105TH CONGRESS
1st Session

HOUSE OF REPRESENTATIVES

REPT 105–136
Part 1

QUINCY LIBRARY GROUP FOREST RECOVERY AND ECONOMIC STABILITY ACT OF 1997

JUNE 18, 1997.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources, submitted the following

R E P O R T

together with

DISSENTING VIEWS

[To accompany H.R. 858]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 858) to direct the Secretary of Agriculture to conduct a pilot project on designated lands within Plumas, Lassen, and Tahoe National Forests in the State of California to demonstrate the effectiveness of the resource management activities proposed by the Quincy Library Group and to amend current land and resource management plans for these national forests to consider the incorporation of these resource management activities, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Quincy Library Group Forest Recovery and Economic Stability Act of 1997".

SEC. 2. PILOT PROJECT FOR PLUMAS, LASSEN, AND TAHOE NATIONAL FORESTS TO IMPLEMENT QUINCY LIBRARY GROUP PROPOSAL.

(a) DEFINITION.—For purposes of this section, the term "Quincy Library Group-Community Stability Proposal" means the agreement of July 1993 by a coalition of representatives of fisheries, timber, environmental, county government, citizen groups, and local communities that formed in northern California to develop a resource management program for certain Federal lands in the Sierra Nevada area. Such proposal includes the map entitled "QUINCY LIBRARY GROUP Community Stability Proposal", dated June 1993, and prepared by VESTRA Resources of Redding, California.

(b) PILOT PROJECT REQUIRED.—

(1) PILOT PROJECT AND PURPOSE.—The Secretary of Agriculture, acting through the Forest Service, shall conduct a pilot project on the Federal lands described in paragraph (2) to implement and demonstrate the effectiveness of the resource management activities described in subsection (d), as recommended in the Quincy Library Group-Community Stability Proposal.

(2) PILOT PROJECT AREA.—The Secretary shall conduct the pilot project on the Federal lands within Plumas National Forest, Lassen National Forest, and the Sierraville Ranger District of Tahoe National Forest in the State of California designated as "Available for Group Selection" on the map entitled "QUINCY LIBRARY GROUP Community Stability Proposal", dated June 1993. Such lands shall be referred to as the "pilot project area" for purposes of this Act. Such map shall be on file and available for inspection in the appropriate offices of the Forest Service.

(c) EXCLUSION OF CERTAIN LANDS AND RIPARIAN PROTECTION.—

(1) EXCLUSION.—All spotted owl habitat areas and protected activity centers located within the pilot project area designated under subsection (b)(2) will be deferred from resource management activities required under subsection (d) and timber harvesting during the term of the pilot project.

(2) RIPARIAN PROTECTION.—

(A) IN GENERAL.—The Scientific Analysis Team guidelines for riparian system protection described in subparagraph (B) shall apply to all resource management activities conducted under subsection (d) and all timber harvesting activities that occur in the pilot project area during the term of the pilot project.

(B) GUIDELINES DESCRIBED.—The guidelines referred to in subparagraph (A) are those in the document entitled "Viability Assessments and Management Considerations for Species Associated with Late-Successional and Old-Growth Forests of the Pacific Northwest", a Forest Service research document dated March 1993 and co-authored by the Scientific Analysis Team, including Dr. Jack Ward Thomas.

(d) RESOURCE MANAGEMENT ACTIVITIES.—During the term of the pilot project, the Secretary shall implement and carry out the following resource management activities on an acreage basis on the Federal lands included within the pilot project area designated under subsection (b)(2):

(1) FUELBREAK CONSTRUCTION.—Construction of a strategic system of defensible fuel profile zones, including shaded fuelbreaks, utilizing thinning, individual tree selection, and other methods of vegetation management consistent with the Quincy Library Group-Community Stability Proposal, on not less than 40,000, but not more than 60,000, acres per year.

(2) GROUP SELECTION AND INDIVIDUAL TREE SELECTION.—Utilization of group selection and individual tree selection uneven-aged forest management prescriptions described in the Quincy Library Group-Community Stability Proposal to achieve a desired future condition of all-age, multistory, fire resilient forests as follows:

(A) GROUP SELECTION.—Group selection on an average acreage of .57 percent of the pilot project area land each year of the pilot project.

(B) INDIVIDUAL TREE SELECTION.—Individual tree selection may also be utilized within the pilot project area.

(3) TOTAL ACREAGE.—The total acreage on which resource management activities are implemented under this subsection shall not exceed 70,000 acres each year.

(e) COST-EFFECTIVENESS.—In conducting the pilot project, Secretary shall use the most cost-effective means available, as determined by the Secretary, to implement resource management activities described in subsection (d).

(f) EFFECT ON MULTIPLE USE ACTIVITIES.—The Secretary shall not rely on the resource management activities described in subsection (d) as a basis for administra-

tive action limiting other multiple use activities on Federal lands included within the pilot project area designated under subsection (b)(2).

(g) FUNDING.—

(1) SOURCE OF FUNDS.—In conducting the pilot project, the Secretary shall use—

(A) those funds specifically provided to the Forest Service by the Secretary to begin implementing resource management activities according to the Quincy Library Group-Community Stability Proposal; and

(B) other funds as are allocated for the administration of Plumas National Forest, Lassen National Forest, and the Sierraville Ranger District of Tahoe National Forest.

