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# Forestry Provisions in the 2014 Farm Bill (P.L. 113-79)

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## Summary

The Agricultural Act of 2014 (P.L. 113-79, the 2014 farm bill) was signed into law by President Obama on February 7, 2014, after both the House and Senate voted to approve a conference agreement. The 2014 farm bill establishes agricultural and food policy for the next several years, and also addresses several aspects of federal forestry policy.

Forestry provisions were included in the Forestry title (Title VIII) of the 2014 farm bill as well as in some of the other titles. The 2014 farm bill generally repeals, reauthorizes, and modifies existing forestry assistance programs and provisions under two main authorities: the Cooperative Forestry Assistance Act (CFAA; P.L. 95-313; 16 U.S.C. §§2101-2114), as amended, and the Healthy Forests Restoration Act of 2003 (HFRA; P.L. 108-148; 16 U.S.C. §§6501-6591), as amended. Several forestry assistance programs were reauthorized through FY2018. However, many federal forestry assistance programs are permanently authorized, and thus do not require reauthorization in the farm bill. The farm bill also repeals programs that had expired or had never received appropriations.

The 2014 farm bill includes provisions addressing the management of the National Forest System. For example, it permanently reauthorizes stewardship contracting and extends the good neighbor authority nationwide, both tools the Forest Service uses to conduct restoration and other forest management projects. The farm bill also authorizes the designation of treatment areas within the National Forest System due to insect or disease infestation, and allows for expedited project planning within those designated areas. In addition, the farm bill includes provisions to modify the existing public notice, comment, and appeals process for land and resource management plans.

Congress considered other forestry provisions which were not included in the final law, but which might be debated in other legislation. Protecting communities from wildfire continues to be a priority for some, while controlling invasive species is a priority for others. How to address these issues was debated in terms of both federal assistance programs to nonfederal forest owners and management of the National Forest System. In addition, some wanted to change the funding mechanisms and amounts for several forestry assistance programs. Issues from this and previous farm bills may also become of interest again in the future, such as assisting forest-dependent communities in diversifying their economies or providing payments for ecosystem services—forest values that have not traditionally been sold in the marketplace.

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Federal forestry activities and programs historically have been associated with agriculture, and with agriculture legislation. Forestry programs have been addressed in past periodic omnibus farm bills and other agriculture legislation. These include programs to support management of nonfederal forests, forestry research, and management of federal forests. Research and forestry-specific assistance programs for private landowners—in contrast to agriculture conservation programs that include forestry activities—are primarily administered by the Forest Service (FS), an agency within the U.S. Department of Agriculture (USDA). The FS also administers 193 million acres of the National Forest System.

This report provides a brief background on the congressional committee jurisdiction over forestry, with examples of bills addressed by the committees. It then presents information on forestry in the 2014 farm bill, the Agricultural Act of 2014.<sup>1</sup> The report concludes with some forestry issues that were debated and that might be discussed in future legislation. **Appendix A** contains information on forestry provisions in previous farm bills. **Appendix B** includes a side-by-side description of the enacted provisions compared to then-current law.

## Background

Both the House Committee on Agriculture and the Senate Committee on Agriculture, Nutrition, and Forestry have jurisdiction over “forestry in general” and acquired national forests. Jurisdiction over national forests established from the public domain lies with the House Natural Resources Committee and the Senate Energy and Natural Resources Committee.<sup>2</sup> Past farm bills have included provisions addressing forestry. However, stand-alone forestry legislation has also passed through the agriculture committees. The agriculture committees have exerted considerable influence over federal forestry activities over the years. For example, the Forest and Rangelands Renewable Resources Planning Act of 1974 (RPA)<sup>3</sup> and the National Forest Management Act of 1976 (NFMA),<sup>4</sup> which guide Forest Service (FS) planning and management, were both initially referred to the agriculture committees. In addition, the Healthy Forests Restoration Act of 2003 (HFRA)<sup>5</sup> was referred to and reported by the agriculture committees.

