

119TH CONGRESS
1ST SESSION

H. R. 2301

To promote the development of renewable energy on public land, and for
other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 24, 2025

Mr. LEVIN introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To promote the development of renewable energy on public
land, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. DEFINITIONS.**

4 In this Act:

5 (1) COVERED LAND.—The term “covered land”
6 means land that is—

7 (A) Federal land;

8 (B) not excluded from the development of
9 geothermal, solar, or wind energy under—

1 (i) a land use plan; or

2 (ii) other Federal law; and

3 (C) not included in an area—

4 (i) that is subject to the Desert Re-
5 newable Energy Conservation Plan devel-
6 oped by the California Energy Commis-
7 sion, the California Department of Fish
8 and Wildlife, the Bureau of Land Manage-
9 ment, and the United States Fish and
10 Wildlife Service; or

11 (ii) for which the Secretary deter-
12 mines existing wind and solar energy land
13 use planning meets or exceeds the stand-
14 ards established under section 3.

15 (2) ENERGY STORAGE PROJECT.—The term
16 “energy storage project” means equipment that—

17 (A) receives, stores, and delivers energy
18 using batteries, compressed air, pumped hydro-
19 power, hydrogen storage (including hydrolysis),
20 thermal energy storage, regenerative fuel cells,
21 flywheels, capacitors, superconducting magnets,
22 or other technologies identified by the Secretary
23 of Energy; and

24 (B) has a storage capacity of not less than
25 5 kilowatt hours.

1 (3) EXCLUSION AREA.—The term “exclusion
2 area” means covered land that is identified by the
3 Bureau of Land Management as not suitable for de-
4 velopment of renewable energy projects.

5 (4) FEDERAL LAND.—The term “Federal land”
6 means—

7 (A) public land; and

8 (B) National Forest System lands adminis-
9 tered by the Department of Agriculture through
10 the Forest Service where the Secretary has au-
11 thority to issue leases for the development and
12 utilization of geothermal resources under sec-
13 tion 3 and section 15 of the Geothermal Steam
14 Act of 1970 (30 U.S.C. 1002, 1014).

15 (5) FUND.—The term “Fund” means the Re-
16 newable Energy Resource Conservation Fund estab-
17 lished by section 6(c)(1).

18 (6) LAND USE PLAN.—The term “land use
19 plan” means—

20 (A) with respect to public land, a land use
21 plan established under the Federal Land Policy
22 and Management Act of 1976 (43 U.S.C. 1701
23 et seq.); and

24 (B) with respect to National Forest Sys-
25 tem land, a land management plan approved,

1 amended, or revised under section 6 of the For-
2 est and Rangeland Renewable Resources Plan-
3 ning Act of 1974 (16 U.S.C. 1604).

4 (7) NATIONAL FOREST SYSTEM.—The term
5 “National Forest System” has the meaning given
6 the term in section 11(a) of the Forest and Range-
7 land Renewable Resources Planning Act of 1974 (16
8 U.S.C. 1609(a)).

9 (8) PRIORITY AREA.—The term “priority area”
10 means covered land identified by the land use plan-
11 ning process of the Bureau of Land Management as
12 being a preferred location for a renewable energy
13 project, including an area that is identified as a des-
14 ignated leasing area under the rule of the Bureau of
15 Land Management entitled “Competitive Processes,
16 Terms, and Conditions for Leasing Public Lands for
17 Solar and Wind Energy Development and Technical
18 Changes and Corrections” (81 Fed. Reg. 92122
19 (December 19, 2016)) (or a successor regulation).

20 (9) PUBLIC LAND.—The term “public land”
21 has the meaning given the term “public lands” in
22 section 103 of the Federal Land Policy and Manage-
23 ment Act of 1976 (43 U.S.C. 1702).

24 (10) RENEWABLE ENERGY PROJECT.—The
25 term “renewable energy project”—

1 (A) means a project carried out on covered
2 land that—

3 (i) uses wind, solar, or geothermal en-
4 ergy to generate energy; or

5 (ii) transmits electricity to support
6 wind, solar, or geothermal energy genera-
7 tion; and

8 (B) may include an associated energy stor-
9 age project.

10 (11) SECRETARY.—The term “Secretary”
11 means the Secretary of the Interior.

