

107TH CONGRESS
2D SESSION

S. 3023

To require the Secretary of Agriculture to establish a program to expand and strengthen cooperative efforts to restore and protect forests in the Chesapeake Bay watershed, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 1, 2002

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

A BILL

To require the Secretary of Agriculture to establish a program to expand and strengthen cooperative efforts to restore and protect forests in the Chesapeake Bay watershed, 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 “Chesapeake Bay Wa-
5 tershed Forestry Program Act of 2002”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress finds that—

1 (1) trees and forests are critical to the long-
2 term health and proper functioning of the Ches-
3 peake Bay and the Chesapeake Bay watershed;

4 (2) the Chesapeake Bay States lost 350,000
5 acres of forest land between 1987 and 1997, or
6 nearly 100 acres per day; and

7 (3) the Forest Service has a vital role to play
8 in assisting States, local governments, and nonprofit
9 organizations of the Chesapeake Bay in carrying out
10 forest conservation, restoration, and stewardship
11 projects and activities.

12 (b) PURPOSES.—The purposes of this Act are—

13 (1) to expand and strengthen cooperative ef-
14 forts to restore and protect forests in the Ches-
15 peake Bay watershed; and

16 (2) to contribute to the achievement of the
17 goals of the Chesapeake Bay Agreement.

18 **SEC. 3. DEFINITIONS.**

19 In this Act:

20 (1) CHESAPEAKE BAY AGREEMENT.—The term
21 “Chesapeake Bay Agreement” means the formal,
22 voluntary agreements—

23 (A) executed to achieve the goal of restor-
24 ing and protecting the Chesapeake Bay eco-

1 system and the living resources of the Chesapeake Bay ecosystem; and

2
3 (B) signed by the Council.

4 (2) CHESAPEAKE BAY STATE.—The term
5 “Chesapeake Bay State” means each of the States
6 of Delaware, Maryland, New Jersey, Pennsylvania,
7 Virginia, and West Virginia and the District of Co-
8 lumbia.

9 (3) COUNCIL.—The term “Council” means the
10 Chesapeake Bay Executive Council.

11 (4) DIRECTOR.—The term “Director” means
12 the Director of the program designated under sec-
13 tion 4(b)(1).

14 (5) PROGRAM.—The term “program” means
15 the Chesapeake Bay watershed forestry program es-
16 tablished under section 4(a).

17 (6) SECRETARY.—The term “Secretary” means
18 the Secretary of Agriculture, acting through the
19 Chief of the Forest Service and the Director ap-
20 pointed under section 4(b)(1).

21 **SEC. 4. CHESAPEAKE BAY WATERSHED FORESTRY PRO-**
22 **GRAM.**

23 (a) ESTABLISHMENT.—The Secretary shall establish
24 a Chesapeake Bay watershed forestry program under
25 which the Secretary shall make grants and provide tech-

1 nical assistance to eligible entities to restore and protect
2 forests in the Chesapeake Bay watershed, including grants
3 and assistance—

4 (1) to promote forest conservation and steward-
5 ship efforts in urban, suburban, and rural areas of
6 the Chesapeake Bay watershed;

7 (2) to manage National Forest System land in
8 the Chesapeake Bay watershed in a manner that en-
9 hances the land;

10 (3) to assist in developing and carrying out
11 large-scale projects and partnerships in the Ches-
12 peake Bay watershed;

13 (4) to conduct research, assessment, and plan-
14 ning activities to restore and protect forest land in
15 the Chesapeake Bay watershed;

16 (5) to develop communication and education re-
17 sources to enhance public understanding of the value
18 of forests in the Chesapeake Bay watershed; and

19 (6) to contribute to the achievement of the
20 goals of the Chesapeake Bay Agreement.

21 (b) OFFICE; DIRECTOR.—

22 (1) IN GENERAL.—The Secretary shall—

23 (A) establish an office within the Forest
24 Service to carry out the program; and

1 (B) designate an employee of the Forest
2 Service as Director of the program.

3 (2) DUTIES.—As part of the program, the Di-
4 rector, in cooperation with the Secretary, shall—

5 (A) carry out a small grants and technical
6 assistance program to restore and protect for-
7 ests in the Chesapeake Bay watershed;

8 (B) enter into partnerships to carry out
9 forest restoration and protection activities at a
10 watershed scale using the resources and pro-
11 grams of the Forest Service; and

12 (C) employ a sufficient number of individ-
13 uals to—

14 (i) represent the Forest Service in
15 water quality and land stewardship delib-
16 erations of the Chesapeake Bay program;
17 and

18 (ii) support and collaborate with a
19 forestry work group in planning and imple-
20 menting program activities.

21 (c) STATE WATERSHED FORESTERS.—Funds made
22 available under section 6(a) may be used by a Chesapeake
23 Bay State to hire a State watershed forester to carry out
24 activities and coordinate watershed-level projects relating
25 to the program.

1 (d) ELIGIBLE ENTITIES.—To be eligible to receive
2 assistance under the program, an entity shall be—

3 (1) a Chesapeake Bay State;

4 (2) a political subdivision of a Chesapeake Bay
5 State;

6 (3) an organization operating in the Chesapeake Bay watershed that is described in section
7 501(c) of the Internal Revenue Code of 1986 and is
8 exempt from taxation under section 501(a) of that
9 Code; or
10 Code; or

11 (4) any other person in the Chesapeake Bay
12 watershed that the Secretary determines to be eligi-
13 ble.

