



Protect the West Act

Section-by-Section Summary

Section 1: Title

Section 2: Definitions

- (1) The “Council” is the Restoration Fund Advisory Council established in the Act.
- (2) The covered authorities include a wide range of U.S. Forest Service (USFS) and Bureau of Land Management (BLM) authorities, including good neighbor authority, stewardship contracting, cooperative forestry assistance, and other watershed, wildlife, and conservation programs.
- (3) The term “ecological integrity” has the same meaning as currently exists in USFS regulations.
- (4) An “eligible entity” is a state agency, unit of local government, tribal government, regional organization, quasi-governmental organization, special district, or nonprofit organization.
- (5) The “Fund” is the Outdoor and Watershed Restoration Fund.
- (6) The “grant program” is the Restoration and Resilience Grant Program.
- (7) The term “restoration” has the same meaning as currently exists in USFS regulations.
- (8) A Restoration and Resilience Project is a project that measurably improves forest condition, rangeland and native grassland health, watershed function, or wildlife habitat for at-risk species on Federal or non-Federal land.
- (9) The Secretary is the Secretary of Agriculture.
- (10) The wildland-urban interface has the same meaning as in the Healthy Forests Restoration Act of 2003.

Section 3: Outdoor and Watershed Restoration Fund

- (a) Establishment: Establishes the Outdoor and Watershed Restoration Fund in the Treasury.
- (b) Use: The Secretary can use the Fund to provide Restoration and Resilience Grants (Section 5) and to carry out the Restoration and Resilience Partnership (Section 6).
- (c) Existing Programs and Authorities: The Fund shall complement, not duplicate or replace, existing federal conservation, restoration, and resilience funding. Funds may be used on federal and non-federal land in accordance with applicable law and available authorities.
- (d) Existing Funding: The Fund will supplement, and not supplant, existing federal funding.

- (e) Interagency Flexibility and Leverage: Increases the speed and scale of results by allowing applicants to meet cost-share requirements through other covered authorities or funds appropriated under Section 8. Directs the Secretary to streamline the eligibility and verification criteria.
- (f) Pay for Performance Contract Authority: Allows the Secretary to use purchase successfully implemented project outcomes at a negotiated per-unit price.
- (g) Acceptance and Use Contributions: Allows the Secretary to establish an account to accept contributions of non-Federal funds to support activities in subsection (b).
- (h) Congressional Oversight: The USDA Inspector General must review and report on the use and any misuse of the Outdoor and Watershed Restoration Fund on an annual basis and submit their findings to Congress.

Section 4: Restoration Fund Advisory Council

- (a) Establishment: Establishes the Restoration Fund Advisory Council to make recommendations to the Secretary on the Restoration and Resilience Grant Program; priority-setting for landscapes; and evaluation and monitoring of project success.
- (b) Membership: The Council includes the Secretary of Agriculture, other federal agency representatives, and at least 12 additional members, including 3 representatives from resource-dependent industries, 3 national experts on restoration, economic development, and resilience, 3 representatives from wildlife and conservation organizations, and one representative each from a state, tribal, and local government.
- (c) Reporting: The Secretary must submit an annual report to relevant House and Senate committees detailing the projects the Outdoor Restoration Fund supported, including economic and environmental outcomes, and recommendations to improve future projects and align resources.

Section 5: Restoration and Resilience Project Grant Program

- (a) Purposes: The purpose of this section is to increase state, local, and tribal capacity for restoration and resilience projects and support locally led efforts to improve forest, watershed, and rangeland health, mitigate wildfire, or expand equitable outdoor access.
- (b) Establishment: Establishes the Restoration and Resilience Grant Program and requires the Secretary, with the guidance of the Council, to provide grants or pay-for-performance contracts from the Outdoor Restoration Fund to eligible entities for restoration and resilience, wildfire mitigation, and outdoor access projects.
- (c) Regional Coordination: The Secretary and the Council, in administering the Grant Program, must seek input from, coordinate with, and support existing state or regional efforts, initiatives, or partnerships on ecological restoration.
- (d) Grants: The Secretary must provide at least two types of grants: capacity grants and implementation grants to support restoration and resilience projects from start to finish. The Council must offer these grants or pay-for-performance contracts with a simple and straightforward application. The Secretary is required to the extent practicable to provide training and mentoring opportunity for communities with less capacity or underserved

populations. The Secretary may waive matching requirements for applicants from lower-capacity or underserved communities.

- (e) Priority: The Secretary must prioritize projects that create or sustain local jobs; are developed through a collaborative process; would address shared federal and non-federal priorities; advance local, state, or tribal plans; utilize watershed data analytics; are carried out by lower-capacity or underserved communities; or assist communities transitioning away from fossil fuel extraction.
- (f) Authorities: Eligible entities may use existing authorities, including covered authorities, when carrying out a project.

Section 6: Restoration and Resilience Partnership

- (a) Purposes: The purpose of the partnership program is to restore forest, grassland, and rangeland ecosystems and create jobs by reducing the backlog of restoration and resilience projects on federal and non-federal land, in partnership with state, local, and tribal governments.
- (b) Establishment: The Secretary of Agriculture will administer the Restoration and Resilience Partnership in consultation with states, tribes, and other federal agencies.
- (c) Designation of Areas: Requires the Secretary to designate federal and non-federal land eligible for restoration and resilience projects under the partnership program, in consultation with state and tribal governments.
- (d) Eligibility: Designated land must have a high or very high risk of wildfire, be in the wildland-urban interface, or consist of high-priority wildlife habitat in need of restoration.
- (e) Restoration and Resilience Projects: The Secretary of Agriculture shall use the Fund to carry out restoration and resilience projects in designated areas, in coordination with the Department of the Interior and relevant stakeholders. The Secretary shall prioritize projects that reduce hazardous fuels, improve habitat, reintroduce fire where appropriate, improve water quality or quantity; establish plans for project success; and improve resilience in the wildland-urban interface. Projects may use, but are not limited to, the covered authorities and must be carried out in accordance with management plans. The Secretary may not use the Fund to build permanent roads or remove old growth stands, or to carry out projects in wilderness areas, roadless areas, or in other areas where the removal of vegetation is restricted or prohibited. [Directs the Secretary to provide block grants to States and Indian Tribes to carry out the projects in this section.]

Section 7: Oversight

Directs the Secretary to submit a report to Congress, with respect to the funding made available by the Infrastructure Investment and Jobs Act and Inflation Reduction Act, that explains the methodology for setting priority landscapes; describes the metrics the Secretary is using for measuring performance; and describes the allocation of funds to States, forests, and Indian Tribes.

Section 8: Funding

- (a) Provides \$60 billion to the Fund, to remain available until expended, of which \$20 billion is available for the Restoration and Resilience Grant Program and \$40 billion is available for the Restoration and Resilience Partnership. At least \$20 billion of the Restoration and Resilience Partnership funds must be used for projects on federal land. Restoration and Resilience Partnership funds may also be used to support staff and workforce needs.