

## **Citizen's Guide to Hydropower Licensing**

Under the Federal Power Act, the Federal Energy Regulatory Commission has the exclusive authority to license nonfederal hydropower projects on navigable waterways and federal lands. Building and operating hydropower projects can affect the natural environment and result in changes to land use, which may be of concern to local citizens and non-governmental organizations.

We want you to know:

- How the Commission's hydropower procedures work;
- What rights you have;
- How you can participate in the licensing process; and
- What environmental issues and safety concerns may be involved.

### **Background**

The Commission issues initial (original) hydropower licenses for periods between 30 to 50 years. When a license expires, the Commission can:

- issue a new license (relicense);
- the federal government may take over the project; or
- the project may be decommissioned.

Many hydropower licensing concerns involve natural resource issues. For example, hydropower project operations generally alter natural river flows, which may affect fisheries and recreational activities. Project construction or expansion may also affect wildlife habitat, wetlands or cultural resources. Land owners and communities downstream of a project also want to be assured that the project dam is safe.

The Commission's staff prepares an environmental analysis of every hydropower proposal. This is done both for new projects (original license) and for existing projects (relicense). Before the environmental analysis is prepared, Commission staff may hold public scoping meetings in the local vicinity of the project, and may conduct a site visit to the project. The purpose of scoping is to identify issues relating to the construction or continued operation of a project.

Citizens and interested groups have a number of opportunities to participate in the licensing process, in order to identify potential issues and to share their views on how to address the effects of the project on the natural and human environment. This includes a pre-filing meeting required to be held before the application is filed with the Commission, during the scoping process, and when the draft environmental report is issued.

If you own land that may be affected by a proposed new project, or expansion of an existing project, you will have an opportunity to negotiate directly with the company regarding compensation. If the Commission approves the license application and you fail to reach agreement with the company, access to and compensation for use of your land will be set by a court.

The Commission's process for assessing applications for hydropower projects is open and public, and designed to keep all interested parties informed.

**Contact Information:**

Office of Energy Projects at 1-866-208-3372