



# FIX OUR FORESTS ACT

## Senate Fix Our Forests Act Section-by-Section

### TITLE I—LANDSCAPE-SCALE RESTORATION

#### Subtitle A—Addressing Emergency Wildfire Risks in High Priority Firesheds

##### Sec. 101. Designation of fireshed management areas.

- Designates Fireshed Management Areas (FMAs) consisting of the top 20% of firesheds for wildfire risk exposure, based primarily on methodology from a report published by the Forest Service Rocky Mountain Research Station in 2019. The term “fireshed” means a landscape-scale area, delineated using methods developed through Forest Service research, that represents similar source levels of community exposure to wildfire.
- FMAs are selected based on risk to communities, to municipal watersheds, and for vegetation type conversion. The FMAs will also include the high-risk areas identified in the 2022 "Wildfire Crisis Strategy" and firesheds in Alaska, Hawaii, and the territories. This section also allows Governors to request that the Secretary expand an FMA to include multiple individual firesheds.
- Requires the Secretary of Agriculture, in consultation with the Secretary of the Interior, to submit an updated fireshed map after five years and to update fireshed management area designations based on the updated map.
- Affirms that the designation of FMAs, which is based on existing analyses and a calculation of communities’ wildfire risk exposure, is not subject to the National Environmental Policy Act (NEPA).

##### SEC. 102. Wildfire Intelligence Center. (Padilla, Sheehy, Hickenlooper, Daines)

- Establishes the Wildfire Intelligence Center, a joint office within the Departments of Agriculture and Interior that is modeled after the National Weather Service, to become the national hub for wildfire intelligence, prediction, coordination, and response. The center is designed to modernize and unify wildfire management by leveraging real-time data, science, and interagency collaboration.
- Governed by a 16-member expert Board comprised of career agency staff and led by an Executive Director, the Center could compile comprehensive information on wildfires at all stages to better prepare for wildfires, assist with decision-support during a crisis,

inform recovery, and streamline federal wildfire response to ensure that states have a one-stop shop within the federal government. This center would also increase monitoring and imaging capabilities that land management agencies currently cannot achieve.

**Sec. 103. Fireshed registry.**

- Directs the Executive Director of the Wildfire Intelligence Center to create and maintain a Fireshed Registry. The registry will provide publicly accessible geospatial data on individual firesheds, including wildfire risk to communities, watersheds and include data on past wildfire activity and land management projects.
- Data from the registry will be made available to local communities to help with developing or updating Community Wildfire Protection Plans.
- The registry will also track the status of federal environmental reviews, permits, project costs, and the effectiveness of completed fireshed management projects, including their impact on wildfire risk and habitat resilience.
- Requires the sharing of this information with communities to help inform community wildfire protection plans.
- This section also clarifies that the creation and maintenance of the registry is not subject to NEPA.

**Sec. 104. Shared stewardship.**

- Directs the Secretary of Agriculture to utilize existing shared stewardship agreements with states and/or Indian Tribes to manage wildfire risks in areas designated as FMAs.
- Allows for adjustments to FMA boundaries and updates to agreements to address new wildfire threats.
- Authorizes the Secretary to enter into cooperative agreements with local governments, organizations, and other entities to support mitigation work and participate in fireshed assessments in designated FMAs.

**Sec. 105. Fireshed assessments.**

- Directs the Secretaries to complete fireshed assessments to identify wildfire exposure risks within each fireshed management area within 120 days of enactment. Requires assessments to identify wildfire exposure risks based on the best available science and developing a strategy for maximizing the retention of late-successional forests.
- The assessments should also identify the types of fireshed management projects that could benefit the applicable FMA with an emphasis on reducing wildfire exposure to communities, infrastructure, municipal watersheds, wildlife habitats, and Tribal resources.

- The Secretaries are encouraged to incorporate and build on existing forest plans, state forest action plans, watershed management plans, community wildfire protection plans, and similar locally-led landscape-scale planning documents.
- Requires an opportunity for public participation in the assessment, including holding at least one public meeting, and allows for local governments within an applicable state to participate in firehatched assessments.
- Because the firehatched assessments do not identify specific projects or issue land management decisions, NEPA does not apply to the conducting of the assessments.

