

**AMENDMENT TO RULES COMMITTEE PRINT 115-**

**36**

**OFFERED BY MR. HUFFMAN OF CALIFORNIA**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the  
3 “Resilient Federal Forests Act of 2017”.

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

Sec. 1. Short title; table of contents.

**TITLE I —WILDFIRE DISASTER FUNDING**

Sec. 101. Wildfire disaster funding authority.

**TITLE II—ELECTRICITY RELIABILITY AND FOREST PROTECTION**

Sec. 201. Vegetation management, facility inspection, and operation and maintenance on Federal lands containing electric transmission and distribution facilities.

**TITLE III—WILDLAND FIRES**

Sec. 301. Purpose.

Sec. 302. Definitions.

Sec. 303. Additional accountability.

Sec. 304. Incentive for cost savings.

Sec. 305. Definition of at-risk community.

Sec. 306. Community planning assistance for at-risk communities.

Sec. 307. Accelerated restoration program for ponderosa pine forests.

Sec. 308. Increasing certainty for the local workforce and infrastructure necessary for restoration.

Sec. 309. National Forest foundation.

Sec. 310. Termination of authority.

**TITLE IV—WILDFIRE PREVENTION**

Sec. 401. Mitigation assistance.

Sec. 402. Additional activities.  
Sec. 403. Reporting requirement.

1     **TITLE I —WILDFIRE DISASTER**  
2                             **FUNDING**

3     **SEC. 101. WILDFIRE DISASTER FUNDING AUTHORITY.**

4             (a) DISASTER FUNDING.—Section 251(b)(2)(D) of  
5 the Balanced Budget and Emergency Deficit Control Act  
6 of 1985 (2 U.S.C. 901(b)(2)(D)) is amended—

7                     (1) in clause (i)—

8                             (A) in the matter preceding subclause (I),  
9                             by striking “the total of—” and inserting “an  
10                             amount equal to the difference between—”;

11                            (B) by redesignating subclauses (I) and  
12                            (II) as items (aa) and (bb), respectively, and in-  
13                            denting the items appropriately;

14                            (C) by inserting before item (aa) (as so re-  
15                            designated) the following:

16                                     “(I) the sum obtained by add-  
17                                     ing—”;

18                            (D) in item (bb) of subclause (I) (as so re-  
19                            designated)—

20                                     (i) by striking “subclause (I)” and in-  
21                                     serting “item (aa)”; and

22                                     (ii) by striking the period at the end  
23                                     and inserting “; and”; and

24                            (E) by adding at the end the following:

1                   “(II) the additional new budget  
2                   authority provided in an appropria-  
3                   tions Act for wildfire suppression op-  
4                   erations pursuant to subparagraph  
5                   (E) for the preceding fiscal year.”;  
6                   and

7                   (2) by adding at the end the following:

8                   “(v) Beginning in fiscal year 2018  
9                   and for each fiscal year thereafter, the cal-  
10                  culation of the ‘average funding provided  
11                  for disaster relief over the previous 10  
12                  years’ shall include, for each fiscal year  
13                  during that period, the additional new  
14                  budget authority provided in an appropria-  
15                  tions Act for wildfire suppression oper-  
16                  ations pursuant to subparagraph (E) for  
17                  the preceding fiscal year.”.

18                  (b) WILDFIRE SUPPRESSION.—Section 251(b)(2) of  
19                  the Balanced Budget and Emergency Deficit Control Act  
20                  of 1985 (2 U.S.C. 901(b)(2)) is amended by adding at  
21                  the end the following:

22                                 “(E) WILDFIRE SUPPRESSION.—

23   “(i) DEFINITIONS.—In this subpara-  
24   graph:

1                   “(I) ADDITIONAL NEW BUDGET  
2 AUTHORITY.—The term ‘additional  
3 new budget authority’ means the  
4 amount provided for a fiscal year in  
5 an appropriations Act that is—

6                   “(aa) in excess of the 10-  
7 year average of the costs for  
8 wildfire suppression operations,  
9 as calculated for fiscal year 2015;  
10 and

11                   “(bb) specified to pay for  
12 the costs of wildfire suppression  
13 operations.

14                   “(II) WILDFIRE SUPPRESSION  
15 OPERATIONS.—The term ‘wildfire sup-  
16 pression operations’ means the emer-  
17 gency and unpredictable aspects of  
18 wildland firefighting including—

19                   “(aa) support, response, and  
20 emergency stabilization activities;

21                   “(bb) other emergency man-  
22 agement activities; and

23                   “(cc) the funds necessary to  
24 repay any transfers needed for

1 the costs of wildfire suppression  
2 operations.

3 “(ii) ADDITIONAL NEW BUDGET AU-  
4 THORITY.—If a bill or joint resolution  
5 making appropriations for a fiscal year is  
6 enacted that specifies an amount for wild-  
7 fire suppression operations in the Wildland  
8 Fire Management accounts at the Depart-  
9 ment of Agriculture or the Department of  
10 the Interior, the adjustments for that fiscal  
11 year shall be the amount of additional new  
12 budget authority provided in that Act for  
13 wildfire suppression operations for that fis-  
14 cal year, but shall not exceed—

15 “(I) for fiscal year 2017,  
16 \$1,410,000,000 in additional new  
17 budget authority;

18 “(II) for fiscal year 2018,  
19 \$1,460,000,000 in additional new  
20 budget authority;

21 “(III) for fiscal year 2019,  
22 \$1,560,000,000 in additional new  
23 budget authority;

1                   “(IV) for fiscal year 2020,  
2                   \$1,780,000,000 in additional new  
3                   budget authority;

4                   “(V) for fiscal year 2021,  
5                   \$2,030,000,000 in additional new  
6                   budget authority;

7                   “(VI) for fiscal year 2022,  
8                   \$2,320,000,000 in additional new  
9                   budget authority;

10                  “(VII) for fiscal year 2023,  
11                  \$2,650,000,000 in additional new  
12                  budget authority;

13                  “(VIII) for fiscal year 2024,  
14                  \$2,690,000,000 in additional new  
15                  budget authority;

16                  “(IX) for fiscal year 2025,  
17                  \$2,690,000,000 in additional new  
18                  budget authority; and

19                  “(X) for fiscal year 2026,  
20                  \$2,690,000,000 in additional new  
21                  budget authority.

22                  “(iii) AVERAGE COST AND OUTYEAR  
23                  CALCULATIONS.—The 10-year average of  
24                  the costs for wildfire suppression oper-  
25                  ations and the outyear forecasts of the

1 costs for wildfire suppression operations  
2 shall be—

3 “(I) calculated annually; and

4 “(II) reported in the budget of  
5 the President submitted under section  
6 1105(a) of title 31, United States  
7 Code, for each fiscal year.”.

