dialogue on hydropower and river conservation.

The package, if adopted, will improve the FPA’s process for hydropower licensing, relicensing, and license surrender. It will protect the health of our nation’s river ecosystems, empower Federally Recognized Tribes on their own lands, and reduce delay in licensing. The proposed changes will allow the United States to more fully realize the environmental, social, and economic benefits of healthy rivers, tribal sovereignty, and hydropower production.

The attached FPA reform package proposes to modernize our nation’s approach to hydropower licensing, relicensing, and license surrender by:

- Increasing cooperation among the Federal Energy Regulatory Commission (FERC), Federally Recognized Tribes, and resource agencies in the hydropower licensing, relicensing and license surrender processes;
- Empowering Federally Recognized Tribes to protect their lands, waters, other resources and treaty-protected rights;
- Addressing climate change in the hydropower licensing process;
- Improving analysis of hydropower projects' environmental effects and economics;
- Resolving ambiguities in the licensing process;
- Promoting a culture of "show your work" in hydropower licensing;
- Updating the process for license surrender and for addressing non-operational facilities;
- Expediting licensing of certain projects that demonstrate they are low-impact; and
- Incorporating technological innovations into the licensing process.

The parties look forward to working with Congress and the White House to advance this package through the legislative process to safeguard river ecosystems, further tribal sovereignty and self-determination, and increase renewable hydropower production.

Signed,

American Rivers
American Whitewater
California Outdoors
California Sportfishing Protection Alliance
Foothill Conservancy
Friends of the River
Gravity Renewables
Hydropower Reform Coalition
Idaho Rivers United
Lac Courte Oreilles Band of Lake Superior Chippewa
Midwest Alliance of Sovereign Tribes
Natel Energy
National Hydropower Association
Nelson Energy LLC
New England FLOW
Rye Development
Skokomish Indian Tribe
Union of Concerned Scientists
Upper Skagit Indian Tribe