

118TH CONGRESS
1ST SESSION

H. R. 3316

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

MAY 15, 2023

Mr. CRAWFORD 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,*

3 **SECTION 1. ONE FEDERAL DECISION FOR PORTS.**

4 (a) IN GENERAL.—Chapter 543 of title 46, United
5 States Code, is amended by adding at the end the fol-
6 lowing:

7 **“§ 54302. Efficient environmental reviews and one**
8 **Federal decision**

9 **“(a) EFFICIENT ENVIRONMENTAL REVIEWS.—**

1 “(1) IN GENERAL.—The Secretary of Transpor-
2 tation shall apply the project development proce-
3 dures, to the greatest extent feasible, described in
4 section 139 of title 23 to any port infrastructure
5 project that requires the approval of the Secretary
6 under the National Environmental Policy Act of
7 1969 (42 U.S.C. 4321 et seq.).

8 “(2) REGULATIONS AND PROCEDURES.—In car-
9 rying out paragraph (1), the Secretary shall incor-
10 porate into agency regulations and procedures per-
11 taining to port infrastructure projects described in
12 paragraph (1) aspects of such project development
13 procedures, or portions thereof, determined appro-
14 priate by the Secretary in a manner consistent with
15 this section, that increase the efficiency of the review
16 of port infrastructure projects.

17 “(3) DISCRETION.—The Secretary may choose
18 not to incorporate into agency regulations and proce-
19 dures pertaining to port infrastructure projects de-
20 scribed in paragraph (1) such project development
21 procedures that could only feasibly apply to highway
22 projects, public transportation capital projects, and
23 multimodal projects.

24 “(4) APPLICABILITY.—Subsection (1) of section
25 139 of title 23 shall apply to port infrastructure

1 projects described in paragraph (1), except that the
2 limitation on claims of 150 days shall be 2 years.

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

9 (b) **CLERICAL AMENDMENT.**—The analysis for chap-
10 ter 543 of title 46, United States Code, is amended by
11 adding at the end the following:

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

12 **SEC. 2. ONE FEDERAL DECISION FOR PIPELINES.**

13 (a) **IN GENERAL.**—Chapter 601 of title 49, United
14 States Code, is amended by adding at the end the fol-
15 lowing:

16 **“§ 60144. Efficient environmental reviews and one**
17 **Federal decision**

18 “(a) **EFFICIENT ENVIRONMENTAL REVIEWS.**—

19 “(1) **IN GENERAL.**—The Secretary of Transpor-
20 tation shall apply the project development proce-
21 dures, to the greatest extent feasible, described in
22 section 139 of title 23 to any pipeline project that
23 requires the approval of the Secretary under the Na-
24 tional Environmental Policy Act of 1969 (42 U.S.C.
25 4321 et seq.).

1 “(2) REGULATIONS AND PROCEDURES.—In car-
2 rying out paragraph (1), the Secretary shall incor-
3 porate into agency regulations and procedures per-
4 taining to pipeline projects described in paragraph
5 (1) aspects of such project development procedures,
6 or portions thereof, determined appropriate by the
7 Secretary in a manner consistent with this section,
8 that increase the efficiency of the review of pipeline
9 projects.

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

17 “(4) APPLICABILITY.—Subsection (l) of section
18 139 of title 23 shall apply to pipeline projects de-
19 scribed in paragraph (1).

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

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

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

4 **SEC. 3. ONE FEDERAL DECISION FOR AIRPORTS AND AVIA-**
5 **TION.**

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

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

10 “(a) AVIATION PROJECT REVIEW PROCESS.—The
11 Secretary of Transportation shall apply the project devel-
12 opment procedures, to the greatest extent feasible, de-
13 scribed in section 139 of title 23 to any airport or aviation
14 project that requires the approval of the Secretary under
15 the National Environmental Policy Act of 1969 (42 U.S.C.
16 4321 et seq.)”;

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

22 (3) by striking subsections (c) through (m) and
23 inserting the following:

24 “(c) EFFICIENT ENVIRONMENTAL REVIEWS.—

1 “(1) REGULATIONS AND PROCEDURES.—In car-
2 rying out subsection (a), the Secretary shall incor-
3 porate into agency regulations and procedures per-
4 taining to airport or aviation projects described in
5 subsection (b) aspects of such project development
6 procedures, or portions thereof, determined appro-
7 priate by the Secretary in a manner consistent with
8 this section, that increase the efficiency of the review
9 of such projects.

10 “(2) DISCRETION.—The Secretary may choose
11 not to incorporate into agency regulations and proce-
12 dures pertaining to airport or aviation projects de-
13 scribed in subsection (b) such project development
14 procedures that could only feasibly apply to highway
15 projects, public transportation capital projects, and
16 multimodal projects.

17 “(3) APPLICABILITY.—Subsection (l) of section
18 139 of title 23 shall apply to airport or aviation
19 projects described in subsection (b).

20 “(d) ADDITIONAL CATEGORICAL EXCLUSIONS.—The
21 Secretary shall maintain and make publicly available, in-
22 cluding on the Internet, a database that identifies project-
23 specific information on the use of a categorical exclusion
24 on any airport or aviation project carried out under this
25 title.”.

1 **SEC. 4. EFFICIENT ENVIRONMENTAL REVIEWS.**

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

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