

[~118H1430]

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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To amend the National Environmental Policy Act of 1969 to allow Federal agencies to rely on certain previously completed environmental assessments and environmental impact statements to satisfy the requirements of the National Environmental Policy Act of 1969, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. VALADAO introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the National Environmental Policy Act of 1969 to allow Federal agencies to rely on certain previously completed environmental assessments and environmental impact statements to satisfy the requirements of the National Environmental Policy Act of 1969, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Determination of
3 NEPA Adequacy Streamlining Act”.

4 **SEC. 2. RELIANCE ON PREVIOUSLY COMPLETED ENVIRON-**
5 **MENTAL ASSESSMENTS AND ENVIRON-**
6 **MENTAL IMPACT STATEMENTS.**

7 Section 108 of the National Environmental Policy
8 Act of 1969 (42 U.S.C. 4336b) is amended—

9 (1) in the heading by striking “**PRO-**
10 **GRAMMATIC ENVIRONMENTAL DOCUMENT**” and
11 inserting “**PROGRAMMATIC ENVIRONMENTAL**
12 **DOCUMENTS AND RELIANCE ON PREVIOUSLY**
13 **COMPLETED ENVIRONMENTAL DOCUMENTS**”;

14 (2) by striking “When an agency prepares” and
15 inserting the following:

16 “(a) PROGRAMMATIC ENVIRONMENTAL DOCU-
17 MENTS.—When an agency prepares”; and

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

19 “(b) RELIANCE ON PREVIOUSLY COMPLETED ENVI-
20 RONMENTAL DOCUMENTS.—

21 “(1) ACTIONS THAT ARE SUBSTANTIALLY THE
22 SAME.—A lead agency may satisfy the requirements
23 of this Act with respect to a new major Federal ac-
24 tion by relying on an environmental assessment or
25 environmental impact statement that the lead agen-
26 cy, another Federal agency, or a project sponsor

1 under the supervision of a Federal agency completed
2 for another major Federal action if the lead agency
3 determines that—

4 “(A) the new major Federal action is sub-
5 stantially the same as the other major Federal
6 action or an alternative analyzed in such envi-
7 ronmental assessment or environmental impact
8 statement; and

9 “(B) the effects of the new major Federal
10 action are substantially the same as the effects
11 analyzed in such environmental assessment or
12 environmental impact statement.

13 “(2) ACTIONS THAT ARE NOT SUBSTANTIALLY
14 THE SAME.—If a new major Federal action is not
15 substantially the same as another major Federal ac-
16 tion or an alternative analyzed in an environmental
17 assessment or environmental impact statement com-
18 pleted by the lead agency, another Federal agency,
19 or a project sponsor under the supervision of a Fed-
20 eral agency, the lead agency may modify any such
21 previously completed environmental assessment or
22 environmental impact statement as necessary to sat-
23 isfy the requirements of this Act with respect to the
24 new major Federal action. The lead agency shall
25 make such modified environmental assessment or en-

1 vironmental impact statement publicly available as a
2 new environmental assessment or environmental im-
3 pact statement.”.