

115TH CONGRESS
1ST SESSION

S. 1633

To promote innovative approaches to outdoor recreation on Federal land and to open up opportunities for collaboration with non-Federal partners, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 26, 2017

Mr. WYDEN introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To promote innovative approaches to outdoor recreation on Federal land and to open up opportunities for collaboration with non-Federal partners, and for other purposes.

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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Recreation Not Red-Tape Act”.

6 (b) TABLE OF CONTENTS.—The table of contents of
7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

Sec. 3. Sense of Congress regarding outdoor recreation.

TITLE I—MODERNIZING RECREATION PERMITTING

- Sec. 101. Special recreation permitting.
 Sec. 102. Availability of Federal and State recreation passes.
 Sec. 103. Online purchases of National Parks and Federal Recreational Lands Pass.

TITLE II—ACCESSING THE OUTDOORS

- Sec. 201. Access for servicemembers and veterans.

TITLE III—MAKING RECREATION A PRIORITY

- Sec. 301. Extension of seasonal recreation opportunities.
 Sec. 302. Recreation performance metrics.
 Sec. 303. Recreation mission.
 Sec. 304. Ski area fee retention.
 Sec. 305. National Recreation Area System.

TITLE IV—MAINTENANCE OF PUBLIC LAND

Subtitle A—Volunteers

- Sec. 401. Private-sector volunteer enhancement program.

Subtitle B—Priority Trail Maintenance

- Sec. 411. Interagency trail management.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) FEDERAL LAND MANAGEMENT AGENCY.—

4 The term “Federal land management agency” has
 5 the meaning given the term in section 802 of the
 6 Federal Lands Recreation Enhancement Act (16
 7 U.S.C. 6801).

8 (2) FEDERAL RECREATIONAL LAND AND

9 WATER.—The term “Federal recreational land and
 10 water” has the meaning given the term “Federal
 11 recreational lands and waters” in section 802 of the
 12 Federal Lands Recreation Enhancement Act (16
 13 U.S.C. 6801).

1 (3) SECRETARIES.—Except as otherwise pro-
2 vided in this Act, the term “Secretaries” means—

3 (A) the Secretary of the Interior; and

4 (B) the Secretary of Agriculture.

5 **SEC. 3. SENSE OF CONGRESS REGARDING OUTDOOR**
6 **RECREATION.**

7 It is the sense of Congress that—

8 (1) outdoor recreation and the
9 \$887,000,000,000 outdoor industry that outdoor
10 recreation supports are vital to the United States;

11 (2) access to outdoor recreation on land and
12 waters of the United States is important to the
13 health and wellness of all people of the United
14 States, especially young people;

15 (3) \$524,800,000,000 of the amount described
16 in paragraph (1) contributes to the travel and tour-
17 ism industry of the United States, which generates
18 over \$2,000,000,000,000 in annual spending;

19 (4) outdoor recreation (including hunting, fish-
20 ing, and boating) are appropriate uses of public
21 land;

22 (5) access to healthy public land and water is
23 critical to supporting the uses described in para-
24 graph (4);

1 (6) Congress supports the creation of outdoor
2 recreation sector leadership positions within the eco-
3 nomic development offices of States or in the office
4 of the Governor, as well as coordination with recre-
5 ation and tourism organizations within the State to
6 guide the growth of this sector, as evidenced by re-
7 cent examples in the States of Colorado, Utah, and
8 Washington;

9 (7) State and local recreation and tourism of-
10 fices play a pivotal role in—

11 (A) coordinating State outdoor recreation
12 policies, management, and promotion among
13 Federal, State, and local agencies and entities;

14 (B) disseminating information, increasing
15 awareness, and growing demand for outdoor
16 recreation experiences among visitors across the
17 United States and throughout the world;

18 (C) improving funding for, access to, and
19 participation in outdoor recreation; and

20 (D) promoting economic development in
21 the State by coordinating with stakeholders, im-
22 proving recreational opportunities, and recruit-
23 ing outdoor recreation businesses;

24 (8) Congress supports the coordination and col-
25 laboration of the Federal and State land and water

management agencies in the delivery of visitor services and management of outdoor recreation for the United States; and

(9) Congress recognizes—

(A) the growing role that recreation has on public land and water;

(B) the need to provide adequate staffing within Federal land management agencies to facilitate sustainable and accessible outdoor recreation opportunities; and

(C) the important role that volunteers and volunteer partnerships play in maintaining public land.

TITLE I—MODERNIZING RECREATION PERMITTING

SEC. 101. SPECIAL RECREATION PERMITTING.

Section 803(h) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6802(h)) is amended—

(1) by striking “The Secretary” and inserting the following:

“(1) IN GENERAL.—The Secretary”; and

(2) by adding at the end the following:

“(2) OUTFITTERS AND GUIDES.—

“(A) DEFINITIONS.—In this paragraph:

1 “(i) ASSOCIATED AGENCY.—The term
2 ‘associated agency’ means any agency that
3 manages the land or water on which a mi-
4 nority portion of the trip or activity that is
5 the subject of a special recreation permit
6 will take place.