8 (c) REPORTING REQUIREMENTS.—If the Secretary of  
9 the Interior or the Secretary of Agriculture determines  
10 that supplemental appropriations are necessary for a fiscal  
11 year for wildfire suppression operations (as defined in sub-  
12 paragraph (E)(i) of section 251(b)(2) of the Balanced  
13 Budget and Emergency Deficit Control Act of 1985 (2  
14 U.S.C. 901(b)(2))), the Secretary of the Interior or the  
15 Secretary of Agriculture, as applicable, shall—

16 (1) promptly submit to Congress a request for  
17 the supplemental appropriations; and

18 (2) not later than 30 days after the date on  
19 which the supplemental appropriations are made  
20 available, submit to Congress a plan describing the  
21 manner in which the Secretary of the Interior or the  
22 Secretary of Agriculture, as applicable, intends to  
23 obligate the supplemental appropriations.

1 **TITLE II—ELECTRICITY RELI-**  
2 **ABILITY AND FOREST PRO-**  
3 **TECTION**

4 **SEC. 201. VEGETATION MANAGEMENT, FACILITY INSPEC-**  
5 **TION, AND OPERATION AND MAINTENANCE**  
6 **ON FEDERAL LANDS CONTAINING ELECTRIC**  
7 **TRANSMISSION AND DISTRIBUTION FACILI-**  
8 **TIES.**

9 (a) IN GENERAL.—Title V of the Federal Land Pol-  
10 icy and Management Act of 1976 (43 U.S.C. 1761 et seq.)  
11 is amended by adding at the end the following new section:

12 **“SEC. 512. VEGETATION MANAGEMENT, FACILITY INSPEC-**  
13 **TION AND OPERATION, AND MAINTENANCE**  
14 **RELATING TO ELECTRIC TRANSMISSION AND**  
15 **DISTRIBUTION FACILITY RIGHTS-OF-WAY.**

16 “(a) GENERAL DIRECTION.—In order to enhance the  
17 reliability of the electricity grid and reduce the threat of  
18 wildfires to and from electric transmission and distribu-  
19 tion rights-of-way and related facilities and adjacent prop-  
20 erty, the Secretary, with respect to public lands and other  
21 lands under the jurisdiction of the Secretary, and the Sec-  
22 retary of Agriculture, with respect to National Forest Sys-  
23 tem lands, shall provide direction to ensure that all exist-  
24 ing and future rights-of-way, however established (includ-  
25 ing by grant, special use authorization, and easement), for



1 electrical transmission and distribution facilities on such  
2 lands include provisions for utility vegetation manage-  
3 ment, facility inspection, and operation and maintenance  
4 activities that, while consistent with applicable law—

5           “(1) are developed in consultation with the  
6 holder of the right-of-way;

7           “(2) enable the owner or operator of a facility  
8 to operate and maintain the facility in good working  
9 order and to comply with Federal, State and local  
10 electric system reliability and fire safety require-  
11 ments, including reliability standards established by  
12 the North American Electric Reliability Corporation  
13 and plans to meet such reliability standards;

14           “(3) minimize the need for case-by-case or an-  
15 nual approvals for—

16           “(A) routine vegetation management, facil-  
17 ity inspection, and operation and maintenance  
18 activities within existing electrical transmission  
19 and distribution rights-of-way; and

20           “(B) utility vegetation management activi-  
21 ties that are necessary to control danger trees  
22 within or adjacent to electrical transmission and  
23 distribution rights-of-way; and

24           “(4) when review is required, provide for expe-  
25 dited review and approval of utility vegetation man-

1       agement, facility inspection, and operation and  
2       maintenance activities, especially activities requiring  
3       prompt action to avoid an adverse impact on human  
4       safety or electric reliability to avoid fire hazards.

5       “(b) VEGETATION MANAGEMENT, FACILITY INSPEC-  
6       TION AND OPERATION AND MAINTENANCE PLANS.—

7               “(1) DEVELOPMENT AND SUBMISSION.—Con-  
8       sistent with subsection (a), the owners and operators  
9       of electric transmission and distribution facilities lo-  
10      cated on lands described in such subsection shall de-  
11      velop and submit a vegetation management, facility  
12      inspection, and operation and maintenance plan cov-  
13      ering some or all of the owner or operator’s trans-  
14      mission and distribution rights-of-way on Federal  
15      lands, for approval to the Secretary with jurisdiction  
16      over the lands. A plan under this paragraph shall  
17      enable the owner or operator of a facility, at a min-  
18      imum, to comply with applicable Federal, State, and  
19      local electric system reliability and fire safety re-  
20      quirements, as provided in subsection (a)(2), and  
21      with all other applicable Federal laws.

22              “(2) REVIEW AND APPROVAL PROCESS.—The  
23      Secretary and the Secretary of Agriculture shall  
24      jointly develop a consolidated and coordinated proc-  
25      ess for review and approval of—

1           “(A) vegetation management, facility in-  
2           spection, and operation and maintenance plans  
3           submitted under paragraph (1) that—

4                   “(i) assures prompt review, approval,  
5                   denial, or modification not to exceed 30  
6                   days;

7                   “(ii) includes timelines and bench-  
8                   marks for approval of such plans;

9                   “(iii) is consistent with applicable law;  
10                  and

11                   “(iv) minimizes the costs of the proc-  
12                   ess to the reviewing agency and the entity  
13                   submitting the plans; and

14                  “(B) amendments to the plans in a prompt  
15                  manner if changed conditions necessitate a  
16                  modification to a plan.

17                  “(3) NOTIFICATION.—The review and approval  
18                  process under paragraph (2) shall—

19                   “(A) include notification by the agency of  
20                   any changed conditions that warrant a modi-  
21                   fication to a plan;

22                   “(B) provide an opportunity for the owner  
23                   or operator to submit a proposed plan amend-  
24                   ment to address directly the changed condition;  
25                   and

1           “(C) allow the owner or operator to con-  
2           tinue to implement those elements of the ap-  
3           proved plan that do not directly and adversely  
4           affect the condition precipitating the need for  
5           modification.

6           “(4) CATEGORICAL EXCLUSION PROCESS.—The  
7           Secretary and the Secretary of Agriculture shall  
8           apply his or her categorical exclusion process under  
9           the National Environmental Policy Act of 1969 (42  
10          U.S.C. 4321 et seq.) to plans developed under this  
11          subsection on existing transmission and distribution  
12          rights-of-way under this subsection.

13          “(5) IMPLEMENTATION.—A plan approved  
14          under this subsection shall become part of the au-  
15          thorization governing the covered right-of-way and  
16          danger trees adjacent to the right-of-way. If a vege-  
17          tation management plan is proposed for an existing  
18          transmission and distribution facility concurrent  
19          with the siting of a new transmission or distribution  
20          facility, necessary reviews shall be completed as part  
21          of the siting process or sooner. Once the plan is ap-  
22          proved, the owner or operator shall provide the agen-  
23          cy with only a notification of activities anticipated to  
24          be undertaken in the coming year, a description of

1 those activities, and certification that the activities  
2 are in accordance with the plan.

