



WIND ENERGY APPLICATIONS FREQUENTLY ASKED QUESTIONS



**Bureau of Land Management (BLM)
Wyoming State Office**

and

**U.S. Fish & Wildlife Service (FWS)
Wyoming Field Office**



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Summary

This guidance document was created by the Bureau of Land Management (BLM) with assistance from the U.S. Fish and Wildlife Service (FWS) to answer questions the public, applicants, and other federal, state, and local agencies may have about the BLM’s processing of applications for wind energy testing and/or development on BLM-administered public lands in Wyoming.

This document does not modify or provide new policy or requirements; please refer to the applicable laws, regulations, and policies, which are controlling and supersede the guidance provided herein.

Type 1 Applications

- **What is a Type 1 application?**
 - A Type 1 application addresses site-specific energy testing activities, including those with individual meteorological towers or instrumentation facilities (43 CFR 2801.9(d)(1)).
 - NEPA compliance for a Type 1 application is usually covered by a categorical exclusion (CX) using the short-term CX found in 516 of Departmental Manual, Chapter 11.9.E.(19). Note: there is limited disturbance for this type of project since it is just for testing of wind conditions in specific locations.
- **What term will a Type 1 application be issued for?**
 - A short-term right-of-way (ROW) grant is issued for 3 years or less.
- **Can the term be renewed/extended for a Type 1 grant?**
 - No. For an energy site-specific testing grant, the term is 3 years or less, without the option of renewal (43 CFR 2805.11(b)(2)).

Type 2 Applications

- **What is a Type 2 project?**
 - Energy project-area testing activities (43 CFR 2801.9(d)(2)).
 - Type 2 applications do not require all the studies within the entire project-area to be completed prior to a ROW being issued to the applicant.
 - NEPA compliance is required for a Type 2 application before it can be authorized by the BLM. The BLM would determine the appropriate form of NEPA compliance documentation after screening the proposed action (see Figure 1.1 of the BLM's NEPA Handbook, H-1790-1). Note: there is limited disturbance for this type of project since it is just for testing of wind conditions in locations throughout a proposed project area.
 - A Type 2 application is granted to allow the company to do the testing, gather the required information, and do required surveys within the project-area before applying for a Type 3 development project.
- **What term will a Type 2 application be issued for?**
 - A short-term ROW grant is issued for an initial term of 3 years or less.
- **Can the term be renewed/extended for a Type 2 grant?**
 - Yes, when the renewable application for the Type 2 is accompanied by a Type 3 development application. If a wind energy development ROW application and a schedule for the submission of a Plan of Development (POD) are submitted prior to the end of the initial term of a project-area testing authorization, the Type 2 testing authorization can be extended for an additional 3-year term to allow for the processing of the Type 3 development application (43 CFR 2801.9(d)(2) and 43 CFR 2805.11(b)(2)(ii)).

Type 3 Applications

- **What is a Type 3 project?**
 - Type 3 applications are for energy development facilities.
 - Type 3 applications will be screened and prioritized by the BLM. Applications for projects with lesser resource conflicts are anticipated to be less costly and time-consuming for the BLM to process and will be prioritized over those with greater resource conflicts (43 CFR 2801.5(b)).
 - Type 3 applications will not be authorized until all required data is gathered, siting issues are

- resolved, specific resource issues are identified and addressed, and each agency's process and permit requirements are worked through with BLM and FWS,
- Screening and Prioritizing Type 3 development applications may take longer if the applicant did not previously apply for a Type 2 testing application.
 - **What term will a Type 3 application be issued for?**
 - Up to 30-year term (plus the initial partial year of issuance).
 - **Is it required to have a Type 2 authorization in the requested project area prior to submitting a Type 3 application?**
 - No, a prior Type 2 authorization is not required. However, if a Type 2 application has been approved prior to submission of a Type 3 application, conducting surveys during the Type 2 authorization term may expedite the processing time for the Type 3 application. If the applicant applies for a Type 3 application without first collecting biological survey data, the BLM's approval of the Type 3 proposal may be delayed for 2 or more years while the necessary survey data are collected (see "Resource Surveys and Monitoring," below).

Resource Surveys and Monitoring

- **What wildlife information is needed prior to the authorization of a Type 3 application?**
 - A wildlife monitoring plan should be developed with input from the BLM, FWS, and the Wyoming Game and Fish Department (WGFD) and submitted to the BLM with the application. The plan needs to address survey requirements for species present, collect information to evaluate potential impacts, assist design of mitigation and minimization measures, and provide for monitoring during the life of the project.
 - Examples of wildlife monitoring requirements include the BLM's approved Resource Management Plans (RMPs), the FWS Land-Based Wind Energy Guidelines (FWS 2012), and Eagle Conservation Plan Guidance (FWS 2013), Wyoming Game and Fish Department Guidelines for Wind and Solar Energy Development (2021), and the FWS's recommendations for nest surveys and avoidance and minimization (FWS 2022). Applicants are encouraged to contact the BLM, FWS, and WGFD to obtain the current standards and requirements for resource surveys and monitoring.
 - Wildlife surveys typically require at least 2 years of data collection. Early coordination between agencies and the applicant will ensure timely collection of survey data. Failure to collect timely resource survey data will delay BLM's decision on the ROW application.
 - For renewable energy development projects, and transmission lines with a capacity of 100 kV or more, you must commence any required resource surveys or inventories within one year of the request date, unless otherwise specified by the BLM (43 CFR 2804.25(c)(1)).
 - After issuance of a Type 3 ROW grant, monitoring reports will be submitted to the BLM on an annual basis or as otherwise required in the Wildlife Monitoring Plan.
- **How is a Wildlife Monitoring Plan developed?**
 - The monitoring plan should be developed for the Type 3 project but monitoring efforts can begin during the Type 2 authorization term if a Type 2 project-area testing ROW grant was issued.
 - Early coordination by the applicant with BLM, FWS, and WGFD on survey protocols and standards is encouraged.
 - The monitoring plan will typically use a third-party contractors/consultant in coordination with the BLM for development and implementation of resource surveys.

