

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0202.01 Caroline Martin x5902

HOUSE BILL 26-1205

HOUSE SPONSORSHIP

Velasco and Mauro,

SENATE SPONSORSHIP

(None),

House Committees

Agriculture, Water & Natural Resources

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING CHANGES TO STATE LAW TO REFLECT THE FEDERAL**
102 **EXPANSION OF GOOD NEIGHBOR AUTHORITY AGREEMENTS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill changes state law to reflect changes to federal law that expand the authority of states, counties, and tribal governments to enter into good neighbor agreements with the federal government to carry out recreation and improvement services on land by:

- Specifying that the Colorado state forest service may enter into good neighbor authority agreements with the United

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

States department of the interior, the United States department of agriculture, or any agency of the United States department of the interior or United States department of agriculture; and

- Clarifying that the Colorado state forest service is required to conduct, or contract with one or more entities to conduct, demonstration projects that utilize Colorado's good neighbor authority to implement forest management projects that improve forest health, resilience, or outdoor recreation opportunities.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) The expansion of good neighbor authority through the federal
5 "Expanding Public Lands Outdoor Recreation Experiences (EXPLORE)
6 Act," Pub.L. 118-234, enhances Colorado's ability to partner with federal
7 agencies, local governments, and tribes to improve the health and
8 accessibility of Colorado's forests; and

9 (b) The expansion of good neighbor authority supports the state's
10 goals for wildfire risk reduction, rural economic development, and
11 sustainable outdoor recreation by incorporating recreation infrastructure,
12 cross-boundary project authority, and flexible reinvestment of project
13 revenue into good neighbor authority agreements.

14 (2) It is therefore the intent of the general assembly to modernize
15 references to good neighbor authority in the Colorado Revised Statutes
16 to reflect these federal advancements and ensure that the Colorado State
17 Forest Service and its partners can fully utilize the broadened federal
18 authority to protect and enhance Colorado's forested landscapes and
19 communities.

20 **SECTION 2.** In Colorado Revised Statutes, 23-31-311, **amend**

1 (2) introductory portion and (2)(c)(II)(A) as follows:

2 **23-31-311. Watershed protection projects and forest health**
3 **projects.**

4 (2) The Colorado state forest service shall collaborate with water
5 providers; federal, state, and local governments; educational institutions;
6 landowners; and other interested public and private entities to recommend
7 the use of ~~money~~ MONEY made available pursuant to section
8 37-95-112.5. ~~C.R.S~~ This process shall consider:

9 (c) (II) In identifying such watershed protection projects and
10 forest health projects, consideration shall be made to effectively use
11 available resources by:

12 (A) Applying the principles of the state of Colorado good
13 neighbor authority programs entered into between the Colorado state
14 forest service and the United States ~~forest service and between the~~
15 ~~Colorado state forest service and the United States bureau of land~~
16 ~~management~~ DEPARTMENT OF THE INTERIOR, UNITED STATES
17 DEPARTMENT OF AGRICULTURE, OR AGENCY OF THE UNITED STATES
18 DEPARTMENT OF THE INTERIOR OR UNITED STATES DEPARTMENT OF
19 AGRICULTURE;

20 **SECTION 3.** In Colorado Revised Statutes, 23-31-313, **amend**
21 (3)(e) and (6)(a)(IV) introductory portion as follows:

22 **23-31-313. Healthy forests - vibrant communities - funds**
23 **created - outreach working group - loan program - legislative**
24 **declaration - definitions - repeal.**

25 (3) **Definitions.** As used in this section, unless the context
26 otherwise requires:

27 (e) "Good neighbor authority" means the authority of the state of

1 Colorado pursuant to ~~section 331 of the federal "Department of Interior~~
2 ~~and Related Agencies Appropriation Act of 2001", Pub.L. 106-291, 114~~
3 ~~Stat. 922, 16 U.S.C. sec. 2113a, 16 U.S.C. sec. 8571~~, or any analogous
4 successor authority.

5 **(6) Community watershed restoration.**

6 (a) In order to support communities and land managers in efforts
7 to reduce risk to people and property and increase firefighter safety, and
8 in support of long-term ecological restoration so that the underlying
9 condition of Colorado's forests supports a variety of values, including
10 public water supply and high-quality wildlife habitat, the forest service
11 shall:

12 (IV) Conduct, or contract with one or more entities to conduct,
13 one or more demonstration projects that utilize Colorado's good neighbor
14 authority ~~with the United States forest service~~ to implement forest
15 management ~~treatments~~ PROJECTS that improve forest health, ~~and~~
16 resilience, OR OUTDOOR RECREATION OPPORTUNITIES, and supply forest
17 products to Colorado businesses. In overseeing a project, the forest
18 service shall:

19 **SECTION 4. Safety clause.** The general assembly finds,
20 determines, and declares that this act is necessary for the immediate
21 preservation of the public peace, health, or safety or for appropriations for
22 the support and maintenance of the departments of the state and state
23 institutions.