

Amendment to the Westerman ANS to H.R. 4776
Offered by Rep. Huffman

Strike page 3, line 20, through page 4, line 3, and insert:

“shall consider the reasonably foreseeable environmental effects of the proposed action and its alternatives, including their direct, indirect, and cumulative effects.

“(1) An effect is reasonably foreseeable if it is not attenuated, speculative, contingent, or otherwise insufficiently material to the agency’s decision-making.

“(2) To comply with the requirements of this Act, a Federal agency is not required to consider effects that are attenuated, speculative, contingent, or otherwise insufficiently material to the agency’s decision-making.

On page 18, strike line 14 through the end of the page, and insert:

“(A) includes effects that

“(i) Share a reasonably close causal relationship to the proposed action or alternatives; and

“(ii) Are sufficiently likely to occur such that a reasonable person would consider the effect in their decision-making; and

“(B) does not include effects that are attenuated, speculative, contingent, or otherwise insufficiently material to the agency’s decision-making.”.