(2) PROHIBITION ON USE OF CERTAIN FUNDS.—The Secretary may not conduct the pilot project using funds appropriated for any other unit of the National Forest System.

(3) FLEXIBILITY.—During the term of the pilot project, the forest supervisors of Plumas National Forest, Lassen National Forest, and Tahoe National Forest may allocate and use all accounts available for the administration of Plumas National Forest, Lassen National Forest, and the Sierraville Ranger District of Tahoe National Forest to perform the resource management activities described in subsection (d).

(h) TERM OF PILOT PROJECT.—The Secretary shall conduct the pilot project during the period beginning on the date of the enactment of this Act and ending on the later of the following:

(1) The date on which the Secretary completes amendment or revision of the land and resource management plans for Plumas National Forest, Lassen National Forest, and Tahoe National Forest pursuant to subsection (i).

(2) The date that is five years after the date of the commencement of the pilot project.

(i) CORRESPONDING FOREST PLAN AMENDMENTS.—Within 180 days after the date of the enactment of this Act, the Regional Forester for Region 5 shall initiate the process to amend or revise the land and resource management plans for Plumas National Forest, Lassen National Forest, and Tahoe National Forest. The process shall include preparation of at least one alternative that—

(1) incorporates the pilot project and area designations made by subsection (b) and the resource management activities described in subsection (d); and

(2) makes other changes warranted by the analyses conducted in compliance with section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)), section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604), and other applicable laws.

(j) REPORTING REQUIREMENTS.—

(1) IN GENERAL.—Not later than February 28 of each year during the term of the pilot project, the Secretary after consultation with the Quincy Library Group, shall submit to Congress a report on the status of the pilot project. The report shall include at least the following:

(A) A complete accounting of the use of funds made available under subsection (g)(1)(A) until such funds are fully expended.

(B) A complete accounting of the use of funds and accounts made available under subsection (g)(1) for the previous fiscal year, including a schedule of the amounts drawn from each account used to perform resource management activities described in subsection (d).

(C) A description of total acres treated for each of the resource management activities required under subsection (d), forest health improvements, fire risk reductions, water yield increases, and other natural resources-related benefits achieved by the implementation of the resource management activities described in subsection (d).

(D) A description of the economic benefits to local communities achieved by the implementation of the pilot project.

(E) A comparison of the revenues generated by, and costs incurred in, the implementation of the resource management activities described in subsection (d) on the Federal lands included in the pilot project area with the revenues and costs during each of the fiscal years 1992 through 1997 of timber management of such lands before their inclusion in the pilot project.

(F) A schedule for the resource management activities to be undertaken in the pilot project area during the calendar year.

(2) LIMITATION ON EXPENDITURES.—The amount expended on each annual report under this subsection shall not exceed $30,000.

(k) FINAL REPORT.—

(1) IN GENERAL.—Beginning after completion of the fourth year of the pilot project, the Secretary shall compile a science-based assessment of, and report on, the effectiveness of the pilot project in meeting the stated goals of this pilot project. Such assessment shall be compiled in consultation with the Quincy Library Group and shall be submitted to the Congress by February 28, 2003.

(2) LIMITATION ON EXPENDITURES.—The amount expended for each report under this subsection shall not exceed $100,000.

PURPOSE OF THE BILL

The purpose of H.R. 858 is to direct the Secretary of Agriculture to conduct a pilot project on designated lands within the Plumas, Lassen, and Tahoe National Forests in the State of California to demonstrate the effectiveness of the resource management activities proposed by the Quincy Library Group and to amend current land and resource management plans for these national forests to consider the incorporation of these management activities.

BACKGROUND AND NEED FOR LEGISLATION

The "Quincy Library Group Forest Recovery and Economic Stability Act of 1997" establishes a five-year project on federal lands within the Plumas National Forest, Lassen National Forest, and the Sierraville Ranger District of Tahoe National Forest in the State of California. The project will maintain community stability and forest health and initiate forest plan amendments to evaluate the incorporation of Quincy Library Group (QLG) resource management activities into the forest plans. President William Clinton provided the inspiration and challenge for the people of Quincy to form the QLG and to take the forest battles from the courtroom into the conference room. As of June 17, 1997, the President's challenge occurred exactly 1,628 days ago, and the QLG agreement was reached about 1,509 days ago. A bill authorizing the QLG pilot project was introduced in the 104th Congress as H.R. 4082.

The pilot project is based on the QLG Community Stability Proposal of 1993, which was developed by a coalition of representatives from environmental organizations, the wood products industry, citizens, and local communities in Northern California. The group's proposal represents a locally-developed consensus resource management program for the applicable federal lands in the Sierra Nevada.

H.R. 858 directs the Secretary of Agriculture, acting through the U.S. Forest Service, to implement fuelbreaks, individual tree selection (fuel reduction), group selection, and monitoring to reduce the risk of catastrophic fire and improve watersheds, as described in the 1993 proposal. The bill effectively excludes all roadless lands from the activities authorized for the duration of the pilot project. The timber removed for construction of the fuelbreaks and by group and individual tree selection can be utilized in mills that process the material into lumber and other wood products. Biomass that is removed can be utilized to produce electrical energy.

