

Union Calendar No. 166

112TH CONGRESS
1ST SESSION

H. R. 2170

[Report No. 112-250]

Streamlining Federal review to facilitate renewable energy projects.

IN THE HOUSE OF REPRESENTATIVES

JUNE 14, 2011

Mr. HASTINGS of Washington (for himself, Mr. LAMBORN, Mr. BROUN of Georgia, Mr. DUNCAN of Tennessee, and Mr. WITTMAN) introduced the following bill; which was referred to the Committee on Natural Resources

OCTOBER 14, 2011

Additional sponsors: Mr. McCLINTOCK, Mr. LANDRY, Mr. DUNCAN of South Carolina, Mr. SOUTHERLAND, Mr. FLORES, Mr. LABRADOR, and Mrs. McMORRIS RODGERS

OCTOBER 14, 2011

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on June 14, 2011]

A BILL

Streamlining Federal review to facilitate renewable energy projects.

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 “Cutting Federal Red*
5 *Tape to Facilitate Renewable Energy Act”.*

6 **SEC. 2. ENVIRONMENTAL REVIEW FOR RENEWABLE EN-**
7 **ERGY PROJECTS.**

8 *(a) COMPLIANCE WITH NEPA FOR RENEWABLE EN-*
9 *ERGY PROJECTS.—In complying with the National Envi-*
10 *ronmental Policy Act of 1969 (41 U.S.C. 4321 et seq.) with*
11 *respect to any action authorizing or facilitating a proposed*
12 *renewable energy project, at the election of the applicant*
13 *a Federal agency shall—*

14 *(1) consider only the proposed action and the no*
15 *action alternative;*

16 *(2) analyze only the proposed action and the no*
17 *action alternative; and*

18 *(3) identify and analyze potential mitigation*
19 *measures only for the proposed action and the no ac-*
20 *tion alternative.*

21 *(b) PUBLIC COMMENT.—In complying with the Na-*
22 *tional Environmental Policy Act of 1969 with respect to*
23 *a proposed renewable energy project, a Federal agency shall*
24 *only consider public comments that specifically address the*
25 *proposed action or the no action alternative (or both) and*

1 are filed within 30 days after publication of a draft envi-
2 ronmental assessment or draft environmental impact state-
3 ment.

4 (c) *DEFINITIONS.*—For purposes of this section:

5 (1) *FEDERAL WATERS.*—The term “Federal
6 waters” means waters seaward of the coastal zone (as
7 that term is defined in section 304 of the Coastal
8 Zone Management Act of 1972 (16 U.S.C. 1453)), to
9 the limits of the exclusive economic zone or the Outer
10 Continental Shelf, whichever is farther.

11 (2) *OUTER CONTINENTAL SHELF.*—The term
12 “Outer Continental Shelf” has the meaning the term
13 “outer Continental Shelf” has in the Outer Conti-
14 nental Shelf Lands Act (43 U.S.C. 1331 et seq.).

15 (3) *RENEWABLE ENERGY PROJECT.*—The term
16 “renewable energy project” means a project on Fed-
17 eral lands or in Federal waters, including a project
18 on the Outer Continental Shelf, using wind, solar
19 power, geothermal power, biomass, or marine and
20 hydrokinetic energy to generate energy, that is con-
21 structed encouraging the use of equipment and mate-
22 rials manufactured in the United States.

Union Calendar No. 166

112TH CONGRESS
1ST Session

H. R. 2170

[Report No. 112-250]

A BILL

Streamlining Federal review to facilitate renewable
energy projects.

OCTOBER 14, 2011

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed