



U.S. Department of the Interior
Bureau of Land Management

Proposed Renewable Energy Rule

Frequently Asked Questions

1. Why is the Bureau of Land Management (BLM) proposing revisions to its renewable energy regulations?

BLM is proposing to amend its existing right-of-way regulations to further facilitate responsible solar and wind energy development on BLM-managed public lands. Some updates respond to Congressional direction, and the proposal is informed by virtual [listening sessions](#) the BLM held to hear input from stakeholders across the country on the agency's renewable energy management.

Efficient deployment of renewable energy projects on our nation's public lands is crucial to achieving the Biden-Harris administration's goals of a carbon pollution-free power sector by 2035 and permitting 25 gigawatts of solar, wind, and geothermal energy on public lands by 2025.

2. How will this rule interrelate with the Solar Energy Programmatic Environmental Impact Statement (EIS), also known as the Western Solar Plan, that the BLM is currently working to update?

The proposed Renewable Energy Rule and the Solar Programmatic EIS complement one another. The Solar Programmatic EIS is a land-use-planning effort that will identify areas on BLM-managed lands where large-scale solar energy proposals are most preferable or should be precluded. The proposed rule would allow for more rapid solar energy development in the preferred areas identified by the Programmatic EIS. Through the Solar Programmatic EIS, BLM seeks to provide more predictability by identifying areas where solar energy development applications can be considered without jeopardizing critical resources and other uses of the public lands, consistent with the BLM's multiple-use and sustained-yield mission.

3. Does BLM's proposed rule provide for revenue sharing with states and counties of the monies collected from wind and solar projects on public land?

Currently, all revenue collected from solar and wind energy projects on public lands goes to the U.S. Treasury.

4. How does this rule change the manual updates that reduced rental fees for solar and wind projects on public lands?

The Energy Act of 2020 authorized BLM to reduce acreage rents and capacity fees to promote wind and solar development. BLM initially reduced these fees [through guidance in 2022](#), and the proposed provisions in the Renewable Energy Rule would codify reductions, improving financial predictability for developers pursuing long-term authorizations on public land.

5. What are the domestic content and workforce provisions meant to address?

The proposed rule would also continue the Biden-Harris administration's commitment to creating American manufacturing jobs while helping to build a clean energy economy. The proposal seeks input on additional incentives to promote public lands' renewable energy projects developed with American-made parts and materials or constructed using union labor.

6. Would the proposed rule affect other types of rights-of-way, such as transmission lines?

No, the proposed rule does not address rights-of-way apart from wind and solar right-of-way grants or leases.

7. How would the proposed Renewable Energy Rule affect existing uses of public lands managed by the BLM, like grazing, minerals, and recreational uses?

The BLM's management of public lands, including in the proposed Renewable Energy Rule, explicitly protects valid existing rights and previously authorized uses, including grazing.

8. How would the proposed Renewable Energy Rule interrelate with the proposed Public Lands Rule?

Both proposed rules aim to support the agency's multiple-use and sustained-yield mission. The proposed Renewable Energy Rule would facilitate appropriate development on the public lands. The proposed Public Lands Rule would identify conservation (including restoration and mitigation) as a use, alongside other multiple uses, ensuring public lands continue to provide for clean water, wildlife habitat, and recreation, alongside energy development. Both proposed rules would give BLM tools to support appropriate uses in appropriate places. The proposed Public Lands Rule would incorporate more reliable data into decision making to reduce resource conflicts in project siting. Further, it would provide more tools for companies to carry out compensatory mitigation on public land. Conservation leasing as a tool for mitigation could help support the development of renewable energy by providing project proponents with a mechanism to offset the impacts of development on public lands through restoration or mitigation actions. In fact, the proposal for conservation leases comes in part as a response to feedback from State, local, and industry partners seeking a durable mechanism for compensatory mitigation.

9. When will the proposed Renewable Energy Rule go into effect?

A 60-day public comment period runs through August 15, 2023. During this period, written comments may be provided according to the directions in the *Federal Register* notice. Following the comment period, the BLM anticipates incorporating feedback as appropriate and finalizing the rule by summer 2024.