In addition to issues related to the general management of the national forests, the agriculture committees have jurisdiction over forestry research and forestry assistance to states and to private landowners. These three programs—forest management, forestry research, and forestry assistance—have traditionally been the three principal branches of USDA’s Forest Service. Forestry assistance is governed largely by the Cooperative Forestry Assistance Act of 1978 (CFAA),<sup>6</sup> which revised and updated the Clarke-McNary Act of 1924.<sup>7</sup> Forestry research is governed largely by the Forest and Rangeland Renewable Resources Research Act of 1978,<sup>8</sup>

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<sup>1</sup> P.L. 113-79. For more information on other provisions of the 2014 farm bill, see CRS Report R43076, *The 2014 Farm Bill (P.L. 113-79): Summary and Side-by-Side*.

<sup>2</sup> See the House Natural Resources Committee website (<http://naturalresources.house.gov/>) and the Senate Energy and Natural Resources Committee website (<http://www.energy.senate.gov/public/>) for more information.

<sup>3</sup> P.L. 93-378; 16 U.S.C. §§1600-1614.

<sup>4</sup> P.L. 94-588.

<sup>5</sup> P.L. 108-148; 16 U.S.C. §§6501-6591.

<sup>6</sup> P.L. 95-313; 16 U.S.C. §§2101-2111.

<sup>7</sup> For more information on these programs, see CRS Report RL31065, *Forestry Assistance Programs*.

<sup>8</sup> P.L. 95-307; 16 U.S.C. §§1641-1647

which revised and updated the McSweeney-McNary Act of 1928. Both laws were originally referred to and reported by the agriculture committees.

## **The 2014 Farm Bill Forestry Title**

For nearly three years, Congress considered an omnibus farm bill—which included a forestry title—to establish the direction of agriculture and food policy for the next several years. Many provisions of the Food, Conservation, and Energy Act of 2008 (the 2008 farm bill)<sup>9</sup> expired in FY2012, but were extended for an additional year in the American Taxpayer Relief Act of 2012.<sup>10</sup> The 112<sup>th</sup> Congress began work on a new farm bill but did not complete action before the conclusion of the Congress, requiring new bills to be introduced in the 113<sup>th</sup> Congress. The House (H.R. 2642) and Senate (S. 954) bills passed their respective chambers by the end of September 2013. A conference agreement<sup>11</sup> was reached in late January 2014; it was approved by both chambers within eight days and was signed into law (P.L. 113-79) by the President on February 7, 2014.

Title VIII of the enacted 2014 farm bill repeals, creates, modifies, and reauthorizes several forestry programs. Both the House-passed (H.R. 2642) and Senate-passed (S. 954) versions of the 2014 farm bill contained a Forestry title. While many of the provisions were similar across the chambers—for example, both bills proposed to repeal three of the same programs—there were some differences that were resolved in the conference agreement. The various provisions can be sorted into four groups: program repeals, program reauthorizations, provisions affecting national forest management, and miscellaneous forestry provisions. A brief overview of forestry-related provisions in other titles is also presented.

### **Program Repeals**

The enacted 2014 farm bill repeals several forestry-related programs, generally programs which had not been reauthorized or funded in appropriations for several years. For example, Subtitle A (Section 8001) of the 2014 farm bill repeals the Forest Land Enhancement Program, which was not reauthorized in the 2008 farm bill. The 2014 farm bill also repeals programs to provide forestry scholarships to Hispanic-serving institutions (Section 8004) and a watershed assistance program for tribes (Section 8005). Neither program had ever received appropriations. Both the House and Senate bills proposed to repeal those three programs. The enacted 2014 farm bill also included two H.R. 2642 provisions repealing the Watershed Forestry Assistance Program (Section 8002) and the Cooperative National Forest Products Marketing Program (Section 8003), which were not included in S. 954. The former never received funding and the latter had received funding through the FS Economic Action program since 1993.

### **Program Reauthorizations**

The enacted 2014 farm bill reauthorizes several forestry programs through FY2018:

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<sup>9</sup> P.L. 110-246.

<sup>10</sup> P.L. 112-240.

<sup>11</sup> H.Rept. 113-333.

