



**Written Statement of JC Sandberg
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Before the House Committee on Natural Resources
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Chairman Stauber, Ranking Member Ocasio-Cortez, and members of the House Natural Resources Subcommittee on Energy and Mineral Resources, thank you for the invitation to offer testimony on H.R. 8954, the Public Lands Renewable Energy Development Act of 2024 (PLREDA 2024). My name is JC Sandberg, and I am the Chief Advocacy Officer for the American Clean Power Association (ACP). ACP represents over 800 companies focused on deploying utility-scale clean energy. ACP unites the power of solar, onshore and offshore wind, storage, green hydrogen, and transmission developers, along with manufacturers and construction companies, owners and operators, utilities, and corporate purchasers of clean energy.

Today, I offer ACP's support for PLREDA 2024. There has been longstanding bipartisan interest in a revenue sharing program that ensures investment in domestic renewable energy on public lands will be reinvested in the states and local communities that host these projects, as well as in conservation efforts in these areas and to improve the processing of permits on these lands. ACP appreciates this Committee's interest in advancing legislation that will help make these goals a reality.

Our nation is experiencing a breakthrough in domestic energy production and rapid growth in demand for electricity. Seizing and meeting this opportunity is dependent on the continued strength in traditional energy production while unleashing a massive deployment of a wide range of renewable energy technologies, including on public lands. Renewable power has already become a significant part of our nation's energy mix. Wind and solar produce 16% of U.S. electricity with nearly 270 GW online—enough electricity to power more than 68 million homes.

The industry provides 460,000 American jobs, supporting jobs in every state in our country, and delivers \$3 billion each year in state and local taxes and landowner lease payments. In the past two years alone, the nation has seen massive deployment of a wide range of renewable energy, largely on private lands, though — resulting in more than \$488 billion in private-sector investments and more than 44,000 manufacturing jobs.¹

It is critical that Congress continue to build on this momentum by using public lands to further unlock the industry's economy-stimulating and community-revitalizing potential. By ensuring

¹American Clean Power Association, Clean Energy Investing in America, <https://cleanpower.org/investing-in-america/>.



that renewable energy projects provide steady revenue to speed up the permitting process on public lands and provide additional economic and environmental benefits to the communities that host these projects, this bill will do just that.

The good news is that Federal lands managed by the Bureau of Land Management (BLM) and the United States Forest Service (USFS) have a vast potential for renewable energy development. BLM and USFS manage 245 million and 193 million acres of public land, respectively,² with the potential to produce thousands of gigawatts (GW) of renewable energy.³ In fact, researchers estimate that there are 2,100 GW of potential energy generation from renewables on BLM lands alone.⁴

The bad news is that despite some recent efforts to encourage renewable energy development on public lands,⁵ these resources continue to be vastly untapped relative to their potential. As of 2023, a little over 60 solar and wind projects have been approved on BLM lands, and BLM currently only has an equivalent number of renewable energy projects, representing a mere 29 GW of energy generation, under review.⁶ This problem is made even clearer when comparing renewable energy development on public lands with that on private land. Currently, around 95% and 99% of operating capacity for solar and wind, respectively, is on private lands. As of the end of 2023, 3,728 megawatts of solar energy (with an additional 1,556 MW approved but not yet constructed) and 1,438 MW of wind energy was operating on BLM lands (with an additional 3,038 MWs approved but not yet constructed⁷ compared to 94,425 MW of operating utility-scale solar capacity nationwide and 150,455 MW of operating wind capacity.⁸

This disparity can largely be explained by the fact that it is less attractive to develop projects on public lands due to the long, uncertain, and costly permitting delays on them, which have ripple

² Bureau of Land Management, *What We Manage Nationally*, <https://www.blm.gov/about/what-we-manage/national> (explaining that BLM administers one-tenth of America's land base); U.S. Forest Service, *Meet the Forest Service*, <https://www.fs.usda.gov/about-agency/meet-forest-service>.

³ Clean Air Task Force, *The technical potential for clean energy deployment on BLM and other federal lands in the lower forty-eight United States* (Jan. 2024), <https://www.catf.us/2024/01/clean-energy-deployment-potential-blm-federal-lands/>.

⁴ *Id.*

⁵ Bureau of Land Management, Biden-Harris Administration delivers historic milestones, new actions for clean energy on public lands (April 11, 2024), <https://www.blm.gov/press-release/biden-harris-administration-delivers-historic-milestones-new-actions-clean-energy> (explaining that the Department has recently permitted more than 25 gigawatts of clean energy projects on public lands, which is enough clean energy to power more than 12 million homes across the country, surpassing the Energy Policy Act of 2020's public land utilization targets ahead of the 2025 deadline).

⁶ Bureau of Land Management, *Active Renewable Projects*, <https://www.blm.gov/programs/energy-and-minerals/renewable-energy/active-renewable-projects>.

