

113TH CONGRESS
1ST SESSION

S. _____

To improve timber management on Oregon and California Railroad and
Coos Bay Wagon Road grant land, and for other purposes.

IN THE SENATE OF THE UNITED STATES

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

A BILL

To improve timber management on Oregon and California
Railroad and Coos Bay Wagon Road grant land, 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 “Oregon and California Land Grant Act of 2013”.

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

Sec. 1. Short title; table of contents.

TITLE I—MANAGEMENT ON OREGON AND CALIFORNIA RAILROAD
AND COOS BAY WAGON ROAD GRANT LAND

2

- Sec. 101. Management on Oregon and California Railroad and Coos Bay
Wagon Road grant land.
- Sec. 102. Distribution of funds.
- Sec. 103. Wild and Scenic River designations.

TITLE II—TRIBAL LAND

Subtitle A—Oregon Coastal Land Conveyance

- Sec. 201. Definitions.
- Sec. 202. Conveyance.
- Sec. 203. Map and legal description.
- Sec. 204. Administration.
- Sec. 205. Forest management.
- Sec. 206. Land reclassification.

Subtitle B—Canyon Mountain Land Conveyance

- Sec. 211. Definitions.
- Sec. 212. Conveyance.
- Sec. 213. Map and legal description.
- Sec. 214. Administration.
- Sec. 215. Forest management.
- Sec. 216. Land reclassification.

Subtitle C—Amendments to Coquille Restoration Act

- Sec. 221. Amendments to Coquille Restoration Act.

TITLE III—OREGON TREASURES

Subtitle A—Wild Rogue Wilderness Area

- Sec. 301. Wild Rogue Wilderness Area.

Subtitle B—Devil's Staircase Wilderness

- Sec. 311. Definitions.
- Sec. 312. Devil's Staircase Wilderness, Oregon.
- Sec. 313. Wild and Scenic River designations, Wasson Creek and Franklin
Creek, Oregon.

Subtitle C—Additional Wild and Scenic River Designations and Technical
Corrections

- Sec. 321. Designation of Wild and Scenic River segments, Molalla River, Or-
egon.
- Sec. 322. Technical corrections to the Wild and Scenic Rivers Act.

1 **TITLE I—MANAGEMENT ON OR-**
2 **EGON AND CALIFORNIA RAIL-**
3 **ROAD AND COOS BAY WAGON**
4 **ROAD GRANT LAND**

5 **SEC. 101. MANAGEMENT ON OREGON AND CALIFORNIA**
6 **RAILROAD AND COOS BAY WAGON ROAD**
7 **GRANT LAND.**

8 The Act of August 28, 1937 (43 U.S.C. 1181a et
9 seq.), is amended—

10 (1) by redesignating sections 2, 4, and 5 (43
11 U.S.C. 1181b, 1181d, 1181e) as sections 119, 120,
12 and 121, respectively; and

13 (2) by striking the first section and inserting
14 the following:

15 **“SECTION 1. SHORT TITLE.**

16 “This Act may be cited as the ‘Oregon and California
17 Land Grant Act’.

18 **“SEC. 2. DEFINITIONS.**

19 “In this Act:

20 “(1) **ARCHEOLOGICAL SITE.**—The term ‘archeo-
21 logical site’ means any district, site, building, struc-
22 ture, or object that is included in or eligible for in-
23 clusion in the National Register under section 106
24 of the National Historic Preservation Act (16 U.S.C.
25 470f).

1 “(2) CONSERVATION EMPHASIS AREA.—The
2 term ‘conservation emphasis area’ means covered
3 land that is devoted to conservation uses as des-
4 ignated on the map under section 102(a)(2).

5 “(3) COVERED LAND.—The term ‘covered land’
6 means Oregon and California Railroad and Coos
7 Bay Wagon Road grant land described in section
8 101.

9 “(4) DEPARTMENT.—The term ‘Department’
10 means the Department of the Interior.

11 “(5) DRY FOREST.—The term ‘dry forest’
12 means—

13 “(A) during the 10-year period beginning
14 on the date of enactment of the Oregon and
15 California Land Grant Act of 2013, land gen-
16 erally depicted as dry forest on the map entitled
17 ‘O&C Land Grant Act of 2013: Moist Forests
18 and Dry Forests’ and dated November 18,
19 2013, except that plant associations and plant
20 association groups may be used to adjust the
21 dry forest assignment in specific locations based
22 on an on-the-ground field examination by the
23 Secretary; and

1 “(B) after the period described in subpara-
2 graph (A), land designated as dry forest by the
3 Secretary under section 103(b).

4 “(6) ECOLOGICAL FORESTRY.—The term ‘eco-
5 logical forestry’ means forestry that—

6 “(A) incorporates principles of natural for-
7 est development (including the role of natural
8 disturbances) in the initiation, development,
9 and maintenance of stands and landscape mosa-
10 ics; and

11 “(B) is based on the application of the best
12 available ecological understanding of forest eco-
13 systems in managing those ecosystems to
14 achieve integrated environmental, economic, and
15 cultural outcomes.

16 “(7) FORESTRY EMPHASIS AREA.—The term
17 ‘forestry emphasis area’ means covered land that is
18 primarily devoted to a sustained yield of timber har-
19 vest over time, as designated on the map under sec-
20 tion 102(a)(1).

21 “(8) KEY WATERSHED.—The term ‘key water-
22 shed’ means a watershed that—

23 “(A) is critical to 1 or more populations of
24 native fish;

25 “(B) provides high quality water; and

1 “(C) is the same as 1 of the key water-
2 sheds designated under the Northwest Forest
3 Plan.

4 “(9) MOIST FOREST.—The term ‘moist forest’
5 means—

6 “(A) during the 10-year period beginning
7 on the date of enactment of the Oregon and
8 California Land Grant Act of 2013, land gen-
9 erally depicted as moist forest on the map enti-
10 tled ‘O&C Land Grant Act of 2013: Moist For-
11 ests and Dry Forests’ and dated November 18,
12 2013, except that plant associations and plant
13 association groups may be used to adjust the
14 dry forest assignment in specific locations based
15 on an on-the-ground field examination by the
16 Secretary; and

17 “(B) after the period described in subpara-
18 graph (A), land designated as moist forest by
19 the Secretary under section 103(b).

20 “(10) MONUMENT.—The term ‘Monument’
21 means the Cascade-Siskiyou National Monument (as
22 defined in section 1401 of the Omnibus Public Land
23 Management Act of 2009(16 U.S.C. 431 note; Pub-
24 lic Law 111–11)).

25 “(11) NEST TREE.—

1 “(A) IN GENERAL.—The term ‘nest tree’
2 means a tree that—

3 “(i) is currently in use by a northern
4 spotted owl for nesting; or

5 “(ii) has been documented to have
6 been used by a northern spotted owl for
7 nesting during the previous 5-year period.

8 “(B) EXCLUSION.—The term ‘nest tree’
9 does not include a tree that has been used by
10 a northern spotted owl for nesting during the
11 previous 5-year period if the tree—

12 “(i) is located in an area in which a
13 major disturbance (such as a crown fire,
14 tree defoliating insect or disease outbreak,
15 or blow down) has occurred during the pe-
16 riod; and

17 “(ii) is not currently being occupied
18 by a northern spotted owl.

19 “(12) OLD GROWTH.—The term ‘old growth’
20 means—

21 “(A) in the case of a moist forest, trees
22 that are—

23 “(i) greater than 150 years of age
24 measured at breast height; or

1 “(ii)(I) in a stand of trees in which
2 the average stand age is 120 years or
3 greater as of the date of enactment of the
4 Oregon and California Land Grant Act of
5 2013; and

6 “(II) generally depicted as old growth
7 stands on the map entitled ‘O&C Land
8 Grant Act of 2013: Legacy Old Growth
9 Protection Network’ and dated November
10 18, 2013; and

11 “(B) in the case of a dry forest, trees that
12 are greater than 150 years of age measured at
13 breast height.

14 “(13) OLDER TREES.—The term ‘older trees’
15 means trees that are older than 100 years of age but
16 less than 150 years of age measured at breast height
17 as of the date of enactment of the Oregon and Cali-
18 fornia Land Grant Act of 2013.

19 “(14) RESIDENCE.—The term ‘residence’
20 means a privately owned, permanent structure that
21 is—

22 “(A) maintained for habitation as a dwell-
23 ing or workplace; and

24 “(B) located in an area with a density that
25 is greater than 1 structure per 20 acres.

1 “(15) RIPARIAN RESERVE.—The term ‘riparian
2 reserve’ means an area that is—

3 “(A) solely devoted to achieving the goals
4 for the aquatic conservation strategy described
5 in section 102(e); and

6 “(B) generally located along a river,
7 stream, lake, wetland, or other hydrologic fea-
8 ture or unstable or potentially unstable area for
9 which special standards and guidelines direct
10 land use.

11 “(16) SALMON.—

12 “(A) IN GENERAL.—The term ‘salmon’
13 means any of the wild anadromous
14 Oncorhynchus species that occur in the State.

15 “(B) INCLUSIONS.—The term ‘salmon’ in-
16 cludes—

17 “(i) chinook salmon (Oncorhynchus
18 tshawytscha);

19 “(ii) coho salmon (Oncorhynchus
20 kisutch);

21 “(iii) chum salmon (Oncorhynchus
22 keta);

23 “(iv) steelhead trout (Oncorhynchus
24 mykiss); and

1 “(v) coastal cutthroat trout
2 (Oncorhynchus clarkii clarkii).

3 “(17) SECRETARY.—The term ‘Secretary’
4 means the Secretary of the Interior, acting through
5 the Bureau of Land Management.

6 “(18) SITE-POTENTIAL TREE HEIGHT.—The
7 term ‘site-potential tree height’ means the average
8 maximum height of the tallest dominant trees that
9 are 200 years of age for a given site class.

10 “(19) STANDS LESS THAN OR EQUAL TO 80
11 YEARS OF AGE.—The term ‘stands less than or
12 equal to 80 years of age’ means stands of trees in
13 forestry emphasis areas that are less than or equal
14 to 80 years of age as generally depicted on the map
15 entitled ‘O&C Land Grant Act of 2013: Stands Less
16 Than or Equal to 80 Years of Age’ and dated No-
17 vember 18, 2013.

18 “(20) STATE.—The term ‘State’ means the
19 State of Oregon.

20 “(21) SUSTAINED YIELD.—The term ‘sustained
21 yield’ means the timber yield that can be sustained
22 under a specific management intensity consistent
23 with multiple-use objectives on forestry emphasis
24 areas.

1 “(22) TREE TIPPING.—The term ‘tree tipping’
2 means the intentional felling and placement of trees
3 in a stream or on the forest floor during timber har-
4 vest operations.

5 “(23) WATERSHED ANALYSIS.—The term ‘wa-
6 tershed analysis’ means an analysis of the geo-
7 morphic and ecological processes in watersheds to
8 determine the ecological importance of streams and
9 riparian areas.

10 “(24) WATERSHED PROTECTION.—The term
11 ‘watershed protection’ means sustaining and enhanc-
12 ing watershed functions that affect the plant, ani-
13 mal, and human communities within a watershed
14 boundary.

15 “(25) WATERSHED RESTORATION.—The term
16 ‘watershed restoration’ means a comprehensive,
17 long-term restoration intended to restore watershed
18 health and an aquatic ecosystem, including the habi-
19 tat supporting fish and other aquatic and riparian-
20 dependent organisms and the ecological processes
21 that create and maintain habitats.

1 **“TITLE I—MANAGEMENT ON OR-**
2 **EGON AND CALIFORNIA RAIL-**
3 **ROAD AND COOS BAY WAGON**
4 **ROAD GRANT LAND**

5 **“SEC. 101. LAND MANAGEMENT.**

6 “(a) IN GENERAL.—Notwithstanding the Act of June
7 9, 1916 (39 Stat. 218, chapter 137), and the Act of Feb-
8 ruary 26, 1919 (40 Stat. 1179, chapter 47), such portions
9 of the revested Oregon and California Railroad and recon-
10 veyed Coos Bay Wagon Road grant land as are under the
11 jurisdiction of the Department and are classified as
12 timberland or power-site land valuable for timber shall be
13 managed in accordance with this Act.

14 “(b) EFFECT.—Except as specifically provided in this
15 Act, nothing in this Act modifies any designation or con-
16 veyance of any portion of the covered area as in effect
17 on the day before the date of enactment of the Oregon
18 and California Land Grant Act of 2013.

19 **“SEC. 102. ALLOCATION AND MANAGEMENT OF COVERED**
20 **LAND.**

21 “(a) IN GENERAL.—As designated on the map enti-
22 tled ‘O&C Land Grant Act of 2013: Forestry Emphasis
23 Areas and Conservation Emphasis Areas’ and dated No-
24 vember 18, 2013, covered land shall be allocated into—

25 “(1) forestry emphasis areas; and

1 “(2) conservation emphasis areas.

2 “(b) MANAGEMENT.—Covered land shall be managed
3 in a manner that is consistent with this Act and under
4 management strategies that—

5 “(1) consider human and economic dimensions
6 of the management of covered land;

7 “(2) protect the long-term health of forests,
8 wildlife, and waterways;

9 “(3) are scientifically sound, ecologically cred-
10 ible, and legally responsible;

11 “(4) produce a predictable and sustainable level
12 of timber sales and nontimber resources that do not
13 significantly degrade the environment; and

14 “(5) emphasize collaboration among the Federal
15 agencies responsible for management of covered
16 land.

17 “(c) FORESTRY EMPHASIS AREAS.—

18 “(1) IN GENERAL.—Forestry emphasis areas
19 shall be managed for permanent forest production.

20 “(2) TIMBER.—Timber from forestry emphasis
21 areas shall be sold, cut, and removed in conformity
22 with the principle of sustained yield and ecological
23 forestry for the purposes of —

24 “(A) providing a permanent source of tim-
25 ber supply;

1 “(B) protecting watersheds;

2 “(C) regulating stream flow;

3 “(D) contributing to the economic stability
4 of local communities and industries; and

5 “(E) providing recreational facilities and
6 opportunities.

7 “(d) OLD GROWTH TREES.—

8 “(1) IN GENERAL.—Except as provided in para-
9 graph (3), the Secretary shall prohibit the cutting or
10 removal of any old growth in a covered area.

11 “(2) LEGACY OLD GROWTH PROTECTION NET-
12 WORK.—

13 “(A) IN GENERAL.—The stands depicted
14 on the map entitled ‘O&C Land Grant Act of
15 2013: Legacy Old Growth Protection Network’
16 and dated November 18, 2013, shall be des-
17 ignated as the Legacy Old Growth Protection
18 Network to provide for the protection, preserva-
19 tion, and enhancement of ecological, scenic, cul-
20 tural, watershed, and fish and wildlife values.

21 “(B) MANAGEMENT.—The Secretary
22 shall—

23 “(i) prohibit harvest of trees within
24 the areas designated under subparagraph
25 (A); and

1 “(ii) only allow uses that are con-
2 sistent with the purposes described in sub-
3 paragraph (A).

4 “(3) EXCEPTIONS.—

5 “(A) IN GENERAL.—Paragraph (1) shall
6 not apply if the Secretary determines that there
7 is no reasonable alternative to the cutting or re-
8 moval of an old growth tree for a purpose de-
9 scribed in this paragraph.

10 “(B) ADMINISTRATIVE PURPOSES.—An old
11 growth tree may be cut or removed for adminis-
12 trative purposes to carry out a construction or
13 maintenance project if the project would cost
14 more than an additional \$3,000 to complete to
15 meet the objectives of the project if the old
16 growth tree is not removed.

17 “(C) PUBLIC SAFETY PURPOSES.—An old
18 growth tree may be cut or removed for public
19 safety purposes if—

20 “(i) a federally employed forester or
21 certified arborist determines the old growth
22 tree is likely to fall within 1 year; and

23 “(ii) the fall of the old growth tree
24 could—

1 “(I) injure a member of the pub-
2 lic or an employee of the Department
3 that regularly is in the vicinity of the
4 old growth tree; or

5 “(II) cause property damage in
6 excess of \$3,000.

7 “(D) SCIENTIFIC PURPOSES.—An old
8 growth tree may be cut or removed for scientific
9 purposes as part of a research project if the Di-
10 rector of the National Applied Resource
11 Sciences Center—

12 “(i) approves the research project;
13 and

14 “(ii) determines there is an advan-
15 tageous reason to cut an old growth tree
16 on land on which the research project will
17 be carried out rather than on other land
18 managed by the Secretary.

19 “(E) SPECIAL USE PURPOSES.—

20 “(i) IN GENERAL.—An old growth
21 tree may be cut or removed for special use
22 purposes that are limited to—

23 “(I) a utility right-of-way, if
24 there is no reasonable alternative; or

1 “(II) a cultural use by a federally
2 recognized Indian tribe.

3 “(ii) INFORMAL RULEMAKING.—Be-
4 fore allowing a special use under this sub-
5 paragraph, the Secretary shall conduct an
6 informal rulemaking with a 90-day public
7 comment period.

8 “(F) ADMINISTRATION.—In carrying out
9 this paragraph, the Secretary shall—

10 “(i) provide public notice of the loca-
11 tion of the trees;

12 “(ii) certify the reasons for allowing
13 the cutting or removal of old growth trees
14 under this paragraph; and

15 “(iii) seek public comment on the cut-
16 ting or removal for at least 7 days if more
17 than 5 trees will be cut or removed within
18 a 30-day period in the same 5-level hydro-
19 logic unit code watershed.

20 “(G) COMMERCIAL SALE.—Any tree cut or
21 removed under this paragraph may not be sold
22 commercially.

23 “(4) OLD GROWTH IDENTIFICATION.—Not later
24 than 1 year after the date of enactment of the Or-
25 egon and California Land Grant Act of 2013, the

1 Secretary shall develop protocols for identifying trees
2 greater than 150 years of age at breast height.

3 “(e) WATER QUALITY PROTECTION.—

4 “(1) IN GENERAL.—The primary focus of
5 aquatic and riparian protection in the covered area
6 shall be to protect, maintain, and restore natural ec-
7 ological functions and processes beneficial to water
8 quality and quantity, including temperature and tur-
9 bidity, native fish and wildlife, and watershed resil-
10 ience, including the continued provision of ecosystem
11 services.

