

Board Book

Appendix

May 2023

**National Hydropower Association
March 1-2, 2023 Board of Directors Meeting
Meeting Minutes**

Day 1 - March 1, 2023

Attendees:

Executive Committee

Mike Haynes	Thomas St. John	Sharon White
Pam Sullivan	Jay Anders (Past Chair)	Jim Hancock (General Counsel)

Board Members (in person unless noted)

Carl Atkinson	Suzanne Biddle	Suzanne Grassell
Scott Hennessey	Randy Herrin	Sarah Kulpa (Advisory)
Jeff Leahey	Joel Ledesma (Advisory- virtual)	Chris Mattson
Alan Michaels	Megan Nesbitt	Dan Petcovic (Advisory)
Romain Pellegrino (Advisory)	Chris Rousseau	Chuck Sensiba (day 2 only)
Mary Gail Sullivan (virtual)	Justin Trudell (virtual)	Eric Van Deuren
Heidi Wahto	Rich Wallen (virtual- day 1)	

NHA Staff/ NHA Committee / Council / Task Force Representatives

Marla Barnes	Francesca Blanco Hadjimichael	Jeremy Chase-Israel
LeRoy Coleman	Kimberly Costner	Marycella Dumlao
Chris Hayes	Anthony Laurita	Joseph LoSasso
Brittney May	Michael Purdie	Kelly Rogers
Catherine Ryan	Malcolm Woolf	Paul Gay

Other

Deb Mursch (GE)	Katia Debion (GE)	Mike Pederson (MHUG liaison)
Ross Olchyk (SCE)		

[Note: 19 of 20 voting Board members were present, representing a quorum. The minutes reflect the order that agenda items were discussed. All times are Eastern.]

Notes follow the Board meeting agenda (Item #) included in the final Board Book, unless noted.

Board Meeting starts at 8:59 AM Eastern – Mike introduces new Board and Advisory Board members. Malcolm/Jeff share a safety moment for exiting building.

MARCH 1, 2023 MEETING SUMMARY NOTES

Item 1 – CEO Report Out

- Malcolm introduces new NHA team members (Chris Hayes and Brittany May), presents CEO report, shares updates on progress made on NHA’s 2023 Strategic Priorities and Uncommon Dialogue. Details are provided in the Board Book.
 - Will Pisano departed NHA for Congresswoman Kuster’s office, NHA actively looking for replacement.
 - Uncommon Dialogue proceeding apace, 7 working groups are engaged, working Groups on basin-scale decision making and off-site mitigation have been particularly successful. Joint grant application filed with DOE- decision expected soon (\$600,000 for NHA over 24 months).
 - DEI- updated bylaws, NHA having retreat later this week to think about DEI and implicit bias as organization. See Board book numbers on benchmarks.
 - “NHA by the Numbers” handout- to be made available at WPW.
 - NHA Staff Responsibility List- which staff is responsible for what.
- Some key topics discussed include:

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- Advocacy topics: outside speakers from the Hill and DOE representatives and Bracewell reps for tax implementation; DOE infrastructure grants; 3Rs legislative tax proposal; CWA 401 litigation; tax credits; licensing reform; and updates on Markets, Pumped Storage, and Marine Energy.
- Connect topics: WPW on track, Clean Currents already over \$1 MM; Regional Meetings (Midwest meeting April 25-26)
- Inform topics: participation in committee and council meetings; deepening technical programs; Digital Media Campaign updates; reimagining OpEx, Powerhouse and Playbook.
- Implement: Strong financial position well ahead of budget; membership at all-time high; renewals on pace; office relocation completed; actively searching for new Legislative Director.

Item 2 – Treasurer’s Report

- Thomas St. John presents the Treasurer Report. No slides presented but data is provided in the Board Book. Some highlights include:
 - NHA ended 2022 significantly ahead of budget due to strong membership retention, new member recruitment, and revenues from WPW and Clean Currents.
 - NHA finished the year with a net positive of \$11k over Board-approved adjusted budget of \$1,440,673.
 - Collected 121% of budgeted revenue.
 - 2022 Clean Currents net profit was >\$500k. Net profit of 15% in 2023-24 expected.
 - 2022 WPW net profit was \$82k. Registration slow for 2023 but expected to catch up.
 - Investments are down \$158k, but only 18% of NHA’s finances are invested.
 - NHA re-investing profits back into industry with expanding staff, digital media campaign, legal costs.
 - Upcoming audit- we could expect report to include more recommendations than in past years because of changes in accounting rules and requirements.
 - Thomas circulated 2023 revised budget.
- Jeff: Membership update: recognized that Douglas County PUD has joined NHA.
- Marla: Good discussions with other potential members, tremendous growth aided by CC. Chris Hayes will help connect with other potential engineering members.
- See membership update in Board book. Includes top prospective members.

Item 3 – “More Than Just Clean Energy”: Next Steps for NHA’s Digital Media Campaign

- LeRoy presents a high-level of “what’s next” for the Digital Campaign.
- Deployed ad in Northeast and Southeast. Ad was highly successful and targeted to show what hydro brings to the community. Raised hydro’s favorability from the group surveyed, especially millennials.
- What’s next- currently in the midst of fundraising to launch a new campaign for 2023; want to promote how we pair with other renewables; developing draft ad with input from steering group; expand geographical reach to Midwest.
- Scott posed question of at what point do we build this into the budget rather than individual member contributions. Malcolm notes we are already making that transition- already devoted \$300k to effort this year.

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Item 4 – Guest Speaker: Emily Domenech, Senior Energy Policy Advisory, House Speaker McCarthy’s Office

- Emily Domenech describes House Speaker McCarthy’s legislative priorities and how the new House Republican majority might impact energy and electricity policy.
- Republican conference has diversified and is interested in more issues than oil and gas- wants to be the “all-in” conference. Task forces formed in last Congress set us up to govern, Energy Climate and Conservation Task Force gives good mix of bills and policies if Rs took majority. Well set up to have a number of bills that are ready to go. What we do in this Congress shouldn’t be a secret.
- Had two criteria when putting together bills for task force- needed bills that get to 218 votes with R support, and bills agreed on when we had cross-jurisdictional issues.
- We will have a comprehensive energy production and permitting reform package on floor by end of March. Going through mark-up process now. Hydro provisions needed a longer runway- still under consideration, won’t be in Q1 package. Very interested in FERC reform in this Congress.
- NEPA reform is first because there was already a well-developed bill from 2019 under Trump administration.
- We have a R conference that is interested in advancing energy packages that increase American competitiveness, maintain or decrease consumer costs, maintain or increase security, and reduce global emissions.
- Looking for ideas from members on how to reform FPA. Look for opportunities to join other industries that are facing the same challenges, like ESA.
- Carl comment: any legislative reform on storage and renewables should include hydro.
- Scott: hoping for tax policy for existing hydro. Emily- unlikely we’ll be able to reform the IRA. Political reality is that the likelihood of an energy tax package is slim to none right now.
- Malcolm: industry is facing wave of license surrenders because of cost of relicensing and needed upgrades. IRA did not include assistance for existing hydro (Emily agrees- it’s an unfair law). How to create level playing field? Emily- it’s absurd that relicensing costs so much and takes so long. Rs are pro hydro- instead of grants, need to look at why the process takes so long and what can be fixed on the regulatory side.
- Malcolm- how do you see relationship with House and Senate and chances of success of hydro bill in Senate? Emily- Senator Manchin has learned, wants House to move first on permitting reform. Cathy’s bill fits well within 4 corners of permitting reform discussion. Better prognosis than it has in the past. Don’t give up on it.
- Carl: grid and transmission issues greatly impact hydro development. Where will that be tackled? Emily- Builder Act will apply to pipeline and transmission- any big building projects. But there is no appetite for federal government to fund transmission.
- Deb: While Rs want IRA to go away, it makes it hard for big companies to engage in long-term planning. Emily- we understand and are trying to make things more predictable. Don’t like big one-party bills that are jammed through. This is why we want 4-corner permitting bill to be long-term and lasting legislation.

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Item 5 – Inflation Reduction Act Implementation

- Michael Purdie introduces new outside counsel from Bracewell, led by Tim Urban, Liam Donovan, and Yasmin Nelson.
- Jeff provided overview of hydropower provisions in IRA.
- Board discussion on concerns with respect to IRA implementation and past meetings with Treasury on this issue.
- Bracewell team provides update on Treasury’s implementation of IRA provisions.
- Major implementation issues include:
 - Domestic content- component/subcomponent, onsite manufacturing requirements
 - GHG emissions from reservoirs and qualifying as a “zero carbon” technology for credit
 - Direct pay requirements and how applied to public power
 - Rural areas and transferability for for-profit companies
 - Hydrogen production credit- hydro assets looking at how to take advantage of that credit to generate hydrogen at their hydro facilities.
 - 80/20 rule, primarily used to determine who qualifies for wind tax credit. Treasury has said that if you put new blades on wind turbine and it upgrades 80% of asset then facility is considered new. How can hydro industry use this? If refurbishing powerhouse at 80%, is that new?
 - NHA ad hoc group is tackling these issues.

Item 6 – NHA’s “3R” Tax Proposal to Maintain Existing Hydropower and Pumped Storage

- Malcolm Woolf presents on NHA’s efforts to advance “3R” tax credit proposal to maintain and expand existing hydropower and pumped storage.
- Emily did not encourage tax credit provisions now, maybe tax extenders later this year. When next tax package moves, we want to be baked into it.
- NHA got bill reintroduced during lame duck in bipartisan way, lower cost score (good). Can we get into President’s budget? Probably too late. On Senate side, will do bill introduction- need Republican on finance committee to co-sponsor. On House side, less activity, but Congresswoman Kuster will re-introduce.
- Bracewell team shares what they have heard from Capitol Hill.

Item 7 – Getting to Yes: Additional Financial Resources to Support Waterpower Investments

- Malcolm Woolf presents on non-hydro specific programs run by the DOE Loan Program Office, the U.S. Department of Agriculture, and the U.S. Environmental Protection Agency that could help finance investments in the waterpower industry.
- Topics include:
 - 1706- new program under DOE loan office- money for existing hydro facilities, loans for refurbishments or anything in existing fleet. 30-year payback period.
 - USDA Section 22001, \$1 billion in forgivable loans- For public power and IOUs. For new generation or refurbishments of existing programs (flexible).
 - USDA fundings for projects that can produce generation for co-ops- \$10 billion
 - Army Corps program for dam safety investments.
 - US EPA program \$27 billion for zero carbon projects, \$7 billion for energy sector. No guidance on this yet.
 - Swath of programs under NOAA for environmental improvements, river restoration, fish passage, etc.
 - NHA will push out information through webinar series, Powerhouse articles listing all incentives with links, another session at WPW to discuss.

Lunch

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Item 8 – Consent Agenda / General Updates

- Mike Haynes notes the Consent Agenda Items are listed in the Board Book, including the updated Committee and Council report.
- ***Jay Anders makes motion to approve consent agent; Eric VD seconded. Motion passed.***

Item 9 – Deepening NHA’s Technical Programs and Training

- Chris Hayes, NHA’s new Senior Advisor of Technical Programs and Training, presents on opportunities to enhance NHA’s technical programs and services.
- The following options were presented for consideration:
 - Deepening NHA’s Hydropower Technology Community, including Opex program;
 - Re-launching NHA’s “Hydropower Academy” for new technical training;
 - Expanding NHA’s engagement with hydropower asset owners; and
 - Helping to shape the technical content of NHA’s major events.
- Training considerations: (1) Look at target audience- people new to power/hydropower- 101 material and/or more detailed technical training. (2) Scope- hydrology to protection/control/grounding- use a framework to strategically plot topics we want to take on and identify gaps. (3) Delivery- in form of webinars, in-person training, in-person visits to utilities, customizable training materials to hand off to utility. (4) Resourcing- need bandwidth to deliver, either through budget to hire experts or utilities make experts available.
- Key takeaways from Chris’ time at CEATI- timely programming in anticipation of where things are going, hands on dialogue, relationship building, adaptability.
- Sarah- using existing programs like Opex or Warp makes sense. HDR offers lunch and learns that are successful.
- Eric VD- key to understanding where to go is to understand what exists and where the gaps are that are least difficult to fill. May use a survey to identify.
- Megan- how to streamline large topics and provide training to new engineers.
- Try to find areas where there are unserved needs and dive in.
- Alan- offer continuing legal education or comparable technical credits to get people to participate. Credits are regional- need to look into how to secure them.
- Carl- need training on regulatory issues, like 401, license amendments, licensing.
- Chris- owner to owner networking
- Thomas- we should aim to introduce something new at CC this year.
- Randy- need to prioritize getting value out of Opex program and getting member engagement in that tool.

