



Facilitating Regulatory Process  
Improvements (Federal Interagency  
Collaborative)

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**Project Title:** Facilitating Regulatory Process Improvements (Federal Interagency Collaborative)

**The Challenge:**

- 2012: DOE study identifies potential for 12-GW of new hydropower at non-power dams; 6-GW at USACE dams. Developers and agency staff are concerned with **overlap and potential** redundancy of **FERC and USACE** licensing and permitting processes **for high-potential USACE sites.**

**Existing Relationships:**

- 2010: An Memorandum of Understanding (MOU) on Hydropower was signed among DOE, U.S. Department of Interior, and US Army Corps of Engineers **to improve and increase sustainable hydropower development.**
- 2011: An MOU was signed between FERC and USACE on Non-Federal Hydropower Projects, **though lacked some necessary specificities.**

**Partners:**

- FERC – Federal Energy Regulatory Commission
- USACE – U.S. Army Corp of Engineers
- Kearns & West – Collaboration and Strategic Communication

## Next-Generation Hydropower (HydroNEXT)

### Optimization

- Optimize technical, environmental, and water-use efficiency of existing fleet.
- Collect and disseminate data on new and existing assets.
- **Facilitate interagency collaboration to increase regulatory process efficiency.**
- Identify revenue streams for ancillary services.

### Growth

- Lower costs of hydropower components and civil works.
- Increase power train efficiency for low-head, variable-flow applications.
- Facilitate mechanisms for testing and advancing new hydropower systems and components .
- Reduce costs and deployment timelines of new PSH plants.
- Prepare the incoming hydropower workforce.

### Sustainability

- Design new hydropower systems that minimize or avoid environmental impacts.
- Support development of new fish passage technologies and approaches.
- Develop technologies, tools, and strategies to evaluate and address environmental impacts.
- Increase resilience to climate change.

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### The Impact

- **TARGET:** Increase regulatory process efficiencies through:
  - Early developer engagement and through one coordinated environmental review process
  - Reduced agency review times
  - Increased likelihood that USACE environmental review is complete or nearly complete at the time of FERC's licensing decision, which allows developers to invest incrementally in projects with more certainty and less risk.
- **OUTCOME:** Revised MOU between USACE and FERC on Non-Federal Hydropower Projects signed by senior agency officials.



**2014**

- Initial interviews and interagency workshop

**2015**

- Draft document developed
- Public workshop and comment period on draft document

**2016**

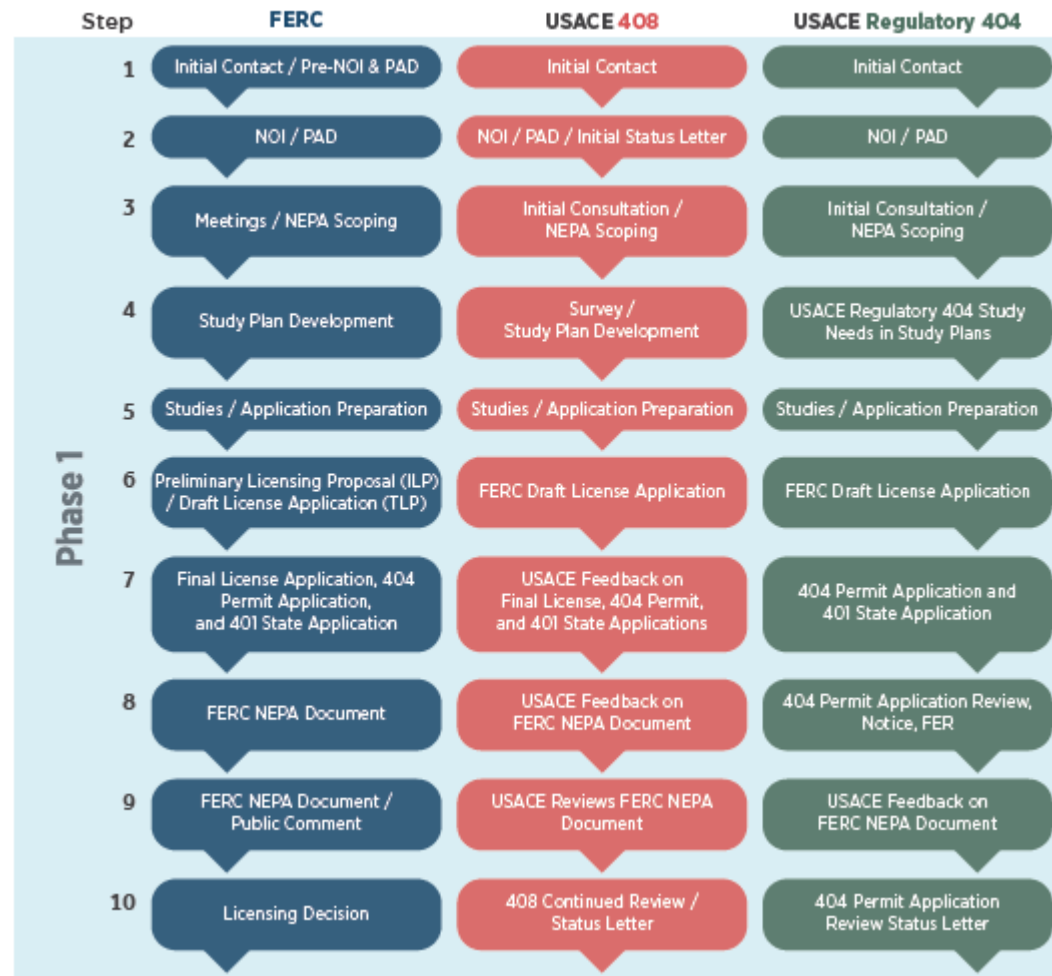
- Revised document based on public input
- Senior agency leadership sign revised MOU

