

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1493

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.

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## IN THE SENATE OF THE UNITED STATES

JULY 26, 2005

Mr. SARBANES (for himself, Ms. MIKULSKI, Mr. WARNER, Mr. ALLEN, and Mr. SANTORUM) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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## 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 2005”.

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 ecological functioning of the  
3 Chesapeake Bay and the Chesapeake Bay watershed;

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

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 and

12           (4) existing programs do not ensure the support  
13 necessary to meet Chesapeake Bay forest goals.

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

15           (1) to expand and strengthen cooperative ef-  
16 forts to protect, restore, and manage forests in the  
17 Chesapeake Bay watershed; and

18           (2) to contribute to the achievement of the  
19 goals of the Chesapeake Bay Agreement.

20 **SEC. 3. DEFINITIONS.**

21 In this Act:

22           (1) CHESAPEAKE BAY AGREEMENT.—The term  
23 “Chesapeake Bay Agreement” means the formal,  
24 voluntary agreements—

1 (A) executed to achieve the goal of restor-  
2 ing and protecting the Chesapeake Bay eco-  
3 system and the living resources of the Ches-  
4 apeake Bay ecosystem; and

5 (B) signed by the Council.

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

11 (3) COORDINATOR.—The term “Coordinator”  
12 means the Coordinator of the program designated  
13 under section 4(b)(1)(B).

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

16 (5) PROGRAM.—The term “program” means  
17 the Chesapeake Bay watershed forestry program  
18 carried out under section 4(a).

19 (6) SECRETARY.—The term “Secretary” means  
20 the Secretary of Agriculture, acting through the  
21 Chief of the Forest Service and the Coordinator.

22 **SEC. 4. CHESAPEAKE BAY WATERSHED FORESTRY PRO-**  
23 **GRAM.**

24 (a) IN GENERAL.—The Secretary shall carry out a  
25 Chesapeake Bay watershed forestry program under which

1 the Secretary shall make grants and provide technical as-  
2 sistance to eligible entities to restore and conserve forests  
3 in the Chesapeake Bay watershed, including grants and  
4 assistance—

5 (1) to promote forest conservation, restoration,  
6 and stewardship efforts in urban, suburban, and  
7 rural areas of the Chesapeake Bay watershed;

8 (2) to accelerate the restoration of riparian for-  
9 est buffers in the Chesapeake Bay watershed;

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

13 (4) to promote the protection and sustainable  
14 management of forests in the Chesapeake Bay wa-  
15 tershed;

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

19 (6) to conduct research, assessment, and plan-  
20 ning activities to restore and protect forest land in  
21 the Chesapeake Bay watershed; and

22 (7) to contribute to the achievement of the  
23 goals of the Chesapeake Bay Agreement.

24 (b) OFFICE; COORDINATOR.—

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

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

3 (B) designate an employee of the Forest  
4 Service as Coordinator of the program.

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

8 (A) provide grants and technical assistance  
9 to restore and protect forests in the Chesapeake  
10 Bay watershed;

11 (B) enter into partnerships to carry out  
12 forest restoration and conservation activities at  
13 a watershed scale using the resources and pro-  
14 grams of the Forest Service;

15 (C) in collaboration with other units of the  
16 Forest Service, other Federal agencies, and  
17 State forestry agencies, carry out activities that  
18 contribute to the goals of the Chesapeake Bay  
19 Agreement;

20 (D) work with units of the National Forest  
21 System in the Chesapeake Bay watershed to en-  
22 sure that the units are managed in a manner  
23 that—

24 (i) protects water quality; and

25 (ii) sustains watershed health;

1 (E) represent the Forest Service in delib-  
2 erations of the Chesapeake Bay Program; and

3 (F) support and collaborate with the For-  
4 estry Work Group for the Chesapeake Bay Pro-  
5 gram in planning and implementing program  
6 activities.

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

9 (1) a Chesapeake Bay State;

10 (2) a political subdivision of a Chesapeake Bay  
11 State;

12 (3) a university or other institution of higher  
13 education;

14 (4) an organization operating in the Chesa-  
15 peake Bay watershed that is described in section  
16 501(c) of the Internal Revenue Code of 1986 and is  
17 exempt from taxation under section 501(a) of that  
18 Code; or

19 (5) any other person in the Chesapeake Bay  
20 watershed that the Secretary determines to be eligi-  
21 ble.

22 (d) GRANTS.—

23 (1) IN GENERAL.—The Secretary shall make  
24 grants to eligible entities under the program to carry

1 out projects to protect, restore, and manage forests  
2 in the Chesapeake Bay watershed.

