

(F) a Native corporation.

(2) High-cost region

The term “high-cost region” means a region in which the average cost of electrical power exceeds 150 percent of the national average retail cost, as determined by the Secretary.

(b) Program

The Secretary shall use amounts made available to carry out this section to make grants to eligible entities for activities described in subsection (c).

(c) Eligible activities

An eligible entity may use grant funds under this section, with respect to a geothermal energy project in a high-cost region, only—

- (1) to conduct a feasibility study, including a study of exploration, geochemical testing, geomagnetic surveys, geologic information gathering, baseline environmental studies, well drilling, resource characterization, permitting, and economic analysis;
- (2) for design and engineering costs, relating to the project; and
- (3) to demonstrate and promote commercial application of technologies related to geothermal energy as part of the project.

(d) Cost sharing

The cost-sharing requirements of section 16352 of this title shall apply to any project carried out under this section.

(e) Authorization of appropriations

There are authorized to be appropriated such sums as are necessary to carry out this section. (Pub. L. 110-140, title VI, §625, Dec. 19, 2007, 121 Stat. 1685.)

EFFECTIVE DATE

Section effective on the date that is 1 day after Dec. 19, 2007, see section 1601 of Pub. L. 110-140, set out as a note under section 1824 of Title 2, The Congress.

PART C—MARINE AND HYDROKINETIC RENEWABLE ENERGY TECHNOLOGIES

§ 17211. Definition

For purposes of this part, the term “marine and hydrokinetic renewable energy” means electrical energy from—

- (1) waves, tides, and currents in oceans, estuaries, and tidal areas;
- (2) free flowing water in rivers, lakes, and streams;
- (3) free flowing water in man-made channels; and
- (4) differentials in ocean temperature (ocean thermal energy conversion).

The term “marine and hydrokinetic renewable energy” does not include energy from any source that uses a dam, diversionary structure, or impoundment for electric power purposes.

(Pub. L. 110-140, title VI, §632, Dec. 19, 2007, 121 Stat. 1686.)

EFFECTIVE DATE

Section effective on the date that is 1 day after Dec. 19, 2007, see section 1601 of Pub. L. 110-140, set out as a note under section 1824 of Title 2, The Congress.

SHORT TITLE

This part known as the “Marine and Hydrokinetic Renewable Energy Research and Development Act”, see Short Title note set out under section 17001 of this title.

§ 17212. Marine and hydrokinetic renewable energy research and development

(a) In general

The Secretary, in consultation with the Secretary of the Interior and the Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere, shall establish a program of research, development, demonstration, and commercial application to expand marine and hydrokinetic renewable energy production, including programs to—

- (1) study and compare existing marine and hydrokinetic renewable energy technologies;
- (2) research, develop, and demonstrate marine and hydrokinetic renewable energy systems and technologies;
- (3) reduce the manufacturing and operation costs of marine and hydrokinetic renewable energy technologies;
- (4) investigate efficient and reliable integration with the utility grid and intermittency issues;
- (5) advance wave forecasting technologies;
- (6) conduct experimental and numerical modeling for optimization of marine energy conversion devices and arrays;
- (7) increase the reliability and survivability of marine and hydrokinetic renewable energy technologies, including development of corrosive-resistant materials;
- (8) identify, in conjunction with the Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere, and other Federal agencies as appropriate, the potential environmental impacts, including potential impacts on fisheries and other marine resources, of marine and hydrokinetic renewable energy technologies, measures to prevent adverse impacts, and technologies and other means available for monitoring and determining environmental impacts;
- (9) identify, in conjunction with the Secretary of the Department in which the United States Coast Guard is operating, acting through the Commandant of the United States Coast Guard, the potential navigational impacts of marine and hydrokinetic renewable energy technologies and measures to prevent adverse impacts on navigation;
- (10) develop power measurement standards for marine and hydrokinetic renewable energy;
- (11) develop identification standards for marine and hydrokinetic renewable energy devices;
- (12) address standards development, demonstration, and technology transfer for advanced systems engineering and system integration methods to identify critical interfaces;
- (13) identifying¹ opportunities for cross fertilization and development of economies of

¹ So in original. Probably should be “identify”.

scale between other renewable sources and marine and hydrokinetic renewable energy sources; and

(14) providing² public information and opportunity for public comment concerning all technologies.

