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118TH CONGRESS
2D SESSION

H. R. 8790

[Report No. 118–674, Part I]

To expedite under the National Environmental Policy Act of 1969 and improve forest management activities on National Forest System lands, on public lands under the jurisdiction of the Bureau of Land Management, and on Tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 18, 2024

Mr. WESTERMAN (for himself, Mr. PETERS, Mr. TIFFANY, Mr. PANETTA, Mr. STAUBER, Mr. COSTA, Mr. MCCLINTOCK, Mr. CÁRDENAS, Mr. CURTIS, Mr. BERA, Mr. DUARTE, Mr. MOYLAN, and Mr. GOSAR) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committees on Agriculture, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

SEPTEMBER 12, 2024

Additional sponsors: Mr. LAMBORN, Mr. CARL, Ms. BOEBERT, Mrs. CHAVEZ-DE REMER, Mr. BENTZ, Mrs. RADEWAGEN, Mr. COLLINS, Mr. GARAMENDI, Mrs. KIM of California, Mr. ZINKE, and Mr. JOHNSON of South Dakota

SEPTEMBER 12, 2024

Reported from the Committee on Natural Resources with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

SEPTEMBER 12, 2024

Committees on Agriculture and Science, Space, and Technology discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on June 18, 2024]

A BILL

To expedite under the National Environmental Policy Act of 1969 and improve forest management activities on National Forest System lands, on public lands under the jurisdiction of the Bureau of Land Management, and on Tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) *SHORT TITLE.*—*This Act may be cited as the “Fix*
 5 *Our Forests Act”.*

6 (b) *TABLE OF CONTENTS.*—*The table of contents for*
 7 *this Act is as follows:*

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—LANDSCAPE-SCALE RESTORATION

Subtitle A—Addressing Emergency Wildfire Risks in High Priority Firesheds

Sec. 101. Designation of fireshed management areas.

Sec. 102. Fireshed center.

Sec. 103. Fireshed registry.

Sec. 104. Shared stewardship.

Sec. 105. Fireshed assessments.

Sec. 106. Emergency fireshed management.

Sec. 107. Sunset.

*Subtitle B—Expanding Collaborative Tools to Reduce Wildfire Risk and
 Improve Forest Health*

*Sec. 111. Modification of the treatment of certain revenue and payments under
 good neighbor agreements.*

Sec. 112. Fixing stewardship end result contracting.

Sec. 113. Intra-agency strike teams.

Sec. 114. Locally-led restoration.

Sec. 115. Joint Chiefs landscape restoration partnership program.

Sec. 116. Collaborative forest landscape restoration program.

Subtitle C—Litigation Reform

Sec. 121. Commonsense litigation reform.

Sec. 122. Consultation on forest plans.

**TITLE II—PROTECTING COMMUNITIES IN THE WILDLAND-URBAN
 INTERFACE**

Sec. 201. Community wildfire risk reduction program.

Sec. 202. Community wildfire defense research program.

*Sec. 203. Vegetation management, facility inspection, and operation and mainte-
 nance relating to electric transmission and distribution facility
 rights-of-way.*

Sec. 204. Categorical exclusion for electric utility lines rights-of-way.

Sec. 205. Seeds of success.

TITLE III—TRANSPARENCY AND TECHNOLOGY

Sec. 301. *Biochar innovations and opportunities for conservation, health, and advancements in research.*

Sec. 302. *Accurate hazardous fuels reduction reports.*

Sec. 303. *Public-private wildfire technology deployment and testbed partnership.*

Sec. 304. *GAO study on Forest Service policies.*

Sec. 305. *Forest Service Western headquarters study.*

Sec. 306. *Keeping forest plans current and monitored.*

1 **SEC. 2. DEFINITIONS.**

2 *In this Act:*

3 (1) *DIRECTOR.*—*The term “Director” means the*
 4 *Director of the Fireshed Center appointed under sec-*
 5 *tion 102.*

6 (2) *FIRESHED.*—*The term “fireshed” means a*
 7 *landscape-scale area that faces similar wildfire threat*
 8 *where a response strategy could influence the wildfire*
 9 *outcome.*

10 (3) *FIRESHED MANAGEMENT PROJECT.*—*The*
 11 *term “fireshed management project” means a project*
 12 *under section 106.*

13 (4) *FIRESHED REGISTRY.*—*The term “Fireshed*
 14 *Registry” means the fireshed registry established*
 15 *under section 103.*

16 (5) *FOREST PLAN.*—*The term “forest plan”*
 17 *means—*

18 (A) *a land use plan prepared by the Bureau*
 19 *of Land Management for public lands pursuant*
 20 *to section 202 of the Federal Land Policy and*
 21 *Management Act of 1976 (43 U.S.C. 1712);*

1 (B) a land and resource management plan
2 prepared by the Forest Service for a unit of the
3 National Forest System pursuant to section 6 of
4 the Forest and Rangeland Renewable Resources
5 Planning Act of 1974 (16 U.S.C. 1604); or

6 (C) a forest management plan (as defined
7 in section 304 of the National Indian Forests
8 Resources Management Act (25 U.S.C. 3104))
9 with respect to Indian forest land or rangeland.

10 (6) GOVERNOR.—The term “Governor” means
11 the Governor or any other appropriate executive offi-
12 cial of an affected State or Indian Tribe or the Com-
13 monwealth of Puerto Rico.

14 (7) HAZARDOUS FUELS MANAGEMENT ACTIVI-
15 TIES.—The term “hazardous fuels management ac-
16 tivities” means any vegetation management activities
17 (or combination thereof) that reduce the risk of wild-
18 fire, including mechanical thinning, mastication, pre-
19 scribed burning, cultural burning (as determined by
20 the applicable Indian Tribe), timber harvest, and
21 grazing.

22 (8) HFRA TERMS.—The terms “at-risk commu-
23 nity”, “community wildfire protection plan”, and
24 “wildland-urban interface” have the meanings given

1 *such terms, respectively, in section 101 of the Healthy*
2 *Forests Restoration Act of 2003 (16 U.S.C. 6511).*

3 (9) *INDIAN FOREST LAND OR RANGELAND.*—*The*
4 *term “Indian forest land or rangeland” means land*
5 *that—*

6 (A) *is held in trust by, or with a restriction*
7 *against alienation by, the United States for an*
8 *Indian Tribe or a member of an Indian Tribe;*
9 *and*

10 (B)(i)(I) *is Indian forest land (as defined*
11 *in section 304 of the National Indian Forest Re-*
12 *sources Management Act (25 U.S.C. 3103)); or*

13 (II) *has a cover of grasses, brush,*
14 *or any similar vegetation; or*

15 (ii) *formerly had a forest cover or vege-*
16 *tative cover that is capable of restoration.*

17 (10) *INDIAN TRIBE.*—*The term “Indian Tribe”*
18 *has the meaning given that term in section 4 of the*
19 *Indian Self-Determination and Education Assistance*
20 *Act (25 U.S.C. 5304).*

21 (11) *NATIONAL FOREST SYSTEM LANDS.*—*The*
22 *term “National Forest System lands” has the mean-*
23 *ing given the term in section 11(a) of the Forest and*
24 *Rangeland Renewable Resources Planning Act of*
25 *1974 (16 U.S.C. 1609).*

1 (12) *PUBLIC LANDS.*—*The term “public lands”*
2 *has the meaning given that term in section 103 of the*
3 *Federal Land Policy and Management Act of 1976*
4 *(43 U.S.C. 1702), except that the term includes Coos*
5 *Bay Wagon Road Grant lands and Oregon and Cali-*
6 *fornia Railroad Grant lands.*

7 (13) *RELEVANT CONGRESSIONAL COMMITTEES.*—
8 *The term “relevant Congressional Committees”*
9 *means—*

10 (A) *the Committees on Natural Resources*
11 *and Agriculture of the House of Representatives;*
12 *and*

13 (B) *the Committees on Energy and Natural*
14 *Resources and Agriculture, Nutrition, and For-*
15 *estry of the Senate.*

16 (14) *RESPONSIBLE OFFICIAL.*—*The term “re-*
17 *sponsible official” means an employee of the Depart-*
18 *ment of the Interior or Forest Service who has the au-*
19 *thority to make and implement a decision on a pro-*
20 *posed action.*

21 (15) *SECRETARIES.*—*The term “Secretaries”*
22 *means each of—*

23 (A) *the Secretary of the Interior; and*

24 (B) *the Secretary of Agriculture.*

1 (16) *SECRETARY*.—The term “Secretary” means
2 the Secretary of Agriculture.

3 (17) *SECRETARY CONCERNED*.—The term “Sec-
4 retary concerned” means—

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

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

9 (18) *STATE*.—The term “State” means each of
10 the several States, the District of Columbia, and each
11 territory of the United States

12 **TITLE I—LANDSCAPE-SCALE**
13 **RESTORATION**

14 **Subtitle A—Addressing Emergency**
15 **Wildfire Risks in High Priority**
16 **Firesheds**

17 **SEC. 101. DESIGNATION OF FIRESHED MANAGEMENT**
18 **AREAS.**

19 (a) *DESIGNATION OF FIRESHED MANAGEMENT*
20 *AREAS*.—

21 (1) *INITIAL DESIGNATIONS*.—For the period be-
22 ginning on the date of enactment of this Act and end-
23 ing on the date that is 5 years after the date of enact-
24 ment of this Act, there are designated fireshed man-
25 agement areas, which—

1 (A) shall be comprised of individual land-
2 scape-scale firesheds identified as being a high
3 risk fireshed in the “Wildfire Crisis Strategy”
4 published by the Forest Service in January
5 2022;

6 (B) shall be comprised of individual land-
7 scape-scale firesheds identified by the Secretary,
8 in consultation with the Secretary of the Inte-
9 rior, as being in the top 20 percent of the 7,688
10 firesheds published by the Rocky Mountain Re-
11 search Station of the Forest Service in 2019 for
12 wildfire exposure based on the following cri-
13 teria—

14 (i) wildfire exposure and corresponding
15 risk to communities, including risk to struc-
16 tures and life;

17 (ii) wildfire exposure and cor-
18 responding risk to municipal watersheds,
19 including tribal water supplies and systems;
20 and

21 (iii) risk of forest conversion due to
22 wildfire;

23 (C) shall not overlap with any other
24 fireshed management areas;

1 (D) may contain Federal and non-Federal
2 land, including Indian forest lands or range-
3 lands; and

4 (E) where the Secretary concerned shall
5 carry out fireshed management projects.

6 (2) *FURTHER FIRESHED MANAGEMENT AREA*
7 *DESIGNATIONS.*—

8 (A) *IN GENERAL.*—On the date that is 5
9 years after the date of the enactment of this Act
10 and every 5 years thereafter, the Secretary, in
11 consultation with the Secretary of the Interior,
12 shall submit to the relevant Congressional Com-
13 mittees an updated map of firesheds based on the
14 *Fireshed Registry* maintained under section 103.

15 (B) *DESIGNATION.*—Not later than 60 days
16 after submitting an updated fireshed map under
17 subparagraph (A), the Secretary shall, based on
18 such map, designate additional fireshed manage-
19 ment areas that are identified as being in the
20 top 20 percent of firesheds at risk of wildfire ex-
21 posure based on the criteria specified in subpara-
22 graphs (B), (C), (D), and (E) of paragraph (1).

