

AMENDMENT TO DIVISION A OF RULES
COMMITTEE PRINT 117-75
OFFERED BY MR. MCCLINTOCK OF CALIFORNIA

At the end of division A, insert the following new title:

1 **TITLE IV—PROVEN FOREST**
2 **MANAGEMENT ACT**

3 **SEC. 401. SHORT TITLE.**

4 This title may be cited as the “Proven Forest Man-
5 agement Act”.

6 **SEC. 402. FOREST MANAGEMENT ACTIVITIES FOR NA-**
7 **TIONAL FOREST SYSTEM LAND.**

8 (a) COORDINATION.—In conducting a forest manage-
9 ment activity on National Forest System land, the Sec-
10 retary concerned shall, as appropriate, coordinate with im-
11 pacted parties to increase efficiency and maximize the
12 compatibility of management practices across National
13 Forest System land.

14 (b) FOREST MANAGEMENT ACTIVITIES.—

15 (1) IN GENERAL.—Except as provided in para-
16 graph (2), in conducting a forest management activ-
17 ity on National Forest System land, the Secretary

1 concerned shall conduct such activity in a manner
2 that attains multiple ecosystem benefits, including—

3 (A) reducing forest fuels;

4 (B) maintaining biological diversity;

5 (C) improving wetland and water quality,
6 including in Stream Environment Zones; and

7 (D) increasing resilience to changing water
8 temperature and precipitation.

9 (2) EXCEPTION FOR COST.—Paragraph (1)
10 shall not apply if the Secretary concerned deter-
11 mines that the costs associated with attaining mul-
12 tiple ecosystem benefits are excessive.

13 (c) GROUND DISTURBANCE.—Consistent with appli-
14 cable Federal law and the forest plan developed for the
15 relevant National Forest System land, the Secretary con-
16 cerned shall—

17 (1) establish any post-program ground condi-
18 tion criteria for a ground disturbance caused by a
19 forest management activity required by such plan;
20 and

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

23 (d) AVAILABILITY OF CATEGORICAL EXCLUSION FOR
24 CERTAIN FOREST MANAGEMENT ACTIVITIES.—A forest
25 management activity conducted on National Forest Sys-

1 tem land for the purpose of reducing forest fuels is cat-
2 egorically excluded from the requirements of the National
3 Environmental Policy Act of 1969 (42 U.S.C. 4321 et
4 seq.) if the forest management activity—

5 (1) notwithstanding section 423 of the Depart-
6 ment of the Interior, Environment, and Related
7 Agencies Appropriations Act, 2009 (division E of
8 Public Law 111–8; 123 Stat. 748), does not exceed
9 10,000 acres, including not more than 3,000 acres
10 of mechanical thinning;

11 (2) is developed—

12 (A) in coordination with impacted parties,
13 specifically including representatives of local
14 governments, such as county supervisors or
15 county commissioners; and

16 (B) in consultation with other interested
17 entities; and

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

20 (e) COOPERATIVE AUTHORITIES.—The Secretary
21 concerned, in conjunction with land adjustment programs,
22 may enter into contracts and cooperative agreements with
23 a qualified entity to provide for fuel reduction, erosion
24 control, reforestation, Stream Environment Zone restora-

1 tion, and similar management activities on Federal land
2 and non-Federal land within the programs.

3 (f) DEFINITIONS.—In this section:

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

6 (A) the Administrator of the National Oce-
7 anic and Atmospheric Administration;

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

9 (C) local fire departments; and

10 (D) other relevant volunteer groups.

11 (2) FOREST MANAGEMENT ACTIVITY.—The
12 term “forest management activity” means a project
13 or activity carried out by the Secretary concerned on
14 National Forest System land and consistent with the
15 forest plan covering such land.

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

21 (4) PUBLIC LANDS.—The term “public lands”
22 has the meaning given that term in section 103 of
23 the Federal Land Policy and Management Act of
24 1976 (43 U.S.C. 1702), except that the term in-

1 includes Coos Bay Wagon Road Grant lands and Or-
2 egon and California Railroad Grant lands.

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

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

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

9 (6) STREAM ENVIRONMENT ZONE.—The term
10 “Stream Environment Zone” means an area that
11 generally owes the biological and physical character-
12 istics of the area to the presence of surface water or
13 groundwater.

