

119TH CONGRESS
2D SESSION

S. _____

Min F. B. T

To direct the Secretary of Agriculture to issue competitive grants and enter into cooperative agreements to respond to and address mountain pine beetles, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. BENNET introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To direct the Secretary of Agriculture to issue competitive grants and enter into cooperative agreements to respond to and address mountain pine beetles, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Emergency Mountain
5 Pine Beetle Response and Coordination Act".

6 **SEC. 2. MOUNTAIN PINE BEETLE RESPONSE PROGRAM.**

7 (a) **DEFINITIONS.**—In this section:

1 (1) INDIAN TRIBE.—The term “Indian Tribe”
2 has the meaning given the term in section 4 of the
3 Indian Self-Determination and Education Assistance
4 Act (25 U.S.C. 5304).

5 (2) MOUNTAIN PINE BEETLE RESPONSE
6 PROJECT.—The term “mountain pine beetle re-
7 sponse project” means a project that—

8 (A) is carried out on National Forest Sys-
9 tem land for purposes of restoring forest health
10 in an area that experienced, or is experiencing,
11 a mountain pine beetle outbreak resulting in
12 significant tree mortality; and

13 (B) may include the following activities:

14 (i) Removal of beetle-killed or beetle-
15 infested hazard trees consistent with the
16 applicable forest plan.

17 (ii) Processing of beetle-killed or bee-
18 tle-infested hazard trees.

19 (iii) Forest thinning and other fuels
20 reduction of plant debris associated with
21 mountain pine beetle mortality to alter or
22 clear fuels created by the outbreak and ad-
23 dress a public safety, critical infrastruc-
24 ture, or watershed health need.

1 (iv) Reforestation, including tree
2 planting.

3 (v) Ecological restoration designed to
4 promote biodiversity.

5 (vi) Watershed protection and sta-
6 bilization measures, including—

7 (I) slope stabilization;

8 (II) sediment and runoff control;

9 (III) flood and erosion mitiga-
10 tion; and

11 (IV) planning, monitoring, and
12 technical assistance for purposes of
13 maintaining watershed health.

14 (3) NATIONAL FOREST SYSTEM.—The term
15 “National Forest System” has the meaning given
16 the term in section 11(a) of the Forest and Range-
17 land Renewable Resources Planning Act of 1974 (16
18 U.S.C. 1609(a)).

19 (4) PROGRAM.—The term “Program” means
20 the Mountain Pine Beetle Response Program estab-
21 lished under subsection (b).

22 (5) SECRETARY.—The term “Secretary” means
23 the Secretary of Agriculture, acting through the
24 Chief of the Forest Service.

25 (6) SPONSOR.—The term “sponsor” means—

1 (A) a State or local government;

2 (B) an Indian Tribe;

3 (C) a water management district, a water
4 conservation district, a special district, or a
5 public water, wastewater, and stormwater util-
6 ity; and

7 (D) an electric utility, transmitting utility,
8 or Transmission Organization (as those terms
9 are defined in section 3 of the Federal Power
10 Act (16 U.S.C. 796)) or an electrical trans-
11 mission provider.

12 (7) WILDLAND-URBAN INTERFACE.—The term
13 “wildland-urban interface” has the meaning given
14 the term in section 101 of the Healthy Forests Res-
15 toration Act of 2003 (16 U.S.C. 6511).

16 (b) PROGRAM ESTABLISHMENT.—The Secretary
17 shall establish a competitive grant program, to be known
18 as the “Mountain Pine Beetle Response Program”, under
19 which the Secretary may issue a grant to a sponsor for
20 use in carrying out a mountain pine beetle response
21 project.

22 (c) SELECTION.—

23 (1) ELIGIBILITY.—To be eligible to receive a
24 grant under the Program, a sponsor shall submit to
25 the Secretary an application at such time, in such

1 form, and containing such information as the Sec-
2 retary may require, including a description of the
3 mountain pine beetle response project proposed to be
4 carried out with the grant funds.

