

105TH CONGRESS
2D SESSION

H. R. 4345

To authorize the continued use on national forest and other public lands of the alternative arrangements that were approved by the Council on Environmental Quality for windstorm-damaged national forests and grasslands in Texas.

IN THE HOUSE OF REPRESENTATIVES

JULY 29, 1998

Mrs. CHENOWETH (for herself, Mr. BOYD, Mr. PETERSON of Pennsylvania, Mr. CANNON, Mr. MCINNIS, and Mr. ROGERS) introduced the following bill; which was referred to the Committee on Resources

A BILL

To authorize the continued use on national forest and other public lands of the alternative arrangements that were approved by the Council on Environmental Quality for windstorm-damaged national forests and grasslands in Texas.

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. FINDINGS.**

4 The Congress finds the following:

5 (1) Natural catastrophic events in February
6 1998 created potentially dangerous fire and insect

1 infestation conditions in areas of national forests
2 and national grasslands in Texas.

3 (2) On March 10, 1998, the Council on Envi-
4 ronmental Quality waived certain requirements
5 under the National Environmental Policy Act of
6 1969 to expedite the removal of “dead, down, and
7 severely root-sprung trees where mortality is ex-
8 pected” in those areas, by approving alternative ar-
9 rangements for that removal in accordance with part
10 1506.11 of title 40, Code of Federal Regulations.

11 (3) The Council on Environmental Quality,
12 which is the Federal agency responsible for monitor-
13 ing implementation of the National Environmental
14 Policy Act of 1969, should be commended for ap-
15 proving those alternative arrangements, which help
16 prevent the wildfires and insect and disease infesta-
17 tions often associated with dead and dying trees.

18 (4) Numerous catastrophic forest conditions
19 similar to, equal to, or worse than the conditions for
20 which the Council on Environmental Quality ap-
21 proved the alternative arrangements exist on na-
22 tional forest and public domain lands throughout the
23 nation.

24 (5) Treatment equivalent to that provided
25 under the alternative arrangements is warranted and

1 needed on other national forest and public domain
2 lands throughout the United States.

3 **SEC. 2. WAIVER OF NEPA REQUIREMENTS FOR TREATMENT**
4 **OF DEAD, DOWNED, AND SEVERELY ROOT-**
5 **SPRUNG TREES.**

6 (a) IN GENERAL.—The Secretary of Agriculture may
7 remove dead, downed, or severely root-sprung trees in
8 areas described in subsection (b) in accordance with the
9 alternative arrangements approved by the Council on En-
10 vironmental Quality for National Forests and Grasslands
11 in Texas, as set forth in a letter from the Chairman of
12 the Council on Environmental Quality to the Deputy Chief
13 of the National Forest System dated March 10, 1998.

14 (b) AREAS DESCRIBED.—The areas referred to in
15 subsection (a) are the following:

16 (1) Approximately 20,000 acres of blowdown
17 forest in the Routt National Forest, Colorado.

18 (2) Approximately 700 acres of blowdown forest
19 in the Rio Grande National Forest, Colorado.

20 (3) Approximately 50,000 acres of bark beetle
21 infested forest in the Dixie National Forest, Utah.

22 (4) Approximately 25,000 acres of insect and
23 fuel-loading conditions on National Forest System
24 lands in the Tahoe Basin, California.

1 (5) Approximately 28,000 acres of fire-dam-
2 aged, dead, and dying trees in the Malheur National
3 Forest, Oregon.

4 (6) Approximately 10,000 acres of gypsy moth
5 infestation in the Allegheny National Forest, Penn-
6 sylvania.

7 (7) Approximately 5,000 acres of severely ice
8 damaged forests in the White Mountain National
9 Forest, New Hampshire, and the Green Mountain
10 National Forest, Vermont.

11 (8) Approximately 10,000 acres of severe
12 Mountain pine beetle damaged forests in the Pan-
13 handle National Forest, Nezperce National Forest,
14 and Boise National Forest, Idaho.

15 (9) Approximately 10,000 acres of severely ice
16 damaged forests in the Daniel Boone National For-
17 est, Kentucky.

18 (10) Approximately 15,000 acres of fire-dam-
19 aged, dead, and dying trees in the Osceola National
20 Forest and Apalachica National Forest, Florida.

21 (c) OTHER FORESTS.—

22 (1) REQUIREMENT TO REQUEST ALTERNATIVE
23 ARRANGEMENTS.—The Secretary of Agriculture or
24 the Secretary of the Interior, respectively, shall
25 promptly request the Council on Environmental

1 Quality to approve alternative arrangements under
2 part 1506.11 of title 40, Code of Federal Regula-
3 tions, authorizing removal of dead, downed, or se-
4 verely root-sprung trees on any national forest or
5 public domain lands where premature mortality is
6 expected as a result of catastrophic forest conditions.

7 (2) CONSIDERATION OF REQUESTS.—Upon re-
8 ceipt of a request under paragraph (1), the Council
9 on Environmental Quality shall promptly consider
10 and approve or disapprove the request.

11 (3) REGULATIONS.—The Chairman of the
12 Council on Environmental Quality shall, by not later
13 than 180 days after the date of the enactment of
14 this Act, issue regulations—

15 (A) governing the approval of alternative
16 arrangements under part 1506.11 of title 40,
17 Code of Federal Regulations, pursuant to re-
18 quests under paragraph (1); and

19 (B) establishing criteria under which those
20 requests will be considered and approved or dis-
21 approved.

○