

## Union Calendar No. 493

116<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 7045

[Report No. 116-600]

To require the Secretary of Agriculture to conduct a study on lands that could be included in a National Forest in Hawai'i, and for other purposes.

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### IN THE HOUSE OF REPRESENTATIVES

MAY 28, 2020

Mr. CASE (for himself and Ms. GABBARD) introduced the following bill; which was referred to the Committee on Natural Resources

NOVEMBER 19, 2020

Reported from the Committee on Natural Resources; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

# **A BILL**

To require the Secretary of Agriculture to conduct a study on lands that could be included in a National Forest in Hawai'i, 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. HAWAII NATIONAL FOREST STUDY.**

4 (a) PURPOSE.—The purpose of this Act is to identify  
5 lands within the study area that would—

6 (1) support the conservation of biodiversity not  
7 found elsewhere in the National Forest System;

8 (2) support or expand the research mission of  
9 the Institute of Pacific Islands Forestry;

10 (3) promote shared stewardship with local com-  
11 munities, including indigenous populations, the State  
12 of Hawai'i, and non-profit groups; and

13 (4) support or expand the international pro-  
14 grams of the Forest Service related to conservation  
15 of forest ecosystems, sustainable forestry, protection  
16 of threatened, endangered, and migratory species,  
17 controlling the spread of invasive species, inter-  
18 national reforestation, and other forest restoration  
19 efforts.

20 (b) STUDY REQUIRED.—

21 (1) IN GENERAL.—Not later than 3 years after  
22 the date of the enactment of this Act, the Secretary  
23 shall conduct a study to identify available land with-  
24 in the study area that could be included in a Na-  
25 tional Forest in Hawai'i.

1           (2) COORDINATION REQUIREMENT.—The Sec-  
2       retary shall conduct the study under paragraph (1)  
3       in coordination the Hawai'i Department of Land  
4       and Natural Resources.

5           (3) CONSULTATION REQUIREMENT.—In car-  
6       rying out the study under paragraph (1), the Sec-  
7       retary—

8           (A) shall consult with—

9                   (i) the Hawai'i Department of Land  
10                  and Natural Resources; and

11                  (ii) the Hawai'i Department of Agri-  
12                  culture; and

13           (B) may consult with such other govern-  
14       mental or nonprofit entities as the Secretary  
15       determines appropriate.

16           (4) REPORT.—Not later than 3 years after the  
17       date of enactment of this Act, the Secretary shall  
18       submit a report to the Committee on Energy and  
19       Natural Resources of the Senate and the Committee  
20       on Natural Resources of the House of Representa-  
21       tives that identifies—

22                   (A) available land within the study area  
23                  that could be included in a National Forest in  
24                  Hawai'i;

1 (B) the ownership of the land within the  
2 study area;

3 (C) any undeveloped land in the study area  
4 that may be at risk of development; and

5 (D) any actions that could be carried out  
6 to preserve the open and undeveloped character  
7 of the land within the study area.

8 (e) EFFECT.—Nothing in this section authorizes the  
9 Secretary to take any action that would affect the use of  
10 any land not owned by the United States.

11 (d) DEFINITIONS.—In this section:

12 (1) AVAILABLE LAND.—The term “available  
13 land” means any land within the study areas that  
14 is—

15 (A) Federally owned;

16 (B) managed by a Federal land manage-  
17 ment agency in partnership with a non-Federal  
18 entity; or

19 (C) land not described in subparagraph  
20 (A) or (B) that fulfills the purpose of this sec-  
21 tion, as determined by the Secretary.

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

1           (3) STUDY AREA.—The term “study area”  
2 means the islands of Hawai’i, Maui, Moloka’i,  
3 Lāna’i, O’ahu and Kaua’i in the State of Hawai’i.

4           (4) UNDEVELOPED LAND.—The term “undevel-  
5 oped land” means land—

6                   (A) that is located within the study area;

7                   (B) that is free or primarily free of struc-  
8 tures; and

9                   (C) the development of which is likely to  
10 affect adversely the scenic, research, wildlife, or  
11 recreational value of the study area.



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