BEFORE THE FEDERAL ENERGY REGULATORY COMMISSION

APPLICATION FOR EXEMPTION FOR

SMALL CONDUIT HYDROELECTRIC FACILITY

**INTRODUCTORY STATEMENT**

[[*18 C.F.R. § 4.92(b)*](http://www.ecfr.gov/cgi-bin/text-idx?SID=39363854c4bc5338dddffee492b9cad8&mc=true&node=se18.1.4_192&rgn=div8) *requires you to make an introductory statement declaring that your project meets all of the requirements of* [*18 C.F.R. § 4.30(b)(30)*](http://www.ecfr.gov/cgi-bin/text-idx?SID=39363854c4bc5338dddffee492b9cad8&mc=true&node=se18.1.4_130&rgn=div8)*. This includes the requirement that your project discharges water either: (1) into a conduit; (2) directly to a point of agricultural, municipal, or industrial consumption; OR (3) into a natural waterbody if the water leaving your project will be taken out further downstream as a part of your same water system.*

*If your project meets all of the requirements of* [*18 C.F.R. § 4.30(b)(30)*](http://www.ecfr.gov/cgi-bin/text-idx?SID=39363854c4bc5338dddffee492b9cad8&mc=true&node=se18.1.4_130&rgn=div8) *except for the discharge requirements listed above,* [*18 C.F.R § 4.92(b)*](http://www.ecfr.gov/cgi-bin/text-idx?SID=39363854c4bc5338dddffee492b9cad8&mc=true&node=se18.1.4_192&rgn=div8) *requires you to state that you are seeking a waiver of the discharge requirement. Your waiver must explain why your project does not meet the discharge requirement (for example if your project is located at the end of an irrigation system and cannot meet the three requirements) and how your project still would qualify otherwise for a conduit exemption.*]

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [*Applicant Name*] applies to the Federal Energy Regulatory Commission for an exemption for the [*Project Name*], a small conduit hydroelectric facility that:

\_\_\_\_ meets the requirements of [18 C.F.R. § 4.30(b)(30)](http://www.ecfr.gov/cgi-bin/text-idx?SID=39363854c4bc5338dddffee492b9cad8&mc=true&node=se18.1.4_130&rgn=div8), from certain provisions of Part I of the Federal Power Act.

**[OR]**

\_\_\_\_ meets the requirements of [18 C.F.R. § 4.30(b)(30)](http://www.ecfr.gov/cgi-bin/text-idx?SID=39363854c4bc5338dddffee492b9cad8&mc=true&node=se18.1.4_130&rgn=div8), except for the discharge requirement of [18 C.F.R. § 4.30(b)(30)(iv)](http://www.ecfr.gov/cgi-bin/text-idx?SID=39363854c4bc5338dddffee492b9cad8&mc=true&node=se18.1.4_130&rgn=div8), from certain provisions of Part I of the Federal Power Act. This application is accompanied by a petition for waiver of [18 C.F.R. § 4.30(b)(30)(iv)](http://www.ecfr.gov/cgi-bin/text-idx?SID=39363854c4bc5338dddffee492b9cad8&mc=true&node=se18.1.4_130&rgn=div8), filed pursuant to [18 C.F.R. § 385.207](http://www.ecfr.gov/cgi-bin/text-idx?SID=cac1fa120364db5e09999993399fb232&mc=true&node=se18.1.385_1207&rgn=div8).

The location of the facility is:

State or Territory: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
County: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
Township or nearby town: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The exact name and business address of the applicant(s) is:

*[Do not include the representative or consultant preparing the application.]*

Applicant’s Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Telephone Number: ­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Email Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The exact name and business address of each person authorized to act as agent for the applicant(s) in this application is:

Name of Agent: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Telephone Number: ­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Email Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [*Applicant Name*] is \_\_\_\_ a citizen of the United States, \_\_\_\_ an association of citizens of the United States, \_\_\_\_ a municipality, \_\_\_\_State, \_\_\_\_ a corporation incorporated under the laws of \_\_\_\_\_\_\_\_\_\_\_\_ [specify the United States or state of incorporation, as appropriate], or \_\_\_\_ other legal entity (such as a Tribe).

Pursuant to section 30(c) of the Federal Power Act, 16 U.S.C. § 823a(c) (2012), as amended by section 4(b) of the Hydropower Regulatory Efficiency Act of 2013, Pub. L. 113-23, § 6, 27 Stat. 493 (2013), exemption from all of Part I of the Federal Power Act is requested.