12 **SEC. 2. UPDATING NATIONAL GOALS FOR RENEWABLE EN-**
13 **ERGY PRODUCTION ON FEDERAL LAND.**

14 Section 3104 of the Energy Act of 2020 (43 U.S.C.
15 3004) is amended—

16 (1) in subsection (b)—

17 (A) by striking “25” and inserting “60”;
18 and

19 (B) by striking “2025” and inserting “De-
20 cember 31, 2030”; and

21 (2) by adding at the end the following:

22 “(c) UPDATE.—Not later than 18 months after the
23 date of enactment of this subsection, the Secretary, in con-
24 sultation with the Secretary of Agriculture and the heads
25 of other relevant Federal agencies, shall update the na-

1 tional goals for renewable energy production on Federal
 2 land established under subsection (a).”.

3 **SEC. 3. LAND USE PLANNING AND UPDATES TO PRO-**
 4 **GRAMMATIC ENVIRONMENTAL IMPACT**
 5 **STATEMENTS.**

6 (a) PRIORITY AREAS.—

7 (1) ESTABLISHMENT OF PRIORITY AREAS; DES-
 8 IGNATION OF AREAS ELIGIBLE FOR THE SUBMISSION
 9 OF RENEWABLE ENERGY PROJECT APPLICATIONS.—

10 (A) IN GENERAL.—For purposes of renew-
 11 able energy planning, the Secretary, consistent
 12 with the requirements described in subpara-
 13 graph (B), shall—

14 (i) designate areas on covered land eli-
 15 gible for the submission of renewable en-
 16 ergy project applications; and

17 (ii) consider establishing priority
 18 areas on covered land for renewable energy
 19 projects.

20 (B) REQUIREMENTS.—In carrying out ac-
 21 tivities under clauses (i) and (ii) of subpara-
 22 graph (A), the Secretary shall comply with—

23 (i) the principles of multiple use (as
 24 defined in section 103 of the Federal Land

1 Policy and Management Act of 1976 (43
2 U.S.C. 1702)); and

3 (ii) the national goals for renewable
4 energy production established under sec-
5 tion 3104 of the Energy Act of 2020 (43
6 U.S.C. 3004), including the minimum pro-
7 duction goal described in subsection (b) of
8 that section.

9 (2) PRIORITY FOR CERTAIN APPLICATIONS.—In
10 considering applications for renewable energy
11 projects on covered land, with respect to an applica-
12 tion for a proposed renewable energy project on cov-
13 ered land that is to be carried out in a priority area,
14 the Secretary shall—

15 (A) prioritize the application to be carried
16 out in any identified priority area; and

17 (B) on approval of the application, provide
18 to the applicant who submitted the application
19 the opportunity to participate in any regional
20 mitigation plan developed for the applicable pri-
21 ority area.

22 (3) PROGRAMMATIC PLANNING.—

23 (A) SOLAR ENERGY.—As soon as prac-
24 ticable, but not later than 18 months after the
25 Record of Decision titled “Approved Record of

1 Decision and Amendments/Record of Decision
2 for Utility-Scale Solar Energy Development”
3 dated December 2024 was issued, the Secretary
4 shall consider establishing priority areas on cov-
5 ered land for Solar energy projects in the plan-
6 ning area (as defined in the Record of Deci-
7 sion).

8 (B) WIND ENERGY.—As soon as prac-
9 ticable, but not later than 1 year after the date
10 of enactment of this Act, the Secretary shall
11 initiate a review of the final programmatic En-
12 vironment Impact Statement referenced in the
13 notice of availability entitled “Notice of Avail-
14 ability of the Final Programmatic Environ-
15 mental Impact Statement on Wind Energy De-
16 velopment on BLM–Administered Lands in the
17 Western United States, Including Proposed
18 Amendments to Selected Land Use Plans” (70
19 Fed. Reg. 36651 (June 24, 2005)), that con-
20 sider establishment of wind application and
21 priority areas on covered lands, and complete
22 that review within 3 years of issuing a notice of
23 intent.