7 “(ii) LEAD AGENCY.—The term ‘lead
8 agency’ means the agency that manages
9 the land or water on which the majority of
10 the trip or activity that is the subject of
11 the special recreation permit will take
12 place.

13 “(B) OUTFITTER AND GUIDE PERMITS.—
14 In issuing special recreation permits or charg-
15 ing special recreation permit fees in connection
16 with the issuance of permits under paragraph
17 (1) with respect to outfitters and guides, within
18 a reasonable time after the date of enactment
19 of the Recreation Not Red-Tape Act, the Direc-
20 tor of the Bureau of Land Management and the
21 Chief of the Forest Service shall, in consulta-
22 tion with the public, including stakeholder
23 groups that represent the interests of organiza-
24 tions that facilitate outdoor access—

1 “(i) review permit application forms
 2 and revise if needed to improve efficiency
 3 and ensure the paperwork is concise and
 4 understandable to the general public;

5 “(ii) review the process for the
 6 issuance and renewal of outfitter and guide
 7 special recreation permits and use existing
 8 authorities to streamline permit processes
 9 if applicable;

10 “(iii) coordinate between agencies to
 11 develop consistent submission deadlines for
 12 activities that cross jurisdictional bound-
 13 aries;

14 “(iv) shorten application processing
 15 times and minimize application and admin-
 16 istration costs; and

17 “(v) create outreach materials and
 18 make the materials available online and in
 19 print to help outfitters and guides navigate
 20 the permitting process.

21 “(C) PERMITS FOR CROSS-JURISDICTIONAL
 22 TRIPS.—

23 “(i) IN GENERAL.—In the case of an
 24 activity or trip requiring a permit issued
 25 under the subsection for use of land man-

1 aged by the Forest Service and the Bureau
2 of Land Management that will cross juris-
3 dictional boundaries, the Secretaries shall
4 issue a joint permit based on a single ap-
5 plication to both agencies if the issuance of
6 a joint permit based on a single application
7 will lower the processing and other admin-
8 istrative costs for the permittee, unless the
9 permit applicant opts to apply for separate
10 permits rather than a joint permit.

11 “(ii) PERMIT APPLICATION.—The per-
12 mit application required under clause (i)
13 shall be—

14 “(I) the application required by
15 the lead agency; and

16 “(II) submitted to the lead agen-
17 cy.

18 “(iii) REQUIREMENTS OF LEAD AGEN-
19 CY.—The lead agency for a permit issued
20 under clause (i) shall—

21 “(I) coordinate, consistent with
22 the authority of the Secretaries under
23 section 330 of the Department of the
24 Interior and Related Agencies Appro-
25 priations Act, 2001 (43 U.S.C. 1703),

1 to develop, in consultation with the
 2 public (including stakeholder groups
 3 that represent the interests of organi-
 4 zations that facilitate outdoor access),
 5 a process for issuing 1 joint permit
 6 that covers the entirety of the trip;

7 “(II) in processing the joint per-
 8 mit application, consider the findings,
 9 requirements, interests, and needs of
 10 the lead agency and any associated
 11 agencies; and

12 “(III) coordinate with the associ-
 13 ated agencies to develop a method for
 14 cost sharing.

15 “(D) REASONABLE TIMEFRAME.—The
 16 Secretaries shall complete the permitting proc-
 17 ess under this paragraph within a reasonable
 18 timeframe.

19 “(E) ONLINE AVAILABILITY.—To the max-
 20 imum extent practicable, where feasible and ef-
 21 ficient, the Secretaries shall make available—

22 “(i) all special recreation permit appli-
 23 cations, to be filled out and submitted on-
 24 line; and

25 “(ii) online information regarding—

1 “(I) the application process; and
2 “(II) the means by which an ap-
3 plicant can contact the Secretaries for
4 guidance on the permit process before
5 submitting a permit application.”.

6 **SEC. 102. AVAILABILITY OF FEDERAL AND STATE RECRE-**
7 **ATION PASSES.**

8 (a) IN GENERAL.—The Federal Lands Recreation
9 Enhancement Act is amended by inserting after section
10 805 (16 U.S.C. 6804) the following:

11 **“SEC. 805A. AVAILABILITY OF FEDERAL AND STATE RECRE-**
12 **ATION PASSES.**

13 “(a) ESTABLISHMENT OF PROGRAM.—

14 “(1) IN GENERAL.—To improve the procure-
15 ment of Federal and State outdoor recreation
16 passes, the Secretaries are encouraged to consult
17 with States to coordinate the availability of Federal
18 and State recreation passes in a way that allows a
19 purchaser to buy a Federal recreation pass and a
20 State recreation pass at Federal and State facilities
21 in the same transaction.

22 “(2) INCLUDED PASSES.—Passes covered by
23 the program established under paragraph (1) in-
24 clude—

1 “(A) a National Parks and Federal Rec-
2 reational Lands Pass under section 805; and

3 “(B) a pass that shall cover any fees
4 charged by participating States and localities
5 for entrance and recreational use of parks and
6 public land in the participating States.

7 “(b) AGREEMENTS WITH STATES.—

8 “(1) IN GENERAL.—The Secretaries, after con-
9 sultation with the States, may enter into agreements
10 with States to coordinate the availability of passes
11 as described in subsection (a)(1).

