

(3) The Secretary shall not issue any lease under this chapter for those lands, or portions thereof, which are the subject of a determination made pursuant to subparagraph (2).

(d) Lease stipulations

With respect to all leases or drilling permits issued, extended, renewed or modified under this chapter, the Secretary shall include stipulations in such leases and permits necessary to protect significant thermal features within units of the National Park System where the Secretary determines that, based on scientific evidence, the exploration, development or utilization of the land subject to the lease or drilling permit is reasonably likely to adversely affect any such significant thermal feature. Stipulations shall include, but not be limited to—

(1) requiring the lessee to reinject geothermal fluids into the rock formations from which they originate;

(2) requiring the lessee to report annually to the Secretary on activities taken on the lease;

(3) requiring the lessee to continuously monitor geothermal steam and associated geothermal resources production and injection wells; and

(4) requiring the lessee to suspend activity on the lease if the Secretary determines that ongoing exploration, development or utilization activities are having a significant adverse effect on a significant thermal feature within a unit of the National Park System until such time as the significant adverse effect is eliminated. The stipulation shall provide for the termination of the lease by the Secretary if the significant adverse effect cannot be eliminated within a reasonable period of time.

(e) Lands administered by Department of Agriculture

The Secretary of Agriculture shall consider the effects on significant thermal features within units of the National Park System in determining whether to consent to leasing under this chapter on national forest lands or other lands administered by the Department of Agriculture available for leasing under this chapter, including public, withdrawn, and acquired lands.

(f) Prohibition

Nothing in this chapter shall affect the ban on leasing under this chapter with respect to the Island Park Geothermal Area, as designated by the map in the “Final Environmental Impact Statement of the Island Park Geothermal Area” (January 15, 1980, p. XI), and provided for in Public Law 98–473.

(Pub. L. 91–581, §28, as added Pub. L. 100–443, §6, Sept. 22, 1988, 102 Stat. 1769; amended Pub. L. 106–510, §3(a)(2), (b)(2), Nov. 13, 2000, 114 Stat. 2363.)

REFERENCES IN TEXT

Public Law 98–473, referred to in subsec. (f), is Pub. L. 98–473, Oct. 12, 1984, 98 Stat. 1837, as amended. For complete classification of this Act to the Code, see Tables.

AMENDMENTS

2000—Subsec. (a)(1)(N). Pub. L. 106–510, §3(a)(2), substituted “Hawai’i Volcanoes National Park” for “Hawai’i Volcanoes National Park”.

Subsec. (a)(1)(O). Pub. L. 106–510, §3(b)(2), substituted “Haleakalā National Park” for “Haleakala National Park”.

CORWIN SPRINGS KNOWN GEOTHERMAL RESOURCE AREA STUDY

Section 8 of Pub. L. 100–443 provided that:

“(a) The United States Geological Survey, in consultation with the National Park Service, shall conduct a study on the impact of present and potential geothermal development in the vicinity of Yellowstone National Park on the thermal features within the park. The area to be studied shall be the lands within the Corwin Springs Known Geothermal Resource Area as designated in the July 22, 1975, Federal Register (Fed. Reg. Vol. 40, No. 141). The study shall be transmitted to Congress no later than December 1, 1990.

“(b) Any production from existing geothermal wells or any development of new geothermal wells or other facilities related to geothermal production is prohibited in the Corwin Springs Known Geothermal Resource Area until 180 days after the receipt by Congress of the study provided for in subsection (a) of this section.

“(c) The Secretary may not issue, extend, renew or modify any geothermal lease or drilling permit pursuant to the Geothermal Steam Act of 1970 (30 U.S.C. 1001–1025) in the Corwin Springs Known Geothermal Resource Area until 180 days after the receipt by Congress of the study provided for in section 8(a) of this Act. This section shall not be construed as requiring such leasing activities subsequent to the 180 days after study submittal.

“(d) If the Secretary determines that geothermal drilling and related activities within the area studied pursuant to subsection (a) of this section may adversely affect the thermal features of Yellowstone National Park, the Secretary shall include in the study required under subsection (a) of this section recommendations regarding the acquisition of the geothermal rights necessary to protect such thermal resources and features.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1001 of this title.

§ 1027. Lands subject to prohibition on leasing

The Secretary shall not issue any lease under this chapter on those lands subject to the prohibition provided under section 226–3 of this title.

(Pub. L. 91–581, §29, as added Pub. L. 100–443, §5(d), Sept. 22, 1988, 102 Stat. 1769.)

§ 1028. Hot dry rock geothermal energy

(a) USGS program

The Secretary of the Interior, acting through the United States Geological Survey, and in consultation with the Secretary of Energy, shall establish a cooperative Government-private sector program with respect to hot dry rock geothermal energy resources on public lands (as such term is defined in section 1702(e) of title 43) and lands managed by the Department of Agriculture, other than any such public or other lands that are withdrawn from geothermal leasing. Such program shall include, but shall not be limited to, activities to identify, select, and classify those areas throughout the United States that have a high potential for hot dry rock geothermal energy production and activities to develop and disseminate information regarding the utilization of such areas for hot dry rock energy production. Such information may include information regarding field test proc-