

111TH CONGRESS
1ST SESSION

H. R. 3482

To make renewable energy production a priority on certain public lands for the purpose of responsibly producing clean, affordable power for the American people.

IN THE HOUSE OF REPRESENTATIVES

JULY 31, 2009

Mr. HELLER introduced the following bill; which was referred to the
Committee on Natural Resources

A BILL

To make renewable energy production a priority on certain public lands for the purpose of responsibly producing clean, affordable power for the American people.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Renewable Energy De-
5 velopment Act”.

6 **SEC. 2. DEVELOPING RENEWABLE ENERGY ON FEDERAL**
7 **LANDS.**

8 (a) IN GENERAL.—The Secretary of the Interior shall
9 carry out in accordance with this section a program for

1 the leasing of Federal lands for the advancement, develop-
2 ment, assessment, installation, and operation of commer-
3 cial renewable solar, wind, and geothermal energy systems.

4 (b) IDENTIFICATION OF LANDS FOR LEASING.—

5 (1) LANDS SELECTION.—The Secretary of the
6 Interior, acting through the Director of the Bureau
7 of Land Management and in consultation with the
8 Secretary of Energy, shall—

9 (A) identify lease sites comprising a total
10 of 6,400,000 acres of Federal lands under the
11 jurisdiction of the Bureau of Land Management
12 in the States of Arizona, California, Colorado,
13 Idaho, Montana, New Mexico, Nevada, Oregon,
14 Utah, Washington, and Wyoming that are suit-
15 able and feasible for the installation and oper-
16 ation of solar, wind, or geothermal energy sys-
17 tems, subject to valid existing rights; and

18 (B) incorporate renewable energy develop-
19 ment into the relevant agency land use and re-
20 source management plans or equivalent plans
21 for the lands identified under subparagraph
22 (A).

23 (2) MINIMUM AND MAXIMUM ACREAGE OF
24 SITES.—Each individual lease site identified under
25 paragraph (1)(A), other than under a lease for a

1 geothermal energy system, shall be a minimum of
2 1,280 acres and shall not exceed 12,800 acres.

3 (3) LANDS RELEASED FOR LEASING.—The Sec-
4 retary shall release for leasing under this section
5 lease sites identified under paragraph (1), in acre-
6 ages that meet the following annual milestones:

7 (A) By 2010, 79,012 acres.

8 (B) By 2011, 316,049 acres.

9 (C) By 2012, 711,111 acres.

10 (D) By 2013, 1,300,000 acres.

11 (E) By 2014, 2,000,000 acres.

12 (F) By 2015, 2,800,000 acres.

13 (G) By 2016, 3,700,000 acres.

14 (H) By 2017, 4,650,000 acres.

15 (I) By 2018, 5,800,000 acres.

16 (J) By 2019, 6,400,000 acres.

17 (4) LANDS NOT INCLUDED.—The following
18 Federal lands shall not be included within a renew-
19 able energy lands leasing program under this Act:

20 (A) Components of the National Land-
21 scape Conservation System.

22 (B) Wilderness and Wilderness Study
23 Areas.

24 (C) Wild and Scenic Rivers.

1 (D) Federally designated National Scenic
2 and Historic Trails.

3 (E) Monuments.

4 (F) Resource Natural Areas.

5 (G) Lands requested by Governor of State
6 to be removed from consideration for renewable
7 energy development.

8 (c) COMPETITIVE LEASE SALE REQUIREMENTS
9 LEASING PROCEDURES.—

10 (1) NOMINATIONS.—The Secretary shall accept
11 at any time nominations of land identified under
12 subsection (b) for leasing under this Act, from any
13 qualified person.

14 (2) COMPETITIVE LEASE SALE REQUIRED.—

15 (A) IN GENERAL.—Except as otherwise
16 specifically provided by this Act, all land to be
17 leased under this Act that is not subject to leas-
18 ing under paragraph (3) shall be leased to the
19 highest responsible qualified bidder, as deter-
20 mined by the Secretary.

21 (B) ANNUAL SALES REQUIRED.—The Sec-
22 retary shall hold a competitive lease sale under
23 this Act at least once every year for land in a
24 State with respect to which there is a nomina-

1 tion pending under paragraph (1) of land other-
2 wise available for leasing.

3 (3) NONCOMPETITIVE LEASING.—The Secretary
4 shall make available for a period of 2 years for non-
5 competitive leasing any tract for which a competitive
6 lease sale is held under paragraph (2), but for which
7 the Secretary does not receive any bids in such sale.

8 (4) PENDING LEASE APPLICATIONS.—It shall
9 be a priority for the Secretary to ensure timely com-
10 pletion of administrative actions and process applica-
11 tions for leasing of Federal lands described in sub-
12 section (b)(1)(A) for installation and operation of re-
13 newable energy systems, that are pending on the
14 date of enactment of this subsection.

15 (d) LEASING TIME PERIOD.—Any lease of lands
16 under this section shall be effective for a period of 30
17 years, with an option to renew once for an additional pe-
18 riod of 30 years.

19 **SEC. 3. PROGRAMMATIC ENVIRONMENTAL IMPACT STATE-**
20 **MENT.**

21 (a) IN GENERAL.—Not later than 18 months after
22 the date of enactment of this Act, in accordance with sec-
23 tion 102(2)(C) of the National Environmental Policy Act
24 of 1969 (42 U.S.C. 4332(2)(C)), the Secretary of the Inte-
25 rior shall complete a programmatic environmental impact

1 statement for the renewable energy leasing program under
2 section 2.

3 (b) FINAL REGULATION.—Not later than 6 months
4 after the completion of the programmatic environmental
5 impact statement under this section, the Secretary shall
6 publish a final regulation implementing this section.

7 **SEC. 4. DEPOSIT AND USE OF GEOTHERMAL LEASE REVE-**
8 **NUES.**

9 Section 234 of the Energy Policy Act of 2005 (42
10 U.S.C. 15873) is amended—

11 (1) in the section heading, by striking “**FOR 5**
12 **FISCAL YEARS**”; and

13 (2) in subsection (a), by striking “in the first
14 5 fiscal years beginning after the date of enactment
15 of this Act”.

16 **SEC. 5. STUDY.**

17 Not later than 2 years after the date of enactment
18 of this Act, the Secretary of the Interior shall complete
19 a study of—

20 (1) barriers to additional access to Federal
21 lands for transmission of energy produced under
22 leases awarded under the renewable energy leasing
23 program under this Act; and

- 1 (2) the need for energy transmission corridors
- 2 on public lands to address identified congestion or
- 3 constraints.

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