

Amendment No.

Offered by Rep. Doug LaMalfa

Amendment Description:

This amendment provides a categorical exclusion for electric utility lines rights-of-way for the development and approval of a vegetation management, facility inspection, and operation and maintenance plan and the implementation of routine activities conducted under such a plan.

AMENDMENT TO H.R. 8467
OFFERED BY MR. LAMALFA OF CALIFORNIA

At the end of part I of subtitle D of title VIII, add the following:

1 **SEC. 8406. CATEGORICAL EXCLUSION FOR ELECTRIC UTIL-**
2 **ITY LINES RIGHTS-OF-WAY.**

3 (a) CATEGORICAL EXCLUSION ESTABLISHED.—For
4 est management activities described in subsection (b) are
5 a category of activities designated as being categorically
6 excluded from the preparation of an environmental assess-
7 ment or an environmental impact statement under section
8 102 of the National Environmental Policy Act of 1969 (42
9 U.S.C. 4332).

10 (b) FOREST MANAGEMENT ACTIVITIES DESIGNATED
11 FOR CATEGORICAL EXCLUSION.—The forest management
12 activities designated as being categorically excluded under
13 subsection (a) are—

14 (1) the development and approval of a vegeta-
15 tion management, facility inspection, and operation
16 and maintenance plan submitted under section
17 512(c)(1) of the Federal Land Policy and Manage-
18 ment Act of 1976 (43 U.S.C. 1772(c)(1)) to the
19 Secretary; and

1 (2) the implementation of routine activities con-
2 ducted under the plan referred to in paragraph (1).

3 (c) AVAILABILITY OF CATEGORICAL EXCLUSION.—
4 On and after the date of the enactment of this Act, the
5 Secretary may use the categorical exclusion established
6 under subsection (a) in accordance with this section.

7 (d) EXCLUSION OF CERTAIN AREAS.—The categor-
8 ical exclusion established under subsection (a) shall not
9 apply to any forest management activity conducted—

10 (1) in a component of the National Wilderness
11 Preservation System; or

12 (2) on National Forest System lands on which,
13 by Act of Congress, the removal of vegetation is re-
14 stricted or prohibited.

15 (e) PERMANENT ROADS.—

16 (1) PROHIBITION ON ESTABLISHMENT.—A for-
17 est management activity designated under subsection
18 (b) shall not include the establishment of a perma-
19 nent road.

20 (2) EXISTING ROADS.—The Secretary may
21 carry out necessary maintenance and repair on an
22 existing permanent road for the purposes of con-
23 ducting a forest management activity designated
24 under subsection (b).

1 (3) TEMPORARY ROADS.—The Secretary shall
2 decommission any temporary road constructed for a
3 forest management activity designated under sub-
4 section (b) not later than 3 years after the date on
5 which the action is completed.

6 (f) APPLICABLE LAW.—A forest management activity
7 designated under subsection (b) shall not be subject to sec-
8 tion 7 of the Endangered Species Act of 1973 (16 U.S.C.
9 1536) or section 106 of the National Historic Preservation
10 Act.

