

114TH CONGRESS  
1ST SESSION

# H. R. 1616

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, 2015

Mr. CRAMER (for himself, Mr. CHAFFETZ, Mr. ZINKE, and Mr. FARENTHOLD) introduced the following bill; which was referred to the Committee on Natural Resources

---

## 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—

8 (1) record volumes of natural gas production in  
9 the United States as of the date of enactment of this

1 Act are providing enormous benefits to the United  
2 States, including by—

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

6 (B) strengthening trade ties among the  
7 United States, Canada, and Mexico;

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

12 (D) creating and supporting millions of  
13 new jobs across the United States;

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

17 (F) generating additional Federal, State,  
18 and local government tax revenues; and

19 (G) revitalizing the manufacturing sector  
20 by—

21 (i) significantly increasing commercial  
22 demand for steel; and

23 (ii) providing abundant and affordable  
24 feedstock;

1           (2) natural gas is lost due to venting and flar-  
2           ing, primarily in areas where natural gas infrastruc-  
3           ture has not been developed quickly enough, such as  
4           States with large quantities of Federal land and In-  
5           dian land;

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

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

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

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

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

20          Section 100902 of title 54, United States Code, is  
21          amended—

22                (1) in subsection (a)(1)—

23                    (A) in the matter preceding subparagraph  
24                    (A), by striking “Under regulations” and in-  
25                    serting “Notwithstanding section 28 of the

1 Mineral Leasing Act (30 U.S.C. 185), under  
2 regulations”;

3 (B) in subparagraph (B), by striking  
4 “and” at the end;

5 (C) in subparagraph (C), by striking the  
6 period at the end and inserting “; and”; and

7 (D) by adding at the end the following:

8 “(D) natural gas pipelines.”; and

9 (2) in subsection (b)—

10 (A) in paragraph (1)—

11 (i) in subparagraph (B), by striking  
12 “and” at the end;

13 (ii) in subparagraph (C), by striking  
14 the period at the end and inserting “;  
15 and”; and

16 (iii) by adding at the end the fol-  
17 lowing:

18 “(D) natural gas pipelines.”;

19 (B) in paragraph (2), in the matter pre-  
20 ceeding subparagraph (A), by striking “A right  
21 of way under” and inserting “Except as pro-  
22 vided in paragraph (5), a right-of-way granted  
23 under”; and

24 (C) by adding at the end the following:

1           “(5) RIGHT-OF-WAY FOR NATURAL GAS PIPE-  
2           LINES.—Notwithstanding paragraph (2), a right-of-  
3           way granted under paragraph (1)(D) shall—

4                   “(A) be for a term of not more than 30  
5           years; and

6                   “(B) not exceed 50 feet in width after con-  
7           struction of the natural gas pipeline.”.

8 **SEC. 4. CERTAIN NATURAL GAS GATHERING LINES LO-**  
9                   **CATED ON FEDERAL LAND AND INDIAN**  
10                  **LAND.**

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

14 **“SEC. 319. CERTAIN NATURAL GAS GATHERING LINES LO-**  
15                   **CATED ON FEDERAL LAND AND INDIAN**  
16                  **LAND.**

17           “(a) DEFINITIONS.—In this section:

18                   “(1) GAS GATHERING LINE AND ASSOCIATED  
19           FIELD COMPRESSION UNITS.—

20                   “(A) IN GENERAL.—The term ‘gas gath-  
21           ering line and associated field compression  
22           units’ means—

23                   “(i) a pipeline that is installed to  
24           transport natural gas production associ-

1           ated with 1 or more wells drilled and com-  
2           pleted to produce oil or gas; and

3           “(ii) if necessary, compressors to raise  
4           the pressure of that transported natural  
5           gas to higher pressures suitable to enable  
6           the gas to flow into pipelines and other fa-  
7           cilities.

8           “(B) EXCLUSIONS.—The term ‘gas gath-  
9           ering line and associated field compression  
10          units’ does not include a pipeline or compres-  
11          sion units that are installed to transport nat-  
12          ural gas from a processing plant to a common  
13          carrier pipeline or facility.

14          “(2) FEDERAL LAND.—

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

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

20                         “(i) a unit of the National Park Sys-  
21                         tem;

22                         “(ii) a unit of the National Wildlife  
23                         Refuge System;

24                         “(iii) a component of the National  
25                         Wilderness Preservation System; or

1 “(iv) Indian land.

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

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

6 “(B) an Indian tribe or an individual In-  
7 dian subject to a restriction by the United  
8 States against alienation.