QLG plan is consistent with environmental laws and good science

As stated above, the bill and the QLG plan preserve for the duration of the five year pilot project all remaining roadless areas in the two National Forests and one ranger district in a third National Forest. This is a central component of the QLG plan and is accom-

plished by directing that fuelbreak activities be carried out *only* in areas that are "available for group selection" on the map that outlines the QLG land base areas. Fuelbreak strategies involving "defensible fuel profile zones" (DFPZs) are recognized by current scientific literature, such as the Sierra Nevada Ecosystem Project (SNEP). This study was undertaken at the urging of the Members of the Committee on Resources with direction issued in the Conference Report for the Department of the Interior and Related Agencies Appropriations bill in 1993. The study was completed in June 1997.

The QLG plan is drawn from relevant parts of the scientific literature available concerning the Sierra Nevada area including SNEP, which contains an extensive compilation of scientific information and theories on the ecosystem of the Sierra Nevada area. SNEP recognizes the validity of using DFPZs, the key component of the QLG bill, as a way to restoring a natural balance in forests:

> [DFPZs] should be viewed as an initial step in bringing large portions of landscapes into more defensible and fire-resilient conditions. As the hazard level of various landscapes is brought down, the DFPZs will tend to blend into the surrounding landscapes. It must be recognized that desirable fuels conditions, once achieved, will require periodic maintenance or conditions will revert to hazardous states.

(Sierra Nevada Ecosystem Project, Volume 1, Chapter 4, Page 70).

The SNEP report also recognizes the value of late-successional old-growth forest conditions, which are fostered in the bill. (Sierra Nevada Ecosystem Project, Volume 1, Chapter 6). For the term of the pilot project, the bill does not authorize any timber management activities within the roadless areas, areas that contain late successional old-growth trees.

The SNEP report also evaluated the community-based forestry initiative to implement fuel management strategies developed by the QLG: "The most detailed fuel-management strategies to date have been proposed for the northern end of the Sierra Nevada—Lassen and Plumas National Forests and the Sierraville Ranger District of the Tahoe National Forest. . . . Rapid implementation of a network of broad fuelbreaks is key to both proposals." (Sierra Nevada Ecosystem Project, Volume II, Chapter 56, Page 1478).

The QLG plan is consistent with applicable environmental and resource standards and guidelines which are drawn from law and regulation. In addition, the QLG plan is consistent with the California spotted owl report (CASPO) interim guidelines. The QLG plan can be accomplished while complying with the CASPO.

The Administration suggested that the bill might appear to exempt pilot project activities from the requirements of the National Environmental Policy Act, the National Forest Management Act, the Clean Air Act, the Clean Water Act, and other laws. That testimony was rebutted by an experienced environmental attorney who has represented environmental groups in lawsuits over a number of years to stop or reduce timber harvesting. In addition, the Administration acknowledged that H.R. 858 as introduced does comply with all applicable substantive environmental laws as well as

agency guidelines for management of the California spotted owl, and that H.R. 858 is consistent with recommendations by SNEP for fuel reduction in California's national forests, as discussed above.

The Administration also expressed concern that the pilot program should be subjected to a science-based evaluation during and following completion of the program. During its deliberations on H.R. 858, the Committee added a provision requiring a science-based assessment after four years of program implementation. The Committee has also added language to ensure that the Secretary of Agriculture would report on his findings at the conclusion of the science-based assessment.

Funding

The Administration believes that funding in fiscal year 1998 budget may be needed to provide adequate resources for the program and to avoid a reallocation of other funds to implement the legislation. However, subsection 2(e) of the bill mandates that implementation use the most cost-effective means available. This means that implementation costs are to be monitored, controlled, reduced, and kept to a minimum. Effective environmental protection need not raise costs, and it is anticipated that additional funding to implement the provisions of H.R. 858 will be minimal. The Committee intends to remain active in monitoring Forest Service implementation of H.R. 858 to ensure costs are not excessive and that the annual reporting requirements are complied with and reports are accurate. To the extent that additional funds will be needed to implement the provisions of H.R. 858, the bill provides flexibility in subsection (g)(1)(A) for the Secretary to provide funds through reprogramming and administrative flexibility.

Projects designed to approximate the QLG plan have received funding during the past three years: $1 million in fiscal year 1995; $4.7 million in fiscal year 1996; and $4.7 million in fiscal year 1997. This funding has resulted in virtually no on-the-ground work approximating the series of "strategic fuel breaks" designed to reduce the risk of fire (thereby protecting communities located within or near federal land) and has not advanced the goal of returning areas to a more natural ecological balance. The Forest Service's complex procedures and lengthy planning process are among the many problems that have prevented even the most minimal implementation of the measures that are authorized and directed in H.R. 858. Work done by the Forest Service over the past two and one half years is not equal in scope to that envisioned by the QLG plan, which if fully implemented would take 35 years or more to treat the fire risks on the lands that are available for group selection. Furthermore, the Forest Service lacks implementation oversight through community involvement envisioned by the QLG plan.

Therefore, additional funding for QLG activities, without a law that authorizes and directs those activities as described in this bill, will likely result in federal expenditures that do not accomplish the results desired and described in the QLG's Community Stability Proposal.

Conclusion

The Committee understands that there has been some internal resistance to implementing the QLG pilot within the Forest Service, which may be a result of institutional factors. It is the Committee's intent that when H.R. 858 becomes law, the agency shall act quickly and decisively to implement it while working closely with the Committee in doing so. Attempts to scuttle implementation will not receive favorable reaction from the Committee.