3 “(6) DEFINITIONS.—In this subsection:

4 “(A) VEGETATION MANAGEMENT, FACIL-  
5 ITY INSPECTION AND OPERATION AND MAINTEN-  
6 NANCE PLAN.—The term ‘vegetation manage-  
7 ment, facility inspection and operation and  
8 maintenance plan’ means a plan that—

9 “(i) is prepared by the owner or oper-  
10 ator of one or more electrical transmission  
11 or distribution facilities to cover one or  
12 more electric transmission and distribution  
13 rights-of-way; and

14 “(ii) provides for the long-term, cost-  
15 effective, efficient and timely management  
16 of facilities and vegetation within the width  
17 of the right-of-way and adjacent Federal  
18 lands to enhance electricity reliability, pro-  
19 mote public safety, and avoid fire hazards.

20 “(B) OWNER OR OPERATOR.—The terms  
21 ‘owner’ and ‘operator’ include contractors or  
22 other agents engaged by the owner or operator  
23 of a facility.

24 “(C) DANGER TREE.—The term ‘danger  
25 tree’ means any tree inside the right-of-way or

1 located outside the right-of-way that would  
2 come within 10 feet or less of an electric power  
3 line or related structure if it fell.

4 “(c) RESPONSE TO EMERGENCY CONDITIONS WITH-  
5 IN RIGHT-OF-WAY.—If a hazard tree or other vegetation  
6 on Federal lands within an electrical transmission or dis-  
7 tribution right-of-way granted by the Secretary or the Sec-  
8 retary of Agriculture has contacted or is in imminent dan-  
9 ger of contacting one or more electric transmission or dis-  
10 tribution lines, the owner or operator of the transmission  
11 or distribution lines—

12 “(1) may prune or remove the vegetation to  
13 avoid the disruption of electric service and risk of  
14 fire; and

15 “(2) shall notify the appropriate local agent of  
16 the relevant Secretary not later than 24 hours after  
17 such removal.

18 “(d) RESPONSE TO EMERGENCY CONDITIONS ADJA-  
19 CENT TO RIGHT-OF-WAY.—If a hazard tree on Federal  
20 lands outside of but adjacent to an electrical transmission  
21 or distribution right-of-way granted by the Secretary or  
22 the Secretary of Agriculture has contacted or is in immi-  
23 nent danger of contacting an electric transmission or dis-  
24 tribution line, the tree shall be pruned or removed in ac-  
25 cordance with the vegetation maintenance, facility inspec-

1 tion, and operation and maintenance plan developed pur-  
2 suant to subsection (b).

3       “(e) COMPLIANCE WITH APPLICABLE RELIABILITY  
4 AND SAFETY STANDARDS.—If vegetation on Federal  
5 lands within or adjacent to an electrical transmission or  
6 distribution right-of-way under the jurisdiction of each  
7 Secretary does not meet clearance requirements under  
8 standards established by the North American Electric Re-  
9 liability Corporation, or by State and local authorities, and  
10 the Secretary having jurisdiction over the lands has failed  
11 to act to allow a transmission or distribution facility owner  
12 or operator to conduct vegetation management activities  
13 within 3 business days after receiving a request to allow  
14 such activities, the owner or operator may, after notifying  
15 the Secretary, conduct such vegetation management ac-  
16 tivities to meet those clearance requirements to the extent  
17 such activities are consistent with Federal law and vegeta-  
18 tion management, facility inspection, and operation and  
19 maintenance plan developed pursuant to subsection (b).

20       “(f) REPORTING REQUIREMENT.—The Secretary or  
21 Secretary of Agriculture shall report requests and actions  
22 made under subsections (c), (d), and (e) annually on each  
23 Secretary’s website.

24       “(g) TRAINING AND GUIDANCE.—In consultation  
25 with the electric utility industry, the Secretary and the

1 Secretary of Agriculture are encouraged to develop a pro-  
2 gram to train personnel of the Department of the Interior  
3 and the Forest Service involved in vegetation management  
4 decisions relating to transmission and distribution facili-  
5 ties to ensure that such personnel—

6 “(1) understand electric system reliability and  
7 fire safety requirements, including reliability stand-  
8 ards established by the North American Electric Re-  
9 liability Corporation; and

10 “(2) assist owners and operators of trans-  
11 mission and distribution facilities to comply with ap-  
12 plicable electric reliability and fire safety require-  
13 ments.

14 “(h) IMPLEMENTATION.—The Secretary of the Inte-  
15 rior and the Secretary of Agriculture shall—

16 “(1) not later than one year after the date of  
17 the enactment of this section, prescribe regulations,  
18 or amend existing regulations, to implement this sec-  
19 tion; and

20 “(2) not later than two years after the date of  
21 the enactment of this section, finalize regulations, or  
22 amend existing regulations, to implement this sec-  
23 tion.

24 “(i) EXISTING VEGETATIVE MANAGEMENT, FACIL-  
25 ITY INSPECTION AND OPERATION AND MAINTENANCE



1 PLANS.—Nothing in this section requires an owner or op-  
2 erator to develop and submit a vegetative management,  
3 facility inspection, and operation and maintenance plan if  
4 one has already been approved by the Secretary or Sec-  
5 retary of Agriculture before the date of the enactment of  
6 this section.”.

## 7 **TITLE III—WILDLAND FIRES**

### 8 **SEC. 301. PURPOSE.**

9 The purpose of this title is to build on the successes  
10 of the Federal Wildland Fire Management Policy and Na-  
11 tional Cohesive Fire Strategy established pursuant to sec-  
12 tion 503 of the FLAME Act of 2009 (43 U.S.C. 1748b)  
13 (as in effect on the day before the date of enactment of  
14 this Act), as necessary to protect communities from  
15 wildfires on Federal land by—

16 (1) increasing transparency and accountability  
17 for the costs of managing wildfires;

18 (2) requiring the Secretary concerned to treat  
19 the most at-risk forests to protect at-risk commu-  
20 nities and reestablish natural fire regimes; and

21 (3) providing additional funding to communities  
22 to enable them to reduce the risks to the commu-  
23 nities from wildfires.

### 24 **SEC. 302. DEFINITIONS.**

25 In this title:

1           (1) AT-RISK COMMUNITY.—The term “at-risk  
2           community” has the meaning given the term in sec-  
3           tion 101 of the Healthy Forests Restoration Act of  
4           2003 (16 U.S.C. 6511).

5           (2) CERTIFIED COLLABORATIVE.—The term  
6           “certified collaborative” means a group of interested  
7           persons certified as a collaborative by the National  
8           Forest Foundation under subsection (a) of section  
9           409 of the National Forest Foundation Act (16  
10          U.S.C. 583j–7) (as amended by section 9(a)).