- Section 8101 reauthorizes \$10 million annually, subject to appropriations, to continue the state-wide assessment and strategies for forest resources established in the 2008 farm bill<sup>12</sup> and requires the state to coordinate with military installations when feasible.
- Section 8201 reauthorizes \$5 million annually, subject to appropriations, to continue the Rural Revitalization Technologies Program, under Section 2371(d)(2) of the Food, Agriculture, Conservation, and Trade Act of 1990 (the 1990 farm bill).<sup>13</sup>
- Section 8202 reauthorizes the Office of International Forestry, under Section 2405(d) of the Global Climate Change Prevention Act of 1990 (Title XXIV of the 1990 farm bill).<sup>14</sup>
- Section 8203 eliminates mandatory funding for the Healthy Forest Reserve Program, but authorizes \$12 million annually subject to appropriations. The program was authorized to receive \$9.75 million of mandatory funding through FY2012 (in the 2008 farm bill).<sup>15</sup>

## Provisions Affecting National Forest Management

The 2014 farm bill has several provisions that affect the management of the National Forest System, primarily by amending HFRA. These provisions generally authorize expedited planning and project implementation under certain conditions, and reauthorize programs to allow the FS to streamline certain projects, such as timber sale and restoration projects, or projects across neighboring jurisdictions. Several of these provisions were included in both the House and Senate bills. However, the enacted 2014 farm bill adopted the administrative appeals included in H.R. 2642 but not S. 954. In contrast, the enacted 2014 farm bill adopted S. 954 provisions regarding insect and disease infestation concerns and did not include H.R. 2642 provisions to establish national critical areas within the National Forest System. Some provisions in the farm bill may also apply to federal land managed by the Bureau of Land Management (BLM) in the Department of the Interior (DOI), such as the stewardship contracting and good neighbor authorities.

### Administrative Appeals

Section 8006 of the 2014 farm bill modifies two administrative appeals requirements for land and resource management planning in the National Forest System.<sup>16</sup> Specifically, the farm bill repeals Section 322 of the Department of the Interior and Related Agencies Appropriations Act of 1993 (also known as the Appeals Reform Act, or ARA).<sup>17</sup> The administrative appeals procedures authorized by ARA has been replaced by a pre-decisional objection process set forth in HFRA

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<sup>12</sup> P.L. 110-246, 16 U.S.C. §2101(a)-(c).

<sup>13</sup> P.L. 101-624, 7 U.S.C. §6601(d)(2).

<sup>14</sup> P.L. 101-624, 7 U.S.C. §6704.

<sup>15</sup> P.L. 110-246, 16 U.S.C. §§6571-6578.

<sup>16</sup> For more information on FS administrative appeals, see CRS Report R40131, *Administrative Appeals in the Bureau of Land Management and the Forest Service*.

<sup>17</sup> P.L. 102-381.

and Section 428 of the Consolidated Appropriations Act of 2012.<sup>18</sup> However, the 2014 farm bill also prohibits Section 428 from applying to certain projects or activities that are categorically excluded from an environmental assessment or environmental impact assessment under the National Environmental Policy Act (NEPA).<sup>19</sup> This means that no administrative review is available for projects conducted under certain NEPA categorical exclusions.

### **Stewardship End-Result Contracting**

The enacted 2014 farm bill permanently reauthorizes the stewardship end-results contracting authority by creating a new Section 604 of HFRA (Section 8205).<sup>20</sup> This authority, which was established in Section 347 of the Department of the Interior and Related Agencies Appropriations Act of 1999,<sup>21</sup> allows the Forest Service—and BLM—to enter into dual service and timber sale contracts or agreements for up to 10 years to achieve certain land management goals. The farm bill also requires the stewardship contracts and agreements to contain the same fire liability provisions used under the current timber sales program.

### **Timber Sale Contract Requirements**

The enacted farm bill also alters FS timber sale contract requirements, particularly when used in stewardship contracts described above. Specifically, Section 8303 authorizes the FS to designate harvest material through description or prescription, rather than physically marking each tree for harvest. In other words, the Forest Service could describe the specific characteristics of trees to be harvested, such as a certain species or size of tree, or could prescribe the desired post-harvest conditions, such as the achievement of a specific basal area factor.

