

Union Calendar No. 254

112TH CONGRESS
2^D SESSION

H. R. 2606

[Report No. 112-373]

To authorize the Secretary of the Interior to allow the construction and operation of natural gas pipeline facilities in the Gateway National Recreation Area, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 21, 2011

Mr. GRIMM (for himself and Mr. MEEKS) introduced the following bill; which was referred to the Committee on Natural Resources

JANUARY 23, 2012

Additional sponsor: Mr. TURNER of New York

JANUARY 23, 2012

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on July 21, 2011]

A BILL

To authorize the Secretary of the Interior to allow the construction and operation of natural gas pipeline facilities in the Gateway National Recreation Area, and for other purposes.

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 “New York City Natural*
5 *Gas Supply Enhancement Act”.*

6 **SEC. 2. DEFINITIONS.**

7 *In this Act:*

8 (1) *ENTITY.*—*The term “entity” means an entity*
9 *holding a permit issued under this Act.*

10 (2) *LEASE.*—*The term “lease” means an agree-*
11 *ment that authorizes the occupancy and use of certain*
12 *designated premises for facilities associated with the*
13 *project, particularly a meter and regulating station.*

14 (3) *NATURAL GAS PIPELINE FACILITIES.*—*The*
15 *term “natural gas pipeline facilities” means pipeline*
16 *and related equipment necessary for the transmission*
17 *and distribution of natural gas, such as meters and*
18 *heating and pressure-regulating devices used in the*
19 *transportation of natural gas.*

20 (4) *PERMIT.*—*The term “permit” means any*
21 *permits, rights-of-way, or any other authorizations*
22 *necessary for the Secretary to authorize the construc-*
23 *tion, operation, and maintenance of natural gas pipe-*
24 *line facilities in the Gateway National Recreation*
25 *Area.*

1 (5) *PROJECT.*—The term “project” means the
2 natural gas pipeline facilities within Gateway Na-
3 tional Recreation Area, including the meter and regu-
4 lating station to be located at Floyd Bennett Field,
5 that are part of the Rockaway Delivery Lateral/
6 Brooklyn Queens Interconnect Project, as further de-
7 scribed in Federal Energy Regulatory Commission
8 (FERC) Docket No. PF09-8, and including author-
9 ized revisions to the project.

10 (6) *RENT.*—The term “rent” means any pay-
11 ment to the Secretary pursuant to a lease for occu-
12 pancy and use of designated premises to be made in
13 such a manner and at such intervals as determined
14 by the Secretary.

15 (7) *SECRETARY.*—The term “Secretary” means
16 the Secretary of the Interior, acting through the Di-
17 rector of the National Park Service.

18 **SEC. 3. PERMITTING INSTRUMENTS FOR NATURAL GAS**

19 **PIPELINE FACILITIES.**

20 (a) *IN GENERAL.*—The Secretary may issue permits
21 to authorize the construction, operation, and maintenance
22 of natural gas pipeline facilities, as provided by the project,
23 within Gateway National Recreation Area.

24 (b) *TERMS AND CONDITIONS.*—

1 (1) *Any rights-of-way or other permits issued for*
2 *the natural gas pipeline facilities under this section*
3 *shall be consistent with the laws and regulations gen-*
4 *erally applicable to utility rights-of-way within units*
5 *of the National Park System.*

6 (2) *Any permits issued under this section for the*
7 *natural gas pipeline facilities shall be subject to such*
8 *terms and conditions the Secretary deems appro-*
9 *priate.*

10 (3) *The Secretary shall charge a fee for any per-*
11 *mits issued under this section. The fees shall be based*
12 *on fair market value and shall also include costs in-*
13 *curring by the National Park Service in processing a*
14 *request for a permit; issuing a permit, if appropriate;*
15 *and monitoring the permitted activities.*

16 (4) *Any permits issued under this section shall*
17 *be for a term of 10 years, subject to renewal with any*
18 *changes to its terms and conditions mutually agreed*
19 *upon.*

20 (c) *ENFORCEMENT.*—*Failure to comply with, or a vio-*
21 *lation of, any term or condition of a permit may result*
22 *in a citation, or fine, or the suspension or revocation of*
23 *authorization to conduct the permitted activity.*

1 **SEC. 4. LEASE OF BUILDINGS.**

2 *The Secretary may enter into a non-competitive lease*
3 *with any entity to allow the occupancy and use of buildings*
4 *and associated properties on Floyd Bennett Field to house*
5 *facilities associated with the project, particularly a meter*
6 *and regulating station. Such lease shall—*

7 (1) *otherwise be subject to National Park Service*
8 *leasing regulations;*

9 (2) *provide for the restoration and maintenance*
10 *of the buildings and associated properties in accord-*
11 *ance with the Secretary of the Interior's Treatment*
12 *Standards for Historic Property (36 CFR Part 68),*
13 *Section 106 of the National Historic Preservation Act*
14 *(36 CFR 800), and any programmatic agreements;*

15 (3) *provide for appropriate rent for occupancy*
16 *and use of the property representing, at minimum*
17 *but not limited to, fair market value; and*

18 (4) *provide for monetary penalties for violations*
19 *of the lease.*

20 **SEC. 5. FEES.**

21 *Any fees and rent collected pursuant to this Act shall*
22 *be deposited in the Treasury of the United States.*

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