A BILL

To amend the Federal Power Act to provide licensing procedures for certain types of projects.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Small Hydropower dependable Regulatory Order Act of 2015” or the “Small HyDRO Act of 2015”.

SEC. 2. LICENSING PROCEDURES FOR CERTAIN TYPES OF PROJECTS.

Part I of the Federal Power Act (16 U.S.C. 792 et seq.) is amended by adding at the end the following:
“SEC. 34. LICENSING PROCEDURES FOR CERTAIN TYPES OF PROJECTS.

“(a) DEFINITION OF COVERED PROJECT.—In this section, the term ‘covered project’ means a project—

“(1) that does not alter the existing flowrate of the body of water the project is on; and

“(2)(A) that has a power production capacity that is not more than 5 megawatts; or

“(B) to power a nonpowered dam.

“(b) SPECIAL CATEGORY OF LICENSE.—Notwithstanding any other provision of this part, a license with respect to a covered project shall only be issued in accordance with this section.

“(c) APPLICATION.—An applicant for a license for a covered project under this section shall submit to the Commission an application for a license in such form and manner and requiring such information as the Commission may require.

“(d) REBUTTABLE PRESUMPTION.—In deciding whether to issue any license for a covered project under this section, there shall be a rebuttable presumption that the license be issued.

“(e) ENVIRONMENTAL COMPLIANCE.—For purposes of issuing a license under this section, if there is a conflict between any environmental analysis prepared by the Commission under the National Environmental Policy Act of
1 1969 (42 U.S.C. 4321 et seq.) with respect to the covered
2 project and any environmental analysis prepared by any
3 other Federal or State agency under that Act, the Com-
4 mission shall resolve the differences.
5 “(f) TERM OF LICENSE.—The term of a license for
6 a covered project issued under this section shall be 10
7 years.
8 “(g) DEADLINE FOR ISSUANCE.—Not later than 180
9 days after the date on which the Commission receives an
10 application for a license for a covered project under sub-
11 section (e), the Commission shall—
12 “(1) approve the license and issue the license;
13 or
14 “(2) disapprove the license.”.