To generate dependable economic activity for counties and local governments containing National Forest System land by establishing a demonstration program for local, sustainable forest management, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 14, 2015

Mr. LABRADOR (for himself, Mr. YOUNG of Alaska, Mrs. LUMMIS, Mr. AMODEI, and Mr. GOSAR) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To generate dependable economic activity for counties and local governments containing National Forest System land by establishing a demonstration program for local, sustainable forest management, and for other purposes.

Be it enacted by the Senate and House of Representa-

tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Self-Sufficient Com-
munity Lands Act”.
SEC. 2. PURPOSE AND DEFINITIONS.

(a) PURPOSE.—The purpose of this Act is to generate dependable economic activity for counties and local governments by establishing a demonstration program for local, sustainable forest management.

(b) DEFINITIONS.—In this Act:

(1) ADVISORY COMMITTEE.—The term “Advisory Committee” means the Advisory Committee appointed by the Governor of a State for the community forest demonstration area established for the State.

(2) COMMUNITY FOREST DEMONSTRATION AREA.—The term “community forest demonstration area” means a community forest demonstration area established for a State under section 3.

(3) NATIONAL FOREST SYSTEM.—The term “National Forest System” has the meaning given that term in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)), except that the term does not include the National Grasslands and land utilization projects designated as National Grasslands administered pursuant to the Act of July 22, 1937 (7 U.S.C. 1010–1012).
(4) Secretary.—The term “Secretary” means the Secretary of Agriculture or the designee of the Secretary of Agriculture.

(5) State.—The term “State” includes the Commonwealth of Puerto Rico.

SEC. 3. ESTABLISHMENT OF COMMUNITY FOREST DEMONSTRATION AREAS.

(a) Establishment Required; Time for Establishment.—Subject to subsection (c) and not later than one year after the date of the enactment of this Act, the Secretary of Agriculture shall establish a community forest demonstration area at the request of the Advisory Committee appointed to manage community forest demonstration area land in that State.

(b) Covered Land.—

(1) Inclusion of National Forest System Land.—The community forest demonstration areas of a State shall consist of the National Forest System land in the State identified for inclusion by the Advisory Committee of that State.

(2) Exclusion of Certain Land.—A community forest demonstration area shall not include National Forest System land—

(A) that is a component of the National Wilderness Preservation System;
(B) on which the removal of vegetation is specifically prohibited by Federal statute;

(C) National Monuments; or

(D) over which administration jurisdiction was first assumed by the Forest Service under title III.

(c) CONDITIONS ON ESTABLISHMENT.—

(1) ACREAGE REQUIREMENT.—A community forest demonstration area must include at least 200,000 acres of National Forest System land. If the unit of the National Forest System in which a community forest demonstration area is being established contains more than 5,000,000 acres, the community forest demonstration area may include 900,000 or more acres of National Forest System land.

(2) MANAGEMENT LAW OR BEST MANAGEMENT PRACTICES REQUIREMENT.—A community forest demonstration area may be established in a State only if the State—

(A) has a forest practices law applicable to State or privately owned forest land in the State; or

(B) has established silvicultural best management practices or other regulations for for-
est management practices related to clean water, soil quality, wildlife or forest health.

(3) Revenue Sharing Requirement.—As a condition of the inclusion in a community forest demonstration area of National Forest System land located in a particular county in a State, the county must enter into an agreement with the Governor of the State that requires that, in utilizing revenues received by the county under section 7(b), the county shall continue to meet any obligations under applicable State law as provided under title I of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111 et seq.) or as provided in the sixth paragraph under the heading “FOREST SERVICE” in the Act of May 23, 1908 (16 U.S.C. 500), and section 13 of the Act of March 1, 1911 (16 U.S.C. 500).

(d) Treatment Under Certain Other Laws.—National Forest System land included in a community forest demonstration area shall not be considered Federal land for purposes of—

(1) making payments to counties under the sixth paragraph under the heading “FOREST SERVICE” in the Act of May 23, 1908 (16 U.S.C.
(e) ACREAGE LIMITATION.—Not more than a total of 4,000,000 acres of National Forest System land may be established as community forest demonstration areas.

