

111TH CONGRESS  
1ST SESSION

# S. 523

To amend the Energy Policy Act of 2005 to establish pilot project offices to improve Federal permit coordination for renewable energy.

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IN THE SENATE OF THE UNITED STATES

MARCH 4, 2009

Mr. TESTER (for himself and Mrs. FEINSTEIN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To amend the Energy Policy Act of 2005 to establish pilot project offices to improve Federal permit coordination for renewable energy.

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. PILOT PROJECT OFFICE TO IMPROVE FEDERAL**  
4 **PERMIT COORDINATION FOR RENEWABLE**  
5 **ENERGY.**

6 (a) IN GENERAL.—Section 365 of the Energy Policy  
7 Act of 2005 (42 U.S.C. 15924) is amended—

8 (1) by redesignating subsection (j) as sub-  
9 section (k); and

1           (2) by inserting after subsection (i) the fol-  
2           lowing:

3           “(j) PILOT PROJECT OFFICE TO IMPROVE FEDERAL  
4 PERMIT COORDINATION FOR RENEWABLE ENERGY.—

5           “(1) DEFINITION OF RENEWABLE ENERGY.—In  
6           this subsection, the term ‘renewable energy’ means  
7           energy derived from a wind, solar, renewable bio-  
8           mass, ocean (including tidal, wave, current, and  
9           thermal), geothermal, or hydroelectric source.

10           “(2) FIELD AND DISTRICT OFFICES.—As part  
11           of the Pilot Project, the Secretary shall designate 1  
12           field or district office of the Bureau of Land Man-  
13           agement in each of the following States to serve as  
14           Renewable Energy Pilot Project Offices for coordi-  
15           nation of Federal permits for renewable energy  
16           projects and transmission lines to integrate renew-  
17           able energy:

18           “(A) Arizona.

19           “(B) California.

20           “(C) New Mexico.

21           “(D) Nevada.

22           “(E) Montana.

23           “(F) Wyoming.

24           “(3) MEMORANDUM OF UNDERSTANDING.—

1           “(A) IN GENERAL.—Not later than 90  
2 days after the date of enactment of this sub-  
3 paragraph, the Secretary shall enter into an  
4 amended memorandum of understanding under  
5 subsection (b) to provide for the inclusion of the  
6 additional Renewable Energy Pilot Project Of-  
7 fices in the Pilot Project.

8           “(B) SECRETARY OF ENERGY.—The Sec-  
9 retary of Energy shall be a signatory of the  
10 amended memorandum of understanding.

11           “(C) SIGNATURES BY GOVERNORS.—The  
12 Secretary may request that the Governors of  
13 each of the States described in paragraph (2)  
14 be signatories to the amended memorandum of  
15 understanding.

16           “(4) DESIGNATION OF QUALIFIED STAFF.—Not  
17 later than 30 days after the date of the signing of  
18 the amended memorandum of understanding, all  
19 Federal signatory parties shall, if appropriate, as-  
20 sign to each Renewable Energy Pilot Project Offices  
21 designated under paragraph (2) an employee de-  
22 scribed in subsection (c) to carry out duties de-  
23 scribed in that subsection.

1           “(5) ADDITIONAL PERSONNEL.—The Secretary  
2           shall assign to each Renewable Energy Pilot Project  
3           Office additional personnel under subsection (f).”.

4           (b) PERMIT PROCESSING IMPROVEMENT FUND.—  
5           Section 35(c)(3) of the Mineral Leasing Act (30 U.S.C.  
6           191(c)(3)) is amended—

7           (1) by striking “use authorizations” and insert-  
8           ing “and renewable energy use authorizations”; and

9           (2) by striking “section 365(d)” and inserting  
10          “subsections (d) and (j)(2) of section 365”.

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