

**Statement of  
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**Before the  
House Natural Resources Committee**

**Oversight Hearing  
“American Energy Initiative: Identifying Roadblocks to Wind and Solar Energy on Public  
Lands and Waters”**

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**Introduction**

Mr. Chairman and Members of the Committee, thank you for the opportunity to appear here today to discuss renewable energy development on America’s public lands. Since the beginning of his tenure, Secretary of the Interior Ken Salazar has made the development of the New Energy Frontier on America’s public lands one of his top priorities. As Director of the Bureau of Land Management (BLM), I share that goal and I am pleased to report that the BLM is making great strides in this effort – approving renewable energy projects on public lands that will power millions of American homes, as well as instituting “smart from the start” policies that ensure environmental stewardship of our public lands while fulfilling America’s potential for a future powered by renewable energy.

The BLM is leading the nation toward the New Energy Frontier with active solar, wind, and geothermal energy programs. In 2010, the BLM approved the first nine large-scale solar energy projects on public lands. These projects will have an installed capacity of 3,600 megawatts, enough to power close to 1 million homes, and will create thousands of jobs. Additionally, the BLM has 29 authorized wind energy projects on the public lands with a total of 437 megawatts of installed wind power capacity. Geothermal energy development on the public lands, meanwhile, with an installed capacity of 1,275 MW, accounts for nearly half of U.S. geothermal energy capacity.

The BLM is working with local communities, state regulators, industry, and other Federal agencies to build a clean energy future by permitting the environmentally responsible development of renewable energy on public lands. The BLM’s groundbreaking work reflects a policy approach that focuses on environmentally-responsible development of renewable energy resources on the public lands with a fair return to the American people for the use of their resources.

In his *Blueprint for a Secure Energy Future*, President Obama charged the nation to make itself "more secure and control our energy future by harnessing all of the resources that we have available and embracing a diverse energy portfolio." That call to action specifically mentioned the accomplishments of the BLM and the DOI. This testimony describes not only how far we

have come in two short years to answering this call, but also how we have laid the groundwork necessary for a secure energy future powered by the nation's renewable energy resources.

### **Renewable Energy Authorizations & Priority Project List**

Promoting renewable energy on public lands is one of this Administration's and this Department's highest priorities. In Section 211 of the Energy Policy Act of 2005 (EPAct), Congress declared that before 2015 the Secretary of the Interior should seek to have approved non-hydropower renewable energy projects (solar, wind, and geothermal) on public lands with a generation capacity of at least 10,000 megawatts of electricity. It is the goal of this Administration to meet this goal by 2012 – three years ahead of schedule.

In 2009, the BLM instituted a “fast track” process that identified existing renewable project applications that were far enough along in the permit approval process to be completed by the end of 2010. These projects underwent full and comprehensive environmental review and public comment periods before the BLM made permitting decisions. While the BLM did not permit every project, in 2010, the BLM approved 9 solar projects capable of generating 3,600 megawatts of electricity. Additionally, in 2010 the BLM approved one wind project and two geothermal projects through the “fast track” process with a combined capacity of over 200 megawatts.

The BLM has positioned itself to build on last year's successes and continues to move toward the goal of approving 10,000 megawatts of renewable energy projects by the end of 2012. In March of this year, the BLM announced 20 projects on the 2011 priority project list – ten solar, five wind, and five geothermal projects. To be a priority project, an applicant must demonstrate to the BLM, among other things, that the project has progressed far enough to formally start the environmental review and the public participation process. A 2011 priority project must also have the potential to be cleared for approval by the end of 2011. The BLM is working to identify those projects that are sited in areas that minimize impacts to the environment.

All renewable energy projects proposed for BLM-managed lands will receive the full environmental review required by the National Environmental Policy Act, and include opportunities for public involvement.

In total, these 20 projects represent over 4,000 megawatts of renewable energy potential: 2,950 megawatts for the ten solar projects; 1,000 megawatts for the five wind projects, and 500 megawatts for the five geothermal projects. The first of these projects, the 62-megawatt Coyote Canyon geothermal project in Nevada was approved in March of this year. Potential output on some of these projects may change depending on the analysis and review of each project.

The priority list was developed using a collaborative process that emphasized early consultation. The Fish and Wildlife Service and the National Park Service provided input to the priority list. Additionally, the BLM and its partners within the Department of the Interior engage in ongoing coordination and consultation throughout the priority project process. This coordination and consultation is achieved in part through the Department's renewable energy coordination group, which meets on a weekly basis to discuss current projects and potential cross-jurisdictional issues that arise with these complex authorizations. This group has been effective in identifying

potential conflicts with projects early in the process in order to focus permitting efforts on projects that have the fewest conflicts and are most likely to be approved.

