

117TH CONGRESS  
1ST SESSION

# H. R. 2816

To provide for the Forest Service Legacy Roads and Trails Remediation Program.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 22, 2021

Ms. SCHRIER (for herself, Mr. SIMPSON, Mr. KILMER, Mr. NEGUSE, and Ms. NORTON) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To provide for the Forest Service Legacy Roads and Trails Remediation Program.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Legacy Roads and  
5 Trails Act”.

1 **SEC. 2. FOREST SERVICE LEGACY ROADS AND TRAILS RE-**  
2 **MEDIATION PROGRAM.**

3 Public Law 88–657 (16 U.S.C. 532 et seq.) (com-  
4 monly known as the “Forest Roads and Trails Act”) is  
5 amended by adding at the end the following:

6 **“SEC. 8. FOREST SERVICE LEGACY ROADS AND TRAILS RE-**  
7 **MEDIATION PROGRAM.**

8 “(a) ESTABLISHMENT.—The Secretary shall estab-  
9 lish the Forest Service Legacy Roads and Trails Remedi-  
10 ation Program (referred to in this section as ‘the Pro-  
11 gram’).

12 “(b) ADMINISTRATION.—The Program shall be ad-  
13 ministered by the Secretary, acting through the Chief of  
14 the Forest Service.

15 “(c) ACTIVITIES.—In carrying out the Program, the  
16 Secretary shall, taking into account predicted changes in  
17 weather and hydrology related to global climate change—

18 “(1) carry out storm damage risk reduction, in-  
19 cluding deferred maintenance, repairs, road and trail  
20 relocation, and associated activities on National For-  
21 est System roads, National Forest System trails,  
22 and tunnels and bridges under the jurisdiction of the  
23 Forest Service;

24 “(2) restore waterways and natural migration  
25 for fish and other aquatic species by removing, re-

1 pairing, or replacing culverts or other infrastructure  
2 from such waterways; and

3 “(3) decommission National Forest System  
4 roads and unauthorized roads and trails under Na-  
5 tional Forest System jurisdiction in accordance with  
6 subsections (f) and (g).

7 “(d) PRIORITY.—In implementing the Program, the  
8 Secretary shall give priority to projects that protect or re-  
9 store—

10 “(1) water quality and watershed function;

11 “(2) a watershed that supplies a public drinking  
12 water system;

13 “(3) the habitat of a threatened, endangered, or  
14 sensitive fish or wildlife species, or species of con-  
15 servation concern; or

16 “(4) a watershed for which the Secretary has  
17 completed a watershed protection and restoration ac-  
18 tion plan pursuant to section 304 of the Healthy  
19 Forests Restoration Act (16 U.S.C. 6543).

20 “(e) NATIONAL FOREST SYSTEM.—Except with re-  
21 spect to a project carried out on a watershed for which  
22 the Secretary has a cooperative agreement under section  
23 323 of the Department of the Interior and Related Agen-  
24 cies Appropriations Act, 1999 (16 U.S.C. 1011a), each  
25 project carried out under this section shall be on a Na-

1 tional Forest System road, National Forest System trail,  
2 or unauthorized roads and trails under National Forest  
3 System jurisdiction.

4 “(f) IDENTIFICATION OF MINIMUM ROAD SYS-  
5 TEMS.—Not later than 4 years after the date of the enact-  
6 ment of this section, the Secretary shall identify at the  
7 scale of a National Forest System unit or greater, the  
8 minimum road system and unneeded roads in accordance  
9 with section 212.5(b) of title 36, Code of Federal Regula-  
10 tions (as in effect on the date of enactment of this sec-  
11 tion).

12 “(g) UNNEEDED NATIONAL FOREST SYSTEM  
13 ROADS.—As soon as practicable after identifying a road  
14 as unneeded under subsection (f), the Secretary shall—

15 “(1) decommission such road; or

16 “(2) convert such road to a system trail.

17 “(h) REVIEW; REVISION.—The Secretary shall re-  
18 view, and may revise, an identification made under sub-  
19 section (f) in accordance with part 212, subpart A of title  
20 36 Code of Federal Regulations (as in effect on the date  
21 of enactment of this section).

22 “(i) AUTHORIZATION OF APPROPRIATIONS.—There is  
23 authorized to be appropriated to carry out this section

1 \$100,000,000 for each of fiscal years 2020 through  
2 2030.”.

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