

117TH CONGRESS
2D SESSION

S. 4833

To improve the health and resiliency of giant sequoias, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 13, 2022

Mrs. FEINSTEIN (for herself and Mr. PADILLA) introduced the following bill;
which was read twice and referred to the Committee on Energy and Nat-
ural Resources

A BILL

To improve the health and resiliency of giant sequoias, 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
5 “Save Our Sequoias 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.
- Sec. 3. Shared stewardship agreement for giant sequoias.
- Sec. 4. Giant Sequoia Lands Coalition.
- Sec. 5. Giant Sequoia Health and Resiliency Assessment.
- Sec. 6. Giant sequoia emergency response.
- Sec. 7. Fuels reduction in vulnerable habitat.

- Sec. 8. Projects in insect- or disease-affected treatment areas.
- Sec. 9. Giant Sequoia Reforestation and Rehabilitation Strategy.
- Sec. 10. Giant Sequoia Strike Teams.
- Sec. 11. Giant sequoia collaborative restoration grants.
- Sec. 12. Good neighbor authority for giant sequoias.
- Sec. 13. Stewardship contracting for giant sequoias.
- Sec. 14. Giant Sequoia Emergency Protection Program and Fund.
- Sec. 15. Authorization of appropriations.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) ASSESSMENT.—The term “Assessment”
 4 means the Giant Sequoia Health and Resiliency As-
 5 sessment required by section 5.

6 (2) COALITION.—The term “Coalition” means
 7 the Giant Sequoia Lands Coalition established under
 8 section 4.

9 (3) COLLABORATIVE PROCESS.—The term “col-
 10 laborative process” means a process relating to the
 11 management of covered National Forest System
 12 lands or covered public lands by which a project or
 13 forest management activity is developed and imple-
 14 mented by the Secretary concerned through collabo-
 15 ration with multiple interested persons representing
 16 diverse interests.

17 (4) COVERED NATIONAL FOREST SYSTEM
 18 LANDS.—The term “covered National Forest System
 19 lands” means the proclaimed National Forest Sys-
 20 tem lands reserved or withdrawn from the public do-
 21 main of the United States covering the Sequoia Na-

1 tional Forest and Giant Sequoia National Monu-
 2 ment, Sierra National Forest, and Tahoe National
 3 Forest.

4 (5) COVERED PUBLIC LANDS.—The term “cov-
 5 ered public lands” means—

6 (A) the Case Mountain Extensive Recre-
 7 ation Management Area in California managed
 8 by the Bureau of Land Management; and

9 (B) Kings Canyon National Park, Sequoia
 10 National Park, and Yosemite National Park in
 11 California managed by the National Park Serv-
 12 ice.

13 (6) GIANT SEQUOIA.—The term “giant se-
 14 quoa” means a tree of the species *Sequoiadendron*
 15 *giganteum*.

16 (7) GROVE-SPECIFIC HAZARDOUS FUELS RE-
 17 DUCATION PLAN.—The term “grove-specific haz-
 18 ardous fuels reduction plan” means a plan developed
 19 by the applicable land management agency prior to
 20 conducting an analysis under the National Environ-
 21 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.)
 22 to address hazardous fuels in 1 or more giant se-
 23 quoa groves.

24 (8) PROTECTION PROJECT.—The term “Protec-
 25 tion Project” means a project to carry out forest

management activities that are intended to benefit
giant sequoias, including—

(A) activities recommended by the Assessment;
ment;

(B) conducting hazardous fuels management, including mechanical thinning, mastication, and prescribed burning;

(C) removing hazard trees, as determined
by the responsible official;

(D) removing trees to address overstocking
or crowding in a forest stand, consistent with
the appropriate basal area of the forest stand
as determined by the responsible official;

(E) activities included in the applicable
grove-specific hazardous fuels reduction plan;

(F) using treatments to address insects
and disease and control competing vegetation;
and

(G) any combination of activities described
in subparagraphs (A) through (F).

(9) REFORESTATION.—The term “reforestation” means the act of renewing tree cover, taking into consideration species composition and resilience, by establishing young trees through—

(A) natural regeneration;

1 (B) natural regeneration with—

2 (i) site preparation;

3 (ii) vegetation competition control; or

4 (iii) both; or

5 (C) planting or direct seeding.

6 (10) REHABILITATION.—The term “rehabilita-
7 tion” means any action taken during the 5-year pe-
8 riod beginning on the date on which a wildland fire
9 is contained to repair or improve fire-impacted lands
10 which are unlikely to recover to management-ap-
11 proved conditions.

12 (11) RELEVANT CONGRESSIONAL COMMIT-
13 TEES.—The term “relevant congressional commit-
14 tees” means—

15 (A) the Committee on Energy and Natural
16 Resources, the Committee on Agriculture, Nu-
17 trition, and Forestry, and the Committee on
18 Appropriations of the Senate; and

19 (B) the Committee on Natural Resources,
20 the Committee on Agriculture, and the Com-
21 mittee on Appropriations of the House of Rep-
22 resentatives.

23 (12) RESPONSIBLE OFFICIAL.—The term “re-
24 sponsible official” means an employee of the Depart-
25 ment of the Interior or the Forest Service who has

1 the authority to make and implement a decision on
2 a proposed action.

3 (13) SECRETARY.—The term “Secretary”
4 means the Secretary of the Interior.

5 (14) SECRETARY CONCERNED.—The term
6 “Secretary concerned” means—

7 (A) the Secretary of Agriculture, with re-
8 spect to covered National Forest System lands,
9 or their designee; and

10 (B) the Secretary of the Interior, with re-
11 spect to covered public lands, or their designee.

12 (15) STRATEGY.—The term “Strategy” means
13 the Giant Sequoia Reforestation and Rehabilitation
14 Strategy established under section 9.

15 (16) STRIKE TEAM.—The term “Strike Team”
16 means a Giant Sequoia Strike Team established
17 under section 10.

18 (17) TRIBE.—The term “Tribe” means—

19 (A) the Tule River Indian Tribe; and

20 (B) any other Tribal government the juris-
21 dictional boundaries of which encompass at
22 least 1 giant sequoia grove.

