

Early this month, a bipartisan group of western U.S. Senators introduced a bill that would create a leasing program for renewable energy development on federal public lands. The Public Lands Renewable Energy Development Act of 2011 (S. 1775) is being led by Montana Senator Jon Tester and cosponsored by Senators John Risch (Idaho), Harry Reid and Dean Heller (Nevada), and Mark Udall (Colorado). The vision of the bill is to create a leasing pilot project that treats renewable energy similar to traditional sources of energy development, such as oil and gas, with the goal of reaching a permanent leasing program within two years. A portion of the revenues from the leasing and royalty program would be dedicated to land and wildlife conservation efforts, according to the Wildlife Management Institute.

“With some of the best renewable energy development sites located on public lands, it is vital to expand this industry while protecting the natural resources that make our region famous,” Tester said. “Our bill is a common sense way to create jobs and give renewable energy the same opportunities as oil and gas. And by responsibly developing our energy resources, we will also increase our energy security.”

The bill would move toward a leasing program for wind and solar energy projects on federal public land. Currently, such projects are managed using rights-of-way and special use permits that are non-competitive, encourage speculation and do not provide compensation for the use of these lands. In addition, agencies would be required to complete their environmental analysis—including the solar programmatic environmental impact statement (see related story)—and amend any land-use plans.

Under the pilot program, at least two solar and two wind locations would be available for lease under a competitive bidding process. Within two years and after reviewing and assessing the success of the leasing program to make any necessary adjustments, the Department of the Interior (DOI) then would establish a permanent program. The new leasing program would provide a consistent playing field for the renewable energy industry while ensuring a fair return to the American public for the industry’s use of these resources.

“A broad domestic energy supply is critical for America to grow its economy,” Risch said. “This plan helps accomplish that by putting renewable energies under a similar framework as conventional energy sources. It also requires royalty payments that will benefit the counties and states where the projects occur.”

If enacted, the leasing program would mirror leasing programs for federal fluid minerals (oil, gas, coal bed methane and others), including a competitive lease sale and rental fees and royalties that are intended to bring “a fair return to the United States” for use of the land. Twenty-five percent of revenues would be distributed to the county or counties in which a project is located, 25 percent to the state in which a project is located, 15 percent for a renewable energy permit processing fund for DOI (after 15 years, this revenue stream will be deposited into the conservation fund), and 35 percent to a fund for wildlife and land conservation and protection.

The bill’s introduction generated strong support from a broad group of conservation and environmental organizations ranging from the Congressional Sportsmen’s Foundation (of which Senator Tester and Senator Risch are the current co-chair and vice-chair, respectively) to The Wilderness Society.

“Sportsmen are supportive of the development of clean, renewable energy resources on public lands as long as it is done in the right places and in a manner that is protective of fish and wildlife habitat,” wrote a group of 23 organizations to bill sponsors. “The provisions of the bill that establish a pilot leasing program for wind and solar energy development on public lands and apply a substantial portion of royalty revenue to mitigation of impacts to fish and wildlife habitat are essential to balancing development and hunting and fishing opportunities. Also eligible for use of the funds are securing recreational access to federal land from willing sellers for the purpose of providing enhanced public access to existing land that is inaccessible or restricted.”

The bill was referred to the Senate Committee on Energy and Natural Resources. (jas)