

118TH CONGRESS  
1ST SESSION

# S. 1215

To require assessments of opportunities to install and maintain floating photovoltaic solar panels at Bureau of Reclamation and Corps of Engineers projects, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

APRIL 19, 2023

Mr. KING introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To require assessments of opportunities to install and maintain floating photovoltaic solar panels at Bureau of Reclamation and Corps of Engineers projects, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protect Our Waters  
5 and Expand Renewables on Our Reservoirs Act” or the  
6 “POWER Our Reservoirs Act”.

1 **SEC. 2. FLOATING SOLAR ENERGY AT RECLAMATION**  
2 **PROJECTS.**

3 (a) DEFINITIONS.—In this section:

4 (1) COMMISSIONER.—The term “Commis-  
5 sioner” means the Commissioner of Reclamation.

6 (2) RECLAMATION PROJECT.—The term “Rec-  
7 lamation project” means—

8 (A) any reclamation or irrigation project,  
9 including incidental features of the project—

10 (i) that is authorized by the reclama-  
11 tion laws;

12 (ii) that is constructed by the United  
13 States pursuant to the reclamation laws; or

14 (iii) in connection with which there is  
15 a repayment or water service contract exe-  
16 cuted by the United States pursuant to the  
17 reclamation laws; or

18 (B) any project constructed by the Sec-  
19 retary of the Interior for the reclamation of  
20 land.

21 (b) ASSESSMENT.—

22 (1) IN GENERAL.—The Commissioner, in con-  
23 sultation with the Secretary of Energy and the rel-  
24 evant National Laboratories of the Department of  
25 Energy, shall conduct an assessment of opportuni-

1 ties to install and maintain floating photovoltaic  
2 solar panels at Reclamation projects.

3 (2) REQUIREMENTS.—In conducting the assess-  
4 ment under paragraph (1), the Commissioner  
5 shall—

6 (A) determine the economic, environ-  
7 mental, and technical feasibility of installing  
8 and maintaining, or contracting with third par-  
9 ties to install and maintain, photovoltaic solar  
10 panels at Reclamation projects;

11 (B)(i) identify Reclamation projects with a  
12 high potential for the installation and mainte-  
13 nance of floating photovoltaic solar panels, in-  
14 cluding which Reclamation projects are likely to  
15 have high cobenefits; and

16 (ii) determine whether the installation and  
17 maintenance at Reclamation projects identified  
18 under clause (i) would require additional au-  
19 thorization;

20 (C) account for potential effects and bene-  
21 fits on Reclamation projects and the authorized  
22 purposes of the Reclamation projects of install-  
23 ing and maintaining floating photovoltaic solar  
24 panels at the Reclamation projects, including—

25 (i) evaporation suppression;

- 1 (ii) energy yield;
- 2 (iii) dam safety;
- 3 (iv) recreation;
- 4 (v) water quality; and
- 5 (vi) fish and wildlife;

6 (D) account for potential damage to float-  
7 ing photovoltaic solar panels from—

- 8 (i) weather;
- 9 (ii) water-level fluctuations; and
- 10 (iii) recreational and other uses of the  
11 Reclamation projects;

12 (E)(i) identify methods to monetarily  
13 quantify cobenefits of floating photovoltaic solar  
14 panel projects; and

15 (ii) identify mechanisms to pass those ben-  
16 efits to project developers, and assess whether  
17 the use of such mechanisms may increase the  
18 viability of floating photovoltaic solar panel  
19 projects; and

20 (F) account for the availability of electric  
21 grid infrastructure close to Reclamation  
22 projects, including underutilized transmission  
23 infrastructure.

24 (3) REPORT TO CONGRESS.—Not later than 18  
25 months after the date of enactment of this Act, the

1 Commissioner shall submit to Congress and make  
2 publicly available (including on a publicly available  
3 website) a report describing the results of the assess-  
4 ment conducted under paragraph (1).

5 (c) PILOT PROGRAM.—

6 (1) IN GENERAL.—Not later than 2 years after  
7 the date of enactment of this Act, if the Commis-  
8 sioner determines, based on the results of the assess-  
9 ment conducted under subsection (b), that estab-  
10 lishing a pilot program is advisable, the Commis-  
11 sioner shall establish a pilot program under which  
12 the Commissioner, or an applicable non-Federal en-  
13 tity that is acting in partnership with the Commis-  
14 sioner, subject to paragraph (2), shall carry out  
15 projects to deploy floating photovoltaic solar panels  
16 at Reclamation projects identified under subsection  
17 (b)(2)(B).

18 (2) REQUIREMENTS.—To be eligible to carry  
19 out a project under paragraph (1), a non-Federal  
20 entity shall—

21 (A) agree to invest in and deploy floating  
22 photovoltaic solar panels at the applicable Rec-  
23 lamation project; and

24 (B) have the authority to enter into agree-  
25 ments, including through public-private partner-



1 (A) constructed by the Secretary; or

2 (B) for which the Secretary has financial  
3 or operational responsibility.

4 (2) SECRETARY.—The term “Secretary” means  
5 the Secretary of the Army.

6 (b) SUSTAINABILITY REPORTS.—Beginning not later  
7 than 2 years after the date of enactment of this Act, the  
8 Secretary shall include renewable energy from floating  
9 photovoltaic solar panels as part of any sustainability re-  
10 port and implementation plan of the Corps of Engineers.

11 (c) PILOT PROGRAM.—

12 (1) IN GENERAL.—Not later than 2 years after  
13 the date of enactment of this Act, if supported by  
14 the results of the assessment conducted under sub-  
15 section (a) of section 8232 of the Water Resources  
16 Development Act of 2022 (Public Law 117–263),  
17 the Secretary shall establish a pilot program for the  
18 deployment of floating photovoltaic solar panels at  
19 Corps of Engineers projects identified under para-  
20 graph (2)(B) of that subsection under which the  
21 Secretary or an applicable non-Federal interest—

22 (A) agrees to invest in and deploy floating  
23 photovoltaic solar panels; and

1 (B) may enter into agreements, including  
2 through public-private partnerships, for the  
3 purpose of carrying out such activities.

4 (2) COST SHARE.—The Federal share of the  
5 cost of a project carried out under this subsection  
6 shall be—

7 (A) not more than 100 percent, in the case  
8 of a project carried out by the Secretary; and

9 (B) not more than 50 percent, in the case  
10 of a project carried out by a non-Federal inter-  
11 est.

12 (d) FUNDING.—

13 (1) IN GENERAL.—The Secretary shall carry  
14 out this section using amounts made available to the  
15 Secretary to carry out section 8232 of the Water  
16 Resources Development Act of 2022 (Public Law  
17 117–263) that are not otherwise obligated.

18 (2) AUTHORIZATION OF APPROPRIATIONS.—In  
19 addition to amounts made available under paragraph  
20 (1), there is authorized to be appropriated to the  
21 Secretary to carry out this section \$2,000,000 for  
22 fiscal year 2024, to remain available until expended.



1       (e) NO EFFECT ON PROJECT PURPOSES.—Nothing  
2 in this section affects the authorized purposes of a Corps  
3 of Engineers project.

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