5 (2) SELECTION PRIORITY.—In selecting an ap-
6 plicant to receive a grant under the Program, the
7 Secretary shall give priority to applicants that pro-
8 pose to carry out a mountain pine beetle response
9 project—

10 (A) designed to protect municipal water
11 supplies and critical infrastructure;

12 (B) designed to reduce wildfire risk to
13 communities in the wildland-urban interface;

14 (C) focused on an area that has experi-
15 enced, or is experiencing, a mountain pine bee-
16 tle outbreak resulting in high tree mortality or
17 low natural ecological regeneration; and

18 (D) that aligns with a State forest action
19 plan or watershed strategy.

20 (d) DISBURSEMENT.—In disbursing grant funds
21 awarded to a grant recipient under the Program, the Sec-
22 retary—

23 (1) may disburse all or part of those grant
24 funds to the recipient at any time during the period
25 beginning on the date on which the grant is awarded

1 and ending 30 days after the date on which the Sec-
2 retary receives the written notification described in
3 paragraph (2); and

4 (2) shall ensure that all of those grant funds
5 are disbursed not later than 30 days after the date
6 on which the Secretary receives written notification
7 from the recipient attesting that the mountain pine
8 beetle response project for which the grant was
9 awarded is complete.

10 **SEC. 3. COOPERATIVE AGREEMENTS TO ADDRESS MOUN-**
11 **TAIN PINE BEETLE INFESTATIONS.**

12 (a) DEFINITION OF COVERED ENTITY.—In this sec-
13 tion, the term “covered entity” means each of the fol-
14 lowing:

- 15 (1) The Governor of a State.
16 (2) An Indian Tribe.
17 (3) A county or municipal government.
18 (4) The chief executive officer of a political sub-
19 division of a State.

20 (b) COOPERATIVE AGREEMENT AUTHORIZATION.—
21 The Secretary of Agriculture, acting through the Chief of
22 the Forest Service, may enter into a cooperative agree-
23 ment with a covered entity to provide for activities to sup-
24 port the detection, treatment, and mitigation of mountain
25 pine beetle infestations on land subject to the jurisdiction

1 of the Secretary or that covered entity, which may include
2 the following:

3 (1) Coordinated monitoring and data sharing.

4 (2) Joint planning and implementation of
5 projects.

6 (3) Processing beetle kill or infested trees.

7 (4) Increasing wood processing and workforce
8 development capacity.

9 (5) Hazard reduction in areas affected by
10 mountain pine beetle infestations, consistent with
11 the applicable forest plan.

12 (c) TECHNICAL ASSISTANCE.—

13 (1) MONITORING AND MANAGEMENT.—On re-
14 quest of a covered entity that is party to an agree-
15 ment entered into under subsection (b), the Sec-
16 retary of Agriculture, acting through the Adminis-
17 trator of the Animal and Plant Health Inspection
18 Service, shall provide to that covered entity technical
19 assistance requested with respect to the monitoring
20 and management of mountain pine beetle infesta-
21 tions, including with respect to—

22 (A) detection;

23 (B) spread dynamics; and

24 (C) mitigation strategies.

1 (2) WORKFORCE AND WOOD PROCESSING.—On
2 request of a covered entity that is party to an agree-
3 ment entered into under subsection (b), the Sec-
4 retary of Agriculture, acting through the Under Sec-
5 retary for Rural Development, shall provide to that
6 covered entity technical assistance requested with re-
7 spect to—

8 (A) workforce capacity;

9 (B) wood processing infrastructure;

10 (C) market creation and development for
11 the byproducts of beetle kill or infested trees,
12 including—

13 (i) mass timber;

14 (ii) facilitating wood energy innova-
15 tion; and

16 (iii) affordable housing construction;

17 and

18 (D) other matters relating to processing
19 beetle kill or infested trees.