

(2) prevent epidemics, such as the American chestnut blight in the first half of the twentieth century, that could be environmentally and economically devastating to forests.

(d) Authorization of appropriations

There is authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2004 through 2008.

(Pub. L. 108-148, title VI, § 601, Dec. 3, 2003, 117 Stat. 1914.)

§ 6591a. Designation of treatment areas

(a) Definition of declining forest health

In this section, the term “declining forest health” means a forest that is experiencing—

- (1) substantially increased tree mortality due to insect or disease infestation; or
- (2) dieback due to infestation or defoliation by insects or disease.

(b) Designation of treatment areas

(1) Initial areas

Not later than 60 days after February 7, 2014, the Secretary shall, if requested by the Governor of the State, designate as part of an insect and disease treatment program 1 or more landscape-scale areas, such as subwatersheds (sixth-level hydrologic units, according to the System of Hydrologic Unit Codes of the United States Geological Survey), in at least 1 national forest in each State that is experiencing an insect or disease epidemic.

(2) Additional areas

After the end of the 60-day period described in paragraph (1), the Secretary may designate additional landscape-scale areas under this section as needed to address insect or disease threats.

(c) Requirements

To be designated a landscape-scale area under subsection (b), the area shall be—

- (1) experiencing declining forest health, based on annual forest health surveys conducted by the Secretary;
- (2) at risk of experiencing substantially increased tree mortality over the next 15 years due to insect or disease infestation, based on the most recent National Insect and Disease Risk Map published by the Forest Service; or
- (3) in an area in which the risk of hazard trees poses an imminent risk to public infrastructure, health, or safety.

(d) Treatment of areas

(1) In general

The Secretary may carry out priority projects on Federal land in the areas designated under subsection (b)—

- (A) to reduce the risk or extent of, or increase the resilience to, insect or disease infestation; or
- (B) to reduce hazardous fuels.

(2) Authority

Any project under paragraph (1) for which a public notice to initiate scoping is issued on or before September 30, 2023, may be carried out in accordance with subsections (b), (c), and (d)

of section 6512 of this title, and sections 6514, 6515, and 6516 of this title.

(3) Effect

Projects carried out under this subsection shall be considered authorized hazardous fuel reduction projects for purposes of the authorities described in paragraph (2).

(4) Report

(A) In general

In accordance with the schedule described in subparagraph (B), the Secretary shall issue 2 reports on actions taken to carry out this subsection, including—

- (i) an evaluation of the progress towards project goals; and
- (ii) recommendations for modifications to the projects and management treatments.

(B) Schedule

The Secretary shall—

- (i) not earlier than September 30, 2018, issue the initial report under subparagraph (A); and
- (ii) not earlier than September 30, 2024, issue the second report under that subparagraph.

(e) Tree retention

The Secretary shall carry out projects under subsection (d) in a manner that maximizes the retention of old-growth and large trees, as appropriate for the forest type, to the extent that the trees promote stands that are resilient to insects and disease.

(Pub. L. 108-148, title VI, § 602, as added Pub. L. 113-79, title VIII, § 8204, Feb. 7, 2014, 128 Stat. 915; amended Pub. L. 115-334, title VIII, §§ 8407(b), 8408, Dec. 20, 2018, 132 Stat. 4846, 4847.)

Editorial Notes

AMENDMENTS

2018—Subsec. (d)(1). Pub. L. 115-334, § 8407(b)(1), substituted “subsection (b)—” and subpars. (A) and (B) for “subsection (b) to reduce the risk or extent of, or increase the resilience to, insect or disease infestation in the areas.”

Subsec. (d)(2). Pub. L. 115-334, § 8407(b)(2), substituted “2023” for “2018”.

Subsec. (f). Pub. L. 115-334, § 8408, struck out subsec. (f). Prior to amendment, text read as follows: “There is authorized to be appropriated to carry out this section \$200,000,000 for each of fiscal years 2014 through 2024.”

§ 6591b. Administrative review

(a) In general

Except as provided in subsection (d), a project described in subsection (b) that is conducted in accordance with section 6591a(d) of this title may be—

- (1) considered an action categorically excluded from the requirements of Public Law 91-190 (42 U.S.C. 4321 et seq.); and
- (2) exempt from the special administrative review process under section 6515 of this title.

(b) Collaborative restoration project

(1) In general

A project referred to in subsection (a) is a project to carry out forest restoration treatments that—