

110TH CONGRESS  
2D SESSION

# H. R. 6290

To designate certain land in the State of Oregon as wilderness, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

JUNE 18, 2008

Mr. BLUMENAUER (for himself, Mr. DEFAZIO, Ms. HOOLEY, and Mr. WU) introduced the following bill; which was referred to the Committee on Natural Resources

---

## A BILL

To designate certain land in the State of Oregon as wilderness, and for other purposes.

**1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the  
3 “Lewis and Clark Mount Hood Wilderness Act of 2008”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.

### TITLE I—PROTECTED AREAS

#### Subtitle A—Designation of Wilderness Areas

- Sec. 101. Designation of Lewis and Clark Mount Hood wilderness areas.
- Sec. 102. Richard L. Kohnstamm Memorial Area.
- Sec. 103. Potential wilderness area; additions to wilderness areas.
- Sec. 104. Maps and legal descriptions.

- Sec. 105. Administration.
- Sec. 106. Buffer zones.
- Sec. 107. Fish and wildlife.
- Sec. 108. Fire, insects, and diseases.
- Sec. 109. Withdrawal.

Subtitle B—Designation of Streams for Wild and Scenic River Protection in  
the Mount Hood Area

- Sec. 111. Wild and Scenic River designations, Mount Hood National Forest.
- Sec. 112. Protection for Hood River, Oregon.

Subtitle C—Mount Hood National Recreation Area

- Sec. 121. Mount Hood National Recreation Area.

Subtitle D—Protections for Crystal Springs, Upper Big Bottom, and Cultus  
Creek

- Sec. 131. Crystal Springs Watershed Special Resources Management Unit.
- Sec. 132. Protections for Upper Big Bottom and Cultus Creek.

TITLE II—LAND EXCHANGES

Subtitle A—Cooper Spur-Government Camp Land Exchange

- Sec. 201. Definitions.
- Sec. 202. Cooper Spur-Government Camp land exchange.

Subtitle B—Port of Cascade Locks Land Exchange

- Sec. 211. Definitions.
- Sec. 212. Land exchange, Port of Cascade Locks-Pacific Crest National Scenic  
Trail.

Subtitle C—Hunchback Mountain Land Exchange and Boundary Adjustment

- Sec. 221. Definitions.
- Sec. 222. Hunchback Mountain land exchange.
- Sec. 223. Boundary adjustment.

Subtitle D—Conditions on Development of Federal Land

- Sec. 231. Improved natural disaster preparedness.

TITLE III—TRIBAL PROVISIONS; PLANNING AND STUDIES

- Sec. 301. Transportation plan.
- Sec. 302. Mount Hood National Forest stewardship strategy.
- Sec. 303. Local and tribal relationships.
- Sec. 304. Recreational uses.

**1 SEC. 2. DEFINITIONS.**

**2 In this Act:**

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

3           (2) STATE.—The term “State” means the State  
4           of Oregon.

5           **TITLE I—PROTECTED AREAS**  
6                   **Subtitle A—Designation of**  
7                   **Wilderness Areas**

8           **SEC. 101. DESIGNATION OF LEWIS AND CLARK MOUNT**  
9                   **HOOD WILDERNESS AREAS.**

10           In accordance with the Wilderness Act (16 U.S.C.  
11   1131 et seq.), the following areas in the State of Oregon  
12   are designated as wilderness areas and as components of  
13   the National Wilderness Preservation System:

14           (1) BADGER CREEK WILDERNESS ADDITIONS.—  
15           Certain Federal land managed by the Forest Serv-  
16           ice, comprising approximately 8,136 acres, as gen-  
17           erally depicted on the maps entitled “Badger Creek  
18           Wilderness—Badger Creek Additions”, “Badger  
19           Creek Wilderness—Bonney Butte”, and “Badger  
20           Creek Wilderness—Boulder Lake”, all dated April  
21           2008, which is incorporated in, and considered to be  
22           a part of, the Badger Creek Wilderness, as des-  
23           ignated by section 3(3) of the Oregon Wilderness  
24           Act of 1984 (16 U.S.C. 1132 note; 98 Stat. 273).

1           (2) BULL OF THE WOODS WILDERNESS ADDI-  
2           TION.—Certain Federal land managed by the Forest  
3           Service, comprising approximately 10,183 acres, as  
4           generally depicted on the map entitled “Bull of the  
5           Woods Wilderness—Bull of the Woods Additions”  
6           and dated April 2008, which is incorporated in, and  
7           considered to be a part of, the Bull of the Woods  
8           Wilderness, as designated by section 3(4) of the Or-  
9           regon Wilderness Act of 1984 (16 U.S.C. 1132 note;  
10          98 Stat. 273).

11          (3) CLACKAMAS WILDERNESS.—Certain Federal  
12          land managed by the Forest Service, comprising ap-  
13          proximately 9,470 acres, as generally depicted on the  
14          maps entitled “Clackamas Wilderness—Big Bot-  
15          tom”, “Clackamas Wilderness—Clackamas Canyon”,  
16          “Clackamas Wilderness—Memaloose Lake”,  
17          “Clackamas Wilderness—Sisi Butte”, and  
18          “Clackamas Wilderness—South Fork Clackamas”,  
19          all dated April 2008, which shall be known as the  
20          “Clackamas Wilderness”.

21          (4) MARK O. HATFIELD WILDERNESS ADDI-  
22          TIONS.—Certain Federal land managed by the For-  
23          est Service, comprising approximately 25,963 acres,  
24          as generally depicted on the maps entitled “Mark O.  
25          Hatfield Wilderness—Gorge Face” and “Mark O.

1 Hatfield Wilderness—Larch Mountain”, all dated  
2 April 2008, which is incorporated in, and considered  
3 to be a part of, the Mark O. Hatfield Wilderness, as  
4 designated by section 3(1) of the Oregon Wilderness  
5 Act of 1984 (16 U.S.C. 1132 note; 98 Stat. 273).

6 (5) MOUNT HOOD WILDERNESS ADDITIONS.—

7 Certain Federal land managed by the Forest Serv-  
8 ice, comprising approximately 21,940 acres, as gen-  
9 erally depicted on the maps entitled “Mount Hood  
10 Wilderness—Barlow Butte”, “Mount Hood Wilder-  
11 ness-Bluegrass Ridge”, “Mount Hood Wilderness—  
12 Elk Cove/Mazama”, “Mount Hood Wilderness—  
13 Richard L. Kohnstamm Memorial Area”, “Mount  
14 Hood Wilderness—Sand Canyon”, “Mount Hood  
15 Wilderness—Sandy Additions”, “Mount Hood Wil-  
16 derness—Twin Lakes”, and “Mount Hood Wilder-  
17 ness—White River”, all dated April 2008, and the  
18 map entitled “Mount Hood Wilderness—Cloud  
19 Cap”, dated April 2008, which is incorporated in,  
20 and considered to be a part of, the Mount Hood Wil-  
21 derness, as designated under section 3(a) of the Wil-  
22 derness Act (16 U.S.C. 1132(a)) and enlarged by  
23 section 3(d) of the Endangered American Wilderness  
24 Act of 1978 (16 U.S.C. 1132 note; 92 Stat. 43).

