

105TH CONGRESS
1ST SESSION

H. R. 858

IN THE SENATE OF THE UNITED STATES

JULY 10, 1997

Received; read twice and referred to the Committee on Energy and Natural
Resources

AN ACT

To direct the Secretary of Agriculture to conduct a pilot project on designated lands within Plumas, Lassen, and Tahoe National Forests in the State of California to demonstrate the effectiveness of the resource management activities proposed by the Quincy Library Group and to amend current land and resource management

plans for these national forests to consider the incorporation of these resource management activities.

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 “Quincy Library Group
 5 Forest Recovery and Economic Stability Act of 1997”.

6 **SEC. 2. PILOT PROJECT FOR PLUMAS, LASSEN, AND TAHOE**
 7 **NATIONAL FORESTS TO IMPLEMENT QUINCY**
 8 **LIBRARY GROUP PROPOSAL.**

9 (a) DEFINITION.—For purposes of this section, the
 10 term “Quincy Library Group-Community Stability Pro-
 11 posal” means the agreement by a coalition of representa-
 12 tives of fisheries, timber, environmental, county govern-
 13 ment, citizen groups, and local communities that formed
 14 in northern California to develop a resource management
 15 program that promotes ecologic and economic health for
 16 certain Federal lands and communities in the Sierra Ne-
 17 vada area. Such proposal includes the map entitled
 18 “QUINCY LIBRARY GROUP Community Stability Pro-
 19 posal”, dated June 1993, and prepared by VESTRA Re-
 20 sources of Redding, California.

21 (b) PILOT PROJECT REQUIRED.—

22 (1) PILOT PROJECT AND PURPOSE.—The Sec-
 23 retary of Agriculture (in this section referred to as
 24 the “Secretary”), acting through the Forest Service

1 and after completion of an environmental impact
2 statement (a record of decision for which shall be
3 adopted within 200 days), shall conduct a pilot
4 project on the Federal lands described in paragraph
5 (2) to implement and demonstrate the effectiveness
6 of the resource management activities described in
7 subsection (d) and the other requirements of this
8 section, as recommended in the Quincy Library
9 Group-Community Stability Proposal.

10 (2) PILOT PROJECT AREA.—The Secretary shall
11 conduct the pilot project on the Federal lands within
12 Plumas National Forest, Lassen National Forest,
13 and the Sierraville Ranger District of Tahoe Na-
14 tional Forest in the State of California designated as
15 “Available for Group Selection” on the map entitled
16 “QUINCY LIBRARY GROUP Community Stability
17 Proposal”, dated June 1993 (in this section referred
18 to as the “pilot project area”). Such map shall be
19 on file and available for inspection in the appro-
20 priate offices of the Forest Service.

21 (c) EXCLUSION OF CERTAIN LANDS, RIPARIAN PRO-
22 TECTION AND COMPLIANCE.—

23 (1) EXCLUSION.—All spotted owl habitat areas
24 and protected activity centers located within the
25 pilot project area designated under subsection (b)(2)

1 will be deferred from resource management activities
2 required under subsection (d) and timber harvesting
3 during the term of the pilot project.

4 (2) RIPARIAN PROTECTION.—

5 (A) IN GENERAL.—The Scientific Analysis
6 Team guidelines for riparian system protection
7 described in subparagraph (B) shall apply to all
8 resource management activities conducted
9 under subsection (d) and all timber harvesting
10 activities that occur in the pilot project area
11 during the term of the pilot project.

12 (B) GUIDELINES DESCRIBED.—The guide-
13 lines referred to in subparagraph (A) are those
14 in the document entitled “Viability Assessments
15 and Management Considerations for Species
16 Associated with Late-Successional and Old-
17 Growth Forests of the Pacific Northwest”, a
18 Forest Service research document dated March
19 1993 and co-authored by the Scientific Analysis
20 Team, including Dr. Jack Ward Thomas.

21 (3) COMPLIANCE.—All resource management
22 activities required by subsection (d) shall be imple-
23 mented to the extent consistent with applicable Fed-
24 eral law and the standards and guidelines for the
25 conservation of the California spotted owl as set

1 forth in the California Spotted Owl Sierran Provenance
2 Interim Guidelines, or the subsequently issued final
3 guidelines whichever is in effect.