### **Good Neighbor Authority**

Section 8206 permanently reauthorizes the Forest Service’s and BLM’s Good Neighbor Authority and extends the authority nationwide. Previously, the authority allowed certain state agencies to conduct watershed restoration and protection services projects on neighboring national forest land, although the authority was limited to Colorado and Utah.

### **Insect and Disease Infestation Treatment**

The enacted 2014 farm bill requires the Forest Service to designate treatment areas in at least one national forest in each state, if requested by the governor of the state, where there are declining forest conditions from insect or disease infestation (Section 8204). Additional areas may be designated as needed. The Secretary of Agriculture may implement priority projects to reduce the risk of or increase the resilience to insect or disease infestations in the designated areas. Section 8204 also establishes a NEPA categorical exclusion for projects involving less than 3,000 acres.

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<sup>18</sup> P.L. 112-74 §428; 125 Stat. 1046.

<sup>19</sup> P.L. 91-190, 42 U.S.C. §§4321-4347.

<sup>20</sup> This authority is also known as the stewardship contracting authority.

<sup>21</sup> P.L. 105-277.

## Miscellaneous National Forest Management Provisions

The 2014 farm bill also included several miscellaneous provisions related to national forest management:

- Section 8301 requires the Forest Service to revise the strategic plan for the forest inventory and analysis program for public and private forests and their resources, established by Forest and Rangelands Renewable Resources Planning Act of 1974.<sup>22</sup>
- Section 8302 authorizes the Forest Service to use funds from conservation-related programs to hire retired employees under the USDA Agriculture Conservation Experienced Services Program to provide technical services for those programs on National Forest System lands.
- Section 8304 requires that states seeking reimbursement of fire funds have a mutual assistance agreement with the Forest Service or another federal agency.
- Section 8305 authorizes the Forest Service to establish a large air-tanker and aerial asset lease program.
- Section 8306 authorizes a land conveyance in the Jefferson National Forest in Wise County, VA.

## Forestry in Other Titles

Forestry-related provisions were also included in other titles of the enacted 2014 farm bill, including Title II (Conservation), Title VII (Research), Title IX (Energy), and Title XII (Miscellaneous).<sup>23</sup>

### Title II, Conservation<sup>24</sup>

This title reauthorizes, modifies, and consolidates several programs to provide assistance to private landowners who wish to practice conservation on their agricultural and, in some programs, forested lands. Changes specific to forestry include

- Section 2101(a) reauthorizes the Conservation Stewardship Program until FY2018, which provides financial and technical assistance to promote conservation on eligible lands, including nonindustrial private forest lands, and removes the 10% enrollment cap for those lands.
- Section 2203 reauthorizes through FY2018 the Environmental Quality Incentives Program, which provides assistance to promote conservation on eligible lands, including nonindustrial private forest lands.

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<sup>22</sup> 16 U.S.C. 1642(e).

<sup>23</sup> For more information on other provisions of the 2014 farm bill, see CRS Report R43076, *The 2014 Farm Bill (P.L. 113-79): Summary and Side-by-Side*.

<sup>24</sup> For more information, see CRS Report R40763, *Agricultural Conservation: A Guide to Programs*.

- Section 2401 includes forest restoration activities as an activity eligible for inclusion in the new Regional Conservation Partnership Program.
- Section 2301 includes nonindustrial private forest land as an eligible land use for an agricultural land easement in the new Agriculture Conservation Easement Program.
- Section 2702 repeals the emergency forestry conservation reserve program, which provided assistance for areas suffering damage during hurricanes in 2005.

## **Title VII, Research<sup>25</sup>**

This title reauthorizes funding through FY2018 for several agricultural and cooperative research, extension, and post-secondary education programs. Section 7310 establishes a high-priority forestry and forestry products research and extension initiative in the Forest Service's Forest Products Laboratory to develop and disseminate science-based tools that address the needs of the forestry sector.