1           (6) SALMON-HUCKLEBERRY WILDERNESS ADDI-  
2           TIONS.—Certain Federal land managed by the For-  
3           est Service, comprising approximately 53,841 acres,  
4           as generally depicted on the maps entitled “Salmon-  
5           Huckleberry Wilderness—Alder Creek Additions”,  
6           “Salmon-Huckleberry Wilderness—Eagle Creek Ad-  
7           dition”, “Salmon-Huckleberry Wilderness—Hunch-  
8           back Mountain”, “Salmon-Huckleberry Wilder-  
9           ness—Inch Creek”, “Salmon-Huckleberry Wilder-  
10          ness—Mirror Lake”, “Salmon-Huckleberry Wilder-  
11          ness—Roaring River”, “Salmon-Huckleberry Wilder-  
12          ness—Salmon River ‘Keyhole’”, and “Salmon-  
13          Huckleberry Wilderness—Salmon River Meadows”,  
14          all dated April 2008, which is incorporated in, and  
15          considered to be a part of, the Salmon-Huckleberry  
16          Wilderness, as designated by section 3(2) of the Or-  
17          egon Wilderness Act of 1984 (16 U.S.C. 1132 note;  
18          98 Stat. 273).

19           (7) LOWER WHITE RIVER WILDERNESS.—Cer-  
20          tain Federal land managed by the Forest Service  
21          and Bureau of Land Management, comprising ap-  
22          proximately 2,870 acres, as generally depicted on the  
23          map entitled “Lower White River Wilderness—  
24          Lower White River” and dated April 2008, which

1 shall be known as the “Lower White River Wilder-  
2 ness”.

3 **SEC. 102. RICHARD L. KOHNSTAMM MEMORIAL AREA.**

4 Certain Federal land managed by the Forest Service,  
5 as generally depicted on the map entitled “Mount Hood  
6 Wilderness—Richard L. Kohnstamm Memorial Area” and  
7 dated April 2008, is designated as the “Richard L.  
8 Kohnstamm Memorial Area”.

9 **SEC. 103. POTENTIAL WILDERNESS AREA; ADDITIONS TO**  
10 **WILDERNESS AREAS.**

11 (a) ROARING RIVER POTENTIAL WILDERNESS  
12 AREA.—

13 (1) IN GENERAL.—In furtherance of the pur-  
14 poses of the Wilderness Act (16 U.S.C. 1131 et  
15 seq.), certain Federal land managed by the Forest  
16 Service, comprising approximately 900 acres identi-  
17 fied as “Potential Wilderness” on the map entitled  
18 “Salmon-Huckleberry Additions: Roaring River Wil-  
19 derness”, dated April 2008, is designated as a po-  
20 tential wilderness area.

21 (2) MANAGEMENT.—The potential wilderness  
22 area designated by paragraph (1) shall be managed  
23 in accordance with section 4 of the Wilderness Act  
24 (16 U.S.C. 1133).

1           (3) DESIGNATION AS WILDERNESS.—On the  
2           date on which the Secretary publishes in the Federal  
3           Register notice that the conditions in the potential  
4           wilderness area designated by paragraph (1) are  
5           compatible with the Wilderness Act (16 U.S.C. 1131  
6           et seq.), the potential wilderness shall be—

7                   (A) designated as wilderness and as a com-  
8                   ponent of the National Wilderness Preservation  
9                   System; and

10                   (B) incorporated into the Roaring River  
11                   Wilderness designated by section 101(6).

12           (b) ADDITION TO THE MOUNT HOOD WILDER-  
13           NESS.—On completion of the land exchange under section  
14           202, certain Federal land managed by the Forest Service,  
15           comprising approximately 1,710 acres, as generally de-  
16           picted on the map entitled “Mount Hood Wilderness—  
17           Tilly Jane”, dated April 2008, shall be incorporated in,  
18           and considered to be a part of, the Mount Hood Wilder-  
19           ness, as designated under section 3(a) of the Wilderness  
20           Act (16 U.S.C. 1132(a)) and enlarged by section 3(d) of  
21           the Endangered American Wilderness Act of 1978 (16  
22           U.S.C. 1132 note; 92 Stat. 43) and section 101(5).

23           (c) ADDITION TO THE SALMON-HUCKLEBERRY WIL-  
24           DERNESS.—On acquisition by the United States, the ap-  
25           proximately 160 acres of land identified as “Land to be

1 acquired by USFS” on the map entitled “Hunchback  
2 Mountain Land Exchange, Clackamas County”, dated  
3 June 2006, shall be incorporated in, and considered to be  
4 a part of, the Salmon-Huckleberry Wilderness, as des-  
5 ignated by section 3(2) of the Oregon Wilderness Act of  
6 1984 (16 U.S.C. 1132 note; 98 Stat. 273) and enlarged  
7 by section 101(7).

8 **SEC. 104. MAPS AND LEGAL DESCRIPTIONS.**

9 (a) IN GENERAL.—As soon as practicable after the  
10 date of enactment of this Act, the Secretary shall file a  
11 map and a legal description of each wilderness area and  
12 potential wilderness area designated by this title, with—

13 (1) the Committee on Energy and Natural Re-  
14 sources of the Senate; and

15 (2) the Committee on Natural Resources of the  
16 House of Representatives.

17 (b) FORCE OF LAW.—The maps and legal descrip-  
18 tions filed under subsection (a) shall have the same force  
19 and effect as if included in this Act, except that the Sec-  
20 retary may correct typographical errors in the maps and  
21 legal descriptions.

22 (c) PUBLIC AVAILABILITY.—Each map and legal de-  
23 scription filed under subsection (a) shall be on file and  
24 available for public inspection in the appropriate offices  
25 of the Forest Service and Bureau of Land Management.

1 (d) DESCRIPTION OF LAND.—The boundaries of the  
2 areas designated as wilderness by section 101 that are im-  
3 mediately adjacent to a utility right-of-way or a Federal  
4 Energy Regulatory Commission project boundary shall be  
5 100 feet from the boundary of the right-of-way or the  
6 project boundary.

7 **SEC. 105. ADMINISTRATION.**

8 (a) IN GENERAL.—Subject to valid existing rights,  
9 each area designated as wilderness by this title shall be  
10 administered by the Secretary that has jurisdiction over  
11 the land within the wilderness, in accordance with the Wil-  
12 derness Act (16 U.S.C. 1131 et seq.), except that—

13 (1) any reference in that Act to the effective  
14 date shall be considered to be a reference to the date  
15 of enactment of this Act; and

16 (2) any reference in that Act to the Secretary  
17 of Agriculture shall be considered to be a reference  
18 to the Secretary that has jurisdiction over the land  
19 within the wilderness.