- **What cultural resource surveys are needed prior to permitting wind energy testing or development on public lands?**
 - Cultural resource surveys, including archaeological and paleontological surveys of the project area, will be needed prior to the BLM's issuance of a ROW grant. Archaeological and paleontological surveys will generally require the applicant's use of qualified third-party contractors/consultants, and BLM will provide additional information about the requirements for third-party contractors/consultants who conduct archaeological and paleontological resource surveys on public lands.
 - Early coordination between the third-party consultants and the BLM is necessary for the BLM and consultants to determine the appropriate survey areas and methodologies. If adequate and recent surveys of the project area have not already been completed, additional on-the-ground surveys will be needed. Timing of the surveys is an important consideration to ensure the survey conditions are adequate. Other surveys or studies, such as review of existing archaeological and paleontological resource data and documentation, viewshed analyses, and ethnographic studies, may also be required. For Type 3 applications, conducting block surveys of the project area may reduce delays associated with subsequent changes to the locations of wind turbine generators, access roads, and other project components.
 - Consultation with Native American Tribes will be completed in accordance with agency requirements and practices.
- **Are there other resource surveys required?**
 - The BLM and/or other agencies may request additional resource surveys and monitoring, depending upon the potential resource values present in the project area.
 - In many cases, pre-construction and post-reclamation vegetation monitoring will be required.
 - Early coordination with the BLM is encouraged. Development and implementation of survey requirements will be necessary prior to ROW authorization, and implementation of a monitoring plan may be required prior to construction.

Initial Meetings

- **Are preapplication meetings held for wind energy projects?**
 - A preapplication meeting is not required by federal regulations. However, applicants are encouraged to make an appointment for a preapplication meeting before filing their application with the BLM. (43 CFR 2804.10).
 - The preapplication meeting is to be brief and will give the BLM an opportunity to provide information to the applicant regarding their proposal, by
 - Identifying potential siting and routing concerns and other constraints (such as allocations and potential limitations under the BLM's approved Resource Management Plan, or RMP)
 - Determining whether the lands are located inside a designated or existing right-of-way corridor or designated renewable energy leasing area, if applicable
 - Developing a preliminary schedule for the processing of the application
 - Informing the applicant of their financial obligations.
 - The preapplication informational meeting is designed to discuss the application review process and what is required by the applicant to move forward. The preapplication meeting is at no cost to the applicant and is typically less than one hour in length. During the meeting, the BLM will also address required inter-agency coordination that will

occur during the BLM’s review of an application, such as BLM-FWS coordination for bald and golden eagle incidental take under the Bald and Golden Eagle Protection Act (BGEPA), or consultation under Section 7 of the Endangered Species Act (ESA). The BLM will encourage applicants to initiate early engagement with the FWS when an eagle incidental take permit (EITP) may be appropriate.¹

- **Who attends the preapplication meeting for renewable energy projects?**
 - This meeting is typically attended by the applicant, BLM realty specialist or Project Manager, and BLM management, if available. Additionally, some BLM interdisciplinary team (ID Team) members may be present.
- **When are preliminary application review meetings held and what are the requirements for preliminary application review meetings?**
 - Two preliminary application review meetings will be scheduled within 6 months from the time the BLM receives the cost recovery fee (43 CFR 2804.12(b)(4)). If a preapplication meeting was held, it does not count as a preliminary application review meeting. The preliminary application review meetings are designed to address any issues or concerns early in the BLM’s review of an application before the NEPA compliance process has begun.
- **What constitutes a complete application?**
 - A complete application consists of:
 - Filing a Standard Form (SF)-299 (43 CFR 2804.12(a))
 - A description of the project and the scope of the facilities.
 - The estimated schedule for constructing, operating, maintaining, and terminating the project.
 - The estimated life of the project and the proposed construction and reclamation techniques.
 - A map of the project, showing its proposed location and existing facilities adjacent to the proposal.
 - A statement of your financial and technical capability to construct, operate, maintain, and terminate the project.
 - Any plans, contracts, agreements, or other information concerning your use of the right-of-way and its effect on competition.
 - A statement certifying that you are of legal age and authorized to do business in the State(s) where the right-of-way would be located and that you have submitted correct information to the best of your knowledge; and
 - A schedule for the submission of a plan of development (POD) conforming to the POD template.
 - Additional requirements for a renewable energy development project application (43 CFR 2804.12(b) and (c)):
 - Include a general description of the proposed project and a schedule for the submission of a POD conforming to the POD template.

¹ See the FWS’s “U.S. Fish and Wildlife Service, Region 6, Migratory Bird Management Office, Recommended Approach for Development and Submission of Eagle Conservation Plans in support of an Eagle Incidental Take Permit Application for Wind Energy Projects” at page 1: “the EITP applicant must engage USFWS, and work with us to develop and apply avoidance and minimizations measures for the wind energy project, to the maximum extent practicable, as early on in the project development process as possible...” Available at: https://www.fws.gov/sites/default/files/documents/R6_ECP_Recommendations_wind%20projects.pdf

- Address all known potential resource conflicts with sensitive resources and values, including special designations or protections, and include applicant-proposed measures to avoid, minimize, and compensate for such resource conflicts, if any.
- Initiate early discussions with any grazing permittees that may be affected by the proposed project.
- Pay an application filing fee of \$15 per acre for renewable energy development applications and \$2 per acre for energy project-area testing applications.
- If the applicant is a business entity, they must submit (43 CFR 2804.12(e)):
 - Copies of the formal documents creating the entity, such as articles of incorporation, and including the corporate bylaws.
 - Evidence that the party signing the application has the authority to bind the applicant.
 - The name and address of each participant in the business, each shareholder owning three percent or more of the shares and the number and percentage of any class of voting shares of the entity which such shareholder is authorized to vote, and each affiliate of the business.
 - The number of shares and the percentage of any class of voting stock owned by the business, directly or indirectly, in any affiliate controlled by the business.
 - The number of shares and the percentage of any class of voting stock owned by an affiliate, directly or indirectly, in the business controlled by the affiliate; and
 - If an applicant has already provided this information to the BLM and the information remains accurate, the applicant need only reference the BLM serial number under which the information was previously filed.
- **What are the specific requirements for the first preliminary meeting?**
 - The first meeting will be including the BLM specialists on the ID Team to discuss (only after the application fees are paid):
 - General project proposal, the status of BLM land use planning for the lands involved, potential siting issues or concerns, potential environmental issues or concerns, potential alternative site locations, and the right-of-way application process (43 CFR 2804.12(b)(4)(i)).
 - Whether the proposed project is in conformance with the field office's approved RMP.
 - For example, is the project sited in a ROW avoidance or exclusion area? ROW Avoidance area – project can be authorized only with appropriate mitigation and analysis.
 - ROW Exclusion area – project cannot be authorized without an RMP amendment.
- **What are the specific requirements of the second preliminary meeting with the Federal and State agencies?**
 - The second meeting will be with appropriate Federal and State agencies and Tribal and local governments to facilitate coordination of potential environmental and siting issues and concerns (43 CFR 2804.12(b)(4)(ii)).
 - The BLM will invite appropriate Federal and State agencies and Tribal and local governments to the second preliminary meeting.
 - The goal of this meeting is to facilitate, discuss, and establish coordination of potential environmental and siting issues and concerns, and to discuss other federal, state, and/or local government agency permits that may be necessary for the project. In addition, the

