

117TH CONGRESS
1ST SESSION

H. R. 1039

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

FEBRUARY 15, 2021

Mr. BILIRAKIS 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 covered project shall not
4 be subject to the requirements of section 102(2)(C) of the
5 National Environmental Policy Act of 1969 (42 U.S.C.
6 4332(2)(C)).

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

11 (c) DEFINITIONS.—In this section:

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

14 (2) COMMUNICATIONS FACILITY.—The term
15 “communications facility” includes—

16 (A) any wireless or wireline infrastructure
17 for the transmission of writing, signs, signals,
18 data, images, pictures, or sounds of all kinds;

19 (B) any transmitting device, tower, or sup-
20 port structure, and any equipment, switches,
21 wiring, cabling, power sources, shelters, or cabi-
22 nets, associated with the provision of commu-
23 nications service; and

24 (C) any antenna or apparatus that—

25 (i) is designed for the purpose of
26 emitting radio frequency;

1 (ii) is designed to be operated, or is
2 operating, from a fixed location; and

3 (iii) is added to a tower, building, or
4 other structure.

5 (3) COMMUNICATIONS SERVICE.—The term
6 “communications service” means a service for the
7 transmission of writing, signs, signals, data, images,
8 pictures, or sounds of all kinds.

9 (4) COVERED PROJECT.—The term “covered
10 project” means a project—

11 (A) for the deployment or modification of
12 a communications facility that is to be carried
13 out entirely within a floodplain (as defined in
14 section 9.4 of title 44, Code of Federal Regula-
15 tions, as in effect on the date of the enactment
16 of this Act); and

17 (B) for which a permit, license, or approval
18 from the Commission is required or that is oth-
19 erwise subject to the jurisdiction of the Com-
20 mission.

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