COMMITTEE ACTION

H.R. 858 was introduced on February 27, 1997, by Congressman Wally Herger (R–CA), with Congressman Vic Fazio (D–CA), Congressman Robert Smith (R–OR), and Delegate Eni F.H. Faleomavaega (D–AS) as original cosponsors. The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on Forests and Forest Health. On March 5, 1997, the Subcommittee held a hearing on H.R. 858, where the Administration testified in support of the goals of the bill, but raised several items of concern.

At the hearing, three members of the QLG testified in support of the bill, including one person representing the many members of the local environmental community who have been part of the QLG. Two national environmental group representatives who were not part of the QLG also testified, expressing support for the goals of the QLG, but stating concerns with specific provisions of the bill or with the concept of a bill in general. Some of the high-priority requests for modifications recommended by national environmental groups and others expressing concern about the bill were addressed by amendments later adopted to the bill. These include, for example, the removal of the catastrophic events exception that would have allowed, under limited circumstances, fuelbreak work to be undertaken in spotted owl habitat.

On April 24, 1997, the Subcommittee met to mark up H.R. 858. An amendment in the nature of a substitute to address the Administration's concerns was offered by Congresswoman Helen Chenoweth (R–ID). The amendment included editorial changes to clarify the procedural requirements to ensure consistency with current agency regulation and policy, as requested by the Administration. The amendment specifically required one Environmental Impact Statement prior to entry into a "catastrophic event" area within spotted owl habitat. It also added greater flexibility for the Forest Service to conduct either plan amendments or revisions, consistent with the requirements of the National Forest Management Act, as requested by the Administration. In contrast, the bill as introduced required the preparation of forest plan amendments only.

The Chenoweth amendment in the nature of a substitute also clarified and limited the amount of acreage that may be treated annually (70,000 acres total) under group selection and individual tree selection, consistent with the QLG intent and as requested by the Administration. The amendment also expanded the reporting requirements to provide for consultation with the QLG and to require a science-based assessment to be prepared after completion of the fourth year of the pilot project, thereby enabling adequate

monitoring of the pilot. Finally, the amendment also limited reporting costs to ensure that available funds are applied to implementation and monitoring activities while still providing for necessary and reasonable reporting and monitoring expenses.

The Chenoweth amendment in the nature of a substitute was adopted by voice vote. The bill, as amended, was then ordered favorably reported to the Full Committee by a roll call vote of 4–2, as follows:

DON YOUNG, CHAIRMAN

U.S. House of Representatives
Committee on Resources
Washington, DC 20515

Subcommittee on Forests and Forest Health
105th Congress
RECORDED VOTES

Date: APRIL 24, 1997 **Time:**

Bill Number/Subject Matter: HR 858 - QUINCY LIBRARY GROUP

Amendment Number FINAL PASSAGE

Roll Call: **Passed:** X **Defeated:**

Voice Vote: **Passed:** **Defeated:**

TOTAL VOTES	
YEAS	*NAYS*
4	2

REPUBLICANS	*YEA*	*NEA*	*PRESENT*	*DEMOCRATS*	*YEA*	*NEA*	*PRESENT*
Chenoweth	x			**Hinchey**		x	
Hansen	x			**Kildee**		x	
Doolittle				**Vento**			
Radanovich							
Peterson							
Hill	x						
Schaffer	x						
Total Republicans	4			***Total Democrats***		2	

ordered reported to full committee by roll-call vote of 4-2.

May 21, 1997, the Committee on Resources met to consider H.R. 858. An amendment in the nature of a substitute was offered by Congresswoman Chenoweth incorporating substantial additional substantive changes requested by the QLG to make the bill more consistent with the original QLG proposal.

The amendment included two major modifications to the Subcommittee-reported bill. First, the "catastrophic events" exception that would have allowed, under limited circumstances, fuelbreak work to be undertaken within spotted owl habitat areas was *deleted* altogether. Testimony at the hearing indicated that the possibility of entry, even for fuel reduction, into spotted owl habitat areas was a major concern of some witnesses. However, assurances were given that the goals and benefits of the QLG proposal could still be accomplished without the deleted language, which would have required an Environmental Impact Statement before any entry for fuelbreak construction, thinning or group selection.

Second, a very significant provision to ensure that riparian areas would be protected was added to the bill. The riparian protections for timber activities were those sought in the original QLG agreement, which essentially add large buffer zones of no harvesting along riparian areas where no fuelbreak, group selection, and individual tree selection may occur prior to watershed analysis. The buffer concept was developed by a team of scientists led by the last Chief of the Forest Service while he was a researcher. It is embodied in a document called "Viability Assessments and Management Consideration for Species Associated with Late-Successional and Old-Growth Forests of the Pacific Northwest," which was prepared in March 1993 by the Scientific Analysis Team, part of the Forest Service Research operation. The applicable parts of that document are the riparian protections regarding timber harvesting activities.

In addition, the Chenoweth amendment clarified that fuelbreaks will be created "utilizing thinning, individual tree selection, and other methods of vegetation management;" specified that individual tree selection may be utilized, and it removed any reference to the amount that may occur; provided 180 days for the Regional Forester to initiate plan amendments; and clarified the limitation on expenditures for the annual and final reports.

