



1 (D) increasing resilience to changing water  
2 temperature and precipitation.

3 (2) EXCEPTION FOR COST.—Paragraph (1)  
4 shall not apply if the Secretary concerned deter-  
5 mines that the costs associated with attaining mul-  
6 tiple ecosystem benefits are excessive.

7 (c) GROUND DISTURBANCE.—Consistent with appli-  
8 cable Federal law and the forest plan developed for the  
9 relevant National Forest System land, the Secretary con-  
10 cerned shall—

11 (1) establish any post-program ground condi-  
12 tion criteria for a ground disturbance caused by a  
13 forest management activity required by such plan;  
14 and

15 (2) provide for monitoring to ascertain the at-  
16 tainment of relevant post-program conditions.

17 (d) AVAILABILITY OF CATEGORICAL EXCLUSION FOR  
18 CERTAIN FOREST MANAGEMENT ACTIVITIES.—A forest  
19 management activity conducted on National Forest Sys-  
20 tem land for the purpose of reducing forest fuels is cat-  
21 egorically excluded from the requirements of the National  
22 Environmental Policy Act of 1969 (42 U.S.C. 4321 et  
23 seq.) if the forest management activity—

24 (1) notwithstanding section 423 of the Depart-  
25 ment of the Interior, Environment, and Related

1 Agencies Appropriations Act, 2009 (division E of  
2 Public Law 111–8; 123 Stat. 748), does not exceed  
3 10,000 acres, including not more than 3,000 acres  
4 of mechanical thinning;

5 (2) is developed—

6 (A) in coordination with impacted parties,  
7 specifically including representatives of local  
8 governments, such as county supervisors or  
9 county commissioners; and

10 (B) in consultation with other interested  
11 entities; and

12 (3) is consistent with the forest plan developed  
13 for the relevant National Forest System land.

14 (e) COOPERATIVE AUTHORITIES.—The Secretary  
15 concerned, in conjunction with land adjustment programs,  
16 may enter into contracts and cooperative agreements with  
17 a qualified entity to provide for fuel reduction, erosion  
18 control, reforestation, Stream Environment Zone restora-  
19 tion, and similar management activities on Federal land  
20 and non-Federal land within the programs.

21 (f) DEFINITIONS.—In this section:

22 (1) INTERESTED ENTITIES.—The term “inter-  
23 ested entities” includes—

24 (A) the Administrator of the National Oce-  
25 anic and Atmospheric Administration;

1 (B) State, local, and Tribal governments;

2 (C) local fire departments; and

3 (D) other relevant volunteer groups.

4 (2) FOREST MANAGEMENT ACTIVITY.—The  
5 term “forest management activity” means a project  
6 or activity carried out by the Secretary concerned on  
7 National Forest System land and consistent with the  
8 forest plan covering such land.

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

14 (4) PUBLIC LANDS.—The term “public lands”  
15 has the meaning given that term in section 103 of  
16 the Federal Land Policy and Management Act of  
17 1976 (43 U.S.C. 1702), except that the term in-  
18 cludes Coos Bay Wagon Road Grant lands and Or-  
19 egon and California Railroad Grant lands.

20 (5) SECRETARY CONCERNED.—The term “Sec-  
21 retary concerned” means—

22 (A) the Secretary of Agriculture, with re-  
23 spect to National Forest System land; and

24 (B) the Secretary of the Interior, with re-  
25 spect to public lands.

1           (6) STREAM ENVIRONMENT ZONE.—The term  
2           “Stream Environment Zone” means an area that  
3           generally owes the biological and physical character-  
4           istics of the area to the presence of surface water or  
5           groundwater.

