

# Potter Valley Hydroelectric Project FERC Project No. 77

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## Relicensing Process Overview

Stakeholder Meeting  
March 9, 2017

Ed Bianchi  
Cardno Inc., Consultant Team

# Relicensing Process Overview

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- Purpose of Relicensing
- Relicensing Process and Schedule
- Where to Find out More About Relicensing

# Purpose of Relicensing

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- Process of an applicant obtaining a new license from the Federal Energy Regulatory Commission (FERC) to continue operating an existing hydroelectric project after the end of the project's current license term
- Establishes new license conditions which balance the beneficial uses of project-affected resources consistent with current social priorities

# Relicensing Process and Schedule

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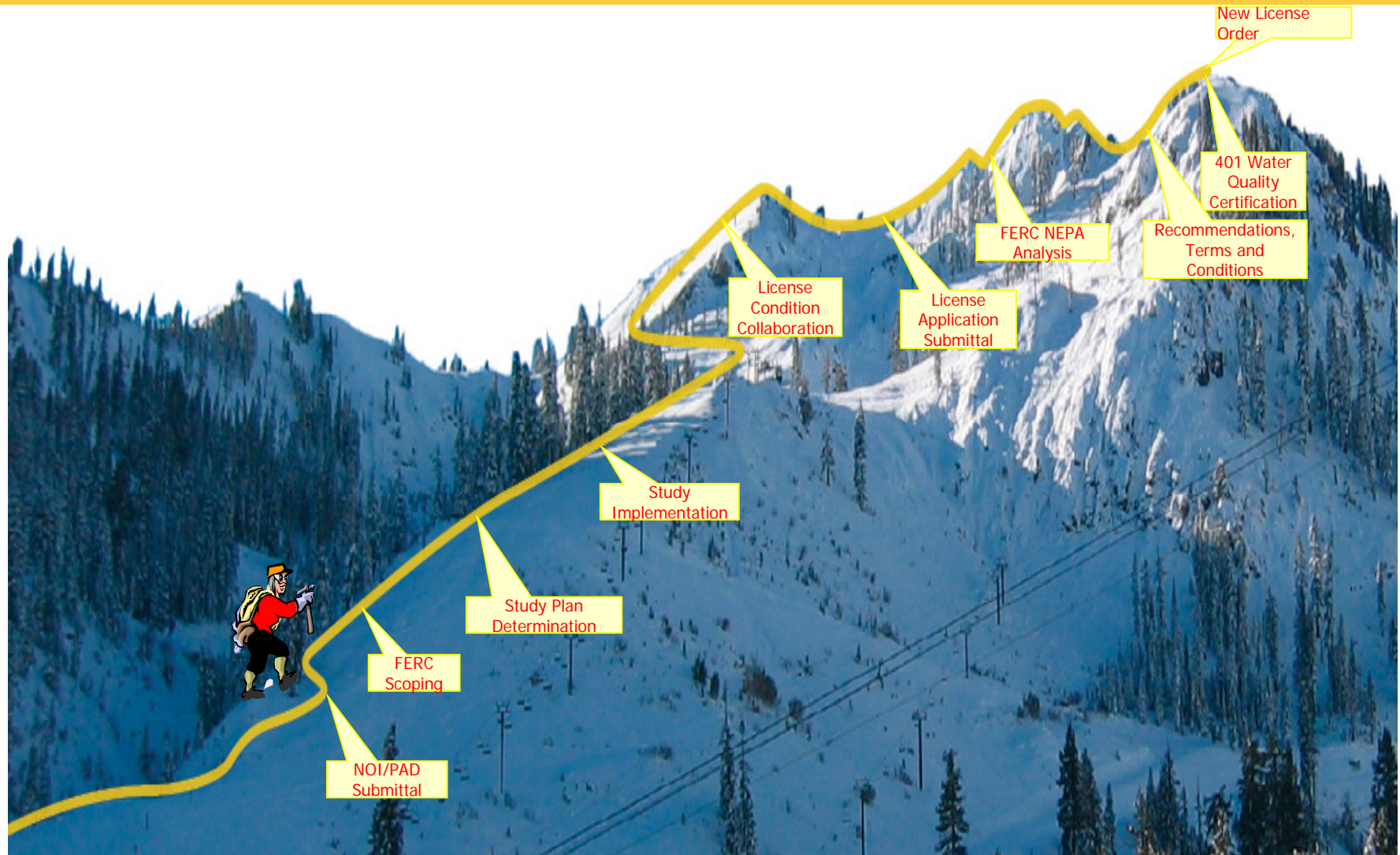
- The relicensing process and requirements are codified in the Federal Power Act and other laws
- The environmental review process is under FERC jurisdiction. Other state and federal agencies and Tribes have key roles.
- Relicensing takes a statutory minimum of 5 years to complete

