



DEPARTMENT OF THE ARMY  
OFFICE OF THE ASSISTANT SECRETARY  
CIVIL WORKS  
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WASHINGTON, DC 20310-0108

SACW

FEB 23 2026

MEMORANDUM FOR COMMANDING GENERAL, U.S. ARMY CORPS OF ENGINEERS

SUBJECT: Development and Investment of Hydropower through Non-Federal Investment at Corps of Engineers Facilities

1. References:

a. SACW memorandum (Programmatic Direction on Processing Requests for Permission Under 33 U.S.C. § 408), 23 February 2026.

b. Memorandum of Understanding between Federal Energy Regulatory Commission and the U.S. Army Corps of Engineers on Non-Federal Hydropower Projects, 21 July 2016

2. Background: The purpose of this memorandum is to provide policy direction on the development and investment of hydropower infrastructure at Corps by Non-Federal interests.

3. Policy: My intent is for a review and inventory of Corp facilities for both existing and potential hydropower investment to ascertain the potential for updated or new Non-Federal investment. The following actions are to be taken with a status to be brief to my office by NLT March 20, 2026:

a. Update the methodology and analysis used to assess the summary table developed for the Section 1008, WRRDA 2014 Annual report detailing new hydroelectric power activities by Non-Federal entities approved at Corps of Engineers civil works projects detailing: Projects in Operation, Licensed Projects Not Yet in Operation, Projects with Preliminary Permits, Surrendered, Expired, or Denied Permits / Licenses. The revised analysis should address the current effort to promote potential and updated investments by Non-Federal interests.

b. The Corps will conduct a review of all laws and agency policies that create barriers-to-enter by interested private sector entities. Analysis will include potential policy changes to alleviate barriers-to-entry. The following are a list of areas of concerns:

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- (1) Facilitating FERC licensing process in accordance with ref 1b,
  - (2) Section 408 process for technical review of hydropower development proposals and permission to modify a federal dam consistent with the direction in Ref. a,
  - (3) Engineering Regulation 1110-2-1156 Safety of Dams,
  - (4) Engineering Regulation (ER) 1110-2-8156 Preparation of Water Control Manuals, and
  - (5) The Corps processes for reviewing permit applications related to hydropower development at Corps projects under Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.
4. The Corps, working through the various community of practices, non-governmental organizations, or OMB approved survey will determine the level interest by the private sector in developing or reinvesting in hydropower at Corps facilities.
5. USACE will provide my office a briefing of the effort to complete this directive within 30 days of the date of this memorandum and quarterly thereafter until these measures build momentum and implementation is achieved.
6. Questions about the policy in this memorandum should be directed to Ms. Robyn Colosimo, Deputy Assistant Secretary of the Army, Project Planning and Review at (703) 614-3977 or [robyn.s.colosimo.civ@army.mil](mailto:robyn.s.colosimo.civ@army.mil).



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