

(Pub. L. 108-148, title III, §303, as added Pub. L. 115-334, title VIII, §8404(a), Dec. 20, 2018, 132 Stat. 4841.)

REFERENCES IN TEXT

The National Environmental Policy Act of 1969, referred to in subsec. (d)(3), is Pub. L. 91-190, Jan. 1, 1970, 83 Stat. 852, 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.

This chapter, referred to in subsec. (e)(2)(A), 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 below and Tables.

The Endangered Species Act of 1973, referred to in subsec. (f), 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.

PRIOR PROVISIONS

A prior section 6542, Pub. L. 108-148, title III, §303, Dec. 3, 2003, 117 Stat. 1905, provided for tribal watershed forestry assistance and the development of water quality and watershed forestry programs, prior to repeal by Pub. L. 113-79, title VIII, §8005, Feb. 7, 2014, 128 Stat. 913.

§ 6543. Watershed Condition Framework

(a) In general

The Secretary of Agriculture, acting through the Chief of the Forest Service (referred to in this section as the “Secretary”), may establish and maintain a Watershed Condition Framework for National Forest System land—

(1) to evaluate and classify the condition of watersheds, taking into consideration—

- (A) water quality and quantity;
- (B) aquatic habitat and biota;
- (C) riparian and wetland vegetation;
- (D) the presence of roads and trails;
- (E) soil type and condition;
- (F) groundwater-dependent ecosystems;
- (G) relevant terrestrial indicators, such as fire regime, risk of catastrophic fire, forest and rangeland vegetation, invasive species, and insects and disease; and
- (H) other significant factors, as determined by the Secretary;

(2) to identify for protection and restoration up to 5 priority watersheds in each National Forest, and up to 2 priority watersheds in each national grassland, taking into consideration the impact of the condition of the watershed condition on—

- (A) wildfire behavior;
- (B) flood risk;
- (C) fish and wildlife;
- (D) drinking water supplies;
- (E) irrigation water supplies;
- (F) forest-dependent communities; and
- (G) other significant impacts, as determined by the Secretary;

(3) to develop a watershed protection and restoration action plan for each priority watershed that—

- (A) takes into account existing restoration activities being implemented in the watershed; and

(B) includes, at a minimum—

(i) the major stressors responsible for the impaired condition of the watershed;

(ii) a set of essential projects that, once completed, will address the identified stressors and improve watershed conditions;

(iii) a proposed implementation schedule;

(iv) potential partners and funding sources; and

(v) a monitoring and evaluation program;

(4) to prioritize protection and restoration activities for each watershed restoration action plan;

(5) to implement each watershed protection and restoration action plan; and

(6) to monitor the effectiveness of protection and restoration actions and indicators of watershed health.

(b) Coordination

In carrying out subsection (a), the Secretary shall—

(1) coordinate with interested non-Federal landowners and State, Tribal, and local governments within the relevant watershed; and

(2) provide for an active and ongoing public engagement process.

(c) Emergency designation

Notwithstanding paragraph (2) of subsection (a), the Secretary may identify a watershed as a priority for rehabilitation in the Watershed Condition Framework without using the process described in that subsection if a Forest Supervisor determines that—

(1) a wildfire has significantly diminished the condition of the watershed; and

(2) the emergency stabilization activities of the Burned Area Emergency Response Team are insufficient to return the watershed to proper function.

(Pub. L. 108-148, title III, §304, as added Pub. L. 115-334, title VIII, §8405(a), Dec. 20, 2018, 132 Stat. 4843.)

SUBCHAPTER IV—INSECT INFESTATIONS AND RELATED DISEASES

§ 6551. Findings and purpose

(a) Findings

Congress finds that—

(1) high levels of tree mortality resulting from insect infestation (including the interaction between insects and diseases) may result in—

- (A) increased fire risk;
- (B) loss of old trees and old growth;
- (C) loss of threatened and endangered species;
- (D) loss of species diversity;
- (E) degraded watershed conditions;
- (F) increased potential for damage from other agents of disturbance, including exotic, invasive species; and
- (G) decreased timber values;

(2)(A) forest-damaging insects destroy hundreds of thousands of acres of trees each year;