**Sec. 106. Emergency firehatched management.**

- Authorizes the Secretaries to carry out firehatched management projects using expedited authorities – including those established in the Healthy Forests Restoration Act and the Infrastructure Investment and Jobs Act – but only if the Secretaries determine that an emergency exists or is likely to exist, and the project is consistent with the applicable forest plan and applicable law and policies. It also includes appropriate guardrails to avoid abuse of these authorities.
- Ensures the Secretaries can only use emergency authorities for projects that address wildfire resilience and the land management objectives identified under the Stewardship Contracting section of HFRA, and not for the sole purpose of timber production.
- Requires the Secretaries to comply with NEPA in applying expedited authorities for environmental review to carry out firehatched management projects.
- Increases the acreage limit of categorical exclusions for wildfire resilience projects, fuel breaks, and insect and disease projects from 3,000 acres to 10,000 acres.
- Makes technical fixes to the categorical exclusion for greater sage-grouse and mule deer habitat and increases the categorical exclusion’s acreage limit to 7,500 acres.
- Allows the insect and disease categorical exclusion to be used on lands categorized as Fire Regime IV, in addition to the existing inclusion of Fire Regimes I, II, and III.

**Sec. 107. Sunset.**

- Sunsets the authorities in Title I after seven years.

**Subtitle B—Expanding Collaborative Tools to Reduce Wildfire Risk and Improve Forest Health**

**Sec. 111. Modification of the treatment of certain revenue and payments under good neighbor agreements.**

- Revises the good neighbor authority (GNA) program to modify the treatment of revenue from timber sale contracts under good neighbor agreements with the U.S. Department of Agriculture and the Department of the Interior.

- Requires Indian Tribes and counties to retain revenue generated from timber sales under a good neighbor agreement and allows the funds to be used for authorized restoration and recreation services.
- Extends GNA through fiscal year 2030.

**Sec. 112. Fixing stewardship end result contracting.**

- Amends the Healthy Forests Restoration Act of 2003 to extend the maximum length of stewardship contracts from 10 to 20 years (*note*: Fire Regimes I, II, and III already have 20-year contract authority).
- Amends the description of stewardship contracting projects, which achieve land management goals that meet local and rural community needs, to include “retaining and expanding existing forest products infrastructure.”
- Adds a special rule for long-term stewardship contracts (lasting more than five years) requiring that in the case of a contract cancellation or termination by the USFS or BLM, the agency must provide 10 percent of the contract amount to the contracting entity for termination costs.

**Sec. 113. Fireshed Management Project strike teams.**

- Establishes intra-agency strike teams to assist with NEPA reviews, National Historic Preservation Act consultations, and Endangered Species Act consultations to streamline interagency consultation processes related to fireshed management projects.
- The intra-agency strike teams would also assist with implementation of and preparation work for fireshed management projects. The Secretary is responsible for reviewing the sufficiency of documents prepared by the strike teams and retaining authority over authorizing decisions.

**Sec. 114. Locally-led restoration.**

- Amends the National Forest Management Act of 1976 by increasing the minimum threshold for competitive bid timber sales from an appraised timber value of "\$10,000" to "\$55,000".

**Sec. 115. Joint Chiefs landscape restoration partnership program. (Bennet / Hoeven)**

- Expands eligibility under the Joint Chiefs Landscape Restoration Partnership program to make wildfire recovery and enhancing soil, water, and natural resources as eligible purposes.

**Sec. 116. Collaborative forest landscape restoration program.**

- Strengthens and expands the Collaborative Forest Landscape Restoration Program (CFLRP) to broaden the scope of eligible proposals, including those focused on

innovative wildfire risk reduction strategies, ecological restoration, and watershed health. Increases the cap on CFLRP awards from \$4,000,000 to \$8,000,000.

**Sec. 117. Utilizing grazing for wildfire risk reduction.**

- Directs the development of a strategy to increase livestock grazing as a wildfire risk reduction measure.
- Some actions to be included in this strategy include streamlining grazing permits, targeted grazing, promoting temporary permits for fuel reduction and invasive grasses, and increased use of grazing for post-fire recovery.

**Sec. 118. Water source protection program. (Bennet / Crapo)**

- Amends the Healthy Forests Restoration Act to expand the scope of watershed protection and restoration projects to include adjacent non-federal lands, such as state, local, and private lands, within the same watershed as National Forest System land. The changes prioritize projects that manage risks from drought, wildfire, and climate change, enhance water quality and supply, and support ecological restoration.

**Sec. 119. Watershed condition framework technical corrections. (Bennet / Crapo)**

- Amends the Healthy Forests Restoration Act to add a focus on "protection and restoration" in the language of the act, and makes other technical corrections.

**Sec. 120. Tribal Forest Protection Management Activities and Projects.**

- Makes minor improvements to the Tribal forest management demonstration projects program.

