

AMENDMENT TO DIVISION A OF RULES
COMMITTEE PRINT 117-57
OFFERED BY MR. LAMALFA OF CALIFORNIA

At the end of title III of division A, add the following:

1 **SEC. ____ . CLEARING LINES ALONG ELECTRICAL AT-RISK**
2 **ZONES.**

3 (a) VEGETATION MANAGEMENT, FACILITY INSPEC-
4 TION, AND OPERATION AND MAINTENANCE RELATING TO
5 ELECTRIC TRANSMISSION AND DISTRIBUTION FACILITY
6 RIGHTS OF WAY.—

7 (1) HAZARD TREES WITHIN 50 FEET OF ELEC-
8 TRIC POWER LINE.—Section 512(a)(1)(B)(ii) of the
9 Federal Land Policy and Management Act of 1976
10 (43 U.S.C. 1772(a)(1)(B)(ii)) is amended by strik-
11 ing “10” and inserting “50”.

12 (2) CONSULTATION WITH PRIVATE LAND-
13 OWNERS.—Section 512(c)(3)(E) of the Federal
14 Land Policy and Management Act of 1976 (43
15 U.S.C. 1772(c)(3)(E)) is amended—

16 (A) in clause (i), by striking “and” at the
17 end;

1 (B) in clause (ii), by striking the period
2 and inserting “; and”; and

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

4 “(iii) consulting with private land-
5 owners with respect to any hazard trees
6 identified for removal from land owned by
7 such private landowners.”.

8 (3) REVIEW AND APPROVAL PROCESS.—Clause
9 (iv) of section 512(c)(4)(A) of the Federal Land Pol-
10 icy and Management Act of 1976 (43 U.S.C.
11 1772(c)(4)(A)) is amended to read as follows:

12 “(iv) ensures that—

13 “(I) a plan submitted without a
14 modification under clause (iii) shall be
15 automatically approved 60 days after
16 review; and

17 “(II) a plan submitted with a
18 modification under clause (iii) shall be
19 automatically approved 67 days after
20 review.”.

21 (b) CATEGORICAL EXCLUSION FOR ELECTRIC UTIL-
22 ITY LINES RIGHTS-OF-WAY.—

23 (1) SECRETARY CONCERNED DEFINED.—The
24 term “Secretary concerned” means—

1 (A) the Secretary of Agriculture, with re-
2 spect to National Forest System lands; and

3 (B) the Secretary of the Interior, with re-
4 spect to public lands.

5 (2) CATEGORICAL EXCLUSION ESTABLISHED.—
6 Forest management activities described in paragraph
7 (3) are a category of activities designated as being
8 categorically excluded from the preparation of an en-
9 vironmental assessment or an environmental impact
10 statement under section 102 of the National Envi-
11 ronmental Policy Act of 1969 (42 U.S.C. 4332).

12 (3) FOREST MANAGEMENT ACTIVITIES DES-
13 IGNATED FOR CATEGORICAL EXCLUSION.—The for-
14 est management activities designated as being cat-
15 egorically excluded under paragraph (2) are—

16 (A) the development and approval of a
17 vegetation management, facility inspection, and
18 operation and maintenance plan submitted
19 under section 512(c)(1) of the Federal Land
20 Policy and Management Act of 1976 (43 U.S.C.
21 1772(c)(1)) by the Secretary concerned; and

22 (B) the implementation of routine activi-
23 ties conducted under the plan referred to in
24 subparagraph (A).

1 (4) AVAILABILITY OF CATEGORICAL EXCLU-
2 SION.—On and after the date of the enactment of
3 section, the Secretary concerned may use the cat-
4 egorical exclusion established under paragraph (2) in
5 accordance with this section.

6 (5) EXTRAORDINARY CIRCUMSTANCES.—Use of
7 the categorical exclusion established under para-
8 graph (2) shall not be subject to the extraordinary
9 circumstances procedures in section 220.6, title 36,
10 Code of Federal Regulations, or section 1508.4, title
11 40, Code of Federal Regulations.

12 (6) EXCLUSION OF CERTAIN AREAS.—The cat-
13 egorical exclusion established under paragraph (2)
14 shall not apply to any forest management activity
15 conducted—

16 (A) in a component of the National Wilder-
17 ness Preservation System; or

18 (B) on National Forest System lands on
19 which, by Act of Congress, the removal of vege-
20 tation is restricted or prohibited.

21 (7) PERMANENT ROADS.—

22 (A) PROHIBITION ON ESTABLISHMENT.—A
23 forest management activity designated under
24 paragraph (3) shall not include the establish-
25 ment of a permanent road.

1 (B) EXISTING ROADS.—The Secretary con-
2 cerned may carry out necessary maintenance
3 and repair on an existing permanent road for
4 the purposes of conducting a forest manage-
5 ment activity designated under paragraph (3).

6 (C) TEMPORARY ROADS.—The Secretary
7 concerned shall decommission any temporary
8 road constructed for a forest management activ-
9 ity designated under paragraph (3) not later
10 than 3 years after the date on which the action
11 is completed.

12 (8) APPLICABLE LAWS.—A forest management
13 activity designated under paragraph (3) shall not be
14 subject to section 7 of the Endangered Species Act
15 of 1973 (16 U.S.C. 1536), section 106 of the Na-
16 tional Historic Preservation Act, or any other appli-
17 cable law.

