

## Regulation on the Procedures and Principles Regarding the Use and Leasing of Water Surfaces for the Establishment of Floating Solar Power Plants Published and Entered into Force

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The Regulation on the Procedures and Principles Regarding the Use and Leasing of Water Surfaces for the Establishment of Floating Solar Power Plants (the “**Regulation**”), which was prepared by the General Directorate of State Hydraulic Works (*Devlet Su İşleri Genel Müdürlüğü* – “**DSI**”) to govern the receipt and evaluation of applications for floating solar power plants on dam reservoirs, artificial lakes, and canal surface areas submitted by legal entities operating or intending to operate in the electricity market pursuant to the provisions of the Electricity Market Law No. 6446 dated 14/3/2013 (the “**EML**”), as well as to regulate feasibility and project design principles, leasing procedures and principles, and matters related to the operation, maintenance, and decommissioning of such facilities, was published in the Official Gazette dated 10/12/2025 and numbered 33103 and entered into force.

### 1. Purpose and Scope of the Regulation

With the Regulation, the procedures and principles regarding the use and leasing of water surfaces for the establishment of solar energy-based electricity generation units or facilities installed on water surfaces (“**Floating SPP**”) have been determined. In this context, the Regulation governs the receipt and evaluation of Floating SPP applications on dam reservoirs, artificial lakes, and canal surface areas, feasibility and project design principles, leasing procedures and principles, and matters related to the

operation, maintenance, and decommissioning of the facilities.

The Regulation covers Floating SPP projects to be established on water surfaces by legal entities operating or intending to operate in the electricity market within the scope of the EML and the Law No. 5346 dated 10/5/2005 on the Utilization of Renewable Energy Resources for the Purpose of Generating Electrical Energy (the “**RES Law**”), as well as by DSI, irrigation unions, and municipalities.



### 2. Application Principles and Evaluation

Pursuant to the Regulation, areas on dam reservoirs, artificial lakes, and canal surfaces deemed appropriate by DSI shall be notified to the Ministry of Energy and Natural Resources of Türkiye (*Türkiye Cumhuriyeti Enerji ve Tabii Kaynaklar Bakanlığı* – “**MENR**”) and the General Directorate of Energy Affairs (*Enerji İşleri Genel Müdürlüğü* – “**GDEN**”) to be declared as Renewable Energy Resource Areas (“**REA**”) within the scope of the RES Law.

Subsequently, for REA projects planned on dam reservoirs, artificial lakes, and canal surfaces for the purpose of establishing Floating SPPs through REA tenders, the preliminary survey report prepared by DSİ upon the request of MENR for determining the Floating SPP site on the reservoir water surface shall be submitted to MENR. If the REA is located within tourism centers or cultural and tourism conservation and development regions, the opinion of the Ministry of Culture and Tourism must be obtained.



### 3. Hybrid Renewable Electricity Generation Facilities

Generation license holders who wish to install solar power plants on water surfaces as an auxiliary source based on hydropower generation facilities whose primary source is hydraulic energy must submit the Floating SPP application file prepared to be installed within the power plant site annotated on the generation license to DSİ.

However, for Floating SPP applications related to auxiliary source units based on hydropower generation facilities to be carried out by Electricity Generation Inc. (*Elektrik*

*Üretim A.Ş. – “EÜAŞ”*) in reservoir areas of power plants operated by EÜAŞ, the requirement that the power plant site be annotated on the generation license shall not be sought.

If the Floating SPP application file is found appropriate by DSİ, a letter of conformity shall be sent to the applicant legal entity and relevant institutions. As a result of the examination conducted by DSİ, the legal entity may be requested to revise the Floating SPP application file. In such case, the legal entity must submit the revised application file to DSİ within a maximum of 90 (ninety) days from the date of notification. If an additional period is requested in writing, an extension may be granted provided that the total period does not exceed 90 (ninety) days. Failure to submit the revised application file within this period shall result in the application being deemed rejected.

If the Floating SPP application file is not found appropriate, the application of the legal entity shall be rejected and this shall be notified to the legal entity and, if necessary, to the relevant institutions.

