

COMMUNITY FOREST RESTORATION ACT

—
OCTOBER 6, 2000.—Ordered to be printed
—

Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

REPORT

[To accompany S. 1288]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (S. 1288) to provide incentives for collaborative forest restoration projects on National Forest System and other public lands in New Mexico, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of S. 1288 is to provide incentives for collaborative forest restoration projects on National Forest System and other public lands in New Mexico, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

Some forest lands in New Mexico are in an unhealthy state. Some are overcrowded with high fuel loads that increase risk of catastrophic wildfire, while others are understocked as a result of past management practices. Restoring these forests to a more stable, natural ecological condition can be accomplished through a variety of stewardship activities best implemented by a mix of federal and local stakeholders.

This bill provides for the establishment of federal cost-share grants for local stakeholders to conduct stewardship projects aimed at restoring healthy forests. Projects will focus on reducing risk of fire, reestablishing pre-suppression fire patterns, preserving old and large trees, replanting deforested areas, and improving the utilization of small diameter trees. Projects will be designed, implemented and monitored by a diverse group of federal and local stakeholders, will be based on science, and will be selected to en-

hance local training and employment opportunities. Projects may last up to four years, may not exceed a total cost of \$150,000 per year or \$450,000 over the life of the project, and must include at least a 20 percent cost share of cash or in-kind contributions from non-federal sources.

Projects will be evaluated and recommended by an advisory panel consisting of 12 to 15 individuals including representatives from the State of New Mexico, federal land management agencies, tribes, academia, and other interest groups. The Secretary of Agriculture will establish a monitoring program to assess accomplishments for at least 15 years following a project, and will report to Congress after five years on the efficacy of the projects in achieving the objectives of the bill.

For additional information, please see Senate Report 106–176.

COMMITTEE ACTION

S. 1288 was introduced in the Senate on June 28, 1999, by Senator Jeff Bingaman (D–NM). It passed the Senate with an amendment by unanimous consent on November 19, 1999. In the House of Representatives, the bill was referred to the Committee on Resources and within the Committee to the Subcommittee on Forests and Forest Health. The Subcommittee held a hearing on the bill on May 11, 2000. On May 16, 2000, the Subcommittee met to consider the bill. No amendments were offered and the bill was ordered favorably reported to the Full Committee on Resources by voice vote. On July 26, 2000, the Full Resources Committee met to consider the bill. No amendments were offered and the bill was ordered favorably reported to the House of Representatives by unanimous consent.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 entitles the bill the “Community Forest Restoration Act”.

Section 2. Findings

Section 2 presents the findings.

Section 3. Purposes

Section 3 sets forth the purposes of the bill.

Section 4. Definitions

Section 4 defines the terms used in the bill.

Section 5. Establishment of program

Section 5 describes the establishment of the program.

Subsection 5(a) requires the Secretary of Agriculture to establish a cooperative forest restoration program in New Mexico to provide cost-share grants to stakeholders for experimental forest restoration projects. The Committee intends that a portion of the funds authorized and appropriated to implement the bill may be used for completing the National Environmental Policy Act environmental analyses necessary to permit the stewardship projects to be done. The Committee also intends that any commercial products arising

from any stewardship project conducted under this bill will remain the property of the owner from whose land the products are obtained, unless the products are sold or otherwise accounted for in the contract process.

Subsection 5(b) sets forth the eligibility requirements for projects to receive funding under the bill.

Section 6. Selection process

Section 6 requires the Secretary of Agriculture to convene and consult with a technical advisory panel prior to selecting projects that will receive funding.

Section 7. Monitoring and evaluation

Section 7 requires the Secretary to establish a monitoring and evaluation process to assess the accomplishments of the collaborative forest restoration programs.

Section 8. Report

Section 8 requires the Secretary to submit a five-year report to Congress that assesses the projects funded through the collaborative forest restoration program.

Section 9. Authorization of appropriations

Section 9 authorizes to be appropriated \$5 million annually to carry out this bill.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

FEDERAL ADVISORY COMMITTEE STATEMENT

The functions of the proposed advisory committee authorized in this bill are not currently being nor could they be performed by one or more agencies, an advisory committee already in existence or by enlarging the mandate of an existing advisory committee.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8, and Article IV, section 3 of the Constitution of the United States grant Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not

contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. Government Reform Oversight Findings. Under clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform on this bill.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, August 2, 2000.

Hon. DON YOUNG,
*Chairman, Committee on Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 1288, the Community Forest Restoration Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Megan Carroll.

Sincerely,

STEVEN LIEBERMAN
(For Dan L. Crippen, Director).

Enclosure.

A. 1288—Community Forest Restoration Act

Summary: CBO estimates that implementing S. 1288 would cost \$19 million over the 2001–2005 period assuming appropriation of the specified amounts. The legislation would not affect direct spending or receipts; thus, pay-as-you-go procedures would not apply. S. 1288 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA).

S. 1288 would direct the Forest Service to establish a cooperative program for forest restoration in New Mexico to provide grants for experimental forest restoration projects. The legislation would authorize the appropriation of \$5 million a year for that program. S. 1288 would specify the eligibility requirements for projects to receive funding under the program and would direct the Secretary of Agriculture to convene an advisory committee to recommend projects that meet those criteria.

Estimated cost to the Federal Government: For this estimate, we assume that S. 1288 will be enacted by the end of fiscal year 2000 and that the authorized amounts will be provided by as specified by the legislation. Outlay estimates are based on information from the Forest Service and historical spending patterns for similar activities. The estimated budgetary impact of S. 1288 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and the environment).

	By fiscal year, in millions of dollars—				
	2001	2002	2003	2004	2005
CHANGES IN SPENDING SUBJECT TO APPROPRIATION					
Authorization Level	5	5	5	5	5
Estimated Outlays	1	3	5	5	5

Pay-as-you-go considerations: None.

Estimated impact on state, local, and tribal governments: S. 1288 contains no intergovernmental mandates as defined in UMRA. The state of New Mexico, local governments in that state, or tribal governments could receive grant funds if they choose to participate in the program established by this legislation. In order to receive such funds, these governments would be required to provide matching funds equal to at least 20 percent of the total cost of each project and to meet certain eligibility requirements. The costs of complying with these conditions would be voluntary.

Estimated impact on the private sector: This legislation contains no new private-sector mandates as defined in UMRA.

Previous CBO estimate: On October 4, 1999, CBO transmitted a cost estimate for S. 1288 as ordered reported by the Senate Committee on Energy and Natural Resources on September 22, 1999. The Senate version did not specify an amount authorized to be appropriated to implement the program established under the legislation, and, at that time, we estimated that the program would cost about \$1 million a year. In contrast, this estimate reflects the House version's specific authorization of \$5 million a year.

Estimate prepared by: Federal Costs: Megan Carroll.

Impact on State, Local, and Tribal Governments: Marjorie Miller and Susan Van Deventer.

Impact on the Private Sector: Lauren Marks.

Estimate approved by: Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW

If enacted, this bill would make not changes in existing law.