

S 629

Hydropower Improvement Act of 2011

Congress: 112 (2011–2013, Ended)

Chamber: Senate

Policy Area: Energy

Introduced: Mar 17, 2011

Current Status: Placed on Senate Legislative Calendar under General Orders. Calendar No. 55.

Latest Action: Placed on Senate Legislative Calendar under General Orders. Calendar No. 55. (May 18, 2011)

Official Text: <https://www.congress.gov/bill/112th-congress/senate-bill/629>

Sponsor

Name: Sen. Murkowski, Lisa [R-AK]

Party: Republican • **State:** AK • **Chamber:** Senate

Cosponsors (9 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Begich, Mark [D-AK]	D · AK		Mar 17, 2011
Sen. Bingaman, Jeff [D-NM]	D · NM		Mar 17, 2011
Sen. Cantwell, Maria [D-WA]	D · WA		Mar 17, 2011
Sen. Crapo, Mike [R-ID]	R · ID		Mar 17, 2011
Sen. Murray, Patty [D-WA]	D · WA		Mar 17, 2011
Sen. Risch, James E. [R-ID]	R · ID		Mar 17, 2011
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Mar 17, 2011
Sen. Wyden, Ron [D-OR]	D · OR		Mar 17, 2011
Sen. Udall, Tom [D-NM]	D · NM		Nov 15, 2012

Committee Activity

Committee	Chamber	Activity	Date
Energy and Natural Resources Committee	Senate	Reported By	May 18, 2011

Subjects & Policy Tags

Policy Area:

Energy

Related Bills

Bill	Relationship	Last Action
112 HR 5892	Related bill	Jul 10, 2012: Received in the Senate and Read twice and referred to the Committee on Energy and Natural Resources.
112 HR 3680	Related bill	Jan 3, 2012: Referred to the Subcommittee on Water and Power.

Hydropower Improvement Act of 2011 - (Sec. 4) Expresses the sense of the Senate that the United States should increase substantially the capacity and generation of clean, renewable hydropower which will improve the environmental quality of resources and support local job creation and economic investment across the United States.

(Sec. 5) Directs the Secretary of Energy (DOE) to establish: (1) a grants program for increased hydropower production; and (2) a plan for research, development, and demonstration to increase hydropower capacity, including technical assistance to certain applicants and licensees to perform environmental studies, or comply with applicable environmental requirements.

(Sec. 7) Directs the Federal Energy Regulatory Commission (FERC) to: (1) investigate the feasibility of the issuance of a license for certain hydropower development during the two-year period beginning on the date of commencement of the prefilings licensing process, and (2) hold workshops and develop hydropower pilot projects.

(Sec. 8) Amends the Federal Power Act (FPA) to revise the criteria for exemption of conduit hydroelectric facilities from FERC regulation. Authorizes FERC to grant an exemption from the Act's requirements (including license requirements) to any electric power generation facility located on federal lands (as well as any on non-federal lands, as under current law). Revises the definition of conduit to specify any tunnel, canal, pipeline, aqueduct, flume, ditch, or similar manmade water conveyance operated (as under current law) for the distribution of water for agricultural, municipal, or industrial consumption and not primarily for the generation of electricity.

Requires FERC, in making an exemption decision, to consult with the Secretary of the department that supervises the land on which the facility will be located, as well as with federal agencies specified in existing law.

Declares that nothing alters or affects the authority of the Secretary of the Interior under the reclamation laws to: (1) authorize private hydropower development under a lease of power privilege, or (2) develop other hydropower generation at facilities of the Bureau of Reclamation.

Directs FERC to enter into a memorandum of understanding with relevant federal agencies that have conditioning authority to: (1) establish a coordinated and more efficient approach to any environmental impact statement or similar analysis relating to the consideration of conduit hydropower projects, and (2) develop an expedited approval process for such projects.

Directs the Commissioner of Reclamation (Commissioner) and FERC to conduct public workshops on pilot conduit hydropower projects.

Directs FERC to conduct regional public workshops to: (1) reduce barriers for small hydroelectric power projects, (2) aggregate appropriate small hydroelectric power projects for consideration in a consolidated license or exemption, and (3) determine whether the rated capacity for small hydroelectric power projects established by FERC should be increased from five electrical megawatts.

Authorizes funding for pilot projects for FY2012-FY2016.

(Sec. 9) Amends the FPA to authorize FERC to extend the term of a preliminary permit once for not more than two additional years if it finds that the permittee has carried out activities under the permit in good faith and with reasonable diligence.

(Sec. 10) Directs the Commissioner to study barriers to non-federal hydropower development at Bureau of Reclamation projects.

Directs the Commissioner and FERC to develop and issue an interagency memorandum of understanding to improve the coordination and timeliness of the non-federal development of hydropower resources at Bureau of Reclamation projects.

(Sec. 11) Directs the Secretary to study: (1) the potential quantity of hydropower that may be obtained from conduits in the United States; and (2) federal and nonfederal land that is well-suited for pumped storage sites and is located near existing or potential sites of intermittent renewable resource development, such as wind farms.

(Sec. 13) Directs the President to report to certain congressional committees on actions taken by DOE, the Department of the Interior, and the U.S. Army Corps of Engineers to implement the memorandum of understanding on hydropower entered into on March 24, 2010.

(Sec. 14) Declares that this Act shall not limit the authority of the Bureau of Reclamation to develop new hydropower at existing federal projects in a manner consistent with federal law, power and nonpower operating requirements of such projects, and laws governing the Federal Power Marketing Administrations.

Declares that nothing in this Act limits the authority under existing law of a Federal Power Marketing Administrator in the event that operations at federal projects with hydropower facilities are modified.

Actions Timeline

- **May 18, 2011:** Committee on Energy and Natural Resources. Reported by Senator Bingaman with an amendment. With written report No. 112-19.
- **May 18, 2011:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 55.
- **Apr 12, 2011:** Committee on Energy and Natural Resources. Ordered to be reported with an amendment favorably.
- **Mar 31, 2011:** Committee on Energy and Natural Resources. Hearings held. Hearings printed: S.Hrg. 112-26.
- **Mar 17, 2011:** Introduced in Senate
- **Mar 17, 2011:** Sponsor introductory remarks on measure. (CR S1841)
- **Mar 17, 2011:** Read twice and referred to the Committee on Energy and Natural Resources.