

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—113th Cong., 1st Sess.

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 restoration and protection services.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by _____

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Good Neighbor For-
5 estry Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) **AUTHORIZED RESTORATION SERVICES.—**

9 The term “authorized restoration services” means

1 similar and complementary forest, rangeland, and
2 watershed restoration services carried out—

3 (A) on Federal land and non-Federal land;
4 and

5 (B) by either the Secretary or a Governor
6 pursuant to a good neighbor agreement.

7 (2) FEDERAL LAND.—

8 (A) IN GENERAL.—The term “Federal
9 land” means land in a State located in whole or
10 in part west of the 100th meridian that is—

11 (i) National Forest System land; or

12 (ii) public land (as defined in section
13 103 of the Federal Land Policy and Man-
14 agement Act of 1976 (43 U.S.C. 1702)).

15 (B) EXCLUSIONS.—The term “Federal
16 land” does not include—

17 (i) a component of the National Wil-
18 derness Preservation System;

19 (ii) Federal land on which the removal
20 of vegetation is prohibited or restricted by
21 Act of Congress or Presidential proclama-
22 tion (including the applicable implementa-
23 tion plan); or

24 (iii) a wilderness study area.

1 (3) FOREST, RANGELAND, AND WATERSHED
2 RESTORATION SERVICES.—

3 (A) IN GENERAL.—The term “forest,
4 rangeland, and watershed restoration services”
5 means—

6 (i) activities to treat insect- and dis-
7 ease-infected trees;

8 (ii) activities to reduce hazardous
9 fuels; and

10 (iii) any other activities to restore or
11 improve forest, rangeland, and watershed
12 health, including fish and wildlife habitat.

13 (B) EXCLUSIONS.—The term “forest,
14 rangeland, and watershed restoration services”
15 does not include—

16 (i) construction, reconstruction, re-
17 pair, or restoration of roads or parking
18 areas; or

19 (ii) construction, alteration, repair or
20 replacement of public buildings or works.

21 (4) GOOD NEIGHBOR AGREEMENT.—The term
22 “good neighbor agreement” means a cooperative
23 agreement or contract (including a sole source con-
24 tract) entered into between the Secretary and a Gov-

1 error to carry out authorized restoration services
2 under this Act.

3 (5) GOVERNOR.—The term “Governor” means
4 the Governor or any other appropriate executive offi-
5 cial of an affected State.

6 (6) ROAD.—The term “road” has the meaning
7 given the term in section 212.1 of title 36, Code of
8 Federal Regulations (as in effect on the date of en-
9 actment of this Act).

10 (7) SECRETARY.—The term “Secretary
11 means—

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

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

16 **SEC. 3. GOOD NEIGHBOR AGREEMENTS.**

17 (a) GOOD NEIGHBOR AGREEMENTS.—

18 (1) IN GENERAL.—The Secretary may enter
19 into a good neighbor agreement with a Governor to
20 coordinate the procurement and implementation of
21 authorized restoration services in accordance with
22 this section.

23 (2) PUBLIC AVAILABILITY.—The Secretary
24 shall make each good neighbor agreement available
25 to the public.

1 (b) TIMBER SALES.—

2 (1) IN GENERAL.—Subsections (d) and (g) of
3 section 14 of the National Forest Management Act
4 of 1976 (16 U.S.C. 472a(d) and (g)) shall not apply
5 to services performed under a cooperative agreement
6 or contract entered into under subsection (a).

7 (2) APPROVAL OF SILVICULTURE PRESCRIP-
8 TIONS AND MARKING GUIDES.—The Secretary shall
9 provide or approve all silviculture prescriptions and
10 marking guides to be applied on Federal land in all
11 timber sale projects conducted under this Act.

12 (c) RETENTION OF NEPA RESPONSIBILITIES.—Any
13 decision required to be made under the National Environ-
14 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with
15 respect to any authorized restoration services to be pro-
16 vided under this Act on Federal land shall not be dele-
17 gated to a Governor.