



Final Renewable Energy Rule

Frequently Asked Questions

1. Why did the Bureau of Land Management (BLM) update its renewable energy regulations?

Efficient deployment of renewable energy on our nation's public lands is crucial to achieving the Biden-Harris administration's goal of a carbon pollution-free power sector by 2035. BLM amended its regulations for administering solar and wind energy applications and authorizations to further facilitate responsible development on BLM-managed public lands. The final rule was informed by congressional and Executive direction, the virtual [listening sessions](#) and public comments on the proposed rule.

2. How will this rule relate to the proposed updates to the Western Solar Plan?

The *Renewable Energy Rule* works alongside the updated Western Solar Plan, which helps identify the most appropriate areas for solar development across the West. The updated Western Solar Plan will provide more predictability without jeopardizing important environmental or cultural resources or other uses of public lands. The *Renewable Energy Rule* improves BLM's application and permitting processes for solar and wind projects and provides financial incentives for development.

3. What are the financial incentives in the final rule?

Reductions for capacity fees are: 80% until the end of 2035; 60% in 2036; 40% in 2037; and 20% from 2038 onward. The rule also includes additional fee reductions for solar and wind energy developments that use Project Labor Agreements or domestic materials.

4. How does this final rule relate to the reduced rental fees for solar and wind projects on public lands that were announced in 2022?

The [Energy Act of 2020](#) authorized BLM to reduce acreage rents and capacity fees to promote the greatest use of solar and wind energy resources. BLM initially reduced these fees [through guidance in 2022](#). The rule codifies reductions, improving financial predictability for developers pursuing long-term authorizations on public land. Any new authorizations BLM issues will use the new rates for calculating annual payments. Existing authorizations will have two years from publication of the final rule to opt into the new rates or retain their existing rate-setting methodology.

5. Does the rule provide for revenue sharing with states and counties from solar and wind energy developments on public land?

Only Congress has the ability to provide for revenue sharing. Currently, all revenue collected from solar and wind energy development on public land goes to the U.S. Treasury.

6. What are the project labor agreement and domestic content provisions meant to address?

The rule establishes incentives for use of Project Labor Agreements to promote good paying jobs and help ensure efficiency and safety during construction, as well as use of American-made parts and materials to promote the development of robust domestic supply chains. This supports the Biden-Harris administration's commitment to creating American manufacturing jobs while helping to build a clean energy economy.

7. How will the renewable energy rule affect existing uses of public lands managed by the BLM like grazing, minerals, and recreational uses?

The BLM's management of public lands, including in this rule, explicitly protects valid existing rights. This rule does not change other existing rules or policies governing valid existing rights and previously authorized uses on BLM-managed lands. Other efforts, such as BLM's draft update to the *Western Solar Plan*, are designed to avoid conflicts with other uses early in project planning. For example, the draft *Western Solar Plan* seeks to identify areas open to solar application with low resource conflicts.

8. How will the rule relate to the Public Lands Rule?

Both rules help the BLM guide the country responsibly into a clean energy future. Both support the BLM's multiple-use and sustained-yield mission, and give the agency tools to support appropriate uses in appropriate places. The *Renewable Energy Rule* will facilitate appropriate clean energy development on public lands. The *Public Lands Rule* would ensure public lands continue to provide for clean water, wildlife habitat, and recreation alongside energy development. The *Public Lands Rule* would provide for more reliable data to be incorporated into BLM decision making, reducing resource conflicts in project siting. Further, it would provide more tools for companies—including renewable energy companies—to offset the impacts of development on public lands through restoration or mitigation actions.

9. When will the final rule go into effect?

The *Renewable Energy Rule* will go into effect 60 days after publication in the *Federal Register*, which is forthcoming. Any new or existing authorizations must adhere to the final rule at that time, including the changes to the BLM's acreage rent and capacity fees.