

diction exists) a final determination on the merits, as soon as practicable after the date on which a complaint or appeal is filed to initiate the action.

(c) Injunctions

(1) In general

Subject to paragraph (2), the length of any preliminary injunctive relief and stays pending appeal covering an authorized hazardous fuel reduction project carried out under this subchapter shall not exceed 60 days.

(2) Renewal

(A) In general

A court of competent jurisdiction may issue 1 or more renewals of any preliminary injunction, or stay pending appeal, granted under paragraph (1).

(B) Updates

In each renewal of an injunction in an action, the parties to the action shall present the court with updated information on the status of the authorized hazardous fuel reduction project.

(3) Balancing of short- and long-term effects

As part of its weighing the equities while considering any request for an injunction that applies to an agency action under an authorized hazardous fuel reduction project, the court reviewing the project shall balance the impact to the ecosystem likely affected by the project of—

(A) the short- and long-term effects of undertaking the agency action; against

(B) the short- and long-term effects of not undertaking the agency action.

(Pub. L. 108-148, title I, §106, Dec. 3, 2003, 117 Stat. 1900.)

§ 6517. Effect of subchapter

(a) Other authority

Nothing in this subchapter affects, or otherwise biases, the use by the Secretary of other statutory or administrative authority (including categorical exclusions adopted to implement the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)) to conduct a hazardous fuel reduction project on Federal land (including Federal land identified in section 6512(d) of this title) that is not conducted using the process authorized by section 6514 of this title.

(b) National Forest System

For projects and activities of the National Forest System other than authorized hazardous fuel reduction projects, nothing in this subchapter affects, or otherwise biases, the notice, comment, and appeal procedures for projects and activities of the National Forest System contained in part 215 of title 36, Code of Federal Regulations, or the consideration or disposition of any legal action brought with respect to the procedures.

(Pub. L. 108-148, title I, §107, Dec. 3, 2003, 117 Stat. 1900.)

REFERENCES IN TEXT

The National Environmental Policy Act of 1969, referred to in subsec. (a), is Pub. L. 91-190, Jan. 1, 1970, 83

Stat. 852, as amended, which is classified generally to chapter 55 (§4321 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 4321 of Title 42 and Tables.

§ 6518. Authorization of appropriations

There is authorized to be appropriated \$660,000,000 for each of fiscal years 2019 through 2023 to carry out—

(1) activities authorized by this subchapter; and

(2) other hazardous fuel reduction activities of the Secretary, including making grants to States, local governments, Indian tribes, and other eligible recipients for activities authorized by law.

(Pub. L. 108-148, title I, §108, Dec. 3, 2003, 117 Stat. 1901; Pub. L. 115-334, title VIII, §8402, Dec. 20, 2018, 132 Stat. 4841.)

AMENDMENTS

2018—Pub. L. 115-334 substituted “\$660,000,000 for each of fiscal years 2019 through 2023” for “\$760,000,000 for each fiscal year” in introductory provisions.

SUBCHAPTER II—BIOMASS

§ 6531. Repealed. Pub. L. 115-334, title VIII, § 8403(a), Dec. 20, 2018, 132 Stat. 4841

Section, Pub. L. 108-148, title II, §203, Dec. 3, 2003, 117 Stat. 1902, related to biomass commercial utilization grant program.

SUBCHAPTER III—WATERSHED FORESTRY ASSISTANCE

§ 6541. Omitted

CODIFICATION

Section, Pub. L. 108-148, title III, §301, Dec. 3, 2003, 117 Stat. 1902, which provided congressional findings and purposes of title III of Pub. L. 108-148 (enacting this subchapter and section 2103b of this title), was omitted in view of the repeal of sections 2103b and 6542 of this title.

§ 6542. Water Source Protection Program

(a) Definitions

In this section:

(1) End water user

The term “end water user” means a non-Federal entity, including—

- (A) a State;
- (B) a political subdivision of a State;
- (C) an Indian tribe;
- (D) a utility;
- (E) a municipal water system;
- (F) an irrigation district;
- (G) a nonprofit organization; and
- (H) a corporation.

(2) Forest management activity

The term “forest management activity” means a project carried out by the Secretary on National Forest System land.

(3) Forest plan

The term “forest plan” means a land management plan prepared by the Forest Service for a unit of the National Forest System pursuant to section 1604 of this title.