[*The Commission will not exempt applicants from certain provisions of the FPA, such as: (1) section 4(g), which states that if a condition of the exemption order is violated, then the Commission may revoke the exemption or take appropriate action for enforcement, forfeiture, or penalties under Part III of the FPA; (2) section 10(c), which states that the exemptee, and not the United States, is liable for all damages to another’s property as a result of construction, maintenance, or operation of the exempted project; (3) section 30(c), which governs the issuance of conduit exemptions and subjects exemptions to terms and conditions set by federal and state fish and wildlife agencies; (4) section 31(a), which states that if the exemptee fails to comply with the exemption it may be subject to civil penalties, or revocation of the exemption.*]

**PROPERTY RIGHTS:**

Only rights to use or occupy federal lands would be necessary to develop and operate this proposed small conduit hydroelectric facility.

**[OR]**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [*Applicant Name*] has all of the real property interests in the lands necessary to develop and operate the project, such as a deed, option, or lease. Specifically, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [*Applicant Name*] has a \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [*describe interest - ownership, lease, other*]*.*  Exhibit G and Appendix \_\_\_ contain documentary evidence of the applicant’s interest in the lands, as required by [18 C.F.R. § 4.31(b)](http://www.ecfr.gov/cgi-bin/text-idx?SID=978720cd90e77eab49ec858ed36fd095&mc=true&node=se18.1.4_131&rgn=div8).

[*The deed or lease must be attached so that we may verify that you have sufficient interests in the property.*]

**STATEMENT OF FEES REQUIRED TO DEVELOP SECTION 30(C) CONDITIONS:**

The \_\_\_\_\_\_\_\_\_\_\_\_ [*Name(s) of Fish and Wildlife Agency(ies), such as the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, and any state fish and wildlife agencies*]:

\_\_\_\_ has requested that the applicant submit $\_\_\_\_ in fees to develop its section 30(c) conditions. The applicant has submitted payment for these fees to the Department of the Treasury pursuant to [18 C.F.R. §§ 4.302(a) and (b)](http://www.ecfr.gov/cgi-bin/text-idx?SID=978720cd90e77eab49ec858ed36fd095&mc=true&node=se18.1.4_1302&rgn=div8) **[OR]**

\_\_\_\_ has stated that it will not be requesting fees in order to develop its section 30(c) conditions.

Documentation of the applicant’s consultation regarding the statement of fees is included with the Consultation information in Appendix \_\_\_\_.

**INDIAN TRIBES**

The following Indian tribes may be affected by the project:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**EXHIBIT A**

*Exhibit A must describe the small conduit hydroelectric facility and proposed mode of operation with appropriate references to Exhibits F and G. The information in this exhibit may be submitted as a table. The following information must be included:*

(1) A brief description of any conduits and associated consumptive water supply facilities, intake facilities, powerhouses, and any other structures associated with the facility.

*[Including, but not limited to: (1) where the consumptive water facilities begin (including the town, river, or reservoir); (2) the length and diameter (if enclosed) of the conduit; (3) any structures located along the length of the conduit (such as weirs, fish screens, valves, etc.) and where the structures are located; (4) the proposed hydroelectric structure and any other facilities needed for hydropower operation; and (5) how, where, and into what the water will discharge from the proposed power structure.]*

*\_*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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(2) The natural sources of water that supply the related conduit are:

*[Specifically identify where the water comes from.]*

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(3) The purposesfor which the conduit is used:

*[Section 30(a)(2) of the FPA requires a conduit exemption to be located on a conduit used primarily for agricultural, municipal, or industrial consumption. Specify the use of your conduit, such as irrigation, water supply, or industrial uses. The primary purpose of the conduit cannot be for power production.]*

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(4) The number of generating units you are proposing, including auxiliary units, the capacity of each unit, and plans, if any, for future units:

[P*rojects may have an installed generating capacity of up to 40 MW.*]

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(5) The type of each hydraulic turbine:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(6) A description of how the hydroelectric facility is to be operated, manually or automatically, and whether the hydroelectric facility is to be used for peaking:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(7) Estimations of:

(i) The average annual generation in kilowatt-hours: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

(ii) The average head of the hydroelectric facility: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

(iii) The hydraulic capacity of the hydroelectric facility (flow through the hydroelectric facility) in cubic feet per second: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

(iv) The average flow of the conduit at the hydroelectric facility or point of diversion (using best available data and explaining the sources of the data and the method of calculation):

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(v) The average amount of the flow described in paragraph (c)(7)(iv) of this section available for power generation: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

(8) The planned date for beginning construction of the facility: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

(9) If the hydroelectric facility discharges directly into a natural body of water and a petition for waiver of [18 C.F.R. § 4.30(b)(30)(iv)](http://www.ecfr.gov/cgi-bin/text-idx?SID=39363854c4bc5338dddffee492b9cad8&mc=true&node=se18.1.4_130&rgn=div8) has not been submitted, evidence that a quantity of water equal to or greater than the quantity discharged from the hydroelectric facility is withdrawn from that water body downstream into a conduit that is part of the same water supply system as the conduit on which the hydroelectric facility is located.