23 (b) *APPLICABILITY OF NEPA.*—The designation of
24 fireshed management areas under this section shall not be

1 *subject to the requirements of the National Environmental*
2 *Policy Act of 1969 (42 U.S.C. 4321 et seq.).*

3 **SEC. 102. FIRESHED CENTER.**

4 *(a) ESTABLISHMENT.—*

5 *(1) IN GENERAL.—The Secretary, acting through*
6 *the Chief of the Forest Service, and the Secretary of*
7 *the Interior, acting through the Director of the U.S.*
8 *Geological Survey, shall jointly establish a Fireshed*
9 *Center (hereinafter referred to as the “Center”) com-*
10 *prised of at least one career representative from each*
11 *of the following:*

12 *(A) The Forest Service.*

13 *(B) The Bureau of Land Management.*

14 *(C) The National Park Service.*

15 *(D) The Bureau of Indian Affairs.*

16 *(E) The U.S. Fish and Wildlife Service.*

17 *(F) The U.S. Geological Survey.*

18 *(G) The Department of Defense.*

19 *(H) The Department of Homeland Security.*

20 *(I) The Department of Energy.*

21 *(J) The Federal Emergency Management*

22 *Agency.*

23 *(K) The National Science Foundation.*

24 *(L) The National Oceanic and Atmospheric*

25 *Administration.*

1 (M) *The National Aeronautics and Space*
2 *Administration.*

3 (N) *The National Institute of Standards*
4 *and Technology.*

5 (2) *DIRECTOR.*—*The Secretary, acting through*
6 *the Chief of the Forest Service, and the Secretary of*
7 *the Interior, acting through the Director of the U.S.*
8 *Geological Survey, shall jointly appoint a Director of*
9 *the Center, who—*

10 (A) *shall be an employee of the U.S. Geo-*
11 *logical Survey or the Forest Service;*

12 (B) *shall serve an initial term of not more*
13 *than 7 years; and*

14 (C) *may serve one additional term of not*
15 *more than 7 years after the initial term de-*
16 *scribed in subparagraph (B).*

17 (3) *ADDITIONAL REPRESENTATION.*—*The Sec-*
18 *retary, acting through the Chief of the Forest Service*
19 *and the Secretary of the Interior, acting through the*
20 *Director of the U.S. Geological Survey, may jointly*
21 *appoint additional representatives of Federal agencies*
22 *to the Center, as the Secretaries determine necessary.*

23 (b) *PURPOSES.*—*The purposes of the Center are to—*

1 (1) *comprehensively assess and predict fire and*
2 *smoke in the wildland and built environment inter-*
3 *face across jurisdictions to inform—*

4 (A) *land and fuels management;*

5 (B) *community, public health, and built en-*
6 *vironment risk reduction; and*

7 (C) *fire response and post-fire recovery;*

8 (2) *provide data aggregation, real-time pre-*
9 *dictive services, and science-based decision support*
10 *services;*

11 (3) *reduce fragmentation and duplication across*
12 *Federal land management agencies with respect to*
13 *predictive service and decision support functions re-*
14 *lated to wildland fire and smoke;*

15 (4) *promote coordination and sharing of data re-*
16 *garding wildland fire and smoke decision making be-*
17 *tween Federal agencies, States, Indian Tribes, local*
18 *governments, academic or research institutions, and*
19 *private entities;*

20 (5) *streamline procurement processes and cyber-*
21 *security systems related to addressing wildland fire*
22 *and smoke;*

23 (6) *provide publicly accessible data, models, tech-*
24 *nologies (including mapping technologies), assess-*
25 *ments, and fire weather forecasts to support short-*

1 *and long-term planning regarding wildland fire and*
2 *smoke risk reduction and post-fire recovery; and*

3 *(7) maintain the Fireshed Registry established*
4 *under section 103.*

5 *(c) MEMORANDA OF UNDERSTANDING.—The Center*
6 *may enter into memorandums of understanding, contracts,*
7 *or other agreements with State governments, Indian Tribes,*
8 *local governments, academic or research institutions, and*
9 *private entities to improve the information and operations*
10 *of the Center.*

11 *(d) ADMINISTRATIVE SUPPORT, TECHNICAL SERVICES,*
12 *AND STAFF SUPPORT.—*

13 *(1) USGS SUPPORT.—The Secretary of the Inte-*
14 *rior shall make personnel of the U.S. Geological Sur-*
15 *vey available to the Center for such administrative*
16 *support, technical services, and development and dis-*
17 *semination of data as the Secretary determines nec-*
18 *essary to carry out this section.*

19 *(2) USFS SUPPORT.—The Secretary shall make*
20 *personnel of the Forest Service available to the Center*
21 *for such administrative support, technical services,*
22 *and the development and dissemination of informa-*
23 *tion related to fireshed management and the Fireshed*
24 *Registry as the Secretary determines necessary to*
25 *carry out this section.*

1 **SEC. 103. FIRESHED REGISTRY.**

2 (a) *FIRESHED REGISTRY.*—*The Secretary, acting*
3 *through the Director of the Fireshed Center appointed under*
4 *section 102, shall maintain a Fireshed Registry on a pub-*
5 *licly accessible website that provides interactive geospatial*
6 *data on individual firesheds, including information on—*

7 (1) *wildfire exposure delineated by ownership,*
8 *including rights-of-way for utilities and other public*
9 *or private purposes;*

10 (2) *any hazardous fuels management activities*
11 *that have occurred within an individual fireshed in*
12 *the past 10 years;*

13 (3) *wildfire exposure with respect to such*
14 *fireshed delineated by—*

15 (A) *wildfire exposure and corresponding*
16 *risk to communities, including risk to structures*
17 *and life;*

18 (B) *wildfire exposure and corresponding*
19 *risk to municipal watersheds, including tribal*
20 *water supplies and systems; and*

21 (C) *risk of forest conversion due to wildfire;*

22 (4) *the percentage of the fireshed that has burned*
23 *in wildfires in the past 10 years, including, to the ex-*
24 *tent practicable, delineations of acres that have*
25 *burned at a high severity;*

1 (5) *spatial patterns of wildfire exposure, includ-*
2 *ing plausible extreme fire events; and*

3 (6) *any hazardous fuels management activities*
4 *planned for the fireshed, including fireshed manage-*
5 *ment projects.*

6 (b) *COMMUNITY WILDFIRE PROTECTION PLANS.—The*
7 *Director shall make data from the Fireshed Registry avail-*
8 *able to local communities developing or updating commu-*
9 *nity wildfire protection plans.*

10 (c) *REQUIREMENT TO MAINTAIN.—As part of the*
11 *website containing the Fireshed Registry, the Director*
12 *shall—*

13 (1) *publish fireshed assessments created under*
14 *section 105; and*

15 (2) *maintain a searchable database to track—*

16 (A) *the status of Federal environmental re-*
17 *views, permits, and authorizations for fireshed*
18 *management projects, including—*

19 (i) *a comprehensive permitting time-*
20 *table;*

21 (ii) *the status of the compliance of each*
22 *lead agency, cooperating agency, and par-*
23 *ticipating agency with the permitting time-*
24 *table with respect to such fireshed manage-*
25 *ment projects;*

1 (iii) any modifications of the permit-
2 ting timetable required under clause (i), in-
3 cluding an explanation as to why the per-
4 mitting timetable was modified; and

5 (iv) information about project-related
6 public meetings, public hearings, and public
7 comment periods, which shall be presented
8 in English and the predominant language
9 of the community or communities most af-
10 fected by the project, as that information be-
11 comes available;

12 (B) the projected cost of such fireshed man-
13 agement projects; and

14 (C) in the case of completed fireshed man-
15 agement projects, the effectiveness of such projects
16 in reducing the wildfire exposure within an ap-
17 plicable fireshed, including wildfire exposure de-
18 scribed in subparagraphs (A) through (C) of sub-
19 section (a)(3).

20 (d) *RELIANCE ON EXISTING ASSESSMENTS.*—In car-
21 rying out this section, the Director may rely on assessments
22 completed or data gather through existing partnerships, to
23 the extent practicable.

1 **SEC. 104. SHARED STEWARDSHIP.**

2 (a) *JOINT AGREEMENTS.*—Not later than 90 days after
3 receiving a written request from a Governor of a State or
4 an Indian Tribe, the Secretary concerned shall enter into
5 a shared stewardship agreement (or similar agreement)
6 with such Governor or Indian Tribe to jointly—

7 (1) promote the reduction of wildfire exposure,
8 based on the criteria in section 101(a)(1)(B), in
9 fireshed management areas across jurisdictional
10 boundaries; and

11 (2) conduct fireshed assessments under section
12 105.

13 (b) *ADDITIONAL FIRESHED MANAGEMENT AREAS.*—
14 With respect to a shared stewardship agreement (or similar
15 agreement) with a Governor of a State or an Indian Tribe
16 entered into under subsection (a), the Secretary concerned,
17 if requested by such Governor or Indian Tribe, may—

18 (1) designate additional fireshed management
19 areas under such agreement; and

20 (2) update such agreement to address new wild-
21 fire threats.

22 **SEC. 105. FIRESHED ASSESSMENTS.**

23 (a) *FIRESHED ASSESSMENTS.*—

24 (1) *IN GENERAL.*—Not later than 90 days after
25 the date on which the Secretary concerned enters into
26 an agreement with a Governor of a State or an In-

1 *dian Tribe under section 104, the Secretary concerned*
2 *and such Governor or Indian Tribe shall, with respect*
3 *to the fireshed management areas designated in such*
4 *State, jointly conduct a fireshed assessment that—*

5 *(A) identifies—*

6 *(i) using the best available science,*
7 *wildfire exposure risks within each such*
8 *fireshed management area, including sce-*
9 *nario planning and wildfire hazard map-*
10 *ping and models; and*

11 *(ii) each at-risk community within*
12 *each fireshed management area;*

13 *(B) identifies potential fireshed manage-*
14 *ment projects to be carried out in such fireshed*
15 *management areas, giving priority—*

16 *(i) primarily, to projects with the pur-*
17 *pose of reducing—*

18 *(I) wildfire exposure and cor-*
19 *responding risk to communities, in-*
20 *cluding risk to structures and life;*

21 *(II) wildfire exposure and cor-*
22 *responding risk to municipal water-*
23 *sheds, including tribal water supplies*
24 *and systems;*

1 (III) risk of forest conversion due
2 to wildfire; or

3 (IV) any combination of purposes
4 described in subclauses (I) through
5 (III); and

6 (ii) secondarily, to projects with the
7 purpose of protecting—

8 (I) critical infrastructure, includ-
9 ing utility infrastructure;

10 (II) wildlife habitats, including
11 habitat for species listed under the En-
12 dangered Species Act (16 U.S.C. 1531
13 et seq.);

14 (III) the built environment, in-
15 cluding residential and commercial
16 buildings;

17 (IV) resources of an Indian Tribe,
18 as defined by the Indian Tribe; or

19 (V) any combination of purposes
20 described in subclauses (I) through
21 (IV);

22 (C) includes—

23 (i) a strategy for reducing the threat of
24 wildfire to at-risk communities in the

1 *wildland-urban interface on both Federal*
2 *and non-Federal land;*

3 *(ii) a timeline for the implementation*
4 *of fireshed management projects;*

5 *(iii) long-term benchmark goals for the*
6 *completion of fireshed management projects*
7 *in the highest wildfire exposure areas so*
8 *that such projects contribute to the develop-*
9 *ment and maintenance of healthy and resil-*
10 *ient landscapes; and*

