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(Original Signature of Member)

112TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To establish a program that will generate dependable economic activity for counties and local governments containing National Forest System land through a management-focused approach, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mr. LABRADOR introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To establish a program that will generate dependable economic activity for counties and local governments containing National Forest System land through a management-focused approach, 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. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Self-Sufficient Community Lands Act of 2012”.

6 (b) TABLE OF CONTENTS.—The table of contents for  
7 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Purpose.
- Sec. 3. Definitions.
- Sec. 4. Establishment of community forest demonstration areas.
- Sec. 5. Board of Trustees.
- Sec. 6. Management of community forest demonstration areas.
- Sec. 7. Distribution of funds from Community Forest Demonstration Area.
- Sec. 8. Initial funding authority.

1 **SEC. 2. PURPOSE.**

2       The purpose of this Act is to generate dependable  
3 economic activity for counties and local governments  
4 through sustainable forest management.

5 **SEC. 3. DEFINITIONS.**

6       In this Act:

7           (1) BOARD OF TRUSTEES.—The term “Board  
8 of Trustees” means the Board of Trustees appointed  
9 by the Governor of a State for the community forest  
10 demonstration area established for the State.

11           (2) COMMUNITY FOREST DEMONSTRATION  
12 AREA.—The term “community forest demonstration  
13 area” means a community forest demonstration area  
14 established for a State under section 4.

15           (3) NATIONAL FOREST SYSTEM.—The term  
16 “National Forest System” has the meaning given  
17 that term in section 11(a) of the Forest and Range-  
18 land Renewable Resources Planning Act of 1974 (16  
19 U.S.C. 1609(a)), except that the term does not in-  
20 clude the National Grasslands and land utilization  
21 projects designated as National Grasslands adminis-



1 (A) that is a component of the National  
2 Wilderness Preservation System; or

3 (B) on which the removal of vegetation is  
4 specifically prohibited by Federal law.

5 (c) CONDITIONS ON ESTABLISHMENT.—

6 (1) ACREAGE REQUIREMENT.—A community  
7 forest demonstration area must include at least  
8 200,000 acres of National Forest System land.

9 (2) MANAGEMENT LAW REQUIREMENT.—A  
10 community forest demonstration area may be estab-  
11 lished in a State only if the State has a forest prac-  
12 tices law or regulatory structure applicable to State  
13 or privately-owned forest land in the State.

14 (3) REVENUE SHARING REQUIREMENT.—As a  
15 condition of the inclusion in a community forest  
16 demonstration area of National Forest System land  
17 located in a particular county in a State, the county  
18 must enter into an agreement with the Governor of  
19 the State that requires that, in utilizing revenues re-  
20 ceived by the county under section 7, the county  
21 shall continue to meet any obligations under applica-  
22 ble State law as provided under title I of the Secure  
23 Rural Schools and Community Self-Determination  
24 Act of 2000 (16 U.S.C. 7111 et seq.) or as provided  
25 in the sixth paragraph under the heading “FOREST

1 SERVICE” in the Act of May 23, 1908 (16 U.S.C.  
2 500) and section 13 of the Act of March 1, 1911  
3 (16 U.S.C. 500).

4 (d) TREATMENT UNDER CERTAIN OTHER LAWS.—  
5 National Forest System land included in a community for-  
6 est demonstration area shall not be considered Federal  
7 land for purposes of making payments to counties under  
8 the sixth paragraph under the heading “FOREST SERV-  
9 ICE” in the Act of May 23, 1908 (16 U.S.C. 500) and  
10 section 13 of the Act of March 1, 1911 (16 U.S.C. 500).

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

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

17 (2) valid and existing rights regarding such Na-  
18 tional Forest System land.

19 **SEC. 5. BOARD OF TRUSTEES.**

20 (a) APPOINTMENT.—A community forest demonstra-  
21 tion areas for a State shall be managed by a Board of  
22 Trustees appointed by the Governor of the State.

23 (b) COMPOSITION.—The Board of Trustees for a  
24 community forest demonstration area in a State shall in-  
25 clude, but is not limited to, the following members:

1           (1) One member who holds county or local  
2           elected office, appointed from each county or local  
3           governmental unit in the State containing commu-  
4           nity forest demonstration area land.

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

7           (3) One member who represents persons hold-  
8           ing Federal grazing or other land use permits.

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

11         (c) TERMS.—

12           (1) IN GENERAL.—Except in the case of certain  
13           initial appointments required by paragraph (2),  
14           members of a Board of Trustees shall serve for a  
15           term of three years.

16           (2) INITIAL APPOINTMENTS.—In making initial  
17           appointments to a Board of Trustees, the Governor  
18           making the appointments shall stagger terms so that  
19           at least one-third of the members will be replaced  
20           every three years.

21         (d) COMPENSATION.—Members of a Board of Trust-  
22         ees shall serve without pay, but may be reimbursed from  
23         the funds made available for the management of a commu-  
24         nity forest demonstration area for the actual and nec-

1 essary travel and subsistence expenses incurred by mem-  
2 bers in the performance of their duties.

3 **SEC. 6. MANAGEMENT OF COMMUNITY FOREST DEM-**  
4 **ONSTRATION AREAS.**

5 (a) ASSUMPTION OF MANAGEMENT.—

6 (1) CONFIRMATION.—The Board of Trustees  
7 appointed for a community forest demonstration  
8 area shall assume all management authority with re-  
9 gard to the community forest demonstration area as  
10 soon as the Secretary confirms that—

11 (A) the National Forest System land to be  
12 included in the community forest demonstration  
13 area meets the requirements of subsections (b)  
14 and (c) of section 4; and

15 (B) the Board of Trustees has been duly  
16 appointed under section 5 and is able to con-  
17 duct business.

