

114TH CONGRESS
1ST SESSION

S. 769

To streamline the permit process for rail and transit infrastructure.

IN THE SENATE OF THE UNITED STATES

MARCH 18, 2015

Mr. BLUNT (for himself, Mr. MANCHIN, and Mr. THUNE) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To streamline the permit process for rail and transit infrastructure.

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 “Track, Railroad, and
5 Infrastructure Network Act”.

6 **SEC. 2. PRESERVATION OF PUBLIC LANDS.**

7 (a) HIGHWAYS.—Section 138 of title 23, United
8 States Code, is amended—

9 (1) in subsection (b), by adding at the end the
10 following:

1 “(4) MITIGATION.—The Secretary may make a
2 finding of de minimis impact under this subsection
3 as a result of mitigation undertaken pursuant to a
4 review of a program or project pursuant to section
5 106 of the National Historic Preservation Act (16
6 U.S.C. 470f).”; and

7 (2) by adding at the end the following:

8 “(c) RAIL AND TRANSIT.—Improvements to, or the
9 maintenance, rehabilitation, or operation of, railroad or
10 rail transit lines or elements of such lines, with the excep-
11 tion of stations, that are in use or were historically used
12 for the transportation of goods or passengers, shall not
13 be considered a use of an historic site under subsection
14 (a), regardless of whether the railroad or rail transit line
15 or element of such line is listed on, or eligible for listing
16 on, the National Register of Historic Places.”.

17 (b) TRANSPORTATION PROJECTS.—Section 303 of
18 title 49, United States Code, is amended—

19 (1) in subsection (c), by striking “subsection
20 (d)” and inserting “subsections (d) and (e)”;
21 (2) in subsection (d), by adding at the end the

22 following:

23 “(4) MITIGATION.—The Secretary may make a
24 finding of de minimis impact under this subsection
25 as a result of mitigation undertaken pursuant to a

1 review of a program or project pursuant to section
 2 106 of the National Historic Preservation Act (16
 3 U.S.C. 470f).”; and

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

5 “(e) RAIL AND TRANSIT.—Improvements to, or the
 6 maintenance, rehabilitation, or operation of, railroad or
 7 rail transit lines or elements of such lines, with the excep-
 8 tion of stations, that are in use or were historically used
 9 for the transportation of goods or passengers, shall not
 10 be considered a use of an historic site under subsection
 11 (c), regardless of whether the railroad or rail transit line
 12 or element of such line is listed on, or eligible for listing
 13 on, the National Register of Historic Places.”.

14 **SEC. 3. EFFICIENT ENVIRONMENTAL REVIEWS.**

15 (a) IN GENERAL.—Section 304 of title 49, United
 16 States Code, is amended—

17 (1) in the section heading, by striking “**for**
 18 **multimodal projects**” and inserting “**and in-**
 19 **creasing the efficiency of environmental**
 20 **reviews**”; and

21 (2) by adding at the end the following:

22 “(e) EFFICIENT ENVIRONMENTAL REVIEWS.—Any
 23 rail project that requires the approval of the Secretary of
 24 Transportation shall be subject to the project development
 25 procedures set forth in section 139 of title 23.

1 “(f) APPLICABILITY OF NEPA DECISIONS.—Any en-
2 vironmental impact statement, categorical exclusion, or
3 other decision relating to a transportation project that is
4 issued by an agency of the Department of Transportation
5 under the National Environmental Policy Act of 1969 (42
6 U.S.C. 4321 et seq.) shall be available to any rail project
7 to which such statement, exclusion, or decision reasonably
8 applies.”.

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