114TH CONGRESS  
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H. R. 2647

IN THE SENATE OF THE UNITED STATES

JULY 13, 2015

Received; read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

AN ACT

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,
SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Resilient Federal Forests Act of 2015”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—EXPEDITED ENVIRONMENTAL ANALYSIS AND AVAILABILITY OF CATEGORICAL EXCLUSIONS TO EXPEDITE FOREST MANAGEMENT ACTIVITIES

Sec. 101. Analysis of only two alternatives (action versus no action) in proposed collaborative forest management activities.
Sec. 102. Categorical exclusion to expedite certain critical response actions.
Sec. 103. Categorical exclusion to expedite salvage operations in response to catastrophic events.
Sec. 104. Categorical exclusion to meet forest plan goals for early successional forests.
Sec. 105. Clarification of existing categorical exclusion authority related to insect and disease infestation.
Sec. 106. Categorical exclusion to improve, restore, and reduce the risk of wildfire.
Sec. 107. Compliance with forest plan.

TITLE II—SALVAGE AND REFERENCE IN RESPONSE TO CATASTROPHIC EVENTS

Sec. 201. Expedited salvage operations and reforestation activities following large-scale catastrophic events.
Sec. 202. Compliance with forest plan.
Sec. 203. Prohibition on restraining orders, preliminary injunctions, and injunctions pending appeal.
Sec. 204. Exclusion of certain lands.

TITLE III—COLLABORATIVE PROJECT LITIGATION REQUIREMENT

Sec. 301. Definitions.
Sec. 302. Bond requirement as part of legal challenge of certain forest management activities.

TITLE IV—SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT AMENDMENTS

Sec. 401. Use of reserved funds for title II projects on Federal land and certain non-Federal land.
Sec. 402. Resource advisory committees.
Sec. 403. Program for title II self-sustaining resource advisory committee projects.
Sec. 404. Additional authorized use of reserved funds for title III county projects.
Sec. 405. Treatment as supplemental funding.

**TITLE V—STEWARDSHIP END RESULT CONTRACTING**

Sec. 501. Cancellation ceilings for stewardship end result contracting projects.
Sec. 502. Excess offset value.
Sec. 503. Payment of portion of stewardship project revenues to county in which stewardship project occurs.
Sec. 504. Submission of existing annual report.
Sec. 505. Fire liability provision.

**TITLE VI—ADDITIONAL FUNDING SOURCES FOR FOREST MANAGEMENT ACTIVITIES**

Sec. 601. Definitions.
Sec. 602. Availability of stewardship project revenues and Collaborative Forest Landscape Restoration Fund to cover forest management activity planning costs.
Sec. 603. State-supported planning of forest management activities.

**TITLE VII—TRIBAL FORESTRY PARTICIPATION AND PROTECTION**

Sec. 701. Protection of tribal forest assets through use of stewardship end result contracting and other authorities.
Sec. 702. Management of Indian forest land authorized to include related National Forest System lands and public lands.
Sec. 703. Tribal forest management demonstration project.

**TITLE VIII—MISCELLANEOUS FOREST MANAGEMENT PROVISIONS**

Sec. 801. Balancing short- and long-term effects of forest management activities in considering injunctive relief.
Sec. 802. Conditions on Forest Service road decommissioning.
Sec. 803. Prohibition on application of Eastside Screens requirements on National Forest System lands.
Sec. 804. Use of site-specific forest plan amendments for certain projects and activities.
Sec. 805. Knutson-Vandenberg Act modifications.
Sec. 806. Exclusion of certain National Forest System lands and public lands.
Sec. 807. Application of Northwest Forest Plan Survey and Manage Mitigation Measure Standard and Guidelines.
Sec. 808. Management of Bureau of Land Management lands in western Oregon.
Sec. 809. Bureau of Land Management resource management plans.
Sec. 810. Landscape-scale forest restoration project.

**TITLE IX—MAJOR DISASTER FOR WILDFIRE ON FEDERAL LAND**

Sec. 901. Wildfire on Federal lands.
Sec. 902. Declaration of a major disaster for wildfire on Federal lands.
Sec. 903. Prohibition on transfers.

1 **SEC. 2. DEFINITIONS.**

2 In titles I through VIII:
(1) **Catastrophic Event.**—The term “catastrophic event” means any natural disaster (such as hurricane, tornado, windstorm, snow or ice storm, rain storm, high water, wind-driven water, tidal wave, earthquake, volcanic eruption, landslide, mudslide, drought, or insect or disease outbreak) or any fire, flood, or explosion, regardless of cause.

(2) **Categorical Exclusion.**—The term “categorical exclusion” refers to an exception to the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.) for a project or activity relating to the management of National Forest System lands or public lands.

(3) **Collaborative Process.**—The term “collaborative process” refers to a process relating to the management of National Forest System lands or public lands by which a project or activity is developed and implemented by the Secretary concerned through collaboration with interested persons, as described in section 603(b)(1)(C) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591b(b)(1)(C)).

(4) **Community Wildfire Protection Plan.**—The term “community wildfire protection plan” has the meaning given that term in section
101(3) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511(3)).

(5) **Coos Bay wagon road grant lands.**—The term “Coos Bay Wagon Road Grant lands” means the lands reconveyed to the United States pursuant to the first section of the Act of February 26, 1919 (40 Stat. 1179).

(6) **Forest management activity.**—The term “forest management activity” means a project or activity carried out by the Secretary concerned on National Forest System lands or public lands in concert with the forest plan covering the lands.

(7) **Forest plan.**—The term “forest plan” means—

(A) a land use plan prepared by the Bureau of Land Management for public lands pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712); or

(B) a land and resource management plan prepared by the Forest Service for a unit of the National Forest System pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).
(8) **LARGE-SCALE CATASTROPHIC EVENT.**—The term “large-scale catastrophic event” means a catastrophic event that adversely impacts at least 5,000 acres of reasonably contiguous National Forest System lands or public lands.

(9) **NATIONAL FOREST SYSTEM.**—The term “National Forest System” has the meaning given that term in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)).

(10) **OREGON AND CALIFORNIA RAILROAD GRANT LANDS.**—The term “Oregon and California Railroad Grant lands” means the following lands:


(B) All lands in that State obtained by the Secretary of the Interior pursuant to the land ex-changes authorized and directed by section 2 of the Act of June 24, 1954 (43 U.S.C. 1181h).
(C) All lands in that State acquired by the United States at any time and made subject to the provisions of title II of the Act of August 28, 1937 (43 U.S.C. 1181f).

(11) **Public lands.**—The term “public lands” has the meaning given that term in section 103(e) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702(e)), except that the term includes Coos Bay Wagon Road Grant lands and Oregon and California Railroad Grant lands.

(12) **Reforestation activity.**—The term “reforestation activity” means a project or activity carried out by the Secretary concerned whose primary purpose is the reforestation of impacted lands following a large-scale catastrophic event. The term includes planting, evaluating and enhancing natural regeneration, clearing competing vegetation, and other activities related to reestablishment of forest species on the fire-impacted lands.