## **Subtitle C—Litigation Reform**

**Sec. 121. Commonsense litigation reform.**

- Establishes procedures for judicial review of agency decisions related to fire management projects. Courts retain their authority under the Administrative Procedure Act to review agency actions and grant appropriate relief, while also considering the public interest, including wildfire risk and ecosystem health.
- Sets clear standards for injunctive relief and remand and limits the timeframe for filing legal challenges to 150 days.
- Preserves access to the courts and ensures agencies remain accountable under existing law, while streamlining litigation to avoid unnecessary delays in forest restoration efforts.

**Sec. 122. Consultation on forest plans. (Daines)**

- Makes the so-called “Cottonwood Fix” by clarifying the circumstances under which federal land managers are not required to re-initiate Endangered Species Act consultation under a land and resource management plan or land use plan.

**Subtitle D - Prescribed Fire (Wyden/Padilla)****Section 131. Prescribed Fire**

- Defines prescribed fire and authorizes federal agencies to implement and support prescribed fire activities on both federal and non-federal lands. Activities include contracts, grants, training, environmental reviews, site prep, monitoring, and public outreach.
- Prioritizes large, cross-boundary projects near wildland-urban interfaces, Tribal lands, high-risk fire zones, or critical habitats. Agencies must also develop regional operational strategies identifying fire deficits and needed resources to address the fire deficit.

**Section 134. Human Resources**

- Strengthens the prescribed fire workforce by streamlining supervisory certification requirements and enhancing interoperability between federal and non-federal practitioners.
- Authorizes the Secretaries to develop partnership agreements for prescribed fire with all relevant state, federal, Tribal, university, and nongovernmental entities that choose to be included in resource ordering and reimbursement processes established, and to create agreements and structures necessary to include non-federal-agency and other nontraditional partners in direct work with federal agencies to address prescribed fires.

**Section 135. Liability of Prescribed Fire Managers**

- Clarifies liability protections for federal employees involved in prescribed fires and mandates the development of a voluntary training course covering the scope and limits of liability protections and informing employees of available reimbursement options for professional liability insurance.

**Section 136. Environmental Review**

- Promotes the expanded, safe use of prescribed fire while addressing air quality and public health concerns. This section facilitates better coordination between land management and air quality agencies at all levels and directs the development of tools, templates, and outreach to support smoke management programs.

- Requires the development, assessment, and possible revision of landscape-scale prescribed fire plans, with collaboration from scientific and cultural experts, and mandates annual progress reports to Congress.

### **Section 137. Cooperative Agreements and Contracts for Prescribed Fire**

- Allows the Secretaries of Agriculture and the Interior to enter into cooperative agreements or contracts (up to 10 years) with eligible entities, such as states, Tribes, local governments, NGOs, or private groups, to plan, coordinate, or conduct prescribed fires or related training on federal lands.
- Amends the Tribal Forest Protection Act to enable demonstration projects where Tribes can conduct multiple prescribed burns under a single approved burn plan and may be delegated authority to execute burns on behalf of the Secretary.

### **SEC. 138. Facilitating the Responsible Utilization of Prescribed Fire**

- Directs the Secretary of Agriculture, via the Forest Service Chief, to prioritize extinguishing all prescribed burns conducted by the Forest Service and to update Forest Service prescribed burn policies in accordance with the 2022 National Prescribed Fire Program Review recommendations.

## **TITLE II—PROTECTING COMMUNITIES IN THE WILDLAND-URBAN INTERFACE**

### **Subtitle A - Community Wildfire Risk Reduction**

#### **Sec. 201. Community wildfire risk reduction program. (Wyden)**

- Establishes an interagency program to coordinate federal wildfire risk reduction efforts across 10 federal agencies. The program supports wildfire resilience in communities, including Tribal areas, through research, development of fire-resistant construction standards, hazard mitigation, and public-private partnerships.
- Includes a centralized portal and uniform application for multiple wildfire-related grants, streamlines technical assistance, and mandates coordination with non-federal stakeholders.

#### **Sec. 202. Community wildfire defense research program.**

- Expands the Joint Fire Science Program to include a new, performance-based R&D initiative focused on innovations in wildfire-resistant building materials, design, planning, and landscape architecture.
- Includes a “Community Wildfire Defense Innovation Prize” to incentivize scalable, ignition-resistant designs.

#### **Sec. 203. Community wildfire defense accountability.**

- Requires the U.S. Fire Administration to submit biennial reports to Congress assessing the implementation, coordination, and effectiveness of the Community Wildfire Risk Reduction Program. Reports must include recommendations for improvements, scientific trends, funding barriers, and potential policy updates to enhance program efficiency and delivery.