## **Title IX, Energy<sup>26</sup>**

This title reauthorizes, modifies, and repeals several USDA programs that incentivize research, development, and adoption of renewable energy projects and promote U.S. biofuels production and research. Several programs were modified to either include or repeal the use of forest products for various renewable energy purposes:

- Section 9001 adds the definition for a "Forest Product," and retains the same definition of renewable biomass to include materials, pre-commercial thinnings, or invasive species from National Forest System lands and public lands that are byproducts of designated preventive treatments, not used for higher values products, and harvested in accordance with applicable law and policy.
- Section 9010 authorizes \$25 million in mandatory funding annually through FY2018 for the Biomass Crop Assistance Program, which provides financial assistance to owners and operators of agricultural and nonindustrial private forest land who wish to establish, produce, and deliver biomass feedstock.
- Section 9012 extends the Community Wood Energy Program through FY2018, which provides grants to communities to plan and install wood energy systems in public buildings.
- Section 9011 repeals the Forest Biomass for Energy Program, which was established by the 2008 farm bill and required the Forest Service to conduct a competitive research and development program to encourage use of forest biomass for energy. Appropriations were authorized at \$15 million annually (FY2009-FY2013).

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<sup>25</sup> For more information, see CRS Report R40819, *USDA's Research, Education, and Economics (REE) Mission Area: Issues and Background*.

<sup>26</sup> For more information, see CRS Report R43416, *Energy Provisions in the 2014 Farm Bill (P.L. 113-79) and CRS Report R41296, Biomass Crop Assistance Program (BCAP): Status and Issues*.

## Title XII, Miscellaneous

Section 12313 amends the Clean Water Act (CWA)<sup>27</sup> and states that no permit shall be required for a discharge of runoff from specified silviculture (e.g., logging) activities that are conducted in accordance with standard industry practice. It also states that discharges from silvicultural activities are not exempted from permitting requirements under the CWA's dredge and fill permit program, other existing permitting requirements, or from any other federal law.<sup>28</sup>

## Forestry Issues for Congress

The need to reauthorize many of the agricultural programs is a prime reason for periodic farm bills. Even though many forestry programs are permanently authorized, some have raised forestry issues other than the authorization levels for possible discussion within future legislation, such as wildfire protection; conservation issues for private forest owners; outreach, education, research, and market opportunities for traditional forest products and for forest products for renewable energy sources; and continued efforts to eradicate invasive species and improve forest resiliency to disturbance events.

In addition, several of the forestry issues that were debated but ultimately not included in the enacted 2014 farm bill could be debated again in future farm bills or legislation. For example, some proposed to eliminate the permanent authorizations for several programs by establishing a sunset date. The House-passed version of the farm bill proposed to eliminate the permanent authority of the Forest Legacy Program and the Community Forest and Open Space Conservation Program to receive annual appropriations, and instead would have authorized the programs through FY2018. The final enacted 2014 farm bill did not include these provisions, but funding authority issues could resurface. Other examples include issues related to how the Forest Service should address deteriorating forest resiliency conditions and future risks within both the National Forest System and nonfederal forests. Although the 2014 farm bill includes several provisions related to these issues, this may continue to generate debate, particularly in terms of wildfire response and providing technical assistance for climate change adaptation and mitigation.

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<sup>27</sup> P.L. 95-200, 33 U.S.C. §§1251-1387.

<sup>28</sup> For more information, see CRS Report R42587, *Whether Logging Road Runoff Requires a Clean Water Act Permit: Decker v. Northwest Environmental Defense Center*.

## Appendix A. Brief History of Forestry Provisions in Previous Farm Bills

Past farm bills also have included forestry provisions, primarily addressing the forestry assistance programs. The first to contain a separate Forestry title was the 1990 farm bill (the Food, Agriculture, Conservation, and Trade Act of 1990),<sup>29</sup> which:

- created four new forestry assistance programs;
- revised two existing forestry assistance programs;
- amended two forestry assistance programs;
- revised the administrative provisions for forestry assistance;
- created five special forestry research programs;
- amended three existing forestry research programs;
- authorized a private, nonprofit tree planting foundation; and
- created a new FS branch: international forestry.