11 *(iv) policies to ensure fireshed manage-*
12 *ment projects comply with applicable forest*
13 *plans and incorporate the best available*
14 *science;*

15 *(D) shall be regularly updated based on the*
16 *best available science, as determined by the Sec-*
17 *retary concerned; and*

18 *(E) shall be publicly available on a website*
19 *maintained by the Secretary concerned.*

20 *(2) LOCAL GOVERNMENT PARTICIPATION.—Upon*
21 *the written request of a local government, the Sec-*
22 *retary concerned and the Governor of the State in*
23 *which the local government is located may allow such*
24 *local government to participate in producing the*

1 *fireshed assessment under paragraph (1) for such*
2 *State.*

3 (3) *INFORMATION IMPROVEMENT.*—

4 (A) *MEMORANDUMS OF UNDERSTANDING.*—

5 *In carrying out a fireshed assessment under this*
6 *subsection, the Secretary concerned may enter*
7 *into memorandums of understanding with other*
8 *Federal agencies or departments, States, Indian*
9 *Tribes, private entities, or research or edu-*
10 *cational institutions to improve, with respect to*
11 *such assessment, the use and integration of—*

12 (i) *advanced remote sensing and*
13 *geospatial technologies;*

14 (ii) *statistical modeling and analysis;*

15 *or*

16 (iii) *any other technology or combina-*
17 *tion of technologies and analyses that the*
18 *Secretary concerned determines will benefit*
19 *the quality of information of such an assess-*
20 *ment.*

21 (B) *BEST AVAILABLE SCIENCE.*—*In using*
22 *the best available science for the fireshed assess-*
23 *ments completed under subsection (a)(1), the*
24 *Secretary concerned and Governor shall, to the*
25 *maximum extent practicable, incorporate—*

1 (i) *traditional ecological knowledge*
2 *from Indian Tribes;*

3 (ii) *data from State forest action plans*
4 *and State wildfire risk assessments;*

5 (iii) *data from the Fireshed Registry*
6 *maintained under section 103; and*

7 (iv) *data from other Federal, State,*
8 *Tribal, and local governments or agencies.*

9 (b) *APPLICABILITY OF NEPA.—Fireshed assessments*
10 *conducted under this section shall not be subject to the re-*
11 *quirements of the National Environmental Policy Act of*
12 *1969 (42 U.S.C. 4321 et seq.).*

13 **SEC. 106. EMERGENCY FIRESHED MANAGEMENT.**

14 (a) *FIRESHED MANAGEMENT PROJECTS.—*

15 (1) *IN GENERAL.—The Secretary concerned, act-*
16 *ing through a responsible official, shall carry out*
17 *fireshed management projects in fireshed management*
18 *areas designated under section 101 in accordance*
19 *with this section.*

20 (2) *FIRESHED MANAGEMENT PROJECTS.—The re-*
21 *sponsible official shall carry out the following forest*
22 *and vegetation management activities as fireshed*
23 *management projects under this section:*

24 (A) *Conducting hazardous fuels manage-*
25 *ment activities.*

1 (B) *Creating fuel breaks and fire breaks.*

2 (C) *Removing hazard trees, dead trees,*
3 *dying trees, or trees at risk of dying, as deter-*
4 *mined by the responsible official.*

5 (D) *Developing, approving, or conducting*
6 *routine maintenance under a vegetation manage-*
7 *ment, facility inspection, and operation and*
8 *maintenance plan submitted under section*
9 *512(c)(1) of the Federal Land Policy and Man-*
10 *agement Act of 1976 (43 U.S.C. 1772(c)(1)).*

11 (E) *Removing trees to address overstocking*
12 *or crowding in a forest stand, consistent with the*
13 *appropriate basal area of the forest stand as de-*
14 *termined by the responsible official.*

15 (F) *Using chemical or re-seeding and plant-*
16 *ing treatments to address insects and disease and*
17 *control vegetation competition or invasive spe-*
18 *cies.*

19 (G) *Any activities recommended by an ap-*
20 *plicable fireheshed assessment carried out under*
21 *section 105.*

22 (H) *Any activities recommended by an ap-*
23 *plicable community wildfire protection plan.*

24 (I) *Any combination of activities described*
25 *in this paragraph.*

1 (3) *EMERGENCY FIRESHED MANAGEMENT.*—

2 (A) *IN GENERAL.*—*For any fireshed man-*
3 *agement area designated under section 101, the*
4 *following shall have the force and effect of law:*

5 (i) *Section 220.4(b) of title 36, Code of*
6 *Federal Regulations (as in effect on the date*
7 *of enactment of this Act), with respect to*
8 *lands under the jurisdiction of the Sec-*
9 *retary.*

10 (ii) *Section 46.150 of title 43, Code of*
11 *Federal Regulations (as in effect on the date*
12 *of enactment of this Act), with respect to*
13 *lands under the jurisdiction of the Secretary*
14 *of the Interior.*

15 (iii) *Section 402.05 of title 50, Code of*
16 *Federal Regulations (as in effect on the date*
17 *of enactment of this Act).*

18 (iv) *Section 800.12 of title 36, Code of*
19 *Federal Regulations (as in effect on the date*
20 *of enactment of this Act).*

21 (B) *UTILIZATION OF EXISTING STREAM-*
22 *LINED AUTHORITIES IN FIRESHED MANAGEMENT*
23 *AREAS.*—

24 (i) *IN GENERAL.*—*Fireshed manage-*
25 *ment projects carried out under this section*

1 *shall be considered authorized projects*
2 *under the following categorical exclusions:*

3 (I) *Section 603(a) of the Healthy*
4 *Forests Restoration Act of 2003 (16*
5 *U.S.C. 6591b(a)).*

6 (II) *Section 605(a) of the Healthy*
7 *Forests Restoration Act of 2003 (16*
8 *U.S.C. 6591d(a)).*

9 (III) *Section 606(b) of the*
10 *Healthy Forests Restoration Act of*
11 *2003 (16 U.S.C. 6591e(b)).*

12 (IV) *Section 40806(b) of the In-*
13 *frastructure Investment and Jobs Act*
14 *(16 U.S.C. 6592b(b)).*

15 (V) *Section 4(c)(4) of the Lake*
16 *Tahoe Restoration Act (Public Law*
17 *106–506; 114 Stat. 2353).*

18 (VI) *Subject to subsection (d) of*
19 *section 40807 of the Infrastructure In-*
20 *vestment and Jobs Act (16 U.S.C.*
21 *6592c) in the same manner as author-*
22 *ized emergency actions (as defined in*
23 *subsection (a) of such section) are sub-*
24 *ject to such subsection.*

1 (ii) *USE OF EXPEDITED AUTHORI-*
2 *TIES.—In carrying out a fireshed manage-*
3 *ment project, the Secretary shall apply a*
4 *categorical exclusion under clause (i)—*

5 (I) *in a manner consistent with*
6 *the statute establishing such categorical*
7 *exclusion; and*

8 (II) *in any area—*

9 (aa) *designated as suitable*
10 *for timber production within the*
11 *applicable forest plan; or*

12 (bb) *where timber harvest ac-*
13 *tivities are not prohibited.*

14 (iii) *FISCAL RESPONSIBILITY ACT RE-*
15 *QUIREMENTS.—In carrying out this section,*
16 *the Secretary concerned shall ensure compli-*
17 *ance with the amendments made to the Na-*
18 *tional Environmental Policy Act (42 U.S.C.*
19 *4321 et seq.) by the Fiscal Responsibility*
20 *Act of 2023 (Public Law 118–5).*

21 (iv) *USE OF OTHER AUTHORITIES.—*
22 *To the maximum extent practicable, the*
23 *Secretary concerned shall use the authorities*
24 *provided under this section in combination*

1 with other authorities to carry out fireshed
2 management projects, including—

3 (I) good neighbor agreements en-
4 tered into under section 8206 of the
5 Agricultural Act of 2014 (16 U.S.C.
6 2113a) (as amended by this Act);

7 (II) stewardship contracting
8 projects entered into under section 604
9 of the Healthy Forests Restoration Act
10 of 2003 (16 U.S.C. 6591c) (as amended
11 by this Act);

12 (III) self-determination contracts
13 and self-governance compact agree-
14 ments entered into under the Indian
15 Self-Determination and Education As-
16 sistance Act (25 U.S.C. 5301 et seq.);
17 and

18 (IV) agreements entered into
19 under the Tribal Forest Protection Act
20 of 2004 (25 U.S.C. 3115a et seq.).

21 (b) *EXPANSION.*—

22 (1) *HFRA AMENDMENTS.*—*The Healthy Forests*
23 *Restoration Act of 2003 is amended—*

1 (A) in section 603(c)(1) (16 U.S.C.
2 6591b(c)(1)), by striking “3000 acres” and in-
3 serting “10,000 acres”;

4 (B) in section 605(c)(1) (16 U.S.C.
5 6591d(c)(1)), by striking “3000 acres” and in-
6 serting “10,000 acres”; and

7 (C) in section 606(g) (16 U.S.C. 6591e(g)),
8 by striking “4,500 acres” and inserting “10,000
9 acres”.

10 (2) *INFRASTRUCTURE INVESTMENT AND JOBS*
11 *ACT AMENDMENT.*—Section 40806(d)(1) of the *Infra-*
12 *structure Investment and Jobs Act* (16 U.S.C.
13 6592b(d)(1)), by striking “3,000 acres” and inserting
14 “10,000 acres”.

15 (3) *LAKE TAHOE RESTORATION ACT AMEND-*
16 *MENTS.*—Section 4(c)(4)(C) of the *Lake Tahoe Res-*
17 *toration Act* (Public Law 106–506; 114 Stat. 2353)
18 is amended—

19 (A) by striking “*Lake Tahoe Basin Manage-*
20 *ment Unit*”; and

21 (B) by inserting “*applicable to the area*”
22 before the period at the end.

1 **SEC. 107. SUNSET.**

2 *The authority under this subtitle shall terminate on*
 3 *the date that is 7 years after the date of enactment of this*
 4 *Act.*

5 **Subtitle B—Expanding Collaborative Tools to Reduce Wildfire**
 6 **Risk and Improve Forest Health**

8 **SEC. 111. MODIFICATION OF THE TREATMENT OF CERTAIN**
 9 **REVENUE AND PAYMENTS UNDER GOOD**
 10 **NEIGHBOR AGREEMENTS.**

11 *(a) GOOD NEIGHBOR AUTHORITY.—Section 8206 of*
 12 *the Agricultural Act of 2014 (16 U.S.C. 2113a) is amend-*
 13 *ed—*

14 *(1) in subsection (a)(6), by striking “or Indian*
 15 *tribe”; and*

16 *(2) in subsection (b)—*

17 *(A) in paragraph (1)(A), by inserting “, In-*
 18 *dian tribe,” after “Governor”;*

19 *(B) in paragraph (2)(C)—*

20 *(i) by striking clause (i) and inserting*
 21 *the following:*

22 *“(i) IN GENERAL.—Funds received*
 23 *from the sale of timber or forest product by*
 24 *a Governor, an Indian tribe, or a county*
 25 *under a good neighbor agreement shall be*

1 retained and used by the Governor, Indian
2 tribe, or county, as applicable—

3 “(I) to carry out authorized res-
4 toration services under the good neigh-
5 bor agreement; and

6 “(II) if there are funds remaining
7 after carrying out subclause (I), to
8 carry out authorized restoration serv-
9 ices under other good neighbor agree-
10 ments and for the administration of a
11 good neighbor authority program by a
12 Governor, Indian tribe, or county.”;
13 and

14 (ii) in clause (ii), by striking “2024”
15 and inserting “2029”;

16 (C) in paragraph (3), by inserting “, In-
17 dian tribe,” after “Governor”; and

18 (D) by striking paragraph (4).

