

Center for Biological Diversity \* Defenders of Wildlife \* Earthjustice  
Environmental Defense Fund \* The International Center for Technology Assessment  
The Lands Council \* League of Conservation Voters \* National Audubon Society  
National Parks Conservation Association \* National Wildlife Federation  
Natural Resources Defense Council \* Pew Environment Group \* Sierra Club  
Southern Environmental Law Center \* Southern Utah Wilderness Alliance  
Union of Concerned Scientists\* The Wilderness Society

The Honorable Nancy Sutley  
Chair, White House Council on Environmental Quality  
722 Jackson Place, NW  
Washington, DC 20503

September 10, 2009

Dear Chair Sutley:

As the Council on Environmental Quality (CEQ) helps move the nation toward greater reliance on clean energy, the undersigned organizations seek to draw your attention to continued assaults on the National Environmental Policy Act (NEPA) with regard to the development and siting of renewable energy facilities. As illustrated by recent efforts from several members of Congress, opponents of this steadfast environmental law are cloaking their anti-environment agendas beneath a veil of renewable energy. Our organizations recognize the critical importance of deploying renewable energy technologies, and believe that NEPA can be carried out in an efficient and timely manner. NEPA is a bridge—not a roadblock—to ensuring that renewable energy development on public lands is carried out in a transparent, responsible manner.

It is critical that we evaluate the environmental impacts of installing large-scale industrial renewable energy facilities, such as solar and wind generating stations and geothermal plants, along with considering the important reductions in global warming pollution that such facilities offer. It is imperative that this information be incorporated into siting decisions. One of the strongest legal tools to ensure that the development of renewable energy infrastructure is carried out in an informed and responsible manner is NEPA. NEPA provides a safety net to ensure that the pros and cons of proposed federal government actions will be thoughtfully considered and informed by the best available scientific and factual information. It ensures appropriate involvement by state, local, and tribal governments. It also provides the means for consideration of alternative ways of achieving an agency's goals and provides an effective mechanism for public involvement and input into agency decisions.

NEPA review is important because, although renewable energy projects may have a smaller cumulative “life-cycle” impact on lands, air, water, and wildlife than fossil fuel

energy production, these facilities (like all commercial energy development) will have effects that must be accounted for in making siting determinations. For example, solar energy projects require analyses of water consumption impacts, surface disturbance, and habitat fragmentation. Wind development may have significant avian impacts including the disruption of bird and bat migration corridors, and geothermal energy development may involve surface and groundwater impacts. NEPA allows federal agencies, stakeholders, and the public to weigh in on these decisions in order to achieve optimal results that both protect natural and cultural resources and move the nation toward a clean energy future.

Secretary of the Interior Ken Salazar has committed to prioritizing renewable energy development on the public lands. In doing so, he has championed the need for the analysis NEPA requires. As he recently stated in a speech:

*We must be thoughtful, though, in how we develop this new energy frontier, and take care not to damage our landscapes, wildlife, or traditional ways of life.*

*For this reason, Interior is working with states, stakeholders, local communities, and other federal agencies to maximize renewable energy production while minimizing impacts to the environment...*

*...We are also assigning high priority to completing the appropriate environmental review and permitting of transmission corridors and right-of-way applications that are necessary to deliver renewable energy to consumers.<sup>1</sup>*

Unfortunately, those interests long-opposed to NEPA are hiding behind the public's overwhelming support for clean, renewable energy in an attempt to shortcut, shortchange, or scuttle NEPA's core provisions. They put forth a false choice of either protecting our public lands or building renewable energy quickly. We urge you to reject this shortsighted view. We know we can do both. For example, the Department of the Interior is in the process of designating solar energy study areas intended to avoid the most sensitive wildlands and wildlife habitat through an open, transparent public process. At the same time, the federal agencies continue to timely process applications for renewable energy facilities in compliance with NEPA. We urge CEQ to not only protect NEPA from the growing number of assaults, but continue to improve the renewable energy permitting processes by enhancing coordination between agencies and the public while still maintaining NEPA's essential safeguards.

It is important that renewable energy projects are subject to scrutiny under NEPA in order to ensure that the best alternatives are considered, all potential impacts are fully known, and the public can have confidence that its government is proceeding in a manner that is transparent. We do not need to sacrifice our most sensitive treasured public lands in the transition to a cleaner energy future.

---

<sup>1</sup> Remarks of Secretary of the Interior Ken Salazar to the American Wind Energy Association. Chicago, Illinois. May 5, 2009. Available at [http://www.doi.gov/secretary/speeches/050509\\_speech.html](http://www.doi.gov/secretary/speeches/050509_speech.html)

Thank you,

Center for Biological Diversity  
Bill Snape  
Senior Counsel

Defenders of Wildlife  
Wm. Robert Irvin  
Senior Vice President for Conservation Programs

Earthjustice  
Marty Hayden  
Vice President, Policy and Legislation

Environmental Defense Fund  
Mark S. Brownstein  
Managing Director, Business Partnerships: Climate & Air Program

The International Center for Technology Assessment  
George Kimbrell  
Staff Attorney

The Lands Council  
Mike Petersen  
Executive Director

League of Conservation Voters  
Tiernan Sittenfeld  
Legislative Director

National Audubon Society  
Greer S. Goldman  
Assistant General Counsel

National Parks Conservation Association  
Kristen Brengel  
Director, Legislative & Government Affairs

National Wildlife Federation  
John Kostyack  
Executive Director, Wildlife Conservation and Global Warming

Natural Resources Defense Council  
Johanna H. Wald  
Senior Attorney

Pew Environment Group  
Karen Steuer  
Director of Government Operations

Sierra Club  
Carl Zichella  
Director of Western Renewable Programs

Southern Environmental Law Center  
Nat Mund  
Legislative Director

Southern Utah Wilderness Alliance  
Richard Peterson-Cremer  
Legislative Director

Union of Concerned Scientists  
Alan Noguee  
Director, Clean Energy Program

The Wilderness Society  
Michael Francis  
Acting Vice President of Public Policy

CC: Secretary of the Interior Ken Salazar  
Secretary of Agriculture Tom Vilsack  
Secretary of Energy Steven Chu  
Administrator Lisa Jackson, EPA  
Secretary of Transportation Ray LaHood  
Speaker of the House Nancy Pelosi  
Senate Majority Leader Harry Reid