

.....
(Original Signature of Member)

118TH CONGRESS
2^D SESSION

H. R. 8790

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

Mr. WESTERMAN introduced the following bill; which was referred to the Committee on _____

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,*

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

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

4 (b) **TABLE OF CONTENTS.**—The table of contents for
5 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.

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 main-
tenance relating to electric transmission and distribution facil-
ity 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 partner-
ship.

Sec. 304. GAO study on Forest Service policies.

Sec. 305. Forest Service Western headquarters study.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

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

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

10 (3) FIRESHED MANAGEMENT PROJECT.—The
11 term “fireshed management project” means a
12 project 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 Bu-
19 reau of Land Management for public lands pur-
20 suant to section 202 of the Federal Land Policy
21 and Management Act of 1976 (43 U.S.C.
22 1712);

23 (B) a land and resource management plan
24 prepared by the Forest Service for a unit of the

1 National Forest System pursuant to section 6
2 of the Forest and Rangeland Renewable Re-
3 sources Planning Act of 1974 (16 U.S.C.
4 1604); or

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

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

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

21 (8) HFRA TERMS.—The terms “at-risk com-
22 munity”, “community wildfire protection plan”, and
23 “wildland-urban interface” have the meanings given
24 such terms, respectively, in section 101 of the

1 Healthy Forests Restoration Act of 2003 (16 U.S.C.
2 6511).

3 (9) INDIAN FOREST LAND OR RANGELAND.—
4 The term “Indian forest land or rangeland” means
5 land 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
12 Resources Management Act (25 U.S.C. 3103));
13 or

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

16 (ii) formerly had a forest cover or veg-
17 etative cover that is capable of restoration.

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

22 (11) NATIONAL FOREST SYSTEM LANDS.—The
23 term “National Forest System lands” has the mean-
24 ing given the term in section 11(a) of the Forest

1 and Rangeland Renewable Resources Planning Act
2 of 1974 (16 U.S.C. 1609).

3 (12) PUBLIC LANDS.—The term “public lands”
4 has the meaning given that term in section 103 of
5 the Federal Land Policy and Management Act of
6 1976 (43 U.S.C. 1702), except that the term in-
7 cludes Coos Bay Wagon Road Grant lands and Or-
8 egon and California Railroad Grant lands.

9 (13) RELEVANT CONGRESSIONAL COMMIT-
10 TEES.—The term “relevant Congressional Commit-
11 tees” means—

12 (A) the Committees on Natural Resources
13 and Agriculture of the House of Representa-
14 tives; and

15 (B) the Committees on Energy and Nat-
16 ural Resources and Agriculture, Nutrition, and
17 Forestry of the Senate.

18 (14) RESPONSIBLE OFFICIAL.—The term “re-
19 sponsible official” means an employee of the Depart-
20 ment of the Interior or Forest Service who has the
21 authority to make and implement a decision on a
22 proposed action.

23 (15) SECRETARIES.—The term “Secretaries”
24 means each of—

25 (A) the Secretary of the Interior; and

1 (B) the Secretary of Agriculture.

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

4 (17) SECRETARY CONCERNED.—The term
5 “Secretary concerned” means—

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

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

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

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

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

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

20 (a) DESIGNATION OF FIRESHED MANAGEMENT
21 AREAS.—

22 (1) INITIAL DESIGNATIONS.—For the period be-
23 ginning on the date of enactment of this Act and
24 ending on the date that is 5 years after the date of

1 enactment of this Act, there are designated fireshed
2 management areas, which—

3 (A) shall be comprised of individual land-
4 scape-scale firesheds identified as being a high
5 risk fireshed in the “Wildfire Crisis Strategy”
6 published by the Forest Service in January
7 2022;

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

16 (i) wildfire exposure and cor-
17 responding risk to communities, including
18 risk to structures and life;

19 (ii) wildfire exposure and cor-
20 responding risk to municipal watersheds;
21 and

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

24 (C) shall not overlap with any other
25 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
10 Act and every 5 years thereafter, the Secretary,
11 in consultation with the Secretary of the Inte-
12 rior, shall submit to the relevant Congressional
13 Committees an updated map of firesheds based
14 on the Fireshed Registry maintained under sec-
15 tion 103.

16 (B) DESIGNATION.—Not later than 60
17 days after submitting an updated fireshed map
18 under subparagraph (A), the Secretary shall,
19 based on such map, designate additional
20 fireshed management areas that are identified
21 as being in the top 20 percent of firesheds at
22 risk for wildfire exposure based on the criteria
23 specified in subparagraphs (B), (C), (D), and
24 (E) of paragraph (1).

1 (b) APPLICABILITY OF NEPA.—The designation of
2 fireshed management areas under this section shall not
3 be subject to the requirements of the National Environ-
4 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

5 **SEC. 102. FIRESHED CENTER.**

6 (a) ESTABLISHMENT.—

7 (1) IN GENERAL.—The Secretary, acting
8 through the Chief of the Forest Service and the Sec-
9 retary of the Interior, acting through the Director of
10 the U.S. Geological Survey, shall jointly establish a
11 Fireshed Center (hereinafter referred to as the
12 “Center”) comprised of at least one career rep-
13 resentative from each of the following:

14 (A) The Forest Service.

15 (B) The Bureau of Land Management.

16 (C) The National Park Service.

17 (D) The Bureau of Indian Affairs.

18 (E) The U.S. Fish and Wildlife Service.

19 (F) The U.S. Geological Survey.

20 (G) The Department of Defense.

21 (H) The Department of Homeland Secu-
22 rity.

23 (I) The Department of Energy.

24 (J) The Federal Emergency Management
25 Agency.

1 (K) The National Science Foundation.

2 (L) The National Oceanic and Atmos-
3 pheric Administration.

4 (M) The National Aeronautics and Space
5 Administration.

6 (N) The National Institute of Standards
7 and Technology.

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

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

15 (B) shall serve an initial term of not more
16 than 7 years; and

17 (C) may serve one additional term of not
18 more than 7 years after the initial term de-
19 scribed in subparagraph (B).

20 (3) ADDITIONAL REPRESENTATION.—The Sec-
21 retary, acting through the Chief of the Forest Serv-
22 ice and the Secretary of the Interior, acting through
23 the Director of the U.S. Geological Survey, may
24 jointly appoint additional representatives of Federal

1 agencies to the Center, as the Secretaries determine
2 necessary.

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

4 (1) comprehensively assess and predict fire in
5 the wildland and built environment interface through
6 data aggregation and science-based decision support
7 services;

8 (2) reduce fragmentation and duplication across
9 Federal land management agencies with respect to
10 predictive service and decision support functions re-
11 lated to wildland fire;

12 (3) promote interorganizational coordination
13 and sharing of data regarding wildland fire decision
14 making;

15 (4) streamline procurement processes and cy-
16 bersecurity systems related to addressing wildland
17 fire;

18 (5) provide publicly accessible data, models,
19 technologies, assessments, and fire weather forecasts
20 to support short- and long-term planning regarding
21 wildland fire and post-fire recovery; and

22 (6) maintain the Fireshed Registry established
23 under section 103.

24 (c) MEMORANDA OF UNDERSTANDING.—The Center
25 may enter into memorandums of understanding with State

1 governments, Indian Tribes, local governments, academic
2 or research institutions, and private entities to improve
3 the information and operations of the Center.

4 (d) ADMINISTRATIVE SUPPORT, TECHNICAL SERV-
5 ICES, AND STAFF SUPPORT.—

6 (1) USGS SUPPORT.—The Secretary of the In-
7 terior shall make personnel of the U.S. Geological
8 Survey available to the Center for such administra-
9 tive support, technical services, and development and
10 dissemination of data as the Secretary determines
11 necessary to carry out this section.

