



Certification Page Regular and Emergency Rules

Revised July 2019

Emergency Rules *(Complete Sections 1-3 and 5-6)*

Regular Rules

1. General Information

a. Agency/Board Name		
b. Agency/Board Address	c. City	d. Zip Code
e. Name of Agency Liaison	f. Agency Liaison Telephone Number	
g. Agency Liaison Email Address	h. Adoption Date	
i. Program		

2. Legislative Enactment For purposes of this Section 2, "new" only applies to regular (non-emergency) rules promulgated in response to a Wyoming legislative enactment not previously addressed in whole or in part by prior rulemaking and does not include rules adopted in response to a federal mandate.

a. Are these non-emergency or regular rules new as per the above description and the definition of "new" in Chapter 1 of the Rules on Rules?

No. Yes. If the rules are new, please provide the Chapter Numbers and Years Enacted (e.g. 2015 Session Laws Chapter 154):

3. Rule Type and Information For purposes of this Section 3, "New" means an emergency or regular rule that has never been previously created.

a. Provide the Chapter Number, Title* and Proposed Action for Each Chapter. *Please use the "Additional Rule Information" form to identify additional rule chapters.*

Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
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Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed

* If the name of a chapter of rules is changing, please only provide the NEW chapter name on this rules certification form.

4. Public Notice of Intended Rulemaking

a. Notice was mailed 45 days in advance to all persons who made a timely request for advance notice. No. Yes. N/A

b. A public hearing was held on the proposed rules. No. Yes. Please complete the boxes below.

Date:	Time:	City:	Location:

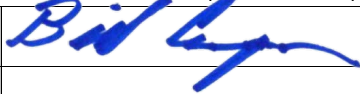
5. Checklist

a. For regular rules, the Statement of Principal Reasons is attached to this Certification and, in compliance with Tri-State Generation and Transmission Association, Inc. v. Environmental Quality Council, 590 P.2d 1324 (Wyo. 1979), includes a brief statement of the substance or terms of the rule and the basis and purpose of the rule

b. For emergency rules, the Memorandum to the Governor documenting the emergency, which requires promulgation of these rules without providing notice or an opportunity for a public hearing, is attached to this Certification.

6. Agency/Board Certification

The undersigned certifies that the foregoing information is correct. By electronically submitting the emergency or regular rules into the Wyoming Administrative Rules System, the undersigned acknowledges that the Registrar of Rules will review the rules as to form and, if approved, the electronic filing system will electronically notify the Governor's Office, Attorney General's Office, and Legislative Service Office of the approval and electronically provide them with a copy of the complete rule packet on the date approved by the Registrar of Rules. The complete rules packet includes this signed certification page; the Statement of Principal Reasons or, if emergency rules, the Memorandum to the Governor documenting the emergency; and a strike and underscore copy and clean copy of each chapter of rules.

Signature of Authorized Individual	
Printed Name of Signatory	
Signatory Title	
Date of Signature	

7. Governor's Certification

I have reviewed these rules and determined that they:

1. Are within the scope of the statutory authority delegated to the adopting agency;
2. Appear to be within the scope of the legislative purpose of the statutory authority; and, if emergency rules,
3. Are necessary and that I concur in the finding that they are an emergency.

Therefore, I approve the same.

Governor's Signature	
Date of Signature	



Wyoming State Forestry Division

Office of State Lands and Investments



*Bill Crapser,
State Forester,
Wyoming State Forestry Division
5500 Bishop Blvd.
Cheyenne, WY 82002*

*Mark Gordon
Governor*

*Jenifer Scoggin
Director*

*Bill Crapser
State Forester*

May 7, 2020

To:
Mark Gordon, Governor

From:
Bill Crapser
State Forester
Wyoming State Forestry Division

Subject: Statement of Reasons, Proposed Rules for Chapter 2

During the 2020 legislative session, members of the House of Representatives introduced House Bill 56, *Good Neighbor Authority Revolving Account*. The bill, as enacted, created a Wyoming state forestry good neighbor authority revolving account; provided for administration of the account; and authorized additional employees. The bill also required the State Forester to adopt rules governing the administration of the account. A copy of the bill is attached.

The federal Good Neighbor Authority (GNA) program was authorized in the 2014 Farm Bill, and revised in the 2018 Farm Bill. The Authority allows states to partner with the United States Forest Service and the Bureau of Land Management to carry out authorized restoration activities on Forest Service and BLM lands utilizing the state's own processes and procedures. Additional details on GNA can be found in the attached fact sheet.

