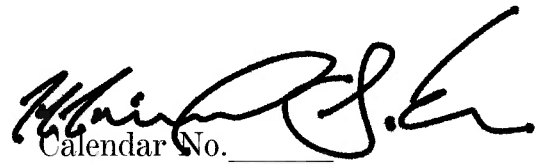


AMENDMENT NO. _____


 Calendar No. _____

Purpose: To modify the Forest Service Legacy Road and

IN THE

AMENDMENT N^o 2517

ess.

By

To:

To a

pr

Ref

 7
Page(s)

GPO: 2020 42-568 (mac)

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. LEE to the
 amendment (No. 2137) proposed by Ms. SINEMA (for
 herself and Mr. PORTMAN)

Viz:

- 1 Strike section 40801 of division D and insert the fol-
- 2 lowing:
- 3 **SEC. 40801. FOREST SERVICE LEGACY ROAD AND TRAIL RE-**
- 4 **MEDIATION PROGRAM.**
- 5 (a) ESTABLISHMENT.—Public Law 88–657 (16
- 6 U.S.C. 532 et seq.) (commonly known as the “Forest
- 7 Roads and Trails Act”) is amended by adding at the end
- 8 the following:

1 **“SEC. 8. FOREST SERVICE LEGACY ROAD AND TRAIL REME-**
2 **DIATION PROGRAM.**

3 “(a) ESTABLISHMENT.—The Secretary shall estab-
4 lish the Forest Service Legacy Road and Trail Remedi-
5 ation Program (referred to in this section as the ‘Pro-
6 gram’).

7 “(b) ACTIVITIES.—In carrying out the Program, the
8 Secretary shall, taking into account foreseeable changes
9 in weather and hydrology—

10 “(1) restore passages for fish and other aquatic
11 species by—

12 “(A) improving, repairing, or replacing cul-
13 verts and other infrastructure; and

14 “(B) removing barriers, as the Secretary
15 determines appropriate, from the passages;

16 “(2) prepare previously closed National Forest
17 System roads for long-term storage, in accordance
18 with subsections (c)(1) and (d), in a manner that—

19 “(A) prevents motor vehicle use, as appro-
20 priate to conform to route designations;

21 “(B) prevents the roads from damaging
22 adjacent resources, including aquatic and wild-
23 life resources;

24 “(C) reduces or eliminates the need for
25 road maintenance; and

26 “(D) preserves the roads for future use;

1 “(3) decommission previously closed National
2 Forest System roads and trails in accordance with
3 subsections (c)(1) and (d);

4 “(4) relocate National Forest System roads and
5 trails—

6 “(A) to increase resilience to extreme
7 weather events, flooding, and other natural dis-
8 asters; and

9 “(B) to respond to changing resource con-
10 ditions and public input;

11 “(5) convert National Forest System roads to
12 National Forest System trails, while allowing for
13 continued use for motorized and nonmotorized recre-
14 ation, to the extent the use is compatible with the
15 management status of the road or trail;

16 “(6) decommission temporary roads—

17 “(A) that were constructed before the date
18 of enactment of this section—

19 “(i) for emergency operations; or

20 “(ii) to facilitate a resource extraction
21 project;

22 “(B) that were designated as a temporary
23 road by the Secretary; and

24 “(C)(i) in violation of section 10(b) of the
25 Forest and Rangeland Renewable Resources

1 Planning Act of 1974 (16 U.S.C. 1608(b)), on
2 which vegetation cover has not been reestab-
3 lished; or

4 “(ii) that have not been fully decommis-
5 sioned; and

6 “(7) carry out projects on National Forest Sys-
7 tem roads, trails, and bridges to improve resilience
8 to extreme weather events, flooding, or other natural
9 disasters.

10 “(c) PROJECT SELECTION.—

11 “(1) PROJECT ELIGIBILITY.—

12 “(A) IN GENERAL.—The Secretary may
13 only fund under the Program a project de-
14 scribed in paragraph (2) or (3) of subsection
15 (b) if the Secretary previously and separately—

16 “(i) solicited public comment for
17 changing the management status of the
18 applicable National Forest System road or
19 trail—

20 “(I) to close the road or trail to
21 access; and

22 “(II) to minimize impacts to nat-
23 ural resources; and

24 “(ii) has closed the road or trail to ac-
25 cess as described in clause (i)(I).

1 “(B) REQUIREMENT.—Each project car-
2 ried out under the Program shall be on a Na-
3 tional Forest System road or trail, except with
4 respect to a project carried out on a watershed
5 for which the Secretary has entered into a coop-
6 erative agreement under section 323 of the De-
7 partment of the Interior and Related Agencies
8 Appropriations Act, 1999 (16 U.S.C. 1011a).

9 “(2) ANNUAL SELECTION OF PROJECTS FOR
10 FUNDING.—The Secretary shall—

11 “(A) establish a process for annually se-
12 lecting projects for funding under the Program,
13 consistent with the requirements of this section;

14 “(B) solicit and consider public input re-
15 gionally in the ranking of projects for funding
16 under the Program;

17 “(C) give priority for funding under the
18 Program to projects that would—

19 “(i) protect or improve water quality
20 in public drinking water source areas;

21 “(ii) restore the habitat of a threat-
22 ened, endangered, or sensitive fish or wild-
23 life species; or

1 “(iii) maintain future access to the
2 adjacent area for the public, contractors,
3 permittees, or firefighters; and

4 “(D) publish on the website of the Forest
5 Service—

6 “(i) the selection process established
7 under subparagraph (A); and

8 “(ii) a list that includes a description
9 and the proposed outcome of each project
10 funded under the Program in each fiscal
11 year.

12 “(d) IMPLEMENTATION.—In implementing the Pro-
13 gram, the Secretary shall ensure that—

14 “(1) the system of roads and trails on the ap-
15 plicable unit of the National Forest System—

16 “(A) is adequate to meet any increasing
17 demands for timber, recreation, and other uses;

18 “(B) provides for intensive use, protection,
19 development, and management of the land
20 under principles of multiple use and sustained
21 yield of products and services;

22 “(C) does not damage, degrade, or impair
23 adjacent resources, including aquatic and wild-
24 life resources, to the extent practicable;

1 “(D) reflects long-term funding expecta-
2 tions; and

3 “(E) is adequate for supporting emergency
4 operations, such as evacuation routes during
5 wildfires, floods, and other natural disasters;
6 and

7 “(2) all projects funded under the Program are
8 consistent with any applicable forest plan or travel
9 management plan.

10 “(e) SAVINGS CLAUSE.—A decision to fund a project
11 under the Program shall not affect any determination
12 made previously or to be made in the future by the Sec-
13 retary with regard to road or trail closures.”.

14 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
15 authorized to be appropriated to the Secretary of Agri-
16 culture to carry out section 8 of Public Law 88–657 (com-
17 monly known as the “Forest Roads and Trails Act”)
18 \$250,000,000 for the period of fiscal years 2022 through
19 2026.