23 (18) TULE RIVER INDIAN TRIBE.—The term
24 “Tule River Indian Tribe” means the Tule River In-
25 dian Tribe of the Tule River Reservation, California.

1 **SEC. 3. SHARED STEWARDSHIP AGREEMENT FOR GIANT SE-**
2 **QUOIAS.**

3 (a) IN GENERAL.—Not later than 90 days after re-
4 ceiving a request from the Governor of the State of Cali-
5 fornia or a Tribe, the Secretary shall enter into an agree-
6 ment with the Secretary of Agriculture and the Governor
7 or Tribe, as applicable, that submitted the request, to
8 jointly carry out the following:

9 (1) Not later than 30 days after entering into
10 the agreement, establish the Giant Sequoia Lands
11 Coalition or certify an existing group meeting the re-
12 quirements of section 4(b) as the Giant Sequoia
13 Lands Coalition.

14 (2) Not later than 120 days after the Giant Se-
15 quoa Lands Coalition submits the Assessment under
16 section 5, conduct Protection Projects under section
17 6.

18 (3) Not later than 120 days after entering into
19 the agreement, begin developing and implementing
20 reforestation and rehabilitation of giant sequoias,
21 with priority given to actions described in the Strat-
22 egy.

23 (b) NO REQUEST SUBMITTED.—If the Secretary has
24 not received a request from the Governor of the State of
25 California or a Tribe under subsection (a) before the date
26 that is 90 days after the date of enactment of this Act,

1 the Secretary shall enter into the agreement under sub-
 2 section (a) and jointly implement such agreement with the
 3 Secretary of Agriculture.

4 (c) FUTURE PARTICIPATION.—If the Secretary re-
 5 ceives a request from the Governor of the State of Cali-
 6 fornia or a Tribe any time after entering into the agree-
 7 ment under subsection (a) or (b), the Secretary shall ac-
 8 cept the Governor or Tribe, as applicable, that submitted
 9 the request as a party to such agreement.

10 **SEC. 4. GIANT SEQUOIA LANDS COALITION.**

11 (a) ESTABLISHMENT.—

12 (1) IN GENERAL.—In accordance with the
 13 timeline and agreement established in section
 14 3(a)(1), the Secretary and the Secretary of Agri-
 15 culture, in consultation with the other parties to
 16 such agreement, shall jointly establish, and appoint
 17 members to, the Giant Sequoia Lands Coalition.

18 (2) EXISTING COALITION.—A previously estab-
 19 lished group that meets the membership require-
 20 ments under subsection (b) may be designated by
 21 the Secretary and the Secretary of Agriculture as
 22 the Coalition under paragraph (1) if the parties to
 23 the agreement established under section 3 approve
 24 such designation.

25 (b) MEMBERSHIP.—

1 (1) MEMBERS.—The Secretary and the Sec-
2 retary of Agriculture shall jointly appoint to the Co-
3 alition 1 member from each of—

4 (A) the National Park Service, rep-
5 resenting Sequoia and Kings Canyon National
6 Parks;

7 (B) the National Park Service, rep-
8 resenting Yosemite National Park;

9 (C) the Forest Service, representing Se-
10 quoia National Forest and Giant Sequoia Na-
11 tional Monument;

12 (D) the Forest Service, representing Sierra
13 National Forest;

14 (E) the Forest Service, representing Tahoe
15 National Forest;

16 (F) the Bureau of Land Management, rep-
17 resenting Case Mountain Extensive Recreation
18 Management Area;

19 (G) the Tule River Indian Tribe, rep-
20 resenting the Black Mountain Grove;

21 (H) the State of California, representing
22 Calaveras Big Trees State Park;

23 (I) the State of California, representing
24 Mountain Home Demonstration State Forest;

1 (J) an academic institution with dem-
 2 onstrated experience managing and owning a
 3 giant sequoia grove, representing Whitaker's
 4 Research Forest; and

5 (K) the County of Tulare, California, rep-
 6 resenting Balch Park.

7 (2) AFFILIATE PARTNERS.—The Coalition may
 8 designate organizations or agencies with dem-
 9 onstrated experience and knowledge on giant sequoia
 10 management and resiliency as affiliate partners of
 11 the Coalition to enhance the work of the Coalition
 12 under subsection (c).

13 (3) LOCAL GOVERNMENT PARTICIPATION.—
 14 Upon the written request of a local government in
 15 California whose jurisdictional boundaries encompass
 16 at least 1 giant sequoia grove, or the governing body
 17 of a Tribe other than the Tule River Indian Tribe,
 18 the Secretary shall appoint 1 member from such
 19 government or governing body to serve as a member
 20 of the Coalition, subject to the same requirements
 21 outlined in this section.

22 (4) TERM.—

23 (A) LENGTH.—The term of an appoint-
 24 ment as a member of the Coalition shall be 5
 25 years.

1 (B) LIMIT.—Members of the Coalition may
2 serve no more than 2 terms.

3 (5) VACANCY.—The Secretary and the Sec-
4 retary of Agriculture shall jointly appoint a new
5 member to fill a vacancy on the Coalition not later
6 than 6 months after the date on which such vacancy
7 occurs.

8 (6) DECISIONS.—Decisions of the Coalition
9 shall be made by majority vote, a quorum of $\frac{1}{2}$ the
10 total members of the Coalition being present.

11 (7) MEETINGS.—

12 (A) IN GENERAL.—Not later than 60 days
13 after all members of the Coalition are appointed
14 under subsection (a), the Coalition shall hold its
15 first meeting.

16 (B) REGULAR MEETINGS.—The Coalition
17 shall meet not less than twice per year.

18 (8) PRIORITY.—The Secretary concerned shall
19 appoint members under paragraph (1) who have a
20 demonstrated experience and knowledge on man-
21 aging giant sequoia groves.

22 (c) DUTIES.—The duties of the Coalition are to—

23 (1) prepare the Assessment under section 5;

1 (2) observe implementation, and provide policy
2 recommendations to the Secretary concerned, with
3 respect to—

4 (A) Protection Projects carried out under
5 section 6; and

6 (B) the Strategy established under section
7 9;

8 (3) facilitate collaboration and coordination on
9 Protection Projects, particularly projects that cross
10 jurisdictional boundaries;

11 (4) facilitate information sharing, including best
12 available science as described in section 5(d) and
13 mapping resources; and

14 (5) support the development and dissemination
15 of educational materials and programs that inform
16 the public about the threats to the health and resil-
17 iency of giant sequoia groves and actions being
18 taken to reduce the risk to such groves from high-
19 severity wildfire, insects, and drought.

