

The text of the bill is as follows:

H.R. 2274

*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 “HYdropower Permit Extension Act” or the “HYPE Act”.

# SEC. 2. EXTENSIONS OF PERIODS.

(a) PRELIMINARY PERMITS.—Section 5 of the Federal Power Act (16 U.S.C. 798) is amended—

(1) in subsection (a), by striking “three” and inserting “four”; and

(2) in subsection (b)—

(A) by striking “Commission may extend the period of a preliminary permit once for not more than 2 additional years beyond the 3 years” and inserting the following: “Commission may—

“(1) extend the period of a preliminary permit once for not more than four additional years beyond the four years”;

(B) by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(2) if the period of a preliminary permit is extended under paragraph (1), extend the period of such preliminary permit once for not more than four additional years beyond the extension period granted under paragraph (1), if the Commission determines that there are extraordinary circumstances that warrant such additional extension.”.

(b) TIME LIMIT FOR CONSTRUCTION OF PROJECT WORKS.—Section 13 of the Federal Power Act (16 U.S.C. 806) is amended in the second sentence by striking “once but not longer than two additional years” and inserting “for not more than eight additional years.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentlewoman from Colorado (Ms. DEGETTE) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. UPTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill, H.R. 2274, was introduced by the gentleman from California (Mr. PETERS), and it was passed by unanimous consent by the Energy and Commerce Committee.

The bill, H.R. 2274, amends the Federal Power Act to allow the Federal Energy Regulatory Commission, FERC, to extend periods relating to preliminary permits and commencement of construction of hydroelectric projects.

This bill is a commonsense bill, bipartisan, and I would hope that all Members would join me in supporting it.

Mr. Speaker, I reserve the balance of my time.

Ms. DEGETTE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2274, the HYdropower Permit Extension, or HYPE, Act.

I am pleased that the House is considering this legislation, which was recently introduced by my colleague, Mr. PETERS, of the committee, to provide the Federal Energy Regulatory Commission with the authority to grant longer periods for preliminary and construction permits and associated extensions under sections 5 and 13 of the Federal Power Act.

Right now, as we have seen from the debating of these six bills today, this is something that can only be done by an act of Congress on a case-by-case basis.

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As much as we have all enjoyed debating these extensions of time today, it is clear that it would be more efficient and it also would save more time in Congress if these extensions could be done directly by FERC. I commend Mr. PETERS. I hope all of my colleagues will join me in supporting this bill.

Mr. Speaker, I am now pleased to yield such time as he may consume to the gentleman from California (Mr. PETERS), the author of the bill.

Mr. PETERS. Mr. Speaker, hydropower is one of the few carbon-free energy sources that provides a steady baseload of electricity. Producing more electricity from hydropower helps us meet our clean energy goals and reduce harmful emissions that pollute our air and water.

This bill, the Hydropower Permit Extension Act, would cut red tape for hydropower construction permits and incentivize greater investment in this energy source.

The act gives already approved hydropower projects an extra year on their initial permit and allows FERC to grant a 4-year extension to projects that are delayed from breaking ground during their initial permit.

And as the gentlewoman from Colorado (Ms. DEGETTE) said, right now this takes an act of Congress to extend construction permits for hydropower projects, even though they have gone through a rigorous environmental regulatory process.

Moving forward, the ultimate solution to unlocking hydropower is to streamline the regulatory process. It is my hope that we can continue to have bipartisan, productive conversations like these on how to get hydropower projects moving, how to get them approved more quickly, while still meeting high environmental standards.

I want to thank Chairman WALDEN and Ranking Member PALLONE, Chairman UPTON and Ranking Member RUSH, for working with me and the committee to advance this bill through the committee and to the floor.

Mr. Speaker, I urge my colleagues to support the bill.

Mr. UPTON. Mr. Speaker, I would urge my colleagues to vote for this bill, and I yield back the balance of my time.

Ms. DEGETTE. Mr. Speaker, I would do the same, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the bill, H.R. 2274.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

# EXTENDING A PROJECT INVOLVING THE CANNONVILLE DAM

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2292) to extend a project of the Federal Energy Regulatory Commission involving the Cannonville Dam.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2292

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

# SECTION 1. EXTENSION OF TIME FOR A FEDERAL ENERGY REGULATORY COMMISSION PROJECT INVOLVING CANNONVILLE DAM.

(a) IN GENERAL.—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 13287, the Federal Energy Regulatory Commission (referred to in this section as the “Commission”) may, at the request of the licensee for the project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the procedures of the Commission under that section, extend the time period during which the licensee is required to commence construction of the project for up to 4 consecutive 2-year periods after the required date of the commencement of construction described in Article 301 of the license.

(b) REINSTATEMENT OF EXPIRED LICENSE.—

(1) IN GENERAL.—If the required date of the commencement of construction described in subsection (a) has expired prior to the date of enactment of this Act, the Commission may reinstate the license effective as of that date of expiration.

(2) EXTENSION.—If the Commission reinstates the license under paragraph (1), the first extension authorized under subsection (a) shall take effect on the date of that expiration.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentlewoman from Colorado (Ms. DEGETTE) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. UPTON. Mr. Speaker, I yield myself such time as I may consume.

This bill, H.R. 2292, was introduced by Mr. FASO from New York, and the bill authorizes the Federal Energy Regulatory Commission, FERC, upon request, to extend by 8 years the time period during which construction must commence on the Cannonsville hydroelectric project—which is located on the west branch of the Delaware River in the Catskill Mountains of upstate New York.

