This amendment

- Moves funding to increase hazardous fuels reduction, vegetation management, forest restoration and reforestation funding
- Requires the Forest Service to focus fuels reduction projects on the most at risk acres by using the Forest Service’s most recent maps and data
- Contains Representative LaMalfa’s RESTORE Act and Representative Johnson’s FIRE Act, while funding them both. These proposals would give the Forest Service authorities to perform more landscape scale treatments and expedite the removal of salvage after a fire
AMENDMENT TO THE COMMITTEE PRINT
OFFERED BY M .

Page 2, line 1, strike "$10,000,000,000" and insert "$20,000,000,000".

Page 2, line 2, strike "wildland-urban interface;" and insert "National Forest System lands; and".

Page 2, strike line 3 and all that follows through page 3, line 5.

Page 3, line 6, strike "$1,000,000,000" and insert "$4,000,000,000".

Page 3, line 12, strike the semicolon and insert a period.

Page 3, strike line 13 and all that follows through page 12, line 6.

Page 3, after line 13, insert the following:

1 (b) PRIORITY.—The Secretary shall prioritize for implementation under this section projects that are located on high risk acres as identified in the Forest Service Risk Based Maps.

Page 13, line 8, insert "and" at the end.
Page 13, line 9, strike "$250,000,000" and insert "$1,000,000,000".

Page 13, line 14, strike the semicolon and insert a period.

Page 13, strike line 15 and all that follows through page 20, line 23.

Strike section 11003 and insert the following:

1 SEC. 11003. RESTORING ENVIRONMENTS, SOILS, TREES, AND OPERATIONS TO DEVELOP THE RURAL ECONOMY.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this section, the Secretary shall, at the request of a Governor of a State, select a forest landscape in the State on which to conduct a forest landscape project described in subsection (b)(1).

(2) PROCESS.—

(A) PROPOSALS.—To request a forest landscape project be carried out in a State under paragraph (1), the Governor of such State may submit to the Secretary a proposal for a forest landscape project in such State.
(B) SELECTION.—The Secretary may only select a proposal submitted under subparagraph (A) if the proposal will be conducted on a forest landscape.

(3) APPLICABILITY OF NEPA.—The selection of a forest landscape under this subsection shall not be subject to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) FOREST LANDSCAPE PROJECTS.—

(1) IN GENERAL.—A forest landscape project carried out by the Secretary under this section is a project—

(A) for which the Secretary carries out 1 or more covered management activities described in paragraph (2); and

(B) that takes place—

(i) on a forest landscape; and

(ii) on not more than 75,000 acres of—

(I) Federal land; or

(II) non-Federal land adjacent to Federal land on which the project is also carried out.
(2) COVERED MANAGEMENT ACTIVITY.—A covered management activity described in this paragraph is a forest management activity to—

(A) install fuel breaks (including shaded fuel breaks) not more than ½-mile wide across a forest landscape in a strategic system that maximizes the reduction of wildfire risk to communities or watersheds;

(B) carry out mechanical thinning (including restoration thinning) of a forest landscape to clear—

(i) surface fuels, such as slash;

(ii) ladder fuels, such as small and medium diameter trees and shrubs; or

(iii) both of the fuels described in clauses (i) and (ii);

(C) conduct controlled burns; and

(D) remove dead trees, dying trees, or trees at high-risk of dying.

(3) REQUIREMENTS.—In carrying out a covered management activity under a forest landscape project, the Secretary—

(A) shall—

(i) maximize the retention of old-growth stands and large trees, as appro-
priate for the forest type, to the extent that the trees promote stands that are resilient to wildfire and increased average temperature; and

(ii) consider the best available scientific information to maintain or restore the ecological integrity of the forest landscape; and

(B) may not establish a permanent road.

(e) ENVIRONMENTAL ANALYSIS.—

(1) APPLICATION TO CERTAIN ENVIRONMENTAL ASSESSMENTS AND ENVIRONMENTAL IMPACT STATEMENTS.—This subsection shall apply in any case in which the Secretary prepares an environmental assessment or an environmental impact statement pursuant to section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C.4332(2)) for a forest landscape project—

(A) that—

(i) is developed through a collaborative process; or

(ii) is covered by a community wildfire protection plan; and

(B) the primary purpose of which is—
(i) to reduce the risk of wildfire in the
forest landscape;
(ii) to restore ecological health to the
forest landscape; or
(iii) to adapt the forest landscape to
the increased risk of wildfire due to climate
change.