Item 10 – Show Me the Money: Bipartisan Infrastructure Law Implementation

- Mike Purdie updates the Board on implementation of the three “240 grant programs.”
 - Section 242 (incremental new hydropower)- \$125 million. DOE last issued payments for CY 2020. Upcoming RFI may solicit applications for CY 2021 and 2022.
 - Section 243 (efficiency improvements)- DOE is going straight to final guidance this spring.
 - Section 247 grants- NHA filed comments on draft guidance yesterday, EEI and APPA signed on. DOE indicates that guidance will be finalized during WPW.
- Jeff- Secretary pushing to get money out and is reason for quick turnaround on guidance documents. NHA has invited Secretary to speak at WPW.

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- Malcolm- We filed second set of comments with Uncommon Dialogue yesterday. Two big themes- (1) DOE did not establish this as a rolling program for everyone that qualifies. Fallback was submit application and pro rate- DOE has rejected this and established complicated grading system if program is over-subscribed. (2) requirement that applicants need all permits to be eligible for a grant. Should NHA engage on Capitol Hill on these issues?
- Suzanne- what to do with provisions that we can't comply with- Buy/Build America, projects that were already underway and didn't know requirements.
- Thomas- restricting funding to FERC project level, rather than FERC facility level, is limiting. Also, additional NEPA analysis when project already went through NEPA at licensing.
- Scott- we should go to the Hill to ask for help. Angus King on Senate Energy would be a good place to start, as well as Senator Manchin.
- Need to include EJ considerations to meet community impact statement requirement.
- *Action Item- NHA to seek meetings on the Hill with Angus King and others to seek assistance on IRA implementation issues of concern.*

Item 11 – Methane: Bubbling Up Again

- Anthony Laurita provides update on NHA's efforts to address allegations attributing methane emissions from reservoirs to hydropower facilities at EPA, World Resources Institute, and in the Uncommon Dialogue.
 - Patagonia petition for rulemaking to EPA- requires reservoir owners to measure and state methane emissions. American Rivers (Uncommon Dialogue) signed on but at staff level. NHA filed response and comments to World Resources Institute. Q2 2023 final rule expected.
 - Working with Shannon Ames and Uncommon Dialogue on 2-pager on this issue. Themes include that there are naturally occurring methane emissions from all water bodies and nothing in hydro operations creates methane.
- Brennan Smith with HDR provides a technical discussion of the science behind methane emissions in existing reservoirs.

Item 12 – Guest Speaker: Jennifer Garson, Director of DOE's Waterpower Technology Office

- Jennifer was joined by her colleagues:
 - Allison Johnson
 - Sam Bockenbauer
 - Ali Hewett
- Jennifer and her team addressed the following topics:
 - DOE's efforts to expand U.S. hydropower manufacturing
 - Next steps for DOE's "Hydropower Vision"
 - DOE's new "Hydropower Pathways" project
 - Update on HydroWires
 - DOE's ongoing efforts to address the hydropower workforce development challenge
- Discussion included:
 - Supply chain issues- DOE received \$59 million in appropriations plus funding through Infrastructure Act. Only have about \$47 million to spend- need to be judicious in allocating funding.
 - Jennifer went through list of open funding opportunities for hydropower.
 - DOE saw record number of applications for all grant programs this year.
 - Manufacturing- some domestic manufacturing of hydro components, but foreign competition is more cost effective, and quality control costs increase.

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- WPTO was asked by Secretary to convene workshops with hydro community on challenges and opportunities of manufacturing and how to incentivize domestic production. Forthcoming Market and Hydropower Investment Assessment Report with Deloitte.
- Working on Advanced Manufacturing Report- to be released in next few weeks.
- Looking at incentives to encourage domestic production- maybe Section 1706 program could help.
- DOE asking how it can help with industry needs on manufacturing.
- Malcolm- Massive amount of investment in hydropower. Administration is focused on manufacturing being done in the United States. If we can show strong demand for new manufacturing through refurbishments, DOE can help make that happen. Need to make case on what we need and work with DOE to translate that into assistance. Demand signal can come from 4 buckets- private sector, federal fleet, new development (PS and NPD), and Canadian demand for US manufacturing.
- Carl- small business is domestic, shouldn't be overlooked.
- Reimagined Hydropower Vision Roadmap- led by Tim Welch. Working on goals and where we want to be by 2050, and concrete activities to help us measure, prioritize, and achieve the goals for 2050. Working with NHA members to come up with actions to update roadmap. Labs are driving this work. Not DOE goals, but goals of industry. We are working toward a written roadmap to update original roadmap issued in Vision Report.
- HydroWIRES Research Areas and Recent Work- initiative to understand value of hydro's contributions to reliability, resilience, and integration in electricity system. Study on PSH liners is forthcoming. PSH potential in Alaska study is coming.
- DOE staff can brief anyone on Capitol Hill on benefits of hydro, but not proactively.
- How can NHA help to get DOE in front of FERC, NERC, and RTOs to educate on the many services provided by hydro? These entities aren't thinking about this. How to keep these essential grid services online in 2035? Is there a way to connect research on HydroWIRES and elsewhere that there is a reliability cliff?
- Modeling anomalies- brownouts like in Australia or Texas. Show impact of PSH on getting grid back online. Batteries don't perform in these situations. Message is not being told.
- Workforce and STEM activities- DOE prepared US Hydropower Workforce Challenges and Opportunities report in 2019, updated in 2020. Student and recent graduate fellowships and competitions. 150 students to attend WPW.
- Lack of mid-career, 15-year experience workforce. Is there more we should be doing to address this? Tap into Nuclear Navy- same skill sets (invite Carter Rock to WPW). More analysis on retention problems. Hiring veterans.

Board Meeting ends @ 4:53 PM Eastern

Day 1 Action Items:

NHA to seek meetings on the Hill with Angus King and others to seek assistance on IRA implementation issues of concern.

Invite auditors to participate in next Board meeting

NHA to circulate DOE slides to Board.

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Day 2 - March 2, 2023

[Note: 20 of 20 voting Board members were present, representing a quorum. The minutes reflect the order that agenda items were discussed. All times are Eastern.]

Notes follow the Board meeting agenda (Item #) included in the final Board Book, unless noted.

Board Meeting starts at 8:31 AM Eastern.

MARCH 2, 2023 MEETING SUMMARY NOTES

Item 13 – Guest Speaker: Melissa Klembara, DOE’s Office of Clean Energy Demonstrations

- Melissa is Director of Portfolio Strategy at OCED. OCED is part of DOE’s Infrastructure side that includes grid deployment, OCED, loan programs, manufacturing office, and federal energy management.
- Rural and remote community and mineland funding opportunities may be applicable to hydro.
- Energy storage \$505 million in funding- looking for projects to commit, FOA is out.
- DOE may not spend all money in first go-around of funding, may re-release 2nd or 3rd FOA in a year or two if money is still available.
- DOE prefers low-risk technology like PSH and other renewables for rural and remote communities.
- OCED is technology agnostic office.
- Dan- a roadmap on when technology is advanced enough to qualify for OCED funding would be helpful.
- Melissa: DOE wants to provide funding for demonstrations and learn from that to share with investment community for further funding.

Item 14 – Cross Currents in the Pacific Northwest

- Suzanne Grassell discussed the numerous cross currents in the PNW, including efforts to remove the lower Snake River dams, renegotiate the Columbia River Treaty, and the evolving relationships and growing sophistication of Tribal nations.
 - Markets are good and incentives are available for hydro
 - Concern over federal mediation process on lower Snake River dams. While federal projects, fate of projects is big reliability issue in PNW.
 - Pending policies could threaten hydropower’s regulatory status and market position.
 - Affordability of hydro is less important than other policy goals in today’s climate.
 - Shift from building on existing infrastructure to building new technologies and new transmission.
 - Shift from mitigation programs where fish and hydro coexist to dam removal and unattainable WQ standards.
 - News focus is that hydro is threatened by drought.
 - Lower Snake River dam removal has gone into a closed-door mediation process led by CEQ. Not all power interests are at the table. Federal family seems to be aligned behind breaching dams even though they are their dams. Process is concerning and makes hydro look bad.
- Board discussion on how NHA can help the industry navigate these issues, including:
 - NW River Partners isn’t asking for NHA assistance yet, but it may down the line.

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- EESI briefing could be helpful to discuss drought, floods, role of hydro, climate change, etc.
- A one-pager for Advocacy Day during WPW on these issues.
- Get DOE to do study on impacts of dams on reliability.
- Most cross currents are national issues, not just PNW. Need to get our case out there. Need to be mindful of these issues.
- Series of tactical responses- simple messaging, engage at CEQ and other briefings, combining headwinds conversation with Hydro at Risk conversation- can NHA do anything to help members keep projects operating and not surrender?
- Eric VD- must message that existing fleet produces spinning reserves to keep generating, especially in California (hydro operates from 4-9 pm in summer to keep the lights on).
- *Action item:* Sara Gonzalez-Rothi at CEQ handles water- used to work for Commerce Committee. Make connection. Stephanie Harding is Director of Lands at CEQ. Harding used to work in Tester's office (Montana). Connections to hydro. Suzanne should reach out.
- This is appropriate content to cover at CC and WPW.

Item 15 – Legislative License Reform: Next Steps

- Chuck provides update on licensing reform (Uncommon Dialogue) effort.
 - NHA has been talking with Senator Daines and he is interested in supporting package on Senate side. Making inroads toward getting Maria Cantwell on board. Hope is for a co-sponsored bill introduced in Senate possibly within next month or so. There is a draft bill and we are in finishing touches of tweaking language.
 - Still looking to develop Hill strategy on House side. Cathy McMorris-Rodgers has her own hydro bill. We'd like to see something that can actually reach President's desk. CMR's bill is beneficial to industry but not something that would pass. Working with her office to advocate for bipartisan package and trying to make inroads there.
 - In last year, as package has been more socialized across industry, we have learned that there are aspects of package that give some members heartburn. We acknowledge those concerns. As package moves forward, the other side may have some suggested changes to address those concerns.
- Malcolm- Emily indicated we won't be part of first permitting package, which is more focused on NEPA, ESA, etc. Another package over the summer- important we are part of that. Cathy McMorris-Rodgers is Chair of committee and getting her support is our goal. In scenario where bipartisan Uncommon Dialogue and CMR package are passed, a conference to resolve differences would be great.
- Jim- some bills need to marinate on Hill. The time will become ripe.
- Scott- NHA is about to get a grant from DOE to continue Uncommon Dialogue. If Congress can't pass licensing reform and refuses to pass tax incentives, what's left to pursue?
Chuck- we can work into next Congress.

Item 16 - Clean Water Act Section 401 – Ongoing (and likely future) Litigation

- Chuck updates Board on litigation and policy-related issues regarding the CWA 401 Rule:
 - History of MID/TID and NID/Modesto/Yuba case.
 - Ninth Circuit NID/Modesto/Yuba case- no evidence state coerced into withdraw and resubmit so no waiver. Petition for certiorari filed at SCOTUS last month. Amicus brief for industry to be filed next week.
 - MID/TID D.C. Circuit case- Repeated denials without prejudice, FERC found no waiver, D.C. Circuit affirmed, petition for cert. filed at SCOTUS in early January.

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Two amicus briefs in support- coalition of NHA/NWHA and another by natural gas interests.

