



Hydropower Improvement Act

S. 1236 promotes renewable hydropower by establishing binding schedules for licensing and reforming procedures to ensure timely permitting reviews.

Background

Hydropower is the nation's largest renewable energy resource – providing reliable and inexpensive power to more than 30 million homes. More than 250 projects, representing about 16,000 MW of capacity, are estimated to require relicensing by 2025. On average it takes eight to ten years to relicense an existing project – at least five years of pre-filing activity and then at least another three years after the application is filed. Congress sought to reform the hydropower licensing procedures and address the regulatory backlog in the Energy Policy Act of 2005 by providing for trial-type hearings and consideration of alternative conditions and prescriptions. It is clear after 10 years that those reforms have not worked as intended.

Key Provisions

- Articulates the Sense of Congress that hydropower is a renewable resource for all Federal programs, and allows the federal government to purchase all forms of hydropower.
- Makes a number of licensing process coordination improvements aimed at addressing the permitting backlogs, including:
 - Designating FERC as the lead agency to set a binding schedule and coordinate all needed federal authorizations;
 - Requiring a resource agency's conditions or prescriptions to pertain to the actual project works;
 - Designating FERC's Administrative Law Judges to hear trial-type hearings and making a number of improvements to the process; and
 - Directing FERC to compile and make public a comprehensive collection of studies and data; to use existing studies if practicable; and to ensure that studies required for federal authorizations are not duplicated.
- Extends preliminary permit terms to four years and provides FERC with the discretion to extend the construction start time limit for projects as warranted.