12 “(2) AQUATIC CONSERVATION STRATEGY.—

13 “(A) IN GENERAL.—The Secretary shall
14 carry out an aquatic conservation strategy to
15 promote the objectives described in paragraph
16 (1) and the resiliency of the aquatic ecosystems
17 consistent with the goals of the aquatic con-
18 servation strategy.

19 “(B) GOALS.—The goals of the aquatic
20 conservation strategy shall be—

21 “(i) to protect, maintain, and restore
22 aquatic ecosystems and the associated eco-
23 logical processes for fish, other aquatic or-
24 ganisms, riparian-dependent species, and
25 human needs across a region;

1 “(ii) to manage aquatic ecosystems in
2 a manner that recognizes that fish and
3 other aquatic organisms evolved within a
4 dynamic environment that is constantly in-
5 fluenced and changed by geomorphic and
6 ecological disturbances;

7 “(iii) to protect important drinking
8 water source areas and maintain and re-
9 store water quality necessary to support
10 healthy riparian, aquatic, and wetland eco-
11 systems; and

12 “(iv) to protect, maintain, and restore
13 in-stream flows sufficient to create and
14 sustain riparian, aquatic, and wetland
15 habitats and to retain patterns of sedi-
16 ment, nutrient, and wood routing.

17 “(3) PROGRAM COMPONENTS.—The aquatic
18 conservation strategy shall incorporate the key com-
19 ponents of the aquatic conservation strategy de-
20 scribed in paragraph (2), which shall operate to
21 maintain and restore the productivity and resiliency
22 of riparian and aquatic ecosystems, including—

23 “(A) riparian reserves;

24 “(B) watershed analysis;

25 “(C) key watersheds; and

1 “(D) watershed restoration.

2 “(4) RIPARIAN RESERVES.—

3 “(A) IN GENERAL.—Riparian reserves
4 shall be established in the covered area to pro-
5 tect, maintain, and restore ecosystem health at
6 watershed and landscape scales and to promote
7 the objectives described in paragraph (1), con-
8 sistent with section 103(f) for the forestry em-
9 phasis areas and section 105(c) for the con-
10 servation emphasis areas.

11 “(B) RIPARIAN RESERVE MANAGEMENT.—

12 “(i) IN GENERAL.—Management and
13 restoration activities in riparian reserves
14 shall only be undertaken to protect, main-
15 tain, or restore aquatic resources as pro-
16 vided in this subsection.

17 “(ii) TIMBER HARVEST.—Except as
18 provided in section 103(f), timber harvest
19 in riparian reserves shall only occur in
20 stands less than or equal to 80 years of
21 age.

22 “(5) STANDARDS FOR KEY WATERSHEDS.—

23 “(A) IN GENERAL.—Key watersheds,
24 drinking water emphasis areas, and drinking
25 water special management units established

1 under sections 108, 109, 110, and 111 shall
2 have the highest priority for watershed restora-
3 tion and protection in the covered area.

4 “(B) WATERSHED ANALYSES.—Watershed
5 analysis shall be required before timber har-
6 vests occur in key watersheds, other than minor
7 activities that are categorically excluded under
8 the National Environmental Policy Act of 1969
9 (42 U.S.C. 4321 et seq.).

10 “(C) COOPERATION ON PRIVATE LAND.—
11 The Secretary is encouraged to work with adja-
12 cent private landowners who have agreed to co-
13 operate with Secretary to further the purposes
14 of this section.

15 “(6) ROADS RESTRICTIONS.—

16 “(A) NO NET INCREASE IN ROADS.—The
17 total quantity of system and nonsystem roads
18 on covered land shall be less than or equal to
19 the total quantity of system and nonsystem
20 roads on covered land as of the date of enact-
21 ment of the Oregon and California Land Grant
22 Act of 2013.

23 “(B) TEMPORARY ROADS.—Not later than
24 the earlier of the date that is 1 year after the
25 vegetation management project is completed or

1 the date that is 2 years after the activities for
2 which a temporary road was constructed are
3 completed, temporary roads that are con-
4 structed on covered land, if necessary, shall be
5 made benign by—

6 “(i) closing the temporary roads; and

7 “(ii)(I) decommissioning the tem-
8 porary roads; or

9 “(II) placing the temporary roads into
10 short-term storage.

11 “(C) REDUCTION IN ROADS.—To the max-
12 imum extent practicable and subject to the
13 availability of appropriations, the Secretary
14 shall reduce the total quantity of road miles for
15 system and nonsystem roads, with priority for
16 road reductions given to key watersheds.

17 “(D) LIMITATIONS ON NEW ROADS.—The
18 Secretary shall prohibit the construction of any
19 new permanent system road in any portion of
20 the covered land within the key watersheds and
21 drinking water protection areas of the covered
22 land unless the construction contributes to
23 achieving the goals of the aquatic conservation
24 strategy.

1 “(E) NO NEW ROADS IN ROADLESS
2 AREAS.—The Secretary shall prohibit the con-
3 struction of any new road in any inventoried
4 roadless area on covered land in key water-
5 sheds, drinking water emphasis areas, and con-
6 servation emphasis areas.

7 “(F) WATERSHED ANALYSIS.—In carrying
8 out a watershed analysis under this Act, the
9 Secretary shall identify roads that the Secretary
10 determines could be closed or decommissioned.

11 “(7) WOODY DEBRIS AUGMENTATION.—

12 “(A) IN GENERAL.—During periods of
13 timber harvesting, the Secretary shall carry out
14 tree tipping activities on riparian reserves on
15 covered land, as the Secretary determines nec-
16 essary, to improve timber delivery to streams.

17 “(B) FISH HABITAT.—The Secretary shall
18 annually use approximately \$1,000,000 of
19 amounts made available under this Act to
20 transport and place large trees in streams on
21 Federal, State, or private land to improve the
22 quality of fish habitat, as the Secretary deter-
23 mines necessary.

24 **“SEC. 103. MANAGEMENT OF FORESTRY EMPHASIS AREAS.**

25 “(a) MANAGEMENT ACTIONS.—

1 “(1) IN GENERAL.—Silvicultural activities shall
2 be conducted in a forestry emphasis area, and the
3 forestry emphasis area shall be managed, in accord-
4 ance with this section.

5 “(2) MANAGEMENT ACTIONS.—Management ac-
6 tions shall be considered in the environmental im-
7 pact statement required under the National Environ-
8 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.)
9 and section 104(a).

10 “(b) DETERMINATION OF MOIST FORESTS AND DRY
11 FORESTS.—

12 “(1) IN GENERAL.—During the 10-year period
13 beginning on the date of enactment of the Oregon
14 and California Land Grant Act of 2013, the moist
15 and dry forests shall be determined as depicted on
16 the map entitled ‘O&C Land Grant Act of 2013:
17 Moist Forests and Dry Forests’, and dated Novem-
18 ber 18, 2013, except that plant associations and
19 plant association groups may be used to adjust the
20 dry and moist forest assignments in specific loca-
21 tions based on an on-the-ground field examination
22 by the Secretary.

23 “(2) REDESIGNATION.—Not later than 10 years
24 after the date of enactment of the Oregon and Cali-
25 fornia Land Grant Act of 2013 and every 10 years

1 thereafter, the Secretary shall reevaluate the initial
2 assignments of land areas in moist forest and dry
3 forest categories in forestry emphasis areas under
4 paragraph (1) based on—

5 “(A) plant association groups; and

6 “(B) the criteria described in this sub-
7 section.

8 “(3) MOIST FORESTS.—For purposes of this
9 subsection, moist forests generally—

10 “(A) experience infrequent wildfires at in-
11 tervals of 1 to several centuries, including ex-
12 tensive areas in which fire severity results in
13 stand-replacement conditions; and

14 “(B) include the following plant associa-
15 tion groups:

16 “(i) the Western Hemlock (*Tsuga*
17 *heterophylla*) series;

18 “(ii) the Sitka Spruce (*Picea*
19 *sitchensis*) series;

20 “(iii) the Western Redcedar (*Thuja*
21 *plicata*) series;

22 “(iv) the Pacific Silver Fir (*Abies*
23 *amabilis*) series;

24 “(v) the Mountain Hemlock (*Tsuga*
25 *mertensiana*) series;

1 “(vi) the Subalpine Fir-Engelmann
2 Spruce (Abies lasiocarpa-Picea
3 engelmannii) series;

4 “(vii) the Tanoak (Lithocarpus
5 densiflorus) series;

6 “(viii) the Moist Grand Fir (Abies
7 grandis) plant association group; and

8 “(ix) the Moist White Fir (Abies
9 concolor) plant association group.

10 “(4) DRY FORESTS.—For purposes of this sub-
11 section, dry forests generally—

12 “(A) experience relatively frequent and
13 predominantly low- and mixed-severity fires;
14 and

15 “(B) include the following plant associa-
16 tion groups:

17 “(i) the Moist Grand Fir (Abies
18 grandis) plant association group;

19 “(ii) the Moist White Fir (Abies
20 concolor) plant association group;

21 “(iii) the Ponderosa Pine (Pinus pon-
22 derosa) series;

23 “(iv) the Oregon White Oak (Quercus
24 garryana) series;

1 “(v) the Douglas-fir (*Pseudotsuga*
2 *menziesii*) series;

3 “(vi) the Jeffrey Pine (*Pinus jeffreyi*)
4 series;

5 “(vii) the Dry Grand Fir (*Abies*
6 *grandis*) plant association group; and

7 “(viii) the Dry White Fir (*Abies*
8 *concolor*) plant association group.

9 “(5) MIXED FORESTS.—

10 “(A) IN GENERAL.—For purposes of this
11 Act, a site characterized as a Moist Grand Fir
12 or a Moist White Fir plant association group
13 may be considered moist forest or dry forest
14 based on the condition of the land, landscape
15 context, and management goals.

16 “(B) MIXED FORESTS.—On a site at which
17 dry and moist forests combine and are not
18 readily separated, management shall be based
19 on the dominant type in terms of area.

20 “(6) ADMINISTRATION.—In carrying out this
21 subsection, the Secretary shall—

22 “(A) provide the public a period of not less
23 than 60 days to comment on the redesignation
24 of moist forests and dry forests; and

1 “(B) redesignate moist forests and dry for-
2 ests once every 10 years.

3 “(c) VEGETATION TREATMENTS.—

4 “(1) IN GENERAL.—Vegetation treatments shall
5 be developed consistent with this subsection.

6 “(2) NO SIGNIFICANT NEGATIVE EFFECTS.—A
7 vegetation treatment under this section shall be—

8 “(A) considered in the environmental im-
9 pact statement required under the National En-
10 vironmental Policy Act of 1969 (42 U.S.C.
11 4321 et seq.) and section 104(a); and

12 “(B) designed to produce no significant
13 negative effects on—

14 “(i) cultural sites of federally recog-
15 nized Indian tribes;

16 “(ii) inventoried roadless areas;

17 “(iii) the existing integrity of archeo-
18 logical sites;

19 “(iv) highly erodible land;

20 “(v) wetland under the jurisdiction of
21 the Corps of Engineers or delineated by
22 the Natural Resources Conservation Serv-
23 ice; and

24 “(vi) species listed as endangered or
25 threatened species under the Endangered

1 Species Act of 1973 (16 U.S.C. 1531 et
2 seq.), unless incidental take statements
3 have been issued for the listed species.

4 “(3) ATTAINING NO SIGNIFICANT NEGATIVE EF-
5 FECTS.—A proposed silvicultural treatment on land
6 described in clauses (i) through (v) of paragraph
7 (2)(B) shall seek to produce no significant negative
8 impact primarily by—

9 “(A) not harvesting trees, or operating
10 heavy equipment, on the sites; or

11 “(B) mitigating the impact of the treat-
12 ment through actions such as the capping of ar-
13 cheological sites with wood chips, except that
14 relying on mitigation measures to achieve no
15 significant negative impact may only be used in-
16 frequently for timber sales.

17 “(4) NORTHERN SPOTTED OWLS.—A vegetation
18 treatment analyzed as part of the environmental im-
19 pact statement or similar analysis required under
20 the National Environmental Policy Act of 1969 (42
21 U.S.C. 4321 et seq.) and section 104(a) for land
22 identified by the Secretary as part of northern spot-
23 ted owl recovery plan Action 10 or 32 can only occur
24 if the Secretary, acting through the United States

1 Fish and Wildlife Service, releases an opinion that
2 the proposed vegetative treatment is—

3 “(A) compatible with requirements under
4 the Endangered Species Act of 1973 (16 U.S.C.
5 1531 et seq.) for the northern spotted owl, con-
6 sidered over the long-term; or

7 “(B) necessary to address a severe threat
8 of disease, insects, or fire.

9 “(5) WATER QUALITY.—

10 “(A) IN GENERAL.—In addition to stand-
11 ards under any applicable environmental law, a
12 vegetation treatment for a timber sale under
13 this section shall be designed so that the sale
14 does not result in measurable, significant nega-
15 tive impacts on water quality.

16 “(B) DETERMINATION POINTS.—For the
17 purposes of assessing potential negative impacts
18 on water quality under this section from vegeta-
19 tion treatments, the Secretary shall only con-
20 sider water quality—

21 “(i) at the time of the determination
22 to determine the present condition; and

23 “(ii) at a time that is 5 years after
24 the date of the initial determination and

1 that is at least 2 years after the date of
2 the timber sale.

3 “(6) NEST TREES.—

4 “(A) IN GENERAL.—No nest tree shall be
5 cut in a forestry emphasis area unless the nest
6 tree poses a repeated, imminent threat to the
7 safety of the public or employees of the Depart-
8 ment.

9 “(B) SURVEYS.—

10 “(i) IN GENERAL.—Not earlier than
11 180 days before the date the Secretary
12 plans to offer a timber sale in a forestry
13 emphasis area, the Secretary shall survey
14 the timber sale area to locate potential
15 nest trees that the Secretary has not lo-
16 cated.

17 “(ii) DURATION.—The duration of the
18 survey shall be such that the Secretary
19 shall have an employee survey for nest
20 trees at a rate of 1 day for each 100 acres
21 of the timber sale.

22 “(C) INFORMATION FROM PUBLIC.—Dur-
23 ing the 14-day period beginning on the date a
24 consistency document required under section
25 104(d) is completed for a project, the Secretary

1 shall accept information from the public con-
2 cerning the location of nest trees.

3 “(D) PROTECTIONS.—The Secretary shall
4 ensure that the protections required under this
5 Act are provided for verified nest trees.

6 “(7) MARBLED MURRELET HABITAT.—Con-
7 sistent with the Endangered Species Act of 1973 (16
8 U.S.C. 1531 et seq.), if the harvest of timber within
9 a limited area of marbled murrelet habitat would
10 provide benefits to a forest ecosystem (including the
11 increased diversity of stand structure, composition,
12 and age and reducing the scarcity of early succes-
13 sional habitat), the harvest may occur if the Sec-
14 retary confers with the Director of the United States
15 Fish and Wildlife Service in selecting areas within
16 marbled murrelet habitat in which timber harvests
17 may occur.

18 “(8) SUSTAINED YIELD.—

19 “(A) IN GENERAL.—The Secretary shall,
20 to the maximum extent practicable, provide a
21 sustained yield of timber harvest, averaged over
22 a 10-year period, from the forestry emphasis
23 area, that is calculated assuming an ecological
24 forestry approach, unless the action will have a

1 severe adverse environmental, economic, or so-
2 cial consequences.

3 “(B) SUSTAINED YIELD CALCULATION.—

4 The Secretary shall calculate the sustained yield
5 for a 50-year period as part of the environ-
6 mental impact statement required under the
7 National Environmental Policy Act of 1969 (42
8 U.S.C. 4321 et seq.) and section 104(a).

9 “(C) RESERVED AREAS.—In calculating
10 the sustained yield from a forestry emphasis
11 area, the Secretary shall not include the volume
12 of timber that could be offered from reserved
13 areas, such as conservation emphasis areas.

14 “(d) MANAGEMENT OF MOIST FORESTS.—

15 “(1) IN GENERAL.—Forestry emphasis areas
16 that are designated as moist forests under this sec-
17 tion shall be managed in accordance with the prin-
18 ciples of ecological forestry (including principles re-
19 lating to variable retention regeneration harvests)
20 described in paragraph (2).

21 “(2) ECOLOGICAL FORESTRY PRINCIPLES FOR
22 MOIST FORESTS.—The ecological forestry principles
23 referred to in paragraph (1) include—

24 “(A) the retention of old growth;

1 “(B) the seeking of opportunities to retain
2 older trees if practicable;

3 “(C) the acceleration of the development of
4 structural complexity, including spatial hetero-
5 geneity, in younger stands, through the use of
6 diverse silvicultural approaches, such as vari-
7 able density and clump-based prescriptions;

8 “(D) the implementation of variable reten-
9 tion regeneration harvesting activities that re-
10 tain approximately $\frac{1}{3}$ of the live basal area of
11 the forest within the harvest area, primarily in
12 aggregates, including riparian and other re-
13 serves and dispersed individual and small clus-
14 ters of conifers and hardwoods within the har-
15 vest area unit, a portion of which may be used
16 for snag creation, except that old growth stands
17 shall not be considered as part of the
18 $\frac{1}{3}$ basal area retention;

19 “(E) the development and maintenance of
20 early seral ecosystems with diverse species fol-
21 lowing harvesting activities through the use of
22 less intense approaches to site preparation and
23 tree regeneration and nurturing of diverse early
24 seral ecosystems;

1 “(F) the use of rotations of sufficient
2 length to allow stands to redevelop with levels
3 of structural complexity and biodiversity char-
4 acteristics of late-successional stands, but when
5 the stands reach the rotation age of the stands,
6 the stands will be regenerated through variable-
7 retention harvesting; and

8 “(G) the establishment of a silvicultural
9 system that includes the development and man-
10 agement of multiaged, mixed-species stands on
11 harvest rotation periods of 80 to 120 years.