12 “(2) REVENUE FROM PASS SALES.—The agree-
13 ments between the Secretaries and the States shall
14 ensure that—

15 “(A) funds from the sale of State passes
16 are transferred to the appropriate State agency;

17 “(B) funds from the sale of Federal passes
18 are transferred to the appropriate Federal
19 agency; and

20 “(C) fund transfers are completed by the
21 end of a fiscal year for all pass sales occurring
22 during the fiscal year.

23 “(3) NOTICE.—In entering into an agreement
24 under paragraph (1), the Secretaries shall publish in

1 the Federal Register a notice describing the agree-
 2 ment.”.

3 (b) CONFORMING AMENDMENT.—Section 805(a)(9)
 4 of the Federal Lands Recreation Enhancement Act (16
 5 U.S.C. 6804(a)(9)) is amended by inserting “and section
 6 805A” before the period at the end.

7 **SEC. 103. ONLINE PURCHASES OF NATIONAL PARKS AND**
 8 **FEDERAL RECREATIONAL LANDS PASS.**

9 (a) IN GENERAL.—Section 805(a)(6) of the Federal
 10 Lands Recreation Enhancement Act (16 U.S.C.
 11 6804(a)(6)) is amended by striking subparagraph (A) and
 12 inserting the following:

13 “(A) IN GENERAL.—The Secretaries shall
 14 sell the National Parks and Federal Rec-
 15 reational Lands Pass—

16 “(i) at all Federal recreational lands
 17 and waters at which an entrance fee or a
 18 standard amenity recreation fee is charged;

19 “(ii) at such other locations as the
 20 Secretaries consider appropriate and fea-
 21 sible; and

22 “(iii) through the website of each of
 23 the Federal land management agencies and
 24 the websites of the relevant units and
 25 subunits of those agencies, with—

1 “(I) a prominent link on each
2 website; and

3 “(II) information about where
4 and when passes are needed.”.

5 (b) ENTRANCE PASS AND AMENITY FEES.—The Sec-
6 retaries shall make available for purchase or payment on-
7 line, if appropriate and feasible, for each unit where passes
8 and fees are required—

9 (1) all entrance fees under section 803(e) of the
10 Federal Lands Recreation Enhancement Act (16
11 U.S.C. 6802(e));

12 (2) all standard amenity recreation fees under
13 section 803(f) of that Act (16 U.S.C. 6802(f)); and

14 (3) all expanded amenity recreation fees under
15 section 803(g) of that Act (16 U.S.C. 6802(g)).

16 **TITLE II—ACCESSING THE** 17 **OUTDOORS**

18 **SEC. 201. ACCESS FOR SERVICEMEMBERS AND VETERANS.**

19 (a) IN GENERAL.—The Secretaries are encouraged to
20 work with the Secretary of Defense and the Secretary of
21 Veterans Affairs on ways to ensure servicemembers and
22 veterans have access to outdoor recreation and to outdoor-
23 related volunteer and wellness programs as a part of the
24 basic services provided to servicemembers and veterans.

1 (b) INCLUSION OF INFORMATION.—Each branch of
2 the Armed Forces is encouraged to include information
3 regarding outdoor recreation and outdoors-based careers
4 in the materials and counseling services focused on resil-
5 ience and career readiness provided in transition pro-
6 grams, including—

7 (1) the benefits of outdoor recreation for phys-
8 ical and mental health;

9 (2) resources to access guided outdoor trips and
10 other outdoor programs connected to the local office
11 of the Department of Veterans Affairs; and

12 (3) information regarding programs and jobs
13 focused on continuing national service such as the
14 Public Land Corps of the National Park Service,
15 AmeriCorps, or a conservation corps program.

16 (c) OUTDOOR RECREATION PROGRAM ATTEND-
17 ANCE.—Each branch of the Armed Forces is encouraged
18 to permit members of the Armed Forces on active duty
19 status, at the discretion of the commander of the member,
20 to use not more than 7 days of a permissive temporary
21 duty assignment or terminal leave allotted to the member
22 to participate in a program related to environmental stew-
23 ardship or guided outdoor recreation following deploy-
24 ment.

1 (d) VETERAN HIRING.—The Secretaries are strongly
2 encouraged to hire veterans in all positions related to the
3 management of Federal land.

4 **TITLE III—MAKING RECREATION**
5 **A PRIORITY**

6 **SEC. 301. EXTENSION OF SEASONAL RECREATION OPPOR-**
7 **TUNITIES.**

8 (a) IN GENERAL.—The relevant unit managers of
9 land managed by the Forest Service, the Bureau of Land
10 Management, and the National Park Service, through the
11 respective land management planning processes of those
12 agencies, may—

13 (1) identify areas of Federal recreational land
14 and water in which recreation use is highly seasonal;

15 (2) where appropriate, develop a management
16 plan for extending the recreation season or increas-
17 ing recreation use in a sustainable manner during
18 the offseason; and

19 (3) make information about extended season
20 schedules and related recreational opportunities
21 available to the public and local communities.

22 (b) INCLUSIONS.—The management plan developed
23 under subsection (a)(2) may include—

24 (1) the addition of facilities that would increase
25 recreation use during the offseason; and

1 (2) improvement of access to the area to extend
2 the season.

