

113TH CONGRESS
2D SESSION

H. R. 4293

To authorize the approval of natural gas pipelines and establish deadlines and expedite permits for certain natural gas gathering lines on Federal land and Indian land.

IN THE HOUSE OF REPRESENTATIVES

MARCH 25, 2014

Mr. CRAMER (for himself and Mrs. LUMMIS) 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 authorize the approval of natural gas pipelines and establish deadlines and expedite permits for certain natural gas gathering lines on Federal land and Indian land.

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 “Natural Gas Gathering
5 Enhancement Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

1 (1) record volumes of natural gas production in
2 the United States as of the date of enactment of this
3 Act are providing enormous benefits to the United
4 States, including by—

5 (A) reducing the need for imports of nat-
6 ural gas, thereby directly reducing the trade
7 deficit;

8 (B) strengthening trade ties among the
9 United States, Canada, and Mexico;

10 (C) providing the opportunity for the
11 United States to join the emerging global gas
12 trade through the export of liquefied natural
13 gas;

14 (D) creating and supporting millions of
15 new jobs across the United States;

16 (E) adding billions of dollars to the gross
17 domestic product of the United States every
18 year;

19 (F) generating additional Federal, State,
20 and local government tax revenues; and

21 (G) revitalizing the manufacturing sector
22 by providing abundant and affordable feedstock;

23 (2) large quantities of natural gas are lost due
24 to venting and flaring, primarily in areas where nat-
25 ural gas infrastructure has not been developed

1 quickly enough, such as States with large quantities
2 of Federal land and Indian land;

3 (3) permitting processes can hinder the develop-
4 ment of natural gas infrastructure, such as pipeline
5 lines and gathering lines on Federal land and Indian
6 land; and

7 (4) additional authority for the Secretary of the
8 Interior to approve natural gas pipelines and gath-
9 ering lines on Federal land and Indian land would—

10 (A) assist in bringing gas to market that
11 would otherwise be vented or flared; and

12 (B) significantly increase royalties collected
13 by the Secretary of the Interior and disbursed
14 to Federal, State, and tribal governments and
15 individual Indians.

16 **SEC. 3. AUTHORITY TO APPROVE NATURAL GAS PIPELINES.**

17 Section 1 of the Act of February 15, 1901 (31 Stat.
18 790, chapter 372; 16 U.S.C. 79), is amended by inserting
19 “, for natural gas pipelines” after “distribution of elec-
20 trical power”.

1 **SEC. 4. CERTAIN NATURAL GAS GATHERING LINES LO-**
2 **CATED ON FEDERAL LAND AND INDIAN**
3 **LAND.**

4 (a) IN GENERAL.—Subtitle B of title III of the En-
5 ergy Policy Act of 2005 (Public Law 109–58; 119 Stat.
6 685) is amended by adding at the end the following:

7 **“SEC. 319. CERTAIN NATURAL GAS GATHERING LINES LO-**
8 **CATED ON FEDERAL LAND AND INDIAN**
9 **LAND.**

10 “(a) DEFINITIONS.—In this section:

11 “(1) GAS GATHERING LINE AND ASSOCIATED
12 FIELD COMPRESSION UNIT.—

13 “(A) IN GENERAL.—The term ‘gas gath-
14 ering line and associated field compression unit’
15 means—

16 “(i) a pipeline that is installed to
17 transport natural gas production associ-
18 ated with 1 or more wells drilled and com-
19 pleted to produce crude oil; and

20 “(ii) if necessary, a compressor to
21 raise the pressure of that transported nat-
22 ural gas to higher pressures suitable to en-
23 able the gas to flow into pipelines and
24 other facilities.

25 “(B) EXCLUSIONS.—The term ‘gas gath-
26 ering line and associated field compression unit’

1 does not include a pipeline or compression unit
2 that is installed to transport natural gas from
3 a processing plant to a common carrier pipeline
4 or facility.

5 “(2) FEDERAL LAND.—

6 “(A) IN GENERAL.—The term ‘Federal
7 land’ means land the title to which is held by
8 the United States.

