

104TH CONGRESS
1ST SESSION

S. 935

To amend the Food Security Act of 1985 to require the Secretary to establish a program to promote the development of riparian forest buffers in conservation priority areas, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 16 (legislative day, JUNE 5), 1995

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

A BILL

To amend the Food Security Act of 1985 to require the Secretary to establish a program to promote the development of riparian forest buffers in conservation priority areas, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Riparian Forest Pilot
5 Program Establishment Act”.

6 **SEC. 2. RIPARIAN FOREST PILOT PROGRAM.**

7 Section 1231 of the Food Security Act of 1985 (16
8 U.S.C. 3831) is amended—

1 (1) by redesignating subsection (g) as sub-
2 section (h); and

3 (2) by inserting after subsection (f) the follow-
4 ing:

5 “(g) RIPARIAN FOREST PILOT PROGRAM.—

6 “(1) IN GENERAL.—The Secretary shall estab-
7 lish a program to promote the development of ripar-
8 ian forest buffers in conservation priority areas des-
9 ignated under subsection (f) by entering into con-
10 tracts to assist owners and operators of lands de-
11 scribed in paragraph (2) to improve water quality
12 and living resources in the conservation priority
13 areas.

14 “(2) ELIGIBLE LANDS.—Notwithstanding sub-
15 section (b), the Secretary may include in the pro-
16 gram established under this subsection any cropland
17 or pasture land that, when converted to a riparian
18 forest buffer consisting of trees, shrubs, or other
19 vegetation, will—

20 “(A)(i) intercept surface runoff,
21 wastewater, and subsurface flows from upland
22 sources for the purpose of removing or
23 buffering the effects of associated nutrients,
24 sediment, organic matter, pesticides, or other

1 pollutants, prior to entry into surface waters or
2 ground water recharge areas; or

3 “(ii) accomplish specific objectives for ter-
4 restrial or aquatic habitat identified by the Sec-
5 retary; and

6 “(B) meet specifications for size, vegeta-
7 tion, and tree species established by the Natural
8 Resources Conservation Service and the Forest
9 Service, in cooperation with appropriate State
10 agencies.

11 “(3) DURATION, MODIFICATION, AND EXTEN-
12 SION OF CONTRACTS.—Notwithstanding subsection
13 (e), during calendar years 1996 through 2000, the
14 Secretary may, in carrying out the program estab-
15 lished under this subsection—

16 “(A) enter into contracts of not more than
17 20 years;

18 “(B) with the consent of the owner or op-
19 erator, modify a contract entered into under
20 this subchapter prior to the date of enactment
21 of this paragraph to include land that meets the
22 eligibility criteria of paragraph (2); and

23 “(C) extend a contract entered into or
24 modified under this subchapter with respect to
25 land that meets the eligibility criteria of para-

1 graph (2) for a period of not more than 20
2 years.

3 “(4) PRIORITY FOR ENROLLMENT OF ELIGIBLE
4 LANDS.—In enrolling lands under the program es-
5 tablished under this subchapter, the Secretary
6 shall—

7 “(A) give priority to land that meets the
8 eligibility criteria of paragraph (2); and

9 “(B) to the extent practicable, ensure that
10 at least 20 percent of enrolled lands in con-
11 servation priority areas designated under sub-
12 section (f) meets the eligibility criteria of para-
13 graph (2).

14 “(5) TECHNICAL ASSISTANCE.—Through the
15 Natural Resources Conservation Service and the
16 Forest Service, in cooperation with States that con-
17 tain conservation priority areas designated under
18 subsection (f), the Secretary shall provide technical
19 assistance for the design, establishment, and mainte-
20 nance of riparian forest buffers.

21 “(6) COST-SHARE ASSISTANCE.—Notwithstand-
22 ing any other provision of this title, the Secretary
23 may pay not more than 100 percent of the cost of
24 the design, establishment, and short-term mainte-
25 nance of riparian forest buffers consisting of trees,

1 shrubs, or other vegetation under the program es-
2 tablished under this subchapter.

3 “(7) SELECTIVE HARVEST.—Notwithstanding
4 any other provision of this title, an owner or opera-
5 tor participating in the program established under
6 this subsection, with the prior approval of the Sec-
7 retary, may selectively harvest mature timber if the
8 harvest would not prevent accomplishment of the ob-
9 jectives of this subchapter.”.

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