20 (b) INCORPORATION OF ACQUIRED LAND AND IN-  
21 TERESTS.—Any land within the boundary of a wilderness  
22 area designated by this Act that is acquired by the United  
23 States shall—

24 (1) become part of the wilderness area in which  
25 the land is located; and

1           (2) be managed in accordance with this Act, the  
2       Wilderness Act (16 U.S.C. 1131 et seq.), and any  
3       other applicable law.

4 **SEC. 106. BUFFER ZONES.**

5       (a) IN GENERAL.—As provided in the Oregon Wilder-  
6       ness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–  
7       328), Congress does not intend for designation of wilder-  
8       ness areas in the State under this title to lead to the cre-  
9       ation of protective perimeters or buffer zones around each  
10      wilderness area.

11      (b) ACTIVITIES OR USES UP TO BOUNDARIES.—The  
12      fact that nonwilderness activities or uses can be seen or  
13      heard from within a wilderness area shall not, of itself,  
14      preclude the activities or uses up to the boundary of the  
15      wilderness area.

16 **SEC. 107. FISH AND WILDLIFE.**

17      Nothing in this Act affects the jurisdiction or respon-  
18      sibilities of the State with respect to fish and wildlife.

19 **SEC. 108. FIRE, INSECTS, AND DISEASES.**

20      As provided in section 4(d)(1) of the Wilderness Act  
21      (16 U.S.C. 1133(d)(1)), within the wilderness areas des-  
22      ignated by this Act, the Secretary that has jurisdiction  
23      over the land within the wilderness (referred to in this sec-  
24      tion as the “Secretary”) may take such measures as are  
25      necessary to control fire, insects, and diseases, subject to

1 such terms and conditions as the Secretary determines to  
2 be desirable and appropriate.

3 **SEC. 109. WITHDRAWAL.**

4 Subject to valid rights in existence on the date of en-  
5 actment of this Act, the Federal land designated as wilder-  
6 ness by this subtitle is withdrawn from all forms of—

7 (1) entry, appropriation, or disposal under the  
8 public land laws;

9 (2) location, entry, and patent under the mining  
10 laws; and

11 (3) disposition under all laws pertaining to min-  
12 eral and geothermal leasing or mineral materials.

13 **Subtitle B—Designation of Streams**  
14 **for Wild and Scenic River Pro-**  
15 **tection in the Mount Hood Area**

16 **SEC. 111. WILD AND SCENIC RIVER DESIGNATIONS, MOUNT**  
17 **HOOD NATIONAL FOREST.**

18 (a) IN GENERAL.—Section 3(a) of the Wild and Sce-  
19 nic Rivers Act (16 U.S.C. 1274(a)) is amended—

20 (1) by redesignating paragraph (167) (relating  
21 to the Musconetcong River, New Jersey) as para-  
22 graph (169);

23 (2) by designating the undesignated paragraph  
24 relating to the White Salmon River, Washington, as  
25 paragraph (167);

1           (3) by designating the undesignated paragraph  
2 relating to the Black Butte River, California, as  
3 paragraph (168); and

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

5           “(170) SOUTH FORK CLACKAMAS RIVER.—The  
6 4.2-mile segment of the South Fork Clackamas  
7 River from its confluence with the East Fork of the  
8 South Fork Clackamas to its confluence with the  
9 Clackamas River, to be administered by the Sec-  
10 retary of Agriculture as a wild river.

11           “(171) EAGLE CREEK.—The 8.3-mile segment  
12 of Eagle Creek from its headwaters to the Mount  
13 Hood National Forest boundary, to be administered  
14 by the Secretary of Agriculture as a wild river.

15           “(172) MIDDLE FORK HOOD RIVER.—The 3.7-  
16 mile segment of the Middle Fork Hood River from  
17 the confluence of Clear and Coe Branches to the  
18 north section line of section 11, township 1 south,  
19 range 9 east, to be administered by the Secretary of  
20 Agriculture as a scenic river.

21           “(173) SOUTH FORK ROARING RIVER.—The  
22 4.6-mile segment of the South Fork Roaring River  
23 from its headwaters to its confluence with Roaring  
24 River, to be administered by the Secretary of Agri-  
25 culture as a wild river.

1           “(174) ZIG ZAG RIVER.—The 4.3-mile segment  
2 of the Zig Zag River from its headwaters to the  
3 Mount Hood Wilderness boundary, to be adminis-  
4 tered by the Secretary of Agriculture as a wild river.

5           “(175) FIFTEENMILE CREEK.—

6           “(A) IN GENERAL.—The 11.1-mile seg-  
7 ment of Fifteenmile Creek from its source at  
8 Senecal Spring to the southern edge of the  
9 northwest quarter of the northwest quarter of  
10 section 20, township 2 south, range 12 east, to  
11 be administered by the Secretary of Agriculture  
12 in the following classes:

13           “(i) The 2.6-mile segment from its  
14 source at Senecal Spring to the Badger  
15 Creek Wilderness boundary, as a wild  
16 river.

17           “(ii) The 0.4-mile segment from the  
18 Badger Creek Wilderness boundary to the  
19 point 0.4 miles downstream, as a scenic  
20 river.

21           “(iii) The 7.9-mile segment from the  
22 point 0.4 miles downstream of the Badger  
23 Creek Wilderness boundary to the western  
24 edge of section 20, township 2 south,  
25 range 12 east as a wild river.

1           “(iv) The 0.2-mile segment from the  
2           western edge of section 20, township 2  
3           south, range 12 east, to the southern edge  
4           of the northwest quarter of the northwest  
5           quarter of section 20, township 2 south,  
6           range 12 east as a scenic river.

7           “(B) INCLUSIONS.—Notwithstanding sec-  
8           tion 3(b), the lateral boundaries of both the  
9           wild river area and the scenic river area along  
10          Fifteenmile Creek shall include an average of  
11          not more than 640 acres per mile measured  
12          from the ordinary high water mark on both  
13          sides of the river.

14          “(176) EAST FORK HOOD RIVER.—The 13.5-  
15          mile segment of the East Fork Hood River from Or-  
16          regon State Highway 35 to the Mount Hood National  
17          Forest boundary, to be administered by the Sec-  
18          retary of Agriculture as a recreational river.

19          “(177) COLLAWASH RIVER.—The 17.8-mile  
20          segment of the Collawash River from the headwaters  
21          of the East Fork Collawash to the confluence of the  
22          mainstream of the Collawash River with the  
23          Clackamas River, to be administered by the Sec-  
24          retary of Agriculture in the following classes:



1 (b) BOUNDARY.—The Mount Hood National Recre-  
2 ation Area shall consist of certain Federal land managed  
3 by the Forest Service and Bureau of Land Management,  
4 comprising approximately 34,550 acres, as generally de-  
5 picted on the maps entitled “National Recreation Areas—  
6 Mount Hood NRA”, “National Recreation Areas—  
7 Fifteenmile Creek NRA”, and “National Recreation  
8 Areas—Shellrock Mountain”, all dated April 2008.

