

118TH CONGRESS
1ST SESSION

H. R. 6482

To amend the Geothermal Steam Act of 1970 to promote timely exploration for geothermal resources under geothermal leases, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 28, 2023

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

A BILL

To amend the Geothermal Steam Act of 1970 to promote timely exploration for geothermal resources under 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 “Enhancing Geothermal
5 Production on Federal Lands Act”.

6 **SEC. 2. GEOTHERMAL PRODUCTION ON FEDERAL LANDS.**

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

9 **“SEC. 30. GEOTHERMAL EXPLORATION PROJECTS.**

10 “(a) DEFINITIONS.—In this section:

1 “(1) GEOTHERMAL EXPLORATION PROJECT.—

2 The term ‘geothermal exploration project’ means the
3 drilling of a temperature gradient well, monitoring
4 well, calibration well, or another geothermal explor-
5 atory well, including construction or making im-
6 provements for such activities, on lands for which
7 the Secretary has issued a geothermal lease—

8 “(A) that is carried out by the holder of
9 the lease;

10 “(B) for which—

11 “(i) the last cemented casing string
12 has an outer diameter of less than 13
13 inches; and

14 “(ii) the total unreclaimed surface dis-
15 turbance at any one time within the
16 project area is less than 5 acres, not in-
17 cluding the area of a permanent or tem-
18 porary access road;

19 “(C) that is completed in less than 120
20 days, including the removal of any surface in-
21 frastructure from the project area; and

22 “(D) that requires the restoration of the
23 project area within 3 years of the date of first
24 exploration drilling to approximately the condi-
25 tion that existed at the time the project began,

1 unless the project area is subsequently used as
2 part of energy development under the lease.

3 “(2) COVERED ACTIVITY.—The term ‘covered
4 activity’ includes, with respect to exploration, devel-
5 opment, or production (including direct use) of geo-
6 thermal resources—

7 “(A) a geotechnical investigation;

8 “(B) off-road travel in a right-of-way es-
9 tablished by Congress, granted by a Federal
10 agency, or included in a land use plan; and

11 “(C) construction, maintenance, realign-
12 ment, and repair of an existing permanent or
13 temporary access road within a right-of-way es-
14 tablished by Congress, granted by a Federal
15 agency, or included in a land use plan.

16 “(b) NON-MAJOR FEDERAL ACTION.—Geothermal
17 exploration projects and covered activities shall not be con-
18 sidered major Federal actions under section 102(2)(C) of
19 the National Environmental Policy Act of 1969 (42 U.S.C.
20 4332(2)(C)).

21 “(c) REQUIREMENT TO PROVIDE NOTICE.—The
22 holder of a geothermal lease shall provide to the Secretary
23 notice of their intent to carry out a geothermal exploration
24 project at least 30 days before the start of drilling under
25 the project.”.

1 **SEC. 3. GEOTHERMAL LEASING PRIORITY AREAS.**

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

5 **“SEC. 31. GEOTHERMAL LEASING PRIORITY AREAS.**

6 “(a) DEFINITION OF COVERED LAND.—In this sec-
7 tion, the term ‘covered land’ means land that is—

8 “(1) Federal land; and

9 “(2) not excluded from the development of geo-
10 thermal energy under—

11 “(A) a land use plan established under the
12 Federal Land Policy and Management Act of
13 1976 (43 U.S.C. 1701 et seq.); or

14 “(B) any other Federal law.

15 “(b) DESIGNATION OF GEOTHERMAL LEASING PRI-
16 ORITY AREAS.—The Secretary, in consultation with the
17 Secretary of Energy, shall designate portions of covered
18 land as geothermal leasing priority areas as soon as prac-
19 ticable, but not later than 5 years, after the date of enact-
20 ment of this section.

21 “(c) CRITERIA FOR SELECTION.—In determining
22 which covered lands to designate as geothermal leasing
23 priority areas under subsection (b), the Secretary, in con-
24 sultation with the Secretary of Energy, shall consider if—

25 “(1) the covered land is preferable for geo-
26 thermal leasing;

1 “(2) production of geothermal energy on such
2 land is economically viable, including if such land
3 has access to methods of energy transmission; and

4 “(3) the designation would be in compliance
5 with section 202 of the Federal Land Policy and
6 Management Act of 1976 (43 U.S.C. 1712), includ-
7 ing subsection (c)(9) of such section.

8 “(d) REVIEW AND MODIFICATION.—Not less fre-
9 quently than once every 5 years, the Secretary shall—

10 “(1) review covered land and, if appropriate,
11 make additional designations of geothermal leasing
12 priority areas; and

13 “(2) review each area designated as a geo-
14 thermal leasing priority area under this section, and,
15 if appropriate, remove such designation.

16 “(e) PROGRAMMATIC ENVIRONMENTAL IMPACT
17 STATEMENT.—

18 “(1) INITIAL DESIGNATIONS.—Not later than
19 one year after the initial designation of a geothermal
20 leasing priority area, the Secretary shall prepare a
21 supplement to any final programmatic environmental
22 impact statement for geothermal leasing that is the
23 most recently finalized such statement with respect
24 to covered land designated as a geothermal leasing
25 priority area under subsection (b).

1 “(2) SUBSEQUENT DESIGNATIONS.—Each des-
2 ignation of a geothermal leasing priority area under
3 subsection (b) shall be included in a programmatic
4 environmental impact statement for geothermal leas-
5 ing or in a supplement to such a statement.

6 “(3) CONSULTATIONS.—In developing any pro-
7 grammatic environmental impact statement for geo-
8 thermal leasing or supplement to such a statement
9 under this section, the Secretary shall consult, on an
10 ongoing basis, with appropriate State, Tribal, and
11 local governments, transmission infrastructure own-
12 ers and operators, developers, and other appropriate
13 entities.

14 “(4) PROCEDURE.—The Secretary may not
15 delay issuing a permit or holding a lease sale under
16 this Act because the supplement required under
17 paragraph (1) has not been finalized by the Sec-
18 retary.

19 “(f) COMPLIANCE WITH NEPA.—If the Secretary
20 determines that the designation of a geothermal leasing
21 priority area has been sufficiently analyzed by a pro-
22 grammatic environmental impact statement, the Secretary
23 shall not prepare any additional analysis under the Na-
24 tional Environmental Policy Act of 1969 (42 U.S.C. 4321

- 1 et seq.) with respect to geothermal lease sales for such
- 2 geothermal leasing priority area.”.

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