Congressman George Miller (D–CA) offered an amendment (#1) to the Chenoweth substitute to specify that resource management activities authorized by H.R. 858 shall be implemented to the extent consistent with applicable federal law and the standards and guidelines for the conservation of the California spotted owl. The amendment was defeated by roll call vote of 12–19, as follows:

Committee on Resources
U.S. House of Representatives
105th Congress

Full Committee

Date 5-21-97

Roll No. 1

Bill No. H.R. 858 Short Title Quincy Library Group

Amendment or matter voted on: Miller Amendment #1

Member	Yea	Nay	Pres.	Member	Yea	Nay	Pres.
Mr. Young (Chairman)		x		*Mr. Miller*	x		
Mr. Tauzin				*Mr. Markey*			
Mr. Hansen		x		*Mr. Rahall*	x		
Mr. Saxton		x		*Mr. Vento*	x		
Mr. Gallegly				*Mr. Kildee*	x		
Mr. Duncan				*Mr. DeFazio*	x		
Mr. Hefley		x		*Mr. Faleomavaega*	x		
Mr. Doolittle		x		*Mr. Abercrombie*			
Mr. Gilchrest		x		*Mr. Ortiz*	x		
Mr. Calvert		x		*Mr. Pickett*			
Mr. Pombo		x		*Mr. Pallone*	x		
Mrs. Cubin		x		*Mr. Dooley*			
Mrs. Chenoweth		x		*Mr. Romero-Barcelo*	x		
Mrs. Linda Smith				*Mr. Hinchey*	x		
Mr. Radanovich		x		*Mr. Underwood*			
Mr. Jones		x		*Mr. Farr*	x		
Mr. Thornberry				*Mr. Kennedy*	x		
Mr. Shadegg		x		*Mr. Adam Smith*			
Mr. Ensign		x		*Mr. Delahunt*			
Mr. Bob Smith		x		*Mr. John*			
Mr. Cannon		x		*Ms. Green*			
Mr. Brady		x		*Mr. Kind*			
Mr. Peterson				*Mr. Doggett*			
Mr. Hill							
Mr. Schaffer		x					
Mr. Gibbons		x					
Mr. Crapo				**TOTAL**	12	19	

Congressman Miller then offered two amendments *en bloc.* Miller amendment #2 added riparian management, including wide protection zones, to the list of resource management activities described in subsection 2(d) of the bill. Miller amendment #3 removed the authority to use funds allocated for the general administration of the three national forests for QLG activities, and restricted the Secretary to only those funds specifically appropriated to the Forest Service for implementing activities according to the QLG proposal. The *en bloc* amendment failed by voice vote. (It should be noted that the Chenoweth amendment in the nature of a substitute included a riparian protection system that was more specific than Miller amendment #2.) The Chenoweth amendment in the nature of a substitute was adopted by voice vote and the bill as amended was ordered favorably reported to the House of Representatives, in the presence of a quorum, by voice vote.

SECTION-BY-SECTION ANALYSIS

Section 1. Short Title

Section 1 describes the short title of the bill, the "Quincy Library Group Forest Recovery and Economic Stability Act of 1997."

Section 2. Pilot Project for Plumas, Lassen, and Tahoe National Forests to Implement Quincy Library Group Proposal

Section 2 defines the pilot project area and provides direction for implementation of the project over a five-year period. More specifically, this section:

(a) defines the pilot project for implementation of the QLG proposal, which is based on the agreement by a coalition of representatives of fisheries, timber, environmental, county government, citizen groups, and local communities in Northern California, and the map entitled "QUINCY LIBRARY GROUP Community Stability Proposal" dated June 1993.

(b) directs the Secretary of Agriculture, acting through the Forest Service, to conduct the pilot project on certain federal lands within the Plumas National Forest, Lassen National Forest, and the Sierraville Ranger District of the Tahoe National Forest in California.

(c)(1) excludes spotted owl habitat areas and protected owl activity centers from resource management activities for the duration of the pilot project.

(c)(2) for forest management activities, directs the use of guidelines for riparian system protection for timber harvesting activities that were prepared by a Forest Service Scientific Analysis Team in the document, "Viability Assessments and Management Considerations for Species Associated with Late-Successional and Old-Growth Forests of the Pacific Northwest," and used in the President's forest plan for the Pacific Northwest.

(d) directs the Secretary to construct fuelbreaks and utilize group and individual tree selection in implementing the project.

(e) directs the Secretary to use the most cost-effective means available to implement the resource management activities.

(f) directs that the Secretary shall not use the resource management activities described in subsection (d) as a basis for adminis-

tratively limiting other multiple use activities on federal lands within the pilot project area.

(g) limits the source of funds for implementation of the project to those funds specifically provided by the Secretary to begin implementing resource management activities under the QLG proposal and other funds allocated for the administration of the three applicable National Forest units, and provides flexibility in the allocation and use of those funds.

(h) describes the five-year term of the pilot project, beginning on the date of enactment.

(i) requires the Regional Forester for Region 5 (California) to initiate forest plan amendments or plan revisions for the Plumas National Forest, Lassen National Forest, and Tahoe National Forest within 180 days of enactment, with at least one alternative for each plan amendment or revision that incorporates the pilot project, area designations, and management activities, and with any other changes warranted by the analyses conducted in compliance with section 102(2) of the National Environmental Policy Act of 1969, section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (RPA), and other applicable laws.

(j) requires the Secretary to submit to Congress annual reports, after consultation with the QLG on the status of the pilot project. The report shall include: a complete accounting of funds made available, funds used and accounts made available; a description of acres treated; a description of economic benefits to local communities achieved; a comparison of revenues generated and costs incurred; and a schedule for the resource management activities to be undertaken during the calendar year. This subsection limits the amount to be expended on each annual report to no more than $30,000.