(f) RECOGNITION OF VALID AND EXISTING RIGHTS.—Nothing in this Act shall be construed to limit or restrict—

(1) access to National Forest System land included in a community forest demonstration area for hunting, fishing, and other related purposes; or

(2) valid and existing rights regarding such National Forest System land, including rights of any federally recognized Indian tribe.

SEC. 4. ADVISORY COMMITTEE.

(a) APPOINTMENT.—A community forest demonstration area for a State shall be managed by an Advisory Committee appointed by the Governor of the State.

(b) COMPOSITION.—The Advisory Committee for a community forest demonstration area in a State shall include, but is not limited to, the following members:

(1) One member who holds county or local elected office, appointed from each county or local
governmental unit in the State containing community forest demonstration area land.

(2) One member who represents the commercial timber, wood products, or milling industry.

(3) One member who represents persons holding Federal grazing or other land use permits.

(4) One member who represents recreational users of National Forest System land.

(e) TERMS.—

(1) IN GENERAL.—Except in the case of certain initial appointments required by paragraph (2), members of an Advisory Committee shall serve for a term of three years.

(2) INITIAL APPOINTMENTS.—In making initial appointments to an Advisory Committee, the Governor making the appointments shall stagger terms so that at least one-third of the members will be replaced every three years.

(d) COMPENSATION.—Members of a Advisory Committee shall serve without pay, but may be reimbursed from the funds made available for the management of a community forest demonstration area for the actual and necessary travel and subsistence expenses incurred by members in the performance of their duties.
SEC. 5. MANAGEMENT OF COMMUNITY FOREST DEMONSTRATION AREAS.

(a) Assumption of Management.—

(1) Confirmation.—The Advisory Committee appointed for a community forest demonstration area shall assume all management authority with regard to the community forest demonstration area as soon as the Secretary confirms that—

(A) the National Forest System land to be included in the community forest demonstration area meets the requirements of subsections (b) and (c) of section 3;

(B) the Advisory Committee has been duly appointed under section 4 and is able to conduct business; and

(C) provision has been made for essential management services for the community forest demonstration area.

(2) Scope and Time for Confirmation.—The determination of the Secretary under paragraph (1) is limited to confirming whether the conditions specified in subparagraphs (A) and (B) of such paragraph have been satisfied. The Secretary shall make the determination not later than 60 days after the date of the appointment of the Advisory Committee.
(3) Effect of failure to confirm.—If the Secretary determines that either or both conditions specified in subparagraphs (A) and (B) of paragraph (1) are not satisfied for confirmation of an Advisory Committee, the Secretary shall—

(A) promptly notify the Governor of the affected State and the Advisory Committee of the reasons preventing confirmation; and

(B) make a new determination under paragraph (2) within 60 days after receiving a new request from the Advisory Committee that addresses the reasons that previously prevented confirmation.

(b) Management Responsibilities.—Upon assumption of management of a community forest demonstration area, the Advisory Committee for the community forest demonstration area shall manage the land and resources of the community forest demonstration area and the occupancy and use thereof in conformity with this Act, and to the extent not in conflict with this Act, the laws and regulations applicable to management of State or privately owned forest lands in the State in which the community forest demonstration area is located.

(c) Applicability of Other Federal Laws.—
(1) IN GENERAL.—The administration and management of a community forest demonstration area, including implementing actions, shall not be considered Federal action and shall be subject to the following only to the extent that such laws apply to the State or private administration and management of forest lands in the State in which the community forest demonstration area is located:

(A) The Federal Water Pollution Control Act (33 U.S.C. 1251 note).

(B) The Clean Air Act (42 U.S.C. 7401 et seq.).


(D) Federal laws and regulations governing procurement by Federal agencies.

(E) Except as provided in paragraph (2), other Federal laws.

