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ENERGY IN THE LAW

NEWS ALERT

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BLM Takes Steps to Accelerate Geothermal Exploration on Federal Lands



Geothermal energy developers working on federal lands have a new tool in their permitting toolkit. Effective April 28, 2026, BLM established a new categorical exclusion (CE) that allows the agency to approve notices of intent for small-scale geothermal exploration projects—disturbing up to 10 acres of land—to proceed without preparing a full Environmental Assessment (EA) or Environmental Impact Statement (EIS), provided that the project does not progress beyond exploration into testing, producing, or utilizing geothermal resources. The CE simplifies and streamlines the environmental review requirements of the National Environmental Policy Act (NEPA) for geothermal exploration projects.

To geothermal developers and investors, this provides a mechanism for a more predictable permitting timeline at the exploration stage, particularly in western states where geothermal potential is the greatest. However, BLM must first confirm that there are no extraordinary circumstances present, such as potential impacts to endangered species or cultural resources, prior to relying on the new CE. If extraordinary circumstances are present, an EA or EIS is still required. Project proponents should be proactive in conducting on-the-ground due diligence in advance to identify potential resource issues that may rise to the level of extraordinary circumstances to promote efficient review by BLM.

BLM's action is consistent with prior Executive and Secretary's Orders meant to further the goals of the Trump administration's *Unleashing American Energy* policy initiative, signaling that streamlined energy permitting remains a federal priority. For operators with geothermal assets or exploration plans on federal lands, now is a good time to revisit geothermal projects. The Beatty & Wozniak team is closely monitoring these developments to advise clients on how to take full advantage of the new CE. Additional information can be found at [91 Fed. Reg. 22848](#).

For more information please contact [Bret Sumner](#) or [Eric Helfrich](#).

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