19 (b) *CONFORMING AMENDMENTS.*—Section 8206(a) of
20 the Agricultural Act of 2014 (16 U.S.C. 2113a(a)) is
21 amended—

22 (1) in paragraph (1)(B), by inserting “, Indian
23 tribe,” after “Governor”; and

24 (2) in paragraph (5), by inserting “, Indian
25 tribe,” after “Governor”.

1 (c) *EFFECTIVE DATE.*—*The amendments made by this*
 2 *section apply to any project initiated pursuant to a good*
 3 *neighbor agreement (as defined in section 8206(a) of the*
 4 *Agricultural Act of 2014 (16 U.S.C. 2113a(a))*—

5 (1) *before the date of enactment of this Act, if the*
 6 *project was initiated after the date of enactment of*
 7 *the Agriculture Improvement Act of 2018 (Public*
 8 *Law 115–334; 132 Stat. 4490); or*

9 (2) *on or after the date of enactment of this Act.*

10 **SEC. 112. FIXING STEWARDSHIP END RESULT CON-**
 11 **TRACTING.**

12 *Section 604 of the Healthy Forests Restoration Act of*
 13 *2003 (16 U.S.C. 6591c) is amended—*

14 (1) *in subsection (b), by inserting “, including*
 15 *retaining and expanding existing forest products in-*
 16 *frastructure” before the period at the end;*

17 (2) *in subsection (d)(3)(B), by striking “10*
 18 *years” and inserting “20 years”; and*

19 (3) *in subsection (h), by adding at the end the*
 20 *following:*

21 “(4) *SPECIAL RULE FOR LONG-TERM STEWARD-*
 22 *SHIP CONTRACTS.*—

23 “(A) *IN GENERAL.*—*A long-term agreement*
 24 *or contract entered into with an entity under*
 25 *subsection (b) by the Chief or the Director shall*

1 *provide that in the case of the cancellation or*
2 *termination by the Chief or the Director of such*
3 *long-term agreement or contract, the Chief or the*
4 *Director, as applicable, shall provide 10 percent*
5 *of the agreement or contract amount to such en-*
6 *tity as cancellation or termination costs.*

7 “(B) *DEFINITION OF LONG-TERM AGREE-*
8 *MENT OR CONTRACT.—In this paragraph, the*
9 *term ‘long-term agreement or contract’ means an*
10 *agreement or contract under subsection (b)—*

11 *“(i) with a term of more than 5 years;*

12 *and*

13 *“(ii) entered into on or after the date*
14 *of the enactment of this paragraph.”.*

15 **SEC. 113. INTRA-AGENCY STRIKE TEAMS.**

16 (a) *ESTABLISHMENT.—The Secretary concerned shall*
17 *establish intra-agency strike teams to assist the Secretary*
18 *concerned with—*

19 (1) *any reviews, including analysis under the*
20 *National Environmental Policy Act of 1969 (42*
21 *U.S.C. 4321 et seq.), consultations under the National*
22 *Historic Preservation Act of 1966 (16 U.S.C. 470 et*
23 *seq.), and consultations under the Endangered Species*
24 *Act of 1973 (16 U.S.C. 1531 et seq.), with the intent*

1 *to accelerate and streamline interagency consultation*
2 *processes;*

3 *(2) the implementation of any necessary site*
4 *preparation work in advance of or as part of a*
5 *fireshed management project;*

6 *(3) the implementation of fireshed management*
7 *projects under such section; and*

8 *(4) any combination of purposes under para-*
9 *graphs (1) through (3).*

10 *(b) MEMBERS.—The Secretary concerned may appoint*
11 *not more than 10 individuals to serve on an intra-agency*
12 *strike team comprised of—*

13 *(1) employees of the Department under the juris-*
14 *diction of the Secretary concerned;*

15 *(2) employees of a different Federal agency, with*
16 *the consent of that agency’s Secretary;*

17 *(3) private contractors from any nonprofit orga-*
18 *nization, State government, Indian Tribe, local gov-*
19 *ernment, quasi-governmental agency, academic insti-*
20 *tution, or private organization; and*

21 *(4) volunteers from any nonprofit organization,*
22 *State government, Indian Tribe, local government,*
23 *quasi-governmental agency, academic institution, or*
24 *private organization.*

1 (c) *SUNSET*.—*The authority provided under this sec-*
2 *tion shall terminate on the date that is 7 years after the*
3 *date of enactment of this Act.*

4 **SEC. 114. LOCALLY-LED RESTORATION.**

5 (a) *THRESHOLD ADJUSTMENT*.—*Section 14(d) of the*
6 *National Forest Management Act of 1976 (16 U.S.C.*
7 *472a(d)) is amended by—*

8 (1) *striking “\$10,000” and inserting “\$55,000”;*
9 *and*

10 (2) *by adding at the end the following: “Begin-*
11 *ning on January 1, 2025, and annually thereafter,*
12 *the amount in the first sentence of this subsection*
13 *shall be adjusted by the Secretary for changes in the*
14 *Consumer Price Index of All Urban Consumers pub-*
15 *lished by the Bureau of Labor Statistics of the De-*
16 *partment of Labor.”.*

17 (b) *FIRESHED MANAGEMENT PROJECTS*.—*Beginning*
18 *on the date that is 30 days after the date of enactment of*
19 *this Act, the Secretary shall solicit bids under section 14*
20 *of the National Forest Management Act of 1976 (16 U.S.C.*
21 *472a(d)) for fireshed management projects under section*
22 *106.*

1 **SEC. 115. JOINT CHIEFS LANDSCAPE RESTORATION PART-**
2 **NEERSHIP PROGRAM.**

3 *Section 40808 of the Infrastructure Investment and*
4 *Jobs Act (16 U.S.C. 6592d) is amended—*

5 *(1) in subsection (a)(2)—*

6 *(A) in subparagraph (B), by striking “or”*
7 *at the end;*

8 *(B) in subparagraph (C), by striking the*
9 *period at the end and inserting a semicolon; and*

10 *(C) by adding at the end the following:*

11 *“(D) to recover from wildfires; or*

12 *“(E) to enhance soil, water, and related*
13 *natural resources.”;*

14 *(2) in subsection (d)(1)—*

15 *(A) in subparagraph (A), by inserting “and*
16 *post-wildfire impacts” after “wildfire risk”; and*

17 *(B) in subparagraph (F), by inserting “, as*
18 *identified in the corresponding State forest ac-*
19 *tion plan or similar priority plan (such as a*
20 *State wildlife or water plan)” before the semi-*
21 *colon;*

22 *(3) in subsection (g)(2), by inserting “and at*
23 *least once every 2 fiscal years thereafter” after “and*
24 *2023”; and*

25 *(4) in subsection (h)(1), by striking “and 2023”*
26 *and inserting “through 2028”.*

1 **SEC. 116. COLLABORATIVE FOREST LANDSCAPE RESTORA-**
2 **TION PROGRAM.**

3 *Section 4003 of the Omnibus Public Land Manage-*
4 *ment Act of 2009 (16 U.S.C. 7303) is amended—*

5 *(1) in subsection (b)(3)—*

6 *(A) in subparagraph (D), by striking “spe-*
7 *cies;” and inserting “species or pathogens;”;*

8 *(B) in subparagraph (G), by striking “and”*
9 *at the end;*

10 *(C) in subparagraph (H), by adding “and”*
11 *after the semicolon at the end; and*

12 *(D) by adding at the end the following:*

13 *“(I) address standardized monitoring ques-*
14 *tions and indicators;”;*

15 *(2) in subsection (c)(3)(A)—*

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

18 *(B) in clause (ii), by adding “and” at the*
19 *end; and*

20 *(C) by adding at the end the following:*

21 *“(iii) include a plan to provide sup-*
22 *port to collaborative processes established*
23 *pursuant to subsection (b)(2);”;*

24 *(3) in subsection (d)—*

25 *(A) in paragraph (2)—*

1 (i) in subparagraph (E), by striking
2 “and” at the end;

3 (ii) in subparagraph (F), by striking
4 the period at the end and inserting “; and”;
5 and

6 (iii) by adding at the end the fol-
7 lowing:

8 “(G) proposals that seek to use innovative
9 implementation mechanisms, including good
10 neighbor agreements entered into under section
11 8206 of the Agricultural Act of 2014 (16 U.S.C.
12 2113a);

13 “(H) proposals that seek to reduce the risk
14 of uncharacteristic wildfire or increase ecological
15 restoration activities—

16 “(i) within areas across land owner-
17 ships, including State, Tribal, and private
18 land; and

19 “(ii) within the wildland-urban inter-
20 face (as defined in section 101 of the
21 Healthy Forests Restoration Act of 2003 (16
22 U.S.C. 6511)); and

23 “(I) proposals that seek to enhance water-
24 shed health and drinking water sources.”; and

25 (B) in paragraph (3)—

1 (i) by amending subparagraph (A) to
2 read as follows:

3 “(A) 4 proposals in any 1 region of the Na-
4 tional Forest System to be funded during any
5 fiscal year; and”;

6 (ii) by striking subparagraph (B); and

7 (iii) by redesignating subparagraph
8 (C) as subparagraph (B); and

9 (4) in subsection (f)(6), by striking “2019
10 through 2023” and inserting “2023 through 2029”.

11 ***Subtitle C—Litigation Reform***

12 **SEC. 121. COMMONSENSE LITIGATION REFORM.**

13 (a) *IN GENERAL.*—A court shall not enjoin a covered
14 agency action if the court determines that the plaintiff is
15 unable to demonstrate that the claim of the plaintiff is like-
16 ly to succeed on the merits.

