

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 provides 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 co-

ordination 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 558c 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.

(2) Contents

In developing the approach under paragraph (1), the Secretary shall—

(A) consider any public input on trail maintenance priorities and needs within any priority area;

(B) consider the costs and benefits of increased trail maintenance within each priority area; and

(C) incorporate partners and volunteers in the trail maintenance.

(3) Required trail maintenance

Utilizing the approach developed under paragraph (1), the Secretary shall substantially increase trail maintenance within each priority area.

(e) Coordination

The regional volunteer and partnership coordinators may be responsible for assisting partner organizations in developing and implementing volunteer and partnership projects to increase trail maintenance within priority areas.

(f) Revision

The Secretary shall periodically review the priority areas to determine whether revisions are necessary and may revise the priority areas, including the selection of new priority areas or removal of existing priority areas, at his sole discretion.

(Pub. L. 114-245, § 5, Nov. 28, 2016, 130 Stat. 993.)

§ 583k-4. Cooperative agreements

(a) In general

The Secretary may enter into a cooperative agreement with any State, tribal, local governmental, and private entity to carry out this subchapter.

(b) Contents

Cooperative agreements authorized under this section may—

- (1) improve trail maintenance in a priority area;
- (2) implement the strategy; or
- (3) advance trail maintenance in a manner deemed appropriate by the Secretary.

(Pub. L. 114-245, § 6, Nov. 28, 2016, 130 Stat. 994.)

§ 583k-5. Stewardship credits for outfitters and guides

(a) Pilot program

Within 1 year after November 28, 2016, in accordance with this section, the Secretary shall