[*To be allowed to discharge water into a natural waterbody without a waiver, you need to show that the water leaving your project will be taken out further downstream as a part of your same water system.*]

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(10) If the hydroelectric facility discharges directly to a point of agricultural, municipal, or industrial consumption, a description of the nature and location of that point of consumption.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(11) Although a dam may not be considered for hydroelectric purposes, occasionally a conduit project will be put into place at the same time construction for the hydroelectric facility’s primary purpose occurs. If this is the case, please provide a description of the nature and extent of the construction of such a dam that would occur in association with construction of the proposed hydroelectric facility, including a statement of the normal maximum surface area and normal maximum surface elevation of any existing impoundment before and after that construction; and evidence that the construction would occur for agricultural, municipal, or industrial consumptive purposes even if hydroelectric generating facilities were not installed:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**EXHIBIT E**

*Exhibit E is an Environmental Report. It must be prepared pursuant to* [*18 C.F.R. § 4.38*](http://www.ecfr.gov/cgi-bin/text-idx?SID=978720cd90e77eab49ec858ed36fd095&mc=true&node=se18.1.4_138&rgn=div8) *and* [*18 C.F.R. § 4.92(e)*](http://www.ecfr.gov/cgi-bin/text-idx?SID=978720cd90e77eab49ec858ed36fd095&mc=true&node=se18.1.4_192&rgn=div8) *and must include the following information, commensurate with the scope and environmental impact of the hydroelectric facility’s construction and operation:*

*This description does not include the entire conduit system, only the area where the hydroelectric facility will be placed. Even for proposals for power facilities to be contained within a closed pipe or contained vault (such as a valve house or water treatment facility), there must to be a description of the area around the proposed hydroelectric facility that will be affected. Please address each resource area. If you determine that the project will have no effect on any area, say so and why you came to that conclusion.*

(1) A description of the environmental setting in the vicinity of the facility, including:

* vegetative cover:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

* fish and wildlife resources:

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* water quality and quantity:

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* land and water uses:

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* recreational use:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

* socio-economic conditions:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

* historical and archeological resources, including sites eligible for or included on the National Register of Historic Places:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

* visual resources:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

* endangered or threatened species, critical habitats (if none, state):

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(2) A description of the expected environmental impacts resulting from the continued operation of an existing small conduit hydroelectric facility, or from the construction and operation of a new proposed hydroelectric facility, including a discussion of the specific measures proposed by the applicant, the agencies consulted, and others to protect and enhance environmental resources and to mitigate adverse impacts of the facility on them.

*[If there are no expected environmental impacts, say so and explain why. Do not assume that Commission staff can discern it from other parts of the application.]*

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(3) A description of alternative means of obtaining an amount of power equivalent to that provided by the proposed or existing facility.

*[If you do not receive a conduit exemption, how will you get power? The Commission needs this information to determine if you will be adding power to or taking away power from the grid.]*

*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

(4) Any additional information the applicant considers important.

*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

**EXHIBIT F**

*Exhibit F is a set of drawings showing the structures and equipment of the small conduit hydroelectric facility and must conform to the specifications of* [*18 C.F.R. § 4.41(g)*](http://www.ecfr.gov/cgi-bin/text-idx?SID=978720cd90e77eab49ec858ed36fd095&mc=true&node=se18.1.4_141&rgn=div8)*. The Commission needs this information in order to determine whether the structure and design of the project is feasible and meets our requirements for small conduit hydroelectric exemptions.* *Exhibit F drawings contain critical energy infrastructure information (CEII) and should be labeled as such on the drawing,* [*18 C.F.R. § 388.113(c)*](http://www.ecfr.gov/cgi-bin/text-idx?SID=34afa9f2b4b380c0f8bb113b9fcae9e4&mc=true&node=se18.1.388_1113&rgn=div8)*. CEII is specific engineering, vulnerability, or detailed design information that relates to the production, generation, transmission, or distribution of energy. The Commission protects this information by restricting public access to CEII materials. For more information please see,* [*http://www.ferc.gov/legal/ceii-foia.asp*](http://www.ferc.gov/legal/ceii-foia.asp)*.*