24 (b) REVIEW AND MODIFICATION.—

1 (1) IN GENERAL.—Subject to paragraph (2),
2 not less frequently than once every 10 years, the
3 Secretary shall—

4 (A) after an opportunity for public com-
5 ment, review the adequacy of all land alloca-
6 tions for renewable energy projects for the pur-
7 poses of—

8 (i) encouraging and facilitating new
9 renewable energy projects; and

10 (ii) consistent with a mitigation se-
11 quence of avoiding, minimizing, and com-
12 pensating for adverse impacts to other
13 public uses and values of covered land, in-
14 cluding—

15 (I) wildlife habitat;

16 (II) species listed as threatened
17 or endangered under the Endangered
18 Species Act of 1973 (16 U.S.C. 1531
19 et seq.);

20 (III) water resources;

21 (IV) cultural resources;

22 (V) recreational uses;

23 (VI) land with wilderness charac-
24 teristics;

1 (VII) land with special manage-
2 ment designations; and

3 (VIII) areas of Tribal impor-
4 tance; and

5 (B) based on the review carried out under
6 subparagraph (A), add, modify, or eliminate
7 priority areas, exclusion areas, and areas on
8 covered land open or closed to solar or wind en-
9 ergy right-of-way applications or to geothermal
10 leasing.

11 (2) LIMITATION.—Paragraph (1) shall not
12 apply to any covered land that the Secretary deter-
13 mines, after seeking public input, is subject to an ex-
14 isting land use plan that meets the purposes de-
15 scribed in paragraph (1)(A).

16 (3) REPORT.—If the Secretary determines, in
17 an annual report required under subsection (g) of
18 section 3102 of the Energy Act of 2020 (43 U.S.C.
19 3002) (as redesignated by section 4(a)(1)), that the
20 national goal for renewable energy production estab-
21 lished under subsection (a) of section 3104 of that
22 Act (43 U.S.C. 3004), including the minimum pro-
23 duction goal established under subsection (b) of that
24 section, may not be met, the Secretary shall act
25 more frequently than otherwise required by this sec-

1 tion to designate areas eligible for the submission of
2 renewable energy project applications and establish
3 additional priority areas for renewable energy
4 projects.

5 (c) COMPLIANCE WITH THE NATIONAL ENVIRON-
6 MENTAL POLICY ACT OF 1969.—For purposes of this sec-
7 tion, compliance with the National Environmental Policy
8 Act of 1969 (42 U.S.C. 4321 et seq.) shall be accom-
9 plished—

10 (1) for geothermal energy—

11 (A) by updating the document entitled
12 “Final Programmatic Environmental Impact
13 Statement for Geothermal Leasing in the West-
14 ern United States” and dated October 2008;
15 and

16 (B) by incorporating into the updated doc-
17 ument under subparagraph (A) any additional
18 regional analyses completed by Federal agencies
19 after the date on which the document described
20 in that subparagraph was finalized;

21 (2) for solar energy—

22 (A) by updating the document entitled
23 “Final Programmatic Environmental Impact
24 Statement (PEIS) for Solar Energy Develop-

1 ment in Six Southwestern States’’ and dated
2 July 2012; and

3 (B) by incorporating into the updated doc-
4 ument under subparagraph (A) any additional
5 regional analyses completed by Federal agencies
6 after the date on which the document described
7 in that subparagraph was finalized; and
8 (3) for wind energy—

9 (A) by updating the document entitled
10 “Final Programmatic Environmental Impact
11 Statement on Wind Energy Development on
12 BLM–Administered Lands in the Western
13 United States’’ and dated June 2005; and

14 (B) by incorporating into the updated doc-
15 ument under subparagraph (A) any additional
16 regional analyses completed by Federal agencies
17 after the date on which the document described
18 in that subparagraph was finalized.

19 (d) NO EFFECT ON PROCESSING SITE-SPECIFIC AP-
20 PLICATIONS.—Nothing in this section modifies any re-
21 quirement to conduct site-specific environmental reviews
22 or process permits for proposed renewable energy projects
23 during preparation of an updated programmatic environ-
24 mental impact statement, land use plan, or amendment
25 to a land use plan.