12 (2) USFS SUPPORT.—The Secretary shall
13 make personnel of the Forest Service available to
14 the Center for such administrative support, technical
15 services, and the development and dissemination of
16 information related to fireshed management and the
17 Fireshed Registry as the Secretary determines nec-
18 essary to carry out this section.

19 **SEC. 103. FIRESHED REGISTRY.**

20 (a) FIRESHED REGISTRY.—The Secretary, acting
21 through the Director of the Fireshed Center appointed
22 under section 102, shall maintain a Fireshed Registry on
23 a publicly accessible website that provides interactive
24 geospatial data on individual firesheds, including informa-
25 tion on—

- 1 (1) wildfire exposure delineated by ownership,
2 including rights-of-way for utilities and other public
3 or private purposes;
- 4 (2) any hazardous fuels management activities
5 that have occurred within an individual fireshed in
6 the past 10 years;
- 7 (3) wildfire exposure with respect to such
8 fireshed delineated by—
 - 9 (A) wildfire exposure and corresponding
10 risk to communities, including risk to structures
11 and life;
 - 12 (B) wildfire exposure and corresponding
13 risk to municipal watersheds; and
 - 14 (C) risk of forest conversion due to wild-
15 fire;
- 16 (4) the percentage of the fireshed that has
17 burned in wildfires in the past 10 years, including,
18 to the extent practicable, delineations of acres that
19 have burned at a high severity;
- 20 (5) spatial patterns of wildfire exposure, includ-
21 ing plausible extreme fire events; and
- 22 (6) any hazardous fuels management activities
23 planned for the fireshed, including fireshed manage-
24 ment projects under section 106 of this Act.

1 (b) COMMUNITY WILDFIRE PROTECTION PLANS.—

2 The Director shall make data from the Fireshed Registry
3 available to local communities developing or updating com-
4 munity wildfire protection plans.

5 (c) REQUIREMENT TO MAINTAIN.—As part of the
6 website containing the Fireshed Registry, the Director
7 shall—

8 (1) publish fireshed assessments created under
9 section 105; and

10 (2) maintain a searchable database to track—

11 (A) the status of Federal environmental re-
12 views, permits, and authorizations for specific
13 fireshed management projects conducted under
14 section 106, including—

15 (i) a comprehensive permitting time-
16 table;

17 (ii) the status of the compliance of
18 each lead agency, cooperating agency, and
19 participating agency with the permitting
20 timetable with respect to such fireshed
21 management projects;

22 (iii) any modifications of the permit-
23 ting timetable required under clause (i), in-
24 cluding an explanation as to why the per-
25 mitting timetable was modified; and

1 (iv) information about project-related
2 public meetings, public hearings, and pub-
3 lic comment periods, which shall be pre-
4 sented in English and the predominant
5 language of the community or communities
6 most affected by the project, as that infor-
7 mation becomes available;

8 (B) the projected cost of such fireshed
9 management projects; and

10 (C) in the case of fireshed management
11 projects completed pursuant to section 106, the
12 effectiveness of such projects in reducing the
13 wildfire exposure within an applicable fireshed,
14 including wildfire exposure described in sub-
15 paragraphs (A) through (C) of subsection
16 (a)(3).

17 **SEC. 104. SHARED STEWARDSHIP.**

18 (a) **JOINT AGREEMENTS.**—Not later than 90 days
19 after receiving a written request from a Governor of a
20 State or an Indian Tribe, the Secretary concerned shall
21 enter into a shared stewardship agreement (or similar
22 agreement) with such Governor or Indian Tribe to joint-
23 ly—

24 (1) promote the reduction of wildfire exposure,
25 based on the criteria in section 101(a)(1)(B), in

1 fireshed management areas across jurisdictional
2 boundaries; and

3 (2) conduct fireshed assessments under section
4 105.

5 (b) **ADDITIONAL FIRESHED MANAGEMENT AREAS.**—

6 With respect to a shared stewardship agreement (or simi-
7 lar agreement) with a Governor of a State or an Indian
8 Tribe entered into under subsection (a), the Secretary con-
9 cerned, if requested by such Governor or Indian Tribe,
10 may—

11 (1) designate additional fireshed management
12 areas under such agreement; and

13 (2) update such agreement to address new wild-
14 fire threats.

15 **SEC. 105. FIRESHED ASSESSMENTS.**

16 (a) **FIRESHED ASSESSMENTS.**—

17 (1) **IN GENERAL.**—Not later than 90 days after
18 the date on which the Secretary concerned enters
19 into an agreement with a Governor of a State or an
20 Indian Tribe under section 104, the Secretary con-
21 cerned and such Governor or Indian Tribe shall,
22 with respect to the fireshed management areas des-
23 ignated in such State, jointly conduct a fireshed as-
24 sessment that—

25 (A) identifies—

- 1 (i) using the best available data, wild-
2 fire exposure risks within each such
3 fire management area, including sce-
4 nario planning and wildfire hazard map-
5 ping and models; and
- 6 (ii) each at-risk community within
7 each fire management area;
- 8 (B) identifies potential fire manage-
9 ment projects to be carried out in such fire
10 management areas, giving priority—
- 11 (i) primarily, to projects with the pur-
12 pose of reducing—
- 13 (I) wildfire exposure and cor-
14 responding risk to communities, in-
15 cluding risk to structures and life;
- 16 (II) wildfire exposure and cor-
17 responding risk to municipal water-
18 sheds;
- 19 (III) risk of forest conversion due
20 to wildfire; or
- 21 (IV) any combination of purposes
22 described in subclauses (I) through
23 (III); and
- 24 (ii) secondarily, to projects with the
25 purpose of protecting—

1 (I) critical infrastructure, includ-
2 ing utility infrastructure;

3 (II) wildlife habitats, including
4 habitat for species listed under the
5 Endangered Species Act (16 U.S.C.
6 1531 et seq.);

7 (III) the built environment, in-
8 cluding residential and commercial
9 buildings;

10 (IV) Tribal resources; or

11 (V) any combination of purposes
12 described in subclauses (I) through
13 (IV);

14 (C) includes—

15 (i) a strategy for reducing the threat
16 of wildfire to at-risk communities in the
17 wildland-urban interface on both Federal
18 and non-Federal land;

19 (ii) a timeline for the implementation
20 of fireshed management projects;

21 (iii) long-term benchmark goals for
22 the completion of fireshed management
23 projects in the highest wildfire exposure
24 areas so that such projects contribute to

1 the development and maintenance of
2 healthy and resilient landscapes; and

3 (iv) policies to ensure fireshed man-
4 agement projects comply with applicable
5 forest plans and incorporate the best avail-
6 able science;

7 (D) shall be regularly updated based on
8 the best available data, as determined by the
9 Secretary concerned; and

10 (E) shall be publicly available on a website
11 maintained by the Secretary concerned.

12 (2) LOCAL GOVERNMENT PARTICIPATION.—

13 Upon the written request of a local government, the
14 Secretary concerned may allow such local govern-
15 ment to participate in producing the fireshed assess-
16 ment under paragraph (1) with the Governor of the
17 State and for the State in which the local govern-
18 ment is located.

19 (3) INFORMATION IMPROVEMENT.—

20 (A) MEMORANDUMS OF UNDER-
21 STANDING.—In carrying out a fireshed assess-
22 ment under this subsection, the Secretary con-
23 cerned may enter into memorandums of under-
24 standing with other Federal agencies or depart-
25 ments, States, Indian Tribes, private entities,

1 or research or educational institutions to im-
2 prove, with respect to such assessment, the use
3 and integration of—

4 (i) advanced remote sensing and
5 geospatial technologies;

6 (ii) statistical modeling and analysis;

7 or

8 (iii) any other technology or combina-
9 tion of technologies and analyses that the
10 Secretary concerned determines will benefit
11 the quality of information of such an as-
12 sessment.

