



Good Neighbor Authority

May, 2017—Provided by the United States Forest Service Pacific Southwest Region

The objective of the Good Neighbor Authority (GNA) is to improve coordination across federal, state, and private boundaries during hazardous fuels, insect and disease, and watershed restoration projects. The Forest Service's (FS) primary intent of GNA is to provide flexibility for Forests to enter into agreements with state agencies to implement activities on federal lands using federal or state funding.

Project activities that can utilize GNA include:

- **Forest restoration:** Timber stand improvement, prescribed burning, reforestation, timber sales to treat insect or disease infected stands, project support such as sale preparation, biological assessments, heritage surveys, environmental analysis.
- **Hazardous fuels reduction:** Forest thinning, piling, removing, or burning slash, prescribed burning.
- **Fish and wildlife habitat improvement:** Fish passages, Instream fish structures, developing wildlife water sources, constructing turkey piles, installing duck boxes.
- **Watershed restoration:** Seeding for soil stabilization, decommissioning existing roads.

Key Considerations

- The Forest Service must retain responsibility for NEPA.
- Most types of funds can be used: appropriations, state funds, program income, and third party funding for activities as appropriate.¹
- State agencies can charge their established NICRA², or if they don't have one, a default of 10%.
- No match is required from the state agencies.
- GNA can also be used when no transfer of funds is executed.
- Where timber removal is considered, FS shall provide or approve all silviculture prescriptions and marking guides to be applied on Federal land.
- It is not the primary intent of FS for GNA to authorize federal funding appropriated for NFS lands to be spent off of federal lands. It is the current interpretation of FS that incidental spending of such funds off of FS lands is allowed if it is part of the GNA project on NFS lands which meets the primary intent.

Use of GNA in the USFS Pacific Southwest Region

California Natural Resources Agency (CNRA) Master Agreement

A Master GNA Agreement under the Farm Bill was signed in February 2016 between the Regional Forester of Region 5, Randy Moore, and the Secretary of CNRA, John Laird. This Master Agreement provides the broad authority for National Forests to engage with CNRA and its offices (CALFIRE, CA Fish and Wildlife, DoC, CA Conservation Corps, Sierra Nevada Conservancy) in Supplemental Project Agreements (SPAs) for a variety of forest, rangeland, and watershed restoration activities. The Master Agreement is valid for 10 years.

Eldorado National Forest

The SPA between the Eldorado NF and CALFIRE was fully executed in July. The purpose of the project is to complete a shaded fuel break to protect the communities of Camino, Pollock Pines, and adjacent NF lands. CALFIRE will:

¹ Stewardship retained receipts may only be used for stewardship contracts and agreements and are therefore not appropriate to fund GNA agreements.

² Negotiated Indirect Cost Rate Agreement

- 1) Develop a proposal (NEPA/CEQA) for 1,000 acres of treatment near the communities of Camino/Pollock Pines (mixed WUI ownership), with a minimum of 100 acres treated.
- 2) Treat an additional 400 acres (all FS WUI lands) further east on Highway 50 as part of the South Fork American River (SOFAR) Cohesive Strategy.

The work will be completed on both Federal and non-federal lands by CALFIRE crews over a five-year period. The agreement includes NEPA and CEQA work to be completed by CALFIRE. Additionally, the agreement includes \$908,000 in FS money transferred to CALFIRE and \$120,000 in non-cash contributions from CALFIRE.

Sierra National Forest (In progress)

The Sierra National Forest (NF) is in the process of signing a SPA proposal with CALFIRE, which is under final review by FS and CALFIRE. Unlike the above Eldorado SPA, this agreement involved both FS and CALFIRE crews, doing work across ownerships to

- 1) Collaboratively treat insect and disease tree mortality affected areas on the High Sierra Ranger District on the Sierra National Forest and surrounding state and private lands over a five-year period to reduce fire risk, maintain public safety, and improve forest health.
- 2) Year 1 will focus on the Acorn project area and subsequent years' project areas and activities will be defined on an annual basis and added to this agreement.

This GNA SPA is being executed in coordination with a participating agreement under the Wyden Amendment. No funds will be transferred as FS will pay for FS crews and CALFIRE will pay for CALFIRE crews. **The GNA allows CALFIRE crews to work on Federal lands, and the Wyden Agreement allows FS crews to work on adjacent State/private lands.**

How to Use GNA

Four templates for GNA agreements have been developed.³ All GNA projects should use the Farm Bill templates—Master Farm Bill Agreement, Supplemental Project Agreement, and Farm Bill Standalone Agreement—except when involving the reconstruction of roads, in which case the Appropriations Act Standalone Agreement template should be used.⁴

Best Practices for Developing Supplemental Project Agreements

- 1) Add state agency authorities/mandate to do the work proposed in the SPA, where the GNA authority is listed.
- 2) Ensure the template language elaborating the relationship between the Master Agreement with CNRA and the SPA with the state agency is present in the introduction.
- 3) Clarify with the state partner on how to document cost share under this authority and conformance to CFRs (no cost share is needed, but it should be documented as appropriate).
- 4) Because the SPA is tied to the Master, signed by CNRA, ensure that the state agency is clear on who signs the SPA on their side. On the FS side, it is the Forest Supervisor. CALFIRE currently has the Assistant Deputy Director for Resource Protection sign.
- 5) Spending of FS SPF or FS Research or other funding not appropriated for FS lands can be spent off FS lands as part of a GNA agreement.

³ <https://www.fs.fed.us/managing-land/farm-bill/gna>

⁴ the authority for this agreement expires September 30, 2018.