20 (d) PAY AND EXPENSES.—

21 (1) COMPENSATION.—

22 (A) FEDERAL EMPLOYEE MEMBERS.—All
23 members of the Coalition who are officers or
24 employees of the United States shall serve with-
25 out compensation in addition to that received

1 for their services as officers or employees of the
2 United States.

3 (B) NON-FEDERAL EMPLOYEE MEM-
4 BERS.—All members of the Coalition not de-
5 scribed in subparagraph (A) shall serve without
6 compensation.

7 (2) REIMBURSEMENT.—A member of the Coali-
8 tion may be reimbursed for travel and lodging ex-
9 penses incurred while attending a meeting of the Co-
10 alition or any other meeting of members approved
11 for reimbursement by the Coalition in the same
12 amounts and under the same conditions as Federal
13 employees under section 5703 of title 5, United
14 States Code.

15 (3) EXPENSES.—The Secretary concerned may
16 pay the expenses of the Coalition that such Sec-
17 retary concerned determines to be reasonable and
18 appropriate.

19 (4) ADMINISTRATIVE SUPPORT, TECHNICAL
20 SERVICES, AND STAFF SUPPORT.—The Secretary
21 concerned shall make personnel of the Department
22 of the Interior or the Department of Agriculture, as
23 applicable, available to the Coalition for administra-
24 tive support, technical services, development and dis-
25 semination of educational materials, and staff sup-

1 port that such Secretary concerned determines nec-
 2 essary to carry out this section.

3 (e) FEDERAL ADVISORY COMMITTEE ACT.—

4 (1) IN GENERAL.—The Federal Advisory Com-
 5 mittee Act (5 U.S.C. App.) shall apply to the Coal-
 6 ition, except that the Coalition shall terminate on the
 7 date that is 10 years after the date of enactment of
 8 this Act.

9 (2) RENEWAL.—Prior to the termination of the
 10 Coalition under paragraph (1), the Coalition may be
 11 renewed in accordance with subsections (b) and (c)
 12 of section 14 of the Federal Advisory Committee Act
 13 (5 U.S.C. App.).

14 **SEC. 5. GIANT SEQUOIA HEALTH AND RESILIENCY ASSESS-**
 15 **MENT.**

16 (a) IN GENERAL.—Not later than 180 days after the
 17 first meeting of the Coalition, the Coalition shall submit
 18 to the relevant congressional committees a Giant Sequoia
 19 Health and Resiliency Assessment that, based on the best
 20 available science—

21 (1) identifies—

22 (A) each giant sequoia grove that has ex-
 23 perience a—

24 (i) stand-replacing disturbance; or

1 (ii) disturbance but continues to have
2 living giant sequoias within the grove, in-
3 cluding identifying the tree mortality and
4 regeneration of giant sequoias within such
5 grove;

6 (B) each giant sequoia grove that is at
7 high risk of experiencing a stand-replacing dis-
8 turbance;

9 (C) lands located within 1 mile of giant se-
10 quoa groves that are at risk of experiencing
11 high-severity wildfires that could adversely im-
12 pact such giant sequoia groves; and

13 (D) each giant sequoia grove that has ex-
14 perienceed a disturbance and is unlikely to natu-
15 rally regenerate and is in need of reforestation;

16 (2) analyzes the resiliency of each giant sequoia
17 grove to threats, such as—

18 (A) high-severity wildfire;

19 (B) insects, including beetle kill; and

20 (C) drought;

21 (3) with respect to Protection Projects, pro-
22 poses a list of highest priority Protection Projects,
23 giving priority to projects located on lands identified
24 under subparagraphs (B) and (C) of paragraph (1);

1 (4) examines how historical, Tribal, and current
2 approaches to wildland fire suppression and forest
3 management activities across various jurisdictions
4 have impacted the health and resiliency of giant se-
5 quoia groves with respect to—

6 (A) high-severity wildfires;

7 (B) insects, including beetle kill; and

8 (C) drought; and

9 (5) includes program and policy recommenda-
10 tions that address—

11 (A) Federal and State policies that impede
12 activities to improve the health and resiliency of
13 giant sequoias and proposed policy changes to
14 address such impediments;

15 (B) new Federal and State policies nec-
16 essary to increase the pace and scale of treat-
17 ments that improve the health and resiliency of
18 giant sequoias;

19 (C) options to enhance communication, co-
20 ordination, and collaboration, particularly for
21 cross-boundary projects, to improve the health
22 and resiliency of giant sequoias;

23 (D) research gaps that should be ad-
24 dressed to improve the best available science on
25 the giant sequoias; and

1 (E) options and best practices for con-
2 ducting Protection Projects without causing the
3 incidental taking of threatened or endangered
4 species.

5 (b) ANNUAL UPDATES.—Not later than 1 year after
6 the submission of the Assessment under subsection (a),
7 and annually thereafter, the Coalition shall submit an up-
8 dated Assessment to the relevant congressional commit-
9 tees that—

10 (1) includes any new data, information, or best
11 available science that has changed or become avail-
12 able since the previous Assessment was submitted;

13 (2) with respect to Protection Projects—

14 (A) includes information on the number of
15 Protection Projects initiated the previous year
16 and the estimated timeline for completing those
17 projects;

18 (B) includes information on the number of
19 Protection Projects planned in the upcoming
20 year and the estimated timeline for completing
21 those projects;

22 (C) provides status updates and long-term
23 monitoring reports on giant sequoia groves
24 after the completion of Protection Projects, in-

cluding comparing the efficacy of those Protection Projects;

(D) if either Secretary concerned failed to initiate at least 1 Protection Project in the previous year, a written explanation that includes—

(i) a detailed explanation of what impediments resulted in failing to initiate at least 1 Protection Project;

(ii) a detailed explanation of what actions the Secretary concerned is taking to ensure that at least 1 Protection Project is initiated the following year; and

(iii) recommendations to Congress on any policies that need to be changed to assist the Secretary concerned in initiating Protection Projects; and

(3) with respect to reforestation and rehabilitation of giant sequoias—

(A) contains updates on the implementation of the Strategy under section 9, including grove-level data on reforestation and rehabilitation activities; and

(B) provides status updates and monitoring reports on giant sequoia groves that have

1 experienced natural or artificial regeneration as
2 part of the Strategy under section 9.