12 “(3) VARIABLE RETENTION REGENERATION.—

13 “(A) IN GENERAL.—The Secretary shall
14 designate not less than 8 percent and not more
15 than 12 percent of the moist forests described
16 in paragraph (1) as land on which the Sec-
17 retary shall carry out variable retention regen-
18 eration harvesting activities, consistent with
19 this section, during each 10-year period in a
20 manner consistent with the environmental im-
21 pact statement required under the National En-
22 vironmental Policy Act of 1969 (42 U.S.C.
23 4321 et seq.) and section 104(a).

24 “(B) APPLICABILITY.—The moist forests
25 designated as variable retention regeneration

1 harvest land under subparagraph (A) shall not
2 be limited to stands that have generally reached
3 the culmination of mean annual increment.

4 “(4) THINNING.—

5 “(A) IN GENERAL.—The Secretary shall
6 carry out thinning activities in the moist forests
7 described in paragraph (1) to promote tree
8 growth and ecological health and variability.

9 “(B) GOALS.—The goal of thinning activi-
10 ties under this paragraph shall be to establish
11 spatially variable stand densities and complex
12 canopies using thinning regimes that enhance
13 the structural and compositional diversity of the
14 stand and individual tree development.

15 “(C) LIMITATIONS.—

16 “(i) IN GENERAL.—In carrying out
17 thinning activities under this paragraph,
18 the Secretary shall not reduce the total
19 basal area of the stand (as determined on
20 the date on which the thinning activities
21 commence) by more than 50 percent.

22 “(ii) OLD GROWTH TREES.—The Sec-
23 retary shall exclude old growth trees from
24 thinning activities under this paragraph.

25 “(e) MANAGEMENT OF DRY FORESTS.—

1 “(1) IN GENERAL.—Forestry emphasis areas
2 that are designated as dry forests under this section
3 shall be managed in accordance with ecological for-
4 estry principles described in paragraph (2) and, as
5 determined necessary by the Secretary, with fire re-
6 siliency needs, consistent with this subsection.

7 “(2) ECOLOGICAL FORESTRY PRINCIPLES IN
8 DRY FORESTS.—The ecological forestry principles re-
9 ferred to in paragraph (1) include—

10 “(A) the retention and improvement of the
11 survivability of old growth trees through the re-
12 duction of adjacent fuels and competing vegeta-
13 tion to promote resilience against mortality
14 from insects, disease, and fire;

15 “(B) the retention and protection of impor-
16 tant structures such as large hardwoods, snags,
17 and logs;

18 “(C) the reduction of overall stand den-
19 sities through partial cutting in an effort to—

20 “(i) reduce basal areas to desired lev-
21 els, particularly in overstocked stands;

22 “(ii) increase the mean stand diame-
23 ter;

24 “(iii) shift the composition of stands
25 to fire- and drought-tolerant species; and

1 “(iv) retain older trees for replace-
2 ment purposes;

3 “(D) the restoration of spatial hetero-
4 geneity through the variation of the treatment
5 of stands, such as by leaving untreated patches,
6 creating openings of not more than 2.5 acres,
7 and establishing tree clumps and isolated single
8 trees;

9 “(E) the establishment of new tree cohorts
10 of shade-intolerant species in created openings,
11 generally varying in size between 0.2 and 2.5
12 acres;

13 “(F) the harvesting of timber during the
14 restoration process;

15 “(G) the maintenance of sustainable and
16 fire-resilient conditions in perpetuity through
17 active management of the dry forests in accord-
18 ance with this subsection, including the treat-
19 ment of activity fuels and the restoration of his-
20 toric levels of surface fuels and understory vege-
21 tation using prescribed fire and mechanical ac-
22 tivities;

23 “(H) the planning and implementation of
24 activities at the landscape level to maintain not
25 less than $\frac{1}{3}$ of the dry forests as denser land-

1 scape-scale patches to provide greater forest
2 density for endangered and threatened species
3 and their prey; and

4 “(I) the retention of a basal area after a
5 partial cut that is not less than 35 percent of
6 the initial basal area of the sale area.

7 “(3) FIRE RESILIENCY.—

8 “(A) VEGETATION TREATMENT NEAR
9 RESIDENCES.—

10 “(i) IN GENERAL.—For a forestry em-
11 phasis area that is designated as a dry for-
12 est under this section and located within
13 .25 miles of a residence, the primary pur-
14 pose of any vegetation treatment carried
15 out by the Secretary on that land shall be
16 to manage fuel loadings to reduce the risk
17 to the residence posed by wildfire.

18 “(ii) ADMINISTRATION.—

19 “(I) IN GENERAL.—In carrying
20 out vegetation treatment activities on
21 land described in clause (i), the Sec-
22 retary shall—

23 “(aa) cut and remove trees
24 and brush to eliminate the
25 vertical continuity of vegetative

1 fuels and the horizontal con-
2 tinuity of tree crowns for the
3 purpose of reducing flammable
4 materials and maintaining a
5 shaded fuelbreak to reduce fire
6 spread, duration, and intensity;
7 and

8 “(bb) treat surface fuels (in-
9 cluding activity fuels, low brush,
10 and deadwood) on that land that
11 could promote the spread of wild-
12 fire in a manner designed to
13 achieve an average of a 4-foot
14 maximum flame length under av-
15 erage severe fire weather condi-
16 tions.

17 “(II) TIMBER SALES.—If a tim-
18 ber sale is planned within $\frac{1}{2}$ mile of
19 a residence, the Secretary is encour-
20 aged to carry out vegetation treat-
21 ment activities on that Federal land
22 at the same time as the timber sale.

23 “(III) COUNTY ACTIONS.—A
24 county may carry out a fuel reduction
25 project on the land described in clause

1 (i) in a manner consistent with sub-
2 clause (I) if—

3 “(aa) the county notifies the
4 Secretary of the intent of the
5 county to carry out the project,
6 including a description of the
7 project and duration of the
8 project;

9 “(bb) the Secretary deter-
10 mines the project is consistent
11 with this Act and is in the best
12 interest of the public; and

13 “(cc) the county carries out
14 the project using county funds,
15 which may include amounts made
16 available to the county under this
17 Act.

18 “(iii) PRIORITIZATION.—In
19 prioritizing fire resiliency projects under
20 this subparagraph, the Secretary or the
21 county may use project recommendations
22 received from a resource advisory council
23 or described in a community wildfire pro-
24 tection plan.

1 “(B) PRIVATE LANDOWNER ACTIONS ON
2 FEDERAL LAND.—

3 “(i) IN GENERAL.—A person may
4 enter and treat any forestry emphasis area
5 that is designated as a dry forest under
6 this section that is located within 100 feet
7 of the residence of that person without a
8 permit from the Secretary if—

9 “(I) the treatment is carried out
10 at the expense of the person;

11 “(II) the person notifies the Sec-
12 retary of the intent to treat that land;
13 and

14 “(III) the person carries out the
15 treatment activities in accordance
16 with clause (iii).

17 “(ii) NOTICE.—

18 “(I) IN GENERAL.—Not less than
19 30 days before beginning to treat land
20 described in clause (i), the person
21 shall notify the Secretary of the inten-
22 tion of that person to treat that land.

23 “(II) COMMENCEMENT.—Not
24 less than 15 days before the date of
25 the commencement of treatment ac-

1 tions, the person shall notify the Sec-
2 retary before beginning the treatment.

3 “(iii) APPLICABILITY.—A person
4 treating land described in clause (i) shall
5 carry out the treatment as follows:

6 “(I) No dead tree, nest tree, old
7 growth, or tree greater than 24 inches
8 in diameter shall be cut.

9 “(II) Any residual trees shall be
10 pruned—

11 “(aa) to a height of the less-
12 er of 10 feet or 50 percent of the
13 crown height of the tree; and

14 “(bb) such that all parts of
15 the tree are at not less than 10
16 feet away from the residence.

17 “(III) Vegetation shall be cut
18 such that—

19 “(aa) less flammable species
20 are favored for retention; and

21 “(bb) the adequate height
22 and spacing between bushes and
23 trees are maintained.

24 “(IV) No herbicide or insecticide
25 application shall be used.

1 “(I) the stream channel to the
2 top of the inner gorge and out to the
3 edge of the riparian vegetation;

4 “(II) a distance of $\frac{1}{2}$ of a site-
5 potential tree height; or

6 “(III) 75–feet slope distance;

7 “(iv) in the case of a wetland greater
8 than 1 acre, a lake, or a natural pond, are
9 whichever is greater among—

10 “(I) the body of water and land
11 located along the wetland, lake, or
12 pond to the outer edges of riparian
13 vegetation;

14 “(II) a distance of 2 site-poten-
15 tial tree height; or

16 “(III) 300-foot slope distance;

17 “(v) in the case of a constructed pond
18 or a reservoir, are the area from the max-
19 imum pool elevation to a distance equal to
20 the height of 1 site-potential tree or 150–
21 feet slope distance, whichever is greater;
22 and

23 “(vi) in the case of a wetland that is
24 less than 1 acre or an unstable or poten-

1 tially unstable area, are whichever is great-
2 er among—

3 “(I) the extent of the unstable
4 and potentially unstable area or the
5 wetland less than 1 acre, as applica-
6 ble, to the outer edges of the riparian
7 vegetation;

8 “(II) a distance of 1 site-poten-
9 tial tree height; or

10 “(III) 150-foot slope distance.

11 “(B) NONFISH-BEARING STREAMS.—

12 “(i) IN GENERAL.—For a nonfish-
13 bearing stream, the Secretary shall estab-
14 lish a buffer of an additional $\frac{1}{2}$ of a site-
15 potential tree height or 75 feet slope dis-
16 tance, whichever is greater, which buffer
17 shall be available for timber management
18 using ecological forestry principles while
19 maintaining wood delivery to streams.

20 “(ii) RESTRICTIONS.—

21 “(I) IN GENERAL.—A timber
22 harvest on the buffer land described
23 in clause (i) shall be—

1 “(aa) conducted in accord-
2 ance with the principles of eco-
3 logical forestry; and

4 “(bb) be limited to stands
5 less than or equal to 80 years of
6 age.

7 “(II) SPECIAL RULE FOR DRY
8 FORESTS.—

9 “(aa) IN GENERAL.—Sub-
10 ject to item (bb), in dry forests,
11 timber harvest may occur in a
12 stand that exceeds 80 years of
13 age if the harvest is carried out
14 for a compelling ecological rea-
15 son, such as to protect the stand
16 from insect outbreak or destruc-
17 tive wildfire.

18 “(bb) OLD GROWTH
19 TREES.—An old growth tree shall
20 not be included in a timber har-
21 vest under item (aa).

22 “(2) WATERSHED ANALYSIS.—

23 “(A) IN GENERAL.—Not later than 90
24 days after the date of enactment of the Oregon
25 and California Land Grant Act of 2013, a sci-

1 entific committee established by the Secretary
2 shall develop criteria to be used in carrying out
3 a watershed analysis for forestry emphasis
4 areas.

5 “(B) SCIENTIFIC COMMITTEE.—

6 “(i) IN GENERAL.—The committee es-
7 tablished under subparagraph (A) shall be
8 comprised of 5 individuals who—

9 “(I) are not full-time employees
10 of the Bureau of Land Management;
11 and

12 “(II) have expertise relating to
13 aquatic and riparian ecosystems.

14 “(ii) ADMINISTRATION.—The Federal
15 Advisory Committee Act (5 U.S.C. App.)
16 shall not apply to the committee estab-
17 lished under this paragraph.

18 “(C) CRITERIA.—The criteria developed
19 under subparagraph (A) shall include at a min-
20 imum—

21 “(i) the importance of the streams to
22 salmon populations;

23 “(ii) the impacts of thermal loading;

24 “(iii) water quality; and

1 “(iv) the potential for the delivery or
2 deposition of sediment and wood from
3 upslope sources.

4 “(D) DEVELOPMENT OF WATERSHED
5 ANALYSIS.—

6 “(i) IN GENERAL.—The Secretary
7 shall use the criteria established by the sci-
8 entific committee to determine the ecologi-
9 cal importance of fish-bearing streams and
10 nonfish-bearing streams.

11 “(ii) PUBLIC INFORMATION.—The
12 Secretary shall make the determinations
13 described in clause (i) available to the pub-
14 lic at the time the Secretary submits the
15 report to the scientific committee.

16 “(E) REVIEW OF SCIENTIFIC COM-
17 MITTEE.—

18 “(i) IN GENERAL.—Not later than
19 210 days after the date of enactment of
20 the Oregon and California Land Grant Act
21 of 2013, the Secretary shall submit to the
22 scientific committee established under sub-
23 paragraph (B) a watershed analysis that
24 includes the fish-bearing streams and

1 nonfish-bearing streams in key watersheds
2 categorized by ecological importance.

3 “(ii) COMMENTS BY SCIENTIFIC COM-
4 MITTEE.—Not later than 240 days after
5 the date of enactment of the Oregon and
6 California Land Grant Act of 2013, the
7 scientific committee shall submit comments
8 to the Secretary on the determinations
9 made by the Secretary of the ecological im-
10 portance of the streams within the covered
11 area.

12 “(iii) CRITERIA.—The scientific com-
13 mittee shall use only the criteria estab-
14 lished under subparagraph (C) to evaluate
15 the determinations made by the Secretary.

16 “(iv) PUBLIC AVAILABILITY.—On re-
17 ceipt by the Secretary, the comments sub-
18 mitted by the scientific committee shall be
19 made publically available.

20 “(F) INCLUSION IN THE DRAFT ENVIRON-
21 MENTAL IMPACT STATEMENT.—

22 “(i) IN GENERAL.—The Secretary
23 shall—

1 “(I) revise the watershed anal-
2 ysis, as the Secretary considers nec-
3 essary; and

4 “(II) consider the comments sub-
5 mitted by the scientific committee.

6 “(ii) REVISED WATERSHED ANAL-
7 YSIS.—The revised watershed analysis
8 shall be used in preparing and included in
9 whole in each draft environmental impact
10 statement developed under section
11 104(a)(1).

12 “(G) OTHER APPLICABILITY.—The results
13 of the watershed analysis shall be available for
14 use in conservation efforts on other Federal
15 land and on non-Federal land.

16 “(3) REVISION OF RIPARIAN BUFFER SYS-
17 TEM.—

18 “(A) IN GENERAL.—In accordance with
19 the watershed analysis, the Secretary shall re-
20 vise the riparian reserves on the forestry em-
21 phasis areas.

22 “(B) USE.—The revisions shall be re-
23 flected in—

24 “(i) the initial environmental impact
25 statements prepared under the National

1 Environmental Policy Act of 1969 (42
2 U.S.C. 4321 et seq.) and section 104(a);
3 and

4 “(ii) each subsequent 10-year envi-
5 ronmental impact statement.

6 “(C) REVISIONS.—The Secretary shall re-
7 vise the riparian buffer system as follows:

8 “(i) For a riparian reserve located
9 along a fish-bearing stream, lake, or wet-
10 land, that the Secretary determines, based
11 on the watershed analysis, to be of mini-
12 mal ecological importance, the size of the
13 riparian reserve shall be 100 feet slope dis-
14 tance.

15 “(ii) For a riparian reserve located
16 along a nonfish-bearing stream, lake, or
17 wetland that the Secretary determines,
18 based on the watershed analysis, to be of
19 minimal ecological importance, the size of
20 the riparian reserve shall be 50 feet slope
21 distance.

22 “(iii) For a riparian reserve located
23 along a fish-bearing or nonfish-bearing
24 stream, lake, or wetland that the Secretary
25 determines, based on the watershed anal-

1 ysis, to be of significant ecological impor-
2 tance, the size of the riparian reserve shall
3 be 1 site-potential tree height or 150 feet
4 slope distance, whichever is greater.

5 “(iv) The total amount of riparian re-
6 serves within each 5th-level hydrologic unit
7 code watershed in the forestry emphasis
8 areas shall equal at least 75 percent and
9 not more than 125 percent of the previous
10 riparian reserves established under para-
11 graph (1).

12 “(D) RIPARIAN BUFFERS FOR MANAGE-
13 MENT.—

14 “(i) IN GENERAL.—The Secretary
15 shall establish buffers for the riparian re-
16 serves described in clauses (i) and (ii) of
17 subparagraph (C) that extend out to 1-site
18 potential tree.

19 “(ii) MANAGEMENT.—The buffers
20 shall be managed in the same manner as
21 the buffers described in paragraph (1)(B).

22 “(E) MANAGEMENT.—The Secretary shall
23 manage the revised riparian reserve areas de-
24 scribed in subparagraph (D) in accordance with
25 the following standards:

1 “(i) Timber harvest within riparian
2 reserves shall be restricted to thinning
3 stands less than or equal to 80 years of
4 age to achieve the goals of the aquatic con-
5 servation strategy.

6 “(ii) Timber harvest, roads, grazing,
7 mining, recreation, and all other activities
8 shall be compatible with achievement of
9 the goals of the aquatic conservation strat-
10 egy in order to occur.

11 “(iii) Riparian-dependent and stream
12 resources shall receive primary emphasis in
13 riparian reserve landscapes.

14 “(4) EXCEPTION.—Forestry emphasis areas
15 designated as ‘Drinking Water Emphasis Area’ and
16 depicted as such on the maps entitled ‘O&C Land
17 Grant Act of 2013: McKenzie Drinking Water Area’,
18 ‘O&C Land Grant Act of 2013: Hillsboro Drinking
19 Water Area’, ‘O&C Land Grant Act of 2013:
20 Clackamas Drinking Water Area’, and ‘O&C Land
21 Grant Act of 2013: Springfield Drinking Water
22 Area’ and dated November 18, 2013, and riparian
23 areas within key watersheds shall not be subject to
24 this subsection but shall instead be subject to section
25 105(c).

1 “(g) PRIORITIZATION.—

2 “(1) SELECTION OF AREAS TO TREAT IN THE
3 FIRST 10 YEARS.—

4 “(A) IN GENERAL.—Not later than 150
5 days after the date of enactment of the Oregon
6 and California Land Grant Act of 2013, the
7 Secretary shall select locations in forestry em-
8 phasis areas in which the Secretary intends to
9 harvest timber during—

10 “(i) the 10 year-period covered by the
11 environmental impact statement prepared
12 under the requirements of the National
13 Environmental Policy Act of 1969 (42
14 U.S.C. 4321 et seq.) and 104(a); and

15 “(ii) each subsequent 10-year period
16 covered by an environmental impact state-
17 ment.

