

Calendar No. 407113TH CONGRESS
2^D SESSION**S. 1301****[Report No. 113–180]**

To provide for the restoration of forest landscapes, protection of old growth forests, and management of national forests in the eastside forests of the State of Oregon.

IN THE SENATE OF THE UNITED STATES

JULY 16 (legislative day, JULY 15), 2013

Mr. WYDEN (for himself and Mr. MERKLEY) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

JUNE 2, 2014

Reported by Ms. LANDRIEU, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To provide for the restoration of forest landscapes, protection of old growth forests, and management of national forests in the eastside forests of the State of Oregon.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Oregon Eastside For-
3 ests Restoration, Old Growth Protection, and Jobs Act of
4 2013”.

5 **SEC. 2. PURPOSES.**

6 The purposes of this Act are—

7 (1) to conserve and restore the eastside Na-
8 tional Forests of the State;

9 (2) to create an immediate, predictable, and in-
10 creased timber flow to support locally based restora-
11 tion economies in the communities of the eastside
12 National Forests of the State;

13 (3) to make the eastside National Forests of
14 the State more resistant and resilient to, and to
15 mitigate the effects of, climate change;

16 (4) to protect, restore, and increase old-growth
17 forest stands and trees in the eastside National For-
18 ests of the State;

19 (5) to promote collaboration in the communities
20 of the eastside National Forests of the State to re-
21 spond to critical threats to forest and watershed
22 health and to support natural resource- and restora-
23 tion-based economies;

24 (6) to prioritize, strategically target, and accel-
25 erate projects to improve forest health and water-

1 shed health in old growth forests located in the
 2 eastside National Forests of the State; and

3 ~~(7)~~ to provide the Secretary, collaborative
 4 groups, and the public with independent scientific
 5 advice for restoring forest health and watershed
 6 health in the eastside National Forests of the State.

7 **SEC. 3. DEFINITIONS.**

8 In this Act:

9 ~~(1)~~ **ADVISORY PANEL.**—The term “advisory
 10 panel” means the Eastside Forest Scientific and
 11 Technical Advisory Panel established under section
 12 6(a).

13 ~~(2)~~ **COLLABORATIVE GROUP.**—The term “col-
 14 laborative group” means a group of individuals that
 15 meets the requirements of section 8(a)(2).

16 ~~(3)~~ **COVERED AREA.**—The term “covered area”
 17 means the area selected by the Secretary under sec-
 18 tion 4(a)(1) that is—

19 (A) within the State; and

20 (B) not within the area covered by the
 21 Record of Decision for Amendments to Forest
 22 Service and Bureau of Land Management Plan-
 23 ning Documents Within the Range of the
 24 Northern Spotted Owl, dated April 1994.

1 (4) DECISION NOTICE.—The term “Decision
 2 Notice” means the decision notice entitled “Decision
 3 Notice for the Revised Continuation of Interim Man-
 4 agement Direction Establishing Riparian, Ecosystem
 5 and Wildlife Standards for Timber Sales, United
 6 States Forest Service Region 6, Colville, Deschutes,
 7 Fremont, Malheur, Ochoco, Okanogan, Umatilla,
 8 Wallowa-Whitman and Winema National Forests in
 9 Oregon and Washington” and approved by the Pa-
 10 cific Northwest Regional Forester on June 6, 1995.

11 (5) EMERGENCY CONDITION.—The term “emer-
 12 gency condition” means a condition—

13 (A) that results in an—

14 (i) imminent risk to life or property;

15 or

16 (ii) immediate impairment of the pub-

17 lic use and enjoyment of a trail, road,

18 highway, public facility, or public land; and

19 (B) with respect to subparagraph (A)(ii),

20 the urgency to address the emergency of which

21 outweighs the benefits of full notice and com-

22 ment.

23 (6) FOREST HEALTH.—The term “forest

24 health” means conditions that enable forested

25 land—

1 (A) to be durable, resilient, and less prone
2 to uncharacteristic wildfire, insect, or pathogen
3 outbreaks, while—

4 (i) supporting ecosystem services and
5 populations of native species; and

6 (ii) allowing for natural disturbances;

7 (B) to maintain or develop species com-
8 position, ecosystem function and structure, hy-
9 drologic function, and sediment regimes that
10 are within an acceptable range that considers—

11 (i) historic variability; and

12 (ii) anticipated future conditions; and

13 (C) to be resistant and resilient to unchar-
14 acteristic events.

15 (7) FOREST STAND.—The term “forest stand”
16 means a contiguous group of trees that are suffi-
17 ciently uniform in age-class distribution, composi-
18 tion, and structure and that are growing on a site
19 of sufficiently uniform quality to be a distinguishable
20 unit.

21 (8) INITIATIVE.—The term “Initiative” means
22 an initiative established by the Secretary—

23 (A) to restore and improve the ecological
24 structure, composition, and function and the

1 natural processes of watersheds within the Na-
2 tional Forest System;

3 ~~(B)~~ to preserve and create local jobs in
4 rural communities that are located in or near
5 National Forest System land;

6 ~~(C)~~ to sustain the local wood products in-
7 frastructure and community capacity that is
8 necessary for the appropriate management and
9 restoration of National Forest System land;

10 ~~(D)~~ to promote cooperation and collabora-
11 tion in the management of National Forest Sys-
12 tem land;

13 ~~(E)~~ to carry out collaborative projects to
14 restore forest health and watershed health and
15 to reduce the risk of uncharacteristic disturb-
16 ances from fire, insects, and disease to commu-
17 nities, watersheds, and natural resources
18 through a collaborative process of planning,
19 prioritizing, and implementing ecological res-
20 toration, hazardous fuel reduction, and other
21 vegetation management projects;

22 ~~(F)~~ to collect information from the projects
23 carried out under this Act in an effort to better
24 understand the manner in which to improve for-
25 est restoration and management activities;

1 (G) that includes all National Forest Sys-
2 tem land within the covered area; and

3 (H) under which not more than 15 Na-
4 tional Forests may be selected to participate.

5 (9) INVENTORIED ROADLESS AREA.—The term
6 “inventoried roadless area” means 1 of the areas
7 identified in the set of inventoried roadless area
8 maps contained in the Forest Service Roadless
9 Areas Conservation, Final Environmental Impact
10 Statement, Volume 2, dated November 2000.

11 (10) NATIONAL FOREST SYSTEM.—The term
12 “National Forest System” has the meaning given
13 the term in section 11(a) of the Forest and Range-
14 land Renewable Resources Planning Act of 1974 (16
15 U.S.C. 1609(a)).

16 (11) PILOT LANDSCAPE.—The term “pilot land-
17 scape” means a National Forest entirely within the
18 covered area on which a project is being carried out
19 under section 4003 of the Omnibus Public Land
20 Management Act of 2009 (16 U.S.C. 7303) as of
21 January 1, 2013.

22 (12) PLANT ASSOCIATION.—

23 (A) IN GENERAL.—The term “plant asso-
24 ciation” means a description of a plant commu-
25 nity that—

1 (i) would potentially, in the absence of
2 a disturbance, occupy a site; and

3 (ii) may be aggregated into 1 or more
4 groups based on similarities in plant spe-
5 cies, composition, environment, and pro-
6 ductivity.

7 (B) INCLUSION.—The term “plant associa-
8 tion” includes, with respect to a forested site,
9 species representing tree, shrub, and herbaceous
10 layers.

11 (13) SECRETARY.—The term “Secretary”
12 means the Secretary of Agriculture (acting through
13 the Chief of the Forest Service).

14 (14) STATE.—The term “State” means the
15 State of Oregon.

16 (15) UNCHARACTERISTIC.—The term “unchar-
17 acteristic” means a wildfire, insect, or pathogen out-
18 break or level of forest fuel, the severity, size, fre-
19 quency, or quantity of which exceeds the historic
20 range of variability.

21 (16) WATERSHED AREA.—The term “watershed
22 area” means 1 or more subwatersheds (also known
23 as 6th code hydrologic units).

1 (17) WATERSHED HEALTH.—The term “water-
2 shed health” means landscape conditions that enable
3 riparian and aquatic ecosystems—

4 (A) to capture, store, and release water,
5 sediment, wood, and nutrients;

6 (B) to provide for water temperatures that
7 are within the range of variability of the nat-
8 ural regimes for the processes described in sub-
9 paragraph (A); and

10 (C) to create and sustain functional ripar-
11 ian, aquatic, and wetland habitats that are ca-
12 pable of supporting diverse populations of na-
13 tive aquatic and riparian-dependent species.

14 **SEC. 4. LAND MANAGEMENT.**

15 (a) APPLICATION OF THE INITIATIVE TO THE COV-
16 ERED AREA.—

17 (1) IN GENERAL.—Not later than 60 days after
18 the date of enactment of this Act, the Secretary
19 shall select all or part of 1 or more National Forests
20 in the State as part of the Initiative.

21 (2) TERM.—The selection under paragraph (1)
22 shall be for a period of 15 years.

23 (3) EFFECT.—The provisions of this Act shall
24 apply to the covered area.

25 (b) LAND MANAGEMENT GOALS.—

1 (1) IN GENERAL.—In the covered area, the Sec-
2 retary shall, considering the best available science,
3 seek—

4 (A) to conserve and restore forest health,
5 watershed health, and other ecosystems;

6 (B) to reduce the risk of, and increase the
7 resistance and resiliency of the land to,
8 uncharacteristic disturbances;

9 (C) to allow for characteristic natural dis-
10 turbances; and

11 (D) to harvest wood to maintain adequate
12 levels of industry infrastructure to accomplish
13 the goals described in subparagraphs (A), (B),
14 and (C).

