



# Position Statement

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## SOLAR AND WIND ENERGY DEVELOPMENT ON PUBLIC LANDS

### EXECUTIVE SUMMARY

The public lands have been an important source of the Nation's energy needs for over a century, along with providing other important resources like clean air and water, recreation opportunities, and sustaining natural areas and healthy ecosystems. Our energy needs continue to grow and evolve, and solar and wind energy generation on the public lands has now also become a contributor to a diverse and sustainable national energy portfolio. There is immense value in continuing to support the responsible development of these renewable energy resources on the public lands. Although increased renewable energy development has many benefits, it is not without its own impacts and challenges, and poorly sited projects can threaten other important natural resource values, wildlife habitat, and cultural resources. Through up-front land use planning and appropriate levels of environmental review, the Bureau of Land Management can ensure the responsible development of solar and wind energy resources on the public lands, while protecting other resources for current and future generations.



Footo Creek Wind, WY - PLF photo

### BACKGROUND

Solar and wind energy development on BLM-managed public lands are authorized as rights-of-way under Title V of the Federal Land Policy and Management Act (FLPMA) and are required to be consistent with BLM land use planning prescriptions for those lands. The BLM also issues rights-of-way for transmission lines on public land, to facilitate the development of solar and wind energy projects on both non-federal lands and the public lands. The BLM manages some 19.5 million acres of public land potentially available for solar energy development in six southwestern states and some 20.6 million acres of public land potentially available for wind energy development in eleven western states.

The BLM completed a Programmatic EIS for wind energy development on the public lands in 2005. It amended 52 land use plans and established policies and best management practices for the permitting of wind energy projects on the public lands. The BLM completed a Programmatic EIS for solar energy development in 2012. It amended 89 land use plans, established 17 Solar Energy Zones on some 285,000 acres with high solar potential in six southwestern states as the preferred location for solar energy projects, and identified some 19.2 million acres of lands

**The Public Lands Foundation advocates and works for the retention of America's Public Lands in public hands professionally and sustainably managed for responsible common use and enjoyment.**

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as potentially available for development. The BLM completed the Desert Renewable Energy Conservation Plan (DRECP) in southern California in 2015, in partnership with the State and in coordination with southern California counties. It identified some 388,000 acres of public land as development focus areas for solar and wind energy development and an additional 40,000 acres of lands as potentially available for development. The BLM in 2016 issued a final rule that amended the right-of-way regulations to facilitate the responsible development of solar and wind energy projects on the public lands, established a competitive leasing process for offering lands in designated leasing areas, and established rental rates for right-of-way authorizations for such development.

The BLM has approved 33 solar energy projects on the public lands with a total capacity of 5,768 megawatts and 36 wind energy projects with a total capacity of 2,183 megawatts. This capacity would generate enough electricity to power some 2.4 million homes. Total solar and wind energy revenues for these authorizations through the end of 2019 have exceeded \$200 million.

The Appropriations bill for FY 2021 included several policy riders, including a goal to approve 25 gigawatts of solar, wind, and geothermal energy projects on the public lands by 2025 and a requirement to establish BLM Renewable Energy Coordination Offices to streamline the permitting process for renewable energy projects. In addition, the President issued an Executive Order on January 27, 2021, that requires the Secretary to review renewable energy siting and permitting processes on the public lands and identify steps that can be taken to increase renewable energy production on the public lands. The 116th Congress introduced the Public Land Renewable Energy Development legislation (H.R.3794 / S.2666) that included provisions for the sharing of revenues from the development of solar and wind energy development on the public lands. It is expected this legislation will be reintroduced in the 117th Congress.



Silver State Solar, NV - DOI photo

### PLF POSITION

1. The responsible development of solar and wind energy projects on the public lands and the establishment of Renewable Energy Coordination Offices, as required by Congressional appropriations, should be a high priority of the Department of the Interior. Public lands with low natural or cultural resource conflicts, or on previously disturbed or mined lands, are more suitable for solar or wind energy development than are lands with high natural or cultural resource values.
2. SolarMapper and WindMapper data and geospatial tools, developed by the Department of Energy in collaboration with BLM, should be maintained and updated to assist in the early identification of potential natural and cultural resource conflicts with solar and wind energy resources on the public lands. These mapping tools can assist in the early screening of proposed solar and wind energy projects and assist in the siting of projects with low natural and cultural resource conflicts.
3. The permitting of transmission line rights-of-way on the public lands should be streamlined to facilitate solar and wind energy development on adjacent non-federal lands. The approval of these types of connected-action authorizations, to support development on adjacent non-federal

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lands, may be more appropriate than development on some public lands and should be tracked by BLM and reported as accomplishments in meeting national renewable energy goals.

4. The PLF supports legislation that would provide authority for the distribution of revenues to States and Counties, a conservation fund to restore and protect habitats/resources and improve access to Federal lands, and a BLM fund to support the renewable energy program. Legislation should also include a provision to establish an appropriate royalty for solar and wind energy authorizations to ensure a fair market value return for the use of public lands. These royalty revenues should also be shared as noted above.

5. The 2005 Wind Energy Programmatic EIS should be updated to identify “designated leasing areas” pursuant to the new solar and wind energy regulations issued in 2016. In addition, updated avoidance areas should be identified that are considered unsuitable for wind energy development based on new resources data, current land use plan decisions and current policies.

6. The 2012 Solar Energy Programmatic EIS should be updated to include public lands in all 11 western states, where lower required solar radiation values may now make more lands suitable for development. Improved solar energy technologies, including battery storage, should be analyzed for potential development impacts. Previously disturbed or mined land areas should also be identified for possible siting of solar projects. Additionally, “designated leasing areas” should be identified pursuant to the new solar and wind energy regulations issued in 2016, and avoidance or exclusion areas should be identified that are considered unsuitable for development.

7. The BLM should proceed with an effort to offer lands for competitive leasing in “designated leasing areas” pursuant to the solar and wind energy regulations issued in 2016. This effort should be initiated with a call for nominations or expressions of interest.

8. Reclamation bonding is required by the regulations for all solar and wind energy authorizations and BLM needs to ensure these bonds are periodically reviewed and are adequate to protect the interests of the Federal Government.

9. The BLM needs to update and revise offsite compensatory mitigation guidelines and policies. This would facilitate the reduction of landscape-scale resource impacts from solar and wind energy projects on the public lands. The DRECP land use plan is an example of collaboration in mitigation planning to support responsible renewable energy development. Current BLM policies restrict the use of offsite compensatory mitigation.

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