

107TH CONGRESS
2^D SESSION

H. R. 5206

To authorize the Secretary of Agriculture to enter into cooperative agreements and contracts with the Nebraska State Forester to carry out watershed restoration and protection activities on National Forest System land in the State of Nebraska.

IN THE HOUSE OF REPRESENTATIVES

JULY 24, 2002

Mr. OSBORNE introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To authorize the Secretary of Agriculture to enter into cooperative agreements and contracts with the Nebraska State Forester to carry out watershed restoration and protection activities on National Forest System land in the State of Nebraska.

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 “Nebraska National
5 Forest Cooperation Act of 2002”.

1 **SEC. 2. WATERSHED RESTORATION AND PROTECTION AC-**
2 **TIVITIES IN THE STATE OF NEBRASKA.**

3 (a) COOPERATIVE AGREEMENTS AND CONTRACTS.—

4 The Secretary of Agriculture may enter into a cooperative
5 agreement or contract, including a sole source contract,
6 with the Nebraska State Forester, under which the State
7 Forester may carry out eligible watershed restoration and
8 protection activities on National Forest System land in the
9 State of Nebraska if similar or complementary activities
10 are being carried out by the State Forester on State or
11 private land that is adjacent to the National Forest Sys-
12 tem land.

13 (b) ELIGIBLE ACTIVITIES.—Watershed restoration
14 and protection activities that are eligible to be carried out
15 by the Nebraska State Forester under subsection (a) shall
16 include—

- 17 (1) treatment of insect-infected trees;
18 (2) reduction of hazardous fuels; and
19 (3) other activities to restore or improve water-
20 sheds across ownership boundaries.

21 (c) AGENCY AGREEMENT.—Except as provided in
22 subsection (f), a cooperative agreement or contract under
23 subsection (a) may authorize the Nebraska State Forester
24 to be an agent of the Secretary for the purpose of carrying
25 out the watershed restoration or protection activities
26 under the cooperative agreement or contract.

1 (d) SUBCONTRACTS AUTHORIZED.—In carrying out
2 the watershed restoration or protection activities under
3 this section, the Nebraska State Forester may enter into
4 subcontracts in accordance with applicable contract proce-
5 dures of the State of Nebraska.

6 (e) TIMBER SALES.—Subsections (d) and (g) of sec-
7 tion 14 of the National Forest Management Act of 1976
8 (16 U.S.C. 472a) shall not apply to watershed restoration
9 and protection activities carried out by the Nebraska State
10 Forester under this section.

11 (f) NO DELEGATION OF DUTIES UNDER NEPA.—
12 With respect to any watershed restoration or protection
13 activity of the Nebraska State Forester carried out or pro-
14 posed to be carried out under this section, the Secretary
15 shall not delegate to the State Forester or to any other
16 employee of the Nebraska Forest Service any of the duties
17 of the Secretary under the National Environmental Policy
18 Act of 1969 (42 U.S.C. 4321 et seq.).

19 (g) TERMINATION OF AUTHORITY.—The authority of
20 the Secretary to enter into cooperative agreements or con-
21 tracts under this section terminates on September 30,
22 2006.

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