4 (d) RESOURCE MANAGEMENT ACTIVITIES.—During
5 the term of the pilot project, the Secretary shall implement
6 and carry out the following resource management activi-
7 ties on an acreage basis on the Federal lands included
8 within the pilot project area designated under subsection
9 (b)(2):

10 (1) FUELBREAK CONSTRUCTION.—Construction
11 of a strategic system of defensible fuel profile zones,
12 including shaded fuelbreaks, utilizing thinning, indi-
13 vidual tree selection, and other methods of vegeta-
14 tion management consistent with the Quincy Library
15 Group-Community Stability Proposal, on not less
16 than 40,000, but not more than 60,000, acres per
17 year.

18 (2) GROUP SELECTION AND INDIVIDUAL TREE
19 SELECTION.—Utilization of group selection and indi-
20 vidual tree selection uneven-aged forest management
21 prescriptions described in the Quincy Library
22 Group-Community Stability Proposal to achieve a
23 desired future condition of all-age, multistory, fire
24 resilient forests as follows:

1 (A) GROUP SELECTION.—Group selection
2 on an average acreage of .57 percent of the
3 pilot project area land each year of the pilot
4 project.

5 (B) INDIVIDUAL TREE SELECTION.—Indi-
6 vidual tree selection may also be utilized within
7 the pilot project area.

8 (3) TOTAL ACREAGE.—The total acreage on
9 which resource management activities are imple-
10 mented under this subsection shall not exceed
11 70,000 acres each year.

12 (4) RIPARIAN MANAGEMENT.—A program of ri-
13 parian management, including wide protection zones
14 and riparian restoration projects, consistent with ri-
15 parian protection guidelines in subsection (c)(2)(B).

16 (e) COST-EFFECTIVENESS.—In conducting the pilot
17 project, Secretary shall use the most cost-effective means
18 available, as determined by the Secretary, to implement
19 resource management activities described in subsection
20 (d).

21 (f) FUNDING.—

22 (1) SOURCE OF FUNDS.—In conducting the
23 pilot project, the Secretary shall use, subject to the
24 relevant reprogramming guidelines of the House and
25 Senate Committees on Appropriations—

1 (A) those funds specifically provided to the
2 Forest Service by the Secretary to implement
3 resource management activities according to the
4 Quincy Library Group-Community Stability
5 Proposal; and

6 (B) excess funds that are allocated for the
7 administration and management of Plumas Na-
8 tional Forest, Lassen National Forest, and the
9 Sierraville Ranger District of Tahoe National
10 Forest.

11 (2) PROHIBITION ON USE OF CERTAIN
12 FUNDS.—The Secretary may not conduct the pilot
13 project using funds appropriated for any other unit
14 of the National Forest System.

15 (3) FLEXIBILITY.—Subject to normal re-
16 programming guidelines, during the term of the pilot
17 project, the forest supervisors of Plumas National
18 Forest, Lassen National Forest, and Tahoe National
19 Forest may allocate and use all accounts that con-
20 tain excess funds and all available excess funds for
21 the administration and management of Plumas Na-
22 tional Forest, Lassen National Forest, and the
23 Sierraville Ranger District of Tahoe National Forest
24 to perform the resource management activities de-
25 scribed in subsection (d).

1 (4) RESTRICTION.—The Secretary or the forest
2 supervisors, as the case may be, shall not utilize au-
3 thority provided under paragraphs (1)(B) and (3) if,
4 in their judgment, doing so will limit other nontim-
5 ber related multiple use activities for which such
6 funds were available.

7 (5) OVERHEAD.—Of amounts available to carry
8 out this section—

9 (A) not more than 12 percent may be used
10 or allocated for general administration or other
11 overhead; and

12 (B) at least 88 percent shall be used to im-
13 plement and carry out activities required by
14 this section.

15 (6) AUTHORIZED SUPPLEMENTAL FUNDS.—
16 There are authorized to be appropriated to imple-
17 ment and carry out the pilot project such sums as
18 are necessary.

19 (7) BASELINE FUNDS.—Amounts available for
20 resource management activities authorized under
21 subsection (d) shall at a minimum include existing
22 baseline funding levels.

23 (g) TERM OF PILOT PROJECT.—The Secretary shall
24 conduct the pilot project during the period beginning on

1 the date of the enactment of this Act and ending on the
2 later of the following:

3 (1) The date on which the Secretary completes
4 amendment or revision of the land and resource
5 management plans for Plumas National Forest,
6 Lassen National Forest, and Tahoe National Forest
7 pursuant to subsection (i).

8 (2) The date that is five years after the date of
9 the commencement of the pilot project.

