

113TH CONGRESS
1ST SESSION

H. R. 3432

To expedite the planning and implementation of salvage timber sales as part of Forest Service and Department of the Interior restoration and rehabilitation activities for lands within the Gila and Lincoln National Forests and for Bureau of Land Management lands in New Mexico adversely impacted by the 2012 and 2013 fire seasons, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 30, 2013

Mr. PEARCE introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To expedite the planning and implementation of salvage timber sales as part of Forest Service and Department of the Interior restoration and rehabilitation activities for lands within the Gila and Lincoln National Forests and for Bureau of Land Management lands in New Mexico adversely impacted by the 2012 and 2013 fire seasons, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “New Mexico Wildland
3 Fire Emergency Salvage Act of 2013”.

4 **SEC. 2. EXPEDITED SALVAGE TIMBER SALES IN RESPONSE**
5 **TO THE SILVER, LITTLE BEAR, AND WHITE-**
6 **WATER-BALDY COMPLEX FIRES IN NEW MEX-**
7 **ICO.**

8 (a) SALVAGE TIMBER SALES REQUIRED.—As part of
9 the restoration and rehabilitation activities undertaken on
10 lands within the Gila National Forest and Lincoln Na-
11 tional Forest and on Bureau of Land Management lands
12 adversely impacted by the 2012 Little Bear and White-
13 water-Baldy Complex Fires and the 2013 Silver Fire in
14 New Mexico, the Secretary of Agriculture, with respect to
15 the affected National Forest System lands, and the Sec-
16 retary of the Interior, with respect to affected Bureau of
17 Land Management lands, shall promptly plan and imple-
18 ment salvage timber sales of dead, damaged, or downed
19 timber resulting from those wildfires.

20 (b) LEGAL SUFFICIENCY.—Due to the extraordinary
21 severity of the wildfires referred to in subsection (a), sal-
22 vage timber sales conducted under such subsection shall
23 proceed immediately and to completion notwithstanding
24 any other provision of law, including the National Envi-
25 ronmental Policy Act of 1969 (42 U.S.C. 4321 et seq.),
26 section 14 of the National Forest Management Act of

1 1976 (16 U.S.C. 472a), the Forest and Rangeland Renew-
2 able Resources Planning Act of 1974 (16 U.S.C. 1600 et
3 seq.), the Federal Land Policy and Management Act of
4 1976 (43 U.S.C. 1701 et seq.), and laws related to the
5 management of timber on the lands covered by such sub-
6 section.

7 (c) ADMINISTRATIVE AND JUDICIAL REVIEW.—Sal-
8 vage timber sales conducted under subsection (a) shall not
9 be subject to—

10 (1) administrative review, including, in the case
11 of the Forest Service, the notice, comment, and ap-
12 peal requirements of section 322 of the Department
13 of the Interior and Related Agencies Appropriations
14 Act, 1993 (Public Law 102–381; 16 U.S.C. 1612
15 note); or

16 (2) judicial review in any court of the United
17 States.

18 (d) LIMITATION; RULE OF CONSTRUCTION.—Noth-
19 ing in this section shall be construed in a manner that
20 would affect the land management plan applicable to any
21 area designated as a component of the National Wilder-
22 ness Preservation System under section 3 of the Wilder-
23 ness Act (16 U.S.C. 1132) and containing lands covered
24 by subsection (a).

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