

UTILITY-SCALE SOLAR POWER ON FEDERAL LANDS

U.S. CREATES CLEAN ENERGY JOB WITH HISTORIC PROJECT PERMITS

Overview

Some of the best solar resources in the world are located in the western United States on public land overseen by the federal government. Federal agencies developed extensive processes to authorize use of these lands for a variety of purposes, including recreation, grazing, mining and energy development. From initial application to final Right-of-Way grant, the current process for a utility-scale solar project requires between three and five years to complete. In contrast, federal agencies approved over 74,000 permits to drill for oil and gas on public lands in the last 20 years.¹ New initiatives undertaken in 2009 led to the first-ever permits for utility-scale solar projects on public lands in 2010. Today, BLM has permitted 16 projects, which will provide nearly 6,058 megawatts of generating capacity, enough to power approximately 1.2 million homes.

The Bureau of Land Management Permitting Process

The Bureau of Land Management (BLM), within the U.S. Department of the Interior, manages 258 million acres of land in the West. The BLM is responsible for authorizing utility-scale solar energy developments through a Right-of-Way (ROW) permit under Title V of the Federal Land Policy and Management Act (FLPMA) of 1976.

THE RIGHT-OF-WAY APPROVAL PROCESS

Solar energy developers must complete the following process to secure a Right-of-Way permit allowing them to develop a project on public lands:

STEP 1: SUBMIT RIGHT-OF-WAY GRANT APPLICATION (0-30 DAYS)

- Upon submission of an application by the solar developer, BLM determines an appropriate processing fee, which must be paid by the developer prior to processing.

STEP 2: SUBMIT PLAN OF DEVELOPMENT (BLM'S GOAL IS 60 DAYS, BUT MAY TAKE 4-6 MONTHS)

- Once payment has been received for the application fees, BLM notifies the applicant in writing and requests a comprehensive Plan of Development.
- Applications are generally processed in the order they are received. Processing may be delayed as BLM specialists complete required inventories or consult with other agencies.

STEP 3: CONDUCT ENVIRONMENTAL REVIEW (24-48 MONTHS)

- BLM publishes Notice of Intent to prepare an Environmental Impact Statement (EIS) in the *Federal Register*.
- A National Environmental Policy Act (NEPA) review is conducted by BLM with input from the U.S. Fish and Wildlife Service, state, and local authorities. The process requires months of detailed surveys and analyses of the project site to identify any potential impacts. Multiple public meetings are scheduled

NEPA Review Process

Notice of Intent



Scoping Process



Draft EIS



Agency and Public Review & Comment



Final EIS



Record of Decision

for community input. The EIS concludes with the issuance of a Final Environmental Impact Statement. (See the NEPA Review Process above.)

STEP 4: ISSUE RECORD OF DECISION (ROD)


- Following the successful completion of the environmental review process, inventories, and reports, the BLM will issue a Record of Decision, wither granting or denying the ROW application. If granted, the applicant also receives a Notice to Proceed (NTP), allowing the construction phase to begin.

STEP 5: AFTER A ROW GRANT IS ISSUED

- ROW holders pay an annual rent to the United States Treasury based on the BLM's solar rent formula.²

Fast-Track Projects

In mid-2009, Secretary of the Interior Ken Salazar announced a "Fast-Track" initiative for solar project application demonstrating the most promise to complete the necessary environmental reviews.³ "Fast-track" projects do not forego environmental review requirements necessary to receive a Right-of-Way permit, but receive priority processing.



Established in 1974, the Solar Energy Industries Association® is the national trade association of the U.S. solar energy industry. Through advocacy and education, SEIA® and its 1,000 member companies are building a strong solar industry to power America. As the voice of the industry, SEIA works to make solar a mainstream and significant energy source by expanding markets, removing market barriers, strengthening the industry and educating the public on the benefits of solar energy. www.seia.org

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- ¹ “Number of APDs approved by Year on Federal Lands.” 2009. U.S. Bureau of Land Management. Accessed online 26 March 2010.
http://www.blm.gov/pgdata/etc/medialib/blm/wo/MINERALS__REALTY__AND_RESOURCE_PROTECTION_/energy/oil__gas_statistics.Par.5146.File.dat/chart_2009_07.pdf
- ² “Solar Energy Interim Rental Policy.” 10 June 2010. U.S. Bureau of Land Management. Accessed Online 1 August 2010.
http://www.blm.gov/wo/st/en/info/regulations/Instruction_Memos_and_Bulletins/national_instruction/2010/IM_2010-141.html
- ³ For more information on “Fast-Track” solar projects, please visit: http://www.blm.gov/wo/st/en/prog/energy/renewable_energy/fast-track_renewable.html