

AMENDMENT TO THE RULES COMMITTEE PRINT

113–21 (H.R. 1526)

OFFERED BY MR. HUFFMAN OF CALIFORNIA

(Offered on behalf of himself and Mr. DeFazio of Oregon)

Strike section 1, titles I, II, and IV, and sections 502 and 503 and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Responsible Forest
3 Management in the 21st Century Act”.

**4 TITLE I—DESIGNATION OF NA-
5 TIONAL FOREST TREATMENT
6 AREAS TO ADDRESS INSECT
7 AND DISEASE INFESTATION**

8 SEC. 101. INSECT AND DISEASE INFESTATION.

9 Title VI of the Healthy Forests Restoration Act of
10 2003 (16 U.S.C. 6591 et seq.) is amended by adding at
11 the end the following new section:

12 “SEC. 602. DESIGNATION OF TREATMENT AREAS.

13 “(a) DEFINITION OF DECLINING FOREST
14 HEALTH.—In this section, the term ‘declining forest
15 health’ means a forest that is experiencing—

16 “(1) substantially increased tree mortality due
17 to insect or disease infestation; or

1 “(2) dieback due to infestation or defoliation by
2 insects or disease.

3 “(b) DESIGNATION OF TREATMENT AREAS.—

4 “(1) INITIAL AREAS.—Not later than 60 days
5 after the date of the enactment of this section, the
6 Secretary shall, if requested by the Governor of the
7 State, designate as part of an insect and disease
8 treatment program 1 or more subwatersheds (sixth-
9 level hydrologic units, according to the System of
10 Hydrologic Unit Codes of the United States Geologi-
11 cal Survey) in at least 1 national forest in each
12 State that is experiencing an insect or disease epi-
13 demic.

14 “(2) ADDITIONAL AREAS.—After the end of the
15 60-day period described in paragraph (1), the Sec-
16 retary may designate additional subwatersheds
17 under this section as needed to address insect or dis-
18 ease threats.

19 “(c) REQUIREMENTS.—To be designated a subwater-
20 shed under subsection (b), the subwatershed shall be—

21 “(1) experiencing declining forest health, based
22 on annual forest health surveys conducted by the
23 Secretary;

24 “(2) at risk of experiencing substantially in-
25 creased tree mortality over the next 15 years due to

1 insect or disease infestation, based on the most re-
2 cent National Insect and Disease Risk Map pub-
3 lished by the Forest Service; or

4 “(3) in an area in which the risk of hazard
5 trees poses an imminent risk to public infrastruc-
6 ture, health, or safety.

7 “(d) TREATMENT OF AREAS.—

8 “(1) IN GENERAL.—The Secretary may carry
9 out priority projects on Federal land in the sub-
10 watersheds designated under subsection (b) to re-
11 duce the risk or extent of, or increase the resilience
12 to, insect or disease infestation in the subwater-
13 sheds.

14 “(2) AUTHORITY.—Any project under para-
15 graph (1) for which a public notice to initiate
16 scoping is issued on or before September 30, 2018,
17 may be carried out in accordance with subsections
18 (b), (c), and (d) of section 102, and sections 104,
19 105, and 106.

20 “(3) EFFECT.—Projects carried out under this
21 subsection shall be considered authorized hazardous
22 fuel reduction projects for purposes of the authori-
23 ties described in paragraph (2).

1 “(4) REPORT.—Not later than September 30,
2 2018, the Secretary shall issue a report on actions
3 taken to carry out this subsection, including—

4 “(A) an evaluation of the progress towards
5 project goals; and

6 “(B) recommendations for modifications to
7 the projects and management treatments.

8 “(e) TREE RETENTION.—The Secretary shall carry
9 out projects under subsection (d) in a manner that maxi-
10 mizes the retention of old-growth and large trees, as ap-
11 propriate for the forest type, to the extent that the trees
12 promote stands that are resilient to insects and disease.

13 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
14 is authorized to be appropriated to carry out this section
15 \$200,000,000 for each of fiscal years 2014 through
16 2018.”.

17 **TITLE II—GOOD NEIGHBOR**
18 **FORESTRY**

19 **SEC. 201. DEFINITIONS.**

20 In this title:

21 (1) AUTHORIZED RESTORATION SERVICES.—

22 The term “authorized restoration services” means
23 similar and complementary forest, rangeland, and
24 watershed restoration services carried out—

1 (A) on Federal land and non-Federal land;
2 and

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

5 (2) FEDERAL LAND.—

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

9 (i) National Forest System land; or

10 (ii) public land (as defined in section
11 103 of the Federal Land Policy and Man-
12 agement Act of 1976 (43 U.S.C. 1702)).

13 (B) EXCLUSIONS.—The term “Federal
14 land” does not include—

15 (i) a component of the National Wil-
16 derness Preservation System;

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

22 (iii) a wilderness study area.

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

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

4 (i) activities to treat insect- and dis-
5 ease-infected trees;

6 (ii) activities to reduce hazardous
7 fuels; and

8 (iii) any other activities 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) construction, reconstruction, re-
15 pair, or restoration of roads or parking
16 areas; or

17 (ii) construction, alteration, repair or
18 replacement of public buildings or works.

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

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

4 (6) 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 this Act).

8 (7) SECRETARY.—The term “Secretary
9 means—

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

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

14 **SEC. 202. GOOD NEIGHBOR AGREEMENTS.**

15 (a) GOOD NEIGHBOR AGREEMENTS.—

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

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

24 (b) TIMBER SALES.—

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

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

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