(13) **Resource advisory committee.**—The term “resource advisory committee” has the meaning given that term in section 201(3) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7121(3)).
(14) **SALVAGE OPERATION.**—The term “salvage operation” means a forest management activity undertaken in response to a catastrophic event whose primary purpose—

(A) is to prevent wildfire as a result of the catastrophic event, or, if the catastrophic event was wildfire, to prevent a re-burn of the fire-impacted area;

(B) is to provide an opportunity for utilization of forest materials damaged as a result of the catastrophic event; or

(C) is to provide a funding source for reforestation and other restoration activities for the National Forest System lands or public lands impacted by the catastrophic event.

(15) **SECRETARY CONCERNED.**—The term “Secretary concerned” means—

(A) the Secretary of Agriculture, with respect to National Forest System lands; and

(B) the Secretary of the Interior, with respect to public lands.
TITLE I—EXPEDITED ENVIRONMENTAL ANALYSIS AND AVAILABILITY OF CATEGORICAL EXCLUSIONS TO EXPEDITE FOREST MANAGEMENT ACTIVITIES

SEC. 101. ANALYSIS OF ONLY TWO ALTERNATIVES (ACTION VERSUS NO ACTION) IN PROPOSED COLLABORATIVE FOREST MANAGEMENT ACTIVITIES.

(a) Application to Certain Environmental Assessments and Environmental Impact Statements.—This section shall apply whenever the Secretary concerned 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 management activity that—

(1) is developed through a collaborative process;

(2) is proposed by a resource advisory committee; or

(3) is covered by a community wildfire protection plan.

(b) Consideration of Alternatives.—In an environmental assessment or environmental impact statement described in subsection (a), the Secretary concerned shall
study, develop, and describe only the following two alternatives:

(1) The forest management activity, as proposed pursuant to paragraph (1), (2), or (3) of subsection (a).

(2) The alternative of no action.

(c) ELEMENTS OF NON-ACTION ALTERNATIVE.—In the case of the alternative of no action, the Secretary concerned shall evaluate—

(1) the effect of no action on—

(A) forest health;

(B) habitat diversity;

(C) wildfire potential; and

(D) insect and disease potential; and

(2) the implications of a resulting decline in forest health, loss of habitat diversity, wildfire, or insect or disease infestation, given fire and insect and disease historic cycles, on—

(A) domestic water costs;

(B) wildlife habitat loss; and

(C) other economic and social factors.

SEC. 102. CATEGORICAL EXCLUSION TO EXPEDITE CERTAIN CRITICAL RESPONSE ACTIONS.

(a) AVAILABILITY OF CATEGORICAL EXCLUSION.—A categorical exclusion is available to the Secretary con-
cerned to develop and carry out a forest management ac-
tivity on National Forest System lands or public lands
when the primary purpose of the forest management activ-
ity is—

(1) to address an insect or disease infestation;
(2) to reduce hazardous fuel loads;
(3) to protect a municipal water source;
(4) to maintain, enhance, or modify critical
habitat to protect it from catastrophic disturbances;
(5) to increase water yield; or

(6) any combination of the purposes specified in
paragraphs (1) through (5).

(b) ACREAGE LIMITATIONS.—

(1) IN GENERAL.—Except in the case of a for-
est management activity described in paragraph (2),
a forest management activity covered by the categor-
ical exclusion granted by subsection (a) may not
contain harvest units exceeding a total of 5,000
acres.

(2) LARGER AREAS AUTHORIZED.—A forest
management activity covered by the categorical ex-
clusion granted by subsection (a) may not contain
harvest units exceeding a total of 15,000 acres if the
forest management activity—
(A) is developed through a collaborative process;

(B) is proposed by a resource advisory committee; or

(C) is covered by a community wildfire protection plan.

SEC. 103. CATEGORICAL EXCLUSION TO EXPEDITE SALVAGE OPERATIONS IN RESPONSE TO CATASTROPHIC EVENTS.

(a) Availability of Categorical Exclusion.—A categorical exclusion is available to the Secretary concerned to develop and carry out a salvage operation as part of the restoration of National Forest System lands or public lands following a catastrophic event.

(b) Acreage Limitations.—

(1) In General.—A salvage operation covered by the categorical exclusion granted by subsection (a) may not contain harvest units exceeding a total of 5,000 acres.

(2) Harvest Area.—In addition to the limitation imposed by paragraph (1), the harvest units covered by the categorical exclusion granted by subsection (a) may not exceed one-third of the area impacted by the catastrophic event.

(c) Additional Requirements.—
(1) Road Building.—A salvage operation covered by the categorical exclusion granted by subsection (a) may not include any new permanent roads. Temporary roads constructed as part of the salvage operation shall be retired before the end of the fifth fiscal year beginning after the completion of the salvage operation.

(2) Stream Buffers.—A salvage operation covered by the categorical exclusion granted by subsection (a) shall comply with the standards and guidelines for stream buffers contained in the applicable forest plan unless waived by the Regional Forester, in the case of National Forest System lands, or the State Director of the Bureau of Land Management, in the case of public lands.

(3) Reforestation Plan.—A reforestation plan shall be developed under section 3 of the Act of June 9, 1930 (commonly known as the Knutson-Vandenberg Act; 16 U.S.C. 576b), as part of a salvage operation covered by the categorical exclusion granted by subsection (a).
SEC. 104. CATEGORICAL EXCLUSION TO MEET FOREST PLAN GOALS FOR EARLY SUCCESSIONAL FORESTS.

(a) AVAILABILITY OF CATEGORICAL EXCLUSION.—A categorical exclusion is available to the Secretary concerned to develop and carry out a forest management activity on National Forest System lands or public lands when the primary purpose of the forest management activity is to modify, improve, enhance, or create early successional forests for wildlife habitat improvement and other purposes, consistent with the applicable forest plan.

(b) PROJECT GOALS.—To the maximum extent practicable, the Secretary concerned shall design a forest management activity under this section to meet early successional forest goals in such a manner so as to maximize production and regeneration of priority species, as identified in the forest plan and consistent with the capability of the activity site.

(c) ACREAGE LIMITATIONS.—A forest management activity covered by the categorical exclusion granted by subsection (a) may not contain harvest units exceeding a total of 5,000 acres.
SEC. 105. CLARIFICATION OF EXISTING CATEGORICAL EXCLUSION AUTHORITY RELATED TO INSECT AND DISEASE INFESTATION.


SEC. 106. CATEGORICAL EXCLUSION TO IMPROVE, RESTORE, AND REDUCE THE RISK OF WILDFIRE.

(a) AVAILABILITY OF CATEGORICAL EXCLUSION.—A categorical exclusion is available to the Secretary concerned to carry out a forest management activity described in subsection (c) on National Forest System Lands or public lands when the primary purpose of the activity is to improve, restore, or reduce the risk of wildfire on those lands.

(b) ACREAGE LIMITATIONS.—A forest management activity covered by the categorical exclusion granted by subsection (a) may not exceed 5,000 acres.

(c) AUTHORIZED ACTIVITIES.—The following activities may be carried out using a categorical exclusion granted by subsection (a):

(1) Removal of juniper trees, medusahead rye, conifer trees, piñon pine trees, cheatgrass, and other noxious or invasive weeds specified on Federal or
State noxious weeds lists through late-season livestock grazing, targeted livestock grazing, prescribed burns, and mechanical treatments.

(2) Performance of hazardous fuels management.