# Accomplishments and Progress - The Synchronized Approach - 1

## Phase 1: Environmental Review

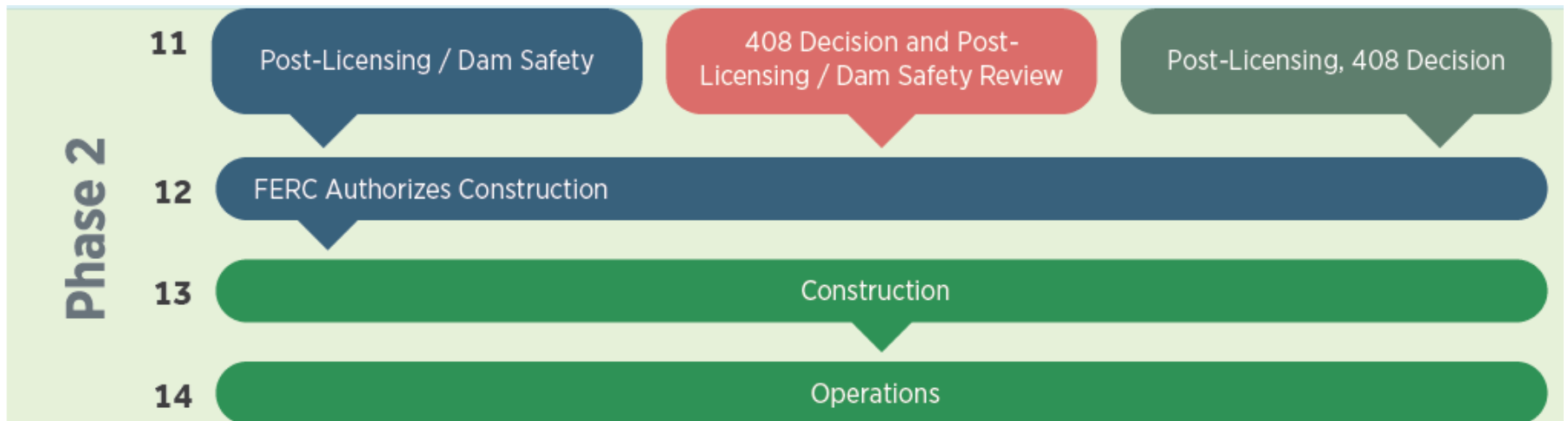
- Early coordination among developers, FERC, and USACE staff
- Developer files sufficient information and license application
- Coordinated FERC-USACE environmental review
- FERC license issued
- USACE Regulatory 404 and 408 status letters

**FERC-USACE Two-Phase Process, Synchronized Environmental Review**



## Phase 2: Technical, Engineering, and Safety Analysis

- USACE Regulatory 404 and USACE 408 permit decisions
- Coordinated post-license/permit process



## Period of Performance: FY2014 - FY2016

### Go/No-Go decision Feb 2016:

- **Description:** Following evaluation of the Public Forum for the FERC–USACE Concurrent Regulatory Process Narrative comments, provision of additional funding to implement revisions to the FERC–USACE Concurrent Regulatory Process Narrative and flowchart.
- **Criteria:** Positive feedback from public workshop/webinars



## Budget History

FY2014		FY2015		FY2016	
DOE	Cost-share	DOE	Cost-share	DOE	Cost-share
\$47K	DOE, FERC, USACE staff time	\$162K	DOE, FERC, USACE staff time	\$145K	DOE, FERC, USACE staff time

- Cost in each FY. Project complete, funding expended.
- Federal cost-share - required, dedicated time from DOE, USACE, and FERC employees to engage on a regular basis and attend face-to-face meetings.

## Partners, Subcontractors, and Collaborators:

- Subcontractor (**facilitation**): Kearns & West
- Collaborators: FERC and USACE
- Other industry collaborators: NHA, State 401 Agencies, Developers

## Communications and Technology Transfer:

- Public Workshop: December 10, 2015
- FERC Commission Meeting Presentation: July 21, 2016
  - Press Release
  - Document on FERC and USACE Websites
- Discussed at other hydropower conferences including HydroVision and the National Hydropower Association Annual Conference

## Next Steps:

- Track progress; determine if developers seek out new projects
- Consider monitoring and evaluating progress of new approach on case studies
- Consider outreach to developers to encourage use of the new process.