

structure development, agriculture, settlements, land use planning or zoning, and energy siting and generation;

(ii) address deforestation and land conversion risk in new relevant trade agreements and seek to address such risks, where possible, in the implementation of existing trade agreements;

(iii) identify and engage in international processes and fora, as appropriate, to pursue approaches to combat deforestation and enhance sustainable land use opportunities in preparing climate, development, and finance strategies;

(iv) engage other major commodity-importing and commodity-producing countries to advance common interests in addressing commodity-driven deforestation; and

(v) assess options to direct foreign assistance and other agency programs and tools, as appropriate, to help threatened forest communities transition to an economically sustainable future, with special attention to the participation of and the critical role played by indigenous peoples and local communities and landholders in protecting and restoring forests and in reducing deforestation and forest degradation.

**SEC. 4. *Deploying Nature-Based Solutions to Tackle Climate Change and Enhance Resilience.*** Just as forest conservation, restoration, and adaptation generate broad benefits related to climate change and other areas, other nature-based solutions can advance multiple benefits. These solutions include actions that protect coasts and critical marine ecosystems, reduce flooding, moderate extreme heat, replenish groundwater sources, capture and store carbon dioxide, conserve biodiversity, and improve the productivity of agricultural and forest lands to produce food and fiber. To ensure that agencies pursue nature-based solutions, to the extent consistent with applicable law and supported by science, the following actions shall be taken:

(a) The Chair of the Council on Environmental Quality, the Director of the Office of Science and Technology Policy, and the Assistant to the President and National Climate Advisor shall, in consultation with the Secretary of Defense (through the Assistant Secretary of the Army for Civil Works), the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce (through the Administrator of the National Oceanic and Atmospheric Administration), the Secretary of Housing and Urban Development, the Secretary of Transportation, the Secretary of Energy, the Secretary of Homeland Security (through the Administrator of the Federal Emergency Management Agency), the Administrator of the Environmental Protection Agency, the Administrator of the Small Business Administration, and the heads of other agencies as appropriate, submit a report to the National Climate Task Force to identify key opportunities for greater deployment of nature-based solutions across the Federal Government, including through potential policy, guidance, and program changes.

(b) The Director of the Office of Management and Budget shall issue guidance related to the valuation of ecosystem and environmental services and natural assets in Federal regulatory decision-making, consistent with the efforts to modernize regulatory review required by my Presidential Memorandum of January 20, 2021 (Modernizing Regulatory Review) [86 F.R. 7223].

(c) Implementation of the United States Global Change Research Program shall include an assessment of the condition of nature within the United States in a report carrying out section 102 of the Global Change Research Act of 1990, 15 U.S.C. 2932.

**SEC. 5. *General Provisions.*** (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

J.R. BIDEN, JR.

## § 6502. Definitions

In this chapter:

### (1) Federal land

The term “Federal land” means—

(A) land of the National Forest System (as defined in section 1609(a) of this title) administered by the Secretary of Agriculture, acting through the Chief of the Forest Service; and

(B) public lands (as defined in section 1702 of title 43), the surface of which is administered by the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

### (2) Indian tribe

The term “Indian tribe” has the meaning given the term in section 5304 of title 25.

(Pub. L. 108–148, §3, Dec. 3, 2003, 117 Stat. 1888.)

## Editorial Notes

### REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 108–148, Dec. 3, 2003, 117 Stat. 1887, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 6501 of this title and Tables.

## SUBCHAPTER I—HAZARDOUS FUEL REDUCTION ON FEDERAL LAND

## § 6511. Definitions

In this subchapter:

### (1) At-risk community

The term “at-risk community” means an area—

(A) that is comprised of—

(i) an interface community as defined in the notice entitled “Wildland Urban Interface Communities Within the Vicinity of Federal Lands That Are at High Risk From Wildfire” issued by the Secretary of Agriculture and the Secretary of the Interior in accordance with title IV of the Department of the Interior and Related Agencies Appropriations Act, 2001 (114 Stat. 1009) (66 Fed. Reg. 753, January 4, 2001); or

(ii) a group of homes and other structures with basic infrastructure and services (such as utilities and collectively maintained transportation routes) within or adjacent to Federal land;

(B) in which conditions are conducive to a large-scale wildland fire disturbance event; and

(C) for which a significant threat to human life or property exists as a result of a wildland fire disturbance event.