# Relicensing Process and Schedule

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- Before formal start of relicensing proceeding, the Applicant:
  - Sends out PAD Questionnaire (distributed September 23, 2016)
  - Compiles, reviews, and summarizes existing, relevant, and reasonably available information
  - Identifies potential issues
  - Prepares Notice of Intent (NOI) and Pre-Application Document (PAD)
  - Determines potentially interested parties and initiates consultation
- Formal start of relicensing proceeding:
  - When the Applicant files NOI and PAD

# Relicensing Process and Schedule



# Relicensing Process and Schedule

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- Year 1: FERC performs scoping, Applicant and Relicensing Participants discuss study plans, FERC issues Study Plan Determination, and Applicant may begin performing studies
- Year 2 & 3: Applicant gathers information, performs studies, and prepares and files license application with input from Relicensing Participants
- Year 4 & 5: FERC and State perform environmental analyses (NEPA and CEQA), regulatory agencies file recommendations and mandatory conditions, Federal fish and wildlife agencies issue Biological Opinion under ESA, SHPO completes Section 106 compliance
- Year 5+: FERC issues new license with new conditions

# Relicensing Process and Schedule

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- PG&E selected FERC's Integrated Licensing Process (ILP) to relicense the Potter Valley Project
- NOI/PAD filing deadline is no later than April 14, 2017
- Final License Application deadline is no later than April 14, 2020
- Current license expires on April 14, 2022



# Relicensing Process and Schedule

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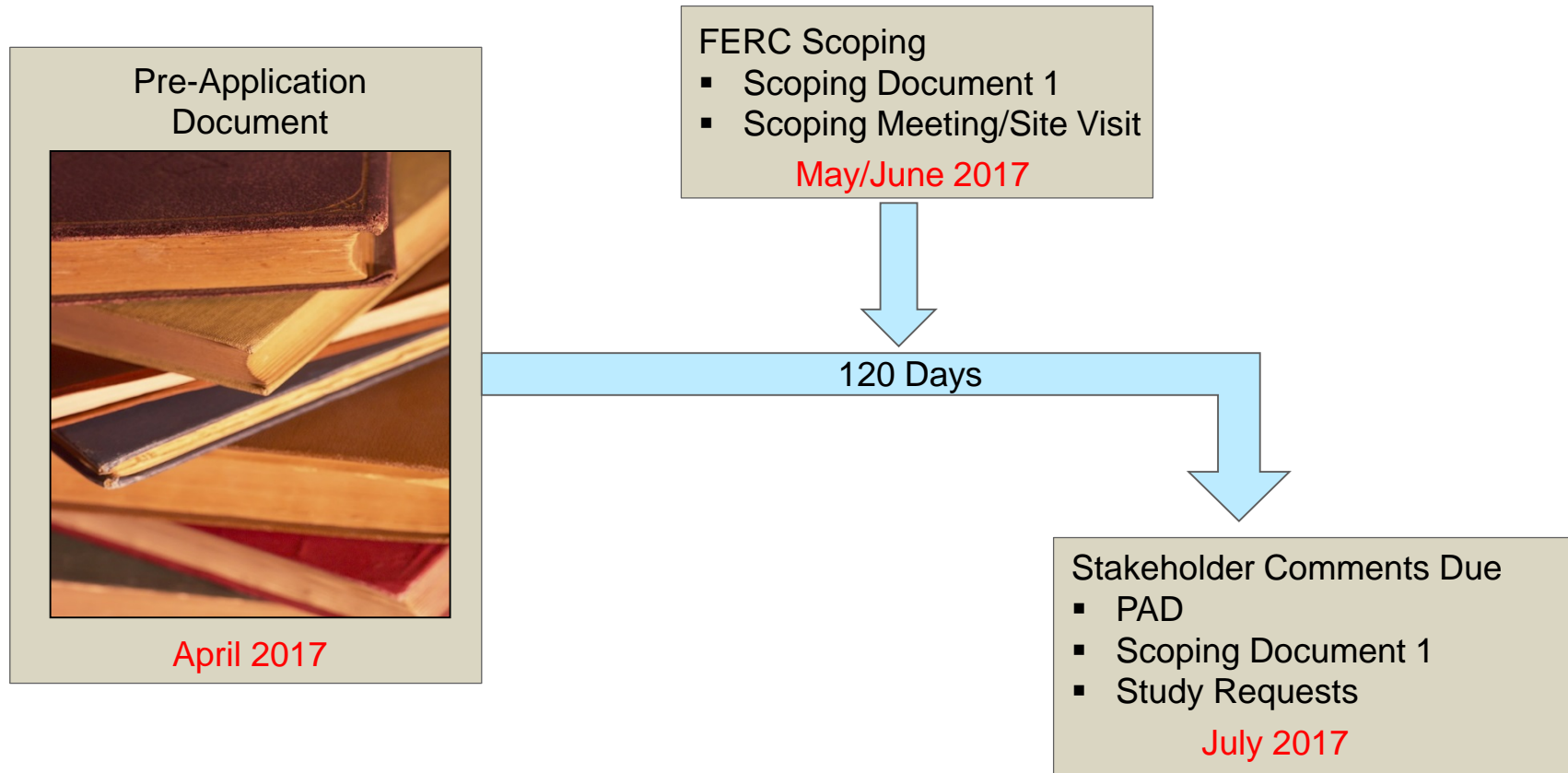
- Key Characteristics of the ILP
  - Developed to streamline the licensing process by providing a predictable, efficient, and timely process
  - Early issue identification and resolution of studies
  - Integration of resource agency and Tribal consultation processes, including:
    - State Water Board 401 Certification
    - USFWS and NMFS ESA consultation
    - SHPO Section 106 consultation