15 (2) FOREST MANAGEMENT.—To achieve the
16 goals of paragraph (1) in the forested land in the
17 covered area, the Secretary shall consider opportuni-
18 ties—

19 (A) to reduce the basal area in overstocked
20 forest stands;

21 (B) to increase the mean diameter of for-
22 est stands;

23 (C) to maintain or create a forest composi-
24 tion that focuses on more fire- and drought-tol-
25 erant species;

- 1 (~~D~~) to restore historic levels of within-for-
2 est stand spatial heterogeneity;
- 3 (~~E~~) to conserve and restore old growth;
- 4 (~~F~~) to conserve and restore population lev-
5 els of older trees;
- 6 (~~G~~) to conserve and restore ecologically
7 sustainable forest stands and landscapes to in-
8 corporate characteristic forest stand structures
9 and older tree populations;
- 10 (~~H~~) to harvest wood and use the value of
11 merchantable sawlogs and biomass to help off-
12 set the cost of improving forest health and wa-
13 tershed health;
- 14 (~~I~~) to restore or maintain sustainable and
15 fire-resilient conditions in perpetuity through
16 active management (including management
17 through prescribed or wildland fire and me-
18 chanical treatments);
- 19 (~~J~~) to restore or maintain ecologically ap-
20 propriate spatial complexity (including a range
21 of open to dense forest patches at scales from
22 the forest stand to the landscape);
- 23 (~~K~~) to create nonuniform effects in ear-
24 rying out vegetation management projects by
25 avoiding extensive areas of uniform treatment;

1 except for certain treatments (such as broad-
 2 east burns) that are carried out to enhance the
 3 spatial heterogeneity of the forest site;

4 (L) to restore or maintain ecologically ap-
 5 propriate understory plant community composi-
 6 tion and condition, including—

7 (i) by restoring and maintaining na-
 8 tive ground cover; and

9 (ii) by reducing the impacts of, and
 10 potential for, exotic and other invasive spe-
 11 cies; and

12 (M) to increase stakeholder participation
 13 through collaborative groups.

14 (e) PLANNING.—To help to achieve the goals de-
 15 scribed in subsection (b), the Secretary shall use landscape
 16 scale planning based on watershed areas as a tool to im-
 17 plement ecological restoration projects in the covered area.

18 (d) PERFORMANCE GOALS.—

19 (1) IN GENERAL.—Not later than 60 days after
 20 the date on which the Secretary selects the covered
 21 area, the Secretary, in consultation with the relevant
 22 collaborative groups, may establish performance
 23 goals, in addition to the goals that are established
 24 by subsection (b), that the Secretary shall seek to
 25 achieve consistent with the purposes of this Act and

1 the goals and opportunities described in subsection
2 (b) for the covered area.

3 (2) TERM.—Subject to paragraph (3), each per-
4 formance goal established under paragraph (1) shall
5 be measured annually for a period of 15 years.

6 (3) ADDITIONS.—The Secretary may develop
7 additional performance goals that the Secretary de-
8 termines to be appropriate during the period estab-
9 lished by paragraph (2).

10 (4) PRIORITIZATION.—Subject to the limita-
11 tions described in section 12(e), the Secretary shall
12 prioritize the vegetation management and hazardous
13 fuels reduction program activities in the covered
14 area to achieve the performance goals established
15 under this subsection.

16 (5) RESTORATION GOALS.—

17 (A) IN GENERAL.—Within the covered
18 area, consistent with the goals, and after con-
19 sidering the opportunities, described in sub-
20 section (b), the Secretary shall, to the max-
21 imum extent practicable, prepare, offer, and
22 promptly implement—

23 (i) projects that—

24 (I) are predominantly comprised
25 of mechanical treatment in the cov-

1 ered area that emphasize sawtimber
2 as a byproduct; and

3 (H) are conducted on—

4 (aa) for the first fiscal year
5 after the date of enactment of
6 this Act, not less than 60,000
7 acres;

8 (bb) for the subsequent fis-
9 cal year, not less than 80,000
10 acres; and

11 (cc) for each fiscal year
12 thereafter until the fiscal year in
13 which at least 1 ecological res-
14 toration project for each National
15 Forest is initiated under section
16 7, not less than 100,000 acres;
17 and

18 (ii) for each fiscal year after the fiscal
19 year specified in subparagraph clause
20 (i)(H)(cc), an ecological restoration project
21 on each National Forest in the covered
22 area with a gross planning area of not less
23 than 25,000 acres.

24 (B) ANNUAL GOALS.—

1 (i) ~~IN GENERAL.~~—Beginning in the
 2 first fiscal year after the date on which at
 3 least 1 ecological restoration project is ini-
 4 tiated for each National Forest under sec-
 5 tion 8 and each fiscal year thereafter until
 6 the date on which the Initiative is com-
 7 pleted, the Secretary may, subject to clause
 8 (ii), set annual acreage performance goals
 9 for projects that are predominantly com-
 10 prised of mechanical treatment in the cov-
 11 ered area that emphasize sawtimber as a
 12 byproduct consistent with the goals, and
 13 after considering the opportunities, de-
 14 scribed in subsection (b).

15 (ii) ~~CONSIDERATIONS.~~—In setting
 16 goals under clause (i), the Secretary shall
 17 consider—

18 (I) any specific recommendations
 19 of the advisory panel relating to acre-
 20 age treatment needs; and

21 (II) advice provided by a collabo-
 22 rative group relating to acreage treat-
 23 ment needs.

24 (C) ~~PRIORITY FOR RESTORATION GOALS.~~—

25 In seeking to meet the restoration goals estab-

1 lished under subparagraph (A) or (B), the Sec-
 2 retary shall prioritize for treatment—

3 (i) any area located on a pilot land-
 4 scape; and

5 (ii) any area that has opportunities
 6 for reduced planning and implementation
 7 costs because of—

8 (I) opportunities to work with a
 9 collaborative group on the project; or

10 (II) opportunities to use non-
 11 Federal resources to complete the
 12 project.

13 (e) PROHIBITIONS ON REMOVAL OF CERTAIN
 14 TREES.—

15 (1) OLDER TREES.—Except as provided in
 16 paragraph (2), the Secretary shall prohibit the cut-
 17 ting or removal of any live tree located in the cov-
 18 ered area that is 150 years of age or older measured
 19 at breast height.

20 (2) ADMINISTRATIVE EXCEPTIONS.—

21 (A) IN GENERAL.—The prohibition de-
 22 scribed in paragraph (1) shall not apply if the
 23 Secretary determines that there is no reason-
 24 able alternative to the cutting or removal of the

1 tree to provide for a safe administrative, public,
2 or special use.

3 (B) NOTICE REQUIREMENT.—The Sec-
4 retary shall provide to the public and each rel-
5 evant collaborative group notice and an oppor-
6 tunity to comment before making a determina-
7 tion under subparagraph (A), unless the Sec-
8 retary determines that the cutting or removal of
9 the tree is necessary to respond to an emer-
10 gency condition.

11 (C) APPLICATION OF DECISION NOTICE.—

12 (i) IN GENERAL.—Subject to clause
13 (ii), if the Secretary, after considering the
14 recommendations of the relevant collabor-
15 ative group or the recommendations re-
16 port issued under section 6(d), determines
17 that the prohibition in paragraph (1) is in-
18 feasible to implement for a specific vegeta-
19 tion management project, the Secretary
20 shall apply the Decision Notice with re-
21 spect to the specific vegetation manage-
22 ment project.

23 (ii) REQUIREMENT.—In applying the
24 Decision Notice to a specific vegetation
25 management project under clause (i), the

1 Secretary may make site-specific forest
2 plan amendments to allow the cutting or
3 removal of live trees greater than 24
4 inches in diameter at breast height that
5 are younger than 150 years old at breast
6 height, the cutting or removal of which is
7 necessary to meet the land management
8 goals described in subsection (b)(1).

9 (f) LIMITATIONS ON ROAD CONSTRUCTION.—In car-
10 rying out any vegetation management project in the cov-
11 ered area, the Secretary shall—

12 (1) not construct any permanent road, unless
13 the Secretary determines that the road is a justifi-
14 able realignment of a permanent road to restore or
15 improve the ecological structure, composition, and
16 function and the natural processes of the affected
17 forest or watershed; and

18 (2) by the earlier of the date on which the vege-
19 tation management project is completed or the date
20 that is 1 year after the activities for which the road
21 was constructed are complete, decommission any
22 temporary road constructed to carry out the vegeta-
23 tion management project by—

24 (A) reestablishing vegetation on the road;
25 and

1 (B) restoring any natural drainage, water-
 2 shed function, or other ecological processes that
 3 are disrupted or adversely impacted by the
 4 road, including by removing or hydrologically
 5 disconnecting the road prism.

6 **SEC. 5. WATERSHED MANAGEMENT.**

7 (a) **AQUATIC AND RIPARIAN RESOURCES MANAGE-**
 8 **MENT.—**

9 (1) **IN GENERAL.—**Within the covered area,
 10 each vegetation management project in an area de-
 11 lined under subsection (b) shall protect and re-
 12 store the aquatic and riparian-dependent resources
 13 of the delineated area.

14 (2) **EFFECTS.—**A project described in para-
 15 graph (1) may result in short-term negative effects
 16 on the aquatic and riparian-dependent resources of
 17 the delineated area if the Secretary determines, after
 18 considering the best available science, that the
 19 project would result in a net improvement to the
 20 condition of those resources over the long term.

