

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

On Page 2, line 21 after “formally adopted policy” strike “and the lead agency determines such review serves the function of agency compliance with this Act.” and replace with “that–

- (A) meets the procedural and substantive standards applicable to a Federal environmental assessment or environmental impact statement, as appropriate, including equivalent opportunities for public notice, comment, and judicial review; and
- (B) Does not rely solely on any categorical exclusion broader than those available under Federal law.

If, before the lead agency issues a final decision or authorization under this Act, a State or Tribal environmental review relied upon under this subsection is revoked, rescinded, withdrawn, terminated, suspended, amended, altered, or otherwise rendered ineffective, the lead agency may no longer rely on that review and shall complete an environmental review sufficient to comply with the requirements of this Act.”