(b) Report

Not later than 18 months after December 19, 2007, the Secretary, in conjunction with the Secretary of Commerce, acting through the Undersecretary of Commerce for Oceans and Atmosphere, and the Secretary of the Interior, shall provide to the Congress a report that addresses—

(1) the potential environmental impacts, including impacts to fisheries and marine resources, of marine and hydrokinetic renewable energy technologies;

(2) options to prevent adverse environmental impacts;

(3) the potential role of monitoring and adaptive management in identifying and addressing any adverse environmental impacts; and

(4) the necessary components of such an adaptive management program.

(Pub. L. 110-140, title VI, § 633, Dec. 19, 2007, 121 Stat. 1686.)

EFFECTIVE DATE

Section effective on the date that is 1 day after Dec. 19, 2007, see section 1601 of Pub. L. 110-140, set out as a note under section 1824 of Title 2, The Congress.

§ 17213. National Marine Renewable Energy Research, Development, and Demonstration Centers

(a) Centers

The Secretary shall award grants to institutions of higher education (or consortia thereof) for the establishment of 1 or more National Marine Renewable Energy Research, Development, and Demonstration Centers. In selecting locations for Centers, the Secretary shall consider sites that meet one of the following criteria:

(1) Hosts an existing marine renewable energy research and development program in coordination with an engineering program at an institution of higher education.

(2) Has proven expertise to support environmental and policy-related issues associated with harnessing of energy in the marine environment.

(3) Has access to and utilizes the marine resources in the Gulf of Mexico, the Atlantic Ocean, or the Pacific Ocean.

The Secretary may give special consideration to historically black colleges and universities and land grant universities that also meet one of these criteria. In establishing criteria for the selection of the Centers, the Secretary shall consult with the Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere, on the criteria related to ocean waves, tides, and currents including those for advancing wave forecasting technologies, ocean temperature differences, and

studying the compatibility of marine renewable energy technologies and systems with the environment, fisheries, and other marine resources.

(b) Purposes

The Centers shall advance research, development, demonstration, and commercial application of marine renewable energy, and shall serve as an information clearinghouse for the marine renewable energy industry, collecting and disseminating information on best practices in all areas related to developing and managing enhanced marine renewable energy systems resources.

(c) Demonstration of need

When applying for a grant under this section, an applicant shall include a description of why Federal support is necessary for the Center, including evidence that the research of the Center will not be conducted in the absence of Federal support.

(Pub. L. 110-140, title VI, § 634, Dec. 19, 2007, 121 Stat. 1687.)

EFFECTIVE DATE

Section effective on the date that is 1 day after Dec. 19, 2007, see section 1601 of Pub. L. 110-140, set out as a note under section 1824 of Title 2, The Congress.

§ 17214. Applicability of other laws

Nothing in this part shall be construed as waiving, modifying, or superseding the applicability of any requirement under any environmental or other Federal or State law.

(Pub. L. 110-140, title VI, § 635, Dec. 19, 2007, 121 Stat. 1688.)

EFFECTIVE DATE

Section effective on the date that is 1 day after Dec. 19, 2007, see section 1601 of Pub. L. 110-140, set out as a note under section 1824 of Title 2, The Congress.

§ 17215. Authorization of appropriations

There are authorized to be appropriated to the Secretary to carry out this part \$50,000,000 for each of the fiscal years 2008 through 2012, except that no funds shall be appropriated under this section for activities that are receiving funds under section 16231(a)(2)(E)(i) of this title.

(Pub. L. 110-140, title VI, § 636, Dec. 19, 2007, 121 Stat. 1688.)

EFFECTIVE DATE

Section effective on the date that is 1 day after Dec. 19, 2007, see section 1601 of Pub. L. 110-140, set out as a note under section 1824 of Title 2, The Congress.

PART D—ENERGY STORAGE FOR TRANSPORTATION AND ELECTRIC POWER

§ 17231. Energy storage competitiveness

(a) Short title

This section may be cited as the “United States Energy Storage Competitiveness Act of 2007”.

(b) Definitions

In this section:

(1) Council

The term “Council” means the Energy Storage Advisory Council established under subsection (e).

²So in original. Probably should be “provide”.