

United States Department of the Interior

OFFICE OF THE SECRETARY Washington, DC 20240

DOI WILDLAND FIRE PROGRAM POLICY MEMORANDUM No. 2023-007

To: Director, Bureau of Land Management

Director, National Park Service

Director, U.S. Fish and Wildlife Service Director, Bureau of Indian Affairs Commissioner, Bureau of Reclamation

Director, U.S. Geological Survey

From: Jeffery Rupert, Director, Office of Wildland Fire

Subject: Additional Fiscal Year 2023 Budget Allocations for Implementing the Bipartisan

Infrastructure Law (Public Law 117-58)

Due Date: Does not apply

Effective Date: Immediately

Expiration Date: Remains in effect unless rescinded or modified.

<u>Purpose</u>: This Policy Memorandum (PM) provides information and direction regarding the third round of Fiscal Year (FY) 2023 allocations of funding for implementing the Infrastructure Investment and Jobs Act, or "Bipartisan Infrastructure Law" (BIL), Public Law (P.L.) 117-58.

<u>Background</u>: The direction in this PM supports the Department of the Interior's continued implementation of BIL's Wildland Fire Management (WFM) provisions. This PM covers the third round of approved allocations of BIL funding during FY 2023. This PM's approved allocations and guidance are for Preparedness, Fuels Management, and Burned Area Rehabilitation. All of the allocations for Preparedness and Fuels Management are from FY 2023 appropriations, and all of the allocations for Burned Area Rehabilitation are from FY 2022 and FY 2023 appropriations.

<u>Coordination</u>: The Office of Wildland Fire (OWF) consulted bureaus and offices participating in Interior's WFM program, Interior's BIL Project Management Office (PMO), and Interior's Office of Budget in developing the allocations covered by this PM.

Scope: This PM applies to budget allocations and execution for the Bureau of Indian Affairs (BIA), the Bureau of Land Management (BLM), the National Park Service (NPS), the U.S. Fish and Wildlife Service (FWS), the U.S. Geological Survey (USGS), OWF, and any other bureaus or offices that receive WFM BIL funding allocations approved through this PM.

Existing Policy Affected:

This PM amends the policy for post-wildfire recovery found in Departmental Manual (DM) Part 620, Wildland Fire Management, Chapter 7, Post-Wildfire Recovery.

This PM relates to the following other PMs for allocations and execution of BIL funding:

- <u>DOI Wildland Fire Program PM No. 2022-006</u>, "Guidance for Initial Fiscal Year 2022 Budget Allocations and Execution for the Infrastructure Investment and Jobs Act (Public Law 117-58)";
- DOI Wildland Fire Program PM No. 2022-007, "Further Fiscal Year 2022 Budget
 Allocations and Guidance on Implementation of Special Payments to Wildland Firefighters
 under the Infrastructure Investment and Jobs Act (Public Law 117-58)";
- <u>DOI Wildland Fire Program PM No. 2022-008</u>, "Further Fiscal Year 2022 Budget Allocations (Public Law 117-58)";
- <u>DOI Wildland Fire Program PM No. 2023-002</u>, "Initial Fiscal Year 2023 Budget Allocations for Implementing the Bipartisan Infrastructure Law (Public Law 117-58)"; and
- <u>DOI Wildland Fire Program PM No. 2023-006</u>, "Additional Fiscal Year 2023 Budget Allocations for Implementing the Bipartisan Infrastructure Law (Public Law 117-58)".

Authority: DM Part 620 Wildland Fire Management, as amended (see above); BIL (P.L. 117-58)

<u>Timeframe</u>: This PM applies to requirements of, and funding made available by, <u>P.L. 117-58</u>. The allocations of funding detailed in this PM are from appropriations made available beginning in FY 2022 and FY 2023. The funds are available until expended.

Policy:

Burned Area Rehabilitation: This PM revises the policy found on page 3 of DM 620, Wildland Fire Management, Chapter 7, as follows:

The sentence in this chapter of the DM that says, "Funding for burned area rehabilitation treatments is available for no more than five years following 21 days after the ignition date of a wildfire" is hereby changed to say, "Funding for burned area rehabilitation treatments from regular appropriations is available for no more than five years following 21 days after the ignition date of a wildfire. Funding provided for burned area rehabilitation through the Infrastructure Investment and Jobs Act (Public Law 117-58) that is authorized by section 40803(c)(16) of Title VIII of Division D is available for post-fire restoration activities that are implemented not later than three years after the date that a wildland fire is contained. However, funding provided for burned area rehabilitation through Public Law 117-58 that is appropriated by Title VI of Division J under the heading Department-Wide Programs, Wildland Fire Management, in subparagraph 3 may be spent on actions within ten years after the ignition of a wildfire."

Table 1 (below) summarizes the revised policy in DM 620, Chapter 7, for burned area rehabilitation:

Table 1
Period of Availability of Funding for Burned Area Rehabilitation by Funding Source

Funding Source	Start of Availability	End of Availability
Regular annual appropriations/ A	21 days after ignition date of the wildfire	5 years after the Start of Availability
BIL (P.L. 117-58), authorized by section 40803(c)(16), Title VIII, Division D/B	Containment date of the wildfire	3 years after the Start of Availability
BIL (P.L. 117-58), appropriated by subparagraph 3, Title VI, Division J	Ignition date of the wildfire	10 years after the Start of Availability

A/ The most recent regular annual appropriations were provided by the Consolidated Appropriations Act, 2023, P.L. 117-328.

B/ This section authorizes \$100.0 million for Interior for post-fire restoration activities that are implemented not later than three years after the date that a wildland fire is contained. Funding authorized by this section was appropriated by subparagraph 1, Title VI, Division J.

Budget Allocations: See Table 2 (below) for new approved allocation amounts from P.L. 117-58 for FY 2023 and FY 2024, by bureau or office, to implement BIL. These funds will be available in addition to unobligated balances of previously approved allocations of BIL funding. This PM's allocations are for the following purposes (all references are to Division D, Title VIII, of P.L. 117-58, except if indicated otherwise):

• Preparedness:

- Special pay supplements for federal wildland firefighters, as authorized by BIL Section 40803(d)(4),
- An agreement with the National Oceanic and Atmospheric Administration (NOAA) to make use of the Geostationary Operational Environmental Satellite (GOES) Program to rapidly detect and report wildfire starts, as authorized by BIL Section 40803(c)(1), and
- o Training, as authorized by BIL Section 40803(c)(7).

• Fuels Management:

- Projects to be completed under the authority of BIL Section 40803(c)—subsections 11, 13, 14, and/or 15¹— and/or Division J, Title VI, under the heading "Wildland Fire Management."
- Burned Area Rehabilitation: Activities authorized by BIL Section 40803(c)(16) of Title VIII, Division D, and/or appropriated funding by Title VI of Division J of BIL under the heading "Department-Wide Programs, Wildland Fire Management."

OWF notifies bureaus of Treasury transaction numbers once transfers are completed. Bureaus and

¹ Appropriations authorized by section 40803(c)(15) may only be expended for projects on federal lands. Therefore, they are unavailable for any Fuels Management projects that occur on non-federal lands.

offices should obligate funding consistent with policy guidance and direction provided in:

- DOI Wildland Fire Program Policy Memorandum No. 2022-006, "Guidance for Initial Fiscal Year 2022 Budget Allocations and Execution for the Infrastructure Investment and Jobs Act (Public Law 117-58)", which includes guidelines on administrative costs and reporting requirements; and
- <u>DOI Wildland Fire Program Policy Memorandum No. 2022-007</u>, "Further Fiscal Year 2022 Budget Allocations and Guidance on Implementation of Special Payments to Wildland Firefighters under the Infrastructure Investment and Jobs Act (Public Law 117-58)", which provides guidance on the BIL special pay supplements for federal wildland firefighters.

