

118TH CONGRESS
1ST SESSION

S. 2749

To provide mandatory funding for hazardous fuels reduction projects on certain Federal land, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 7, 2023

Mr. MERKLEY (for himself, Mr. WYDEN, Mr. PADILLA, and Mrs. FEINSTEIN) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To provide mandatory funding for hazardous fuels reduction projects on certain Federal land, 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.**

4 This Act may be cited as the “Wildfire Resilient
5 Communities Act”.

6 **SEC. 2. FUNDING FOR HAZARDOUS FUELS REDUCTION**
7 **PROJECTS ON CERTAIN FEDERAL LAND.**

8 (a) DEFINITIONS.—In this section:

9 (1) AGENCY HEAD.—The term “agency head”
10 means—

1 (A) the Director of the National Park
2 Service;

3 (B) the Chief of the Forest Service;

4 (C) the Director of the Bureau of Land
5 Management;

6 (D) the Director of the United States Fish
7 and Wildlife Service; and

8 (E) the Director of the Bureau of Indian
9 Affairs.

10 (2) AT-RISK COMMUNITY; FIRE REGIME I; FIRE
11 REGIME II; FIRE REGIME III.—The terms “at-risk
12 community”, “fire regime I”, “fire regime II”, and
13 “fire regime III” have the meanings given those
14 terms in section 101 of the Healthy Forests Res-
15 toration Act of 2003 (16 U.S.C. 6511).

16 (3) COVERED LAND.—The term “covered land”
17 means Federal land under the jurisdiction of the ap-
18 plicable agency head.

19 (4) HAZARDOUS FUELS REDUCTION
20 PROJECT.—The term “hazardous fuels reduction
21 project” means the removal or modification of flam-
22 mable vegetation or woody debris through prescribed
23 fire, thinning, brush removal, mastication, pruning,
24 slash treatment, or a combination of those methods,
25 on the condition that the method is ecologically ap-

1 appropriate, cost-effective, and selected on a site-spe-
 2 cific basis.

3 (b) HAZARDOUS FUELS REDUCTION PROJECTS.—

4 (1) IN GENERAL.—The agency heads shall
 5 carry out hazardous fuels reduction projects on cov-
 6 ered land.

7 (2) PROJECT PRIORITIES.—In carrying out
 8 paragraph (1), the agency heads shall prioritize haz-
 9 ardous fuels reduction projects that are—

10 (A) conducted in areas that—

11 (i) are within or adjacent to—

12 (I) at-risk communities; or

13 (II) high-value watersheds;

14 (ii) have very high wildfire hazard po-
 15 tential; or

16 (iii) are in fire regime I, fire regime
 17 II, or fire regime III; or

18 (B) designed to integrate and simulta-
 19 neously advance 2 or more of the goals estab-
 20 lished in the report of the Secretary of Agri-
 21 culture and the Secretary of the Interior enti-
 22 tled “The National Strategy: the Final Phase of
 23 the Development of the National Cohesive
 24 Wildland Fire Management Strategy” and
 25 dated April 2014 and the update entitled “Na-

1 tional Cohesive Wildland Fire Management
 2 Strategy Addendum Update” and dated Janu-
 3 ary 2023—

4 (i) to create fire-adapted communities;

5 (ii) to restore and maintain resilient
 6 landscapes; and

7 (iii) to achieve safe, effective fire re-
 8 sponse.

9 (c) FUNDING.—

10 (1) IN GENERAL.—On the first October 1 fol-
 11 lowing the date of enactment of this Act, out of any
 12 funds in the Treasury not otherwise appropriated,
 13 the Secretary of the Treasury shall transfer to the
 14 agency heads, in accordance with an allocation for-
 15 mula established by the Secretary of the Treasury,
 16 \$30,000,000,000, to remain available until ex-
 17 pended.

18 (2) RECEIPT AND ACCEPTANCE.—The agency
 19 heads shall be entitled to receive, shall accept, and
 20 shall use to carry out this section the funds trans-
 21 ferred under paragraph (1), without further appro-
 22 priation.

23 (3) ADMINISTRATIVE AND PLANNING COSTS.—
 24 Not more than 10 percent of funding made available

1 under paragraph (1) may be used for administrative
 2 and planning costs.

