

118TH CONGRESS
1ST SESSION

H. R. 3311

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

IN THE HOUSE OF REPRESENTATIVES

MAY 15, 2023

Mr. BILIRAKIS (for himself and Mr. DUNN of Florida) 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 floodplain is not subject to requirements to prepare certain environmental or historical preservation reviews.

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 “Coastal Broadband
5 Deployment Act”.

1 **SEC. 2. APPLICATION OF NEPA AND NHPA TO**
2 **FLOODPLAINS.**

3 (a) NEPA EXEMPTION.—A Federal authorization
4 with respect to a covered project may not be considered
5 a major Federal action under section 102(2)(C) of the Na-
6 tional Environmental Policy Act of 1969 (42 U.S.C.
7 4332(2)(C)).

8 (b) NATIONAL HISTORIC PRESERVATION ACT EX-
9 EMPTION.—A covered project may not be considered an
10 undertaking under section 300320 of title 54, United
11 States Code.

12 (c) DEFINITIONS.—In this section:

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

15 (2) COMMUNICATIONS FACILITY.—The term
16 “communications facility” has the meaning given the
17 term “communications facility installation” in sec-
18 tion 6409(d) of the Middle Class Tax Relief and Job
19 Creation Act of 2012 (47 U.S.C. 1455(d)).

20 (3) COVERED PROJECT.—The term “covered
21 project” means a project—

22 (A) for the deployment or modification of
23 a communications facility that is to be carried
24 out entirely within a floodplain (as defined in
25 section 9.4 of title 44, Code of Federal Regula-

1 tions, as in effect on the date of the enactment
2 of this Act); and

3 (B) for which a permit, license, or approval
4 from the Commission is required or that is oth-
5 erwise subject to the jurisdiction of the Com-
6 mission.

7 (4) FEDERAL AUTHORIZATION.—The term
8 “Federal authorization”—

9 (A) means any authorization required
10 under Federal law with respect to a covered
11 project; and

12 (B) includes any permits, special use au-
13 thorizations, certifications, opinions, or other
14 approvals as may be required under Federal law
15 with respect to a covered project.

○