13 (B) BEST AVAILABLE SCIENCE.—In using
14 the best available science for the fireshed as-
15 sessments completed under subsection (a)(1),
16 the Secretary concerned and Governor shall, to
17 the maximum extent practicable, incorporate—

18 (i) traditional ecological knowledge
19 from Indian Tribes;

20 (ii) data from State forest action
21 plans and State wildfire risk assessments;

22 (iii) data from the Fireshed Registry
23 maintained under section 103; and

24 (iv) data from other Federal, State,
25 Tribal, and local governments or agencies.

1 (b) APPLICABILITY OF NEPA.—Fireshed assess-
2 ments conducted under this section shall not be subject
3 to the requirements of the National Environmental Policy
4 Act of 1969 (42 U.S.C. 4321 et seq.).

5 **SEC. 106. EMERGENCY FIRESHED MANAGEMENT.**

6 (a) FIRESHED MANAGEMENT PROJECTS.—

7 (1) IN GENERAL.—The Secretary concerned,
8 acting through a responsible official, shall carry out
9 fireshed management projects in fireshed manage-
10 ment areas designated under section 101 in accord-
11 ance with this section.

12 (2) FIRESHED MANAGEMENT PROJECTS.—The
13 responsible official shall carry out the following for-
14 est and vegetation management activities as fireshed
15 management projects under this section:

16 (A) Conducting hazardous fuels manage-
17 ment activities.

18 (B) Creating fuel breaks and fire breaks.

19 (C) Removing hazard trees, dead trees,
20 dying trees, or trees at risk of dying, as deter-
21 mined by the responsible official.

22 (D) Developing, approving, or conducting
23 routine maintenance under a vegetation man-
24 agement, facility inspection, and operation and
25 maintenance plan submitted under section

1 512(c)(1) of the Federal Land Policy and Man-
2 agement Act of 1976 (43 U.S.C. 1772(c)(1)).

3 (E) Removing trees to address over-
4 stocking or crowding in a forest stand, con-
5 sistent with the appropriate basal area of the
6 forest stand as determined by the responsible
7 official.

8 (F) Using chemical or re-seeding and
9 planting treatments to address insects and dis-
10 ease and control vegetation competition or
11 invasive species.

12 (G) Any activities recommended by the
13 state-specific fireshed assessment carried out
14 under section 105.

15 (H) Any activities recommended by an ap-
16 plicable community wildfire protection plan.

17 (I) Any combination of activities described
18 in this paragraph.

19 (3) EMERGENCY FIRESHED MANAGEMENT.—

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

23 (i) Section 220.4(b) of title 36, Code
24 of Federal Regulations (as in effect on the
25 date of enactment of this Act), with re-

1 spect to lands under the jurisdiction of the
2 Secretary.

3 (ii) Section 46.150 of title 43, Code of
4 Federal Regulations (as in effect on the
5 date of enactment of this Act), with re-
6 spect to lands under the jurisdiction of the
7 Secretary of the Interior.

8 (iii) Section 402.05 of title 50, Code
9 of Federal Regulations (as in effect on the
10 date of enactment of this Act).

11 (iv) Section 800.12 of title 36, Code
12 of Federal Regulations (as in effect on the
13 date of enactment of this Act).

14 (B) UTILIZATION OF EXISTING STREAM-
15 LINED AUTHORITIES IN FIRESHED MANAGE-
16 MENT AREAS.—

17 (i) IN GENERAL.—Fireshed manage-
18 ment projects carried out under this sec-
19 tion shall be considered authorized projects
20 under the following categorical exclusions:

21 (I) Section 603(a) of the Healthy
22 Forests Restoration Act of 2003 (16
23 U.S.C. 6591b(a)).

1 (II) Section 605(a) of the
2 Healthy Forests Restoration Act of
3 2003 (16 U.S.C. 6591d(a)).

4 (III) Section 606(b) of the
5 Healthy Forests Restoration Act of
6 2003 (16 U.S.C. 6591e(b)).

7 (IV) Section 40806(b) of the In-
8 frastructure Investment and Jobs Act
9 (16 U.S.C. 6592b(b)).

10 (V) Section 4(c)(4) of the Lake
11 Tahoe Restoration Act (Public Law
12 106–506; 114 Stat. 2353).

13 (VI) Subject to subsection (d) of
14 section 40807 of the Infrastructure
15 Investment and Jobs Act (16 U.S.C.
16 6592c) in the same manner as author-
17 ized emergency actions (as defined in
18 subsection (a) of such section) are
19 subject to such subsection.

20 (ii) USE OF EXPEDITED AUTHORI-
21 TIES.—In carrying out fireshed manage-
22 ment project, the Secretary shall apply a
23 categorical exclusion under clause (i)—

1 (I) in a manner consistent with
2 the statute establishing such categor-
3 ical exclusion
4 (II) in any area—
5 (aa) designated as suitable
6 for timber production within the
7 applicable forest plan; or
8 (bb) where timber harvest
9 activities are not prohibited.
10 (iii) FISCAL RESPONSIBILITY ACT RE-
11 QUIREMENTS.—In carrying out this sec-
12 tion, the Secretary concerned shall ensure
13 compliance with the amendments made to
14 the National Environmental Policy Act (42
15 U.S.C. 4321 et seq.) by the Fiscal Respon-
16 sibility Act of 2023 (Public Law 118–5).
17 (iv) USE OF OTHER AUTHORITIES.—
18 To the maximum extent practicable, the
19 Secretary concerned shall use the authori-
20 ties provided under this section in com-
21 bination with other authorities to carry out
22 fireshed management projects, including—
23 (I) good neighbor agreements en-
24 tered into under section 8206 of the

1 Agricultural Act of 2014 (16 U.S.C.
2 2113a) (as amended by this Act);

3 (II) stewardship contracting
4 projects entered into under section
5 604 of the Healthy Forests Restora-
6 tion Act of 2003 (16 U.S.C. 6591c)
7 (as amended by this Act);

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

14 (IV) agreements entered into
15 under the Tribal Forest Protection
16 Act of 2004 (25 U.S.C. 3115a et
17 seq.).

18 (b) EXPANSION.—

19 (1) HIFRA AMENDMENTS.—The Healthy For-
20 ests Restoration Act of 2003 is amended—

21 (A) in section 603(c)(1) (16 U.S.C.
22 6591b(c)(1)), by striking “3000 acres” and in-
23 serting “10,000 acres”;

1 (B) in section 605(c)(1) (16 U.S.C.
2 6591d(c)(1)), by striking “3,000 acres” and in-
3 sserting “10,000 acres”;

4 (C) in section 606(g) (16 U.S.C.
5 6591e(g)), by striking “4,500 acres” and in-
6 sserting “10,000 acres”; and

7 (D) in section 40806(d) of the Infrastruc-
8 ture Investment and Jobs Act (16 U.S.C.
9 6592b(d)(1)), by striking “3,000 acres” and in-
10 sserting “10,000 acres”; and

11 (2) LAKE TAHOE RESTORATION ACT AMEND-
12 MENTS.—Section 4(c)(4)(C) of the Lake Tahoe Res-
13 toration Act (Public Law 106–506; 114 Stat. 2353)
14 is amended—

15 (A) by striking “Lake Tahoe Basin Man-
16 agement Unit”; and

17 (B) by inserting “applicable to the area”
18 before the period at the end.

19 **SEC. 107. SUNSET.**

20 The authority under this subtitle shall terminate on
21 the date that is 7 years after the date of enactment of
22 this Act.

