

§ 7202. Establishment of the National Landscape Conservation System

(a) Establishment

In order to conserve, protect, and restore nationally significant landscapes that have outstanding cultural, ecological, and scientific values for the benefit of current and future generations, there is established in the Bureau of Land Management the National Landscape Conservation System.

(b) Components

The system shall include each of the following areas administered by the Bureau of Land Management:

- (1) Each area that is designated as—
 - (A) a national monument;
 - (B) a national conservation area;
 - (C) a wilderness study area;
 - (D) a national scenic trail or national historic trail designated as a component of the National Trails System;
 - (E) a component of the National Wild and Scenic Rivers System; or
 - (F) a component of the National Wilderness Preservation System.
- (2) Any area designated by Congress to be administered for conservation purposes, including—
 - (A) the Steens Mountain Cooperative Management and Protection Area;
 - (B) the Headwaters Forest Reserve;
 - (C) the Yaquina Head Outstanding Natural Area;
 - (D) public land within the California Desert Conservation Area administered by the Bureau of Land Management for conservation purposes; and
 - (E) any additional area designated by Congress for inclusion in the system.

(c) Management

The Secretary shall manage the system—

- (1) in accordance with any applicable law (including regulations) relating to any component of the system included under subsection (b); and
- (2) in a manner that protects the values for which the components of the system were designated.

(d) Effect

(1) In general

Nothing in this chapter enhances, diminishes, or modifies any law or proclamation (including regulations relating to the law or proclamation) under which the components of the system described in subsection (b) were established or are managed, including—

- (A) the Alaska National Interest Lands Conservation Act (16 U.S.C. 3101 et seq.);
- (B) the Wilderness Act (16 U.S.C. 1131 et seq.);
- (C) the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.);
- (D) the National Trails System Act (16 U.S.C. 1241 et seq.); and
- (E) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(2) Fish and wildlife

Nothing in this chapter shall be construed as affecting the authority, jurisdiction, or re-

sponsibility of the several States to manage, control, or regulate fish and resident wildlife under State law or regulations, including the regulation of hunting, fishing, trapping and recreational shooting on public land managed by the Bureau of Land Management. Nothing in this chapter shall be construed as limiting access for hunting, fishing, trapping, or recreational shooting.

(Pub. L. 111–11, title II, § 2002, Mar. 30, 2009, 123 Stat. 1095.)

Editorial Notes

REFERENCES IN TEXT

The Alaska National Interest Lands Conservation Act, referred to in subsec. (d)(1)(A), is Pub. L. 96–487, Dec. 2, 1980, 94 Stat. 2371. For complete classification of this Act to the Code, see Short Title note set out under section 3101 of this title and Tables.

The Wilderness Act, referred to in subsec. (d)(1)(B), is Pub. L. 88–577, Sept. 3, 1964, 78 Stat. 890, which is classified generally to chapter 23 (§ 1131 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1131 of this title and Tables.

The Wild and Scenic Rivers Act, referred to in subsec. (d)(1)(C), is Pub. L. 90–542, Oct. 2, 1968, 82 Stat. 906, which is classified generally to chapter 28 (§ 1271 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1271 of this title and Tables.

The National Trails System Act, referred to in subsec. (d)(1)(D), is Pub. L. 90–543, Oct. 2, 1968, 82 Stat. 919, which is classified generally to chapter 27 (§ 1241 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1241 of this title and Tables.

The Federal Land Policy and Management Act of 1976, referred to in subsec. (d)(1)(E), is Pub. L. 94–579, Oct. 21, 1976, 90 Stat. 2743, which is classified principally to chapter 35 (§ 1701 et seq.) of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 1701 of Title 43 and Tables.

§ 7203. Authorization of appropriations

There are authorized to be appropriated such sums as are necessary to carry out this chapter.

(Pub. L. 111–11, title II, § 2003, Mar. 30, 2009, 123 Stat. 1096.)