3 (c) DASHBOARD.—

4 (1) REQUIREMENT TO MAINTAIN.—The Coali-
5 tion shall create and maintain a website that—

6 (A) publishes the Assessment, annual up-
7 dates to the Assessment, and other educational
8 materials developed by the Coalition;

9 (B) contains searchable information about
10 individual giant sequoia groves, including the—

11 (i) resiliency of such groves to threats
12 described in paragraphs (1) and (2) of
13 subsection (a);

14 (ii) Protection Projects that have been
15 proposed, initiated, or completed in such
16 groves; and

17 (iii) reforestation and rehabilitation
18 activities that have been proposed, initi-
19 ated, or completed in such groves; and

20 (C) maintains a searchable database to
21 track—

22 (i) the status of Federal environ-
23 mental reviews and authorizations for spe-
24 cific Protection Projects and reforestation
25 and rehabilitation activities; and

1 (ii) the projected cost of Protection
2 Projects and reforestation and rehabilita-
3 tion activities.

4 (2) SEARCHABLE DATABASE.—The Coalition
5 shall include information on the status of Protection
6 Projects in the searchable database created under
7 paragraph (1)(C), including—

8 (A) a comprehensive permitting timetable;

9 (B) the status of the compliance of each
10 lead agency, cooperating agency, and partici-
11 pating agency with the permitting timetable;

12 (C) any modifications of the permitting
13 timetable required under subparagraph (A), in-
14 cluding an explanation as to why the permitting
15 timetable was modified; and

16 (D) information about project-related pub-
17 lic meetings, public hearings, and public com-
18 ment periods, which shall be presented in
19 English and the predominant language of the
20 community or communities most affected by the
21 project, as that information becomes available.

22 (d) BEST AVAILABLE SCIENCE.—In utilizing the best
23 available science for the Assessment, the Coalition shall
24 include—

1 (1) data and peer-reviewed research from aca-
2 demic institutions with a demonstrated history of
3 studying giant sequoias and with experience ana-
4 lyzing distinct management strategies to improve
5 giant sequoia resiliency;

6 (2) traditional ecological knowledge from each
7 Tribe related to improving the health and resiliency
8 of giant sequoia groves; and

9 (3) data from Federal, State, and Tribal gov-
10 ernments or agencies.

11 (e) TECHNOLOGY IMPROVEMENTS.—In carrying out
12 this section, the Secretary concerned may enter into mem-
13 orandums of understanding or agreements with other Fed-
14 eral agencies or departments, State or local governments,
15 Tribal governments, private entities, or academic institu-
16 tions to improve, with respect to the Assessment, the use
17 and integration of—

18 (1) advanced remote sensing and geospatial
19 technologies;

20 (2) statistical modeling and analysis; or

21 (3) any other technology the Secretary con-
22 cerned determines will benefit the quality of infor-
23 mation used in the Assessment.

1 (f) PLANNING.—The Coalition shall make informa-
2 tion from this Assessment available to the Secretary con-
3 cerned and the State of California to integrate into—

4 (1) the State of California’s Wildfire and For-
5 est Resilience Action Plan; and

6 (2) the Forest Service’s 10-year Wildfire Crisis
7 Strategy (or successor plan).

8 **SEC. 6. GIANT SEQUOIA EMERGENCY RESPONSE.**

9 (a) IN GENERAL.—

10 (1) EMERGENCY DETERMINATION.—Congress
11 determines that—

12 (A) an emergency exists on covered public
13 lands and covered National Forest System
14 lands that makes it necessary to carry out Pro-
15 tection Projects that take needed actions to re-
16 spond to the threat of wildfires, insects, and
17 drought to giant sequoias; and

18 (B) Protection Projects are necessary to
19 control the immediate impacts of the emergency
20 described in subparagraph (A) and to mitigate
21 harm to life, property, or important natural or
22 cultural resources on covered public lands and
23 covered National Forest System lands.

24 (2) APPLICATION.—The emergency determina-
25 tion established under paragraph (1)(A) shall apply

1 to all covered public lands and covered National For-
 2 est System lands.

3 (3) EFFECT.—The emergency determination es-
 4 tablished under paragraph (1)(A) shall go into effect
 5 on the date the Coalition submits the Assessment.

6 (4) EXPIRATION.—The emergency determina-
 7 tion established under paragraph (1)(A) shall expire
 8 on the earlier of—

9 (A) the date that is 10 years after the ef-
 10 fective date of that emergency determination;
 11 and

12 (B) the date on which the Secretary and
 13 the Secretary of Agriculture jointly—

14 (i) determine that such an emergency
 15 no longer exists;

16 (ii) certify that at least 90 percent of
 17 giant sequoia groves are not under the
 18 threat of stand-replacing wildfire; and

19 (iii) submit the determination and cer-
 20 tification described in clauses (i) and (ii),
 21 respectively, to the relevant congressional
 22 committees.

23 (b) IMPLEMENTATION.—While the emergency deter-
 24 mination established under subsection (a) is in effect—

1 (1) a responsible official may carry out a Pro-
2 tection Project described in subsection (c) in accord-
3 ance with—

4 (A) section 220.4(b) of title 36, Code of
5 Federal Regulations (or a successor regulation);

6 (B) section 800.12 of title 36, Code of
7 Federal Regulations (or a successor regulation);

8 (C) section 1506.12 of title 40, Code of
9 Federal Regulations (or a successor regulation);

10 and

11 (D) section 46.150 of title 43, Code of
12 Federal Regulations (or a successor regulation);

13 and

14 (2) the informal consultation requirements
15 under sections 402.05 of title 50 and 800.12 of title
16 36, Code of Federal Regulations (or successor regu-
17 lations), shall apply to Protection Projects.