- Both cases only deal with 1-year requirement. Do not address breadth of state's authority.
- Low likelihood that Court will grant cert. in either case merely because SCOTUS only hears 100 cases a year and must make tough choices. Both cases lack clear circuit split. But trying to show this is an issue of national importance.
- 401 rule- US Supreme Court issued stay pending appeal of Trump rule. Ninth Circuit reversed district court's order vacating rule without finding rule was legally flawed, which leaves Trump rule in place for the time being. Case could go into briefing on the merits of the rule or may be remanded to EPA.
- Once Biden rule is finalized, it will be challenged.
- There may be merit to defending the Trump rule to keep it in play as long as possible.
- Legislative reform of Section 401 is a political third rail and not likely to be included in permitting reform package.
- Current level of funding for legal effort of \$75,000 is probably sufficient through calendar year because bulk of litigation will occur in 2024.
- Malcolm thinks we should be a party to litigation on Biden rule- elevates our role and gives us standing to appeal.

Item 17 – Advocate: May 9 Advocacy Day in Washington, D.C.

- Brittney May presents on NHA's plans for Advocacy Day.
 - Using Advocacy Associates to help schedule meetings for members. Link on registration page.
 - Tiger teams- specific to NHA's legislative priority (tax, licensing, etc.) based on zip code to determine which representative you'll meet with.
 - Reception on the Hill on Monday night for Board members, CEO Council, and deep dive members.

Item 18 – Connections: Waterpower Week, Clean Currents, and Regional Meetings

- Francesca and Joseph share plans for WPW on May 8-10, 2023 in Washington DC:
 - DOE Collegiate Competition with Marine Hydrokinetic and Hydropower starts on Sunday and continues through Tuesday with poster presentations.
 - Homework for Board members: Francesca asked Board members to go to collegiate pitches and talk to students.
 - Francesca posed idea of setting aside time for interviewing students on Sunday during lunch? May be better to send resumes in advance so interviews can be set up in advance. DOE is expecting people to show up to the collegiate event. Francesca asked for Board members to attend collegiate activities.
 - Buddy system for first-time attendees of WPW- Francesca took volunteers.

Item 19 – New Business

- Hydro Foundation sub-working group (Jeff, Chris R., Dave Culligan, Thomas, and Marla).
- Grid at risk theme- cross currents in PNW, cliff of upcoming relicensings, grid reliability. Need other firming resource to offset wind and solar, and hydro is most affordable of those other resources. DOE should take lead on messaging that we can have a 100% carbon-free grid but it won't all be cheap renewable power- blended cost including firming resources. Should NHA pull together coalition to send this message to FERC, NERC, state PUCs, etc.?

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- Rep. Bonamici dear-colleague letter on WPTO funding is coming out. Ask others to sign on.
- Thomas- FERC license order on financial assurance for Georgia project. Note reopener is being included in many FERC orders.

Chuck moved to adjourn meeting, Heidi seconded.

Board Meeting ends @ 11:56 AM Eastern

Day 2 Action Items:

NHA to circulate Suzanne's slides from today's presentation.

Suzanne/NHA to reach out to Sara Gonzalez-Rothi (on water issues) and Stephanie Harding (on land issues) at CEQ. Both have connections to hydro.



NHA Committee Report Update May 8, 2023

ADVOCACY

LEGISLATIVE

Department of Energy's Draft Guidance on Section 247 – The Committee worked with industry to conduct outreach to Congress in an effort to revise elements of the Department of Energy's Draft Guidance on the Hydropower Incentives Program under the bipartisan infrastructure law. As is, the unnecessarily complex draft guidance doesn't accomplish Congress' goal of incentivizing investments in the nation's hydropower fleet. The Committee worked with Senator Lisa Murkowski and Representative Anne Kuster to successfully get a bi-partisan group of 11 legislators to sign onto a letter to Secretary Granholm, urging that the \$553 million allocated to the program is implemented the way Congress intended. Thanks to NHA efforts, this letter was also picked up by POLITICO Morning Energy and ran in its April 24, 2023 edition, bringing awareness to the issue.

Licensing Reform – The Committee has been engaging with Members of Congress to push for common-sense, comprehensive licensing reform for hydropower facilities. The Committee has worked with Senator Daines' office to draft a hydropower licensing reform bill that will hopefully be introduced with bi-partisan support in the Senate in the coming weeks. On Advocacy Day, various teams will meet with legislators on the Hill to promote the licensing reform proposal.

Tax Credit for Existing Hydropower Generation – The Committee has continued to advocate for an investment tax credit for safety and environmental upgrades at existing hydropower facilities. The Committee will continue to collaborate with Senators Cantwell and Murkowski to secure a 30% ITC for environmental and dam safety improvements at existing hydropower facilities and a 30% ITC for obsolete river obstruction removals. On Advocacy Day, various teams will meet with legislators on the Hill to promote the tax credit.

BIL/IRA Implementation – Post passage of the Inflation Reduction Act (IRA), the Committee has focused on emerging federal regulation and will continue to provide guidance related to the implementation of this regulation. The Legislative Committee will continue to work with the Regulatory Committee to submit comments, ensuring that industry's voice is heard.

Appropriations – NHA submitted FY24 witness testimony to the House and Senate Appropriations Committees to push for record-breaking appropriations for the Department of Energy's Water Power Technologies Office (WPTO).

State Advocacy – The Legislative Affairs Committee has historically operated on a federal level, but this Congress the Committee will begin engaging in state-based policies that impact the hydropower industry. Given its large non-federal hydropower fleet and aggressive clean energy goals, New York state has been chosen as the area of focus for this year.

REGULATORY

- NHA has joined over 40 organizations in a letter that requests Treasury and IRS to not require additionality in hydrogen production for the Section 45V Production Tax Credit.
 - NHA is considering working with Bracewell to advocate for treatment similar to the 80/20 rule for hydropower.
 - On the topic of methane, NHA has responded to two pleadings that request federal agencies to take certain actions regarding reservoir emissions. NHA has also worked with LIHI to draft a fact sheet on reservoir emissions.
-

ENERGY MARKETS

- The Markets Committee has begun engaging in monthly meetings as a clearinghouse of information to describe what is occurring in each of the FERC jurisdictional markets.
 - FERC rejected Brookfield and NHA's protests of the Inventoried Energy Program Compliance Filing that did not allow pumped storage participation (ER19-1428).
 - NHA and a number of other DC trade associations protested a Complaint from the PJM Market Monitor regarding its participation in the PJM Liaison Committee (EL23-50).
-

MEMBER PROGRAMS

HYDROPOWER TECHNICAL COMMUNITY

- Quarterly meetings for the NHA Hydropower Technical Community as well as quarterly meetings for members specifically focused on Dam Safety and on Operations/Maintenance
- Lunch and Learn Monthly Webinar Series
- Development of the NHA Hydro Training Academy (see below)
- Scoping of workshops dedicated to Inspection, Condition Assessment, Maintenance, Asset Management, and Rehabilitation/Upgrade Program Management: to be co-located with NHA national or regional events
- FERC Dam Safety Part 12 Virtual Training, hosted by NHA/ Hydro Academy (open to all)
- Launch of a Chief Dam Safety Engineers' roundtable

Introduction of O&M forum specifically for asset owner member organizations.

[OPERATIONAL EXCELLENT \(OpEx\)](#)

OpEx Event Reports – the online resource tool contains 267 event reports, in the following categories (i.e., functional areas).

Functional Area	Number of Event Reports	Percent of Total
Environmental	18	7%
Maintenance	134	50%
Operations	40	15%
Safety	75	28%
Total	267	

Human Performance was identified in 48% of the events.

Of the 267 event reports, 4 were submitted in 2023 and another 23 in 2022.

OpEx Resource Tool

- Roll out and launch of new platform beginning in mid-May 2023
 - Drive engagement, submissions and usage
 - Expanding Hydropower Technical Community’s participation to include additional asset owners and their Health and Safety program leaders
 - Scoping of workshops dedicated to human performance, corrective action programs, problem evaluation reporting systems add: to be co-located with NHA national or regional events
 - Usage statistics provided on the following page
-

[HYDRO ACADEMY](#)



- New logo!
 - Two Hydro Academy Workshops scheduled for Waterpower Week:
 - Tools of the Trade: Skill-Building and Applications for Negotiations Techniques,
 - Applying for U.S. Department of Energy Funding: From Application to Award Management
 - FERC Dam Safety Part 12 Virtual Training – May 18
 - Working with a number of members to inform the development process.
 - Evaluating potential for a hydro 101 course
-

[Waterpower Innovation Council \(WIC\)](#)

- Improving collaboration and communication with the U.S. Department of Energy’s Waterpower Technologies Office (DOE WPTO)
- Expanding WIC participation to include additional asset owners and their R&D program leaders (NYPA, BPA, HQ, OPG, for example).
- Identifying key themes and areas to explore, including Integrated Resource Plans and the role hydropower plays, demonstration projects, supporting US manufacturing, as well as a review of hydropower R&D activities.

- Developing a 2023/2024 strategic plan and Council meeting schedule (quarterly).
 - Considering organizing an Industry R&D summit, discussions and updates would be kept at a high level to paint a full picture.
 - Continuing to improve our Waterpower Research Portal (WaRP) with the goal of maintaining an all encompassing and up to date database of links to/listings of current and ongoing research within the hydropower, pumped storage, and marine energy sectors, as well as other government and non-government entities.
-

Asset Owner Forum

- Target audience is at the VP and GM level.
 - Quarterly roundtable and benchmarking opportunity
 - Scoping of workshops dedicated to workforce management and planning, project work management and execution.
-

Marine Energy Council

- Vision Working Group is working on a follow-up document to the previous DOE WPTO informal input memo sent in September 2022 and the December 15 DC meeting taking into account lessons learned from the various DOE meetings and responses to the input memo. The Vision WG is also preparing resources to use during a follow-up dialogue with WPTO in-person at WPW to help move the MEC's request for more consistent, broad topic, and predictable funding opportunities to the private sector forward
- Regulatory Affairs Working Group is working on developing legislative language and a regulatory reform strategy for marine energy pilot deployments. The WG is aiming to utilize similar language as the "small hydro exemption" for small marine energy deployments in an effort to get as many projects in the water to accelerate the commercialization of the sector
- Legislative Affairs Working Group is working on a two-year calendar to help get ahead of yearly deadlines to help ensure members submit a programmatic request to their legislator mirroring common MEC member requests each year. This year, more MEC members submitted programmatic requests than in the past, which is a big step forward. The Legislative Affairs Working Group is also working in coordination with the Regulatory Affairs Working Group to map out the path for legislative action on regulatory reform for marine energy devices
- Marine Energy Priorities Working Group, formerly the Industry Priorities Working Group, is finalizing its second "Position Paper" which maps out and describes priorities for the marine energy sector. These priorities were developed from a survey of the MEC members
- Waterpower Week content is in a good place and will cover all three days with informative sessions along with opportunities to have one-on-one meetings with federal agency staff, a main goal for the MEC members

- Beginning coordination and relationship-building efforts with international counterparts in the marine energy field such as Marine Renewables Canada and the UK Marine Energy Council to aid in information-sharing and moving the marine energy resource forward globally
-

[Pumped Storage Development Council](#)

Waterpower Week – The Council has organized various pumped storage hydropower-related sessions for Waterpower Week 2023, including a plenary session featuring former Prime Minister of Australia and pumped storage hydropower developer, Malcolm Turnbull. Other sessions include *Show Me the Money: Tax Credits in the IRA*, which will cover the energy storage tax credit, as well as the Pumped Storage Development Council's business meeting. The Pumped Storage Hydro Forum from Clean Currents will return, allowing for participants to engage in an open discussion, share experiences, and discuss future opportunities for pumped storage hydropower development.

California State Advocacy – The Council will continue California state engagement efforts to advocate for and inform legislators on pumped storage hydropower. The Council has established a sub-group to engage state legislators on important priorities. This group first convened last month and is currently working to determine specific legislative requests to put forth to California policymakers.

Updated Pumped Storage Report – The Pumped Storage Hydropower Report was last updated in 2021. The Council has begun efforts to update the report and establish a drafting subcommittee with an anticipated release date of October 2024 (before Clean Currents).

Life-Cycle Cost Analysis (Pumped Storage Hydropower vs. Lithium-ion Batteries) – The Council plans to coordinate with DOE and the national labs in 2023 to develop a life-cycle comparison between pumped storage and other proposed long duration energy storage technologies. The intent is to compare impacts associated with materials mining, equipment degradation and replacement, and eventual retirement. The primary focus will be on pumped storage compared to lithium-ion batteries, but other long duration energy storage technologies may also be considered for the comparison.

