



REGULATORY ROUND-UP

Issue 2 – August 30, 2021

Legislative Remedies for Wildfire Management and Mitigation is a Hot Topic!

1. [Arizona budget includes wildfire mitigation](#) providing \$24.6 million to reduce wildfire risk and \$75 million for wildfire suppression and recovery to areas impacted by wildfire, including \$10 million to support repairs to infrastructure for private and public landowners.

2. Oregon passed a bill about wildfire and restoration. [Oregon Senate Bill 762](#) will help community preparedness for future wildfires. This \$195 million dollar legislation supports strategic wildfire prevention, through implementation of community and forest landscape resilience projects.

3. The federal *Infrastructure Investment and Jobs Act*^[1], is more than what we traditionally think as infrastructure (2021 Senate Bipartisan Infrastructure Bill).^[2] The bill also includes funding for natural resources infrastructure. If it survives House budget wrangling and final vote at the end of September, there is significant long neglected agency (DOI and USDA) funding for wildfire management, ecosystem restoration, wildfire mitigation, reforestation, western water infrastructure ([see below](#)) and abandoned mine land reclamation. These activities will bring our public lands, as well as adjacent private lands, into a more resilient condition to face the current and future increases in drought, wildfire and extreme storms due to climate change. The lists below highlight only a portion of items quoted from this lengthy 2,740 page bill (IIJA 2021).^[1]

❖ Ecosystem restoration \$2.13 billion from 2022 to 2026 to support:

- A Working Capital Fund
- \$200 million to States and Tribes for restoration project implementation
- \$400 million assistance to facilities that purchase/process restoration project byproducts
- \$400 million for DOI matching grants with States, Territories or Indian Tribes for private/public lands ecosystem restoration
- \$200 million for invasive species management



- “Funding for the [Joint Chiefs Landscape Restoration Partnership Program](#) (Forest Service and NRCS Chiefs) Program by coordinating eligible activities conducted on National Forest System land and State, Tribal, or private land across a forest landscape to improve the health and resilience of the forest, landscape by—assisting producers and landowners in implementing eligible activities on eligible private or Tribal land”
- ❖ Wildfire risk reduction 3.4 billion includes:
 - \$1.2 billion applied to mapping wildfire at-risk communities (private and tribal lands) and \$500 million to USDA & States for community wildfire defense grants
 - \$20 million to [Southwest Ecological Restoration Institutes](#)
 - \$20 million to the [Joint Fire Science Program](#)
 - \$100 million for the [Collaborative Forest Landscape Restoration Program](#)
 - \$500 million for mechanical thinning
 - \$500 million for prescribed fire planning and implementation
 - \$500 million for establishing potential control locations for fuel breaks
 - Establishes a Categorical Exclusion for forest and other lands fuel breaks up to 1000 ft continuous with infrastructure (roads, pipelines, water infrastructure, transmission and distribution lines)
 - \$200 million for fuelwood reduction to produce biochar and other wood products
 - \$200 million for post-fire restoration within 3 years of a wildfire event
 - \$8 million for firewood banks feedstock and operation
 - Creates 1000 permanent year round wildland fire fighter positions
 - Improving the very high wildfire hazard [Fire Regime Condition Class](#) of 10 million acres of Federal or Tribal forest/rangelands in wildland-urban interface or drinking water source areas
 - Development of interagency teams for NEPA coordination and efficiency
 - ❖ Wildfire mitigation 3.37 billion:
 - Establishes the *Wildland Fire Mitigation and Management Commission Act of 2021*
 - Establishes a multi-agency Commission to streamline policies related to wildland fire management and mitigation
 - Creation of 1000 permanent year round wildland fire fighter positions
 - ❖ Establishes the *Repairing Existing Public Land by Adding Necessary Trees Act or Replant Act*, by streamlining existing language in existing policy aimed at reforestation activities after wildfire or other disturbance events. It also extends the term to 2030 of the [Forest and Rangeland Renewable Resources Planning Act](#).
 - ❖ Department of the Interior (USFWS, BLM and Bureau of Indian Affairs) resource management funding:
 - \$11.298 billion to the Abandoned Mine Reclamation Fund
 - \$216 million to 2026 for tribal climate resilience, adaptation (\$86 million) and community relocation (\$130 million)



EPA Announces WOTUS Rulemaking Public Meetings Aug 25, 26, 31st

Limited attendance so register early.

<https://www.epa.gov/wotus/public-outreach-and-stakeholder-engagement-activities>

Written recommendations can be submitted here and are due by **Sept 3, 2021**:

<https://www.regulations.gov/commenton/EPA-HQ-OW-2021-0328-0001>

Arizona Officially at Tier 1 Colorado River Shortage

Due to the severe drought in the West, Lake Mead has dropped below the 1075 foot trigger for Tier 1 shortage established in the [2019 Drought Contingency Plan](#). This means Arizona will need to contribute to CAP allocation reductions of 512,000 acre feet. Arizona has established a priority system for CAP users that will be impacted by the allocation reductions. CAP agricultural water users in Maricopa, Pinal and Pima Counties are impacted by the current shortage. Please see the [ADWR and CAP joint press release](#) for the [Tier 1 Shortage AMUA Blog](#) for further information.

Portions of the *Infrastructure Investment and Jobs Act* are also directed at Western water infrastructure. This includes \$300 million towards implementing the Colorado Drought Contingency Plan. As well as \$50 million for USFWS Colorado River Basin endangered species recovery and conservation programs. Additional funding available in the bill could help other Arizona watersheds and wildlife:

- \$2.5 billion to establish the Indian Water Rights Settlement Completion Fund
- \$400 million for USBR WaterSMART grants, with 25% of the grants going towards natural features condition improvements
- \$450 million for watershed health, management and aquatic ecosystem restoration and protection
- Establishes a competitive grant program for small water storage or conveyance capacity projects between 2,000 acre-feet and 30,000 acre-feet that provide increases to surface water or groundwater storage

^[1] *Infrastructure Investment and Jobs Act (IIJA), H.R. 3684, 117th Cong. (2021)*

<https://www.congress.gov/bill/117th-congress/house-bill/3684>

^[2] *Sprunt, B. (2021, August 10). Here's What's Included In The Bipartisan Infrastructure Bill. NPR.*

<https://www.npr.org/2021/06/24/1009923468/heres-whats-included-in-the-infrastructure-deal-that-biden-struck-with-senators>

