

Statement of the American Wind Energy Association
“Energy Development on Public Lands and the Outer Continental Shelf”
U.S. Senate Committee on Energy and Natural Resources
March 17, 2008

Federal agencies have a key role to play in enabling the rapid growth in renewable energy development. The Senate Energy and Natural Resources Committee is to be commended for holding this important hearing. The American Wind Energy Association would like to work with the Committee going forward to ensure federal agencies have the right policies in place to meet President Obama’s near-term and long-term renewable energy goals.

AWEA is the national trade association of America’s wind industry, with more than 1,900 member companies, including project developers, manufacturers, and component and service suppliers.

The wind energy industry is extremely grateful to President Obama, Secretary Salazar, and this Committee for the priority you have placed on the deployment of clean, renewable energy resources.

Background

The growth in the wind energy sector in the United States over the last several years has been incredible. Wind energy is no longer a boutique energy source. It is mainstream and deployable immediately on a wide scale. We do not need to wait for a new energy future. It is here.

Last year was the 4th straight year of record growth in the wind industry. More than 8,300 megawatts of wind energy were installed, second only to natural gas for the fourth year running. Total wind energy capacity is now over 25,000 megawatts.

Our industry employs at least 80,000 workers in good paying jobs. We are the backbone of the new energy economy. And, we’re just getting started.

In May 2008, the U.S. Department of Energy (DOE) released a [report on the feasibility of achieving 20% of our nation’s electricity from wind energy alone by 2030](#). The DOE concluded that it is doable with no technological breakthroughs and that achieving that level of deployment would have significant benefits for the environment and our economy, including employing 500,000 people.

But, to achieve this potential, we need federal land management agencies to have policies that facilitate responsibly sited wind farms and associated transmission.

The Department of Interior (DOI) and its agencies, the Bureau of Land Management (BLM), the Minerals and Management Service (MMS), and the Fish and Wildlife Service (FWS), are playing an increasingly important role in siting wind farms. The Department

of Agriculture, through the U.S. Forest Service (USFS), is also actively considering proposed wind projects.

This testimony summarizes AWEA's recommendations for policies related to federal land management agencies. We are pleased to say that one of the recommendations in AWEA's New Wind Agenda document has already been seized upon by Secretary Salazar: issuing an executive order prioritizing development of responsibly sited renewable energy projects on federal lands. A fuller explanation of this and other recommendations can be found at www.newwindagenda.org

Key Recommendations

Government-wide

- **Agencies should have a mandate to annually assess requirements associated with accommodating the 20% wind vision.**

DOE's 20% report identifies delays and limits associated with government review as a potential barrier to increased wind energy development. Some agencies do not have sufficient resources to handle expansion of wind development. Other agencies are likely to be unaware of the impacts that an annual wind power installation rate of 16 gigawatts will have on their operations

A larger issue is the cumulative effect of overlapping land use restrictions put in place by different agencies. For example, if you overlay wildlife setback areas and military airspace restrictions with macro wind resource data, you may end up with very little land available for wind development. Agencies should consider their collective actions within the context of the overall national goal of expanded wind energy development to achieve environmental, economic and energy security objectives.

- **Agencies should be directed to proactively engage with the wind energy industry and the Department of Energy, consistent with existing federal law, when drafting policies that impact the siting, construction or operation of wind energy facilities, to ensure that the resulting policies are workable and will not unnecessarily limit wind energy deployment.**

Bureau of Land Management (BLM)

- **BLM leaders should offer clear directives to field offices about the importance of accurate and consistent implementation of the wind development policy, additional staff training for field staff, and hiring of staff dedicated to processing wind energy permits.**

In 2003, BLM initiated a Programmatic Environmental Impact Statement (PEIS) to address and plan for the impacts of future wind energy development on public

lands. The wind industry supports the BLM's Wind Energy Development Policy, but the agency needs to more effectively and consistently administer it.

- **To help deal with staffing constraints at the BLM, Congress should consider legislation to dedicate rental revenue from wind and solar projects on BLM lands expressly for the purpose of increasing staff to process additional wind and solar applications.**

As of November 2008, there were more than 215 applications pending with BLM for wind energy permits, including both applications for site testing (to set up temporary poles to test wind speed) and to construct actual wind farms. This is up from 150 pending in January 2008. Due to limited staffing, site testing permits for wind energy are taking 18 months or longer (by contrast, application for development permits for oil and gas drilling generally take 6-7 months). Given the time-limited incentives for renewable energy included in the American Recovery and Reinvestment Act (P.L. 111-5), delays of this magnitude can make or break the economic viability of a project.

Wind and solar energy development are the only major activities on BLM lands for which there is neither revenue nor staff dedicated solely to ensuring the timely processing of permit applications. For other activities, including oil and gas, geothermal, film production and communications towers, a portion of rental and/or royalty payments is recycled back into the BLM to fund staff specifically to process additional applications for that activity. Legislation is needed to dedicate rental revenue from wind and solar development on BLM lands back to the agency for the purpose of processing additional renewable energy applications.

U.S. Forest Service

- **The USFS should release an “interim final” draft of siting guidelines so the industry has an additional opportunity to comment to help create a workable final document.**

In September 2007, the USFS released draft directives to guide wind energy development on National Forest Service land. The draft directives included a number of suggestions that are unworkable for the industry. Given the significant flaws in the first draft, the wind power industry has serious reservations as to whether the necessary changes will be made in the next draft to make it workable. In order to give the wind industry another opportunity to comment on and improve the proposal before it becomes final, the next draft should be an “interim final” document.

Minerals and Management Service (MMS)

- **MMS needs to complete offshore wind regulations in a timely manner and to address any remaining concerns by amending the regulations after adoption rather than delaying them further.**

In the Energy Policy Act of 2005, Congress directed MMS to complete regulations for siting offshore renewable energy projects within one year. Completing the necessary review process and drafting the regulation has taken considerably longer—four years and counting. It is our understanding that the issuance of the final rule is held up due to a dispute with the Federal Energy Regulatory Commission (FERC) over jurisdiction of siting ocean energy projects. AWEA does not have a position on how this dispute should be resolved, only that it needs to be resolved immediately as the delay in issuing the final rule is unnecessarily slowing the advancement of offshore wind energy in the U.S.

Fish and Wildlife Service (FWS)

- **Support the work of the Wind Turbine Guidelines Advisory Committee**

The Department of the Interior established the Wind Turbine Guidelines Advisory Committee in October 2007. The 22-person federal advisory committee has been charged with making recommendations to the Secretary of the Interior to minimize impacts to wildlife from wind project development. The Committee has a two-year charter through October 2009. The membership is divided among the wind energy industry, federal agencies, state agencies, and environmental organizations.

The USFWS intends to use the Committee's recommendations to inform a rewrite of the 2003 interim guidance document, criticized by the wind industry and others as not including wind/wildlife expertise. As it stands, the 2003 interim guidance is still the official policy of the USFWS with regard to siting wind energy projects in a manner which protects wildlife.

In the context of achieving 20% wind energy in the U.S., wildlife issues will continue to be a concern among permitting officials and policymakers. The work of this Committee is necessary to allow for industry expansion without overly restrictive mandatory regulations. It will be critical for the final recommendations to protect wildlife while not overly constraining wind energy development. Committee deliberations are progressing in a positive direction, and their work is now reaching the question of how the voluntary guidelines will be balanced with incentives for wind companies to follow them. The new Administration should continue this work and incorporate its final recommendations into a new voluntary federal guidance document.