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

4 **SEC. 111. MODIFICATION OF THE TREATMENT OF CERTAIN**
5 **REVENUE AND PAYMENTS UNDER GOOD**
6 **NEIGHBOR AGREEMENTS.**

7 (a) GOOD NEIGHBOR AUTHORITY.—Section 8206 of
8 the Agricultural Act of 2014 (16 U.S.C. 2113a) is amend-
9 ed—

10 (1) in subsection (a)(6), by striking “or Indian
11 tribe”; and

12 (2) in subsection (b)—

13 (A) in paragraph (1)(A), by inserting “,
14 Indian tribe,” after “Governor”;

15 (B) in paragraph (2)(C)—

16 (i) by striking clause (i) and inserting
17 the following:

18 “(i) IN GENERAL.—Funds received
19 from the sale of timber or forest product
20 by a Governor, an Indian tribe, or a county
21 under a good neighbor agreement shall be
22 retained and used by the Governor, Indian
23 tribe, or county, as applicable—

1 “(I) to carry out authorized res-
2 toration services under the good
3 neighbor agreement; and

4 “(II) if there are funds remain-
5 ing after carrying out subclause (I),
6 to carry out authorized restoration
7 services under other good neighbor
8 agreements and for the administration
9 of a good neighbor authority program
10 by a Governor, Indian tribe, or coun-
11 ty.”; and

12 (ii) in clause (ii), by striking “2024”
13 and inserting “2029”;

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

16 (D) by striking paragraph (4).

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

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

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

24 (c) EFFECTIVE DATE.—The amendments made by
25 this section apply to any project initiated pursuant to a

1 good neighbor agreement (as defined in section 8206(a)
2 of the Agricultural Act of 2014 (16 U.S.C. 2113a(a))—

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

7 (2) on or after the date of enactment of this
8 Act.

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

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

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

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

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

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

22 “(A) IN GENERAL.—A long-term agree-
23 ment or contract entered into with an entity
24 under subsection (b) by the Chief or the Direc-
25 tor shall provide that in the case of the can-

1 cellation or termination by the Chief or the Di-
2 rector of such long-term agreement or contract,
3 the Chief or the Director, as applicable, shall
4 provide 10 percent of the agreement or contract
5 amount to such entity as cancellation or termi-
6 nation costs.

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

12 “(i) with a term of more than 5 years;
13 and

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

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

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

20 (1) any reviews, including analysis under the
21 National Environmental Policy Act of 1969 (42
22 U.S.C. 4321 et seq.), consultations under the Na-
23 tional Historic Preservation Act of 1966 (16 U.S.C.
24 470 et seq.), and consultations under the Endan-
25 gered Species Act of 1973 (16 U.S.C. 1531 et seq.),

1 with the intent to accelerate and streamline inter-
2 agency consultation 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 ap-
11 point not more than 10 individuals to serve on an intra-
12 agency strike team comprised of—

13 (1) employees of the Department under the ju-
14 risdiction of the Secretary concerned;

15 (2) employees of a different Federal agency,
16 with 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
9 “\$55,000”; 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.—Begin-
18 ning on the date that is 30 days after the date of enact-
19 ment of this Act, the Secretary shall solicit bids under sec-
20 tion 14 of the National Forest Management Act of 1976
21 (16 U.S.C. 472a(d)) for fireshed management projects
22 under section 106.

1 **Subtitle C—Litigation Reform**

2 **SEC. 121. COMMONSENSE LITIGATION REFORM.**

3 (a) IN GENERAL.—A court shall not enjoin a fireshed
4 management project if the court determines that the plain-
5 tiff is unable to demonstrate that the claim of the plaintiff
6 is likely to succeed on the merits.

7 (b) BALANCING SHORT- AND LONG-TERM EFFECTS
8 OF FIRESHED MANAGEMENT ACTIVITIES IN CONSID-
9 ERING INJUNCTIVE RELIEF.—As part of its weighing the
10 equities while considering any request for an injunction
11 that applies to any agency action as part of a fireshed
12 management project, the court reviewing the agency ac-
13 tion shall balance the impact to the ecosystem likely af-
14 fected by the fireshed management project of—

15 (1) the short- and long-term effects of under-
16 taking the agency action; against

17 (2) the short- and long-term effects of not un-
18 dertaking the action.

19 (c) LIMITATIONS FOR INJUNCTIVE RELIEF AND RE-
20 MAND.—

21 (1) IN GENERAL.—Notwithstanding any other
22 provision of law, a court shall not vacate or other-
23 wise limit, delay, stay, or enjoin a fireshed manage-
24 ment project unless the court determines that—

1 (A) the fireshed management project will
2 pose a risk of a proximate and substantial envi-
3 ronmental harm; and

4 (B) there is no other equitable remedy
5 available as a matter of law.

6 (2) REMAND.—

7 (A) IN GENERAL.—Notwithstanding any
8 other provision of law, if a court determines
9 that a fireshed management project will not
10 pose a risk of a proximate and substantial envi-
11 ronmental harm—

12 (i) the court may remand the fireshed
13 management project to the applicable
14 agency with instruction to correct (includ-
15 ing specific directions) the errors or defi-
16 ciencies within 180 days; and

17 (ii) an activity under the fireshed
18 management project may be carried out so
19 long as such activity does not affect the er-
20 rors or deficiencies described in clause (i).

21 (B) REVIEW.—Unless the court finds that
22 the applicable agency entirely failed to prepare
23 a required environmental assessment or envi-
24 ronmental impact statement, on remand—

1 (i) the court shall not require such
2 agency to prepare a new environmental as-
3 sessment or environmental impact state-
4 ment; and

5 (ii) such agency may use another for-
6 mat, including a memorandum or errata
7 sheet, to document any new analysis re-
8 quired.

9 (d) LIMITATIONS ON CLAIMS.—Notwithstanding any
10 other provision of law, a claim arising under Federal law
11 seeking judicial review of a fireshed management project
12 shall be barred unless—

13 (1) with respect to an agency document noticed
14 in the Federal Register, such claim is filed not later
15 than 120 days after the date of publication of a no-
16 tice in the Federal Register of agency intent to carry
17 out the fireshed management project, unless a short-
18 er period is specified in such Federal law;

19 (2) in the case of an agency document not de-
20 scribed in paragraph (1), such claim is filed not
21 later than 120 days after the date that is the earlier
22 of—

23 (A) the date on which such agency docu-
24 ment is published; and

1 (B) the date on which such agency docu-
2 ment is noticed; and

3 (3) in the case of an authorization or action for
4 which there was a public comment period, such
5 claim—

6 (A) is filed by a party that—

7 (i) participated in the administrative
8 proceedings regarding such fireshed man-
9 agement project; and

10 (ii) submitted a comment during such
11 public comment period and such comment
12 was sufficiently detailed to put the applica-
13 ble agency on notice of the issue upon
14 which the party seeks judicial review; and

15 (B) is related to such comment.

16 (e) DEFINITIONS.—In this section:

17 (1) AGENCY DOCUMENT.—The term “agency
18 document” means, with respect to a fireshed man-
19 agement project, a record of decision, categorical ex-
20 clusion, environmental document, or programmatic
21 environmental document.

22 (2) NEPA TERMS.—The terms “categorical ex-
23 clusion”, “environmental document”, and “pro-
24 grammatic environmental document” have the mean-
25 ings given such terms, respectively, in section 111 of

1 the National Environmental Policy Act of 1969 (42
2 U.S.C. 4336e).

