

117TH CONGRESS  
2D SESSION

# H. R. 8847

To amend the Natural Gas Act to bolster fairness and transparency in consideration of interstate natural gas pipelines, to provide for greater public input opportunities, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 15, 2022

Mr. GRIFFITH (for himself and Mr. CLINE) introduced the following bill;  
which was referred to the Committee on Energy and Commerce

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## A BILL

To amend the Natural Gas Act to bolster fairness and transparency in consideration of interstate natural gas pipelines, to provide for greater public input opportunities, 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 “Pipeline Fairness and  
5       Transparency Act”.

6       **SEC. 2. EMINENT DOMAIN.**

7       (a) STATEMENT OF POLICY.—It is the policy of the  
8       United States to protect the rights of citizens of the

1 United States to their private property, including by lim-  
2 iting the taking of private property by the Federal Govern-  
3 ment to situations in which the taking is for public use,  
4 with just compensation, and to benefit the general public,  
5 and not merely to advance the economic interests of pri-  
6 vate parties that would be given ownership or use of the  
7 property taken.

8 (b) JUST COMPENSATION.—Section 7(h) of the Nat-  
9 ural Gas Act (15 U.S.C. 717f(h)) is amended—

10 (1) by striking “(h) When any holder” and in-  
11 sserting the following:

12 “(h) EMINENT DOMAIN.—

13 “(1) IN GENERAL.—When any holder”;

14 (2) in the second sentence—

15 (A) by striking “The practice” and insert-  
16 ing the following:

17 “(2) PRACTICE AND PROCEDURE.—

18 “(A) IN GENERAL.—Subject to subpara-  
19 graph (B), the practice”;

20 (B) by striking “is situated:” and inserting  
21 “is situated.”; and

22 (C) by striking “*Provided*, That the” and  
23 inserting the following:

24 “(B) LIMITATION.—The”; and

25 (3) by adding at the end the following:



1 cation for a certificate of public conven-  
2 ience and necessity under section 7.

3 “(B) PROJECT.—The term ‘project’ means  
4 a project for the construction or extension of fa-  
5 cilities for the transportation in interstate com-  
6 merce of natural gas that requires Federal au-  
7 thorization.

8 “(2) SUPPLEMENTAL ENVIRONMENTAL IMPACT  
9 STATEMENTS.—

10 “(A) IN GENERAL.—With respect to an ap-  
11 plication for Federal authorization, the Com-  
12 mission shall prepare a supplement to a draft  
13 environmental impact statement or a final envi-  
14 ronmental impact statement if—

15 “(i) the Commission makes a substan-  
16 tial change in the proposed action that is  
17 relevant to environmental concerns; or

18 “(ii) there are significant new cir-  
19 cumstances or information relevant to envi-  
20 ronmental concerns and bearing on the  
21 proposed action or its impacts.

22 “(B) MITIGATION PLANS.—If a draft envi-  
23 ronmental impact statement prepared with re-  
24 spect to an application for Federal authoriza-  
25 tion does not include information about mitiga-

1           tion plans for adverse impacts that cannot rea-  
2           sonably be avoided, a supplemental environ-  
3           mental impact statement shall be prepared that  
4           includes such information.

5           “(3) PUBLIC MEETING REQUIREMENTS.—In  
6           complying with the National Environmental Policy  
7           Act of 1969 (42 U.S.C. 4321 et seq.) with respect  
8           to an application for Federal authorization, the  
9           Commission shall ensure that any public meeting  
10          shall be held—

11                   “(A) in each county or equivalent subdivi-  
12                   sion in which the project will be located; and

13                   “(B) during each period of public comment  
14                   following, if applicable, publication of—

15                           “(i) a draft environmental impact  
16                           statement;

17                           “(ii) a final environmental impact  
18                           statement; and

19                           “(iii) any supplemental environmental  
20                           impact statement.”.

21 **SEC. 4. IMPACTS ON CRITICAL NATURAL RESOURCES.**

22          Subsection (g) of section 15 of the Natural Gas Act  
23          (15 U.S.C. 717n) (as added by section 3) is amended by  
24          adding at the end the following:

25                   “(4) NATIONAL SCENIC TRAILS.—

1           “(A) IN GENERAL.—In preparing an envi-  
2           ronmental impact statement with respect to an  
3           application for Federal authorization for a  
4           project, any evaluation of the visual impacts of  
5           the project on a national scenic trail designated  
6           by the National Trails System Act (16 U.S.C.  
7           1241 et seq.) in the environmental impact  
8           statement shall—

9                   “(i) consider the cumulative visual im-  
10                  pacts of any similar proposed project—

11                           “(I) for which an application for  
12                           Federal authorization is in the pre-fil-  
13                           ing or filing stage; and

14                           “(II) that impacts the same na-  
15                           tional scenic trail within 100 miles of  
16                           the first project; and

17                           “(ii) include visual impact simulations  
18                           depicting leaf-on and leaf-off views at each  
19                           location where major visual impacts occur,  
20                           as identified, authenticated, and justified  
21                           during the period of public comment pre-  
22                           ceding the publication of a draft environ-  
23                           mental impact statement by the head of  
24                           the Federal agency or independent agency

1           administering the land at the applicable lo-  
2           cation.

3           “(B) NATIONAL FOREST MANAGEMENT  
4           PLANS.—No amendment to a National Forest  
5           management plan under the Forest and Range-  
6           land Renewable Resources Planning Act of  
7           1974 (16 U.S.C. 1600 et seq.) shall be consid-  
8           ered, pursuant to an application for Federal au-  
9           thorization, if the result of the amendment  
10          would substantially interfere with the nature  
11          and purposes of a national scenic trail des-  
12          ignated by the National Trails System Act (16  
13          U.S.C. 1241 et seq.).”.

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