



## **The Bipartisan Cut Red Tape for Housing Act**

*Rep. Friedman (CA-30) and Rep. Edwards (NC-11)*

*This bill creates a targeted exemption from National Environmental Policy Act (NEPA) for urban infill housing projects that meet strict environmental and site criteria.*

Projects meeting these standards would be deemed “not a major federal action” under NEPA:

1. **Site Size and Previous Use**
  - a. Located on vacant or underutilized land previously developed for an urban use.
  - b. No larger than 20 acres.
2. **Surrounding Urban Uses**
  - a. Either 75% of the site’s perimeter adjoins parcels developed with an urban use, **or** 75% of land within ¼ mile radius of the site is developed with an urban use.
3. **Historic Preservation**
  - a. Does not require the demolition of structures listed on national, state, or local historic registers.
4. **Environmental Due Diligence**
  - a. A Phase I Environmental Site Assessment has been completed in compliance with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) to check for any potential environmental risks on the property.
  - b. If possible environmental concerns are found, the project must either:
    - i. Complete a Phase II assessment confirming no hazardous substances, **or**
    - ii. If hazardous substances are present, the site must be fully remediated in accordance with federal standards.

### **Additional Safeguards**

- **Ineligible Sites**
  - Any sites located within a census tract designated as very high or relatively high risk for wildfire, coastal flooding, and riverine flooding under the [FEMA National Risk Index](#).
- **FEMA Review Cycle**
  - FEMA must update the National Risk Index at least once every three years.

**Definition of “urban use”:** any residential, commercial, industrial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses.