

## **HEALTHY FORESTS RESTORATION ACT OF 2003**

### **TITLE III--WATERSHED FORESTRY ASSISTANCE**

#### **SEC. 301. FINDINGS AND PURPOSES.**

- (a) FINDINGS- Congress finds that--
- (1) there has been a dramatic shift in public attitudes and perceptions about forest management, particularly in the understanding and practice of sustainable forest management;
  - (2) it is commonly recognized that the proper stewardship of forest land is essential to sustaining and restoring the health of watersheds;
  - (3) forests can provide essential ecological services in filtering pollutants, buffering important rivers and estuaries, and minimizing flooding, which makes forest restoration worthy of special focus; and
  - (4) strengthened education, technical assistance, and financial assistance for nonindustrial private forest landowners and communities, relating to the protection of watershed health, is needed to realize the expectations of the general public.
- (b) PURPOSES- The purposes of this title are--
- (1) to improve landowner and public understanding of the connection between forest management and watershed health;
  - (2) to encourage landowners to maintain tree cover on property and to use tree plantings and vegetative treatments as creative solutions to watershed problems associated with varying land uses;
  - (3) to enhance and complement forest management and buffer use for watersheds, with an emphasis on community watersheds;
  - (4) to establish new partnerships and collaborative watershed approaches to forest management, stewardship, and conservation;
  - (5) to provide technical and financial assistance to States to deliver a coordinated program that enhances State forestry best-management practices programs, and conserves and improves forested land and potentially forested land, through technical, financial, and educational assistance to qualifying individuals and entities; and
  - (6) to maximize the proper management and conservation of wetland forests and to assist in the restoration of those forests.

#### **SEC. 302. WATERSHED FORESTRY ASSISTANCE PROGRAM.**

The Cooperative Forestry Assistance Act of 1978 is amended by inserting after section 5 (16 U.S.C. 2103a) the following:

#### **SEC. 6. WATERSHED FORESTRY ASSISTANCE PROGRAM.**

`(a) DEFINITION OF NONINDUSTRIAL PRIVATE FOREST LAND- In this section, the term `nonindustrial private forest land' means rural land, as determined by the Secretary, that--

- `(1) has existing tree cover or that is suitable for growing trees; and
- `(2) is owned by any nonindustrial private individual, group, association, corporation, or other private legal entity, that has definitive decisionmaking authority over the land.

`(b) GENERAL AUTHORITY AND PURPOSE- The Secretary, acting through the Chief of the Forest Service and (where appropriate) through the Cooperative State Research, Education, and Extension Service, may provide technical, financial, and related assistance to State foresters, equivalent State officials, or Cooperative Extension officials at land grant colleges and universities and 1890 institutions for the purpose of expanding State forest stewardship capacities and activities through State forestry best-management practices and other means at the State level to address watershed issues on non-Federal forested land and potentially forested land.

`(c) TECHNICAL ASSISTANCE TO PROTECT WATER QUALITY-

`(1) IN GENERAL- The Secretary, in cooperation with State foresters or equivalent State officials, shall engage interested members of the public, including nonprofit organizations and local watershed councils, to develop a program of technical assistance to protect water quality described in paragraph (2).

`(2) PURPOSE OF PROGRAM- The program under this subsection shall be designed--

- `(A) to build and strengthen watershed partnerships that focus on forested landscapes at the State, regional, and local levels;
- `(B) to provide State forestry best-management practices and water quality technical assistance directly to owners of nonindustrial private forest land;
- `(C) to provide technical guidance to land managers and policymakers for water quality protection through forest management;
- `(D) to complement State and local efforts to protect water quality and provide enhanced opportunities for consultation and cooperation among Federal and State agencies charged with responsibility for water and watershed management; and
- `(E) to provide enhanced forest resource data and support for improved implementation and monitoring of State forestry best-management practices.

`(3) IMPLEMENTATION- In the case of a participating State, the program of technical assistance shall be implemented by State foresters or equivalent State officials.

`(d) WATERSHED FORESTRY COST-SHARE PROGRAM-

`(1) IN GENERAL- The Secretary shall establish a watershed forestry cost-share program--

- `(A) which shall be--



watersheds in that State to target watershed forestry projects funded under this subsection.

`(6) WATERSHED FORESTER- Financial and technical assistance shall be made available to the State Forester or equivalent State official to create a State watershed or best-management practice forester position to--

`(A) lead statewide programs; and

`(B) coordinate watershed-level projects.