(3) Creation of fuel and fire breaks.

(4) Modification of existing fences in order to distribute livestock and help improve wildlife habitat.

(5) Installation of erosion control devices.

(6) Construction of new and maintenance of permanent infrastructure, including stock ponds, water catchments, and water spring boxes used to benefit livestock and improve wildlife habitat.

(7) Performance of soil treatments, native and non-native seeding, and planting of and transplanting sagebrush, grass, forb, shrub, and other species.

(8) Use of herbicides, so long as the Secretary concerned determines that the activity is otherwise conducted consistently with agency procedures, including any forest plan applicable to the area covered by the activity.

(d) DEFINITIONS.—In this section:

(1) HAZARDOUS FUELS MANAGEMENT.—The term “hazardous fuels management” means any
vegetation management activities that reduce the risk of wildfire.

(2) LATE-SEASON GRAZING.—The term “late-season grazing” means grazing activities that occur after both the invasive species and native perennial species have completed their current-year annual growth cycle until new plant growth begins to appear in the following year.

(3) TARGETED LIVESTOCK GRAZING.—The term “targeted livestock grazing” means grazing used for purposes of hazardous fuel reduction.

SEC. 107. COMPLIANCE WITH FOREST PLAN.

A forest management activity covered by a categorical exclusion granted by this title shall be conducted in a manner consistent with the forest plan applicable to the National Forest System land or public lands covered by the forest management activity.

TITLE II—SALVAGE AND REFORESTATION IN RESPONSE TO CATASTROPHIC EVENTS

SEC. 201. EXPEDITED SALVAGE OPERATIONS AND REFORESTATION ACTIVITIES FOLLOWING LARGE-SCALE CATASTROPHIC EVENTS.

(a) EXPEDITED ENVIRONMENTAL ASSESSMENT.—Notwithstanding any other provision of law, any environ-
mental assessment prepared by the Secretary concerned pursuant to section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)) for a salvage operation or reforestation activity proposed to be conducted on National Forest System lands or public lands adversely impacted by a large-scale catastrophic event shall be completed within 3 months after the conclusion of the catastrophic event.

(b) Expedited Implementation and Completion.—In the case of reforestation activities conducted on National Forest System lands or public lands adversely impacted by a large-scale catastrophic event, the Secretary concerned shall achieve reforestation of at least 75 percent of the impacted lands during the 5-year period following the conclusion of the catastrophic event.

(e) Availability of Knutson-Vandenbergs Funds.—Amounts in the special fund established pursuant to section 3 of the Act of June 9, 1930 (commonly known as the Knutson-Vandenbergs Act; 16 U.S.C. 576b) shall be available to the Secretary of Agriculture for reforestation activities authorized by this title.

(d) Timeline for Public Input Process.—Notwithstanding any other provision of law, in the case of a salvage operation or reforestation activity proposed to be conducted on National Forest System lands or public...
lands adversely impacted by a large-scale catastrophic event, the Secretary concerned shall allow 30 days for public scoping and comment, 15 days for filing an objection, and 15 days for the agency response to the filing of an objection. Upon completion of this process and expiration of the period specified in subsection (a), the Secretary concerned shall implement the project immediately.

SEC. 202. COMPLIANCE WITH FOREST PLAN.

A salvage operation or reforestation activity authorized by this title shall be conducted in a manner consistent with the forest plan applicable to the National Forest System lands or public lands covered by the salvage operation or reforestation activity.

SEC. 203. PROHIBITION ON RESTRAINING ORDERS, PRELIMINARY INJUNCTIONS, AND INJUNCTIONS PENDING APPEAL.

No restraining order, preliminary injunction, or injunction pending appeal shall be issued by any court of the United States with respect to any decision to prepare or conduct a salvage operation or reforestation activity in response to a large-scale catastrophic event. Section 705 of title 5, United States Code, shall not apply to any challenge to the salvage operation or reforestation activity.
SEC. 204. EXCLUSION OF CERTAIN LANDS.

In applying this title, the Secretary concerned may not carry out salvage operations or reforestation activities on National Forest System lands or public lands—

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

(2) that are located within an inventoried roadless area unless the reforestation activity is consistent with the forest plan; or

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

TITLE III—COLLABORATIVE PROJECT LITIGATION REQUIREMENT

SEC. 301. DEFINITIONS.

In this title:

(1) COSTS.—The term “costs” refers to the fees and costs described in section 1920 of title 28, United States Code.

(2) EXPENSES.—The term “expenses” includes the expenditures incurred by the staff of the Secretary concerned in preparing for and responding to a legal challenge to a collaborative forest management activity and in participating in litigation that challenges the forest management activity, including such staff time as may be used to prepare the ad-
ministrative record, exhibits, declarations, and afﬁ-
davits in connection with the litigation.

SEC. 302. BOND REQUIREMENT AS PART OF LEGAL CHAL-
LENGE OF CERTAIN FOREST MANAGEMENT

ACTIVITIES.

(a) BOND REQUIRED.—In the case of a forest man-
agement activity developed through a collaborative process
or proposed by a resource advisory committee, any plain-
tiff or plaintiffs challenging the forest management activ-
ity shall be required to post a bond or other security equal
to the anticipated costs, expenses, and attorneys fees of
the Secretary concerned as defendant, as reasonably esti-
mated by the Secretary concerned. All proceedings in the
action shall be stayed until the required bond or security
is provided.

(b) RECOVERY OF LITIGATION COSTS, EXPENSES,
AND ATTORNEYS FEES.—

(1) MOTION FOR PAYMENT.—If the Secretary
concerned prevails in an action challenging a forest
management activity described in subsection (a), the
Secretary concerned shall submit to the court a mo-
tion for payment, from the bond or other security
posted under subsection (a) in such action, of the
reasonable costs, expenses, and attorneys fees in-
curred by the Secretary concerned.
(2) Maximum Amount Recovered.—The amount of costs, expenses, and attorneys fees recovered by the Secretary concerned under paragraph (1) as a result of prevailing in an action challenging the forest management activity may not exceed the amount of the bond or other security posted under subsection (a) in such action.

(3) Return of Remainder.—Any funds remaining from the bond or other security posted under subsection (a) after the payment of costs, expenses, and attorneys fees under paragraph (1) shall be returned to the plaintiff or plaintiffs that posted the bond or security in the action.

(e) Return of Bond to Prevailing Plaintiff.—

(1) In General.—If the plaintiff ultimately prevails on the merits in every action brought by the plaintiff challenging a forest management activity described in subsection (a), the court shall return to the plaintiff any bond or security provided by the plaintiff under subsection (a), plus interest from the date the bond or security was provided.

(2) Ultimately Prevails on the Merits.—In this subsection, the phrase “ultimately prevails on the merits” means, in a final enforceable judgment on the merits, a court rules in favor of the plaintiff.
on every cause of action in every action brought by
the plaintiff challenging the forest management ac-

tivity.

(d) **Effect of Settlement.**—If a challenge to a
forest management activity described in subsection (a) for
which a bond or other security was provided by the plain-
tiff under such subsection is resolved by settlement be-
tween the Secretary concerned and the plaintiff, the settle-
ment agreement shall provide for sharing the costs, ex-
penses, and attorneys fees incurred by the parties.

