

United States Department of the Interior

OFFICE OF THE SECRETARY Washington, DC 20240

DOI WILDLAND FIRE PROGRAM POLICY MEMORANDUM No. 2024-005

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 2024 Budget Allocations for Implementing the Bipartisan

Infrastructure Law (Public Law 117-58)

Due Date: Does not apply

Effective Date: April 5, 2024

Expiration Date: Remains in effect unless rescinded or modified.

<u>Purpose</u>: This Policy Memorandum (PM) provides information and direction regarding the second round of funding allocations during Fiscal Year (FY) 2024 for implementing the Infrastructure Investment and Jobs Act, or "Bipartisan Infrastructure Law" (BIL), Public Law (P.L.) 117-58.

Background: The direction in this PM supports the Department of the Interior's (Interior) continued implementation of BIL's Wildland Fire Management (WFM) provisions. This PM covers the second round of approvals of BIL funding allocations during FY 2024. This PM's approved allocations and guidance are for Preparedness, Fuels Management, and Burned Area Rehabilitation. The allocations for Preparedness are from FY 2023 and FY 2024 appropriations. The allocations for Fuels Management and Burned Area Rehabilitation are from FY 2024 appropriations.

<u>Coordination</u>: The Office of Wildland Fire (OWF) consulted bureaus and offices participating in Interior's WFM program 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), OWF, and any other bureaus or offices that receive WFM BIL funding allocations approved through this PM, including through a reimbursable services agreement.

Existing Policy Affected:

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

- DOI Wildland Fire Program PM No. 2022-006 (June 3, 2022),
- DOI Wildland Fire Program PM No. 2022-007 (July 7, 2022),
- DOI Wildland Fire Program PM No. 2022-008 (September 15, 2022),
- DOI Wildland Fire Program PM No. 2023-002 (November 18, 2022),
- DOI Wildland Fire Program PM No. 2023-006 (March 28, 2023),
- DOI Wildland Fire Program PM No. 2023-007 (July 11, 2023),
- DOI Wildland Fire Program PM No. 2023-008 (September 6, 2023), and
- DOI Wildland Fire Program PM No. 2024-002 (November 17, 2023).

<u>Authority</u>: Departmental Manual Part 620 Wildland Fire Management, as amended by DOI Wildland Fire Program PM 2023-007, and 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 2023 and FY 2024. The funds are available until expended.

Policy:

Budget Allocations: See Table 1 (below) for new approved allocations of appropriations 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:
 - o Radio interoperability, as authorized by BIL Section 40803(c)(3) and
 - o Wildfire detection and monitoring, as authorized by BIL Section 40803(c)(18);
- <u>Fuels Management</u>: Projects to be completed under the authority of BIL Section 40803(c)—subsections 13 (prescribed fire), 14 (fuelbreaks and other control locations), and 15 (employment of laborers)¹—and Division J, Title VI, under the heading "Wildland Fire Management"; and
- Burned Area Rehabilitation: Activities authorized by BIL Section 40803(c)(16) of Title VIII,
 Division D and funding appropriated 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 offices should obligate funding consistent with policy guidance and direction provided by DOI Wildland Fire Program PM No. 2022-006 (see link above), which includes guidelines on administrative costs and

¹ Appropriations authorized by section 40803(c)(15) may only be expended for projects on federal lands.

reporting requirements.

Preparedness: This PM approves the allocation of \$10,496,000 of the funding appropriated for Preparedness that remains unallocated—including all \$7,528,000 of the FY 2023 funding that remains unallocated and \$2,968,000 of the \$29,850,000 available for FY 2024—as indicated in Table 1 and for the purposes described below:

- Radio Interoperability: Section 40803(c)(3) of BIL authorizes the appropriation of \$10,000,000 for Interior to acquire technology and infrastructure for each Type I and Type II incident management team to maintain interoperability with respect to the radio frequencies used by any responding agency. This PM approves the allocation of \$9,950,000 for these purposes following the approval by the Interior Fire Executive Council on March 28, 2024, of a planned approach. This funding will remain in the WFM Parent account until Interior determines allocations to the bureaus and offices.
- Wildfire Detection and Monitoring: Section 40803(c)(18) of BIL authorizes the appropriation of \$5,000,000 for wildfire detection and monitoring. To date, OWF has allocated \$2,000,000 to BLM for these purposes. This PM approves the allocation of \$546,000 for NPS and FWS to hire three term positions for up to three years each to support Interior's ability to use the data acquired by sensors such as cameras, smoke monitors, and Remote Automated Weather Stations on Interior-administered lands and to facilitate the sharing of this information with Interior's partners. For FY 2024:
 - FWS will receive \$182,000 to fill a GS-13 Business Area Lead position vacancy to coordinate the integration of information on managers' need for wildfire detection and to develop recommendations for long-term solutions.
 - NPS will receive \$364,000 to fill two positions: (1) Science and Technology Coordinator and
 (2) Fire Danger Data Standards Specialist.

