

Amendment #1\*\*\*

**Amendment to H.R. 289**  
**Offered by Mr. LaMalfa**

Beginning on page 3, strike line 23 through page 4, line 6 and insert:

“(3) Reduction in Federal Costs and Duplication of Analysis.

“(A) In General.--The issuance of a new special recreation permit for activities under paragraph (2) shall be categorically excluded from further analysis and documentation under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), if the proposed use is the same as or similar to a previously authorized use and the Secretary determines that such issuance does not have significant environmental effects based upon application of the extraordinary circumstances procedures established by the Secretary under the National Environmental Policy Act (42 U.S.C. 4321 et seq.).

“(B) Definition.--For the purposes of this paragraph, the term ‘similar’ means--

“(i) substantially similar in type, nature, and scope; and

“(ii) will not result in significant new impacts.

“(4) Relation to Fees for Use of Highways or Roads.—An entity that pays a special recreation permit fee shall not be subject to a road cost-sharing fee or a fee for the use of highways or roads that are open to private, noncommercial use within the boundaries of any Federal recreational lands or waters, as authorized under section 6 of Public Law 88-657 (16 U.S.C. 537).”.

Page 4, beginning line 20, strike “clause (i)” and insert “paragraph (1)”.

Page 6, strike “the fee” and insert “gross revenues used as the basis for the fees”.

Page 6, line 20, insert “or trip” following “single event”.

Page 7, insert the following after line 10:

“(a) Deposits.—Subject to subsection (b), revenues from special recreation permits issued to recreation service providers under subparagraphs (B) and (C) of section 803(h)(2) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802(h)(2)) shall be held in special accounts established for each specific unit or area for which such revenues are collected, and shall remain available for expenditure, without further appropriation, until expended.”.

Page 7, line 11, insert “(b) Use of Permit Fees.— ” before “Revenues”.

Page 7, line 13, strike “(1)” and insert “(2)”.

Page 7, line 14, strike “(1)” and insert “(2)”.

Page 7, line 14, insert “only” before the dash.

Page 7, line 16, strike “and”.

Page 7, line 18, strike the period and insert “; and”.

Page 7, after line 18, insert the following:

“(3) for related recreation infrastructure and other purposes specifically to support recreation activities at the specific site for which use is authorized under the permit, after obtaining input from any related permittees; provided, however, that the Federal Advisory Committee Act (5 U.S.C. App. 1 et seq.) shall not apply to any advisory committee or other group established to carry out this paragraph.

“(c) Limitation on Use of Fees.—The Secretary may not use any permit fees for biological monitoring on Federal recreational lands and waters under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) for listed or candidate species.”.

Page 7, line 24, insert “a level of use that is no less than” after “holder”.

Page 8, line 3, insert “The Secretary may assign any use remaining after adjusting allocations on a temporary basis to qualified permit holders.” after the period.

Page 8, line 8, strike “and” and insert “insufficient availability of hunting and fishing licenses, or”.

Page 9, strike lines 18 through 20 and insert “services provided under a special recreation permit.”.

Page 9, line 23, strike “Secretaries” and insert “Secretary of Agriculture”.

Page 9, line 25, insert “the Secretary of the Interior shall revise” following “and”.

Page 10, line 1, insert a comma following “Regulations”.

Page 10, strike lines 6 through 20 and insert:

“(2) provide for the use of programmatic environmental assessments and categorical exclusions for environmental reviews under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for the issuance or renewal of outfitter and guide and similar recreation special use permits when the Secretary determines that such compliance is required, to the maximum extent allowable under applicable law, including, but not limited to, use of a categorical exclusion as provided under section 803(h)(3) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802(h)(3)).”.

Page 10, beginning on line 22, strike “Secretaries” and insert “Secretary”.

Page 11, beginning on line 3, strikes “Secretaries” and insert “Secretary of Agriculture”.

Page 11, line 5, insert “the Secretary of the Interior shall revise” following “and”.

Page 11, line 11, strike “Secretaries” and insert “Secretary’s”.

Page 14, line 22, strike “exiting” and insert “existing”.