The 1996 farm bill (the Federal Agriculture Improvement and Reform Act of 1996)<sup>30</sup> included only a few forestry provisions—extending the authorization for the one expiring assistance program and adding a new funding option within an existing program.

The 2002 farm bill (the Farm Security and Rural Investment Act of 2002)<sup>31</sup> contained a separate Forestry title. The conference could not resolve many of the differences between the House- and Senate-passed forestry provisions, and thus the conference report contained fewer provisions than either bill. (Some of the disputed provisions were enacted one year later in HFRA.)

The 2008 farm bill (the Food, Conservation, and Energy Act of 2008)<sup>32</sup> included a Forestry title and several forestry provisions in other titles. The Forestry title:

- established national priorities for private forest management and assistance;
- required statewide forest assessments and strategies for assistance;
- provided for competitive funding for certain programs;
- created new programs for open space conservation and for emergency reforestation;
- established a FS tribal relations program for cultural and heritage cooperation and a competitive grants program for Hispanic-serving institutions;

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<sup>29</sup> P.L. 101-624.

<sup>30</sup> P.L. 104-127.

<sup>31</sup> P.L. 107-171.

<sup>32</sup> P.L. 110-246.

- reauthorized four existing programs, but did not reauthorize several other programs, including the Forest Land Enhancement Program;
- amended the Lacey Act Amendments to prohibit imports of illegally logged wood products; and
- modified three national forest boundaries and certain timber contract provisions.

In addition, the 2008 farm bill Conservation title revised the definition of conservation actions to include forestry activities for several conservation programs. The statute required special reporting on softwood lumber imports, to assure implementation of the 2006 U.S.-Canada Softwood Lumber Agreement.<sup>33</sup> Three provisions altered tax treatments for forests and landowners. Finally, the Energy title of the 2008 farm bill included two new woody biomass energy programs.

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<sup>33</sup> For more information, see CRS Report R42789, *Softwood Lumber Imports From Canada: Current Issues*.

# Appendix B. Enacted Forestry Provisions of the 2014 Farm Bill Forestry Title

**Table B-1. Comparison of Prior Law to Changes Enacted in 2014 Farm Bill (P.L. 113-79)**

| Prior Law/Policy   | Enacted 2014 Farm Bill (P.L. 113-79)  |
|--|---|
| <b>Subtitle A: Repeal of Certain Forestry Programs</b>   |   |
| <p>Sec. 4 of the Cooperative Forestry Assistance Act of 1978 (CFAA, P.L. 95-313), as amended, authorized and established the <b>Forest Land Enhancement Program (FLEP)</b> between FY2002-FY2008. The program was not reauthorized in the 2008 farm bill. <i>[16 U.S.C. 2301]</i></p>  | <p>Repeals FLEP. <b>[Sec. 8001]</b></p>   |
| <p>Sec. 6 of the CFAA, as amended, authorized and established the <b>Watershed Forestry Assistance Program (WFAP)</b> between FY2004-FY2008. Funding was appropriated. <i>[16 U.S.C. 2301b]</i></p>  | <p>Repeals WFAP. <b>[Sec. 8002]</b></p>   |
| <p>Sec. 18 of the CFAA, as amended, authorized and established the <b>Cooperative National Forest Products Marketing Program</b> between FY1988-FY1991. Since FY1993, funding was appropriated through the Economic Action Program (EAP), administered by the U.S. Forest Service. <i>[16 U.S.C. 2112]</i></p>   | <p>Repeals the Cooperative National Forest Products Marketing Program. <b>[Sec. 8003]</b></p>   |
| <p>Sec. 8402 of the 2008 farm bill, as amended, authorized the <b>Hispanic-serving institution agricultural land national resources leadership program</b> to provide undergraduate forestry scholarships. Funding was never appropriated. <i>[16 U.S.C. 1649a]</i></p>  | <p>Repeals the Hispanic-serving institution agricultural land national resources leadership program. <b>[Sec. 8004]</b></p>   |
| <p>Sec. 303 of the Healthy Forest Restoration Act of 2003 (HFRA, P.L. 108-148), as amended, authorizes and establishes the <b>Tribal watershed forestry assistance program</b> between FY2004-FY2008. Funding has never been appropriated. <i>[16 U.S.C. 6542]</i></p>   | <p>Repeals the Tribal watershed forestry assistance program. <b>[Sec. 8005]</b></p>   |
| <p>Sec. 322 of the Department of the Interior and Related Agencies Appropriations Act of 1993 (P.L. 102-381, also known as the Appeals Reform Act), requires the U.S. Forest Service to provide public notice, comment, and appeals for land and resource management plans and projects developed under the Forest and Rangeland Renewable Resources Planning Act of 1974. <i>[16 U.S.C. 1612, note]</i></p> | <p>Repeals Sec. 322. <b>[Sec. 8006]</b></p>   |
| <p>Sec. 428 of the Consolidated Appropriations Act of 2012, requires USDA to implement a pre-decisional objection process for projects implementing land and resource management plans developed under the Forest and Rangeland Renewable Resources Planning Act of 1974. <i>[16 U.S.C. 6515, note]</i></p>  | <p>Prohibits Sec. 428 from applying to any project or activity implementing a land and resource management plan that is categorically excluded from an environmental assessment (EA) or environmental impact statement (EIS) under the National Environmental Policy Act (NEPA). <b>[Sec. 8006]</b></p> |