17 (b) *BALANCING SHORT-AND LONG-TERM EFFECTS OF*
18 *COVERED AGENCY ACTION IN CONSIDERING INJUNCTIVE*
19 *RELIEF.*—As part of its weighing the equities while consid-
20 ering any request for an injunction that applies to a covered
21 agency action, the court reviewing such action shall balance
22 the impact to the ecosystem likely affected by such action
23 of—

24 (1) the short- and long-term effects of under-
25 taking such action; against

1 (2) *the short- and long-term effects of not under-*
2 *taking such action.*

3 (c) *LIMITATIONS ON JUDICIAL REVIEW.—*

4 (1) *IN GENERAL.—Notwithstanding any other*
5 *provision of law (except this section), in the case of*
6 *a claim arising under Federal law seeking judicial re-*
7 *view of a covered agency action—*

8 (A) *a court shall not hold unlawful, set*
9 *aside, or otherwise limit, delay, stay, vacate, or*
10 *enjoin such agency action unless the court deter-*
11 *mines that—*

12 (i) *such action poses or will pose a risk*
13 *of a proximate and substantial environ-*
14 *mental harm; and*

15 (ii) *there is no other equitable remedy*
16 *available as a matter of law; and*

17 (B) *if a court determines that subparagraph*
18 *(A) does not apply to the covered agency action*
19 *the only remedy the court may order with regard*
20 *to such agency action is to remand the matter to*
21 *the agency with instructions to, during the 180-*
22 *day period beginning on the date of the order,*
23 *take such additional actions as may be necessary*
24 *to redress any legal wrong suffered by, or adverse*
25 *effect on, the plaintiff, except such additional ac-*

1 *tions may not include the preparation of a new*
2 *agency document unless the court finds the agen-*
3 *cy was required and failed to prepare such agen-*
4 *cy document.*

5 *(2) EFFECT OF REMAND.—In the case of a cov-*
6 *ered agency action to which paragraph (1)(B) ap-*
7 *plies, the agency may—*

8 *(A) continue to carry out such agency ac-*
9 *tion to the extent the action does not impact the*
10 *additional actions required pursuant to such*
11 *paragraph; and*

12 *(B) if the agency action relates to an agen-*
13 *cy document, use any format to correct such doc-*
14 *ument (including a supplemental environmental*
15 *document, memorandum, or errata sheet).*

16 *(d) LIMITATIONS ON CLAIMS.—Notwithstanding any*
17 *other provision of law (except this section), a claim arising*
18 *under Federal law seeking judicial review of a covered agen-*
19 *cy action shall be barred unless—*

20 *(1) with respect to an agency document or the*
21 *application of a categorical exclusion noticed in the*
22 *Federal Register, such claim is filed not later than*
23 *120 days after the date of publication of a notice in*
24 *the Federal Register of agency intent to carry out the*
25 *fresh management project relating to such agency*

1 *document or application, unless a shorter period is*
2 *specified in such Federal law;*

3 *(2) in the case of an agency document or the ap-*
4 *plication of a categorical exclusion not described in*
5 *paragraph (1), such claim is filed not later than 120*
6 *days after the date that is the earlier of—*

7 *(A) the date on which such agency docu-*
8 *ment or application is published; and*

9 *(B) the date on which such agency docu-*
10 *ment or application is noticed; and*

11 *(3) in the case of a covered agency action for*
12 *which there was a public comment period, such*
13 *claim—*

14 *(A) is filed by a party that—*

15 *(i) participated in the administrative*
16 *proceedings regarding the fireshed manage-*
17 *ment project relating to such action; and*

18 *(ii) submitted a comment during such*
19 *public comment period and such comment*
20 *was sufficiently detailed to put the applica-*
21 *ble agency on notice of the issue upon which*
22 *the party seeks judicial review; and*

23 *(B) is related to such comment.*

24 *(e) DEFINITIONS.—In this section:*

1 (1) *AGENCY DOCUMENT.*—*The term “agency doc-*
2 *ument” means, with respect to a fireshed management*
3 *project, a record of decision, environmental document,*
4 *or programmatic environmental document.*

5 (2) *COVERED AGENCY ACTION.*—*The term “cov-*
6 *ered agency action” means—*

7 (A) *the establishment of a fireshed manage-*
8 *ment project by an agency;*

9 (B) *the application of a categorical exclu-*
10 *sion to a fireshed management project;*

11 (C) *the preparation of any agency docu-*
12 *ment for a fireshed management project; or*

13 (D) *any other agency action as part of a*
14 *fireshed management project.*

15 (3) *NEPA TERMS.*—*The terms “categorical ex-*
16 *clusion”, “environmental document”, and “pro-*
17 *grammatic environmental document” have the mean-*
18 *ings given such terms, respectively, in section 111 of*
19 *the National Environmental Policy Act of 1969 (42*
20 *U.S.C. 4336e).*

21 **SEC. 122. CONSULTATION ON FOREST PLANS.**

22 (a) *FOREST SERVICE PLANS.*—*Section 6(d)(2) of the*
23 *Forest and Rangeland Renewable Resources Planning Act*
24 *of 1974 (16 U.S.C. 1604(d)(2)) is amended to read as fol-*
25 *lows:*

1 “(2) *NO ADDITIONAL CONSULTATION REQUIRED*
2 *UNDER CERTAIN CIRCUMSTANCES.—Notwithstanding*
3 *any other provision of law, the Secretary shall not be*
4 *required to reinitiate consultation under section*
5 *7(a)(2) of the Endangered Species Act of 1973 (16*
6 *U.S.C. 1536(a)(2)) or section 402.16 of title 50, Code*
7 *of Federal Regulations (or a successor regulation), on*
8 *a land management plan approved, amended, or re-*
9 *vised under this section when—*

10 “(A) *a new species is listed or critical habi-*
11 *tat is designated under the Endangered Species*
12 *Act of 1973 (16 U.S.C. 1531 et seq.); or*

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

18 (b) *BUREAU OF LAND MANAGEMENT PLANS.—Section*
19 *202 of the Federal Land Policy and Management Act of*
20 *1976 (43 U.S.C. 1712) is amended by adding at the end*
21 *the following:*

22 “(g) *NO ADDITIONAL CONSULTATION REQUIRED*
23 *UNDER CERTAIN CIRCUMSTANCES.—Notwithstanding any*
24 *other provision of law, the Secretary shall not be required*
25 *to reinitiate consultation under section 7(a)(2) of the En-*

1 *dangered Species Act of 1973 (16 U.S.C. 1536(a)(2)) or sec-*
2 *tion 402.16 of title 50, Code of Federal Regulations (or a*
3 *successor regulation), on a land use plan approved, amend-*
4 *ed, or revised under this section when—*

5 “(1) *a new species is listed or critical habitat is*
6 *designated under the Endangered Species Act of 1973*
7 *(16 U.S.C. 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.”.*

12 **TITLE II—PROTECTING COMMU-**
13 **NITIES IN THE WILDLAND-**
14 **URBAN INTERFACE**

15 **SEC. 201. COMMUNITY WILDFIRE RISK REDUCTION PRO-**
16 **GRAM.**

17 (a) *ESTABLISHMENT.*—*Not later than 30 days after*
18 *the date of enactment of this Act, the Secretaries shall joint-*
19 *ly establish an interagency program to be known as the*
20 *“Community Wildfire Risk Reduction Program” that shall*
21 *consist of at least one representative from each of the fol-*
22 *lowing:*

23 (1) *The Office of Wildland Fire of the Depart-*
24 *ment of the Interior.*

25 (2) *The National Park Service.*

1 (3) *The Bureau of Land Management.*

2 (4) *The United States Fish and Wildlife Service.*

3 (5) *The Bureau of Indian Affairs.*

4 (6) *The Forest Service.*

5 (7) *The Federal Emergency Management Agency.*

6 (8) *The United States Fire Administration.*

7 (9) *The National Institute of Standards and*
8 *Technology.*

9 (b) *PURPOSE.*—*The purpose of the program established*
10 *under subsection (a) is to support interagency coordination*
11 *in reducing the risk of, and the damages resulting from,*
12 *wildfires in communities (including tribal communities) in*
13 *the wildland-urban interface through—*

14 (1) *advancing research and science in wildfire*
15 *resilience and land management, including support*
16 *for non-Federal research partnerships;*

17 (2) *supporting adoption by Indian Tribes and*
18 *local governmental entities of fire-resistant building*
19 *methods, codes, and standards;*

20 (3) *supporting efforts by Indian Tribes or local*
21 *governmental entities to address the effects of*
22 *wildland fire on such communities, including prop-*
23 *erty damages, air quality, and water quality;*

1 (4) *encouraging public-private partnerships to*
2 *conduct hazardous fuels management activities in the*
3 *wildland-urban interface;*

4 (5) *providing technical and financial assistance*
5 *targeted towards communities, including tribal com-*
6 *munities, through streamlined and unified technical*
7 *assistance and grant management mechanisms, in-*
8 *cluding the portal and grant application established*
9 *under subsection (c), to—*

10 (A) *encourage critical risk reduction meas-*
11 *ures on private property with high wildfire risk*
12 *exposure in such communities; and*

13 (B) *mitigate costs for and improve capacity*
14 *among such communities.*

15 (c) *PORTAL AND UNIFORM GRANT APPLICATION.—*

16 (1) *IN GENERAL.—As part of the program estab-*
17 *lished under subsection (a), the Secretaries and the*
18 *Administrator of the Federal Emergency Management*
19 *Agency shall establish a portal through which a per-*
20 *son may submit a single, uniform application for any*
21 *of the following:*

22 (A) *A community wildfire defense grant*
23 *under section 40803(f) of the Infrastructure In-*
24 *vestment and Jobs Act (16 U.S.C. 6592(f)).*

1 (B) *An emergency management perform-*
2 *ance grant under section 662 of the Post-Katrina*
3 *Emergency Management Reform Act of 2006 (6*
4 *U.S.C. 761).*

5 (C) *A grant under section 33 of the Federal*
6 *Fire Prevention and Control Act of 1974 (15*
7 *U.S.C. 2229).*

8 (D) *A grant under section 34 of the Federal*
9 *Fire Prevention and Control Act of 1974 (15*
10 *U.S.C. 2229a).*

11 (E) *Financial or technical assistance or a*
12 *grant under sections 203, 205, 404, 406, or 420*
13 *of the Robert T. Stafford Disaster Relief and*
14 *Emergency Assistance Act (42 U.S.C. 5133,*
15 *5135, 5170c, 5172, 5187).*

16 (2) *SIMPLIFICATION OF APPLICATION.—In estab-*
17 *lishing the portal and application under paragraph*
18 *(1), the Secretaries and the Administrator shall seek*
19 *to reduce the complexity and length of the application*
20 *process for the grants described in paragraph (1).*

21 (3) *TECHNICAL ASSISTANCE.—The Secretaries*
22 *shall provide technical assistance to communities or*
23 *persons seeking to apply for financial assistance*
24 *through the portal using the application established*
25 *under paragraph (1).*

1 (d) *SUNSET.*—*The program established under this sec-*
2 *tion shall terminate on the date that is 7 years after the*
3 *date of enactment of this Act.*

4 **SEC. 202. COMMUNITY WILDFIRE DEFENSE RESEARCH PRO-**
5 **GRAM.**

6 (a) *IN GENERAL.*—*The Secretaries shall, acting joint-*
7 *ly, expand the Joint Fire Science Program to include a per-*
8 *formance-driven research and development program known*
9 *as the “Community Wildfire Defense Research Program”*
10 *for the purpose of testing and advancing innovative designs*
11 *to create or improve the wildfire-resistance of structures and*
12 *communities.*

13 (b) *PROGRAM PRIORITIES.*—*In carrying out the pro-*
14 *gram established under subsection (a), the Secretaries shall*
15 *evaluate opportunities to create wildfire-resistant structures*
16 *and communities through—*

17 (1) *different affordable building materials, in-*
18 *cluding mass timber;*

19 (2) *home hardening, including policies to*
20 *incentivize and incorporate defensible space;*

21 (3) *subdivision design and other land use plan-*
22 *ning and design;*

23 (4) *landscape architecture; and*

24 (5) *other wildfire-resistant designs, as deter-*
25 *mined by the Secretary.*

1 (c) *COMMUNITY WILDFIRE DEFENSE INNOVATION*
2 *PRIZE.*—

3 (1) *IN GENERAL.*—*In carrying out the program*
4 *established under subsection (a), the Secretaries shall*
5 *carry out a competition through which a person may*
6 *submit to the Secretaries innovative designs for the*
7 *creation or improvement of an ignition-resistant*
8 *structure or fire-adapted communities.*