CHAPTER 92—FOREST LANDSCAPE RESTORATION

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§ 7301. Purpose

The purpose of this chapter is to encourage the collaborative, science-based ecosystem restoration of priority forest landscapes through a process that—

- (1) encourages ecological, economic, and social sustainability;
- (2) leverages local resources with national and private resources;
- (3) facilitates the reduction of wildfire management costs, including through reestablishing natural fire regimes and reducing the risk of uncharacteristic wildfire; and

(4) demonstrates the degree to which—

(A) various ecological restoration techniques—

- (i) achieve ecological and watershed health objectives; and
- (ii) affect wildfire activity and management costs; and

(B) the use of forest restoration byproducts can offset treatment costs while benefiting local rural economies and improving forest health.

(Pub. L. 111–11, title IV, § 4001, Mar. 30, 2009, 123 Stat. 1141.)

§ 7302. Definitions

In this chapter:

(1) Fund

The term “Fund” means the Collaborative Forest Landscape Restoration Fund established by section 7303(f) of this title.

(2) Program

The term “program” means the Collaborative Forest Landscape Restoration Program established under section 7303(a) of this title.

(3) Proposal

The term “proposal” means a collaborative forest landscape restoration proposal described in section 7303(b) of this title.

(4) Secretary

The term “Secretary” means the Secretary of Agriculture, acting through the Chief of the Forest Service.

(5) Strategy

The term “strategy” means a landscape restoration strategy described in section 7303(b)(1) of this title.

(Pub. L. 111–11, title IV, § 4002, Mar. 30, 2009, 123 Stat. 1141.)

§ 7303. Collaborative Forest Landscape Restoration Program

(a) In general

The Secretary, in consultation with the Secretary of the Interior, shall establish a Collaborative Forest Landscape Restoration Program to select and fund ecological restoration treatments for priority forest landscapes in accordance with—

- (1) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);
- (2) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and
- (3) any other applicable law.

(b) Eligibility criteria

To be eligible for nomination under subsection (c), a collaborative forest landscape restoration proposal shall—

- (1) be based on a landscape restoration strategy that—
 - (A) is complete or substantially complete;
 - (B) identifies and prioritizes ecological restoration treatments for a 10-year period within a landscape that is—
 - (i) at least 50,000 acres;
 - (ii) comprised primarily of forested National Forest System land, but may also

include land under the jurisdiction of the Bureau of Land Management, land under the jurisdiction of the Bureau of Indian Affairs, or other Federal, State, tribal, or private land;

(iii) in need of active ecosystem restoration; and

(iv) accessible by existing or proposed wood-processing infrastructure at an appropriate scale to use woody biomass and small-diameter wood removed in ecological restoration treatments;

(C) incorporates the best available science and scientific application tools in ecological restoration strategies;

(D) fully maintains, or contributes toward the restoration of, the structure and composition of old growth stands according to the pre-fire suppression old growth conditions characteristic of the forest type, taking into account the contribution of the stand to landscape fire adaptation and watershed health and retaining the large trees contributing to old growth structure;

(E) would carry out any forest restoration treatments that reduce hazardous fuels by—

- (i) focusing on small diameter trees, thinning, strategic fuel breaks, and fire use to modify fire behavior, as measured by the projected reduction of uncharacteristically severe wildfire effects for the forest type (such as adverse soil impacts, tree mortality or other impacts); and
- (ii) maximizing the retention of large trees, as appropriate for the forest type, to the extent that the trees promote fire-resilient stands; and

(F)(i) does not include the establishment of permanent roads; and

(ii) would commit funding to decommission all temporary roads constructed to carry out the strategy;

(2) be developed and implemented through a collaborative process that—

(A) includes multiple interested persons representing diverse interests; and

- (B)(i) is transparent and nonexclusive; or
- (ii) meets the requirements for a resource advisory committee under subsections (c) through (f) of section 7125 of this title;¹

(3) describe plans to—

(A) reduce the risk of uncharacteristic wildfire, including through the use of fire for ecological restoration and maintenance and reestablishing natural fire regimes, where appropriate;

(B) improve fish and wildlife habitat, including for endangered, threatened, and sensitive species;

(C) maintain or improve water quality and watershed function;

(D) prevent, remediate, or control invasions of exotic species;

(E) maintain, decommission, and rehabilitate roads and trails;

(F) use woody biomass and small-diameter trees produced from projects implementing the strategy;

¹ See References in Text note below.