- participants will discuss the applicant's progress on completing resource surveys and sharing data with appropriate agencies.
- The participants will also discuss potential concerns or issues that were brought forward from the BLM ID Team meeting.
 - The applicant and the BLM may agree to hold additional preliminary application review meetings with the goal of producing a complete application and a sound plan of development so the BLM can move forward with the grant decision.
 - If the FWS is not able to attend the second preliminary meeting, the BLM will:
 - Provide the applicant with a brief overview of the BGEPA and other laws, regulations, and guidelines that pertain to eagles.
 - Discuss with applicants the information BLM has readily available, such as general eagle distribution.
 - Encourage applicants to begin directly coordinating with the local offices of the FWS and state fish and wildlife agencies, unless coordination has already begun.
 - Describe the general process for obtaining a EITP and, as applicable, ESA compliance.
 - **Can the BLM hold additional preliminary application review meetings beyond the two preliminary application review meetings?**
 - Yes, the BLM may to hold additional preliminary application review meetings (43 CFR 2804.12(b)(4)(iii)).

Standard Form 299 (SF-299) Application

- **What regulations require an applicant to apply for a renewable energy Federal Land Policy and Management Act (FLPMA) ROW grant?**
 - As defined in 43 CFR 2804.12, applications on form SF-299 are made by the applicant and sent to the BLM office having jurisdiction over the land covered by the application.
 - Additional information necessary to process SF-299 application (43 CFR 2804.25(c)) this may include, but not be limited to:
 - A list of any federal and state approvals required for the proposal.
 - A description of alternative route(s) and mode(s) considered when developing the proposal.
 - Copies of, or reference to, all similar applications or grants submitted, currently held, or held in the past.
 - A statement of the need and economic feasibility of the proposed project.
 - The estimated schedule for constructing, operating, maintaining, and terminating the project to be included in the Plan of Development.
 - A map of the project showing its proposed location and existing facilities adjacent to the proposal.
 - A statement certifying that the applicant is of legal age and authorized to do business in the state(s) where the ROW would be located, and has submitted correct information to the best of their knowledge.
 - A statement of the environmental, social, and economic effects of the proposal.
 - A statement of financial and technical capability to construct, operate, maintain, and terminate the project.
 - Proof that the applicant is a United States citizen.
 - Any other information BLM considers necessary to process the application.
 - The burden to conduct business on federal lands rests with the applicant.

- **What BLM office is the SF-299 submitted to for renewable energy projects?**
 - ROW grant applications are filed with the BLM field office having jurisdiction over the lands affected by the application (43 CFR 2804.11(a)). Prospective applicants are encouraged to contact the appropriate BLM field office and ask to speak to a realty specialist or project manager.
 - If the application affects more than one BLM administrative unit, the applications may be filed at any BLM office having jurisdiction over any part of the project (43 CFR 2804.11(b)).
 - The receiving field office will share the application with all other field offices included in the proposed project area.
- **When the BLM office receives a renewable energy application for testing or development what is the first thing the field office should do?**
 - The field office must screen and prioritize the application per BLM policy using IM-2022-027 and in accordance with 43 CFR 2804.35.
- **How is the priority for a renewable energy project determined?**
 - The screening and prioritization process provides an opportunity to direct development away from high-conflict areas or sensitive resources toward low conflict areas. Refer to IM 2022-027, Initial Screening and Prioritization for Solar and Wind Energy Applications and Nominations/Expressions of Interest.
- **When the BLM field office receives a Type 2 and Type 3 application where their project area overlaps?**
 - When applications are received by the field office at the same time for overlapping areas the field office must screen and prioritize those applications. In the event where both projects are rated as both a medium priority (or both a high priority), the field office must determine if competition for that area exists (IM-2021-026, 43 CFR 2804.23(b)). The BLM office may also work with the applicants to separate their applications where they overlap to prevent a competitive process.
- **When the BLM field office receives the same Type of application (either both applications are for a Type 2 project or both applications are for a Type 3 project), where their project area overlaps, how will the BLM process the applications?**
 - When applications are received by the field office at the same time for overlapping areas the field office must screen and prioritize those applications. In the event where both projects are rated as both a medium priority (or both a high priority), the field office must determine if competition for that area exists (IM-2021-026, 43 CFR 43 CFR 2804.23(b)). The BLM office may also work with the applicants to separate their applications where they overlap to prevent a competitive process.
- **When the BLM field office receives a Type 2 application first and the field office has made substantial progress on permitting the earlier application, and the office receives a Type 3 application, where a portion of their project area overlaps, how will the BLM process the applications?**
 - When a Type 2 application is received by the field office and close to being authorized (by issuance of a right-of-way) and the field office receives a Type 3 application that overlaps part of the Type 2 request. The Type 2 would take precedence because it has made substantial progress, including a NEPA decision, and poised to be authorized. The field office will still screen and prioritize the Type 3 application in the event the Type 2 doesn't move forward, and the Type 3 application can move up in priority; unless the

- Type 2 applicant either withdraws their application or amends their application to exclude the Type 2 project area.
- **When the BLM field office receives a Type 2 or Type 3 application for an area that overlaps a Type 2 or Type 3 project area that is already authorized by the BLM, how will the BLM process the application?**
 - If one of the overlapping projects has already been authorized by a ROW grant for a specific area by the BLM, the BLM will honor valid existing rights. The BLM has a couple of options moving forward with the new application that overlaps the already existing authorized renewable energy area: 1) The BLM should go back to the second applicant and ask them to remove said areas from their application that are already authorized, 2) The BLM denies their application (if it determined that the two application cannot be compatible with each other then it would not in the public's interest to process a ROW application over an existing authorization), 3) If it is determined that the two projects could be compatible (and that the two companies have negotiated an agreement documenting such) then BLM retains the right to authorize other compatible uses as long as it doesn't interfere with any valid existing rights.
 - **When does BLM deny an application?**
 - The BLM may deny an application under these circumstances (43 CFR 2804.26):
 - The proposed use is inconsistent with the purpose for which BLM manages the public lands described in your application (Proposed project is not in conformance with the approved RMP, and the applicant is unwilling to amend their application to conform. In some cases, at the BLM authorized officer's discretion, the BLM may condition the ROW authorization to conform to the plan or may consider first amending the approved RMP.)
 - The proposed use would not be in the public interest.
 - The applicant does not qualify to hold a grant.
 - Issuing the grant would be inconsistent with the Act, other laws, or these or other regulations.
 - The applicant does not have or cannot demonstrate the technical or financial capability to construct the project or operate facilities within the right-of-way.
 - The required POD does not meet the development schedule or other requirement in the POD template and the applicant is unable to demonstrate why the POD should be approved.
 - Failure to comments necessary surveys and studies or plans for permit processing.
 - BLM's evaluative under 43 CFR 2804.25(e)(2)(iii) provide basis for denial.
 - **Who in BLM makes the determination to deny an application?**
 - The BLM authorized officer who is delegated the authority in the BLM's Manual Section 1203 makes the determination to deny an application. Consistent with applicable regulations, a BLM decision to deny an application may be appealable.
 - **When does the BLM consider the application complete?**
 - The application is considered complete when it includes and addresses all the applicable regulatory requirements while following customer service standards found in 43 CFR 2804.25(d).
 - When the authorized officer determines that a project can proceed under 43 CFR 2809 or 43 CFR 2804.25 as applicable.

