

This is the language from 16 USC 2113a with the proposed language from the 2019 Farm Bill included.
The text from the new Farm Bill is in italics and orange to make it easier to differentiate.

§2113a. Good neighbor authority

(a) Definitions

In this section:

(1) Authorized restoration services

The term "authorized restoration services" means similar and complementary forest, rangeland, and watershed restoration services carried out-

- (A) on Federal land, non-Federal land, *and land owned by an Indian tribe*; and
- (B) by either the Secretary or a Governor *or county, as applicable*, pursuant to a good neighbor agreement.

(2) County

The term "county" means -

- (A) the appropriate executive official of an affected county; or*
- (B) in any case in which multiple counties are affected, the appropriate executive official of a compact of the affected counties.'';*

(3) Federal land

(A) In general

The term "Federal land" means land that is-

- (i) National Forest System land; or
- (ii) public land (as defined in section 1702 of title 43).

(B) Exclusions

The term "Federal land" does not include-

- (i) a component of the National Wilderness Preservation System;
- (ii) Federal land on which the removal of vegetation is prohibited or restricted by Act of Congress or Presidential proclamation (including the applicable implementation plan); or
- (iii) a wilderness study area.

(4) Forest, rangeland, and watershed restoration services

(A) In general

The term "forest, rangeland, and watershed restoration services" means-

- (i) activities to treat insect- and disease-infected trees;
- (ii) activities to reduce hazardous fuels; and
- (iii) any other activities to restore or improve forest, rangeland, and watershed health, including fish and wildlife habitat.

(B) Exclusions

The term "forest, rangeland, and watershed restoration services" does not include-

- (i) construction, reconstruction, repair, or restoration of paved or permanent roads or parking areas, other than the reconstruction, repair, or restoration of a National Forest System road that is-

(I) necessary to carry out authorized restoration services pursuant to a good neighbor agreement; and

(II) in the case of a National Forest System road that is determined to be unneeded in accordance with section 212.5(b)(2) of title 36, Code of Federal Regulations (as in effect on the date of enactment of the Good Neighbor Authority Improvement Act),¹ decommissioned in accordance with subparagraph (A)(iii)-

(aa) in a manner that is consistent with the applicable travel management plan; and

(bb) not later than 3 years after the date on which the applicable authorized restoration services project is completed; or

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

(4) Good neighbor agreement

The term "good neighbor agreement" means a cooperative agreement or contract (including a sole source contract) entered into between the Secretary and a Governor *or county, as applicable*, to carry out authorized restoration services under this section.

(6) Governor

The term "Governor" means the Governor or any other appropriate executive official of an affected State *or Indian tribe* or the Commonwealth of Puerto Rico.

(7) Indian Tribe

The term "Indian tribe" has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)

(8) National Forest System road

The term "National Forest System road" has the meaning given the term in section 212.1 of title 36, Code of Federal Regulations (as in effect on the date of enactment of the Good Neighbor Authority Improvement Act).¹

(9) Road

The term "road" has the meaning given the term in section 212.1 of title 36, Code of Federal Regulations (as in effect on February 7, 2014).

(10) Secretary

The term "Secretary" means-

(A) the Secretary of Agriculture, with respect to National Forest System land; and

(B) the Secretary of the Interior, with respect to Bureau of Land Management land.

(b) Good neighbor agreements

(1) Good neighbor agreements

(A) In general

The Secretary may enter into a good neighbor agreement with a Governor *or county* to carry out authorized restoration services in accordance with this section.

(B) Public availability

The Secretary shall make each good neighbor agreement available to the public.

(2) Timber sales

(A) In general

Subsections (d) and (g) of section 472a of this title shall not apply to services performed under a *good neighbor agreement* entered into under subsection (a).

(B) Approval of silviculture prescriptions and marking guides

The Secretary shall provide or approve all silviculture prescriptions and marking guides to be applied on Federal land in all timber sale projects conducted under this section.

(C) TREATMENT OF REVENUE.—

(i) *IN GENERAL.—Funds received from the sale of timber by a Governor of a State under a good neighbor agreement shall be retained and used by the Governor—*

(I) to carry out authorized restoration services on Federal land under the good neighbor agreement; and

(II) if there are funds remaining after carrying out subclause (I), to carry out authorized restoration services on Federal land within the State under other good neighbor agreements.

(ii) *TERMINATION OF EFFECTIVENESS.—The authority provided by this subparagraph terminates effective October 1, 2023.*

(3) Retention of NEPA responsibilities

Any decision required to be made under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to any authorized restoration services to be provided under this section on Federal land shall not be delegated to a Governor *or county*.

(4) RECEIPTS.

Notwithstanding any other provision of law, any payment made by a county to the Secretary under a project conducted under a good neighbor agreement shall not be considered to be monies received from National Forest System land or Bureau of Land Management land, as applicable.

Conference Notes

(21) Good neighbor authority

The House bill authorizes counties and Indian Tribes to enter into good neighbor agreements.

(Section 8331(2))

The Senate amendment authorizes to tribes and counties to enter into good neighbor agreements, and exempts payments made by counties from being considered as made by the Forest Service or Bureau of Land Management lands. (Section 8624(2))

The Conference substitute adopts the House provision with an amendment regarding the treatment of timber sale revenue. (Section 8624)

The Managers expanded Good Neighbor Authority to authorize Indian tribes and counties to participate. As required by the underlying authority, the Managers expect that the non-Federal entity – whether it be a Governor, County, or tribe – participating in future Good Neighbor agreements undertake restoration activities on non-Federal land in addition to “similar and complementary” restoration activities on Federal land under the program.