<table>
<thead>
<tr>
<th>Title</th>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>TITLE 16 - CONSERVATION</td>
<td>§ 6231. Findings, purpose, and definitions</td>
<td>4</td>
</tr>
<tr>
<td>CHAPTER 81A - NATIONAL FOREST ORGANIZATIONAL CAMP FEE IMPROVEMENT</td>
<td>§ 6232. Fees for occupancy and use of National Forest System lands and facilities by organizational camps</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>§ 6233. Implementation</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>§ 6234. Relationship to other laws</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td>§ 6235. Deposit and expenditure of use fees</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td>§ 6236. Ministerial issuance, or amendment authorization</td>
<td>8</td>
</tr>
</tbody>
</table>
TITLE 16—CONSERVATION

Chap. ...Sec.
1. National Parks, Military Parks, Monuments, and Seashores ...1
1A. Historic Sites, Buildings, Objects, and Antiquities ...461
1B. Archaeological Resources Protection ...470aa
1C. Paleontological Resources Preservation ...470aaa
2. National Forests ...471
3. Forests; Forest Service; Reforestation; Management ...551
3A. Unemployment Relief Through Performance of Useful Public Work [Omitted or Repealed] ...584
3B. Soil Conservation ...590a
3C. Water Conservation ...590r
4. Protection of Timber, and Depredations ...591
5. Protection of Fur Seals and Other Fur-Bearing Animals ...631
5A. Protection and Conservation of Wildlife ...661
5B. Wildlife Restoration ...669
5C. Conservation Programs on Government Lands ...670a
6. Game and Bird Preserves; Protection ...671
7. Protection of Migratory Game and Insectivorous Birds ...701
8. Upper Mississippi River National Wildlife and Fish Refuge ...721
9. Fish and Wildlife Service ...741
9A. Preservation of Fishery Resources ...755
9B. National Fish Hatchery System Enhancement ...760aa
10. Northern Pacific Halibut Fishing ...761
10A. Sockeye or Pink Salmon Fishing [Repealed] ...776
10B. Fish Restoration and Management Projects ...777
10C. Fish Research and Experimentation Program ...778
10D. State Commercial Fisheries Research and Development Projects [Repealed] ...779
11. Regulation of Landing, Curing, and Sale of Sponges Taken From Gulf of Mexico and Straits of Florida ...781
12. Federal Regulation and Development of Power ...791
12A. Tennessee Valley Authority ...831
12B. Bonneville Project ...832
12C. Fort Peck Project ...833
12D. Columbia Basin Project ...835
12E. Niagara Power Project ...836
12F. Pacific Northwest Consumer Power Preference; Reciprocal Priority in Other Regions ...837
12G. Pacific Northwest Federal Transmission System ...838
12H. Pacific Northwest Electric Power Planning and Conservation ...839
13. Regulation of Transportation in Interstate or Foreign Commerce of Black Bass and Other Fish [Repealed] ...851
14. Regulation of Whaling ...901
14A. Whale Conservation and Protection ...917
15. Predatory Sea Lampreys in the Great Lakes [Omitted] ...921
15A. Great Lakes Fisheries ...931
15B. Great Lakes Fish and Wildlife Restoration ...941
15C. Great Lakes Fish and Wildlife Tissue Bank ...943
16. Tuna Conventions ...951
16A. Atlantic Tuna Convention ...971
16B. Eastern Pacific Tuna Fishing ...972
16C. South Pacific Tuna Fishing ...973
17. Northwest Atlantic Fisheries [Repealed] ...981
18. Watershed Protection and Flood Prevention ...1001
18A. Cooperative Watershed Management Program ...1015
19. North Pacific Fisheries [Repealed or Transferred] ...1021
20. National Fisheries Center and Aquarium ...1051
21. Prohibition of Foreign Fishing Vessels in the Territorial Waters of the United States [Repealed] ...1081
21A. Fisheries Zone Contiguous to Territorial Sea of the United States [Repealed] ...1091
21B. Prohibition of Certain Foreign Fishing Vessels in United States Fisheries [Omitted] ...1100
21C. Offshore Shrimp Fisheries [Omitted] ...1100b
22. International Parks ...1101
23. National Wilderness Preservation System ...1131
24. Conservation and Protection of North Pacific Fur Seals ...1151
25. Jellyfish or Sea Nettles, Other Such Pests, and Seaweed in Coastal Waters: Control or Elimination ...1201
25A. Crown of Thorns Starfish ...1211