21 (b) **DELINEATION OF AREAS.—**

22 (1) **FISH-BEARING STREAMS.—**The Secretary
 23 shall delineate each permanently flowing fishbearing
 24 stream and the area extending away from each edge
 25 of the active stream channel to include—

- 1 (A) the top of the inner gorge;
- 2 (B) the outer edges of the 100-year flood-
- 3 plain;
- 4 (C) the outer edges of riparian vegetation;
- 5 (D) a distance equal to the height of 2
- 6 site-potential trees; and
- 7 (E) a slope distance of not less than 300
- 8 feet.

9 ~~(2) PERMANENTLY FLOWING NON-FISHBEARING~~
 10 STREAMS.—The Secretary shall delineate each per-
 11 manently flowing non-fishbearing stream and the
 12 area extending away from each edge of the active
 13 stream channel to include—

- 14 (A) the top of the inner gorge;
- 15 (B) the outer edges of the 100-year flood
- 16 plain;
- 17 (C) the outer edges of riparian vegetation;
- 18 (D) a distance equal to the height of 1
- 19 site-potential tree; and
- 20 (E) a slope distance of not less than 150
- 21 feet.

22 ~~(3) PONDS, LAKES, RESERVOIRS, AND WET-~~
 23 LANDS LARGER THAN 1 ACRE.—The Secretary shall
 24 delineate each pond, lake, reservoir, and wetland

1 larger than 1 acre and the area extending away from
2 the high-water edges to include—

3 (A) the outer edges of the riparian vegeta-
4 tion;

5 (B) the extent of the seasonally saturated
6 soil;

7 (C) the extent of moderately and highly
8 unstable areas;

9 (D) a distance equal to the height of 1
10 site-potential tree; and

11 (E) a slope distance of—

12 (i) if the area located in a watershed
13 identified as key or priority under the ap-
14 plicable land and resource management
15 plan, not less than 100 feet; or

16 (ii) not less than 50 feet.

17 (4) INTERMITTENT STREAMS, WETLANDS LESS
18 THAN 1 ACRE, LANDSLIDES, AND LANDSLIDE-PRONE
19 AREAS.—The Secretary shall delineate each wetland
20 smaller than 1 acre, landslide, landslide-prone area,
21 intermittent stream channel, and the area extending
22 away from the edges of the wetland, landslide, land-
23 slide-prone area, or intermittent stream channel to
24 include—

25 (A) the top of the inner gorge;

1 (B) the outer edges of the riparian vegeta-
2 tion;

3 (C) a distance equal to the height of 1 site-
4 potential tree; and

5 (D) a slope distance of—

6 (i) if the area is located in a water-
7 shed identified as key or priority under the
8 applicable land and resource management
9 plan, not less than 100 feet; or

10 (ii) not less than 50 feet.

11 (e) AQUATIC AND RIPARIAN PROTECTION.—

12 (1) IN GENERAL.—Except as provided in para-
13 graph (2), the Secretary shall comply with the
14 aquatic and riparian protection requirements of the
15 applicable land and resource management plan in
16 existence on the date of enactment of this Act in
17 carrying out each vegetation management project in
18 the covered area.

19 (2) MODIFICATIONS.—The Secretary may mod-
20 ify the aquatic and riparian protection requirements
21 described in paragraph (1) if the Secretary deter-
22 mines, after considering the best available science,
23 that the modifications would meet or exceed the
24 goals of the aquatic and riparian protection require-
25 ments.

1 **SEC. 6. EASTSIDE FOREST SCIENTIFIC AND TECHNICAL AD-**
 2 **VISORY PANEL.**

3 (a) **IN GENERAL.**—Not later than 90 days after the
 4 date on which the Secretary selects the covered area, the
 5 Secretary shall establish an advisory panel—

6 (1) to be known as the “Eastside Forest Sci-
 7 entific and Technical Advisory Panel”; and

8 (2) to advise the Secretary, collaborative
 9 groups, and the public regarding the development
 10 and implementation of—

11 (A) goals to improve forest health, water-
 12 shed health, and related social and economic
 13 goals in the covered area; and

14 (B) projects needed to accomplish the pur-
 15 poses of this Act.

16 (b) **COMPOSITION.**—The advisory panel shall be com-
 17 posed of 9 members, each of whom shall have expertise
 18 in 1 or more of the following:

19 (1) Silviculture.

20 (2) Timber economics.

21 (3) Road and logging engineering.

22 (4) Soil science and geology.

23 (5) Ecosystem services or natural resources eco-
 24 nomics.

25 (6) Community economics or ecosystem work-
 26 force development.

- 1 (7) Forest ecology.
- 2 (8) Aquatic and riparian ecology.
- 3 (9) Wildlife ecology.
- 4 (10) Fish Ecology.
- 5 (11) Ecological restoration.
- 6 (12) Invasive species control and eradication.
- 7 (13) Wildland fire.
- 8 (14) Hydrology.
- 9 (15) Forest carbon life-cycle and sequestration.
- 10 (16) Social science.

11 (e) APPOINTMENTS.—The Secretary shall—

12 (1) ensure that the advisory panel includes ex-
 13 perts in a broad array of the fields described in sub-
 14 section (b); and

15 (2) give consideration to the recommendations
 16 of institutions of higher education (as defined in sec-
 17 tion 101(a) of the Higher Education Act of 1965
 18 (20 U.S.C. 1001(a))), professional societies, and
 19 other interested organizations and persons.

20 (d) DUTIES.—

21 (1) RECOMMENDATIONS REPORT.—

22 (A) IN GENERAL.—Not later than 180
 23 days after the date on which the Secretary ap-
 24 points the members of the advisory panel, the
 25 advisory panel, after considering the best avail-

1 able science and information, shall submit to
2 the Secretary and make available to the public
3 a report that contains recommendations regard-
4 ing the manner by which the Secretary may
5 best achieve the purposes and goals and con-
6 sider the opportunities described in section
7 4(b).

8 (B) REQUIREMENTS.—The report shall
9 provide recommendations based on the best
10 available science—

11 (i) for the size and scope of projects
12 needed to accomplish the goals and con-
13 sider the opportunities described in section
14 4(b);

15 (ii) for increasing local capacity to ac-
16 complish the goals and consider the oppor-
17 tunities described in section 4(b);

18 (iii) for hydrologically and ecologically
19 restoring land and water by—

20 (I) decommissioning unnecessary
21 and undesirable roads; and

22 (II) reducing the environmental
23 impact of necessary and desirable
24 roads; and

1 (iv) for each relevant plant association
2 group—

3 (I) for protecting and restoring
4 terrestrial, aquatic, riparian, wildlife,
5 fish, vegetation, soil, carbon, and
6 other resources;

7 (II) for the types of activities
8 necessary and desirable to restore for-
9 est health and watershed health (in-
10 cluding thinning, prescribed, and nat-
11 ural fire, and other appropriate activi-
12 ties);

13 (III) for cases in which the cut-
14 ting or removal of trees described in
15 section 4(e)(1) would generally be
16 considered to be ecologically appro-
17 priate; and

18 (IV) for cases in which the cut-
19 ting or removal of trees described in
20 section 4(e)(2)(C) would generally be
21 considered to be ecologically appro-
22 priate.

23 (C) ADMINISTRATION.—

24 (i) IN GENERAL.—To the maximum
25 extent practicable, the advisory panel shall

1 achieve a consensus with respect to each
2 recommendation included in the report.

3 (ii) INCLUSION OF DISSENTING OPIN-
4 IONS.—If the advisory panel fails to
5 achieve a consensus with respect to any
6 recommendation included in the report, the
7 report shall include each dissenting opinion
8 relating to the recommendation.

9 (2) REVIEW REPORT.—Not later than 5 years
10 after the date on which the Secretary appoints the
11 members of the advisory panel, the advisory panel
12 shall submit to the Secretary and make available to
13 the public a report providing—

14 (A) a quantitative and qualitative assess-
15 ment of the status of, and changes to, forest
16 health and watershed health in the covered
17 area, including the resiliency, aquatic function,
18 and plant composition, structure, and function;
19 and

20 (B) an assessment of the implementation
21 of the recommendations made under paragraph

22 (1).

23 **SEC. 7. ECOLOGICAL RESTORATION PROJECTS.**

24 (a) IN GENERAL.—As soon as practicable after the
25 date on which the Secretary selects the covered area, the

1 Secretary shall, considering the opportunities described in
2 section 4(b)(2), implement ecological restoration projects
3 in the covered area to further the goals described in sec-
4 tion 4(b).

5 (b) LANDSCAPE-SCALE PROJECTS.—Subject to the
6 availability of appropriations in accordance with section
7 12, the Secretary shall, to the maximum extent prac-
8 ticable, implement 1 or more ecological restoration
9 projects with a gross planning area of 50,000 acres for
10 each National Forest in the covered area that provide
11 landscape-scale work within a watershed area not later
12 than 3 years after the date on which the Secretary selects
13 the covered area.

14 (c) REQUIREMENTS.—In developing and imple-
15 menting ecological restoration projects under this section,
16 the Secretary shall consider—

- 17 (1) the best available science and data;
18 (2) the recommendations of the advisory panel;
19 and
20 (3) the views of the relevant collaborative
21 groups.

22 (d) NET ROAD REDUCTION.—In developing ecologi-
23 cal restoration projects under this Act, the Secretary shall
24 examine opportunities for, and achieve, a net reduction in

1 the permanent road system to improve forest and water-
 2 shed health to the maximum extent practicable.