The city of New York was granted a construction license for the Cannonsville hydroelectric project on May 13, 2014. Additionally, FERC may reinstate the construction license if it is expired. The bill was reported by unanimous consent from the Energy and Commerce Committee, and I support its passage on the floor today.

Mr. Speaker, I reserve the balance of my time.

Ms. DEGETTE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2292, a bill to extend the deadline for commencement and construction of a hydroelectric project involving the Cannonsville Dam.

On May 13, 2014, FERC licensed construction of a hydroelectric facility at the Cannonsville Reservoir located on the west branch of the Delaware River in Delaware County, New York. The licensee for this project was not able to commence construction by the deadline of May 2016.

The additional reviews and repairs to the dam, which are necessary to begin construction of the hydroelectric project, will delay construction commencement beyond the expiration date of the original license and the 2-year extension which FERC is authorized to grant.

The bill would, therefore, authorize FERC to extend up to 8 years the date by which the licensee is required to commence construction.

Similar legislation passed the House during the 114th Congress by a vote of 417–2. I urge my colleagues to support the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. UPTON. Mr. Speaker, I yield as much time as he may consume to the gentleman from New York (Mr. FASO).

Mr. FASO. Mr. Speaker, I rise today to express support for my legislation, H.R. 2292, which would extend the construction period for the hydroelectric project at New York City's Cannonsville Dam in Delaware County, New York.

Once completed, the Cannonsville hydroelectric project will generate over 42,000 megawatt hours of electricity each year, enough to avoid the emission of 24,000 tons of greenhouse gases. But, unfortunately, the project is in jeopardy due to this time lag.

Current Federal Energy Regulation Commission regulations allow a licensee 2 years to begin construction of a hydroelectric project once the license has been issued. The FERC may extend the deadline for an additional 2 years, but this may only be done once.

If construction has not begun on the project by the expiration of the second extension, the Commission will terminate the license, risking all of the hard work and planning that had been put into the project development.

I introduced this legislation to further extend the deadline for construction at the Cannonsville site, because the second FERC-granted extension will expire shortly, and construction has not yet begun.

By allowing for additional time for commencement of construction, we can help protect downstream communities and ensure the safe development of a clean and renewable energy project on this New York City-owned facility.

Mr. Speaker, I would like to thank Mr. UPTON, the chairman of the subcommittee, and Ms. DEGETTE, the ranking member of the subcommittee, and also thank the sponsors from New York State on this bipartisan legislation, including Mr. ESPAILLAT, Ms. MENG, Mr. NADLER, Ms. CLARKE, Mr. ENGEL, Mr. TONKO, Mr. DONOVAN, Mr. COLLINS, and Mrs. MALONEY.

By bringing together the stakeholders from across the Empire State, we have ensured that a variety of constituent concerns have been met in the development of this legislation.

Mr. Speaker, I urge my colleagues to support H.R. 2292 so that we can further protect public water supplies for New York City and help strengthen and modernize our Nation's energy infrastructure.

Ms. DEGETTE. Mr. Speaker, I yield back the balance of my time.

Mr. UPTON. Mr. Speaker, I urge my colleagues to vote for the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the bill, H.R. 2292.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. UPTON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

#### J. BENNETT JOHNSTON WATERWAY HYDROPOWER EXTENSION ACT OF 2017

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2457) to extend the deadline for commencement of construction of certain hydroelectric projects, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2457

*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 “J. Bennett Johnston Waterway Hydropower Extension Act of 2017”.*

#### SEC. 2. EXTENSION.

(a) *IN GENERAL.*—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to Federal Energy Regulatory Commission project numbers 12756, 12757, and 12758, the Commission may, at the request of the licensee for the applicable project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the Commission's procedures under that section, extend the time period during which such licensee is required to commence the construction of its applicable project for up to 3 consecutive 2-year periods from the date of the expiration of any extension issued by the Commission under that section for such project.

(b) *OBLIGATION FOR PAYMENT OF ANNUAL CHARGES.*—Any obligation of a licensee for a project described in subsection (a) for the payment of annual charges under section 10(e) of the Federal Power Act (16 U.S.C. 803(e)) shall commence when the construction of the project commences.

(c) *REINSTATEMENT OF LICENSE; EFFECTIVE DATE FOR EXTENSION.*—

(1) *REINSTATEMENT.*—If the time period required for commencement of construction of a project described in subsection (a) has expired prior to the date of the enactment of this Act, the Commission may reinstate the license for such project, effective as of the date of the expiration of the license.

(2) *EFFECTIVE DATE FOR EXTENSION.*—If the Commission reinstates a license under paragraph (1) for a project, the first extension authorized under subsection (a) with respect to such project shall take effect on the effective date of such reinstatement under paragraph (1).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentlewoman from Colorado (Ms. DEGETTE) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

#### GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. UPTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2457, as amended. This bill was introduced by Mr. JOHNSON from Louisiana and was reported by unanimous consent from the Energy and Commerce Committee. The bill, H.R. 2457, authorizes the Federal Energy Regulatory Commission, FERC, to extend the time period during which a licensee is required to commence the construction of Commission project numbers 12756, 12757, and 12758 for up to three consecutive 2-year periods.

Mr. Speaker, I would encourage all Members to join me and support passage of this bill, as amended.

Mr. Speaker, I reserve the balance of my time.

Ms. DEGETTE. Mr. Speaker, I yield myself such time as I may consume.