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

4 (a) FOREST SERVICE PLANS.—Section 6(d)(2) of the
5 Forest and Rangeland Renewable Resources Planning Act
6 of 1974 (16 U.S.C. 1604(d)(2)) is amended to read as
7 follows:

8 “(2) NO ADDITIONAL CONSULTATION RE-
9 QUIRED UNDER CERTAIN CIRCUMSTANCES.—Not-
10 withstanding any other provision of law, the Sec-
11 retary shall not be required to reinitiate consultation
12 under section 7(a)(2) of the Endangered Species Act
13 of 1973 (16 U.S.C. 1536(a)(2)) or section 402.16 of
14 title 50, Code of Federal Regulations (or a successor
15 regulation), on a land management plan approved,
16 amended, or revised under this section when—

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

20 “(B) new information reveals effects of the
21 land management plan that may affect a spe-
22 cies listed or critical habitat designated under
23 that Act in a manner or to an extent not pre-
24 viously considered.”.

1 (b) BUREAU OF LAND MANAGEMENT PLANS.—Sec-
2 tion 202 of the Federal Land Policy and Management Act
3 of 1976 (43 U.S.C. 1712) is amended by adding at the
4 end the following:

5 “(g) NO ADDITIONAL CONSULTATION REQUIRED
6 UNDER CERTAIN CIRCUMSTANCES.—Notwithstanding
7 any other provision of law, the Secretary shall not be re-
8 quired to reinitiate consultation under section 7(a)(2) of
9 the Endangered Species Act of 1973 (16 U.S.C.
10 1536(a)(2)) or section 402.16 of title 50, Code of Federal
11 Regulations (or a successor regulation), on a land use plan
12 approved, amended, or revised under this section when—

13 “(1) a new species is listed or critical habitat
14 is designated under the Endangered Species Act of
15 1973 (16 U.S.C. 1531 et seq.); or

16 “(2) new information reveals effects of the land
17 use plan that may affect a species listed or critical
18 habitat designated under that Act in a manner or to
19 an extent not previously considered.”.

1 **TITLE II—PROTECTING COMMU-**
2 **NITIES IN THE WILDLAND-**
3 **URBAN INTERFACE**

4 **SEC. 201. COMMUNITY WILDFIRE RISK REDUCTION PRO-**
5 **GRAM.**

6 (a) ESTABLISHMENT.—Not later than 30 days after
7 the date of enactment of this Act, the Secretaries shall
8 jointly establish an interagency program to be known as
9 the “Community Wildfire Risk Reduction Program” that
10 shall consist of at least one representative from each of
11 the following:

12 (1) The Office of Wildland Fire of the Depart-
13 ment of the Interior.

14 (2) The National Park Service.

15 (3) The Bureau of Land Management.

16 (4) The United States Fish and Wildlife Serv-
17 ice.

18 (5) The Bureau of Indian Affairs.

19 (6) The Forest Service.

20 (7) The Federal Emergency Management Agen-
21 cy.

22 (8) The United States Fire Administration.

23 (9) The National Institute of Standards and
24 Technology.

1 (b) PURPOSE.—The purpose of the program estab-
2 lished under subsection (a) is to support interagency co-
3 ordination in reducing the risk of, and the damages result-
4 ing from, wildfires in communities (including tribal com-
5 munities) in the wildland-urban interface through—

6 (1) advancing research and science in wildfire
7 resilience and land management;

8 (2) supporting adoption by Indian Tribes and
9 local governmental entities of fire-resistant building
10 methods, codes, and standards;

11 (3) supporting efforts by Indian Tribes or local
12 governmental entities to address the effects of
13 wildland fire on such communities, including prop-
14 erty damages, air quality, and water quality;

15 (4) encouraging public-private partnerships to
16 conduct hazardous fuels management activities in
17 the wildland-urban interface;

18 (5) providing technical and financial assistance
19 to communities through streamlined and unified
20 mechanisms, including the portal and grant applica-
21 tion established under subsection (c).

22 (c) PORTAL AND UNIFORM GRANT APPLICATION.—

23 (1) IN GENERAL.—As part of the program es-
24 tablished under subsection (a), the Secretaries and
25 the Administrator of the Federal Emergency Man-

1 agement Agency shall establish a portal through
2 which a person may submit a single, uniform appli-
3 cation for any of the following:

4 (A) A community wildfire defense grant
5 under section 40803(f) of the Infrastructure In-
6 vestment and Jobs Act (16 U.S.C. 6592(f)).

7 (B) An emergency management perform-
8 ance grant under section 662 of the Post-
9 Katrina Emergency Management Reform Act of
10 2006 (6 U.S.C. 761).

11 (C) A grant under section 33 of the Fed-
12 eral Fire Prevention and Control Act of 1974
13 (15 U.S.C. 2229).

14 (D) A grant under section 34 of the Fed-
15 eral Fire Prevention and Control Act of 1974
16 (15 U.S.C. 2229a).

17 (E) Financial or technical assistance or a
18 grant under sections 203, 205, 404, 406, or
19 420 of the Robert T. Stafford Disaster Relief
20 and Emergency Assistance Act (42 U.S.C.
21 5133, 5135, 5170c, 5172, 5187).

22 (2) SIMPLIFICATION OF APPLICATION.—In es-
23 tablishing the portal and application under para-
24 graph (1), the Secretaries and the Administrator
25 shall seek to reduce the complexity and length of the

1 application process for the grants described in para-
2 graph (1).

3 (3) TECHNICAL ASSISTANCE.—The Secretaries
4 shall provide technical assistance to communities or
5 persons seeking to apply for financial assistance
6 through the portal using the application established
7 under paragraph (1).

8 (d) SUNSET.—The program established under this
9 section shall terminate on the date that is 7 years after
10 the date of enactment of this Act.

11 **SEC. 202. COMMUNITY WILDFIRE DEFENSE RESEARCH PRO-**
12 **GRAM.**

13 (a) IN GENERAL.—The Secretaries shall, acting
14 jointly, expand the Joint Fire Science Program to include
15 performance-driven research and development program
16 known as the “Community Wildfire Defense Research
17 Program” for the purpose of testing and advancing inno-
18 vative designs to create or improve the wildfire-resistance
19 of structures and communities.

20 (b) PROGRAM PRIORITIES.—In carrying out the pro-
21 gram established under subsection (a), the Secretaries
22 shall evaluate opportunities to create wildfire-resistant
23 structures and communities through—

24 (1) different affordable building materials, in-
25 cluding mass timber;

1 (2) home hardening, including policies to
2 incentivize and incorporate defensible space;

3 (3) subdivision design and other land use plan-
4 ning and design;

5 (4) landscape architecture; and

6 (5) other wildfire-resistant designs, as deter-
7 mined by the Secretary.

8 (c) COMMUNITY WILDFIRE DEFENSE INNOVATION
9 PRIZE.—

10 (1) IN GENERAL.—In carrying out the program
11 established under subsection (a), the Secretaries
12 shall carry out a competition through which a person
13 may submit to the Secretaries innovative designs for
14 the creation or improvement of an ignition-resistant
15 structure or fire-adapted communities.

16 (2) PRIZE.—Subject to the availability of ap-
17 propriations made in advance for such purpose, the
18 Secretaries may award a prize under the competition
19 described in paragraph (1), based on criteria estab-
20 lished by the Secretaries and in accordance with
21 paragraph (3).

22 (3) SCALE.—In awarding a prize under para-
23 graph (2), the Secretaries shall prioritize for an
24 award designs with the most potential to scale to ex-
25 isting infrastructure.

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

4 **SEC. 203. VEGETATION MANAGEMENT, FACILITY INSPEC-**
5 **TION, AND OPERATION AND MAINTENANCE**
6 **RELATING TO ELECTRIC TRANSMISSION AND**
7 **DISTRIBUTION FACILITY RIGHTS-OF-WAY.**

8 (a) HAZARD TREES WITHIN 150 FEET OF ELECTRIC
9 POWER LINE.—Section 512(a)(1)(B)(ii) of the Federal
10 Land Policy and Management Act of 1976 (43 U.S.C.
11 1772(a)(1)(B)(ii)) is amended by striking “10” and in-
12 serting “150”.

