



Federal Energy Regulatory Commission



Office of the Assistant Secretary of the Army

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FERC, U.S. Army Corps of Engineers Sign MOU on Hydropower Development

The Federal Energy Regulatory Commission (FERC) and the U.S. Army Corps of Engineers (Corps) have signed a Memorandum of Understanding (MOU) to facilitate the development of hydropower at the Corps' federal facilities by synchronizing each agency's permitting process.

The MOU, which updates a previous MOU signed by the agencies in 2011, offers project developers an approach designed to improve efficiency with the FERC and Corps processes, reduce permitting times, provide a single environmental document and ensure more certainty and less risk.

"The potential for hydropower development in this country is significant, particularly at existing Corps facilities," FERC Chairman Norman Bay said. "Today's MOU is a positive step toward the development of these resources. Thank you to the Corps for their commitment to working with us to streamline our processes."

"This strengthened collaboration between FERC and the Army Corps of Engineers advances the Obama Administration's work to transition to a clean energy economy, and reduce carbon pollution," Jo-Ellen Darcy, Assistant Secretary of the Army for Civil Works, said. "This synchronized approach will shorten the time it takes the private sector to develop and construct new hydropower, and will help us more efficiently use our existing infrastructure. It is also advancing our efforts to find alternative ways to finance new infrastructure."

The synchronized approach includes two phases - an environmental review phase followed by a detailed technical, engineering, and safety review phase.

During Phase 1, the developer, FERC staff, and Corps staff will coordinate early to discuss the developer's proposal and the need for information to support the agencies' permitting decisions. The environmental effects of the proposed project will be evaluated up front through a single, joint environmental document, and a FERC license will be issued.

During Phase 2, the developer coordinates with FERC and Corp staff to prepare a final project design and submits the design to the Commission and the Corps. Once all of the Corps' preconstruction requirements have been completed and the Commission receives the Corps' written construction approval, the Commission will authorize construction of the project.

FERC issues preliminary permits and licenses to non-federal entities for the development of hydropower projects, including projects utilizing federal dams or other federal facilities. The Corps operates water resources projects throughout the Nation where potential exists for the development of hydropower and can allow the development of hydropower at suitable projects.