

112TH CONGRESS
1ST SESSION

S. 375

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 restoration and protection services.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 17, 2011

Mr. BARRASSO (for himself, Mr. JOHNSON of South Dakota, Mr. ENZI, Mr. THUNE, Mr. LEE, and Mr. HATCH) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

APRIL 14, 2011

Committee discharged; 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 certain 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Good Neighbor For-
3 estry Act”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) **ELIGIBLE STATE.**—The term “eligible
7 State” means a State that contains National Forest
8 System land or Bureau of Land Management land
9 located west of the 100th meridian.

10 (2) **SECRETARY.**—The term “Secretary”
11 means—

12 (A) the Secretary of Agriculture, with re-
13 spect to National Forest System land; or

14 (B) the Secretary of the Interior, with re-
15 spect to Bureau of Land Management land.

16 (3) **STATE FORESTER.**—The term “State for-
17 ester” means the head of a State agency with juris-
18 diction over State forestry programs in an eligible
19 State.

20 **SEC. 3. COOPERATIVE AGREEMENTS AND CONTRACTS.**

21 (a) **IN GENERAL.**—The Secretary may enter into a
22 cooperative agreement or contract (including a sole source
23 contract) with a State forester to authorize the State for-
24 ester to provide the forest, rangeland, and watershed res-
25 toration and protection services described in subsection (b)

1 on National Forest System land or Bureau of Land Man-
2 agement land, as applicable, in the eligible State.

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

6 (1) activities to treat insect infected trees;

7 (2) activities to reduce hazardous fuels; and

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

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

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

22 (e) TIMBER SALES.—Subsections (d) and (g) of sec-
23 tion 14 of the National Forest Management Act of 1976
24 (16 U.S.C. 472a) shall not apply to services performed

1 under a cooperative agreement or contract entered into
2 under subsection (a).

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

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

16 **SEC. 4. TERMINATION OF EFFECTIVENESS.**

17 (a) **IN GENERAL.**—The authority of the Secretary to
18 enter into cooperative agreements and contracts under
19 this Act terminates on September 30, 2019.

20 (b) **CONTRACT DATE.**—The termination date of a co-
21 operative agreement or contract entered into under this
22 Act shall not extend beyond September 30, 2020.

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