13 (b) CONSULTATION WITH PRIVATE LANDOWNERS.—
14 Section 512(e)(3)(E) of such Act (43 U.S.C.
15 1772(c)(3)(E)) is amended—

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

17 (2) in clause (ii), by striking the period and in-
18 serting “; and”; and

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

20 “(iii) consulting with a private land-
21 owner with respect to any hazard trees
22 identified for removal from land owned by
23 the private landowner.”.

1 (c) REVIEW AND APPROVAL PROCESS.—Section
2 512(e)(4)(A)(iv) of such Act (43 U.S.C. 1772(e)(4)(A))
3 is amended to read as follows:

4 “(iv) ensures that—

5 “(I) a plan submitted without a
6 modification under clause (iii) shall be
7 automatically approved 120 days after
8 review; and

9 “(II) with respect to a plan sub-
10 mitted with a modification under
11 clause (iii), if not approved within 120
12 days after being submitted, the Sec-
13 retary concerned shall develop and
14 submit a letter to the owner and oper-
15 ator describing—

16 “(aa) a detailed timeline (to
17 conclude within 165 days after
18 the submission of the plan) for
19 completing review of the plan;

20 “(bb) any identified defi-
21 ciencies with the plan and spe-
22 cific opportunities for the owner
23 and operator to address such de-
24 ficiencies; and

1 (c) AVAILABILITY OF CATEGORICAL EXCLUSION.—

2 On and after the date of enactment of this Act, the Sec-
3 retary concerned may use the categorical exclusion estab-
4 lished under subsection (a) in accordance with this section.

5 (d) EXCLUSION OF CERTAIN AREAS FROM CATEGOR-
6 ICAL EXCLUSION.—The categorical exclusion established
7 under subsection (a) shall not apply to any forest manage-
8 ment activity conducted—

9 (1) in a component of the National Wilderness
10 Preservation System; or

11 (2) on National Forest System lands on which
12 the removal of vegetation is restricted or prohibited
13 by an Act of Congress.

14 (e) PERMANENT ROADS.—

15 (1) PROHIBITION ON ESTABLISHMENT.—A for-
16 est management activity designated under subsection
17 (b) shall not include the establishment of a perma-
18 nent road.

19 (2) EXISTING ROADS.—The Secretary con-
20 cerned may carry out necessary maintenance and re-
21 pair on an existing permanent road for the purposes
22 of conducting a forest management activity des-
23 igned under subsection (b).

24 (3) TEMPORARY ROADS.—The Secretary con-
25 cerned shall decommission any temporary road con-

1 structured for carrying out a forest management activ-
2 ity designated under subsection (b) not later than
3 the date that is 3 years after the date on which the
4 forest management activity is completed.

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

8 **SEC. 205. SEEDS OF SUCCESS.**

9 (a) STRATEGY ESTABLISHED.—Not later than 2
10 years after the date of enactment of this Act, the Secre-
11 taries and the Secretary of Defense shall jointly develop
12 and implement a strategy, to be known as the “Seeds of
13 Success strategy”, to enhance the domestic supply chain
14 of seeds.

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

17 (1) Facilitating sustained interagency coordina-
18 tion in, and a comprehensive approach to, native
19 plant materials development and restoration.

20 (2) Promoting the re-seeding of native or fire-
21 resistant grasses post-wildfire, particularly in the
22 wildland-urban interface.

23 (3) Creating and consolidating information on
24 native or fire-resistant grasses and sharing such in-

1 formation with State, local governments, and Indian
2 Tribes.

3 (4) Building regional programs and partner-
4 ships to promote the development of materials made
5 from plants native to the United States and restores
6 such plants to the native habitat of each such plant
7 within the United States, giving priority to the
8 building of such programs and partnerships in re-
9 gions of the Bureau of Land Management where
10 such partnerships and programs do not already exist
11 as of the date of enactment of this Act.

12 (5) Expanding seed storage and seed-cleaning
13 infrastructure.

14 (6) Expanding the Warehouse System of the
15 Bureau of Land Management, particularly the cold
16 storage capacity of the Warehouse System.

17 (7) Shortening the timeline for the approval of
18 permits to collect seeds on public lands managed by
19 the Bureau of Land Management.

20 (c) REPORT.—The Secretaries and the Secretary of
21 Defense shall submit to the relevant Congressional Com-
22 mittees the strategy developed under paragraph (1).

1 **TITLE III—TRANSPARENCY AND**
2 **TECHNOLOGY**

3 **SEC. 301. BIOCHAR INNOVATIONS AND OPPORTUNITIES**
4 **FOR CONSERVATION, HEALTH, AND AD-**
5 **VANCEMENTS IN RESEARCH.**

6 (a) DEMONSTRATION PROJECTS.—

7 (1) ESTABLISHMENT.—

8 (A) IN GENERAL.—Not later than 2 years
9 after the date of enactment of this Act, the cov-
10 ered Secretaries shall establish a program to
11 enter into partnerships with eligible entities to
12 carry out demonstration projects to support the
13 development and commercialization of biochar
14 in accordance with this subsection.

15 (B) LOCATION OF DEMONSTRATION
16 PROJECTS.—In carrying out the program estab-
17 lished under subparagraph (A), the covered
18 Secretaries shall, to the maximum extent prac-
19 ticable, enter into partnerships with eligible en-
20 tities such that not fewer than one demonstra-
21 tion project is carried out in each region of the
22 Forest Service and each region of the Bureau
23 of Land Management.

24 (2) PROPOSALS.—To be eligible to enter into a
25 partnership to carry out a biochar demonstration

1 project under paragraph (1)(A), an eligible entity
2 shall submit to the covered Secretaries a proposal at
3 such time, in such manner, and containing such in-
4 formation as the covered Secretaries may require.

5 (3) PRIORITY.—In selecting proposals under
6 paragraph (2), the covered Secretaries shall give pri-
7 ority to entering into partnerships with eligible enti-
8 ties that submit proposals to carry out biochar dem-
9 onstration projects that—

10 (A) have the most carbon sequestration po-
11 tential;

12 (B) have the most potential to create new
13 jobs and contribute to local economies, particu-
14 larly in rural areas;

15 (C) have the most potential to dem-
16 onstrate—

17 (i) new and innovative uses of biochar;

18 (ii) market viability for cost effective
19 biochar-based products;

20 (iii) the ecosystem services created or
21 supported by the use of biochar;

22 (iv) the restorative benefits of biochar
23 with respect to forest heath and resiliency,
24 including forest soils and watersheds; or

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

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

6 (i) nearby lands identified as having
7 high or very high or extreme risk of wild-
8 fire;

9 (ii) availability of sufficient quantities
10 of feedstocks;

11 (iii) a high level of demand for
12 biochar or other commercial byproducts of
13 biochar; or

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

16 (4) USE OF FUNDS.—In carrying out the pro-
17 gram established under paragraph (1)(A), the cov-
18 ered Secretaries may enter into partnerships and
19 provide funding to such partnerships to carry out
20 demonstration projects to—

21 (A) acquire and test various feedstocks and
22 their efficacy;

23 (B) develop and optimize commercially and
24 technologically viable biochar production units,
25 including mobile and permanent units;

1 (C) demonstrate—

2 (i) the production of biochar from for-
3 est residue; and

4 (ii) the use of biochar to restore forest
5 health and resiliency;

6 (D) build, expand, or establish biochar fa-
7 cilities;

8 (E) conduct research on new and innova-
9 tive uses of biochar;

10 (F) demonstrate cost-effective market op-
11 portunities for biochar and biochar-based prod-
12 ucts;

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

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

17 (5) FEEDSTOCK REQUIREMENTS.—To the max-
18 imum extent practicable, an eligible entity that car-
19 ries out a biochar demonstration project under this
20 subsection shall, with respect to the feedstock used
21 under such project, derive at least 50 percent of
22 such feedstock from forest thinning and manage-
23 ment activities, including mill residues, conducted on
24 National Forest System lands or public lands.

