

103^D CONGRESS
1ST SESSION

H. R. 1502

To direct the Secretaries of Agriculture and the Interior to conduct a yield and cost study of timber management investment opportunities on Federal timberlands in California, Oregon, and Washington, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 29, 1993

Mr. WYDEN (for himself, Mr. KOPETSKI, and Mr. HERGER) introduced the following bill; which was referred jointly to the Committees on Agriculture and Natural Resources

A BILL

To direct the Secretaries of Agriculture and the Interior to conduct a yield and cost study of timber management investment opportunities on Federal timberlands in California, Oregon, and Washington, 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 “Timber Management
5 Improvement Act of 1993”.

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

7 The Congress finds the following:

1 (1) Under the timber management policy of
2 nondeclining even flow, articulated in section 13(a)
3 of the Forest and Rangeland Renewable Resources
4 Planning Act of 1974, the allowable sale quantity
5 for a national forest is a function of total timber
6 growth, which depends on available timberland area
7 and the rate of timber growth.

8 (2) Protecting the northern spotted owl and
9 other factors will lead to reductions in the Federal
10 land available for timber harvesting, leading to de-
11 clines in harvests and to undesirable declines in tim-
12 ber industry employment.

13 (3) Increases in timber management invest-
14 ments on Federal and other lands not protected as
15 spotted owl habitat could offset some of the declines
16 in allowable sale quantities resulting from spotted
17 owl protection.

18 (4) No separate studies of timber management
19 investment opportunities on Federal timberlands
20 have been conducted for more than a decade.

21 (5) The fund established by section 3 of the Act
22 of June 9, 1930 (16 U.S.C. 576b; commonly re-
23 ferred to as the “K-V fund”), was originally estab-
24 lished to assure adequate funding for timber man-
25 agement investments for the national forests, but

1 since 1976, substantial and increasing portions of
2 this fund have been used for wildlife habitat im-
3 provement, watershed improvement, and other
4 nontimber resource projects.

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

6 (1) identify and examine timber management
7 investment opportunities on Federal timberlands in
8 the States of California, Oregon, and Washington;

9 (2) expand financial assistance programs for
10 timber investments on non-Federal timberlands in
11 the States of California, Oregon, and Washington;
12 and

13 (3) assure that amounts from the fund estab-
14 lished by section 3 of the Act of June 9, 1930, are
15 available for timber management investments on
16 Federal timberlands, consistent with the original in-
17 tent of that Act.

18 **SEC. 3. TIMBER MANAGEMENT INVESTMENT STUDY.**

19 (a) YIELDS AND COSTS REPORT.—The Secretary of
20 Agriculture, acting through the Forest Service, and the
21 Secretary of the Interior, acting through the Bureau of
22 Land Management, shall each prepare a report displaying
23 the yields and costs, both financial and environmental, of
24 timber management investment opportunities for lands
25 under their respective jurisdictions in the States of Cali-

1 fornia, Oregon, and Washington. Timber management in-
2 vestment opportunities considered shall include—

3 (1) reforestation, including site preparation, di-
4 rect seeding, planting, and interplanting; and

5 (2) timber stand improvement, including release
6 (manual, chemical, and mechanical), fertilization,
7 pruning, precommercial thinning, and commercial
8 thinning.

9 (b) LAND AND FOREST CLASS.—The report prepared
10 under subsection (a) shall present the yield and cost infor-
11 mation for each of the following:

12 (1) Timber site productivity class.

13 (2) Current forest condition class, including
14 old-growth, second-growth, sawtimber, poletimber,
15 saplings, seedlings, and nonstock.

16 (3) Land suitability allocation for timber pro-
17 duction under the appropriate forest plan.

18 (c) LANDS CLASSIFIED AS UNSUITABLE FOR TIM-
19 BER PRODUCTION.—The Secretary of Agriculture shall in-
20 clude in the report required by this section—

21 (1) the reasons why lands in Forest Service Re-
22 gions 5 and 6 are classified as not suitable for tim-
23 ber production pursuant to the Forest and Range-
24 land Renewable Resources Planning of 1974, distin-

1 guishing among timber site productivity classes and
2 current forest conditions; and

3 (2) the specific identity of those lands deemed
4 to be unsuitable for timber production solely due to
5 difficulties in meeting the reforestation requirements
6 of the Forest and Rangeland Renewable Resources
7 Planning Act of 1974, and a description of those dif-
8 ficulties.