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

10 “(1) IN GENERAL.—Subject to paragraph (2),  
11 the issuance of a sundry notice or right-of-way for  
12 a gas gathering line and associated field compression  
13 units that are located on Federal land or Indian  
14 land and that services any oil or gas well shall be  
15 considered to be an action that is categorically ex-  
16 cluded (as defined in section 1508.4 of title 40, Code  
17 of Federal Regulations (as in effect on the date of  
18 enactment of this Act)) for purposes of the National  
19 Environmental Policy Act of 1969 (42 U.S.C. 4321  
20 et seq.) if the gas gathering line and associated field  
21 compression units are—

22 “(A) within a field or unit for which an ap-  
23 proved land use plan or an environmental docu-  
24 ment prepared pursuant to the National Envi-  
25 ronmental Policy Act of 1969 (42 U.S.C. 4321

1 et seq.) analyzed transportation of natural gas  
2 produced from 1 or more oil or gas wells in that  
3 field or unit as a reasonably foreseeable activ-  
4 ity; and

5 “(B) located adjacent to or within—

6 “(i) any existing disturbed area; or

7 “(ii) an existing corridor for a right-  
8 of-way.

9 “(2) APPLICABILITY.—Paragraph (1) shall  
10 apply to Indian land, or a portion of Indian land, for  
11 which the Indian tribe with jurisdiction over the In-  
12 dian land submits to the Secretary of the Interior a  
13 written request that paragraph (1) apply to that In-  
14 dian land (or portion of Indian land).

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

17 “(1) relating to prior consent under—

18 “(A) section 2 of the Act of February 5,  
19 1948 (25 U.S.C. 324); or

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

23 “(2) under section 106 of the National Historic  
24 Preservation Act (16 U.S.C. 470f); or



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

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

7           **“SEC. 1841. NATURAL GAS GATHERING SYSTEM ASSESS-**  
8                                   **MENTS.**

9           “(a) DEFINITION OF GAS GATHERING LINE AND AS-  
10 SOCIATED FIELD COMPRESSION UNITS.—In this section,  
11 the term ‘gas gathering line and associated field compres-  
12 sion units’ has the meaning given the term in section 319.

13           “(b) STUDY.—Not later than 1 year after the date  
14 of enactment of the Natural Gas Gathering Enhancement  
15 Act, the Secretary of the Interior, in consultation with  
16 other appropriate Federal agencies, States, and Indian  
17 tribes, shall submit to the Committee on Energy and Nat-  
18 ural Resources of the Senate and the Committee on Nat-  
19 ural Resources of the House of Representatives a study  
20 identifying—

21           “(1) any actions that may be taken, under Fed-  
22 eral law (including regulations), to expedite permit-  
23 ting for gas gathering lines and associated field com-  
24 pression units that are located on Federal land or  
25 Indian land, for the purpose of transporting natural

1 gas associated with oil and gas production on any  
2 land to a processing plant or a common carrier pipe-  
3 line for delivery to markets; and

4 “(2) any proposed changes to Federal law (in-  
5 cluding regulations) to expedite permitting for gas  
6 gathering lines and associated field compression  
7 units that are located on Federal land, for the pur-  
8 pose of transporting natural gas associated with oil  
9 and gas production on any land to a processing  
10 plant or a common carrier pipeline for delivery to  
11 markets.

12 “(c) REPORT.—Not later than 1 year after the date  
13 of enactment of the Natural Gas Gathering Enhancement  
14 Act, and every 1 year thereafter, the Secretary of the Inte-  
15 rior, in consultation with other appropriate Federal agen-  
16 cies, States, and Indian tribes, shall submit to the Com-  
17 mittee on Energy and Natural Resources of the Senate  
18 and the Committee on Natural Resources of the House  
19 of Representatives a report that describes—

20 “(1) the progress made in expediting permits  
21 for gas gathering lines and associated field compres-  
22 sion units that are located on Federal land or Indian  
23 land, for the purpose of transporting natural gas as-  
24 sociated with oil and gas production on any land to

1 a processing plant or a common carrier pipeline for  
 2 delivery to markets; and

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

4 (c) TECHNICAL AMENDMENTS.—

5 (1) Section 1(b) of the Energy Policy Act of  
 6 2005 (Public Law 109–58; 119 Stat. 594) is amend-  
 7 ed by adding at the end of subtitle B of title III the  
 8 following:

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

9 (2) Section (1)(b) of the Energy Policy Act of  
 10 2005 (Public Law 109–58; 119 Stat. 594) is amend-  
 11 ed by adding at the end of title XXVIII the fol-  
 12 lowing:

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

13 **SEC. 5. DEADLINES FOR PERMITTING NATURAL GAS GATH-**  
 14 **ERING LINES UNDER THE MINERAL LEASING**  
 15 **ACT.**

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

18 “(z) NATURAL GAS GATHERING LINES.—The Sec-  
 19 retary of the Interior or other appropriate agency head  
 20 shall issue a sundry notice or right-of-way for a gas gath-  
 21 ering line and associated field compression units (as de-  
 22 fined in section 319(a) of the Energy Policy Act of 2005)  
 23 that are located on Federal land not later than 90 days

1 after the date on which the applicable agency head receives  
2 the request for issuance unless the Secretary or agency  
3 head finds that the sundry notice or right-of-way would  
4 violate the National Historic Preservation Act (16 U.S.C.  
5 470 et seq.) or the Endangered Species Act of 1973 (16  
6 U.S.C. 1531 et seq.).”.

○