Collaborate with the Pumped Storage Users Group – The Pumped Storage Users Group (PSUG) is a pumped storage operator group that convenes twice a year. The Council is actively working to link efforts with PSUG to expand membership, align efforts for state advocacy, and provide a wider sounding board for technical assistance and other issues.

Monitor Treasury Rulings – The Council will continue to collaborate with Mike Purdie and the Regulatory Committee to stay informed on Treasury rulings and their impact on pumped storage hydropower facilities. As rulings are rolled out, the Council will continue to provide responses and comments to the agencies to ensure industry's voice is heard.

[Small Hydro Council](#)

- Using results from the Small Hydro Survey that was sent out at the beginning of the year to inform the Small Hydro Summit structure at WPW. The Small Hydro Summit will bring those involved in the field together to share barriers they are facing and then brainstorm solutions which, in addition to the monthly calls, will inform a Small Hydro Sector Roadmap to be published by the end of 2023
- Coordinated with the Legislative Affairs Committee to submit comments on the WRDA Sec. 408 application process to add hydropower generation to USACE dams
- Coordinated with Regulatory Affairs Committee on DOE Section 247's draft guidance comments. 25% of grant funding will be allocated for small hydro projects

- Developed a plan for this year's Council calls. Each month, the Council will discuss and have presentations on one project lifecycle phase, such as licensing, community engagement, construction, securing PPAs or RECs, etc.
-

EVENTS

Regional Meetings Update

2023 Leadership

Chair:

- Jennifer Moore, Mesa Associates

Vice Chairs:

- Ginger Gillen, GEI Consultants
- Emily Schwartz, Black & Veatch

2023 Regional Meeting Schedule

- Midwest Regional Meeting
 - Middleton, Wisconsin
 - April 25-26
 - Partnered with Midwest Hydro Users Group
 - Host Utility: Alliant Energy (prospective NHA member organization)
 - Technical Tour (Field Trip): 31-MW Prairie du Sac Project
 - Total Registrants: 205
 - Registration Revenue Collected: \$29,792.50
- Northeast Regional Meeting
 - Springfield, Massachusetts
 - July 25-26
 - Host: FirstLight Power
 - Technical Tour (Field Trip): Northfield Mountain Pumped Storage Project
- Alaska Regional Meeting
 - Anchorage, Alaska
 - September 12-13
 - Host: Alaska Energy Authority
 - Supporting Association: Alaska Power Association
 - Technical Tour (Field Trip): To be confirmed. Eklutna Hydroelectric Project and South Fork Hydroelectric Project
- California Regional Meeting
 - San Diego, California
 - December 13-14
 - Host: San Diego County Water Authority (SDCWA)
 - Technical Tour (Field Trip): SDCWA will confirm later in 2023 whether a tour of its San Vicente Pumped Storage Project is possible

2023 Sponsorship Revenue

*As of 4-18-23

Meeting	Sponsorship Revenue	Budget	Variance
MW Regional Meeting	\$37,500	\$30,000	\$7,500
NE Regional Meeting	\$33,500	\$30,000	\$3,500
AK Regional Meeting	\$35,500	\$30,000	\$5,500
CA Regional Meeting	\$33,500	\$30,000	\$3,500

"All Four" Sponsors, to date:

- American Babbitt Bearing
- American Hydro
- Andritz
- Ballard Marine Construction
- Black & Veatch
- Emerson
- GE Renewable Energy
- GEI Consultants
- HDR
- J.F. Brennan
- Kleinschmidt
- L&H Industrial
- Litostroj US
- Mavel
- Mesa Associates
- Schnabel Engineering
- Stantec
- Thompson | HCMS
- Troutman Pepper
- TurbinePros
- WSP

Specific Region Sponsors:

Midwest:

- BCI Construction
- Lemke Industrial
- Mead & Hunt
- Van Ness Feldman

Northeast:

- Gomez & Sullivan

Alaska:

- Barnard
- McMillen

California:

- McMillen

CONFERENCES

Waterpower Week



2023

- May 8 – 10
- Capital Hilton Hotel
- 440 attendees (98% to budget)
- \$78,500 sponsorship (105% to budget)
- Features:
 - Finale of the U.S. Department of Energy’s Marine Energy and Hydro Collegiate Competitions (150 students, 30 universities)
 - Reception on Capitol Hill for Congressional members/staff; invites to NHA Board of Directors, CEO Council, and Deep Dive Policy Team
 - NHA hired Advocacy Associates to schedule Hill visits for attendees
 - 83 attendees asked for meetings
 - Government agencies “Office Hours” at Capital Hilton:
 - Bureau of Land Management, U.S. Department of the Interior
 - Federal Energy Regulatory Commission (FERC), Office of Public Participation
 - Fish and Wildlife Service, U.S. Department of the Interior
 - Forest Service, U.S. Department of Agriculture
 - National Park Service, U.S. Department of the Interior
 - NOAA Fisheries, National Oceanic and Atmospheric Administration, U.S. Department of Commerce
 - U.S. Department of Agriculture, Rural Utilities Service
 - U.S. Department of Energy, Water Power Technologies Office
 - U.S. Department of Energy, Grid Deployment of Office

2024

- March 13-15
- Capital Hilton Hotel
- Working to expand sleeping room block

2025

- March 31 – April 2
- Capital Hilton Hotel

Clean Currents Tradeshow + Conference



2023

- October 10 – 13
- Duke Energy Convention Center in Cincinnati, Ohio
- Host Utilities
 - Duke Energy
 - American Municipal Power (AMP)
 - City of Hamilton
- 162 exhibitors (92% revenue of budget)
- 15 Sponsors (56% revenue of budget)
- Registration is open
- Call for Speakers concluded (submission deadline was April 15); received 112
- Exhibitor Advisory Council (EAC) formed and meeting monthly
- Steering Committee formed and monthly meetings on calendars

2024

- October 7 – 10
- Oregon Convention Center in Portland, Oregon
- Northwest Hydroelectric Association (NWhA), U.S. Army Corps of Engineers Hydroelectric Design Center, and PacifiCorp have expressed support and cooperation

PUBLIC AFFAIRS

Public Affairs Digital Campaign Update:

We are preparing to launch a new 2023 ad campaign. Our fundraising process is completely (with secured contributions so far from FirstLight, AMP, Ameren, Kleinschmidt, Minnesota Power, Southern, Gravity Renewables, TVA, GE and MRES). We have developed a test ad and are working to refine the messaging. For this cycle, we plan to highlight how hydropower complements other renewables to create a clean energy future. We will be launching the campaign in the Northeast, Southeast, and Midwest.

Key Coverage:

- **OP-ED: Keep Conowingo Dam agreement intact**, Baltimore Sun, Apr 21, 2023
 - In addition to its role in Maryland's clean energy future, the Conowingo Dam is also a beloved recreational destination. In many ways, hydropower is more than just clean energy. The dam is known around the world as a premier destination for eagle-watching, and a local hot spot for anglers, boaters and hikers. These recreational opportunities attract visitors from near and far

and provide a significant boost to the local economy including more than \$21 million in tourism tax revenue for Cecil and Harford counties in 2018 alone.

- **Lawmakers Urge Hydro Guidance Changes:** Politico, April 24, 2023
 - A bipartisan group of 11 lawmakers is urging the Energy Department to revise elements of its draft guidance for the hydropower funding under the bipartisan infrastructure law that they argue “will not accomplish Congress’ goal of incentivizing investments in the nation’s hydropower fleet.” Led by Rep. Ann Kuster (D-N.H.) and Sen. Lisa Murkowski (R-Alaska), the lawmakers argued the department’s proposed selection criteria for the \$553 million Maintaining and Enhancing Hydroelectricity Incentives Program is “unnecessarily complex” and will not incentivize new investments in hydropower projects, as Congress intended.
- **Biden considering tearing down key green energy source over eco concerns,** Fox News, March 24, 2023
 - "Hydropower is a climate solution, and it will play a key role in helping the President achieve the goal of a zero-carbon electricity grid," LeRoy Coleman, a spokesperson for the National Hydropower Association, told Fox News Digital. "Climate change poses the greatest threat of extinction to salmon, while hydro is carbon-free resource to fighting climate change."
 - "Breaching dams on the Lower Snake River would be a step backwards in the effort to retire and replace existing carbon emitting plants," Coleman added. "Removing 3,000 MW of dispatchable hydropower capacity during the middle of a climate crisis isn't the solution."
- **DOE and TVA team up to develop and deploy hydropower tech,** E&E News March 15, 2023
 - "This is an opportunity on a lot of different levels to advance hydropower. New turbine demonstration is a very positive area where I see some opportunities. This isn't your grandfather's hydropower," said LeRoy Coleman, spokesperson for the National Hydropower Association
- **Hydro plants in US West boost production 13% in 2021-2022,** S&P Global, February 23, 2023
 - Even during a western drought year like 2021, hydroelectric plants provided an average of 5% of generation to the California ISO between April and September, LeRoy Coleman, a spokesperson for the National Hydropower Association, wrote in an email. During peak evening hours when solar came offline, the hydro share jumped to 10% of total generation, Coleman wrote.
 - "The fact that hundreds of hydro plants throughout the West continued to generate during such a historic drought is a testament to the efforts of the owners and managers of reservoirs and generating facilities," Coleman wrote. "They managed to continue to generate electricity, offer critical flexibility for grid operators, and meet water allocation requirements in the driest conditions in a century."

Social Media Statistics from February 6 - April 26, 2023



3,640 (Total # of Followers)

4,099 (Total # of Followers)

1,812 (Total # of Followers)

360 (Total # of Followers)

19 (Total # of New Followers)

357 (Total # of New Followers)

6 (Total # of New Followers)

51 (Total # of New Followers)

66 (Total # of Posts)

46 (Total # of Posts)

28 (Total # of Posts)

37 (Total # of Posts)

153 (Total # of Reactions)

1,370 (Total # of Reactions)

133 (Total # of Reactions)

284 (Total # of Reactions)

9 (Total # of Comments)

59 (Total # of Comments)

1 (Total # of Comments)

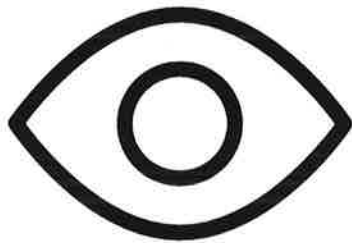
38 (Total # of Comments)

POWERHOUSE Website Statistics

All Data Pulled from Date Range: February 6 - April 26, 2023



www.hydro.org/powerhouse



14,831

(# of Page Views)

17% of visits to hydro.org

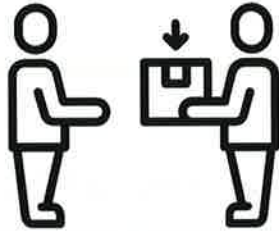


3:00

**(Average # of Minutes Spent on
POWERHOUSE Pages)**

Every week, NHA staff posts content on www.hydro.org/powerhouse. Sections of content are: Insights, Connect and Learn, and Company Announcements.

POWERHOUSE Email Statistics:
Averages from All Weekly Emails Sent from 2/6 - 4/26



7,026

(Average # of Recipients)



352 (5% of Recipients)

(Average # of Unique Clicks*)



2,156 (31% of Recipients)

(Average # of Unique Opens**)



16%

(Average % of Unique Clicks to Open***)

POWERHOUSE is distributed on a weekly basis to over 7,000 recipients. By utilizing RASA, an AI informed news aggregator, NHA is able to find and identify stories about waterpower related to member interests. Relevant stories are then 'fed' back to readers via a personalized email.

* Unique Clicks = # of unique recipients that click on a link

** Unique Opens = # of recipients who opened the email

*** Unique Clicks to Open = Of the recipients who opened the email, the % who clicked on a link



DIVERSITY, EQUITY, AND INCLUSION (DEI)

May 8, 2023

In an effort to establish a diversity baseline regarding participating in NHA’s in-person regional and national events, NHA staff is collecting attendee data regarding gender, age, and race.

The information below provides a snapshot of in-person events that have been held so far in 2023.