3 (c) REQUIREMENT.—The management plan devel-
4 oped under subsection (a)(2) shall be compatible with all
5 applicable Federal laws, regulations, and policies, includ-
6 ing land use plans.

7 **SEC. 302. RECREATION PERFORMANCE METRICS.**

8 (a) IN GENERAL.—The Chief of the Forest Service
9 and the Director of the Bureau of Land Management shall
10 evaluate land managers under their jurisdiction based on
11 the achievement of applicable agency recreational and
12 tourism goals as described in applicable land management
13 plans.

14 (b) METRICS.—

15 (1) IN GENERAL.—The metrics used to evaluate
16 recreation and tourism outcomes shall ensure—

17 (A) the advancement of recreation and
18 tourism goals; and

19 (B) the ability of the land manager to en-
20 hance the outdoor experience of the visitor.

21 (2) INCLUSIONS.—The metrics referred to para-
22 graph (1) may include, to the maximum extent prac-
23 ticable—

24 (A) the quality of visitor experience;

25 (B) the number of first-time visitors;

1 (C) the number of repeat visitors;

2 (D) the number of school and youth
3 groups that visited;

4 (E) the number of available recreational
5 opportunities;

6 (F) the number of recreational and envi-
7 ronmental educational programs offered and the
8 success of those programs;

9 (G) visitor satisfaction; and

10 (H) the maintenance and expansion of ex-
11 isting recreation infrastructure.

12 **SEC. 303. RECREATION MISSION.**

13 (a) DEFINITION OF FEDERAL AGENCY.—In this sec-
14 tion, the term “Federal agency” means each of—

15 (1) the Corps of Engineers;

16 (2) the Bureau of Reclamation;

17 (3) the Federal Energy Regulatory Commission;

18 and

19 (4) the Department of Transportation.

20 (b) MISSION.—With respect to the mission of the
21 Federal agency, each Federal agency shall consider how
22 land and water management decisions can enhance recre-
23 ation opportunities and the recreation economy.

1 **SEC. 304. SKI AREA FEE RETENTION.**

2 (a) IN GENERAL.—Section 701 of division I of the
3 Omnibus Parks and Public Lands Management Act of
4 1996 (16 U.S.C. 497c) is amended by adding at the end
5 the following:

6 “(k) SKI AREA FEE RETENTION ACCOUNT.—

7 “(1) DEFINITIONS.—In this subsection:

8 “(A) ACCOUNT.—The term ‘Account’
9 means the Ski Area Fee Retention Account es-
10 tablished under paragraph (2).

11 “(B) COVERED UNIT.—The term ‘covered
12 unit’ means an administrative unit of the Na-
13 tional Forest System subject to a rental charge
14 under this section.

15 “(C) RENTAL CHARGE.—The term ‘rental
16 charge’ means a permit rental charge that is
17 charged under subsection (a).

18 “(D) SECRETARY.—The term ‘Secretary’
19 means the Secretary of Agriculture.

20 “(2) ESTABLISHMENT.—The Secretary of the
21 Treasury shall establish in the Treasury a special
22 account, to be known as the ‘Ski Area Fee Retention
23 Account’, into which there shall be deposited—

24 “(A) in the case of a covered unit at which
25 not less than \$15,000,000 is collected by the
26 covered unit from rental charges in a fiscal

1 year, an amount equal to 50 percent of the
2 rental charges collected at the covered unit in
3 the fiscal year; or

4 “(B) in the case of any other covered unit,
5 an amount equal to 65 percent of the rental
6 charges collected at the covered unit in a fiscal
7 year.

8 “(3) AVAILABILITY.—Subject to paragraphs
9 (4), (5), and (6), any amounts deposited in the Ac-
10 count under paragraph (2) shall remain available for
11 expenditure, without further appropriation, until ex-
12 pended.

13 “(4) LOCAL DISTRIBUTION OF AMOUNTS IN
14 THE ACCOUNT.—

15 “(A) IN GENERAL.—Except as provided in
16 subparagraph (B), 100 percent of the amounts
17 deposited in the Account from a specific covered
18 unit shall remain available for expenditure at
19 the covered unit at which the rental charges
20 were collected.

21 “(B) REDUCTION.—

22 “(i) IN GENERAL.—Subject to clause
23 (ii), the Secretary may reduce the percent-
24 age of amounts available to a covered unit
25 under subparagraph (A) if the Secretary

determines that the rental charges collected at the covered unit exceed the reasonable needs of the covered unit for that fiscal year for authorized expenditures described in paragraph (5)(A).

“(ii) LIMITATION.—The Secretary may not reduce the percentage of amounts available under clause (i)—

“(I) in the case of a covered unit described in paragraph (2)(A), to less than 35 percent of the amount of rental charges deposited in the Account from the covered unit in a fiscal year; or

“(II) in the case of any other covered unit, to less than 50 percent of the amount of rental charges deposited in the Account from the covered unit in a fiscal year.