18 “(B) PRIORITIZATION PLAN FOR FOR-
19 ESTRY EMPHASIS AREAS.—The areas selected
20 under subparagraph (A) shall reflect a
21 prioritization plan and harvest levels, including
22 the sustained yield, identified in the environ-
23 mental impact statement prepared under the re-
24 quirements of the National Environmental Pol-

1 icy Act of 1969 (42 U.S.C. 4321 et seq.) and
2 section 104(a).

3 “(C) PUBLIC COMMENT.—The Secretary
4 shall seek public comments for 45 days on the
5 selection of the areas under subparagraph (A).

6 “(D) INCLUSION IN THE DRAFT ENVIRON-
7 MENTAL IMPACT STATEMENT.—

8 “(i) IN GENERAL.—The Secretary
9 shall revise the prioritization plan for for-
10 estry emphasis areas, as the Secretary con-
11 siders necessary, based on the public com-
12 ments received.

13 “(ii) REVISED PRIORITIZATION
14 PLAN.—The revised prioritization plan for
15 forestry emphasis areas shall be used in
16 preparing and included in whole in each
17 draft environmental impact statement de-
18 veloped under the National Environmental
19 Policy Act of 1969 (42 U.S.C. 4321 et
20 seq.) and section 104(a).

21 “(2) LANDSCAPE PLANS.—

22 “(A) IN GENERAL.—The Secretary shall
23 develop plans for the moist forest portions of
24 the forestry emphasis area and dry forest por-
25 tions of the covered area.

1 “(B) MOIST FOREST LANDSCAPE PLAN.—

2 The plans described in subparagraph (A) shall
3 include—

4 “(i) landscape level plans showing the
5 areas of the moist forest landscapes that
6 will result in distribution of variable reten-
7 tion regeneration harvests to ensure de-
8 sired placement and the appropriate scale
9 of implementation; and

10 “(ii) areas that will, in the case of a
11 moist forest site, accelerate development of
12 complex forest structure, including oppor-
13 tunities to create spatial heterogeneity
14 (such as creating skips and gaps), in a
15 young stand that has a canopy that has—

16 “(I) closed; and

17 “(II) been simplified through
18 past management.

19 “(C) DRY FOREST LANDSCAPE PLAN.—

20 “(i) IN GENERAL.—The dry forest
21 plans described in subparagraph (A) shall
22 include—

23 “(I) a landscape level plan show-
24 ing the areas of any dry forest land-
25 scape that will be left in a denser con-

1 dition for the first 30 years after the
2 date of enactment of the Oregon and
3 California Land Grant Act of 2013;

4 “**(II)** the areas of any dry forest
5 that may be considered for thinning
6 or restoration treatments beginning
7 on the date that is 30 years after the
8 date of enactment of the Oregon and
9 California Land Grant Act of 2013;
10 and

11 “**(III)** areas that will, in the case
12 of a dry forest site—

13 “**(aa)** minimize and reduce
14 the risk of unnaturally severe fire
15 and insect outbreaks, particularly
16 if critical components and values
17 are at risk, including—

18 “**(AA)** communities in
19 the wildland-urban interface
20 (as defined in section 101 of
21 the Healthy Forests Res-
22 toration Act of 2003 (16
23 U.S.C. 6511); and

24 “**(BB)** valuable forest
25 structures, such as old

1 growth and oak savannas
2 that are in need of restora-
3 tion or are in danger from
4 potential fire risk; or

5 “(bb) restore historical
6 structure and composition and
7 improve fire resiliency.

8 “(ii) REEVALUATION.—The areas de-
9 scribed in clause (i)(I) shall be reevaluated
10 in the subsequent comprehensive environ-
11 mental impact statements required under
12 section 104(a).

13 “(D) COLLABORATION IN DEVELOPING
14 PLANS.—The Secretary shall develop the plans
15 described in subparagraph (A) in coordination
16 with the Director of the United States Fish and
17 Wildlife Service to ensure the plans comply with
18 the Endangered Species Act of 1973 (16 U.S.C.
19 1531 et seq.).

20 “(E) DRAFT PLANS AVAILABLE FOR PUB-
21 LIC COMMENT.—Not later than 150 days after
22 the date of enactment of the Oregon and Cali-
23 fornia Land Grant Act of 2013, the Secretary
24 shall make a draft of the plans described in

1 subparagraph (A) available for public comment
2 for 45 days.

3 “(F) INCLUSION IN THE DRAFT ENVIRON-
4 MENTAL IMPACT STATEMENT.—

5 “(i) IN GENERAL.—The Secretary
6 shall revise landscape plans, as the Sec-
7 retary considers necessary, based on the
8 public comments received.

9 “(ii) REVISED LANDSCAPE PLANS.—
10 The revised landscape plans shall be used
11 in preparing and included in whole in the
12 draft environmental impact statement de-
13 veloped under the National Environmental
14 Policy Act of 1969 (42 U.S.C. 4321 et
15 seq.) and section 104(a).

16 **“SEC. 104. STREAMLINED PROCEDURES.**

17 “(a) COMPREHENSIVE ENVIRONMENTAL IMPACT
18 STATEMENT.—

19 “(1) IN GENERAL.—Not later than 18 months
20 after the date of enactment of the Oregon and Cali-
21 fornia Land Grant Act of 2013, the Secretary shall
22 complete—

23 “(A) a large-scale comprehensive environ-
24 mental impact statement in accordance with the
25 National Environmental Policy Act of 1969 (42

1 U.S.C. 4321 et seq.) for the moist forest in the
2 forestry emphasis area; and

3 “(B) a large-scale comprehensive environ-
4 mental impact statement in accordance with the
5 National Environmental Policy Act of 1969 (42
6 U.S.C. 4321 et seq.) for the dry forest in the
7 forestry emphasis area.

8 “(2) PERIOD.—The environmental impact
9 statements required under paragraph (1) shall cover
10 the 10–year period beginning on the date on which
11 the record of decision for the environmental impact
12 statement is issued.

13 “(3) INDIVIDUAL PROJECTS.—The final com-
14 prehensive environmental impact statement shall be
15 used for individual projects during the 10–year pe-
16 riod described in paragraph (2).

17 “(4) ADDITIONAL ANALYSIS.—No additional
18 analysis under the National Environmental Policy
19 Act of 1969 (42 U.S.C. 4321 et seq.) shall be re-
20 quired for individual projects under this Act unless
21 explicitly required by this Act or there exists clear
22 and convincing evidence regarding significant ad-
23 verse environmental impacts of the project that were
24 not considered in the comprehensive environmental
25 impact statements.

1 “(5) EFFECTIVE DATE OF EACH ENVIRON-
2 MENTAL IMPACT STATEMENT.—After the initial
3 comprehensive environmental impact statement de-
4 veloped under paragraph (1), each subsequent com-
5 prehensive environmental impact statement shall be
6 prepared and be in effect for the 10-period begin-
7 ning on the date on which the previous environ-
8 mental impact statement expires.

9 “(b) CRITERIA AND PARAMETERS OF THE ENVIRON-
10 MENTAL IMPACT STATEMENT.—

11 “(1) IN GENERAL.—Each environmental impact
12 statement developed under subsection (a) shall ana-
13 lyze 3 alternatives, including—

14 “(A) 1 no-action alternative; and

15 “(B) 2 other alternatives that are con-
16 sistent the management prescriptions and this
17 Act for the forest type.

18 “(2) LIMITATIONS.—

19 “(A) IN GENERAL.—The analysis of effects
20 of each environmental impact statement de-
21 scribed in subsection (a)(1) shall be limited to
22 the effects of the actions authorized under sec-
23 tion 103 that are consistent with the forest
24 type.

25 “(B) ANALYSIS.—

1 “(i) IN GENERAL.—The information
2 contained within the timber prioritization
3 plan, watershed analysis, dry forest land-
4 scape plan, and moist forest landscape
5 plan shall—

6 “(I) be used to develop an envi-
7 ronmental impact statement described
8 in subsection (a)(1); but

9 “(II) not be separately analyzed
10 in an environmental impact statement
11 described in subsection (a)(1).

12 “(ii) ADDITIONAL ANALYSIS.—Not-
13 withstanding the National Environmental
14 Policy Act of 1969 (42 U.S.C. 4321 et
15 seq.), no analysis that is in addition to the
16 environmental impact statement described
17 in subsection (a)(1) shall be required
18 under that Act for the timber prioritization
19 plan, watershed analysis, dry forest land-
20 scape plan, and moist forest landscape
21 plan.

22 “(3) AREA INCLUDED IN ENVIRONMENTAL IM-
23 PACT STATEMENT.—

24 “(A) IN GENERAL.—Each environmental
25 impact statement shall cover the area required

1 to be treated in section 103(d) for moist forests
2 and section 103(e) for dry forests.

3 “(B) DISTRIBUTION.—The requirement
4 under subparagraph (A) shall be—

5 “(i) distributed in a manner that is
6 approximately equal over the 10-year pe-
7 riod; and

8 “(ii) divided among the Bureau of
9 Land Management districts in a manner
10 that—

11 “(I) is approximately propor-
12 tional to the yield that can be pro-
13 duced by those forests; and

14 “(II) ensures that each Bureau
15 of Land Management district has ade-
16 quate harvest and revenue to share
17 with affected counties.

18 “(4) SPECIFIC ENVIRONMENTAL IMPACTS.—
19 Each environmental impact statement shall include,
20 in addition to other necessary analysis, the impacts
21 to—

22 “(A) wetlands;

23 “(B) municipal watersheds;

24 “(C) inventoried roadless areas;

25 “(D) Indian cultural sites;

1 “(E) archeological sites; and

2 “(F) nest trees.

3 “(c) PUBLIC NOTICE AND COMMENT; CHAL-
4 LENGES.—

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

6 “(A) AGENCY ACTION.—The term ‘agency
7 action’ has the meaning given the term in sec-
8 tion 551 of title 5, United States Code.

9 “(B) COVERED AGENCY ACTION.—The
10 term ‘covered agency action’ means an agency
11 action by the Secretary relating to the manage-
12 ment of the forestry emphasis areas.

13 “(C) COVERED CIVIL ACTION.—The term
14 ‘covered civil action’ means a civil action seek-
15 ing judicial review of a covered agency action.

16 “(2) PUBLIC NOTICE AND COMMENT.—

17 “(A) NOTICE OF INTENT.—

18 “(i) NOTICE OF INTENT.—Not later
19 than 7 days after the date of enactment of
20 the Oregon and California Land Grant Act
21 of 2013, the Secretary shall publish in the
22 Federal Register a notice of intent to pre-
23 pare each of the following documents:

66

1 “(I) Comprehensive environ-
2 mental impact statement for the moist
3 forests.

4 “(II) Comprehensive environ-
5 mental impact statement for the dry
6 forests.

7 “(III) Prioritization plan for the
8 forestry emphasis area.

9 “(IV) Watershed analysis.

10 “(V) Dry forest landscape plan.

11 “(VI) Moist forest landscape
12 plan.

13 “(ii) PUBLIC COMMENT.—During the
14 45-day period beginning on date on which
15 the notice of intent is published, the Sec-
16 retary shall—

17 “(I) provide an opportunity for
18 public comment for the scoping proc-
19 ess; and

20 “(II) solicit public comment on
21 topics to be analyzed in the draft envi-
22 ronmental impact statement under
23 subparagraph (B).

24 “(B) DRAFT ENVIRONMENTAL IMPACT
25 STATEMENTS.—

1 “(i) IN GENERAL.—Not later than 1
2 year after the date of enactment of the Or-
3 regon and California Land Grant Act of
4 2013, the Secretary shall issue the first
5 draft environmental impact statements de-
6 scribed in subsection (a)(1).

7 “(ii) PUBLIC COMMENT.—During the
8 60-day period beginning on the date on
9 which the draft environmental impact
10 statements are issued, the Secretary shall
11 provide an opportunity for public comment
12 on the draft environmental impact state-
13 ments.

14 “(iii) EXTENSIONS.—The Secretary
15 may not extend the period for public com-
16 ment.

17 “(iv) TOPICS.—During the period de-
18 scribed in clause (ii), the public shall be
19 able to provide comment on the
20 prioritization plan, watershed analysis, dry
21 forest landscape plan, and moist forest
22 landscape plan included in the draft envi-
23 ronmental impact statement.

24 “(C) FINAL ENVIRONMENTAL IMPACT
25 STATEMENTS.—

1 “(i) IN GENERAL.—The Secretary
2 shall issue the record of decision for the
3 final environmental impact statements—

4 “(I) 45 days after the date on
5 which the final environmental impact
6 statements are issued or immediately
7 after the Secretary responds to an ob-
8 jection filed under clause (ii); and

9 “(II) not later than 18 months
10 after the date of enactment of the Or-
11 egon and California Land Grant Act
12 of 2013.

13 “(ii) OBJECTIONS.—

14 “(I) IN GENERAL.—During the
15 first 30 days of the period established
16 under clause (i)(I), in lieu of any
17 other appeals that may be available,
18 any person may file an objection to
19 the final environmental impact state-
20 ments in accordance with section 105
21 of the Healthy Forests Restoration
22 Act of 2003 (16 U.S.C. 6515).

23 “(II) RESPONSE.—The Secretary
24 shall respond in writing to any objec-
25 tion filed under subclause (I) not later

1 than 30 days after the date on which
2 the objection is filed.

3 “(iii) EXCEPTION.—If the Secretary
4 determines that an objection filed under
5 clause (ii) requires a revision of the final
6 environmental impact statement, the Sec-
7 retary shall—

8 “(I) issue a revised final environ-
9 mental impact statement as soon as
10 practicable; and

11 “(II) issue a record of decision
12 not later than 30 days after the date
13 on which the revised final environ-
14 mental impact statement is issued.

15 “(3) JUDICIAL REVIEW.—

16 “(A) VENUE.—A covered civil action may
17 only be brought in the United States District
18 Court for the District of Oregon or the United
19 States District Court for the District of Colum-
20 bia.

21 “(B) OBJECTIONS.—No objection to the
22 record of decision shall be considered by the
23 court that has not previously been raised in
24 writing during the agency administrative proc-
25 ess.

1 “(C) LIMITATION OF ACTIONS.—A covered
2 civil action shall not be maintained unless com-
3 menced not later than 30 days after the date on
4 which the covered agency action to which the
5 covered civil action relates is final.

6 “(D) EXPEDITED PROCEEDINGS.—

7 “(i) DISCOVERY.—Discovery shall—

8 “(I) commence immediately after
9 a covered civil action is commenced;
10 and

11 “(II) conclude not later than 180
12 days after the date on which a covered
13 civil action is commenced.

14 “(ii) TRIAL.—In any covered civil ac-
15 tion, a trial shall commence not later than
16 180 days after the date on which the cov-
17 ered civil action is commenced.

18 “(iii) EXPEDITIOUS COMPLETION OF
19 JUDICIAL REVIEW.—Congress encourages a
20 court of competent jurisdiction to expedite,
21 to the maximum extent practicable, the
22 proceedings in a covered civil action with
23 the goal of rendering a final determination
24 on the merits of the covered civil action as
25 soon as practicable after the date on which

1 a complaint or appeal is filed to initiate
2 the action.

3 “(E) APPLICABILITY OF APA.—Except as
4 provided in this section, judicial review of a cov-
5 ered agency action shall be conducted in accord-
6 ance with chapter 7 of title 5, United States
7 Code.

8 “(F) INJUNCTIONS.—

9 “(i) IN GENERAL.—Subject to clause
10 (ii), the length of any preliminary injunc-
11 tion and any stay pending appeal regard-
12 ing a covered agency action shall not ex-
13 ceed 60 days.

14 “(ii) RENEWALS.—

15 “(I) IN GENERAL.—A court of
16 competent jurisdiction may issue 1 or
17 more renewals of any preliminary in-
18 junction, or stay pending appeal,
19 granted under clause (i).

20 “(II) UPDATES.—For each re-
21 newal of an injunction under this
22 clause, the parties to the action shall
23 present the court with updated infor-
24 mation on the status of the covered

1 agency action that is the basis of the
2 covered civil action.

3 “(iii) BALANCING OF SHORT AND
4 LONG TERM EFFECTS.—As part of the
5 weighing of the equities while considering
6 any request for an injunction that applies
7 to the covered agency action, the court
8 shall balance the impact on the ecosystem
9 likely to be affected by the covered agency
10 action of—

11 “(I) the short- and long-term ef-
12 fects of undertaking the covered agen-
13 cy action; and

14 “(II) the short- and long-term ef-
15 fects of not undertaking the covered
16 agency action.

17 “(d) CONSISTENCY DOCUMENT.—

18 “(1) IN GENERAL.—For each project imple-
19 mented under an environmental impact statement,
20 the decision to proceed with the project shall be doc-
21 umented in a consistency document, which shall in-
22 clude, at a minimum—

23 “(A) the record prepared, including the
24 names of interested people groups and agencies
25 contacted;

1 “(B) a determination that no extraor-
2 dinary circumstances exist; and

3 “(C) a determination that the scope of
4 work of the project is consistent with the origi-
5 nal analysis and assumptions in the record of
6 decision.

7 “(2) TIME BEFORE IMPLEMENTING A
8 PROJECT.—The Secretary shall not implement a
9 project described in paragraph (1) earlier than the
10 date that is 30 days after the date on which a con-
11 sistency document is made public.

12 “(3) CAUSE OF ACTION.—

13 “(A) IN GENERAL.—The only cause of ac-
14 tion that may be brought challenging a consist-
15 ency document shall be claims that the work to
16 be performed under the consistency document is
17 inconsistent with the record of decision or
18 causes adverse impacts to species not listed
19 under the Endangered Species Act of 1973 (16
20 U.S.C. 1531 et seq.) at the time the record of
21 decision was prepared but which have been list-
22 ed subsequent to the record of decision.

23 “(B) LIMITATION OF ACTIONS.—No cause
24 of action may be maintained under subpara-
25 graph (A) unless commenced not later than 30

1 days after the date on which the consistency
2 document is issued.

