Amendment 2466 – Prohibit the use of funds in this Act to block, delay, or halt the development of renewable energy on public lands, or the licensing and development of transmission lines on public lands necessary to deliver electricity derived from these renewable resources.

The federal government is operating under a double standard when it comes to energy policy. On one hand it claims to be striving for energy independence and the development of cleaner fuels, and, on the other, it continues to acquire more land, thus, preventing the development of renewable energy.

President Obama has called for the expansion of renewable energy production in our country.[1]

Secretary of the Interior, Ken Salazar, issued a Secretarial Order to make renewable energy development a top priority.[2]

This goal comes not a minute too soon as our nation is 58 percent dependent on foreign sources of energy,[3] energy prices remain volatile, and Congress seems intent on increasing federal regulations on energy markets.

It is time to utilize the abundant natural resources within our own borders.

The Department of the Interior's "Bureau of Land Management has identified about 21 million acres of public land with wind energy potential in the 11 western states and about 29 million acres with solar energy potential in the six southwestern states. There are also 140 million acres of public land in western states and Alaska that have geothermal resource potential."[4]

[1] http://apps1.eere.energy.gov/news/news_detail.cfm/news_id=12194
[2] http://www.doi.gov/news/09_News_Releases/031109c.html
[3] http://tonto.eia.doe.gov/energy_in_brief/foreign_oil_dependence.cfm
[4] DOI, News Release, March 11, 2009, http://www.doi.gov/news/09_News_Releases/031109c.html

According to former Secretary of Interior Dirk Kempthorne, "Geothermal energy will play a key role in powering America's energy future and 90 percent of our nation's geothermal resources are found on federal lands." [5]

Our nation's renewable energy resources are only limited to the extent that Congress prevents their development.

At the same time our President is calling for increases in renewable energy production, the federal government, and this Congress in particular, is acting as a barrier to the production of clean energy.

The primary way the federal government stands in the way of progress is by expanding federal ownership of public lands. Additionally, many of these lands take on a federal designation, such as wilderness areas and national heritage areas.

Wilderness and Heritage Areas

Today, there are 708 federally imposed "wilderness areas" totaling 107 million acres of land in 44 states**.** [6]

While supporters will argue this is a small portion of the nearly two billion acres in this country, they fail to mention that, Congress has designated more U.S. property as federal wilderness areas than the total developed land in this country, which now stands at 108 million acres according to the U.S. Census. [7]

Supporters of the wilderness designations will argue that many of the lands have "little or no energy potential." (This begs the question: Why is the land being withdrawn from mineral leasing?)

In many instances such claims are plain wrong or the geologic formations have not been studied sufficiently to fully know the energy potential.[8]

The simple fact is that Congress is viewing tomorrow's energy potential with today's technology.

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[5] Environment News Service: "Geothermal Development Planned for Western Public Lands." October 22, 2008, http://www.ens-newswire.com/ens/oct2008/2008-10-22-092.asp

[6] http://www.congress.gov/erp/rl/pdf/RL31447.pdf

[7] http://www.census.gov/compendia/statab/tables/08s0351.pdf

[8] Bureau of Land Management: "Soda Mountain Study Area," p 759

In an archived study performed by the Bureau Land Management on an area designated in this bill the agency noted: "Resource conflicts in the WSA (wilderness study area) include moderate to high geothermal resource potential."[9]

The energy resources do not even have to be within the wilderness area to raise the ire of opponents.

Some overzealous anti-energy groups, who regularly sue to stop drilling on federal lands, go so far as to fight drilling ***adjacent*** to wilderness areas.[10] Similar construction projects for renewable energy leasing that pose this scenario could also be challenged.