9 (2) *PRIZE.*—*Subject to the availability of appro-*
10 *priations made in advance for such purpose, the Sec-*
11 *retaries may award a prize under the competition de-*
12 *scribed in paragraph (1), based on criteria established*
13 *by the Secretaries and in accordance with paragraph*
14 *(3).*

15 (3) *SCALE.*—*In awarding a prize under para-*
16 *graph (2), the Secretaries shall prioritize for an*
17 *award designs with the most potential to scale to ex-*
18 *isting infrastructure.*

19 (d) *SUNSET.*—*The program established under sub-*
20 *section (a) shall terminate on the date that is 7 years after*
21 *the date of enactment of this Act.*

1 **SEC. 203. VEGETATION MANAGEMENT, FACILITY INSPEC-**
2 **TION, AND OPERATION AND MAINTENANCE**
3 **RELATING TO ELECTRIC TRANSMISSION AND**
4 **DISTRIBUTION FACILITY RIGHTS-OF-WAY.**

5 (a) *HAZARD TREES WITHIN 150 FEET OF ELECTRIC*
6 *POWER LINE.*—Section 512(a)(1)(B)(ii) of the Federal
7 *Land Policy and Management Act of 1976 (43 U.S.C.*
8 *1772(a)(1)(B)(ii)) is amended by striking “10” and insert-*
9 *ing “150”.*

10 (b) *CONSULTATION WITH PRIVATE LANDOWNERS.*—
11 *Section 512(c)(3)(E) of such Act (43 U.S.C. 1772(c)(3)(E))*
12 *is amended—*

13 (1) *in clause (i), by striking “and” at the end;*

14 (2) *in clause (ii), by striking the period and in-*
15 *serting “; and”; and*

16 (3) *by adding at the end the following:*

17 “(iii) *consulting with a private land-*
18 *owner with respect to any hazard trees*
19 *identified for removal from land owned by*
20 *the private landowner.”.*

21 (c) *REVIEW AND APPROVAL PROCESS.*—Section
22 *512(c)(4)(A)(iv) of such Act (43 U.S.C. 1772(c)(4)(A)(iv))*
23 *is amended to read as follows:*

24 “(iv) *ensures that—*

25 “(I) *a plan submitted without a*
26 *modification under clause (iii) shall be*

1 *automatically approved 120 days after*
2 *being submitted; and*

3 *“(II) with respect to a plan sub-*
4 *mitted with a modification under*
5 *clause (iii), if not approved within 120*
6 *days after being submitted, the Sec-*
7 *retary concerned shall develop and sub-*
8 *mit a letter to the owner and operator*
9 *describing—*

10 *“(aa) a detailed timeline (to*
11 *conclude within 165 days after the*
12 *submission of the plan) for com-*
13 *pleting review of the plan;*

14 *“(bb) any identified defi-*
15 *ciencies with the plan and specific*
16 *opportunities for the owner and*
17 *operator to address such defi-*
18 *ciencies; and*

19 *“(cc) any other relevant in-*
20 *formation, as determined by the*
21 *Secretary concerned.”.*

22 **SEC. 204. CATEGORICAL EXCLUSION FOR ELECTRIC UTIL-**
23 **ITY LINES RIGHTS-OF-WAY.**

24 *(a) CATEGORICAL EXCLUSION ESTABLISHED.—Forest*
25 *management activities described in subsection (b) are a cat-*

1 *egory of activities hereby designated as being categorically*
2 *excluded from the preparation of an environmental assess-*
3 *ment or an environmental impact statement under section*
4 *102 of the National Environmental Policy Act of 1969 (42*
5 *U.S.C. 4332).*

6 (b) *FOREST MANAGEMENT ACTIVITIES DESIGNATED*
7 *FOR CATEGORICAL EXCLUSION.*—*The forest management*
8 *activities designated under subsection (a) for a categorical*
9 *exclusion are—*

10 (1) *the development and approval of a vegetation*
11 *management, facility inspection, and operation and*
12 *maintenance plan submitted under section 512(c)(1)*
13 *of the Federal Land Policy and Management Act of*
14 *1976 (43 U.S.C. 1772(c)(1)) by the Secretary con-*
15 *cerned; and*

16 (2) *the implementation of routine activities con-*
17 *ducted under the plan referred to in paragraph (1).*

18 (c) *AVAILABILITY OF CATEGORICAL EXCLUSION.*—*On*
19 *and after the date of enactment of this Act, the Secretary*
20 *concerned may use the categorical exclusion established*
21 *under subsection (a) in accordance with this section.*

22 (d) *EXCLUSION OF CERTAIN AREAS FROM CATEGOR-*
23 *ICAL EXCLUSION.*—*The categorical exclusion established*
24 *under subsection (a) shall not apply to any forest manage-*
25 *ment activity conducted—*

1 (1) *in a component of the National Wilderness*
2 *Preservation System; or*

3 (2) *on National Forest System lands on which*
4 *the removal of vegetation is restricted or prohibited by*
5 *an Act of Congress.*

6 (e) *PERMANENT ROADS.*—

7 (1) *PROHIBITION ON ESTABLISHMENT.*—*A forest*
8 *management activity designated under subsection (b)*
9 *shall not include the establishment of a permanent*
10 *road.*

11 (2) *EXISTING ROADS.*—*The Secretary concerned*
12 *may carry out necessary maintenance and repair on*
13 *an existing permanent road for the purposes of con-*
14 *ducting a forest management activity designated*
15 *under subsection (b).*

16 (3) *TEMPORARY ROADS.*—*The Secretary con-*
17 *cerned shall decommission any temporary road con-*
18 *structed for carrying out a forest management activ-*
19 *ity designated under subsection (b) not later than the*
20 *date that is 3 years after the date on which the forest*
21 *management activity is completed.*

22 (f) *APPLICABLE LAWS.*—*Clauses (iii) and (iv) of sec-*
23 *tion 106(a)(3) shall apply to forest management activities*
24 *designated under subsection (b).*

1 **SEC. 205. SEEDS OF SUCCESS.**

2 (a) *STRATEGY ESTABLISHED.*—Not later than 2 years
3 after the date of enactment of this Act, the Secretaries and
4 the Secretary of Defense shall jointly develop and imple-
5 ment a strategy, to be known as the “Seeds of Success strat-
6 egy”, to enhance the domestic supply chain of seeds.

7 (b) *ELEMENTS.*—The strategy required under sub-
8 section (a) shall include a plan for each of the following:

9 (1) *Facilitating sustained interagency coordina-*
10 *tion in, and a comprehensive approach to, native*
11 *plant materials development and restoration.*

12 (2) *Promoting the re-seeding of native or fire-re-*
13 *sistant vegetation post-wildfire, particularly in the*
14 *wildland-urban interface.*

15 (3) *Creating and consolidating information on*
16 *native or fire-resistant vegetation and sharing such*
17 *information with State governments, Indian Tribes,*
18 *and local governments.*

19 (4) *Building regional programs and partner-*
20 *ships to promote the development of materials made*
21 *from plants native to the United States and restore*
22 *such plants to their respective, native habitats within*
23 *the United States, giving priority to the building of*
24 *such programs and partnerships in regions of the Bu-*
25 *reau of Land Management where such partnerships*

1 *and programs do not already exist as of the date of*
2 *enactment of this Act.*

3 *(5) Expanding seed storage and seed-cleaning in-*
4 *frastructure.*

5 *(6) Expanding the Warehouse System of the Bu-*
6 *reau of Land Management, particularly the cold stor-*
7 *age capacity of the Warehouse System.*

8 *(7) Shortening the timeline for the approval of*
9 *permits to collect seeds on public lands managed by*
10 *the Bureau of Land Management.*

11 *(c) REPORT.—The Secretaries and the Secretary of De-*
12 *fense shall submit to the relevant Congressional Committees*
13 *the strategy developed under paragraph (1).*

14 **TITLE III—TRANSPARENCY AND**
15 **TECHNOLOGY**

16 **SEC. 301. BIOCHAR INNOVATIONS AND OPPORTUNITIES**
17 **FOR CONSERVATION, HEALTH, AND AD-**
18 **VANCEMENTS IN RESEARCH.**

19 *(a) DEMONSTRATION PROJECTS.—*

20 *(1) ESTABLISHMENT.—*

21 *(A) IN GENERAL.—Not later than 2 years*
22 *after the date of enactment of this Act, the cov-*
23 *ered Secretaries shall establish a program to*
24 *enter into partnerships with eligible entities to*
25 *carry out demonstration projects to support the*

1 *development and commercialization of biochar in*
2 *accordance with this subsection.*

3 (B) *LOCATION OF DEMONSTRATION*
4 *PROJECTS.—In carrying out the program estab-*
5 *lished under subparagraph (A), the covered Sec-*
6 *retaries shall, to the maximum extent prac-*
7 *ticable, enter into partnerships with eligible enti-*
8 *ties such that not fewer than one demonstration*
9 *project is carried out in each region of the Forest*
10 *Service and each region of the Bureau of Land*
11 *Management.*

12 (2) *PROPOSALS.—To be eligible to enter into a*
13 *partnership to carry out a biochar demonstration*
14 *project under paragraph (1)(A), an eligible entity*
15 *shall submit to the covered Secretaries a proposal at*
16 *such time, in such manner, and containing such in-*
17 *formation as the covered Secretaries may require.*

18 (3) *PRIORITY.—In selecting proposals under*
19 *paragraph (2), the covered Secretaries shall give pri-*
20 *ority to entering into partnerships with eligible enti-*
21 *ties that submit proposals to carry out biochar dem-*
22 *onstration projects that—*

23 (A) *have the most carbon sequestration po-*
24 *tential;*

1 (B) have the most potential to create new
2 jobs and contribute to local economies, particu-
3 larly in rural areas;

4 (C) have the most potential to dem-
5 onstrate—

6 (i) new and innovative uses of biochar;

7 (ii) market viability for cost effective
8 biochar-based products;

9 (iii) the ecosystem services created or
10 supported by the use of biochar;

11 (iv) the restorative benefits of biochar
12 with respect to forest heath and resiliency,
13 including forest soils and watersheds; or

14 (v) any combination of purposes speci-
15 fied in clauses (i) through (iv); and

16 (D) are located in areas that have a high
17 need for biochar production, as determined by
18 the covered Secretaries, due to—

19 (i) nearby lands identified as having
20 high or very high or extreme risk of wild-
21 fire;

22 (ii) availability of sufficient quantities
23 of feedstocks;

1 (iii) a high level of demand for biochar
2 or other commercial byproducts of biochar;
3 or

4 (iv) any combination of purposes spec-
5 ified in subparagraphs (A) through (D).

6 (4) *USE OF FUNDS.*—In carrying out the pro-
7 gram established under paragraph (1)(A), the covered
8 Secretaries may enter into partnerships and provide
9 funding to such partnerships to carry out demonstra-
10 tion projects to—

11 (A) acquire and test various feedstocks and
12 their efficacy;

13 (B) develop and optimize commercially and
14 technologically viable biochar production units,
15 including mobile and permanent units;

16 (C) demonstrate—

17 (i) the production of biochar from for-
18 est residue; and

19 (ii) the use of biochar to restore forest
20 health and resiliency;

21 (D) build, expand, or establish biochar fa-
22 cilities;

23 (E) conduct research on new and innovative
24 uses of biochar;

1 (F) demonstrate cost-effective market oppor-
2 tunities for biochar and biochar-based products;

3 (G) carry out any other activities the cov-
4 ered Secretaries determine appropriate; or

5 (H) any combination of the purposes speci-
6 fied in subparagraphs (A) through (F).