`(e) DISTRIBUTION-

`(1) IN GENERAL- Of the funds made available for a fiscal year under subsection (g), the Secretary shall use--

`(A) at least 75 percent of the funds to carry out the cost-share program under subsection (d); and

`(B) the remainder of the funds to deliver technical assistance, education, and planning, at the local level, through the State Forester or equivalent State official.

`(2) SPECIAL CONSIDERATIONS- Distribution of funds by the Secretary among States under paragraph (1) shall be made only after giving appropriate consideration to--

`(A) the acres of agricultural land, nonindustrial private forest land, and highly erodible land in each State;

`(B) the miles of riparian buffer needed;

`(C) the miles of impaired stream segments and other impaired water bodies where forestry practices can be used to restore or protect water resources;

`(D) the number of owners of nonindustrial private forest land in each State; and

`(E) water quality cost savings that can be achieved through forest watershed management.

`(f) WILLING OWNERS-

`(1) IN GENERAL- Participation of an owner of nonindustrial private forest land in the watershed forestry assistance program under this section is voluntary.

`(2) WRITTEN CONSENT- The watershed forestry assistance program shall not be carried out on nonindustrial private forest land without the written consent of the owner of, or entity having definitive decisionmaking over, the nonindustrial private forest land.

`(g) AUTHORIZATION OF APPROPRIATIONS- There is authorized to be appropriated to carry out this section \$15,000,000 for each of fiscal years 2004 through 2008.'

### **SEC. 303. TRIBAL WATERSHED FORESTRY ASSISTANCE.**

(a) IN GENERAL- The Secretary of Agriculture (referred to in this section as the 'Secretary'), acting through the Chief of the Forest Service, shall provide technical, financial, and related assistance to Indian tribes for the purpose of expanding tribal stewardship capacities and activities through tribal forestry best-

management practices and other means at the tribal level to address watershed issues on land under the jurisdiction of or administered by the Indian tribes.

(b) TECHNICAL ASSISTANCE TO PROTECT WATER QUALITY-

(1) IN GENERAL- The Secretary, in cooperation with Indian tribes, shall develop a program to provide technical assistance to protect water quality, as described in paragraph (2).

(2) PURPOSE OF PROGRAM- The program under this subsection shall be designed--

- (A) to build and strengthen watershed partnerships that focus on forested landscapes at the State, regional, tribal, and local levels;
- (B) to provide tribal forestry best-management practices and water quality technical assistance directly to Indian tribes;
- (C) to provide technical guidance to tribal land managers and policy makers for water quality protection through forest management;
- (D) to complement tribal efforts to protect water quality and provide enhanced opportunities for consultation and cooperation among Federal agencies and tribal entities charged with responsibility for water and watershed management; and
- (E) to provide enhanced forest resource data and support for improved implementation and monitoring of tribal forestry best-management practices.

(c) WATERSHED FORESTRY PROGRAM-

(1) IN GENERAL- The Secretary shall establish a watershed forestry program in cooperation with Indian tribes.

(2) PROGRAMS AND PROJECTS- Funds or other support provided under the program shall be made available for tribal forestry best-management practices programs and watershed forestry projects.

(3) ANNUAL AWARDS- The Secretary shall annually make awards to Indian tribes to carry out this subsection.

(4) PROJECT ELEMENTS AND OBJECTIVES- A watershed forestry project shall accomplish critical forest stewardship, watershed protection, and restoration needs within land under the jurisdiction of or administered by an Indian tribe by demonstrating the value of trees and forests to watershed health and condition through--

- (A) the use of trees as solutions to water quality problems;
- (B) application of and dissemination of monitoring information on forestry best-management practices relating to watershed forestry;
- (C) watershed-scale forest management activities and conservation planning;
- (D) the restoration of wetland and stream-side forests and the establishment of riparian vegetative buffers; and
- (E) tribal-based planning, involvement, and action through State, tribal, local, and nonprofit partnerships.

(5) PRIORITIZATION- An Indian tribe that participates in the program under this subsection shall prioritize watersheds in land under the

jurisdiction of or administered by the Indian tribe to target watershed forestry projects funded under this subsection.

(6) WATERSHED FORESTER- The Secretary may provide to Indian tribes under this section financial and technical assistance to establish a position of tribal forester to lead tribal programs and coordinate small watershed-level projects.

(d) DISTRIBUTION- The Secretary shall devote--

(1) at least 75 percent of the funds made available for a fiscal year under subsection (e) to the program under subsection (c); and

(2) the remainder of the funds to deliver technical assistance, education, and planning in the field to Indian tribes.

(e) AUTHORIZATION OF APPROPRIATIONS- There is authorized to be appropriated to carry out this section \$2,500,000 for each of fiscal years 2004 through 2008.