3 **SEC. 3. ADDITIONAL AMOUNTS FOR COMMUNITY WILDFIRE**
 4 **DEFENSE GRANT PROGRAM.**

5 In addition to amounts made available to the Sec-
 6 retary of Agriculture under section 40803(c)(12) of the
 7 Infrastructure Investment and Jobs Act (16 U.S.C.
 8 6592(c)(12)), there is authorized to be appropriated to the
 9 Secretary of Agriculture to carry out section 40803(f) of
 10 the Infrastructure Investment and Jobs Act (16 U.S.C.
 11 6592(f)) \$3,000,000,000 for the period of fiscal years
 12 2027 through 2031.

13 **SEC. 4. COLLABORATIVE FOREST LANDSCAPE RESTORA-**
 14 **TION PROGRAM REAUTHORIZATION.**

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

17 (1) in subsection (b)(3)—

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

20 (B) in subparagraph (G), by striking
 21 “and” at the end;

22 (C) in subparagraph (H), by adding “and”
 23 after the semicolon at the end; and

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

1 “(I) address standardized monitoring ques-
 2 tions and indicators;”;

3 (2) in subsection (c)(3)(A)—

4 (A) in clause (i), by striking “and” at the
 5 end;

6 (B) in clause (ii), by adding “and” at the
 7 end; and

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

9 “(iii) include a Federal Government
 10 staffing plan for providing support to col-
 11 laborative processes established pursuant
 12 to subsection (b)(2);”;

13 (3) in subsection (d)—

14 (A) in paragraph (2)—

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

17 (ii) in subparagraph (F), by striking
 18 the period at the end and inserting a semi-
 19 colon; and

20 (iii) by adding at the end the fol-
 21 lowing:

22 “(G) whether the proposal seeks to use in-
 23 novative implementation mechanisms, including
 24 conservation finance agreements, good neighbor
 25 agreements entered into under section 8206 of

1 the Agricultural Act of 2014 (16 U.S.C.
 2 2113a), and similar implementation mecha-
 3 nisms;

4 “(H) whether the proposal seeks to reduce
 5 the risk of uncharacteristic wildfire or increase
 6 ecological restoration activities—

7 “(i) within areas across land owner-
 8 ships, including State, Tribal, and private
 9 land; and

10 “(ii) within the wildland-urban inter-
 11 face; and

12 “(I) whether the proposal seeks to enhance
 13 watershed health and drinking water sources.”;
 14 and

15 (B) in paragraph (3)—

16 (i) in subparagraph (A), by striking
 17 “10” and inserting “20”; and

18 (ii) in subparagraph (B), by striking
 19 “2” and inserting “4”;

20 (4) in subsection (e)(3), by inserting “conflict
 21 resolution or collaborative governance,” before “and
 22 woody”; and

23 (5) in subsection (f)(6), by striking
 24 “\$80,000,000 for each of fiscal years 2019 through

1 2023” and inserting “\$100,000,000 for fiscal year
2 2024 and each fiscal year thereafter”.

3 **SEC. 5. COUNTY STEWARDSHIP FUND.**

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

6 (1) by redesignating subsection (j) as sub-
7 section (k); and

8 (2) by inserting after subsection (i) the fol-
9 lowing:

10 “(j) COUNTY STEWARDSHIP FUND.—

11 “(1) IN GENERAL.—There is established in the
12 Treasury of the United States a fund to be known
13 as the ‘County Stewardship Fund’ (referred to in
14 this section as the ‘Fund’), to be administered by
15 the Secretary.

16 “(2) DEPOSITS.—Each fiscal year, an amount
17 equal to 25 percent of the amounts collected as re-
18 ceipts under subsection (e) during the preceding fis-
19 cal year shall be deposited in the Fund.

20 “(3) AVAILABILITY.—Amounts in the Fund
21 shall—

22 “(A) be used only for purposes described
23 in paragraph (4); and

24 “(B) remain available until expended.

25 “(4) PURPOSES.—

1 “(A) IN GENERAL.—Each fiscal year, the
2 Chief or the Director, as applicable, shall dis-
3 tribute from amounts in the Fund to each
4 county in which a contract under subsection (b)
5 was carried out on Federal land in the county
6 during the preceding fiscal year a payment of
7 an amount equal to 25 percent of the receipts
8 generated from that contract.

9 “(B) USE OF FUNDS.—A county receiving
10 a payment under subparagraph (A) may use
11 the payment for any governmental purposes.”.

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