(2) APPLICABILITY OF NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT.—Notwithstanding the assumption by an Advisory Committee of management of a community forest demonstration area, the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.) shall continue to apply to the National Forest
System land included in the community forest demonstration area.

(d) Consultation.—

(1) With Indian tribes.—The Advisory Committee for a community forest demonstration area shall cooperate and consult with Indian tribes on management policies and practices for the community forest demonstration area that may affect the Indian tribes. The Advisory Committee shall take into consideration the use of lands within the community forest demonstration area for religious and cultural uses by Native Americans.

(2) With collaborative groups.—The Advisory Committee for a community forest demonstration area shall consult with any applicable forest collaborative group.

(e) Recreation.—Nothing in this section shall affect public use and recreation within a community forest demonstration area.

(f) Fire management.—The Secretary shall provide fire presuppression, suppression, and rehabilitation services on and with respect to a community forest demonstration area to the same extent generally authorized in other units of the National Forest System.
(g) **Prohibition on Export.**—As a condition on
the sale of timber or other forest products from a commu-
nity forest demonstration area, unprocessed timber har-
vested from a community forest demonstration area may
not be exported in accordance with subpart F of part 223

**SEC. 6. DISTRIBUTION OF FUNDS FROM COMMUNITY FOR-
EST DEMONSTRATION AREA.**

(a) **Retention of Funds for Management.**—The
Advisory Committee appointed for a community forest
demonstration area may retain such sums as the Advisory
Committee considers to be necessary from amounts gen-
erated from that community forest demonstration area to
fund the management, administration, restoration, oper-
ation and maintenance, improvement, repair, and related
expenses incurred with respect to the community forest
demonstration area.

(b) **Funds to Counties or Local Governmental
Units.**—Subject to subsection (a) and section 8, the Advi-
sory Committee for a community forest demonstration
area in a State shall distribute funds generated from that
community forest demonstration area to each county or
local governmental unit in the State in an amount propor-
tional to the funds received by the county or local govern-
mental unit under title I of the Secure Rural Schools and

SEC. 7. INITIAL FUNDING AUTHORITY.

(a) Funding Source.—Counties may use such sum as the counties consider to be necessary from the amounts made available to the counties under title I of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111 et seq.) to provide initial funding for the management of community forest demonstration areas.

(b) No Restriction on Use of Non-Federal Funds.—Nothing in this Act restricts the Advisory Committee of a community forest demonstration area from seeking non-Federal loans or other non-Federal funds for management of the community forest demonstration area.

SEC. 8. PAYMENTS TO UNITED STATES TREASURY.

(a) Payment Requirement.—As soon as practicable after the end of the fiscal year in which a community forest demonstration area is established and as soon as practicable after the end of each subsequent fiscal year, the Advisory Committee for a community forest demonstration area shall make a payment to the United States Treasury.

(b) Payment Amount.—The payment for a fiscal year under subsection (a) with respect to a community for-
est demonstration area shall be equal to 75 percent of the quotient obtained by dividing—

(1) the number obtained by multiplying the number of acres of land in the community forest demonstration area by the average annual receipts generated over the preceding 10-fiscal year period from the unit or units of the National Forest System containing that community forest demonstration area; by

(2) the total acres of National Forest System land in that unit or units of the National Forest System.

SEC. 9. TERMINATION OF COMMUNITY FOREST DEMONSTRATION AREA.

(a) Termination Authority.—Subject to approval by the Governor of the State, the Advisory Committee for a community forest demonstration area may terminate the community forest demonstration area by a unanimous vote.

(b) Effect of Termination.—Upon termination of a community forest demonstration area, the Secretary shall immediately resume management of the National Forest System land that had been included in the community forest demonstration area, and the Advisory Committee shall be dissolved.
(c) Treatment of Undistributed Funds.—Any revenues from the terminated area that remain undistributed under section 6 more than 30 days after the date of termination shall be deposited in the general fund of the Treasury for use by the Forest Service in such amounts as may be provided in advance in appropriation Acts.