Between now and 1993, more than 200 existing hydroelectric projects will come up for relicensing before FERC, the Federal Energy Regulatory Commission. This provides a rare opportunity for agencies and individuals to markedly influence the ecological and recreational balance of these projects. This paper presents an overview of the relicensing process, describes some of the types of river recreation issues that can be addressed through the process, and explains how you can become involved.

Between now and 1993, more than 200 existing hydroelectric projects will come up for relicensing before FERC, the Federal Energy Regulatory Commission. In Michigan, the Huron-Manistee National Forests are participating in the relicensing process for 10 of these projects, which involve 11 dams and 4 river. These include the AuSable, a designated Scenic River and the Pine and Manistee, which are currently proposed for designation under the W & S Rivers act. Here in the northeast, the process is also on going for many rivers with significant recreational value. The Androscoggin River in New Hampshire and Maine with 12 dams, the Kennebec River in Maine with 8 and the Genesee River here in New York with 4 dams are a few examples. For most of these dams, indeed, for many of these rivers, this is a once in a lifetime opportunity for agencies and individuals alike to markedly influence the ecological and recreational balance of these projects.

My purpose here today is to tell you very briefly what the relicensing process is all about, to give you some ideas of the types of river recreation issues that can be addressed through the process and to let you know how you can become involved.

With the passage of the Federal Power Act in 1935, Congress asserted federal supremacy over hydroelectric facilities and established FERC to regulate their operation through the issuance of federal licenses. Over the next 10 to 15 years the FERC licensed most of the existing dams that had been built between 1910 and 1935 for 50 year terms. Consequently, we have this large number of license renewals coming due here in the early 90s. Recognizing this fact, Congress decided revisit and amend the Federal Power Act with the Electric Consumers Protection Act in 1986.

As opposed to the Federal Power Act and other hydro power legislation that had been enacted in the interim years between 1935 and 1986, ECPA was primarily oriented toward addressing the environmental impact of hydro power dams. It says that hydro projects should be licensed with equal consideration being given to energy conservation, fish and wildlife protection, the enhancement and preservation of recreational opportunity and other aspects of environmental quality, as well as to the traditional purpose of water power development. The
So, how can you become involved? First, I would recommend that you contact your state resource management agency and find out who is responsible for hydro relicensing. They should be able to provide you with the names and contact information for the people at the utility and at FERC who are handling the process for the rivers and projects you are interested in. In addition, they should be able to provide you with a substantial amount of information on the status of the relicensing process at these facilities and specifically, who is providing state leadership for recreational issues.

The fact that most final applications are due at the FERC by the end of this year means that resource agencies will be receiving draft applications for review by June or July. This is the most effective time for you to become involved in the process. You can do that by providing comments directly to the agencies and the utility. The utility is required to include these citizen comments in the records they send to the FERC and to address the concerns raised in their license applications. Any concerns or needs that you can tie to comprehensive resource management plans, such as river basin plans or statewide recreation plans have a stronger standing with the FERC process as a result of provision of ECPA.

If you don't feel your concerns are adequately addressed in the license application you can also become a formal party with legal standing in the process by filing a motion to intervene once the utility has filed the application. If you are contemplating such action, an essential guide is Rivers At Risk: The Concerned Citizen's Guide to Hydropower, which is available from American Rivers in Washington, D.C.

In addition to state agencies and the utilities, the National Park Service has individuals in their regional offices who are responsible for relicensing recreation issues. Finally, there are a number of conservation groups who are heavily involved in the relicensing process, led by American Rivers, who can help you out.

If you have an interest in a northeast river that is affected by hydroelectric projects I would urge you not to let this opportunity pass by without involving yourself to see that these issues are addressed.

References Cited