Preparedness: This PM approves the allocation of \$28,244,000 of the \$53,664,000 in FY 2023 BIL funding for Preparedness that remains unallocated. The allocations to bureaus and OWF are as indicated in Table 2 (see below) and for the following purposes:

- Compensation Special Pay Supplements: This PM approves the allocation of a total \$11,844,000 to BIA, BLM, FWS, NPS, and OWF to continue the special payments for federal wildland firefighters that Interior is making pursuant to Section 40803(d)(4). This funding, in combination with previous allocations, is intended to cover the pay supplement costs through most of August 2023 (estimate). Bureaus should use these additional allocations consistent with the guidance in PM No. 2022-007, its attachments, and other relevant guidance. Additional allocations for these pay supplements will occur later in FY 2023.
- GOES Wildfire Detection (NOAA): This PM approves the allocation of \$10,000,000 to OWF for an agreement with NOAA that OWF will administer on behalf of the WFM program, as approved by the Interior Fire Executive Council (IFEC). BIL section 40803(c)(1) authorizes this funding for an agreement with NOAA to make use of the GOES program to rapidly detect and report wildfire starts.
- Workshops & Training: This PM approves the allocation of a total \$6,400,000 to BIA, BLM, FWS, and NPS for hiring and training wildland fire management apprentices, as approved by IFEC.

Table 2
New Approved Allocations of Funding from the
Infrastructure Investment and Jobs Act (P.L. 117-58)

(Dollars in thousands/ A)

Activity or Subactivity	BIA	BLM	FWS	NPS	OWF	Parent Account	TOTAL, WFM Program
Preparedness, Subtotals	2,845	7,790	3,415	4,005	10,189	0	28,244
Compensation/ B	1,245	6,190	1,815	2,405	189	0	11,844
GOES Wildfire Detection (NOAA)	0	0	0	0	10,000	0	10,000
Workshops & Training	1,600	1,600	1,600	1,600	0	0	6,400
Fuels Management, Subtotals	12,667	45,076	9,726	9,559	0	10,191	87,219
BLM Local Partnerships (FY 2023)/ C	0	12,570	0	0	0	0	12,570
Interagency Agreement for Cross-Boundary Fuels Management/ C	0	0	0	0	0	5,150	5,150
USGS Science Support/ D	0	0	0	0	0	5,041	5,041
Projects/Programs of Work (FY 2024)/ E	12,667	32,506	9,726	9,559	0	0	64,458
Burned Area Rehabilitation (BAR), Subtotals	6,772	13,223	1,699	2,301	0	45,955	69,950
Treatments 5-10 years post- fire, less than \$250,000/ C	3,547	6,198	699	556	0	0	11,000
Treatments 5-10 years post- fire, \$250,000 or more/ F	0	0	0	0	0	11,000	11,000
Plant Materials Development/ F	0	0	0	0	0	33,000	33,000
USGS Science Support/ D	0	0	0	0	0	1,955	1,955
FY 2024 Projects and Programs of Work/ E	3,225	7,025	1,000	1,745	0	0	12,995
TOTAL, All Activities	22,284	66,089	14,840	15,865	10,189	56,146	185,413

A/ Allocations are rounded to the nearest thousand dollars for presentation in this table.

- D/ OWF will transfer amounts from the WFM parent account as needed for programs of work approved by IFEC.
- E/OWF will transfer amounts from these approved allocations for FY 2024 when eligible projects are identified and approved by the bureau.
- F/ Projects costing \$250,000 or more and projects submitted for plant materials will be compiled, reviewed, and prioritized in September for funding transfers in FY 2024.

Fuels Management: This PM approves the allocation of \$87,219,000 of the \$87,219,000 in

B/ These allocations are additional funding for BIL Section 40803(d)(4): the special pay supplements for federal wildland firefighters (the same purpose as allocations in DOI Wildland Fire Program PMs 2022-007, 2022-008, 2023-002, and 2023-006).

C/OWF will transfer amounts from these approved allocations when a selection has been made and eligible projects are identified and approved by the bureau.