1 (e) COORDINATION.—In developing any update re-
2 quired under this section, the Secretary shall coordinate,
3 on an ongoing basis, with appropriate State, Tribal, and
4 local governments, transmission infrastructure owners, op-
5 erators, and developers, renewable energy developers, and
6 other appropriate entities to ensure that priority areas es-
7 tablished by the Secretary under this section take into ac-
8 count—

9 (1) economic viability (including having access
10 to existing or planned transmission lines);

11 (2) consistency with a mitigation sequence to
12 avoid, minimize, and compensate for impacts to—

13 (A) fish, wildlife, or plants;

14 (B) fish, wildlife, or plant habitat;

15 (C) recreational uses;

16 (D) land with wilderness characteristics;

17 (E) land with special management designa-
18 tions;

19 (F) cultural resources;

20 (G) areas of Tribal importance; and

21 (H) other uses of covered land;

22 (3) feasibility of siting on previously disturbed
23 land, including commercial and industrial land, mine
24 land, and previously contaminated sites; and

1 (4) consistency with section 202 of the Federal
2 Land Policy and Management Act of 1976 (43
3 U.S.C. 1712), including subsection (c)(9) of that
4 section (43 U.S.C. 1712(c)(9)).

5 (f) TRANSMISSION.—In carrying out this section, the
6 Secretary shall—

7 (1) determine whether adequate transmission
8 exists for renewable energy projects on covered land;
9 and

10 (2) if a determination is made in the negative
11 under paragraph (1), in coordination with the heads
12 of other relevant Federal agencies, review existing
13 land use plans to determine if amendments to those
14 land use plans would be appropriate to support ade-
15 quate transmission capability.

16 (g) INCENTIVES FOR RENEWABLE ENERGY DEVEL-
17 OPMENT IN PRIORITY AREAS.—The Secretary may estab-
18 lish, by regulation, incentives to be provided to individuals
19 carrying out renewable energy projects in priority areas
20 established under this section.

21 **SEC. 4. IMPROVING WIND AND SOLAR ENERGY PROJECT**
22 **PERMITTING.**

23 (a) ROLE OF RENEWABLE ENERGY COORDINATION
24 OFFICES.—Section 3102 of the Energy Act of 2020 (43
25 U.S.C. 3002) is amended—

1 (1) by redesignating subsections (e) and (f) as
2 subsections (f) and (g), respectively; and

3 (2) by inserting after subsection (d) the fol-
4 lowing:

5 “(e) PROCESSING OF WIND AND SOLAR ENERGY AP-
6 PLICATIONS.—

7 “(1) DELEGATION TO STATE RENEWABLE EN-
8 ERGY COORDINATION OFFICES.—

9 “(A) IN GENERAL.—Notwithstanding any
10 other provision of law, the Secretary may dele-
11 gate to a State Renewable Energy Coordination
12 Office the authority to process applications for
13 eligible projects proposed to be carried out on
14 land managed by the Bureau of Land Manage-
15 ment in the applicable State.

16 “(B) ROLES AND RESPONSIBILITIES OF
17 MANAGERS.—For purposes of processing appli-
18 cations described in subparagraph (A), the
19 manager of the applicable State Renewable En-
20 ergy Coordination Office—

21 “(i) shall have the authority to issue
22 grants or leases for eligible projects;

23 “(ii) with the approval of the State
24 Director of the applicable Bureau of Land
25 Management State Office, may use other

1 employees in field and district offices of
2 the applicable Bureau of Land Manage-
3 ment State Office, or hire additional ex-
4 perts, to assist with timely processing of
5 applications, with the costs of hiring addi-
6 tional experts to be charged to applicants;
7 and

8 “(iii) shall report to the State Direc-
9 tor of the applicable Bureau of Land Man-
10 agement State Office.

11 “(2) PROHIBITION OF DELEGATION TO EM-
12 PLOYEES OF FIELD OR DISTRICT OFFICES.—Except
13 as provided in paragraph (1)(B)(ii), the Secretary
14 may not delegate to employees of field or district of-
15 fices of the Bureau of Land Management the au-
16 thority to process applications for eligible projects
17 proposed to be carried out on land managed by the
18 Bureau of Land Management.”.

19 (b) COST RECOVERY AGREEMENTS.—

20 (1) IN GENERAL.—Not later than 30 days after
21 the date on which an applicant submits a complete
22 application for a right-of-way for a wind or solar en-
23 ergy project, including submission of the filing fee
24 required under section 2804.12 of title 43, Code of
25 Federal Regulations (or a successor regulation), the

1 Secretary shall provide a cost recovery agreement
2 with respect to the application.

3 (2) EFFECT.—Issuance of a cost recovery
4 agreement under paragraph (1) and payment of cost
5 recovery fees shall preclude any new claims to the
6 use of the applicable covered land during any period
7 in which the application is active.

