

FIX OUR FORESTS ACT

Title I – Landscape-Scale Restoration

Subtitle A – Addressing Emergency Wildfire Risks in High Priority Firesheds

Section 101. Designation of Fireshed Management Areas.

- Designates fireshed management areas, comprised of individual landscape-scale firesheds identified as being in the top 20 percent of the 7,688 firesheds identified in the Fireshed Registry for fireshed risk exposure for five years. Also designates existing high-risk firesheds identified in the “Wildfire Crisis Strategy” as fireshed management areas.
- Establishes a criterion to consider ranking fireshed management areas based on wildfire exposure to communities, including risk to structures and life, wildfire exposure to municipal watersheds, and risk of forest conversion due to wildfire.
- Requires the Secretary of Agriculture, in consultation with the Secretary of the Interior, to submit an updated fireshed map after five years and to update fireshed management area designations based on the updated map.

Section 102. Fireshed Center.

- Establishes an interagency office within the Forest Service (USFS) and U.S. Geological Survey (USGS) known as the Fireshed Center comprised of USFS, USGS, Bureau of Land Management (BLM), National Park Service (NPS), Bureau of Indian Affairs (BIA), U.S. Fish and Wildlife Service (USFWS), Department of Defense (DOD), Department of Homeland Security (DHS), Department of Energy (DOE), Federal Emergency Management Agency (FEMA), National Science Foundation (NSF), National Oceanic and Atmospheric Administration (NOAA), National Aeronautics and Space Administration (NASA), and the National Institute of Standards and Technology.
- Provides for a Director, member term limits, and additional appointments.
- The Fireshed Center will focus on:
 - Comprehensively assessing and predicting fire in the wildland and built environment interface through data integration and science-based decision support service.
 - Reducing fragmentation and duplication across federal land managers with respect to predictive service and decision support functions for wildland fire.
 - Promoting inter-organizational coordination and sharing of data regarding wildland fire decision-making.
 - Streamlining procurement processes and cyber security systems.
 - Providing publicly accessible data, models, technologies, assessments, and fire weather forecasts.
 - Maintaining the Fireshed Registry.
- Allows for cooperative agreements with State governments, Tribal governments, local governments, academic institutions, and private entities to support the operation of the Center.
- Allows USFS and USGS to provide administrative support, technical services, and staff support to the Center.

Section 103. Fireshed Registry.

- Requires the Fireshed Center to maintain a registry on a publicly accessible website that provides interactive geospatial data on individual firesheds. Information for each fireshed will include:
 - Wildfire exposure by ownership, including rights-of-ways.
 - Hazardous fuels treatments that occurred in the previous decade.
 - Wildfire exposure threat delineated by threats to communities and municipal watersheds, as well as the risk of forest conversion.
 - The percentage of the fireshed that burned in wildfires in the previous decade, delineated to include high severity acres.
 - Spatial patterns of wildfire exposure, including plausible extreme fire events.
 - Any planned hazardous fuels reduction treatments.
- Requires sharing this information with communities to help inform community wildfire protection plans.
- Requires the Director to publish fireshed assessments and maintain a public, searchable permitting dashboard, based on the FAST-41 permitting dashboard, to track the status of fireshed management projects.

Section 104. Shared Stewardship.

- Codifies the principles of shared stewardship to promote cross-boundary collaboration between federal and state land managers by requiring the Secretaries of the Interior and Agriculture to enter into shared stewardship agreements within 90 days of receiving a request from a state or Indian Tribe. Shared stewardship agreements will promote joint wildfire risk reduction and the completion of fireshed assessments.
- Allows the Secretary to designate additional fireshed management areas upon the request of a Governor or Tribe.
- Allows for existing shared stewardship agreements, or similar agreements, to satisfy the requirements of this section.

Section 105. Fireshed Assessments.

- Directs the applicable Secretary and Governor or Indian Tribe, after signing a shared stewardship agreement, to conduct a fireshed assessment of the fireshed management areas within the state. The fireshed assessment will be regularly updated and identify wildfire exposure risks, at-risk communities, and potential fireshed management projects. This will include a strategy for reducing the threat of wildfire to at-risk communities in the wildland-urban interface and timelines/long-term benchmark goals for completing fireshed management projects.
- Allows local governments within an applicable state to participate in fireshed assessments.
- Allows the Secretary concerned to enter into memorandums of understanding to improve the technology informing fireshed assessments.
- Allows the Secretary to utilize the best available science from sources such as traditional ecological knowledge and state forest action plans.
- Clarifies the assessments are not subject to the National Environmental Policy Act (NEPA).

