

2021 Infrastructure Bill: Funding for Wildfire and Forest Management and Ecosystem Restoration

Bipartisan Infrastructure Framework. The five-year, \$1.2 trillion bipartisan infrastructure legislation includes about \$3.3 billion for “wildfire risk reduction” activities and wildland firefighters, \$2.1 billion for “ecological restoration,” and several new authorities for federal forest management activities. Below is an outline of the major provisions and the allocation by department:

Wildfire Risk Reduction – \$3.3 billion

- \$500 million for “mechanical thinning and timber harvesting in an ecologically appropriate manner” (80% USDA-USFS; 20% DOI).
- \$500 million for establishing wildfire “control locations” including shaded fuelbreaks when “ecologically appropriate” (50% USDA-USFS; 50% DOI).
- \$200 million to contract “for the removal of flammable vegetation on federal land” with an emphasis on using treatment materials for “biochar and other innovative wood products” (50% USDA-USFS; 50% DOI).
- \$200 million for post fire restoration activities within three years of fire containment date.
- \$100 million for Collaborative Forest Landscape Restoration Act projects (100% USDA-USFS). *Also reauthorizes program for five years and prioritizes certain projects.*
- \$600 million for increased wildland firefighter salaries (80% USDA-USFS; 20% DOI).

Most of the funded activities must be conducted consistent with Healthy Forests Restoration Act. The legislation also includes a priority for projects: signed record of decision as of date of enactment, “strategically located” to “minimize risks from wildfires”, maximize large and old growth tree retention to promote fire-resilient stands, and create no new roads and obliterate any temporary roads.

The legislation would also create a permanent Federal wildland firefighter job series within the Forest Service and Department of the Interior, convert 1,000 seasonal to full-time employees, provides for a \$20,000 or 50% salary increase, and directs that firefighter positions should spend half of the year doing hazardous fuels reduction work.

The Forest Service and the Department of the Interior would be required to report accomplishments annually and develop a five-year treatment, monitoring, and maintenance plan for fuels reduction activities funded under this section.

Ecosystem Restoration – \$2.1 billion

- \$300 million for contracts for a minimum of 10,000 acres of ecological restoration on federal lands, including \$100 million for a capital fund to address contract cancellation ceiling (75% USDA-USFS; 25% DOI).
- \$200 million for matching payments to states and tribes for Good Neighbor Agreements (80% USDA-USFS; 20% DOI).
- \$400 million for loan guarantees or low-interest loans for wood using facilities “that purchase byproducts of restoration treatments.” Facilities must be near a unit of federal land identified as high or very high priority for ecological restoration and substantially decrease the cost of conducting ecological restoration projects.
- \$400 million to provide grants to states and tribes for ecosystem restoration on federal and non-federal lands, emphasizing cross-boundary projects.
- \$200 million for invasive pest detection, prevention, and eradication (50% USDA-USFS; 50% DOI).
- \$100 million to restore and improve recreation sites on federal land (50% USDA-USFS; 50% DOI).
- \$200 million for abandoned mine land restoration (50% USDA-USFS; 50% DOI).
- \$200 million for reforestation on both public and private lands (65% USDA-USFS; 35% DOI).
- \$80 million for a new “collaborative based, landscape-scale restoration program to restore water quality or fish passage on federal land.”

Additional Authorities

- 3,000-acre Categorical Exclusion to “establish and maintain linear fuel breaks” within up to 1,000 feet of “existing linear features, such as roads, water infrastructure, transmission and distribution lines, and pipelines of any length on federal land.” Actions must be consistent with existing forest plans and located “primarily in” WUI or water supply area. Also includes prohibition on new roads.
- Codifies the Forest Service’s existing administrative Emergency Situation Determination to streamline certain emergency salvage, reforestation, and

roadside hazard tree removal projects and expands to DOI agencies. Agencies are only required to analyze the proposed action and no-action alternative with no administrative objections. Directs courts not to issue injunctions unless plaintiff is likely to succeed on the merits.

- Includes the REPLANT Act, which would direct the Forest Service to identify areas in need of reforestation and provide an additional \$80-\$90 million annually to the Reforestation Trust Fund (currently receives \$30 million annually).