9 (d) EXCHANGE AND CONSOLIDATION OF LANDS.—
10 In addition to other matters required to be included in
11 the study under this section, the study shall address op-
12 portunities for land exchanges with private landowners to
13 consolidate Federal landholdings in the States of Califor-
14 nia, Oregon, and Washington to enhance reforestation and
15 timber stand improvement.

16 (e) ADVISORY BOARDS.—In order to assure a com-
17 prehensive and unbiased report on the costs and yields of
18 timber management investment opportunities, the Sec-
19 retary of Agriculture on a forest-by-forest basis in Forest
20 Service Regions 5 and 6, and the Secretary of the Interior
21 on a district-by-district basis for the Bureau of Land Man-
22 agement districts subject to this Act, shall establish and
23 consult with advisory boards before releasing a draft of
24 the report required by subsection (a) to the public. The
25 advisory boards shall be comprised of individuals who, in

1 the appropriate Secretary's judgment, represent a diver-
2 sity of views. The appropriate Secretaries shall provide the
3 advisory boards with the opportunity to review and com-
4 ment on the practices and investments being examined
5 under subsection (a) and on the draft of the report before
6 its release to the public. The Federal Advisory Committee
7 Act shall not apply to advisory boards established under
8 this subsection.

9 (f) CONSULTATION WITH PRIVATE AND OTHER PUB-
10 LIC TIMBERLAND OWNERS.—(1) In preparing the report
11 required under subsection (a), the Secretary of Agriculture
12 and the Secretary of the Interior shall consult with private
13 and other public timberland owners in the general vicinity
14 of the forest or district, as appropriate, to—

15 (A) identify possible timber management invest-
16 ments and practices, and

17 (B) identify potential costs and yields of those
18 investments and practices.

19 (2) The report shall include information gathered
20 under this subsection in a manner which protects the pro-
21 prietary nature of corporate cost information and the cost
22 and yield estimates of the Secretaries.

23 (g) DATE OF SUBMISSION.—The report required by
24 this section shall be submitted to the Congress within 1
25 year after the date of enactment of this Act.

1 **SEC. 4. PRIVATE FOREST LANDS.**

2 Section 4 of the Cooperative Forest Assistance Act
3 of 1978 (16 U.S.C. 2103) is amended by adding at the
4 end the following:

5 “(l) Of the amounts appropriated to carry out this
6 section, not less than \$1,500,000 shall be made available
7 for assistance under this section in each of the States of
8 California, Oregon, and Washington for planning, refor-
9 estation, and timber stand improvement practices to fur-
10 ther second growth management of timber resources to
11 offset the expected decline in timber harvests from Federal
12 lands as a result of listing the northern spotted owl as
13 a threatened species under the Endangered Species Act
14 of 1973. Such assistance shall be concentrated in those
15 counties containing Federal lands designated as habitat
16 conservation areas for the purposes of the protection and
17 recovery of the northern spotted owl.”.

18 **SEC. 5. KNUTSON-VANDENBERG ACT.**

19 (a) REFORESTATION OF BLM LANDS.—Section 3 of
20 the Act of June 9, 1930 (16 U.S.C. 576b) is amended—

21 (1) by inserting “(a)” after “SEC. 3.”; and

22 (2) by adding at the end the following:

23 “(b) Subsection (a) shall apply with respect to the
24 lands administered by the Secretary of the Interior
25 through the Bureau of Land Management in the same

1 manner as such subsection applies with respect to national
2 forest lands.”.

3 (b) REFORESTATION UNDER THE K-V ACT.—Sec-
4 tion 3(a) of the Act of June 9, 1930 (16 U.S.C. 576b),
5 as amended by subsection (a) of this Act, is amended—

6 (1) by inserting “or” before “(3)”; and

7 (2) by striking “timber, or (4)” and all that
8 follows through “*Provided*,” and inserting “timber:
9 *Provided*,”.

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