

115TH CONGRESS
1ST SESSION

S. 1032

To amend the Cooperative Forestry Assistance Act of 1978 to provide for good neighbor agreements to conduct authorized restoration services on National Forest System land.

IN THE SENATE OF THE UNITED STATES

MAY 3, 2017

Mr. ROBERTS introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Cooperative Forestry Assistance Act of 1978 to provide for good neighbor agreements to conduct authorized restoration services on National Forest System land.

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 “National Forest Good
5 Neighbor Act of 2017”.

6 **SEC. 2. GOOD NEIGHBOR AUTHORITY.**

7 (a) IN GENERAL.—The Cooperative Forestry Assist-
8 ance Act of 1978 is amended—

1 (1) by redesignating section 19 (16 U.S.C.
2 2113) as section 18; and

3 (2) by inserting after section 18 (as so redesign-
4 nated) the following:

5 **“SEC. 19. GOOD NEIGHBOR AUTHORITY.**

6 “(a) DEFINITIONS.—In this section:

7 “(1) AUTHORIZED RESTORATION SERVICES.—

8 The term ‘authorized restoration services’ means
9 similar and complementary forest, rangeland, and
10 watershed restoration services carried out—

11 “(A) on National Forest System land, ex-
12 cept—

13 “(i) a component of the National Wil-
14 derness Preservation System;

15 “(ii) Federal land on which the re-
16 moval of vegetation is prohibited or re-
17 stricted by a law of Congress or a Presi-
18 dential proclamation (including the appli-
19 cable implementation plan); or

20 “(iii) a wilderness study area; and

21 “(B) by the Secretary or a Governor pur-
22 suant to a good neighbor agreement.

23 “(2) FOREST, RANGELAND, AND WATERSHED
24 RESTORATION SERVICES.—

1 “(A) IN GENERAL.—The term ‘forest,
2 rangeland, and watershed restoration services’
3 means—

4 “(i) an activity to treat insect- or dis-
5 ease-infected trees;

6 “(ii) an activity to reduce hazardous
7 fuels; and

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

11 “(B) EXCLUSIONS.—The term ‘forest,
12 rangeland, and watershed restoration services’
13 does not include—

14 “(i) the construction, reconstruction,
15 repair, or restoration of a paved or perma-
16 nent road or parking area; or

17 “(ii) the construction, alteration, re-
18 pair, or replacement of a public building or
19 work.

20 “(3) GOOD NEIGHBOR AGREEMENT.—The term
21 ‘good neighbor agreement’ means a cooperative
22 agreement or contract (including a sole source con-
23 tract) entered into between the Secretary and a Gov-
24 ernor to carry out authorized restoration services
25 under this section.

1 “(4) GOVERNOR.—The term ‘Governor’ means
2 the Governor or any other appropriate executive offi-
3 cial of a State.

4 “(5) ROAD.—The term ‘road’ has the meaning
5 given the term in section 212.1 of title 36, Code of
6 Federal Regulations (as in effect on the date of en-
7 actment of the National Forest Good Neighbor Act
8 of 2017).

9 “(6) STATE.—The term ‘State’ means—

10 “(A) a State; and

11 “(B) the Commonwealth of Puerto Rico.

12 “(b) GOOD NEIGHBOR AGREEMENTS.—

13 “(1) AUTHORITY.—

14 “(A) IN GENERAL.—The Secretary may
15 enter into a good neighbor agreement with a
16 Governor to carry out authorized restoration
17 services in accordance with this section.

18 “(B) PUBLIC AVAILABILITY.—The Sec-
19 retary shall make each good neighbor agree-
20 ment available to the public.

21 “(2) TIMBER SALES.—

22 “(A) IN GENERAL.—Subsections (d) and
23 (g) of section 14 of the National Forest Man-
24 agement Act of 1976 (16 U.S.C. 472a) shall
25 not apply to authorized restoration services.

“(B) APPROVAL OF SILVICULTURE PRESCRIPTIONS AND MARKING GUIDES.—The Secretary shall provide or approve all silviculture prescriptions and marking guides to be applied on National Forest System land described in subsection (a)(1)(A) in any timber sale project conducted under this section.

“(3) RETENTION OF RESPONSIBILITIES.—Any decision required to be made by the Secretary under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to any authorized restoration services shall not be delegated to a Governor.”.

(b) CONFORMING AMENDMENTS.—

(1) Section 2A(c)(1) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101a(c)(1)) is amended by striking “section 19(b)” and inserting “section 18(b)”.

(2) Section 7(e) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103e(e)) is amended in the first sentence by striking “section 19(b)” and inserting “section 18(b)”.

(3) Section 13A(b) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2109a(b)) is

- 1 amended by striking “section 19(a)” and inserting
- 2 “section 18(a)”.

