113TH CONGRESS
1ST SESSION

S. 327

To authorize the Secretary of Agriculture and the Secretary of the Interior
to enter into cooperative agreements with State foresters authorizing
State foresters to provide certain forest, rangeland, and watershed res-
toration and protection services.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 14, 2013

Mr. BARRASSO (for himself, Mr. ENZI, Mr. HATCH, Mr. LEE, Mr. JOHNSON
of South Dakota, Mr. THUNE, and Mr. UDALL of Colorado) introduced
the following bill; which was read twice and referred to the Committee
on Energy and Natural Resources

A BILL

To authorize the Secretary of Agriculture and the Secretary
of the Interior to enter into cooperative agreements with
State foresters authorizing State foresters to provide cer-
tain forest, rangeland, and watershed restoration and
protection services.

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.**

4   This Act may be cited as the "Good Neighbor For-

5 estry Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) ELIGIBLE STATE.—The term "eligible State" means a State that contains National Forest System land or Bureau of Land Management land located west of the 100th meridian.

(2) SECRETARY.—The term "Secretary" means—

(A) the Secretary of Agriculture, with respect to National Forest System land; or

(B) the Secretary of the Interior, with respect to Bureau of Land Management land.

(3) STATE FORESTER.—The term "State forester" means the head of a State agency with jurisdiction over State forestry programs in an eligible State.

SEC. 3. COOPERATIVE AGREEMENTS AND CONTRACTS.

(a) IN GENERAL.—The Secretary may enter into a cooperative agreement or contract (including a sole source contract) with a State forester to authorize the State forester to provide the forest, rangeland, and watershed restoration and protection services described in subsection (b) on National Forest System land or Bureau of Land Management land, as applicable, in the eligible State.

3

1   (b) AUTHORIZED SERVICES.—The forest, rangeland,
2 and watershed restoration and protection services referred
3 to in subsection (a) include the conduct of—

4   (1) activities to treat insect-infected trees;

5   (2) activities to reduce hazardous fuels; and

6   (3) any other activities to restore or improve
7   forest, rangeland, and watershed health, including
8   fish and wildlife habitat.

9   (c) STATE AS AGENT.—Except as provided in sub-
10 section (f), a cooperative agreement or contract entered
11 into under subsection (a) may authorize the State forester
12 to serve as the agent for the Secretary in providing the
13 restoration and protection services authorized under sub-
14 section (a).

15   (d) SUBCONTRACTS.—In accordance with applicable
16 contract procedures for the eligible State, a State forester
17 may enter into subcontracts to provide the restoration and
18 protection services authorized under a cooperative agree-
19 ment or contract entered into under subsection (a).

20   (e) TIMBER SALES.—Subsections (d) and (g) of sec-
21 tion 14 of the National Forest Management Act of 1976
22 (16 U.S.C. 472a) shall not apply to services performed
23 under a cooperative agreement or contract entered into
24 under subsection (a).

1 (f) RETENTION OF NEPA RESPONSIBILITIES.—Any
2 decision required to be made under the National Environ-
3 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with
4 respect to any restoration and protection services to be
5 provided under this Act by a State forester on National
6 Forest System land or Bureau of Land Management land,
7 as applicable, shall not be delegated to a State forester
8 or any other officer or employee of the eligible State.

9 (g) APPLICABLE LAW.—The restoration and protec-
10 tion services to be provided under this Act shall be carried
11 out on a project-to-project basis under existing authorities
12 of the Forest Service or Bureau of Land Management,
13 as applicable.

○