3 “(4) PROJECTS OUTSIDE SCOPE.—With respect
4 to work in the forestry emphasis areas that falls out-
5 side the scope of the environmental impact state-
6 ments prepared under this title—

7 “(A) the work shall only be authorized
8 under this title for a project that does not ex-
9 ceed 5,000 acres; and

10 “(B) environmental analysis documents re-
11 quired under the National Environmental Pol-
12 icy Act of 1969 (42 U.S.C. 4321 et seq.) shall
13 be completed for that work.

14 “(e) COORDINATION WITH OTHER AGENCIES; CON-
15 SULTATION.—

16 “(1) MULTIAGENCY COORDINATION.—

17 “(A) UP-FRONT PLANNING AND CON-
18 SULTATION.—Not later than 7 days after the
19 date of enactment of the Oregon and California
20 Land Grant Act of 2013, the Secretary shall in-
21 vite the Director of the United States Fish and
22 Wildlife Service, the Administrator of the Na-
23 tional Oceanic and Atmospheric Administration,
24 the Administrator of the Environmental Protec-
25 tion Agency, the Governor of Oregon, the heads

1 or equivalent duly-elected tribal government
2 leaders of federally-recognized Indian tribes
3 with aboriginal land in the covered area, and
4 local governments in the covered area to partici-
5 pate in—

6 “(i) the development of any environ-
7 mental impact statement necessary to
8 carry out this Act; and

9 “(ii) subsequently, the revision of any
10 resource management plan necessary to
11 carry out this Act.

12 “(B) ASSESSMENTS UNDER THE ENDAN-
13 GERED SPECIES ACT OF 1973.—

14 “(i) IN GENERAL.—Not later than 90
15 days after the date of enactment of the Or-
16 egon and California Land Grant Act of
17 2013, the Director the United States Fish
18 and Wildlife Service and the Administrator
19 of the National Oceanic and Atmospheric
20 Administration shall commence any assess-
21 ments required under the Endangered Spe-
22 cies Act of 1973 (16 U.S.C. 1531 et seq.)
23 to provide adequate consultation and quan-
24 tify acceptable take levels for the planned

1 treatments and projects under the environ-
2 mental impact statement.

3 “(ii) PROJECT-SPECIFIC CONCUR-
4 RENCE.—

5 “(I) IN GENERAL.—The Sec-
6 retary may seek project-specific con-
7 currence from the Director the United
8 States Fish and Wildlife Service and
9 the Administrator of the National
10 Oceanic and Atmospheric Administra-
11 tion.

12 “(II) CONCURRENCE OR OBJEC-
13 TION.—For a specific project that re-
14 quires a consistency document under
15 subsection (d) and would require doc-
16 umentation relating to the Endan-
17 gered Species Act of 1973 (16 U.S.C.
18 1531 et seq.) in accordance with sub-
19 clause (I), not later than 21 days
20 after the date on which the Secretary
21 seeks project-specific concurrence, the
22 Director the United States Fish and
23 Wildlife Service or the Administrator
24 of the National Oceanic and Atmos-

1 pheric Administration, as applicable,
2 shall—

3 “(aa) submit to the Sec-
4 retary written concurrence that
5 the project is not likely to ad-
6 versely affect listed species or
7 critical habitat, in accordance
8 with the Endangered Species Act
9 of 1973 (16 U.S.C. 1531 et seq.);
10 or

11 “(bb) notify the Secretary
12 that formal consultation will be
13 required.

14 “(C) PARTICIPATION BY NON-FEDERAL
15 ENTITIES.—Non-Federal entities may submit to
16 the Secretary a request to participate in the de-
17 velopment of any environmental impact state-
18 ment and any resource management plan nec-
19 essary under this Act.

20 “(2) LIAISONS.—Not later than 45 days after
21 the date of enactment of the Oregon and California
22 Land Grant Act, the Director the United States
23 Fish and Wildlife Service and the Administrator of
24 the National Oceanic and Atmospheric Administra-

1 tion shall identify personnel that will serve as a liai-
2 son to the Secretary—

3 “(A) to develop the environmental impact
4 statements and resource management plans
5 necessary under this Act; and

6 “(B) address any issues at the project level
7 under the Endangered Species Act of 1973 (16
8 U.S.C. 1531 et seq.).

9 “(3) CONCURRENT REVIEW.—

10 “(A) IN GENERAL.—Each cooperating
11 agency, the Director of the United States Fish
12 and Wildlife Service, and the Administrator of
13 the National Oceanic and Atmospheric Admin-
14 istration shall carry out the obligations of that
15 agency under other applicable law concurrently
16 and in conjunction with the required environ-
17 mental review process for the comprehensive en-
18 vironmental impact statement, unless doing so
19 would impair the ability of the agency to con-
20 duct needed analysis or otherwise carry out
21 those obligations.

22 “(B) CONSULTATION AND DOCUMENTS RE-
23 QUIRED UNDER THE ENDANGERED SPECIES
24 ACT OF 1973.—

1 “(i) INFORMAL CONSULTATION.—Not
2 later than 7 days after the date of enact-
3 ment of the Oregon and California Land
4 Grant Act of 2013, the Secretary shall
5 commence informal consultation with the
6 Director of the United States Fish and
7 Wildlife Service and the Administrator of
8 the National Oceanic and Atmospheric Ad-
9 ministration on the implementation of this
10 Act.

11 “(ii) FORMAL CONSULTATION.—Not
12 later than 90 days after the date of enact-
13 ment of the Oregon and California Land
14 Grant Act of 2013, the Secretary shall
15 commence formal consultation with the Di-
16 rector of the United States Fish and Wild-
17 life Service and the Administrator of the
18 National Oceanic and Atmospheric Admin-
19 istration on the development of the draft
20 environmental impact statement developed
21 under subsection (c), in accordance with
22 section 7 of the Endangered Species Act of
23 1973 (16 U.S.C. 1536).

24 “(iii) DRAFT ENVIRONMENTAL IM-
25 PACT STATEMENT.—Not later than 1 year

1 after the date of enactment of the Oregon
2 and California Land Grant Act of 2013,
3 the Secretary shall submit to the Director
4 of the United States Fish and Wildlife
5 Service and the Administrator of the Na-
6 tional Oceanic and Atmospheric Adminis-
7 tration the draft environmental impact
8 statement developed under subsection (c),
9 in accordance with section 7 of the Endan-
10 gered Species Act of 1973 (16 U.S.C.
11 1536).

12 “(iv) SUPPORTING DOCUMENTS.—Not
13 later than 60 days after the date on which
14 a draft environmental impact statement is
15 published, the cooperating agencies shall
16 submit to the Secretary any documents re-
17 quired of the cooperating agencies under
18 the Endangered Species Act of 1973 (16
19 U.S.C. 1531 et seq.).

20 “(4) ESCALATION OF INTERAGENCY CON-
21 Flicts.—

22 “(A) IN GENERAL.—If a disagreement be-
23 tween the liaisons identified in paragraph (2)
24 cannot be resolved within 14 days, the disagree-
25 ment shall be escalated to the State directors,

1 or if there are no State directors, the regional
2 directors.

3 “(B) FURTHER ESCALATION.—

4 “(i) IN GENERAL.—If the State direc-
5 tors or regional directors, as applicable,
6 cannot resolve the disagreement within the
7 period beginning on the date on which the
8 14-day period described in subparagraph
9 (A) expires and ending on the date that is
10 7 days after the date on which the 14-day
11 period expires, the matter shall be esca-
12 lated to the head of the applicable Federal
13 agency.

14 “(ii) FINAL RESOLUTION.—The head
15 of the applicable Federal agency shall re-
16 solve the disagreement not later than 7
17 days after the date on which the disagree-
18 ment is escalated under clause (i).

19 “(5) APPLICABILITY OF NORTHWEST FOREST
20 PLAN.—The Northwest Forest Plan Survey and
21 Manage Mitigation Measure Standard and Guide-
22 lines shall not apply to forestry emphasis areas.

23 “(6) SALMON.—

24 “(A) IN GENERAL.—The State shall be
25 considered a cooperating agency for purposes of

1 assisting the Administrator of the National
2 Oceanic and Atmospheric Administration in
3 managing salmon.

4 “(B) MEMORANDUM OF UNDER-
5 STANDING.—The State and the Administrator
6 of the National Oceanic and Atmospheric Ad-
7 ministration may enter into a memorandum of
8 understanding or an agreement under section 6
9 of the Endangered Species Act of 1973 (16
10 U.S.C. 1535) in carrying out activities under
11 subparagraph (A).

12 “(C) ADMINISTRATION.—

13 “(i) IN GENERAL.—If the Adminis-
14 trator of the National Oceanic and Atmos-
15 pheric Administration fails to provide any
16 necessary documentation relating to salm-
17 on required under the Endangered Species
18 Act of 1973 (16 U.S.C. 1531 et seq.) with-
19 in the required deadlines under this sec-
20 tion, the Secretary shall consider as com-
21 pleted any documentation required of the
22 Administrator under the environmental im-
23 pact statement, unless the Secretary of
24 Commerce notifies the Secretary of the In-
25 terior that additional time is needed.

1 “(ii) NONDELEGATION.—The Sec-
2 retary of Commerce shall not delegate the
3 authority described in clause (i).

4 “(7) 5-YEAR REEVALUATION.—

5 “(A) IN GENERAL.—Not later than 5 years
6 after the date on which an environmental im-
7 pact statement is developed, the Director of the
8 United States Fish and Wildlife Service and the
9 Administrator of the National Oceanic and At-
10 mospheric Administration shall reevaluate the
11 performed and proposed work and determine if
12 the work complies with—

13 “(i) the Endangered Species Act of
14 1973 (16 U.S.C. 1531 et seq.); and

15 “(ii) the environmental impact state-
16 ment.

17 “(B) REINITIATION.—

18 “(i) IN GENERAL.—Subject to sub-
19 paragraph (A) and clause (ii), if the Direc-
20 tor of the United States Fish and Wildlife
21 Service and the Administrator of the Na-
22 tional Oceanic and Atmospheric Adminis-
23 tration determine that reinitiation of con-
24 sultation is required due to new informa-
25 tion relating to a threatened or endangered

1 species, changed circumstances relating to
2 a threatened or endangered species, or
3 changed conditions relating to a threatened
4 or endangered species—

5 “(I) the consultation process
6 under this subsection shall be reiniti-
7 ated by reassessing changed cir-
8 cumstances or conditions relating to
9 the threatened or endangered species
10 not originally evaluated in the envi-
11 ronmental impact statements; and

12 “(II) the supporting documenta-
13 tion shall be modified not later than
14 90 days after the date on which the
15 consultation commences to reflect the
16 actual conditions.

17 “(ii) MANAGEMENT ACTIVITIES.—
18 Management activities under the com-
19 prehensive environmental impact state-
20 ments developed under the National Envi-
21 ronmental Policy Act of 1969 (42 U.S.C.
22 4321 et seq.) and subsection (a) shall con-
23 tinue while the modifications described in
24 clause (i)(II) are being prepared.

25 “(8) LISTINGS OF ENDANGERED SPECIES.—

1 “(A) IN GENERAL.—The Secretary shall
2 redesignate some of a conservation emphasis
3 area as a forestry emphasis area and redesign-
4 nate a forestry emphasis area that contains
5 critical habitat as a conservation emphasis area
6 if—

7 “(i) a species is added to the list of
8 endangered or threatened species under
9 section 4(c) of the Endangered Species Act
10 of 1973 (16 U.S.C. 1533(c)); and

11 “(ii) critical habitat (as defined in sec-
12 tion 3 of the Endangered Species Act of
13 1973 (16 U.S.C. 1532)) is designated
14 within the forestry emphasis area that is
15 incompatible with the harvest of timber
16 under this Act.

17 “(B) IDENTIFICATION OF LANDS TO BE
18 REDESIGNATED.—Not later than 120 days after
19 the date of enactment of the Oregon and Cali-
20 fornia Land Grant Act, the Secretary shall
21 identify 10,000 acres of conservation emphasis
22 area that could be redesignated under subpara-
23 graph (A).

1 **“SEC. 105. MANAGEMENT OF CONSERVATION EMPHASIS**
2 **AREAS.**

3 “(a) IN GENERAL.—A conservation emphasis area
4 shall be managed in accordance with this Act and for the
5 general purposes of ecological and conservation benefits,
6 including providing forest reserves that include—

7 “(1) old growth and late successional habitat;

8 “(2) clean air;

9 “(3) water quality filtration, purification, and
10 storage;

11 “(4) watershed health;

12 “(5) soil stabilization;

13 “(6) flood control;

14 “(7) native wildlife biodiversity;

15 “(8) connectivity;

16 “(9) long term storage of carbon;

17 “(10) climate stabilization;

18 “(11) pollination, seed dispersal, soil formation,
19 and nutrient cycling;

20 “(12) recreational, educational, and tourism op-
21 portunities; and

22 “(13) aesthetic, spiritual, and cultural heritage
23 values.

24 “(b) MANAGEMENT DIRECTION FOR CONSERVATION
25 EMPHASIS AREAS.—

1 “(1) TIMBER HARVEST LIMITATIONS.—The cut-
2 ting, sale, or removal of timber within a conservation
3 emphasis area may be permitted—

4 “(A) to the extent necessary to improve
5 the health of the forest in a manner that—

6 “(i) maximizes the retention of large
7 trees—

8 “(I) as appropriate to the forest
9 type; and

10 “(II) to the extent that the trees
11 promote stands that are fire resilient
12 and healthy;

13 “(ii) improves the habitats of threat-
14 ened or endangered species or species con-
15 sidered sensitive by the Secretary over the
16 long term following completion of the
17 project;

18 “(iii) maintains or restores the com-
19 position and structure of the ecosystem by
20 reducing the risk of uncharacteristic wild-
21 fire; or

22 “(iv) in the case of harvests in moist
23 forest sites, is conducted—

24 “(I) through variable density and
25 clump-based thinning;

1 “(II) in stands up to 80 years of
2 age to accelerate development of
3 structurally complex forest conditions;
4 and

5 “(III) in a manner that retains
6 older trees and old growth;

7 “(B) to carry out an approved manage-
8 ment activity in furtherance of the purposes of
9 this section, if the cutting, sale, or removal of
10 timber is incidental to the management activity;
11 or

12 “(C) for de minimis personal or adminis-
13 trative use within the conservation emphasis
14 area, if the use will not impact the purposes of
15 this section.

16 “(2) ROAD CONSTRUCTION.—No new or tem-
17 porary roads shall be constructed or reconstructed
18 within a conservation emphasis area after the date
19 of enactment of the Oregon and California Land
20 Grant Act of 2013 except as necessary—

21 “(A) to protect the health and safety of in-
22 dividuals in cases of an imminent threat of
23 flood, fire, or any other catastrophic event that,
24 without intervention, would result in the loss of
25 life or property;

1 “(B) to carry out environmental cleanup
2 activities required by the Federal Government;

3 “(C) to allow for the exercise of reserved
4 or outstanding rights provided for by treaty or
5 Federal law;

6 “(D) to prevent irreparable resource dam-
7 age by a road constructed before the date of en-
8 actment of the Oregon and California Land
9 Grant Act; or

10 “(E) to rectify a hazardous road condition.

11 “(3) WITHDRAWAL.—Subject to valid existing
12 rights, all Federal land within the conservation em-
13 phasis area is withdrawn from—

14 “(A) all forms of entry, appropriation, or
15 disposal under the public land laws, except dis-
16 posal by exchange or sale in accordance with
17 section 117;

18 “(B) location, entry, and patent under the
19 mining laws; and

20 “(C) disposition under all laws relating to
21 mineral and geothermal leasing.

22 “(c) WATER QUALITY PROTECTION IN CONSERVA-
23 TION EMPHASIS AREAS.—

24 “(1) RIPARIAN RESERVES.—In carrying out the
25 aquatic conservation strategy for conservation em-

1 phasis areas, key watersheds and drinking water em-
2 phasis areas, the Secretary shall establish riparian
3 reserves that—

4 “(A) in the case of land located along a
5 fish-bearing stream, are 2 site-potential tree
6 height or 300–feet slope distance, whichever is
7 greater;

8 “(B) in the case of land located along a
9 permanently flowing nonfish-bearing stream,
10 are 1 site-potential tree height or 150–feet
11 slope distance, whichever is greater;

12 “(C) in the case of land located along a
13 seasonally flowing or intermittent stream, are
14 whichever is greater among—

15 “(i) the stream channel to the top of
16 the inner gorge and out to the edge of the
17 riparian vegetation;

18 “(ii) a distance of 1 site-potential tree
19 height; or

20 “(iii) 100–feet slope distance;

21 “(D) in the case of a wetland that is great-
22 er than 1 acre, a lake, or a natural pond, are
23 whichever is greater among—

1 “(i) the body of water and land lo-
2 cated along the wetland, lake, or pond to
3 the outer edges of riparian vegetation;

4 “(ii) a distance 2 site-potential tree
5 height; or

6 “(iii) 300-foot slope distance;

7 “(E) in the case of a constructed pond or
8 a reservoir, are the area from the maximum
9 pool elevation to a distance equal to the height
10 of 1 site-potential tree or 150-foot slope dis-
11 tance, whichever is greater; and

12 “(F) in the case of a wetland that is less
13 than 1 acre or an unstable or potentially unsta-
14 ble area, are whichever is greater among—

15 “(i) the extent of the unstable and po-
16 tentially unstable area or the wetland less
17 than 1 acre, as applicable, to the outer
18 edges of the riparian vegetation;

19 “(ii) a distance of 1 site-potential tree
20 height; or

21 “(iii) 150-foot slope distance.

22 “(2) WATERSHED ANALYSIS AND REVIEW.—

23 “(A) IN GENERAL.—The Secretary shall
24 regularly conduct watershed analysis and a re-
25 view of aquatic and riparian resources to ensure

1 adequate protections are being provided, con-
2 sistent with the objectives described in section
3 102(e)(1).

4 “(B) CRITERIA.—Criteria considered in
5 the analysis shall include—

6 “(i) the importance of the streams to
7 salmon populations;

8 “(ii) the impacts of thermal loading;

9 “(iii) water quality; and

10 “(iv) the potential for the delivery or
11 deposition of sediment and wood from
12 upslope sources.

