

118TH CONGRESS
1ST SESSION

S. 2132

To require the Secretary of Agriculture to establish a pilot program for the establishment and use of a pre-fire-suppression stand density index, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 22, 2023

Mr. LEE introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To require the Secretary of Agriculture to establish a pilot program for the establishment and use of a pre-fire-suppression stand density index, 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 “Catastrophic Wildfire
5 Prevention Act of 2023”.

6 **SEC. 2. PILOT PROGRAM.**

7 (a) DEFINITIONS.—In this section:

8 (1) AREA OF THE NATIONAL FOREST SYS-
9 TEM.—The term “area of the National Forest Sys-

1 tem” means all or a portion of a unit of the Na-
 2 tional Forest System that is located west of the
 3 100th meridian.

4 (2) PILOT PROGRAM.—The term “pilot pro-
 5 gram” means the pilot program established under
 6 subsection (b).

7 (3) PRE-FIRE-SUPPRESSION STAND DENSITY
 8 INDEX.—The term “pre-fire-suppression stand den-
 9 sity index” means an estimate of the naturally oc-
 10 curring or ecologically balanced stand density index
 11 of a forest, as developed from historical surveys or
 12 appropriate scientific inference, before fire suppres-
 13 sion regimens became common practice.

14 (4) SECRETARY.—The term “Secretary” means
 15 the Secretary of Agriculture, acting through the
 16 Chief of the Forest Service.

17 (5) STAND DENSITY INDEX.—The term “stand
 18 density index” means an expression of relative stand
 19 density based on the predictable relationship be-
 20 tween average tree size and trees per unit area in
 21 dense stands.

22 (6) TREATMENT.—The term “treatment”
 23 means—

24 (A) a mechanical treatment of hazardous
 25 fuels;

1 (B) a stewardship end-result contracting
2 project;

3 (C) restoration services; or

4 (D) timber harvesting.

5 (b) ESTABLISHMENT.—The Secretary shall establish
6 a pilot program under which the Secretary shall—

7 (1) collaborate with State or local forest man-
8 agement agencies—

9 (A) to identify areas of the National For-
10 est System for potential selection under para-
11 graph (3) for inclusion in the pilot program;
12 and

13 (B) to research and establish a pre-fire-
14 suppression stand density index for each area of
15 the National Forest System identified under
16 subparagraph (A);

17 (2) evaluate how closely each pre-fire-suppres-
18 sion stand density index established under para-
19 graph (1)(B) reflects current forest conditions and
20 current published resource management objectives
21 established by the Secretary for the applicable area
22 of the National Forest System; and

23 (3) select, in consultation with State or local
24 forest management agencies, not fewer than 8 areas
25 of the National Forest System identified under para-

1 graph (1)(A) with respect to which the area and
2 neighboring communities may benefit from using a
3 pre-fire-suppression stand density index as a bench-
4 mark for treatments by—

5 (A) reducing the chances of catastrophic
6 wildfire;

7 (B) increasing forest health;

8 (C) increasing forest resilience;

9 (D) increasing ecological diversity; or

10 (E) improving such other criteria as the
11 Secretary, in consultation with State or local
12 forest management agencies, determine to be
13 appropriate.

14 (c) IMPLEMENTATION.—Not later than 2 years after
15 the date of enactment of this Act, the Secretary shall
16 begin to conduct treatments on areas of the National For-
17 est System selected under subsection (b)(3), and update
18 applicable land and resource management plans to include
19 objectives and benchmarks, in accordance with the appli-
20 cable pre-fire-suppression stand density index established
21 under subsection (b)(1)(B).

22 (d) SELECTION OF AREAS.—In selecting areas of the
23 National Forest System for inclusion in the pilot program
24 under subsection (b)(3) and conducting treatments under
25 subsection (c), the Secretary shall—

1 (1) give priority to an area—

2 (A) within the wildland-urban interface (as
3 defined in section 101 of the Healthy Forests
4 Restoration Act of 2003 (16 U.S.C. 6511));

5 (B) constituting a community watershed;

6 (C) vulnerable to erosion;

7 (D) hosting multiple-use activities;

8 (E) critical to supporting wildlife or plant
9 species health; or

10 (F) with respect to which a treatment is
11 necessary to prevent catastrophic wildfire; and

12 (2) select a geographically diverse sample of
13 areas of the National Forest System, which shall in-
14 clude not fewer than 3 areas of the National Forest
15 System in the southwest United States.

16 (e) FUNDING.—The Secretary shall carry out this
17 section using funds otherwise made available to the Sec-
18 retary for fuels reduction treatments.

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