*The hydroelectric project drawings must conform to* [*18 C.F.R. § 4.39*](http://www.ecfr.gov/cgi-bin/text-idx?SID=978720cd90e77eab49ec858ed36fd095&mc=true&node=se18.1.4_139&rgn=div8)*, which states that all maps must be drawn to scale, must be legible, and must contain a title block with the drawing title, graphical and numerical scale, and other pertinent information concerning the drawing. These drawings must include the dimensions of important structures such as the powerhouse and include details of the generating units.*

*Project drawings of all major structures must include:*

* *Plans (overhead view);*
* *Elevation (front view);*
* *Profiles (side view); and*
* *Section drawings.*

**EXHIBIT G**

*Exhibit G is a general location map that shows the physical hydroelectric project features, project boundary, and land ownership. It must conform to the specifications of* [*18 C.F.R. § 4.41(h)*](http://www.ecfr.gov/cgi-bin/text-idx?SID=978720cd90e77eab49ec858ed36fd095&mc=true&node=se18.1.4_141&rgn=div8)*, which states that the project boundary data must be in a geo-referenced electronic format, include a vicinity map of the project area, and a detailed drawing that shows all principal features as a whole in relation to the affected waterway and other permanent geographical features. The Commission needs this information to determine: which facilities are under the Commission’s jurisdiction; whether you own the land on which all hydroelectric facilities are located; and the location of the hydroelectric project for future inspections.*

*Maps must:*

* *Show the location of all facilities and relationship to the nearest stream and town;*
* *Show the project boundary, which is a line enclosing all project works (including the unit/powerhouse, the connections to and from the conduit, and appurtenant facilities, but not the transmission line or the conduit on which the hydroelectric facility is located);*
* *Have three known reference points (i.e., GPS or latitude/longitude coordinates);*
* *Be stamped by a registered land surveyor;*
* *Conform with* [*18 C.F.R. § 4.39*](http://www.ecfr.gov/cgi-bin/text-idx?SID=978720cd90e77eab49ec858ed36fd095&mc=true&node=se18.1.4_139&rgn=div8) *to have the appropriate size and scale;*
* *Be in geo-referenced format (each project feature and the coordinates for the reference points must be shown in relation on a map) ; and*
* *List all of the owners of property on which the project is located, including lands that the applicant owns or plans to acquire, or has rights to occupy or plans to acquire rights (e.g., leases or easements).*

**CONSULTATION**

*Consultation information lets the Commission know that you have notified all relevant federal and state agencies; Indian Tribes; non-governmental organizations; and interested parties of your proposal. Consultation also provides the agencies and the public opportunities to voice any concerns or request any studies that may be relevant to the proposed project. You must document that all three stages of the consultation process in* [*18 C.F.R. § 4.38*](http://www.ecfr.gov/cgi-bin/text-idx?SID=b2ab1191ce1d165a763701f0c82008b5&mc=true&node=se18.1.4_138&rgn=div8) *were fully satisfied.*

**Waivers**

(1) On \_\_\_\_\_\_\_\_\_\_\_\_\_\_[*date*], \_\_\_\_\_\_\_\_\_\_\_\_\_\_ [*Applicant Name*] informed agencies and affected Indian Tribes of its request to waive the following consultation requirements:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*\_\_\_\_* Copies of the letters (or other documentation) informing the agencies and affected Indian Tribes are attached.

(2) The following agencies and Indian Tribes support the waiver request:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_ Copies of the letters (or other documentation) of support are attached.

**Stage 1 Consultation Requirements**

*\_\_\_\_\_\_\_\_\_\_\_\_\_\_* [*Applicant Name*] has complied with the Stage 1 consultation requirements of [18 C.F.R. § 4.38(b)](http://www.ecfr.gov/cgi-bin/text-idx?SID=b2ab1191ce1d165a763701f0c82008b5&mc=true&node=se18.1.4_138&rgn=div8).

1. Please see attached letters sent to the consulted entities. The letters provide a description of the proposed project.
2. On [*date*], *\_\_\_\_\_\_\_\_* [*Applicant Name*] held a joint meeting with the pertinent agencies.
3. *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* [*Applicant Name*] informed and invited members of the public to attend the joint meeting. Please see the attached newspaper article, or other proof of notification of the joint meeting.
4. *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* [*Applicant Name*] provided 60 days for the agencies to comment on the study requests.

