

Pub. L. 106-113, div. B, §1000(a)(3) [title II], Nov. 29, 1999, 113 Stat. 1535, 1501A-176.

Pub. L. 105-277, div. A, §101(e) [title II], Oct. 21, 1998, 112 Stat. 2681-231, 2681-273.

Pub. L. 105-83, title II, Nov. 14, 1997, 111 Stat. 1577.

#### AUTHORIZED INVESTMENTS

Provisions similar to the proviso in this section were contained in the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006, Pub. L. 109-54, title III, Aug. 2, 2005, 119 Stat. 538, and were repeated in provisions of subsequent appropriations acts which are not set out in the Code. Similar provisions also were contained in the following prior appropriations acts:

Pub. L. 108-447, div. E, title II, Dec. 8, 2004, 118 Stat. 3079.

Pub. L. 108-108, title II, Nov. 10, 2003, 117 Stat. 1288.

Pub. L. 108-7, div. F, title II, Feb. 20, 2003, 117 Stat. 256.

#### SUBCHAPTER VI—NATIONAL FOREST SYSTEM TRAILS STEWARDSHIP

##### § 583k. Findings

Congress finds as follows:

(1) The National Forest System features a world-class trail system with over 157,000 miles of trails that provide world-class opportunities for hiking, horseback riding, hunting, mountain bicycling, motorized vehicles, and other outdoor activities.

(2) According to the Government Accountability Office, the Forest Service is only able to maintain about one-quarter of National Forest System trails to the agency standard, and the agency faces a trail maintenance backlog of \$314 million, and an additional backlog of \$210 million in annual maintenance, capital improvements, and operations.

(3) The lack of maintenance on National Forest System trails threatens access to public lands, and may cause increased environmental damage, threaten public safety, and increase future maintenance costs.

(4) Federal budget limitations require solutions to National Forest System trail maintenance issues that make more efficient use of existing resources.

(5) Volunteers, partners, and outfitters and guides play an important role in maintaining National Forest System trails, and a comprehensive strategy is needed to ensure that volunteers and partners are used as effectively as possible.

(Pub. L. 114-245, §2, Nov. 28, 2016, 130 Stat. 990.)

#### SHORT TITLE

Pub. L. 114-245, §1(a), Nov. 28, 2016, 130 Stat. 990, provided that: “This Act [enacting this subchapter and amending section 558c of this title] may be cited as the ‘National Forest System Trails Stewardship Act.’”

##### § 583k-1. Definitions

In this subchapter:

###### (1) Administrative Unit

The term “Administrative Unit” means a national forest or national grassland.

###### (2) Outfitter or guide

The term “outfitter or guide” means an individual, organization, or business who pro-

vides outfitting or guiding services, as defined in section 251.51 of title 36, Code of Federal Regulations.

###### (3) Partner

The term “partner” means a non-Federal entity that engages in a partnership.

###### (4) Partnership

The term “partnership” means arrangements between the Department of Agriculture or the Forest Service and a non-Federal entity that are voluntary, mutually beneficial, and entered into for the purpose of mutually agreed-upon objectives.

###### (5) Priority area

The term “priority area” means a well-defined region on National Forest System land selected by the Secretary under section 583k-3(a) of this title.

###### (6) Secretary

The term “Secretary” means the Secretary of Agriculture.

###### (7) Strategy

The term “strategy” means the National Forest System Trails Volunteer and Partnership Strategy authorized by section 583k-2(a) of this title.

###### (8) Trail maintenance

The term “trail maintenance” means any activity to maintain the usability and sustainability of trails within the National Forest System, including—

- (A) ensuring trails are passable by the users for which they are managed;
- (B) preventing environmental damage resulting from trail deterioration;
- (C) protecting public safety; and
- (D) averting future deferred maintenance costs.

###### (9) Volunteer

The term “volunteer” means an individual whose services are accepted by the Secretary without compensation under the Volunteers in the National Forests Act of 1972 (16 U.S.C. 558a et seq.).

(Pub. L. 114-245, §3, Nov. 28, 2016, 130 Stat. 990.)

#### REFERENCES IN TEXT

The Volunteers in the National Forests Act of 1972, referred to in par. (9), is Pub. L. 92-300, May 18, 1972, 86 Stat. 147, which is classified generally to section 558a et seq. of this title. For complete classification of this Act to the Code, see Short Title note set out under section 558a of this title and Tables.

