

AMENDMENT TO RULES COMMITTEE PRINT

117-57

OFFERED BY MR. STAUBER OF MINNESOTA

At the end of division D, add the following:

1 **SEC. 1___. CATEGORICAL EXCLUSIONS FOR EARLY SUC-**
2 **CESSIONAL FORESTS AND OUTDOOR RECRE-**
3 **ATION.**

4 (a) CATEGORICAL EXCLUSION FOR EARLY SUCCES-
5 SIONAL FORESTS.—

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

13 (2) FOREST MANAGEMENT ACTIVITIES DES-
14 IGNATED FOR CATEGORICAL EXCLUSION.—The for-
15 est management activities designated under this sub-
16 section for a categorical exclusion are forest manage-
17 ment activities carried out by the Secretary con-
18 cerned on National Forest System lands or public
19 lands where the primary purpose of such activity is,

1 consistent with the applicable forest plan, to modify,
2 improve, enhance, or create early successional for-
3 ests for wildlife habitat improvement and other pur-
4 poses.

5 (3) AVAILABILITY OF CATEGORICAL EXCLU-
6 SION.—On and after the date of the enactment of
7 this Act, the Secretary concerned may use the cat-
8 egorical exclusion established under paragraph (1) in
9 accordance with this subsection.

10 (4) PROJECT GOALS.—To the maximum extent
11 practicable, the Secretary concerned shall design for-
12 est management activities described in paragraph
13 (2)—

14 (A) to meet early successional forest goals;
15 and

16 (B) to maximize production and regenera-
17 tion of priority species, as identified in the for-
18 est plan and consistent with the capability of
19 the treatment units.

20 (5) ACREAGE LIMITATIONS.—A forest manage-
21 ment activity covered by the categorical exclusion es-
22 tablished under paragraph (1) may not contain
23 treatment units exceeding a total of 10,000 acres.

24 (b) CATEGORICAL EXCLUSION FOR OUTDOOR
25 RECREATION.—

1 (1) CATEGORICAL EXCLUSION ESTABLISHED.—
2 Activities described in paragraph (2) are a category
3 of actions hereby designated as being categorically
4 excluded from the preparation of an environmental
5 assessment or an environmental impact statement
6 under section 102 of the National Environmental
7 Policy Act of 1969 (42 U.S.C. 4332).

8 (2) ACTIVITIES DESIGNATED FOR CATEGORICAL
9 EXCLUSION.—The activities designated under this
10 subsection for a categorical exclusion are activities
11 carried out by the Secretary concerned on National
12 Forest System lands or public lands where the pri-
13 mary purpose of such activity is to—

14 (A) issue, amend, replace, or extend the
15 administrative terms of an existing or expired
16 special use authorization, if the holder or appli-
17 cant of such special use authorization is in full
18 compliance with the terms and conditions of
19 such special use authorization;

20 (B) modify, remove, repair, maintain, re-
21 construct, or replace a facility for an existing
22 special use authorization;

23 (C) issue a new special use authorization
24 or amendment to an existing special use author-
25 ization for activities that will occur on existing

1 roads, trails, facilities, or areas approved for
2 use in an applicable forest plan or other docu-
3 mented decision;

4 (D) approve, modify, or continue special
5 uses of National Forest System lands or public
6 lands for less than 5 years;

7 (E) approve, modify, or continue special
8 use authorizations on National Forest System
9 land that require less than 20 acres of contig-
10 uous land;

11 (F) operate, maintain, modify, construct,
12 reconstruct, improve, decommission, relocate, or
13 dispose of buildings, infrastructure, or other im-
14 provements at developed recreation sites;

15 (G) remove hazard trees for the purpose of
16 protecting public health or safety or improving
17 access to a recreation site; or

18 (H) any combination of the purposes speci-
19 fied in subparagraphs (A) through (G).

20 (3) AVAILABILITY OF CATEGORICAL EXCLU-
21 SION.—On and after the date of the enactment of
22 this Act, the Secretary concerned may use the cat-
23 egorical exclusion established under paragraph (1) in
24 accordance with this subsection.

1 (c) EXCLUSIONS.—The authorities provided by this
2 section do not apply with respect to any National Forest
3 System lands or public lands—

4 (1) that are included in the National Wilderness
5 Preservation System;

6 (2) that are located within a national or State
7 specific inventoried roadless area established by the
8 Secretary of Agriculture through regulation, un-
9 less—

10 (A) the forest management activity to be
11 carried out under such authority is consistent
12 with the forest plan applicable to the area; or

13 (B) the Secretary concerned determines
14 the activity is allowed under the applicable
15 roadless rule governing such lands; or

16 (3) on which timber harvesting for any purpose
17 is prohibited by Federal statute.

18 (d) DEFINITIONS.—In this section:

19 (1) FOREST MANAGEMENT ACTIVITY.—The
20 term “forest management activity” means a project
21 or activity carried out by the Secretary concerned on
22 National Forest System lands or public lands con-
23 sistent with the forest plan covering such lands.

24 (2) FOREST PLAN.—The term “forest plan”
25 means—

1 (A) a land use plan prepared by the Bu-
2 reau of Land Management for public lands pur-
3 suant to section 202 of the Federal Land Policy
4 and Management Act of 1976 (43 U.S.C.
5 1712); or

6 (B) a land and resource management plan
7 prepared by the Forest Service for a unit of the
8 National Forest System pursuant to section 6
9 of the Forest and Rangeland Renewable Re-
10 sources Planning Act of 1974 (16 U.S.C.
11 1604).

12 (3) NATIONAL FOREST SYSTEM.—The term
13 “National Forest System” has the meaning given
14 that term in section 11(a) of the Forest and Range-
15 land Renewable Resources Planning Act of 1974 (16
16 U.S.C. 1609(a)).

17 (4) PUBLIC LANDS.—The term “public lands”
18 has the meaning given that term in section 103 of
19 the Federal Land Policy and Management Act of
20 1976 (43 U.S.C. 1702), except that the term in-
21 cludes Coos Bay Wagon Road Grant lands and Or-
22 egon and California Railroad Grant lands.

23 (5) SECRETARY CONCERNED.—The term “Sec-
24 retary 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.