The account created by the HB56 removes a previous barrier to WSFD's implementation of GNA projects. Without the revolving account, WSFD was limited in its ability to collect project and partner funds, and segregate those funds from state funds. The bill also allows the state to hire one FTE and four AWEC employees to implement GNA projects, as long as federal funds can be secured to fund those positions.

The draft rules comply with HB0056 as enacted by 2020 Wyo. Sess. Laws. Ch. 93. These rules are to govern the administration of the Good Neighbor Authority revolving account created by W.S. 36-1-501 through -503 to provide funds and authorization for additional employees and to administer and implement Good Neighbor Authority or other federally funded cooperative management projects.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bill Crapser", with a stylized flourish at the end.

Bill Crapser
State Forester



Wyoming State Forestry Division

A Division of the Office of State Lands and Investments



5500 Bishop Blvd
Cheyenne, WY 82002
Phone: (307) 777-7586
Slf-Forestry@wyo.gov

Mark Gordon
Governor

Bill Crapser
State Forester

July 8, 2020

Subject: Adoption of Rules, Chapter 2, Rules and Regulations of the State Forester

During the 2020 legislative session, members of the House of Representatives introduced House Bill 56, *Good Neighbor Authority Revolving Account*. The bill, as enacted, created a Wyoming state forestry good neighbor authority revolving account; provided for administration of the account; and authorized additional employees. The bill also required the State Forester to adopt rules governing the administration of the account.

In accordance with the State's procedure for adoption of rules, the draft rules were open for public comment from April 8th to July 8th, 2020. No public comments were received. As such, I hereby adopt the proposed Chapter 2, Rules and Regulations of the State Forester, as written.

A handwritten signature in blue ink, appearing to read "Bill Crapser".

Bill Crapser
State Forester

Chapter 2

Good Neighbor Authority Revolving Account

Section 1. Authority. These rules are adopted pursuant to Wyoming Statute 36-1-503.

Section 2. Purpose. These rules are to govern the administration of the GNA Account to provide funds and authorizing additional employees for the administration and implementation of Good Neighbor Authority or other federally funded cooperative management projects.

Section 3. Definitions. As used in this chapter:

(a) “Division” means the Wyoming State Forestry Division of the Office of State Lands and Investments.

(b) “GNA” or “Good Neighbor Authority” means an agreement between the Division and the Bureau of Land Management, the United States Forest Service, or other authorized Federal agencies, to allow the Division to perform authorized watershed restoration and forest management services on National Forest System, Bureau of Land Management, or other authorized Federal lands as specified in project level agreements.

(c) “GNA Account” means the good neighbor authority revolving account created by W.S. 36-1-501 through -503.

(d) “Project Income” means revenue generated by the sale of forest products from GNA projects, minus approved Division expenditures. Project Income may only be utilized as agreed on in specific project agreements, and in accordance with Federal guidelines.

Section 4. Agreements and Contracts. The State Forester may, on behalf of the Division:

(a) Enter into contracts or agreements with federal agencies for GNA projects or other federally-funded forest management projects.

(b) Partner with counties through contracts, subcontracts, or agreements to fund or implement GNA projects or other federally-funded forest management projects.

(c) Enter into contracts or agreements with other partners, such as public utilities, non-governmental organizations, or other entities to fund GNA projects or other federally-funded forest management projects.

(d) Contract for services to be performed on federal lands under GNA agreements.

Section 5. Funding.

(a) Funding for GNA agreements and projects may be received from:

- (i) The United States Forest Service;
 - (ii) The Bureau of Land Management;
 - (iii) Other federal agencies;
 - (iv) Counties, Cities, and towns;
 - (v) Public utilities and utility companies;
 - (vi) Non-governmental organizations; or
 - (vii) Other partners.
- (b) Project level funding will be identified in specific project agreements and financial plans.
- (c) Project Income will be deposited into the GNA Account for use toward future projects as designated in specific project agreements.

Section 6. Expenditures.

- (a) Expenditures from the account will be made as designated in specific project agreements, financial plans, and contracts.
- (b) Expenditures may be made prior to receipt of federal reimbursements when allowed in specific project agreements and contracts.
- (c) The State Forester shall approve in writing all expenditures.

Section 7. Employees.

- (a) As provided in W.S. 36-1-503(b), the State Forester may hire no more than one (1) full-time employee and four (4) at-will employee contract positions to administer and implement GNA projects.
- (b) Employees hired under W.S. 36-1-503(b) must be funded by federal funds. Funding will be identified and designated in specific project agreements.

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