18 (c) REQUIREMENTS.—A Protection Project referred
19 to in subsection (b)(1) is a Protection Project or reforest-
20 ation or rehabilitation activity that—

21 (1) covers an area of not more than—

22 (A) 2,000 acres within giant sequoia
23 groves where a grove-specific hazardous fuels
24 reduction plan has been developed by the rel-

1 evant land management agency or on lands
2 identified under section 5(a)(1)(B); and

3 (B) 3,000 acres on lands identified under
4 section 5(a)(1)(C);

5 (2) was—

6 (A) proposed by the Assessment under sec-
7 tion 5(a)(3);

8 (B) developed through a collaborative proc-
9 ess; or

10 (C) proposed by a resource advisory com-
11 mittee (as defined in section 201 of the Secure
12 Rural Schools and Community Self-Determina-
13 tion Act of 2000 (16 U.S.C. 7121));

14 (3) as practicable, incorporates prescribed fire
15 as a component of the grove-specific hazardous fuels
16 reduction plan; and

17 (4) occurs on Federal land or non-Federal land
18 with the consent of the non-Federal landowner.

19 (d) USE OF OTHER AUTHORITIES.—To the max-
20 imum extent practicable, the Secretary concerned shall use
21 the authorities provided under this section in combination
22 with other authorities to carry out Protection Projects, in-
23 cluding—

1 (1) good neighbor agreements entered into
2 under section 8206 of the Agricultural Act of 2014
3 (16 U.S.C. 2113a); and

4 (2) stewardship contracting projects entered
5 into under section 604 of the Healthy Forests Res-
6 toration Act of 2003 (16 U.S.C. 6591c).

7 (e) SAVINGS CLAUSE.—With respect to joint Protec-
8 tion Projects and reforestation and rehabilitation activities
9 involving a Tribe, nothing in this section shall be con-
10 strued to add any additional regulatory requirements onto
11 the Tribe.

12 **SEC. 7. FUELS REDUCTION IN VULNERABLE HABITAT.**

13 (a) SENSE OF CONGRESS.—It is the sense of Con-
14 gress that—

15 (1) fire regimes in giant sequoia groves are
16 dominated by fire regime I and fire regime III (as
17 defined in section 101 of the Healthy Forests Res-
18 toration Act of 2003 (16 U.S.C. 6511));

19 (2) fire regime IV (as defined in that section)
20 occurs incidentally within or adjacent to giant se-
21 quoia groves; and

22 (3) to ensure that the restoration of giant se-
23 quoia groves meets forest health and wildfire resil-
24 iency goals, ecological restoration of ecosystem types

1 that are fire regime IV (as so defined) should be
2 considered for Protection Projects.

3 (b) DEFINITION OF FIRE REGIME IV.—Section 101
4 of the Healthy Forests Restoration Act of 2003 (16
5 U.S.C. 6511) is amended—

6 (1) by redesignating paragraphs (11) through
7 (16) as paragraphs (12) through (17), respectively;
8 and

9 (2) by inserting after paragraph (10) the fol-
10 lowing:

11 “(11) FIRE REGIME IV.—The term ‘fire regime
12 IV’ means an area in which historically there are
13 stand replacement severity fires with a frequency of
14 more than 35 and less than 200 years.”.

15 (c) RESTORATION IN FIRE REGIME IV.—

16 (1) AUTHORIZED HAZARDOUS FUEL REDUCTION
17 PROJECTS.—Section 102(a)(3) of the Healthy For-
18 ests Restoration Act of 2003 (16 U.S.C. 6512(a)(3))
19 is amended by striking “or fire regime III” and in-
20 serting “fire regime III, or fire regime IV”.

21 (2) ADMINISTRATIVE REVIEW.—Section 603(c)
22 of the Healthy Forests Restoration Act of 2003 (16
23 U.S.C. 6591b(c)) is amended by striking paragraph
24 (2) and inserting the following:

25 “(2) LOCATION.—

1 “(A) IN GENERAL.—A project under this
2 section shall be located in an area that is—

3 “(i) in the wildland-urban interface;

4 or

5 “(ii)(I) outside the wildland-urban
6 interface;

7 “(II) in condition class 2 or condition
8 class 3; and

9 “(III) in fire regime I, fire regime II,
10 fire regime III, or fire regime IV (subject
11 to the condition that not more than 30
12 percent of the area may be in fire regime
13 IV).

14 “(B) DEFINITIONS.—In this paragraph,
15 the terms ‘condition class 2’, ‘condition class 3’,
16 ‘fire regime I’, ‘fire regime II’, ‘fire regime III’,
17 ‘fire regime IV’, and ‘wildland-urban interface’
18 have the meanings given those terms in section
19 101.”.

20 (3) WILDFIRE RESILIENCE PROJECTS.—Section
21 605(c) of the Healthy Forests Restoration Act of
22 2003 (16 U.S.C. 6591d(c)) is amended by striking
23 paragraph (2) and inserting the following:

24 “(2) LOCATION.—

1 “(A) IN GENERAL.—A project under this
2 section shall be—

3 “(i) prioritized within the wildland-
4 urban interface;

5 “(ii) if located outside the wildland-
6 urban interface, located in an area—

7 “(I) in condition class 2 or condi-
8 tion class 3;

9 “(II) in fire regime I, fire regime
10 II, fire regime III, or fire regime IV
11 (subject to the condition that not
12 more than 30 percent of the area may
13 be in fire regime IV); and

14 “(III) that contains a very high
15 wildfire hazard potential; and

16 “(iii) limited to areas designated
17 under section 602(b) as of the date of en-
18 actment of this Act.

19 “(B) DEFINITIONS.—In this paragraph,
20 the terms ‘condition class 2’, ‘condition class 3’,
21 ‘fire regime I’, ‘fire regime II’, ‘fire regime III’,
22 ‘fire regime IV’, and ‘wildland-urban interface’
23 have the meanings given those terms in section
24 101.”.