14 (e) GRANTS.—

15 (1) IN GENERAL.—The Secretary shall make
16 grants to eligible entities under the program to pay
17 the Federal share of the cost of carrying out projects
18 to restore and protect forests in the Chesapeake Bay
19 watershed.

20 (2) FEDERAL SHARE.—The Federal share of a
21 grant made under the program shall not exceed 75
22 percent, as determined by the Secretary.

23 (3) TYPES OF PROJECTS.—The Secretary may
24 make a grant to an eligible entity for any project in
25 the Chesapeake Bay watershed that—

1 (A) improves habitat and water quality
2 through the establishment, protection, or stew-
3 ardsnip of riparian or wetland forests;

4 (B) builds the capacity of State and local
5 organizations to implement conservation, res-
6 toration, and stewardship actions;

7 (C) develops and implements watershed
8 management plans that address forest conserva-
9 tion and restoration activities;

10 (D) provides outreach and assistance to
11 private landowners and communities to restore
12 or protect watersheds through the enhancement
13 of forests;

14 (E) develops and implements communica-
15 tion, education, or technology transfer pro-
16 grams that broaden public understanding of the
17 value of trees and forests in sustaining and re-
18 storing watershed health;

19 (F) coordinates and implements watershed
20 partnerships, such as the Potomac Watershed
21 Partnership or Revitalizing Baltimore, that—

22 (i) focus on the restoration or protec-
23 tion of forest land; or

24 (ii) focus urban and rural forest pro-
25 grams of the Forest Service on restoring

1 or protecting forests at a large-watershed
2 scale;

3 (G) provides enhanced forest resource data
4 to support watershed management;

5 (H) enhances upland forest health to re-
6 duce risks to watershed function and water
7 quality; or

8 (I) conducts inventory assessment or moni-
9 toring activities to support indicators of envi-
10 ronmental change associated with projects car-
11 ried out under the program.

12 (f) STUDY.—

13 (1) IN GENERAL.—The Secretary, in consulta-
14 tion with the Council, shall conduct a study of urban
15 and rural forests in the Chesapeake Bay watershed,
16 including—

17 (A) an assessment of the extent and loca-
18 tion of forest loss and fragmentation in the
19 Chesapeake Bay watershed;

20 (B) an identification of critical forest land
21 within the Chesapeake Bay watershed that
22 should be restored and protected; and

23 (C) recommendations on ways in which to
24 expand restoration, protection, and stewardship

1 activities to achieve the goals of the Chesapeake
2 Bay Agreement.

3 (2) REPORT.—Not later than 1 year after
4 amounts are first made available under section 6(a),
5 the Secretary shall submit to the Committee on Ag-
6 riculture of the House of Representatives and the
7 Committee on Agriculture, Nutrition, and Forestry
8 of the Senate a report that describes the results of
9 the study, including recommendations for—

10 (A) management actions; and

11 (B) further inventory, assessment, or re-
12 search.

13 **SEC. 5. WATERSHED FORESTRY RESEARCH PROGRAM.**

14 (a) IN GENERAL.—The Secretary, in cooperation
15 with the Council, shall establish a watershed forestry re-
16 search program for the Chesapeake Bay watershed.

17 (b) ADMINISTRATION.—In carrying out the program
18 established under subsection (a), the Secretary shall—

19 (1) use a combination of applied research, mod-
20 eling, demonstration projects, implementation stand-
21 ards, strategies for adaptive management, training,
22 and education to meet the needs of the residents of
23 the Chesapeake Bay States for managing forests in
24 urban, developing, and rural areas;

1 (2) solicit input from local managers, Federal,
2 State, and private researchers, and state-of-the-art
3 technology to answer critical watershed forestry
4 questions related to air and water quality, social and
5 economic implications, environmental change, and
6 other watershed forestry issues in urban and rural
7 areas; and

8 (3) coordinate with the Chesapeake Bay Pro-
9 gram Scientific and Technical Advisory Committee
10 and universities in the Chesapeake Bay States to en-
11 sure that Forest service research—

12 (A) addresses issues in the Chesapeake
13 Bay Agreement; and

14 (B) supports modeling and informational
15 needs of the Chesapeake Bay program.

16 (c) WATERSHED FORESTRY RESEARCH STRAT-
17 EGY.—Not later than 1 year after the date of enactment
18 of this Act, the Secretary, in collaboration with the North-
19 east Forest Research Station and the Southern Forest Re-
20 search Station, shall submit to Congress a coordinated
21 strategy to address Chesapeake Bay watershed goals relat-
22 ing to—

23 (1) urban forestry; and

24 (2) the health and stewardship of watershed
25 forests.

1 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

2 There is authorized to be appropriated to carry out
3 the program \$3,500,000 for each of fiscal years 2004
4 through 2010, of which—

5 (1) not more than \$500,000 shall be used to
6 conduct the study required under section 4(f); and

7 (2) not more than \$1,000,000 of the amounts
8 appropriated for a fiscal year, shall be used to carry
9 out the watershed forestry research program under
10 section 5.

11 **SEC. 7. REPORT.**

12 Not later than December 1, 2004, and biennially
13 thereafter, the Director shall submit to the Secretary a
14 comprehensive report on activities carried out under the
15 program.

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