

- (1) the United States Fish and Wildlife Service;
- (2) the Bureau of Indian Affairs;
- (3) the Forest Service;
- (4) the Corps of Engineers;
- (5) the National Park Service;
- (6) the Environmental Protection Agency; or
- (7) the Department of Defense.

(f) Report to Congress

(1) In general

Not later than February 1 of the first fiscal year beginning after December 27, 2020, and each February 1 thereafter, the Secretary shall submit to the Committee on Energy and Natural Resources and the Committee on Environment and Public Works of the Senate and the Committee on Natural Resources of the House of Representatives a report describing the progress made under the program established under subsection (a) during the preceding year.

(2) Inclusions

Each report under this subsection shall include—

- (A) projections for renewable energy production and capacity installations; and
- (B) a description of any problems relating to leasing, permitting, siting, or production.

(Pub. L. 116-260, div. Z, title III, §3102, Dec. 27, 2020, 134 Stat. 2514.)

Editorial Notes

REFERENCES IN TEXT

The Clean Air Act, referred to in subsec. (c)(1)(C), is act July 14, 1955, ch. 360, 69 Stat. 322, which is classified generally to chapter 85 (§7401 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 7401 of Title 42 and Tables.

The Federal Land Policy and Management Act of 1976, referred to in subsecs. (c)(1)(D) and (d), is Pub. L. 94-579, Oct. 21, 1976, 90 Stat. 2743, which is classified principally to chapter 35 (§1701 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1701 of this title and Tables.

The Migratory Bird Treaty Act, referred to in subsec. (c)(1)(E), is act July 3, 1918, ch. 128, 40 Stat. 755, which is classified generally to subchapter II (§703 et seq.) of chapter 7 of Title 16, Conservation. For complete classification of this Act to the Code, see section 710 of Title 16 and Tables.

The National Environmental Policy Act of 1969, referred to in subsec. (c)(1)(F), is Pub. L. 91-190, Jan. 1, 1970, 83 Stat. 852, which is classified generally to chapter 55 (§4321 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 4321 of Title 42 and Tables.

The Geothermal Steam Act of 1970, referred to in subsec. (c)(1)(I), is Pub. L. 91-581, Dec. 24, 1970, 84 Stat. 1566, which is classified principally to chapter 23 (§1001 et seq.) of Title 30, Mineral Lands and Mining. For complete classification of this Act to the Code, see Short Title note set out under section 1001 of Title 30 and Tables.

Act of June 8, 1940, referred to in subsec. (c)(1)(J), is act June 8, 1940, ch. 278, 54 Stat. 250, popularly known as the “Bald and Golden Eagle Protection Act” and also known as the “Bald Eagle Protection Act”, which is classified generally to subchapter II (§668 et seq.) of chapter 5A of Title 16, Conservation. For complete clas-

sification of this Act to the Code, see Short Title note set out under section 668 of Title 16 and Tables.

National Park Service Organic Act, referred to in subsec. (c)(1)(K), is act Aug. 25, 1916, ch. 408, 39 Stat. 535, which enacted sections 1, 2, 3, and 4 of Title 16, Conservation, amended sections 22 and 43 of Title 16 and section 1457 of Title 43, Public Lands, and enacted provisions set out as a note under section 1 of Title 16. Sections 1 to 4 of the Act were substantially repealed and restated in chapter 1003 of Title 54, National Park Service and Related Programs, by Pub. L. 113-287, §§3, 7, Dec. 19, 2014, 128 Stat. 3097, 3272. For complete classification of this Act to the Code, see Short Title of 1916 Act note set out under section 100101 of Title 54, and Tables. For disposition of former sections of Title 16, see Disposition Table preceding section 100101 of Title 54.

§ 3003. Increasing economic certainty

(a) Considerations

The Secretary may consider acreage rental rates, capacity fees, and other recurring annual fees in total when evaluating existing rates paid for the use of Federal land by eligible projects.

(b) Reductions in base rental rates

The Secretary may reduce acreage rental rates and capacity fees, or both, for existing and new wind and solar authorizations if the Secretary determines—

- (1) that the existing rates—
 - (A) exceed fair market value;
 - (B) impose economic hardships;
 - (C) limit commercial interest in a competitive lease sale or right-of-way grant; or
 - (D) are not competitively priced compared to other available land; or

- (2) that a reduced rental rate or capacity fee is necessary to promote the greatest use of wind and solar energy resources.

(Pub. L. 116-260, div. Z, title III, §3103, Dec. 27, 2020, 134 Stat. 2516.)

