

ELECTRONIC CODE OF FEDERAL REGULATIONS

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Title 18 → Chapter I → Subchapter B → Part 7 → §7.6

Title 18: Conservation of Power and Water Resources

PART 7—EXPEDITED LICENSING PROCESS FOR QUALIFYING NON-FEDERAL HYDROPOWER PROJECTS AT EXISTING NONPOWERED DAMS AND FOR CLOSED-LOOP PUMPED STORAGE PROJECTS

§7.6 Notice of acceptance and ready for environmental analysis.

If the Director deems the application complete and approves the request to use the expedited licensing process under §7.5, the Commission will issue a public notice as required in the Federal Power Act, no later than 180 days after application filing, that:

- (a) Accepts the application for filing and specifies the date upon which the application was accepted for filing;
- (b) Finds the application ready for environmental analysis;
- (c) Requests comments, protests, and interventions;
- (d) Requests recommendations, preliminary terms and conditions, and preliminary fishway prescriptions, including all supporting documentation; and
- (e) Establishes an expedited licensing process schedule, including estimated dates for:
 - (1) Filing of recommendations, preliminary terms and conditions, and fishway prescriptions;
 - (2) Issuance of a draft National Environmental Policy Act (NEPA) document, or an environmental assessment not preceded by a draft;
 - (3) Filing of a response, as applicable, to Commission staff's request for ESA concurrence or request for formal consultation under the ESA, or responding to other Commission staff requests to federal and state agencies, or Indian Tribes pursuant to Federal law, including the Magnuson-Stevens Fishery Conservation and Management Act and the National Historic Preservation Act;

- (4) Filing of comments on the draft NEPA document, as applicable;
- (5) Filing of modified recommendations, mandatory terms and conditions, and fishway prescriptions in response to a draft NEPA document or environmental assessment, if no draft NEPA document is issued; and
- (6) Issuance of a final NEPA document, if any.

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