13 “(C) CHANGES TO STRATEGY.—If a peer-
14 reviewed, multiagency report calls for changes
15 to the aquatic conservation strategy or any ri-
16 parian reserves on the conservation land to be
17 consistent with purposes described in section
18 102(e)(1), the Secretary may consider changes
19 as part of any modifications (revisions or
20 amendments) to the relevant resource manage-
21 ment plans.

22 “(d) MAPS AND LEGAL DESCRIPTIONS.—

23 “(1) IN GENERAL.—As soon as practicable
24 after the date of enactment of the Oregon and Cali-
25 fornia Land Grant Act, the Secretary shall prepare

1 a map and legal description for the land described
2 in sections 106 through 116.

3 “(2) FORCE OF LAW.—The maps and legal de-
4 scriptions described in subparagraph (A) shall have
5 the same force and effect as if included in this Act,
6 except that the Secretary may correct typographical
7 errors in the maps and legal descriptions.

8 “(3) PUBLIC AVAILABILITY.—The maps and
9 legal descriptions described in subparagraph (A)
10 shall be on file and available for public inspection in
11 the appropriate offices of the Bureau of Land Man-
12 agement.

13 **“SEC. 106. ROGUE NATIONAL RECREATION AREA.**

14 “(a) DESIGNATION.—There is established a Rogue
15 National Recreational Area to provide for the protection,
16 preservation, and enhancement of recreational, ecological,
17 scenic, cultural, watershed, and fish and wildlife values.

18 “(b) BOUNDARY.—The Rogue National Recreation
19 Area shall consist of certain Federal land managed by the
20 Bureau of Land Management, comprising approximately
21 94,700 acres, as generally depicted on the map entitled
22 ‘O&C Land Grant Act of 2013: Rogue National Recre-
23 ation Area’ and dated November 18, 2013.

24 “(c) ADMINISTRATION.—The Secretary shall—

1 “(1) administer the Rogue National Recreation
2 Area—

3 “(A) in accordance with the applicable
4 Federal laws (including regulations) and rules
5 applicable to the Bureau of Land Management;
6 and

7 “(B) consistent with section 105; and

8 “(2) only allow uses of the Rogue National
9 Recreation Area that are consistent with the pur-
10 poses described in subsection (a).

11 “(d) OFF-ROAD VEHICLES.—The use of motorized
12 vehicles on Bureau of Land Management holdings in the
13 Rogue National Recreation Area shall be limited to roads
14 designated by the Secretary.

15 “(e) FISH AND WILDLIFE.—Nothing in this section
16 affects the jurisdiction or responsibilities of the State with
17 respect to fish and wildlife in the State.

18 “(f) ADJACENT MANAGEMENT.—Nothing in this sec-
19 tion creates any protective perimeter or buffer zone
20 around the Rogue National Recreation Area.

21 “(g) PROTECTION OF TRIBAL RIGHTS.—Nothing in
22 this section diminishes any treaty rights of any Indian
23 tribe.

24 “(h) LAND RECLASSIFICATION.—

1 “(1) IN GENERAL.—The Secretary shall reclas-
2 sify the approximately 8,600 acres of Federal land
3 generally depicted on the map described in sub-
4 section (b) as ‘Other BLM lands’ as Oregon and
5 California Railroad grant land.

6 “(2) APPLICABILITY.—The land reclassified
7 under paragraph (1) shall be considered to satisfy
8 any requirement to reclassify public domain land as
9 Oregon and California Railroad grant land, includ-
10 ing under sections 206 and 216 of the Oregon and
11 California Land Grant Act of 2013.

12 **“SEC. 107. MOLALLA NATIONAL RECREATION AREA.**

13 “(a) DESIGNATION.—There is established a Molalla
14 National Recreational Area to provide for the protection,
15 preservation, and enhancement of recreational, ecological,
16 scenic, cultural, watershed, and fish and wildlife values.

17 “(b) BOUNDARY.—The Molalla National Recreation
18 Area shall consist of certain Federal land managed by the
19 Bureau of Land Management, comprising approximately
20 24,100 acres, as generally depicted on the map entitled
21 ‘O&C Land Grant Act of 2013: Molalla National Recre-
22 ation Area’ and dated November 18, 2013.

23 “(c) ADMINISTRATION.—The Secretary shall—

24 “(1) administer the Molalla National Recreation
25 Area—

1 “(A) in accordance with the applicable
2 Federal laws (including regulations) and rules
3 applicable to the Bureau of Land Management;
4 and

5 “(B) consistent with section 105; and

6 “(2) only allow uses of the Molalla National
7 Recreation Area that are consistent with the pur-
8 poses described in subsection (a).

9 “(d) OFF-ROAD VEHICLES.—The use of motorized
10 vehicles on Bureau of Land Management holdings in the
11 Molalla National Recreation Area shall be limited to roads
12 designated by the Secretary.

13 “(e) FISH AND WILDLIFE.—Nothing in this section
14 affects the jurisdiction or responsibilities of the State with
15 respect to fish and wildlife in the State.

16 “(f) ADJACENT MANAGEMENT.—Nothing in this sec-
17 tion creates any protective perimeter or buffer zone
18 around the Molalla National Recreation Area.

19 “(g) PROTECTION OF TRIBAL RIGHTS.—Nothing in
20 this section diminishes any treaty rights of any Indian
21 tribe.

22 “(h) LAND RECLASSIFICATION.—

23 “(1) IN GENERAL.—The Secretary shall reclas-
24 sify the approximately 12,000 acres of Federal land
25 generally depicted on the map described in sub-

1 section (b) as ‘Other BLM lands’ as Oregon and
2 California Railroad grant land.

3 “(2) APPLICABILITY.—The land reclassified
4 under paragraph (1) shall be considered to satisfy
5 any requirement to reclassify public domain land as
6 Oregon and California Railroad grant land, includ-
7 ing under sections 206 and 216 of the Oregon and
8 California Land Grant Act of 2013.

9 **“SEC. 108. MCKENZIE DRINKING WATER SPECIAL MANAGE-
10 MENT UNIT.**

11 “(a) ESTABLISHMENT.—There is established a spe-
12 cial resources management unit in the State consisting of
13 certain Federal land managed by the Bureau of Land
14 Management, generally depicted as the ‘McKenzie Drink-
15 ing Water Special Management Unit’ on the map entitled
16 ‘O&C Land Grant Act of 2013: McKenzie Drinking Water
17 Area’ and dated November 18, 2013, to be known as the
18 ‘McKenzie Drinking Water Special Management Unit’ (re-
19 ferred to in this section as the ‘Management Unit’).

20 “(b) PURPOSES.—The purposes of the Management
21 Unit are—

22 “(1) to ensure the protection of the McKenzie
23 Watershed as a clean drinking water source safe-
24 guarding the water quality and quantity of the Wa-

1 tershed, for the residents of Lane County, Oregon;
2 and

3 “(2) to allow visitors to enjoy the special scenic,
4 natural, cultural, and fish and wildlife values of the
5 McKenzie Watershed.

6 “(c) ADMINISTRATION.—

7 “(1) IN GENERAL.—The Secretary shall—

8 “(A) administer the Management Unit—

9 “(i) in accordance with the laws (in-
10 cluding regulations) and rules applicable to
11 the Bureau of Land Management; and

12 “(ii) consistent with section 105; and

13 “(B) only allow uses of the Management
14 Unit that are consistent with the purposes de-
15 scribed in subsection (b).

16 “(d) PROHIBITED ACTIVITIES.—Subject to valid ex-
17 isting rights, the following activities shall be prohibited on
18 Bureau of Land Management land in the Management
19 Unit:

20 “(1) Commercial livestock grazing.

21 “(2) The placement of new fuel storage tanks.

22 “(3) Except to the extent necessary to further
23 the purposes described in subsection (b), the applica-
24 tion of any toxic chemicals (other than fire
25 retardants), including pesticides.

1 “(e) COOPERATION ON PRIVATE LAND.—The Sec-
2 retary is encouraged to work with private landowners who
3 have agreed to cooperate with the Secretary to further the
4 purposes of this section.

5 “(f) OFF-ROAD VEHICLES.—The use of motorized ve-
6 hicles on Bureau of Land Management holdings in the
7 Management Unit shall be limited to roads designated by
8 the Secretary.

9 “(g) FISH AND WILDLIFE.—Nothing in this section
10 affects the jurisdiction or responsibilities of the State with
11 respect to fish and wildlife in the State.

12 “(h) ADJACENT MANAGEMENT.—Nothing in this sec-
13 tion creates any protective perimeter or buffer zone
14 around the Management Unit.

15 “(i) PROTECTION OF TRIBAL RIGHTS.—Nothing in
16 this section diminishes any treaty rights of any Indian
17 tribe.

18 **“SEC. 109. HILLSBORO DRINKING WATER SPECIAL MAN-**
19 **AGEMENT UNIT.**

20 “(a) ESTABLISHMENT.—There is established a spe-
21 cial resources management unit in the State consisting of
22 certain Federal land managed by the Bureau of Land
23 Management, generally depicted as the ‘Hillsboro Drink-
24 ing Water Special Management Unit’ on the map entitled
25 ‘O&C Land Grant Act of 2013 Hillsboro Drinking Water

1 Area’ and dated November 18, 2013, to be known as the
2 ‘Hillsboro Drinking Water Special Management Unit’ (re-
3 ferred to in this section as the ‘Management Unit’).

4 “(b) PURPOSES.—The purposes of the Management
5 Unit are—

6 “(1) to ensure the protection of the Hillsboro
7 Watershed as a clean drinking water source, safe-
8 guarding the quality and quantity of the Watershed,
9 for the residents of Washington County, Oregon;
10 and

11 “(2) to allow visitors to enjoy the special scenic,
12 natural, cultural, and fish and wildlife values of the
13 Hillsboro Watershed.

14 “(c) ADMINISTRATION.—

15 “(1) IN GENERAL.—The Secretary shall—

16 “(A) administer the Management Unit—

17 “(i) in accordance with the laws (in-
18 cluding regulations) and rules applicable to
19 the Bureau of Land Management; and

20 “(ii) consistent with section 105; and

21 “(B) only allow uses of the Management
22 Unit that are consistent with the purposes de-
23 scribed in subsection (b).

24 “(d) PROHIBITED ACTIVITIES.—Subject to valid, ex-
25 isting rights, the following activities shall be prohibited on

1 Bureau of Land Management land on the conservation
2 emphasis areas in the Management Unit:

3 “(1) Commercial livestock grazing.

4 “(2) The placement of new fuel storage tanks.

5 “(3) Except to the extent necessary to further
6 the purposes described in subsection (b), the applica-
7 tion of any toxic chemicals (other than fire
8 retardants), including pesticides.

9 “(e) COOPERATION ON PRIVATE LAND.—The Sec-
10 retary is encouraged to work with adjacent private land-
11 owners who have agreed to cooperate with the Secretary
12 to further the purposes of this section.

13 “(f) OFF-ROAD VEHICLES.—The use of motorized ve-
14 hicles on Bureau of Land Management holdings in the
15 Management Unit shall be limited to roads designated by
16 the Secretary.

17 “(g) FISH AND WILDLIFE.—Nothing in this section
18 affects the jurisdiction or responsibilities of the State with
19 respect to fish and wildlife in the State.

20 “(h) ADJACENT MANAGEMENT.—Nothing in this sec-
21 tion creates any protective perimeter or buffer zone
22 around the Management Unit.

23 “(i) PROTECTION OF TRIBAL RIGHTS.—Nothing in
24 this section diminishes any treaty rights of any Indian
25 tribe.

1 **“SEC. 110. CLACKAMAS DRINKING WATER SPECIAL MAN-**
2 **AGEMENT UNIT.**

3 “(a) ESTABLISHMENT.—There is established a spe-
4 cial resources management unit in the State consisting of
5 certain Federal land managed by the Bureau of Land
6 Management, generally depicted as the ‘Clackamas Drink-
7 ing Water Special Management Unit’ on the map entitled
8 ‘O&C Land Grant Act of 2013: Clackamas Drinking
9 Water Area’ and dated November 18, 2013, to be known
10 as the ‘Clackamas Drinking Water Special Management
11 Unit’ (referred to in this section as the ‘Management
12 Unit’).

13 “(b) PURPOSES.—The purposes of the Management
14 Unit are—

15 “(1) to ensure the protection of the Clackamas
16 Watershed as a clean drinking water source, safe-
17 guarding the water quality and quantity of the Wa-
18 tershed, for the residents of Clackamas County, Or-
19 egon; and

20 “(2) to allow visitors to enjoy the special scenic,
21 natural, cultural, and fish and wildlife values of the
22 Clackamas Watershed.

23 “(c) ADMINISTRATION.—

24 “(1) IN GENERAL.—The Secretary shall—

25 “(A) administer the Management Unit—

1 “(i) in accordance with the laws (in-
2 cluding regulations) and rules applicable to
3 the Bureau of Land Management; and

4 “(ii) consistent with section 105; and

5 “(B) only allow uses of the Management
6 Unit that are consistent with the purposes de-
7 scribed in subsection (b).

8 “(d) PROHIBITED ACTIVITIES.—Subject to valid, ex-
9 isting rights, the following activities shall be prohibited on
10 Bureau of Land Management land on the conservation
11 emphasis areas in the Management Unit:

12 “(1) Commercial livestock grazing.

13 “(2) The placement of new fuel storage tanks.

14 “(3) Except to the extent necessary to further
15 the purposes described in subsection (b), the applica-
16 tion of any toxic chemicals (other than fire
17 retardants), including pesticides.

18 “(e) COOPERATION ON PRIVATE LAND.—The Sec-
19 retary is encouraged to work with adjacent private land-
20 owners who have agreed to cooperate with the Secretary
21 to further the purposes of this section.

22 “(f) OFF-ROAD VEHICLES.—The use of motorized ve-
23 hicles on Bureau of Land Management holdings in the
24 Management Unit shall be limited to roads designated by
25 the Secretary.

1 guarding the water quality and quantity of the Wa-
2 tershed, for the residents of Springfield, Oregon and
3 nearby communities; and

4 “(2) to allow visitors to enjoy the special scenic,
5 natural, cultural, and fish and wildlife values of the
6 Springfield Watershed.

7 “(c) ADMINISTRATION.—

8 “(1) IN GENERAL.—The Secretary shall—

9 “(A) administer the Management Unit—

10 “(i) in accordance with the laws (in-
11 cluding regulations) and rules applicable to
12 the Bureau of Land Management; and

13 “(ii) consistent with section 105; and

14 “(B) only allow uses of the Management
15 Unit that are consistent with the purposes de-
16 scribed in subsection (b).

17 “(d) PROHIBITED ACTIVITIES.—Subject to valid, ex-
18 isting rights, the following activities shall be prohibited on
19 Bureau of Land Management land on the conservation
20 emphasis areas in the Management Unit:

21 “(1) Commercial livestock grazing.

22 “(2) The placement of new fuel storage tanks.

23 “(3) Except to the extent necessary to further
24 the purposes described in subsection (b), the applica-

1 Monument Expansion’ on the map entitled ‘O&C Land
2 Grant Act of 2013: Cascade-Siskiyou National Monument
3 Expansion and Pacific Crest Trail Protection Corridor’
4 and dated November 18, 2013, as part of the Cascade-
5 Siskiyou National Monument (referred to in this section
6 as the ‘Monument’), in accordance with—

7 “(1) this section;

8 “(2) Presidential Proclamation Number 7318,
9 dated June 9, 2000 (65 Fed. Reg. 37247); and

10 “(3) section 105 and any law (including regula-
11 tions) generally applicable to Bureau of Land Man-
12 agement land, including the Federal Land Policy
13 and Management Act of 1976 (43 U.S.C. 1701 et
14 seq.).

15 “(b) FIRE MANAGEMENT.—As soon as practicable
16 after the date of enactment of this section, the Secretary
17 shall—

18 “(1) revise the fire management plan for the
19 Monument to include the land added to the Monu-
20 ment under subsection (a); and

21 “(2) in accordance with the revised plan, carry
22 out hazardous fuel management activities within the
23 boundaries of the Monument.

24 “(c) GRAZING.—

1 “(1) IN GENERAL.—Subject to paragraph (2),
2 the Secretary may allow the grazing of livestock
3 within the approximately 5,780 acres of expansion
4 land to continue as authorized under permits or
5 leases in existence as of the date of enactment of
6 this section.

7 “(2) APPLICABLE LAW.—Grazing under para-
8 graph (1) shall be—

9 “(A) at a level not greater than the level
10 at which the grazing exists as of the date of en-
11 actment of this section, as measured in Animal
12 Unit Months; and

13 “(B) in accordance with applicable law.

14 “(d) FISH AND WILDLIFE.—Nothing in this section
15 affects the jurisdiction or responsibilities of the State with
16 respect to fish and wildlife in the State.

17 “(e) ADJACENT MANAGEMENT.—Nothing in this sec-
18 tion creates any protective perimeter or buffer zone
19 around the Monument additions.

20 “(f) PROTECTION OF TRIBAL RIGHTS.—Nothing in
21 this section diminishes any treaty rights of any Indian
22 tribe.

23 “(g) LAND RECLASSIFICATION.—

24 “(1) IN GENERAL.—The Secretary shall reclas-
25 sify the approximately 890 acres of Federal land

1 generally depicted as ‘Other BLM lands’ on the map
2 described in subsection (b) as Oregon and California
3 Railroad grant land.

4 “(2) APPLICABILITY.—The land reclassified
5 under paragraph (1) shall be considered to satisfy
6 any requirement to reclassify public domain land as
7 Oregon and California Railroad grant land, includ-
8 ing under sections 206 and 216 of the Oregon and
9 California Land Grant Act of 2013.

10 **“SEC. 113. ILLINOIS VALLEY SALMON AND BOTANICAL**
11 **AREA SPECIAL MANAGEMENT UNIT.**

12 “(a) ESTABLISHMENT.—There is established a spe-
13 cial resources management unit in the State consisting of
14 certain Federal land managed by the Bureau of Land
15 Management, as generally depicted on the map entitled
16 ‘O&C Land Grant Act of 2013: Illinois Valley Salmon and
17 Botanical Area’ and dated November 18, 2013, to be
18 known as the ‘Illinois Valley Salmon and Botanical Area’
19 (referred to in this section as the ‘Botanical Area’).