(e) **Limitation on Certain Payments.**—Notwith-
standing section 1304 of title 31, United States Code, no
award may be made under section 2412 of title 28, United
States Code, and no amounts may be obligated or ex-
pended from the Claims and Judgment Fund of the
United States Treasury to pay any fees or other expenses
under such sections to any plaintiff related to an action
challenging a forest management activity described in sub-
section (a).
TITLE IV—SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT AMENDMENTS

SEC. 401. USE OF RESERVED FUNDS FOR TITLE II PROJECTS ON FEDERAL LAND AND CERTAIN NON-FEDERAL LAND.

(a) REPEAL OF MERCHANTABLE TIMBER CONTRACTING PILOT PROGRAM.—Section 204(e) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7124(e)) is amended by striking paragraph (3).

(b) REQUIREMENTS FOR PROJECT FUNDS.—Section 204 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7124) is amended by striking subsection (f) and inserting the following new subsection:

“(f) REQUIREMENTS FOR PROJECT FUNDS.—

“(1) IN GENERAL.—Subject to paragraph (2), the Secretary concerned shall ensure that at least 50 percent of the project funds reserved by a participating county under section 102(d) shall be available only for projects that—
“(A) include the sale of timber or other forest products, reduce fire risks, or improve water supplies; and

“(B) implement stewardship objectives that enhance forest ecosystems or restore and improve land health and water quality.

“(2) APPLICABILITY.—The requirement in paragraph (1) shall apply only to project funds reserved by a participating county whose boundaries include Federal land that the Secretary concerned determines has been subject to a timber or other forest products program within 5 fiscal years before the fiscal year in which the funds are reserved.”.

SEC. 402. RESOURCE ADVISORY COMMITTEES.

(a) RECOGNITION OF RESOURCE ADVISORY COMMITTEES.—Section 205(a)(4) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125(a)(4)) is amended by striking “2012” each place it appears and inserting “2020”.

(b) TEMPORARY REDUCTION IN COMPOSITION OF COMMITTEES.—Section 205(d) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125(d)) is amended—
(1) in paragraph (1), by striking “Each” and inserting “Except during the period specified in paragraph (6), each”; and

(2) by adding at the end the following new paragraph:

“(6) TEMPORARY REDUCTION IN MINIMUM NUMBER OF MEMBERS.—

“(A) TEMPORARY REDUCTION.—During the period beginning on the date of the enactment of this paragraph and ending on September 30, 2020, a resource advisory committee established under this section may be comprised of nine or more members, of which—

“(i) at least three shall be representative of interests described in subparagraph (A) of paragraph (2);

“(ii) at least three shall be representative of interests described in subparagraph (B) of paragraph (2); and

“(iii) at least three shall be representative of interests described in subparagraph (C) of paragraph (2).

“(B) ADDITIONAL REQUIREMENTS.—In appointing members of a resource advisory committee from the three categories described in
paragraph (2), as provided in subparagraph (A), the Secretary concerned shall ensure balanced and broad representation in each category. In the case of a vacancy on a resource advisory committee, the vacancy shall be filled within 90 days after the date on which the vacancy occurred. Appointments to a new resource advisory committee shall be made within 90 days after the date on which the decision to form the new resource advisory committee was made.

“(C) CHARTER.—A charter for a resource advisory committee with 15 members that was filed on or before the date of the enactment of this paragraph shall be considered to be filed for a resource advisory committee described in this paragraph. The charter of a resource advisory committee shall be reapproved before the expiration of the existing charter of the resource advisory committee. In the case of a new resource advisory committee, the charter of the resource advisory committee shall be approved within 90 days after the date on which the decision to form the new resource advisory committee was made.”.
(c) CONFORMING CHANGE TO PROJECT APPROVAL REQUIREMENTS.—Section 205(e)(3) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125(e)(3)) is amended by adding at the end the following new sentence: “In the case of a resource advisory committee consisting of fewer than 15 members, as authorized by subsection (d)(6), a project may be proposed to the Secretary concerned upon approval by a majority of the members of the committee, including at least one member from each of the three categories described in subsection (d)(2).”.

(d) EXPANDING LOCAL PARTICIPATION ON COMMITTEES.—Section 205(d) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125(d)) is amended—

(1) in paragraph (3), by inserting before the period at the end the following: “, consistent with the requirements of paragraph (4)”;

and

(2) by striking paragraph (4) and inserting the following new paragraph:

“(4) GEOGRAPHIC DISTRIBUTION.—The members of a resource advisory committee shall reside within the county or counties in which the committee has jurisdiction or an adjacent county.”.
SEC. 403. PROGRAM FOR TITLE II SELF-SUSTAINING RESOURCE ADVISORY COMMITTEE PROJECTS.

(a) Self-Sustaining Resource Advisory Committee Projects.—Title II of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7121 et seq.) is amended by adding at the end the following new section:

“SEC. 209. PROGRAM FOR SELF-SUSTAINING RESOURCE ADVISORY COMMITTEE PROJECTS.

“(a) RAC Program.—The Chief of the Forest Service shall conduct a program (to be known as the ‘self-sustaining resource advisory committee program’ or ‘RAC program’) under which 10 resource advisory committees will propose projects authorized by subsection (c) to be carried out using project funds reserved by a participating county under section 102(d).

“(b) Selection of Participating Resource Advisory Committees.—The selection of resource advisory committees to participate in the RAC program is in the sole discretion of the Chief of the Forest Service, except that, consistent with section 205(d)(6), a selected resource advisory committee must have a minimum of six members.

“(c) Authorized Projects.—Notwithstanding the project purposes specified in sections 202(b), 203(e), and 204(a)(5), projects under the RAC program are intended to—
“(1) accomplish forest management objectives or support community development; and

“(2) generate receipts.

“(d) DEPOSIT AND AVAILABILITY OF REVENUES.—Any revenue generated by a project conducted under the RAC program, including any interest accrued from the revenues, shall be—

“(1) deposited in the special account in the Treasury established under section 102(d)(2)(A); and

“(2) available, in such amounts as may be provided in advance in appropriation Acts, for additional projects under the RAC program.

“(e) TERMINATION OF AUTHORITY.—

“(1) IN GENERAL.—The authority to initiate a project under the RAC program shall terminate on September 30, 2020.

“(2) DEPOSITS IN TREASURY.—Any funds available for projects under the RAC program and not obligated by September 30, 2021, shall be deposited in the Treasury of the United States.”.

(b) EXCEPTION TO GENERAL RULE REGARDING TREATMENT OF RECEIPTS.—Section 403(b) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7153(b)) is amended by striking “All rev-
“Except as provided in section 209, all revenues”.

SEC. 404. ADDITIONAL AUTHORIZED USE OF RESERVED FUNDS FOR TITLE III COUNTY PROJECTS.

Section 302(a) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7142(a)) is amended—

(1) in paragraph (2)—

(A) by inserting “and law enforcement patrols” after “including firefighting”; and

(B) by striking “and” at the end;

(2) by redesignating paragraph (3) as paragraph (4); and

(3) by inserting after paragraph (2) the following new paragraph (3):

“(3) to cover training costs and equipment purchases directly related to the emergency services described in paragraph (2); and”.

SEC. 405. TREATMENT AS SUPPLEMENTAL FUNDING.

