

Calendar No. 535

115TH CONGRESS
2D SESSION

S. 1030

To require the Federal Energy Regulatory Commission to submit to Congress
a report on certain hydropower projects.

IN THE SENATE OF THE UNITED STATES

MAY 3, 2017

Mr. KING (for himself and Mr. FLAKE) introduced the following bill; which
was read twice and referred to the Committee on Energy and Natural
Resources

JULY 30, 2018

Reported by Ms. MURKOWSKI, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To require the Federal Energy Regulatory Commission to
submit to Congress a report on certain hydropower projects.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FERC REPORT ON CERTAIN HYDROPOWER**
4 **PROJECTS.**

5 Not later than 180 days after the date of enactment
6 of this Act, the Federal Energy Regulatory Commission

1 (referred to in this section as the “FERC”) shall submit
2 to the Committee on Energy and Natural Resources of
3 the Senate and the Committee on Energy and Commerce
4 of the House of Representatives a report that—

5 (1) identifies each hydropower project licensed
6 by the FERC that is located at a nonpowered site
7 that serves as storage to support downstream power
8 generation (referred to in this section as a
9 “project”);

10 (2) analyzes the value of electric power genera-
11 tion associated with each project, relative to the
12 value of nonpower generation functions associated
13 with the same project, including recreation and envi-
14 ronmental functions;

15 (3) describes the range of options that exist
16 under current law with respect to surrender or
17 transfer of a FERC license for a project, including
18 a representative range of actual measures required
19 by the FERC of project owners that have surren-
20 dered or transferred a FERC license;

21 (4) identifies any barriers to the surrender or
22 transfer of a FERC license for a project; and

23 (5) identifies the costs incurred by project own-
24 ers resulting from the requirements imposed by a

1 FERC license, including applicable costs broken
2 down by categories relating to—

3 (A) the environment, including fish and
4 wildlife measures;

5 (B) human safety;

6 (C) electric reliability;

7 (D) recreation;

8 (E) cultural resources;

9 (F) flood control;

10 (G) navigation;

11 (H) irrigation; and

12 (I) any other relevant category, as deter-
13 mined by the FERC.

14 **SECTION 1. FERC REPORT ON CERTAIN HYDROPOWER**
15 **PROJECTS.**

16 *Not later than 180 days after the date of enactment*
17 *of this Act, the Federal Energy Regulatory Commission (re-*
18 *ferred to in this section as the “FERC”) shall submit to*
19 *the Committee on Energy and Natural Resources of the Sen-*
20 *ate and the Committee on Energy and Commerce of the*
21 *House of Representatives a report that—*

22 (1) *identifies each hydropower project licensed by*
23 *the FERC (referred to in this section as an “identi-*
24 *fied project”) that is—*

1 (A) located at a nonpowered site that serves
2 as storage to support downstream power genera-
3 tion; and

4 (B) not part of a generation project licensed
5 by FERC;

6 (2) analyzes the financial value of electric power
7 generation associated with each identified project, rel-
8 ative to the best available estimates of the financial
9 value of nonpower generation functions associated
10 with the identified project, including recreation and
11 environmental functions;

12 (3) describes the range of options available under
13 existing law with respect to the surrender or transfer
14 of a FERC license for an identified project, including
15 a representative range of actual measures required by
16 the FERC of identified project owners that have sur-
17 rendered or transferred a FERC license;

18 (4) identifies any general or readily identifiable
19 project-specific barriers to the surrender or transfer of
20 a FERC license for an identified project; and

21 (5) to the extent the information is available,
22 identifies the financial costs incurred by identified
23 project owners resulting from the requirements im-
24 posed by a FERC license or other FERC require-

1 *ments, including applicable costs broken down by cat-*
2 *egories relating to—*

3 *(A) the environment, including fish and*
4 *wildlife measures;*

5 *(B) human safety;*

6 *(C) electric reliability;*

7 *(D) recreation;*

8 *(E) cultural resources;*

9 *(F) flood control; and*

10 *(G) any other relevant category, as deter-*
11 *mined by the FERC.*

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