20 “(b) PURPOSES.—The purposes of the Botanical
21 Area are to provide for the protection, preservation, and
22 enhancement of botanical, nonmotorized recreational, eco-
23 logical, scenic, cultural, watershed, and fish and wildlife
24 values.

25 “(c) ADMINISTRATION.—The Secretary shall—

1 “(1) administer the Botanical Area—

2 “(A) in accordance with the laws (includ-
3 ing regulations) and rules applicable to the Bu-
4 reau of Land management; and

5 “(B) consistent with section 105; and

6 “(2) only allow uses of the Botanical Area that
7 are consistent with the purposes described in sub-
8 section (b).

9 “(d) OFF-ROAD VEHICLES.—The use of motorized
10 vehicles on Bureau of Land Management holdings in the
11 Botanical Area shall be limited to roads designated by the
12 Secretary.

13 “(e) FISH AND WILDLIFE.—Nothing in this section
14 affects the jurisdiction or responsibilities of the State with
15 respect to fish and wildlife in the State.

16 “(f) ADJACENT MANAGEMENT.—Nothing in this sec-
17 tion creates any protective perimeter or buffer zone
18 around the Botanical Area.

19 “(g) PROTECTION OF TRIBAL RIGHTS.—Nothing in
20 this section diminishes any treaty rights of any Indian
21 tribe.

22 “(h) LAND RECLASSIFICATION.—

23 “(1) IN GENERAL.—The Secretary shall reclas-
24 sify the approximately 7,200 acres of Federal land
25 generally depicted as ‘Other BLM lands’ on the map

1 described in subsection (a) as Oregon and California
2 Railroad grant land.

3 “(2) APPLICABILITY.—The land reclassified
4 under paragraph (1) shall be considered to satisfy
5 any requirement to reclassify public domain land as
6 Oregon and California Railroad grant land, includ-
7 ing under sections 206 and 216 of the Oregon and
8 California Land Grant Act of 2013.

9 **“SEC. 114. PACIFIC CREST NATIONAL SCENIC TRAIL PRO-**
10 **TECTION CORRIDOR.**

11 “(a) ESTABLISHMENT.—The Secretary shall—

12 “(1) not later than 1 year after the date of en-
13 actment of the Oregon and California Land Grant
14 Act of 2013, establish a protection and management
15 corridor in the State consisting of certain Federal
16 land managed by the Bureau of Land Management,
17 generally depicted as ‘Pacific Crest Trail Protection
18 Corridor’ on the map entitled ‘O&C Land Grant Act
19 of 2013: Cascade-Siskiyou National Monument Ex-
20 pansion and Pacific Crest Trail Protection Corridor’
21 and dated November 18, 2013, to be known as the
22 ‘Pacific Crest Trail Corridor’ (referred to in this sec-
23 tion as the ‘PCT Corridor’); and

24 “(2) draw the PCT Corridor boundaries to in-
25 clude—

1 “(A) all the Bureau of Land Management
2 Land within approximately ¼ mile on either
3 side of the Pacific Crest National Scenic Trail;
4 and

5 “(B) to the extent practicable, recreational,
6 scenic, historical, wildlife, water, and other re-
7 sources associated with the Pacific Crest Na-
8 tional Scenic Trail that are in need of protec-
9 tion.

10 “(b) ADMINISTRATION.—

11 “(1) IN GENERAL.—The Secretary shall man-
12 age the Federal land administered by the Bureau of
13 Land Management described in subsection (a) to
14 protect and enhance enjoyment of the recreational,
15 scenic, historical, wildlife, and water values of the
16 PCT Corridor in as natural and undeveloped state
17 as practicable.

18 “(2) ACTIVITIES.—Forest thinning and vegeta-
19 tion treatments should be considered consistent with
20 paragraph (1) if the purpose is—

21 “(A) to improve forest health when faced
22 by a threat of fire, insect outbreak, or disease;

23 “(B) to improve or maintain recreational
24 facilities and opportunities; or

25 “(C) to protect public health or safety.

1 “(c) FOREST ROADS.—Forest roads crossing the
2 PCT Corridor or within the PCT Corridor shall be limited
3 to those necessary for the proper use and administration
4 of adjacent public land, as determined by the Secretary
5 in applicable management plans.

6 “(d) APPLICABLE LAW.—If the PCT Corridor estab-
7 lished by this subsection is within an area designated by
8 Congress for special management, the most restrictive
9 provisions of law shall apply.

10 “(e) FISH AND WILDLIFE.—Nothing in this section
11 affects the jurisdiction or responsibilities of the State with
12 respect to fish and wildlife in the State.

13 “(f) ADJACENT MANAGEMENT.—Nothing in this sec-
14 tion creates any protective perimeter or buffer zone
15 around the Botanical Area.

16 “(g) PROTECTION OF TRIBAL RIGHTS.—Nothing in
17 this section diminishes any treaty rights of any Indian
18 tribe.

19 **“SEC. 115. PRIMITIVE BACKCOUNTRY SPECIAL MANAGE-**
20 **MENT AREAS.**

21 “(a) MANAGEMENT.—

22 “(1) IN GENERAL.—The Secretary shall man-
23 age the Federal land administered by the Bureau of
24 Land Management described in subsection (b) in a
25 manner that preserves the natural and primitive

1 character of the land for recreational, scenic, and
2 scientific use.

3 “(2) ACTIVITIES.—Forest thinning and vegeta-
4 tion treatments should be considered consistent with
5 paragraph (1) if the purpose is—

6 “(A) to improve forest health when faced
7 by a threat of fire, insect outbreak, or disease;

8 “(B) to improve or maintain recreational
9 facilities and opportunities; or

10 “(C) to protect public health or safety.

11 “(b) DESCRIPTION OF LAND.—The Federal land re-
12 ferred to in subsection (a) is the following:

13 “(1) GRIZZLY PEAK PRIMITIVE BACKCOUNTRY
14 AREA.—Certain Federal land managed by the Bu-
15 reau of Land Management, comprising approxi-
16 mately 2,100 acres, as generally depicted on the
17 map entitled ‘O&C Land Grant Act of 2013: Grizzly
18 Peak Primitive Backcountry Area,’ dated November
19 18, 2013, which shall be known as the ‘Grizzly Peak
20 Primitive Backcountry Area’.

21 “(2) DAKUBETEDE PRIMITIVE BACKCOUNTRY
22 AREA.—Certain Federal land managed by the Bu-
23 reau of Land Management, comprising approxi-
24 mately 21,200 acres, as generally depicted on the
25 map entitled ‘O&C Land Grant Act of 2013:

1 Dakubetede Primitive Backcountry Area,’ dated No-
2 vember 18, 2013, which shall be known as the
3 ‘Dakubetede Primitive Backcountry Area’.

4 “(3) WELLINGTON WILDLANDS PRIMITIVE
5 BACKCOUNTRY AREA.—Certain Federal land man-
6 aged by the Bureau of Land Management, com-
7 prising approximately 5,700 acres, as generally de-
8 picted on the map entitled ‘O&C Land Grant Act of
9 2013: Wellington Wildlands Primitive Backcountry
10 Area,’ dated November 18, 2013, which shall be
11 known as the ‘Wellington Wildlands Primitive
12 Backcountry Area’.

13 “(4) MUNGERS BUTTE PRIMITIVE
14 BACKCOUNTRY AREA.—Certain Federal land man-
15 aged by the Bureau of Land Management, com-
16 prising approximately 10,200 acres, as generally de-
17 picted on the map entitled ‘O&C Land Grant Act of
18 2013: Mungers Butte Primitive Backcountry Area,’
19 dated November 18, 2013, which shall be known as
20 the ‘Mungers Butte Primitive Backcountry Area’.

21 “(5) BRUMMITT FIR PRIMITIVE BACKCOUNTRY
22 AREA.—Certain Federal land managed by the Bu-
23 reau of Land Management, comprising approxi-
24 mately 2,000 acres, as generally depicted on the
25 map entitled ‘O&C Land Grant Act of 2013:

1 Brummitt Fir Primitive Backcountry Area,’ dated
2 November 18, 2013, which shall be known as the
3 ‘Brummitt Fir Primitive Backcountry Area’.

4 “(6) CRABTREE VALLEY PRIMITIVE
5 BACKCOUNTRY AREA.—Certain Federal land man-
6 aged by the Bureau of Land Management, com-
7 prising approximately 2,100 acres, as generally de-
8 picted on the map entitled ‘O&C Land Grant Act of
9 2013: Crabtree Valley Primitive Backcountry Area,’
10 dated November 18, 2013, which shall be known as
11 the ‘Crabtree Valley Primitive Backcountry Area’.

12 “(c) OFF-ROAD VEHICLES.—The use of motorized ve-
13 hicles on Bureau of Land Management holdings in the
14 land described in subsection (b) shall be limited to roads
15 designated by the Secretary.

16 “(d) FISH AND WILDLIFE.—Nothing in this section
17 affects the jurisdiction or responsibilities of the State with
18 respect to fish and wildlife in the State.

19 “(e) ADJACENT MANAGEMENT.—Nothing in this sec-
20 tion creates any protective perimeter or buffer zone
21 around the land described in subsection (b).

22 “(f) PROTECTION OF TRIBAL RIGHTS.—Nothing in
23 this section diminishes any treaty rights of any Indian
24 tribe.

25 “(g) LAND RECLASSIFICATION.—

1 “(1) IN GENERAL.—The Secretary shall reclass-
2 sify the approximately 3,700 acres of Federal gen-
3 erally depicted as ‘Other BLM lands’ on the maps
4 described in subsection (b) as Oregon and California
5 Railroad grant land.

6 “(2) APPLICABILITY.—The land reclassified
7 under paragraph (1) shall be considered to satisfy
8 any requirement to reclassify public domain land as
9 Oregon and California Railroad grant land, includ-
10 ing under sections 206 and 216 of the Oregon and
11 California Land Grant Act of 2013.

12 **“SEC. 116. ADDITIONAL SPECIAL ENVIRONMENTAL ZONES.**

13 “(a) DESIGNATION.—There are established special
14 resources management units consisting of current and
15 proposed areas of critical environmental concern managed
16 by the Bureau of Land Management that are not other-
17 wise designated by this Act, as generally depicted on the
18 map entitled ‘O&C Land Grant Act of 2013: Special Envi-
19 ronmental Zones’ and dated November 18, 2013, to be
20 known as ‘Special Environmental Zones’ (referred to in
21 this section as ‘Special Environmental Zones’).

22 “(b) PURPOSES.—The purposes of the Special Envi-
23 ronmental Zones are to provide for the protection, preser-
24 vation, and enhancement of ecological, scenic, cultural,
25 watershed, and fish and wildlife values.

1 “(c) ADMINISTRATION.—The Secretary shall—

2 “(1) administer the Special Environmental
3 Zones—

4 “(A) in accordance with the laws (includ-
5 ing regulations) and rules applicable to the Bu-
6 reau of Land Management; and

7 “(B) consistent with section 105; and

8 “(2) only allow uses of the Special Environ-
9 mental Zones that are consistent with the purposes
10 described in subsection (b).

11 “(d) OFF-ROAD VEHICLES.—The use of motorized
12 vehicles on Bureau of Land Management holdings in the
13 Special Environmental Zones shall be limited to roads des-
14 ignated by the Secretary.

15 “(e) FISH AND WILDLIFE.—Nothing in this section
16 affects the jurisdiction or responsibilities of the State with
17 respect to fish and wildlife in the State.

18 “(f) ADJACENT MANAGEMENT.—Nothing in this sec-
19 tion creates any protective perimeter or buffer zone
20 around the Special Environmental Zones.

21 “(g) PROTECTION OF TRIBAL RIGHTS.—Nothing in
22 this section diminishes any treaty rights of any Indian
23 tribe.

24 “(h) EFFECT ON OTHER LAWS.—If a Special Envi-
25 ronmental Zone established by this section is located with-

1 in an area designated by Congress for special manage-
2 ment, the most restrictive provisions of Federal law shall
3 apply to Special Environmental Zone.

4 **“SEC. 117. LAND OWNERSHIP CONSOLIDATION.**

5 “(a) IN GENERAL.—The Secretary shall seek to con-
6 solidate Federal and non-Federal land by conveying the
7 covered land and by acquiring private or State-owned land
8 to create more contiguous blocks of land under the juris-
9 diction of the Secretary—

10 “(1) to improve the efficiency of management of
11 the Federal land;

12 “(2) to facilitate resource management on the
13 Federal land; or

14 “(3) to improve the conservation value of the
15 Federal land.

16 “(b) REVIEW.—Not later than 180 days after the
17 date of enactment of the Oregon and California Land
18 Grant Act of 2013, the Secretary shall review and inven-
19 tory the covered land to identify any public land that—

20 “(1) as the result of location or other char-
21 acteristic, is no longer necessary or appropriate for
22 continued Federal management in accordance with
23 this Act; or

24 “(2) is determined to facilitate achieving any of
25 the purposes described in subsection (a).

1 “(c) CONSULTATION WITH ADJACENT LAND-
2 OWNERS.—As soon as practicable after completing the re-
3 view and inventory under subsection (b), the Secretary
4 shall consult with the owners of adjacent land to deter-
5 mine whether there is mutual interest in entering into land
6 exchanges if the exchange will meet any of the purposes
7 described in subsection (a).

8 “(d) EXPEDITED LAND EXCHANGES.—

9 “(1) IN GENERAL.—If an owner of adjacent
10 land described in subsection (c) expresses interest in
11 participating in a land exchange under this section,
12 the Secretary may complete that land exchange in
13 accordance with paragraphs (2) through (5).

14 “(2) PUBLIC INTEREST DETERMINATION.—

15 “(A) IN GENERAL.—If an owner of adja-
16 cent land described in subsection (c) proposes
17 to the Secretary entering into a land exchange
18 under this section, the Secretary shall, not later
19 than 90 days after receiving the proposal, de-
20 termine whether the public interest will be well-
21 served by making the exchange.

22 “(B) FAILURE TO MAKE PUBLIC INTEREST
23 DETERMINATION.—If the Secretary fails to
24 make the determination by the date described
25 in subparagraph (A), the Secretary shall submit

1 to the Committee on Energy and Natural Re-
2 sources of the Senate and the Committee on
3 Natural Resources of the House of Representa-
4 tives—

5 “(i) a report explaining the reason
6 why the determination has not been made;
7 and

8 “(ii) every 30 days after the report
9 described in clause (i) is submitted until
10 the date on which the Secretary makes a
11 determination, an updated report.

12 “(3) EXCHANGE PENDING COMPLETION OF AP-
13 PRAISALS.—If the Secretary determines that a pro-
14 posed land exchange is in the public interest, the
15 Secretary may allow for the Federal and non-Fed-
16 eral land to be exchanged pending completion of ap-
17 praisals, subject to a binding commitment from the
18 non-Federal landowner and any terms and condi-
19 tions the Secretary may require to ensure that the
20 values of the Federal and non-Federal land are ulti-
21 mately equal or equalized in accordance with section
22 206(b) of the Federal Land Policy and Management
23 Act of 1976 (43 U.S.C. 1716(b)).

24 “(4) LAND OF APPROXIMATELY EQUAL
25 VALUE.—In order to expedite a land exchange that

1 the Secretary has determined to be in the public in-
2 terest under paragraph (2), the Secretary may use
3 the authority to exchange land of approximately
4 equal value in accordance with section 206(h) of the
5 Federal Land Policy and Management Act of 1976
6 (43 U.S.C. 1716(h)) as applicable.

7 “(5) ADDITIONAL EXCHANGE AUTHORITY.—
8 The Secretary may exercise the authority under the
9 Act of March 20, 1922 (16 U.S.C. 485) to facilitate
10 land exchanges under this section, except that any
11 reference to the Secretary of Agriculture in that Act
12 shall be considered to be a reference to the Sec-
13 retary, and any reference to national forests in that
14 Act shall be considered to be a reference to covered
15 land.

16 “(e) SALE OF PUBLIC LAND.—

17 “(1) IN GENERAL.—

18 “(A) ESTABLISHMENT.—The Secretary
19 shall establish a program to complete appraisals
20 and satisfy other legal requirements for the sale
21 or exchange of public land identified for dis-
22 posal under this section.

23 “(B) PRIORITY SALES.—The Secretary
24 shall prioritize the sales of land of those parcels
25 identified by the Secretary as suitable for dis-

1 posal as of the date of enactment of the Oregon
2 and California Land Grant Act of 2013, identi-
3 fied as ‘Land Tenure, Zone 3’ as generally de-
4 picted on the map entitled ‘Western Oregon
5 Forestry Land Tenure, Zone 3’ and dated Sep-
6 tember 6, 2013.

7 “(2) SALE PROCEDURES.—The sale of public
8 land identified under subsection (a) shall be con-
9 ducted in accordance with sections 203 and 209 of
10 the Federal Land Policy and Management Act of
11 1976 (43 U.S.C. 1713, 1719).

12 “(3) EXCEPTIONS TO COMPETITIVE BIDDING
13 REQUIREMENTS.—The exceptions to competitive bid-
14 ding requirements under section 203(f) of the Fed-
15 eral Land Policy and Management Act of 1976 (43
16 U.S.C. 1713(f)) shall apply to this section in cases
17 in which the Secretary determines it to be necessary.

18 “(f) USE OF PROCEEDS.—

19 “(1) IN GENERAL.—Notwithstanding any other
20 provision of law (other than a law that specifically
21 provides for a portion of the proceeds of a land sale
22 to be distributed to any trust fund of the State),
23 proceeds from the sale under subsection (e) of land
24 described in subsection (a) shall—

1 “(A) in the case of land sold within a for-
2 estry emphasis area, be deposited into a sepa-
3 rate account in the Treasury to be known as
4 the ‘O&C Land—Forestry Emphasis Areas Ac-
5 quisition Account’; and

6 “(B) in the case of land sold within a con-
7 servation emphasis area, be deposited into a
8 separate account in the Treasury to be known
9 as the ‘O&C Land—Conservation Emphasis
10 Areas Acquisition Account’.