FY 2023 BIL funding for Fuels Management that remains unallocated. The allocations to bureaus and OWF are as indicated in Table 2 and for the following purposes:

- <u>BLM Local Partnerships (FY 2023)</u>: Consistent with Section 40803(c) and Division J, Title VI, of BIL, this PM approves the allocation of \$12,570,000 to BLM for projects to support local partnership work to protect vulnerable communities from wildfire while preparing our natural landscapes for a changing climate, to begin in FY 2023, as identified in the National Fire Plan Operations and Reporting System (NFPORS).
- Interagency Agreement for Cross-Boundary Fuels Management: This PM approves the allocation of \$150,000 to hire one staff position to develop an interagency agreement or memorandum of understanding with the U.S. Department of Agriculture (USDA) Forest Service, establish tracking mechanisms both within Interior and with USDA Forest Service, and track the exchange of resources and associated expenditures for cross-boundary fuels management. Additionally, this PM approves the allocation of \$5,000,000 to fund the cross-boundary work through the national agreement. All of this funding will be held in the WFM parent account until it is determined which office or bureau will hire the staff position and as methods are further defined to allocate estimated and actual expenditures for cross-boundary fuels management to the bureaus as they implement work across federal lands.
- <u>USGS Science Support</u>: This PM approves the allocation of up to \$5,040,500 to provide additional funding to USGS through a reimbursable services agreement for scientific support of BIL Fuels Management implementation. The funding will remain in the WFM parent account until it distributed based on the approval of programs of work by IFEC, the completion of planned work using funding from the existing agreement (see below), and need to fund approved programs of work. USGS is providing support for wildland fire science to communicate the relationship of Interior's fuels treatments to priority risk reduction and a strategic monitoring framework to describe risk reduction resulting from completed projects. OWF executed a reimbursable services agreement with USGS on behalf of the program in FY 2022 totaling \$550,000. That investment was approved through PM No. 2022-006.
- <u>Projects/Programs of Work (FY 2024)</u>: Consistent with Section 40803(c) and Division J, Title VI, of BIL, this PM approves the allocation of a total \$64,458,000 to BIA, BLM, FWS, and NPS for additional Fuels Management projects to begin in FY 2024, as identified in NFPORS or Interagency Fire Occurrence Reporting Modules (InFORM) Fuels.

Burned Area Rehabilitation: This PM approves the allocation of all of the \$36,405,000 in FY 2022 BIL funding for Burned Area Rehabilitation (BAR) that remains unallocated and all of the \$33,545,000 that remains unallocated for activities authorized by BIL Section 40803(c)(16) and Division J, Title VI, under the heading "Wildland Fire Management". The allocations are as indicated in Table 2 and for the following purposes:

• <u>Treatments 5-10 years Post-Fire</u>: This PM approves the allocation of \$22,000,000 of FY 2022 BIL funding for post-fire recovery from five to ten years after a wildfire. Of this total,

\$11,000,000 is for projects costing less than \$250,000 each. These funds are approved for allocation to the bureaus as indicated in Table 2. OWF will transfer the funds as needed once projects and programs of work are bureau-approved and entered in NFPORS. The remaining \$11,000,000 will be for projects costing \$250,000 or more. These funds will remain in the WFM parent account until eligible projects are bureau-approved and entered in NFPORS.

- <u>Plant Materials Development</u>: This PM approves the allocation of \$33,000,000 for investments in strategic plant materials development for such things as nurseries, seed collection, and production. The funding will remain in the WFM parent account until eligible projects are approved. Bureaus will nominate plant materials projects costing \$250,000 or more through their bureau post-fire coordinator group by September 15th of each year. The Interior Burned Area Emergency Response Coordinators will review and prioritize the projects each year in September for funding early in the following fiscal year. Based on that review and prioritization, OWF will allocate funding from the WFM parent account to the bureau accounts.
- <u>USGS Science Support</u>: This PM approves the allocation of up to \$1,954,500 to provide funding to USGS through a reimbursable services agreement for scientific support of BIL BAR implementation. The amount will remain in the WFM parent account until IFEC approval of one or more programs of work requiring the funding. USGS will conduct science synthesis and translation, develop science products for wildland fire risk, develop a strategic national treatment effectiveness approach, expand post-fire mapping and monitoring, and establish a wildland fire science project manager position.
- Projects/Programs of Work (FY 2024): Consistent with Section 40803(c) and Division J, Title VI, of BIL, this PM approves the allocation of a total of \$12,995,000 to BIA, BLM, FWS, and NPS for additional BAR projects to begin in FY 2024, as identified in NFPORS.

