
September 16, 2026

The Honorable Mike Lee
Chairman
Committee on Energy and Natural Resources
United States Senate
304 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Martin Heinrich
Ranking Member
Committee on Energy and Natural Resources
United States Senate
304 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Lee and Ranking Member Heinrich:

In advance of the Committee's September 16 hearing on pending legislation, attached please find Western Governors' Association (WGA) policy resolutions 2025-01, Energy in the West, and 2025-06, National Minerals Policy.

Western states possess significant geothermal energy potential and Western Governors have developed bipartisan recommendations to address barriers geothermal energy development. These include extending regulatory efficiencies already available to oil and gas development to geothermal projects to help streamline permitting and provide greater regulatory certainty and expanding funding for geothermal demonstration projects. Improving regional resource assessments can also increase the rate of successful geothermal exploration, and Governors support the U.S. Geological Survey Earth Mapping Resources Initiative as a valuable effort to strengthen geological data available for geothermal and critical mineral development.

I request that this document be included in the permanent record of the hearing, as it articulates Western Governors' collective and bipartisan policy positions and recommendations on this important issue.

Thank you for your consideration of this request. Please contact me if you have any questions or require further information.

Sincerely,



Jack Waldorf
Executive Director

Attachments



Policy Resolution 2025-01

Energy in the West

A. **BACKGROUND**

Western energy production, and its related delivery, are indispensable to meeting our nation's energy demands, and the energy sector is a significant contributor to the economic success of many western communities. Electricity generation and delivery systems are undergoing rapid, significant change across the West. The increasing effects of extreme weather events, the integration of clean energy and distributed energy resources, rapidly increasing demand from data centers and new technologies, the electrification of vehicles and buildings, and the retirement of traditional energy generating assets are all contributing to fundamental shifts in the electricity sector. Ensuring the reliability of energy generation and delivery systems is a priority of every Western Governor.

Western Governors recognize that approaches to energy use and development vary among our states and territories. The West has the vast majority of high-quality energy resources in the United States, including geothermal energy capacity, wind and solar power resources, the majority of oil and natural gas, coal, hydropower, and non-federal United States petroleum. Further, the West has the largest contiguous areas of high-yield biomass energy resource potential, is uniquely situated to produce low carbon intensity, clean hydrogen, and leads the nation in domestic uranium production and advanced nuclear reactor technology development. The presence of federal lands affects energy projects and infrastructure deployment across the West. Planning, permitting, and siting energy generating assets and transmission and pipeline infrastructure requires close coordination between states, private developers, utilities, and federal agencies to create an effective state-federal partnership in energy development, land management, and environmental protection.

B. **GOVERNORS' POLICY STATEMENT**

Governors' Energy Priorities

1. Western Governors recognize the following as energy policy priorities for the West:
 - a. Secure the United States' energy supply and delivery systems, and safeguard against both physical and cybersecurity risks.
 - b. Ensure energy is clean, affordable, equitable, and reliable by providing a balanced portfolio of resources.
 - c. Increase energy efficiency associated with electricity, natural gas, and other energy sources and uses to enhance energy affordability and to effectively meet environmental goals.
 - d. Advance efficient environmental review, siting, and permitting processes that facilitate clean energy development and the improvement and construction of necessary energy infrastructure, while ensuring environmental and natural resource protection.

- e. Improve the United States' electric grid's reliability and resilience.
- f. Protect western wildlife, natural resources, and the environment, including clean air and clean water, and reduce greenhouse gas emissions.
- g. Make the West a leader in energy education, technology development, research, and innovation.
- h. Utilize an all-of-the-above approach to energy development and use in the West, while protecting the environment, wildlife, and natural resources, and reducing emissions.

