

FINAL:
Bipartisan Infrastructure Framework:
Forest Management Provisions

Sec. 40803: \$3.369 Billion over 6 years for **Wildfire Risk Reduction**, on lands identified “as having a very high wildfire hazard potential,” requiring restoration treatments on 10 million acres “the wildland-urban interface” or “public drinking water source areas”:

- \$100M for **Collaborative Forest Landscape Restoration** program;
- \$500M for “**mechanical thinning and timber harvesting in an ecologically appropriate manner**”, with 80 percent of the funds allocated to the Forest Service and 20 percent allocated to the Department of Interior; conducted pursuant to the Healthy Forests Restoration Act, with restrictions (“maximize retention of large trees... to the extent that the trees promote fire resilient stands”; or “thinning in young growth stands for wildfire habitat benefits to provide subsistence resources.”)
- \$500M for “**Community Wildfire Defense Grants**,” with restrictions.
- \$500M for planning and conducting **prescribed burns** “and related activities,” split 50/50 between Forest Service and DOI.
- \$500M for the establishment of “**control locations, ... including installing fuelbreaks**” with a focus on shaded fuelbreaks, split 50/50 between the Forest Service and the Department of Interior; conducted pursuant to the Healthy Forests Restoration Act;
- \$200M for hiring crews “for the **removal of flammable vegetation** on Federal land, and for using materials from treatments, to the extent practicable, to produce biochar and other innovative wood products,” split 50/50 between the Forest Service and Department of Interior; conducted pursuant to the Healthy Forests Restoration Act;
- \$200M for **post fire restoration activities** within 3 years of the containment date on a wildland fire; funding is split 50/50 between DOI and Forest Service.

Projects funded under the **Wildfire Risk Reduction** title are to prioritize the following:

- NEPA-ready projects (signed record of decision on the date of enactment)
- Are “strategically located” to “minimize risks from wildfires”
- Maximize large tree retention “to the extent that the trees promote fire-resilient stands” (also includes a redundant and largely duplicative, if not more complex old growth paragraph);
- That do not include the establishment of new roads and which provide for obliteration of temporary roads;

Sec. 40803 also requires:

- ***annual accomplishment reporting*** on number of acres treated;
- ***a report within 6 months of enactment*** on the effectiveness of strategically placed fuel breaks;
- a decision on whether to pursue a ***programmatic EIS for fuel breaks*** within 90 days of the report on effectiveness;
- development of ***5-year treatment, monitoring, and maintenance plan*** for fuels treatments within 120 days of enactment;
- encourages use of “shared stewardship” and Good Neighbor Agreements to accomplish fuels reduction activities;
- ***development of 20-million acre, 10-year strategic plan*** for fuels reduction.

Section 40804: \$2.13 Billion over 5-years for ***Ecosystem Restoration***; including the following projects and activities:

- \$300M over 5-years for ***contracts for minimum of 10,000 acres*** of Ecological Restoration on Federal lands; with 50 percent of the funding directed to the Forest Service; \$50M to the Department of Interior; and \$100M for a working capital fund to address cancellation ceiling for these contracts;
- \$200M for ***matching payments to States and Indian Tribes*** for implementation of Good Neighbor Agreements, with 80 percent of the funds directed to the Forest Service;
- \$400M to provide ***assistance to wood using facilities*** “that purchase byproducts of restoration treatments” in the form of loan guarantees or low-interest loans to “to an entity seeking to establish, reopen, retrofit, expand, or improve a sawmill or other wood-processing facility in close proximity to a unit of Federal land that has been identified... as high or very high priority for

- ecological restoration,” if such a facility “would substantially decrease ... the cost of conducting ecological restoration projects.”
- \$400M to ***provide grants to States and Indian tribes to implement ecosystem restoration*** partnerships on Federal and non-Federal lands, with an emphasis on cross boundary projects;
 - \$200M for ***invasive pest detection, prevention, and eradication***, with half the funds directed to the Forest Service and half to the Department of Interior;
 - \$200M for ***reforestation on both public and private lands*** (65/35 FS DOI split);
 - \$80M for a new, ***collaborative based, landscape-scale restoration program to restore water quality or fish passage on Federal land***

Sec. 40804 also requires the Government Accountability Office (GAO) to ***conduct an effectiveness study on fuels treatments*** within 6 years of enactment.

Establishes a new ***Categorical Exclusion*** to “establish and maintain linear fuel breaks”;

- Within “up to 1,000 feet” of “existing linear features, such as roads, water infrastructure, transmission and distribution lines, and pipelines of any length on Federal land;” authorizes a variety of practices including timber harvest;
- Categorical Exclusion cannot be used in Wilderness/Roadless; must be compatible with existing forest plans; and are to be “located primarily in” the wildland urban interface or public drinking water supply area. Includes prohibition on new roads.

Emergency Actions: Authorizes FS and DOI agencies to take “emergency actions” and conduct “salvage of dead or dying trees; the harvest of trees damaged by wind or ice; the commercial and noncommercial sanitation harvest of trees to control insects or disease,... reforestation, removal of hazardous trees in close proximity to roads and trails; the removal of hazardous fuels; the restoration of water sources or infrastructure; the reconstruction of existing utility lines; and the replacement of underground cables.” Agencies are required to analyze the proposed action and no-action alternative; no administrative objections, and limits injunctions.