“(C) TRANSFER TO OTHER COVERED UNITS.—

“(i) DISTRIBUTION.—If the Secretary determines that the percentage of amounts otherwise available to a covered unit under subparagraph (A) should be reduced under

1 subparagraph (B), the Secretary may
 2 transfer to other covered units, for alloca-
 3 tion in accordance with clause (ii), the per-
 4 centage of the amounts withheld from the
 5 covered unit under subparagraph (B), to
 6 be expended by the other covered units in
 7 accordance with paragraph (5).

8 “(ii) CRITERIA.—In determining the
 9 allocation of amounts to be transferred
 10 under clause (i) among other covered
 11 units, the Secretary shall consider—

12 “(I) the number of proposals for
 13 ski area improvements in the other
 14 covered units;

15 “(II) any backlog in ski area per-
 16 mit administration or the processing
 17 of ski area proposals in the other cov-
 18 ered units; and

19 “(III) any need for services,
 20 training, or staffing in the other cov-
 21 ered units that would improve the ad-
 22 ministration of the Forest Service Ski
 23 Area Program.

24 “(5) AUTHORIZED EXPENDITURES.—

1 “(A) IN GENERAL.—Amounts distributed
2 from the Account to a covered unit under this
3 subsection may be used for—

4 “(i) ski area special use permit ad-
5 ministration and processing of proposals
6 for ski area improvement projects in the
7 covered unit, including—

8 “(I) upgrades to, or the replace-
9 ment or installation of, passenger
10 ropeways, including tramways,
11 funiculars, chair lifts, conveyors, and
12 tows;

13 “(II) snowmaking improvements
14 and new or upgraded water facilities;

15 “(III) projects relating to build-
16 ings, structures, or other facilities
17 owned by the ski area on National
18 Forest System land;

19 “(IV) trail, service road, or ter-
20 rain change projects;

21 “(V) additional seasonal or year-
22 round recreational activities and asso-
23 ciated facilities and trails in the cov-
24 ered unit, including activities carried
25 out under section 3(c) of the National

1 Forest Ski Area Permit Act of 1986
2 (16 U.S.C. 497b(c));

3 “(VI) ski area employee housing
4 constructed on the permit area or on
5 nearby National Forest System land;

6 “(VII) land exchanges relating to
7 the ski area, in accordance with Fed-
8 eral laws (including regulations); and

9 “(VIII) any other improvements
10 or facilities to enhance or increase ski
11 area recreational opportunities;

12 “(ii) training programs on processing
13 ski area applications and administering ski
14 area permits; and

15 “(iii) interpretation activities, visitor
16 information, visitor services, and signage in
17 the covered unit to enhance—

18 “(I) the ski area visitor experi-
19 ence on National Forest System land;
20 and

21 “(II) avalanche information and
22 education activities carried out by the
23 Forest Service.

24 “(B) LIMITATION.—Amounts in the Ac-
25 count may not be used for—

1 “(i) the conduct of wildfire suppres-
 2 sion or preparedness activities;

3 “(ii) the conduct of biological moni-
 4 toring on National Forest System land
 5 under the Endangered Species Act of 1973
 6 (16 U.S.C. 1531 et seq.) for listed species
 7 or candidate species, except as required by
 8 law for environmental review of ski area
 9 projects;

10 “(iii) the acquisition of land for inclu-
 11 sion in the National Forest System; or

12 “(iv) Forest Service administrative
 13 sites.

14 “(6) SAVINGS PROVISIONS.—

15 “(A) IN GENERAL.—Nothing in this sub-
 16 section affects the applicability of section 7 of
 17 the Act of April 24, 1950 (commonly known as
 18 the ‘Granger-Thye Act’) (16 U.S.C. 580d), to
 19 ski areas on National Forest System land.

20 “(B) REVENUE ALLOCATION PAYMENTS.—

21 Rental charges deposited in the Account under
 22 paragraph (2) shall be considered to be
 23 amounts received from the National Forest Sys-
 24 tem for purposes of calculating amounts to be
 25 paid under—

1 “(i) the Secure Rural Schools and
2 Community Self-Determination Act of
3 2000 (16 U.S.C. 7101 et seq.);

4 “(ii) the sixth paragraph under the
5 heading ‘forest service’ in the Act of May
6 23, 1908 (35 Stat. 260; 16 U.S.C. 500),
7 and section 13 of the Act of March 1,
8 1911 (36 Stat. 963; 16 U.S.C. 500); and

9 “(iii) chapter 69 of title 31, United
10 States Code.

11 “(C) SUPPLEMENTAL FUNDING.—Rental
12 charges retained and expended under this sub-
13 section shall supplement (and not supplant) ap-
14 propriated funding for the operation and main-
15 tenance of each covered unit.”.

16 (b) EFFECTIVE DATE.—This section (including the
17 amendments made by this section) shall take effect on the
18 date that is 60 days after the date of enactment of this
19 Act.

20 (c) IMPLEMENTATION.—The Secretary shall not be
21 required to issue regulations or policy guidance to imple-
22 ment this section (including the amendments made by this
23 section).

