

**AMENDMENT TO H.R. 8790, AS REPORTED  
OFFERED BY MR. JOHNSON OF SOUTH DAKOTA**

Add at the end the following:

**1 SEC. 307. EXEMPTION FOR PREVIOUSLY ANALYZED AREAS**  
**2 OF NATIONAL FOREST SYSTEM LANDS.**

3 (a) IN GENERAL.—The requirements under the Na-  
4 tional Environmental Policy Act of 1969 (42 U.S.C. 4321  
5 et seq.) or division A of subtitle 54, United States Code,  
6 shall not apply to an application for a communications use  
7 authorization on National Forest System lands, including  
8 National Forest System lands on which authorized utili-  
9 ties, communications facilities, powerline facilities or roads  
10 have been installed, if—

11 (1) the communications equipment is located in  
12 or on existing infrastructure; or

13 (2) the communications facility is located on  
14 previously analyzed areas of National Forest System  
15 lands.

16 (b) NO ADDITIONAL CONSULTATION REQUIRED  
17 UNDER CERTAIN CIRCUMSTANCES.—Notwithstanding  
18 any other provision of law, the Secretary shall not be re-  
19 quired to reinstitute consultation of the requirements under  
20 the National Environmental Policy Act of 1969 (42 U.S.C.

1 4321 et seq.) or division A of subtitle 54, United States  
2 Code, for an application for a communications use author-  
3 ization on previously analyzed areas of National Forest  
4 System lands if new information concerning a previously  
5 analyzed area of National Forest Service land becomes  
6 available.

7 (c) DEFINITIONS.—In this section:

8 (1) COMMUNICATIONS FACILITY; COMMUNICA-  
9 TIONS USE AUTHORIZATION.—The terms “commu-  
10 nications facility” and “communications use author-  
11 ization” have the meanings given the terms, respec-  
12 tively, in section 8705 of the Agriculture Improve-  
13 ment Act of 2018 (43 U.S.C. 1761a).

14 (2) PREVIOUSLY ANALYZED AREAS OF NA-  
15 TIONAL FOREST SYSTEM LANDS.—The term “pre-  
16 viously analyzed areas of National Forest System  
17 lands” means any National Forest Service land with  
18 respect to which the Secretary has—

19 (A) granted, issued, and executed a com-  
20 munications use authorization; and

21 (B) conducted sufficient environmental or  
22 historical reviews.

1           (3) SECRETARY.—The term “Secretary” means  
2           the Secretary of Agriculture, acting through the  
3           Chief of the Forest Service.