	2023 Midwest Regional Meeting, April 26, 2023
Gender	<p>36% of attendees answered the question when registering</p> <p>Of those that answered:</p> <ul style="list-style-type: none"> - 78% identified as Male - 22% identified as Female <p>Out of 29 speakers on the agenda, 34% were women</p>
Age	<p>23% of attendees answered the question when registering</p> <p>Of those that answered:</p> <ul style="list-style-type: none"> ○ 6% - < 30 ○ 21% - 30 to 39 ○ 31% - 40 to 49 ○ 12% - 50 to 59 ○ 8% - 60 to 69 ○ 6% - > 70
Race	<p>25% of attendees answered the question when registering</p> <p>Of those that answered:</p> <ul style="list-style-type: none"> -94% - white <p>-Other individual responses:</p> <p>2 said they were Asian</p> <p>1 were American Indian/Alaskan Native</p>



2023-26 NHA's Goals and Strategies

August 22, 2022

GOALS: To continually improve NHA's core value proposition, NHA will enhance the organization's ability to:

ADVOCATE to preserve, enhance, and expand the use of waterpower generation to advance a 21st century clean energy grid.

CONNECT member organizations and their employees with other waterpower professionals to build relationships, exchange knowledge, and facilitate business.

INFORM members, the industry, policy makers, and stakeholders about timely industry-related policy and technical developments and how those developments will affect the industry; and the many public benefits provided by waterpower.

IMPLEMENT internal operational practices for the association that will ensure a high-performing, effective organization.

STRATEGIES: NHA will implement the following strategies, specifically targeted for each of the organization's goals:

ADVOCATE to preserve, enhance, and expand the use of waterpower generation to advance a 21st century clean energy grid.

To achieve this goal, NHA will leverage its policy committees/councils, specifically those focused on legislative, regulatory, markets, pumped storage, small hydropower, marine energy, and deep dive policy. Strategies to achieve this goal will include:

- Improving the license and relicensing process;
- Achieving tax parity with other renewables;
- Shaping wholesale markets to more fully compensate hydropower for the value it provides;
- Ensuring parity with other renewables in any climate or energy policy;
- Growing federal RD&D funding for marine energy, pumped storage, and conventional hydropower technologies;
- Raising the visibility among lawmakers of hydropower as an essential element of a reliable grid;
- Nurturing relationships with key lawmakers and their staffs to ensure NHA is the go-to source for information and ideas about supporting the waterpower industry; and
- Engaging in key states for waterpower as a resource.

CONNECT member organizations and their employees with other waterpower professionals to build relationships, exchange knowledge, and facilitate business.

To achieve this goal, NHA will leverage its various policy and technical committees, as well as its advisory committees focused on NHA national events (Clean Currents and Waterpower Week in Washington), Regional Meetings, and the Future Leaders of Waterpower (FLOW). Strategies to achieve this goal will include:

- Establishing Clean Currents Conference + Tradeshow as THE Industry Event, providing a one-stop shop for connecting with the full breadth of the waterpower industry;
- Leveraging Waterpower Week in Washington to expand the waterpower industry's voice on Capitol Hill, with the Administration, and with regulators, and to facilitate industry peer-to-peer engagement;
- Enhancing NHA's Regional Meetings to provide more local focus, more intimate networking, and regionally-specific knowledge exchange among asset owners and product/service suppliers; and
- Providing forums for sharing operational experiences, with the objective of maintaining project operational excellence and human safety.
- Promoting diversity in speakers and attendees at all NHA's events to accelerate the industry's transition to look more like the customers we serve.

INFORM members, the industry, policy makers, and stakeholders about timely industry-related policy and technical developments and how those developments will affect the industry, and the many public benefits provided by waterpower.

To achieve this goal, NHA will leverage its technical committees/councils. Strategies to achieve this goal include:

- Informing NHA members webinars, and committee/council-specific convenings;
- Informing industry and those affecting the industry by enhancing *NHA's POWERHOUSE* as the go-to industry media platform;
- Informing the general public through a multi-faceted social media campaign to raise awareness of the benefits of hydropower, particularly among those aged 25-40.

IMPLEMENT internal operational practices to ensure a high-performing, effective organization.

Strategies to achieve this goal include:

- Maintaining NHA's financial health;
- Implementing diversity, equity, and inclusion in all aspects of NHA's activities;
- Preserving NHA's membership retention rate; and
- Deepening the level of member engagement, including cultivating a larger pipeline of industry talent.



2023 NHA Priority Actions

August 22, 2022

ADVOCATE to preserve, enhance, and expand the use of waterpower generation to advance a 21st century clean energy grid. 2023 priorities include:

- **Streamlining Licensing and Relicensing** – Grow stakeholder coalition and cultivate relationships with members of the Senate Energy and Natural Resources Committee and House Energy & Commerce Committee to introduce a bipartisan legislative reform package in both the House and Senate that reflects NHA’s licensing and relicensing priorities.
- **Creating Tax Support to Preserve and Enhance Existing Hydropower** – Grow stakeholder coalition and cultivate relationships with members of the Senate Finance and House Ways & Means Committees to advance federal tax support for preserving and enhancing existing waterpower resources (including direct pay for public power).
- **Investing in Waterpower RD&D** – Deepen relationships with members of the Senate and House Appropriations Committees to increase federal RD&D funding for marine energy, pumped storage, and conventional hydropower technologies.
- **Effective Implementation of DOE’s Bipartisan Infrastructure Grants and the Inflation Reduction Act** – Actively engage with DOE to ensure that the \$900M+ secured for waterpower in the Bipartisan Infrastructure law is effectively distributed, and with Treasury and others as appropriate to ensure effective implementation of the Inflation Reduction Act.
- **Retrofitting Non-Powered Dams** – Cultivate relationships with members of the Senate Environment and Public Works and House Transportation & Infrastructure Committees to enact into law provisions streamlining the USACE process for adding generation at NPDs.
- **Valuing Reliability Services in Wholesale Electricity Market Design** – Engage with FERC and RTO/ISOs and states to increase awareness of the essential reliability services provided by hydropower and pumped storage, particular in proceedings related to capacity accreditation, energy and ancillary services reforms, and/or other RTO/ISO initiatives.
- **Avoiding Unnecessary Regulatory Barriers** – Engage with federal agencies to ensure that the waterpower industry’s priorities are incorporated into key regulatory proceedings, including FERC’s financial assurance proposal and EPA’s proposed CWA 401 rule.

CONNECT member organizations and their employees with other waterpower professionals to build relationships, exchange knowledge, and facilitate business. 2023 priorities include:

- **Attracting Asset Owners to Clean Currents** - Outcompete competition by making CC23 a “must attend” event for asset owners.

- **Using Waterpower Week to Enhance NHA’s Advocacy Efforts** – Expand Hill staff participation, Hill meetings, and number of advocacy professionals (government affairs, regulatory, licensing, etc.) engaged in Waterpower Week in Washington.
- **Promoting DEI at All NHA Events** - Accelerate the industry’s transition to look more like the customers we serve by promoting diversity in speakers and attendees at all of NHA’s events.

INFORM members, the industry, policy makers, and stakeholders about timely industry-related policy and technical developments and how those developments will affect the industry, and the many public benefits provided by waterpower. 2023 priorities include:

- **Expanding NHA’s Social Media engagement** – develop and implement systematic social media engagement (focusing specifically on LinkedIn, Twitter, Facebook and Instagram) to expand reach to both industry members and the general public, with the goal of increasing followership by 10 percent across media channels.
- **Reaching 1M+ Millennials** – raise awareness and appreciation of waterpower as an essential part of a reliable, clean energy grid by reaching at least 1M+ millennials (ages 25-40) via targeted, paid digital media campaign with at least 7x frequency.

IMPLEMENT internal operational practices to ensure a high-performing, effective organization. 2023 priorities include:

- **Deepening Member engagement** – deepen member engagement in NHA programming and events (as compared to 2022).
- **Executing Office Relocation with Minimal Disruptions** – implement office move without adversely impacting organizational performance.
- **Retaining NHA Staff** – retain talent at all levels of Team NHA.

BYLAWS
NATIONAL HYDROPOWER ASSOCIATION

ARTICLE I. Name

The name of this corporation shall be the National Hydropower Association, Inc., hereinafter referred to as NHA.

ARTICLE II. Objectives

The objects and purpose of this association shall be:

- A. To unite in common organization any person, trade union, firm, company, corporation, partnership, trade association, governmental entity or other organization which owns a hydropower facility, or which is engaged, directly or indirectly, in the manufacture of hydropower equipment or the development, financing, licensing, operation, or maintenance of hydropower facilities; or in providing services to the hydropower industry.
- B. To encourage, stimulate and promote cooperation among the members of the hydropower industry;
- C. To promote the common interests of its members and improve their business condition; and
- D. To conduct other such activities as may be within the meaning of Section 501(c)(6) of the Internal Revenue Code of 1954, as amended. Specifically, these may include but shall not be limited to:
 - 1. Influencing legislation of interest to NHA members by appearances before, submittal of statements to, and transmittal of communications to committees and individual members of Congress with respect to legislation or proposed legislation.
 - 2. Promoting better understanding of the hydropower industry by regulatory agencies and review and comment on regulations or proposed regulations affecting the industry.
 - 3. Improving hydropower's public image by conducting a public relations program, including preparing and publishing material to educate the public, energy stakeholders and other interested entities about hydropower.
 - 4. Developing programs and the holding of seminars and lectures for the education of its members and the general public.
 - 5. Promoting research on and analysis of methods and effects of increasing the utilization of hydropower in the United States.
 - 6. Helping generator members achieve a high level of operational excellence in their hydropower operations.

ARTICLE III. Members

Section 1. Requirements. Membership in NHA shall be limited to any person, trade union, firm, company, corporation, partnership, trade association, governmental entity, or other organization which:

- A. Owns or leases a hydropower facility, or
- B. Is engaged, directly or indirectly, in the manufacture of hydropower equipment; the development, financing, licensing, operation or maintenance of hydropower facilities; or in providing services to the hydropower industry.

Section 2. Classification. There shall be two classes of membership, voting and associate; the voting class shall be made up of three grades of membership, Generator members, Service Industry members, and supporting members:

- A. The Generator grade shall:
 - 1. Include members that own, directly or indirectly, hydropower facilities in operation.
 - 2. Be comprised of two levels of membership:
 - a. Leadership Level – generators with an installed capacity greater than or equal to a capacity established by the Board of Directors.
 - b. Contributing Level – generators with an installed capacity less than the limit set for the Leadership Level as established by the Board of Directors.
 - 3. Have full voting and participation rights in NHA.
- B. The Service Industry grade shall:
 - 1. Include members that provide services or manufacture equipment to the hydropower industry.
 - 2. Be comprised of two levels of membership:
 - a. Leadership Level – Service Industry members with annual revenues from the hydropower industry greater than or equal to an amount established by the Board of Directors.
 - b. Contributing Level – Service Industry members with annual revenues from the hydropower industry less than the limit set for the Leadership Level as established by the Board of Directors.
 - 3. Have full voting and participation rights in NHA.
- C. The Supporting grade shall:
 - 1. Include members who are individuals, partnerships, corporations, or associations involved in any aspect of the hydropower industry described in Section 1 of this Article III , whose size or stake in the hydropower industry is small relative to Contributing Service Industry members;
 - 2. Have full voting and participation rights in NHA.

D. The Associate class shall:

1. Include members who are individuals, companies, educational institutions, governmental entities or associations with an interest in NHA.
2. Have no voting rights, but shall be allowed to attend annual meetings, conferences, and seminars and participate as otherwise directed by the Board of Directors.

The differences set forth distinguishing among the classes, grades, and levels of membership may be waived by the Chief Executive Officer, with the concurrence of the Executive Committee, for good cause. The Board of Directors shall be notified of any such waiver at its next regularly scheduled meeting.

Section 3. Admission of Membership. Admission of membership shall be obtained by eligible persons, as defined in this Article, Section 2, A, B, C, D, upon written application, and full payment of dues.

Section 4. Annual Dues.

- A. Annual dues for each grade and class of membership shall be established by the Board of Directors.
- B. Annual dues are payable prior to February 15 and are considered delinquent after March 1.
- C. Members whose current dues are not paid in full before April 1 or the Annual Conference (whichever comes first) shall cease to be a member of NHA. Any such member shall be eligible to reapply for membership without prejudice.

