

113TH CONGRESS
1ST SESSION

H. R. 1375

To facilitate the development of wind energy resources on Federal lands.

IN THE HOUSE OF REPRESENTATIVES

MARCH 21, 2013

Mr. MULLIN introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To facilitate the development of wind energy resources on
Federal lands.

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 at the “Reducing Regulatory
5 Obstacles to Wind Energy Production Act”.

6 **SEC. 2. ONSHORE METEOROLOGICAL SITE TESTING AND**
7 **MONITORING PROJECT.**

8 (a) DEFINITION OF METEOROLOGICAL SITE TEST-
9 ING AND MONITORING PROJECT.—In this section, the

1 term “meteorological site testing and monitoring project”
2 means a project carried out on land administered by the
3 Bureau of Land Management or the Forest Service to test
4 or monitor weather (including wind and solar energy)
5 using towers or other devices, that—

6 (1) causes—

7 (A) less than 1 acre of soil or vegetation
8 disruption at the location of each meteorological
9 tower or other device; and

10 (B) not more than 5 acres of soil or dis-
11 ruption within the proposed right-of-way for the
12 project;

13 (2) is installed—

14 (A) to the maximum extent practicable,
15 using existing access roads;

16 (B) in a manner that does not require off-
17 road motorized access other than 1 installation
18 activity and 1 decommissioning activity along
19 an identified off-road route approved by the Di-
20 rector of the Bureau of Land Management or
21 Chief of the Forest Service;

22 (C) without construction of new roads
23 other than upgrading of existing minor drain-
24 age crossings for safety purposes; and

1 (D) without the use of digging or drilling
2 equipment vehicles other than rubber-tired vehi-
3 cles with gross weight ratings under 8,500
4 pounds;

5 (3) is decommissioned not more than 5 years
6 after the date of commencement of the project, in-
7 cluding—

8 (A) removal of any towers, devices, or
9 other surface infrastructure from the site; and

10 (B) restoration of the site to approximately
11 the condition that existed at the time the
12 project began; and

13 (4) provides meteorological information ob-
14 tained by the permitted project to the Bureau of
15 Land Management and the Forest Service.

16 (b) NEPA EXCLUSION.—Section 102(2)(C) of the
17 National Environmental Policy Act of 1969 (42 U.S.C.
18 4332(2)(C)) shall not apply with respect to a meteorolog-
19 ical site testing and monitoring project.

20 (c) PERMIT TIMELINE AND CONDITIONS.—

21 (1) IN GENERAL.—The Director of the Bureau
22 of Land Management or Chief of the Forest Service,
23 as applicable, shall decide whether to issue a permit
24 for a project that is a meteorological site testing and

1 monitoring project within 30 days after receiving an
2 application for the permit.

3 (2) PUBLIC COMMENT AND CONSULTATION.—
4 During the period referred to in paragraph (1), the
5 Director of the Bureau of Land Management or the
6 Chief of the Forest Service, as applicable, shall—

7 (A) provide an opportunity for submission
8 of comments by the public; and

9 (B) consult with the heads of other Fed-
10 eral, State, and local agencies that would be af-
11 fected by the issuance of the permit.

12 (3) DENIAL OF APPLICATION.—If the applica-
13 tion is denied, the Director or Chief, respectively,
14 shall provide the applicant—

15 (A) in writing, clear and comprehensive
16 reasons why the application was not approved
17 and detailed information concerning any defi-
18 ciencies, and

19 (B) an opportunity to remedy any defi-
20 ciencies.

21 (d) PROTECTION OF INFORMATION.—The informa-
22 tion provided to the Bureau of Land Management and the
23 Forest Service pursuant to subsection (a)(4) shall be

- 1 treated by such agency as proprietary information and
- 2 protected against disclosure.