Grid Modernization and Resilience

- 2. A robust, resilient, and well-maintained energy delivery system is vital to the economy and quality of life in the West. Grid infrastructure in the West faces potential disruptions due to natural disasters, particularly wildfires and extreme heat events, as well as a growing cyber threat landscape. Increased grid threats due to wildfires and extreme weather events highlight the need to develop and use energy systems that are both reliable and resilient to climate change. Upgrades to transmission and distribution infrastructure, including information technology systems, are needed to properly address these risk factors, as well as anticipated increased electricity demand. Coordination between electricity providers and states in energy markets can lead to cost-effective energy for ratepayers and leverage regional resources.
- 3. Transmission infrastructure in western states often crosses one or multiple federal lands jurisdictions. In these situations, close coordination between states, utilities, and federal agencies is needed to ensure that projects are planned, permitted, and sited in a timely, efficient manner. Western Governors encourage federal agencies to streamline project-permitting reviews to minimize timelines without compromising environmental and natural resource protection or states' roles in those processes.
- 4. Western Governors encourage Congress to provide federal agencies, particularly the Bureau of Land Management (BLM), the Environmental Protection Agency, the Department of Energy (DOE), the Federal Energy Regulatory Commission, the U.S. Forest Service (USFS), the Bureau of Ocean Energy Management, and the U.S. Fish and Wildlife Service with additional support to enhance staff and resource capacity to conduct environmental review and permitting activities associated with transmission infrastructure.
- 5. Western Governors recommend federal agencies leverage designated West-wide Energy Corridors to support the effective and efficient permitting and siting of energy infrastructure assets. Where applicable, Western Governors encourage BLM and USFS to integrate designated corridor specifications into local land use plans.
- 6. Western Governors believe clear, coordinated, and consistent wildfire mitigation strategies, including application of federal vegetation management practices, is integral to maintaining the health of western forests, preventing dangerous and damaging wildfires, and maintaining grid reliability. The Governors support effective and efficient cross-jurisdictional coordination that enables vegetation management for federal transmission and distribution rights-of-way.

Innovation and Technology

7. Western Governors encourage innovation and application of short- and long-duration energy storage, including battery, hydrogen, pumped hydropower, geothermal, and compressed air technologies, where cost-effective. Western Governors also support reconsideration of federal definitions of short- and long-term energy storage with an eye toward incentivizing progressively longer storage capacity.
8. The potential for geothermal energy in the West is vast and brings many benefits, from baseload energy generation to heating and cooling efficiencies. The Heat Beneath Our Feet Chair initiative report is a roadmap for accelerating the development and deployment of geothermal technologies. Western Governors incorporate the recommendations identified in the Heat Beneath Our Feet Chair initiative report into this resolution by reference.
9. Western states are leading the development and deployment of decarbonization technologies and strategies, including carbon capture, utilization, and storage, engineered carbon dioxide (CO₂) removal, and natural sequestration. The Decarbonizing the West Chair initiative report contains recommendations to advance these technologies and strategies to position western states at the forefront of innovation and reduce CO₂ in the atmosphere. Western Governors incorporate the recommendations identified in the Decarbonizing the West Chair initiative report into this resolution by reference.
10. Western Governors are committed to considering advanced and small modular reactors as a reliable and emission-free energy resource.
11. Western Governors are committed to developing regional hydrogen hubs to spur economic development and add more clean energy sources to the region's resource mix.
12. The developing floating offshore wind industry presents a strong economic and sustainable energy generation opportunity for the West. Western states can work collectively, and in consultation with tribal governments and in coordination with stakeholders, to address workforce, economic, infrastructure, social, environmental, and manufacturing challenges associated with offshore wind planning, siting, and deployment.
13. Western Governors commend efforts by the United States Geological Survey and state geological surveys to identify potential critical minerals deposits for alternative energy technologies and other consumer products vital to modern society.
14. Governors also support development of emerging tools and technologies that address barriers to mineral supply chain reliability, including technologies that help recycle or reuse existing critical mineral resources for use in clean energy technologies.
15. Western Governors are committed to leveraging the vast expertise in the West's industry, academic institutions, and national laboratories to make the region an international hub for new energy technology research and development, and energy education.
16. Western Governors encourage Congress and DOE to support and fund research, development, demonstration, and deployment of advanced energy technologies.

17. Western Governors support the creation of public-private research and development partnerships among industry, academia, the national laboratories, and federal agencies to identify promising new technologies, including energy efficiency technologies that advance clean energy with reduced environmental impacts.