**Sec. 204. Community Wildfire Defense Grant Program Improvements.**

- Amends the Infrastructure Investment and Jobs Act to expand eligible grant projects to include structure retrofits, defensible space creation, infrastructure hardening (like evacuation routes), and deployment of successful wildfire technologies.
- Adds eligibility for areas in "fireshed management areas" and limits administrative expenses to 7% of obligated funds.

**Sec. 205. Updated Definition Of At-Risk Community.**

- Expands the definition of "at-risk community" under the Healthy Forests Restoration Act to include 1) areas identified in the 2001 Wildland Urban Interface notice, 2) communities with infrastructure and wildfire risk as identified in official assessments, and 3) areas within five miles of a Wildfire Crisis Strategy landscape as designated by USDA.

**Subtitle B - Vegetation Management, Reforestation, and Local Fire Suppression**

**Sec. 211. Vegetation management, facility inspection, and operation and maintenance relating to electric transmission and distribution facility rights-of-way.**

- Expands the allowable distance for hazard tree removal near electric power lines on federal land from tree height +10 feet to tree height +150 feet.
- Requires federal agencies to consult private landowners before removing hazard trees from their land.
- Automatically approves unaltered vegetation management plans submitted by electric utilities after 120 days. For plans with modifications, specific timelines are established for review.

**Sec. 212. Fire Safe Electrical Corridors. (Padilla)**

- Allows electric utilities with permits or easements on National Forest System or BLM land to cut and remove vegetation near power lines without requiring a separate timber sale, if done in compliance with applicable plans and environmental laws. If the vegetation is sold, proceeds must be returned to the federal government. This authority does not mandate the sale of removed materials.

**Sec. 213. Categorical Exclusion For High-Priority Hazard Trees.**



- Within one year, directs the Secretary of Agriculture to create a 6,000 acre categorical exclusion for managing high-priority hazard trees, which are trees that pose a visible threat to people or property within 300 feet of roads, trails, or recreation sites in National Forests.
- The Secretary must comply with NEPA in developing and administering the categorical exclusion. The categorical exclusion may not be used in wilderness areas, roadless areas, or lands with legal vegetation removal restrictions.

**Sec. 214. Seeds of success.**

- Requires the Secretaries of the Interior and Agriculture to jointly develop a “Seeds of Success strategy” within 1 year to strengthen the domestic seed supply chain. This section lists out several elements the strategy must include.

**Sec. 215. Program to support priority reforestation and restoration projects.**

- Directs the Secretary of the Interior, in coordination with the heads of covered federal agencies, to establish a program to implement reforestation projects on priority lands. The Secretary can enter into cooperative agreements and contracts to carry out reforestation, including with Indian Tribes.
- Each year, the Department of the Interior will also identify priority lands, list upcoming reforestation projects (including seed/seedling needs), and estimate implementation costs.
- This Section also directs the Secretaries to support the reforestation pipeline in the United States by inventorying all U.S. orchards and nurseries that can support reforestation on priority lands, assessing their production capacity, estimating species and planting stock needed over 10 years, and develop a plan to expand capacity to meet that demand.

**Sec. 216. Reforestation, Nurseries, and Genetic Resources Support. (Hickenlooper)**

- Strengthens the national reforestation pipeline to support wildfire recovery by formally authorizing the USFS Reforestation, Nurseries, and Genetic Resources (RNCR) program. Creates grant opportunities for state, Tribal, and private nurseries to help increase tree nursery capacities.
- Expands technical assistance and workforce development training to grow the specialized nursery workforce.

**Sec. 217. Fire department repayment.**

- Directs the Secretaries to establish standard operating procedures to set payment timelines for fire suppression cost share agreements. These procedures will ensure that agreements are aligned with cooperative fire protection agreements and require federal entities to reimburse local fire departments or state wildland firefighter agencies upon receipt of an invoice.

## **TITLE III—TRANSPARENCY, TECHNOLOGY, AND PARTNERSHIPS**

### **Subtitle A—Transparency and Technology**

#### **Sec. 301. Biochar innovations and opportunities for conservation, health, and advancements in research.**

- Supports the development, commercialization, and research of biochar through demonstration projects, grants, and policy development, aiming to enhance forest health, carbon sequestration, job creation, and market development.
- Requires USDA, the Bureau of Land Management, and the Department of Energy (DOE) to create a program to fund biochar demonstration projects via partnerships with eligible entities. At least 50% of biochar feedstock must come from forest thinning or management on public lands.
- Directs the Secretary of the Interior, in consultation with DOE, to launch or expand a competitive research grant program for eligible institutions (e.g., land-grant universities).