3 ~~(c) PRIORITIZATION.—~~

4 ~~(1) IN GENERAL.—~~The Secretary shall
 5 prioritize ecological restoration projects in the cov-
 6 ered area considering the requirements in subsection
 7 ~~(c)~~ and based on the degree to which the ecological
 8 restoration projects would improve forest health and
 9 watershed health, based on—

10 ~~(A)~~ dry and moist forest plant association
 11 groups; and

12 ~~(B)~~ the need to sustain adequate levels of
 13 industry infrastructure to accomplish the goals
 14 described in section 4(b).

15 ~~(2) INCLUSIONS.—~~In carrying out this section,
 16 the types of projects the Secretary shall consider to
 17 be priority projects include projects that—

18 ~~(A)~~ reduce the risk of, and increase the re-
 19 sistance and resiliency of the land to,
 20 uncharacteristic disturbances, particularly if
 21 critical components or values are at risk, in-
 22 cluding—

23 ~~(i)~~ communities located in the
 24 wildland-urban interface (as defined in sec-

1 tion 101 of the Healthy Forests Restora-
2 tion Act of 2003 (16 U.S.C. 6511)); and
3 (ii) valuable forest structures (includ-
4 ing old growth and older mature trees);
5 (B) restore the structure and composition
6 of forest stands at a high or moderate depar-
7 ture from the historic range of variability;
8 (C) accelerate the development of complex
9 forest structure in a young forest that has been
10 simplified through past management, such as
11 by—
12 (i) creating spatial heterogeneity (in-
13 cluding the creation of skips and gaps)
14 using mechanical treatments to create
15 wildlife habitat; and
16 (ii) retaining biological legacies (in-
17 cluding large standing, downed, live, and
18 dead trees);
19 (D) assist in the implementation of com-
20 munity wildfire protection plans developed by
21 at-risk communities (as those terms are defined
22 in section 101 of the Healthy Forests Restora-
23 tion Act of 2003 (16 U.S.C. 6511));

1 (E) use the value of merchantable sawlogs
2 and biomass to help offset the cost of ecological
3 restoration projects;

4 (F) meet local and rural community needs
5 through a source that is selected on a best-
6 value basis; and

7 (G) reduce the permanent road system to
8 improve forest health and watershed health.

9 **SEC. 8. COLLABORATION.**

10 (a) **COLLABORATIVE GROUPS.—**

11 (1) **IN GENERAL.—**To assist in the development
12 of the projects needed to accomplish the purposes of
13 this Act in the covered area, the Secretary shall con-
14 sult with, and consider the recommendations of, any
15 collaborative group that meets the criteria described
16 in paragraph (2).

17 (2) **COLLABORATIVE GROUPS.—**A collaborative
18 group under paragraph (1) means a group that—

19 (A) is interested in the implementation of
20 this Act;

21 (B) includes multiple individuals rep-
22 resenting diverse interests that include—

23 (i) environmental organizations;

24 (ii) timber and forest products indus-
25 try representatives; and

1 (iii) county governments;

2 (C) operates—

3 (i) in a transparent and nonexclusive
4 manner; and

5 (ii) by consensus or in accordance
6 with voting procedures to ensure a high de-
7 gree of agreement among participants and
8 across various interests; and

9 (D) requires a level of participation suffi-
10 cient to ensure that members of the collabo-
11 rative group are adequately informed before
12 each decision.

13 (b) MULTIPARTY MONITORING.—The Secretary, in
14 consultation with the relevant collaborative groups, may
15 develop a multiparty monitoring plan for any vegetation
16 management project carried out under this Act.

17 **SEC. 9. LARGE SCALE ENVIRONMENTAL IMPACT STATE-**
18 **MENT.**

19 (a) CONGRESSIONAL FINDING.—Congress finds that
20 it is expected that the environmental impact statement de-
21 scribed in subsection (b) would be adequate to support the
22 requirements of the National Environmental Policy Act of
23 1969 (42 U.S.C. 4321 et seq.) for projects implemented
24 under this section, as documented in subsequent agency
25 decision documents.

1 (b) REQUIREMENTS.—The Secretary shall prepare a
2 large scale environmental impact statement that is ade-
3 quate under the National Environmental Policy Act of
4 1969 (42 U.S.C. 4321 et seq.) to support a record of deci-
5 sion for vegetation management projects under this sec-
6 tion in National Forests in the eastern part of the State
7 for projects—

8 (1) that are located wholly in dry ponderosa
9 pine and dry mixed conifer forests types;

10 (2) that are located on a pilot landscape;

11 (3) that are endorsed by or the product of a
12 collaborative group; and

13 (4) no portion of which are located in an inven-
14 toried roadless area.

15 (c) COMPLETION DATE.—The Secretary shall com-
16 plete the record of decision for the large scale environ-
17 mental impact statement under subsection (b) not later
18 than 1 year after the date of enactment of this Act.

19 (d) TIMELINESS.—Any legal challenge to the environ-
20 mental impact statement and record of decision under this
21 section shall be filed not later than 120 days after the
22 record of decision is signed by the Secretary.

23 **SEC. 10. COOPERATIVE PARTNERSHIP.**

24 (a) FOREST PLANNING.—Section 327(b)(2) of the
25 Department of the Interior and Related Agencies Appro-

1 priations Act, 1996 (16 U.S.C. 1611 note; Public Law
 2 104–134) is amended by inserting after “may include” the
 3 following: “expenditures for forest planning activities nec-
 4 essary for timber sales for projects that are on a pilot
 5 landscape (as defined in section 3 of the Oregon Eastside
 6 Forests Restoration, Old Growth Protection, and Jobs Act
 7 of 2013) and”.

8 (b) COOPERATIVE FOREST INNOVATION PARTNER-
 9 SHIP PROJECTS.—Section 13B of the Cooperative For-
 10 estry Assistance Act of 1978 (16 U.S.C. 2109b) is amend-
 11 ed by adding at the end the following:

12 “(d) REGULATIONS.—Not later than 90 days after
 13 the date of enactment of the Oregon Eastside Forests Res-
 14 toration, Old Growth Protection, and Jobs Act of 2013,
 15 the Secretary shall promulgate regulations to implement
 16 the authority of the Secretary under that Act.

17 “(e) COOPERATION WITH STATE GOVERNMENTS.—

18 “(1) IN GENERAL.—Not later than 180 days
 19 after the date of enactment of the Oregon Eastside
 20 Forests Restoration, Old Growth Protection, and
 21 Jobs Act of 2013, the Secretary shall carry out a
 22 project to support the ability of the Department of
 23 Agriculture to address the restoration of forests in
 24 cooperation with States.

1 “(2) ELIGIBLE AREAS.—A project under para-
 2 graph (1) may be carried out on a pilot landscape
 3 (as defined in section 3 of the Oregon Eastside For-
 4 ests Restoration, Old Growth Protection, and Jobs
 5 Act of 2013).

6 “(3) FUNDING.—The Secretary shall use not
 7 more than 5 percent of the funds for the ‘Forest
 8 Health-Federal Lands’ budget line item made avail-
 9 able under the State and Private Forestry appro-
 10 priation to pay not more than 50 percent of the total
 11 cost of carrying out a project under paragraph (1).”.

12 **SEC. 11. ADMINISTRATION.**

13 (a) EFFECT.—Nothing in this Act affects—

14 (1) any right described in a treaty between an
 15 Indian tribe and the United States; or

16 (2) any biological opinion, including any opinion
 17 associated with the aquatic and riparian protection
 18 requirements of applicable land and resource man-
 19 agement plans.

20 (b) NO RETROACTIVE EFFECT DURING TRANSI-
 21 TION.—

22 (1) VEGETATION MANAGEMENT PROJECTS.—

23 The provisions of this Act shall not apply to a vege-
 24 tation management project that is—

1 (A) initiated, either through a scoping no-
2 tice or a notice of intent, more than 180 days
3 before the date on which the Secretary selects
4 the covered area under section 4(a)(1); or

5 (B) approved or under contract before the
6 date on which the Secretary selects the covered
7 area under section 4(a)(1).

8 (2) RECOMMENDATIONS REPORT.—The comple-
9 tion of the Eastside Scientific and Technical Advi-
10 sory Panel recommendations report shall not auto-
11 matically compel an amendment or revision of any
12 vegetation management project initiated, approved,
13 or under contract before the date on which the rec-
14 ommendations report is completed.

15 (3) FOREST PLANS.—The completion of the
16 Eastside Scientific and Technical Advisory Panel
17 recommendations report shall not automatically com-
18 pel an amendment or revision of any existing forest
19 plan.

20 (e) APPLICABLE LAW.—The Secretary shall carry out
21 this Act in accordance with applicable law (including regu-
22 lations).

23 (d) PRINCIPAL AGENCY CONTACT.—

1 (1) SELECTION.—The Secretary shall select a
2 principal agency contact for the implementation of
3 this Act.

4 (2) DUTIES.—The principal agency contact
5 shall—

6 (A) serve as the point-of-contact for the
7 advisory panel; and

8 (B) facilitate communications among—

9 (i) the advisory panel;

10 (ii) collaborative groups;

11 (iii) employees of the Forest Service;

12 and

13 (iv) any other stakeholders (including
14 the public).

15 (c) REPORTING.—

16 (1) IN GENERAL.—The Secretary shall prepare
17 a report on the implementation of this Act—

18 (A) not later than 5 years after the date
19 on which the Secretary selects the covered area;
20 and

21 (B) 2 years before the date referred to in
22 subsection (c)(1).

23 (2) CONTENTS.—The reports required under
24 paragraph (1) shall, for each National Forest in the

1 covered area, assess the progress toward accom-
 2 plishing—

3 (A) the purposes of this Act; and

4 (B) the performance goals established
 5 under section 4(d).