Plan of Development (POD)

- **When are a POD and resource surveys or inventories required for the purposes of 2804.12(b) and 2804.25(c)(1)?**
 - At the time an application for a renewable energy project is submitted, the BLM requires that the applicant must include a general description of the proposed project and a schedule for the submission of a POD conforming to the POD template outlined below (the application is not complete without a POD schedule).
 - 2804.12(b) states an applicant **MUST** submit a schedule for the submission of a POD for renewable energy projects.
- **What is covered in the Plan of Development (POD)?**
 - See POD attachment link for full POD outline
 - https://www.blm.gov/sites/blm.gov/files/energy_Windplanofdevelopment.pdf.

Application Filing Fees

- **What is an Application Filing Fee?**
 - Application filing fee means a filing fee specific to solar and wind energy applications. This fee is an initial payment for the reasonable costs for processing, inspecting, and monitoring a right-of-way (43 CFR 2801.5(b)).
- **When is the Application Filing Fee Due?**
 - The Application Filing Fee is a regulatory requirement and must be submitted at the time the SF-299 application is filed as a part of a complete application. *BLM will not begin any work (other than a pre-application meeting) without the required application fee.*
- **How much is the Application Filing Fee?**
 - \$15 per acre for energy development ROW applications (Type 3 applications).
 - \$2 per acre for energy project-area testing ROW applications (Type 2 applications).
 - No application filing fee is required for site-specific testing (Type 1 applications); applicable processing and monitoring fees apply.
- **Can these funds be refunded?**
 - Yes, the remaining unused funds can be refunded when the proposed application has been withdrawn, relinquished, denied, or issued.
- **Does a Cost Recovery Agreement (CRA) need to be prepared?**
 - Yes, the CRA needs to be prepared to reflect the entire anticipated cost of the project and is to be signed by both the BLM authorized officer and the applicant.

Due Diligence

- **How does the BLM determine whether an applicant is technically and financially capable of holding a FLPMA grant?**
 - Applicants must have or be able to demonstrate technical and financial capability to construct, operate, maintain, and terminate a project throughout the application process and authorization period. Applicants can demonstrate financial and technical capability to construct, operate, maintain, and terminate a project by (43 CFR 2804.26(a)(5)(i)):
 - Documenting any previous successful experience in construction, operation, and maintenance of similar facilities on either public or non-public lands;
 - Providing information on the availability of sufficient capitalization to carry out development, including the preliminary study stage of the project and the environmental

- review and clearance process; or
- Providing written copies of conditional commitments of federal and other loan guarantees; confirmed power purchase agreements; engineering, procurement, and construction contracts; and supply contracts with credible third-party vendors for the manufacture or supply of key components for the project facilities.
- In ensuring that an applicant meets its regulatory requirement to demonstrate its technical and financial capability to construct, operate, maintain the proposed wind energy facility as defined in 43 CFR 2803.10 and 43 CFR 2804.12(a)(5), the BLM will consider whether the applicant has a history of successfully designing, constructing, or obtaining the funding for a project generating electrical energy.
- Actual ownership, development, or management of a successful similarly sized project generating electrical energy within the last 5 years by the applicant would generally constitute evidence of financial capability.
- **What happens if the applicant cannot demonstrate adequate technical or financial ability to construct, operate and maintain a renewable facility?**
 - Failure to demonstrate and sustain technical and financial capability is grounds for denying an application or terminating an authorization (43 CFR 2804.26(a)(5)(ii)).
- **How does BLM handle incomplete renewable energy applications?**

The BLM may require the applicant to submit additional information at any time while processing an application (43 CFR 2804.12(f)).

Technical and Financial Capability

- **What regulations require the applicant to disclose their technical and financial capability?**
 - Under 43 CFR 2804.12(a)(5) requires all wind energy ROW applicants to include a statement of their technical and financial capability to construct, operate, maintain, and terminate the project. Under 43 CFR 2804.26(a)(5)(i), a ROW applicant or holder must maintain their technical and financial capability through the application process and the term of the ROW.
- **When will BLM determine technical and financial capabilities of the applicant?**
 - For ROW grants, the BLM will determine the technical and financial capabilities of the applicant upon receipt of a completed ROW application and during the authorized period.
 - For ROW leases, the BLM will determine the technical and financial capabilities of the bidder upon receipt of a complete competitive bid certification form and during the authorized period.
- **How can the applicant demonstrate technical and financial capability?**
 - Refer to the “Due Diligence” section, above. See also 43 CFR 2804.26(a)(5)(i).
- **What does the BLM do if the applicant is in bankruptcy or having financial difficulties?**
 - Applicants may not be able to meet the due diligence provisions of the right-of-way authorization.
 - Under 43 CFR 2804.26(a)(5) provides the authority to deny the application if the applicant cannot demonstrate adequate technical ability to construct, operate, and maintain the wind energy facilities.
 - If a project has been authorized and constructed, the ROW holder should work on selling the project and completing an assignment. If not, the required bond must be sufficient to cover decommissioning of an abandoned project.
- **What are the requirements for the applicant to meet technical capabilities requirements?**
 - In order to evaluate an applicant’s technical capability to construct, operate, maintain and

terminate the project under 43 CFR 2804.12(a)(5), the BLM should consider any previous experience of the ROW applicants and bidders related to similar renewable energy facilities on either public or non-public lands.

