

Calendar No. 583

118TH CONGRESS
2D SESSION**S. 2132**

To require the Secretary of Agriculture to establish a pilot program for the establishment and use of a pre-fire-suppression stand density index, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 22, 2023

Mr. LEE introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

NOVEMBER 21, 2024

Reported by Mr. MANCHIN, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To require the Secretary of Agriculture to establish a pilot program for the establishment and use of a pre-fire-suppression stand density index, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Catastrophic Wildfire
5 Prevention Act of 2023”.

1 **SEC. 2. PILOT PROGRAM.**

2 (a) DEFINITIONS.—In this section:

3 (1) AREA OF THE NATIONAL FOREST SYS-
4 TEM.—The term “area of the National Forest Sys-
5 tem” means all or a portion of a unit of the Na-
6 tional Forest System that is located west of the
7 100th meridian.

8 (2) PILOT PROGRAM.—The term “pilot pro-
9 gram” means the pilot program established under
10 subsection (b).

11 (3) PRE-FIRE-SUPPRESSION STAND DENSITY
12 INDEX.—The term “pre-fire-suppression stand den-
13 sity index” means an estimate of the naturally oc-
14 ccurring or ecologically balanced stand density index
15 of a forest, as developed from historical surveys or
16 appropriate scientific inference, before fire suppres-
17 sion regimens became common practice.

18 (4) SECRETARY.—The term “Secretary” means
19 the Secretary of Agriculture, acting through the
20 Chief of the Forest Service.

21 (5) STAND DENSITY INDEX.—The term “stand
22 density index” means an expression of relative stand
23 density based on the predictable relationship be-
24 tween average tree size and trees per unit area in
25 dense stands.

1 (6) TREATMENT.—The term “treatment”
2 means—

3 (A) a mechanical treatment of hazardous
4 fuels;

5 (B) a stewardship end-result contracting
6 project;

7 (C) restoration services; or

8 (D) timber harvesting.

9 (b) ESTABLISHMENT.—The Secretary shall establish
10 a pilot program under which the Secretary shall—

11 (1) collaborate with State or local forest man-
12 agement agencies—

13 (A) to identify areas of the National For-
14 est System for potential selection under para-
15 graph (3) for inclusion in the pilot program;
16 and

17 (B) to research and establish a pre-fire-
18 suppression stand density index for each area of
19 the National Forest System identified under
20 subparagraph (A);

21 (2) evaluate how closely each pre-fire-suppres-
22 sion stand density index established under para-
23 graph (1)(B) reflects current forest conditions and
24 current published resource management objectives

1 established by the Secretary for the applicable area
 2 of the National Forest System; and

3 ~~(3)~~ select, in consultation with State or local
 4 forest management agencies, not fewer than 8 areas
 5 of the National Forest System identified under para-
 6 graph ~~(1)(A)~~ with respect to which the area and
 7 neighboring communities may benefit from using a
 8 pre-fire-suppression stand density index as a bench-
 9 mark for treatments by—

10 (A) reducing the chances of catastrophic
 11 wildfire;

12 (B) increasing forest health;

13 (C) increasing forest resilience;

14 (D) increasing ecological diversity; or

15 ~~(E)~~ improving such other criteria as the
 16 Secretary, in consultation with State or local
 17 forest management agencies, determine to be
 18 appropriate.

19 ~~(c)~~ IMPLEMENTATION.—Not later than 2 years after
 20 the date of enactment of this Act, the Secretary shall
 21 begin to conduct treatments on areas of the National For-
 22 est System selected under subsection ~~(b)(3)~~, and update
 23 applicable land and resource management plans to include
 24 objectives and benchmarks, in accordance with the appli-

1 cable pre-fire-suppression stand density index established
 2 under subsection (b)(1)(B).

3 ~~(d) SELECTION OF AREAS.—In selecting areas of the~~
 4 ~~National Forest System for inclusion in the pilot program~~
 5 ~~under subsection (b)(3) and conducting treatments under~~
 6 ~~subsection (e), the Secretary shall—~~

7 ~~(1) give priority to an area—~~

8 ~~(A) within the wildland-urban interface (as~~
 9 ~~defined in section 101 of the Healthy Forests~~
 10 ~~Restoration Act of 2003 (16 U.S.C. 6511));~~

11 ~~(B) constituting a community watershed;~~

12 ~~(C) vulnerable to erosion;~~

13 ~~(D) hosting multiple-use activities;~~

14 ~~(E) critical to supporting wildlife or plant~~
 15 ~~species health; or~~

16 ~~(F) with respect to which a treatment is~~
 17 ~~necessary to prevent catastrophic wildfire; and~~

18 ~~(2) select a geographically diverse sample of~~
 19 ~~areas of the National Forest System, which shall in-~~
 20 ~~clude not fewer than 3 areas of the National Forest~~
 21 ~~System in the southwest United States.~~

22 ~~(e) FUNDING.—The Secretary shall carry out this~~
 23 ~~section using funds otherwise made available to the Sec-~~
 24 ~~retary for fuels reduction treatments.~~

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Catastrophic Wildfire*
 3 *Prevention Act of 2024”.*

4 **SEC. 2. PILOT PROGRAM.**

5 (a) *DEFINITIONS.—In this section:*

6 (1) *HISTORICAL STAND DENSITY INDEX.—The*
 7 *term “historical stand density index” means an esti-*
 8 *mate of the naturally occurring or ecologically bal-*
 9 *anced stand density index of a forest, as developed*
 10 *from historical surveys or appropriate scientific infer-*
 11 *ence of data collected not more recently than 1915.*