8 (3) CONFLICTS; STUDIES.—

9 (A) CONFLICTS.—To be considered com-
10 plete under paragraph (1), an application de-
11 scribed in that paragraph shall address any
12 known conflicts with respect to the use of the
13 applicable covered land, as identified in sci-
14 entific literature or other studies.

15 (B) ADDITIONAL STUDIES.—Additional
16 studies shall not be required for purposes of
17 considering an application to be complete under
18 paragraph (1).

19 (c) ENVIRONMENTAL REQUIREMENTS.—

20 (1) NOTICE OF INTENT.—

21 (A) IN GENERAL.—Not later than 180
22 days after the date on which the agency notifies
23 the applicant that the application to establish a
24 right-of-way is complete, or a later date to be
25 established by the Secretary under subpara-

graph (B), if an environmental impact statement is determined to be necessary, the Secretary shall issue a notice of intent to prepare an environmental impact statement with respect to the application.

(B) EXTENSION.—The Secretary shall establish a later date by which the notice under subparagraph (A) shall be issued, if the Secretary determines that the 180-day period under that paragraph should be extended due to—

(i) the application being considered a low priority under section 2804.35 of title 43, Code of Federal Regulations (or a successor regulation);

(ii) project-specific circumstances, including the need for further studies, making the 180-day deadline insufficient; or

(iii) the application not meeting the requirements for approval.

(2) CATEGORICAL EXCLUSION.—As the Secretary determines to be appropriate, the Secretary may promulgate regulations providing that preliminary geotechnical work and meteorological monitoring relating to renewable energy projects shall be

1 categorically excluded from the requirements for an
2 environmental assessment or environmental impact
3 statement under section 1501.4 of title 40, Code of
4 Federal Regulations (or a successor regulation).

5 (d) PROCESSING PRIORITY.—In processing applica-
6 tions described in subsection (b)(1), the Secretary shall—

7 (1) give priority to applications for renewable
8 energy projects in priority areas; and

9 (2) process applications for renewable energy
10 projects in areas that are not priority areas in the
11 order in which the applications are received.

12 (e) USE OF COMPETITIVE PROCESS.—

13 (1) IN GENERAL.—Subject to paragraph (2),
14 the Secretary shall not use a competitive process for
15 the review of an application described in subsection
16 (b)(1), except—

17 (A) in a case in which 2 or more appli-
18 cants file an application for the same site (or
19 portions of the same site) not more than 15
20 days apart; or

21 (B) as otherwise established by the Sec-
22 retary through a subsequent rulemaking process
23 delineating the instances in which the Secretary
24 will use the competitive process.

1 (2) LIMITATION.—Paragraph (1) shall not
 2 apply to applications for competitive right-of-way
 3 leases in priority areas.

4 **SEC. 5. INCREASING ECONOMIC CERTAINTY.**

5 (a) RENTS AND FEES.—

6 (1) IN GENERAL.—In determining rental rates
 7 and other fees for renewable energy project leases or
 8 right-of-way grants, the Secretary shall ensure that
 9 the total rental rates and other fees charged do not
 10 exceed the average amount charged for similar ac-
 11 tivities on private land in the State or county in
 12 which the rental rates and other fees are charged.

13 (2) INDIVIDUAL APPRAISALS NOT REQUIRED.—
 14 For purposes of determining rental rates for renew-
 15 able energy projects, the Secretary—

16 (A) shall not be required to conduct indi-
 17 vidual appraisals; and

18 (B) may use average cash rents included in
 19 the Pastureland Rents Survey prepared by the
 20 National Agricultural Statistics Service, as de-
 21 termined for the 5-year period ending on the
 22 date on which the rental rate is determined.

23 (3) INCREASES IN BASE RENTAL RATES.—After
 24 a base rental rate is established for a lease or right-
 25 of-way grant authorization for a renewable energy

1 project, any increase in the base rental rate shall be
2 limited to the Implicit Price Deflator-Gross Product
3 Index published by the Bureau of Economic Analysis
4 of the Department of Commerce on the date of
5 issuance of the lease or right-of way grant author-
6 ization.