9 (c) MAP AND LEGAL DESCRIPTION.—

10 (1) SUBMISSION OF LEGAL DESCRIPTION.—As  
11 soon as practicable after the date of enactment of  
12 this Act, the Secretary shall file a map and a legal  
13 description of the Mount Hood National Recreation  
14 Area with—

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

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

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

24 (3) PUBLIC AVAILABILITY.—The map and legal  
25 description filed under paragraph (1) shall be on file

1 and available for public inspection in the appropriate  
2 offices of the Forest Service.

3 (d) ADMINISTRATION.—

4 (1) IN GENERAL.—The Secretary shall—

5 (A) administer the Mount Hood National  
6 Recreation Area—

7 (i) in accordance with the laws (in-  
8 cluding regulations) and rules applicable to  
9 the National Forest System; and

10 (ii) consistent with the purposes de-  
11 scribed in subsection (a); and

12 (B) only allow uses of the Mount Hood  
13 National Recreation Area that are consistent  
14 with the purposes described in subsection (a).

15 (2) APPLICABLE LAW.—Any portion of a wil-  
16 derness area designated by subtitle A that is located  
17 within the Mount Hood National Recreation Area  
18 shall be administered in accordance with the Wilder-  
19 ness Act (16 U.S.C. 1131 et seq.).

20 (e) TIMBER.—The cutting, sale, or removal of timber  
21 within the Mount Hood National Recreation Area may be  
22 permitted—

23 (1) to the extent necessary to improve the  
24 health of the forest in a manner that—

1 (A) maximizes the retention of large  
2 trees—

3 (i) as appropriate to the forest type;

4 and

5 (ii) to the extent that the trees pro-  
6 mote stands that are fire-resilient and  
7 healthy;

8 (B) improves the habitats of threatened,  
9 endangered, or sensitive species; or

10 (C) maintains or restores the composition  
11 and structure of the ecosystem by reducing the  
12 risk of uncharacteristic wildfire;

13 (2) to accomplish an approved management ac-  
14 tivity in furtherance of the purposes established by  
15 this subtitle, if the cutting, sale, or removal of tim-  
16 ber is incidental to the management activity; or

17 (3) for de minimus personal or administrative  
18 use within the Mount Hood National Recreation  
19 Area, where such use will not impair the purposes  
20 established by this subtitle.

21 (f) ROAD CONSTRUCTION.—No new or temporary  
22 roads shall be constructed or reconstructed within the  
23 Mount Hood National Recreation Area except as nec-  
24 essary—

1           (1) to protect the health and safety of individ-  
2           uals in cases of an imminent threat of flood, fire, or  
3           any other catastrophic event that, without interven-  
4           tion, would cause the loss of life or property;

5           (2) to conduct environmental cleanup required  
6           by the United States;

7           (3) to allow for the exercise of reserved or out-  
8           standing rights provided for by a statute or treaty;

9           (4) to prevent irreparable resource damage by  
10          an existing road; or

11          (5) to rectify a hazardous road condition.

12          (g) WITHDRAWAL.—Subject to valid existing rights,  
13          all Federal land within the Mount Hood National Recre-  
14          ation Area is withdrawn from—

15               (1) all forms of entry, appropriation, or disposal  
16               under the public land laws;

17               (2) location, entry, and patent under the mining  
18               laws; and

19               (3) disposition under all laws relating to min-  
20               eral and geothermal leasing.

21          (h) TRANSFER OF ADMINISTRATIVE JURISDIC-  
22          TION.—

23               (1) IN GENERAL.—Administrative jurisdiction  
24               over the Federal land described in paragraph (2) is

1 transferred from the Bureau of Land Management  
2 to the Forest Service.

3 (2) DESCRIPTION OF LAND.—The land referred  
4 to in paragraph (1) is the approximately 130 acres  
5 of land administered by the Bureau of Land Man-  
6 agement within or adjacent to the Mount Hood Na-  
7 tional Recreation Area that is identified as “BLM  
8 Lands” on the map entitled “National Recreation  
9 Areas—Shellrock Mountain”, dated April 2008.

10 **Subtitle D—Protections for Crystal**  
11 **Springs, Upper Big Bottom, and**  
12 **Cultus Creek**

13 **SEC. 131. CRYSTAL SPRINGS WATERSHED SPECIAL RE-**  
14 **SOURCES MANAGEMENT UNIT.**

15 (a) ESTABLISHMENT.—

16 (1) IN GENERAL.—On completion of the land  
17 exchange under section 202, there shall be estab-  
18 lished a special resources management unit in the  
19 State consisting of certain Federal land managed by  
20 the Forest Service, as generally depicted on the map  
21 entitled “Crystal Springs Watershed Special Re-  
22 sources Management Unit”, dated June 2006 (re-  
23 ferred to in this section as the “map”), to be known  
24 as the “Crystal Springs Watershed Special Re-

1 sources Management Unit” (referred to in this sec-  
2 tion as the “Management Unit”).

3 (2) EXCLUSION OF CERTAIN LAND.—The Man-  
4 agement Unit does not include any National Forest  
5 System land otherwise covered by paragraph (1)  
6 that is designated as wilderness by subtitle A.

7 (3) WITHDRAWAL.—

8 (A) IN GENERAL.—Subject to valid rights  
9 in existence on the date of enactment of this  
10 Act, the Federal land designated as the Man-  
11 agement Unit is withdrawn from all forms of—

12 (i) entry, appropriation, or disposal  
13 under the public land laws;

14 (ii) location, entry, and patent under  
15 the mining laws; and

16 (iii) disposition under all laws per-  
17 taining to mineral and geothermal leasing  
18 or mineral materials.

19 (B) EXCEPTION.—Subparagraph (A)(i)  
20 does not apply to the parcel of land generally  
21 depicted as “HES 151” on the map.

22 (b) PURPOSES.—The purposes of the Management  
23 Unit are—

24 (1) to ensure the protection of the quality and  
25 quantity of the Crystal Springs watershed as a clean

1 drinking water source for the residents of Hood  
2 River County, Oregon; and

3 (2) to allow visitors to enjoy the special scenic,  
4 natural, cultural, and wildlife values of the Crystal  
5 Springs watershed.

6 (c) MAP AND LEGAL DESCRIPTION.—

7 (1) SUBMISSION OF LEGAL DESCRIPTION.—As  
8 soon as practicable after the date of enactment of  
9 this Act, the Secretary shall file a map and a legal  
10 description of the Management Unit with—

11 (A) the Committee on Energy and Natural  
12 Resources of the Senate; and

13 (B) the Committee on Natural Resources  
14 of the House of Representatives.

15 (2) FORCE OF LAW.—The map and legal de-  
16 scription filed under paragraph (1) shall have the  
17 same force and effect as if included in this Act, ex-  
18 cept that the Secretary may correct typographical  
19 errors in the map and legal description.

20 (3) PUBLIC AVAILABILITY.—The map and legal  
21 description filed under paragraph (1) shall be on file  
22 and available for public inspection in the appropriate  
23 offices of the Forest Service.