OWF will allocate future funding, when needed, for these term positions. Allocations for FY 2025 and FY 2026 will be adjusted to reflect the labor costs associated with the particular personnel selected to fill these positions and any unobligated balances carried over from the previous year.

Fuels Management: This PM approves the allocation of \$11,700,000 of the \$56,868,000 appropriated for FY 2024 for Fuels Management that remains unallocated. As indicated in Table 1 and for the following purposes:

 OWF BIL Program Management Personnel: Consistent with Section 40803(b) and (c) and Division J, Title VI, of BIL, this PM approves the allocation of a total \$700,000 to OWF for additional funding for BIL program management personnel; and

Table 1 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	WFM Parent Account/ B	TOTAL by Activity or Subactivity
Preparedness, Subtotal	0	0	182	364	0	9,950	10,496
Radio Interoperability	0	0	0	0	0	9,950	9,950
Wildfire Detection and Monitoring	0	0	182	364	0	0	546
Fuels Management, Subtotal	11,000	0	0	0	700	0	11,700
OWF BIL Program Management Personnel	0	0	0	0	700	0	700
Reserved Treaty Rights Lands/ C	11,000	0	0	0	0	0	11,000
Burned Area Rehabilitation, Subtotal	2,258	3,945	444	4,103	605	45,799	57,154
Bureau of Reclamation Projects	0	0	0	0	605	0	605
NPS Projects	0	0	0	3,750	0	0	3,750
Plant Materials Development/ B	0	0	0	0	0	44,000	44,000
5-10 Years, Projects less than \$1 million/ C	2,258	3,945	444	353	0	0	7,000
5-10 Years, Projects of \$1 million or more/ C	0	0	0	0	0	1,799	1,799
TOTAL by Bureau or Account	13,258	3,945	626	4,467	1,305	55,749	79,350

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

• Reserved Treaty Rights Lands: This PM approves the allocation of \$11,000,000 to BIA for Reserved Treaty Rights Lands (RTRL) projects to be completed under BIL Section 40803(c)—subsections 13 (prescribed fire), 14 (fuelbreaks and other control locations), and 15 (employment of laborers)— and Division J, Title VI, under the heading "Wildland Fire Management."

<u>Authorized Fuels Management Purposes</u>: Section 40803(b) of BIL directs the Secretaries of the Interior and Agriculture, by September 30, 2027, within federal or tribal lands identified as having very high wildfire hazard potential to "conduct restoration treatments and improve the Fire Regime Condition Class of 10,000,000 acres that are located in (1) the wildland-urban interface; or (2) a public drinking water

B/ Projects submitted for plant materials will be compiled, reviewed, and prioritized in July 2024 for funding transfers from the WFM Parent Account to bureau accounts.

C/OWF will transfer amounts from these approved allocations for FY 2024 when eligible projects are identified and approved by the bureau.

source area." Additionally, DOI Wildland Fire Program PM No. 2022-006 (see link above), provides advice on augmenting or reimbursing accounts that receive resources from the annual appropriations process as well as administrative and programmatic costs, including support for adding staff to implement BIL-funded fuels work.

<u>Fuels Management Reporting Requirements</u>: Under <u>DOI Wildland Fire Program PM No. 2023-003</u> (March 20, 2023), bureaus must report fuels accomplishments within 30 days of the completion of a treatment or other activity. For consistency with grazing work funded by regular appropriations, bureaus may only report BIL-related grazing accomplishments consistent with direction provided in <u>DOI</u> Wildland Fire Program PM No. 2024-001 (October 27, 2023).

Office of Inspector General Audit: During FY 2023 and continuing in FY 2024, Interior's Office of Inspector General (OIG) began auditing Interior's implementation of BIL's Fuels Management provisions. In October 2023, OIG issued a notice of potential findings and included recommendations to improve program oversight and compliance with the requirements of BIL. OWF is working with BIA, BLM, FWS, and NPS to develop updated planning and reporting policies to address the findings and recommendations.

Burned Area Rehabilitation (BAR): This PM approves the allocation of all of the \$57,154,000 in funding appropriated for FY 2024 for BAR that remains unallocated for activities authorized by BIL Section 40803(c)(16) and Division J, Title VI, under the heading "Wildland Fire Management." All actions and funding must comply with the planning and reporting requirements described in DOI Wildland Fire Program PM 2023-004 (March 20, 2023), which provides direction on reporting post-fire planning and accomplishments. These allocations are as indicated in Table 1 and for the following purposes:

