

115TH CONGRESS
1ST SESSION

S. 1752

To amend the Healthy Forests Restoration Act of 2003 to expedite wildfire prevention projects to reduce the risk of wildfire on certain high-risk Federal land, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 3, 2017

Mr. HELLER (for himself, Mr. FLAKE, Mr. RISCH, and Mr. HATCH) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Healthy Forests Restoration Act of 2003 to expedite wildfire prevention projects to reduce the risk of wildfire on certain high-risk Federal land, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Emergency Fuel Re-
5 duction Act of 2017”.

6 **SEC. 2. PURPOSES.**

7 The purposes of this Act are—

(1) to expedite wildfire prevention projects to reduce the risk of wildfire on certain high-risk Federal land adjacent to communities, private property, and critical infrastructure;

(2) to improve forest and wildland health; and

(3) to promote the recovery of threatened or endangered species or other species under consideration to be listed under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), including the sage-grouse species, the habitat of which is negatively impacted by wildland fire.

SEC. 3. EXPEDITED REVIEW OF PROJECTS ON FEDERAL LAND.

Section 104 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6514) is amended—

(1) by redesignating subsections (e) through (h) as subsections (f) through (i), respectively;

(2) in subsection (c)(1)(C)(i), by striking “subsection (f)” and inserting “subsection (g)”; and

(3) by inserting after subsection (d) the following:

“(e) CATEGORICAL EXCLUSION OF CERTAIN PROJECTS.—

“(1) IN GENERAL.—An authorized hazardous fuel reduction project shall be categorically excluded

1 from the requirements of the National Environ-
2 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.)
3 if the project—

4 “(A) involves the removal of—

5 “(i) insect-infected trees;

6 “(ii) dead or dying trees;

7 “(iii) trees presenting a threat to pub-
8 lic safety; or

9 “(iv) other hazardous fuels threat-
10 ening—

11 “(I) utility or communications in-
12 frastructure;

13 “(II) municipal water supply sys-
14 tems;

15 “(III) campgrounds;

16 “(IV) roadsides;

17 “(V) schools; or

18 “(VI) other infrastructure;

19 “(B) is conducted on Federal land that—

20 “(i) is not located in the wildland-
21 urban interface;

22 “(ii) is located within not more than
23 1.5 miles of non-Federal land; and

24 “(iii) on which the Secretary deter-
25 mines that conditions, such as the risk of

wildfire, an insect or disease epidemic, or
the presence of invasive species, pose a risk
to adjacent non-Federal land; or

“(C) treats 10,000 acres or less of Federal
land that—

“(i) is at particular risk for wildfire;

“(ii) contains threatened and endan-
gered species habitat; or

“(iii) provides conservation benefits
to—

“(I) a species that is not listed as
an endangered species or a threatened
species under section 4 of the Endan-
gered Species Act of 1973 (16 U.S.C.
1533), but is under consideration to
be listed;

“(II) a State-listed species; or

“(III) a special concern species.

“(2) APPLICABILITY.—This subsection shall not
apply to Federal land—

“(A) that is a component of the National
Wilderness Preservation System;

“(B) on which the removal of vegetation is
specifically prohibited by Federal statute; or

1 “(C) that is within a National Monument
2 as of the date of enactment of this subsection.”.

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