

Citizens' Climate Lobby

Permitting Case Studies

Four clean energy infrastructure projects that were hindered by slow permitting processes

Here we examine four clean energy project case studies that would have advanced significantly more quickly under the permitting reforms proposed in the **Bipartisan American Affordability and Jobs Act (BAAJA)**.

The Problem:

Onerous, inefficient permitting processes have slowed the transition to clean energy and efforts to reduce climate pollution and meet America's climate targets.

	1 SunZia transmission line and wind farm	2 Esmeralda 7 solar complex	3 Cape Wind offshore wind project	4 Chokecherry and Sierra Madre wind project, TransWest Express transmission
Location	New Mexico to Arizona and California	Near Tonopah, Nevada	Off the southern coast of Cape Cod, MA	Wyoming to the West Coast, primarily California
Size	3.5 GW (1M homes)	6.2 GW solar 5.2 GW battery storage (2M homes)	468 MW (200,000 homes)	3 GW (1M homes)
Permitting Start Date	2008	2023	2001	2008
Project Completion Date	2026 (18 years)	Complex canceled; some individual projects may still advance, TBD	Canceled in 2016 after 15 years	2029 target (21 years)

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SunZia transmission line and wind farm

18 years to complete a clean energy project for 1 million homes

Comprising 916 wind turbines with 3.5 gigawatts (GW) of power capacity in New Mexico – enough to power about 1 million American homes – the SunZia wind farm is the Western Hemisphere's largest wind project. But the wind turbines couldn't be installed without a high-voltage transmission line to transport its clean electrons to customers in Arizona and California.

Permitting for the SunZia transmission line began in 2008. Developers hoped the project's first phase of commercial operation would begin by 2013. As a 550-mile long infrastructure project, 30% of which crosses federal lands, the project triggered the National Environmental Policy Act (NEPA) process and required an Environmental Impact Statement (EIS). The draft EIS was completed in 2012, aiming to receive all permits in 2013 and complete construction in 2016. The Obama administration approved SunZia's route in 2015.

SunZia's developers then needed to secure state and local permits. Environmental and tribal groups sued under NEPA and the National Historic Preservation Act (NHPA), alleging unacceptable impacts to migratory birds and cultural resources. Eventually a new developer purchased the project and, along with the guidance of New Mexico Sen. Martin Heinrich, satisfied most of the concerns these groups raised. The Bureau of Land Management (BLM) issued the final EIS in 2023. Construction of the SunZia transmission line and wind farm were completed in 2026, nearly 18 years after the permitting process was initiated.

How BAAJA would have expedited this project

The bill would grant the Federal Energy Regulatory Commission (FERC) backstop permitting authority for big interstate transmission lines like SunZia that are in the public interest. The developers could have applied to FERC for the project permit, and FERC would have coordinated with state and local entities in order to increase the efficiency and timeline associated with obtaining the needed permits. An analysis from the Columbia Center on Global Energy Policy estimated that this provision alone in the bill's Section 2101 would reduce interstate transmission project timelines by an average of nearly 7 years.

The analysis also estimated that BAAJA Sections 1106 and 1109 would trim these project timelines by another year-plus by limiting the time allowed for federal agencies to complete EIS reports and permitting decisions. BAAJA also includes several provisions aimed at improving community engagement, which could have reduced frictions between SunZia's developers and local communities and interests.

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Esmeralda 7 solar complex

Indefinite delay of a clean energy project for 2 million homes

Esmeralda 7 was a proposed complex of seven individual solar farms spanning 62,000 acres near Tonopah, Nevada. Altogether, the complex would have been the largest solar facility in the Western Hemisphere, generating 6.2 GW of solar power with 5.2 GW of battery storage – enough to power up to 2 million homes. The BLM initiated the EIS process in 2023 and completed the draft EIS in July 2024 under the Biden administration. The final EIS was expected in April 2025.

