AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 7
OFFERED BY MR. REED OF NEW YORK

At the end of title III, add the following:

SEC. 30. CATEGORICAL EXCLUSIONS FOR CERTAIN HIGHWAY CONSTRUCTION ACTIVITIES.

(a) ISSUANCE.—The Secretary shall issue categorical exclusions from the requirement that an environmental assessment or an environmental impact statement under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) be prepared for the following actions:

(1) Bridge preventative maintenance, rehabilitation, or replacement activities that—

(A) occur on a bridge that is not on the Interstate System; and

(B) in the case of a bridge replacement, occur on a bridge that is on or near the existing roadway alignment, with a width functionally consistent with the existing or planned roadway.

(2) Modernization of a highway (other than a highway on the Interstate System) by resurfacing, restoration, rehabilitation, reconstruction, adding
shoulders, or adding auxiliary lanes (e.g., parking, weaving, turning, climbing).

(3) Public and private utilities rehabilitation, reconstruction, and replacement along or within an existing or planned highway right-of-way.

(b) Effect of Categorical Exclusions.—In developing categorical exclusions under subsection (a), the Secretary shall ensure that the actions described in subsection (a) receive the treatment provided for actions under section 771.117(c) of title 23, Code of Federal Regulations, as in effect on the date of enactment of this Act.

(c) Definitions.—In this section, the following definitions apply:

(1) Interstate System.—The term “Interstate System” has the meaning given that term in section 101 of title 23, United States Code.

(2) Public and Private Utilities.—the term “public and private utilities” means public and private highway and drainage appurtenances, including water, sewer, street lighting, gas, and telecommunications facilities and equipment.