(k) requires the Secretary to compile a science-based assessment of, and report on, the effectiveness of the pilot project, beginning after the fourth year of the project. This subsection limits the amount expended for the report to $100,000.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 2(1)(3) of Rule XI of the Rules of the House of Representatives, and clause 2(b)(1) of Rule X of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 and Article IV, section 3 of the Constitution of the United States grant Congress the authority to enact H.R. 858.

COST OF THE LEGISLATION

Clause 7(a) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out H.R. 858. However, clause 7(d) of that rule provides that this requirement does not apply when the Committee has included in its report a timely

submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974.

COMPLIANCE WITH HOUSE RULE XI

1. With respect to the requirement of clause 2(1)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, H.R. 858 does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

2. With respect to the requirement of clause 2(1)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform and Oversight on the subject of H.R. 858.

3. With respect to the requirement of clause 2(1)(3)(C) of rule XI of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for H.R. 858 from the Director of the Congressional Budget Office.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC., June 17, 1997.

Hon. DON YOUNG,
Chairman, Committee on Resources, U.S. House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 858, the Quincy Library Group Forest Recovery and Economic Stability Act of 1997.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Victoria V. Heid (for federal costs), and Marjorie Miller (for the state and local impact).

Sincerely,

JUNE E. O'NEILL, *Director.*

Enclosure.

H.R. 858—Quincy Library Group Forest Recovery and Economic Stability Act of 1997

Summary.—H.R. 858 would direct the Secretary of Agriculture to conduct a five-year pilot project on the Plumas and Lassen National Forests, and portions of the Tahoe National Forest, to implement resource management activities as recommended in the Quincy Library Group Proposal of 1993. CBO estimates that discretionary outlays to implement the bill would be $30 million in fiscal year 1998 and a total of $83 million over the 1998–2002 period, assuming appropriation of the estimated amounts. Implementing the bill could lead to an increase in offsetting receipts from timber harvests, but enacting H.R. 858 would not, by itself, affect direct spending or receipts; hence, pay-as-you-go procedures do not apply to the bill.

H.R. 858 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act of 1995 (UMRA) and would impose no costs on state, local, or tribal governments.

Description of the bills' major provisions.—H.R. 858 would direct the Secretary of Agriculture to conduct a pilot project on the Plumas and Lassen National Forests and the Sierraville Ranger District of the Tahoe National Forest, excluding certain protected areas, to carry out resource management activities as recommended in the Quincy Library Group (QLG) Proposal of 1993. The bill would require the Secretary to implement these resource management activities on not less than about 49,000 acres and no more than 70,000 acres each year for the 1998–2002 period. According to the U.S. Forest Service, the bill's forest management requirements would (1) increase the total acreage on which they carry out fuels management activities, (2) result in fuels management on different areas than under current practice, and (3) change the type of silvicultural methods used to reduce fuels on that acreage, thereby increasing the volume of trees and brush removed from the area. The primary intent of the QLG proposal is to reduce the risk of high intensity wildfires which are the inadvertent result of years of suppressing low intensity fires that allowed fuel to accumulate in the forests.

Section 2(d)(1) would require the Forest Service to construct fuelbreaks in the pilot project area on between 40,000 and 60,000 acres per year. Fuelbreaks are areas of a forest where trees and other vegetation have been thinned to reduce the amount of material available to fuel wildfires. The QLG recommends creating an irregularly shaped network of one-quarter mile wide strips (also known as "defensible fuel profile zones," or DFPZs) criss-crossing the pilot project area to support fire suppression activities. Under the silvicultural methods recommended by the QLG, the Forest Service would thin these strips to remove understory fuel while retaining sufficient crown cover to slow the growth of new vegetation.

Section 2(d)(2) would require the Forest Service to use certain silvicultural methods to achieve the forest conditions desired by the QLG. Specifically, the bill would require that trees be removed by "group selection" on 0.57 percent of the lands covered by the pilot project (the Lassen, Plumas, and portions of the Tahoe National Forests), about 9,300 acres each year. Group selection refers to the silvicultural practice of removing all timber within an area up to two acres in size. The bill also would permit individual tree selection within the pilot project area.

The bill would direct the Secretary to begin the five-year pilot project upon enactment. The project would end either after five years, or whatever the Forest Service completes revisions of the land and resource management plans for the three affected national forests, whichever is later. The bill would require the Secretary to submit annual status reports and final evaluation of the pilot project to the Congress. The bill specifies that expenditures for each annual report not exceed $30,000, and that expenditures for the final report not exceed $100,000.

The bill does not authorize any appropriations to implement the bill's requirements. Section 2(g) requires that the pilot project be

implemented using funds specifically provided to the Forest Service by the Secretary of Agriculture for that purpose, and any other funds allocated for administering the three affected national forests, but prohibits the Secretary from using funds appropriated for any other unit of the National Forest System. Section 2(g) gives the forest supervisors of the three affected national forests the flexibility to use funds from all accounts available for administering those forests to perform the resource management activities required by the bill. Section 2(f) states that the Secretary shall not rely on the resource management activities required by the bill as a basis for administrative action limiting other multiple use activities on federal lands within the pilot project area.

