

112TH CONGRESS
1ST SESSION

H. R. 3327

To direct the Secretary of Transportation to issue categorical exclusions from environmental assessment requirements for certain highway construction activities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 2, 2011

Mr. REED (for himself, Mr. OWENS, Mr. GUINTA, Mr. CRAWFORD, Mr. GOSAR, Mr. BROUN of Georgia, and Mr. WESTMORELAND) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To direct the Secretary of Transportation to issue categorical exclusions from environmental assessment requirements for certain highway construction activities, 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. SHORT TITLE.**

4 This Act may be cited as the “Beneficial Upgrades
5 for Investment and Local Development of Bridges Act of
6 2011”.

1 **SEC. 2. CATEGORICAL EXCLUSIONS FOR CERTAIN HIGH-**
2 **WAY CONSTRUCTION ACTIVITIES.**

3 (a) **ISSUANCE.**—The Secretary of Transportation
4 shall issue categorical exclusions from the requirement
5 that an environmental assessment or an environmental im-
6 pact statement under section 102 of the National Environ-
7 mental Policy Act of 1969 (42 U.S.C. 4332) be prepared
8 for the following actions:

9 (1) Bridge preventative maintenance, rehabilita-
10 tion, or replacement activities that—

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

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

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

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

25 (b) **EFFECT OF CATEGORICAL EXCLUSIONS.**—In de-
26 veloping categorical exclusions under subsection (a), the

1 Secretary shall ensure that the actions described in sub-
2 section (a) receive the treatment provided for actions
3 under section 771.117(c) of title 23, Code of Federal Reg-
4 ulations, as in effect on the date of enactment of this Act.

5 (c) DEFINITIONS.—In this section, the following defi-
6 nitions apply:

7 (1) INTERSTATE SYSTEM.—The term “Inter-
8 state System” has the meaning given that term in
9 section 101 of title 23, United States Code.

10 (2) PUBLIC AND PRIVATE UTILITIES.—the term
11 “public and private utilities” means public and pri-
12 vate highway and drainage appurtenances, including
13 water, sewer, street lighting, gas, and telecommuni-
14 cations facilities and equipment.

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