25B. Reefs for Marine Life Conservation ...1220
26. Estuarine Areas ...1221
27. National Trails System ...1241
27A. National Recreational Trails Fund ...1261
28. Wild and Scenic Rivers ...1271
29. Water Bank Program for Wetlands Preservation ...1301
30. Wild Horses and Burros: Protection, Management, and Control ...1331
31. Marine Mammal Protection ...1361
32. Marine Sanctuaries ...1431
32A. Regional Marine Research Programs ...1447
33. Coastal Zone Management ...1451
34. Rural Environmental Conservation Program [Repealed] ...1501
35. Endangered Species ...1531
36. Forest and Rangeland Renewable Resources Planning ...1600
37. Youth Conservation Corps and Public Lands Corps ...1701
38. Fishery Conservation and Management ...1801
39. Mining Activity Within National Park System Areas ...1901
40. Soil and Water Resources Conservation ...2001
41. Cooperative Forestry Assistance ...2101
42. Emergency Conservation Program ...2201
43. Public Transportation Programs for National Park System Areas ...2301
44. Antarctic Conservation ...2401
44A. Antarctic Marine Living Resources Convention ...2431
44B. Antarctic Mineral Resources Protection ...2461
45. Urban Park and Recreation Recovery Program ...2501
46. Public Utility Regulatory Policies ...2601
47. Small Hydroelectric Power Projects ...2701
48. National Aquaculture Policy, Planning, and Development ...2801
49. Fish and Wildlife Conservation ...2901
50. Chesapeake Bay Research Coordination [Omitted] ...3001
51. Alaska National Interest Lands Conservation ...3101
52. Salmon and Steelhead Conservation and Enhancement ...3301
53. Control of Illegally Taken Fish and Wildlife ...3371
54. Resource Conservation ...3401
55. Coastal Barrier Resources ...3501
56. North Atlantic Salmon Fishing ...3601
56A. Pacific Salmon Fishing ...3631
57. National Fish and Wildlife Foundation ...3701
57A. Partnerships for Wildlife ...3741
57B. Partners for Fish and Wildlife ...3771
58. Erodible Land and Wetland Conservation and Reserve Program ...3801
59. Wetlands Resources ...3901
59A. Wetlands ...3951
60. Fish and Seafood Promotion ...4001
61. Interjurisdictional Fisheries ...4101
62. African Elephant Conservation ...4201
62A. Asian Elephant Conservation ...4261
63. Federal Cave Resources Protection ...4301
64. North American Wetlands Conservation ...4401
65. International Forestry Cooperation ...4501
66. Take Pride in America Program ...4601
67. Aquatic Nuisance Prevention and Control ...4701
68. Pacific Yew Conservation and Management [Omitted or Repealed] ...4801
69. Wild Exotic Bird Conservation ...4901
70. North Pacific Anadromous Stocks Convention ...5001
71. Atlantic Coastal Fisheries Cooperative Management ...5101
71A. Atlantic Striped Bass Conservation ...5151
72. Recreational Hunting Safety ...5201
73. Rhinoceros and Tiger Conservation ...5301
74. National Maritime Heritage ...5401
75. High Seas Fishing Compliance ...5501
76. Northwest Atlantic Fisheries Convention ...5601
77. Yukon River Salmon ...5701
78. National Natural Resources Conservation Foundation ...5801
79. National Park Service Management ...5901
80. Neotropical Migratory Bird Conservation ...6101
81. User Fees Under Forest System Recreation Residence Program ...6201
81A. National Forest Organizational Camp Fee Improvement ...6231
82. Great Ape Conservation ...6301
83. Coral Reef Conservation ...6401
84. Healthy Forest Restoration ...6501
85. Marine Turtle Conservation ...6601
86. Southwest Forest Health and Wildfire Prevention ...6701
87. Federal Lands Recreation Enhancement ...6801
88. Western and Central Pacific Fisheries Convention ...6901
89. Pacific Whiting ...7001
90. Secure Rural Schools and Community Self-Determination ...7101
91. National Landscape Conservation System ...7201
92. Forest Landscape Restoration ...7301
CHAPTER 81A—NATIONAL FOREST ORGANIZATIONAL CAMP FEE IMPROVEMENT

Sec.
6231. Findings, purpose, and definitions.
6232. Fees for occupancy and use of National Forest System lands and facilities by organizational camps.
6233. Implementation.
6234. Relationship to other laws.
6235. Deposit and expenditure of use fees.
6236. Ministerial issuance, or amendment authorization.