24 (d) ADMINISTRATION.—

25 (1) IN GENERAL.—The Secretary shall—

- 1 (A) administer the Management Unit—  
2 (i) in accordance with the laws (in-  
3 cluding regulations) and rules applicable to  
4 units of the National Forest System; and  
5 (ii) consistent with the purposes de-  
6 scribed in subsection (b); and  
7 (B) only allow uses of the Management  
8 Unit that are consistent with the purposes de-  
9 scribed in subsection (b).

10 (2) FUEL REDUCTION IN PROXIMITY TO IM-  
11 PROVEMENTS AND PRIMARY PUBLIC ROADS.—To  
12 protect the water quality, water quantity, and scenic,  
13 cultural, natural, and wildlife values of the Manage-  
14 ment Unit, the Secretary may conduct fuel reduction  
15 and forest health management treatments to main-  
16 tain and restore fire-resilient forest structures con-  
17 taining late successional forest structure character-  
18 ized by large trees and multistoried canopies, as eco-  
19 logically appropriate, on National Forest System  
20 land in the Management Unit—

- 21 (A) in any area located not more than 400  
22 feet from structures located on—  
23 (i) National Forest System land; or  
24 (ii) private land adjacent to National  
25 Forest System land;

1 (B) in any area located not more than 400  
2 feet from the Cooper Spur Road, the Cloud Cap  
3 Road, or the Cooper Spur Ski Area Loop Road;  
4 and

5 (C) on any other National Forest System  
6 land in the Management Unit, with priority  
7 given to activities that restore previously har-  
8 vested stands, including the removal of logging  
9 slash, smaller diameter material, and ladder  
10 fuels.

11 (3) PROHIBITED ACTIVITIES.—Subject to valid  
12 existing rights, the following activities shall be pro-  
13 hibited on National Forest System land in the Man-  
14 agement Unit:

15 (A) New road construction or renovation of  
16 existing non-System roads, except as necessary  
17 to protect public health and safety.

18 (B) Projects undertaken for the purpose of  
19 harvesting commercial timber (other than ac-  
20 tivities relating to the harvest of merchantable  
21 products that are byproducts of activities con-  
22 ducted to further the purposes described in sub-  
23 section (b)).

24 (C) Commercial livestock grazing.

1           (D) The placement of new fuel storage  
2 tanks.

3           (E) Except to the extent necessary to fur-  
4 ther the purposes described in subsection (b),  
5 the application of any toxic chemicals (other  
6 than fire retardants), including pesticides,  
7 rodenticides, or herbicides.

8 (e) FOREST ROAD CLOSURES.—

9           (1) IN GENERAL.—Except as provided in para-  
10 graph (2), the Secretary may provide for the closure  
11 or gating to the general public of any Forest Service  
12 road within the Management Unit.

13           (2) EXCEPTION.—Nothing in this section re-  
14 quires the Secretary to close the road commonly  
15 known as “Cloud Cap Road”, which shall be admin-  
16 istered in accordance with otherwise applicable law.

17 (f) PRIVATE LAND.—

18           (1) EFFECT.—Nothing in this section affects  
19 the use of, or access to, any private property within  
20 the area identified on the map as the “Crystal  
21 Springs Zone of Contribution” by—

22                   (A) the owners of the private property; and

23                   (B) guests to the private property.

24           (2) COOPERATION.—The Secretary is encour-  
25 aged to work with private landowners who have

1       agreed to cooperate with the Secretary to further the  
2       purposes of this section.

3       (g) ACQUISITION OF LAND.—

4             (1) IN GENERAL.—The Secretary may acquire  
5       from willing landowners any land located within the  
6       area identified on the map as the “Crystal Springs  
7       Zone of Contribution”.

8             (2) INCLUSION IN MANAGEMENT UNIT.—On the  
9       date of acquisition, any land acquired under para-  
10      graph (1) shall be incorporated in, and be managed  
11      as part of, the Management Unit.

12 **SEC. 132. PROTECTIONS FOR UPPER BIG BOTTOM AND**  
13                                   **CULTUS CREEK.**

14      (a) IN GENERAL.—The Secretary shall manage the  
15      Federal land administered by the Forest Service described  
16      in subsection (b) in a manner that preserves the natural  
17      and primitive character of the land for recreational, scenic,  
18      and scientific use.

19      (b) DESCRIPTION OF LAND.—The Federal land re-  
20      ferred to in subsection (a) is—

21             (1) the approximately 1,580 acres, as generally  
22      depicted on the map entitled “Upper Big Bottom”,  
23      dated April 2008; and

24             (2) the approximately 280 acres identified as  
25      “Cultus Creek” on the map entitled “Clackamas

1 Wilderness—South Fork Clackamas”, dated April  
2 2008.

3 (c) MAPS AND LEGAL DESCRIPTIONS.—

4 (1) IN GENERAL.—As soon as practicable after  
5 the date of enactment of this Act, the Secretary  
6 shall file maps and legal descriptions of the Federal  
7 land described in subsection (b) with—

8 (A) the Committee on Energy and Natural  
9 Resources of the Senate; and

10 (B) the Committee on Natural Resources  
11 of the House of Representatives.

12 (2) FORCE OF LAW.—The maps and legal de-  
13 scriptions filed under paragraph (1) shall have the  
14 same force and effect as if included in this Act, ex-  
15 cept that the Secretary may correct typographical  
16 errors in the maps and legal descriptions.

17 (3) PUBLIC AVAILABILITY.—Each map and  
18 legal description filed under paragraph (1) shall be  
19 on file and available for public inspection in the ap-  
20 propriate offices of the Forest Service.

21 (d) USE OF LAND.—

22 (1) IN GENERAL.—Subject to valid existing  
23 rights, with respect to the Federal land described in  
24 subsection (b), the Secretary shall only allow uses

1 that are consistent with the purposes identified in  
2 subsection (a).

3 (2) PROHIBITED USES.—The following shall be  
4 prohibited on the Federal land described in sub-  
5 section (b):

6 (A) Permanent roads.

7 (B) Commercial enterprises.

8 (C) Except as necessary to meet the min-  
9 imum requirements for the administration of  
10 the Federal land and to protect public health  
11 and safety—

12 (i) the use of motor vehicles; or

13 (ii) the establishment of temporary  
14 roads.

15 (e) WITHDRAWAL.—Subject to valid existing rights,  
16 the Federal land described in subsection (b) is withdrawn  
17 from—

18 (1) all forms of entry, appropriation, or disposal  
19 under the public land laws;

20 (2) location, entry, and patent under the mining  
21 laws; and

22 (3) disposition under all laws relating to min-  
23 eral and geothermal leasing.

1       **TITLE II—LAND EXCHANGES**  
2               **Subtitle A—Cooper Spur-**  
3       **Government Camp Land Exchange**

4       **SEC. 201. DEFINITIONS.**

5       In this subtitle:

6               (1) COUNTY.—The term “County” means Hood  
7       River County, Oregon.

8               (2) EXCHANGE MAP.—The term “exchange  
9       map” means the map entitled “Cooper Spur/Govern-  
10      ment Camp Land Exchange”, dated June 2006.