Section 102 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112) is amended by adding at the end the following new subsection:

“(f) TREATMENT AS SUPPLEMENTAL FUNDING.—

None of the funds made available to a beneficiary county
or other political subdivision of a State under this Act shall be used in lieu of or to otherwise offset State funding sources for local schools, facilities, or educational purposes.”.

TITLE V—STEWARDSHIP END RESULT CONTRACTING

SEC. 501. CANCELLATION CEILINGS FOR STEWARDSHIP END RESULT CONTRACTING PROJECTS.

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

(1) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

(2) by inserting after subsection (g) the following new subsection (h):

“(h) CANCELLATION CEILINGS.—

“(1) IN GENERAL.—The Chief and the Director may obligate funds to cover any potential cancellation or termination costs for an agreement or contract under subsection (b) in stages that are economically or programmatically viable.

“(2) ADVANCE NOTICE TO CONGRESS OF CANCELLATION CEILING IN EXCESS OF $25 MILLION.— Not later than 30 days before entering into a multiyear agreement or contract under subsection
(b) that includes a cancellation ceiling in excess of $25 million, but does not include proposed funding for the costs of cancelling the agreement or contract up to such cancellation ceiling, the Chief or the Director, as the case may be, shall submit to the Committee on Energy and Natural Resources and the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives a written notice that includes—

“(A) the cancellation ceiling amounts proposed for each program year in the agreement or contract;

“(B) the reasons why such cancellation ceiling amounts were selected;

“(C) the extent to which the costs of contract cancellation are not included in the budget for the agreement or contract; and

“(D) an assessment of the financial risk of not including budgeting for the costs of agreement or contract cancellation.

“(3) TRANSMITTAL OF NOTICE TO OMB.—Not later than 14 days after the date on which written notice is provided under paragraph (2) with respect
to an agreement or contract under subsection (b),
the Chief or the Director, as the case may be, shall
transmit a copy of the notice to the Director of the
Office of Management and Budget.”.

(b) RELATION TO OTHER LAWS.—Section 604(d)(5)
of the Healthy Forests Restoration Act of 2003 (16
U.S.C. 6591c(d)(5)) is amended by striking “, the Chief
may” and inserting “and section 2(a)(1) of the Act of July
31, 1947 (commonly known as the Materials Act of 1947;
30 U.S.C. 602(a)(1)), the Chief and the Director may”.

SEC. 502. EXCESS OFFSET VALUE.

Section 604(g)(2) of the Healthy Forests Restoration
Act of 2003 (16 U.S.C. 6591c(g)(2)) is amended by strik-
ing subparagraphs (A) and (B) and inserting the following
new subparagraphs:

“(A) use the excess to satisfy any out-
standing liabilities for cancelled agreements or
contracts; or

“(B) if there are no outstanding liabilities
under subparagraph (A), apply the excess to
other authorized stewardship projects.”.
SEC. 503. PAYMENT OF PORTION OF STewardSHIP PROJECT REVENUES TO COUNTY IN WHICH STEWARDSHIP PROJECT OCCURS.

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

(1) in paragraph (2)(B), by inserting “subject to paragraph (3)(A),” before “shall”; and

(2) in paragraph (3)(A), by striking “services received by the Chief or the Director” and all that follows through the period at the end and inserting the following: “services and in-kind resources received by the Chief or the Director under a stewardship contract project conducted under this section shall not be considered monies received from the National Forest System or the public lands, but any payments made by the contractor to the Chief or Director under the project shall be considered monies received from the National Forest System or the public lands.”.

SEC. 504. SUBMISSION OF EXISTING ANNUAL REPORT.

Subsection (j) of section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c), as redesignated by section 501(a)(1), is amended by striking “report to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives” and inserting “submit to the
congressional committees specified in subsection (h)(2) a
report”.

SEC. 505. FIRE LIABILITY PROVISION.

Section 604(d) of the Healthy Forests Restoration
Act of 2003 (16 U.S.C. 6591c(d)) is amended by adding
at the end the following new paragraph:

“(8) MODIFICATION.—Upon the request of the
contractor, a contract or agreement under this sec-
tion awarded before February 7, 2014, shall be
modified by the Chief or Director to include the fire
liability provisions described in paragraph (7).”.

TITLE VI—ADDITIONAL FUND-
ING SOURCES FOR FOREST
MANAGEMENT ACTIVITIES

SEC. 601. DEFINITIONS.

In this title:

(1) ELIGIBLE ENTITY.—The term “eligible enti-
ty” means—

(A) a State or political subdivision of a
State containing National Forest System lands
or public lands;

(B) a publicly chartered utility serving one
or more States or a political subdivision thereof;

(C) a rural electric company; and
(D) any other entity determined by the Secretary concerned to be appropriate for participation in the Fund.

(2) Fund.—The term “Fund” means the State-Supported Forest Management Fund established by section 603.

SEC. 602. AVAILABILITY OF STEWARDSHIP PROJECT REVENUES AND COLLABORATIVE FOREST LANDSCAPE RESTORATION FUND TO COVER FOREST MANAGEMENT ACTIVITY PLANNING COSTS.

(a) Availability of Stewardship Project Revenues.—Section 604(e)(2)(B) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c(e)(2)(B)), as amended by section 503, is further amended by striking “appropriation at the project site from which the monies are collected or at another project site.” and inserting the following: “appropriation—

“(i) at the project site from which the monies are collected or at another project site; and

“(ii) to cover not more than 25 percent of the cost of planning additional stewardship contracting projects.”.
(b) Availability of Collaborative Forest Landscape Restoration Fund.—Section 4003(f)(1) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7303(f)(1)) is amended by striking “carrying out and” and inserting “planning, carrying out, and”.

SEC. 603. STATE-SUPPORTED PLANNING OF FOREST MANAGEMENT ACTIVITIES.

(a) State-Supported Forest Management Fund.—There is established in the Treasury of the United States a fund, to be known as the “State-Supported Forest Management Fund”, to cover the cost of planning (especially related to compliance with section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2))), carrying out, and monitoring certain forest management activities on National Forest System lands or public lands.

(b) Contents.—The State-Supported Forest Management Fund shall consist of such amounts as may be—

(1) contributed by an eligible entity for deposit in the Fund;

(2) appropriated to the Fund; or

(3) generated by forest management activities carried out using amounts in the Fund.
(c) **Geographical and Use Limitations.**—In making a contribution under subsection (b)(1), an eligible entity may—

1. specify the National Forest System lands or public lands for which the contribution may be expended; and

2. limit the types of forest management activities for which the contribution may be expended.

(d) **Authorized Forest Management Activities.**—In such amounts as may be provided in advance in appropriation Acts, the Secretary concerned may use the Fund to plan, carry out, and monitor a forest management activity that—

1. is developed through a collaborative process;

2. is proposed by a resource advisory committee; or

3. is covered by a community wildfire protection plan.

(e) **Implementation Methods.**—A forest management activity carried out using amounts in the Fund may be carried out using a contract or agreement under section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c), the good neighbor authority provided by section 8206 of the Agricultural Act of 2014 (16 U.S.C. 2113a), a contract under section 14 of the National Forest
Management Act of 1976 (16 U.S.C. 472a), or other authority available to the Secretary concerned, but revenues generated by the forest management activity shall be used to reimburse the Fund for planning costs covered using amounts in the Fund.