7 (4) CAPACITY FEES.—The Secretary may con-
8 sider charging a capacity fee for a renewable energy
9 project only if the Secretary determines that capac-
10 ity fees are charged within the region or State in
11 which the renewable energy project is carried out, as
12 part of leaseholds on State or private land.

13 (b) BONDS.—The Secretary shall adopt a process for
14 establishing bond requirements for decommissioning re-
15 newable energy projects that—

16 (1) do not establish a minimum per acre
17 amount; and

18 (2) are based on the difference between—

19 (A) the estimated, site-specific net costs of
20 reclamation of the covered land; and

21 (B) the salvage value of materials available
22 after decommissioning the renewable energy
23 project.

1 **SEC. 6. DISPOSITION OF REVENUES; RENEWABLE ENERGY**
2 **RESOURCE CONSERVATION FUND.**

3 (a) DISPOSITION OF REVENUES.—

4 (1) AVAILABILITY.—Except as provided in
5 paragraph (3), without further appropriation or fis-
6 cal year limitation, of amounts collected from wind
7 and solar energy projects as bonus bids, rentals,
8 fees, or other payments under a right-of-way, per-
9 mit, lease, or other authorization—

10 (A) for the period beginning on January 1,
11 2026, and ending on December 31, 2045—

12 (i) 25 percent shall be paid by the
13 Secretary of the Treasury to the State
14 within the boundaries of which the revenue
15 is derived;

16 (ii) 25 percent shall be paid by the
17 Secretary of the Treasury to the 1 or more
18 counties within the boundaries of which
19 the revenue is derived, to be allocated
20 among the counties based on the percent-
21 age of land from which the revenue is de-
22 rived;

23 (iii) 15 percent shall be deposited in
24 the Treasury and credited to the Bureau of
25 Land Management's Renewable Energy
26 Management account to be made available

1 to the Secretary to carry out sections 3
2 and 4 (including amendments made by
3 those sections), including the transfer of
4 the funds by the Bureau of Land Manage-
5 ment to other Federal agencies and State
6 agencies to facilitate the processing of per-
7 mits for renewable energy projects, with
8 priority given to using the amounts, to the
9 maximum extent practicable, without detri-
10 mental impacts to emerging markets, expe-
11 diting the issuance of permits required for
12 the development of wind and solar energy
13 projects in the States from which the reve-
14 nues are derived; and

15 (iv) 35 percent shall be deposited in
16 the Fund; and

17 (B) beginning on January 1, 2046—

18 (i) 25 percent shall be paid by the
19 Secretary of the Treasury to the State
20 within the boundaries of which the revenue
21 is derived;

22 (ii) 25 percent shall be paid by the
23 Secretary of the Treasury to the 1 or more
24 counties within the boundaries of which
25 the revenue is derived, to be allocated

1 among the counties based on the percent-
2 age of land from which the revenue is de-
3 rived;

4 (iii) 10 percent shall be deposited in
5 the Treasury and be made available to the
6 Secretary to carry out sections 3 and 4
7 (including amendments made by those sec-
8 tions), including the transfer of the funds
9 by the Bureau of Land Management to
10 other Federal agencies and State agencies
11 to facilitate the processing of permits for
12 wind and solar energy projects, with pri-
13 ority given to using the amounts, to the
14 maximum extent practicable, without detri-
15 mental impacts to emerging markets, expe-
16 diting the issuance of permits required for
17 the development of renewable energy
18 projects in the States from which the reve-
19 nues are derived; and

20 (iv) 40 percent shall be deposited in
21 the Fund.

22 (2) RULE FOR PROJECTS LOCATED IN MUL-
23 TIPLE STATES.—Not later than 180 days after the
24 date of enactment of this Act, the Secretary shall
25 issue a proposed rule establishing a formula for the

1 disposition of revenues under subparagraphs (A)(i)
2 and (B)(i) of paragraph (1) in a case in which a
3 wind and solar energy project is located in more
4 than 1 State.

