

## To Consider Pending (Water and Power related) Legislation: BOR & DOE

Senate Energy & Natural Resources Committee, Subcommittee on Water and Power Hearing, “To consider pending legislation”  
February 27, 2014

### Witness Panel I

Mr. Mike Carr

Principal Deputy Assistant Secretary, Office of Energy Efficiency & Renewable Energy, Department of Energy

Mr. John Katz

Deputy Associate General Counsel, Office of Energy Projects, Federal Energy Regulatory Commission, Department of Energy

Mr. Robert Quint

Senior Advisor, Bureau of Reclamation, Department of the Interior

### Witness Panel II

Mr. Charles Stern

Specialist in Natural Resources Policy, Congressional Research Service

Dr. Belinda Batten

Director, Northwest National Marine Renewable Energy Center, Oregon State University

Mr. Andy Duyck

Chair, Washington County Commission, Hillsboro, OR

### Committee Members Present

Brian Schatz (D-HI), Subcommittee Chairman

John Barrasso (R-WY)

Ron Wyden (D-OR)

Jeff Merkley (D-OR) (guest)

On February 27, the Senate Energy & Natural Resources Committee Subcommittee on Water and Power held a hearing considering eight bills concerning use of water resources in Western states. Subcommittee Chairman Brian Schatz (D-HI) and Senator John Barrasso (R-WY) voiced discontent formally expressed in their bill Bureau of Reclamation Transparency Act (S. 1800) with the Bureau of Reclamation’s (BOR) “aging infrastructure” and lack of synthesized publicly available data on maintenance of hydroelectric power facilities. Along with BOR reforms, bill topics included increased funding for marine energy research.

According to Charles Stern of the Congressional Research Service, the most recent backlog maintenance figure to come from BOR is \$2.6 billion in 2012. Senator Barrasso expressed frustration that the BOR has not made backlog numbers or quantified maintenance needs and appropriate costs of each of their projects available in a public report. S. 1800 would require BOR to report to Congress bi-annually by providing public safety information for every project and categorical rankings for their needs. Robert Quint of BOR stated that documenting each of several thousand facilities to a uniform level of detail in a publication would be laborious, and could take eighteen months to two years to produce.

According to Stern, S. 1800’s language is flexible enough to allow BOR discretion on passing the costs of improving safety on to users.

To address costs imposed by S. 1800, BOR fully supports S. 1946, which would amend the Reclamation Safety of Dams Act of 1978 by removing the Dam Safety Program funding ceiling. By providing unlimited funding to the Dam Safety Program, S. 1946 would include research to mitigate the effect of seismic events. A majority of BOR's 476 dams are currently labeled as a "high or significant hazard," which according to the Federal Energy Regulatory Commission (FERC) classification system, could incur significant environmental, economic damage, or loss of life through failure or mis-operation.

Witnesses championed the Reclamation Title Transfer Act of 2014, S. 2034, which would give BOR authority to transfer dam titles to private groups without the currently required congressional approval.

While the Department of Energy (DOE) is still reviewing the Marine and Hydrokinetic Renewable Energy Act of 2013, S. 1419, their witness, Mike Carr, encouraged reauthorization of marine/hydrokinetic research, in which the DOE is investing \$41.3 million in fiscal year 2014. Research includes corrosion resistant technologies, wave energy conversion technologies, and implementation of environmental monitors to expedite permitting.

The Bureau of Reclamation Conduit Hydropower Development Equity and Jobs Act, S. 2010, aims to spur private investment in hydroelectric power. According to Director of the Northwest National Marine Renewable Energy Center (NNMREC) Belinda Batton, federal funding could initiate small-scale commercial projects based on tidal and wave energy within five years.

While 2014 saw a reduction in budget numbers of BOR, several DOE agencies saw an increase, and both hope to make gains in 2015.

A full archived webcast of the hearing is available at the Senate Energy & Natural Resources web page.

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