⁷ See <https://www.blm.gov/programs/energy-and-minerals/renewable-energy/active-renewable-projects>, https://www.blm.gov/sites/default/files/docs/2023-03/PROJECT_LIST_SOLAR_FY2022.pdf, and https://www.blm.gov/sites/default/files/docs/2021-11/PROJECT%20LIST%20WIND_October%202021.pdf.

⁸ American Clean Power Association, *Clean Power Annual Market Report 2023*.



effects throughout the economy — throwing off project timelines, domestic supply chains, and the indirect jobs and economic activity that would have otherwise occurred.

PLREDA 2024's revenue recycling sharing program will help change this dynamic by providing more resources to expedite permitting and financial benefits for host states and counties, and allow the nation to realize the potential for renewable energy on public lands, creating more good-paying American jobs, strengthening the reliability and resiliency of the grid, promoting energy independence, and reducing electricity costs for consumers, all the while providing key revenue and environmental benefits to the areas in which they reside.

HR 8954 Will Ensure a Fair Return for States and Counties, Conservation Efforts, and Expedite the Processing of Permits

ACP strongly supports the revenue sharing proposal in PLREDA 2024 as it will ensure a fair return for states and counties from renewable energy development, promote related conservation efforts, and expedite the processing timelines for renewable energy projects on public lands.

Currently, 100% of rents, fees, and other revenues generated from wind and solar energy projects on public lands are directed to the Federal treasury. In contrast, Federal law requires that oil and gas revenues must be shared with states, and that geothermal revenues must be shared with states and counties. PLREDA 2024 would create parity in the treatment of revenues of energy resources on public lands by reinvesting revenues from renewable energy projects back into surrounding states and counties, conservation efforts, and the processing of permits.

Specifically, by allocating 25% of the federal revenue to the county where the project is located and another 25% to the state, this bill will help boost local economies and guarantee that state and local residents rightly benefit financially from the renewable energy projects they host in their communities. As with the sharing of revenues from other energy sources, such as oil and gas, communities can invest revenue from these projects in schools, libraries, roads, and other public services.

Equally, the Renewable Energy Resource Conservation Fund set up by the bill will help Federal, state, local and Tribal agencies support their conservation efforts, including efforts to restore and protect fish and wildlife habitats, corridors, and wetlands. As such, the bill strikes an important balance between supporting renewable energy on public lands while helping preserve these lands and their surrounding areas for other uses, such as hunting, fishing, hiking, and biking.

It is also important to recognize that improvements to deploying renewables on public lands can only go so far if BLM and USFS offices don't have the resources to process their permits. By



allocating revenue that could be used to add to the capacity and skills to effectively manage and process renewable energy permits on public lands, the gap between the potential for renewable development on public lands and the actual number of projects developed thereon can be narrowed.

Ultimately, revenue sharing is a win-win. It supports renewable energy development on public lands, while at the same time ensuring that the benefits of this development further support the areas in which they are located.

Include Energy Storage

We encourage members to consider including energy storage in the definition of energy project as they work to finalize the bill. Including energy storage in the definition of renewable energy project is a commonsense measure that will make sure states and communities and their environments benefit from all aspects of renewable energy development on public lands and the revenue sharing program created by this bill. Many developers build hybrid projects that include both renewable energy generation, such as wind and solar, and energy storage, as well as standalone storage projects. Permitting fees from all these resources should be included in any revenue sharing provision.

Further Permitting Reforms

While this bill represents a significant step toward facilitating the development of renewable energy projects on public lands through revenue sharing, more reforms are needed to support the responsible, effective, and efficient siting of critical energy infrastructure on these lands and across the nation. To that end, ACP encourages this Committee and Congress consider other reforms, consistent with the broader bipartisan NEPA reforms enacted by Congress in 2023, that would improve the permitting process for energy infrastructure, including the following:

- **Application Processing Timeline:** Establish a default timeline of 30 days from the date of receipt of an application for a Cost Recovery Agreement and not more than 180 days for the issuance of the Notice of Intent (NOI) for an Environmental Impact Statement (EIS) and less for an Environmental Impact Statement; these milestones start the clock for preparing a NEPA document and agencies can avoid triggering it by slow-walking the issuance of them.
- **Subsequent Authorizations:** Require authorizations after a NEPA document is finished to be issued no later than 180 days after the issuance of a record of decision or finding of no significant impact; once NEPA review is done, agencies can delay the issuance of a permit by foot-dragging these authorizations.



- **Expand Utilization of Programmatic Review:** Require agencies to use programmatic environmental documents and tiering from those documents to expedite the issuance of project-specific permits and eliminate repetitive considerations of the same issues.
- **Categorical Exclusion Process Improvements:** Establish improvements to improve the use of categorical exclusions and require agencies to issue requests for information to solicit ideas for new categorical exclusions.

Conclusion

ACP strongly supports PLREDA 2024 which is vital to unleashing our nation's clean energy potential across the United States. Revenue sharing will encourage development of renewable energy projects on federal public lands — commensurate with their potential to host them — while ensuring a fair return for states, counties, and conservation.