**Subtitle B and C: Reauthorization of Forestry-Related Programs**

Sec. 2A(f)(1) of the CFAA, as amended, authorized up to \$10 million in annual appropriations between FY2008-FY2012 to carry out the **state-wide assessment and strategies for forest resources**. [16 U.S.C. 2101a(f)(1)]

Sec. 2A(c) of the CFAA, as amended, directs the coordination of certain specified federal, state, and tribal parties in the development of **state-wide assessment and strategies for forest resources**. [16 U.S.C. 2101a(c)]

Sec. 2371(d)(2) of the Food, Agriculture, Conservation, and Trade Act of 1990 (P.L. 101-624, 1990 farm bill), as amended, authorized appropriations of \$5 million annually through FY2013 to carry out the **rural revitalization technologies program**. [7 U.S.C. 6601(d)(2)]

Sec. 2405 of the Global Climate Change Prevention Act of 1990 (within the 1990 farm bill), as amended, authorized such sums as necessary to be appropriated to administer the **Office of International Forestry** until FY2013. The office received an average annual appropriation of approximately \$7.5 million from FY2008-FY2012. [7 U.S.C. 6704]

Sec. 508 of the HFRA, as amended, authorized the **Healthy Forests Reserve Program (HFRP)** to receive \$9.75 million of mandatory funding annually through FY2012. [16 U.S.C. 3578] Sec. 502(e)(3) of the HFRA, as amended, authorizes the enrollment of acreage owned by Indian tribes into HFRP through 30-year contracts, 10-year cost-share agreements, or any combination thereof. [16 U.S.C. 6572(e)(3)]

No comparable provision.

Sec. 347 of the Department of the Interior and Related Agencies Appropriations Act of 1999 (P.L. 105-277), as amended, authorizes the Forest Service and Bureau of Land Management to enter into **stewardship end-result contracting** projects (stewardship contracts) for services to achieve land management goals. Authority expired September 30, 2013. [16 U.S.C. 2104, note]

Reauthorizes funding to carry out the state-wide assessment and strategies for forest resources at \$10 million annually through FY2018. [Sec. 8101]

Adds military installations, where feasible, to the list of coordinating agencies. [Sec. 8101]

Reauthorizes funding to carry out the rural revitalization technologies program at \$5 million annually through FY2018, subject to appropriations. [Sec. 8201]

Reauthorizes the Office of International Forestry to receive such sums as necessary through FY2018, subject to appropriations. [Sec. 8202]

