



REPUBLICAN LEADER GLENN 'GT' THOMPSON

RESTORE Act

*Restoring Environments, Soils, Trees and Operations to
develop the Rural Economy*

Sponsored by Doug LaMalfa (CA-01)

SUMMARY: The legislation provides new tools for the USDA to work with States on landscape-scale management projects to prioritize reduction of wildfire risk, restoration of ecological health, and climate adaptation and resiliency.

BACKGROUND: Our forests are in desperate need of more active management to promote forest health and prevent catastrophic wildfires. Landscape scale restoration is a way that the Forest Service can work collaboratively on science-based restoration activities over an area that crosses multiple jurisdictions. Landscape projects are intended to address large-scale issues such as reducing severe wildfire risk, watershed restoration, forest health, and invasive species and disease management.

The RESTORE Act provides these new authorities, while reducing unnecessary processes and expanding landscape management to improve forest health.

SPECIFICALLY, THE RESTORE ACT...

- Gives the Secretary the authority to conduct landscape-scale forest management projects in states where the Governor requests such activities.
- Provides new statutory authorities to execute cross-jurisdiction forest management projects and reduces unnecessary bureaucracy when carrying out critical forest restoration practices and activities.
- Provides an authorization of appropriations for the program.

RESTORE Act: Restoring Environments, Soils, Trees and Operations to develop the Rural Economy Act of 2021

Short Summary: Provide new tools for the USDA to work with States on landscape-scale management projects prioritizing reduction of wildfire risk, restoration of ecological health, and climate adaptation and resiliency.

Section-by-Section

Section 1. Short Title

The Restoring Environments, Soils, Trees and Operations to develop the Rural Economy Act of 2021, or the “RESTORE Act.”

Section 2. Forest Landscape Projects

Subsection (a) of section 2 requires that the Secretary within 90 days of the date of enactment, at the request of a Governor, select forest landscape projects within a State on which to conduct forest landscape projects pursuant to this Act. The subsection further provides that the selection of landscapes under this section shall not be subject to the National Environmental Policy Act (NEPA).

Subsection (b) provides that projects carried out pursuant to this Act must consist of one or more covered management activities that take place on a forest landscape and cannot exceed 75,000 acres (federal land or adjacent non-federal land). Covered management activities are the installation of fuel breaks (including shaded fuel breaks) less than half of a mile across; mechanical thinning (including restoration thinning); controlled burns; and removing dead, dying trees or trees at high-risk of dying. The subsection further requires the Secretary to maximize the retention of old growth stands and large trees and consider the best available science to restore the ecological integrity of the forest. The Secretary may not establish a permanent road.

Subsection (c) provides that when dealing with an environmental impact statements prepared pursuant to NEPA that is developed collaboratively and covered by a community wildfire protection plan, the purpose of which must be to reduce wildfire risk, restore forest health, or adapt the forest to the risk of wildfire due to climate change, the Secretary shall only study, develop, and describe the proposed agency action and the alternative no action. Finally, pursuant to this subsection, in preparing an environmental impact statement, the Secretary is not required to comply with NEPA.

Subsection (d) provides for the judicial review mechanism for challenges in U.S. District Courts. It provides that the only appropriate venue for review of projects under this Act is the U.S. district court for the District of Columbia. Within the subsection, Congress encourages expeditious review and final determination as soon as practicable.

Subsection (e) clarifies that the authorities under this Act do not apply to existing wilderness areas or certain congressionally designated wilderness study areas. The authorities also do not apply to national forest lands where vegetative removal has been prohibited by Congress, roadless areas unless approved by the Secretary through regulation, or lands where timber harvesting is prohibited in Federal statute.

Subsection (f) defines the relevant terms for this Act.

Subsection (g) authorizes the appropriation of funds to carry out this Act for fiscal years 2022 through 2026.