

“(C) the protection of minimum instream flows for environmental and watershed management purposes on National Forest land through purchases or exchanges from willing sellers in accordance with State law;

“(D) the effects of any of the recommendations made under this paragraph on existing State laws, regulations, and customs of water usage; and

“(E) measures that would be useful in avoiding or resolving conflicts between the Forest Service’s responsibilities for natural resource and environmental protection, the public interest, and the property rights and interests of water holders with special use permits for water facilities, including the study of the Federal acquisition of water rights, dispute resolution, mitigation, and compensation.

“(4) FINAL REPORT.—As soon as practicable, but not later than 14 months, after the date of enactment of this Act [Apr. 4, 1996], the Task Force shall provide the final report of the Task Force to—

“(A) the Secretary of Agriculture;

“(B) the Speaker of the House of Representatives;

“(C) the President pro tempore of the Senate;

“(D) the Chairman of the Committee on Agriculture of the House of Representatives;

“(E) the Chairman of the Committee on Agriculture, Nutrition, and Forestry of the Senate;

“(F) the Chairman of the Committee on Resources [now Committee on Natural Resources] of the House of Representatives; and

“(G) the Chairman of the Committee on Energy and Natural Resources of the Senate.

“(5) AUTHORIZATION OF FUNDS.—The Secretary of Agriculture shall use funds made available for salaries and administrative expenses of the Department of Agriculture to carry out this subsection.

“(e) EXTENSION FOR DELAY.—There shall be a day-for-day extension to the 20-month moratorium required by subsection (a) and a day-for-day extension to the report required by subsection (d)(4)—

“(1) for every day of delay in implementing or establishing the Water Rights Task Force caused by a failure to nominate Task Force members by the Administration or by the Congress; or

“(2) for every day of delay caused by a failure by the Secretary of Agriculture to identify adequate resources as determined by the Secretary of Agriculture to carry out the purposes of the Task Force.”

§ 527. Use of Forest Service funds for administration of certain lands

The Forest Service may expend funds available for national forest protection and management for the administration of lands under contract for purchase or for the acquisition of which condemnation proceedings have been instituted under the Act of March 1, 1911, and the Act of June 7, 1924, and lands transferred to the Forest Service for administration.

(Sept. 21, 1944, ch. 412, title II, §211, 58 Stat. 737.)

REFERENCES IN TEXT

Act of March 1, 1911, referred to in text, is act Mar. 1, 1911, ch. 186, 36 Stat. 961, as amended, popularly known as the Weeks Law, which is classified to sections 480, 500, 513 to 519, 521, 552, and 563 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 552 of this title and Tables.

Act of June 7, 1924, referred to in text, is act June 7, 1924, ch. 348, 43 Stat. 653, which is classified to sections 471, 499, 505, 515, 564, 565, 566, 567, 568, 569, and 570 of this title. For complete classification of this Act to the Code, see Tables.

CODIFICATION

This section was enacted as a part of the Department of Agriculture Organic Act of 1944.

§ 528. Development and administration of renewable surface resources for multiple use and sustained yield of products and services; Congressional declaration of policy and purpose

It is the policy of the Congress that the national forests are established and shall be administered for outdoor recreation, range, timber, watershed, and wildlife and fish purposes. The purposes of sections 528 to 531 of this title are declared to be supplemental to, but not in derogation of, the purposes for which the national forests were established as set forth in section 475 of this title. Nothing herein shall be construed as affecting the jurisdiction or responsibilities of the several States with respect to wildlife and fish on the national forests. Nothing herein shall be construed so as to affect the use or administration of the mineral resources of national forest lands or to affect the use or administration of Federal lands not within national forests.

(Pub. L. 86-517, §1, June 12, 1960, 74 Stat. 215.)

SHORT TITLE

Section 5 of Pub. L. 86-517, as added Pub. L. 94-588, §19, Oct. 22, 1976, 90 Stat. 2962, provided that: “This Act [enacting this section and sections 529 to 531 of this title] may be cited as the ‘Multiple-Use Sustained-Yield Act of 1960.’”

PILOT PROGRAM OF CHARGES AND FEES FOR HARVEST OF FOREST BOTANICAL PRODUCTS

Pub. L. 106-113, div. B, §1000(a)(3) [title III, §339], Nov. 29, 1999, 113 Stat. 1535, 1501A-199, as amended by Pub. L. 108-108, title III, §335, Nov. 10, 2003, 117 Stat. 1312; Pub. L. 111-88, div. A, title IV, §420, Oct. 30, 2009, 123 Stat. 2960; Pub. L. 113-76, div. G, title IV, §432, Jan. 17, 2014, 128 Stat. 345; Pub. L. 113-287, §5(d)(11), Dec. 19, 2014, 128 Stat. 3265, provided that:

“(a) DEFINITION OF FOREST BOTANICAL PRODUCT.—For purposes of this section, the term ‘forest botanical product’ means any naturally occurring mushrooms, fungi, flowers, seeds, roots, bark, leaves, and other vegetation (or portion thereof) that grow on National Forest System lands. The term does not include trees, except as provided in regulations issued under this section by the Secretary of Agriculture.

“(b) RECOVERY OF FAIR MARKET VALUE FOR PRODUCTS.—The Secretary of Agriculture shall develop and implement a pilot program to charge and collect fees under subsection (c) for forest botanical products harvested on National Forest System lands. The Secretary shall establish appraisal methods and bidding procedures to determine the fair market value of forest botanical products harvested under the pilot program.

“(c) FEES.—

“(1) IMPOSITION AND COLLECTION.—Under the pilot program, the Secretary of Agriculture shall charge and collect from a person who harvests forest botanical products on National Forest System lands a fee in an amount established by the Secretary to recover at least a portion of the fair market value of the harvested forest botanical products and a portion of the costs incurred by the Department of Agriculture associated with granting, modifying, or monitoring the authorization for harvest of the forest botanical products, including the costs of any environmental or other analysis.

“(2) SECURITY.—The Secretary may require a person assessed a fee under this subsection to provide security to ensure that the Secretary receives the fees imposed under this subsection from the person.

“(d) SUSTAINABLE HARVEST LEVELS FOR FOREST BOTANICAL PRODUCTS.—The Secretary of Agriculture shall