11              (3) FEDERAL LAND.—The term “Federal land”  
12      means the approximately 120 acres of National For-  
13      est System land in the Mount Hood National Forest  
14      in Government Camp, Clackamas County, Oregon,  
15      identified as “USFS Land to be Conveyed” on the  
16      exchange map.

17              (4) MT. HOOD MEADOWS.—The term “Mt.  
18      Hood Meadows” means the Mt. Hood Meadows Or-  
19      egon, Limited Partnership.

20              (5) NON-FEDERAL LAND.—The term “non-Fed-  
21      eral land” means—

22                      (A) the parcel of approximately 770 acres  
23                      of private land at Cooper Spur identified as  
24                      “Land to be acquired by USFS” on the ex-  
25                      change map; and

1 (B) any buildings, furniture, fixtures, and  
2 equipment at the Inn at Cooper Spur and the  
3 Cooper Spur Ski Area covered by an appraisal  
4 described in section 202(d).

5 **SEC. 202. COOPER SPUR-GOVERNMENT CAMP LAND EX-**  
6 **CHANGE.**

7 (a) CONVEYANCE OF LAND.—Subject to the provi-  
8 sions of this section, if Mt. Hood Meadows offers to convey  
9 to the United States all right, title, and interest of Mt.  
10 Hood Meadows in and to the non-Federal land, the Sec-  
11 retary shall convey to Mt. Hood Meadows all right, title,  
12 and interest of the United States in and to the Federal  
13 land (other than any easements reserved under subsection  
14 (g)), subject to valid existing rights.

15 (b) COMPLIANCE WITH EXISTING LAW.—Except as  
16 otherwise provided in this section, the Secretary shall  
17 carry out the land exchange under this section in accord-  
18 ance with section 206 of the Federal Land Policy and  
19 Management Act of 1976 (43 U.S.C. 1716).

20 (c) CONDITIONS ON ACCEPTANCE.—

21 (1) TITLE.—As a condition of the land ex-  
22 change under this section, title to the non-Federal  
23 land to be acquired by the Secretary under this sec-  
24 tion shall be acceptable to the Secretary.

1           (2) TERMS AND CONDITIONS.—The conveyance  
2 of the Federal land and non-Federal land shall be  
3 subject to such terms and conditions as the Sec-  
4 retary may require.

5 (d) APPRAISALS.—

6           (1) IN GENERAL.—As soon as practicable after  
7 the date of enactment of this Act, the Secretary and  
8 Mt. Hood Meadows shall select an appraiser to con-  
9 duct an appraisal of the Federal land and non-Fed-  
10 eral land.

11           (2) REQUIREMENTS.—An appraisal under para-  
12 graph (1) shall be conducted in accordance with na-  
13 tionally recognized appraisal standards, including—

14                   (A) the Uniform Appraisal Standards for  
15 Federal Land Acquisitions; and

16                   (B) the Uniform Standards of Professional  
17 Appraisal Practice.

18 (e) SURVEYS.—

19           (1) IN GENERAL.—The exact acreage and legal  
20 description of the Federal land and non-Federal land  
21 shall be determined by surveys approved by the Sec-  
22 retary.

23           (2) COSTS.—The responsibility for the costs of  
24 any surveys conducted under paragraph (1), and any  
25 other administrative costs of carrying out the land

1 exchange, shall be determined by the Secretary and  
2 Mt. Hood Meadows.

3 (f) DEADLINE FOR COMPLETION OF LAND EX-  
4 CHANGE.—It is the intent of Congress that the land ex-  
5 change under this section shall be completed not later than  
6 16 months after the date of enactment of this Act.

7 (g) RESERVATION OF EASEMENTS.—As a condition  
8 of the conveyance of the Federal land, the Secretary shall  
9 reserve—

10 (1) a conservation easement to the Federal land  
11 to protect existing wetland, as identified by the Or-  
12 egon Department of State Lands, that allows equiv-  
13 alent wetland mitigation measures to compensate for  
14 minor wetland encroachments necessary for the or-  
15 derly development of the Federal land; and

16 (2) a trail easement to the Federal land that al-  
17 lows—

18 (A) nonmotorized use by the public of ex-  
19 isting trails;

20 (B) roads, utilities, and infrastructure fa-  
21 cilities to cross the trails; and

22 (C) improvement or relocation of the trails  
23 to accommodate development of the Federal  
24 land.

1     **Subtitle B—Port of Cascade Locks**  
2                     **Land Exchange**

3     **SEC. 211. DEFINITIONS.**

4         In this subtitle:

5             (1) **EXCHANGE MAP.**—The term “exchange  
6     map” means the map entitled “Port of Cascade  
7     Locks/Pacific Crest National Scenic Trail Land Ex-  
8     change”, dated June 2006.

9             (2) **FEDERAL LAND.**—The term “Federal land”  
10     means the parcel of land consisting of approximately  
11     10 acres of National Forest System land in the Co-  
12     lumbia River Gorge National Scenic Area identified  
13     as “USFS Land to be conveyed” on the exchange  
14     map.

15             (3) **NON-FEDERAL LAND.**—The term “non-Fed-  
16     eral land” means the parcels of land consisting of  
17     approximately 40 acres identified as “Land to be ac-  
18     quired by USFS” on the exchange map.

19             (4) **PORT.**—The term “Port” means the Port of  
20     Cascade Locks, Cascade Locks, Oregon.

21     **SEC. 212. LAND EXCHANGE, PORT OF CASCADE LOCKS-PA-**  
22                     **CIFIC CREST NATIONAL SCENIC TRAIL.**

23             (a) **CONVEYANCE OF LAND.**—Subject to the provi-  
24     sions of this section, if the Port offers to convey to the  
25     United States all right, title, and interest of the Port in

1 and to the non-Federal land, the Secretary shall, subject  
2 to valid existing rights, convey to the Port all right, title,  
3 and interest of the United States in and to the Federal  
4 land.

5 (b) COMPLIANCE WITH EXISTING LAW.—Except as  
6 otherwise provided in this section, the Secretary shall  
7 carry out the land exchange under this section in accord-  
8 ance with section 206 of the Federal Land Policy and  
9 Management Act of 1976 (43 U.S.C. 1716).

10 (c) CONDITIONS ON ACCEPTANCE.—

11 (1) TITLE.—As a condition of the land ex-  
12 change under this section, title to the non-Federal  
13 land to be acquired by the Secretary under this sec-  
14 tion shall be acceptable to the Secretary.

15 (2) TERMS AND CONDITIONS.—The conveyance  
16 of the Federal land and non-Federal land shall be  
17 subject to such terms and conditions as the Sec-  
18 retary may require.

19 (d) APPRAISALS.—

20 (1) IN GENERAL.—As soon as practicable after  
21 the date of enactment of this Act, the Secretary  
22 shall select an appraiser to conduct an appraisal of  
23 the Federal land and non-Federal land.