The Board of Directors may revise dues from previously established amounts upon a 2/3 majority vote of the Directors at a meeting for which advance notice of pending dues revision of at least 10 days has been given or by a unanimous vote of all Directors without notice of such pending dues revision.

Section 5. Resignation.

- A. A member may resign from NHA by giving notice to the Chief Executive Officer and any such resignation shall be presented at the next meeting of the Board of Directors.
- B. Dues shall not be refunded to a member presenting its resignation.

Section 6. Suspension and Expulsion. Members must remain in good standing to retain their membership privileges. Good standing includes, but is not limited to, keeping current with dues and other payments to NHA and acting in a manner not prejudicial to the best interests of NHA or its members. The Board of Directors shall have the power to suspend or expel any member, for cause, which may include a violation of any provision of these bylaws.

ARTICLE IV. Board of Directors

Section 1. Composition.

- A. The members of the Board of Directors shall be:
 - 1. The 20 elected Directors;
 - 2. The Chief Executive Officer;
 - 3. The General Counsel;
 - 4. The three most recent Past Chairmen;
 - 5. Up to five (5) additional persons, appointed by the Board of Directors, for no more than a one-year period.
- B. Voting Rights of Directors. Only the 20 elected Directors and the immediate Past Chairman have the right to vote.

Section 2. Nomination and Election of Voting Directors.

- A. Nomination.
 - 1. Eligibility for office as a voting Director.
 - a. Only individuals of Generator, Service Industry, or Supporting grade members of NHA in good standing shall be eligible to be nominated, elected or serve as a voting Director.
 - b. Individuals from a member company with a representative already serving as a voting Director shall not be eligible to be nominated, elected or appointed to serve as a voting Director during the same term.
 - c. No Director shall serve more than eight (8) consecutive years as an elected Director.
 - 2. The Chairman shall appoint a Nominating Committee of five (5) members of the Board of Directors in consultation with the Executive Committee, and shall designate one member to serve as Chair of the Committee. The members shall serve staggered two-year terms. The Chairman and Chief Executive Officer shall serve as advisory members of the Nominating Committee.
 - 3. The Nominating Committee shall propose no less than ten (10) and no more than twelve (12) nominees to the Board of Directors for its consideration as candidates to be submitted to the membership for election to the Board.
 - 4. The Nominating Committee shall solicit recommendations from the NHA membership for nominations for Board candidates.
 - 5. The Board of Directors shall approve a list of ten (10) candidates for election to the Board of Directors, no more than two (2) of whom may be incumbent voting Directors.
 - 6. The consent of each candidate must be obtained before his or her name is placed on the ballot for election.

7. If sufficient candidates withdraw their names from the election so that the total number of candidates is less than the number of seats to be filled, any unfilled seat shall be treated as a vacancy and filled by an election by the Board of Directors.
8. Representation. So far as possible, the Board of Directors should include:
 - a. Representation from the following industry groups:
 - 1) Manufacturers and suppliers.
 - 2) Developers.
 - 3) Consultants and engineers.
 - 4) Industry.
 - 5) Municipalities.
 - 6) Public and private utilities.
 - 7) Independent power producers.
 - 8) Contractors.
 - b. Representation should be as regionally balanced as possible, without excluding any member on that basis alone.

B. Elections.

1. Election of Directors may be conducted by mail, electronic voting, or other such method as determined by the Board of Directors,
2. Election shall be by ballot. Ballots shall be sent no later than twenty-one (21) days prior to the date of the fall Board of Directors meeting.
3. Members shall vote for five of the ten nominees. The five candidates receiving the highest vote totals shall be deemed elected.
4. In the event there is a tie for the fifth Board position, that Board position is deemed to be vacant. By election of the Board of Directors, with a minimum of eleven (11) affirmative votes, the vacancy shall be filled from among those nominees who tied for the fifth Board position.

Section 3. Term of Office. An elected Director's term of office shall begin on January 1 and shall be for a period of four (4) years.

Section 4. Vacancy in Office.

- A. Any Director who no longer meets the eligibility for office requirements provided by these bylaws or who submits to the Chairman a notice of resignation from the Board shall cease to be a member of the Board of Directors creating an immediate vacancy.
- B. A vacant Board position shall be filled by election by the Board of Directors within a reasonable time. Prior to any such election, the Executive Committee shall prepare a list of nominees for the Board's consideration to fill the vacancy.
- C. A Director elected to fill a vacancy shall hold office for the remainder of the term of the Director whose Board position has been vacated.

Section 5. Authority and Responsibility.

- A. The Board of Directors shall be the governing body of NHA and shall have responsibility for its general supervision and strategic direction. In fulfilling this responsibility, the Board of Directors shall have the authority to:
1. Hold meetings at such times and places as it thinks proper.
 2. Admit, suspend or expel members.
 3. Print and circulate documents and publish articles.
 4. Retain a President who shall be NHA's chief executive officer ("Chief Executive Officer") and other officers as necessary, and shall appoint a General Counsel.
 5. Establish bank accounts as may be necessary to carry out the purposes of NHA.
 6. Devise and carry out such other measures as it deems proper to promote the objectives of NHA.
 7. Elect the Board Officers at the fall Board meeting and fill any vacancies in office as needed.
 8. Have the authority to adopt special rules of order or standing rules to govern its own proceedings.
 9. Establish business and financial policies and procedures consistent with sound business practices.

Section 6. Meetings.

- A. Regular.
1. At least four regular meetings of the Board of Directors shall be held each year. At least twenty (20) days' notice shall be given each member of the Board of Directors.
 2. The meetings shall be held at times and places to be determined by the Board of Directors.
 3. Any NHA member in good standing may attend meetings of the Board of Directors.
- B. Special. Special meetings of the Board of Directors may be called by the Chairman or upon written request of five (5) Directors. At least ten (10) days' notice shall be given each member of the Board of Directors.

Section 7. Ratification of Board Action. Any action that is not supported by the vote of at least eleven (11) Directors shall be submitted to the full Board by mail or electronic mail within ten (10) days for ratification.

Section 8. Action Without Meeting. Except for actions requiring two-thirds (2/3) majority vote, any action required or permitted to be taken at any meeting of the Board of Directors may be taken without a meeting, through other means of direct communication.

Section 9. Quorum. Eleven (11) voting members of the Board of Directors participating in the meeting either in person or by other means of direct communication

shall constitute a quorum, provided however that such direct communications shall not include the granting of a proxy by one Director to another.

ARTICLE V. Board Officers

Section 1. Elected Officers. The elected Board officers of NHA shall be a Chairman, a Vice Chairman, a Secretary, and a Treasurer.

Section 2. Appointed Officers. Appointed Board officers shall be the Chief Executive Officer and the General Counsel who shall be the chief legal officer of NHA. The Chief Executive Officer and General Counsel shall attend all meetings of the Board of Directors and Executive Committee in an advisory capacity.

Section 3. Nomination and Election of Officers.

A. Qualifications.

1. Nominees for the offices of Chairman and Treasurer shall be individuals who during the term of office for which they are nominated shall be one of the twenty (20) elected Directors and shall have served on the Board as an elected or advisor Director for at least one year during the seven years prior to their prospective term of office.
2. Nominees for the offices of Vice Chairman and Secretary shall be individuals who during the term of office for which they are nominated shall be one of the twenty (20) elected Directors.
3. Nominees for elected offices must be an individual of a company or organization, during their term of office, which is a Generator or Service Industry or Supporting member of NHA.

B. Nominations. The Nominating Committee shall provide a slate of candidates for Board officers.

C. Representation. In developing a slate of candidates, the Nominating Committee shall consider the following:

i. Representation from the following industry groups:

1. Manufacturers and suppliers.
2. Developers.
3. Consultants and engineers.
4. Industry.
5. Municipalities.
6. Public and private utilities.
7. Independent power producers.
8. Contractors.

ii. Representation should be as regionally balanced as possible, without excluding any member on that basis alone.

D. Nominations for elected Board officers may also be made by a Director at the summer and fall Board meetings.

- E. Elections. Elections of officers shall take place at the fall Board of Directors meeting with a quorum of Board members present. A majority vote of the Directors shall constitute election.

Section 4. Term of Office. All elected officers shall take office on January 1 and shall serve for one year. An officer may be removed for cause at any time by the vote of two-thirds (2/3) of the Board of Directors at a meeting of which at least 10 days' notice of such removal issue has been given, and shall automatically lose their office if his or her membership or the membership of their organization lapses for any reason as provided in these bylaws.

Section 5. Duties of Officers. Officers shall perform the duties provided in this section and such other duties as are prescribed for the office in these bylaws and in the adopted parliamentary authority.

A. The Chairman shall:

1. Be the Chairman of the Board of Directors and be an official spokesperson of NHA.
2. Preside at the meetings of the membership, the Board of Directors, and the Executive Committee.
3. Appoint the chair and co-chairs of all Standing Committees and Councils, with consultation with the Executive Committee.
4. Be a member of all committees, with the exception of the Nominating Committee of which he or she serves as an advisor.
5. Make recommendations to the members and the Board of Directors at the annual meeting and at other appropriate times on ways to promote the goals of NHA.
6. Fulfill such other duties as may be assigned by the Executive Committee or the Board of Directors.

B. The Vice Chairman shall:

1. Assist the Chairman and preside at meetings in the absence of the Chairman.
2. Serve as acting Chairman until a new Chairman is selected by the Board of Directors, if a vacancy occurs in the office of Chairman.
3. Fulfill such other duties as may be assigned by the Chairman, the Executive Committee or the Board of Directors.

C. The Secretary shall:

1. Record the minutes of Board of Directors meetings and Executive Committee meetings.
2. Provide copies of the minutes of the Board meetings to each member of the Board and to such other persons as may be directed by the Chairman or the Board of Directors.
3. Furnish a copy of the minutes of Executive Committee meetings to each member of that committee and to the Chief Executive Officer.
4. Fulfill such other duties as may be assigned by the Chairman, the Executive Committee or the Board of Directors.

- D. The Treasurer shall:
1. Monitor the financial affairs of NHA.
 2. Make financial reports at each meeting of the Board of Directors and to the Executive Committee when requested.
 3. Submit an audited annual report at the annual meeting.
 4. Deliver to his or her successor all books and records.
 5. Fulfill such other duties as may be assigned by the Chairman, the Executive Committee or the Board of Directors.
- E. Delegation of Duties. The Board officers may from time to time delegate the performance of their duties outlined in this section to the Chief Executive Officer, or with consultation with the Chief Executive Officer, to other salaried NHA employees, but in any case such Board officer shall remain responsible for assuring that his or her assigned duties are properly discharged.

ARTICLE VI. Executive Committee of the Board

Section 1. Composition. Members of the Executive Committee shall be the elected Board officers and the immediate Past Chairman. The Chief Executive Officer and General Counsel shall attend Executive Committee meetings in an advisory capacity.

Section 2. Duties. The Executive Committee shall:

- A. Have general supervision of the affairs of NHA between meetings of the Board of Directors.
- B. Conduct business that may be referred to it by the Board of Directors.
- C. Consult on committee, council and other appointments by the Chairman as provided in these bylaws.
- D. Formulate recommendations and policies to be submitted for approval by the Board of Directors
- E. Have the authority to adopt special rules of order or standing rules to govern its own proceedings.
- F. Perform such other duties as defined in these bylaws or as specified by action of the Board of Directors or the membership at a general meeting.

Section 3. Meetings. Meetings of the Executive Committee shall be at the call of the Chairman, or at the request of three (3) members of the committee. At least five (5) days' notice shall be given each member of the committee, except for a meeting called during a session of the Board of Directors or at a membership meeting.

Section 4. Business.

- A. Business may be conducted by mail, electronic mail or telephone conference when necessary.

- B. Action taken by mail, electronic mail or telephone conference shall be ratified and made a part of the minutes of the next meeting of the Executive Committee.

Section 5. Quorum. Three (3) members, including at least the Chairman or Vice Chairman, of the Executive Committee shall constitute a quorum.

ARTICLE VII. Member Meetings

Section 1. Annual Meeting. An annual meeting of members shall be held each year in conjunction with the NHA conference. The purpose of the meeting shall be to inform the membership of the association's activities and to transact any business that may be properly brought before the meeting.

