To address the public health and safety threat presented by the risk of catastrophic wildfire on Federal forestlands by requiring the Secretary of Agriculture and the Secretary of the Interior to expedite forest management projects relating to hazardous fuels reduction, forest restoration, forest health, and watershed restoration.
SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Catastrophic Wildfire Community Protection Act”.

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

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.
Sec. 3. Project authority consistent with community wildfire protection plan.
Sec. 4. Elements of eligible projects.
Sec. 5. Environmental analysis.
Sec. 6. Administrative and judicial review.
Sec. 7. Acceptance and use of funds or in-kind services.
Sec. 8. Report.

SEC. 2. DEFINITIONS.

In this Act:

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

(2) AT-RISK WATERSHED.—The term “at-risk watershed” means a watershed where—

(A) there exists a high risk of losing key ecosystem, wildlife, and watershed components to severe fire, including post-fire disturbances, as documented by the Secretary concerned; and

(B) there are Federal lands in condition class II or III, as developed by the Forest Service Rocky Mountain Research Station in the general technical report titled “Development of Coarse-Scale Spatial Data for Wildland Fire
and Fuel Management” (RMRS–87) and dated April 2000 (including any subsequent revision to the report).

(3) **COMMUNITY WILDFIRE PROTECTION PLAN.**—The term “community wildfire protection plan” has the meaning given that term in section 101 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511).

(4) **COVERED FOREST LANDS.**—

(A) **INCLUDED LANDS.**—The term “covered forest lands” means—

(i) National Forest System lands; and

(ii) Public land administered by the Secretary of the Interior through the Bureau of Land Management.

(B) **EXCLUDED LAND.**—The term does not include land that is a component of the National Wilderness Preservation System or other Federal land (other than inventoried roadless areas and wilderness study areas) in which the removal of vegetation is specifically prohibited by Federal law.

(5) **ELIGIBLE PROJECT.**—The term “eligible project” means the measures and methods included in a project carried out on covered forest lands by
the Secretary concerned for hazardous fuels reduction, forest health, forest restoration, and watershed restoration.

(6) SECRETARY CONCERNED.—The term “Secretary concerned” means—

(A) the Secretary of Agriculture, in the case of National Forest System lands; and

(B) the Secretary of the Interior, in the case of public land administered by the Secretary of the Interior through the Bureau of Land Management.

SEC. 3. PROJECT AUTHORITY CONSISTENT WITH COMMUNITY WILDFIRE PROTECTION PLAN.

The Secretary concerned shall carry out eligible projects on covered forest lands that are within or adjacent to an at-risk community or an at-risk watershed if the eligible project is consistent with the applicable community wildfire protection plan.

SEC. 4. ELEMENTS OF ELIGIBLE PROJECTS.

Eligible projects on covered forest lands shall be carried out in a cost-effective manner that—

(1) focuses on surface, ladder, and canopy fuels reduction activities; or

(2) implements forest restoration activities in response to severe fire, insect, or disease infestation,
windthrow, or other extreme weather events or natural disasters.

SEC. 5. ENVIRONMENTAL ANALYSIS.

(a) General Rule of Proposed Action and No Action Alternative.—

(1) Environmental assessment and environmental impact statement.—The Secretary concerned shall prepare an environmental assessment or an environmental impact statement pursuant to section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)) for each proposed eligible project. The Secretary concerned shall study, develop, and describe the proposed action and the alternative of no action. Except as provided in subsection (b), the Secretary concerned is not required to study, develop, or describe any alternative actions to the proposed agency action.

(2) Deadline for completion.—An environmental assessment prepared for a proposed eligible project shall be completed within one year of the commencement of preparation of the assessment. An environmental impact statement prepared for a proposed eligible project shall be completed within 18 months of the commencement of preparation of the environmental impact statement.
(b) Consideration of Alternative Recommendation.—The Secretary concerned shall evaluate and consider an alternative recommendation submitted by the county in which a proposed eligible project is to be carried out if the county determines that the proposed eligible project is or may be inconsistent with its community wildfire protection plan. The Secretary shall publish the evaluation and consideration of the alternative recommendation in the environmental assessment or environmental impact statement prepared pursuant to section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)) for the proposed eligible project.

(e) Effect of County Emergency.—

(1) Council on Environmental Quality.—If a categorical exclusion is unavailable for a proposed eligible project, the Secretary concerned shall request, pursuant to section 1506.11 of title 40, Code of Federal Regulations, the Council on Environmental Quality to develop and approve alternative arrangements for the proposed eligible project if the county in which the proposed eligible project is to be carried out declares, in consultation with the State forester or equivalent State official of the State containing the county—

(A) a state of emergency; or
(B) the existence of a dangerous nuisance
to public safety, welfare, infrastructure, water-
sheds, wildlife habitat, or other vital assets due
to the accumulation of forest fuels and the as-
associated risk of extreme fire on covered forest
lands.

(2) **Mandatory Information.**—When re-
questing alternative arrangements under paragraph
(1), the Secretary concerned shall transmit to the
Council on Environmental Quality the following in-
formation:

(A) A description of the proposed eligible
project.

(B) The condition of forest fuels within or
near the proposed eligible project.

(C) The threat to public safety, welfare, in-
frastructure, watersheds, wildlife habitat, or
other vital assets due to the accumulation of
forest fuels and the associated risk of extreme
fire that the proposed eligible project is to re-
lieve.

(D) The degree to which delaying the im-
plementation of the proposed eligible project
will increase the risk of serious harm to public
safety, welfare, infrastructure, watersheds, wild-
life habitat, or other vital assets due to the accumulation of forest fuels and the associated risk of extreme fire.

(E) Any other information the Secretary concerned determines relevant.

(3) Deadline for alternative arrangements.—

(A) Deadline.—Not later than 15 days after receipt of a request under paragraph (1) for approval of alternative arrangements for a proposed eligible project, the Council on Environmental Quality shall submit to the Secretary concerned the alternative arrangements under which the Secretary may proceed immediately and to completion of the proposed eligible project.

(B) Failure to comply.—If the Council on Environmental Quality fails to comply with the deadline in subparagraph (A), the Secretary concerned shall proceed immediately and to completion of the proposed eligible project notwithstanding any other provision of law, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the National
Forest Management Act (16 U.S.C. 1601 et seq.).

(4) ADMINISTRATIVE AND JUDICIAL REVIEW.—
Actions under this subsection shall not be subject to—

(A) the notice, comment, and appeal requirements of section 322 of Public Law 102–
381 (the Appeals Reform Act; 16 U.S.C. 1612 note); and

(B) judicial review by any court of the United States.

SEC. 6. ADMINISTRATIVE AND JUDICIAL REVIEW.

(a) ADMINISTRATIVE REVIEW.—Administrative review of eligible projects shall occur in accordance with the special administrative review process established under section 105 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6515).

SEC. 7. ACCEPTANCE AND USE OF FUNDS OR IN-KIND SERVICES.

The Secretary concerned may accept and use funds or in-kind services from any public or private entity to assist carrying out eligible projects under this Act.

SEC. 8. REPORT.

The Secretary concerned shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate an annual report describing all eligible projects conducted under this Act.