

AMENDMENT TO H.R. 1
OFFERED BY MR. LAMALFA OF CALIFORNIA

Add at the end of title II of division B the following:

1 **SEC. 20221. VEGETATION MANAGEMENT, FACILITY INSPEC-**
2 **TION, AND OPERATION AND MAINTENANCE**
3 **RELATING TO ELECTRIC TRANSMISSION AND**
4 **DISTRIBUTION FACILITY RIGHTS OF WAY.**

5 (a) HAZARD TREES WITHIN 50 FEET OF ELECTRIC
6 POWER LINE.—Section 512(a)(1)(B)(ii) of the Federal
7 Land Policy and Management Act of 1976 (43 U.S.C.
8 1772(a)(1)(B)(ii)) is amended by striking “10” and in-
9 serting “50”.

10 (b) CONSULTATION WITH PRIVATE LANDOWNERS.—
11 Section 512(c)(3)(E) of the Federal Land Policy and
12 Management Act of 1976 (43 U.S.C. 1772(c)(3)(E)) is
13 amended—

14 (1) in clause (i), by striking “and” at the end;

15 (2) in clause (ii), by striking the period and in-
16 serting “; and”; and

17 (3) by adding at the end the following:

18 “(iii) consulting with private land-
19 owners with respect to any hazard trees

1 identified for removal from land owned by
2 such private landowners.”.

3 (c) REVIEW AND APPROVAL PROCESS.—Clause (iv)
4 of section 512(c)(4)(A) of the Federal Land Policy and
5 Management Act of 1976 (43 U.S.C. 1772(c)(4)(A)) is
6 amended to read as follows:

7 “(iv) ensures that—

8 “(I) a plan submitted without a
9 modification under clause (iii) shall be
10 automatically approved 60 days after
11 review; and

12 “(II) a plan submitted with a
13 modification under clause (iii) shall be
14 automatically approved 67 days after
15 review.”.

16 **SEC. 20222. CATEGORICAL EXCLUSION FOR ELECTRIC UTIL-**
17 **ITY LINES RIGHTS-OF-WAY.**

18 (a) SECRETARY CONCERNED DEFINED.—In this sec-
19 tion, the term “Secretary concerned” means—

20 (1) the Secretary of Agriculture, with respect to
21 National Forest System lands; and

22 (2) the Secretary of the Interior, with respect
23 to public lands.

24 (b) CATEGORICAL EXCLUSION ESTABLISHED.—For-
25 est management activities described in subsection (c) are

1 a category of activities designated as being categorically
2 excluded from the preparation of an environmental assess-
3 ment or an environmental impact statement under section
4 102 of the National Environmental Policy Act of 1969 (42
5 U.S.C. 4332).

6 (c) FOREST MANAGEMENT ACTIVITIES DESIGNATED
7 FOR CATEGORICAL EXCLUSION.—The forest management
8 activities designated as being categorically excluded under
9 subsection (b) are—

10 (1) the development and approval of a vegeta-
11 tion management, facility inspection, and operation
12 and maintenance plan submitted under section
13 512(c)(1) of the Federal Land Policy and Manage-
14 ment Act of 1976 (43 U.S.C. 1772(c)(1)) by the
15 Secretary concerned; and

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

18 (d) AVAILABILITY OF CATEGORICAL EXCLUSION.—
19 On and after the date of the enactment of this Act, the
20 Secretary concerned may use the categorical exclusion es-
21 tablished under subsection (b) in accordance with this sec-
22 tion.

23 (e) EXTRAORDINARY CIRCUMSTANCES.—Use of the
24 categorical exclusion established under subsection (b) shall
25 not be subject to the extraordinary circumstances proce-

1 dures in section 220.6, title 36, Code of Federal Regula-
2 tions, or section 1508.4, title 40, Code of Federal Regula-
3 tions.

4 (f) EXCLUSION OF CERTAIN AREAS.—The categor-
5 ical exclusion established under subsection (b) shall not
6 apply to any forest management activity conducted—

7 (1) in a component of the National Wilderness
8 Preservation System; or

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

12 (g) PERMANENT ROADS.—

13 (1) PROHIBITION ON ESTABLISHMENT.—A for-
14 est management activity designated under subsection
15 (c) shall not include the establishment of a perma-
16 nent road.

17 (2) EXISTING ROADS.—The Secretary con-
18 cerned may carry out necessary maintenance and re-
19 pair on an existing permanent road for the purposes
20 of conducting a forest management activity des-
21 ignated under subsection (c).

22 (3) TEMPORARY ROADS.—The Secretary con-
23 cerned shall decommission any temporary road con-
24 structed for a forest management activity designated

1 under subsection (c) not later than 3 years after the
2 date on which the action is completed.

3 (h) APPLICABLE LAWS.—A forest management activ-
4 ity designated under subsection (c) shall not be subject
5 to section 7 of the Endangered Species Act of 1973 (16
6 U.S.C. 1536), section 106 of the National Historic Preser-
7 vation Act, or any other applicable law.