#### **Sec. 302. Accurate hazardous fuels reduction reports.**

- Improves transparency and accuracy in reporting and tracking hazardous fuels reduction activities on federal lands to better assess wildfire risk mitigation. Interior and USDA must report annually to Congress as part of the President’s budget on the number of acres treated for hazardous fuels reduction using the current method before enactment, and the new method described in this section.
- New reporting standards include standardized counting only on completed hazardous fuels reduction acres (no double-counting even if multiple treatments occur).

#### **Sec. 303. Public-private wildfire technology deployment and demonstration partnership.**

- Creates a seven-year pilot program to accelerate deployment and testing of innovative wildfire-related technologies through partnerships between government agencies and private, nonprofit, and academic entities.

#### **Sec. 304. GAO study on Forest Service policies.**

- Within 3 years, GAO must conduct a study to evaluate the effectiveness of the Forest Service’s wildland firefighting operations, transparency and accountability on the budget and accounting process, and the feasibility of creating a new federal agency to manage and suppress wildland fires on federal lands.

#### **Sec. 305. Keeping forest plans current and monitored.**

- Requires the Secretary to ensure forest plans comply with specific requirements and prioritize revisions for non-compliant plans. It allows for some flexibility if a plan hasn't been revised in over 15 years. The Secretary must submit a report within 120 days on the revision status of each forest plan and maintain a publicly accessible website with relevant documents. If revisions are not made in good faith, a court can require expedited action.

**Sec. 306. Container Aerial Firefighting System (CAFFS).**

- Requires the Secretary of Agriculture and the Secretary of the Interior to evaluate the use of the Container Aerial Firefighting System to fight wildfires and submit a report to Congress within 120 days.

**Sec. 307. Study on pine beetle infestation.**

- Mandates a study on the causes, effects, and solutions for pine beetle infestations in the Northeastern U.S., with a report to Congress due within one year.

**Subtitle B—White Oak Resilience (McConnell and Warnock)**

**Sec. 311. White Oak Restoration Initiative Coalition.**

- Establishes the White Oak Restoration Initiative Coalition as a collaborative group of federal, state, Tribal, local, and private entities to coordinate and promote white oak restoration, address policy barriers, enhance research, and improve communication between landowners.
- The Secretary will provide administrative support, and private funding may be available for restoration projects.

**Sec. 312. Forest Service pilot program.**

- Directs the Secretary of Agriculture to establish 5 pilot projects in national forests to restore white oak through natural regeneration and restoration practices consistent with forest management plans.
- At least three projects must be on reserved or withdrawn national forests, with authority for cooperative agreements.

**Sec. 313. Department of the Interior white oak review and restoration.**

- Requires the Secretary of the Interior to assess federal lands for white oak presence and restoration potential, and to report findings to Congress within 90 days. Following the assessment, five pilot projects will be established to restore white oak, with the ability for cooperative agreements.

**Sec. 314. White oak regeneration and upland oak habitat.**

- Establishes the White Oak and Upland Oak Habitat Regeneration Program to coordinate restoration and conservation activities, improve white oak growth, and support strategic planning under changing climate conditions.
- The program includes voluntary grants and technical assistance, managed by the National Fish and Wildlife Foundation.

**Sec. 315. Tree nursery shortages.**

- The Chief of the Forest Service must develop and implement a national strategy to address the shortage of tree seedlings. This includes increasing the capacity of federal, state, Tribal, and private nurseries.

**Sec. 316. White oak research**

- The Secretary of Agriculture can partner with Tribes or institutions (including land grant colleges) to research white oak genetics and reforestation methods.
- Focus on creating genetically diverse seed banks, aligning seeds to future climates, and economic/social aspects of white oak management.

**Sec. 317. USDA formal initiative.**

- The Secretary of Agriculture, through the NRCS and Forest Service, will establish a formal initiative to restore and improve white oak forests.
- Provides technical assistance to private landowners.

**Sec. 318. Authorities.**

- The Secretaries shall use authorities laid out in this title in combination with Good Neighbor Agreements and Stewardship Contracting Projects to carry out projects.

## **TITLE IV—Ensuring Casualty Assistance for our Firefighters**

**SEC. 401. Wildland Fire Management Casualty Assistance Program. (Bennet)**

- Establishes a program to assist the next-of-kin firefighters and wildland personnel injured or killed in the line of duty.
- Program features:
  - Notifications, travel reimbursement, and case management for survivors.
  - Centralized access to benefits and complaint resolution.
  - Coordination with federal agencies for accurate benefit processing.
  - Data collection on casualty assistance.
- Does not affect existing Line-of-Duty Death benefits.

- Defines “next-of-kin” with a prioritized list.