

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To modify certain provisions relating to the Forest Service Legacy Road and Trail Remediation Program, wildfire risk reduction, and ecosystem restoration.

**IN THE SENATE OF THE UNITED STATES—117th Cong., 1st Sess.**

**S.** \_\_\_\_\_

To invest in the energy and outdoor infrastructure of the United States to deploy new and innovative technologies, update existing infrastructure to be reliable and resilient, and secure energy infrastructure against physical and cyber threats, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENTS intended to be proposed by \_\_\_\_\_

Viz:

1 On page 423, strike lines 21 through 23 and insert

2 the following:

3 “(1) restore passages for fish and other aquatic

4 species by—

5 “(A) improving, repairing, or replacing cul-

6 verts and other infrastructure; and

7 “(B) removing barriers, as the Secretary

8 determines appropriate, from the passages;

1       On page 425, strike lines 1 and 2 and insert the fol-  
2       lowing:

3               “(5) relocate National Forest System roads and  
4       trails—

5               “(A) to increase resilience to extreme  
6       weather events, flooding, and other natural dis-  
7       asters; and

8               “(B) to respond to changing resource con-  
9       ditions and public input;

10       On page 428, line 21, strike “and” at the end.

11       On page 428, after line 23, add the following:

12               “(E) is adequate for supporting emergency  
13       operations, such as evacuation routes during  
14       wildfires, floods, and other natural disasters;  
15       and”

16       On page 438, line 4, insert “(including fuelbreaks  
17       studied under subsection (i))” after “installing  
18       fuelbreaks”.

19       On page 438, line 14, insert “and other innovative  
20       wood products” after “biochar”.

1           Beginning on page 444, strike line 23 and all that  
2 follows through page 445, line 7, and insert the following:

3                   (B) COST SHARING REQUIREMENT.—

4                           (i) IN GENERAL.—Expect as provided  
5 in clause (ii), the non-Federal cost (includ-  
6 ing the administrative cost) of carrying out  
7 a project using funds from a grant award-  
8 ed under the program described in para-  
9 graph (1) shall be—

10                                   (I) not less than 10 percent for a  
11 grant awarded under paragraph  
12 (1)(A); and

13                                   (II) not less than 25 percent for  
14 a grant awarded under paragraph  
15 (1)(B).

16                           (ii) WAIVER.—The Secretary of Agri-  
17 culture may waive the cost-sharing require-  
18 ment under clause (i) for a project that  
19 serves an underserved community.

20           On page 447, between lines 21 and 22, insert the fol-  
21 lowing:

22                   (i) WILDFIRE PREVENTION STUDY.—

23                           (1) IN GENERAL.—Not later than 180 days  
24 after the date of enactment of this Act, the Sec-

1       retary of Agriculture shall initiate a study of the  
2       construction and maintenance of a system of strate-  
3       gically placed fuelbreaks to control wildfires in west-  
4       ern States.

5               (2) REVIEW.—The study under paragraph (1)  
6       shall review—

7                       (A) a full suite of manual, chemical, and  
8                       mechanical treatments; and

9                       (B) the effectiveness of the system de-  
10       scribed in that paragraph in reducing wildfire  
11       risk and protecting communities.

12               (3) DETERMINATION.—Not later than 90 days  
13       after the date of completion of the study under para-  
14       graph (1), the Secretary of Agriculture shall deter-  
15       mine whether to initiate the preparation of a pro-  
16       grammatic environmental impact statement imple-  
17       menting the system described in that paragraph in  
18       appropriate locations.

19       (j) MONITORING, MAINTENANCE, AND TREATMENT  
20       PLAN AND STRATEGY.—

21               (1) IN GENERAL.—Not later than 120 days  
22       after the date of enactment of this Act, the Sec-  
23       retary of Agriculture and the Secretary of the Inte-  
24       rior shall establish a 5-year monitoring, mainte-  
25       nance, and treatment plan that—

1 (A) describes activities under subsection  
2 (e) that the Secretary of Agriculture and the  
3 Secretary of the Interior will take to reduce the  
4 risk of wildfire by conducting restoration treat-  
5 ments and improving the Fire Regime Condi-  
6 tion Class of 10,000,000 acres of Federal land  
7 or Tribal Forest land or rangeland that is iden-  
8 tified as having very high wildfire hazard poten-  
9 tial, not including annual treatments otherwise  
10 scheduled;

11 (B) establishes a process for prioritizing  
12 treatments in areas and communities at the  
13 highest risk of catastrophic wildfires;

14 (C) includes an innovative plan and pro-  
15 cess—

16 (i) to leverage public-private partner-  
17 ships and resources, shared stewardship  
18 agreements, good neighbor agreements,  
19 and similar contracting authorities;

20 (ii) to prioritize projects for which any  
21 applicable processes under the National  
22 Environmental Policy Act of 1969 (42  
23 U.S.C. 4321 et seq.) have been completed  
24 as of the date of enactment of this Act;

1 (iii) to streamline subsequent projects  
2 based on existing statutory or regulatory  
3 authorities; and

4 (iv) to develop interagency teams to  
5 increase coordination and efficiency under  
6 the National Environmental Policy Act of  
7 1969 (42 U.S.C. 4321); and

8 (D) establishes a process for coordinating  
9 prioritization and treatment with State and  
10 local entities and affected stakeholders.

11 (2) STRATEGY.—Not later than 5 years after  
12 the date of enactment of this Act, the Secretary of  
13 Agriculture and the Secretary of the Interior, in co-  
14 ordination with State and local governments, shall  
15 publish a long-term, outcome-based monitoring,  
16 maintenance, and treatment strategy—

17 (A) to maintain forest health improve-  
18 ments and wildfire risk reduction accomplished  
19 under this section;

20 (B) to continue treatment at levels nec-  
21 essary to address the 20,000,000 acres needing  
22 priority treatment over the 10-year period be-  
23 ginning on the date of publication of the strat-  
24 egy; and

1                   (C) to proactively conduct treatment at a  
2                   level necessary to minimize the risk of wildfire  
3                   to surrounding at-risk communities.

4           (k) AUTHORIZED HAZARDOUS FUELS PROJECTS.—  
5 A project carried out using funding authorized under  
6 paragraphs (11)(A)(i), (13), or (14) of subsection (c) shall  
7 be considered an authorized hazardous fuel reduction  
8 project pursuant to section 102 of the Healthy Forests  
9 Restoration Act of 2003 (16 U.S.C. 6512).

10           On page 454, line 6, strike “SAWMILL” and insert  
11 “WOOD PRODUCTS”.

12           On page 455, line 5, insert “, or a forest worker is  
13 seeking to conduct restoration treatment work on or in  
14 close proximity to,” after “in close proximity to”.