

# Union Calendar No. 521

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 1363

**[Report No. 113-690]**

To promote timely exploration for geothermal resources under existing geothermal leases, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 21, 2013

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

DECEMBER 22, 2014

Additional sponsor: Mr. AMODEI

DECEMBER 22, 2014

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

# **A BILL**

To promote timely exploration for geothermal resources under existing geothermal leases, and for other purposes.

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 “Exploring for Geo-  
5 thermal Energy on Federal Lands Act”.

6 **SEC. 2. GEOTHERMAL EXPLORATION NOTICE AND EXCLU-**  
7 **SION.**

8       (a) DEFINITION OF GEOTHERMAL EXPLORATION  
9 TEST PROJECT.—In this section the term “geothermal ex-  
10 ploration test project” means the drilling of a well to test  
11 or explore for geothermal resources on lands leased by the  
12 Department of the Interior for the development and pro-  
13 duction of geothermal resources, that—

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

15           (2) causes—

16               (A) less than 5 acres of soil or vegetation  
17               disruption at the location of each geothermal  
18               exploration well; and

19               (B) not more than an additional 5 acres of  
20               soil or vegetation disruption during access or  
21               egress to the test site;

22           (3) is developed—

23               (A) no deeper than 2,500 feet;

24               (B) less than 8 inches in diameter;

1 (C) in a manner that does not require off-  
2 road motorized access other than to and from  
3 the well site along an identified off-road route  
4 for which notice is provided to the Secretary of  
5 the Interior under subsection (c);

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

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

11 (4) is completed in less than 45 days, including  
12 the removal of any surface infrastructure from the  
13 site; and

14 (5) requires the restoration of the project site  
15 within 3 years to approximately the condition that  
16 existed at the time the project began, unless the site  
17 is subsequently used as part of energy development  
18 on the lease.

19 (b) NEPA EXCLUSION.—Section 102(2)(C) of the  
20 National Environmental Policy Act of 1969 (42 U.S.C.  
21 4332(2)(C)) shall not apply with respect to a project that  
22 the Secretary of the Interior determines under subsection  
23 (c) is a geothermal exploration test project.

24 (c) NOTICE OF INTENT; REVIEW AND DETERMINA-  
25 TION.—

1           (1) REQUIREMENT TO PROVIDE NOTICE.—A  
2 leaseholder intending to carry out a geothermal ex-  
3 ploration test project shall provide notice to the Sec-  
4 retary of the Interior not later than 30 days prior  
5 to the start of drilling under the project.

6           (2) REVIEW OF PROJECT.—The Secretary shall  
7 by not later than 10 days after receipt of a notice  
8 of intent under paragraph (1) from a leaseholder—

9           (A) review the project described in the no-  
10 tice and determine whether it is a geothermal  
11 exploration test project under subsection (a);  
12 and

13           (B) notify the leaseholder—

14           (i) that under subsection (b) of this  
15 section, section 102(2)(C) of the National  
16 Environmental Policy Act of 1969 (42  
17 U.S.C. 4332(2)(C)) does not apply to the  
18 project; or

19           (ii) that section 102(2)(C) of the Na-  
20 tional Environmental Policy Act of 1969  
21 (42 U.S.C. 4332(2)(C)) applies to the  
22 project, including clear and detailed find-  
23 ings on any deficiencies in the project that  
24 preclude the application of subsection (b)  
25 of this section to the project.

1           (3) OPPORTUNITY TO REMEDY.—If the Sec-  
2       retary provides notice under paragraph (2)(B)(ii)  
3       that section 102(2)(C) of the National Environ-  
4       mental Policy Act of 1969 (42 U.S.C. 4332(2)(C))  
5       applies to the project, the Secretary shall provide the  
6       leaseholder an opportunity to remedy the deficiencies  
7       described in the notice prior to the date the lease-  
8       holder intended to start drilling under the project.



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