



FAIR LICENSING FOR OPERATIONS OF WATER
STRUCTURES (FLOWS) ACT
(S. 3518)

DATE INTRODUCED:

12/17/2025

WHAT:

S. 3518, The Fair Licensing for Operations of Water Structures (FLOWS) Act would modernize and streamline federal permitting and licensing requirements for hydropower and marine energy projects under the [Federal Power Act \(FPA\)](#).

This bipartisan bill focuses on reducing unnecessary regulatory delays for routine, low-risk activities while maintaining environmental safeguards.

This bill would:

- **Streamline hydropower operations and maintenance:**
 - Exempts non-substantial alterations, routine maintenance, repair or replacement of project works from prior Federal Energy Regulatory Commission (FERC) approval.
 - Allows temporary or seasonal operational changes in response to circumstances beyond a licensee's control without triggering new approval processes.
- **Accelerate deployment of micro hydrokinetic and marine energy technologies:**
 - Establishes a streamlined licensing pathway for micro hydrokinetic projects (≤ 5 MW), including tidal, wave and river current technologies.
 - Authorizes shorter-term licenses (10 – 20 years) and sets a statutory two-year deadline for FERC to act on applications.
 - Requires FERC to report to Congress on environmental, economic and reliability impacts as projects scale.

WHY IT MATTERS:

Hydropower was the nation's first source of renewable energy and provides one of the largest sources of dispatchable renewable electricity. Hydropower accounts for [5.7% of U.S. energy generation](#). Conventional hydropower, paired with emerging hydrokinetic technologies, represents an emerging opportunity to expand domestic firm power. Yet, outdated permitting frameworks create unnecessary costs and delays for projects with minimal environmental impact.

By modernizing hydropower and marine energy licensing, the FLOWS Act would:

- **Unlock additional clean, firm power** from existing hydropower assets and emerging marine energy technologies;
- **Improve grid reliability** as electricity demand grows from advanced manufacturing, AI, data centers and electrification;
- **Reduce costs and uncertainty** for utilities and project developers by aligning regulation with real-world operational needs;
- **Strengthen U.S. energy security** through expanded domestic, emissions-free electricity generation; and
- **Support innovation** by accelerating deployment of next-generation marine energy and hydrokinetic technologies.

This bipartisan legislation would advance permitting reform where it matters most: lowering barriers for low-impact projects while preserving strong environmental oversight.

WHAT'S NEXT:

If enacted, the FLOWS Act would modernize hydropower and marine energy regulation, reduce regulatory friction and provide certainty for utilities and developers investing in clean, reliable power.

ORIGINAL SPONSOR:

Sens. Lisa Murkowski (R-AK)

CO-SPONSOR:

Angus King (I-ME)

SUPPORT:

ClearPath Action, Citizens for Responsible Energy Solutions, National Hydropower Association, Alaska Power Association, American Public Power Association,

CONGRESS.GOV LINK:

[S. 3518](#)