Eliminates mandatory funding authority and replaces with an authorization to receive appropriations of \$12 million annually through FY2018. Adds a definition of “acreage owned by Indian tribes.” Enrollment options are unchanged. Provides flexibility for funding technical assistance. [Sec. 8203]

Creates new Sec. 602 of the HFRA. Requires USDA to designate treatment areas in at least one national forest in each state, if requested by the Governor of the state, where there is declining forest health from insect or disease infestation. Specifies that landscape scale projects conducted in treatment areas are to be conducted under the HFRA hazardous fuels reduction project authority and includes a limited NEPA categorical exclusion for projects of less than 3,000 acres. Authorizes appropriations of \$200 million annually through FY2024. [Sec. 8204]

Repeals current authority and adds a new Sec. 604 of the HFRA, as amended, Authorizes stewardship contracts, of 5-10 years, to achieve specified land management goals. Includes accounting, performance, monitoring, evaluation, and reporting requirements, and requires fire liability provisions be incorporated into all contracts and agreements entered under this authority. [Sec. 8205]

**Prior Law/Policy**

**Enacted 2014 Farm Bill (P.L. 113-79)**

Sec. 331 of the Department of the Interior and Related Agencies Appropriations Act of 2001 (**P.L. 106-291**), as amended, authorizes the Forest Service and Bureau of Land Management (BLM) in Colorado to enter into cooperative agreements or contracts with the state of Colorado to provide watershed restoration and protection services on adjacent federal land—referred to as the **Good Neighbor Authority**. Sec. 337 of the Consolidated Appropriations Act of 2005 (**P.L. 108-447**), as amended, extends the authority to the Forest Service in the state of Utah.

Extends the Good Neighbor Authority to any state that contains National Forest System land and for public lands managed by BLM, and excludes lands designated as wilderness, wilderness study areas, or lands that otherwise contain vegetative removal restrictions. Authorizes state foresters to provide forest, rangeland, watershed restoration, management, and protection services. Agreements and contracts are exempt from certain timber sale requirements. NEPA decisions may not be delegated through agreements or contracts. Adds commercial harvesting or other mechanical vegetative treatments as an authorized service [**Sec. 8206**]

**Miscellaneous Forestry Provisions**

Sec. 3(e) of the Forest and Rangeland Renewable Resources Research Act of 1978 (P.L. 95-307), as amended, requires USDA to establish a **forest inventory and analysis program** for public and private forests and their resources. [**16 U.S.C. 1642(e)**]

Requires USDA to revise the strategic plan for forest inventory and analysis within 180 days and report to Congress. [**Sec. 8301**]

Sec. 1252 of FSA, as amended, authorizes an **Agriculture Conservation Experienced Service Program (ACES)**, such that USDA can enter into agreements with organizations to provide technical assistance (excludes administrative tasks) using qualified individuals 55 years or older. [**16 U.S.C. 3851**]

Authorizes a program similar to the Agricultural Conservation Experienced Services (ACES) program under the conservation title (Title II) to provide technical services for conservation-related programs and authorities on National Forest Service lands. [**Sec. 8302**]

Sec. 14(g) of the National Forest Management Act of 1976 [16 U.S.C. 472a(g)] requires the physical designation or marking of trees or forest products for timber sale harvests.

Authorizes the Forest Service to designate harvest material through description (describing specific characteristics of trees for harvest, such as a certain species of tree with a given stump diameter) or prescription (prescribing the desired post-harvest characteristics, such as thinning a stand to a specific basal area factor), in addition to physically designating or marking individual trees for harvest. [**Sec. 8303**]

No comparable provision.

Allows the Secretary of Agriculture to serve as an intermediary between states seeking reimbursement of fire funds, subject to terms and conditions. [**Sec. 8304**]

No comparable provision.

Authorizes the Forest Service to establish a large airtanker and aerial asset lease program and to enter into multiyear lease contracts for up to five aircraft, subject to appropriations. [**Sec. 8305**]

No comparable provision.

Authorizes the conveyance of a parcel of National Forest System land in the Jefferson National Forest in Wise County, VA. [**Sec. 8306**]

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