



**For the Energy and Technology Committee
Testimony of Alicea Charamut, Executive Director
February 21, 2023**

Rivers Alliance was formed to fight for sound water policies at the state and federal levels, to provide education on water resources, and to advocate for any person or group striving to protect water. If you want clean, free-flowing and healthy rivers, and high-quality drinking water, Rivers Alliance is here to help.

Thank you for the opportunity to provide testimony on the following raised bill before you today.

SB 123 AN ACT CONCERNING THE PUBLIC UTILITIES REGULATORY AUTHORITY, THE REGULATION OF ELECTRIC RATES AND STATE PUBLIC POLICY CONCERNING ELECTRICITY GENERATION. – SUPPORT the intent of the bill with strong exception to Section 4

Rivers Alliance supports the intent of this bill but strongly opposes the change in how hydropower is defined in Section 4. We are deeply troubled by the removal of the guardrails for the type of hydropower facility that warrants the significant financial benefits of Class 1 designation. Hydropower provides clean, carbon-free, energy, but it also can have substantial impacts on river health by blocking fish passage, dewatering areas where fish and other critters raise their young, and degrading habitat along riverbanks by allowing water to fluctuate up and down. **We recommend that the changes pertaining to the definition of hydropower for the Class 1 designation located in Section 4 be removed from the bill.**

Owners of electricity generation projects that qualify as renewable under one of the three classes of Connecticut's Renewable Energy Portfolio Standard (RPS) receive one Renewable Energy Credit (REC) for every megawatt-hour (MWh) of electricity they produce. These RECs are tradable commodities **that allow the environmental attribute of the renewable energy** to be bought and sold separately from the energy commodity itself. Removing critical measures to mitigate the impacts of hydropower use on the aquatic environment will include certified projects that do environmental harm, therefore, undermining the objective of the RPS.

When hydropower as a Class 1 source was proposed for inclusion in 16-1 in 2013, there was significant opposition to allowing hydropower operations that did not comply with common-sense standards for river health. We support several of the recommendations submitted by the

Connecticut River Conservancy (then the Connecticut River Watershed Council) in 2013 that were in-part incorporated into the definition that is proposed for removal:

1. Run-of-river operation needs to be included in any definition of Class 1 hydro and it must be defined so that it is accurately described as a constant flow of water through a facility. Some dams claim to be run-of-river, but actually allow for up to 5-foot fluctuations in water level over a 24-hour period.
2. There must be ecologically relevant flow releases from facilities, such that by-pass reaches not otherwise receiving run-of-river flows are guaranteed to have sufficient water to function as habitat as determined by state fisheries biologists.
3. Upstream and downstream passage for all migrating species must be present and functional. Species such as shad, river herring, or eels need to be allowed to move up and downstream from those dams that are determined by state fisheries biologists to block passage.
4. All facilities must be in compliance with their FERC licenses and state water quality certificates issued under Section 401 of the Clean Water Act.

As an electric utility rate-payer, Rivers Alliance understands the need to bring down the cost of supplying electricity. But we should not do so by giving preference to hydropower generation projects which have not implemented mitigation measures that would make their projects more environmentally sound.