9 “(B) EXCLUSIONS.—The term ‘Federal
10 land’ does not include—

11 “(i) a unit of the National Park Sys-
12 tem;

13 “(ii) a unit of the National Wildlife
14 Refuge System; or

15 “(iii) a component of the National
16 Wilderness Preservation System.

17 “(3) INDIAN LAND.—The term ‘Indian land’
18 means land the title to which is held by—

19 “(A) the United States in trust for an In-
20 dian tribe or an individual Indian; or

21 “(B) an Indian tribe or an individual In-
22 dian subject to a restriction by the United
23 States against alienation.

24 “(b) CERTAIN NATURAL GAS GATHERING LINES.—

1 “(1) IN GENERAL.—Subject to paragraph (2),
2 the issuance of a sundry notice or right-of-way for
3 a gas gathering line and associated field compression
4 unit that is located on Federal land or Indian land
5 and that services any oil well shall be considered to
6 be an action that is categorically excluded (as de-
7 fined in section 1508.4 of title 40, Code of Federal
8 Regulations (as in effect on the date of enactment
9 of this Act)) for purposes of the National Environ-
10 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.)
11 if the gas gathering line and associated field com-
12 pression unit are—

13 “(A) within a field or unit for which an ap-
14 proved land use plan or an environmental docu-
15 ment prepared pursuant to the National Envi-
16 ronmental Policy Act of 1969 (42 U.S.C. 4321
17 et seq.) analyzed transportation of natural gas
18 produced from 1 or more oil wells in that field
19 or unit as a reasonably foreseeable activity; and

20 “(B) located adjacent to an existing dis-
21 turbed area for the construction of a road or
22 pad.

23 “(2) APPLICABILITY.—

24 “(A) FEDERAL LAND.—Paragraph (1)
25 shall not apply to Federal land, or a portion of

1 Federal land, for which the Governor of the
2 State in which the Federal land is located sub-
3 mits to the Secretary of the Interior or the Sec-
4 retary of Agriculture, as applicable, a written
5 request that paragraph (1) not apply to that
6 Federal land (or portion of Federal land).

7 “(B) INDIAN LAND.—Paragraph (1) shall
8 apply to Indian land, or a portion of Indian
9 land, for which the Indian tribe with jurisdic-
10 tion over the Indian land submits to the Sec-
11 retary of the Interior a written request that
12 paragraph (1) apply to that Indian land (or
13 portion of Indian land).

14 “(c) EFFECT ON OTHER LAW.—Nothing in this sec-
15 tion affects or alters any requirement—

16 “(1) relating to prior consent under—

17 “(A) section 2 of the Act of February 5,
18 1948 (25 U.S.C. 324); or

19 “(B) section 16(e) of the Act of June 18,
20 1934 (25 U.S.C. 476(e)) (commonly known as
21 the ‘Indian Reorganization Act’); or

22 “(2) under any other Federal law (including
23 regulations) relating to tribal consent for rights-of-
24 way across Indian land.”.

1 (b) ASSESSMENTS.—Title XVIII of the Energy Policy
2 Act of 2005 (Public Law 109–58; 119 Stat. 1122) is
3 amended by adding at the end the following:

4 **“SEC. 1841. NATURAL GAS GATHERING SYSTEM ASSESS-**
5 **MENTS.**

6 “(a) DEFINITION OF GAS GATHERING LINE AND AS-
7 SOCIATED FIELD COMPRESSION UNIT.—In this section,
8 the term ‘gas gathering line and associated field compres-
9 sion unit’ has the meaning given the term in section 319.