§ 3004. National goal for renewable energy production on Federal land

(a) In general

Not later than September 1, 2022, the Secretary shall, in consultation with the Secretary of Agriculture and other heads of relevant Federal agencies, establish national goals for renewable energy production on Federal land.

(b) Minimum production goal

The Secretary shall seek to issue permits that, in total, authorize production of not less than 25 gigawatts of electricity from wind, solar, and geothermal energy projects by not later than 2025, through management of public lands and administration of Federal laws.

(Pub. L. 116-260, div. Z, title III, §3104, Dec. 27, 2020, 134 Stat. 2516.)

§ 3005. Savings clause

Notwithstanding any other provision of this chapter, the Secretary of the Interior and the Secretary of Agriculture shall continue to manage public lands under the principles of multiple use and sustained yield in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) or the Forest and Rangeland Renewable Resources Planning Act

of 1974 (16 U.S.C. 1600 et seq.), respectively, including for due consideration of mineral and nonrenewable energy-related projects and other nonrenewable energy uses, for the purposes of land use planning, permit processing, and conducting environmental reviews.

(Pub. L. 116-260, div. Z, title III, §3106, Dec. 27, 2020, 134 Stat. 2517.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this subtitle”, meaning subtitle B (§§ 3101-3106) of title III of div. Z of Pub. L. 116-260, Dec. 27, 2020, 134 Stat. 2513, which is classified principally to this chapter. For complete classification of subtitle B to the Code, see Tables.

The Federal Land Policy and Management Act of 1976, referred to in text, is Pub. L. 94-579, Oct. 21, 1976, 90 Stat. 2743, which is classified principally to chapter 35 (§1701 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1701 of this title and Tables.

The Forest and Rangeland Renewable Resources Planning Act of 1974, referred to in text, is Pub. L. 93-378, Aug. 17, 1974, 88 Stat. 476, which is classified generally to subchapter I (§1600 et seq.) of chapter 36 of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title note set out under section 1600 of Title 16 and Tables.

CHAPTER 49—NATIONAL LANDSLIDE PREPAREDNESS

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§ 3101. Definitions

In this chapter:

(1) 3D

The term “3D” means 3-dimensional.

(2) 3D elevation data

(A) In general

The term “3D elevation data” means 3D, high-resolution data obtained using LiDAR, IfSAR, or other methods over the United States (including territories).

(B) Inclusions

The term “3D elevation data” includes terrestrial and bathymetric elevation data.

(3) 3D elevation program

The term “3D Elevation Program” means the 3D Elevation Program established under section 3104(a) of this title.

(4) IfSAR

The term “IfSAR” means interferometric synthetic aperture radar.

(5) Indian tribe

The term “Indian tribe” has the meaning given the term in section 5304 of title 25.

(6) Lahar

The term “lahar” means a large debris flow of mostly volcanic material that is—

- (A) often fast-moving; and

- (B) a hazard in watersheds downstream of volcanic peaks.

(7) LiDAR

The term “LiDAR” means light detection and ranging.

(8) Secretary

The term “Secretary” means the Secretary of the Interior, acting through the Director of the United States Geological Survey.

(9) State

The term “State” means—

- (A) a State; and
- (B) the District of Columbia.

(10) State office

The term “State office” means any unit of State government that handles the identification, mapping, assessment, and research of landslide hazards or responding to landslide events, including—

- (A) a State geological survey office;
- (B) a State department of emergency response; and
- (C) a State department of transportation.

(11) Territory

The term “territory” means—

- (A) the Commonwealth of Puerto Rico;
- (B) Guam;
- (C) American Samoa;
- (D) the Commonwealth of the Northern Mariana Islands;
- (E) the Federated States of Micronesia;
- (F) the Republic of the Marshall Islands;
- (G) the Republic of Palau; and
- (H) the United States Virgin Islands.

(Pub. L. 116-323, §2, Jan. 5, 2021, 134 Stat. 5075.)

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 116-323, §1, Jan. 5, 2021, 134 Stat. 5075, provided that: “This Act [enacting this chapter] may be cited as the ‘National Landslide Preparedness Act.’”

§ 3102. National Landslide Hazards Reduction Program

(a) Establishment

The Secretary shall establish a program, to be known as the “National Landslide Hazards Reduction Program” (referred to in this section as the “program”)—

- (1) to identify and understand landslide hazards and risks;
- (2) to reduce losses from landslides;
- (3) to protect communities at risk of landslide hazards; and
- (4) to help improve communication and emergency preparedness, including by coordinating with communities and entities responsible for infrastructure that are at risk of landslide hazards.

(b) Description of program

(1) Program activities

The Secretary, in coordination with the Interagency Coordinating Committee on Landslide Hazards established by subsection (c)(1) (referred to in this section as the “Com-