11          (3) COMMUNITY WILDFIRE PROTECTION  
12          PLAN.—

13               (A) IN GENERAL.—The term “community  
14               wildfire protection plan” has the meaning given  
15               the term in section 101 of the Healthy Forests  
16               Restoration Act of 2003 (16 U.S.C. 6511).

17               (B) INCLUSION.—The term “community  
18               wildfire protection plan” includes a land re-  
19               source management plan.

20          (4) FEDERAL LAND.—The term “Federal land”  
21          means the following:

22               (A) National Forest System land reserved  
23               from the public domain.

24               (B) The following land administered by the  
25               Secretary of the Interior:

1 (i) Public lands (as defined in section  
2 103 of the Federal Land Policy and Man-  
3 agement Act of 1976 (43 U.S.C. 1702)).

4 (ii) A unit of the National Park Sys-  
5 tem.

6 (iii) A unit of the National Wildlife  
7 Refuge System.

8 (iv) Land held in trust for an Indian  
9 tribe.

10 (5) INDIAN TRIBE.—The term “Indian tribe”  
11 has the meaning given the term in section 4 of the  
12 Indian Self-Determination and Education Assistance  
13 Act (25 U.S.C. 5304).

14 (6) SECRETARIES.—The term “Secretaries”  
15 means the Secretary of the Interior and the Sec-  
16 retary of Agriculture.

17 (7) SECRETARY CONCERNED.—The term “Sec-  
18 retary concerned” means—

19 (A) the Secretary of the Interior, with re-  
20 spect to activities under the Department of the  
21 Interior; and

22 (B) the Secretary of Agriculture, with re-  
23 spect to activities under the Department of Ag-  
24 riculture.

25 (8) WILDLAND-URBAN INTERFACE.—

1 (A) IN GENERAL.—The term “wildland-  
2 urban interface” has the meaning given the  
3 term in section 101 of the Healthy Forests Res-  
4 toration Act of 2003 (16 U.S.C. 6511).

5 (B) EXCLUSION.—The term “wildland-  
6 urban interface” does not include—

7 (i) any forest reserve not created from  
8 the public domain; or

9 (ii) any national grassland or land uti-  
10 lization project administered under title III  
11 of the Bankhead-Jones Farm Tenant Act  
12 (7 U.S.C. 1010 et seq.).

13 **SEC. 303. ADDITIONAL ACCOUNTABILITY.**

14 (a) ACCOUNTING AND REPORTING REQUIRE-  
15 MENTS.—For each fiscal year, the Secretaries shall con-  
16 duct a cost review of each wildfire that covers an area  
17 greater than 100,000 acres.

18 (b) COMPONENTS.—The cost review under subsection  
19 (a) shall document costs and risk-based factors that influ-  
20 enced management decisions for each wildfire, including—

21 (1) a comparison of the total suppression cost  
22 to a stratified cost index;

23 (2) the percentage of acres burned with re-  
24 source benefits;

1           (3) the percentage of Federal land burned and  
2           the percentage of the total suppression costs ulti-  
3           mately paid by the Secretaries;

4           (4) the number of hours of exposure experi-  
5           enced by firefighters;

6           (5) the effectiveness of wildfire management de-  
7           cisions, including—

8                   (A) an analysis of the estimated monetary  
9                   value of the resources protected;

10                   (B) the risk to the resources from the wild-  
11                   fire;

12                   (C) the costs incurred or that would have  
13                   been incurred to protect the resources;

14                   (D) the impact of any actions taken to  
15                   protect the resources; and

16                   (E) whether the resources were damaged  
17                   by the wildfire;

18           (6) the total cost of aircraft for the wildfire, in-  
19           cluding—

20                   (A) the cost of delivering water or fire re-  
21                   tardant to the wildfire incurred after the initial  
22                   attack; and

23                   (B) the cost of aircraft use incurred after  
24                   the wildfire is contained;

1           (7) whether the fire operations strategy tracked  
2           the relevant spatial wildfire risk assessment and spa-  
3           tial fire management plan; and

4           (8) any other costs or factors that the Secre-  
5           taries determine to be appropriate.

6           (c) SUBMISSION AND PUBLICATION.—The Secre-  
7           taries shall—

8           (1) submit annually to the Committee on Ap-  
9           propriations, the Committee on the Budget, and the  
10          Committee on Natural Resources of the House of  
11          Representatives and the Committee on Appropria-  
12          tions, the Committee on the Budget, and the Com-  
13          mittee on Energy and Natural Resources of the Sen-  
14          ate a report describing the information required  
15          under subsection (a); and

16          (2) make the report submitted under paragraph  
17          (1) available to the public.

18   **SEC. 304. INCENTIVE FOR COST SAVINGS.**

19          (a) IN GENERAL.—Amounts made available in an an-  
20          nual appropriations Act for wildfire management oper-  
21          ations in the Wildland Fire Management account of the  
22          Department of the Interior or the Department of Agri-  
23          culture for a fiscal year that are not expended for that  
24          fiscal year may be available to the Secretary concerned  
25          for wildfire risk reduction projects on Federal land (in-

1 cluding land held in trust for an Indian tribe with the ap-  
2 proval of the Indian tribe) in accordance with subsection  
3 (b).

4 (b) PROJECT PRIORITIES.—In providing amounts  
5 made available to the Secretary concerned under sub-  
6 section (a), the Secretary concerned shall give priority to  
7 projects that are—

8 (1) conducted in areas that—

9 (A) are within or adjacent to—

10 (i) at-risk communities; or

11 (ii) high-value watersheds;

12 (B) have very high wildfire hazard poten-  
13 tial; and

14 (C) are in Fire Regime Group I, II, or III;

15 and

16 (2) designed to achieve one or more of the goals  
17 established in the report of the Secretaries entitled  
18 “The National Strategy: the Final Phase of the De-  
19 velopment of the National Cohesive Wildland Fire  
20 Management Strategy” and dated April 2014—

21 (A) to create fire-adapted communities;

22 (B) to restore and maintain resilient land-  
23 scapes; and

24 (C) to achieve safe, effective fire response.

1 (c) ANNUAL REPORTS.—The Secretary concerned  
2 shall submit with the annual budget of the United States  
3 submitted by the President under section 1105 of title 31,  
4 United States Code, a list of projects to be implemented  
5 using amounts made available to the Secretary concerned  
6 under subsection (a).

7 **SEC. 305. DEFINITION OF AT-RISK COMMUNITY.**

8 Section 101(1)(A) of the Healthy Forests Restoration  
9 Act of 2003 (16 U.S.C. 6511(1)(A)) is amended by strik-  
10 ing “comprised of” in the matter preceding clause (i) and  
11 all that follows through “a group” in clause (ii) and insert-  
12 ing “comprised of a group”.