Economic and Workforce Development

18. Western Governors and states are committed to encouraging training and education in energy-related fields and ensuring there is an adequate workforce operating under the highest safety standards.
19. Many western states and communities have been affected by localized job losses due to changes in the energy sector and the closure of coal power plants. Western Governors and states are working diligently to facilitate the creation of employment opportunities for displaced energy sector workers.
20. Western Governors offer their support for the U.S. Department of Agriculture (USDA) Rural Energy for America program, which has benefited farmers, ranchers, and rural businesses that are often underserved by other federal energy efforts.
21. Western Governors support funding and long-term authorization for the State Energy Program (SEP), Weatherization Assistance Program (WAP), and Low-Income Home Energy Assistance Program (LIHEAP).
22. Western Governors support legislative measures that promote flexibility for rural electric cooperatives to refinance or adjust loans secured through the USDA Rural Utilities Service.
23. Western Governors support increasing the development and use of energy storage and low- and zero-emissions vehicles and associated infrastructure. WGA's Electric Vehicles Roadmap initiative report provides valuable insights on strategies to effectively integrate electric vehicle charging equipment with local grid infrastructure.
24. Western Governors call on the federal government to lift a barrier to domestic free trade between the contiguous United States and the noncontiguous states and territories in the Merchant Marine Act of 1920 by allowing those jurisdictions to receive energy commodities produced on the mainland but transported by foreign vessels, should those jurisdictions, and the jurisdictions whose ports are being used to ship these materials, desire it.
25. Redundant federal regulation of energy development, transport, and use is not required where sufficient state or territorial regulations exist. Existing state authority should not be replaced or impeded by Congress or federal agencies. Where additional regulations are necessary, federal agencies should consult and coordinate with states, territories, and tribes to ensure collaboration and understanding of unique circumstances within individual states, territories, and tribal nations.

C. GOVERNORS' MANAGEMENT DIRECTIVE

1. The Governors direct WGA staff to work with congressional committees of jurisdiction, the Executive Branch, and other entities, where appropriate, to achieve the objectives of this resolution.

2. Furthermore, the Governors direct WGA staff to consult with the Staff Advisory Council regarding its efforts to realize the objectives of this resolution and to keep the Governors apprised of its progress in this regard.

This resolution will expire in December 2027. Western Governors enact new policy resolutions and amend existing resolutions on a semiannual basis. Please consult <http://www.westgov.org/resolutions> for the most current copy of a resolution and a list of all current WGA policy resolutions.



Policy Resolution 2025-06

National Minerals Policy

A. BACKGROUND

Mining and production of minerals are vital to ensuring national and economic security. The mineral endowment of western states allows them to stand out as a major hub for mining activities with western states having the highest producing minerals operations. In these same states, federal lands can constitute up to 86 percent of the land area, emphasizing the importance of state and federal cooperation and coordination on mineral activities. Despite this abundance, U.S. dependence on foreign minerals continues to rise and is being amplified by the development of new technologies in the energy, manufacturing, and national defense sectors. The U.S. Department of Energy estimates that the U.S. is import-reliant for more than half of the nation's supply of 31 of 50 minerals designated by the U.S. Geological Survey (USGS) as critical minerals. The U.S. is also entirely dependent on foreign sources for more than a dozen other minerals. The Mining and Minerals Policy Act of 1970 recognized the critical role of domestic mineral production in supporting economic stability, national security, and environmental stewardship. However, contributing to this over-reliance on imported critical minerals is an inefficient, time consuming federal permitting system that continues to slow access to and disadvantage the development of domestic supplies of minerals. Addressing these barriers and inefficiencies will be critical to ensuring a reliable and stable domestic supply of minerals to meet energy, economic, and national security needs.

The 1872 Mining Law provides the framework for mineral rights on federal lands and has been supplemented by a large body of federal, state, tribal and local environmental and reclamation laws and regulations. However, further modernization efforts to this legal framework would benefit both mining industry and environmental outcomes. Supplements added to the existing framework for developing hardrock minerals on federal lands should reflect and respect the primacy of state authority and traditional cooperative federalism understanding of jurisdiction.