10 “(b) STUDY.—Not later than 1 year after the date
11 of enactment of the Natural Gas Gathering Enhancement
12 Act, the Secretary of the Interior, in consultation with
13 other appropriate Federal agencies, States, and Indian
14 tribes, shall conduct a study to identify—

15 “(1) any actions that may be taken, under Fed-
16 eral law (including regulations), to expedite permit-
17 ting for gas gathering lines and associated field com-
18 pression units that are located on Federal land or
19 Indian land, for the purpose of transporting natural
20 gas associated with crude oil production on any land
21 to a processing plant or a common carrier pipeline
22 for delivery to markets; and

23 “(2) any proposed changes to Federal law (in-
24 cluding regulations) to expedite permitting for gas
25 gathering lines and associated field compression

1 units that are located on Federal land or Indian
2 land, for the purpose of transporting natural gas as-
3 sociated with crude oil production on any land to a
4 processing plant or a common carrier pipeline for
5 delivery to markets.

6 “(c) REPORT.—Not later than 180 days after the
7 date of enactment of the Natural Gas Gathering Enhance-
8 ment Act, and every 180 days thereafter, the Secretary
9 of the Interior, in consultation with other appropriate Fed-
10 eral agencies, States, and Indian tribes, shall submit to
11 Congress a report that describes—

12 “(1) the progress made in expediting permits
13 for gas gathering lines and associated field compres-
14 sion units that are located on Federal land or Indian
15 land, for the purpose of transporting natural gas as-
16 sociated with crude oil production on any land to a
17 processing plant or a common carrier pipeline for
18 delivery to markets; and

19 “(2) any issues impeding that progress.”.

20 (c) TECHNICAL AMENDMENTS.—

21 (1) Section 1(b) of the Energy Policy Act of
22 2005 (Public Law 109–58; 119 Stat. 594) is amend-
23 ed by adding at the end of subtitle B of title III the
24 following:

“Sec. 319. Natural gas gathering lines located on Federal land and Indian
land.”.

1 (2) Section (1)(b) of the Energy Policy Act of
2 2005 (Public Law 109–58; 119 Stat. 594) is amend-
3 ed by adding at the end of title XXVIII the fol-
4 lowing:

“Sec. 1841. Natural gas gathering system assessments.”.

5 **SEC. 5. DEADLINES FOR PERMITTING NATURAL GAS GATH-**
6 **ERING LINES UNDER THE MINERAL LEASING**
7 **ACT.**

8 Section 28 of the Mineral Leasing Act (30 U.S.C.
9 185) is amended by adding at the end the following:

10 “(z) NATURAL GAS GATHERING LINES.—The Sec-
11 retary of the Interior or other appropriate agency head
12 shall issue a sundry notice or right-of-way for a gas gath-
13 ering line and associated field compression unit (as de-
14 fined in section 319(a) of the Energy Policy Act of 2005)
15 that is located on Federal lands—

16 “(1) for a gas gathering line and associated
17 field compression unit described in section 319(b) of
18 the Energy Policy Act of 2005, not later than 30
19 days after the date on which the applicable agency
20 head receives the request for issuance; and

21 “(2) for all other gas gathering lines and asso-
22 ciated field compression units, not later than 60
23 days after the date on which the applicable agency
24 head receives the request for issuance.”.

1 **SEC. 6. DEADLINES FOR PERMITTING NATURAL GAS GATH-**
2 **ERING LINES UNDER THE FEDERAL LAND**
3 **POLICY AND MANAGEMENT ACT OF 1976.**

4 Section 504 of the Federal Land Policy and Manage-
5 ment Act of 1976 (43 U.S.C. 1764) is amended by adding
6 at the end the following:

7 “(k) NATURAL GAS GATHERING LINES.—The Sec-
8 retary concerned shall issue a sundry notice or right-of-
9 way for a gas gathering line and associated field compres-
10 sion unit (as defined in section 319(a) of the Energy Pol-
11 icy Act of 2005) that is located on public lands—

12 “(1) for a gas gathering line and associated
13 field compression unit described in section 319(b) of
14 the Energy Policy Act of 2005, not later than 30
15 days after the date on which the applicable agency
16 head receives the request for issuance; and

17 “(2) for all other gas gathering lines and asso-
18 ciated field compression units, not later than 60
19 days after the date on which the applicable agency
20 head receives the request for issuance.”.

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