- Document or provide information contained in 43 CFR 2804.26(a)(5)(i).
- More specific documentation may also be relevant, such as
 - Power purchase agreements,
 - Interconnect agreements, or
 - Third-party contracts for the construction, operation, maintenance, and termination of the facility.
- **What are the requirements for the applicant to meet financial capabilities requirements?**
 - BLM should consider information provided by the applicant regarding the availability of sufficient financial capitalization or other funding to carry out all aspects of the project including preliminary studies, environmental reviews, permitting, construction, operation, and termination of the facility.
 - Other documentation may also be relevant to demonstrating financial capability
 - Including project financial plans
 - Including examples of prior project financing
 - Copies of federal and other loan guarantees
 - Power purchase agreements
 - Interconnect agreements
 - Third-party engineering, manufacture, or supply contracts.
- **How does the BLM make the determination of Technical and Financial Capability?**
 - The BLM will determine the applicant's or bidder's technical and financial capability submitted on the SF-299 based on the information provided in:
 - ROW application or competitive bid certification form,
 - Plan of Development (POD)
 - Additional documentation provided to or requested by the BLM.
 - The BLM should not request additional or burdensome documentation if it is not reasonably necessary to determine, in a timely manner, that the ROW applicant or bidder has the technical or financial capability to successfully hold the ROW grant or lease.
 - Documentation that includes proprietary or confidential information that is submitted to the BLM will be treated as such to the extent allowed by law.
- **What does BLM do once a determination of Technical and Financial Capability is made?**
 - The BLM will document its determination (including rationale) of the technical and financial capabilities of the ROW applicant or bidder in the project case file. If the BLM determines that the ROW applicant or bidder does not have the technical and financial capabilities necessary to construct, operate, maintain, and terminate the project, the BLM may deny the ROW application (43 CFR 2804.26(a)(5)) or competitive bid certification.

BLM Coordination with the Wyoming Game and Fish Department (WGFD) & FWS

- **When does BLM initiate coordination with WGFD and FWS on a Type 3 proposal?**
 - The BLM will seek to coordinate with the WGFD and FWS at the earliest practical time and throughout the application review process, including from the time preliminary project information is shared with the BLM through ROW grant issuance, operation, and monitoring after project abandonment and reclamation.

- Early coordination by the applicant and the BLM with the FWS and WGFD will facilitate design of the project in the most environmentally suitable area (refer to the Preliminary Application Review Meetings section for full details on this process).
 - This interaction provides an opportunity to direct development away from lands with high potential conflicts or sensitive resource values toward low-conflict areas such as previously disturbed sites or locations that minimize construction of new roads and/or transmission lines.
 - The plan of development should be modified by the applicant in conjunction with input from these agencies.
 - Resource inventories, surveys, and other data should be collected to meet the recommended guidelines of the BLM, FWS, and WGFD, prior to finalizing the POD (see section “Resource Surveys and Monitoring,” above).
- The BLM will consult and coordinate with these agencies and the applicant to determine when the POD is finalized.
 - This consultation and/or coordination will help BLM authorized officer determine the appropriate form of NEPA compliance documentation in accordance with the BLM’s NEPA screening procedures, such as the determination of whether an EA is appropriate or if an EIS should be initiated.
- **How does BLM and FWS work together through the application process?**
 - The BLM and FWS will coordinate and/or consult, as applicable, to address compliance with the Bald and Golden Eagle Protection Act, Endangered Species Act, and Migratory Bird Treaty Act.
 - BLM will coordinate with FWS throughout the application process while it is being determined if an eagle incidental take permit (EITP) is needed or has been applied for.
 - In accordance with 40 CFR 1501.7(g), “[t]o the extent practicable, if a proposal will require action by more than one Federal agency and the lead agency determines that it requires preparation of an environmental assessment, the lead and cooperating agencies should evaluate the proposal in a single environmental assessment and, where appropriate, issue a joint finding of no significant impact.” If an EITP is needed and has been applied for to FWS by the applicant, FWS may elect to be a co-lead with the BLM. FWS at that point will assist in writing the NEPA document for their permitting purposes as well. As joint lead agencies, BLM and FWS will jointly develop the purpose and need portion of the NEPA document to reflect the BLM ROW decision and the FWS EITP decision if the applicant has submitted an EITP to the FWS.
 - The BLM has the authority to determine, based on its application review, and consistent with its multiple use and sustained yield mandate, whether to approve, approve with modifications, or deny a ROW application. The BLM also has the authority to administer ROW grants for approved projects. For example, under 43 CFR 2807.16 through 2807.20, the BLM may amend, suspend, or terminate ROW grants for violations of applicable terms and conditions, such as the requirement to comply with all applicable laws (43 CFR 2805.12), including the BGEPA. The FWS has the responsibility for determining whether the proposed project will likely result in the incidental take of eagles. The FWS may recommend that a ROW applicant prepare an eagle conservation plan (ECP) that includes a risk assessment as part of an application for an EITP.
 - The BLM will incorporate the FWS’s determination of eagle risk in its NEPA analysis of a project. If the FWS determines that take of eagles is likely, the BLM will recommend

that a ROW applicant seek an EITP and the BLM will include stipulations in the ROW grant requiring the grant holder to monitor its project regularly for eagle fatalities using FWS-approved standards throughout the life of the grant. If the FWS determines that take of eagles is not likely, the ROW grant will specify that if an eagle is taken by a project without an EITP, the ROW grant holder shall immediately notify the BLM and the FWS and, after consultation with the BLM and the FWS, implement reasonable specific actions to avoid further unpermitted take of eagles.

- If the FWS declines the invitation to be a joint lead agency, the BLM will invite the FWS to become a cooperating agency in accordance with 40 CFR 1501.8, 43 CFR 46.230, and BLM Handbook H-1790-1 (National Environmental Policy Act).

Bonding

- **What are the bonding requirements for wind energy development projects?**
 - The regulations at 43 CFR 2805.20(c) provide: “If you hold a grant for wind energy development outside of designated leasing areas, you must provide a performance and reclamation bond (see paragraph (a) of this section) prior to the BLM issuing a Notice to Proceed (see § 2805.12(c)(1)). We will determine the bond amount based on the RCE (see paragraph (a)(3) of this section) and it must be no less than \$10,000 per authorized turbine less than 1 MW in nameplate capacity or \$20,000 per authorized turbine equal to or greater than 1 MW in nameplate capacity.”
 - See also the BLM’s policy, IM-2019-013 (“National Policy for Rights-of-Way Bonding”).
- **What are the bonding requirements for site testing or monitoring areas related to renewable energy development projects?**
 - The regulations at 43 CFR 2805.20(d) provide: “For short-term right-of-way grants for energy site or project-area testing, the bond amount must be no less than \$2,000 per authorized meteorological tower or instrumentation facility location and must be provided before the written approval to proceed with ground disturbing activities (see § 2805.12(c)(1)).”
 - See also the BLM’s policy, IM-2019-013 (“National Policy for Rights-of-Way Bonding”).