Table 3 (see below) shows the total amounts of approved allocations of BIL funding to date, by activity and bureau or office, including allocations covered by this PM:

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Table 3
Cumulative Approved Allocations of Funding, FY 2022-2023 from the Infrastructure
Investment and Jobs Act (P.L. 117-58) by Bureau or Office

(Dollars in thousands/ A)

Activity or Subactivity	BIA	BLM	FWS	NPS	OWF	Parent	TOTAL Allocations, by Activity
Preparedness/ B	15,795	75,141	18,570	18,831	21,303	0	149,640
Fuels Management/ C, D	76,104	169,596	70,684	46,175	4,799	10,191	377,549
Burned Area Rehabilitation/ C, D	16,229	34,261	4,609	7,381	730	45,955	109,165
Joint Fire Science Program	0	5,075	0	0	0	0	5,075
TOTAL Allocations, by Bureau or Office/ C	108,128	284,073	93,863	72,387	26,832	56,146	641,429

A/ Allocations are rounded to the nearest thousand dollars for presentation in this table.

D/ OWF transfers each bureau's allocations of funding as projects needing funding are identified and bureau-approved in NFPORS.

Table 4 (see below) shows total approved allocations of BIL funding to date and unallocated amounts remaining in the WFM Parent account, including amounts approved for allocation through this PM:

Table 4

FY 2022 and FY 2023 Approved Allocations and Unallocated Amounts Remaining in the Parent Account from the Infrastructure Investment and Jobs Act (P.L. 117-58)

(Dollars in thousands/ A)

Activity or Subactivity	FY 2022 Funding Available / B	FY 2022 Funding Approved Allocations	FY 2022 Funding Unallocated	FY 2023 Funding Available/ B	FY 2023 Funding Approved Allocations	FY 2023 Funding Unallocated	TOTAL Approved Allocations, by Activity or Subactivity
Preparedness/ C	75,560	75,560	0	99,500	74,080	25,420	149,640
Fuels Management/ D, E	251,297	251,297	0	126,252	126,252	0	377,549
Burned Area Rehabilitation/ D, E	75,620	75,620	0	33,545	33,545	0	109,165
Joint Fire Science Program	3,085	3,085	0	1,990	1,990	0	5,075
TOTAL	405,562	405,562	0	261,287	235,867	25,420	641,249

A/ Allocations are rounded to the nearest thousand dollars for presentation in this table.

B/ For Preparedness, the OWF amount reflects that the FY 2023-approved allocations to OWF are offset by a reduction in a

FY 2022-approved allocation to OWF that was not obligated (from DOI Wildland Fire Program PM No. 2022-006).

C/ The allocation to OWF includes FY 2022 funding transferred to FWS Ecological Services (per DOI Wildland Fire Program PM No. 2022-006).

B/ Available funding amounts are less the directed transfer of 0.5 percent of all appropriations to the Office of Inspector General.

C/ The approved allocations for FY 2023 amount reflects that the allocations are offset by a reduction in an approved

FY 2022 allocation to OWF (from DOI Wildland Fire Program PM No. 2022-006).

D/ The approved allocations for FY 2022 amount includes funding transferred to FWS Ecological Services (per DOI Wildland Fire Program PM No. 2022-006).

E/OWF will transfer each bureau's allocations as projects needing funding are identified and bureau approved in NFPORS.

Contacts: For more information about this PM, you may contact the following DOI staff:

- Regarding budget allocations: Stephen Elmore or Kimberly Salwasser
- Regarding Bipartisan Infrastructure Law implementation (general): Ketti Spomer
- Regarding special pay supplements for federal firefighters: Joe Majewski
- Regarding wildfire detection (NOAA agreement): Chris Buzo
- Regarding Fuels Management or Burned Area Rehabilitation: Kristy Swartz

CC: Interior WFM Executives
Interior WFM Directors
Interior WFM Budget Staff