

**Calendar No. 659**110<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**S. 2034****[Report No. 110-307]**

To amend the Oregon Wilderness Act of 1984 to designate the Copper Salmon Wilderness and to amend the Wild and Scenic Rivers Act to designate segments of the North and South Forks of the Elk River in the State of Oregon as wild or scenic rivers, and for other purposes.

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**IN THE SENATE OF THE UNITED STATES**

SEPTEMBER 10, 2007

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

APRIL 10, 2008

Reported by Mr. BINGAMAN, with an amendment and an amendment to the title

[Strike out all after the enacting clause and insert the part printed in *italic*]

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**A BILL**

To amend the Oregon Wilderness Act of 1984 to designate the Copper Salmon Wilderness and to amend the Wild and Scenic Rivers Act to designate segments of the North and South Forks of the Elk River in the State of Oregon as wild or scenic rivers, 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.**

4 This Act may be cited as the “Copper Salmon Wilder-  
5 ness Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) the proposed Copper Salmon Wilderness,  
9 comprising 13,700 acres, includes a significant por-  
10 tion of an inventoried roadless area adjacent to the  
11 Grassy Knob Wilderness area protected by the Or-  
12 egon Wilderness Act of 1984 (16 U.S.C. 1132 note;  
13 Public Law 98–328);

14 (2) the proposed Copper Salmon Wilderness in-  
15 eludes—

16 (A) the North Fork and South Fork of the  
17 Elk River;

18 (B) the upper Middle Fork of the Sixes  
19 River; and

20 (C) tributaries of the South Fork of  
21 Coquille River;

22 (3) the Elk River is designated as a Tier 1 Key  
23 Watershed;

24 (4) the fisheries of the Elk River are recognized  
25 as 1 of the best salmon and steelhead producers in

1 the 48 contiguous States, producing more salmon  
 2 per square meter than most rivers outside the State  
 3 of Alaska;

4 (5) designation of the proposed Wilderness  
 5 would provide permanent protection for the last re-  
 6 maining mammoth Port Orford Cedars in the Elk  
 7 River watershed;

8 (6) the protection of the proposed Copper Salm-  
 9 on Wilderness is supported by the local communities  
 10 near the proposed Wilderness, which have passed  
 11 resolutions supporting the designation of the pro-  
 12 posed Wilderness;

13 (7) the master plan for the economic stability of  
 14 Curry County, Oregon, includes ecotourism and  
 15 recreation as primary sources of income; and

16 (8) permanent protection for the proposed Cop-  
 17 per Salmon Wilderness is needed to conserve the en-  
 18 vironment in southwestern Oregon.

19 **SEC. 3. DESIGNATION OF THE COPPER SALMON WILDER-**  
 20 **NESS.**

21 Section 3 of the Oregon Wilderness Act of 1984 (16  
 22 U.S.C. 1132 note; Public Law 98-328) is amended—

23 (1) in the matter preceding paragraph (1), by  
 24 striking “eight hundred fifty-nine thousand six hun-  
 25 dred acres” and inserting “873,300 acres”;

1           (2) in paragraph (29), by striking the period at  
2           the end and inserting “; and”; and

3           (3) by adding at the end the following:

4           “(30) certain land in the Siskiyou National  
5           Forest, comprising approximately 13,700 acres, as  
6           generally depicted on the map entitled ‘Proposed  
7           Copper Salmon Wilderness Area’, to be known as  
8           the ‘Copper Salmon Wilderness’.”.

9   **SEC. 4. WILD AND SCENIC RIVER DESIGNATIONS, ELK**  
10                                   **RIVER, OREGON.**

11           Section 3(a)(76) of the Wild and Scenic Rivers Act  
12   (16 U.S.C. 1274(a)(76)) is amended—

13           (1) in the matter preceding subparagraph (A),  
14           by striking “19-mile segment” and inserting “29-  
15           mile segment”;

16           (2) in subparagraph (A), by striking “; and”  
17           and inserting a period; and

18           (3) by striking subparagraph (B) and inserting  
19           the following:

20           “(B) The approximately 0.4-mile segment of  
21           the North Fork Elk from the source of the North  
22           Fork Elk in sec. 21, T. 33 S., R. 12 W., of the Wil-  
23           lamette Meridian, downstream to 0.01 miles down-  
24           stream of Forest Service Road 3353, as a scenic  
25           river.

1           “(C) The approximately 5.3-mile segment of the  
2 North Fork Elk from 0.01 miles downstream of For-  
3 est Service Road 3353 downstream to its confluence  
4 with the South Fork Elk, as a wild river.

5           “(D) The approximately 0.9-mile segment of  
6 the South Fork Elk from the source of the North  
7 Fork Elk in sec. 32, T. 33 S., R. 12 W., of the Wil-  
8 lamette Meridian, downstream to 0.01 miles down-  
9 stream of Forest Service Road 3353, as a scenic  
10 river.

11           “(E) The approximately 4.2-mile segment of  
12 the South Fork Elk from 0.01 miles downstream of  
13 Forest Service Road 3353 downstream to the con-  
14 fluence with the North Fork Elk, as a wild river.”.