1 (4) ESTABLISHMENT OF FUEL BREAKS IN FOR-
2 ESTS AND OTHER WILDLAND VEGETATION.—Section
3 40806(d) of the Infrastructure Investment and Jobs
4 Act (16 U.S.C. 6592b(d)) is amended—

5 (A) in paragraph (2)—

6 (i) by striking subparagraph (B) and
7 inserting the following:

8 “(ii) if located outside the wildland-
9 urban interface or a public drinking water
10 source area, an area—

11 “(I) in condition class 2 or condi-
12 tion class 3;

13 “(II) in fire regime I, fire regime
14 II, fire regime III, or fire regime IV
15 (subject to the condition that not
16 more than 30 percent of the area may
17 be in fire regime IV); and

18 “(III) that contains a very high
19 wildfire hazard potential; or”; and

20 (ii) by redesignating subparagraphs
21 (A) and (C) as clauses (i) and (iii), respec-
22 tively, and indenting appropriately;

23 (B) by redesignating paragraphs (1)
24 through (3) as subparagraphs (A) through (C),
25 respectively, and indenting appropriately;

1 (C) by striking “Treatments” in the mat-
 2 ter preceding subparagraph (A) (as so des-
 3 ignated) and inserting the following:

4 “(1) IN GENERAL.—Treatments”; and

5 (D) by adding at the end the following:

6 “(2) DEFINITIONS.—In this subsection, the
 7 terms ‘condition class 2’, ‘condition class 3’, ‘fire re-
 8 gime I’, ‘fire regime II’, ‘fire regime III’, ‘fire re-
 9 gime IV’, and ‘wildland-urban interface’ have the
 10 meanings given those terms in section 101 of the
 11 Healthy Forests Restoration Act of 2003 (16 U.S.C.
 12 6511).”.

13 **SEC. 8. PROJECTS IN INSECT- OR DISEASE-AFFECTED**
 14 **TREATMENT AREAS.**

15 (a) DESIGNATION OF TREATMENT AREAS.—Section
 16 602 of the Healthy Forests Restoration Act of 2003 (16
 17 U.S.C. 6591a) is amended—

18 (1) in subsection (a)—

19 (A) by redesignating paragraphs (1) and
 20 (2) as subparagraphs (A) and (B), respectively,
 21 and indenting appropriately;

22 (B) by striking the subsection designation
 23 and heading and all that follows through “In
 24 this section, the term” in the matter preceding

1 subparagraph (A) (as so redesignated) and in-
 2 serting the following:

3 “(a) DEFINITIONS.—In this section and section 603:

4 “(1) DECLINING FOREST HEALTH.—The term”;

5 and

6 (C) by adding at the end the following:

7 “(2) SECRETARY CONCERNED.—The term ‘Sec-
 8 retary concerned’ means—

9 “(A) the Secretary of Agriculture, with re-
 10 spect to land of the National Forest System de-
 11 scribed in section 3(1)(A); and

12 “(B) the Secretary of the Interior, with re-
 13 spect to covered public lands (as defined in sec-
 14 tion 2 of the Save Our Sequoias Act).”;

15 (2) in subsection (b)—

16 (A) in paragraph (1), by inserting “of Agri-
 17 culture” after “Secretary”; and

18 (B) in paragraph (2), by inserting “con-
 19 cerned” after “Secretary”;

20 (3) in subsection (c)(1), by inserting “of Agri-
 21 culture or the Secretary of the Interior” after “Sec-
 22 retary”;

23 (4) in subsection (d)—

24 (A) in paragraph (1), in the matter pre-
 25 ceding subparagraph (A), by striking “Sec-

1 retary may carry out priority projects on Fed-
2 eral land” and inserting “Secretary concerned
3 may carry out priority projects on land de-
4 scribed in subparagraphs (A) and (B) of sub-
5 section (a)(2)”;

6 (B) by redesignating paragraph (4) as
7 paragraph (5);

8 (C) by inserting after paragraph (3) the
9 following:

10 “(4) REFERENCES.—For purposes of this sub-
11 section, any reference contained in section 101(2),
12 subsection (b), (c), or (d) of section 102, or section
13 104, 105, or 106 to ‘Federal land’ shall be consid-
14 ered to be a reference to land described in subpara-
15 graphs (A) and (B) of subsection (a)(2).”; and

16 (D) in paragraph (5) (as so redesignated),
17 by inserting “concerned” after “Secretary”
18 each place it appears; and

19 (5) in subsection (e), by inserting “concerned”
20 after “Secretary”.

21 (b) ADMINISTRATIVE REVIEW.—Section 603 of the
22 Healthy Forests Restoration Act of 2003 (16 U.S.C.
23 6591b) is amended—

24 (1) by inserting “concerned” after “Secretary”
25 each place it appears;

1 (2) in subsection (d)—

2 (A) in paragraph (2), by striking “Federal
3 land” and inserting “land described in subpara-
4 graph (A) or (B) of section 602(a)(2)”; and

5 (B) in paragraph (4), by inserting “or land
6 use plan” before the period at the end;

7 (3) in subsection (e), by inserting “, or the land
8 use plan established under section 202 of the Fed-
9 eral Land Policy and Management Act of 1976 (43
10 U.S.C. 1712) for the unit of public lands,” after
11 “National Forest System”; and

12 (4) in subsection (g)(2)—

13 (A) in subparagraph (D), by striking
14 “and” at the end;

15 (B) in subparagraph (E), by striking the
16 period at the end and inserting “; and”; and

17 (C) by adding at the end the following:

18 “(F) the Committee on Energy and Nat-
19 ural Resources of the Senate.”.

