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112TH CONGRESS
2D SESSION

H. R. 2606

IN THE SENATE OF THE UNITED STATES

FEBRUARY 9, 2012
Received; read twice and referred to the Committee on Energy and Natural Resources

AN ACT

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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''New York City Natural Gas Supply Enhancement Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) ENTITY.—The term ''entity'' means an entity holding a permit issued under this Act.

(2) LEASE.—The term ''lease'' means an agreement that authorizes the occupancy and use of certain designated premises for facilities associated with the project, particularly a meter and regulating station.

(3) NATURAL GAS PIPELINE FACILITIES.—The term ''natural gas pipeline facilities'' means pipeline and related equipment necessary for the transmission and distribution of natural gas, such as meters and heating and pressure-regulating devices used in the transportation of natural gas.

(4) PERMIT.—The term ''permit'' means any permits, rights-of-way, or any other authorizations necessary for the Secretary to authorize the construction, operation, and maintenance of natural gas pipeline facilities in the Gateway National Recreation Area.

(5) PROJECT.—The term ''project'' means the natural gas pipeline facilities within Gateway Na-

tional Recreation Area, including the meter and regulating station to be located at Floyd Bennett Field, that are part of the Rockaway Delivery Lateral/Brooklyn Queens Interconnect Project, as further described in Federal Energy Regulatory Commission (FERC) Docket No. PF09–8, and including authorized revisions to the project.

(6) RENT.—The term ''rent'' means any payment to the Secretary pursuant to a lease for occupancy and use of designated premises to be made in such a manner and at such intervals as determined by the Secretary.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director of the National Park Service.

SEC. 3. PERMITTING INSTRUMENTS FOR NATURAL GAS PIPELINE FACILITIES.

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

(b) TERMS AND CONDITIONS.—

(1) Any rights-of-way or other permits issued for the natural gas pipeline facilities under this section shall be consistent with the laws and regulations

generally applicable to utility rights-of-way within units of the National Park System.

(2) Any permits issued under this section for the natural gas pipeline facilities shall be subject to such terms and conditions the Secretary deems appropriate.

(3) The Secretary shall charge a fee for any permits issued under this section. The fees shall be based on fair market value and shall also include costs incurred by the National Park Service in processing a request for a permit; issuing a permit, if appropriate; and monitoring the permitted activities.

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

(c) ENFORCEMENT.—Failure to comply with, or a violation of, any term or condition of a permit may result in a citation, or fine, or the suspension or revocation of authorization to conduct the permitted activity.

SEC. 4. LEASE OF BUILDINGS.

The Secretary may enter into a non-competitive lease with any entity to allow the occupancy and use of buildings and associated properties on Floyd Bennett Field to house

facilities associated with the project, particularly a meter and regulating station. Such lease shall—

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

(2) provide for the restoration and maintenance of the buildings and associated properties in accordance with the Secretary of the Interior's Treatment Standards for Historic Property (36 CFR Part 68), section 106 of the National Historic Preservation Act (36 CFR 800), and any programmatic agreements;

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

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

SEC. 5. FEES AND RENT.

(a) FEES.—The Secretary shall retain the portion of any fee assessed under section 3(b)(3) that is equal to the costs incurred in processing and issuing the permit request and monitoring the permitted activities, and the balance of the fee shall be deposited in the Treasury of the United States.

(b) RENT.—Any rent collected pursuant to section 4 shall be deposited in a special account in the Treasury

of the United States in accordance with section 3(k)(5) of Public Law 91–383 (16 U.S.C. 1a–2(k)(5)) and shall be available to the Secretary, without further appropriation and without fiscal year limitation, for infrastructure needs, resource protection, and visitor services at the Gateway National Recreation Area.

Passed the House of Representatives February 7, 2012.

Attest: KAREN L. HAAS,

Clerk.