Wind Energy Projects on BLM Lands

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BLM’s Goals

- Establish a Renewable Energy Development Program
- Identify BLM-administered lands suitable for utility-scale renewable energy development
- Consider the need for additional transmission corridors crossing BLM-administered lands
- Potentially amend BLM land use plans to address renewable energy development
Current Guidance/Policy

- The Energy Policy Act of 2005 (Title II, Sec. 211)
  - requires the DOI to approve at least 10,000 MW of renewable energy on public lands by 2015

- Executive Order 13212, Actions to Expedite Energy-Related Projects
  - requires Federal agencies to expedite review of energy project applications
Current Guidance/Policy

• Secretarial Order 3285
  – identify and prioritize specific locations best suited for large-scale renewable energy production

• Government to Government Consultation
  – H-8120 BLM Manual Guidance
  – Sec 106 under Nat. Hist. Pres. Act
    • Consult with tribes throughout process; especially regarding historic properties to which they attach religious or cultural significance
  – NEPA
    • As part of normal scoping process
BLM Permitting Authority

- Administration of Public Lands Under Federal Land Policy and Management Act (FLPMA)
- Review of Land Use Planning and Processing of Land Use Plan Amendment
  - California Desert Conservation Plan (1980)
- Lead Federal agency for National Environmental Policy Act (NEPA), National Historic Preservation Act, and other Federal law compliance
BLM NEPA EIS / LUP Amendment Process

- Notice of Intent
- Public Scoping Period
- Alternative Formulation
  - Prep of Draft EIS / Draft Land Use Plan (LUP) Amendment
    - Notice of Availability Draft EIS 90-day comment period
- Prep of Final EIS / Proposed LUP Amendment
  - Notice of Availability FEIS / 30-day review availability/protest period
  - Record of Decision / Approved LUP Amendment
    - Notice to Proceed / Monitor Project
Coordination with Other Agencies

- State of California and Dept of Interior MOU
- California Energy Commission MOU
- US Fish and Wildlife Service MOU
- San Bernardino County MOU
- California Public Utilities Commission MOU
- Renewable Energy Action Team MOU (CEC, DFG, FWS, BLM)
- Dept of Defense and BLM Protocol
Application Process

Wind Energy Projects

- Processed as Right of Way Authorizations under 43 CFR Part 2800
- Pre-Application meeting scheduled
- Applicant submits complete SF-299 Application and Cost Recovery payment
- Cost Recovery rental based upon ROW Grant type:
  - Type 1 - $100/unit/yr
  - Type 2 - $1000/yr or $1/acre (greatest)
  - Type 3 - $4,155/Mw phased in; 25% yr 1, 50% yr 2, 100% yr 3
Application Process

Wind Energy Projects (cont.)

- 3 types of Wind ROW Grants
  - **Type 1** - Authorized under 43 CFR 2800;
    - Site specific for testing equipment;
    - 3 yrs only, no extensions
  - **Type 2** - Potential to extend beyond 3 yrs;
    - required to submit new SF299 and POD for future development
  - **Type 3** - Commercial wind facility, 30 - 35 yrs
Application Process

Wind Energy Projects (cont.)

- POD submitted to BLM before end of testing period
- NOI published for NEPA document
- EA/EIS approx. ~2 years to complete; includes plan amendment
- Record of Decision leads to issuing ROW Grant
Number of wind applications over time

- 2002: 6
- 2004: 8
- 2005: 1
- 2006: 22
- 2007: 36
- 2008: 43
- 2009: 51
- Today: 57

Pending Apps: 1 = Development
More Information?

• General BLM info:
  – http://www.blm.gov

• California Desert District Renewable Energy Website:

• Washington Office Website

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