1           (2) REQUIREMENTS.—An appraisal under para-  
2           graph (1) shall be conducted in accordance with na-  
3           tionally recognized appraisal standards, including—

4                   (A) the Uniform Appraisal Standards for  
5           Federal Land Acquisitions; and

6                   (B) the Uniform Standards of Professional  
7           Appraisal Practice.

8           (e) SURVEYS.—

9                   (1) IN GENERAL.—The exact acreage and legal  
10           description of the Federal land and non-Federal land  
11           shall be determined by surveys approved by the Sec-  
12           retary.

13                   (2) COSTS.—The responsibility for the costs of  
14           any surveys conducted under paragraph (1), and any  
15           other administrative costs of carrying out the land  
16           exchange, shall be determined by the Secretary and  
17           the Port.

18           (f) DEADLINE FOR COMPLETION OF LAND EX-  
19           CHANGE.—It is the intent of Congress that the land ex-  
20           change under this section shall be completed not later than  
21           16 months after the date of enactment of this Act.

1 **Subtitle C—Hunchback Mountain**  
2 **Land Exchange and Boundary**  
3 **Adjustment**

4 **SEC. 221. DEFINITIONS.**

5 In this subtitle:

6 (1) COUNTY.—The term “County” means  
7 Clackamas County, Oregon.

8 (2) EXCHANGE MAP.—The term “exchange  
9 map” means the map entitled “Hunchback Moun-  
10 tain Land Exchange, Clackamas County”, dated  
11 June 2006.

12 (3) FEDERAL LAND.—The term “Federal land”  
13 means the parcel of land consisting of approximately  
14 160 acres of National Forest System land in the  
15 Mount Hood National Forest identified as “USFS  
16 Land to be Conveyed” on the exchange map.

17 (4) NON-FEDERAL LAND.—The term “non-Fed-  
18 eral land” means the parcel of land consisting of ap-  
19 proximately 160 acres identified as “Land to be ac-  
20 quired by USFS” on the exchange map.

21 **SEC. 222. HUNCHBACK MOUNTAIN LAND EXCHANGE.**

22 (a) CONVEYANCE OF LAND.—Subject to the provi-  
23 sions of this section, if the County offers to convey to the  
24 United States all right, title, and interest of the County  
25 in and to the non-Federal land, the Secretary shall, sub-

1 ject to valid existing rights, convey to the County all right,  
2 title, and interest of the United States in and to the Fed-  
3 eral land.

4 (b) COMPLIANCE WITH EXISTING LAW.—Except as  
5 otherwise provided in this section, the Secretary shall  
6 carry out the land exchange under this section in accord-  
7 ance with section 206 of the Federal Land Policy and  
8 Management Act of 1976 (43 U.S.C. 1716).

9 (c) CONDITIONS ON ACCEPTANCE.—

10 (1) TITLE.—As a condition of the land ex-  
11 change under this section, title to the non-Federal  
12 land to be acquired by the Secretary under this sec-  
13 tion shall be acceptable to the Secretary.

14 (2) TERMS AND CONDITIONS.—The conveyance  
15 of the Federal land and non-Federal land shall be  
16 subject to such terms and conditions as the Sec-  
17 retary may require.

18 (d) APPRAISALS.—

19 (1) IN GENERAL.—As soon as practicable after  
20 the date of enactment of this Act, the Secretary  
21 shall select an appraiser to conduct an appraisal of  
22 the Federal land and non-Federal land.

23 (2) REQUIREMENTS.—An appraisal under para-  
24 graph (1) shall be conducted in accordance with na-  
25 tionally recognized appraisal standards, including—

1 (A) the Uniform Appraisal Standards for  
2 Federal Land Acquisitions; and

3 (B) the Uniform Standards of Professional  
4 Appraisal Practice.

5 (e) SURVEYS.—

6 (1) IN GENERAL.—The exact acreage and legal  
7 description of the Federal land and non-Federal land  
8 shall be determined by surveys approved by the Sec-  
9 retary.

10 (2) COSTS.—The responsibility for the costs of  
11 any surveys conducted under paragraph (1), and any  
12 other administrative costs of carrying out the land  
13 exchange, shall be determined by the Secretary and  
14 the County.

15 (f) DEADLINE FOR COMPLETION OF LAND EX-  
16 CHANGE.—It is the intent of Congress that the land ex-  
17 change under this section shall be completed not later than  
18 16 months after the date of enactment of this Act.

19 **SEC. 223. BOUNDARY ADJUSTMENT.**

20 (a) IN GENERAL.—The boundary of the Mount Hood  
21 National Forest shall be adjusted to incorporate—

22 (1) any land conveyed to the United States  
23 under section 222; and

24 (2) the land transferred to the Forest Service  
25 by section 121(h)(1).

1 (b) ADDITIONS TO THE NATIONAL FOREST SYS-  
2 TEM.—The Secretary shall administer the land described  
3 in subsection (a)—

4 (1) in accordance with—

5 (A) the Act of March 1, 1911 (commonly  
6 known as the “Weeks Law”) (16 U.S.C. 480 et  
7 seq.); and

8 (B) any laws (including regulations) appli-  
9 cable to the National Forest System; and

10 (2) subject to sections 103(c) and 121(d), as  
11 applicable.

12 (c) LAND AND WATER CONSERVATION FUND.—For  
13 the purposes of section 7 of the Land and Water Con-  
14 servation Fund Act of 1965 (16 U.S.C. 460l–9), the  
15 boundaries of the Mount Hood National Forest modified  
16 by this Act shall be considered to be the boundaries of  
17 the Mount Hood National Forest in existence as of Janu-  
18 ary 1, 1965.

19 **Subtitle D—Conditions on**  
20 **Development of Federal Land**

21 **SEC. 231. IMPROVED NATURAL DISASTER PREPAREDNESS.**

22 (a) REQUIREMENTS APPLICABLE TO THE CONVEY-  
23 ANCE OF FEDERAL LAND.—

24 (1) IN GENERAL.—As a condition of each of the  
25 conveyances of Federal land under this title, the

1 Secretary shall include in the deed of conveyance a  
2 requirement that applicable construction activities  
3 and alterations shall be conducted in accordance  
4 with—

5 (A) nationally recognized building and  
6 property maintenance codes; and

7 (B) nationally recognized codes for devel-  
8 opment in the wildland-urban interface and  
9 wildfire hazard mitigation.

10 (2) APPLICABLE LAW.—To the maximum ex-  
11 tent practicable, the codes required under paragraph  
12 (1) shall be consistent with the nationally recognized  
13 codes adopted or referenced by the State or political  
14 subdivisions of the State.

15 (3) ENFORCEMENT.—The requirements under  
16 paragraph (1) may be enforced by the same entities  
17 otherwise enforcing codes, ordinances, and stand-  
18 ards.