§ 6231. Findings, purpose, and definitions

(a) Findings

Congress finds the following:

(1) Organizational camps, such as those administered by the Boy Scouts, Girl Scouts, and faith-based and community-based organizations, provide a valuable service to young people, individuals with a disability, and their families by promoting physical, mental, and spiritual health through activities conducted in a natural environment.

(2) The 192,000,0000 acres of national forests and grasslands of the National Forest System managed for multiple uses by the Forest Service provides an ideal setting for such organizational camps.

(3) The Federal Government should charge land use fees for the occupancy and use of National Forest System lands by such organizational camps that, while based on the fair market value of the land in use, also recognize the benefits provided to society by such organizational camps, do not preclude the ability of such organizational camps from utilizing these lands, and permit capital investment in, and maintenance of, camp facilities by such organizational camps or their sponsoring organizations.

(4) Organizational camps should—

(A) ensure that their facilities meet applicable building and safety codes, including fire and health codes;

(B) have annual inspections as required by local law, including at a minimum inspections for fire and food safety; and

(C) have in place safety plans that address fire and medical emergencies and encounters with wildlife.

(b) Purpose

It is the purpose of this chapter to establish a land use fee system that provides for an equitable return to the Federal Government for the occupancy and use of National Forest System lands by organizational camps that serve young people or individuals with a disability.

(c) Definitions

In this chapter:

(1) The term “organizational camp” means a public or semipublic camp that—

(A) is developed on National Forest System lands by a nonprofit organization or governmental entity;

(B) provides a valuable service to the public by using such lands as a setting to introduce young people or individuals with a disability to activities that they may not otherwise experience and to educate them on natural resource issues; and

(C) does not have as its primary purpose raising revenue through commercial activities.
(2) The term “Secretary” means the Secretary of Agriculture, acting through the Chief of the Forest Service.

(3) The term “individual with a disability” has the meaning given the term in section 705 (20) of title 29.

(4) The term “children at risk” means children who are raised in poverty or in single-parent homes or are subject to such circumstances as parental drug abuse, homelessness, or child abuse.

(5) The term “change in control” means—
   (A) for a corporation, the sale or transfer of a controlling interest in the corporation;
   (B) for a partnership or limited liability company, the sale or transfer of a controlling interest in the partnership or limited liability company; and
   (C) for an individual, the sale or transfer or an organizational camp subject to this chapter to another party.

Footnotes

1 So in original.


References in Text

This chapter, referred to in subsecs. (b) and (c), was in the original “this Act”, which was translated as reading “this title”, meaning title V of div. F of Pub. L. 108–7, known as the National Forest Organizational Camp Fee Improvement Act of 2003, to reflect the probable intent of Congress.

Short Title


§ 6232. Fees for occupancy and use of National Forest System lands and facilities by organizational camps

(a) Land use fee

   (1) Percentage of land value

The Secretary shall charge an annual land use fee for each organizational camp for its occupancy and use of National Forest System lands equal to 5 percent of the product of the following:
   (A) The total number of acres of National Forest System lands authorized for the organizational camp.
   (B) The estimated per-acre market value of land and buildings in the county where the camp is located, as reported in the most recent Census of Agriculture conducted by the National Agricultural Statistics Service.

   (2) Annual adjustment

The land use fee determined under paragraph (1) for an organizational camp shall be adjusted annually by the annual compounded rate of change between the two most recent Censuses of Agriculture.

   (3) Reduction in fees

   (A) Type of participants

The Secretary shall reduce the land use fee determined under paragraph (1) proportionate to the number of individuals with a disability and children at risk who annually attend the organizational camp.

   (B) Type of programs
After making the reduction required by subparagraph (A), the Secretary shall reduce the remaining land use fee amount by up to 60 percent, proportionate to the number of persons who annually attend the organizational camp who participate in youth programs through organized and supervised social, citizenship, character-building, or faith-based activities oriented to outdoor-recreation experiences.