7 (5) *FEEDSTOCK REQUIREMENTS.*—To the max-
8 imum extent practicable, an eligible entity that car-
9 ries out a biochar demonstration project under this
10 subsection shall, with respect to the feedstock used
11 under such project, derive at least 50 percent of such
12 feedstock from forest thinning and management ac-
13 tivities, including mill residues, conducted on Na-
14 tional Forest System lands or public lands.

15 (6) *REVIEW OF BIOCHAR DEMONSTRATION.*—

16 (A) *IN GENERAL.*—The covered Secretaries
17 shall conduct regionally-specific research, includ-
18 ing economic analyses and life-cycle assessments,
19 on any biochar produced from a demonstration
20 project carried out under the program established
21 in paragraph (1)(A), including—

22 (i) the effects of such biochar on—

23 (I) forest health and resiliency;

1 (II) carbon capture and sequestra-
2 tion, including increasing soil carbon
3 in the short-term and long-term;

4 (III) productivity, reduced input
5 costs, and water retention in agricul-
6 tural practices;

7 (IV) the health of soil and grass-
8 lands used for grazing activities, in-
9 cluding grazing activities on National
10 Forest System land and public land;

11 (V) environmental remediation
12 activities, including abandoned mine
13 land remediation; and

14 (VI) other ecosystem services cre-
15 ated or supported by the use of biochar;

16 (ii) the effectiveness of biochar as a co-
17 product of biofuels or in biochemicals; and

18 (iii) the effectiveness of other potential
19 uses of biochar to determine if any such use
20 is technologically and commercially viable.

21 (B) COORDINATION.—The covered Secre-
22 taries shall, to the maximum extent practicable,
23 provide data, analyses, and other relevant infor-
24 mation collected under subparagraph (A) with
25 recipients of a grant under subsection (b).

1 (7) *LIMITATION ON FUNDING FOR ESTABLISHING*
2 *BIOCHAR FACILITIES.*—*If the covered Secretaries pro-*
3 *vide to an eligible entity that enters into a partner-*
4 *ship with the covered Secretaries under paragraph*
5 *(1)(A) funding for establishing a biochar facility,*
6 *such funding may not exceed 35 percent of the total*
7 *capital cost of establishing such biochar facility.*

8 *(b) BIOCHAR RESEARCH AND DEVELOPMENT GRANT*
9 *PROGRAM.*—

10 (1) *ESTABLISHMENT.*—*The Secretary of the Inte-*
11 *rior shall establish or expand an existing applied*
12 *biochar research and development grant program to*
13 *make competitive grants to eligible institutions to*
14 *carry out the activities described in paragraph (3).*

15 (2) *APPLICATIONS.*—*To be eligible to receive a*
16 *grant under this subsection, an eligible institution*
17 *shall submit to the Secretary a proposal at such time,*
18 *in such manner, and containing such information as*
19 *the Secretary may require.*

20 (3) *USE OF FUNDS.*—*An eligible institution that*
21 *receives a grant under this subsection shall use the*
22 *grant funds to conduct applied research on—*

23 (A) *the effect of biochar on forest health and*
24 *resiliency, accounting for variations in biochar,*
25 *soil, climate, and other factors;*

1 (B) the effect of biochar on soil health and
2 water retention, accounting for variations in
3 biochar, soil, climate, and other factors;

4 (C) the long-term carbon sequestration po-
5 tential of biochar;

6 (D) the best management practices with re-
7 spect to biochar and biochar-based products that
8 maximize—

9 (i) carbon sequestration benefits; and

10 (ii) the commercial viability and ap-
11 plication of such products in forestry, agri-
12 culture, environmental remediation, water
13 quality improvement, and any other similar
14 uses, as determined by the Secretary;

15 (E) the regional uses of biochar to increase
16 productivity and profitability, including—

17 (i) uses in agriculture and environ-
18 mental remediation; and

19 (ii) use as a co-product in fuel produc-
20 tion;

21 (F) new and innovative uses for biochar by-
22 products; and

23 (G) opportunities to expand markets for
24 biochar and create related jobs, particularly in
25 rural areas.

1 (c) *REPORTS.*—

2 (1) *REPORT TO CONGRESS.*—*Not later than 2*
3 *years after the date of enactment of this Act, the cov-*
4 *ered Secretaries shall submit to Congress a report*
5 *that—*

6 (A) *includes policy and program rec-*
7 *ommendations to improve the widespread use of*
8 *biochar;*

9 (B) *identifies any area of research needed to*
10 *advance biochar commercialization; and*

11 (C) *identifies barriers to further biochar*
12 *commercialization, including permitting and*
13 *siting considerations.*

14 (2) *MATERIALS SUBMITTED IN SUPPORT OF THE*
15 *PRESIDENT'S BUDGET.*—*Beginning with the second*
16 *fiscal year that begins after the date of enactment of*
17 *this Act and annually thereafter until the date de-*
18 *scribed in subsection (d), the covered Secretaries shall*
19 *include in the materials submitted to Congress in*
20 *support of the President's budget pursuant to section*
21 *1105 of title 31, United States Code, a report describ-*
22 *ing, for the fiscal year covered by the report, the sta-*
23 *tus of each demonstration project carried out under*
24 *subsection (a) and each research and development*
25 *grant carried out under subsection (b).*

1 (d) *SUNSET.*—*The authority to carry out this section*
2 *shall terminate on the date that is 7 years after the date*
3 *of enactment of this Act.*

4 (e) *DEFINITIONS.*—*In this section:*

5 (1) *BIOCHAR.*—*The term “biochar” means car-*
6 *bonized biomass produced by converting feedstock*
7 *through reductive thermal processing for non-fuel*
8 *uses.*

9 (2) *ELIGIBLE ENTITY.*—*The term “eligible enti-*
10 *ty” means—*

11 (A) *a State, local, or Tribal government;*

12 (B) *an eligible institution; or*

13 (C) *a private, non-private, or cooperative*
14 *entity.*

15 (3) *ELIGIBLE INSTITUTION.*—*The term “eligible*
16 *institution” means land-grant colleges and univer-*
17 *sities, including institutions eligible for funding*
18 *under the—*

19 (A) *Act of July 2, 1862 (12 Stat. 503, chap-*
20 *ter 130; 7 U.S.C. 301 et seq.);*

21 (B) *Act of August 30, 1890 (26 Stat. 417,*
22 *chapter 841; 7 U.S.C. 321 et seq.), including*
23 *Tuskegee University;*

24 (C) *Public Law 87–788 (commonly known*
25 *as the “McIntire-Stennis Act of 1962”); or*

1 (D) *Equity in Educational Land-Grant*
2 *Status Act of 1994 (7 U.S.C. 301 note; Public*
3 *Law 103–382).*

4 (4) *FEEDSTOCK.*—*The term “feedstock” means*
5 *excess biomass in the form of plant matter or mate-*
6 *rials that serves as the raw material for the produc-*
7 *tion of biochar.*

8 (5) *COVERED SECRETARIES.*—*The term “covered*
9 *Secretaries” means—*

10 (A) *the Secretary of Agriculture, acting*
11 *through the Chief of the Forest Service;*

12 (B) *the Secretary of the Interior, acting*
13 *through the Director of the Bureau of Land*
14 *Management; and*

15 (C) *the Secretary of Energy, acting through*
16 *the Director of the Office of Science.*

17 **SEC. 302. ACCURATE HAZARDOUS FUELS REDUCTION RE-**
18 **PORTS.**

19 (a) *INCLUSION OF HAZARDOUS FUELS REDUCTION*
20 *REPORT IN MATERIALS SUBMITTED IN SUPPORT OF THE*
21 *PRESIDENT’S BUDGET.*—

22 (1) *IN GENERAL.*—*Beginning with the first fiscal*
23 *year that begins after the date of enactment of this*
24 *Act, and each fiscal year thereafter, the Secretary con-*
25 *cerned shall include in the materials submitted to*

1 *Congress in support of the President’s budget pursu-*
2 *ant to section 1105 of title 31, United States Code,*
3 *a report on the number of acres of Federal land on*
4 *which the Secretary concerned carried out hazardous*
5 *fuels reduction activities during the preceding fiscal*
6 *year.*

7 (2) *REQUIREMENTS.—For purposes of the report*
8 *required under paragraph (1), the Secretary con-*
9 *cerned shall—*

10 (A) *in determining the number of acres of*
11 *Federal land on which the Secretary concerned*
12 *carried out hazardous fuels reduction activities*
13 *during the period covered by the report—*

14 (i) *record acres of Federal land on*
15 *which hazardous fuels reduction activities*
16 *were completed during such period; and*

17 (ii) *record each acre described in*
18 *clause (i) once in the report, regardless of*
19 *whether multiple hazardous fuels reduction*
20 *activities were carried out on such acre dur-*
21 *ing such period; and*

22 (B) *with respect to the acres of Federal land*
23 *recorded in the report, include information on—*

24 (i) *which such acres are located in the*
25 *wildland-urban interface;*

1 (ii) the level of wildfire risk (high,
2 moderate, or low) on the first and last day
3 of the period covered by the report;

4 (iii) the types of hazardous fuels ac-
5 tivities completed for such acres, delineating
6 between whether such activities were con-
7 ducted—

8 (I) in a wildfire managed for re-
9 source benefits; or

10 (II) through a planned project;

11 (iv) the cost per acre of hazardous fuels
12 activities carried out during the period cov-
13 ered by the report;

14 (v) the region or system unit in which
15 the acres are located; and

16 (vi) the effectiveness of the hazardous
17 fuels reduction activities on reducing the
18 risk of wildfire.

19 (3) *TRANSPARENCY.*—The Secretary concerned
20 shall make each report submitted under paragraph
21 (1) publicly available on the websites of the Depart-
22 ment of Agriculture and the Department of the Inte-
23 rior, as applicable.

24 (b) *ACCURATE DATA COLLECTION.*—

1 (1) *IN GENERAL.*—Not later than 90 days after
2 the date of enactment of this Act, the Secretary con-
3 cerned shall implement standardized procedures for
4 tracking data related to hazardous fuels reduction ac-
5 tivities carried out by the Secretary concerned.

6 (2) *ELEMENTS.*—The standardized procedures
7 required under paragraph (1) shall include—

8 (A) regular, standardized data reviews of
9 the accuracy and timely input of data used to
10 track hazardous fuels reduction activities;

11 (B) verification methods that validate
12 whether such data accurately correlates to the
13 hazardous fuels reduction activities carried out
14 by the Secretary concerned;

15 (C) an analysis of the short- and long-term
16 effectiveness of the hazardous fuels reduction ac-
17 tivities on reducing the risk of wildfire; and

18 (D) for hazardous fuels reduction activities
19 that occur partially within the wildland-urban
20 interface, methods to distinguish which acres are
21 located within the wildland-urban interface and
22 which acres are located outside the wildland-
23 urban interface.