**(2) Authorized hazardous fuel reduction project****(A) In general**

The term “authorized hazardous fuel reduction project” means the measures and methods described in the definition of “appropriate tools” contained in the glossary of the Implementation Plan, on Federal land described in section 6512(a) of this title and conducted under sections 6513 and 6514 of this title.

**(B) Inclusion**

The term “authorized hazardous fuel reduction project” includes, using the measures and methods described in subparagraph (A), the installation of—

- (i) a natural or manmade change in fuel characteristics that affects fire behavior such that a fire can be more readily controlled (commonly known as a “fuel break”); and
- (ii) a natural or constructed barrier used to stop or check a fire or to provide a control line from which to work to stop or check a fire (commonly known as a “firebreak”).

**(3) Community wildfire protection plan**

The term “community wildfire protection plan” means a plan for an at-risk community that—

- (A) is developed within the context of the collaborative agreements and the guidance established by the Wildland Fire Leadership Council and agreed to by the applicable local government, local fire department, and State agency responsible for forest management, in consultation with interested parties and the Federal land management agencies managing land in the vicinity of the at-risk community;
- (B) identifies and prioritizes areas for hazardous fuel reduction treatments and recommends the types and methods of treatment on Federal and non-Federal land that will protect 1 or more at-risk communities and essential infrastructure; and
- (C) recommends measures to reduce structural ignitability throughout the at-risk community.

**(4) Condition class 2**

The term “condition class 2”, with respect to an area of Federal land, means the condition class description developed by the Forest Service Rocky Mountain Research Station in the general technical report entitled “Development of Coarse-Scale Spatial Data for Wildland Fire and Fuel Management” (RMRS-87), dated April 2000 (including any subsequent revision to the report), under which—

- (A) fire regimes on the land have been moderately altered from historical ranges;
- (B) there exists a moderate risk of losing key ecosystem components from fire;
- (C) fire frequencies have increased or decreased from historical frequencies by 1 or more return intervals, resulting in moderate changes to—

- (i) the size, frequency, intensity, or severity of fires; or
- (ii) landscape patterns; and

(D) vegetation attributes have been moderately altered from the historical range of the attributes.

**(5) Condition class 3**

The term “condition class 3”, with respect to an area of Federal land, means the condition class description developed by the Rocky Mountain Research Station in the general technical report referred to in paragraph (4) (including any subsequent revision to the report), under which—

- (A) fire regimes on land have been significantly altered from historical ranges;
- (B) there exists a high risk of losing key ecosystem components from fire;
- (C) fire frequencies have departed from historical frequencies by multiple return intervals, resulting in dramatic changes to—
  - (i) the size, frequency, intensity, or severity of fires; or
  - (ii) landscape patterns; and
- (D) vegetation attributes have been significantly altered from the historical range of the attributes.

**(6) Day**

The term “day” means—

- (A) a calendar day; or
- (B) if a deadline imposed by this subchapter would expire on a nonbusiness day, the end of the next business day.

**(7) Decision document**

The term “decision document” means—

- (A) a decision notice (as that term is used in the Forest Service Handbook);
- (B) a decision record (as that term is used in the Bureau of Land Management Handbook); and
- (C) a record of decision (as that term is used in applicable regulations of the Council on Environmental Quality).

**(8) Fire regime I**

The term “fire regime I” means an area—

- (A) in which historically there have been low-severity fires with a frequency of 0 through 35 years; and
- (B) that is located primarily in low elevation forests of pine, oak, or pinyon juniper.

**(9) Fire regime II**

The term “fire regime II” means an area—

- (A) in which historically there are stand replacement severity fires with a frequency of 0 through 35 years; and
- (B) that is located primarily in low- to mid-elevation rangeland, grassland, or shrubland.

**(10) Fire regime III**

The term “fire regime III” means an area—

- (A) in which historically there are mixed severity fires with a frequency of 35 through 100 years; and
- (B) that is located primarily in forests of mixed conifer, dry Douglas fir, or wet Ponderosa pine.

