

114TH CONGRESS
2D SESSION

S. 3498

To ensure that the Secretary of the Army obtains consent from certain entities before granting certain permits, easements, or rights-of-way.

IN THE SENATE OF THE UNITED STATES

DECEMBER 5, 2016

Mrs. BOXER introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To ensure that the Secretary of the Army obtains consent from certain entities before granting certain permits, easements, or rights-of-way.

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. WRITTEN CONSENT REQUIREMENT.**

4 The Secretary of the Army shall not grant a permit,
5 easement, or other right-of-way for purposes of a pipeline
6 for the transportation of oil, natural gas, synthetic liquid
7 or gaseous fuels, or any refined product produced from
8 those materials on land associated with a civil works
9 project of the Corps of Engineers or an associated flowage
10 easement, if the construction or operation of the pipeline

1 has the potential to temporarily or permanently impair the
2 beneficial uses of the surface water or groundwater used
3 by the non-Federal agency or the Indian tribe described
4 in paragraphs (1) and (2), unless the Secretary receives
5 written consent from—

6 (1) any non-Federal agency that runs an af-
7 fected water system; and

8 (2) a federally recognized Indian tribe that uses
9 an affected water system.

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