13 **SEC. 306. COMMUNITY PLANNING ASSISTANCE FOR AT-RISK**  
14 **COMMUNITIES.**

15 (a) DEVELOPMENT OF MAP.—Not later than 180  
16 days after the date of enactment of this Act, and periodi-  
17 cally thereafter, the Secretaries shall develop and publish  
18 a map depicting at-risk communities, including tribal com-  
19 munities.

20 (b) PLANNING AND PREPARING AT-RISK COMMU-  
21 NITIES FOR WILDFIRE.—Subject to the availability of ap-  
22 propriations, the Secretaries shall provide financial assist-  
23 ance to at-risk communities adjacent to Federal land (in-  
24 cluding land held in trust for Indian tribes), including



1 through States, to assist the at-risk communities in plan-  
2 ning and preparing for wildfire, including—

3 (1) cosponsoring and supporting the expansion  
4 of—

5 (A) the Firewise Program;

6 (B) the Ready, Set, Go program;

7 (C) the Living with Wildfire program; or

8 (D) programs similar to the programs re-  
9 ferred to in subparagraphs (A) through (C);

10 (2) supporting the development, updating, and  
11 implementation of community wildfire protection  
12 plans;

13 (3) carrying out risk assessments and creating  
14 maps that depict wildfire risk to assist in planning  
15 for response and suppression resource needs and im-  
16 plementing hazardous fuel treatment programs;

17 (4) sharing costs to create defensible space for  
18 a distance of not less than 100 feet around a resi-  
19 dence that was built before the date of enactment of  
20 this Act; and

21 (5) planning and implementing cross-boundary  
22 hazardous fuels reduction projects as identified in a  
23 community wildfire protection plan.

1 (c) AUTHORIZATION OF APPROPRIATIONS.—There is  
2 authorized to be appropriated \$100,000,000 to carry out  
3 this section for each fiscal year.

4 **SEC. 307. ACCELERATED RESTORATION PROGRAM FOR**  
5 **PONDEROSA PINE FORESTS.**

6 (a) DEFINITIONS.—In this section:

7 (1) AVERAGE SEVERE FIRE WEATHER.—With  
8 respect to a unit of Federal land, the term “average  
9 severe fire weather” means the 90th percentile of at-  
10 mospheric and fuel conditions under which wildfires  
11 would burn in that unit in a given year.

12 (2) FEDERAL LAND.—The term “Federal land”  
13 means—

14 (A) public lands (as defined in section 103  
15 of the Federal Land Policy and Management  
16 Act of 1976 (43 U.S.C. 1702));

17 (B) land held in trust for Indian tribes; or

18 (C) National Forest System land.

19 (3) HAZARDOUS FUEL REDUCTION.—The term  
20 “hazardous fuel reduction” means the removal or  
21 modification of flammable vegetation or woody de-  
22bris through prescribed fire, thinning, brush re-  
23moval, mastication, pruning, slash treatment, or a  
24 combination of those methods, on the condition that

1 the method is ecologically appropriate, cost-effective,  
2 and selected on a site-specific basis.

3 (4) PILOT PROGRAM.—The term “pilot pro-  
4 gram” means the pilot program established under  
5 subsection (b)(1).

6 (b) PILOT PROGRAM.—Subject to the availability of  
7 appropriations, the Secretaries shall—

8 (1) establish a pilot program to reduce the risk  
9 of wildfires to communities in the wildland-urban  
10 interface and reestablish natural fire regimes outside  
11 the wildland-urban interface; and

12 (2) implement the pilot program to treat the  
13 approximately 2,000,000 acres of Federal land de-  
14 scribed in subsection (d), by not later than Sep-  
15 tember 30, 2027.

16 (c) ADMINISTRATION OF PILOT PROGRAM.—

17 (1) PROTECTING COMMUNITIES.—For land lo-  
18 cated in the wildland-urban interface, the Secretaries  
19 shall reduce the risk of wildfire to communities by  
20 removing or modifying vegetation and slash until the  
21 area would only sustain a wildfire that is low-inten-  
22 sity and easy to suppress in average severe fire  
23 weather conditions.

24 (2) RESTORING THE ROLE OF FIRE IN FOR-  
25 ESTS.—For land located outside the wildland-urban

1 interface, the Secretaries shall reestablish natural  
2 fire regimes by conducting prescribed fires and asso-  
3 ciated activities.

4 (3) ACCOMPLISHMENTS.—The requirement to  
5 treat Federal land under subsection (b)(2) shall be  
6 considered to be met when—

7 (A) for Federal land located in the  
8 wildland-urban interface, the Federal land  
9 would only sustain a wildfire that is low-inten-  
10 sity and easy to suppress in average severe fire  
11 weather conditions; and

12 (B) for Federal land located outside the  
13 wildland-urban interface, the Federal land has  
14 been burned by a prescribed fire conducted by  
15 the Secretaries.

16 (4) BURNED AREAS.—Any Federal land that is  
17 burned by a wildfire after the date on which the doc-  
18 ument described in subsection (d)(2) is published  
19 shall be excluded from the pilot program.

20 (5) PARTNERSHIPS.—The Secretaries shall im-  
21 plement the pilot program cooperatively with part-  
22 ners, including States, local governments, prescribed  
23 fire councils, and other entities.

24 (6) SAVINGS PROVISION.—Nothing in this sub-  
25 section modifies any requirements in applicable law

1 and policy to which the Secretaries must adhere  
2 while conducting prescribed fires.

3 (d) TREATMENT LOCATIONS.—The Secretaries shall  
4 only carry out the pilot program only on Federal land  
5 that—

6 (1) is, or historically was, composed primarily  
7 of ponderosa pines or Jeffrey pines; and

8 (2) is identified in the document of the Sec-  
9 retary of Agriculture entitled “Wildland Fire Poten-  
10 tial: A Tool for Assessing Wildfire Risk and Fuels  
11 Management Needs”, dated July 2015, and pub-  
12 lished as part of the Proceedings of the Large  
13 Wildland Fires Conference—

14 (A) as being the “highest priority areas”  
15 on National Forest System land; or

16 (B) as having a “very high” wildland fire  
17 potential on—

18 (i) public lands (as defined in section  
19 103 of the Federal Land Policy and Man-  
20 agement Act of 1976 (43 U.S.C. 1702));  
21 and

22 (ii) land held in trust for an Indian  
23 tribe.

24 (e) EXCLUDED AREAS.—This section does not apply  
25 to—

1 (1) any component of the National Wilderness  
2 Preservation System;

3 (2) any wilderness study area, if a treatment  
4 required by this section would impair the suitability  
5 of the area to be designated a component of the Na-  
6 tional Wilderness Preservation System;

7 (3) any research natural area;

8 (4) any Federal land on which the removal of  
9 vegetation described in this section is prohibited by  
10 law; or

11 (5) any Federal land that is burned by a  
12 wildland fire after the date on which the document  
13 described in subsection (d)(2) is published.