### **“Smart from the Start” Policies**

In order to achieve the goals set by Congress and Secretary Salazar, the BLM has implemented a number of policies and engaged in program-level environmental analysis designed to ensure that renewable energy development occurs in an environmentally responsible manner and that the American people receive a fair return for the use of their natural resources.

#### *Programmatic Environmental Impact Statements*

The BLM has successfully used the Programmatic Environmental Impact Statement (PEIS) process to evaluate BLM-wide programs for geothermal and wind energy, and is in the process of completing one for solar energy development. A PEIS evaluates the environmental impacts of broad agency actions, such as the development of major programs or the setting of national policies. These PEIS documents examine a range of alternatives for establishing renewable energy programs on suitable BLM-managed land and amend resource management plans (RMP), a necessary first step before specific projects can be authorized on BLM-managed lands.

The BLM published the Wind Energy PEIS in 2005. The Record of Decision amended 52 RMPs and identified over 20 million acres of BLM-managed land as being suitable for wind energy development. The decision also established policies and best management practices for the administration of wind energy development activities and established minimum requirements for mitigation measures.

The BLM published the Geothermal PEIS in 2008. The Record of Decision amended 114 RMPs and allocated about 111 million acres of Bureau-managed public lands as open for geothermal leasing. An additional 79 million acres of National Forest System lands are also open for geothermal leasing and administration by the BLM.

The BLM and the U.S. Department of Energy (DOE) jointly published the Draft Solar Energy PEIS in December of 2010. The Draft Solar Energy PEIS estimates that up to 214,000 acres of public land could be needed over the next 20 years for solar energy projects. Under the study's Preferred Alternative, the BLM would establish a new Solar Energy Program that would standardize and streamline the authorization process and establish mandatory design features for solar energy development on BLM lands. Under this proposal, the BLM would establish Solar Energy Zones (SEZ's) within a larger area of approximately 22 million acres that would remain open to solar energy right-of-way applications. The proposed SEZs studied in detail in the Draft PEIS included about 677,400 acres preliminarily identified as areas most appropriate for development, containing the highest solar energy potential and few known environmental and resource conflicts. The analyses of the proposed SEZs presented in the Draft Solar Energy PEIS shows that some, but not all of those areas, would be good places for solar projects. The BLM intends to prioritize solar energy development within SEZs carried forward in the final record of decision, and projects located in those areas would benefit from a more efficient, streamlined permitting process. After two thirty-day extensions designed to encourage greater public input, the public comment period for the Solar PEIS closed on May 2. The BLM is currently reviewing

comments and suggestions and will use the public's input to help determine the best path forward.

### *Renewable Energy Program Policies*

While the Programmatic Environmental Impact Statements provide the overall framework for the BLM's renewable energy programs, the BLM has also recently implemented a number of policies regarding renewable energy development. This field guidance clarifies National Environmental Policy Act (NEPA) documentation requirements and expectations; streamlines the project application review and approval process; and strengthens Plan of Development (POD) and due diligence requirements. Additionally, the interim final rules on segregation (discussed below) will allow the BLM to temporarily protect lands that are being considered for wind or solar development from new mining claims. The following is a summary of recent BLM policy guidance that will ensure responsible development of the nation's public land renewable energy resources:

- **Solar & Wind Energy Applications / Pre-Application & Screening** – The BLM believes it is important for all parties to engage in early coordination before committing significant resources to processing solar and wind energy development right-of-way applications. Under this guidance, the BLM will not accept a solar or wind energy development right-of-way application without holding pre-application meetings. Early coordination and review helps screen out projects with the most serious potential environmental conflicts and helps give priority to applications with the highest likelihood of success in the permitting process. The BLM follows a screening and prioritization process that will help direct development to low-conflict areas such as previously disturbed sites, areas adjacent to disturbed sites, and locations that minimize construction of new roads and/or transmission lines. (BLM Instruction Memorandum 2011-61)
- **NEPA Compliance for Utility-Scale Renewable Energy Right-of-Way Authorizations** – Certain renewable energy projects (e.g., concentrated solar) on public lands are somewhat distinct from many other types of rights of way authorizations due to their intensity of land use and the resulting potential for significant resource conflicts. This guidance is designed to help BLM field managers conduct NEPA analysis for these utility-scale renewable energy projects. The policy includes examples and guidance applicable to renewable energy right-of-way applications that supplement information in the BLM's NEPA Handbook, and will assist offices that are analyzing externally-generated, utility-scale renewable energy right-of-way applications. (BLM Instruction Memorandum 2011-59)
- **Solar & Wind Energy Applications / Due Diligence** – The due-diligence requirements of right-of-way applicants for solar and wind energy development projects on BLM-managed public lands are updated in this guidance. There have been some instances where land speculators have filed applications for solar or wind energy rights-of-way, in effect, blocking applicants with serious interests in the potential development of solar or wind energy resources on the public lands. The BLM can reduce the effects of speculation by applying the applicant qualification requirements of the right-of-way regulations and requiring the timely submittal of a POD consistent with the requirements of the regulations. This policy also emphasizes the review of pending applications and the rejection of any applications