National Environmental Policy Act (NEPA) Compliance

- **Who determines the level of NEPA compliance documentation for renewable energy projects?**
 - It is determined at the field office level by the BLM authorized officer, in accordance with the BLM’s NEPA screening procedures (see BLM’s NEPA Handbook, H-1790-1 at Figure 1.1).
 - If the BLM authorized officer determines during the preparation of an EA that the proposed action would have significant effects and cannot be mitigated to a level of nonsignificance, an EA does not need to be completed prior to beginning preparation of an EIS (516 Departmental Manual 11.7(E)).
- **What is needed before the NEPA process can be initiated?**
 - The application must be complete, and the initial screening and the prioritization accomplished by the BLM.
 - When the authorized officer determines that a project can proceed under 43 CFR 2804.25 as applicable.
 - The decision to accept the application does not automatically trigger the NEPA phase.

- If a POD does not contain sufficient information and/or the proposed action is not complete, the NEPA compliance process may be delayed until additional information is supplied to the agency.
- **Can an applicant prepare and supply the NEPA compliance document?**
 - Yes. However, the federal agency remains responsible for the NEPA compliance document (see 40 CFR 1506.5(a): “The agency is responsible for the accuracy, scope... and content of environmental documents prepared by the agency or by an applicant or contractor under the supervision of the agency.”).
 - To ensure the NEPA compliance document meets agency requirements for accuracy, scope, and content, the DOI may make (or cause to be made) edits to an applicant supplied NEPA document before publishing or finalizing the document.
- **How does the avoidance and minimization process work?**
 - Appropriate site selection and project design for wind energy development is key in reducing negative impacts to sensitive resources and avoiding potential permitting delays. Detailed planning and survey efforts by the applicant, prior to submittal of a ROW application to the BLM will help identify and avoid potential resource conflicts that may occur (see the bullets on preliminary meetings in the section entitled “Initial Meetings,” above). Coordinated efforts by BLM, the applicant, and other partners (state and federal agencies) can help identify sites that are unsuitable for development and minimize or mitigate impacts that cannot be avoided. Site selection focuses on screening for technical factors regarding the suitability and performance of a wind development project. Critical issues analyses and resource surveys will provide applicants important information as they initiate the design phase of the project, and initial preliminary meeting coordination with local, state, and federal agencies should commence during this time. Input from the information collected during resource surveys and through coordination with the regulatory agencies should be incorporated into the project design submitted to the BLM to reduce potential impacts from the project and avoid permitting delays.
 - After receipt of a ROW application, the BLM will hold coordination preliminary application review meetings between the applicant, BLM, and appropriate federal, state, and local agencies after the ROW application is accepted and all appropriate cost recovery accounts have been established.
 - The first preliminary meeting will be held between the applicant and the BLM team of resource specialists to discuss the general project proposal, the status of the BLM land use plan, potential siting issues and concerns, potential alternative site locations, the right-of-way application, and environmental analysis process. (43 CFR 2804.12 (b)(4)(i). BLM specialists will provide information to the applicant about specific resource program issues and additional surveys that will be necessary. During the first preliminary meeting, the BLM will address:
 - Potential RMP conformance issues within the project area.
 - The screening and prioritization ranking for the proposed project (see prioritization, below).
 - The responsibilities of the BLM’s field office ID Team and relevant contacts in the field, District, and State offices.
 - The field office’s application review process, including the environmental analysis process used by the BLM.
 - Additional resource data collection that will be required (if not already supplied) and

whether additional resource surveys will be necessary before the BLM can complete processing of the application.

- Potential resource conflicts and values, including special designations or protections, and the applicant-proposed measures that would be necessary to avoid, minimize, and compensate for such resource conflicts, if any. (43 CFR 2804.12(b)(2))
- Development of a bird and bat conservation plan, if needed.
- Additional preliminary meetings may be appropriate to address these components before moving ahead with a preliminary meeting that involves appropriate federal and/or state agencies.
- The second preliminary meeting(s) will include the appropriate federal and state agencies to facilitate coordination of potential environmental and siting issues and concerns under their authorities and jurisdictions (43 CFR 2804.12(b)(4)(ii)). Early project coordination by the applicant with the WGFD and the FWS is important for ensuring compliance with state wildlife agency requirements and the Migratory Bird Treaty Act, the Bald and Golden Eagle Protection Act, and the Endangered Species Act (ESA). Section 7 of the ESA requires federal agencies to consult with the FWS to ensure that actions they fund, authorize, permit, or otherwise carry out will not jeopardize the continued existence of any listed species or adversely modify designated critical habitats. Wyoming has an abundant population of golden eagles, other raptors, bats, and other migratory birds that must be considered by the BLM before authorizing wind energy projects. The BLM will coordinate closely with the FWS, WGFD, and other agencies to ensure effects to protected species are addressed before granting discretionary ROW authorizations. Planning a wind energy project that reduces potential wildlife conflicts can also reduce potential liabilities under these statutes and lower an applicant's project costs by minimizing repeated site modifications in response to wildlife issues. Applicants are encouraged to review and incorporate guidance and recommendations from these agencies (see section entitled, "References and Resources," below). Failure to incorporate agency design recommendations and failure to consult with other federal, state, and local agencies during the period before and during application submission to the BLM will result in project permitting delays.
- The BLM and the FWS will coordinate with the ROW applicant on any modifications of the proposed project necessary to avoid, minimize, and compensate for potential impacts to eagles.

Rental

- **What are the rental requirements for renewable energy development grants?**
 - In May 2022, the BLM updated ROW Manual Section (MS-2806, Chapter 6) which implements reduced acreage rent rates and MW capacity fees for existing and new wind and solar energy projects on public lands pursuant to the authority under the Energy Act of 2020, and which also supports Section 207 of Executive Order 14008.
 - Rents and fees for wind energy is found at 43 CFR 2806.60.
 - The holder must pay an annual acreage rent and MW capacity fee for your energy development grant.
 - Acreage Rent (43 CFR 2806.62(a))
 - Must be paid regardless of the stage of development or operations on the entire

- public land acreage described in the right-of-way authorization.
 - MW capacity fee (43 CFR 2806.62(b))
 - To be paid annually when electricity generation begins.
- **How is rent calculated for a support facility?**
 - If a solar or wind energy development project includes separate right-of-way authorizations issued for support facilities (administration building, groundwater wells, construction lay down and staging areas, surface water management, and control structures, etc.) or linear right-of-way facilities (pipelines, roads, power lines, etc.), rent is determined using the Per Acre Rent Schedule for linear facilities (43 CFR 2806.56 and 43 CFR 2806.66).
 -
- **How is rent determined for an energy development testing grant?**
 - Per 43 CFR 2806.68
 - Grants for energy site-specific testing. Applicants/holders must pay \$100 per year for each meteorological tower or instrumentation facility location. BLM offices with approved small site rental schedules may use those fee structures if the fees in those schedules charge more than \$100 per meteorological tower per year. In lieu of annual payments, you may instead pay for the entire term of the grant (3 years or less).
 - Grants for energy project-area testing. Applicants/holders must pay \$2,000 per year or \$2 per acre per year for the lands authorized by the grant, whichever is greater. There is no additional rent for the installation of each meteorological tower or instrumentation facility located within the site testing and monitoring project-area.

