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AMENDMENT TO H.R. 3221**OFFERED BY MR. BISHOP OF NEW YORK**

At the end of title IX, add the following new subtitle:

1 **Subtitle G—Liquified Natural Gas**
2 **Terminals**

3 **SEC. 9601. AMENDMENT.**

4 The Natural Gas Act (15 U.S.C. 717 et seq.) is
5 amended by inserting after section 3A the following new
6 section:

7 **“SEC. 3B. ADJACENT COASTAL STATES.**

8 “(a) DESIGNATION.—(1) The Commission, in issuing
9 notice of an application filed under section 3(e), shall designate
10 as an adjacent coastal State any coastal State—

11 “(A) which would be directly connected by pipeline
12 to the LNG terminal, as proposed in the application;
13 cation;

14 “(B) which would be located within 15 miles of
15 the LNG terminal proposed in the application; or

16 “(C) with respect to which the Commission
17 makes a determination under paragraph (2).

18 “(2) The Commission shall, upon request of a State,
19 and after having received the recommendations of the Ad-

1 administrator of the Environmental Protection Agency, des-
2 ignate such State as an adjacent coastal State if the Sec-
3 retary determines that there is a risk of damage to the
4 coastal environment of such State equal to or greater than
5 the risk posed to a State designated under paragraph
6 (1)(A). This paragraph shall apply only with respect to
7 requests made by a State not later than the 14th day after
8 the date of publication of the notice described in para-
9 graph (1). The Commission shall make the designation re-
10 quired by this paragraph not later than the 45th day after
11 the date it receives such a request from a State.

12 “(b) APPROVAL OF APPLICATIONS.—Not later than
13 10 days after the designation of an adjacent coastal State
14 under subsection (a), the Commission shall transmit a
15 complete copy of the relevant application to the Governor
16 of the adjacent coastal State. The Commission shall not
17 approve the application under section 3(e) without the ap-
18 proval of the Governor of each adjacent coastal State. If
19 a Governor fails to transmit approval or disapproval to
20 the Commission not later than 45 days after the last pub-
21 lic hearing on the application, the Governor’s approval
22 shall be conclusively presumed. If a Governor notifies the
23 Commission that an application, which would otherwise be
24 approved by the Commission, is inconsistent with State
25 programs relating to environmental protection, land and

1 water use, or coastal zone management, the Commission
2 shall condition the approval granted so as to make it con-
3 sistent with such State programs.

4 “(c) OTHER INTERESTED STATES.—Any other inter-
5 ested State shall be given the opportunity to make its
6 views known to, and shall be given full consideration by,
7 the Commission regarding the siting, construction, expan-
8 sion, or operation of an LNG terminal.

9 “(d) PROGRESS TOWARD DEVELOPMENT OF COAST-
10 AL ZONE MANAGEMENT PROGRAM.—The Commission
11 shall not approve an application under section 3(e) unless
12 each adjacent coastal State to which the LNG terminal
13 is to be directly connected by pipeline has developed, or
14 is making, at the time the application is submitted, rea-
15 sonable progress toward developing an approved coastal
16 zone management program pursuant to the Coastal Zone
17 Management Act of 1972 (16 U.S.C. 1451 et seq.) in the
18 area of the coastal zone to be directly and primarily im-
19 pacted by land and water development resulting from such
20 LNG terminal. For the purposes of this subsection, a
21 State shall be considered to be making reasonable progress
22 if it has received or is receiving a planning grant pursuant
23 to section 306 of the Coastal Zone Management Act of
24 1972 (16 U.S.C. 1455).

1 “(e) STATE AGREEMENTS OR COMPACTS.—The con-
2 sent of Congress is given to 2 or more coastal States to
3 negotiate and enter into agreements or compacts, not in
4 conflict with any law or treaty of the United States—

5 “(1) to submit an application under section
6 3(e), or for the transfer of rights conferred by the
7 approval of such an application; and

8 “(2) to establish such agencies, joint or other-
9 wise, as are necessary or appropriate for imple-
10 menting and carrying out the provisions of any such
11 agreement or compact.

12 Such agreement or compact shall be binding and obliga-
13 tory upon any State or party thereto without further ap-
14 proval by Congress.”.

Amend the table of contents accordingly.