Estimated cost to the Federal Government.—Based on information from the U.S. Forest Service, CBO estimates that discretionary outlays to implement this bill would be about $30 million in fiscal year 1998 and a total of $83 million over the 1998–2002 period, assuming appropriation of the estimated amounts. Implementing the bill's provisions could lead to a significant increase in offsetting receipts from future timber harvests in the affected forests, but any such change is contingent upon the appropriation of funds to implement those provisions. Hence, enacting H.R. 858 would not, by itself, affect offsetting receipts. The estimated budgetary impact of H.R. 858 is shown in the following table.

[By fiscal year, in millions of dollars]

	1997	1998	1999	2000	2001	2002
SPENDING SUBJECT TO APPROPRIATION						
Spending under current law:						
Budget authority [1]	5	0	0	0	0	0
Estimated outlays	5	0	0	0	0	0
Proposed changes:						
Authorization level	0	36	23	12	9	4
Estimated outlays	0	30	24	14	10	5
Spending under H.R. 858:						
Authorization level [1]	5	36	23	12	9	4
Estimated outlays	5	30	24	14	10	5

[1] The 1997 level is the amount appropriated for that year.

The costs of this legislation fall within budget function 300 (natural resources and environment).

Basis of estimate.—According to the U.S. Forest Service, the Secretary of Agriculture allocated $5 million in each of fiscal year 1996 and 1997 to supplement the regular appropriations for the purpose of implementing resource management activities recommended by the QLG for the Plumas, Lassen, and Tahoe National Forests. CBO estimates a cost of $30 million for 1998 to implement the QLG recommendations, an increase of about $25 million relative to this year. Implementation costs would gradually decline over the five years of the pilot project, resulting in total outlays of $83 million over the 1998–2002 period. We derived that estimate by summing estimated costs for constructing the fuelbreaks required by the bill, carrying out the group selection, conducting associated pilot project planning and environmental reviews, and revising the land management plans for the forests.

CBO estimates that constructing the required fuelbreaks would require outlays of about $25 million in fiscal year 1998 and a total

of $62 million over the 1998–2002 period. Outlays to implement the group selection would be about $4 million in fiscal year 1998 and would total $14 million over the 1998–2002 period. The costs of planning and environmental reviews required before the resource management activities could be carried out are included in the above estimates. Revising the land management plans would cost about $2 million in fiscal year 1998 and $8 million over the 1998–2002 period.

Assuming appropriation of the estimated amounts, CBO expects that the fuelbreak construction and group selection required by the bill would result in additional timber harvest volumes from the pilot project area. The potential increase in such volumes is about 60 million board feet in the first year and about 250 million board feet per year in the subsequent years of the pilot project. In fiscal year 1995, a combined total of about 210 million board feet was harvested on the Lassen, Plumas, and Tahoe National Forests, and future harvest levels are expected to decline significantly under current law. The potential additional harvest volumes from implementing the requirements in H.R. 858 could reduce direct spending by $2 million in fiscal year 1998 and by $88 million over the 1998–2002 period. That net change in direct spending would reflect additional offsetting receipts of $109 million over the 1998–2002, and additional mandatory spending (such as required payments to states) of $21 million over the same period. Actual receipts could vary significantly (higher or lower) from these estimates depending on which acres are treated, the volume and value of the timber inventory on those acres, and the time required to plan and carry out the forest management activities. In any case, because implementation of the pilot project would be contingent on additional appropriations, CBO estimates no change in direct spending (including offsetting receipts) from enacting H.R. 858.

Pay-as-you-go considerations.—None.

Estimated impact on state, local, and tribal governments.—H.R. 858 contains no intergovernmental mandates as defined in UMRA and would impose no costs on state, local, or tribal governments. States generally receive 25 percent of the timber receipts from national forests within their borders. Assuming appropriation of the estimated amounts necessary to implement this bill, CBO expects that the state of California would receive additional payments of about $18 million over the 1998–2002 period.

Estimated impact on the private sector.—The bill would impose no new private-sector mandates as defined in UMRA.

Estimate prepared by.—Federal Costs: Victoria V. Heid. Impact on State, Local, and Tribal Governments: Marjorie Miller.

Estimate approved by.—James R. Horney for Paul N. Van de Water, Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104–4

H.R. 858 contains no unfunded mandates.

CHANGES IN EXISTING LAW

If enacted, H.R. 858 would make no changes in existing law.

DISSENTING VIEWS

We are opposed to H.R. 858 in its present form. Although we support cooperative efforts on forest management issues, we have very serious concerns about how the goals and ideas developed through the Quincy Library Group (QLG) process have been turned into legislative language. Members should be aware that H.R. 858 does not reflect important aspects of the QLG proposal nor does it reflect commitments made by QLG proponents.

We are troubled by the majority's rush to report this legislation, especially in light of the efforts by Under Secretary Jim Lyons to meet with all interested parties in an attempt to address the serious problems that exist with this legislation. As Michael Jackson of the QLG stated in testimony before the Committee "This bill is not yet bipartisan. It does not reflect our local agreement, nor the emerging national consensus." That was true then and it is still true today. Although some changes have been made to the bill, there are still serious shortcomings to this legislation that are troubling to the Administration, Members of Congress, environmental organizations, and other interested parties. When attempts were made to address some of these shortcomings in Committee, the majority choose to reject necessary and common-sense amendments to the bill.

On the important question of compliance with environmental laws, the majority rejected an amendment offered by Rep. Miller of California that would have included such language in the bill. This action was taken by the Committee despite the fact that the Administration was assured by representatives of the QLG and the bill's sponsor that language would be included that would make it clear that existing laws must be followed along with the California Spotted Owl (CASPO) guidelines. The lack of such language is a fatal flaw. As the Administration noted in its testimony "we did not see how this (QLG) proposal could serve as a true demonstration if these conditions were not met."