15 **SECTION 1. SHORT TITLE.**

16           *This Act may be cited as the “Copper Salmon Wilder-*  
17 *ness Act”.*

18 **SEC. 2. DESIGNATION OF THE COPPER SALMON WILDER-**

19 **NESS.**

20           *(a) DESIGNATION.—Section 3 of the Oregon Wilderness*  
21 *Act of 1984 (16 U.S.C. 1132 note; Public Law 98–328) is*  
22 *amended—*

23           *(1) in the matter preceding paragraph (1), by*  
24 *striking “eight hundred fifty-nine thousand six hun-*  
25 *dred acres” and inserting “873,300 acres”;*

1           (2) *in paragraph (29), by striking the period at*  
 2 *the end and inserting “; and”; and*

3           (3) *by adding at the end the following:*

4           “(30) *certain land in the Siskiyou National For-*  
 5 *est, comprising approximately 13,700 acres, as gen-*  
 6 *erally depicted on the map entitled ‘Proposed Copper*  
 7 *Salmon Wilderness Area’ and dated December 7,*  
 8 *2007, to be known as the ‘Copper Salmon Wilder-*  
 9 *ness’.*”.

10       **(b) MAPS AND LEGAL DESCRIPTION.—**

11           (1) *IN GENERAL.—As soon as practicable after*  
 12 *the date of enactment of this Act, the Secretary of Ag-*  
 13 *riculture (referred to in this Act as the “Secretary”)*  
 14 *shall file a map and a legal description of the Copper*  
 15 *Salmon Wilderness with—*

16                   (A) *the Committee on Energy and Natural*  
 17 *Resources of the Senate; and*

18                   (B) *the Committee on Natural Resources of*  
 19 *the House of Representatives.*

20           (2) *FORCE OF LAW.—The map and legal descrip-*  
 21 *tion filed under paragraph (1) shall have the same*  
 22 *force and effect as if included in this Act, except that*  
 23 *the Secretary may correct typographical errors in the*  
 24 *map and legal description.*

1           (3) *BOUNDARY.*—*If the boundary of the Copper*  
 2           *Salmon Wilderness shares a border with a road, the*  
 3           *Secretary may only establish an offset that is not*  
 4           *more than 150 feet from the centerline of the road.*

5           (4) *PUBLIC AVAILABILITY.*—*Each map and legal*  
 6           *description filed under paragraph (1) shall be on file*  
 7           *and available for public inspection in the appropriate*  
 8           *offices of the Forest Service.*

9   **SEC. 3. WILD AND SCENIC RIVER DESIGNATIONS, ELK**  
 10           **RIVER, OREGON.**

11           *Section 3(a)(76) of the Wild and Scenic Rivers Act*  
 12           *(16 U.S.C. 1274(a)(76)) is amended—*

13           (1) *in the matter preceding subparagraph (A),*  
 14           *by striking “19-mile segment” and inserting “29-mile*  
 15           *segment”;*

16           (2) *in subparagraph (A), by striking “; and”*  
 17           *and inserting a period; and*

18           (3) *by striking subparagraph (B) and inserting*  
 19           *the following:*

20                   *“(B)(i) The approximately 0.6-mile segment*  
 21                   *of the North Fork Elk from its source in sec. 21,*  
 22                   *T. 33 S., R. 12 W., Willamette Meridian, down-*  
 23                   *stream to 0.01 miles below Forest Service Road*  
 24                   *3353, as a scenic river.*

1           “(i) The approximately 5.5-mile segment of  
2 the North Fork Elk from 0.01 miles below Forest  
3 Service Road 3353 to its confluence with the  
4 South Fork Elk, as a wild river.

5           “(C)(i) The approximately 0.9-mile segment  
6 of the South Fork Elk from its source in the  
7 southeast quarter of sec. 32, T. 33 S., R. 12 W.,  
8 Willamette Meridian, downstream to 0.01 miles  
9 below Forest Service Road 3353, as a scenic  
10 river.

11           “(i) The approximately 4.2-mile segment of  
12 the South Fork Elk from 0.01 miles below Forest  
13 Service Road 3353 to its confluence with the  
14 North Fork Elk, as a wild river.”.

15 **SEC. 4. PROTECTION OF TRIBAL RIGHTS.**

16       (a) *IN GENERAL.*—Nothing in this Act shall be con-  
17 strued as diminishing any right of any Indian tribe.

18       (b) *MEMORANDUM OF UNDERSTANDING.*—The Sec-  
19 retary shall seek to enter into a memorandum of under-  
20 standing with the Coquille Indian Tribe regarding access  
21 to the Copper Salmon Wilderness to conduct historical and  
22 cultural activities.

Amend the title so as to read: “To amend the Or-  
egon Wilderness Act of 1984 to designate the Copper  
Salmon Wilderness and to amend the Wild and Scenic  
Rivers Act to designate segments of the North and South

Forks of the Elk River in the State of Oregon as additions to the Elk Wild and Scenic River, and for other purposes.”.

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110<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 2034**

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**A BILL**

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APRIL 10, 2008

Reported with an amendment and an amendment to the  
title