The National Park Service acknowledges this point and asserts that it should have control over lands **outside** of the wilderness areas. In testimony before Congress opposing a provision that would have protected the property rights of landowners surrounding a wilderness area, the National Park Service testified:

> "*Section 4(d)(2) states that non-wilderness activities outside of designated wilderness shall not be precluded because they can be seen or heard within the wilderness. We are concerned that this section could affect the National Park Service's ability to protect the designated wilderness. Exempting activities outside wilderness could affect the National Park Service's ability to address* ***noise, pollutants****, or other* ***undesirable*** *effects on wilderness that come from outside the parks. We recommend that this section be removed from the bill.*[11]

For instance, a federal judge in Washington, DC, recently issued a restraining order to halt the development of major oil and natural gas reserves on over 100,000 acres of federal lands in portions of Utah, because it was **near** wilderness areas or lands known for their wilderness qualities. They further noted that some of the lands are also **near** national

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[9] Bureau of Land Management: Granite Mountain Wilderness Study Area, CA-010-090

[10] http://www.lpfw.org/news/0704oillawsuit.htm

[11] Statement of Karen Taylor (National Park Service) before the House Subcommittee on National Parks, Forests and Public Lands (Resources), October 30, 2007. http://resourcescommittee.house.gov/images/Documents/20071030/testimony_taylor-goodrich.pdf

parks and national monuments. This decision set a dangerous precedent for all future energy development surrounding wilderness designations. This land contained "one of the largest onshore natural gas basins in the country,[12] and was closed off because of its proximity to wilderness lands.

National Heritage Areas

National Heritage Areas are, in large part, a federal designation that supplies millions in federal funding (under the supervision of the National Park Service) to regional preservation groups who work, in part, to influence local zoning boards.

National Heritage Areas use National Park Service funds to subsidize community preservation and tourism groups in achieving more restrictive land use policies.

While these designations allow some activities in contrast to wilderness areas, they seek to conserve the lands' resources. This is another attempt to expand land ownership for the federal government and tie up public and nonfederal lands from energy leasing.[13]

These designations directly impact the construction of new transmission lines.

The National Park System is already comprised of 391 designations that expand over 84 million acres in every state in the continental U.S. except for Delaware.[14]

As of 2007, the federal government owned 653 million acres of land in our country, 1 out of 3 acres in the US, and 1 of 2 in the West. [15] Federal ownership and these designations prevent renewable energy development.

This Interior Appropriations bill increases funding for federal land acquisitions for the National Park Service (NPS), the Fish & Wildlife Service

[12] United States District Court for the District of Columbia, "Plaintiffs' Motion for a Temporary Restraining Order and Preliminary Injunction, page 3. December 22, 2008.

[13] Congressional Research Service, Federal Land Management Agencies: Background on Land and Resources Management, http://apps.crs.gov/products/r/pdf/R40225.pdf

[14] National Park Service, FAQs, http://www.nps.gov/faqs.htm

[15] http://apps.crs.gov/products/rl/pdf/RL34267.pdf

(F&S), the Bureau of Land Management (BLM), and the Department of Agriculture (USDA).

This funding allows federal agencies to acquire new lands, consolidate scattered lands, and expand existing federally owned lands.

Funding for the National Park Service and the Fish and Wildlife Service is particularly problematic.

Whereas, the Bureau of Land Management and the Forest Service occasionally allow for energy development on their managed lands**, land** owned by the U.S. Fish and Wildlife Service and the National Park Service is rarely available for energy development.

This bill provides the National Park Service $68 million to acquire at least 35,236 acres of land.[16]

It provides the Fish and Wildlife Service $65 million for 44 projects totaling at least 35,172 acres.[17]

As the federal government continues to acquire more land, America's renewable energy potential declines and America's most promising renewable energy sources – solar and wind – will not penetrate the market.

Solar Energy: There are 29 million acres with solar energy potential in the six southwestern states.[18]

Specifically showcasing the importance of public lands under the Department of the Interior's jurisdiction, Secretary Salazar stated there is "a huge solar potential in the Southwest."

Despite the President's call for renewable energy development, renewable energy projects are being thwarted by federal land ownership.