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

6 (3) TYPES OF PROJECTS.—The Secretary may  
7 make a grant to an eligible entity for a project in  
8 the Chesapeake Bay watershed that—

9 (A) improves habitat and water quality  
10 through the establishment, protection, or stew-  
11 ardship of riparian or wetland forests or stream  
12 corridors;

13 (B) builds the capacity of State forestry  
14 agencies and local organizations to implement  
15 forest conservation, restoration, and steward-  
16 ship actions;

17 (C) develops and implements watershed  
18 management plans that—

19 (i) address forest conservation needs;

20 and

21 (ii) reduce urban and suburban run-  
22 off;

23 (D) provides outreach and assistance to  
24 private landowners and communities to restore  
25 or conserve forests in the watershed;

1           (E) implements communication, education,  
2           or technology transfer programs that broaden  
3           public understanding of the value of trees and  
4           forests in sustaining and restoring the Chesapeake Bay watershed;

5           (F) coordinates and implements community-based watershed partnerships and initiatives that—

6                   (i) focus on—

7                           (I) the expansion of the urban  
8                           tree canopy; and

9                           (II) the restoration or protection  
10                          of forest land; or

11                   (ii) integrate the delivery of Forest  
12                   Service programs for restoring or protecting watersheds;

13           (G) provides enhanced forest resource data  
14           to support watershed management;

15           (H) enhances upland forest health to reduce risks to watershed function and water  
16           quality; or

17           (I) conducts inventory assessment or monitoring activities to measure environmental  
18           change associated with projects carried out  
19           under the program.



1           (4) CHESAPEAKE BAY WATERSHED FOR-  
2           ESTERS.—Funds made available under section 6  
3           may be used by a Chesapeake Bay State to employ  
4           a State watershed forester to work with the Coordi-  
5           nator to carry out activities and watershed projects  
6           relating to the program.

7           (e) STUDY.—

8           (1) IN GENERAL.—The Secretary, in consulta-  
9           tion with the Council, shall conduct a study of urban  
10          and rural forests in the Chesapeake Bay watershed,  
11          including—

12                 (A) an evaluation of the state, and threats  
13                 to the sustainability, of forests in the Chesa-  
14                 peake Bay watershed;

15                 (B) an assessment of forest loss and frag-  
16                 mentation in the Chesapeake Bay watershed;

17                 (C) an identification of forest land within  
18                 the Chesapeake Bay watershed that should be  
19                 restored or protected; and

20                 (D) recommendations for expanded and  
21                 targeted actions or programs needed to achieve  
22                 the goals of the Chesapeake Bay Agreement.

23          (2) REPORT.—Not later than 1 year after  
24          amounts are first made available under section 6,  
25          the Secretary shall submit to the Committee on Ag-

1 riculture of the House of Representatives and the  
2 Committee on Agriculture, Nutrition, and Forestry  
3 of the Senate a report that describes the results of  
4 the study.

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

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

9 (b) ADMINISTRATION.—In carrying out the water-  
10 shed forestry research program established under sub-  
11 section (a), the Secretary shall—

12 (1) use a combination of applied research, mod-  
13 eling, demonstration projects, implementation guid-  
14 ance, strategies for adaptive management, training,  
15 and education to meet the needs of the residents of  
16 the Chesapeake Bay States for managing forests in  
17 urban, developing, and rural areas;

18 (2) solicit input from local managers and Fed-  
19 eral, State, and private researchers, with respect to  
20 air and water quality, social and economic implica-  
21 tions, environmental change, and other Chesapeake  
22 Bay watershed forestry issues in urban and rural  
23 areas;

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

4                   (A) address issues in the Chesapeake Bay  
5           Agreement; and

6                   (B) support modeling and informational  
7           needs of the Chesapeake Bay program; and

8           (4) manage activities of the watershed forestry  
9           research program in partnership with the Coordi-  
10          nator.

11          (c) WATERSHED FORESTRY RESEARCH STRAT-  
12          EGY.—Not later than 1 year after the date of enactment  
13          of this Act, the Secretary, in collaboration with the North-  
14          eastern Forest Research Station and the Southern Forest  
15          Research Station, shall submit to Congress a strategy for  
16          research to address Chesapeake Bay watershed goals, in-  
17          cluding recommendations for implementation and leader-  
18          ship of the program.

19          **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

20          There is authorized to be appropriated to carry out  
21          the program \$3,500,000 for each of fiscal years 2006  
22          through 2012, of which—

23                   (1) not more than \$500,000 shall be used to  
24          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 31, 2007, and annually  
6       thereafter, the Secretary shall submit to Congress a com-  
7       prehensive report that describes the costs, accomplish-  
8       ments, and outcomes of the activities carried out under  
9       the program.

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