

AMENDMENT TO H.R. 2647
OFFERED BY MR. HARDY OF NEVADA

In title I, insert after section 105 the following new section 106 (and redesignate existing section 106 accordingly):

1 SEC. 106. CATEGORICAL EXCLUSION TO IMPROVE, RE-
2 STORE, AND REDUCE THE RISK OF WILDFIRE.

3 (a) AVAILABILITY OF CATEGORICAL EXCLUSION.—A
4 categorical exclusion is available to the Secretary con-
5 cerned to carry out a forest management activity described
6 in subsection (c) on National Forest System Lands or
7 public lands when the primary purpose of the activity is
8 to improve, restore, or reduce the risk of wildfire on those
9 lands.

10 (b) ACREAGE LIMITATIONS.—A forest management
11 activity covered by the categorical exclusion granted by
12 subsection (a) may not exceed 5,000 acres.

13 (c) AUTHORIZED ACTIVITIES.—The following activi-
14 ties may be carried out using a categorical exclusion
15 granted by subsection (a):

16 (1) Removal of juniper trees, medusahead rye,
17 conifer trees, piñon pine trees, cheatgrass, and other
18 noxious or invasive weeds specified on Federal or

1 State noxious weeds lists through late-season live-
2 stock grazing, targeted livestock grazing, prescribed
3 burns, and mechanical treatments.

4 (2) Performance of hazardous fuels manage-
5 ment.

6 (3) Creation of fuel and fire breaks.

7 (4) Modification of existing fences in order to
8 distribute livestock and help improve wildlife habitat.

9 (5) Installation of erosion control devices.

10 (6) Construction of new and maintenance of
11 permanent infrastructure, including stock ponds,
12 water catchments, and water spring boxes used to
13 benefit livestock and improve wildlife habitat.

14 (7) Performance of soil treatments, native and
15 non-native seeding, and planting of and trans-
16 planting sagebrush, grass, forb, shrub, and other
17 species.

18 (8) Use of herbicides, so long as the Secretary
19 concerned determines that the activity is otherwise
20 conducted consistently with agency procedures, in-
21 cluding any forest plan applicable to the area cov-
22 ered by the activity.

23 (d) DEFINITIONS.—In this section:

24 (1) HAZARDOUS FUELS MANAGEMENT.—The
25 term “hazardous fuels management” means any

1 vegetation management activities that reduce the
2 risk of wildfire.

3 (2) LATE-SEASON GRAZING.—The term “late-
4 season grazing” means grazing activities that occur
5 after both the invasive species and native perennial
6 species have completed their current-year annual
7 growth cycle until new plant growth begins to ap-
8 pear in the following year.

9 (3) TARGETED LIVESTOCK GRAZING.—The
10 term “targeted livestock grazing” means grazing
11 used to for purposes of hazardous fuel reduction.