##### § 583k-2. National Forest System Trails Volunteer and Partnership Strategy

###### (a) In general

Not later than 2 years after November 28, 2016, the Secretary shall publish in the Federal Register a strategy to significantly increase the role of volunteers and partners in trail maintenance.

###### (b) Required elements

The strategy required by subsection (a) shall—

(1) augment and support the capabilities of Federal employees to carry out or contribute to trail maintenance;

(2) provide meaningful opportunities for volunteers and partners to carry out trail maintenance in each region of the Forest Service;

(3) address the barriers to increased volunteerism and partnerships in trail maintenance identified by volunteers, partners, and others;

(4) prioritize increased volunteerism and partnerships in trail maintenance in those regions with the most severe trail maintenance needs, and where trail maintenance backlogs are jeopardizing access to National Forest lands; and

(5) aim to increase trail maintenance by volunteers and partners by 100 percent by the date that is 5 years after November 28, 2016.

**(c) Additional requirement**

As a component of the strategy, the Secretary shall study opportunities to improve trail maintenance by addressing opportunities to use fire crews in trail maintenance activities in a manner that does not jeopardize firefighting capabilities, public safety, or resource protection. Upon a determination that trail maintenance would be advanced by use of fire crews in trail maintenance, the Secretary shall incorporate these proposals into the strategy, subject to such terms and conditions as the Secretary determines to be necessary.

**(d) Volunteer liability**

**(1) Omitted**

**(2) Additional requirement**

Not later than 2 years after November 28, 2016, the Secretary shall adopt regulations implementing this section. These regulations shall ensure that the financial risk from claims or liability associated with volunteers undertaking trail maintenance is shared by all administrative units.

**(e) Consultation**

The Secretary shall develop the strategy in consultation with volunteer and partner trail maintenance organizations, a broad array of outdoor recreation stakeholders, and other relevant stakeholders.

**(f) Volunteer and partnership coordination**

The Secretary shall require each administrative unit to develop a volunteer and partner coordination implementation plan for the strategy which clearly defines roles and responsibilities for the administrative unit and district staff, and includes strategies to ensure sufficient coordination, assistance, and support for volunteers and partners to improve trail maintenance.

**(g) Report**

**(1) Contents**

The Secretary shall prepare a report on—

(A) the effectiveness of the strategy in addressing the trail maintenance backlog;

(B) the increase in volunteerism and partnership efforts on trail maintenance as a result of the strategy;

(C) the miles of National Forest System trails maintained by volunteers and partners, and the approximate value of the volunteer and partnership efforts;

(D) the status of the stewardship credits for outfitters and guides pilot program described in section 583k-5 of this title that includes the number of participating sites, total amount of the credits offered, estimated value of trail maintenance performed, and suggestions for revising the program; and

(E) recommendations for further increasing volunteerism and partnerships in trail maintenance.

**(2) Submission**

Not later than 3 years after November 28, 2016, the Secretary shall submit the report required by paragraph (1) to—

(A) the Committee on Agriculture, Nutrition, and Forestry and the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Agriculture and the Committee on Natural Resources of the House of Representatives.

(Pub. L. 114-245, §4, Nov. 28, 2016, 130 Stat. 991.)

CODIFICATION

Section is comprised of section 4 of Pub. L. 114-245. Subsec. (d)(1) of section 4 of Pub. L. 114-245 amended section 583c of this title.

**§ 583k-3. Priority trail maintenance program**

**(a) Selection**

In accordance with subsections (b) and (c), not later than 6 months after November 28, 2016, the Secretary of Agriculture shall select no fewer than 9 and no more than 15 priority areas for increased trail maintenance accomplishments.

**(b) Criteria**

Priority areas shall include a well-defined region on National Forest System land where the lack of trail maintenance has—

(1) reduced access to public land;

(2) led to an increase, or risk of increase, in harm to natural resources;

(3) jeopardized public safety;

(4) resulted in trails being impassible by the intended managed users; or

(5) increased future deferred trail maintenance costs.

**(c) Requirements**

In selecting priority areas, the Secretary shall—

(1) consider any public input on priority areas received within 3 months of November 28, 2016;

(2) consider the range of trail users (including motorized and non-motorized trail users); and

(3) include at least one priority area in each region of the United States Forest Service.

**(d) Increased trail maintenance**

**(1) In general**

Within 6 months of the selection of priority areas under subsection (a), and in accordance with paragraph (2), the Secretary shall develop an approach to substantially increase trail maintenance accomplishments within each priority area.