19 (b) COMPLIANCE WITH CODES ON FEDERAL  
20 LAND.—The Secretary shall ensure that applicable con-  
21 struction activities and alterations undertaken or per-  
22 mitted by the Secretary on National Forest System land  
23 in the Mount Hood National Forest are conducted in ac-  
24 cordance with—

1           (1) nationally recognized building and property  
2 maintenance codes; and

3           (2) nationally recognized codes for development  
4 in the wildland-urban interface development and  
5 wildfire hazard mitigation.

6           (c) EFFECT ON ENFORCEMENT BY STATES AND PO-  
7 LITICAL SUBDIVISIONS.—Nothing in this section alters or  
8 limits the power of the State or a political subdivision of  
9 the State to implement or enforce any law (including regu-  
10 lations), rule, or standard relating to development or fire  
11 prevention and control.

12       **TITLE III—TRIBAL PROVISIONS;**  
13           **PLANNING AND STUDIES**

14       **SEC. 301. TRANSPORTATION PLAN.**

15           (a) IN GENERAL.—The Secretary shall seek to par-  
16 ticipate in the development of an integrated, multimodal  
17 transportation plan developed by the Oregon Department  
18 of Transportation for the Mount Hood region to achieve  
19 comprehensive solutions to transportation challenges in  
20 the Mount Hood region—

21           (1) to promote appropriate economic develop-  
22 ment;

23           (2) to preserve the landscape of the Mount  
24 Hood region; and

25           (3) to enhance public safety.

1 (b) ISSUES TO BE ADDRESSED.—In participating in  
2 the development of the transportation plan under sub-  
3 section (a), the Secretary shall seek to address—

4 (1) transportation alternatives between and  
5 among recreation areas and gateway communities  
6 that are located within the Mount Hood region;

7 (2) establishing park-and-ride facilities that  
8 shall be located at gateway communities;

9 (3) establishing intermodal transportation cen-  
10 ters to link public transportation, parking, and  
11 recreation destinations;

12 (4) creating a new interchange on Oregon State  
13 Highway 26 located adjacent to or within Govern-  
14 ment Camp;

15 (5) designating, maintaining, and improving al-  
16 ternative routes using Forest Service or State roads  
17 for—

18 (A) providing emergency routes; or

19 (B) improving access to, and travel within,  
20 the Mount Hood region;

21 (6) the feasibility of establishing—

22 (A) a gondola connection that—

23 (i) connects Timberline Lodge to Gov-  
24 ernment Camp; and

1 (ii) is located in close proximity to the  
2 site of the historic gondola corridor; and

3 (B) an intermodal transportation center to  
4 be located in close proximity to Government  
5 Camp;

6 (7) burying power lines located in, or adjacent  
7 to, the Mount Hood National Forest along Inter-  
8 state 84 near the City of Cascade Locks, Oregon;  
9 and

10 (8) creating mechanisms for funding the imple-  
11 mentation of the transportation plan under sub-  
12 section (a), including—

13 (A) funds provided by the Federal Govern-  
14 ment;

15 (B) public-private partnerships;

16 (C) incremental tax financing; and

17 (D) other financing tools that link trans-  
18 portation infrastructure improvements with de-  
19 velopment.

20 **SEC. 302. MOUNT HOOD NATIONAL FOREST STEWARDSHIP**  
21 **STRATEGY.**

22 (a) IN GENERAL.—The Secretary shall prepare a re-  
23 port on, and implementation schedule for, the vegetation  
24 management strategy (including recommendations for bio-

1 mass utilization) for the Mount Hood National Forest  
2 being developed by the Forest Service.

3 (b) SUBMISSION TO CONGRESS.—

4 (1) REPORT.—Not later than 1 year after the  
5 date of enactment of this Act, the Secretary shall  
6 submit the report to—

7 (A) the Committee on Energy and Natural  
8 Resources of the Senate; and

9 (B) the Committee on Natural Resources  
10 of the House of Representatives.

11 (2) IMPLEMENTATION SCHEDULE.—Not later  
12 than 1 year after the date on which the vegetation  
13 management strategy referred to in subsection (a) is  
14 completed, the Secretary shall submit the implemen-  
15 tation schedule to—

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

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

20 **SEC. 303. LOCAL AND TRIBAL RELATIONSHIPS.**

21 (a) MANAGEMENT PLAN.—

22 (1) IN GENERAL.—The Secretary, in consulta-  
23 tion with Indian tribes with treaty-reserved gath-  
24 ering rights on land encompassed by the Mount  
25 Hood National Forest and in a manner consistent

1 with the memorandum of understanding entered into  
2 between the Department of Agriculture, the Bureau  
3 of Land Management, the Bureau of Indian Affairs,  
4 and the Confederated Tribes of the Warm Springs  
5 Reservation of Oregon, dated April 25, 2003, as  
6 modified, shall develop and implement a manage-  
7 ment plan that meets the cultural foods obligations  
8 of the United States under applicable treaties, in-  
9 cluding the Treaty with the Tribes of Middle Oregon  
10 of June 25, 1855 (12 Stat. 963).

11 (2) EFFECT.—This subsection shall be consid-  
12 ered to be consistent with, and is intended to imple-  
13 ment, the gathering rights reserved by the treaty de-  
14 scribed in paragraph (1).

15 (b) SAVINGS PROVISIONS REGARDING RELATIONS  
16 WITH INDIAN TRIBES.—

17 (1) TREATY RIGHTS.—Nothing in this Act al-  
18 ters, modifies, enlarges, diminishes, or extinguishes  
19 the treaty rights of any Indian tribe, including the  
20 off-reservation reserved rights established by the  
21 Treaty with the Tribes of Middle Oregon of June  
22 25, 1855 (12 Stat. 963).

23 (2) TRIBAL LAND.—Nothing in this Act affects  
24 land held in trust by the Secretary of the Interior  
25 for Indian tribes or individual members of Indian

1 tribes or other land acquired by the Army Corps of  
2 Engineers and administered by the Secretary of the  
3 Interior for the benefit of Indian tribes and indi-  
4 vidual members of Indian tribes.

5 **SEC. 304. RECREATIONAL USES.**

6 (a) MOUNT HOOD NATIONAL FOREST REC-  
7 REATIONAL WORKING GROUP.—The Secretary may estab-  
8 lish a working group for the purpose of providing advice  
9 and recommendations to the Forest Service on planning  
10 and implementing recreation enhancements in the Mount  
11 Hood National Forest.

12 (b) CONSIDERATION OF CONVERSION OF FOREST  
13 ROADS TO RECREATIONAL USES.—In considering a For-  
14 est Service road in the Mount Hood National Forest for  
15 possible closure and decommissioning after the date of en-  
16 actment of this Act, the Secretary, in accordance with ap-  
17 plicable law, shall consider, as an alternative to decommis-  
18 sioning the road, converting the road to recreational uses  
19 to enhance recreational opportunities in the Mount Hood  
20 National Forest.

21 (c) IMPROVED TRAIL ACCESS FOR PERSONS WITH  
22 DISABILITIES.—The Secretary, in consultation with the  
23 public, may design and construct a trail at a location se-

- 1 lected by the Secretary in Mount Hood National Forest
- 2 suitable for use by persons with disabilities.

○