To provide that a project for the deployment or modification of a communications facility entirely within a brownfield site is not subject to requirements to prepare certain environmental or historical preservation reviews.

IN THE HOUSE OF REPRESENTATIVES

February 15, 2021

Mr. Walberg introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide that a project for the deployment or modification of a communications facility entirely within a brownfield site is not subject to requirements to prepare certain environmental or historical preservation reviews.

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

3 SECTION 1. SHORT TITLE.

4 This Act may be cited as the “Brownfields Broadband Deployment Act”.

5
SEC. 2. APPLICATION OF NEPA AND NHPA TO BROWNFIELDS.

(a) NEPA EXEMPTION.—A covered project shall not be subject to the requirements of section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

(b) NATIONAL HISTORIC PRESERVATION ACT EXEMPTION.—A covered project shall not be considered an undertaking under section 300320 of title 54, United States Code.

(c) DEFINITIONS.—In this section:

(1) COMMISSION.—The term “Commission” means the Federal Communications Commission.

(2) COMMUNICATIONS FACILITY.—The term “communications facility” includes—

(A) any wireless or wireline infrastructure for the transmission of writing, signs, signals, data, images, pictures, or sounds of all kinds;

(B) any transmitting device, tower, or support structure, and any equipment, switches, wiring, cabling, power sources, shelters, or cabinets, associated with the provision of communications service; and

(C) any antenna or apparatus that—

(i) is designed for the purpose of emitting radio frequency;
(ii) is designed to be operated, or is operating, from a fixed location; and

(iii) is added to a tower, building, or other structure.

(3) **COMMUNICATIONS SERVICE.**—The term “communications service” means a service for the transmission of writing, signs, signals, data, images, pictures, or sounds of all kinds.

(4) **COVERED PROJECT.**—The term “covered project” means a project—

(A) for the deployment or modification of a communications facility that is to be carried out entirely within a brownfield site (as defined in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601)); and

(B) for which a permit, license, or approval from the Commission is required or that is otherwise subject to the jurisdiction of the Commission.