1 **SEC. 305. NATIONAL RECREATION AREA SYSTEM.**

2 (a) DECLARATION OF POLICY; EFFECT OF SEC-
3 TION.—

4 (1) DECLARATION OF POLICY.—It is the policy
5 of the United States that—

6 (A) certain natural landscapes possess re-
7 markable recreational values and should be
8 managed for sustainable outdoor recreational
9 and other benefits for the people of the United
10 States;

11 (B) the remarkable recreational values de-
12 scribed in subparagraph (A) may include—

13 (i) areas offering existing or prospec-
14 tive recreation opportunities;

15 (ii) areas that play, or have the poten-
16 tial to play, a role in addressing high or
17 unmet demand for recreational opportuni-
18 ties;

19 (iii) areas that play an important role
20 in supporting the outdoor recreation econ-
21 omy;

22 (iv) areas with unique ecological, geo-
23 logical, hydrological, scenic, cultural, or
24 historic features or attributes that accom-
25 modate a variety of outdoor recreation ac-
26 tivities; and

1 (v) areas with high fish and wildlife
2 values;

3 (C) in addition to other uses of Federal
4 land, certain landscapes should be protected
5 and managed primarily for the recreational, so-
6 cial, and health benefits people receive from the
7 landscapes through outdoor recreation, for the
8 specific and meaningful experiences made pos-
9 sible by unique and varied landscapes, and for
10 the contributions those landscapes make in sup-
11 port of the outdoor recreation economy; and

12 (D) in addition to land identified as Na-
13 tional Recreation Areas, the Secretaries should
14 continue to promote recreation on other Federal
15 land in accordance with applicable land man-
16 agement plans.

17 (2) EFFECT OF SECTION.—Nothing in this sec-
18 tion diminishes the importance of prioritizing recre-
19 ation on Federal land located outside of a National
20 Recreation Area.

21 (b) DEFINITIONS.—In this section:

22 (1) NATURAL FEATURE.—The term “natural
23 feature” means a healthy ecological, geological,
24 hydrological, scenic, cultural, or historic feature or
25 attribute of a specific area.

1 (2) SECRETARY.—The term “Secretary”
2 means—

3 (A) the Secretary of the Interior, acting
4 through the Director of the Bureau of Land
5 Management with respect to land administered
6 by the Bureau of Land Management; and

7 (B) the Secretary of Agriculture, acting
8 through the Chief of the Forest Service, with
9 respect to National Forest System land.

10 (3) SYSTEM.—The term “System” means the
11 National Recreation Area System established by
12 subsection (c).

13 (4) SYSTEM UNIT.—The term “System unit”
14 means a System unit designated pursuant to sub-
15 section (c).

16 (c) COMPOSITION.—There is established a National
17 Recreation Area System, to be comprised of—

18 (1) existing National Recreation Areas de-
19 scribed in subsection (g); and

20 (2) new System units designated by Congress
21 on or after the date of enactment of this Act.

22 (d) ADMINISTRATION.—

23 (1) IN GENERAL.—The Secretary shall manage
24 each System unit in a manner that maximizes the
25 protection and enhancement of the remarkable rec-

1 reational values of the System unit (including nat-
 2 ural features that support the recreation experi-
 3 ences) consistent with subsection (a)(1)(C), and pro-
 4 vides for enjoyment by current and future genera-
 5 tions.

6 (2) STATE, TRIBAL, AND LOCAL INVOLVE-
 7 MENT.—The Secretary shall consult and work, to
 8 the maximum extent practicable, with States, polit-
 9 ical subdivisions of States, affected Indian tribes,
 10 adjacent landowners, and the public in the planning
 11 and administration of System units.

12 (3) FISH AND WILDLIFE.—

13 (A) IN GENERAL.—Nothing in this section
 14 affects the jurisdiction or responsibilities of a
 15 State with respect to fish and wildlife in a Sys-
 16 tem unit in the State.

17 (B) ADMINISTRATION.—Hunting, fishing,
 18 and motorized recreation (including boating)
 19 may be allowed on System units if permitted
 20 under applicable Federal and State laws (in-
 21 cluding regulations) and conducted in accord-
 22 ance with the applicable land management
 23 plans.

1 (4) WATER RIGHTS.—Nothing in this section
 2 affects any valid or vested water right in existence
 3 on the date of enactment of this Act.

4 (e) COMPONENTS OF NATIONAL RECREATION AREA
 5 SYSTEM.—

6 (1) MAP; LEGAL DESCRIPTION.—

7 (A) IN GENERAL.—For System units es-
 8 tablished on or after the date of enactment of
 9 this Act, as soon as practicable after the date
 10 of designation of a System unit, the Secretary
 11 shall prepare a map and legal description of the
 12 System unit.

13 (B) FORCE OF LAW.—The map and legal
 14 description filed under subparagraph (A) shall
 15 have the same force and effect as if included in
 16 this section, except that the Secretary may cor-
 17 rect typographical errors in the map and legal
 18 description.

19 (C) PUBLIC AVAILABILITY.—The map and
 20 legal description filed under subparagraph (A)
 21 shall be on file and available for public inspec-
 22 tion in the appropriate offices of the Bureau of
 23 Land Management and the Forest Service.