- Bureau of Reclamation (BOR) Post-Fire Recovery Projects: This PM approves the allocation of \$605,000 to OWF to provide additional funding for the reimbursable services agreement with BOR for BAR projects. This funding is for six projects in Idaho, Oregon, and Washington.
- NPS Post-Fire Recovery Projects: This PM approves the allocation of \$3,750,000 to NPS to provide funding for additional BAR projects.
- Plant Materials Development: This PM approves the allocation of \$44,000,000 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 through their bureau post-fire coordinator by June 1, 2024. The Interior Burned Area Emergency Response Coordinators will review and prioritize the nominated projects. Based on that review and prioritization, OWF will allocate funding from the WFM Parent account to bureau accounts in September 2024 (estimate).
- Treatments 5-10 years Post-Fire Recovery, projects less than \$1 million: This PM approves the allocation of \$7,000,000 for post-fire recovery from five to ten years after a wildfire, for projects costing less than \$1,000,000 each. These funds are approved for allocation to the bureaus as indicated

- in Table 1. OWF will transfer the funds as needed once projects and programs of work are bureauapproved and entered in the National Fire Plan Operations and Reporting System (NFPORS).
- Treatments 5-10 years Post-Fire Recovery, projects of \$1 million or more: This PM approves the allocation of \$1,799,000 for post-fire recovery from five to ten years after a wildfire, for projects that each cost \$1,000,000 or more. OWF will transfer the funds from the WFM Parent account as needed once projects and programs of work are bureau-approved and entered in NFPORS.

Table 2 (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:

Table 2
Cumulative Approved Allocations of Funding, FY 2022 through FY 2024
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/ B	TOTAL Allocations by Activity or Subactivity
Preparedness/ C, D	16,845	95,607	19,137	21,445	21,044	9,950	184,028
Fuels Management/ E, F	111,401	223,746	86,858	61,996	8,103	7,437	499,541
Burned Area Rehabilitation/ E, F	21,314	54,625	16,865	21,875	2,451	54,322	171,452
Joint Fire Science Program	0	7,065	0	0	0	0	7,065
TOTAL Allocations, by Bureau or Account	149,560	381,043	122,860	105,316	31,598	71,709	862,086

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

Table 3 (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:

B/ Allocation amounts in this table reflect funding transferred from the WFM Parent account to bureau accounts following previously-approved allocations.

C/ The OWF amount reflects that FY 2023-approved allocations were offset by a reduction in a FY 2022-approved allocation that was not obligated (from DOI Wildland Fire Program PM No. 2022-006).

D/ Allocations include a total \$6,000,000 transferred from USDA Forest Service to Interior to support pay supplements for federal wildland firefighters pursuant. The amounts in this table do not include base (non-BIL) appropriations to continue these pay supplements during FY 2024.

E/ The allocation to OWF includes FY 2022 funding transferred to FWS Ecological Services (per PM No. 2022-006).

F/OWF transfers allocations of funding as projects needing funding are identified and approved by a bureau in NFPORS or IFPRS.

Table 3 FY 2022 through FY 2024

Approved Allocations and Unallocated Amounts from the Infrastructure Investment and Jobs Act (P.L. 117-58)

(Dollars in thousands/ A)

Activity or Subactivity	FY 2022 Funding Approved for Allocation/ B	FY 2023 Funding Approved for Allocation	FY 2023 Funding Unallocated	FY 2024 Funding Available/ B	FY 2024 Funding Approved for Allocation	FY 2024 Unallocated Funding	TOTAL Approved Allocations by Activity or Subactivity
Preparedness/ C	81,560	99,500	0	29,850	2,968	26,882	184,028
Fuels Management/ D, E	251,297	126,252	0	167,160	121,992	45,168	499,541
Burned Area Rehabilitation/ D, E	75,620	33,545	0	62,287	62,287	0	171,452
Joint Fire Science Program	3,085	1,990	0	1,990	1,990	0	7,065
TOTAL	411,562	261,287	0	261,287	189,237	72,050	862,086

A/ Allocations are rounded to the nearest thousand dollars for presentation in this table. Funding amounts are less the directed transfer of 0.5 percent of all of Interior's BIL WFM appropriations to DOI OIG.

B/FY 2022 Preparedness funding includes \$6,000,000 transferred from USDA Forest Service to Interior to support pay supplements for federal wildland firefighters pursuant to BIL Section 40803(d)(4). OWF has approved all FY 2022 funding for allocation.

C/ The approved allocations amount for FY 2023 Preparedness 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 amounts of approved allocations for FY 2022 for Fuels Management and BAR include funding transferred to FWS Ecological Services (per DOI Wildland Fire Program PM No. 2022-006).

E/OWF transfers each bureau's allocations as projects needing funding are identified and approved by the bureau in NFPORS or IFPRS.

Contacts: For more information about this PM, you may contact the following people regarding:

- <u>Budget allocations</u>: Stephen Elmore or Kimberly Salwasser
- <u>Preparedness</u>: Ketti Spomer or Kristy Swartz
- Fuels Management or BAR: Kristy Swartz

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