Section 106. Emergency Fireshed Management.

- Directs the Secretary concerned to carry out fireshed management projects in fireshed management areas, which includes:
 - Conducting hazardous fuels management, including mechanical thinning, prescribed burning, cultural burning, timber harvest, mastication, and grazing.
 - Creating fuel breaks and fire breaks.
 - Removing hazard trees, dead trees, dying trees, or trees at risk of dying.
 - Developing, approving, or conducting routine maintenance under a vegetation management, facility inspection, and operation and maintenance plan.
 - 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.
 - Using chemical treatments to address insects and disease and control vegetation competition or invasive species.
 - Any activities recommended by the state-specific fireshed assessment carried out under section 105.
 - Any activities recommended by an applicable community wildfire protection plan.
- Codifies emergency NEPA, National Historic Preservation Act (NHPA), and Endangered Species Act (ESA) regulations in fireshed management areas.
- Allows fireshed management projects to occur under existing statutory CEs and increases acreage limitations on those CEs:
 - Insects and disease CE increased from 3,000 acres to 10,000 acres.
 - Wildfire resilience CE increased from 3,000 acres to 10,000 acres.
 - Sage grouse and mule deer CE increased from 4,500 acres to 10,000 acres.
 - Fuel breaks CE increased from 3,000 acres to 10,000 acres.
 - Tahoe CE expanded beyond the Tahoe Basin.
- Allows the 10,000-acre Tahoe CE to be applied outside the Tahoe Basin.
- Applies the exemption for administrative reviews from the Infrastructure Investment and Jobs Act (IIJA).
- Directs federal land managers to apply CEs under this Act in a manner consistent with the statute establishing such categorical exclusion and in all areas designated as suitable for timber production within the applicable forest plan or where timber harvesting is not prohibited.
- Directs the federal land managers to comply with NEPA, as amended by the Fiscal Responsibility Act of 2023.
- Directs the Secretaries to use the authorities provided by this section in conjunction with other authorities, such as Good Neighbor Authority, stewardship contracting, self-determination contracts and self-governance compact agreements with Indian Tribes, and agreements under the Tribal Forest Protection Act of 2004.

Section 107. Sunset.

- Sunsets authorities in this subtitle after seven years.

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

Section 111. Modification of the Treatment of Certain Revenue and Payments under Good Neighbor Agreements.

- Revises the good neighbor authority (GNA) program to modify the treatment of revenue from timber sale contracts under good neighbor agreements with the U.S. Department of Agriculture (USDA) and Department of the Interior (DOI).
- Requires Indian Tribes and counties to retain revenue generated from timber sales under a good neighbor agreement and allows states, counties, and Indian tribes to use such revenue for authorized restoration projects on nonfederal lands under a good neighbor agreement.
- Allows remaining funds to be used to administer a GNA program by a state, Indian Tribe, or county.
- Extends GNA through fiscal year 2029.

Section 112. Fixing Stewardship End Result Contracting.

- Codifies 20-year stewardship contracting.
- Adds the retention and expansion of existing forest products infrastructure as a goal under stewardship contracting.
- Provides that any long-term stewardship contract canceled by USFS or BLM shall provide 10 percent of the contract amount as cancellation costs.

Sec. 113. Intra-agency Strike Teams.

- Allows the Secretaries to each create 10-person intra-agency strike teams to assist with environmental reviews, site preparation, and the implementation of fireshed management projects.
- Strike teams can be comprised of DOI or USFS employees, private contractors, Tribal governments, State governments, local governments, or volunteers.
- Expires after seven years.

Sec. 114. Locally-led Restoration.

- Raises the threshold on advertised timber sales from \$10,000 to \$55,000, adjusted for inflation, to allow for more direct bids of timber sales.
- Requires the Secretary of Agriculture to solicit bids under the National Forest Management Act of 1976 for fireshed management projects.

Subtitle C – Addressing Frivolous Litigation

Section 121. Commonsense Litigation Reform.

