

110TH CONGRESS  
1ST SESSION

# S. 1646

To amend the Food Security Act of 1985 to require the Secretary of Agriculture to make cost-share and incentive payments for innovative fuels management conservation practices, including prescribed grazing management on private grazing land and practices that complement commensurate public land, to prevent the occurrence and spread of, and damages caused by, wildfires fueled by invasive species.

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IN THE SENATE OF THE UNITED STATES

JUNE 18, 2007

Mr. REID (for himself and Mr. ENSIGN) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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## A BILL

To amend the Food Security Act of 1985 to require the Secretary of Agriculture to make cost-share and incentive payments for innovative fuels management conservation practices, including prescribed grazing management on private grazing land and practices that complement commensurate public land, to prevent the occurrence and spread of, and damages caused by, wildfires fueled by invasive species.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Wildfire  
3 Presuppression Fuels Management Pilot Program Act of  
4 2007”.

5 **SEC. 2. FINDINGS.**

6 Congress finds that—

7 (1) private grazing land in the United States  
8 has experienced dramatic increases in the levels of  
9 cheatgrass and other invasive or noxious weed spe-  
10 cies following wildfires; and

11 (2) to address the needs of private landowners  
12 with respect to the protection and management of  
13 grazing land, the Secretary of Agriculture should  
14 provide cost-share and incentive payments to the  
15 landowners to develop fuels management plans and  
16 practices and to promote activities—

17 (A) to protect areas of grazing land and  
18 wildlife habitat that have not been negatively  
19 affected by wildfire; and

20 (B) to manage the risks of wildfires that  
21 occur—

22 (i) on public land and rights-of-way  
23 from moving onto private grazing land;  
24 and

25 (ii) on private land from moving onto  
26 public land and right-of-way.

1 **SEC. 3. FIRE PRESUPPRESSION CONSERVATION PROGRAM.**

2 (a) IN GENERAL.—Section 1240B of the Food Secu-  
3 rity Act of 1985 (16 U.S.C. 3839aa–2) is amended—

4 (1) in subsection (a)—

5 (A) in paragraph (1), by striking “2010”  
6 and inserting “2012”; and

7 (B) in paragraph (2)—

8 (i) in subparagraph (A), by striking  
9 “and” at the end;

10 (ii) in subparagraph (B), by striking  
11 the period at the end and inserting “;  
12 and”; and

13 (iii) by adding at the end the fol-  
14 lowing:

15 “(C) a producer that develops a fuels man-  
16 agement conservation plan, approved by the  
17 Natural Resources Conservation Service, and  
18 subsequently implements a structural practice  
19 or a land management practice relating to fire  
20 presuppression on private grazing land as de-  
21 scribed in the approved conservation plan, shall  
22 be eligible to receive cost-share payments and  
23 annual incentive payments in accordance with  
24 subsection (i).”; and

25 (2) by adding at the end the following:

1       “(i) WILDFIRE PRESUPPRESSION CONSERVATION  
2 PROGRAM.—

3           “(1) IN GENERAL.—For each of fiscal years  
4 2008 through 2012, the Secretary shall provide cost-  
5 share payments under subsection (d) and annual in-  
6 centive payments under subsection (e) to producers  
7 that enter into contracts as described in paragraph  
8 (2) for activities described in paragraph (3).

9           “(2) TERM OF CONTRACTS.—Notwithstanding  
10 subsection (b)(2)(A), a contract entered into under  
11 this subsection shall have a term of—

12                   “(A) not less than 5 years; and

13                   “(B) not more than 10 years.

14           “(3) ELIGIBLE ACTIVITIES.—In addition to  
15 grants under section 1240H, the Secretary may pro-  
16 vide cost-share payments and incentive payments  
17 under this subsection to producers for planning and  
18 carrying out innovative fuels management conserva-  
19 tion plans on private grazing land to help prevent  
20 the occurrence and spread of, and damages caused  
21 by, wildfires fueled by invasive or noxious weed spe-  
22 cies, including activities relating to—

23                   “(A) managed fuel breaks along a bound-  
24 ary between public and private land to reduce  
25 fuel load, including—

1                   “(i) managed grazing practices and  
2                   the technology required to implement such  
3                   a practice; and

4                   “(ii) the use of brush strips or mosaic  
5                   patches;

6                   “(B) restoration of fire-damage areas  
7                   using adapted plant material, with an emphasis  
8                   on using native and adapted grasses and forbs  
9                   to vegetate or revegetate the fire-damaged  
10                  areas;

11                  “(C) projects that receive expanded con-  
12                  servation innovation grants for technology  
13                  transfer training programs relating to fuels  
14                  management techniques;

15                  “(D) protection or restoration of critical  
16                  wildlife habitat; and

17                  “(E) conservation practices designed to re-  
18                  duce and manage high fuel loads associated  
19                  with woody plant species.”.

20                  (b) CONFORMING AMENDMENT.—Section 1240H(b)  
21 of the Food Security Act of 1985 (16 U.S.C. 3839aa–  
22 8(b)) is amended by striking paragraph (2) and inserting  
23 the following:

24                  “(2) implement projects or activities, such as—

1           “(A) market systems for pollution reduc-  
2           tion;

3           “(B) innovative conservation practices, in-  
4           cluding the storing of carbon in the soil; and

5           “(C) innovative grazing management ac-  
6           tivities described in section 1240B(i)(3); and”.

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