We are also deeply troubled by the majority's rejection of the Miller amendment on riparian management. The language of the amendment was taken directly from the QLG proposal. The absence of such language shows that H.R. 858 does not even embody the entire QLG proposal. Instead, the Committee adopted the Chenoweth amendment that only references riparian areas in the context of timber harvesting and ignored an active riparian management and restoration program. The QLG proposal does not refer to riparian management as a subset of timber harvesting, instead the QLG proposal says riparian management and restoration is one of its three key objectives.

Other problems with the bill involve the size of the "pilot" project (three national forests covering 2.5 million acres); the use of other forest accounts to pay for the project; lack of definition of key

terms; and the scientific basis for the forest management procedures called for in the bill. As Don Erman, team leader of the Congressionally sponsored Sierra Nevada Ecosystem Project noted "the pending bill provides little support for scientific evaluation of the proposed new management yet in many ways the ideas are untested."

In addition to these and other problems with the bill, we must question the need for legislation itself. As the Administration noted in its testimony, much of the bill could be implemented administratively under current law. In fact, in the last two years, Secretary Glickman has made available to the three affected national forests more than $5 million for forest activities consistent with the QLG proposal and forest plan standards and guidelines.

We support public participation in the management of our national forests. However, the issues addressed by H.R. 858 go far beyond the interests of the 25 individuals and organizations who are part of the Quincy Library Group. Setting up in statutory language management of national forests by committee, especially one made up of only local individuals, is a troubling precedent. People across California, indeed, across this country have a stake in the management of the Plumas, Lassen and Tahoe National Forests.

Proponents of H.R. 858 have taken to dismissing opposition to H.R. 858 as only coming from what they term as "national" environmental organizations. These groups are made up of millions of Americans who have an interest in our national forests. More important, we are unaware of a single environmental organization in the Quincy area or the rest of the State of California that supports H.R. 858. Combined with the concerns of the Administration, Members of Congress, and others, the problems with H.R. 858 are indeed national in scope.

H.R. 858 does not represent a consensus proposal. In fact, the bill does not even represent the QLG proposal. Unless the serious shortcomings of this bill are addressed and a true consensus proposal developed, we will continue to oppose H.R. 858.

GEORGE MILLER.
MAURICE HINCHEY.
BRUCE VENTO.
WILLIAM DELAHUNT.
DONNA CHRISTIAN-GREEN.
CARLOS ROMERO-BARCELÓ.

APPENDIX

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON RESOURCES,
Washington, DC, June 3, 1997.

Hon. ROBERT F. SMITH,
Chairman, Committee on Agriculture, Longworth House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: On May 21, 1997, the Committee on Resources ordered reported H.R. 858, the Quincy Library Group Forest Recovery and Economic Stability Act of 1997. The bill, authored by our colleague Congressman Wally Herger, was referred primarily to the Committee on Resources and additionally to the Committee on Agriculture.

This bill authorizes a pilot project on selected National Forest System lands in California to test the effectiveness of a resources management program. This program brings together a coalition of timber, environmental, and government interests and local citizens to strike a balance between resource protection and resource management. I believe the program that they developed strikes this difficult balance fairly and effectively.

The bill has bipartisan support, and I would like to move the bill as quickly as possible to allow the pilot project to get under way without delay. Therefore, I ask that you waive your Committee's referral of the bill to allow it to be brought to the Floor expeditiously. This referral would not constitute a waiver of your jurisdiction over the bill or serve as precedent for other similar matters. If a conference becomes necessary on H.R. 858 or a companion Senate bill, I would certainly support your request for conferees. Finally, I would be pleased to include this letter and any response in the Committee on Resources' report on the bill.

I appreciate your cooperation on this matter and look forward to working with you in both the Resources and Agriculture Committees on other forest and forest health issues this Congress.

Sincerely,

DON YOUNG,
Chairman.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, June 4, 1997.

Hon. DON YOUNG,
Chairman, Committee on Resources, Longworth House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for forwarding a draft copy of the Committee report for H.R. 858, a bill to direct the Secretary of Agriculture to conduct a pilot project on designated lands within the Plumas, Lassen, and Tahoe National Forests in the State of California to demonstrate the effectiveness of the resource management activities proposed by the Quincy Library Group and to amend current land and resource management plans for these national forests to consider the incorporation of these resources management activities, as ordered reported by your Committee.

The Committee on Agriculture received an additional referral of H.R. 858 inasmuch as the subject matter of the bill is also within this Committee's jurisdiction. However, in the interest of expediting consideration of H.R. 858 and the interest both of our Committees have in ensuring that this bill, as you have reported it, is acted on promptly, this Committee is willing to waive further consideration of this bill so as to advance its early consideration in the House.

This action is not intended to waive this Committee's jurisdiction over this matter for all purposes, and should this legislation go to conference, this Committee reserves the right to request to be included as conferees on any provision within the Committee on Agriculture's jurisdiction in the event of a House-Senate conference on this bill or its Senate equivalent.

Once again, I appreciate your cooperation in this matter and look forward to working with you on this matter of shared jurisdiction between our respective committees.

Sincerely,

ROBERT F. (BOB) SMITH,
Chairman.

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