- Expands existing litigation reforms from IJA (no injunctions if the plaintiff is unlikely to succeed in the case) and the Healthy Forests Restoration Act (balance of harms when considering an injunction, time limitations for injunctive relief).
- Limits claims on fireshed management projects and provides relief for addressing errors and deficiencies in a fireshed management project on remand.

Section 122. Consultation on Forest Plans.

- Amends the Forest and Rangeland Renewable Resources Planning Act of 1974 and the Federal Land Management and Policy Act of 1976 to specify that neither USFS nor BLM, respectively, are required to reinitiate consultation on a land management or use plan approved, amended, or revised, when a species is listed as threatened or endangered, critical habitat is designated, or new information concerning a listed species or critical habitat becomes available.

Title II – Protecting Communities in the Wildland-Urban Interface

Section 201. Community Wildfire Risk Reduction Program.

- Creates a joint program between DOI's Office of Wildland Fire, NPS, BLM, USFWS, BIA, USFS, FEMA, the U.S. Fire Administration, and the National Institute of Standards and Technology to:
 - Advance research and science in wildfire resilience and land management in the wildland-urban interface.
 - Support Tribal and local adoption of fire-resistant building methods, codes, and standards.
 - Supporting Tribal and local efforts to address the effects of wildland fires on communities, including property damage, air quality, and water quality.
 - Encourage public-private partnerships to reduce hazardous fuels in the wildland-urban interface.
 - Provide technical and financial assistance to communities through streamlined and unified mechanisms.
- Creates a centralized, uniform application process for the various federal grants provided to communities to address wildfire risk.
- Allows the Secretary to provide technical assistance to communities looking to apply for various grant programs.
- Sunsets after seven years.

Section 202. Community Wildfire Defense Research Program.

- Establishes a joint DOI-USDA "Community Wildfire Defense Research Program" under the Joint Fire Science Program to test and advance innovative designs to create wildfire-resistant structures and communities. This can include evaluations of:
 - Different affordable building materials, including mass timber.
 - Home hardening techniques, including policies to incentivize and incorporate defensible space.
 - Subdivision design and other land use planning and design.
 - Landscape architecture.
 - Other wildfire-resistant designs for structures or communities, as determined by the Secretaries.
- Allows the Secretaries, in carrying out the research program, to carry out a competition for innovative wildfire-resistant designs, to be known as the Community Wildfire Defense Innovation Prize.
- Sunsets after seven years.

Section 203. Vegetation Management, Facility Inspection, and Operation and Maintenance Relating to Electric Transmission and Distribution Facility Rights-of-Way.

- Amends existing expedited authorities under the Federal Land Policy and Management Act of 1976 with respect to rights of ways to allow the clearing of hazard trees within 150 feet of an electric power line (currently at 10 feet).
- Allows for additional consultation with private landowners.
- Automatically approves vegetation management plans submitted by electric utilities after approximately four months without amendment. For plans with a modification, specific timelines are established for plan approval.

Sec. 204. Categorical Exclusion for Electric Utility Lines Rights-of-Way.

- Creates a new CE for activities under a vegetation management, facility inspection, and operation and maintenance plan developed and approved under the Federal Land Policy and Management Act (FLPMA) for utility rights-of-way.
- Excludes wilderness areas and areas where vegetation removal is restricted or prohibited.
- Prohibits the establishment of permanent roads.
- Applies emergency regulations for ESA and NHPA consultations.

Section 205. Seeds of Success.

- Directs DOI, USDA, and DOD to develop and implement a joint strategy to:
 - Facilitate sustained interagency coordination and a comprehensive approach to native plant materials development and restoration.
 - Promote the re-seeding of native or fire-resistant grasses post-wildfire, particularly in the wildland-urban interface.
 - Create information on native or fire-resistant grasses that can be shared with state, Tribal, and local governments.
 - Build regional programs and partnerships to promote native plant materials development and native plant restoration, giving priority to regions of the BLM where such partnerships and programs do not already exist.
 - Expand seed storage and seed-cleaning infrastructure.
 - Expands the BLM's Seed Warehouse System, particularly its cold storage capacity.
 - Shorten the timeline for the approval of permits to collect seeds on public lands managed by the BLM.
- Directs the agencies to submit the strategy to Congress.