### 4. Floating SPP Projects to Be Established by DSİ, Irrigation Unions, and Municipalities and Their Affiliated Entities

The Regulation provides that Floating SPP facilities may be established or commissioned by DSİ, irrigation unions, and municipalities and their affiliated entities on dam reservoirs, artificial lakes, and canal surface areas within the scope of the Regulation on Unlicensed Electricity Generation in the Electricity Market published in the Official Gazette dated 12/5/2019 and numbered 30772.

In addition, it is stated that projects developed by DSI for the purpose of meeting the energy needs and expenses of irrigation facilities shall be evaluated with priority in the use of reservoir and canal water surface areas.

The Regulation further states that the content of the Floating SPP Application File to be prepared for Floating SPP facilities to be established by irrigation unions and the procedures and principles regarding the process to be carried out shall be separately determined by DSI.

For Floating SPP facilities to be established by municipalities or their affiliated entities within dam reservoirs, artificial lakes, and canal surface areas located within municipal boundaries, it is stipulated that the Floating SPP application file shall be submitted to DSI. For Floating SPP facilities whose applications are approved by DSI, municipalities or their affiliated entities shall sign a leasing agreement and a letter of undertaking with DSI.



## 5. Priority Order and Principles Regarding Area Use

Within the scope of the Regulation, the following priority order shall apply for

Floating SPP applications made for the same reservoir or the same site on dam reservoirs, artificial lakes, and canal surfaces:

- a) Floating SPP facilities to be established to meet the energy needs of irrigation facilities.
- b) Floating SPP facilities to be established as auxiliary source energy generation facilities based on hydropower generation facilities whose primary source is hydraulic energy.
- c) Floating SPP facilities to be established within the scope of REAs.
- q) Floating SPP facilities to be established by municipalities or their affiliated entities within municipal boundaries.

Furthermore, flood control dams, reservoirs with an area of less than 0.5 km<sup>2</sup> at normal water level, and areas protected under the relevant legislation are designated as closed areas for Floating SPP projects. In addition, the total area of Floating SPP islands may not exceed 10% of the reservoir area at normal water level and 30% of the reservoir area at minimum water level.

## 6. Leasing Agreement, Extension of Term, and Renewal Principles

Within the scope of Floating SPP projects, lease prices shall be calculated based on the formulas set forth in the Regulation for reservoir and canal surface areas under the agreement or protocol signed between the parties and DSI, and shall be updated annually in accordance with the Consumer Price Index (CPI). For projects aimed at meeting the energy needs of irrigation unions, the use of water surfaces may be permitted free of charge.

For Floating SPP facilities constructed by irrigation unions and municipalities and their affiliated entities within the scope of the Regulation on Unlicensed Electricity Generation in the Electricity Market, the agreement or protocol shall be executed for a maximum period of 10 (ten) years, and upon the approval of DSI, the term may be extended twice at most, each time for 10 (ten) years.

It is stipulated that the leasing agreement shall be renewed in cases where changes occur in the coordinates or size of the Floating SPP site, changes in company title or legal form, issuance of a generation license following transactions within the scope of the third paragraph of Article 5 of the Electricity Market Licensing Regulation, or where legislative changes require renewal of the leasing agreement. DSI shall notify the Energy Market Regulatory Authority (*Enerji Piyasası Düzenleme Kurumu* – “**EMRA**”) and the relevant institutions regarding the newly executed leasing agreement.

In addition, the legal entity may request the renewal of the leasing agreement no later than 6 (six) months prior to the expiration of the leasing agreement. If deemed appropriate by

DSI, the leasing agreement shall be renewed based on current prices. If renewal is not requested, the leasing agreement shall automatically become null and void upon its expiration, and the legal entity shall deliver the Floating SPP site to DSI in the condition in which it was leased.

Finally, following the termination or invalidation of the leasing agreement pursuant to the provisions of the Regulation, if the reasons for termination or invalidation are eliminated and the legal entity requests renewal of the leasing agreement, the leasing agreement may be renewed provided that the site is suitable and DSI deems the request appropriate.

## 7. General Assessment

With the Regulation, the first comprehensive and systematic framework regarding the use of water surfaces for renewable energy generation has entered into force. The Regulation increases legal predictability for investors, reduces energy costs for public institutions, and makes a significant contribution to Türkiye’s renewable energy transition.

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