Competitive Leasing

- **Is Wyoming BLM within a Designated Leasing Area (DLA)?**
 - Wyoming does NOT have any DLAs.
 - The BLM may determine the locations and boundaries of right-of-way corridors or designated leasing areas during the land use planning process (43 CFR 2802.11(a)).
- **When does BLM use the competitive leasing process?**
 - See 43 CFR 2804.23 and 2804.30. The BLM will not competitively offer land for solar and/or wind energy development where the BLM has already completed all the following steps:
 - Accepted a completed ROW application (SF-299);
 - Received the full application filing fee;
 - Received a Plan of Development (POD); and
 - Executed a cost recovery agreement.
 - The BLM will notify the ROW applicant in writing, once all the above conditions have been met, that those public lands will not be competitively offered while the BLM processes the ROW application.
- **How does BLM determine that competitive interest exists?**
 - Policy found in IM-2021-26 provides guidance as to when BLM may or may not use competitive processes to offer public land for solar and wind energy development.
 - Criteria the BLM may consider include:
 - Multiple applications for the same type of development are received and overlap for use of the same public lands
 - Other application received for public lands in the nearby vicinity (applications that proposed to connect to the same substation or would result in shared transmission

- infrastructure)
 - Other evidence of competitive interest based on contact with members of the public and solar and wind energy development companies
- **What happens when BLM offers land competitively outside a DLA?**
 - If the BLM offers land competitively the BLM will publish in the *Federal Register* a Notice of Competitive Office. The successful bidder whose bid meets the requirements of 43 CFR 2804.30(f) will be considered the “Preferred Applicant.”
 - BLM will NOT accept applications on land where a preferred applicant has been identified unless allowed by the preferred applicant (43 CFR 2804.30(g)).

Prioritization

- **How will renewable energy applications be prioritized in the field offices?**
 - BLM has established three additional screening criteria that the Authorized Officer may use to elevate or adjust an application’s priority (43 CFR 2804.35 and IM-2022-027).
 - High-priority – These applications are given processing priority over medium or low-priority applications when the application meets the following criteria:
 - Lands specifically identified as appropriate for renewable energy development, other than designated leasing areas.
 - Previously disturbed sites or areas adjacent to previously disturbed or developed sites.
 - Lands currently designated as VRM Class IV.
 - Lands identified as suitable for disposal in BLM land use plans.
 - Medium-priority – These applications are given priority over Low-priority applications and may include lands that meet the following criteria:
 - BLM special management areas that provide for limited development, including recreation sites and facilities;
 - Areas where a project may adversely affect conservation lands, including lands with wilderness characteristics that have been identified in an updated wilderness characteristics inventory;
 - ROW avoidance areas;
 - Lands currently designated as VRM Class III;
 - Sensitive habitat areas, including important species use areas, riparian areas, or areas of importance for federal or state sensitive species;
 - Areas where project development may adversely affect resources and properties listed nationally such as the National Register of Historic Places, National Natural Landmarks, or National Historic Landmarks;
 - Department of Defense operating areas with land use or operational mission conflicts; or
 - Projects with proposed groundwater uses within groundwater basins that have been allocated by state water resource agencies.
 - Low-priority – These applications may not be feasible to authorize. These applications may include lands that meet the following criteria:
 - Lands near or adjacent to lands designated by Congress, the President, or the Secretary for the protection of sensitive viewsheds, resources, and values (e.g., units of the National Park System, Fish and Wildlife Service Refuge System, some

- National Forest System units, and the BLM National Landscape Conservation System), which may be adversely affected by development.
- Lands near or adjacent to Wild, Scenic, and Recreational Rivers and river segments determined suitable for Wild or Scenic River status, if project development may have significant adverse effects on sensitive viewsheds, resources, and values.
 - Designated critical habitat for federally threatened or endangered species if project development may result in the destruction or adverse modification of that critical habitat.
 - Lands currently designated as VRM Class I or Class II.
 - ROW exclusion areas.
 - Lands currently designated as no surface occupancy for oil and gas development in BLM land use plans.
- **What is the project specific advancement considerations used to differentiate between projects in the high-, medium-, and low- priority categories?**
 - Allocated state water right for proposed groundwater uses.
 - Best Management Practices (BMPs) if project is nearby or adjacent to National Park Service Areas of High Potential for Resource Conflicts (AHPRC).
 - BMPs if potential project is near or adjacent to listed and/or sensitive BLM Sensitive Status plants and animals.
 - Class I- Cultural Resources – A study or report that includes a compilation and analysis of all reasonably available cultural resources data and literature.
 - Conditional Use Permit from County in which the project is located.
 - Description of how the project would support the Department of the Interior and BLM priorities.
 - Early coordination or outreach with state, local, and/or tribal governments and/or public to identify resources – related issues, concerns, and needs. Could be in the form of a letter, e-mail, or BMP.
 - Efficient use of public lands (increased MW per acre).
 - Holds a power purchase, interconnect (or equivalent) agreement for filed location or in the priority que for agreement with utility company.
 - Holds a ROW lease or ROW grant adjacent to the filed location that would result in an efficient use of public lands by minimizing ground disturbance for utility development or interconnect.
 - Information for Planning and Consultation (IPaC) report from United States Fish and Wildlife Service (FWS) with documentation showing how species list and how suggested conversation measures for the project would be applied.
 - Mitigation Plans or other similar plans such as, but not limited to: Bird and Bat Conservation Strategy, Decommissioning and Site Reclamation Plan, Dust Abatement Plan, Spill Prevention and Emergency Response Plan, Groundwater Monitoring and Reporting Plan, Fire Management Plan, Lightening Management Plan, Integrated Weed Management Plan, Site Drainage Plan, Storm Water Pollution Prevention Plan, Surface Water Quality Management Plan, etc.
 - Preferred Energy Technology that supports efficient use of public lands in the area filed.