**Stage 2 Consultation Requirements**

*\_\_\_\_\_\_\_\_\_\_\_\_\_\_* [*Applicant Name*] has complied with the Stage 2 consultation requirements of [18 C.F.R. § 4.38(c)](http://www.ecfr.gov/cgi-bin/text-idx?SID=b2ab1191ce1d165a763701f0c82008b5&mc=true&node=se18.1.4_138&rgn=div8).

1. List any studies that the agencies requested or specify that no studies were requested. Provide the results of those studies or an explanation of the reason for not conducting those studies.
2. Please see attached letters showing that *\_\_\_\_\_\_\_\_\_\_\_\_\_* [*Applicant Name*] has provided the agencies with:
   1. A copy of the draft application;
   2. Results of all of the studies;
   3. A written request for review and comment.
3. *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* [*Applicant Name*] provided 90 days for the agencies to comment on the draft application prior to filing the final application with the Commission.

**Stage 3 Consultation Requirements**

*\_\_\_\_\_\_\_\_\_\_\_\_\_* [*Applicant Name*] has complied with the Stage 3 consultation requirements of [18 C.F.R. § 4.38(d)](http://www.ecfr.gov/cgi-bin/text-idx?SID=b2ab1191ce1d165a763701f0c82008b5&mc=true&node=se18.1.4_138&rgn=div8). Please see the mailing list attached to the application to show that *\_\_\_\_\_\_\_\_\_\_\_\_\_* [*Applicant Name*] has provided the agencies with a copy of the final application.

**VERIFICATION**

*You must provide Verification in one of the following forms:*

*Either a sworn, notarized statement, which states:*

1. As to any facts alleged in the application or other materials filed, be subscribed and verified under oath in the form set forth below by the person filing, an officer thereof, or other person having knowledge of the matters set forth. If the subscription and verification is by anyone other than the person filing or an officer thereof, it shall include a statement of the reasons therefor.

This (application, etc.) is executed in the:

State of: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

County of: ­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

by: (Name) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Address)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

being duly sworn, depose(s) and say(s) that the contents of this (application, etc.) are true to the best of (his or her) knowledge or belief. The undersigned applicant(s) has (have) signed the (application, etc.) this \_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.

By:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Subscribed and sworn to before me, a \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [*Notary Public, or title of other official authorized by the state to notarize documents, as appropriate]* of the State of \_\_\_\_\_\_\_\_\_ this day of \_\_\_\_\_\_\_\_\_, 20\_\_\_\_.

/SEAL/ [if any]

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Notary Public, or other authorized official)

[*See* [*18 C.F.R. § 4.32(a)(4)(ii)*](http://www.ecfr.gov/cgi-bin/text-idx?SID=b2ab1191ce1d165a763701f0c82008b5&mc=true&node=se18.1.4_132&rgn=div8)]

*Or an unsworn declaration in the following form:*

2. “I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [date].”

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Signature)

[*See 28 U.S.C. § 1746 and* [*18 C.F.R. 385.2005(b)(3)*](http://www.ecfr.gov/cgi-bin/text-idx?SID=083fff32c464976b65148a0dcd32cf79&mc=true&node=se18.1.385_12005&rgn=div8)]

**ATTACHMENTS**

\_\_\_\_ Documentary evidence of the applicant’s interest in the lands

\_\_\_\_ Exhibit F (project drawings)

\_\_\_\_ Exhibit G (project maps)

Documentation of Consultation (as appropriate)

Waiver Request

\_\_\_\_ Letters (or other documentation) notifying agencies and affected Indian Tribes of waiver request

\_\_\_\_ Letters (or other documentation) from agencies and affected Indian Tribes supporting the waiver request

Fees

\_\_\_\_ Documentation of the applicant’s consultation regarding the statement of fees

Stage 1

\_\_\_\_ Initial letters sent to the consulted entities requesting comments

\_\_\_\_ Newspaper article or other proof of notification of the joint meeting

\_\_\_\_ Copies of letters received from resource agencies and Indian tribes containing study requests

Stage 2

\_\_\_\_ Letters documenting that a copy of the draft application; results of all of the studies; and a written request for review and comment were sent to agencies

\_\_\_\_ Copies of letters received from resource agencies, Indian tribes, or the public containing comments and recommendations

Stage 3

\_\_\_\_ A copy of the transmittal letter certifying that the application has been sent to the consulted agencies