



Legislative & Policy Update – November 2023

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The [Council of Western State Foresters](#) (CWSF) Legislative & Policy Update provides information on issues of importance to CWSF. Policy and legislative updates are found on the CWSF webpage [here](#). Please note that the items highlighted in these updates are only a selection of the issues CWSF and the Western Forestry Leadership Coalition (WFLC) are monitoring. Keep an eye out for our monthly newsletter that will provide summaries on other key legislative and programmatic issues. If you have not yet subscribed, you can do so [here](#). For more information, please contact [Neil Simpson](#), Director of Policy.

This month's policy update highlights a new Memorandum of Understanding (MOU) between the Environmental Protection Agency (EPA), the U.S. Department of Agriculture (USDA), the U.S. Department of the Interior (DOI), and the Centers for Disease Control and Prevention (CDC), Recent Policy Resolutions passed by the Western Governors' Association, and the latest information on fiscal year (FY) 2024 Appropriations.

Biden-Harris Administration Wildland Fire and Air Quality Coordination Memorandum of Understanding

Following the release of the [Wildfire Commission Report](#), the EPA, USDA, DOI, and CDC have signed an [MOU](#) and joint workplan to “further their joint work to protect communities from the impacts of wildfire smoke, while promoting land management practices that reduce the risk of large, severe fires.”

The MOU highlights that the:

- wildfire crisis is a public health crisis, including significant impacts on air quality.
- agencies will seek to coordinate their policies that have the potential to mitigate wildfire risk, encourage healthy forests and other ecosystems, and expand domestic markets for biomass at risk from wildland fire.
- agencies commit to working together under existing laws to clarify and align regulations, policy, and practice to promote the mutual objectives of protecting public health from the impacts of smoke and enabling land management practices that reduce the risk of future large, high severity fire events.

Western Governors' Association Policy Resolutions

Western Governors' Association approved four policy resolutions at their [2023 Winter Meeting](#), including two related to natural resource management.

[Improving Cross-Boundary Management of National Forests and Rangelands](#) “addresses a variety of national forest and rangeland challenges, emphasizing that effective management is only possible through coordination between federal, state, local, and tribal land management agencies, including collaborative, cross-boundary management strategies. The resolution articulates Western Governors’ policy recommendations relating to wildfire mitigation, suppression, and recovery. It also addresses major land management topics such as workforce development, infrastructure for active forest management, grazing administration, and forest products.”

[Increasing Voluntary and Proactive Species Management](#) “expresses the Governors’ support for increased voluntary and proactive management efforts and use of best available science, while acknowledging the variability in state approaches to wildlife and habitat conservation. The resolution also contains Western Governors’ policy on wildlife migration corridors and habitat.”

Appropriations and Continuing Resolutions

The House of Representatives on Tuesday passed a continuing resolution to prevent a federal government shutdown. [The bill](#) utilizes a two-tiered approach to extend funding at FY 2023 levels. Certain priority programs would be extended to January 19, 2024, while most programs, including the USDA Forest Service (Forest Service) and DOI Bureau of Land Management, would be extended until February 2, 2024. In addition to providing funding, the CR provides an extension of “authorities provided by each provision of the Agricultural Improvement Act of 2018” (farm bill), effectively extending states’ abilities to retain revenue under the Good Neighbor Authority.

To avoid a shutdown the bill needs to be passed by the Senate and signed by President Biden prior to midnight on Friday, November 17. [Thehill.com](#) reports that the Senate is likely to pass the continuing resolution quickly and that President Biden would sign the bill if it passes the Senate. [Rollcall.com](#) has a detailed article on the funding measure and next steps to pass a long-term budget.

For FY 2024 appropriations, the House has passed the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2024 [H.R.4821](#). The Senate version of the bill, [S.2605](#), has passed through the Senate Appropriations Committee but has not been scheduled for a vote on the floor. In both bills, the Forest Service sees moderate overall budget increases. H.R. 4821 significantly decreases funding to several other agencies while that funding generally remains stable in the Senate bill. The House version contains several additional provisions that are not in the Senate version, including requiring the U.S. Fish and Wildlife Service to reissue final rules delisting the gray wolf and Greater Yellowstone population of the grizzly bear from the endangered species list. These large funding differences and certain policy positions have prompted the Biden administration to issue a [statement](#) that the President would veto the bill if it were presented to him for signature. Reconciling these two bills into something that can pass both the House and Senate and that the President will sign is going to be a difficult task.