B. GOVERNORS' POLICY STATEMENT

1. Western Governors recognize that urgent action is warranted through legislation and policies that will unlock our mineral potential to ensure access to the minerals that are critical to U.S. economic and national security – providing vital base materials for electronics, telecommunications, satellites, aircraft, manufacturing, and energy technologies.
2. Western Governors recognize that the minerals mining industry is an important component to both the local and national economies. Reliable and stable supplies of minerals play a critical role in meeting our energy, economic, and national security needs.
3. Western Governors commend efforts by the USGS and state geological surveys to identify potential, critical minerals deposits for energy technologies and other consumer products vital to modern society. Congress should continue to provide USGS with funding to increase the pace and scale of data collection, mapping, and resource assessment through programs

like the Earth Mapping Resources Initiative (MRI) program.

4. Congress, in consultation with the states, should develop a National Minerals Policy that truly enables mineral exploration and development in a manner recognizing the importance of a reliable domestic supply of minerals for our country while providing protection of state equities, tribal interests, local communities, water, and the environment. The new policy should consider the extensive regulatory experience of states, address the length of the federal permitting process, including the National Environmental Policy Act (NEPA) review process, while not reducing environmental or other protections afforded by current laws and regulations. Evaluations of the potential water, environmental, and social impacts of mining operations on affected communities should be maintained, as well as policies and procedures to mitigate impacts.
5. A National Minerals Policy should address federal permitting complexities, patenting, maintenance fees, and establish a dedicated funding mechanism for the existing abandoned hardrock mine reclamation program using funding sources such as existing maintenance fees.
6. New financial assurance requirements imposed upon the hardrock mining industry under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Section 108(b) would duplicate or supplant existing and proven state financial assurance regulations in this area. This is of particular concern to the western states, because CERCLA is a non-delegable federal program that provides no opportunity for implementation through state environmental agencies. The western states have developed deep experience in mine permitting, regulation, financial assurance calculation and implementation, and closure. Federal preemption without active coordination of state bonding programs could threaten these effective state programs and may disincentivize mineral production in the West.
7. Western Governors encourage Congress and the Executive Branch to promulgate and pursue improvements to federal regulations and policies based on the best available science to provide certainty, predictability, and speed in the federal permitting process. Protracted completion of federal permitting reviews and excessive federal permitting litigation cause delays and impose unreasonable costs on a wide range of projects that use federal funds or are located on federal lands. Litigation risk should not cause federal agencies to take an overly cautious approach to the federal permitting review process. Instead, federal agencies should fully utilize existing mechanisms to streamline the environmental review process, such as any available categorical exclusions, where appropriate, while ensuring that robust consideration of environmental factors remains integral to the process. Reforming federal permitting procedures is an important step toward securing a reliable, domestic source of critical minerals. Such federal permitting reforms should also ensure that western states with significant amounts of public land are not put at a competitive disadvantage relative to other states.
8. The United States holds approximately 55 million surface acres and 59 million acres of subsurface mineral estate in trust for tribal nations, and the federal government has a responsibility to protect, administer, and account for the natural resources it holds in trust on behalf of tribes. Tribes that are seeking to make use of trust resources deserve to be able to do so without diminution of their value caused by the federal government's actions. Governors support meaningful government-to-government consultation with tribal

sovereigns intending to make use of trust resources, and support efforts to avoid delays in approving rights-of-way applications for linear infrastructure to support mine operations, or other delays affecting mineral development that may constitute a failure to uphold this trust responsibility and affect tribes' ability to benefit from their mineral resources.

9. Ensuring a stable and secure domestic mineral supply chain requires not only responsible extraction but also robust processing, recycling, and non-extractive technologies to maximize resource efficiency and meet energy, economic, and national security needs. Governors support the development of emerging tools and technologies that address barriers to mineral supply chain reliability, including technologies that help the processing, recycling, or reuse of existing mineral resources for use in new and emerging technologies.

C. **GOVERNORS' MANAGEMENT DIRECTIVE**

1. The Governors direct the WGA staff, where appropriate, to work with Congressional committees of jurisdiction and the Executive Branch to achieve the objectives of this resolution.
2. Furthermore, the Governors direct WGA staff to consult with the Staff Advisory Council regarding its efforts to realize the objectives of this resolution and to keep the Governors apprised of its progress in this regard.

This resolution will expire in June 2028. Western Governors enact new policy resolutions and amend existing resolutions on a semiannual basis. Please consult <http://www.westgov.org/resolutions> for the most current copy of a resolution and a list of all current WGA policy resolutions.