



CONGRESSMAN **DOUG LAMALFA**

LaMalfa Amendment #197 to H.R. 3684, the INVEST in America Act

IMPLEMENT PROGRAM TO ELIMINATE FEDERAL AND STATE ENVIRONMENTAL OVERLAP.

Situation:

- 1) The California Environmental Quality Act (CEQA) has higher environmental standards than the National Environmental Policy Act (NEPA), but both are required on California projects.
- 2) Section 1309 of the Fixing America's Surface Transportation Act of 2015 created a pilot program allowing some States to ignore NEPA, if their State standards were high enough.
- 3) The Trump Administration issued regulations in late 2020 to implement this program, but the Biden Administration's broad freeze on all late-term regulations stopped it.

Policy:

- ✓ Requires the Secretary of Transportation to establish this program within 60 days.
- ✓ Given the delay in implementation, the Secretary is required to remind all States of this program's establishment.
- ✓ A decision on any submitted applications must be made within 180 days of receipt.

PREVENT UNNECESSARY ENVIRONMENTAL REVIEWS ON EXISTING INFRASTRUCTURE.

Situation:

- 1) A NEPA environmental review is required for any project that can have "significant" impacts, including repairs and routine maintenance along existing roads.

Policy:

- ✓ Creates a categorical exclusion for the repair, reconstruction, restoration, retrofitting or replacement of a highway, bridge, tunnel or transit facility within the existing footprint.

IMPLEMENT 'LESSONS LEARNED' FROM CALIFORNIA HIGH-SPEED RAIL PROJECT.

Situation:

- 1) California's high-speed rail project has been a boondoggle and failure of public administration.
- 2) The Federal government should continually review these failures, and prevent them in the future.

Policy:

- ✓ Creates a new set of requirements for high-speed rail projects within the proposed Passenger Rail Improvement, Modernization and Expansion (PRIME) grant program.
 - Requires land acquisition and payment agreements before a project can start construction or receive Federal construction grant funding.
 - Requires a minimum operable segment before any Federal grant awards.
 - Requires grant recipient to spend their matching funds concurrently with Federal funding.
 - Forbids additional funding to projects which experience a cost increase of over 20%.