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[16] http://apps.crs.gov/products/r/pdf/R40685.pdf
and http://www.doi.gov/budget/2010/data/greenbook/FY2010_NPS_Greenbook.pdf

[17] http://apps.crs.gov/products/r/pdf/R40685.pdf and
http://www.doi.gov/budget/2010/data/greenbook/FY2010_FWS_Greenbook.pdf

[18] Environment News Service: "Geothermal Development Planned for Western Public Lands." October 22, 2008,
http://www.ens-newswire.com/ens/oct2008/2008-10-22-092.asp

In March of 2009, a solar energy project comprising of 34,000 solar dishes in 8,000 acres of California's Mojave Desert became threatened by legislation that would designate the surrounding 800,000 acres as a National Monument under federal ownership and permanently prevent the solar energy project.[19]

The solar energy project would generate 850 Megawatts of electricity for Southern California consumers.[20]

Further, the BLM placed a moratorium on new solar projects on public land until it studies the environmental impact energy development would have on the lands. The report is expected to be released in 2010.[21]

The 20.5 million acres of land in question has high solar energy potential.

According to the New York Times Article, "Much of the 119 million surface acres of federally administered land in the West is ideal for solar energy, particularly in Arizona, Nevada, and Southern California…"[22]

The article goes on to cite the 130 solar energy companies that have submitted solar energy project proposals on public lands to BLM since 2005, which, according to BLM, could potentially power 20 million homes.[23]

Wind and Transmission Infrastructure: There are approximately 21 million acres of public land with wind energy potential in the 11 western states.[24]

Transmission lines and pipelines are the key to renewable energy and will be needed to cross hundreds of public lands, rivers and streams to connect energy to consumers.

The current patchwork of transmission lines is not sufficient for metropolitan cities to tap into energy generated in remote areas. For example, if wind is

[19] http://articles.latimes.com/2009/mar/25/nation/na-desert25
[20] http://articles.latimes.com/2009/mar/25/nation/na-desert25
[21] http://www.nytimes.com/2008/06/27/us/27solar.html
[22] http://www.nytimes.com/2008/06/27/us/27solar.html
[23] http://www.nytimes.com/2008/06/27/us/27solar.html
[24] DOI, News Release, March 11, 2009, http://www.doi.gov/news/09_News_Releases/031109c.html

blowing hardest in North Dakota, yet needed in Chicago, the lack of transmission infrastructure would prevent the transfer.[25]

The Pickens Plans calls for America to produce up to 22 percent[26] of its electricity from wind power. To achieve this goal experts say the nation will need an additional12,000 miles[27] of new transmission lines to meet this goal. One estimate says it will be as high as 40,000 new miles[28] of transmission lines. Senate Majority Leader Harry Reid himself notes: "The West will need 7,500 miles of new transmission lines over the next decade to significantly expand renewable energy production." [29]

Yet, the federal government occupies one out of every two acres in the western United States, and is increasingly using that ownership to slow or completely halt the development of urgent transmission upgrades.

It is clear that the lack of available transmission infrastructure is already discouraging private investment. Continuing to place more lands under federal ownership only exacerbates the problem.

The lack of transmission lines already halted progress on a $10 billion wind farm project in July of 2009. Transmission capacity for the 667 proposed wind turbines was simply not available.[30]

Secretary Salazar recently stated, "Unless we are able to deal with the transmission issue, we will be standing in place 5 or 10 years from now. It is appropriate for…Congress and President Obama to be absolutely focused like a laser beam on transmission." [31]

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[25] http://www.bloomberg.com/apps/news?pid=washingtonstory&sid=arbHcz0ryM_E

[26] Pickens Plan website, "The Plan: America is Addicted to Foreign Oil," Last Accessed on September 22, 2009, http://www.pickensplan.com/theplan/.

[27] United States Department of Energy, "20 Percent Wind Energy By 2030," http://www1.eere.energy.gov/windandhydro/pdfs/41869.pdf.