# Relicensing Process and Schedule

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- PAD Contents
  - Relicensing process plan and schedule
  - Project description
  - Description of existing environment
  - Preliminary issues, identification of data gaps, and potential studies list
  - Existing and proposed measures
  - Relevant comprehensive plans
  - Consultation documentation

# Relicensing Process and Schedule



# Relicensing Process and Schedule

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- Study Plan Development
  - Critical element of ILP
  - Important to ensure timely and informed decisions
  - FERC-defined study criteria
  - Based on information provided in the PAD and during scoping

# Relicensing Process and Schedule

- FERC Study Plan Development Process

Applicant includes list of potential studies in PAD



Participants file study requests in response to FERC's scoping notice



Applicant files proposed study plan



Parties meet to resolve any study disputes



Applicant files revised study plan



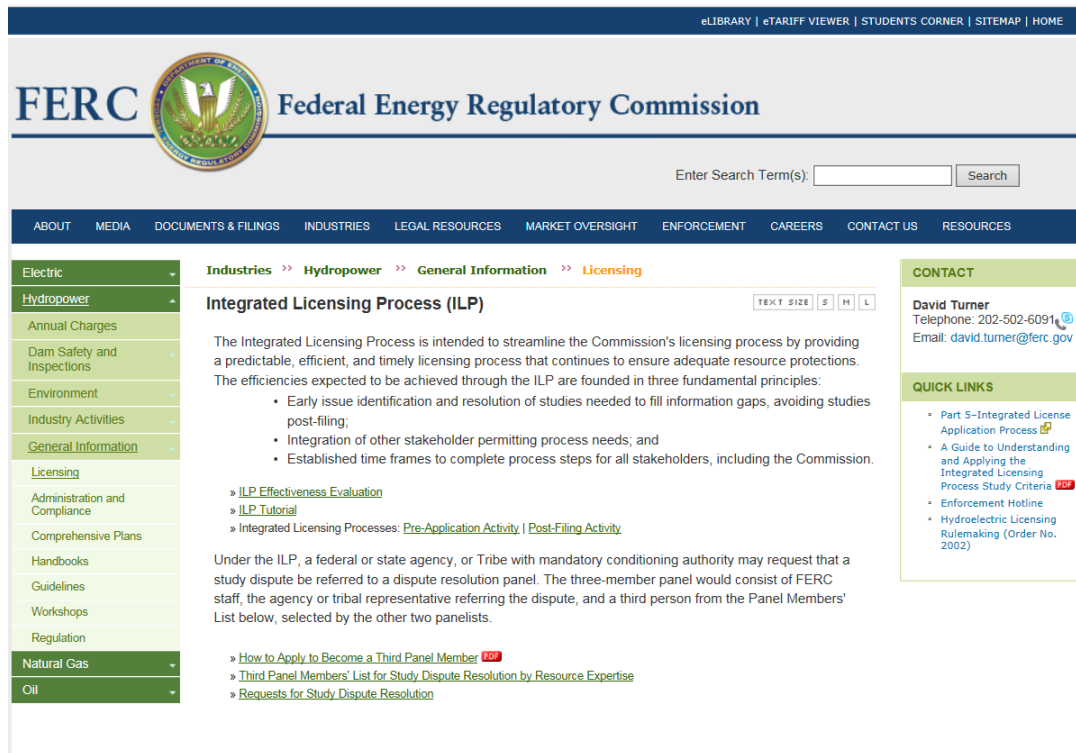
← - *Formal Dispute Process*

FERC issues study plan determination

Process takes approximately 10-14 months

# Relicensing Process and Schedule

- FERC website:  
<http://www.ferc.gov/industries/hydropower/gen-info/licensing/ilp.asp>



The screenshot shows the FERC website's navigation and content for the Integrated Licensing Process (ILP). At the top, there is a search bar and a navigation menu with categories like ABOUT, MEDIA, DOCUMENTS & FILINGS, INDUSTRIES, LEGAL RESOURCES, MARKET OVERSIGHT, ENFORCEMENT, CAREERS, CONTACT US, and RESOURCES. The main content area is titled "Integrated Licensing Process (ILP)" and includes a description of the process, its principles, and links to related resources. A sidebar on the left contains a navigation menu for various topics, and a sidebar on the right provides contact information for David Turner and quick links to related documents.

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**FERC** Federal Energy Regulatory Commission

Enter Search Term(s):  Search