6 (f) TERMINATION OF AUTHORITY.—

7 (1) IN GENERAL.—The authorities under this
 8 Act (other than the authorities under sections 4(e)
 9 and 5(e)) shall terminate on the date that is 15
 10 years after the date of enactment of this Act.

11 (2) EFFECT.—Nothing in this subsection af-
 12 fects a valid contract in effect on the date described
 13 in paragraph (1).

14 **SEC. 12. AUTHORIZATION OF APPROPRIATIONS.**

15 (a) IN GENERAL.—Subject to subsection (e), there is
 16 authorized to be appropriated \$50,000,000 to carry out
 17 this Act, to remain available until expended.

18 (b) USE.—Any amounts appropriated to the Sec-
 19 retary under subsection (a) may be used to support imple-
 20 mentation of any cost-sharing authorities provided by this
 21 Act.

22 (c) LIMITATION.—Amounts expended to carry out
 23 provisions of this Act that are not subject to a cost-sharing
 24 requirement shall not reduce the allocations of appro-
 25 priated funds to the Secretary for use in—

1 (1) other National Forests not included in the
2 covered area;

3 (2) other States; or

4 (3) other Regions of the Forest Service.

5 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

6 (a) *SHORT TITLE.*—*This Act may be cited as the “Oregon Eastside Forests Restoration, Old Growth Protection, and Jobs Act of 2013”.*

7
8
9 (b) *TABLE OF CONTENTS.*—*The table of contents of this*
10 *Act is as follows:*

Sec. 1. Short title; table of contents.

TITLE I—FOREST RESTORATION, OLD GROWTH PROTECTION, AND JOBS

Sec. 101. Definitions.

Sec. 102. Forest management.

Sec. 103. Restoration goals.

Sec. 104. Aquatic and riparian resources management.

Sec. 105. Eastside Forest Scientific and Technical Advisory Panel.

Sec. 106. Ecological restoration projects.

Sec. 107. Collaboration.

Sec. 108. Large-scale environmental impact statement.

Sec. 109. Administration.

Sec. 110. Authorization of appropriations.

TITLE II—COOPERATIVE PARTNERSHIP FUNDING

Sec. 201. Forest planning.

Sec. 202. Cooperative forest innovation partnership projects.

11 **TITLE I—FOREST RESTORATION,**
12 **OLD GROWTH PROTECTION,**
13 **AND JOBS**

14 **SEC. 101. DEFINITIONS.**

15 *In this title:*

1 (1) *ADVISORY PANEL.*—*The term “advisory*
2 *panel” means the Eastside Forest Scientific and*
3 *Technical Advisory Panel established under section*
4 *105(a).*

5 (2) *COLLABORATIVE GROUP.*—*The term “collabo-*
6 *rative group” means a group of individuals that*
7 *meets the requirements of section 107(b).*

8 (3) *COVERED AREA.*—*The term “covered area”*
9 *means the national forests within the State that are*
10 *not within the area covered by the document entitled*
11 *“Record of Decision for Amendments to Forest Service*
12 *and Bureau of Land Management Planning Docu-*
13 *ments Within the Range of the Northern Spotted*
14 *Owl” and dated April 1994.*

15 (4) *FOREST HEALTH.*—*The term “forest health”*
16 *means conditions that enable a forest to be resistant*
17 *and resilient to disturbance events and to support*
18 *natural ecosystem and hydrologic processes, functions,*
19 *and structures, including viable populations of native*
20 *wildlife and ecosystem services.*

21 (5) *INVENTORIED ROADLESS AREA.*—*The term*
22 *“inventoried roadless area” means 1 of the areas*
23 *identified in the set of inventoried roadless area maps*
24 *contained in the document entitled “Forest Service*
25 *Roadless Areas Conservation, Final Environmental*

1 *Impact Statement, Volume 2*” and dated November
2 2000.

3 (6) *NATIONAL FOREST SYSTEM.*—*The term “Na-*
4 *tional Forest System” has the meaning given the term*
5 *in section 11(a) of the Forest and Rangeland Renew-*
6 *able Resources Planning Act of 1974 (16 U.S.C.*
7 *1609(a)).*

8 (7) *PLANT ASSOCIATION GROUP.*—

9 (A) *IN GENERAL.*—*The term “plant associa-*
10 *tion group” means a description of a plant com-*
11 *munity that—*

12 (i) *would potentially, in the absence of*
13 *a disturbance, occupy a site; and*

14 (ii) *may be aggregated into 1 or more*
15 *groups based on similarities in plant spe-*
16 *cies, composition, environment, and produc-*
17 *tivity.*

18 (B) *INCLUSION.*—*The term “plant associa-*
19 *tion group” includes, with respect to a forested*
20 *site, species representing tree, shrub, and herba-*
21 *ceous layers.*

22 (8) *SECRETARY.*—*The term “Secretary” means*
23 *the Secretary of Agriculture (acting through the Chief*
24 *of the Forest Service).*

1 (9) *SPATIAL HETEROGENEITY.*—The term “spa-
2 *tial heterogeneity*” means trees and other structural
3 *elements of the forest landscape that have a nonuni-*
4 *form, diversely clustered spatial arrangement.*

5 (10) *STATE.*—The term “State” means the State
6 *of Oregon.*

7 (11) *VEGETATION MANAGEMENT PROJECT.*—

8 (A) *IN GENERAL.*—The term “vegetation
9 *management project*” means a project involving
10 *activities that manipulate vegetation.*

11 (B) *INCLUSIONS.*—The term “vegetation
12 *management project*” includes—

13 (i) *ecological restoration or fuel reduc-*
14 *tion projects;*

15 (ii) *harvesting timber;*

16 (iii) *prescribed burning; and*

17 (iv) *thinning trees, brush, weeds, or*
18 *grass.*

19 (12) *WATERSHED AREA.*—The term “watershed
20 *area*” means 1 or more subwatersheds (also known as
21 *6th code hydrologic units).*

22 (13) *WATERSHED HEALTH.*—The term “water-
23 *shed health*” means the range of landscape conditions
24 *that enable riparian, aquatic, and wetland ecosystems*
25 *to create and sustain functional habitats capable of*

1 *supporting diverse populations of native aquatic- and*
2 *riparian-dependent species.*

3 **SEC. 102. FOREST MANAGEMENT.**

4 *(a) APPLICATION.—The Secretary shall implement this*
5 *title in the covered area during the 15-year period begin-*
6 *ning on the date of enactment of this Act.*

7 *(b) LAND MANAGEMENT GOALS.—*

8 *(1) IN GENERAL.—Taking into consideration the*
9 *best available science, the Secretary shall seek in the*
10 *covered area—*

11 *(A) to conserve and restore forest and wa-*
12 *tershed health;*

13 *(B) to reduce the risk of, and increase the*
14 *resistance and resiliency of the land to,*
15 *uncharacteristic disturbances;*

16 *(C) to allow for characteristic natural dis-*
17 *turbances; and*

18 *(D) to harvest wood to maintain the appro-*
19 *priate scale of industry infrastructure to accom-*
20 *plish the goals described in subparagraphs (A),*
21 *(B), and (C).*

22 *(2) FOREST MANAGEMENT.—To achieve the goals*
23 *of paragraph (1) in the forested land in the covered*
24 *area, the Secretary shall consider opportunities—*

1 (A) to reduce the basal area in overstocked
2 forest stands;

3 (B) to increase the mean diameter of forest
4 stands;

5 (C) to maintain or create a forest composi-
6 tion that focuses on more fire- and drought-toler-
7 ant species;

8 (D) to restore historic levels of within-forest
9 stand spatial heterogeneity;

10 (E) to conserve and restore old growth;

11 (F) to conserve and restore population levels
12 of older trees;

13 (G) to conserve and restore ecologically sus-
14 tainable forest stands and landscapes to incor-
15 porate characteristic forest stand structures and
16 older tree populations;

17 (H) to harvest wood and use the value of
18 merchantable sawlogs and biomass to help offset
19 the cost of improving forest health and watershed
20 health;

21 (I) to restore or maintain sustainable and
22 fire-resilient conditions in perpetuity through ac-
23 tive management (including management
24 through prescribed or wildland fire and mechan-
25 ical treatments);

1 *(J) to restore or maintain ecologically ap-*
2 *propriate spatial complexity (including a range*
3 *of open to dense forest patches at scales from the*
4 *forest stand to the landscape);*

5 *(K) to conduct vegetation management*
6 *projects that create an uneven-aged mosaic of*
7 *isolated individual trees, clumps of trees, and*
8 *openings to enhance the spatial heterogeneity of*
9 *the forest landscape;*

10 *(L) to restore or maintain understory plant*
11 *communities that reflect a composition and con-*
12 *dition that is appropriate for the forest type, in-*
13 *cluding native ground cover and limiting exotic*
14 *and invasive species;*

15 *(M) to increase stakeholder participation*
16 *through collaborative groups; and*

17 *(N) to restore and maintain the historic*
18 *complement of aspen, willows, and other native*
19 *hardwoods in riparian and upland ecosystems,*
20 *including by—*

21 *(i) removing conifers that have invaded*
22 *hardwood sites and overtopped hardwoods*
23 *or have invaded wet and dry meadow sys-*
24 *tems;*

1 (ii) restoring fire to hardwood eco-
2 systems; and

3 (iii) creating barriers around hard-
4 wood sites to reduce ungulate pressure.