(2) CONSIDERATION OF ALTERNATIVES.—In an
environmental assessment or an environmental im-
pact statement described in paragraph (1), the Sec-
retary shall study, develop, and describe only the fol-
lowing alternatives:
(A) The proposed agency action.
(B) The alternative of no action.

(3) WAIVER.—In preparing an environmental
impact statement for a forest landscape project de-
scribed in paragraph (1), the Secretary shall not be
required to comply with section 1502.11(g) or
1502.17 of title 40, Code of Federal Regulations (or
successor regulations).
(d) JUDICIAL REVIEW IN UNITED STATES DISTRICT
COURTS.—
(1) VENUE.—Notwithstanding section 1391 of
title 28, United States Code, or other applicable law,
a forest landscape project for which an environ-
mental assessment or an environmental impact statement is prepared shall be subject to judicial review only in—

(A) the United States district court for a district in which the Federal land to be treated under the forest landscape project is located; or

(B) the United States district court for the District of Columbia.

(2) EXPEDITIOUS COMPLETION OF JUDICIAL REVIEW.—In the judicial review of an action challenging a forest landscape project described in paragraph (1), Congress encourages a court of competent jurisdiction to expedite, to the maximum extent practicable, the proceedings in the action with the goal of rendering a final determination on jurisdiction, and, if jurisdiction exists, a final determination on the merits, as soon as practicable after the date on which a complaint or appeal is filed to initiate the action.

(e) EXCLUSIONS.—The authorities provided under this section may not apply to—

(1) any component of the National Wilderness Preservation System, except with respect to wilderness study areas determined, before the date of the
enactment of this Act, to not be suitable for wilderness designation;

(2) any congressionally designated wilderness study area;

(3) National Forest System lands—

(A) on which the removal of vegetation is prohibited by Act of Congress;

(B) that are located within a national or State-specific inventoried roadless area established by the Secretary through regulation, unless—

(i) the forest management activity to be carried out under such authority is consistent with the forest plan applicable to the area;

(ii) the Secretary determines the forest management activity is permissible under the applicable roadless rule governing such lands; or

(iii) the inventoried roadless area was not recommended for wilderness designation as a result of—

(I) the second roadless area review and evaluation program (RARE II); or
(II) a subsequent revision of a land and resources management plan under section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604); or

(C) on which timber harvesting for any purpose is prohibited by Federal statute.

(f) DEFINITIONS.—In this section:

(1) COLLABORATIVE PROCESS.—The term "collaborative process" means a collaborative process described in section 4003(b)(2) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7303(b)(2)).

(2) FOREST LANDSCAPE.—The term "forest landscape" means an area that—

(A) primarily or entirely contains land that has a high or very high wildfire hazard potential;

(B) due to a fuel management activity in the area, would have a reduced risk, as determined by the Secretary—

(i) of wildfire endangering a nearby at-risk community (as defined in section...
101 of the Healthy Forests Restoration
(ii) of wildfire damaging a municipal
watershed or infrastructure that serves an
at-risk community described in clause (i);
or
(iii) of the transmission of a high in-
tensity wildfire from the applicable
wildland-urban interface or forest land-
scape to a nearby community; and
(C) to the extent practicable, is conducive
to the development and implementation of
projects relating to wildfire resilience and forest
health or removal of dead or dying trees that
are carried out through a collaborative process.

(3) FOREST LANDSCAPE PROJECT.—The term
“forest landscape project” means a project described
in subsection (b)(1).

(4) FOREST PLAN.—The term “forest plan”
means a land and resource management plan pre-
pared by the Forest Service for a unit of the Na-
tional Forest System pursuant to section 6 of the
Forest and Rangeland Renewable Resources Plan-
(g) APPROPRIATIONS.—In addition to amounts otherwise available, there are appropriated to the Secretary for each of fiscal years 2022 through 2031, out of any money in the Treasury not otherwise appropriated, $4,000,000,000 to remain available until September 30, 2031, to carry out this section.

Strike section 11004 and insert the following:

SEC. 11004. FORESTRY IMPROVEMENTS TO RESTORE THE ENVIRONMENT ACT.

(a) SURVEY OF NATIONAL FOREST SYSTEM LANDS IMPACTED BY WILDFIRE.—

(1) SURVEY REQUIRED.—To the maximum extent practicable, not later than 60 days after a wildfire is contained on National Forest System lands, the Secretary of Agriculture, acting through the Chief of the Forest Service, shall complete a survey of the National Forest System lands that were impacted by such wildfire.

