AMENDMENT TO H.R. 3746

OFFERED BY MR. DUARTE OF CALIFORNIA

At the end of title III of division C, insert the following:

1 **SEC. 325. NO ADDITIONAL CONSULTATION REQUIRED.**

2   (a) FOREST SERVICE PLANS.—Section 6(d)(2) of the

3 Forest and Rangeland Renewable Resources Planning Act

4 of 1974 (16 U.S.C. 1604(d)(2)) is amended to read as

5 follows:

6   "(2) NO ADDITIONAL CONSULTATION RE-

7   QUIRED UNDER CERTAIN CIRCUMSTANCES.—Not-

8   withstanding any other provision of law, the Sec-

9   retary shall not be required to reinitiate consultation

10   under section 7(a)(2) of the Endangered Species Act

11   of 1973 (16 U.S.C. 1536(a)(2)) or section 402.16 of

12   title 50, Code of Federal Regulations (or a successor

13   regulation), on a land management plan approved,

14   amended, or revised under this section when—

15   "(A) a new species is listed or critical habi-

16   tat is designated under that Act (16 U.S.C.

17   1531 et seq.); or

18   "(B) new information reveals effects of the

19   land management plan that may affect a spe-

1   cies listed or critical habitat designated under
2   that Act in a manner or to an extend not pre-
3   viously considered.''.

4   (b) BUREAU OF LAND MANAGEMENT PLANS.—Sec-
5 tion 202 of the Federal Land Policy and Management Act
6 of 1976 (43 U.S.C. 1712) is amended by adding at the
7 end the following:

8   ''(g) NO ADDITIONAL CONSULTATION REQUIRED
9 UNDER CERTAIN CIRCUMSTANCES.—Notwithstanding
10 any other provision of law, the Secretary shall not be re-
11 quired to reinitiate consultation under section 7(a)(2) of
12 the Endangered Species Act of 1973 (16 U.S.C.
13 1536(a)(2)) or section 402.16 of title 50, Code of Federal
14 Regulations (or a successor regulation), on a land manage-
15 ment plan approved, amended, or revised under this sec-
16 tion when—

17   ''(1) a new species is listed or critical habitat
18   is designated under that Act (16 U.S.C. 1531 et
19   seq.); or

20   ''(2) new information reveals effects of the land
21   management plan that may affect a species listed or
22   critical habitat designated under that Act in a man-
23   ner or to an extend not previously considered.

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