

DEPARTMENT OF THE ARMY

COMPLETE STATEMENT OF

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BEFORE

**COMMITTEE ON ENERGY AND COMMERCE
SUBCOMMITTEE ON ENERGY, CLIMATE, AND GRID SECURITY
UNITED STATES HOUSE OF REPRESENTATIVES**

ON

**AMERICAN HYDROPOWER: UNLEASHING RELIABLE, RENEWABLE,
CLEAN POWER ACROSS THE U.S.**

SEPTEMBER 20, 2023

Chairman Duncan, Ranking Member DeGette, and distinguished members of the Subcommittee:

I am honored to testify before you today to discuss the U.S. Army Corps of Engineers (Corps) hydropower program. I am Thomas Smith, the chief of the Operations and Regulatory Division.

The Corps is the Nation's largest producer of hydropower. The Corps has constructed hydropower projects at 75 of its dams, with 356 generating units and a total capacity of 21,000 megawatts (MW). Our non-Federal interests have also constructed hydropower projects at 69 other Corps-owned dams. These 69 projects contain 199 generating units with an additional total capacity of 2,550 MW.

The Corps is responsible for the dams that it owns and operates. Where possible and consistent with the other authorized purposes of this infrastructure and other applicable law, the Corps stands ready to support the needs of non-Federal hydropower developers.

In 2020, the Corps of Engineers completed a resource assessment evaluating the hydropower development potential of Corps owned non-powered dams. The assessment identified 193 dams with a total capacity of over 4,500 MW. Over the past two years the Corps supported the development of non-Federal hydropower at 38 of its dams. The Corps provides support to developers in the site evaluation process, as well as technical and engineering reviews throughout the entire project development. For reference, the Corps spends approximately \$1 million annually in support of non-Federal hydropower development at Corps Civil Works projects.

The Corps and Federal Energy Regulatory Commission (FERC) renewed their Memorandum of Understanding (MOU) on Non-Federal Hydropower Project Development in 2016. In addition to renewing mutual commitment to early involvement and proactive participation, the two agencies laid out a synchronized, two-phased, environmental review process for non-Federal hydropower development at Corps-owned dams. This MOU reflects the commitment by both the Corps and FERC to cooperatively work together to facilitate non-Federal development of hydropower projects at Corps-owned dams where appropriate.

Section 14 of the Rivers and Harbors Act of 1899, as amended, and codified in 33 USC 408 (Section 408) provides the basis for the Corps review of requests by non-Federal interests to construct a hydropower project at a Corps owned dam. Section 408 provides that the Secretary of the Army may, upon the recommendation of the Chief of Engineers, grant permission to other entities for the permanent or temporary alteration or use of any Corps Civil Works project.

This concludes my testimony, and I look forward to answering any questions you might have. Thank you.