(2) PRIORITY OF LAND SURVEYED.—In carrying out a survey required under paragraph (1), the Secretary of Agriculture shall give priority to National Forest System lands in the following order:

(A) Lands for which there is, at the time of such survey—
(i) timber under a contract pursuant to section 14(a) of the National Forest Management Act of 1976 (16 U.S.C. 472a); or


(B) Lands for which, at the time of such survey—

(i) a timber sale described in subparagraph (A)(i) or a stewardship contract described in subparagraph (A)(ii) is planned; and

(ii) with respect to such sale or contract, an environmental decision document has been completed pursuant to section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332).

(3) CONVERSION OF TIMBER SALES.—

(A) TIMBER SALES TO SALVAGE SALES.— Not later than 60 days after a wildfire is contained on National Forest System lands, the Secretary of Agriculture shall, with respect to the timber sales applicable to such lands that
were impacted by such wildfire, convert such
timber sales to salvage sales.

(B) TREATMENT OF CONVERTED TIMBER
SALES.—In the case of a project relating to the
timber sales applicable to the National Forest
System lands described in paragraph (1), the
conversion of such timber sales to salvage sales
under such paragraph shall be deemed to meet
the purpose and need of such project for pur-
poses of an environmental assessment or an en-
vironmental impact statement pursuant to sec-
tion 102 of the National Environmental Policy

(4) SUPPLEMENTAL INFORMATION REPORTS.—
The Secretary of Agriculture shall give priority to
completing supplemental information reports that
determine, with respect to a pending project planned
for National Forest System lands prior to a wildfire,
whether—

(A) timber salvage constitutes substantial
changes to the proposed action that are relevant
to environmental concerns; and

(B) wildfire constitutes significant new cir-
cumstances or information relevant to environ-
mental concerns.
(b) Roadside Salvage Categorical Exclusion.—

(1) Categorical exclusion established.—

Forest management activities described in paragraph (2) are a category of actions hereby designated as being categorically excluded from the preparation of an environmental assessment or an environmental impact statement pursuant to section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332).

(2) Forest management activities designated for categorical exclusion.—The category of forest management activities designated under this paragraph for a categorical exclusion are forest management activities carried out by the Secretary of Agriculture on National Forest System lands where the primary purpose of such activity is for roadside salvage activities that allow for the removal of hazard trees that are within 200 feet of a roadway center line.

(3) Availability of categorical exclusion.—On and after the date of the enactment of this Act, the Secretary of Agriculture may use the categorical exclusion established under paragraph (1) in accordance with this section.
(4) ACREAGE LIMITATIONS.—The categorical exclusion established under this subsection shall not be limited in size or scope.

(5) EXCLUSION OF EXTRAORDINARY CIRCUMSTANCE PROCEDURES.—The procedures relating to extraordinary circumstances under section 220.6 of title 36, Code of Federal Regulations (or a successor regulation), shall not apply to the use of the categorical exclusion established under this subsection.

(c) JUDICIAL REVIEW.—

(1) OBJECTION PERIOD.—For any action taken pursuant to the authorities in this section, the objection time described in section 219.56 of title 36, Code of Federal Regulations (or successor regulations), shall be 30 days.

(2) JUDICIAL REVIEW.—Except as provided in paragraph (3), an activity carried out pursuant to this section shall be subject to judicial review in the same manner as an authorized hazardous fuels reduction project is subject to judicial review under section 106 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6516).

(3) PRELIMINARY INJUNCTION PROHIBITED.—Notwithstanding any other provision of law, a court
may not order a preliminary injunction enjoining the
Secretary of Agriculture from proceeding with tim-
ber sales authorized under this Act.
(d) **RULE OF APPLICATION FOR NATIONAL FOREST
SYSTEM LANDS.**—The authorities provided by this section
may not apply with respect to any National Forest System
lands—

(1) that are included in the National Wilderness
Preservation System;

(2) that are located within a national or State-
specific inventoried roadless area established by the
Secretary of Agriculture through regulation, un-
less—

(A) the forest management activity to be
carried out under such authority is consistent
with the forest plan applicable to the area; or

(B) the Secretary of Agriculture deter-
mines the forest management activity is permis-
sible under the applicable roadless rule gov-
erning such lands; or

(3) on which timber harvesting for any purpose
is prohibited by Federal statute.
(e) **APPROPRIATIONS.**—In addition to amounts other-
wise available, there are appropriated to the Secretary for
each of fiscal years 2022 through 2031, out of any money
1 in the Treasury not otherwise appropriated,
2 $1,000,000,000 to remain available until September 30,
3 2031, to carry out this section.