18 (2) SCOPE AND TIME FOR CONFIRMATION.—

19 The determination of the Secretary under paragraph  
20 (1) is limited to confirming whether the conditions  
21 specified in subparagraphs (A) and (B) of such  
22 paragraph have been satisfied. The Secretary shall  
23 make the determination not later than 60 days after  
24 the date of the appointment of the Board of Trust-  
25 ees.

1           (3) EFFECT OF FAILURE TO CONFIRM.—If the  
2           Secretary determines that either or both conditions  
3           specified in subparagraphs (A) and (B) of paragraph  
4           (1) are not satisfied for confirmation of a Board of  
5           Trustees, the Secretary shall—

6                   (A) promptly notify the Governor of the af-  
7                   fected State and the Board of Trustees of the  
8                   reasons preventing confirmation; and

9                   (B) make a new determination under para-  
10                  graph (2) within 60 days after receiving a new  
11                  request from the Board of Trustees that ad-  
12                  dresses the reasons that previously prevented  
13                  confirmation.

14          (b) MANAGEMENT RESPONSIBILITIES.—Upon as-  
15          sumption of management of a community forest dem-  
16          onstration area, the Board of Trustees for the community  
17          forest demonstration area shall manage the land and re-  
18          sources of the community forest demonstration area and  
19          the occupancy and use thereof in conformity with this Act,  
20          and to the extent not in conflict with this Act, the laws  
21          and regulations applicable to management of State forest  
22          lands in the State in which the community forest dem-  
23          onstration area is located.

24          (c) APPLICABILITY OF OTHER FEDERAL LAWS.—  
25          The administration and management of a community for-



1 est demonstration area, including implementing actions,  
2 shall not be considered Federal action and shall be subject  
3 to the following only to the extent that such laws apply  
4 to the State administration and management of forest  
5 lands in the State in which the community forest dem-  
6 onstration area is located:

7 (1) The Federal Water Pollution Control Act  
8 (33 U.S.C. 1251 note).

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

10 (3) The Endangered Species Act of 1973 (16  
11 U.S.C. 1531 et seq.).

12 (4) Federal laws and regulations governing pro-  
13 curement by Federal agencies.

14 (5) Other Federal laws.

15 (d) CONSULTATION.—

16 (1) WITH INDIAN TRIBES.—The Board of  
17 Trustees for a community forest demonstration area  
18 shall cooperate and consult with Indian tribes on  
19 management policies and practices for the commu-  
20 nity forest demonstration area that may affect the  
21 Indian tribes. The Board of Trustees may allow the  
22 use of lands within the community forest demonstra-  
23 tion area for religious and cultural uses by Native  
24 Americans.

1           (2) WITH COLLABORATIVE GROUPS.—The  
2 Board of Trustees for a community forest dem-  
3 onstration area shall consult with any applicable for-  
4 est collaborative group.

5           (e) RECREATION.—Nothing in this section shall af-  
6 fect public use and recreation within a community forest  
7 demonstration area.

8           (f) FIRE MANAGEMENT.—The Secretary shall pro-  
9 vide fire presuppression, suppression, and rehabilitation  
10 services on and with respect to a community forest dem-  
11 onstration area to the same extent generally authorized  
12 in other units of the National Forest System.

13 **SEC. 7. DISTRIBUTION OF FUNDS FROM COMMUNITY FOR-**  
14 **EST DEMONSTRATION AREA.**

15           (a) RETENTION OF FUNDS FOR MANAGEMENT.—The  
16 Board of Trustees of a community forest demonstration  
17 area may retain such sums as the Board of Trustees con-  
18 siders to be necessary from amounts generated from that  
19 community forest demonstration area to fund the manage-  
20 ment, administration, restoration, operation and mainte-  
21 nance, improvement, repair, and related expenses incurred  
22 with respect to the community forest demonstration area.

23           (b) FUNDS TO COUNTIES OR LOCAL GOVERNMENTAL  
24 UNITS.—Subject to subsection (a), the Board of Trustees  
25 of a community forest demonstration area in a State shall

1 distribute funds received by the Board of Trustees under  
2 section 6 to each county or local governmental unit in the  
3 State in an amount proportional to the funds received by  
4 the county or local governmental unit under title I of the  
5 Secure Rural Schools and Community Self-Determination  
6 Act of 2000 (16 U.S.C. 7111 et seq.).

7 **SEC. 8. INITIAL FUNDING AUTHORITY.**

8 (a) **FUNDING SOURCE.**—Counties may use such sums  
9 as the counties consider to be necessary from amounts  
10 made available to the counties under title I of the Secure  
11 Rural Schools and Community Self-Determination Act of  
12 2000 (16 U.S.C. 7111 et seq.) to provide initial funding  
13 for the management of community forest demonstration  
14 areas.

15 (b) **NO RESTRICTION ON USE OF NON-FEDERAL**  
16 **FUNDS.**—Nothing in this Act restricts the Board of  
17 Trustees of a community forest demonstration area from  
18 seeking non-Federal loans or other non-Federal funds for  
19 management of the community forest demonstration area.