

Bipartisan Bill Could Increase Renewable Energy Development on Public Lands
Jul 25, 2019

Client Alert

Renewable energy on public lands may receive a boost from legislation introduced by Reps. Paul Gosar (R-AZ) and Mike Levin (D-CA) on July 17.

The *Public Land Renewable Energy Development Act* (H.R. 3794), or PLREDA, seeks to balance renewable energy production with conservation and thereby promote increased development of wind, solar and geothermal energy on federal lands. The legislation's key provisions include:

- **Revenue sharing:** the legislation creates a revenue-sharing mechanism whereby affected stakeholders will benefit
 - **States** – 25% to the states where projects are located
 - **Counties** – 25% to the counties where projects are located
 - **Sportsmen and Conservation** – 25% into a fund for sportsmen and conservation purposes including increased access to outdoor recreation
 - **Permitting** – 15% to be used for finding permitting efficiencies and reducing current backlog
 - **Deficit reduction** – 10% for deficit reduction
- **Renewable energy goal:** places a goal for the U.S. Department of the Interior (DOI) to permit 25 gigawatts by 2025
- **BLM personnel:** requires the Bureau of Land Management to designate specific employees who will be responsible for monitoring, planning and permitting renewable energy projects
- **Renewable Energy Coordination Office:** seeks to improve management of project permitting through the creation of a Renewable Energy Coordination Office
- **DOI fees discretion:** allows DOI authority to reduce rental rates and capacity fees to encourage development

Congressional Support

The legislation has broad bipartisan support within the House of Representative including both the House Natural Resources Committee Chairman Raul Grijalva (AZ-3) and Ranking Member Rob Bishop (UT-1). At present, it has 15 Republican and 12 Democratic cosponsors:

Republicans

Mark Amodei (NV-2)

Democrats

Donald Beyer (VA-8)

Andy Biggs (AZ-5)

Matt Cartwright (PA-8)

Rob Bishop (UT-1)

Ed Case (HI-1)

Paul Cook (CA-8)

Suzan DelBene (WA-1)

Matt Gaetz (FL-1)

Debbie Dingell (MI-12)

Greg Gianforte (MT-At Large)

Debra Haaland (NM-1)

Dour LaMalfa (CA-1)

Jared Huffman (CA-2)

Roger Marshall (KS-1)

Mike Levin (CA-49)

Dan Newhouse (WA-4)

Alan Lowenthal (CA-47)

David Schweikert (AZ-6)

Ben Ray Lujan (NM-3)

Michael Simpson (ID-2)

Doris Matsui (CA-6)

Peter Stauber (MN-8)

Mike Thompson (CA-5)

Chris Stewart (UT-2)

Scott Tipton (CO-3)

Don Young (AK-At Large)

Stakeholder Support

The legislation has broad support from a range of industry, environmental and conservation stakeholders including EDF Renewables, National Association of Counties, American Sportfishing Association, Theodore Roosevelt Conservation Partnership, Wilderness Society, the Natural Resources Defense Council and Solar Energy Industries Association.

Outlook

Currently, 40% of the total geothermal electric generating capacity and 5% of utility-scale wind and solar energy capacity comes from public lands. PLREDA seeks to change this dynamic and encourage local, state and federal governments as well as renewable energy companies to invest in renewable energy projects on federal lands. Unlike many energy issues in Washington, PLREDA enjoys bipartisan support and conveys a desire by both sides of the aisle to work toward a common goal of increasing renewable energy's percentage in the country's energy mix. This early, bipartisan support has caught the attention of the House Natural Resources Committee where the legislation is scheduled to have a hearing on Thursday, July 25 before the Energy and Minerals Resources Subcommittee. While the legislation will need to be marked up before it can

proceed to a vote of the committee and sent to the full House of Representatives, the support of both Chairman Grijalva and Ranking Member Bishop bode well for the legislation's potential passage.

This document is intended to provide you with general information regarding the Public Land Renewable Energy Development Act. The contents of this document are not intended to provide specific legal advice. If you have any questions about the contents of this document or if you need legal advice as to an issue, please contact the attorneys listed or your regular Brownstein Hyatt Farber Schreck, LLP attorney. This communication may be considered advertising in some jurisdictions.

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