

Mary F. Bennett

Bennet #2

AMENDMENT NO. _____ Calendar No. _____

Purpose: To provide for the establishment and maintenance of a Watershed Condition Framework.

IN THE SENATE OF THE UNITED STATES—115th Cong., 2d Sess.

S. _____

To provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2023, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. BENNET

Viz:

1 After section 8404, insert the following:

2 **SEC. 8405. WATERSHED CONDITION FRAMEWORK.**

3 (a) IN GENERAL.—Title III of the Healthy Forests
4 Restoration Act of 2003 (16 U.S.C. 6541 et seq.) (as
5 amended by section 8404(a)) is amended by adding at the
6 end the following:

7 **“SEC. 304. WATERSHED CONDITION FRAMEWORK.**

8 “(a) IN GENERAL.—The Secretary of Agriculture,
9 acting through the Chief of the Forest Service (referred
10 to in this section as the ‘Secretary’), shall establish and

1 maintain a Watershed Condition Framework for National
2 Forest System land—

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

5 “(A) water quality and quantity;

6 “(B) aquatic habitat and biota;

7 “(C) riparian and wetland vegetation;

8 “(D) the presence of roads and trails;

9 “(E) soil type and condition;

10 “(F) groundwater-dependent ecosystems;

11 “(G) relevant terrestrial indicators, such as
12 fire regime, risk of catastrophic fire, forest and
13 rangeland vegetation, invasive species, and in-
14 sects and disease; and

15 “(H) other significant factors, as deter-
16 mined by the Secretary;

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

22 “(A) wildfire behavior;

23 “(B) flood risk;

24 “(C) fish and wildlife;

25 “(D) drinking water supplies;

1 “(E) irrigation water supplies;

2 “(F) forest-dependent communities; and

3 “(G) other significant impacts, as deter-
4 mined by the Secretary;

5 “(3) to develop a watershed protection and res-
6 toration action plan for each priority watershed
7 that—

8 “(A) takes into account existing restora-
9 tion activities being implemented in the water-
10 shed; and

11 “(B) includes, at a minimum—

12 “(i) the major stressors responsible
13 for the impaired condition of the water-
14 shed;

15 “(ii) a set of essential projects that,
16 once completed, will address the identified
17 stressors and improve watershed condi-
18 tions;

19 “(iii) a proposed implementation
20 schedule;

21 “(iv) potential partners and funding
22 sources; and

23 “(v) a monitoring and evaluation pro-
24 gram;

1 “(4) to prioritize protection and restoration ac-
2 tivities for each watershed restoration action plan;

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

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

8 “(b) COORDINATION.—In carrying out subsection
9 (a), the Secretary shall—

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

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

15 “(c) EMERGENCY DESIGNATION.—Notwithstanding
16 paragraph (2) of subsection (a), the Secretary may iden-
17 tify a watershed as a priority for rehabilitation in the Wa-
18 tershed Condition Framework without using the process
19 described in that subsection if a Forest Supervisor deter-
20 mines that—

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

23 “(2) the emergency stabilization activities of the
24 Burned Area Emergency Response Team are insuffi-
25 cient to return the watershed to proper function.”.

1 (b) CONFORMING AMENDMENT.—The table of con-
2 tents for the Healthy Forests Restoration Act of 2003 (16
3 U.S.C. 6501 note; Public Law 108–148) (as amended by
4 section 8404(b)) is amended by inserting after the item
5 relating to section 303 the following:

“Sec. 304. Watershed Condition Framework.”.