14 (f) CATEGORICAL EXCLUSION TO REDUCE THE RISK  
15 OF WILDFIRES TO COMMUNITIES AND TO REESTABLISH  
16 NATURAL FIRE REGIMES.—

17 (1) AVAILABILITY OF A CATEGORICAL EXCLU-  
18 SION AND EXEMPTION.—Subject to paragraph (2),  
19 the Secretary concerned may use a categorical exclu-  
20 sion for conducting hazardous fuel reduction activi-  
21 ties for a project under the pilot program if the  
22 main purpose of which is to reduce the risk of  
23 wildfires to communities or to reestablish natural  
24 fire regimes on Federal land described in subsection  
25 (d).

1           (2) LIMITATIONS FOR THE USE OF THE CAT-  
2           EGORICAL EXCLUSION.—

3           (A) REQUIREMENT FOR COLLABORA-  
4           TION.—A project covered by a categorical exclu-  
5           sion described in paragraph (1)(A) shall be—

6                   (i) developed by a certified collabo-  
7                   rative;

8                   (ii) included in a selected proposal  
9                   under the Collaborative Forest Landscape  
10                  Restoration Program established under  
11                  section 4003 of the Omnibus Public Land  
12                  Management Act of 2009 (16 U.S.C.  
13                  7303);

14                  (iii) conducted pursuant to the Tribal  
15                  Forest Protection Act of 2004 (25 U.S.C.  
16                  3115a); or

17                  (iv) covered in a community wildfire  
18                  protection plan that was developed within  
19                  the 5-year period preceding the date on  
20                  which the hazardous fuels reduction  
21                  project is authorized under this section.

22           (B) SIZE CONSTRAINT IN THE WILDLAND-  
23           URBAN INTERFACE.—A project that is covered  
24           by the categorical exclusion described in para-  
25           graph (1)(A) and conducted in the wildland-

1 urban interface shall not cover more than 3,000  
2 acres of Federal land.

3 (C) APPLICATION TO PRESCRIBED  
4 FIRES.—The Secretary concerned may use the  
5 categorical exclusion described in paragraph  
6 (1)(A) to conduct a prescribed fire outside the  
7 wildland-urban interface, regardless of the acre-  
8 age covered by the prescribed fire—

9 (i) to treat a site initially; or

10 (ii) to maintain the site.

11 (D) PRESCRIBED FIRE ASSOCIATED AC-  
12 TIVITIES.—A project covered by the categorical  
13 exclusion described in paragraph (1)(A) may in-  
14 clude activities associated with a prescribed fire,  
15 including hazardous fuel reduction activities  
16 and the construction of fire control lines, if—

17 (i) the Secretary concerned conducts  
18 the prescribed fire on the Federal land on  
19 which the Secretary concerned conducted  
20 the associated activities by the date that is  
21 not later than 4 years after the date on  
22 which the Secretary concerned commenced  
23 the associated activities; and

24 (ii) the project is located outside the  
25 wildland-urban interface.



1           (E) PESTICIDES.—A project covered by  
2 the categorical exclusion described in paragraph  
3 (1)(A) shall not include the use of herbicide or  
4 insecticide.

5           (F) EXTRAORDINARY CIRCUMSTANCES.—

6           (i) IN GENERAL.—The Secretary con-  
7 cerned shall apply the extraordinary cir-  
8 cumstances procedures under section 220.6  
9 of title 36, Code of Federal Regulations (or  
10 successor regulations) in determining  
11 whether to use the categorical exclusion de-  
12 scribed in paragraph (1)(A).

13           (ii) FURTHER GUIDANCE.—The Sec-  
14 retary concerned may not use the categor-  
15 ical exclusion described in paragraph  
16 (1)(A) for a project located in any des-  
17 ignated critical habitat for a species listed  
18 as a threatened species or an endangered  
19 species under the Endangered Species Act  
20 of 1973 (16 U.S.C. 1531 et seq.) unless—

21           (I) the natural fire regimes on  
22 that land are identified as being im-  
23 portant for, or wildfire is identified as  
24 a threat to, an endangered species, a  
25 threatened species, or habitat of an

1 endangered species or threatened spe-  
2 cies in a species recovery plan pre-  
3 pared under section 4 of the Endan-  
4 gered Species Act of 1973 (16 U.S.C.  
5 1533), or a notice published in the  
6 Federal Register determining a spe-  
7 cies to be an endangered species or a  
8 threatened species or designating crit-  
9 ical habitat;

10 (II) the authorized hazardous  
11 fuel reduction project will provide en-  
12 hanced protection from  
13 uncharacteristic wildfire for the en-  
14 dangered species, threatened species,  
15 or habitat of the endangered species  
16 or threatened species; and

17 (III) the Secretary complies with  
18 any applicable guidelines specified in  
19 any management or recovery plan de-  
20 scribed in subparagraph (A).

21 (3) DECISION MEMORANDUM.—The Secretary  
22 concerned shall document in a decision memo-  
23 randum any decision of the Secretary concerned to  
24 use the categorical exclusion described in paragraph

1 (1)(A) to carry out hazardous fuel reduction activi-  
2 ties under this section.

3 (4) PUBLIC NOTICE.—With respect to a pro-  
4 posed project to carry out hazardous fuel reduction  
5 activities under this section, the Secretary concerned  
6 shall—

7 (A) conduct a public scoping process for  
8 the proposed project; and

9 (B) if the Secretary concerned uses a cat-  
10 egorical exclusion described in paragraph  
11 (1)(A), distribute to any parties interested in  
12 the proposed project the applicable decision  
13 memorandum prepared under paragraph (3).

14 (g) LIMITATIONS ON PILOT PROGRAM ACTIVITIES.—  
15 In conducting a project under the pilot program, the Sec-  
16 retary concerned—

17 (1) shall seek to maximize the retention of old  
18 trees and medium- and large-sized trees, as appro-  
19 priate for the forest type, to the extent that the  
20 trees promote fire-resilient stands and the objectives  
21 identified in this section can be achieved;

22 (2) shall seek to remove the appropriate quan-  
23 tity of small diameter trees and to treat accumula-  
24 tions of slash found in the Federal land described in  
25 subsection (d);

1           (3) shall ensure activities are consistent with  
2           the applicable forest plan; and

3           (4) shall not construct a permanent road.

4           (h) ROADS EXCEPTION.—Notwithstanding sub-  
5 section (g)(4), the Secretary concerned—

6           (1) may include necessary maintenance of, re-  
7           pairs to, or rehabilitation of an existing permanent  
8           road to accomplish the objectives of this section; and

9           (2) shall decommission any temporary road con-  
10          structed in carrying out a project under the pilot  
11          program by not later than 3 years after the earlier  
12          of the date on which—

13                 (A) the temporary road is no longer need-  
14                 ed; or

15                 (B) the project is completed.