20 **SEC. 9. GIANT SEQUOIA REFORESTATION AND REHABILITA-**
21 **TION STRATEGY.**

22 (a) REFORESTATION AND REHABILITATION STRAT-
23 EGY.—

24 (1) IN GENERAL.—In accordance with the
25 timeline and agreement established in section

1 3(a)(3), the Secretary and the Secretary of Agri-
2 culture, in consultation with the other parties to
3 such agreement, shall jointly develop and implement
4 a strategy, to be known as the “Giant Sequoia Re-
5 forestation and Rehabilitation Strategy”, to enhance
6 the reforestation and rehabilitation of giant sequoia
7 groves that—

8 (A) identifies giant sequoia groves in need
9 of natural or artificial regeneration, giving
10 highest priority to groves identified under sec-
11 tion 5(a)(1)(A)(i);

12 (B) creates a priority list of reforestation
13 and rehabilitation activities;

14 (C) identifies and addresses—

15 (i) barriers to reforestation or reha-
16 bilitation including—

17 (I) regulatory barriers;

18 (II) seedling shortages or related
19 nursery infrastructure capacity con-
20 straints;

21 (III) labor and workforce short-
22 ages;

23 (IV) technology and science gaps;
24 and

25 (V) site preparation challenges;

1 (ii) potential public-private partner-
 2 ship opportunities to complete high-priority
 3 reforestation or rehabilitation projects;

4 (iii) a timeline for addressing the
 5 backlog of reforestation for giant sequoias
 6 in the 10-year period after the agreement
 7 is entered into under section 3; and

8 (iv) strategies to ensure genetic diver-
 9 sity across giant sequoia groves; and

10 (D) includes program and policy rec-
 11 ommendations needed to improve the efficiency
 12 or effectiveness of the Strategy.

13 (2) ASSESSMENT.—The Secretary may incor-
 14 porate the Strategy into the Assessment under sec-
 15 tion 5.

16 (b) PRIORITY REFORESTATION PROJECTS AMEND-
 17 MENT.—Section 3(e)(4)(C)(ii)(I) of the Forest and
 18 Rangeland Renewable Resources Planning Act of 1974
 19 (16 U.S.C. 1601(e)(4)(C)(ii)(I)) is amended—

20 (1) in item (bb), by striking “and”;

21 (2) in item (cc), by striking the period and in-
 22 serting “; and”; and

23 (3) by adding at the end the following:

24 “(dd) shall include reforest-
 25 ation and rehabilitation activities

1 conducted under section 9 of the
2 Save Our Sequoias Act.”.

3 **SEC. 10. GIANT SEQUOIA STRIKE TEAMS.**

4 (a) ESTABLISHMENT.—Each Secretary concerned
5 shall establish a Giant Sequoia Strike Team to assist the
6 Secretary concerned with the implementation of—

7 (1) primarily, section 6; and

8 (2) secondarily, section 9.

9 (b) DUTIES.—Each Strike Team shall—

10 (1) assist the Secretary concerned with any re-
11 views, including analysis under the National Envi-
12 ronmental Policy Act of 1969 (42 U.S.C. 4321 et
13 seq.), consultations under division A of subtitle III
14 of title 54, United States Code, and consultations
15 under the Endangered Species Act of 1973 (16
16 U.S.C. 1531 et seq.);

17 (2) implement any necessary site preparation
18 work in advance of or as part of a Protection
19 Project or reforestation or rehabilitation activity;

20 (3) implement Protection Projects under section
21 6; and

22 (4) implement reforestation or rehabilitation ac-
23 tivities under section 9.

1 (c) MEMBERS.—The Secretary concerned may ap-
 2 point not more than 10 individuals each to serve on a
 3 Strike Team comprised of—

4 (1) employees of the Department of the Inte-
 5 rior;

6 (2) employees of the Forest Service;

7 (3) private contractors from any nonprofit orga-
 8 nization, State government, Tribal government, local
 9 government, academic institution, or private organi-
 10 zation; and

11 (4) volunteers from any nonprofit organization,
 12 State government, Tribal government, local govern-
 13 ment, academic institution, or private organization.

14 **SEC. 11. GIANT SEQUOIA COLLABORATIVE RESTORATION**
 15 **GRANTS.**

16 (a) IN GENERAL.—The Secretary, in consultation
 17 with the other parties to the agreement under section 3,
 18 shall establish a program to award grants to eligible enti-
 19 ties to advance, facilitate, or improve giant sequoia health
 20 and resiliency.

21 (b) ELIGIBLE ENTITY.—The Secretary may award
 22 grants under this section to any nonprofit organization,
 23 Tribal government, local government, academic institu-
 24 tion, or private organization to help advance, facilitate, or
 25 improve giant sequoia health and resiliency.

1 (c) PRIORITY.—In awarding grants under this sec-
2 tion, the Secretary shall give priority to eligible entities
3 that—

4 (1) primarily, are likely to have the greatest im-
5 pact on giant sequoia health and resiliency; and

6 (2) secondarily—

7 (A) are small businesses or Tribal entities,
8 particularly in rural areas; and

9 (B) create or support jobs, particularly in
10 rural areas.

11 (d) USE OF GRANT FUNDS.—Funds from grants
12 awarded under this section shall be used to—

13 (1) create, expand, or develop markets for haz-
14 ardous fuels removed under section 6;

15 (2) facilitate hazardous fuel removal under sec-
16 tion 6, including by reducing the cost of trans-
17 porting hazardous fuels removed as part of a Protec-
18 tion Project;

19 (3) expand, enhance, develop, or create perma-
20 nent or temporary facilities or land that can store or
21 process hazardous fuels removed under section 6;
22 and

23 (4) establish, develop, expand, enhance, or im-
24 prove nursery capacity or infrastructure necessary to
25 facilitate the Strategy established under section 9.

1 **SEC. 12. GOOD NEIGHBOR AUTHORITY FOR GIANT SE-**
 2 **QUOIAS.**

3 Section 8206 of the Agricultural Act of 2014 (16
 4 U.S.C. 2113a) is amended—

5 (1) in subsection (a)—

6 (A) in paragraph (4)(A)—

7 (i) in clause (ii), by striking “and” at
 8 the end;

9 (ii) by redesignating clause (iii) as
 10 clause (iv);

11 (iii) by inserting after clause (ii) the
 12 following:

13 “(iii) activities conducted under sec-
 14 tion 6 of the Save Our Sequoias Act;”;

15 (iv) in clause (iv), as so redesignated,
 16 by striking the period at the end and in-
 17 serting “; or”; and

18 (v) by adding at the end the following:

19 “(v) any combination of activities
 20 specified in clauses (i) through (iv).”; and

21 (B) in paragraph (10)(B) by striking
 22 “land.” and inserting “land, Kings Canyon Na-
 23 tional Park, Sequoia National Park, and Yo-
 24 semite National Park.”; and

25 (2) in subsection (b)(2), by striking subpara-
 26 graph (C) and inserting the following:

1 “(C) TREATMENT OF REVENUE.—Funds
 2 received from the sale of timber by a Governor
 3 or county under a good neighbor agreement
 4 shall be retained and used by the Governor or
 5 county—

6 “(i) to carry out authorized restora-
 7 tion services under such good neighbor
 8 agreement; and

9 “(ii) if there are funds remaining
 10 after carrying out the services under clause
 11 (i), to carry out authorized restoration
 12 services under other good neighbor agree-
 13 ments.”.

