

119TH CONGRESS
1ST SESSION

S. _____

To authorize the Secretary of the Interior to co-locate renewable energy projects on certain existing Federal leased areas, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. CURTIS (for himself and Mr. HICKENLOOPER) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To authorize the Secretary of the Interior to co-locate renewable energy projects on certain existing Federal leased areas, 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 “Co-Location Energy
5 Act”.

6 **SEC. 2. CO-LOCATION OF RENEWABLE ENERGY PROJECTS.**

7 (a) DEFINITIONS.—In this section:

1 (1) EXISTING FEDERAL ENERGY LEASE.—The
2 term “existing Federal energy lease” means a lease,
3 easement, or right-of-way, as applicable—

4 (A) on land managed by the Secretary; and

5 (B) that was issued, granted, or renewed
6 on or before the date of enactment of this Act
7 under—

8 (i) the Mineral Leasing Act (30
9 U.S.C. 181 et seq.); or

10 (ii) the Geothermal Steam Act of
11 1970 (30 U.S.C. 1001 et seq.).

12 (2) SECRETARY.—The term “Secretary” means
13 the Secretary of the Interior.

14 (b) AUTHORIZATION TO EVALUATE LEASED AREAS
15 FOR RENEWABLE ENERGY DEVELOPMENT.—

16 (1) IN GENERAL.—In addition to the authority
17 of the Secretary under section 8(p) of the Outer
18 Continental Shelf Lands Act (43 U.S.C. 1337(p))
19 and section 501(a)(4) of the Federal Land Policy
20 and Management Act of 1976 (43 U.S.C.
21 1761(a)(4)), the Secretary may authorize a person
22 to evaluate an area of an existing Federal energy
23 lease for solar or wind energy development.

24 (2) CONSENT OF LEASEHOLDER.—The Sec-
25 retary may not authorize a person to evaluate an

1 area under paragraph (1) unless the applicable
2 leaseholder consents to that authorization.

3 (c) PERMITS FOR RENEWABLE ENERGY DEVELOP-
4 MENT ON EXISTING OIL, GAS, COAL, AND GEOTHERMAL
5 LEASE AREAS.—

6 (1) IN GENERAL.—In addition to the authority
7 of the Secretary under section 8(p) of the Outer
8 Continental Shelf Lands Act (43 U.S.C. 1337(p))
9 and section 501(a)(4) of the Federal Land Policy
10 and Management Act of 1976 (43 U.S.C.
11 1761(a)(4)), the Secretary may issue a permit to au-
12 thorize a person to construct or operate systems or
13 facilities for the production, transportation, storage,
14 or transmission of energy from solar or wind re-
15 sources on an area of an existing Federal energy
16 lease.

17 (2) CONSENT OF LEASEHOLDER.—The Sec-
18 retary may not issue a permit for an activity de-
19 scribed in paragraph (1) unless the applicable lease-
20 holder consents to the issuance of that permit.

21 (d) CATEGORICAL EXCLUSIONS.—Not later than 180
22 days after the date of enactment of this Act, the Secretary
23 shall determine whether any of the actions for which a
24 permit may be issued under subsection (c)(1), or any ac-
25 tions that may be carried out pursuant to constructing

1 or operating systems or facilities for the production, trans-
2 portation, storage, or transmission of energy from solar
3 or wind resources on areas not subject to an existing Fed-
4 eral energy lease, are a category of actions that normally
5 do not significantly affect the quality of the human envi-
6 ronment within the meaning of section 102(2)(C) of the
7 National Environmental Policy Act of 1969 (42 U.S.C.
8 4332(2)(C)).

9 (e) RULEMAKING.—The Secretary shall issue a rule
10 to carry out this section.