

AMENDMENT TO H.R. 6089
OFFERED BY MR. TIPTON OF COLORADO

Page 2, beginning line 4, strike subsection (a) and insert the following new subsection:

1 (a) **SHORT TITLE.**—This Act may be cited as the
2 “Healthy Forest Management and Wildfire Prevention
3 Act of 2012”.

Page 6, line 15, insert a period after “section”.

Page 10, strike lines 6 through 8.

Page 12, after line 17, add the following new paragraph:

4 (3) The Secretary is not required to study, de-
5 velop, or describe more than the proposed agency ac-
6 tion and a no-action alternative in the environmental
7 assessment or environmental impact statement pre-
8 pared pursuant to section 102(2) of the National
9 Environmental Policy Act of 1969 (42 U.S.C.
10 4332(2)) for an emergency hazardous fuels reduc-
11 tion project, except that, if an at-risk community
12 has adopted a community wildfire protection plan
13 (as defined in section 101(3) of the Healthy Forest

1 Restoration Act of 2003 (16 U.S.C. 6511(3))) that
2 includes the land covered by the proposed agency ac-
3 tion, but the proposed agency action does not imple-
4 ment the recommendations in the plan regarding the
5 general location and basic method of treatments, the
6 Secretary shall evaluate the recommendations in the
7 plan as an additional alternative to the proposed
8 agency action.

Page 14, beginning line 1, strike section 8 and in-
sert the following new section:

9 **SEC. 8. FOREST SERVICE AND BUREAU OF LAND MANAGE-**
10 **MENT GOOD-NEIGHBOR COOPERATION WITH**
11 **STATES TO REDUCE WILDFIRE RISKS.**

12 (a) DEFINITIONS.—In this section:

13 (1) ELIGIBLE STATE.—The term “eligible
14 State” means a State that contains National Forest
15 System land or land under the jurisdiction of the
16 Bureau of Land Management.

17 (2) SECRETARY.—The term “Secretary”
18 means—

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

21 (B) the Secretary of the Interior, with re-
22 spect to land under the jurisdiction of the Bu-
23 reau of Land Management.

1 (3) STATE FORESTER.—The term “State for-
2 ester” means the head of a State agency with juris-
3 diction over State forestry programs in an eligible
4 State.

5 (b) IN GENERAL.—The Secretary may enter into a
6 cooperative agreement or contract (including a sole source
7 contract) with a State forester to authorize the State for-
8 ester to provide the forest, rangeland, and watershed res-
9 toration and protection services described in subsection (c)
10 on National Forest System land or land under the juris-
11 diction of the Bureau of Land Management, as applicable,
12 in the eligible State.

13 (c) AUTHORIZED SERVICES.—The forest, rangeland,
14 and watershed restoration and protection services referred
15 to in subsection (b) include the conduct of—

- 16 (1) activities to treat insect infected trees;
17 (2) activities to reduce hazardous fuels; and
18 (3) any other activities to restore or improve
19 forest, rangeland, and watershed health, including
20 fish and wildlife habitat.

21 (d) STATE AS AGENT.—Except as provided in sub-
22 section (g), a cooperative agreement or contract entered
23 into under subsection (b) may authorize the State forester
24 to serve as the agent for the Secretary in providing the

1 restoration and protection services authorized under sub-
2 section (b).

3 (e) SUBCONTRACTS.—In accordance with applicable
4 contract procedures for the eligible State, a State forester
5 may enter into subcontracts to provide the restoration and
6 protection services authorized under a cooperative agree-
7 ment or contract entered into under subsection (b).

8 (f) TIMBER SALES.—Subsections (d) and (g) of sec-
9 tion 14 of the National Forest Management Act of 1976
10 (16 U.S.C. 472a) shall not apply to services performed
11 under a cooperative agreement or contract entered into
12 under subsection (b).

13 (g) RETENTION OF NEPA RESPONSIBILITIES.—Any
14 decision required to be made under the National Environ-
15 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with
16 respect to any restoration and protection services to be
17 provided under this Act by a State forester on National
18 Forest System land or Bureau of Land Management land,
19 as applicable, shall not be delegated to a State forester
20 or any other officer or employee of the eligible State.

21 (h) APPLICABLE LAW.—The restoration and protec-
22 tion services to be provided under this Act shall be carried
23 out on a project-to-project basis under existing authorities

1 of the Forest Service or Bureau of Land Management,
2 as applicable.

