

108TH CONGRESS
1ST SESSION

S. 830

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

APRIL 9, 2003

Mr. SARBANES (for himself, Mr. WARNER, Mr. ALLEN, 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 2003”.

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 Chesa-
3 peake Bay and the Chesapeake Bay watershed;

4 (2) the Chesapeake Bay States are losing forest
5 land to urban growth at a rate of nearly 100 acres
6 per day; and

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

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

12 (1) to expand and strengthen cooperative ef-
13 forts to protect, restore, and manage forests in the
14 Chesapeake Bay watershed; and

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

17 **SEC. 3. DEFINITIONS.**

18 In this Act:

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

22 (A) executed to achieve the goal of restor-
23 ing and protecting the Chesapeake Bay eco-
24 system and the living resources of the Chesa-
25 peake Bay ecosystem; and

1 (B) signed by the Council.

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

7 (3) COORDINATOR.—The term “Coordinator”
8 means the Coordinator of the program designated
9 under section 4(b)(1)(B).

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

12 (5) PROGRAM.—The term “program” means
13 the Chesapeake Bay watershed forestry program
14 carried out under section 4(a).

15 (6) SECRETARY.—The term “Secretary” means
16 the Secretary of Agriculture, acting through the
17 Chief of the Forest Service and the Coordinator.

18 **SEC. 4. CHESAPEAKE BAY WATERSHED FORESTRY PRO-**
19 **GRAM.**

20 (a) IN GENERAL.—The Secretary shall carry out a
21 Chesapeake Bay watershed forestry program under which
22 the Secretary shall make grants and provide technical as-
23 sistance to eligible entities to restore and conserve forests
24 in the Chesapeake Bay watershed, including grants and
25 assistance—

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

4 (2) to manage National Forest System land in
5 the Chesapeake Bay watershed in a manner that
6 protects water quality and sustains watershed
7 health;

8 (3) to assist in developing and carrying out
9 projects and partnerships in the Chesapeake Bay
10 watershed;

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

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

17 (6) to contribute to the achievement of the
18 goals of the Chesapeake Bay Agreement.

19 (b) OFFICE; COORDINATOR.—

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

21 (A) maintain an office within the Forest
22 Service to carry out the program; and

23 (B) designate an employee of the Forest
24 Service as Coordinator of the program.

1 (2) DUTIES.—As part of the program, the Co-
2 ordinator, in cooperation with the Secretary and the
3 Chesapeake Bay Program, shall—

4 (A) provide grants and technical assistance
5 to restore and protect forests in the Chesapeake
6 Bay watershed;

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

11 (C) carry out activities, in collaboration
12 with other units of the Forest Service, that con-
13 tribute to the goals of the Chesapeake Bay
14 Agreement;

15 (D) represent the Forest Service in delib-
16 erations of the Chesapeake Bay Program; and

17 (E) support and collaborate with the For-
18 estry Work Group in planning and imple-
19 menting program activities.

20 (c) ELIGIBLE ENTITIES.—To be eligible to receive as-
21 sistance under the program, an entity shall be—

22 (1) a Chesapeake Bay State;

23 (2) a political subdivision of a Chesapeake Bay
24 State;

1 (3) an organization operating in the Chesa-
2 peake Bay watershed that is described in section
3 501(c) of the Internal Revenue Code of 1986 and is
4 exempt from taxation under section 501(a) of that
5 Code; or

6 (4) any other person in the Chesapeake Bay
7 watershed that the Secretary determines to be eligi-
8 ble.

9 (d) GRANTS.—

10 (1) IN GENERAL.—The Secretary shall make
11 grants to eligible entities under the program to carry
12 out projects to protect, restore, and manage forests
13 in the Chesapeake Bay watershed.

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

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

20 (A) improves habitat and water quality
21 through the establishment, protection, or stew-
22 ardship of riparian or wetland forests or stream
23 corridors;

1 (B) builds the capacity of State and local
2 organizations to implement forest conservation,
3 restoration, and stewardship actions;

4 (C) develops and implements watershed
5 management plans that—

6 (i) address forest conservation needs;

7 and

8 (ii) reduce urban runoff;

9 (D) provides outreach and assistance to
10 private landowners and communities to restore
11 or conserve forests in the watershed;

12 (E) implements communication, education,
13 or technology transfer programs that broaden
14 public understanding of the value of trees and
15 forests in sustaining and restoring the Chesapeake
16 Bay watershed;

17 (F) coordinates and implements commu-
18 nity-based watershed partnerships and initia-
19 tives that—

20 (i) focus on the restoration or protec-
21 tion of urban and rural forests; or

22 (ii) focus programs of the Forest
23 Service on restoring or protecting water-
24 sheds;

1 (G) provides enhanced forest resource data
2 to support watershed management;

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

6 (I) conducts inventory assessment or moni-
7 toring activities to measure environmental
8 change associated with projects carried out
9 under the program.

10 (4) STATE WATERSHED FORESTERS.—Funds
11 made available under section 6 may be used by a
12 Chesapeake Bay State to employ a State watershed
13 forester to carry out activities and coordinate water-
14 shed-level projects relating to the program.

15 (e) STUDY.—

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

20 (A) an assessment of forest loss and frag-
21 mentation in the Chesapeake Bay watershed;

22 (B) an identification of forest land within
23 the Chesapeake Bay watershed that should be
24 restored or protected; and

1 (C) recommendations for expanded and
2 targeted actions and programs that are needed
3 to achieve the goals of the Chesapeake Bay
4 Agreement.

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

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

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

16 (b) ADMINISTRATION.—In carrying out the water-
17 shed forestry research program established under sub-
18 section (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 and Fed-
2 eral, State, and private researchers, with respect to
3 air and water quality, social and economic implica-
4 tions, environmental change, and other Chesapeake
5 Bay watershed forestry issues in urban and rural
6 areas; and

7 (3) collaborate with the Chesapeake Bay Pro-
8 gram Scientific and Technical Advisory Committee
9 and universities in the Chesapeake Bay States to—

10 (A) address issues in the Chesapeake Bay
11 Agreement; and

12 (B) support modeling and informational
13 needs of the Chesapeake Bay program.

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

20 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

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

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

1 (2) not more than \$1,000,000 for any fiscal
2 year shall be used to carry out the watershed for-
3 estry research program under section 5.

4 **SEC. 7. REPORT.**

5 Not later than December 1, 2005, and annually
6 thereafter, the Coordinator shall submit to the Secretary
7 a comprehensive report on activities carried out under the
8 program.

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