

AMENDMENT TO RULES COMMITTEE PRINT 112-

28

OFFERED BY MR. MACK OF FLORIDA

Page 43, line 13, strike “If” and insert the following:

1 (A) If

Page 44, after line 3, insert the following:

2 (B) In the case of the Keystone XL pipe-
3 line project described in the application filed on
4 May 4, 2012, by TransCanada Corporation to
5 the Department of State, the following require-
6 ments shall apply:

7 (i) The lead agency shall issue a sup-
8 plemental environmental impact statement
9 solely addressed to the environmental im-
10 pacts relating to the alternative route pro-
11 posed by the State of Nebraska not later
12 than 45 days after the date on which the
13 alternative pipeline route approved by the
14 Governor of Nebraska is transmitted to the
15 lead agency.

1 (ii) The final environmental impact
2 statement issued on August 6, 2011, by
3 the Department of State concerning the
4 Keystone XL pipeline shall not be re-
5 opened and, except as provided in clause
6 (i), is deemed to satisfy all requirements
7 under the National Environmental Policy
8 Act of 1969.

9 (iii) The biological opinion issued on
10 September 23, 2011, by the United States
11 Fish and Wildlife Service concerning the
12 Keystone XL pipeline shall not be re-
13 opened and, except as provided in clause
14 (iv), is deemed to satisfy all requirements
15 under the Endangered Species Act of
16 1973.

17 (iv) The lead agency and the United
18 States Fish and Wildlife Service shall issue
19 a supplemental biological opinion under the
20 Endangered Species Act of 1973 solely ad-
21 dressed to whether the alternative pipeline
22 route proposed by the State of Nebraska is
23 likely to jeopardize the continued existence
24 of any species included in a list of endan-
25 gered species or threatened species issued

1 under that Act or result in the destruction
2 or adverse modification of critical habitat
3 designated under that Act, by not later
4 than 45 days after the date on which the
5 alternative pipeline route approved by the
6 Governor of Nebraska is transmitted to the
7 lead agency.

8 (v) The lead agency shall issue or
9 deny, pursuant to Executive Order 13337,
10 a Presidential Permit for the Keystone XL
11 pipeline project not later than 60 days
12 after the date on which the alternative
13 pipeline route approved by the Governor of
14 Nebraska is transmitted to the lead agen-
15 cy.

Page 65, line 12, strike “The” and insert “Except
as provided in subsection (d)(3)(B), the”.