Avoidance and Exclusion Areas

- **How will BLM handle an application that is in a right-of-way avoidance area?**
 - RMPs may allocate right-of-way avoidance areas under the BLM land use planning regulations. Avoidance areas do not preclude the issuance of rights-of-way for wind energy site testing and monitoring activities or wind energy development or preclude the issuance of permits, leases, or easements under Section 302 of the Federal Land Policy and Management Act (FLPMA) but must first consider alternate locations and/or design features to address RMP conformance. Operations in avoidance areas may be allowed with special stipulations or mitigation measures. For such authorizations, the area's environmental sensitivity and other feasible alternatives will be considered by the BLM authorized officer.
- **How will BLM handle an application that is in a right-of-way exclusion area?**
 - RMPs may allocate right-of-way exclusion areas under the BLM land use planning regulations. Applications that are sited in a right-of-way exclusion area will be denied, unless: (1) the applicant amends their application to avoid exclusion areas, (2) the exclusion area is for the exclusion of uses or activities that do not include renewable energy, or (3) the BLM authorized officer determines an RMP amendment may be warranted. ROWs are not otherwise authorized within exclusion areas.

BLM References

- **Websites**
 - 43 CFR 2800
 - <https://www.ecfr.gov/current/title-43/subtitle-B/chapter-II/subchapter-B/part-2800?toc=1>
 - BLM Renewable Energy
 - <https://www.blm.gov/programs/energy-and-minerals/renewable-energy/active-renewable-projects>
 - BLM Wind Energy Development Programmatic EIS
 - <https://windeis.anl.gov/index.cfm>
- **Instruction Memorandums**
 - Active
 - Initial Screening and Prioritization for Solar and Wind Energy Applications and Nominations/Expressions of Interests
 - <https://www.blm.gov/policy/im-2022-027>
 - Reinstating the Bureau of Land Management (BLM) Manual Section (MS-1794) and Handbook (H-1794-1) on Mitigation
 - <https://www.blm.gov/policy/im-2021-046>
 - Rescinding IM No. 2019-018, Compensatory Mitigation Policy
 - <https://www.blm.gov/policy/im-2021-038>
 - Use of Competitive Processes for Solar and Wind Energy Development Outside of Designated Leasing Areas
 - <https://www.blm.gov/policy/im-2021-026>
 - Calendar Years 2021-2025 Right-of-Way Rental Schedule Re-Assignment of County Zones
 - <https://www.blm.gov/policy/im-2021-005>
 - [Rates and fees updated in 2806 Manual](#)

<https://www.blm.gov/sites/default/files/docs/2022-05/MS-2806%20rel%202-307%20Chapter%206.pdf>

- National Policy for Rights-of-Way Bonding (Expired)
 - <https://www.blm.gov/policy/im-2019-013>
- Technical and Financial Evaluations for Solar and Wind Energy Rights-of-Way Grants and Leases (Expired)
 - <https://www.blm.gov/policy/im-2017-099>
- Oversight and Implementation Plan (Expired)
 - [IM 2017-027 Oversight and Implementation Plan](#)
- Solar and Wind Energy Performance and Reclamation Bonds and Reclamation Cost Estimate Review Requirements (Expired)
 - <https://www.blm.gov/policy/im-2015-138>
- Interim Policy for Solar and Wind Energy Inspection and Enforcement (Expired)
 - <https://www.blm.gov/policy/im-2014-019>
- Reference Only
 - ACTIVE
 - Bald and Golden Eagle Protection Act-Eagle Incidental Take Permit Guidance for Renewable Energy Development (Expired)
 - <https://www.blm.gov/policy/im-2017-040>
 - Wind Energy Development Policy (Expired)
 - <https://www.blm.gov/policy/im-2009-043>
 - INACTIVE
 - Solar and Wind Energy Performance and Reclamation Bonds and Reclamation Cost Estimate Review Requirements – Change 1 (Expired)
 - <https://www.blm.gov/policy/im-2015-138-change-1>
 - LR2000 Data Standards for Solar Energy Applications
 - <https://www.blm.gov/policy/im-2009-013>
- **Information Bulletins**
 - Active
 - Addendum to BLM and U.S. Fish and Wildlife Memorandum of Understanding to Promote the Conservation of Migratory Birds
 - <https://www.blm.gov/policy/ib-2022-036>
 - Establishment of Renewable Energy Coordination Offices
 - <https://www.blm.gov/policy/ib-2022-040>

Other References

- **Websites**
 - Guide to Permitting Wind Energy Projects in Wyoming; Provided by Wyoming Renewable Energy Coordination Committee January 2022
 - https://wyoenergy.org/wp-content/uploads/2022/11/WEA-Wind-Permitting-Guide_Final-20220110_Electronic-1.pdf
 - Argonne National Labs, Geospatial Energy Mapper (GEM)
 - <https://gem.anl.gov/>
- **Guidance Documents**
 - Wyoming Game and Fish Department Wind Energy Guidance

- WGFD Guidelines for Wind and Solar Energy Development
 - https://wgfd.wyo.gov/getattachment/Habitat/Habitat-Protection-Program/Resources-for-Development-Planning/WGFD_Wind_and_Solar_Energy_Development_Guidelines_Final_January_2021.pdf?lang=en-US
- The Governor’s Wind Conflict Map
 - <https://wgfd.wyo.gov/getattachment/Habitat/Habitat-Protection-Program/Resources-for-Development-Planning/Wind-Development-Environmental-Conflicts.pdf?lang=en-US>
- U.S. Fish and Wildlife Service
 - Wind Turbine Guidelines Federal Advisory Committee, developed Land-Based Wind Energy Guidelines (2012)
 - https://www.fws.gov/guidance/sites/guidance/files/documents/FWS_Land-Based_Wind_Energy_Guidelines.pdf
 - USFWS Region 6 Recommendations for Avoidance and Minimization of Impacts to Golden Eagles at Wind Energy Facilities (2022)
 - <https://www.fws.gov/media/usfws-region-6-recommendations-avoidance-and-minimization-impacts-golden-eagles-wind-energy-0>
 - USFWS Region 6 Wildlife Buffer Recommendations for Wind Energy Projects (2021)
 - <https://www.fws.gov/media/usfws-region-6-wildlife-buffer-recommendations-wind-energy-projects-2021>
 - USFWS Region 6 Recommended Protocol for Conducting Pre-Construction Eagle Nest Surveys at Wind Energy Projects (2021)
 - <https://www.fws.gov/media/usfws-region-6-recommended-protocol-conducting-pre-construction-eagle-nest-surveys-wind>
 - USFWS Region 6 Recommended Approach for Development and Submission of Eagle Conservation Plans Submitted to the Region 6, Migratory Bird Management Office in Support of an Eagle Incidental Take Permit Application for Wind Energy Projects (2021)
 - <https://www.fws.gov/media/usfws-region-6-recommended-approach-development-and-submission-eagle-conservation-plans>

Contact Information

- Applicants are encouraged to contact the BLM field offices in which their proposed project is located. For questions about this document, please contact:
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 - **FWS, Wyoming Field Office**
 - WyomingES@fws.gov
 - Nathan Darnall, Deputy Field Supervisor
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