Section 2. Special Meetings. A special meeting of members may be called by the Board of Directors or upon written petition of twenty percent (20%) of the membership. Special meetings called as a result of written petition shall be held within 60 days of receipt of such petition.

Section 3. Time and Place. Notice of every meeting of members stating the location, date and time of the meeting, shall be sent to the address of each member as it appears on the records of NHA not less than 30 days (except special meetings called by petition) prior to the meeting.

Section 4. Quorum. The presence of 45 Generator or Service Industry or Supporting members of NHA shall constitute a quorum for the taking of votes. The Chairman, or a majority of Directors present, may direct that matters be submitted to the membership for vote.

Section 5. Voting. The voting rights of members shall be as stated in Article III. The affirmative vote of a majority of the votes entitled to be cast, by the members entitled to vote and present or represented by proxy at a meeting at which a quorum is present, shall be necessary for the adoption of any matter voted upon by such members, unless a greater proportion is required by law.

ARTICLE VIII. Committees

Section 1. Committee Appointment. The Chairman shall appoint the chair and co-chairs of all committees and councils or as otherwise provided in these bylaws.

Section 2. Standing Committees.

- A. The Board of Directors shall review the organization of established Standing Committees periodically.

- B. An annual strategic plan, developed in consultation with the Standing Committees, shall be adopted annually by the Board outlining the goals and initiatives of the Standing Committees.
- C. Committee Members. Committee membership shall be open to all Generator, Service and Supporting Grade members of NHA, and to such other NHA members as may be directed by the Board. The Chairman shall be a member of all committees.
- D. Written reports of committee work, including the Executive Committee, shall be provided to the Board of Directors at each Board meeting, unless excused by the Chairman or Chief Executive Officer.
- E. No member shall serve as chairman of more than one Standing Committee.

Section 3. Special Committees and Councils.

- A. The Board of Directors may create special committees and councils as it deems appropriate.
- B. Unless otherwise directed by the Board of Directors, the Chairman shall appoint the leadership and members of special committees and councils.

ARTICLE IX. Headquarters

Section 1. Location. The headquarters of NHA shall be located in the Washington, DC, metropolitan area at a place approved by the Board of Directors.

Section 2. Headquarters Staff.

- A. Composition. The headquarters staff of NHA shall be comprised of the Chief Executive Officer and additional staff as needed.
- B. Duties.
 - 1. The Chief Executive Officer shall:
 - a. Have responsibility for the day-to-day management and activities of NHA under direction of the Chairman. The Chief Executive Officer shall be an official spokesperson of NHA.
 - b. Engage additional staff required for the operations of NHA.
 - c. Maintain job descriptions for all personnel employed on behalf of NHA.
 - d. Have the authority to waive, subject to the concurrence of the Executive Committee, established distinctions between grades of membership for good cause.
 - e. Coordinate the distribution of meeting notices, meeting minutes and other communications to the Executive Committee, Board of Directors, and the general membership.
 - f. Have custody and control of the official seal subject at all times to the orders, instructions and control of the Board of Directors.

- g. Adhere to NHA’s business and financial policies and procedures.
 - h. Fulfill such other duties as may be assigned by the Chairman, the Executive Committee or the Board of Directors.
2. Additional Staff. The duties of all other headquarters staff shall be defined by the Chief Executive Officer. All such staff shall be under the direction of the Chief Executive Officer.
- C. Employment of Chief Executive Officer and General Counsel. The Chief Executive Officer and General Counsel shall be employed or discharged by the Board of Directors.
 - D. Compensation. Compensation for the CEO will be established by the Board of Directors.
 - E. Bonding. All personnel employed by NHA who have authority to disburse funds may be bonded to levels determined by the Board of Directors.

ARTICLE X. Fiscal Policies

Section 1. Limitations on the Use of NHA Funds. All NHA funds must be used for the purposes of NHA and shall not inure to the benefit of any member, officer, or director.

Section 2. Supplemental Contributions. In addition to annual dues, members may make supplemental contributions to NHA. The contribution may be designated by the member for a specific purpose.

Section 3. Handling of Funds.

- A. Disbursements shall be made by the Chief Executive Officer or NHA staff, as designated by the Chief Executive Officer.
- B. NHA funds shall be deposited in a bank or banks or trust company approved by the Board of Directors.
- C. Records. Financial books and records of NHA shall be supervised at all times by the Board of Directors and shall be subject to its inspection and control.

Section 4. Separate Accounts. The Board of Directors may allocate annual dues and supplemental contributions to separate, segregated amounts for the different activities of NHA.

Section 5. Budget. A proposed budget shall be prepared annually by the Chief Executive Officer, reviewed by the Executive Committee, and submitted by the Chief Executive Officer to the Board of Directors for consideration, recommendations and approval. The annual budget for the following year shall be adopted by the Board of Directors before the end of the current fiscal year.

Section 6. Audit. The financial records of NHA shall be audited annually and at other times as requested by the Executive Committee or the Board of Directors. All audit reports shall be approved by the Board of Directors.

Section 7. Fiscal Year. The fiscal year for NHA shall begin on January 1 and end on December 31.

ARTICLE XI. Diversity, Equity and Inclusion

NHA and its Board of Directors are committed to incorporating the values of diversity, equity and inclusion in the governance and operations of this association. These values shall be codified in a diversity, equity and inclusion policy adopted by the Board of Directors.

ARTICLE XII. Contract and Indemnification

Section 1. No Personal Liability. No contract entered into by or on behalf of NHA shall personally obligate any NHA member, officer, director or employee authorizing such contract or executing same.

Section 2. Indemnification. Every director, officer, or employee shall be indemnified by NHA against all expenses and liabilities, including counsel fees, reasonably incurred or imposed upon him or her in connection with any proceeding to which he or she may be made a party, or in which he or she may become involved, by reason of his or her being or having been a director, officer, or employee of NHA, or any settlement thereof, whether or not he or she is a director, officer, or employee of NHA at the time such expenses are incurred.

Notwithstanding the foregoing, the indemnification provided in this section shall only apply if the indemnified party acted in good faith and in a manner reasonably believed to be in or not opposed to the best interests of NHA, and with respect to any criminal proceeding, had no reasonable cause to believe the conduct was unlawful. Moreover, the indemnification shall not apply in cases wherein the director, officer, or employee is adjudged guilty of willful misfeasance or malfeasance in the performance of his or her duties. The foregoing right of indemnification shall be in addition to and not exclusive of all other rights to which such director, officer, or employee may be entitled. For purposes of the preceding right of indemnification the term “director, officer, or employee” shall be construed to include all executives, Board members, and staff employees, whether salaried or not. The Board shall have the right to approve the selection of counsel retained by the indemnified party and shall also have the right to approve any settlements (or require settlements) to resolve claims or actions giving rise to indemnification under this Section.

NHA may supplement the right of indemnification specified above by purchase of insurance, indemnification agreements and advances for related expenses of any person indemnified.

ARTICLE XIII. Dissolution

Section 1. Dissolution. NHA may be dissolved upon a vote of members representing two-thirds (2/3) of the total votes of the membership entitled to vote at a duly called meeting of members.

Section 2. Distribution of Assets. Upon the termination, dissolution or other ending of NHA in any manner or for any reason, its assets, if any, remaining after payment (or provision for payment) of all liabilities of NHA shall be distributed to, and only to, one or more corporations, funds or foundations, qualified for exemption from federal income taxation under either (I) Section 501(c)(6) of the Internal Revenue Code of 1954, as amended, and organized and operated for one or more of the purposes enumerated in Article THIRD of the Articles of Incorporation or (ii) Section 501(c)(6) of the Internal Revenue Code of 1954, as amended, as may be determined by the Board of Directors.

ARTICLE XIV. Official Seal

The Official seal of NHA shall be in the form of a circle and shall set forth the name of the association, the year of its organization and the words “CORPORATE SEAL, DISTRICT OF COLUMBIA.”

ARTICLE XV. Parliamentary Authority

The rules contained in the current edition of Roberts Rules of Order Newly Revised shall govern the proceedings of NHA in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order that NHA may adopt.

ARTICLE XVI. Amendment of Bylaws

Section 1. Power to Amend. The power to alter, amend or repeal these bylaws shall be vested in the Board of Directors.

Section 2. Notice. Copies of proposed amendments to these bylaws shall be furnished to the Board of Directors at least ten (10) days in advance of a regular or special meeting of the Board of Directors.

Section 3. Approval of Amendments. Approval of amendments to these bylaws shall require a majority affirmative vote of the voting Directors as defined in Article IV, Section 1.B. herein.

<u>Item or Activity</u> <i>as of May 1, 2023</i>	<u>Responsible Staff Member</u> <i>as of May 1, 2023</i>
<u>Advocate</u>	
Advocacy Day at Waterpower Week in Washington	Brittney May
Deep Dive Policy Team	Malcolm Woolf
Legislation/Interaction with Congress	Matthew Allen; Brittney May
Legislative Affairs Committee	Matthew Allen; Brittney May
Marine Energy Council (MEC)	Kelly Rogers
Markets Committee	Michael Purdie
National Hydropower Day	LeRoy Coleman; Kelly Rogers
Outstanding Stewards of America's Waters (OSAW) Awards	LeRoy Coleman; Kelly Rogers
Pumped Storage Development Council	Brittney May
Regulatory Affairs Committee	Michael Purdie; Anthony Laurita
Small Hydro Development Council	Kelly Rogers
Uncommon Dialogue	Malcolm Woolf
Waterpower Innovation Council (WIC)	Chris Hayes
<u>Inform</u>	
Content Development for National Conferences	Marla Barnes; Jeremy Chase-Israel; Chris Hayes
Hydro Map - State-by-State	LeRoy Coleman; Kelly Rogers
Hydropower Technical Community (HTC), including subgroup of: Dam Safety, Operations and Maintenance, and Operational Excellence	Chris Hayes
Operational Excellence (OpEx) tool	Chris Hayes
POWERHOUSE Media Platform	Jeremy Chase-Israel
Press Relations	LeRoy Coleman
Public Affairs Committee	LeRoy Coleman; Kelly Rogers
Social Media - for clean energy thought leaders	LeRoy Coleman
Social Media - for industry	Jeremy Chase-Israel
Waterpower Research Portal (WaRP)	Chris Hayes
www.hydro.org website updates	Catherine Ryan; Marla Barnes
<u>Connect</u>	
Asset Owner Only Forum	Chris Hayes
Career Center (Jobs Board)	Catherine Ryan
CEO Council	Malcolm Woolf; Kimberly Costner
Clean Currents	Francesca Blanco Hadjimichael; Joseph LoSasso; Marla Barnes
Future Leaders of Waterpower (FLOW)	Marycella Dumlao; Joseph LoSasso; Chris Hayes; Marla Barnes
Regional Meetings	Marycella Dumlao
Sponsorships and Exhibits for Clean Currents, Waterpower Week, Regional Meetings, and POWERHOUSE (i.e., Non-Dues Revenue)	Joseph LoSasso
Waterpower Week in Washington	Francesca Blanco Hadjimichael; Joseph LoSasso; Marla Barnes
<u>Implement (Operations)</u>	
Diversity, Equity and Inclusion (DEI) Initiative	Marycella Dumlao
Henwood Award	LeRoy Coleman
NHA Board of Directors, including quarterly meetings and annual elections	Malcolm Woolf; Kimberly Costner
NHA Member Communications (<i>NHA Member Playbook</i> newsletter, Outlook Meeting Requests, Email Communications)	Catherine Ryan; Marla Barnes; Jeremy Chase-Israel
NHA Membership; Online Member Directory; Member Engagement	Marla Barnes; Joseph LoSasso; Catherine Ryan
NHA Portal	Catherine Ryan
Scholarship - Past Chairs' Legacy Scholarship	Kimberly Costner