16          (i) PROVINCIAL ADVISORY COMMITTEE.—

17                 (1) IN GENERAL.—There is established a com-  
18                 mittee, to be known as the “Pilot Monitoring Com-  
19                 mittee” (referred to in this subsection as the “Com-  
20                 mittee”), which shall—

21                         (A) monitor the impacts on wildfire risk  
22                         and the ecological effects of the projects being  
23                         implemented under the pilot program; and

24                         (B) provide regular feedback to the Secre-  
25                         taries on the implementation of the pilot pro-

1           gram and suggested timing of the treatments  
2           under the pilot program.

3           (2) MEMBERSHIP.—

4                 (A) IN GENERAL.—The Committee shall  
5           consist of not more than 12 members, to be ap-  
6           pointed by the Secretaries for a term of not  
7           fewer than two and not more than 4 years.

8                 (B) MEMBERSHIP.—The membership of  
9           the Committee shall consist of representatives  
10          of—

11                     (i) a wildlife conservation organiza-  
12          tion;

13                     (ii) an environmental organization;

14                     (iii) the timber industry;

15                     (iv) a professional society for natural  
16          resource managers;

17                     (v) a fire department in an at-risk  
18          community;

19                     (vi) a State forestry agency;

20                     (vii) a Firewise community with a  
21          community wildfire protection plan in ef-  
22          fect on the date of the appointment;

23                     (viii) a federally recognized Indian  
24          tribe;

25                     (ix) a prescribed fire council;

1 (x) scientists researching wildfires;

2 and

3 (xi) a certified collaborative.

4 (C) PAY AND EXPENSES.—

5 (i) COMPENSATION.—A member of  
6 the Committee shall serve without com-  
7 pensation.

8 (ii) TRAVEL EXPENSES.—A member  
9 of the Committee shall be allowed travel  
10 expenses, including per diem in lieu of sub-  
11 sistence, in accordance with section 5703  
12 of title 5, United States Code.

13 (j) REPORTS.—

14 (1) ACCOMPLISHMENT REPORTING.—Once each  
15 fiscal year through fiscal year 2027, the Secretaries  
16 shall submit to the appropriate committees of Con-  
17 gress a concise report describing the accomplish-  
18 ments of the Secretaries in implementing the pilot  
19 program.

20 (2) FINAL REPORT ON PROGRAM.—

21 (A) IN GENERAL.—Not later than 1 year  
22 before the date on which the pilot program ter-  
23 minates under subsection (k), the Secretaries  
24 shall prepare a final report describing the im-  
25 plementation and results of the pilot program.

1 (B) RECOMMENDATIONS.—The final report  
2 shall include recommendations of the Secre-  
3 taries relating to—

4 (i) whether the authorization for the  
5 categorical exclusion described in sub-  
6 section (f)(1)(A) should be extended, let  
7 expire, or made permanent;

8 (ii) the manner in which the pilot pro-  
9 gram should be modified; and

10 (iii) if and how the scope of the pilot  
11 program should be expanded, including  
12 whether the pilot program should be ex-  
13 panded to dry mixed-conifer forests.

14 (C) AVAILABILITY.—The Secretaries shall  
15 submit to the appropriate committees of Con-  
16 gress, and make available to the public, the  
17 final report.

18 (k) TERMINATION OF AUTHORITY.—The authorities  
19 provided by and requirements described in this section  
20 shall terminate on the date that is 10 years after the date  
21 of enactment of this Act.

22 (l) SAVINGS CLAUSE.—Any contract entered into by  
23 the Secretaries under this section before the date de-  
24 scribed in subsection (k) shall not be affected by the termi-  
25 nation of the pilot program.

1 (m) JUDICIAL REVIEW.—Section 106 of the Healthy  
2 Forests Restoration Act of 2003 (16 U.S.C. 6516) shall  
3 apply to a forest management activity carried out under  
4 this section in the same manner as that section applies  
5 to an authorized hazardous fuel reduction project under  
6 that Act.

7 (n) EFFECT OF SECTION.—Nothing in this section—

8 (1) affects, or otherwise biases, the use by the  
9 Secretary concerned of any other statutory or ad-  
10 ministrative authority (including any categorical ex-  
11 clusion available under the National Environmental  
12 Policy Act of 1969 (42 U.S.C. 4321 et seq.)) to  
13 carry out one or more forest management activities  
14 under this section; or

15 (2) prohibits the Secretary concerned from car-  
16 rying out a treatment in an ecologically sensitive  
17 area, if the area is in need of restoration.

18 **SEC. 308. INCREASING CERTAINTY FOR THE LOCAL WORK-**  
19 **FORCE AND INFRASTRUCTURE NECESSARY**  
20 **FOR RESTORATION.**

21 (a) CLARIFICATION ON USE OF STEWARDSHIP AU-  
22 THORITIES.—The Secretary concerned may issue a stew-  
23 ardship contract or enter into a stewardship agreement  
24 under the authority provided in section 604 of the Healthy  
25 Forests Restoration Act of 2003 (16 U.S.C. 6591e) for



1 periods of not longer than 10 years to conduct prescribed  
2 fires on Federal land.

3 (b) PILOT PROGRAM FOR LONG-TERM CONTRACTS  
4 FOR RESTORATION OF FIRE-DEPENDENT FORESTS.—

5 (1) AUTHORIZATION.—Subject to the avail-  
6 ability of appropriations, the Secretaries shall estab-  
7 lish a pilot program to award contracts or agree-  
8 ments for terms of not longer than 20 years to carry  
9 out restoration projects or hazardous fuels reduction  
10 projects on Federal land (referred to in this sub-  
11 section as the “pilot program”).

12 (2) LIMITATIONS.—

13 (A) QUANTITY.—The Secretaries may  
14 enter into not more than 10 contracts or agree-  
15 ments under the pilot program during the pe-  
16 riod beginning on the date of enactment of this  
17 Act and ending on September 30, 2027.

18 (B) TYPES OF CONTRACTS.—Under the  
19 pilot program, the Secretary concerned may  
20 award only—

21 (i) timber contracts under section 14  
22 of the National Forest Management Act of  
23 1976 (16 U.S.C. 472a); or

24 (ii) stewardship contracts and agree-  
25 ments under section 604 of the Healthy

1 Forests Restoration Act of 2003 (16  
2 U.S.C. 6591c).

3 (C) LOCATIONS.—

4 (i) TYPE OF FORESTS.—The Secre-  
5 taries may enter into a contract or agree-  
6 ment under the pilot program to carry out  
7 projects only on Federal land located with-  
8 in Fire Regime Group I.

9 (ii) ADDITIONAL CRITERIA.—The Sec-  
10 retaries may enter into a contract or  
11 agreement under the pilot program only in  
12 a location for which there are fewer than  
13 2 local entities that are able to process for-  
14 est products from the contract or agree-  
15 ment.