(C) Relation to minimum fee

The reductions made under this paragraph may not reduce the land use fee for an organizational camp below the minimum land use fee required to be charged under paragraph (4).

(D) Special considerations

For purposes of determining the amount of the land use fee reduction required under subparagraph (A) or (B), the Secretary may not take into consideration the existence of sponsorships or scholarships to assist persons in attending the organizational camp.

(4) Minimum land use fee

The Secretary shall charge a minimum land use fee under paragraph (1) that represents, on average, the Secretary’s cost annually to administer an organizational camp special use authorization in the National Forest Region in which the organizational camp is located. Notwithstanding paragraph (3) or subsection (d), the minimum land use fee shall not be subject to a reduction or waiver.

(b) Facility use fee

(1) Percentage of facilities value

If an organizational camp uses a Government-owned facility on National Forest System lands pursuant to section 580d of this title, the Secretary shall charge, in addition to the land use fee imposed under subsection (a), a facility use fee equal to 5 percent of the value of the authorized facilities, as determined by the Secretary.

(2) Reduction in fees prohibited

Notwithstanding subsection (d), the facility use fees determined under paragraph (1) shall not be subject to a reduction or waiver.

(c) Fee related to receipt of other revenues

If an organizational camp derives revenue from the use of National Forest System lands or authorized facilities described in subsection (b) for purposes other than to introduce young people or individuals with a disability to activities that they may not otherwise experience and to educate them on natural resource issues, the Secretary shall charge, in addition to the land use fee imposed under subsection (a) and the facility use fee imposed under subsection (b), an additional fee equal to 5 percent of that revenue.

(d) Work-in-lieu program

Subject to subsections (a)(4) and (b)(2), section 539f of this title shall apply to the use fees imposed under this section.


§ 6233. Implementation

(a) Prompt implementation

The Secretary shall issue direction regarding implementation of this chapter by interim directive within 180 days after February 20, 2003. The Secretary shall implement this chapter beginning with the first billing cycle for organizational camp special use authorizations occurring more than 180 days after February 20, 2003.
(b) Phase-in of use fee increases

In issuing any direction regarding implementation of this chapter under subsection (a), the Secretary shall consider whether to phase-in any significant increases in annual land or facility use fees for organizational camps.


§ 6234. Relationship to other laws

Except as specifically provided by this chapter, nothing in this chapter supersedes or otherwise affects any provision of law, regulation, or policy regarding the issuance or administration of authorizations for organizational camps regarding the occupancy and use of National Forest System lands.


§ 6235. Deposit and expenditure of use fees

(a) Deposit and availability

Unless subject to section 580d of this title, use fees collected by the Secretary under this chapter shall be deposited in a special account in the Treasury and shall remain available to the Secretary for expenditure, without further appropriation until expended, for the purposes described in subsection (c).

(b) Transfer

Upon request of the Secretary, the Secretary of the Treasury shall transfer to the Secretary from the special account such amounts as the Secretary may request. The Secretary shall accept and use such amounts in accordance with subsection (c).

(c) Use

Use fees deposited pursuant to subsection (a) and transferred to the Secretary under subsection (b) shall be expended for monitoring of Forest Service special use authorizations, administration of the Forest Service’s special program, interpretive programs, environmental analysis, environmental restoration, and similar purposes.


References in Text

This chapter, referred to in text, was in the original “this Act”, which was translated as reading “this title”, meaning title V of div. F of Pub. L. 108–7, known as the National Forest Organizational Camp Fee Improvement Act of 2003, to reflect the probable intent of Congress.
§ 6236. Ministerial issuance, or amendment authorization

(a) **NEPA exception**

The ministerial issuance or amendment of an organizational camp special use authorization shall not be subject to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) **Rule of construction**

For purposes of subsection (a), the ministerial issuance or amendment of an authorization occurs only when the issuance or amendment of the authorization would not change the physical environment or the activities, facilities, or program of the operations governed by the authorization, and at least one of the following apply:

1. The authorization is issued upon a change in control of the holder of an existing authorization.
2. The holder, upon expiration of an authorization, is issued a new authorization.
3. The authorization is amended—
   - (A) to effectuate administrative changes, such as modification of the land use fee or conversion to a new special use authorization form; or
   - (B) to include nondiscretionary environmental standards or to conform with current law.


### References in Text