

ering on forest-damaging insects and associated diseases, including an evaluation of—

(A) infestation prevention and suppression methods;

(B) effects of infestations and associated disease interactions on forest ecosystems;

(C) restoration of forest ecosystem efforts;

(D) utilization options regarding infested trees; and

(E) models to predict the occurrence, distribution, and impact of outbreaks of forest-damaging insects and associated diseases;

(2) to assist land managers in the development of treatments and strategies to improve forest health and reduce the susceptibility of forest ecosystems to severe infestations of forest-damaging insects and associated diseases on Federal land and State and private land; and

(3) to disseminate the results of the information gathering, treatments, and strategies.

**(b) Cooperation and assistance**

The Secretary shall—

(1) establish and carry out the program in cooperation with—

(A) scientists from colleges and universities (including forestry schools, land grant colleges and universities, and 1890 Institutions);

(B) Federal, State, and local agencies; and

(C) private and industrial landowners; and

(2) designate such colleges and universities to assist in carrying out the program.

(Pub. L. 108-148, title IV, §403, Dec. 3, 2003, 117 Stat. 1909.)

**§ 6554. Applied silvicultural assessments**

**(a) Assessment efforts**

For information gathering and research purposes, the Secretary may conduct applied silvicultural assessments on Federal land that the Secretary determines is at risk of infestation by, or is infested with, forest-damaging insects.

**(b) Limitations**

**(1) Exclusion of certain areas**

Subsection (a) does not apply to—

(A) a component of the National Wilderness Preservation System;

(B) any Federal land on which, by Act of Congress or Presidential proclamation, the removal of vegetation is restricted or prohibited;

(C) a congressionally-designated wilderness study area; or

(D) an area in which activities under subsection (a) would be inconsistent with the applicable land and resource management plan.

**(2) Certain treatment prohibited**

Nothing in subsection (a) authorizes the application of insecticides in municipal watersheds or associated riparian areas.

**(3) Peer review**

**(A) In general**

Before being carried out, each applied silvicultural assessment under this subchapter

shall be peer reviewed by scientific experts selected by the Secretary, which shall include non-Federal experts.

**(B) Existing peer review processes**

The Secretary may use existing peer review processes to the extent the processes comply with subparagraph (A).

**(c) Public notice and comment**

**(1) Public notice**

The Secretary shall provide notice of each applied silvicultural assessment proposed to be carried out under this section.

**(2) Public comment**

The Secretary shall provide an opportunity for public comment before carrying out an applied silviculture assessment under this section.

**(d) Categorical exclusion**

**(1) In general**

Applied silvicultural assessment and research treatments carried out under this section on not more than 1,000 acres for an assessment or treatment may be categorically excluded from documentation in an environmental impact statement and environmental assessment under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

**(2) Administration**

Applied silvicultural assessments and research treatments categorically excluded under paragraph (1)—

(A) shall not be carried out in an area that is adjacent to another area that is categorically excluded under paragraph (1) that is being treated with similar methods; and

(B) shall be subject to the extraordinary circumstances procedures established by the Secretary pursuant to section 1508.4 of title 40, Code of Federal Regulations.

**(3) Maximum categorical exclusion**

The total number of acres categorically excluded under paragraph (1) shall not exceed 250,000 acres.

**(4) No additional findings required**

In accordance with paragraph (1), the Secretary shall not be required to make any findings as to whether an applied silvicultural assessment project, either individually or cumulatively, has a significant effect on the environment.

(Pub. L. 108-148, title IV, §404, Dec. 3, 2003, 117 Stat. 1910.)

REFERENCES IN TEXT

The National Environmental Policy Act of 1969, referred to in subsec. (d)(1), 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.

**§ 6555. Relation to other laws**

The authority provided to each Secretary under this subchapter is supplemental to, and not in lieu of, any authority provided to the Secretaries under any other law.