[28] Smil, Vaclav, "A Reality Check on the Pickens' Energy Plan," August 25, 2008, http://e360.yale.edu/content/feature.msp?id=2058

[29] Office of Senator Harry Reid, "Newsroom, June 17, 2008," http://reid.senate.gov/newsroom/pr_061708_energy.cfm?renderforprint=1&

[30] http://www.bloomberg.com/apps/news?pid=washingtonstory&sid=arbHcz0ryM_E

[31] http://www.doi.gov/news/09_News_Releases/022309.html

The demand for solar and wind energy is alive and growing. Unfortunately, it is neither readily available nor cost-effective to use it. Congress must do all it can to prevent being an obstacle to the development of renewable energy.

Federal intervention into American energy markets only exacerbates America's energy troubles.

The Majority Leader recently revealed his intention to pass legislation that includes a Renewable Energy Standard and a national electric grid.[32]

A Renewable Energy Standard, which would require a percentage of electricity consumed in the United States to be generated from renewable resources, namely, wind and solar.

Mandating the use of more alternative energy while blocking its production goes beyond all common sense. Congress must retreat from this double standard that puts the future of American energy in jeopardy.

While sustainability from renewable energy is nowhere near imminent nor is it even feasible in the near term, we have made great progress in developing the technology to sustain its widespread use.

A recent article[33] in the Wall Street Journal compared wind and solar energy to oil and natural gas in terms of Barrels of Oil Equivalent Per Day (BOEPD).

The U.S. consumes 19 million barrels of oil per day and 11.9 million BOEPD of natural gas per day. In comparison, wind and solar power combined comprise only 76,000 BOEPD.

Currently, thirteen states and the District of Columbia produce less than one percent of their energy from renewable sources. Only sixteen states produce between one and three percent.[34]

[32] New York Times, Senate Leader Outlines 3 Steps to Meeting Obama's Energy Goals, February 25, 2009, http://www.nytimes.com/gwire/2009/02/25/25greenwire-reid-outlines-3-steps-to-meeting-obamas-energy--9864.html

[33] http://online.wsj.com/article/SB123621221496034823.html

[34] http://www.atr.org/userfiles/file/070109lt-ATR_RES-Bingaman.pdf.

If the government forces demand for clean energy and restricts supply of renewable energy resources, consumer prices will skyrocket.

If we are to heed the President's call for a sustainable energy economy, Congress must stop the federal government from expanding further.

Renewable energy resources are vital to America's energy security

America is dependent on unstable, foreign regimes for the use of increasingly scarce fossil fuels.

Global supplies of fossil fuels will eventually be depleted. Compounding this dilemma is America's dependence on foreign sources of energy.

The United States relies on foreign countries for approximately 58 percent of its petroleum consumption.[35]

The U.S. consumes 24 percent of global petroleum supply, yet, it only produces 10 percent.[36]

American consumers experienced record high fuel prices in the summer of 2008. Oil prices reached $147 per barrel. In June 2008, the average price of gasoline was over $4 per gallon.[37] Volatile relations with foreign nations that hinge on available energy reserves will only intensify without the development of abundant new energy supplies.

The Energy Information Agency predicts total energy consumption to grow by 1.2 percent in 2010 as the economy begins to improve.[38] At the same time, electricity from coal, our nation's most abundant energy resource, is increasingly demonized by its opponents.
Congress continues to restrict land from oil and gas production. Additionally, our fossil fuel supply is fininte in nature. As a result, alternative forms of energy, such as solar, wind, and geothermal energy, will play an increasingly important role in our nation's electricity

[35] Energy Information Agency, Energy in Brief, August 2008
http://tonto.eia.doe.gov/energy_in_brief/foreign_oil_dependence.cfm
[36] ibid
[37] http://apps1.eere.energy.gov/consumer/news_detail.cfm/news_id=11813
[38] Energy Information Agency, Short Term Energy Outlook 2009
http://www.eia.doe.gov/emeu/steo/pub/contents.html?featureclicked=3&#Electricity_Markets

consumption. But with this bill, Congress is now restricting the production of alternative energy in the U.S.