where the applicant cannot demonstrate the technical or financial capability required by the regulations. Requiring a proof of due diligence by the applicant through the timely submittal of an acceptable POD ensures that applicants are not holding lands for extended periods and precluding other applicants with serious interests in potential development of the public lands. (BLM Instruction Memorandum 2011-60)

- **Renewable Energy Project Segregation Rules** – In April 2011, the BLM published two rules—a proposed rule and a temporary interim final rule—to help resolve land use conflicts that arise when mining claims are located in a renewable energy project right-of-way application area after the application is submitted but before the application can be evaluated and acted upon. The two rules grant the BLM authority to temporarily remove lands included in a renewable energy ROW application and lands offered for wind or solar energy development from land appropriations such as mining claims. Under the two published renewable energy segregation rules, lands with ROW applications for solar or wind energy development could be segregated to ensure no new resource conflicts will arise with respect to mining claims. Such segregations would only be authorized as needed and would not necessarily cover all lands where renewable energy ROW applications have been filed. The rules would also provide for termination of the segregation by the BLM upon the issuance of a decision to issue or not issue a ROW for the wind or solar proposal. (Federal Register Docs. 2011-10017; 2011-10019)

#### *Other Renewable Energy Program Initiatives*

The BLM continues to build the framework necessary for an onshore renewable energy program, including initiatives beyond the PEIS and recent policy developments. The BLM's establishment of its Renewable Energy Coordination Offices (RECOs) in Arizona, California, Nevada, and Wyoming and teams in Colorado, Idaho, Montana, New Mexico, Utah, and Oregon/Washington has facilitated the efficient processing of applications for large-scale solar, wind, and geothermal projects. Fish and Wildlife Service and National Park Service staff are co-located in many of the RECOs to expedite coordinated review of renewable energy projects. These offices play an integral role in the processing and approval of renewable energy project applications on BLM-managed lands.

BLM-Arizona's Restoration Design Energy Project, funded under the American Recovery and Reinvestment Act (ARRA) of 2009, supports the goals of building America's renewable energy resources and protecting and restoring treasured landscapes. The purpose of this initiative is to evaluate and identify disturbed, contaminated, and isolated lands in Arizona that also have high renewable energy potential. The project's draft environmental impact statement is anticipated to be completed in late 2011. The final environmental impact statement is expected in fall 2012. The EIS will evaluate different types of disturbed lands, including landfills, mines, and brownfields. Land use planning efforts are also underway by BLM in other states to facilitate the future development of renewable energy. These efforts include the Wyoming Wind and Transmission Study, the California Desert Renewable Energy Conservation Plan, and the West Chocolate Mountains Renewable Energy Evaluation and Land Use Plan in California.

The Department of the Interior is working closely with other partners to facilitate and encourage the development of renewable energy development. On July 8, 2010, Secretary Salazar and

Secretary of Energy, Steven Chu signed an interagency Memorandum of Understanding to develop a Solar Demonstration Zone on federal lands in Nevada to demonstrate cutting-edge solar energy technologies. The Solar Demonstration Zone will be located in the Nevada National Security Site, withdrawn public lands administered by DOE's National Nuclear Security Administration. The MOU will enable the DOE to support the demonstration of innovative solar energy technologies at a scale fully representative of the next generation utility-scale Concentrating Solar Power (CSP) systems. These projects will serve as proving grounds for new CSP technologies, providing a critical link between DOE's advanced technology development and full-scale commercialization efforts.

Finally, the BLM is striving to provide access to remote renewable sources and to enhance the national electricity grid to ensure reliability as sources of renewable energy are brought online. The BLM is meeting these challenges through its land use planning processes and through improvements to project siting and permitting reviews. The BLM continues to work closely on these efforts with other Federal agencies, tribes, states, and other entities.

### **Conclusion**

The Department of the Interior and the BLM are proud of the work we have accomplished in order to stand up a renewable energy program and a portfolio of projects that reflect the incredible resource potential of America's public lands. I would be happy to answer any questions you may have.