24 (2) COMPREHENSIVE MANAGEMENT PLAN.—

1 (A) IN GENERAL.—The Secretaries shall
2 prepare a comprehensive management plan for
3 each System unit within the jurisdiction of the
4 Secretaries that is designated by Congress after
5 the date of enactment of this Act—

6 (i) to maximize the protection and en-
7 joyment of the remarkable recreational val-
8 ues of the System unit; and

9 (ii) to protect the natural features of
10 the System unit that support recreation.

11 (B) TIMING.—

12 (i) IN GENERAL.—Except as provided
13 in clause (ii), a comprehensive manage-
14 ment plan described in subparagraph (A)
15 shall be completed by not later than 3
16 years after the date of designation of the
17 System unit, subject to the availability of
18 funds and resources.

19 (ii) INADEQUATE FUNDS AND RE-
20 SOURCES.—If funds and resources are not
21 available in accordance with clause (i), the
22 applicable agency may complete the plan
23 as part of the regular management plan
24 revisions of the agency.

1 (C) REVIEW.—A comprehensive manage-
2 ment plan described in subparagraph (A) shall
3 be regularly reviewed and updated as part of
4 the regular land management planning process
5 of the applicable agency.

6 (D) MANAGEMENT BY SECRETARY.—The
7 Secretary shall manage each National Recre-
8 ation Area in accordance with the management
9 plan for the National Recreation Area in effect
10 at the time of the designation, to the extent the
11 plan is consistent with this Act and the Act
12 designating the National Recreation Area, until
13 the plan is revised or superseded by a new com-
14 prehensive management plan issued in accord-
15 ance with this subsection.

16 (E) REQUIREMENTS.—A comprehensive
17 management plan prepared under subparagraph
18 (A) shall—

19 (i) identify the existing, and to the ex-
20 tent practicable, prospective remarkable
21 recreational and other important values of
22 the System unit;

23 (ii) ensure the System unit is man-
24 aged to protect and enhance purposes for
25 which the System unit was established;

(iii) ensure the System unit is managed to protect and enhance the resources that make the area suitable for designation under subsection (c)(2) in accordance with subsection (a);

(iv) be coordinated with resource management planning for affected adjacent Federal land;

(v) be prepared—

(I) in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) or section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a), as applicable; and

(II) in consultation with States, political subdivisions of States, affected Indian tribes, adjacent landowners, and the public; and

(vi) designate a sustainable road and trail network, consistent with subsection (a) and the purposes for which the System was established.

(F) NOTICE.—The Secretary shall publish in the Federal Register notice of the completion

1 and availability of a plan prepared under this
2 paragraph.

3 (f) POTENTIAL ADDITIONS TO NATIONAL RECRE-
4 ATION AREA SYSTEM.—

5 (1) ELIGIBLE AREA.—An area eligible for inclu-
6 sion in the System is an area that possesses one or
7 more of the remarkable recreational values described
8 in subsection (a)(1)(B).

9 (2) POTENTIAL ADDITIONS.—In carrying out
10 the land management planning process, the Sec-
11 retary shall—

12 (A) identify eligible areas that possess re-
13 markable recreational values described in sub-
14 section (a)(1)(B);

15 (B) develop and maintain a list of eligible
16 areas as potential additions to the System;

17 (C) ensure that relevant land management
18 plans support the recreational values of areas
19 identified as potential additions to the System;
20 and

21 (D) consider input from the Governor of,
22 political subdivisions of, and affected Indian
23 tribes located in, the State in which the eligible
24 areas are located.

1 (g) EXISTING NATIONAL RECREATION AREAS.—

2 Each National Recreation Area that is under the jurisdic-
 3 tion of the Forest Service or the Bureau of Land Manage-
 4 ment and that was established before the date of enact-
 5 ment of this Act shall be—

6 (1) deemed to be a unit of the System; and

7 (2) notwithstanding subsection (d)—

8 (A) administered under the law pertaining
 9 to the applicable System unit; and

10 (B) managed in accordance with the pur-
 11 poses set forth in the original designation of the
 12 National Recreation Area.

13 (h) STANDARD FEES.—In accordance with sections
 14 803 through 808 of the Consolidated Appropriations Act,
 15 2005 (16 U.S.C. 6802–6807), the Secretary may establish
 16 a standard amenity fee at each National Recreation Area
 17 designated after the date of enactment of this Act that
 18 is managed by the Bureau of Land Management or the
 19 Forest Service, if—

20 (1) the purpose of the fee is to enhance visitor
 21 services and stewardship of the recreation area; and

22 (2) the establishment of a fee is not prohibited
 23 by other Federal law.

24 (i) COMPLIANCE WITH EXISTING LAWS.—Nothing in
 25 this section modifies any obligation—

1 (1) of the Secretary to prepare or implement a
 2 land use plan in accordance with section 202 of the
 3 Federal Land Policy and Management Act of 1976
 4 (43 U.S.C. 1712) or section 6 of the Forest and
 5 Rangeland Renewable Resources Planning Act of
 6 1974 (16 U.S.C. 1604);

7 (2) under the Endangered Species Act of 1973
 8 (16 U.S.C. 1531 et seq.);

9 (3) under the Federal Water Pollution Control
 10 Act (33 U.S.C. 1251 et seq.); or

11 (4) under any other applicable law.

