

110TH CONGRESS
1ST SESSION

S. 2468

To authorize the Secretary of Agriculture (acting through the Chief of the Forest Service) to enter into a cooperative agreement with the State of Wyoming to allow the State of Wyoming to conduct certain forest and watershed restoration services, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 13, 2007

Mr. BARRASSO 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 (acting through the Chief of the Forest Service) to enter into a cooperative agreement with the State of Wyoming to allow the State of Wyoming to conduct certain forest and watershed restoration services, 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.**

4 This Act may be cited as the “Wyoming Forest and
5 Watershed Restoration Act of 2007”.

6 **SEC. 2. FOREST AND WATERSHED RESTORATION.**

7 (a) DEFINITIONS.—In this Act:

1 (1) SECRETARY.—The term “Secretary” means
2 the Secretary of Agriculture (acting through the
3 Chief of the Forest Service), with respect to Na-
4 tional Forest System land.

5 (2) STATE.—The term “State” means the State
6 of Wyoming.

7 (b) COOPERATIVE AGREEMENT.—

8 (1) AUTHORITY OF SECRETARY.—Until Sep-
9 tember 30, 2017, in accordance with paragraphs (2),
10 (3), and (6), the Secretary may enter into a coopera-
11 tive agreement or contract (including a sole source
12 contract) with the State to allow the State forester
13 of the State to conduct forest and watershed res-
14 toration services on land that is—

15 (A) under the jurisdiction of the Secretary;

16 and

17 (B) located in the State.

18 (2) PROJECT BASIS.—Each restoration service
19 that is the subject of a cooperative agreement or
20 contract described in paragraph (1) shall be—

21 (A) carried out on a project-to-project
22 basis; or

23 (B) made ready to be carried out under
24 any existing authority of the Secretary.

1 (3) AUTHORIZED SERVICES.—In carrying out
2 services in accordance with a cooperative agreement
3 or contract entered into between the Secretary and
4 the State under paragraph (1), the State shall con-
5 duct certain appropriate services, including—

6 (A) the treatment of insect-infected trees;

7 (B) the reduction of hazardous fuels; and

8 (C) any other activity designed to restore
9 or improve a forest or watershed (including any
10 fish or wildlife habitat), as determined by the
11 Secretary.

12 (4) STATE AS AGENT.—

13 (A) IN GENERAL.—Except as provided in
14 paragraph (6), a cooperative agreement or con-
15 tract entered into by the Secretary and the
16 State under paragraph (1) may allow the State
17 forester of the State to serve as an agent of the
18 Forest Service in carrying out any service de-
19 scribed in paragraph (3).

20 (B) AUTHORITY TO SUBCONTRACT.—In
21 accordance with the laws of the State, in car-
22 rying out any authorized service described in
23 paragraph (3), the State forester of the State
24 may enter into a subcontract with any other en-

1 tity to carry out the services of the State for-
2 ester of the State.

3 (5) APPLICABILITY OF NATIONAL FOREST MAN-
4 AGEMENT ACT OF 1976.—Subsections (d) and (g) of
5 section 14 of the National Forest Management Act
6 of 1976 (16 U.S.C. 472a) shall not apply to any
7 service performed by the State forester of the State
8 in accordance with a cooperative agreement or con-
9 tract entered into by the Secretary and the State
10 under paragraph (1).

11 (6) RETENTION OF CERTAIN RESPONSIBIL-
12 ITIES.—With respect to any authorized service de-
13 scribed in paragraph (3), the Secretary, through a
14 cooperative agreement or contract entered into by
15 the Secretary and the State under paragraph (1),
16 shall not allow the State to make any decision re-
17 quired to be made under the National Environ-
18 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

○