25 (6) REVIEW OF BIOCHAR DEMONSTRATION.—

1 (A) IN GENERAL.—The covered Secretaries
2 shall conduct regionally-specific research, in-
3 cluding economic analyses and life-cycle assess-
4 ments, on any biochar produced from a dem-
5 onstration project carried out under the pro-
6 gram established in paragraph (1)(A), includ-
7 ing—

8 (i) the effects of such biochar on—

9 (I) forest health and resiliency;

10 (II) carbon capture and seques-
11 tration, including increasing soil car-
12 bon in the short-term and long-term;

13 (III) productivity, reduced input
14 costs, and water retention in agricul-
15 tural practices;

16 (IV) the health of soil and grass-
17 lands used for grazing activities, in-
18 cluding grazing activities on National
19 Forest System land and public land;

20 (V) environmental remediation
21 activities, including abandoned mine
22 land remediation; and

23 (VI) other ecosystem services cre-
24 ated or supported by the use of
25 biochar;

1 (ii) the effectiveness of biochar as a
2 co-product of biofuels or in biochemicals;
3 and

4 (iii) the effectiveness of other poten-
5 tial uses of biochar to determine if any
6 such use is technologically and commer-
7 cially viable.

8 (B) COORDINATION.—The covered Secre-
9 taries shall, to the maximum extent practicable,
10 provide data, analyses, and other relevant infor-
11 mation collected under subparagraph (A) with
12 recipients of a grant under subsection (b).

13 (7) LIMITATION ON FUNDING FOR ESTAB-
14 LISHING BIOCHAR FACILITIES.—If the covered Sec-
15 retaries provide to an eligible entity that enters into
16 a partnership with the covered Secretaries under
17 paragraph (1)(A) funding for establishing a biochar
18 facility, such funding may not exceed 35 percent of
19 the total capital cost of establishing such biochar fa-
20 cility.

21 (b) BIOCHAR RESEARCH AND DEVELOPMENT GRANT
22 PROGRAM.—

23 (1) ESTABLISHMENT.—The Secretary of the In-
24 terior shall establish or expand an existing applied
25 biochar research and development grant program to

1 make competitive grants to eligible institutions to
2 carry out the activities described in paragraph (3).

3 (2) APPLICATIONS.—To be eligible to receive a
4 grant under this subsection, an eligible institution
5 shall submit to the Secretary a proposal at such
6 time, in such manner, and containing such informa-
7 tion as the Secretary may require.

8 (3) USE OF FUNDS.—An eligible institution
9 that receives a grant under this subsection shall use
10 the grant funds to conduct applied research on—

11 (A) the effect of biochar on forest health
12 and resiliency, accounting for variations in
13 biochar, soil, climate, and other factors;

14 (B) the effect of biochar on soil health and
15 water retention, accounting for variations in
16 biochar, soil, climate, and other factors;

17 (C) the long-term carbon sequestration po-
18 tential of biochar;

19 (D) the best management practices with
20 respect to biochar and biochar based-products
21 that maximize—

22 (i) carbon sequestration benefits; and

23 (ii) the commercial viability and appli-
24 cation of such products in forestry, agri-
25 culture, environmental remediation, water

1 quality improvement, and any other similar
2 uses, as determined by the Secretary;

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

5 (i) uses in agriculture and environ-
6 mental remediation; and

7 (ii) use as a co-product in fuel produc-
8 tion;

9 (F) new and innovative uses for biochar
10 byproducts; and

11 (G) opportunities to expand markets for
12 biochar and create related jobs, particularly in
13 rural areas.

14 (c) REPORTS.—

15 (1) REPORT TO CONGRESS.—Not later than 2
16 years after the date of enactment of this Act, the
17 covered Secretaries shall submit to Congress a re-
18 port that—

19 (A) includes policy and program rec-
20 ommendations to improve the widespread use of
21 biochar;

22 (B) identifies any area of research needed
23 to advance biochar commercialization; and

1 (C) identifies barriers to further biochar
2 commercialization, including permitting and
3 siting considerations.

4 (2) MATERIALS SUBMITTED IN SUPPORT OF
5 THE PRESIDENT'S BUDGET.—Beginning with the
6 second fiscal year that begins after the date of en-
7 actment of this Act and annually thereafter until the
8 date described in subsection (d), the covered Secre-
9 taries shall include in the materials submitted to
10 Congress in support of the President's budget pursu-
11 ant to section 1105 of title 31, United States Code,
12 a report describing, for the fiscal year covered by the
13 report, the status of each demonstration project car-
14 ried out under subsection (a) and each research and
15 development grant carried out under subsection (b).

16 (d) SUNSET.—The authority to carry out this section
17 shall terminate on the date that is 7 years after the date
18 of enactment of this Act.

19 (e) DEFINITIONS.—In this section:

20 (1) BIOCHAR.—The term “biochar” means car-
21 bonized biomass produced by converting feedstock
22 through reductive thermal processing for non-fuel
23 uses.

24 (2) ELIGIBLE ENTITY.—The term “eligible enti-
25 ty” means—

- 1 (A) a State, local, or Tribal government;
2 (B) an eligible institution; or
3 (C) a private, non-private, or cooperative
4 entity.

5 (3) ELIGIBLE INSTITUTION.—The term “eligi-
6 ble institution” means land-grant colleges and uni-
7 versities, including institutions eligible for funding
8 under the—

9 (A) Act of July 2, 1862 (12 Stat. 503,
10 chapter 130; 7 U.S.C. 301 et seq.);

11 (B) Act of August 30, 1890 (26 Stat. 417,
12 chapter 841; 7 U.S.C. 321 et seq.), including
13 Tuskegee University;

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

16 (D) Equity in Educational Land-Grant
17 Status Act of 1994 (7 U.S.C. 301 note; Public
18 Law 103–382).

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

23 (5) COVERED SECRETARIES.—The term “cov-
24 ered Secretaries” means—

1 (A) the Secretary of Agriculture, acting
2 through the Chief of the Forest Service;

3 (B) the Secretary of the Interior, acting
4 through the Director of the Bureau of Land
5 Management; and

6 (C) the Secretary of Energy, acting
7 through the Director of the Office of Science.

8 **SEC. 302. ACCURATE HAZARDOUS FUELS REDUCTION RE-**
9 **PORTS.**

10 (a) INCLUSION OF HAZARDOUS FUELS REDUCTION
11 REPORT IN MATERIALS SUBMITTED IN SUPPORT OF THE
12 PRESIDENT'S BUDGET.—

13 (1) IN GENERAL.—Beginning with the first fis-
14 cal year that begins after the date of enactment of
15 this Act, and each fiscal year thereafter, the Sec-
16 retary concerned shall include in the materials sub-
17 mitted to Congress in support of the President's
18 budget pursuant to section 1105 of title 31, United
19 States Code, a report on the number of acres of
20 Federal land on which the Secretary concerned car-
21 ried out hazardous fuels reduction activities during
22 the preceding fiscal year.