14 **SEC. 13. STEWARDSHIP CONTRACTING FOR GIANT SE-**
 15 **QUOIAS.**

16 (a) NATIONAL PARK SERVICE.—Section 604(a) of
 17 the Healthy Forests Restoration Act of 2003 (16 U.S.C.
 18 6591c(a)) is amended—

19 (1) by striking paragraph (2) and inserting the
 20 following:

21 “(2) DIRECTOR.—The term ‘Director’ means
 22 the Director of the Bureau of Land Management
 23 with respect to Bureau of Land Management land
 24 and the Director of the National Park Service with
 25 respect to land within Kings Canyon National Park,

1 Sequoia National Park, and Yosemite National
2 Park.”; and

3 (2) by adding at the end the following:

4 “(3) PUBLIC LANDS.—The term ‘public lands’
5 means—

6 “(A) Bureau of Land Management land;
7 and

8 “(B) land within Kings Canyon National
9 Park, Sequoia National Park, and Yosemite
10 National Park.”.

11 (b) GIANT SEQUOIA STEWARDSHIP CONTRACTS.—
12 Section 604(c) of the Healthy Forests Restoration Act of
13 2003 (16 U.S.C. 6591c(c)) is amended by adding at the
14 end the following:

15 “(8) Promoting the health and resiliency of
16 giant sequoias.”.

17 **SEC. 14. GIANT SEQUOIA EMERGENCY PROTECTION PRO-**
18 **GRAM AND FUND.**

19 (a) IN GENERAL.—Subchapter II of chapter 1011 of
20 title 54, United States Code, is amended by adding at the
21 end the following:

22 **“§ 101123. Giant Sequoia Emergency Protection Pro-**
23 **gram and Fund**

24 “(a) GIANT SEQUOIA EMERGENCY PROTECTION
25 PROGRAM.—The National Park Foundation, in coordina-

1 tion with the National Forest Foundation, shall design
 2 and implement a comprehensive program to assist and
 3 promote philanthropic programs of support that benefit—

4 “(1) primarily, the management and conserva-
 5 tion of giant sequoias on Service land and covered
 6 National Forest System lands to promote resiliency
 7 to wildfires, insects, and drought; and

8 “(2) secondarily, the reforestation of giant se-
 9 quoias on Service land and covered National Forest
 10 System lands impacted by wildfire.

11 “(b) GIANT SEQUOIA EMERGENCY PROTECTION
 12 FUND.—The National Park Foundation, in coordination
 13 with the National Forest Foundation, shall establish a
 14 joint special account, to be known as the ‘Giant Sequoia
 15 Emergency Protection Fund’ (referred to as ‘the Fund’
 16 in this section), to be administered in support of the pro-
 17 gram established under subsection (a).

18 “(c) FUNDS FOR GIANT SEQUOIA EMERGENCY PRO-
 19 TECTION.—The following shall apply to the Fund:

20 “(1) The Fund shall consist of any gifts, de-
 21 vises, or bequests that are provided to the National
 22 Park Foundation or National Forest Foundation for
 23 such purpose.

24 “(2) The National Park Foundation and Na-
 25 tional Forest Foundation shall deposit any funds re-

1 ceived for the Fund in a federally insured interest-
2 bearing account or may invest funds in appropriate
3 security obligations, as mutually agreed upon.

4 “(3) Any accrued interest or dividends earned
5 on funds received for the Fund shall be added to the
6 principal and form a part of the Fund.

7 “(d) USE OF FUNDS.—Funds shall be available to
8 the National Park Foundation and National Forest Foun-
9 dation without further appropriation for projects and ac-
10 tivities approved by the Chief of the Forest Service or the
11 Director, as appropriate, or their designees, to—

12 “(1) primarily, support the management and
13 conservation of giant sequoias on Service land and
14 covered National Forest System lands to promote re-
15 siliency to wildfires, insects, and drought; and

16 “(2) secondarily, support the reforestation of
17 giant sequoias on Service land and covered National
18 Forest System lands impacted by wildfire.

19 “(e) SUMMARY.—Beginning 1 year after the date of
20 enactment of this section, the National Park Foundation
21 and National Forest Foundation shall include with their
22 annual reports a summary of the status of the program
23 and Fund created under this section that includes—

24 “(1) a statement of the amounts deposited in
25 the Fund during the fiscal year;

1 “(2) the amount of the balance remaining in
2 the Fund at the end of the fiscal year; and

3 “(3) a description of the program and projects
4 funded during the fiscal year.

5 “(f) COVERED NATIONAL FOREST SYSTEM LANDS
6 DEFINED.—In this section, the term ‘covered National
7 Forest System lands’ has the meaning given such term
8 in section 2 of the Save our Sequoias Act.”.

9 (b) CONFORMING AMENDMENT.—The table of sec-
10 tions for subchapter II of chapter 1011 of title 54, United
11 States Code, is amended by adding at the end the fol-
12 lowing:

 “101123. Giant Sequoia Emergency Protection Program and Fund.”.

13 **SEC. 15. AUTHORIZATION OF APPROPRIATIONS.**

14 (a) IN GENERAL.—There are authorized to be appro-
15 priated to carry out this Act and the amendments made
16 by this Act—

17 (1) for fiscal year 2024, \$10,000,000;

18 (2) for fiscal year 2025, \$25,000,000;

19 (3) for each of fiscal years 2026 through 2028,
20 \$30,000,000; and

21 (4) for each of fiscal years 2029 through 2033,
22 \$40,000,000.

23 (b) LIMITATION.—Of the amounts authorized under
24 subsection (a), not less than 90 percent of funds shall be

- 1 used to carry out sections 6 and 9 and the amendments
- 2 made by those sections.