But the administration changed in 2025 and President Trump issued a series of Executive and Secretarial Orders that resulted in an effective indefinite delay of the permitting process for all solar and wind projects. Under Interior Secretary Doug Burgum, the BLM canceled the Esmeralda 7 EIS and offered to instead consider permitting each of the seven solar farms individually. This would require each one to begin the EIS process from scratch. None of these projects have moved forward under the effective solar and wind permitting freeze.

How BAAJA would have expedited this project

The fair project certainty provisions in BAAJA would prevent this kind of federal permitting delay tactic. Section 1402 prohibits federal agencies from improperly denying or delaying a project permit more than 60 days past a deadline "due to a pattern of disparate treatment." Such a pattern of disparate treatment would clearly apply to solar and wind project permits across the U.S., including Esmeralda 7. Section 1402 would create a remedy for these violations by allowing project developers to sue and recoup 50–100% of the project's reasonably expected construction cost.

The Columbia Center on Global Energy Policy analysis of BAAJA also estimated that the bill's Sections 2213 and 1106 to shorten federal agency timelines to issue permits on federal lands and complete an EIS would reduce these project timelines by an average of nearly 3 years.

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Cape Wind offshore wind project

Cancellation of a clean energy project for 200,000 homes

The Cape Wind offshore wind project was first proposed off the southern coast of Cape Cod, Massachusetts in 2001. It was intended to be the region's largest renewable energy project, comprising 130 offshore wind turbines with 468 megawatts of clean power capacity – enough to power about 200,000 homes.

The federal Minerals Management Service issued a draft EIS for the project in January 2008 and a final EIS in January 2009, concluding that the offshore wind farm "would have little lasting impact on wildlife, navigation, and tourism." Many environmental groups supported the project, but it was opposed by many local property owners who felt that the wind turbines would detract from their coastal view. In 2010 the Department of Interior approved the construction of Cape Wind, which would have been America's first offshore wind project.

The Cape Wind project ultimately involved hundreds of thousands of pages of environmental reports, input from 17 public agencies, and was subject to 30 unsuccessful opposing lawsuits. Opponents described their strategy against Cape Wind as "delay, delay, delay." It was a successful tactic, as these delays caused the project to fail to meet a construction deadline in 2015, at which point two local utilities canceled their contracts to buy its power. Cape Wind was never built.

How BAAJA would have expedited this project

To prevent this strategy of endless legal delays, BAAJA implements a variety of litigation reforms. Most relevantly, it reduces the statute of limitations for lawsuits from 6 years to 150 days after the final environmental decision document is issued. The bill also requires that in order to bring a lawsuit under NEPA or NHPA, a party must have participated in the public comment period in order to give developers and agencies an opportunity to address their concerns, and must demonstrate that they could be directly harmed by the project.

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Chokecherry and Sierra Madre wind project and the TransWest Express transmission line

21 years to complete a clean energy project for 1 million homes

The Chokecherry and Sierra Madre Wind Project plans to install up to 1,000 wind turbines in Wyoming. With 2.5–3 GW of power capacity – enough to power about 1 million homes – it would have been the largest wind farm in the U.S., prior to SunZia. Project developers began applying for its permits in January 2008, with the intent to send cheap clean wind energy to the West Coast via a to-be-constructed 700-mile transmission line, the TransWest Express. The wind farm NEPA environmental review process took a total of nearly 10 years. The project was slated for completion in 2020, but was further delayed by federal, state, and county permits, as well as environmental requirements.

The wind farm also relies on the TransWest Express transmission line to transport its clean electrons to the West Coast. The TransWest Express began applying for permits in late 2007. Completing the environmental assessments and obtaining permits from four states and three federal agencies took over 15 years. Completion of both projects is now anticipated in 2029.

How BAAJA would have expedited this project

As with the SunZia project, the FERC backstop authority to permit big beneficial interstate transmission lines established in BAAJA could have reduced the TransWest Express project timeline by many years. Provisions in the bill to improve inter-agency coordination and shorten timelines for developing environmental documents and issuing permits would also have considerably trimmed the amount of time to complete both the wind farm and transmission line.

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