

Boebert #2

**Amendment to the Amendment in the Nature of a Substitute to H.R. 3587
Offered by Ms. Boebert**

On page 6 –

Strike lines 1 and 2;

On lines 3 through 10, renumber subsections (A) through (D) as subsections (i) through (iv); and

Insert on line 1—

“(4) Covered Activity.—

“(A) In General.—The term ‘covered activity’ means a project that—”

On page 6, following line 11, insert the following –

“(B) Exceptions.—The term ‘covered activity’ does not include –

“(i) projects carried out by a State or local government, or a private entity, regardless of the sources of funding; or

“(ii) projects conducted in response to a major or emergency disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191), a State disaster declaration, a drought disaster declaration issued pursuant to the National Oceanic and Atmospheric Administration’s National Integrated Drought Information System program (15 U.S.C. 313d), or a fishery disaster or failure declared by a State or by the Secretary of Commerce authorization pursuant to Section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) or the Interjurisdictional Fisheries Act (16 U.S.C. 4101 et seq.);

“(iii) water storage or water conveyance under the Safe Drinking Water Act (42 U.S.C. 300f), the Clean Water Act (33 U.S.C. 1251 et seq.), and related laws;

“(iv) sea, ground, air, space, and cyber military readiness activities as identified by the Department of Defense Readiness Reporting System;

“(v) repairing or replacing existing infrastructure, and infrastructure resilience; or

“(iii) projects to reduce risk of natural disasters or to promote resiliency to natural disasters, such as wildfires, hurricanes, floods, drought, and earthquakes.”