5 (3) FILING FEES.—With respect to wind and
6 solar energy projects—

7 (A) paragraph (1) does not apply to
8 amounts collected from application filing fees
9 authorized under section 304 of the Federal
10 Land Policy and Management Act of 1976 (43
11 U.S.C. 1734); and

12 (B) such application filing fees may be re-
13 tained by the applicable agency to recover costs
14 associated with issuing the right-of-way, permit,
15 or other authorization associated with the appli-
16 cation.

17 (b) PAYMENTS TO STATES AND COUNTIES.—

18 (1) IN GENERAL.—Amounts paid to States and
19 counties under subsection (a)(1) shall be used con-
20 sistent with section 35 of the Mineral Leasing Act
21 (30 U.S.C. 191).

22 (2) PAYMENTS IN LIEU OF TAXES.—A payment
23 to a county under subparagraph (A)(ii) or (B)(ii) of
24 subsection (a)(1) shall be in addition to a payment

1 in lieu of taxes received by the county under chapter
2 69 of title 31, United States Code.

3 (c) RENEWABLE ENERGY RESOURCE CONSERVATION
4 FUND.—

5 (1) IN GENERAL.—There is established in the
6 Treasury a fund, to be known as the “Renewable
7 Energy Resource Conservation Fund”, which shall
8 be administered by the Secretary.

9 (2) USE OF FUNDS.—

10 (A) IN GENERAL.—The Secretary may
11 make amounts in the Fund available to Fed-
12 eral, State, local, and Tribal agencies for dis-
13 tribution in regions in which renewable energy
14 projects are located on Federal land, for the
15 purposes described in subparagraph (B).

16 (B) PURPOSES.—The purposes referred to
17 in subparagraph (A) are—

18 (i) restoring and protecting—

19 (I) fish and wildlife habitat for
20 species affected by renewable energy
21 projects;

22 (II) fish and wildlife corridors for
23 species affected by renewable energy
24 projects; and

1 (III) wetlands, streams, rivers,
2 and other natural water bodies in
3 areas affected by renewable energy
4 projects; and

5 (ii) preserving and improving rec-
6 reational access to Federal land and water
7 in the applicable region through an ease-
8 ment, right-of-way, or other instrument
9 from willing landowners for the purpose of
10 enhancing public access to existing Federal
11 land and water that is inaccessible or re-
12 stricted due to renewable energy projects.

13 (3) COOPERATIVE AGREEMENTS.—The Sec-
14 retary may enter into cooperative agreements with
15 State and Tribal agencies, nonprofit organizations,
16 and other appropriate entities to carry out the ac-
17 tivities described in paragraph (2).

18 (4) INVESTMENT OF FUND.—

19 (A) IN GENERAL.—Any amounts deposited
20 in the Fund shall earn interest in an amount
21 determined by the Secretary of the Treasury on
22 the basis of the current average market yield on
23 outstanding marketable obligations of the
24 United States of comparable maturities.

1 (B) USE.—Any interest earned under sub-
2 paragraph (A) may be deposited into the Fund
3 and used without further appropriation.

4 (5) REPORT TO CONGRESS.—At the end of each
5 fiscal year, the Secretary shall submit to the Com-
6 mittee on Energy and Natural Resources of the Sen-
7 ate and the Committee on Natural Resources of the
8 House of Representatives a report identifying—

9 (A) the amounts described in subsection
10 (a) that were collected during that fiscal year,
11 organized by source;

12 (B) the amount and purpose of payments
13 made to each Federal, State, local, and Tribal
14 agency under paragraph (2) during that fiscal
15 year; and

16 (C) the amount remaining in the Fund at
17 the end of the fiscal year.

18 (6) INTENT OF CONGRESS.—It is the intent of
19 Congress that the revenues deposited and expended
20 from the Fund shall supplement (and not supplant)
21 annual appropriations for activities described in
22 paragraph (2).

23 **SEC. 7. SAVINGS CLAUSE.**

24 Notwithstanding any other provision of this Act, the
25 Secretary and the Secretary of Agriculture shall continue

1 to manage public land under the principles of multiple use
2 and sustained yield in accordance with title I of the Fed-
3 eral Land Policy and Management Act of 1976 (43 U.S.C.
4 1701 et seq.) or the Forest and Rangeland Renewable Re-
5 sources Planning Act of 1974 (16 U.S.C. 1600 et seq.),
6 as applicable, for the purposes of land use planning, per-
7 mit processing, and conducting environmental reviews.