16 (D) PREFERENCES.—In awarding a con-  
17 tract or agreement under the pilot program, the  
18 Secretary concerned shall give preference to an  
19 entity that will use forest products to manufac-  
20 ture—

21 (i) wood products that can be used in  
22 green building construction; or

23 (ii) mass timbers, including cross-lam-  
24 inated timber.

1           (3) **TERMINATION.**—The pilot program shall  
2 terminate on September 30, 2027.

3           (4) **SAVINGS CLAUSE.**—Any contract or agree-  
4 ment entered into by the Secretaries under this sub-  
5 section before the termination of the pilot program  
6 shall not be affected by that termination.

7 **SEC. 309. NATIONAL FOREST FOUNDATION.**

8           (a) **IN GENERAL.**—Section 409 of the National For-  
9 est Foundation Act (16 U.S.C. 583j–7) is amended to  
10 read as follows:

11 **“SEC. 409. ACTIVITIES OF THE FOUNDATION AND THE FOR-  
12 EST SERVICE.**

13           “(a) **CERTIFICATION OF COLLABORATIVES.**—Not  
14 later than September 30, 2019, the Foundation shall es-  
15 tablish and administer a program to certify as a collabo-  
16 rative a group of interested persons that—

17           “(1) is interested in assisting the Secretary of  
18 the Interior or the Secretary of Agriculture to in-  
19 crease the quantity of projects or activities carried  
20 out by the applicable Secretary on an individual unit  
21 of National Forest System land or public land ad-  
22 ministered by the Bureau of Land Management, as  
23 applicable, in accordance with the management plan  
24 that covers the land; and

25           “(2) at a minimum—

1           “(A) includes a diverse and balanced rep-  
2           resentation of stakeholders;

3           “(B) establishes clear expectations and  
4           goals;

5           “(C) has a goal of maximum transparency  
6           in the decisionmaking process;

7           “(D) encourages stakeholders to function  
8           as representatives;

9           “(E) recognizes timeframes and resources;  
10          and

11          “(F) enhances agency decisionmaking.

12          “(b) SAVINGS CLAUSE.—The activities of the Foun-  
13          dation shall supplement, and shall not preempt, any au-  
14          thority or responsibility of the Forest Service under any  
15          other law.”.

16          (b) AUTHORIZATION OF APPROPRIATIONS.—Section  
17          410 of the National Forest Foundation Act (16 U.S.C.  
18          583j–8) is amended by adding at the end the following:

19          “(c) ADDITIONAL FUNDS.—

20                 “(1) IN GENERAL.—There are authorized to be  
21                 appropriated to the Secretary of Agriculture to carry  
22                 out section 409(a) \$2,000,000 for fiscal year 2018  
23                 and each fiscal year thereafter.

24                 “(2) USE OF FUNDS.—The Secretary of Agri-  
25                 culture shall make available to the Foundation the

1 amounts appropriated under paragraph (1) to  
2 match, on a 1-for-1 basis, private contributions  
3 made to the Foundation to establish or administer  
4 the certification program required under section  
5 409(a).”.

6 **SEC. 310. TERMINATION OF AUTHORITY.**

7 The authority provided by this title and the amend-  
8 ments made by this title terminates on the date that is  
9 10 years after the date of enactment of this title.

10 **TITLE IV—WILDFIRE**  
11 **PREVENTION**

12 **SEC. 401. MITIGATION ASSISTANCE.**

13 (a) IN GENERAL.—Section 420 of the Robert T.  
14 Stafford Disaster Relief and Emergency Assistance Act  
15 (42 U.S.C. 5187) is amended—

16 (1) by redesignating subsection (d) as sub-  
17 section (e); and

18 (2) by inserting after subsection (c) the fol-  
19 lowing:

20 “(d) HAZARD MITIGATION ASSISTANCE.—Whether  
21 or not a major disaster is declared, the President may pro-  
22 vide hazard mitigation assistance in accordance with sec-  
23 tion 404 in any area affected by a fire for which assistance  
24 was provided under this section.”.

1 (b) CONFORMING AMENDMENTS.—The Robert T.  
2 Stafford Disaster Relief and Emergency Assistance Act  
3 (42 U.S.C. 5121 et seq.) is amended—

4 (1) in section 404(a) (42 U.S.C. 5170c(a))—

5 (A) by inserting before the first period “,  
6 or any area affected by a fire for which assist-  
7 ance was provided under section 420”; and

8 (B) in the third sentence by inserting “or  
9 event under section 420” after “major disaster”  
10 each place it appears; and

11 (2) in section 322(e)(1) (42 U.S.C. 5165(e)(1)),  
12 by inserting “or event under section 420” after  
13 “major disaster” each place it appears.

14 **SEC. 402. ADDITIONAL ACTIVITIES.**

15 Section 404 of the Robert T. Stafford Disaster Relief  
16 and Emergency Assistance Act (42 U.S.C. 5170c) is  
17 amended by adding at the end the following:

18 “(f) USE OF ASSISTANCE.—Recipients of hazard  
19 mitigation assistance provided under this section and sec-  
20 tion 203 may use the assistance to conduct the following  
21 activities to help reduce the risk of future damage, hard-  
22 ship, loss, or suffering in any area affected by a wildfire,  
23 including—

24 “(1) reseeding ground cover with quick-growing  
25 or native species;

1           “(2) mulching with straw or chipped wood;

2           “(3) constructing straw, rock, or log dams in  
3 small tributaries to prevent flooding;

4           “(4) placing logs and other erosion barriers to  
5 catch sediment on hill slopes;

6           “(5) installing debris traps to modify road and  
7 trail drainage mechanisms;

8           “(6) modifying or removing culverts to allow  
9 drainage to flow freely;

10          “(7) adding drainage dips and constructing  
11 emergency spillways to keep roads and bridges from  
12 washing out during floods;

13          “(8) planting grass to prevent the spread of  
14 noxious weeds;

15          “(9) installing warning signs;

16          “(10) establishing defensible space measures;

17          and

18          “(11) reducing hazardous fuels.”.

19 **SEC. 403. REPORTING REQUIREMENT.**

20          Not later than 1 year after the date of enactment  
21 of this Act and annually thereafter, the Administrator of  
22 the Federal Emergency Management Agency shall submit  
23 to the Committee on Homeland Security and Govern-  
24 mental Affairs of the Senate, the Committee on Transpor-  
25 tation and Infrastructure of the House of Representatives,

1 and the Appropriations Committees of the Senate and the  
2 House of Representatives a report containing a summary  
3 of any projects carried out, and any funding provided to  
4 those projects, under subsection (d) of section 420 of the  
5 Robert T. Stafford Disaster Relief and Emergency Assist-  
6 ance Act (42 U.S.C. 5187) (as amended by section  
7 401(a)(2)).