(f) RELATION TO OTHER LAWS.—

(1) REVENUE SHARING.—Subject to subsection (e), revenues generated by a forest management activity carried out using amounts from the Fund shall be considered monies received from the National Forest System.

(2) KNUTSON-VANDERBERG ACT.—The Act of June 9, 1930 (commonly known as the Knutson-Vanderberg Act; 16 U.S.C. 576 et seq.), shall apply to any forest management activity carried out using amounts in the Fund.

(g) TERMINATION OF FUND.—

(1) TERMINATION.—The Fund shall terminate 10 years after the date of the enactment of this Act.

(2) EFFECT OF TERMINATION.—Upon the termination of the Fund pursuant to paragraph (1) or pursuant to any other provision of law, unobligated contributions remaining in the Fund shall be returned to the eligible entity that made the contribution.
TITLE VII—TRIBAL FORESTRY
PARTICIPATION AND PROTECTION

SEC. 701. PROTECTION OF TRIBAL FOREST ASSETS THROUGH USE OF STEWARDSHIP END RESULT CONTRACTING AND OTHER AUTHORITY.

(a) PROMPT CONSIDERATION OF TRIBAL REQUESTS.—Section 2(b) of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a(b)) is amended—

(1) in paragraph (1), by striking “Not later than 120 days after the date on which an Indian tribe submits to the Secretary” and inserting “In response to the submission by an Indian tribe of”; and

(2) by adding at the end the following new paragraph:

“(4) TIME PERIODS FOR CONSIDERATION.—

“(A) INITIAL RESPONSE.—Not later than 120 days after the date on which the Secretary receives a tribal request under paragraph (1), the Secretary shall provide an initial response to the Indian tribe regarding—

“(i) whether the request may meet the selection criteria described in subsection (c); and
“(ii) the likelihood of the Secretary entering into an agreement or contract with the Indian tribe under paragraph (2) for activities described in paragraph (3).

“(B) NOTICE OF DENIAL.—Notice under subsection (d) of the denial of a tribal request under paragraph (1) shall be provided not later than 1 year after the date on which the Secretary received the request.

“(C) COMPLETION.—Not later than 2 years after the date on which the Secretary receives a tribal request under paragraph (1), other than a tribal request denied under subsection (d), the Secretary shall—

“(i) complete all environmental reviews necessary in connection with the agreement or contract and proposed activities under the agreement or contract; and

“(ii) enter into the agreement or contract with the Indian tribe under paragraph (2).”.

(b) CONFORMING AND TECHNICAL AMENDMENTS.—

Section 2 of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a) is amended—

(2) in subsection (d), by striking “subsection (b)(1), the Secretary may” and inserting “paragraphs (1) and (4)(B) of subsection (b), the Secretary shall.”

SEC. 702. MANAGEMENT OF INDIAN FOREST LAND AUTHORIZED TO INCLUDE RELATED NATIONAL FOREST SYSTEM LANDS AND PUBLIC LANDS.

Section 305 of the National Indian Forest Resources Management Act (25 U.S.C. 3104) is amended by adding at the end the following new subsection:

“(c) INCLUSION OF CERTAIN NATIONAL FOREST SYSTEM LAND AND PUBLIC LAND.—

“(1) AUTHORITY.—At the request of an Indian tribe, the Secretary concerned may treat Federal forest land as Indian forest land for purposes of planning and conducting forest land management
activities under this section if the Federal forest land is located within, or mostly within, a geographic area that presents a feature or involves circumstances principally relevant to that Indian tribe, such as Federal forest land ceded to the United States by treaty, Federal forest land within the boundaries of a current or former reservation, or Federal forest land adjudicated to be tribal homelands.

“(2) REQUIREMENTS.—As part of the agreement to treat Federal forest land as Indian forest land under paragraph (1), the Secretary concerned and the Indian tribe making the request shall—

“(A) provide for continued public access applicable to the Federal forest land prior to the agreement, except that the Secretary concerned may limit or prohibit such access as needed;

“(B) continue sharing revenue generated by the Federal forest land with State and local governments either—

“(i) on the terms applicable to the Federal forest land prior to the agreement, including, where applicable, 25-percent payments or 50-percent payments; or
“(ii) at the option of the Indian tribe, on terms agreed upon by the Indian tribe, the Secretary concerned, and State and county governments participating in a revenue sharing agreement for the Federal forest land;

“(C) comply with applicable prohibitions on the export of unprocessed logs harvested from the Federal forest land;

“(D) recognize all right-of-way agreements in place on Federal forest land prior to commencement of tribal management activities; and

“(E) ensure that all commercial timber removed from the Federal forest land is sold on a competitive bid basis.

“(3) LIMITATION.—Treating Federal forest land as Indian forest land for purposes of planning and conducting management activities pursuant to paragraph (1) shall not be construed to designate the Federal forest land as Indian forest lands for any other purpose.

“(4) DEFINITIONS.—In this subsection:

“(A) FEDERAL FOREST LAND.—The term ‘Federal forest land’ means—
“(i) National Forest System lands;
and
“(ii) public lands (as defined in section 103(e) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702(e))), including Coos Bay Wagon Road Grant lands reconveyed to the United States pursuant to the first section of the Act of February 26, 1919 (40 Stat. 1179), and Oregon and California Railroad Grant lands.
“(B) SECRETARY CONCERNED.—The term ‘Secretary concerned’ means—
“(i) the Secretary of Agriculture, with respect to the Federal forest land referred to in subparagraph (A)(i); and
“(ii) the Secretary of the Interior, with respect to the Federal forest land referred to in subparagraph (A)(ii).”.

SEC. 703. TRIBAL FOREST MANAGEMENT DEMONSTRATION PROJECT.

The Secretary of the Interior and the Secretary of Agriculture may carry out demonstration projects by which federally recognized Indian tribes or tribal organizations may contract to perform administrative, manage-
ment, and other functions of programs of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a et seq.) through contracts entered into under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

**TITLE VIII—MISCELLANEOUS FOREST MANAGEMENT PROVISIONS**

**SEC. 801. BALANCING SHORT- AND LONG-TERM EFFECTS OF FOREST MANAGEMENT ACTIVITIES IN CONSIDERING INJUNCTIVE RELIEF.**

As part of its weighing the equities while considering any request for an injunction that applies to any agency action as part of a forest management activity under titles I through VIII, the court reviewing the agency action shall balance the impact to the ecosystem likely affected by the forest management activity of—

(1) the short- and long-term effects of undertaking the agency action; against

(2) the short- and long-term effects of not undertaking the action.

**SEC. 802. CONDITIONS ON FOREST SERVICE ROAD DECOMISSIONING.**

(a) **Consultation With Affected County.**— Whenever any Forest Service defined maintenance level
one- or two-system road within a designated high fire
prone area of a unit of the National Forest System is con-
sidered for decommissioning, the Forest Supervisor of that
unit of the National Forest System shall—

(1) consult with the government of the county
containing the road regarding the merits and pos-
sible consequences of decommissioning the road; and

(2) solicit possible alternatives to decommis-
sioning the road.

