H. R. 8418

To amend titles 46 and 49, United States Code, to streamline the environmental review process for major projects, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 19, 2022

Mr. RODNEY DAVIS of Illinois introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend titles 46 and 49, United States Code, to streamline the environmental review process for major projects, 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,
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4 SECTION 1. SHORT TITLE.
5 This Act may be cited as the “One Federal Decision
6 Act 1.3”.
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8 SEC. 2. ONE FEDERAL DECISION FOR PORTS.
9 (a) IN GENERAL.—Chapter 543 of title 46, United
10 States Code, is amended by adding at the end the fol-
11 lowing:
$54302. Efficient environmental reviews and one
Federal decision

“(a) Efficient Environmental Reviews.—

“(1) In general.—The Secretary of Transportation shall apply the project development procedures, to the greatest extent feasible, described in section 139 of title 23 to any port infrastructure project that requires the approval of the Secretary under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(2) Regulations and procedures.—In carrying out paragraph (1), the Secretary shall incorporate into agency regulations and procedures pertaining to port infrastructure projects described in paragraph (1) aspects of such project development procedures, or portions thereof, determined appropriate by the Secretary in a manner consistent with this section, that increase the efficiency of the review of port infrastructure projects.

“(3) Discretion.—The Secretary may choose not to incorporate into agency regulations and procedures pertaining to port infrastructure projects described in paragraph (1) such project development procedures that could only feasibly apply to highway projects, public transportation capital projects, and multimodal projects.
“(4) APPLICABILITY.—Subsection (l) of section 139 of title 23 shall apply to port infrastructure projects described in paragraph (1), except that the limitation on claims of 150 days shall be 2 years.

“(b) ADDITIONAL CATEGORICAL EXCLUSIONS.—The Secretary shall maintain and make publicly available, including on the Internet, a database that identifies project-specific information on the use of a categorical exclusion on any port infrastructure project carried out under this title.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 601 of title 49, United States Code, is amended by adding at the end the following:

“54302. Efficient environmental reviews and one Federal decision.”.

SEC. 3. ONE FEDERAL DECISION FOR PIPELINES.

(a) IN GENERAL.—Chapter 601 of title 49, United States Code, is amended by adding at the end the following:

§60144. Efficient environmental reviews and one Federal decision

“(a) EFFICIENT ENVIRONMENTAL REVIEWS.—

“(1) IN GENERAL.—The Secretary of Transportation shall apply the project development procedures, to the greatest extent feasible, described in section 139 of title 23 to any pipeline project that requires the approval of the Secretary under the Na-
tional Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(2) REGULATIONS AND PROCEDURES.—In carrying out paragraph (1), the Secretary shall incorporate into agency regulations and procedures pertaining to pipeline projects described in paragraph (1) aspects of such project development procedures, or portions thereof, determined appropriate by the Secretary in a manner consistent with this section, that increase the efficiency of the review of pipeline projects.

“(3) DISCRETION.—The Secretary may choose not to incorporate into agency regulations and procedures pertaining to pipeline projects described in paragraph (1) such project development procedures that could only feasibly apply to highway projects, public transportation capital projects, and multimodal projects.

“(4) APPLICABILITY.—Subsection (l) of section 139 of title 23 shall apply to pipeline projects described in paragraph (1).

“(b) ADDITIONAL CATEGORICAL EXCLUSIONS.—The Secretary shall maintain and make publicly available, including on the Internet, a database that identifies project-
specific information on the use of a categorical exclusion
on any pipeline project carried out under this title.”.

(b) CLERICAL AMENDMENT.—The analysis for chap-
ter 601 of title 49, United States Code, is amended by
adding at the end the following:

“60144. Efficient environmental reviews and one Federal decision.”.

6 SEC. 4. ONE FEDERAL DECISION FOR AIRPORTS AND AVIA-
TION.

Section 47171 of title 49, United States Code, is
amended—

(1) by striking subsection (a) and inserting the
following:

“(a) Aviation Project Review Process.—The
Secretary of Transportation shall apply the project devel-
opment procedures, to the greatest extent feasible, de-
scribed in section 139 of title 23 to any airport or aviation
project that requires the approval of the Secretary under
the National Environmental Policy Act of 1969 (42 U.S.C.
4321 et seq.).”;

(2) in subsection (b) by striking “coordinated
and expedited environmental review process require-
ments set forth in this section” and inserting
“project development procedures described in sub-
section (a)”;

(3) by striking subsections (c) through (m) and
inserting the following:
“(c) Efficient Environmental Reviews.—

“(1) Regulations and Procedures.—In carrying out subsection (a), the Secretary shall incorporate into agency regulations and procedures pertaining to airport or aviation projects described in subsection (b) aspects of such project development procedures, or portions thereof, determined appropriate by the Secretary in a manner consistent with this section, that increase the efficiency of the review of such projects.

“(2) Discretion.—The Secretary may choose not to incorporate into agency regulations and procedures pertaining to airport or aviation projects described in subsection (b) such project development procedures that could only feasibly apply to highway projects, public transportation capital projects, and multimodal projects.

“(3) Applicability.—Subsection (l) of section 139 of title 23 shall apply to airport or aviation projects described in subsection (b).

“(d) Additional Categorical Exclusions.—The Secretary shall maintain and make publicly available, including on the Internet, a database that identifies project-specific information on the use of a categorical exclusion
on any airport or aviation project carried out under this

title.”.

SEC. 5. EFFICIENT ENVIRONMENTAL REVIEWS.

Section 24201(a)(4) of title 49, United States Code,
is amended by striking “, except that the limitation on
claims of 150 days shall be 2 years”.

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