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# RESPONSIBLE SITING OF RENEWABLE ENERGY PROJECTS ON PUBLIC LANDS



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# What We'll Cover Today

- Federal Land and Policy Management Act (FLPMA): Title V
  - Changes to 43 CFR 2800 et seq. via BLM's Proposed "Rights-of-way, Leasing, and Operations for Renewable Energy" rule
  - Updates to the 2012 Solar PEIS
- Directed Development
  - Smart From the Start
  - Proposed *Public Land Renewable Energy Development Act*
- Oregon Smart Siting Collaboration
- Challenges



# Federal Land and Policy Management Act

Balancing use and conservation across 250 million acres

- FLPMA creates a basis for national land use policy that is meant to ensure

*“that management be on the basis of multiple use and sustained yield . . . ,” that “lands be managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values . . . ,” and that our “need for domestic sources of minerals, food, timber, and fiber . . .” be supported by these lands.*

- Title V of FLPMA conveys authority to DOI to use federal public lands for things like wind and solar power generation.



# Federal Rules are Changing

## Proposed changes to Renewable Energy regulations on federal lands

- Adjustments (reductions) to rents
- Adjustments to capacity fees and how they're determined
- Better direction for establishment of “designated leasing areas”
- Increased clarity for how projects can receive priority processing by the agency
- Inclusion of energy storage facilities and high voltage transmission lines



# And more federal lands may become available

## BLM's revised Solar PEIS and upcoming changes

- Process to update the 2012 Solar Programmatic Environmental Impact Statement kicked off in December 2022
- Six alternatives have now been revealed
- All “action alternatives” expand PEIS’ application from 6 original states to 11 states
- Options being explored range from limiting development to only preferred areas, focusing development near transmission, and/or focusing development on previously disturbed lands



# Directed Development

Smart From the Start – optimizing the siting process to secure responsible, efficient development



- Landscape-level planning approach to better assess resource values and direct renewable energy development to appropriate areas.
- Avoids site-by-site decisions that fail to consider landscape-level impacts
- Guides development to lowest-conflict areas
- Leads to conservation of ecologically important areas

# Directed Development Case Study

## The Proposed *Public Land Renewable Energy Development Act*

- Direction for designation of priority areas for siting solar, wind, and geothermal energy projects
- Review and permitting preference to projects located in priority areas
- Revenue sharing for local communities and states hosting new projects
- Creation of a Renewable Energy Resource Conservation Fund
- Improving access to public lands



# State Specific Case Study

## Oregon Smart Siting Collaboration: Voluntary Siting Guidelines



- Oregon's 2040 zero emission goal
- State-specific challenges
  - Community buy-in
  - Project location vs. energy market
  - Transmission access and capacity
- Oregon-specific values
- Voluntary guideline development, approach, and purpose



# Challenges

- Conflicting uses and interests
  - Land use impacts
  - Land use changes
  - Cultural values
  - Scenic values
  - Historical values
  - Endangered species
- Land use footprints
- Access to transmission/capacity of transmission
- State vs. federal policy



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THANK YOU

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