(b) REGIONAL FORESTER APPROVAL.—A Forest
Service road described in subsection (a) may not be de-
commissioned without the advance approval of the Re-
gional Forester.

SEC. 803. PROHIBITION ON APPLICATION OF EASTSIDE
SCREENS REQUIREMENTS ON NATIONAL
FOREST SYSTEM LANDS.

On and after the date of the enactment of this Act,
the Secretary of Agriculture may not apply to National
Forest System lands any of the amendments to forest
plans adopted in the Decision Notice for the Revised Con-
tinuation of Interim Management Direction Establishing
Riparian, Ecosystem and Wildlife Standards for Timber
Sales (commonly known as the Eastside Screens require-
ments), including all preceding or associated versions of
these amendments.
SEC. 804. USE OF SITE-SPECIFIC FOREST PLAN AMENDMENTS FOR CERTAIN PROJECTS AND ACTIVITIES.

If the Secretary concerned determines that, in order to conduct a project or carry out an activity implementing a forest plan, an amendment to the forest plan is required, the Secretary concerned shall execute such amendment as a nonsignificant plan amendment through the record of decision or decision notice for the project or activity.

SEC. 805. KNUTSON-VANDENBERG ACT MODIFICATIONS.

(a) Deposits of Funds From National Forest Timber Purchasers Required.—Section 3(a) of the Act of June 9, 1930 (commonly known as the Knutson-Vandenberg Act; 16 U.S.C. 576b(a)), is amended by striking “The Secretary” and all that follows through “any purchaser” and inserting the following: “The Secretary of Agriculture shall require each purchaser”.

(b) Conditions on Use of Deposits.—Section 3 of the Act of June 9, 1930 (commonly known as the Knutson-Vandenberg Act; 16 U.S.C. 576b), is amended—

(1) by striking “Such deposits” and inserting the following:

“(b) Amounts deposited under subsection (a)”;

(2) by redesignating subsection (c) as subsection (d); and
(3) by inserting before subsection (d), as so redesignated, the following new subsection (c):

“(c)(1) Amounts in the special fund established pursuant to this section—

“(A) shall be used exclusively to implement activities authorized by subsection (a); and

“(B) may be used anywhere within the Forest Service Region from which the original deposits were collected.

“(2) The Secretary of Agriculture may not deduct overhead costs from the funds collected under subsection (a), except as needed to fund personnel of the responsible Ranger District for the planning and implementation of the activities authorized by subsection (a).”.

SEC. 806. EXCLUSION OF CERTAIN NATIONAL FOREST SYSTEM LANDS AND PUBLIC LANDS.

Unless specifically provided by a provision of titles I through VIII, the authorities provided by such titles do not apply with respect to any National Forest System lands or public lands—

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

(2) that are located within an inventoried roadless area unless the forest management activity
to be carried out under such authority is consistent
with the forest plan applicable to the area; or

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

SEC. 807. APPLICATION OF NORTHWEST FOREST PLAN SUR-
VEY AND MANAGE MITIGATION MEASURE
STANDARD AND GUIDELINES.

The Northwest Forest Plan Survey and Manage Mitigation Measure Standard and Guidelines shall not apply
to any National Forest System lands or public lands.

SEC. 808. MANAGEMENT OF BUREAU OF LAND MANAGE-
MENT LANDS IN WESTERN OREGON.

(a) GENERAL RULE.—All of the public land managed
by the Bureau of Land Management in the Salem District,
Eugene District, Roseburg District, Coos Bay District,
Medford District, and the Klamath Resource Area of the
Lakeview District in the State of Oregon shall hereafter
be managed pursuant to title I of the of the Act of August
28, 1937 (43 U.S.C. 1181a through 1181e). Except as
provided in subsection (b), all of the revenue produced
from such land shall be deposited in the Treasury of the
United States in the Oregon and California land-grant
fund and be subject to the provisions of title II of the
(b) Certain Lands Excluded.—Subsection (a) does not apply to any revenue that is required to be deposed in the Coos Bay Wagon Road grant fund pursuant to sections 1 through 4 of the Act of May 24, 1939 (43 U.S.C. 1181f–1 through f–4).


(a) Additional Analysis and Alternatives.—To develop a full range of reasonable alternatives as required by the National Environmental Policy Act of 1969, the Secretary of the Interior shall develop and consider in detail a reference analysis and two additional alternatives as part of the revisions of the resource management plans for the Bureau of Land Management’s Salem, Eugene, Coos Bay, Roseburg, and Medford Districts and the Klamath Resource Area of the Lakeview District.

(b) Reference Analysis.—The reference analysis required by subsection (a) shall measure and assume the harvest of the annual growth net of natural mortality for all forested land in the planning area in order to determine the maximum sustained yield capacity of the forested land base and to establish a baseline by which the Secretary of the Interior shall measure incremental effects on the sustained yield capacity and environmental impacts from management prescriptions in all other alternatives.
(c) Additional Alternatives.—

(1) Carbon sequestration alternative.—

The Secretary of the Interior shall develop and consider an additional alternative with the goal of maximizing the total carbon benefits from forest storage and wood product storage. To the extent practicable, the analysis shall consider—

(A) the future risks to forest carbon from wildfires, insects, and disease;

(B) the amount of carbon stored in products or in landfills;

(C) the life cycle benefits of harvested wood products compared to non-renewable products; and

(D) the energy produced from wood residues.

(2) Sustained yield alternative.—The Secretary of the Interior shall develop and consider an additional alternative that produces the greater of 500 million board feet or the annual net growth on the acres classified as timberland, excluding any congressionally reserved areas. The projected harvest levels, as nearly as practicable, shall be distributed among the Districts referred to in subsection (a) in the same proportion as the maximum yield capacity.
of each such District bears to maximum yield capac-
ity of the planning area as a whole.

(d) ADDITIONAL ANALYSIS AND PUBLIC PARTICIPA-
tion.—The Secretary of the Interior shall publish the ref-
ereference analysis and additional alternatives and analyze
their environmental and economic consequences in a sup-
plemental draft environmental impact statement. The
draft environmental impact statement and supplemental
draft environmental impact statement shall be made avail-
able for public comment for a period of not less than 180
days. The Secretary shall respond to any comments re-
ceived before making a final decision between all alter-
natives.

(e) RULE OF CONSTRUCTION.—Nothing in this sec-
tion shall affect the obligation of the Secretary of the Inte-
ier to manage the timberlands as required by the Act of

SEC. 810. LANDSCAPE-SCALE FOREST RESTORATION

PROJECT.

The Secretary of Agriculture shall develop and imple-
ment at least one landscape-scale forest restoration project
that includes, as a defined purpose of the project, the gen-
eration of material that will be used to promote advanced
wood products. The project shall be developed through a
collaborative process.
TITLE IX—MAJOR DISASTER FOR WILDFIRE ON FEDERAL LAND

SEC. 901. WILDFIRE ON FEDERAL LANDS.

