

AMENDMENT NO. _____ Calendar No. _____

Purpose: To improve the bill.

IN THE SENATE OF THE UNITED STATES—117th Cong., 2d Sess.

S. 2561

To amend the Forest and Rangeland Renewable Resources Planning Act of 1974 and the Federal Land Policy and Management Act of 1976 to provide that a land resource management plan or land use plan approved, amended, or revised under those Acts shall not be considered to be a continuing Federal agency action or constitute a discretionary Federal involvement or control for a distinct Federal purpose, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENTS intended to be proposed by Mr. MANCHIN

Viz:

1 On page 2, line 1, strike “**TREATMENT OF**” and in-
2 sert “**CONSULTATION UNDER**”.

3 On page 2, line 5, strike “PLAN” and all that follows
4 through line 16 and insert the following: PLANS.—Section
5 6(d) of the Forest and Rangeland Renewable Resources
6 Planning Act of 1974 (16 U.S.C. 1604(d)) is amended
7 by striking paragraph (2) and inserting the following:

1 “(2) NO ADDITIONAL CONSULTATION RE-
2 QUIRED AFTER APPROVAL OF LAND MANAGEMENT
3 PLANS.—Notwithstanding any other provision of
4 law, the Secretary shall not be required to reinitiate
5 consultation under section 7 of the Endangered Spe-
6 cies Act of 1973 (16 U.S.C. 1536) or section 402.16
7 of title 50, Code of Federal Regulations (or a suc-
8 cessor regulation), on a completed land and resource
9 management plan that has no on-the-ground effects
10 when—

11 “(A) a new species is listed or a new crit-
12 ical habitat is designated under that Act (16
13 U.S.C. 1531 et seq.); or

14 “(B) new information reveals effects of the
15 land and resource management plan that may
16 affect a species listed or critical habitat des-
17 ignated under that Act in a manner or to an
18 extent not previously considered.”.

19 Beginning on page 2, strike line 21 and all that fol-
20 lows through page 3, line 2, and insert the following:

21 “(g) NO ADDITIONAL CONSULTATION REQUIRED
22 AFTER APPROVAL OF LAND USE PLANS.—Notwith-
23 standing any other provision of law, the Secretary shall
24 not be required to reinitiate consultation under section 7

1 of the Endangered Species Act of 1973 (16 U.S.C. 1536)
2 or section 402.16 of title 50, Code of Federal Regulations
3 (or a successor regulation), on a completed land use plan
4 that has no on-the-ground effects when—

5 “(1) a new species is listed or a new critical
6 habitat is designated under that Act (16 U.S.C.
7 1531 et seq.); or

8 “(2) new information reveals effects of the land
9 use plan that may affect a species listed or critical
10 habitat designated under that Act in a manner or to
11 an extent not previously considered.”.