12 (2) *NATIONAL FOREST SYSTEM.—*

13 (A) *IN GENERAL.—The term “National For-*
 14 *est System” means land of the National Forest*
 15 *System (as defined in section 11(a) of the Forest*
 16 *and Rangeland Renewable Resources Planning*
 17 *Act of 1974 (16 U.S.C. 1609(a))) administered*
 18 *by the Secretary.*

19 (B) *EXCLUSION.—The term “National For-*
 20 *est System” does not include any forest reserve*
 21 *not created from the public domain.*

22 (3) *PILOT PROGRAM.—The term “pilot program”*
 23 *means the pilot program established under subsection*
 24 *(b).*

25 (4) *RESOURCE MANAGEMENT PLAN.—The term*
 26 *“resource management plan” means a land and re-*

1 *source management plan prepared for 1 or more units*
 2 *of the National Forest System under section 6 of the*
 3 *Forest and Rangeland Renewable Resources Planning*
 4 *Act of 1974 (16 U.S.C. 1604).*

5 (5) *SECRETARY.*—*The term “Secretary” means*
 6 *the Secretary of Agriculture, acting through the Chief*
 7 *of the Forest Service.*

8 (6) *STAND DENSITY INDEX.*—*The term “stand*
 9 *density index” means an expression of relative stand*
 10 *density based on the predictable relationship between*
 11 *average tree size and trees per unit area in dense*
 12 *stands.*

13 (7) *TREATMENT.*—*The term “treatment”*
 14 *means—*

15 (A) *a mechanical treatment of hazardous*
 16 *fuels;*

17 (B) *a stewardship end-result contracting*
 18 *project;*

19 (C) *restoration services;*

20 (D) *timber harvesting; or*

21 (E) *other forest stand improvement activi-*
 22 *ties, as determined by the Secretary.*

23 (b) *ESTABLISHMENT.*—*The Secretary shall establish a*
 24 *pilot program under which the Secretary shall—*

(1) *collaborate with State, local, and Tribal forest management agencies—*

(A) to identify areas of the National Forest System for potential selection under paragraph (2) for inclusion in the pilot program; and

(B) to research and determine an historical stand density index for each area of the National Forest System identified under subparagraph (A);

(2) *select, in consultation with State, local, and Tribal forest management agencies, as necessary, projects in areas of the National Forest System identified under paragraph (1)(A) for implementation of treatments under subsection (c), in accordance with the selection criteria under subsection (d);*

(3) *evaluate the implementation of treatments conducted on areas of the National Forest System selected under paragraph (2), with respect to the efficacy of the treatments in—*

(A) reducing catastrophic wildfire risk;

(B) increasing forest health;

(C) increasing forest resilience;

(D) increasing ecological diversity; or

(E) improving such other criteria as the Secretary determines to be appropriate; and

1 (4) *as practicable, compare and update the re-*
 2 *source management plans for areas of the National*
 3 *Forest System selected under paragraph (2) in ac-*
 4 *cordance with any findings resulting from the evalua-*
 5 *tions under paragraph (3).*

6 (c) *IMPLEMENTATION.*—*Not later than 2 years after*
 7 *the date of enactment of this Act, the Secretary shall begin*
 8 *implementation of treatments on areas of the National For-*
 9 *est System selected under subsection (b)(2) to achieve the*
 10 *historical stand density index established under subsection*
 11 *(b)(1)(B) for those areas of the National Forest System.*

12 (d) *SELECTION OF AREAS.*—*In selecting areas of the*
 13 *National Forest System for inclusion in the pilot program*
 14 *under subsection (b)(2) and implementing treatments under*
 15 *subsection (c), the Secretary shall—*

16 (1) *give priority to an area—*

17 (A) *within the wildland-urban interface (as*
 18 *defined in section 101 of the Healthy Forests*
 19 *Restoration Act of 2003 (16 U.S.C. 6511));*

20 (B) *constituting a municipal watershed;*

21 (C) *critical to maintaining water quality*
 22 *and yield;*

23 (D) *vulnerable to erosion, flooding, land-*
 24 *slides, or other post-fire impacts;*

25 (E) *hosting multiple-use activities;*

1 (F) critical to supporting wildlife or plant
2 species health;

3 (G) with respect to which a treatment is
4 necessary to prevent catastrophic wildfire; or

5 (H) for which the comparison of forest resil-
6 ience under an historical stand density index
7 with the contemporary stand density index
8 would best inform forest ecology and wildland
9 fire research; and

10 (2) select a geographically diverse sample of
11 areas of the National Forest System with various for-
12 est cover types; and

13 (3) select not less than 1 area of the National
14 Forest System in each region of the National Forest
15 System.

16 (e) *FUNDING.*—The Secretary shall carry out this sec-
17 tion using funds otherwise made available to the Secretary
18 for—

19 (1) research and development, with respect to the
20 requirements under paragraphs (1), (2), and (4) of
21 subsection (b); and

22 (2) fuels reduction treatments, with respect to the
23 implementation of treatments described in subsection
24 (c) and the other requirements under this section.

Calendar No. 583

118TH CONGRESS
2D Session

S. 2132

A BILL

To require the Secretary of Agriculture to establish a pilot program for the establishment and use of a pre-fire-suppression stand density index, and for other purposes.

NOVEMBER 21, 2024

Reported with an amendment