5 (c) *PLANNING.*—To achieve the goals described in sub-
6 section (b), the Secretary shall—

7 (1) use landscape-scale planning based on water-
8 shed boundaries as a tool to implement vegetation
9 management and ecological restoration projects in the
10 covered area; and

11 (2) seek to achieve planning and implementation
12 efficiencies on projects carried out under this title by
13 working with—

14 (A) the relevant collaborative group;

15 (B) the advisory panel; and

16 (C) other partners.

17 (d) *OLDER TREE RETENTION.*—

18 (1) *IN GENERAL.*—In developing and imple-
19 menting any project in the covered area, the Sec-
20 retary shall—

21 (A) identify, based on the protocols devel-
22 oped under paragraph (2), trees that are 150
23 years of age or older, as measured at breast
24 height; and

1 (B) retain the trees described in subpara-
2 graph (A).

3 (2) *PROTOCOL.*—*The Secretary, in collaboration*
4 *with the advisory panel, based on the best available*
5 *science, shall develop protocols for identifying trees*
6 *that are 150 years of age or older, as measured at*
7 *breast height.*

8 (3) *EXCEPTIONS.*—

9 (A) *IN GENERAL.*—*The retention objectives*
10 *described in paragraph (1)(B) shall not apply if*
11 *the Secretary determines that 1 of the following*
12 *applies:*

13 (i) *ADMINISTRATIVE EXCEPTIONS.*—
14 *There is no reasonable alternative to the*
15 *cutting or removal of trees that are 150*
16 *years of age or older, as measured at breast*
17 *height, to provide for public safety, admin-*
18 *istrative necessity, or special uses, such as*
19 *rights of way.*

20 (ii) *RESTORATION PROJECT EXCEP-*
21 *TIONS.*—*The Secretary determines that the*
22 *cutting or removal of trees that are 150*
23 *years of age or older, as measured at breast*
24 *height, is needed to help implement and*

1 *fund restoration projects, subject to the con-*
2 *ditions that—*

3 *(I) no tree that is 200 years of age*
4 *or older, as measured at breast height,*
5 *may be cut;*

6 *(II) only as many trees as are*
7 *needed to fund restoration work that*
8 *protects and enhances the resiliency of*
9 *trees that are 200 years of age or older,*
10 *as measured at breast height, may be*
11 *cut;*

12 *(III) the removal of trees that are*
13 *150 years of age or older, as measured*
14 *at breast height, and less than 200*
15 *years of age, as measured at breast*
16 *height, shall not exceed 50 percent of*
17 *the population of those trees in the*
18 *project area; and*

19 *(IV) there would be sufficient old-*
20 *growth tree replacements remaining in*
21 *the project area.*

22 *(B) NOTICE REQUIREMENT.—The Secretary*
23 *shall provide to the public and collaborative*
24 *groups notice and an opportunity to comment*
25 *before making a determination under subpara-*

1 *graph (A), unless the Secretary determines that*
2 *the cutting or removal of the tree is necessary to*
3 *respond to an emergency condition.*

4 (4) *APPLICATION.—The retention requirements of*
5 *this subsection shall not—*

6 (A) *apply to any other forests in the Na-*
7 *tional Forest System outside of the covered area;*
8 *or*

9 (B) *establish a precedent for setting age*
10 *limits on trees that may be cut on any National*
11 *Forest System land.*

12 (e) *LIMITATIONS ON ROAD CONSTRUCTION.—In car-*
13 *rying out any vegetation management project in the covered*
14 *area, the Secretary—*

15 (1) *shall not construct any permanent road, un-*
16 *less the Secretary determines that the road is a jus-*
17 *tifiable realignment of a permanent road to restore or*
18 *improve the ecological structure, composition, and*
19 *function and the natural processes of the affected for-*
20 *est or watershed; and*

21 (2) *by the earlier of the date on which the vegeta-*
22 *tion management project is completed and the date*
23 *that is 1 year after the activities for which the road*
24 *was constructed are complete, shall decommission any*

1 *temporary road constructed to carry out the vegeta-*
2 *tion management project.*

3 *(f) MONITORING AND ADAPTIVE MANAGEMENT.—In*
4 *carrying out this title, the Secretary—*

5 *(1) shall ensure that the projects developed pur-*
6 *suant to this title include monitoring to inform an*
7 *assessment of the effectiveness of treatments and*
8 *adaptive management of future projects; and*

9 *(2) in consultation with the relevant collabo-*
10 *rative groups, may develop for a vegetation manage-*
11 *ment project carried out under this title a multiparty*
12 *monitoring plan, which shall take into consideration*
13 *the recommendations of the advisory panel.*

14 **SEC. 103. RESTORATION GOALS.**

15 *(a) PERFORMANCE GOALS.—*

16 *(1) IN GENERAL.—Not later than 60 days after*
17 *the date on which the Secretary selects the covered*
18 *area, the Secretary, in consultation with the relevant*
19 *collaborative groups, may establish performance objec-*
20 *tives, in addition to the goals established by section*
21 *102(b), which the Secretary shall seek to achieve for*
22 *the covered area, consistent with those goals and the*
23 *purposes of this title.*

1 (2) *TERM.*—Subject to paragraph (4), each per-
2 formance goal established under paragraph (1) shall
3 be measured annually for a period of 15 years.

4 (3) *ADDITIONS.*—The Secretary may develop ad-
5 ditional performance goals that the Secretary deter-
6 mines to be appropriate during the period established
7 by paragraph (2).

8 (4) *PRIORITIZATION.*—Subject to the limitations
9 described in section 110(c), the Secretary shall
10 prioritize the vegetation management project and haz-
11 ardous fuels reduction program activities in the cov-
12 ered area to achieve the performance goals established
13 under this subsection.

14 (b) *RESTORATION GOALS.*—

15 (1) *IN GENERAL.*—Within the covered area, con-
16 sistent with the goals, and after considering the op-
17 portunities, described in subsection (a), the Secretary
18 shall, to the maximum extent practicable, prepare,
19 offer, and promptly implement—

20 (A) projects that—

21 (i) are predominantly comprised of
22 mechanical treatment in the covered area
23 that emphasize sawtimber as a byproduct;
24 and

25 (ii) are conducted on—

1 (I) for the first fiscal year after
2 the date of enactment of this Act, not
3 less than 60,000 acres;

4 (II) for the subsequent fiscal year,
5 not less than 80,000 acres; and

6 (III) for each fiscal year thereafter
7 until the fiscal year in which at least
8 1 ecological restoration project for each
9 National Forest is initiated under sec-
10 tion 106, not less than 100,000 acres;
11 and

12 (B) for each fiscal year after the fiscal year
13 specified in subparagraph (A)(ii)(III), an eco-
14 logical restoration project on each National For-
15 est in the covered area with a gross planning
16 area of not less than 25,000 acres.

17 (2) ANNUAL GOALS.—

18 (A) IN GENERAL.—Beginning in the first
19 fiscal year after the date on which at least 1 eco-
20 logical restoration project is initiated for each
21 National Forest under section 106 and each fis-
22 cal year thereafter until the date on which the
23 project is completed, the Secretary may establish,
24 subject to subparagraph (B), annual acreage per-
25 formance goals for each project that is predomi-

1 nantly comprised of mechanical treatment in the
2 covered area that emphasize sawtimber as a by-
3 product consistent with the goals, and after con-
4 sidering the opportunities, described in sub-
5 section (b).

6 (B) *CONSIDERATIONS.*—*In establishing the*
7 goals under subparagraph (A), the Secretary
8 shall take into consideration—

9 (i) *any specific recommendations of the*
10 advisory panel relating to acreage treat-
11 ment needs; and

12 (ii) *advice provided by a collaborative*
13 group relating to acreage treatment needs.

14 (3) *PRIORITY FOR RESTORATION GOALS.*—*In*
15 seeking to meet the restoration goals established under
16 paragraph (2), the Secretary shall prioritize for treat-
17 ment any area that has opportunities for reduced
18 planning and implementation costs because of—

19 (A) *opportunities to work with a collabo-*
20 rative group on the project; or

21 (B) *opportunities to use non-Federal re-*
22 sources to complete the project.

1 **SEC. 104. AQUATIC AND RIPARIAN RESOURCES MANAGE-**
 2 **MENT.**

3 (a) *PRIMARY FOCUS.*—*The primary focus of aquatic*
 4 *and riparian protection activities in the covered area shall*
 5 *be to protect, maintain, and restore natural ecological func-*
 6 *tions and processes beneficial to water quality and quan-*
 7 *tity, including temperature and turbidity, native fish and*
 8 *wildlife, and watershed resilience.*

9 (b) *DESIRED WATERSHED CONDITIONS.*—*Desired wa-*
 10 *tershed conditions shall include maintaining or enhancing*
 11 *riparian processes and conditions, including stable slopes,*
 12 *wood and nutrient delivery to aquatic and terrestrial sys-*
 13 *tems, stream shade, microclimate, water quantity, and*
 14 *water quality, to ensure that the watersheds—*

15 (1) *operate consistently with local disturbance*
 16 *regimes; and*

17 (2) *support native flora and fauna.*

18 (c) *STRATEGY.*—*The Secretary shall—*

19 (1) *develop an aquatic and riparian conserva-*
 20 *tion strategy that incorporates—*

21 (A) *riparian management areas;*

22 (B) *key watersheds;*

23 (C) *watershed analysis;*

24 (D) *watershed restoration; and*

25 (E) *monitoring; and*

1 (2) *use as the basis for watershed, aquatic, and*
2 *riparian ecosystem management and restoration the*
3 *interaction of the elements described in paragraph (1)*
4 *at the watershed or landscape scale.*

