



## Maintain water power license fees

### The problem

Water power license fees required for Federal Energy Regulatory Commission (FERC) licensed water power projects (Revised Code of Washington 90.16.050) under SSB 5881 of 2007 will expire June 30, 2017. Fees enable Washington State agencies to help the hydropower industry meet federal licensing requirements that protect water quality. They also protect, mitigate, and enhance fish, wildlife, and habitat.

The state assesses fees to FERC-licensed public and private dams in Washington State to use state waters for power generation. In the last biennium, fees were assessed to 93 projects. The fee is based on the potential power production from the water passing each dam.

### The solution

We propose to extend the sunset date of the fees until 2027 to ensure funds are available to help the Department of Ecology and Department of Fish & Wildlife (WDFW) staff respond to the needs of hydropower operators to implement conditions, settlement agreements, water quality compliance schedules, and other requirements of the water quality permits (known as “401 certifications”) and the terms of their license articles.

### The state’s proposal

Maintain the necessary resources to allow Ecology and WDFW to be more responsive to the hydropower industry and to ensure that the state is taking needed steps to protect state waters’ designated uses, such as protecting, mitigating, and enhancing fish, wildlife, and habitat.

### MORE INFORMATION

[www.ecy.wa.gov/programs/wq/ferc/inx.html](http://www.ecy.wa.gov/programs/wq/ferc/inx.html)

[wdfw.wa.gov/conservation/habitat/planning/energy/hydro.html](http://wdfw.wa.gov/conservation/habitat/planning/energy/hydro.html)



### Contact information

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### Special accommodations

To request ADA accommodation including materials in a format for the visually impaired, call Ecology at 360-407-6600. Persons with impaired hearing may call Washington Relay Service at 711. Persons with speech disability may call TTY at 877-833-6341.

This funding will pay for state assistance to:

- Support priority implementation needs and compliance schedules for environmental conditions at recently relicensed facilities and projects with off-license settlement agreements;
- Develop, implement, and adaptively manage new and existing water quality certifications, providing appropriate technical fish and instream habitat expertise;
- Review and approve certification conditions and license articles;
- Implement dam compliance schedules to meet water quality standards;
- Review, approve, and monitor progress of instream flow and habitat improvements required in the licenses;
- Develop site-specific water quality standards or other analyses necessary to meet dam compliance schedules for compliance with water quality standards; and
- Participate in the design and/or implementation of environmental protection, mitigation, and enhancement measures for fish, wildlife and habitat—as well as wildlife-oriented recreation—with particular focus on management requirements for state and federally listed species and state priority habitat and species, such as salmonids, bull trout, sturgeon, lamprey, and resident fish.

### **How it will work**

Fees will continue to be assessed as established in 2007. Implementation of environmental goals will continue for decades into these 30-50 year licenses. Existing and proposed hydropower projects can continue to rely on participation by state agency staff to effectively develop and implement water quality certifications and other environmental FERC license requirements.

### **How it will benefit Washington**

Extending the sunset of this funding allows Washington to continue generating power from our rivers while keeping them healthy for people and fish and wildlife.

### **How fees have been used by Ecology and WDFW**

The fees collected from FERC-licensed hydropower projects fund agency staff to develop and implement environmental protection, mitigation, and enhancement measures included in FERC-issued hydropower project licenses. Ecology submits a biennial progress report to the appropriate committees of the Legislature to demonstrate that the fees were used as intended by law.

This report describes the progress made in three areas:

1. How license fees were expended in the current biennium and expected workload in the next biennium;
2. Any recommendations related to the license fees; and
3. Recognition of hydropower projects that exceed their environmental regulatory requirements.

The latest Water Power License Fees Report to the Legislature can be found on Ecology's website at: <https://fortress.wa.gov/ecy/publications/publications/1410048.pdf>.