Section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)) is amended—

(1) by striking “(2)” and all that follows through “means” and inserting the following:

“(2) MAJOR DISASTER.—

“(A) MAJOR DISASTER.—The term ‘major disaster’ means”; and

(2) by adding at the end the following:

“(B) MAJOR DISASTER FOR WILDFIRE ON FEDERAL LANDS.—The term ‘major disaster for wildfire on Federal lands’ means any wildfire or wildfires, which in the determination of the President under section 802 warrants assistance under section 803 to supplement the efforts and resources of the Department of the Interior or the Department of Agriculture—

“(i) on Federal lands; or

“(ii) on non-Federal lands pursuant to a fire protection agreement or cooperative agreement.”.
SEC. 902. DECLARATION OF A MAJOR DISASTER FOR WILDFIRE ON FEDERAL LANDS.

The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.) is amended by adding at the end the following:

“TITLE VIII—MAJOR DISASTER FOR WILDFIRE ON FEDERAL LAND

“SEC. 801. DEFINITIONS.

“As used in this title—

“(1) FEDERAL LAND.—The term ‘Federal land’ means—

“(A) any land under the jurisdiction of the Department of the Interior; and

“(B) any land under the jurisdiction of the United States Forest Service.

“(2) FEDERAL LAND MANAGEMENT AGENCIES.—The term ‘Federal land management agencies’ means—

“(A) the Bureau of Land Management;

“(B) the National Park Service;

“(C) the Bureau of Indian Affairs;

“(D) the United States Fish and Wildlife Service; and

“(E) the United States Forest Service.
“(3) **Wildfire suppression operations.**—

The term ‘wildfire suppression operations’ means the emergency and unpredictable aspects of wildland firefighting, including support, response, emergency stabilization activities, and other emergency management activities of wildland firefighting on Federal lands (or on non-Federal lands pursuant to a fire protection agreement or cooperative agreement) by the Federal land management agencies covered by the wildfire suppression subactivity of the Wildland Fire Management account or the FLAME Wildfire Suppression Reserve Fund account of the Federal land management agencies.

**“SEC. 802. PROCEDURE FOR DECLARATION OF A MAJOR DISASTER FOR WILDFIRE ON FEDERAL LANDS.”**

“(a) **In General.**—The Secretary of the Interior or the Secretary of Agriculture may submit a request to the President consistent with the requirements of this title for a declaration by the President that a major disaster for wildfire on Federal lands exists.

“(b) **Requirements.**—A request for a declaration by the President that a major disaster for wildfire on Federal lands exists shall—
“(1) be made in writing by the respective Secre-

tary;

“(2) certify that the amount appropriated in
the current fiscal year for wildfire suppression op-
erations of the Federal land management agencies
under the jurisdiction of the respective Secretary,
net of any concurrently enacted rescissions of wild-
fire suppression funds, increases the total unobli-
gated balance of amounts available for wildfire sup-
pression by an amount equal to or greater than the
average total costs incurred by the Federal land
management agencies per year for wildfire suppres-
sion operations, including the suppression costs in
excess of appropriated amounts, over the previous
ten fiscal years;

“(3) certify that the amount available for wild-
fire suppression operations of the Federal land man-
agement agencies under the jurisdiction of the re-
spective Secretary will be obligated not later than 30
days after such Secretary notifies the President that
wildfire suppression funds will be exhausted to fund
ongoing and anticipated wildfire suppression oper-
ations related to the wildfire on which the request
for the declaration of a major disaster for wildfire
on Federal lands pursuant to this title is based; and
“(4) specify the amount required in the current fiscal year to fund wildfire suppression operations related to the wildfire on which the request for the declaration of a major disaster for wildfire on Federal lands pursuant to this title is based.

“(c) DECLARATION.—Based on the request of the respective Secretary under this title, the President may declare that a major disaster for wildfire on Federal lands exists.

“SEC. 803. WILDFIRE ON FEDERAL LANDS ASSISTANCE.

“(a) IN GENERAL.—In a major disaster for wildfire on Federal lands, the President may transfer funds, only from the account established pursuant to subsection (b), to the Secretary of the Interior or the Secretary of Agriculture to conduct wildfire suppression operations on Federal lands (and non-Federal lands pursuant to a fire protection agreement or cooperative agreement).

“(b) WILDFIRE SUPPRESSION OPERATIONS ACCOUNT.—The President shall establish a specific account for the assistance available pursuant to a declaration under section 802. Such account may only be used to fund assistance pursuant to this title.

“(c) LIMITATION.—

“(1) LIMITATION OF TRANSFER.—The assistance available pursuant to a declaration under sec-
tion 802 is limited to the transfer of the amount requested pursuant to section 802(b)(4). The assistance available for transfer shall not exceed the amount contained in the wildfire suppression operations account established pursuant to subsection (b).

“(2) Transfer of Funds.—Funds under this section shall be transferred from the wildfire suppression operations account to the wildfire suppression subactivity of the Wildland Fire Management Account.

“(d) Prohibition of Other Transfers.—Except as provided in this section, no funds may be transferred to or from the account established pursuant to subsection (b) to or from any other fund or account.

“(e) Reimbursement for Wildfire Suppression Operations on Non-Federal Land.—If amounts transferred under subsection (c) are used to conduct wildfire suppression operations on non-Federal land, the respective Secretary shall—

“(1) secure reimbursement for the cost of such wildfire suppression operations conducted on the non-Federal land; and
“(2) transfer the amounts received as reim-
bursement to the wildfire suppression operations ac-
count established pursuant to subsection (b).

“(f) ANNUAL ACCOUNTING AND REPORTING RE-
QUIREMENTS.—Not later than 90 days after the end of
each fiscal year for which assistance is received pursuant
to this section, the respective Secretary shall submit to
the Committees on Agriculture, Appropriations, the Budg-
et, Natural Resources, and Transportation and Infrastruc-
ture of the House of Representatives and the Committees
on Agriculture, Nutrition, and Forestry, Appropriations,
the Budget, Energy and Natural Resources, Homeland
Security and Governmental Affairs, and Indian Affairs of
the Senate, and make available to the public, a report that
includes the following:

“(1) The risk-based factors that influenced
management decisions regarding wildfire suppression
operations of the Federal land management agencies
under the jurisdiction of the Secretary concerned.

“(2) Specific discussion of a statistically signifi-
cant sample of large fires, in which each fire is ana-
lyzed for cost drivers, effectiveness of risk manage-
ment techniques, resulting positive or negative im-
pacts of fire on the landscape, impact of investments
in preparedness, suggested corrective actions, and
such other factors as the respective Secretary considers appropriate.

“(3) Total expenditures for wildfire suppression operations of the Federal land management agencies under the jurisdiction of the respective Secretary, broken out by fire sizes, cost, regional location, and such other factors as the such Secretary considers appropriate.

“(4) Lessons learned.

“(5) Such other matters as the respective Secretary considers appropriate.

“(g) SAVINGS PROVISION.—Nothing in this title shall limit the Secretary of the Interior, the Secretary of Agriculture, Indian tribe, or a State from receiving assistance through a declaration made by the President under this Act when the criteria for such declaration have been met.”.

SEC. 903. PROHIBITION ON TRANSFERS.

No funds may be transferred to or from the Federal land management agencies' wildfire suppression operations accounts referred to in section 801(3) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to or from any account or subactivity of the Federal land management agencies, as defined in section 801(2) of such
Act, that is not used to cover the cost of wildfire suppression operations.

Passed the House of Representatives July 9, 2015.

Attest: KAREN L. HAAS,

Clerk.