5 (d) *MODIFICATIONS.—The Secretary may modify the*
6 *aquatic and riparian protection standards under subsection*
7 *(a) if the Secretary determines, taking into consideration*
8 *the best available science, that the modifications would meet*
9 *or exceed the goals and standards of the aquatic and ripar-*
10 *ian protection requirements of subsection (e).*

11 (e) *REQUIREMENT.—The management activities car-*
12 *ried out within the covered area shall not retard or prevent*
13 *the attainment of—*

14 (1) *the aquatic, riparian, and watershed goals*
15 *described in this section; and*

16 (2) *the goals of applicable resource management*
17 *plans, biological opinions, and water quality stand-*
18 *ards in effect on the date of enactment of this Act.*

19 **SEC. 105. EASTSIDE FOREST SCIENTIFIC AND TECHNICAL**
20 **ADVISORY PANEL.**

21 (a) *IN GENERAL.—Not later than 90 days after the*
22 *date of enactment of this Act, the Secretary shall establish*
23 *an advisory panel, to be known as the “Eastside Forest Sci-*
24 *entific and Technical Advisory Panel”, to advise the Sec-*

1 *retary, collaborative groups, and the public regarding the*
2 *development and implementation of—*

3 *(1) goals and performance measures to improve*
4 *forest health, watershed health, and related social and*
5 *economic goals in the covered area; and*

6 *(2) projects needed to accomplish the goals of this*
7 *title.*

8 *(b) COMPOSITION.—The advisory panel shall be com-*
9 *posed of 9 members, each of whom shall have expertise in*
10 *1 or more of the following:*

11 *(1) Silviculture.*

12 *(2) Timber economics.*

13 *(3) Road and logging engineering.*

14 *(4) Soil science and geology.*

15 *(5) Ecosystem services or natural resources eco-*
16 *nomics.*

17 *(6) Community economics or ecosystem workforce*
18 *development.*

19 *(7) Forest ecology.*

20 *(8) Aquatic and riparian ecology.*

21 *(9) Wildlife ecology.*

22 *(10) Fish ecology.*

23 *(11) Ecological restoration.*

24 *(12) Invasive species control and eradication.*

25 *(13) Wildland fire.*

1 (14) *Hydrology.*

2 (15) *Forest carbon lifecycle and sequestration.*

3 (16) *Social science.*

4 (c) *APPOINTMENTS.—The Secretary shall—*

5 (1) *ensure that the advisory panel includes ex-*
6 *erts in a broad array of the fields described in sub-*
7 *section (b); and*

8 (2) *give consideration to the recommendations of*
9 *institutions of higher education (as defined in section*
10 *101(a) of the Higher Education Act of 1965 (20*
11 *U.S.C. 1001(a)), professional societies, and other in-*
12 *terested organizations and individuals.*

13 (d) *DUTIES.—*

14 (1) *RECOMMENDATIONS REPORT.—*

15 (A) *IN GENERAL.—Not later than 180 days*
16 *after the date on which the Secretary appoints*
17 *the members of the advisory panel, the advisory*
18 *panel, taking into consideration the best avail-*
19 *able science and information, shall submit to the*
20 *Secretary, who shall make available to the public*
21 *a report that contains recommendations regard-*
22 *ing the manner by which the Secretary can best*
23 *achieve the purposes and goals, and consider the*
24 *opportunities, described in section 102(b).*

1 (B) *REQUIREMENTS.*—*The report under*
2 *subparagraph (A) shall provide recommenda-*
3 *tions based on the best available science regard-*
4 *ing—*

5 (i) *the size and scope of projects needed*
6 *to accomplish the goals and consider the op-*
7 *portunities described in section 102(b);*

8 (ii) *increasing local capacity to accom-*
9 *plish the goals and consider the opportuni-*
10 *ties described in section 102(b);*

11 (iii) *hydrologically and ecologically re-*
12 *storing land and water by—*

13 (I) *decommissioning unnecessary*
14 *and undesirable roads; and*

15 (II) *reducing the environmental*
16 *impact of necessary and desirable*
17 *roads; and*

18 (iv) *actions for each relevant plant as-*
19 *sociation group, taking into account current*
20 *or future potential vegetation and soil types*
21 *that—*

22 (I) *protect and restore terrestrial,*
23 *aquatic, riparian, wildlife, fish, vegeta-*
24 *tion, soil, carbon, and other resources;*
25 *and*

1 (II) would be necessary and desir-
2 able to restore forest health and water-
3 shed health (including thinning, pre-
4 scribed, and natural fire and other ap-
5 propriate activities); and

6 (v) monitoring protocols to evaluate the
7 success of the vegetation management
8 projects and ecological restoration projects
9 on the covered area in meeting the goals
10 and objectives of this title.

11 (C) ADMINISTRATION.—

12 (i) IN GENERAL.—To the maximum ex-
13 tent practicable, the advisory panel shall
14 achieve a consensus with respect to each rec-
15 ommendation included in the report under
16 this paragraph.

17 (ii) INCLUSION OF DISSENTING OPIN-
18 IONS.—If the advisory panel fails to achieve
19 a consensus with respect to any rec-
20 ommendation included in the report under
21 this paragraph, the report shall include
22 each dissenting opinion relating to the rec-
23 ommendation.

24 (2) REVIEW REPORT.—Not later than 5 years
25 after the date on which the Secretary appoints the

1 *members of the advisory panel, the advisory panel*
2 *shall submit to the Secretary and make available to*
3 *the public a report providing—*

4 *(A) a quantitative and qualitative assess-*
5 *ment of the status of, and changes to, forest*
6 *health and watershed health in the covered area,*
7 *including the resiliency, aquatic function, and*
8 *plant composition, structure, and function; and*

9 *(B) an assessment of the implementation of*
10 *the recommendations made under paragraph (1).*

11 **SEC. 106. ECOLOGICAL RESTORATION PROJECTS.**

12 *(a) IN GENERAL.—As soon as practicable after the*
13 *date of enactment of this Act, the Secretary shall imple-*
14 *ment, taking into consideration the annual goals described*
15 *in section 103(b)(2), ecological restoration projects in the*
16 *covered area to support the land management goals de-*
17 *scribed in section 102(b).*

18 *(b) LANDSCAPE-SCALE PROJECTS.—Subject to the*
19 *availability of appropriations under section 110, the Sec-*
20 *retary shall implement, to the maximum extent practicable,*
21 *1 or more ecological restoration projects with a gross plan-*
22 *ning area of 50,000 acres for each National Forest in the*
23 *covered area that provide landscape-scale work within a*
24 *watershed area by not later than 3 years after the date on*
25 *which the Secretary selects the covered area.*

1 (c) *CRITERIA.*—*In developing and implementing eco-*
2 *logical restoration projects under this section, the Secretary*
3 *shall consider—*

- 4 (1) *the best available science and data;*
5 (2) *the recommendations of the advisory panel;*
6 (3) *the views of collaborative groups; and*
7 (4) *dry and moist forest plant association*
8 *groups.*

9 (d) *NET ROAD REDUCTION.*—*In developing ecological*
10 *restoration projects under this section, the Secretary shall*
11 *examine opportunities for, and achieve, a net reduction in*
12 *the permanent road system to improve forest and watershed*
13 *health, to the maximum extent practicable.*

14 (e) *PRIORITIZATION.*—

15 (1) *IN GENERAL.*—*The Secretary shall prioritize*
16 *ecological restoration projects in the covered area, tak-*
17 *ing into consideration—*

18 (A) *the criteria described in subsection (c);*

19 *and*

20 (B) *the degree to which the ecological res-*
21 *toration projects would improve forest health and*
22 *watershed health.*

23 (2) *PRIORITIES.*—*In selecting and planning eco-*
24 *logical restoration projects, the Secretary shall*
25 *prioritize projects that—*

1 (A) reduce the risk of, and increase the re-
2 sistance and resiliency of the land to,
3 uncharacteristic disturbances, particularly if
4 critical components or values are at risk, includ-
5 ing—

6 (i) communities located in the
7 wildland-urban interface (as defined in sec-
8 tion 101 of the Healthy Forests Restoration
9 Act of 2003 (16 U.S.C. 6511)); and

10 (ii) valuable forest structures (includ-
11 ing old growth and older mature trees);

12 (B) restore the structure and composition of
13 forest stands at a high or moderate departure
14 from the historic range of variability;

15 (C) sustain the appropriate scale of indus-
16 try infrastructure to accomplish the goals de-
17 scribed in section 102(b);

18 (D) accelerate the development of complex
19 forest structure in a young forest that has been
20 simplified through past management, such as
21 by—

22 (i) creating spatial heterogeneity (in-
23 cluding the creation of skips and gaps)
24 using mechanical treatments to create wild-
25 life habitat; and

1 (ii) retaining biological legacies (in-
2 cluding large standing, downed, live, and
3 dead trees);

4 (E) assist in the implementation of commu-
5 nity wildfire protection plans developed by at-
6 risk communities (as those terms are defined in
7 section 101 of the Healthy Forests Restoration
8 Act of 2003 (16 U.S.C. 6511));

9 (F) use the value of merchantable sawlogs
10 and biomass to help offset the cost of ecological
11 restoration projects;

12 (G) meet local and rural community needs
13 through a source that is selected on a best-value
14 basis;

15 (H) reduce the permanent road system to
16 improve forest health and watershed health; and

17 (I) help recover aspen, willows, and other
18 native hardwoods in riparian and upland eco-
19 systems.

20 **SEC. 107. COLLABORATION.**

21 (a) *IN GENERAL.*—To assist in the development of the
22 projects needed to accomplish the purposes of this title in
23 the covered area, the Secretary shall consult with, and con-
24 sider the recommendations of, any collaborative group that
25 meets the criteria described in subsection (b).