10 (h) CONSULTATION.—(1) Each statement required
11 by subsection (b)(1) shall be prepared in consultation with
12 the Quincy Library Group.

13 (2) CONTRACTING.—The Forest Service, subject to
14 the availability of appropriations, may carry out any (or
15 all) of the requirements of this section using private con-
16 tracts.

17 (i) CORRESPONDING FOREST PLAN AMENDMENTS.—
18 Within 180 days after the date of the enactment of this
19 Act, the Regional Forester for Region 5 shall initiate the
20 process to amend or revise the land and resource manage-
21 ment plans for Plumas National Forest, Lassen National
22 Forest, and Tahoe National Forest. The process shall in-
23 clude preparation of at least one alternative that—

24 (1) incorporates the pilot project and area des-
25 ignations made by subsection (b), the resource man-

1 agement activities described in subsection (d), and
2 other aspects of the Quincy Library Group Commu-
3 nity Stability Proposal; and

4 (2) makes other changes warranted by the anal-
5 yses conducted in compliance with section 102(2) of
6 the National Environmental Policy Act of 1969 (42
7 U.S.C. 4332(2)), section 6 of the Forest and Range-
8 land Renewable Resources Planning Act of 1974 (16
9 U.S.C. 1604), and other applicable laws.

10 (j) REPORTING REQUIREMENTS.—

11 (1) IN GENERAL.—Not later than February 28
12 of each year during the term of the pilot project, the
13 Secretary after consultation with the Quincy Library
14 Group, shall submit to Congress a report on the sta-
15 tus of the pilot project. The report shall include at
16 least the following:

17 (A) A complete accounting of the use of
18 funds made available under subsection (f)(1)(A)
19 until such funds are fully expended.

20 (B) A complete accounting of the use of
21 funds and accounts made available under sub-
22 section (f)(1) for the previous fiscal year, in-
23 cluding a schedule of the amounts drawn from
24 each account used to perform resource manage-
25 ment activities described in subsection (d).

1 (C) A description of total acres treated for
2 each of the resource management activities re-
3 quired under subsection (d), forest health im-
4 provements, fire risk reductions, water yield in-
5 creases, and other natural resources-related
6 benefits achieved by the implementation of the
7 resource management activities described in
8 subsection (d).

9 (D) A description of the economic benefits
10 to local communities achieved by the implemen-
11 tation of the pilot project.

12 (E) A comparison of the revenues gen-
13 erated by, and costs incurred in, the implemen-
14 tation of the resource management activities de-
15 scribed in subsection (d) on the Federal lands
16 included in the pilot project area with the reve-
17 nues and costs during each of the fiscal years
18 1992 through 1997 for timber management of
19 such lands before their inclusion in the pilot
20 project.

21 (F) A schedule for the resource manage-
22 ment activities to be undertaken in the pilot
23 project area during the calendar year.

24 (2) LIMITATION ON EXPENDITURES.—The
25 amount of Federal funds expended on each annual

1 report under this subsection shall not exceed
2 \$50,000.

3 (k) FINAL REPORT.—

4 (1) IN GENERAL.—Beginning after completion
5 of 6 months of the second year of the pilot project,
6 the Secretary shall compile a science-based assess-
7 ment of, and report on, the effectiveness of the pilot
8 project in meeting the stated goals of this pilot
9 project. Such assessment and report—

10 (A) shall include watershed monitoring of
11 lands treated under this section, that should ad-
12 dress the following issues on a priority basis:
13 timing of water releases, water quality changes,
14 and water yield changes over the short and long
15 term in the pilot project area;

16 (B) shall be compiled in consultation with
17 the Quincy Library Group; and

18 (C) shall be submitted to the Congress by
19 July 1, 2002.

20 (2) LIMITATIONS ON EXPENDITURES.—The
21 amount of Federal funds expended for the assess-
22 ment and report under this subsection, other than
23 for watershed monitoring under paragraph (1)(A),
24 shall not exceed \$150,000. The amount of Federal
25 funds expended for watershed monitoring under

1 paragraph (1)(A) shall not exceed \$75,000 for each
2 of fiscal years 2000, 2001, and 2002.

3 (l) RELATIONSHIP TO OTHER LAWS.—Nothing in
4 this section exempts the pilot project from any Federal
5 environmental law.

Passed the House of Representatives July 9, 1997.

Attest:

ROBIN H. CARLE,

Clerk.