

2024 POLICY GUIDES

National Interest Electric Transmission Corridors (NIETC)

Issue

The federal government is proposing a new federal approval process for transmission lines. The plan will allow the feds to approve a project when a regional entity or state has taken longer than a year to approve a project or has denied one. The plan is accompanied by eminent domain authority. We would like clear policy directing us how to proceed in this space.

Background

In October 2023, the U.S. Department of Energy (DOE) released their National Transmission Needs Study. They found in this study that the “Plains” region (which includes Nebraska) had both a current and future need for increased energy transmission infrastructure. DOE is using the study to determine its authority and funding regarding interstate transmission lines.

The latest study sets the stage for implementation of federal financing tools from the Loan Programs Office for building out transmission lines, with multiple federal funding sources. In response to the study, the Federal Power Authority empowered the Secretary of Energy to designate land as a National Interest Electric Transmission Corridor (NIETC) if it was found that it would advance national interest. If a zone is designated as a NIETC, the Federal Energy Regulatory Commission (FERC) would have the ability to approve a project if a state or regional entity declines one or takes longer than a year to approve one, bypassing all local control, but expediting projects getting done. The projects approved by FERC would carry eminent domain authority.



DOE formed a four-phase NIETC designation process. It has recently completed Phase 2 of its NIETC designation and has released a map showing selected zones. A large portion of Nebraska is covered with the plan for the “Northern Plains” NIETC, with multiple sections up to 50 miles wide, 300 miles long east to west, and 400 miles long north to south (crossing both the Dakotas). While lines will not cover the entire area, the DOE plan to designate itself the authority to place transmission lines anywhere within that zone, and with eminent domain authority. Phase 3 is currently projected for fall 2024.

Farm Bureau Policy

STATE POLICY:

WIND AND SOLAR ENERGY (2024). Nebraska Farm Bureau should protect the interests of Nebraskans while supporting wind and solar development opportunities for domestic use and export. We support wind and solar development and the additional income opportunities they could provide for farmers and ranchers as long as the reliability and low rates of public power are preserved, and landowners are made fully aware of the opportunities and risks associated with wind and solar farm leases on their property. We support state and local oversight but believe such regulations should not stand as a barrier to development. We support efforts to update and expand electricity transmission lines used to transport wind and solar generated electricity across the state and nation.

FEDERAL POLICY:

Significant language on this issue can be found in the American Farm Bureau policy book in the #401 Electric Power Generation section found on pages 156-158. More specifically, please review the following lines: 3.1, 3.9, 3.11, 3.12, 5.2, 5.3.1, 5.3.2, 5.3.3, 5.3.4, 5.4.1, 5.5, and 5.5.1-5.5.8

We also have a significant policy on Eminent Domain #535 which can be found on pages 216-217.

Questions

- Are we willing to let the federal government take control of the permitting process for transmission lines in exchange for expeditious construction and federal funding assistance?
- Given our policy supporting the expansion of electricity development and transmission, supporting state and local governments' ability to regulate these projects, as well as our strong policy opposing eminent domain, how should NEFB balance these now semi-competing policies?
- Are there any stipulations we should pursue when it comes to this project, e.g. Nebraska should receive a certain percentage of power from the transmission lines, environmental or reclamation requirements, etc.?