**(11) Implementation Plan**

The term “Implementation Plan” means the Implementation Plan for the Comprehensive Strategy for a Collaborative Approach for Reducing Wildland Fire Risks to Communities and the Environment, dated May 2002, developed pursuant to the conference report to accompany the Department of the Interior and Related Agencies Appropriations Act, 2001 (House Report No. 106-64)<sup>1</sup> (and subsequent revisions).

**(12) Municipal water supply system**

The term “municipal water supply system” means the reservoirs, canals, ditches, flumes, laterals, pipes, pipelines, and other surface facilities and systems constructed or installed for the collection, impoundment, storage, transportation, or distribution of drinking water.

**(13) Resource management plan**

The term “resource management plan” means—

(A) a land and resource management plan prepared for 1 or more units of land of the National Forest System described in section 6502(1)(A) of this title under section 1604 of this title; or

(B) a land use plan prepared for 1 or more units of the public land described in section 6502(1)(B) of this title under section 1712 of title 43.

**(14) Secretary**

The term “Secretary” means—

(A) the Secretary of Agriculture, with respect to land of the National Forest System described in section 6502(1)(A) of this title; and

(B) the Secretary of the Interior, with respect to public lands described in section 6502(1)(B) of this title.

**(15) Threatened and endangered species habitat**

The term “threatened and endangered species habitat” means Federal land identified in—

(A) a determination that a species is an endangered species or a threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(B) a designation of critical habitat of the species under that Act; or

(C) a recovery plan prepared for the species under that Act.

**(16) Wildland-urban interface**

The term “wildland-urban interface” means—

(A) an area within or adjacent to an at-risk community that is identified in recommendations to the Secretary in a community wildfire protection plan; or

(B) in the case of any area for which a community wildfire protection plan is not in effect—

(i) an area extending ½-mile from the boundary of an at-risk community;

(ii) an area within 1½ miles of the boundary of an at-risk community, including any land that—

(I) has a sustained steep slope that creates the potential for wildfire behavior endangering the at-risk community;

(II) has a geographic feature that aids in creating an effective fire break, such as a road or ridge top; or

(III) is in condition class 3, as documented by the Secretary in the project-specific environmental analysis; and

(iii) an area that is adjacent to an evacuation route for an at-risk community that the Secretary determines, in cooperation with the at-risk community, requires hazardous fuel reduction to provide safer evacuation from the at-risk community.

(Pub. L. 108-148, title I, §101, Dec. 3, 2003, 117 Stat. 1889; Pub. L. 115-141, div. O, title II, §203, Mar. 23, 2018, 132 Stat. 1064.)

**Editorial Notes**

## REFERENCES IN TEXT

The Department of the Interior and Related Agencies Appropriations Act, 2001, referred to in pars. (1)(A)(i) and (11), is Pub. L. 106-291, Oct. 11, 2000, 114 Stat. 922. Title IV of the act is not classified to the Code. For complete classification of this Act to the Code, see Tables.

House Report No. 106-64, referred to in par. (11), does not exist. However, there was a House Report No. 106-646 that accompanied H.R. 4578, which became the Department of the Interior and Related Agencies Appropriations Act, 2001. The conference report that accompanied H.R. 4578 was H. Rept. 106-914.

The Endangered Species Act of 1973, referred to in par. (15), is Pub. L. 93-205, Dec. 28, 1973, 87 Stat. 884, which is classified principally to chapter 35 (§1531 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1531 of this title and Tables.

## AMENDMENTS

2018—Par. (2). Pub. L. 115-141 designated existing provisions as subpar. (A), inserted heading, and added subpar. (B).

**§ 6512. Authorized hazardous fuel reduction projects****(a) Authorized projects**

As soon as practicable after December 3, 2003, the Secretary shall implement authorized hazardous fuel reduction projects, consistent with the Implementation Plan, on—

(1) Federal land in wildland-urban interface areas;

(2) condition class 3 Federal land, in such proximity to a municipal water supply system or a stream feeding such a system within a municipal watershed that a significant risk exists that a fire disturbance event would have adverse effects on the water quality of the municipal water supply or the maintenance of the system, including a risk to water quality posed by erosion following such a fire disturbance event;

(3) condition class 2 Federal land located within fire regime I, fire regime II, or fire regime III, in such proximity to a municipal water supply system or a stream feeding such

<sup>1</sup> See References in Text note below.