NHA 2023 Executive Committee - Updated May 1, 2023

Term

Michael	Haynes, Chair	Seattle City Light	700 5th Avenue, Suite 3200/ P.O. Box 34023	Seattle, WA 98124-4023	mike.haynes@seattle.gov	(206) 684-3618	2023
Pamala	Sullivan	American Municipal Power, Inc.	1111 Schrock Rd., Ste. 100	Columbus, OH 43229	psullivan@amppartners.org	(614) 540-0971	2024
Sharon	White, Secretary	Rock Creek Energy Group	1 Thomas Circle NW, Suite 700	Washington, DC 20005	swhite@rockcreekenergygroup.com	(202) 998-2775	2024
Thomas	St. John, Treasurer	Alabama Power	600 N 18th Street	Birmingham, AL 35219	TWSTJOHN@southernco.com	(205) 918-6669	2025
Jay	Anders, Past Chair	Rye Development	5172 Eaglefeather Ln.	Ooltewah, TN 37363	jay@ryedevelopment.com	(423) 362-2647	2025
James	Hancock, Counsel	Balch & Bingham LLP	1710 6th Avenue North - Eleventh floor	Birmingham, AL 35203	Jhancock@balch.com	(205) 226-3418	
Malcolm	Woolf, CEO	National Hydropower Association (NHA)	601 New Jersey Ave NW, Suite 660	Washington, DC 20001	mwoolf@hydro.org	(202) 750-8399	

Board

Carl	Atkinson	Voith Hydro Inc.	P.O. Box 15022 / 760 East Berlin Rd.	York, PA 17405	Carl.Atkinson@voith.com	(717) 792-7891	2023
Suzanne	Biddle	Tennessee Valley Authority (TVA)	1101 Market Street	Chattanooga, TN 37402	shbiddle@tva.gov	(865) 254-1081	2026
Suzanne	Grassell	Chelan County PUD	327 N. Wenatchee Ave.	Wenatchee, WA 98801	suzanne.grassell@chelanpud.org	(509) 661-4177	2024
Scott	Hennessey	Brookfield Renewable Energy Group (US)	6307 Marywood Rd.	Bethesda, MD 20817	scott.hennessey@brookfieldrenewable.com	(917) 561-5967	2023
Randy	Herrin	Duke Energy Corporation	257 Duke Lane	Stanley, NC 28164	randy.herrin@duke-energy.com	(704) 812-1154	2023
Jeffrey	Leahey	SMI, Inc. (Strategic Marketing Innovations)	1020 19th St. NW #375	Washington, DC 20036	jeff@strategicmi.com	(202) 683-2358	2024
Chris	Mattson	Tacoma Power	3628 South 35th Street	Tacoma, WA 98409	cmattson@cityoftacoma.org	(253) 208-6141	2026
Alan	Michaels	New York Power Authority (NYPA)	30 South Pearl Street	Albany, NY 12207	alan.michaels@nypa.gov	(518) 801-6018	2026
Megan	Nesbitt	Eagle Creek Renewable Energy	293 Hwy-740	Badin, NC 28009	megan.nesbitt@eaglecreekre.com	(774) 207-7232	2025
Christopher	Rousseau	J.F. Brennan Company	826 Wolner Drive	Cloquet, MN 55720	crousseau@JFBrennan.com	(218) 393-5585	2026
Charles	Sensiba	Troutman Pepper Hamilton Sanders LLP	401 9th Street, N.W., Suite 1000	Washington, DC 20004	charles.sensiba@troutman.com	(202) 274-2850	2025
Mary Gail	Sullivan	Northwestern Energy	11 East Park Street	Butte, MT 59701	marygail.sullivan@northwestern.com	(406) 497-3382	2023
Justin	Trudell	FirstLight Power	111 South Bedford St., Suite 103	Burlington, MA 01803	justin.trudell@firstlightpower.com	(781) 653-4247	2024
Eric	Van Deuren	Pacific Gas & Electric Co	1649 Canal Street	Auburn, CA 95603	Eric.VanDeuren@pge.com	(916) 208-7409	2025
Heidi	Wahto	Stantec	2353 130th Ave NE, Ste 200	Bellevue, WA 98005	heidi.wahto@stantec.com	(425) 602-3514	2022

Advisory Board

Joel	Ledesma	SMUD	7606 River Ranch Way	Sacramento, CA 95831	jledesma1@sbcglobal.net	(916) 956-3830	
Sarah	Kulpa	HDR	440 S. Church Street	Charlotte, NC 28202	sarah.kulpa@hdrinc.com	(315) 415-8703	
Romain	Pellegrino	GE Renewable Energy	5005 Boul. Lapiniere BP 75	Brossard QC J4Z 0N5 Canada	romain.pellegrino@ge.com	(438) 342-5182	
Dan	Petcovic	CalWave Technologies	1 Sapphire Ct.	Hercules, CA 94547	dan@calwave.energy	(858) 752-2354	
Rich	Wallen	Grant County PUD	P.O. Box 878	Ephrata, WA 98823	rwallen@gcpud.org	(509) 754-6744 ext. 2515	

NHA Staff

Malcolm	Woolf, CEO	President and CEO			mwoolf@hydro.org	(301) 767-6698	
Matthew	Allen	Director of Legislative Affairs			matthew@hydro.org	(202) 993-00660	
Marla	Barnes	VP of Membership and Industry Engagement			marla@hydro.org	(816) 588-4639	
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NHA Consultant							
Chris	Hayes	Senior Advisor of Technical Programs			Chris@hydro.org	(514) 795-8413	

2023 NHA Committee and Council List

Committee Leadership	First Name	Last Name	Organization Name	Email	Phone
Hydropower Technical Community - Chair	Thomas	Fitzgerald	Schnabel Engineering	tfitzgerald@schnabel-eng.com	(336) 314-8772
Hydropower Technical Community - Vice Chair	Phil	Cantarinha	Yuba	pcantarinha@yubawater.org	(530) 741-5000
HTC Advisory Leadership Member	Ellen	Faulkner	Ayres Associates	faulknere@ayresassociates.com	(715) 559-0779
HTC Advisory Leadership Member	Jim	Miller	Signal Hydropower Consultants, LLC	ljmiller-sec@epbf.com	(423) 521-4406
HTC Advisory Leadership Member	Raymond	Chow	Duke Energy Corporation	raymond.chow@duke-energy.com	(704) 382-6041
HTC Advisory Leadership Member	Jennifer	Erickson	Columbia Industrial Products, Inc. (CIP)	jennifer@cipcomposites.com	(541) 607-3656
HTC Advisory Leadership Member	Daniel	Langlois	GE Renewable Energy	daniel.langlois@ge.com	(450) 522-0755
HTC Advisory Leadership Member	Scott	Klabunde	HydroPartners	sklabunde@Hydropartners.onmicrosoft.com	(920) 570-2156
Hydropower Technical Community - Dam Safety Subcommittee - Chair	Seth	Green	Southern Company	sjgreen@southernco.com	(205) 257-6607
Hydropower Technical Community - Dam Safety Subcommittee - Vice Chair	Jillian	Lawrence	Patriot Hydro, LLC	jlawrence@patriohydro.com	(856) 906-0180
Hydropower Technical Community - OpEx Subcommittee - Chair	Carl	Brewster	WEST USA, Inc. Water Energy Systems & Tests	carl.brewster@west-hydro.com	(855) 937-8871
Hydropower Technical Community - OpEx Subcommittee - Vice Chair	Scott	Korab	Ballard Marine Construction	scott.korab@ballardmc.com	(206) 753-0021
O&M Chair	Scott	Romero	U.S. Army Corps of Engineers	scott.f.romero@usace.army.mil	(252) 665-3191
O&M Vice Chair	Travis	Hart	Ameren Missouri	thart4@ameren.com	(573) 365-9340
NHA Rep	Chris	Hayes			
FLOW - Chair	Camille	Ellsworth	rPlus Energies	cellsworth@rplusenergies.com	(208) 340-6544
FLOW - Vice Chair	Norbert	Woodhams	Worthington Products	norbert@tuffboom.com	(330) 316-8579
FLOW - Vice Chair	Teresa	Casper	U.S. Army Corps of Engineers	Teresa.Casper@usace.army.mil	
NHA Rep	Marycella	Dumlao			
Legislative Affairs - Chair	Clark	Mather	Tacoma Power	cmather@cityoftacoma.org	(253) 441-4159
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NHA Rep	Matthew	Allen			
Markets - Chair	Aleksandar	Mitreski	Brookfield Renewable Energy Group (US)	aleksandar.mitreski@brookfieldrenewable.com	(413) 636-5732
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Markets - Vice Chair	Jamie	Simler	Ameren	jsimler@ameren.com	(202) 783-7606
NHA Rep	Michael	Purdie			
Public Affairs - Chair	Karrie	Carnes	Bonneville Power Administration (BPA)	klcarnes@bpa.gov	(503) 230-5575
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Public Affairs - Vice Chair	Rachel	Hansen	Chelan County PUD	rachel.hansen@chelanpud.org	(509) 661-4320
NHA Rep	LeRoy	Coleman			
Regional Meeting Committee - Chair	Jennifer	Moore	Mesa Associates, Inc.	jmoore@mesainc.com	(865) 740-3947
Regional Meeting Committee - Vice Chair	Emily	Schwartz	Black & Veatch	SchwartzE@BV.com	(512) 351-4910
Regional Meeting Committee - Vice Chair	Ginger	Gillin	GEI Consultants	ggillin@geiconsultants.com	(406) 240-3231
NHA Rep	Marycella	Dumlao			
Regulatory Affairs Committee - Chair	Jenna	Mandell-Rice	Van Ness Feldman	jrm@vnf.com	(206) 623-9372
Regulatory Affairs Committee - Vice Chair	Nuria	Holmes	SWCA Environmental Consultants	Nuria.Holmes@SWCA.com	(503) 380-9888
Regulatory Affairs Committee - Vice Chair	David	Zayas	Idaho Power	dzayas@idahopower.com	(202) 836-1747
NHA Rep	Michael	Purdie			

2023 NHA Committee and Council List

Council Leadership	First Name	Last Name	Organization Name	Email	Phone
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CEO Council - Chair	Randy	Herrin	Duke Energy	randy.herrin@duke-energy.com	(704) 798-2089
NHA Rep	Malcolm	Woolf			
Marine Energy Council - Chair	Paul	Gay	SMI, Inc. (Strategic Marketing Innovations)	paul@strategicmi.com	(202) 683-2359
Marine Energy Council - Chair	John	Ferland	ORPC, Inc.	jferland@orpc.co	(207) 358-4990
Marine Energy Council - Chair	Samantha	Quinn	Pacific Ocean Energy Trust (POET)	s.quinn@pacificoceanenergy.org	(303) 945-9601
Marine Energy Council - Vice Chair	Dan	Petcovic	Oregon State University	dan@calwave.energy	(858) 752-2354
Marine Energy Council - Secretary	Brenda	Langley	Pacific Marine Energy Center (PMEC)	brenda.langley@oregonstate.edu	(541) 737-4390
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Vision	Gabriel	Alsenas	Florida Atlantic University	galsenas@fau.edu	(561) 297-0954
	Reenst	Lesemann	Columbia Power Technologies (C-Power)	rlesemann@cpower.co	(434) 220-6127
	Jason	Busch	Pacific Ocean Energy Trust (POET)	jbusch@pacificoceanenergy.org	(503) 729-2253
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	Walter	Schurtenberger	Hydrokinetic Energy Corp	ws@hydrokinetic-energy.com	(305) 296-2773
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NHA Rep	Kelly	Rogers			
Pumped Storage Development Council - Chair	Todd	Briggeman	Black & Veatch Corporation	briggemantj@bv.com	(913) 458-3117
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Pumped Storage Development Council - Vice Chair	Preston	Pierce	Duke Energy	preston.pierce@duke-energy.com	(727) 409-0450
NHA Rep	Brittney	May			
Small Hydro Council Chair	Emily	Morris	Bowersock Mills	emily@emrgy.com	(855) 459-1818
Small Hydro Council Vice Chair	Jon	Petrillo	Gravity Renewables	jon@gravityrenewables.com	(203) 623-4637
NHA Rep	Kelly	Rogers			
Waterpower Innovation Council - Chair	Miles	Hall	Natel	miles.hall@natelenergy.com	(503) 729-3012
Waterpower Innovation Council - Vice Chair	Erin	Foraker	USBR	eforaker@usbr.gov	(720) 320-2201
Waterpower Innovation Council - Vice Chair	Debbie	Mursch	GE Renewable Energy	debbie.mursch@ge.com	(414) 828-9640
NHA Rep	Chris	Hayes			