Title III – Transparency and Technology

Section 301. Biochar Innovations and Opportunities for Conservation, Health, and Advancements in Research.

- Directs the Secretaries of Agriculture, the Interior, and Energy to enter into partnerships to conduct biochar demonstration projects in each region of the USFS and BLM in two years.
- The Secretaries must prioritize project proposals with the most carbon sequestration potential, create new jobs in rural areas, demonstrate the benefits of biochar, and are

located in markets with the greatest need for biochar production units due to high demand or wildfire risk.

- Allows the Secretaries to provide technical and financial assistance for demonstration projects to acquire and test various feedstocks, develop and optimize biochar production units, and build or expand biochar production facilities. Limits the Secretaries from providing more than 35 percent of the capital costs of establishing a biochar facility as part of a demonstration project.
- Requires that feedstocks used for biochar demonstration projects derive at least 50 percent of their materials from thinning activities conducted on federal lands.
- Directs the Secretaries to conduct regionally specific research on biochar produced under the demonstration projects, including economic analyses and life-cycle assessments. Such research will evaluate biochar's effects on forest health and resiliency, carbon sequestration, agricultural productivity, and environmental remediation. The Secretaries will provide this data to other research institutions.
- Directs the Secretary of the Interior to establish or expand an existing biochar research and development grant program to land grant universities and HBCUs. The research will cover the ecosystem and economic benefits of biochar.
- Requires annual reports to Congress and sunsets after seven years.

Section 302. Accurate Hazardous Fuels Reduction Reports.

- Requires USFS, NPS, and BLM to submit a yearly hazardous fuels reduction report to Congress based on the actual number of acres the respective agencies treated over the past year.
- Specifies the agencies may only record acres once for the purposes of the report, regardless of the number of treatments performed on a single acre.
- Requires the report to include the acreage treated in the wildland-urban interface; the level of wildfire risk of treated acres before and after treatment; the types of treatment utilized; the cost per acre; the region or specific unit where acres are located; and the overall effectiveness of the treatments in reducing the risk of wildfire.
- The report must be made available on a USDA and DOI website.
- Directs the Secretaries to standardize procedures for tracking data for hazardous fuels reduction activities. This includes regular, standardized data reviews of the accuracy and timely input of data used to track hazardous fuels and verification that this data directly correlates to hazardous fuels reduction activity. It must also include an analysis of the short—and long-term effectiveness of hazardous fuels reduction in reducing the risk of wildfires.
- Directs the Secretaries to establish methods to distinguish between wildland-urban interface acres in reporting hazardous fuels reduction work for projects that encompass both categories.
- Directs the Secretaries to submit a report to Congress two weeks after implementing these standardized procedures, detailing the changes made and any policy recommendations needed to address further limitations in tracking data for hazardous fuels reduction.
- Directs the GAO to complete a study on the bill's implementation within two years of enactment and submit its findings to Congress.

- Defines hazardous fuels reduction activities to exclude (1) wildland fire managed for resource benefits; and (2) the awarding of contracts to conduct hazardous fuels reduction activities.

Section 303. Public-Private Wildfire Technology Deployment and Testbed Partnership.

- Directs the Secretaries of the Interior and Agriculture, in consultation with other land management agencies, to develop a pilot program focused on new and innovative wildfire prevention, detection, communication, and mitigation technologies.
- Directs the Secretaries to incorporate the pilot program into existing interagency coordinating groups on wildfire to identify priority areas and efforts to improve hazard fuels treatments, communication, remote sensing, safety equipment, and common operational pictures and dashboards.
- Requires the Secretaries to prioritize emerging technologies, such as AI and 5G networks, and make those priority technologies public.
- Sunsets after seven years and requires a report to Congress on the program's implementation.

Section 304. GAO Study on Forest Service Policies.

- Requires GAO to conduct a study on USFS operations, including (1) the effectiveness of USFS firefighting, (2) USFS's budget process, (3) establishing a new federal agency with the responsibility of responding and suppressing wildland fire on federal lands.

Section 305. Forest Service Western Headquarters Study.

- Directs USFS to conduct a study in five years evaluating at least three suitable locations for a Western headquarters and the benefits of establishing one, including improved customer service, employee recruitment and retention, operational efficiencies, and cost savings.