12 (j) APPLICABILITY OF OTHER LAND MANAGEMENT
 13 DESIGNATIONS.—Nothing in this section affects—

14 (1) any other land or water management des-
 15 ignation under any other provision of law; or

16 (2) any obligation to comply with a requirement
 17 applicable to such a designation.

18 (k) NATIVE AMERICAN TREATY RIGHTS.—Nothing
 19 in this section alters, modifies, enlarges, diminishes, or ab-
 20 rogates the treaty rights of any Indian tribe, including any
 21 off-reservation reserved rights.

TITLE IV—MAINTENANCE OF PUBLIC LAND

Subtitle A—Volunteers

SEC. 401. PRIVATE-SECTOR VOLUNTEER ENHANCEMENT PROGRAM.

(a) PURPOSE.—The purpose of this section is to promote private-sector volunteer programs within the Department of the Interior and the Department of Agriculture to enhance stewardship, recreation access, and sustainability of the resources, values, and facilities of the Federal land managed by the Federal land management agencies.

(b) DEFINITIONS.—In this section:

(1) FEDERAL LAND.—The term “Federal land” means any land—

(A) owned by the United States; and

(B) managed by the head of a Federal land management agency.

(2) SECRETARY CONCERNED.—The term “Secretary concerned” means—

(A) the Secretary of Agriculture (acting through the Chief of the Forest Service), with respect to National Forest System land; and

1 (B) the Secretary of the Interior, with re-
2 spect to land managed by the Bureau of Land
3 Management.

4 (3) VOLUNTEER.—The term “volunteer” means
5 any individual who performs volunteer services under
6 this section.

7 (c) ESTABLISHMENT.—The Secretary concerned
8 shall develop an initiative to further enhance private-sector
9 volunteer programs and to actively promote private-sector
10 volunteer opportunities and provide outreach and coordi-
11 nation to the private sector.

12 (d) COOPERATIVE AGREEMENTS FOR STEWARDSHIP
13 OF FEDERAL LAND.—

14 (1) AUTHORITY TO ENTER INTO AGREE-
15 MENTS.—The Secretary concerned may enter into
16 cooperative agreements (in accordance with section
17 6305 of title 31, United States Code) with private
18 agencies, organizations, institutions, corporations,
19 individuals, or other entities to carry out one or
20 more projects or programs with a Federal land man-
21 agement agency in accordance with this section.

22 (2) PROJECT AND PROGRAM INSTRUCTIONS.—
23 The Secretary concerned shall include in the cooper-
24 ative agreement the desired outcomes of the project

1 or program and the guidelines for the volunteers to
2 follow, including—

3 (A) the physical boundaries of the project
4 or program;

5 (B) the equipment the volunteers are au-
6 thorized to use to complete the project or pro-
7 gram;

8 (C) the training the volunteers are re-
9 quired to complete, including agency consider-
10 ation and incorporation of trainings offered by
11 qualified nongovernmental organizations and
12 volunteer partner organizations;

13 (D) the actions the volunteers are author-
14 ized to take to complete the project or program;
15 and

16 (E) any other information that the Sec-
17 retary concerned determines necessary for the
18 volunteer group to complete the project or pro-
19 gram.

20 (3) AUTHORIZED PROJECTS AND PROGRAMS.—

21 Subject to paragraph (4), the Secretary concerned
22 may use a cooperative agreement to carry out
23 projects and programs for Federal land that—

24 (A) promote the stewardship of resources
25 of Federal land by volunteers;

1 (B) support maintaining the resources,
 2 trails, and facilities on Federal land in a sus-
 3 tainable manner;

4 (C) increase awareness, understanding,
 5 and stewardship of Federal land through the
 6 development, publication, or distribution of edu-
 7 cational materials and products; and

8 (D) advance education concerning the Fed-
 9 eral land and the missions of the Federal land
 10 management agencies through the use of the
 11 Federal land as outdoor classrooms and devel-
 12 opment of other educational programs.

13 (4) CONDITIONS ON USE OF AUTHORITY.—The
 14 Secretary concerned may use a cooperative agree-
 15 ment under paragraph (1) to carry out a project or
 16 program for the Federal land only if the project or
 17 program—

18 (A) complies with all Federal laws (includ-
 19 ing regulations) and policies;

20 (B) is consistent with an applicable man-
 21 agement plan for any Federal land and waters
 22 involved;

23 (C) is monitored by the relevant Federal
 24 land management agency during the project
 25 and after project completion to determine com-

1 pliance with the instructions under paragraph
2 (2); and

3 (D) satisfies such other terms and condi-
4 tions as the Secretary concerned determines to
5 be appropriate.

6 **Subtitle B—Priority Trail**
7 **Maintenance**

8 **SEC. 411. INTERAGENCY TRAIL MANAGEMENT.**

9 (a) IN GENERAL.—The Secretaries shall establish an
10 interagency trail management plan under which Federal
11 land management agencies shall coordinate so that trails
12 that cross jurisdictional boundaries between the Federal
13 land management agencies are managed and maintained
14 in a uniform manner.

15 (b) REQUIREMENT.—The plan established under sub-
16 section (a) shall ensure compliance with all Federal envi-
17 ronmental laws applicable to each jurisdiction.

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