1 (b) *CRITERIA.*—*A collaborative group referred to in*
2 *subsection (a) is a group that—*

3 (1) *is interested in the implementation of this*
4 *title;*

5 (2) *includes multiple individuals representing*
6 *diverse interests, including—*

7 (A) *environmental organizations;*

8 (B) *timber and forest products industry*
9 *representatives; and*

10 (C) *county governments;*

11 (3) *operates—*

12 (A) *in a transparent and nonexclusive*
13 *manner; and*

14 (B) *by consensus or in accordance with vot-*
15 *ing procedures to ensure a high degree of agree-*
16 *ment among participants and across various in-*
17 *terests; and*

18 (4) *requires a level of participation sufficient to*
19 *ensure that members of the collaborative group are*
20 *adequately informed before making each decision.*

21 **SEC. 108. LARGE-SCALE ENVIRONMENTAL IMPACT STATE-**
22 **MENT.**

23 (a) *IN GENERAL.*—*The Secretary shall carry out vege-*
24 *tation management projects and ecological restoration*

1 *projects under this section in accordance with the National*
2 *Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).*

3 *(b) ENVIRONMENTAL IMPACT STATEMENT.—*

4 *(1) IN GENERAL.—The Secretary shall prepare 1*
5 *landscape-scale environmental impact statement for*
6 *purposes of compliance with the National Environ-*
7 *mental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for*
8 *vegetation management projects and ecological res-*
9 *toration projects carried out under this title in Na-*
10 *tional Forests in the eastern part of the State that*
11 *share ecological conditions and resource issues, in-*
12 *cluding projects—*

13 *(A) that are located wholly in dry pon-*
14 *derosa pine and dry mixed conifer forests types;*

15 *(B) that are endorsed by, or are the product*
16 *of, a collaborative group; and*

17 *(C) no portion of which are located in an*
18 *inventoried roadless area.*

19 *(2) USE.—The large-scale environmental impact*
20 *statement under paragraph (1) shall be used as the*
21 *basis for decisions on covered vegetation management*
22 *projects and ecological restoration projects, except for*
23 *limited projects—*

24 *(A) that are developed after the completion*
25 *of the environmental impact statement; and*

1 (B) for which the environmental impact
 2 statement does not adequately analyze the work
 3 to be performed.

4 (c) *COMPLETION DATE.*—The Secretary shall complete
 5 the record of decision for the large-scale environmental im-
 6 pact statement under subsection (b) by not later than 1 year
 7 after the date of enactment of this Act.

8 (d) *TIMELINESS.*—A legal challenge to the environ-
 9 mental impact statement and record of decision under this
 10 section shall be filed by not later than 120 days after the
 11 date on which the record of decision is signed by the Sec-
 12 retary.

13 **SEC. 109. ADMINISTRATION.**

14 (a) *EFFECT OF TITLE.*—Nothing in this title affects—

15 (1) any right described in a treaty between an
 16 Indian tribe and the United States; or

17 (2) any biological opinion, including any opin-
 18 ion associated with the aquatic and riparian protec-
 19 tion requirements of applicable land and resource
 20 management plans.

21 (b) *NO RETROACTIVE EFFECT.*—

22 (1) *VEGETATION MANAGEMENT PROJECTS.*—This
 23 title shall not apply to a vegetation management
 24 project that is—

1 (A) initiated, through a scoping notice or a
2 notice of intent, more than 180 days before the
3 date of enactment of this Act; or

4 (B) approved or under contract before the
5 date of enactment of this Act.

6 (2) *RECOMMENDATIONS REPORT.*—The comple-
7 tion of the recommendations report of the advisory
8 panel under section 105(d)(2) shall not automatically
9 compel an amendment or revision to—

10 (A) any vegetation management project ini-
11 tiated, approved, or under contract before the
12 date on which the recommendations report is
13 completed; or

14 (B) any existing forest plan.

15 (c) *APPLICABLE LAW.*—The Secretary shall carry out
16 this title in accordance with applicable law (including reg-
17 ulations).

18 (d) *PRINCIPAL AGENCY CONTACT.*—

19 (1) *SELECTION.*—The Secretary shall select a
20 principal agency contact for the implementation of
21 this title.

22 (2) *DUTIES.*—The principal agency contact
23 shall—

24 (A) serve as the point-of-contact for the ad-
25 visory panel;

- 1 (B) facilitate communications among—
- 2 (i) the advisory panel;
- 3 (ii) collaborative groups;
- 4 (iii) employees of the Forest Service;
- 5 and
- 6 (iv) any other stakeholders (including
- 7 the public).

8 (e) REPORTING.—

9 (1) IN GENERAL.—The Secretary shall prepare a

10 report on the implementation of this title—

11 (A) not later than 5 years after the date on

12 which the Secretary selects the covered area; but

13 (B) not earlier than 2 years before the date

14 described in subparagraph (A).

15 (2) CONTENTS.—The reports required under

16 paragraph (1) shall assess, for each National Forest

17 in the covered area, the progress achieved in accom-

18 plishing—

19 (A) the purposes of this title; and

20 (B) the performance goals established under

21 section 103.

22 (f) TERMINATION OF AUTHORITY.—

23 (1) IN GENERAL.—The authority provided by

24 this title shall terminate on the date that is 15 years

25 after the date of enactment of this Act.

1 (2) *EFFECT.*—*Nothing in this subsection affects*
2 *a valid contract in effect on the date described in*
3 *paragraph (1).*

4 **SEC. 110. AUTHORIZATION OF APPROPRIATIONS.**

5 (a) *IN GENERAL.*—*Subject to subsection (c), there is*
6 *authorized to be appropriated \$50,000,000 to carry out this*
7 *title, to remain available until expended.*

8 (b) *USE.*—*Any amounts appropriated to the Secretary*
9 *under subsection (a) may be used to support implementa-*
10 *tion of any cost-sharing authorities provided by this title.*

11 (c) *EFFECT ON OTHER FUNDS.*—*The Secretary may*
12 *not divert funding from a National Forest or grassland out-*
13 *side of the State to meet the performance requirements of*
14 *this title.*

15 (d) *REPROGRAMMING AUTHORITY.*—

16 (1) *IN GENERAL.*—*Except as provided in para-*
17 *graph (2), after submitting to the Committees on Ap-*
18 *propriations of the House of Representatives and the*
19 *Senate a notice, the Secretary may reprogram any*
20 *funds—*

21 (A) *made available to the Secretary through*
22 *an appropriation for the National Forest Sys-*
23 *tem; and*

24 (B) *allocated to be used on the National*
25 *Forests in the covered area.*

1 (2) *EXCEPTION.*—No funds appropriated for a
 2 recreation or grazing activity may be subject to re-
 3 programming under paragraph (1).

4 **TITLE II—COOPERATIVE**
 5 **PARTNERSHIP FUNDING**

6 **SEC. 201. FOREST PLANNING.**

7 Section 327(b)(2) of the Department of the Interior
 8 and Related Agencies Appropriations Act, 1996 (16 U.S.C.
 9 1611 note; Public Law 104–134) is amended by inserting
 10 “expenditures for forest planning activities necessary for
 11 timber sales for projects that are located on any landscape
 12 that receives funding under section 4004 of the Omnibus
 13 Public Land Management Act of 2009 (16 U.S.C. 7304)
 14 and” after “may include”.

15 **SEC. 202. COOPERATIVE FOREST INNOVATION PARTNER-**
 16 **SHIP PROJECTS.**

17 Section 13B of the Cooperative Forestry Assistance Act
 18 of 1978 (16 U.S.C. 2109b) is amended by adding at the
 19 end the following:

20 “(d) *REGULATIONS.*—Not later than 90 days after the
 21 date of enactment of the Oregon Eastside Forests Restora-
 22 tion, Old Growth Protection, and Jobs Act of 2013, the Sec-
 23 retary shall promulgate regulations to implement the au-
 24 thority of the Secretary under that Act.

25 “(e) *COOPERATION WITH STATE GOVERNMENTS.*—

1 “(1) *PROJECTS AUTHORIZED.*—Not later than
2 180 days after the date of enactment of the Oregon
3 *Eastside Forests Restoration, Old Growth Protection,*
4 *and Jobs Act of 2013, the Secretary, in cooperation*
5 *with the States, shall carry out projects to support the*
6 *ability of the Department of Agriculture to address*
7 *the restoration of National Forests in eligible areas.*

8 “(2) *ELIGIBLE AREAS.*—A project under para-
9 *graph (1) may be carried out on—*

10 “(A) *the covered area (as defined in section*
11 *101 of the Oregon Eastside Forests Restoration,*
12 *Old Growth Protection, and Jobs Act of 2013);*
13 *and*

14 “(B) *any additional areas of the National*
15 *Forest System that the Secretary selects to carry*
16 *out paragraph (1).*

17 “(3) *FUNDING.*—For each fiscal year, the Sec-
18 *retary shall use not more than 5 percent of the funds*
19 *made available for forest health on Federal land*
20 *under the heading ‘STATE AND PRIVATE FORESTRY’ of*
21 *title III of an appropriations Act making funds*
22 *available to the Department of the Interior to pay for*
23 *not more than 50 percent of the total cost of carrying*
24 *out paragraph (1).”.*

Calendar No. 407

113TH CONGRESS
2^D SESSION

S. 1301

[Report No. 113-180]

A BILL

To provide for the restoration of forest landscapes, protection of old growth forests, and management of national forests in the eastside forests of the State of Oregon.

JUNE 2, 2014

Reported with an amendment