24 (3) *REPORT.*—Not later than 2 weeks after im-
25 plementing the standardized procedures required

1 *under paragraph (1), the Secretary concerned shall*
2 *submit to Congress a report that describes—*

3 *(A) such standardized procedures; and*

4 *(B) program and policy recommendations*
5 *to Congress to address any limitations in track-*
6 *ing data related to hazardous fuels reduction ac-*
7 *tivities under this subsection.*

8 *(c) GAO STUDY.—Not later than 2 years after the date*
9 *of enactment of this Act, the Comptroller General of the*
10 *United States shall—*

11 *(1) conduct a study on the implementation of*
12 *this section, including any limitations with respect*
13 *to—*

14 *(A) reporting hazardous fuels reduction ac-*
15 *tivities under subsection (a); or*

16 *(B) tracking data related to hazardous fuels*
17 *reduction activities under subsection (b); and*

18 *(2) submit to Congress a report that describes the*
19 *results of the study under paragraph (1).*

20 *(d) DEFINITIONS.—In this section:*

21 *(1) HAZARDOUS FUELS REDUCTION ACTIVITY.—*

22 *The term “hazardous fuels reduction activity”—*

23 *(A) means any vegetation management ac-*
24 *tivity to reduce the risk of wildfire, including*

1 *mechanical treatments and prescribed burning;*
2 *and*

3 *(B) does not include the awarding of con-*
4 *tracts to conduct hazardous fuels reduction ac-*
5 *tivities.*

6 (2) *FEDERAL LANDS.*—*The term “Federal lands”*
7 *means lands under the jurisdiction of the Secretary of*
8 *the Interior or the Secretary of Agriculture.*

9 (e) *NO ADDITIONAL FUNDS AUTHORIZED.*—*No addi-*
10 *tional funds are authorized to carry out the requirements*
11 *of this section, and the activities authorized by this section*
12 *are subject to the availability of appropriations made in*
13 *advance for such purposes.*

14 **SEC. 303. PUBLIC-PRIVATE WILDFIRE TECHNOLOGY DE-**
15 **PLOYMENT AND TESTBED PARTNERSHIP.**

16 (a) *DEFINITIONS.*—*In this section:*

17 (1) *COVERED AGENCY.*—*The term “covered agen-*
18 *cy” means—*

19 (A) *each Federal land management agency*
20 *(as such term is defined in the Federal Lands*
21 *Recreation Enhancement Act (16 U.S.C. 6801));*

22 (B) *the National Oceanic and Atmospheric*
23 *Administration;*

24 (C) *the United States Fire Administration;*

1 (D) *the Federal Emergency Management*
2 Agency;

3 (E) *the National Aeronautics and Space*
4 Administration;

5 (F) *the Bureau of Indian Affairs;*

6 (G) *the Department of Defense; and*

7 (H) *any other Federal agency involved in*
8 *wildfire response.*

9 (2) *COVERED ENTITY.*—*The term “covered enti-*
10 *ty” means—*

11 (A) *a private entity;*

12 (B) *a nonprofit organization; or*

13 (C) *an institution of higher education (as*
14 *defined in section 101 of the Higher Education*
15 *Act of 1965 (20 U.S.C. 1001)).*

16 (b) *IN GENERAL.*—*Not later than 60 days after the*
17 *date of enactment of this Act, the Secretaries, in coordina-*
18 *tion with the heads of the covered agencies, shall establish*
19 *a deployment and testbed pilot program (in this section re-*
20 *ferred to as “Pilot Program”) for new and innovative wild-*
21 *fire prevention, detection, communication, and mitigation*
22 *technologies.*

23 (c) *FUNCTIONS.*—*In carrying out the Pilot Program,*
24 *the Secretaries shall—*

1 (1) *incorporate the Pilot Program into existing*
2 *interagency coordinating groups on wildfires;*

3 (2) *in consultation with the heads of covered*
4 *agencies, identify and advance key technology pri-*
5 *ority areas with respect to wildfire prevention, detec-*
6 *tion, communication, and mitigation technologies, in-*
7 *cluding—*

8 (A) *hazardous fuels reduction treatments or*
9 *activities;*

10 (B) *dispatch communications;*

11 (C) *remote sensing, detection, and tracking;*

12 (D) *safety equipment; and*

13 (E) *common operating pictures or oper-*
14 *ational dashboards; and*

15 (3) *connect each covered entity selected to par-*
16 *ticipate in the Pilot Program with the appropriate*
17 *covered agency to coordinate real-time and on-the-*
18 *ground testing of technology during wildland fire*
19 *mitigation activities and training.*

20 (d) *APPLICATIONS.—To be eligible to be selected to par-*
21 *ticipate in the Pilot Program, a covered entity shall submit*
22 *to the Secretaries an application at such time, in such man-*
23 *ner, and containing such information as the Secretaries*
24 *may require, including a proposal to test technologies spe-*

1 *cific to the key technology priority areas identified pursu-*
2 *ant to subsection (c)(2).*

3 *(e) PRIORITIZATION OF EMERGING TECHNOLOGIES.—*

4 *In selecting covered entities to participate in the Pilot Pro-*
5 *gram, the Secretaries shall give priority to covered entities*
6 *developing and applying emerging technologies, including*
7 *artificial intelligence, quantum sensing, computing and*
8 *quantum-hybrid applications, augmented reality, and 5G*
9 *private networks and device-to-device communications sup-*
10 *porting nomadic mesh networks, for wildfire mitigation.*

11 *(f) OUTREACH.—The Secretaries, in coordination with*
12 *the heads of covered agencies, shall make public the key tech-*
13 *nology priority areas identified pursuant to subsection*
14 *(c)(2) and invite covered entities to apply under subsection*
15 *(d) to test and demonstrate their technologies to address*
16 *such priority areas.*

17 *(g) REPORTS AND RECOMMENDATIONS.—Not later*
18 *than 1 year after the date of enactment of this Act, and*
19 *annually thereafter for the duration of the Pilot Program,*
20 *the Secretaries shall submit to the relevant Congressional*
21 *Committees, the Committee on Science, Space, and Tech-*
22 *nology of the House of Representatives, and the Committee*
23 *on Commerce, Science, and Transportation of the Senate*
24 *a report that includes, with respect to the Pilot Program,*
25 *the following:*

- 1 (1) *A list of participating covered entities.*
- 2 (2) *A brief description of the technologies tested*
3 *by each such covered entity.*
- 4 (3) *An estimate of the cost of acquiring each such*
5 *technology and applying the technology at scale.*
- 6 (4) *Outreach efforts by Federal agencies to cov-*
7 *ered entities developing wildfire technologies.*
- 8 (5) *Assessments of, and recommendations relat-*
9 *ing to, new technologies with potential adoption and*
10 *application at-scale in Federal land management*
11 *agencies' wildfire prevention, detection, communica-*
12 *tion, and mitigation efforts.*
- 13 (h) *SUNSET.—The authority to carry out this section*
14 *shall terminate on the date that is 7 years after the date*
15 *of enactment of this Act.*

16 **SEC. 304. GAO STUDY ON FOREST SERVICE POLICIES.**

17 *Not later than 3 years after the date of enactment of*
18 *this Act, the Comptroller General of the United States*
19 *shall—*

- 20 (1) *conduct a study evaluating—*
 - 21 (A) *the effectiveness of Forest Service*
22 *wildland firefighting operations;*
 - 23 (B) *transparency and accountability meas-*
24 *ures in the Forest Service's budget and account-*
25 *ing process; and*

1 (C) the suitability and feasibility of estab-
2 lishing a new Federal agency with the responsi-
3 bility of responding and suppressing wildland
4 fires on Federal lands; and
5 (2) submit to Congress a report that describes the
6 results of the study required under paragraph (1).

7 **SEC. 305. FOREST SERVICE WESTERN HEADQUARTERS**
8 **STUDY.**

9 Not later than 5 years after the date of enactment of
10 this Act, the Chief of the Forest Service shall—

11 (1) conduct a study evaluating—

12 (A) potential locations for a Western head-
13 quarters for the Forest Service, including poten-
14 tial locations in at least 3 different States lo-
15 cated west of the Mississippi river; and

16 (B) the potential benefits of creating a
17 Western headquarters for the Forest Service, in-
18 cluding expected—

19 (i) improvements to customer service;

20 (ii) improvements to employee recruit-
21 ment and retention; and

22 (iii) operational efficiencies and cost
23 savings; and

24 (2) submit to Congress a report that describes the
25 results of the study required under paragraph (1).

1 **SEC. 306. KEEPING FOREST PLANS CURRENT AND MON-**
2 **ITORED.**

3 (a) *IN GENERAL.—The Secretary—*

4 (1) *to the greatest extent practicable and subject*
5 *to the availability of appropriations made in advance*
6 *for such purpose—*

7 (A) *ensure forest plans comply with the re-*
8 *quirements of section 6(f)(5)(A) of the Forest and*
9 *Rangeland Resources Planning Act of 1974 (16*
10 *U.S.C. 1604(f)(5)(A)); and*

11 (B) *prioritize revising any forest plan not*
12 *in compliance with such section 6(f)(5)(A);*

13 (2) *not be considered to be in violation of section*
14 *6(f)(5)(A) of the Forest and Rangeland Renewable*
15 *Resources Planning Act of 1974 (16 U.S.C.*
16 *1604(f)(5)(A)) solely because more than 15 years have*
17 *passed without revision of the plan for a unit of the*
18 *National Forest System;*

19 (3) *not later than 120 days after the date of the*
20 *enactment of this Act, submit to the relevant Congres-*
21 *sional Committees the date on which each forest plan*
22 *required by such section 6 was most recently revised,*
23 *amended, or modified;*

24 (4) *seek to publish a new, complete version of a*
25 *forest plan that the Secretary has been directed to*
26 *amend, revise, or modify by a court order within 60*

1 *days of such amendment, revision, or modification,*
2 *subject to the availability of appropriations made in*
3 *advance for such purpose; and*

4 (5) *maintain a central, publicly accessible*
5 *website with links to—*

6 (A) *the most recently available forest plan*
7 *adopted, amended, or modified by a court order*
8 *as a single document; and*

9 (B) *the most recently published forest plan*
10 *monitoring report for each unit of the National*
11 *Forest System.*

12 (b) *GOOD FAITH UPDATES.—If the Secretary is not*
13 *acting expeditiously and in good faith, within the funding*
14 *available to revise, amend, or modify a plan for a unit of*
15 *the National Forest System as required by law or a court*
16 *order, subsection (a) shall be void with respect to such plan*
17 *and a court of proper jurisdiction may order completion*
18 *of the plan on an accelerated basis.*

19 (c) *REPORT.—Not later than 1 year after the date of*
20 *the enactment of this Act, the Secretary shall submit a re-*
21 *port to the relevant Congressional Committees summarizing*
22 *the implementation of this section.*

Union Calendar No. 570

118TH CONGRESS
2^D SESSION

H. R. 8790

[Report No. 118-674, Part I]

A BILL

To expedite under the National Environmental Policy Act of 1969 and improve forest management activities on National Forest System lands, on public lands under the jurisdiction of the Bureau of Land Management, and on Tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes.

SEPTEMBER 12, 2024

Reported from the Committee on Natural Resources with
an amendment

SEPTEMBER 12, 2024

Committees on Agriculture and Science, Space, and
Technology discharged; committed to the Committee of
the Whole House on the State of the Union and or-
dered to be printed