

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To establish the Forest Service Legacy Roads and Trails Remediation Program.

**IN THE SENATE OF THE UNITED STATES—116th Cong., 1st Sess.**

**H. R. 3055**

Making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. BENNET to the amendment (No. \_\_\_\_\_) proposed by Mr. SHELBY

Viz:

1 At the appropriate place in title IV of division C, in-  
2 sert the following:

3 **SEC. \_\_\_\_ . FOREST SERVICE LEGACY ROADS AND TRAILS**  
4 **REMEDICATION PROGRAM.**

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

1 **“SEC. 8. FOREST SERVICE LEGACY ROADS AND TRAILS RE-**  
2 **MEDIATION PROGRAM.**

3 “(a) IN GENERAL.—Not later than 180 days after  
4 the date of enactment of this section, the Secretary, acting  
5 through the Chief of the Forest Service, shall establish,  
6 and develop a national strategy to carry out, a program,  
7 to be known as the ‘Forest Service Legacy Roads and  
8 Trails Remediation Program’, within the National Forest  
9 System (as defined in section 11(a) of the Forest and  
10 Rangeland Renewable Resources Planning Act of 1974  
11 (16 U.S.C. 1609(a))—

12 “(1) to carry out critical maintenance and ur-  
13 gent repairs and improvements on National Forest  
14 System roads, trails, and bridges;

15 “(2) to restore fish and other aquatic organism  
16 passages by removing or replacing unnatural bar-  
17 riers to the passage of fish and other aquatic orga-  
18 nisms;

19 “(3) to decommission unneeded roads and  
20 trails; and

21 “(4) to carry out activities associated with the  
22 activities described in paragraphs (1) through (3).

23 “(b) PRIORITY.—In implementing the program under  
24 this section, the Secretary shall give priority to any project  
25 that protects or restores—

26 “(1) water quality;

1           “(2) a watershed that feeds a public drinking  
2           water system; or

3           “(3) habitat for threatened, endangered, or sen-  
4           sitive fish or wildlife species.

5           “(c) NATIONAL FOREST SYSTEM.—Except as author-  
6           ized under section 323 of the Department of the Interior  
7           and Related Agencies Appropriations Act, 1999 (16  
8           U.S.C. 1011a), each project carried out under this section  
9           shall be on a National Forest System road or trail.

10   **“SEC. 9. ROAD SYSTEM ANALYSIS.**

11           “(a) DEFINITION OF DECOMMISSION.—In this sec-  
12           tion, the term ‘decommission’ means, with respect to a  
13           road—

14           “(1) to restore, through active or passive  
15           means, natural drainage, watershed function, or  
16           other ecological conditions and processes that are  
17           disrupted or adversely impacted by the road; and

18           “(2) to remove the road from the transportation  
19           system.

20           “(b) IDENTIFICATION OF MINIMUM ROAD SYSTEM.—

21           “(1) IN GENERAL.—Not later than 3 years  
22           after the date of enactment of this section, the Sec-  
23           retary shall identify for each unit of the National  
24           Forest System (as defined in section 11(a) of the  
25           Forest and Rangeland Renewable Resources Plan-

1       ning Act of 1974 (16 U.S.C. 1609(a)) the minimum  
2       road system necessary for—

3               “(A) safe and efficient travel within the  
4               National Forest System; and

5               “(B) the administration, use, and protec-  
6               tion of the National Forest System.

7               “(2) REQUIREMENTS.—Each minimum road  
8       system identified under paragraph (1) for a unit of  
9       the National Forest System shall—

10              “(A) meet the resource and other manage-  
11              ment objectives adopted in the land and re-  
12              source management plan applicable to the unit;

13              “(B) meet all applicable statutory and reg-  
14              ulatory requirements;

15              “(C) be in accordance with long-term fund-  
16              ing expectations; and

17              “(D) minimize any adverse environmental  
18              impacts associated with the construction, recon-  
19              struction, decommissioning, and maintenance of  
20              the minimum road system.

21       “(c) CONTENTS.—In identifying minimum road sys-  
22       tems under subsection (b)(1), the Secretary shall—

23              “(1) incorporate a science-based roads analysis  
24              at the appropriate scale;

1           “(2) incorporate a long-term fiscal analysis that  
2 includes an assessment of maintenance costs;

3           “(3) identify as unneeded any roads that—

4                 “(A) are no longer necessary to meet forest  
5 resource management objectives; and

6                 “(B) may be decommissioned or considered  
7 for trails; and

8           “(4) consult with—

9                 “(A) appropriate State, Tribal, and local  
10 governmental entities; and

11                 “(B) members of the public.

12           “(d) UNNEEDED ROADS.—

13                 “(1) IN GENERAL.—The Secretary shall decom-  
14 mission any roads identified as unneeded under sub-  
15 section (c)(3) as soon as practicable after making  
16 the identification under that subsection.

17                 “(2) PRIORITY.—In decommissioning unneeded  
18 roads under paragraph (1), the Secretary shall  
19 prioritize the decommissioning of roads that pose the  
20 greatest risk—

21                         “(A) to public safety; or

22                         “(B) of environmental degradation.

23           “(e) RECORDS.—The Secretary shall regularly up-  
24 date the Infra database of the Secretary to record—

1           “(1) each road identified as unneeded under  
2           subsection (c)(3); and

3           “(2) each road decommissioned under sub-  
4           section (d)(1).

5           “(f) REVISION.—The Secretary shall review, and may  
6           revise, an identification made under subsection (b)(1) for  
7           a unit of the National Forest System during a revision  
8           of the land and resource management plan applicable to  
9           the unit.”.