

AMENDMENT TO RULES COMMITTEE PRINT 116-

54

OFFERED BY MR. FULCHER OF IDAHO

Page 2086, after line 10, insert the following:

1 **SEC. 84412. GEOTHERMAL PRODUCTION ON FEDERAL**
2 **LANDS.**

3 The Geothermal Steam Act of 1970 (30 U.S.C. 1001
4 et seq.) is amended by adding at the end the following:

5 **“SEC. 30. GEOTHERMAL EXPLORATION TEST PROJECTS.**

6 “(a) **DEFINITION OF GEOTHERMAL EXPLORATION**
7 **TEST PROJECT.**—In this section, the term ‘geothermal ex-
8 ploration test project’ means the drilling of a well to test
9 or explore for geothermal resources on lands for which the
10 Secretary has issued a lease under this Act, that—

11 “(1) is carried out by the holder of the lease;

12 “(2) causes—

13 “(A) less than 5 acres of soil or vegetation
14 disruption at the location of each geothermal
15 exploration well; and

16 “(B) not more than an additional 5 acres
17 of soil or vegetation disruption during access or
18 egress to the test site;

19 “(3) is developed—

1 “(A) less than 9 inches in diameter;

2 “(B) in a manner that does not require
3 off-road motorized access other than to and
4 from the well site along an identified off-road
5 route;

6 “(C) without construction of new roads
7 other than upgrading of existing drainage cross-
8 ings for safety purposes;

9 “(D) with the use of rubber-tired digging
10 or drilling equipment vehicles; and

11 “(E) without the use of high-pressure well
12 stimulation;

13 “(4) is completed in less than 90 days, includ-
14 ing the removal of any surface infrastructure from
15 the site; and

16 “(5) requires the restoration of the project site
17 within 3 years of the date of first exploration drilling
18 to approximately the condition that existed at the
19 time the project began, unless the site is subse-
20 quently used as part of energy development under
21 the lease.

22 “(b) CATEGORICAL EXCLUSION.—

23 “(1) IN GENERAL.—Unless extraordinary cir-
24 cumstances exist, a project that the Secretary deter-
25 mines under subsection (c) is a geothermal explo-

1 ration test project shall be categorically excluded
2 from the requirements for an environmental assess-
3 ment or an environmental impact statement under
4 the National Environmental Policy Act of 1969 (42
5 U.S.C. 4321 et seq.) or section 1508.4 of title 40,
6 Code of Federal Regulations (or a successor regula-
7 tion).

8 “(2) EXTRAORDINARY CIRCUMSTANCES DEFINI-
9 TION.—In this subsection, the term ‘extraordinary
10 circumstances’ has the same meaning given such
11 term in the Department of the Interior Depart-
12 mental Manual, 516 DM 2.3A(3) and 516 DM 2,
13 Appendix 2 (or successor provisions).

14 “(c) PROCESS.—

15 “(1) REQUIREMENT TO PROVIDE NOTICE.—A
16 leaseholder shall provide notice to the Secretary of
17 the leaseholder’s intent to carry out a geothermal ex-
18 ploration test project at least 30 days before the
19 start of drilling under the project.

20 “(2) REVIEW AND DETERMINATION.—Not later
21 than 10 days after receipt of a notice of intent
22 under paragraph (1), the Secretary shall, with re-
23 spect to the project described in the notice of in-
24 tent—

1 “(A) determine if the project qualifies for
2 a categorical exclusion under subsection (b);
3 and

4 “(B) notify the leaseholder of such deter-
5 mination.

6 “(3) OPPORTUNITY TO REMEDY.—If the Sec-
7 retary determines under paragraph (2)(A) that the
8 project does not qualify for a categorical exclusion
9 under subsection (b), the Secretary shall—

10 “(A) include in such notice clear and de-
11 tailed findings on any deficiencies in the project
12 that resulted in such determination; and

13 “(B) allow the leaseholder to remedy any
14 such deficiencies and resubmit the notice of in-
15 tent under paragraph (1).”.

Page 2086, line 11, strike “84412” and insert
“84413”.