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General Information  
Licensing  
Administration and Compliance  
Comprehensive Plans  
Handbooks  
Guidelines  
Workshops  
Regulation  
Natural Gas  
Oil

Industries >> Hydropower >> General Information >> Licensing

### Integrated Licensing Process (ILP)

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The Integrated Licensing Process is intended to streamline the Commission's licensing process by providing a predictable, efficient, and timely licensing process that continues to ensure adequate resource protections. The efficiencies expected to be achieved through the ILP are founded in three fundamental principles:

- Early issue identification and resolution of studies needed to fill information gaps, avoiding studies post-filing;
- Integration of other stakeholder permitting process needs; and
- Established time frames to complete process steps for all stakeholders, including the Commission.

» [ILP Effectiveness Evaluation](#)  
» [ILP Tutorial](#)  
» Integrated Licensing Processes: [Pre-Application Activity](#) | [Post-Filing Activity](#)

Under the ILP, a federal or state agency, or Tribe with mandatory conditioning authority may request that a study dispute be referred to a dispute resolution panel. The three-member panel would consist of FERC staff, the agency or tribal representative referring the dispute, and a third person from the Panel Members' List below, selected by the other two panelists.

» [How to Apply to Become a Third Panel Member PDF](#)  
» [Third Panel Members' List for Study Dispute Resolution by Resource Expertise](#)  
» [Requests for Study Dispute Resolution](#)

**CONTACT**

**David Turner**  
Telephone: 202-502-6091  
Email: [david.turner@ferc.gov](mailto:david.turner@ferc.gov)

**QUICK LINKS**

- [Part 5-Integrated License Application Process PDF](#)
- [A Guide to Understanding and Applying the Integrated Licensing Process Study Criteria PDF](#)
- [Enforcement Hotline](#)
- [Hydroelectric Licensing Rulemaking \(Order No. 2002\)](#)

# Questions

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