23 (2) REQUIREMENTS.—For purposes of the re-
24 port required under paragraph (1), the Secretary
25 concerned shall—

1 (A) in determining the number of acres of
2 Federal land on which the Secretary concerned
3 carried out hazardous fuels reduction activities
4 during the period covered by the report—

5 (i) record acres of Federal land on
6 which hazardous fuels reduction activities
7 were completed during such period; and

8 (ii) record each acre described in
9 clause (i) once in the report, regardless of
10 whether multiple hazardous fuels reduction
11 activities were carried out on such acre
12 during such period; and

13 (B) with respect to the acres of Federal
14 land recorded in the report, include information
15 on—

16 (i) which such acres are located in the
17 wildland-urban interface;

18 (ii) the level of wildfire risk (high,
19 moderate, or low) on the first and last day
20 of the period covered by the report;

21 (iii) the types of hazardous fuels ac-
22 tivities completed for such acres, delin-
23 eating between whether such activities
24 were conducted—

- 1 (I) in a wildfire managed for re-
2 source benefits; or
3 (II) through a planned project;
4 (iv) the cost per acre of hazardous
5 fuels activities carried out during the pe-
6 riod covered by the report;
7 (v) the region or system unit in which
8 the acres are located; and
9 (vi) the effectiveness of the hazardous
10 fuels reduction activities on reducing the
11 risk of wildfire.

12 (3) TRANSPARENCY.—The Secretary concerned
13 shall make each report submitted under paragraph
14 (1) publicly available on the websites of the Depart-
15 ment of Agriculture and the Department of the Inte-
16 rior, as applicable.

17 (b) ACCURATE DATA COLLECTION.—

18 (1) IN GENERAL.—Not later than 90 days after
19 the date of enactment of this Act, the Secretary con-
20 cerned shall implement standardized procedures for
21 tracking data related to hazardous fuels reduction
22 activities carried out by the Secretary concerned.

23 (2) ELEMENTS.—The standardized procedures
24 required under paragraph (1) shall include—

1 (A) regular, standardized data reviews of
2 the accuracy and timely input of data used to
3 track hazardous fuels reduction activities;

4 (B) verification methods that validate
5 whether such data accurately correlates to the
6 hazardous fuels reduction activities carried out
7 by the Secretary concerned;

8 (C) an analysis of the short- and long-term
9 effectiveness of the hazardous fuels reduction
10 activities on reducing the risk of wildfire; and

11 (D) for hazardous fuels reduction activities
12 that occur partially within the wildland-urban
13 interface, methods to distinguish which acres
14 are located within the wildland-urban interface
15 and which acres are located outside the
16 wildland-urban interface.

17 (3) REPORT.—Not later than 2 weeks after im-
18 plementing the standardized procedures required
19 under paragraph (1), the Secretary concerned shall
20 submit to Congress a report that describes—

21 (A) such standardized procedures; and

22 (B) program and policy recommendations
23 to Congress to address any limitations in track-
24 ing data related to hazardous fuels reduction
25 activities under this subsection.

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

4 (1) conduct a study on the implementation of
5 this section, including any limitations with respect
6 to—

7 (A) reporting hazardous fuels reduction ac-
8 tivities under subsection (a); or

9 (B) tracking data related to hazardous
10 fuels reduction activities under subsection (b);
11 and

12 (2) submit to Congress a report that describes
13 the results of the study under paragraph (1).

14 (d) DEFINITIONS.—In this section:

15 (1) HAZARDOUS FUELS REDUCTION ACTIV-
16 ITY.—The term “hazardous fuels reduction activ-
17 ity”—

18 (A) means any vegetation management ac-
19 tivity to reduce the risk of wildfire, including
20 mechanical treatments and prescribed burning;
21 and

22 (B) does not include the awarding of con-
23 tracts to conduct hazardous fuels reduction ac-
24 tivities.

1 (2) FEDERAL LANDS.—The term “Federal
2 lands” means lands under the jurisdiction of the
3 Secretary of the Interior or the Secretary of Agri-
4 culture.

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

10 **SEC. 303. PUBLIC-PRIVATE WILDFIRE TECHNOLOGY DE-**
11 **PLOYMENT AND TESTBED PARTNERSHIP.**

12 (a) DEFINITIONS.—In this section:

13 (1) COVERED AGENCY.—The term “covered
14 agency” means—

15 (A) each Federal land management agency
16 (as such term is defined in the Federal Lands
17 Recreation Enhancement Act (16 U.S.C.
18 6801));

19 (B) the National Oceanic and Atmospheric
20 Administration;

21 (C) the United States Fire Administration;

22 (D) the Federal Emergency Management
23 Agency;

24 (E) the National Aeronautics and Space
25 Administration;

- 1 (F) the Bureau of Indian Affairs;
2 (G) the Department of Defense; and
3 (H) any other Federal agency involved in
4 wildfire response.

5 (2) COVERED ENTITY.—The term “covered en-
6 tity” means—

- 7 (A) a private entity;
8 (B) a nonprofit organization; or
9 (C) an institution of higher education (as
10 defined in section 101 of the Higher Education
11 Act of 1965 (20 U.S.C. 1001)).

12 (b) IN GENERAL.—Not later than 60 days after the
13 date of enactment of this Act, the Secretaries, in coordina-
14 tion with the heads of the covered agencies, shall establish
15 a deployment and testbed pilot program (in this section
16 referred to as “Pilot Program”) for new and innovative
17 wildfire prevention, detection, communication, and mitiga-
18 tion technologies.

19 (c) FUNCTIONS.—In carrying out the Pilot Program,
20 the Secretaries shall—

21 (1) incorporate the Pilot Program into existing
22 interagency coordinating groups on wildfires;

23 (2) in consultation with the heads of covered
24 agencies, identify and advance key technology pri-
25 ority areas with respect to wildfire prevention, detec-

1 tion, communication, and mitigation technologies, in-
2 cluding—

3 (A) hazardous fuels reduction treatments
4 or activities;

5 (B) dispatch communications;

6 (C) remote sensing, detection, and track-
7 ing;

8 (D) safety equipment; and

9 (E) common operating pictures or oper-
10 ational dashboards; and

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

16 (d) APPLICATIONS.—To be eligible to be selected to
17 participate in the Pilot Program, a covered entity shall
18 submit to the Secretaries an application at such time, in
19 such manner, and containing such information as the Sec-
20 retaries may require, including a proposal to test tech-
21 nologies specific to the key technology priority areas iden-
22 tified pursuant to subsection (c)(2).

23 (e) PRIORITIZATION OF EMERGING TECH-
24 NOLOGIES.—In selecting covered entities to participate in
25 the Pilot Program, the Secretaries shall give priority to

1 covered entities developing and applying emerging tech-
2 nologies, including artificial intelligence, quantum sensing,
3 computing and quantum-hybrid applications, augmented
4 reality, and 5G private networks and device-to-device com-
5 munications supporting nomadic mesh networks, for wild-
6 fire mitigation.

7 (f) OUTREACH.—The Secretaries, in coordination
8 with the heads of covered agencies, shall make public the
9 key technology priority areas identified pursuant to sub-
10 section (c)(2) and invite covered entities to apply under
11 subsection (d) to test and demonstrate their technologies
12 to address such priority areas.

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

- 22 (1) A list of participating covered entities.
- 23 (2) A brief description of the technologies test-
24 ed by each such covered entity.

1 (3) An estimate of the cost of acquiring each
2 such technology and applying the technology at
3 scale.

4 (4) Outreach efforts by Federal agencies to cov-
5 ered entities developing wildfire technologies.

6 (5) Assessments of, and recommendations relat-
7 ing to, new technologies with potential adoption and
8 application at-scale in Federal land management
9 agencies' wildfire prevention, detection, communica-
10 tion, and mitigation efforts.

11 (h) SUNSET.—The authority to carry out this section
12 shall terminate on the date that is 7 years after the date
13 of enactment of this Act.

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

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

18 (1) conduct a study evaluating—

19 (A) the effectiveness of Forest Service
20 wildland firefighting operations;

21 (B) transparency and accountability meas-
22 ures in the Forest Service's budget and ac-
23 counting process; and

24 (C) the suitability and feasibility of estab-
25 lishing a new Federal agency with the responsi-