11 “(2) AVAILABILITY.—Amounts in the accounts
12 described in paragraph (1) shall be available to the
13 Secretary, without further appropriation, to pur-
14 chase land or interests in land, from willing sellers
15 only, if acquisition of the non-Federal land will meet
16 1 or more of the purposes described in subsection
17 (a).

18 “(3) ADMINISTRATIVE EXPENSES.—An amount
19 not to exceed 20 percent of the funds deposited in
20 the accounts described in paragraph (1) may be used
21 by the Secretary for administrative and other ex-
22 penses necessary to carry out the activities author-
23 ized in this section.

1 “(g) BALANCE IN ACCOUNTS.—The Secretary shall
2 administer the balance in the accounts described in sub-
3 section (f)(1) as follows:

4 “(1) The Secretary shall not complete the sale
5 of more than 5,000 acres of the land identified
6 under subsection (b) prior to obligating funds from
7 the accounts described in subsection (f)(1) for the
8 acquisition of at least 1 parcel.

9 “(2) The Secretary shall seek to keep the bal-
10 ances in the accounts described in subsection (f)(1)
11 low by using the funds in the accounts to acquire
12 parcels as soon as practicable.

13 “(h) ACQUIRED LAND.—

14 “(1) FORESTRY EMPHASIS AREAS.—Any land
15 or interest in land acquired using funds from the
16 O&C Land—Forestry Emphasis Areas Acquisition
17 Account shall be administered by the Secretary in
18 accordance with section 103.

19 “(2) CONSERVATION EMPHASIS AREAS.—Any
20 land or interest in land acquired using funds from
21 the O&C Land —Conservation Emphasis Areas Ac-
22 quisition Account shall be administered by the Sec-
23 retary in accordance with section 105.

1 **“SEC. 118. CATEGORICAL EXCLUSIONS.**

2 “(a) IN GENERAL.—Except as provided in subsection
3 (c), the eligible activities described in subsection (b) that
4 are conducted on covered land in accordance with this sec-
5 tion shall be—

6 “(1) considered an action categorically excluded
7 from the requirements for an environmental assess-
8 ment or an environmental impact statement under
9 the National Environmental Policy Act of 1969 (42
10 U.S.C. 4321 et seq.) or section 1508.4 of title 40,
11 Code of Federal Regulations (or a successor regula-
12 tion); and

13 “(2) exempt from administrative review.

14 “(b) ELIGIBLE ACTIVITIES.—The eligible activities
15 referred to in subsection (a) consist of the following:

16 “(1) The placement of trees and portions of
17 trees in streams to benefit fish species.

18 “(2) The planting of riparian vegetation with
19 species of vegetation native to the State.

20 “(3) The replacement of culverts that—

21 “(A) impede fish passage; or

22 “(B) are unable to withstand a 100-year
23 flood event.

24 “(4) The removal of any road that—

25 “(A) was not established by the Bureau of
26 Land Management; and

1 “(B) was established less than 20 years be-
2 fore the date of removal of the road.

3 “(c) EXCLUSION OF CERTAIN AREAS.—Subsection
4 (a) does not apply to eligible activities located in—

5 “(1) a component of the National Wilderness
6 Preservation System;

7 “(2) a wilderness study area; or

8 “(3) an area in which activities described in
9 subsection (b) would be inconsistent with the appli-
10 cable resource management plan.

11 **“SEC. 119. CLOSURE OR DECOMMISSIONING OF BUREAU OF**
12 **LAND MANAGEMENT ROADS.**

13 “(a) CLOSURE OR DECOMMISSIONING OF BLM
14 ROADS.—

15 “(1) IN GENERAL.—The Secretary shall seek to
16 close or decommission nonessential roads on covered
17 land in a manner that, minimizes, to the maximum
18 extent practicable, the hydrologic impact of the clo-
19 sure or decommissioning.

20 “(2) PRIORITY.—In carrying out paragraph (1),
21 the Secretary shall prioritize nonessential roads for
22 closure or decommissioning, using the following cri-
23 teria:

1 “(A) Nonessential roads that are most
2 likely to cause the greatest magnitude of envi-
3 ronmental harm, including—

4 “(i) roads located on steep slopes;

5 “(ii) roads located in a manner that
6 cause, or are at a risk of causing, chronic
7 sedimentation, road failure, landslides, or
8 other environmental concerns (including
9 roads with high densities of stream cross-
10 ings);

11 “(iii) roads that pose public safety
12 concerns; or

13 “(iv) roads that, if closed or decom-
14 missioned, would significantly enhance wa-
15 tershed function and wildlife habitat
16 through the restoration of large blocks of
17 habitat.

18 “(B) The usage of the nonessential road
19 for administrative activities of the Bureau of
20 Land Management or by the public.

21 “(C) The expenses necessary to complete
22 the closure or decommissioning of the non-
23 essential road.

24 “(b) LEGACY ROADS AND TRAILS PROGRAM.—

1 “(1) IN GENERAL.—The Secretary shall estab-
2 lish a program to be known as the ‘Legacy Roads
3 and Trails’ program to provide—

4 “(A) urgently needed road decommis-
5 sioning, road and trail repair and maintenance
6 and associated activities, and removal of fish
7 passage barriers, especially in areas in which
8 roads may be contributing to water quality
9 problems in streams and water bodies that sup-
10 port threatened, endangered, or sensitive spe-
11 cies or community water sources;

12 “(B) urgently needed road repairs required
13 due to recent storm events; or

14 “(C) the decommissioning of unauthorized
15 roads that are not part of the transportation
16 system.

17 “(2) PROJECT SELECTION.—

18 “(A) IN GENERAL.—The Secretary shall
19 use public input in the selection of projects and
20 display its selection process on the website of
21 the Bureau of Land Management.

22 “(B) PRIORITIES.—In selecting projects
23 under this subsection, the Secretary shall give
24 priority to—

1 “(i) decommissioning and repairing
2 roads and trails in environmentally sen-
3 sitive areas; and

4 “(ii) areas in which roads may be con-
5 tributing to water quality problems in
6 streams and water bodies the support
7 threatened or endangered species, or spe-
8 cies considered sensitive by the Secretary.

9 “(3) REPORT TO CONGRESS.—Not later than
10 120 days after the end of each fiscal year, the Sec-
11 retary shall submit to Congress a report on the sta-
12 tus of the projects selected for completion in the fol-
13 lowing 2 fiscal years.

14 “(4) AUTHORIZATION OF APPROPRIATIONS.—
15 There is authorized to be appropriated to carry out
16 this subsection \$5,000,000 for each of fiscal years
17 2013 through 2023.

18 **“SEC. 120. SPECIAL MANAGEMENT AND RESEARCH AREAS.**

19 “(a) IN GENERAL.—The Secretary shall designate
20 50,000 acres across 2 to 5 sites in both moist forests and
21 dry forests to be comanaged by the Secretary and Oregon
22 State University as special management and research
23 areas in accordance with the criteria described in sub-
24 section (b).

1 “(b) CRITERIA.—In designating land as special man-
2 agement and research areas under subsection (a), the Sec-
3 retary shall designate—

4 “(1) 20 to 30 percent of land that is designated
5 as ‘Conservation Emphasis Areas’ on the maps de-
6 scribed in section 102(a)(2);

7 “(2) 70 to 80 percent of land that is designated
8 as ‘Forestry Emphasis Areas’ on the maps described
9 in section 102(a)(2);

10 “(3) land, to the maximum extent practicable,
11 contiguous to other land designated under sub-
12 section (a);

13 “(4) land within close proximity of other land
14 designated under subsection (a);

15 “(5) land located within 150 miles of the main
16 campus of Oregon State University in Corvallis, Or-
17 egon; and

18 “(6) selected in consultation with Oregon State
19 University.

20 “(c) AUTHORIZED PROJECTS.—Land designated
21 under subsection (a) shall be used for the conducting by
22 institutions of higher education in the State of research
23 projects and demonstration projects that address—

24 “(1) increasing social awareness and knowledge
25 of the environmental, social, and economic impacts

1 on the implementation of ecological forestry on pub-
2 lic land;

3 “(2) improving the health of rural communities
4 and citizens;

5 “(3) reducing catastrophic fires and the deg-
6 radation of ecosystem health;

7 “(4) increasing conservation with a landscape
8 approach; and

9 “(5) understanding the riparian reserve ap-
10 proaches authorized under this Act.

11 “(d) MONITORING.—Work performed on land des-
12 igned under subsection (a) shall include—

13 “(1) post-treatment monitoring of the effects of
14 the treatments on the land; and

15 “(2) if practicable, monitoring of other projects
16 implemented under this Act, including monitoring
17 by—

18 “(A) diverse stakeholders;

19 “(B) collaborative groups;

20 “(C) Federal agencies; and

21 “(D) institutions of higher educations.

22 “(e) INSTITUTIONS OF HIGHER EDUCATION.—At
23 least 10 percent of the authorized projects conducted an-
24 nually under this section shall be conducted by an institu-

1 tion of higher education in the State other than Oregon
2 State University.

3 “(f) MINIMUM ACREAGE.—

4 “(1) IN GENERAL.—At least 3,750 acres of the
5 land designated under subsection (a) shall be treated
6 during each 5-year period.

7 “(2) FAILURE TO TREAT.—If the minimum
8 acreage under paragraph (1) is not treated for 2 5-
9 year periods during a 20-year period, management
10 of the land designated under subsection (a) shall re-
11 vert to traditional management status by the Sec-
12 retary.

13 “(g) REVIEW.—The Bureau of Land Management
14 State Director shall—

15 “(1) review and decide whether to permit each
16 proposed treatment to be conducted as part of an
17 authorized project; and

18 “(2) review for adequacy the paperwork re-
19 quired to be prepared for each treatment.

20 “(h) EFFECT.—Nothing in this section supersedes or
21 modifies any provision of Federal law not expressly super-
22 seded or modified by this section.

1 **“SEC. 121. COMPLIANCE.**

2 “(a) IN GENERAL.—The Secretary shall establish
3 guidelines to ensure that the following trees are not cut
4 in the covered area in violation of this Act:

5 “(1) Nest trees.

6 “(2) Trees equal to or greater than 250 years
7 of age measured at breast height.

8 “(3) Old growth trees less than 250 years of
9 age measured at breast height.

10 “(b) ISSUANCE OF PENALTY TO THE CON-
11 TRACTOR.—If a contractor cuts a tree described in para-
12 graph (1) or (2) of subsection (a), the contractor shall
13 make a payment to the Secretary equal to 3 times the
14 value of that tree, as determined under subsection (c).

15 “(c) VALUATION.—

16 “(1) IN GENERAL.—The stumpage value of the
17 1 or more trees described in paragraph (1) or (2) of
18 subsection (a) shall be used to calculate the amount
19 of the payment to be made under subsection (b) in
20 accordance with this subsection.

21 “(2) VOLUME OF TREES CUT.—The volume of
22 the trees cut shall be calculated using—

23 “(A) the Scriber—Decimal C Log Rule;

24 and

25 “(B) West-Side Scaling methods.

26 “(3) STUMPAGE VALUE OF TREES.—

1 “(A) IN GENERAL.—The stumpage value
2 of the trees cut shall be determined using the
3 Log Price Report or other similar document
4 prepared regularly by the Oregon Department
5 of Forestry in accordance with this subsection.

6 “(B) STUMPAGE VALUE.—The stumpage
7 value of the trees used shall be based on the av-
8 erage price paid by mills on delivery for similar
9 trees harvested—

10 “(i) in the same calendar year quarter
11 that the trees cut were discovered to be in
12 violation of this Act; and

13 “(ii) in the same region of the State,
14 as determined by the Oregon Department
15 of Forestry.

16 “(C) TRANSPORTATION COSTS.—The costs
17 of transporting the cut trees to a mill shall not
18 be considered when determining the value of the
19 trees under this subsection.

20 “(d) PENALTY SYSTEM.—

21 “(1) IN GENERAL.—Subject to paragraph (2),
22 not later than 180 days after the date of enactment
23 of the Oregon and California Land Grant Act of
24 2013, the Secretary shall establish a penalty system
25 designed to deter contractors from cutting trees in

1 the covered area, in violation of this Act, that are
2 between the ages of 150 and 250 measured at breast
3 height.

4 “(2) RESTRICTIONS.—

5 “(A) IN GENERAL.—The penalty system
6 under paragraph (1) shall allow for some de
7 minimis quantity of trees described in that
8 paragraph, as determined by the Secretary, to
9 be determined to be trees cut in error and not
10 subject to penalty.

11 “(B) MODIFICATION OF PENALTY SYS-
12 TEM.—If the quantity of trees described in
13 paragraph (1) that are cut by a contractor is
14 greater than twice the de minimis quantity es-
15 tablished by the Secretary, the Secretary shall,
16 after public notice and opportunity to comment
17 for a period of 30 days, revise the penalty sys-
18 tem accordingly.

19 **“SEC. 122. REVIEW BY ADVISORY PANEL.**

20 “(a) IN GENERAL.—Not later than 10 years after the
21 date of enactment of the Oregon and California Land
22 Grant Act of 2013 and every 10 years thereafter, the Sec-
23 retary shall convene a scientific and technical advisory
24 panel of scientists that are not permanent employees of
25 the Bureau of Land Management to perform a com-

1 prehensive scientific and managerial review on whether the
2 provisions of this Act have been implemented in a manner
3 that results in robust timber harvests and maintains envi-
4 ronmental values, including—

5 “(1) the effect on forest health;

6 “(2) the effect on watershed health;

7 “(3) impacts to early and late successional
8 habitat; and

9 “(4) the effectiveness of the riparian reserves.

10 “(b) REPORT.—Not later than 180 days after the
11 date on which a panel is convened under subsection (a),
12 the panel shall submit to Congress a report that includes
13 recommendations with respect to the implementation of
14 this Act, including recommendations for any additional
15 legislation needed to implement this Act.

16 **“SEC. 123. TRANSITION.**

17 “(a) IN GENERAL.—During the period beginning on
18 the date of enactment of the Oregon and California Land
19 Grant Act of 2013 and ending 90 days after the date the
20 record of decision is completed under section 104, a transi-
21 tion period (referred to in this section as the ‘transition
22 period’) shall be in effect in accordance with this section.

23 “(b) MANAGEMENT.—

24 “(1) IN GENERAL.—Except as provided in para-
25 graph (2), during the transition period, the Sec-

1 retary shall manage the covered land, including con-
2 tinuing to plan timber sales and restoration projects,
3 in accordance with the designations, allocation, and
4 requirements of this Act.

5 “(2) PENDING TIMBER SALES.—Timber sales
6 for which an environmental impact statement, envi-
7 ronmental assessment, or categorical exclusion docu-
8 mentation required under the National Environ-
9 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.)
10 has been completed or will be completed during the
11 60-day period beginning on the date of enactment
12 of the Oregon and California Land Grant Act of
13 2013 shall proceed in accordance with the terms of
14 the sales.

15 “(c) SPECIAL ADMINISTRATIVE REVIEW PROCESS.—
16 The procedures established under section 105 of the
17 Healthy Forests Restoration Act of 2003 (16 U.S.C.
18 6515) shall be the only process to administratively chal-
19 lenge projects during the transition period.

20 “(d) EXISTING CONTRACTS.—

21 “(1) IN GENERAL.—Any work or timber con-
22 tract sold or awarded by the Secretary on or with
23 respect to covered land before the date of enactment
24 of the Oregon and California Land Grant Act of

1 2013 shall remain binding and effective according to
2 the terms of the contract.

3 “(2) ADMINISTRATION.—The Secretary shall
4 seek to make such accommodations as are necessary
5 to avoid interfering with the performance of a con-
6 tract described in paragraph (1).

7 “(e) EXISTING ACCESS RIGHTS.—

8 “(1) IN GENERAL.—During the transition pe-
9 riod, the Secretary shall preserve all rights of access
10 and use of covered land (including reciprocal rights-
11 of-way agreements, tail hold agreements, or other
12 right-of-way or easement obligations) existing on the
13 date of enactment of the Oregon and California
14 Land Grant Act of 2013.

15 “(2) ADMINISTRATION.—Rights described in
16 paragraph (1) shall remain applicable to covered
17 land in the same manner and to the same extent as
18 the rights applied before the date of enactment of
19 the Oregon and California Land Grant Act of 2013.

20 **“SEC. 124. EFFECT.**

21 “Nothing in this Act affects any private ownership
22 or rights, including rights-of-way and tribal treaty rights,
23 or terminates any valid lease, permit, patent, or other
24 right of authorization existing on the date of enactment

1 of the Oregon and California Land Grant Act of 2013 with
2 regard to covered land.”.

3 **SEC. 102. DISTRIBUTION OF FUNDS.**

4 (a) IN GENERAL.—Title II of the Oregon and Cali-
5 fornia Land Grant Act (43 U.S.C. 1181f) is amended to
6 read as follows:

7 **“TITLE II—DISTRIBUTION OF**
8 **FUNDS**

9 **“SEC. 201. DISTRIBUTION OF FUNDS.**

10 “(a) FUND.—Effective for fiscal year 2014 and each
11 fiscal year thereafter, all funds deposited in the Treasury
12 in the special fund designated the ‘Oregon and California
13 Railroad Land-Grant Fund’ shall be distributed annually
14 in accordance with this section.

15 “(b) GENERAL FUND.—Subject to subsection
16 (d)(4)(C), as soon as practicable after the end of each fis-
17 cal year described in subsection (a), \$4,000,000 of all
18 amounts received for the applicable fiscal year by the Sec-
19 retary from the covered land shall be transferred to the
20 general fund of the Treasury.

21 “(c) ADMINISTRATIVE COSTS.—

22 “(1) IN GENERAL.—Subject to paragraph (2)
23 and subsection (d)(4)(C), all amounts received for
24 the applicable fiscal year by the Secretary from the
25 covered land shall be used to pay for the manage-

1 ment and administrative expenses for, and capital
2 improvement costs on, covered land.

3 “(2) LIMITATIONS.—The amount of revenue
4 that is used to pay for expenses and costs for a fis-
5 cal year under paragraph (1) shall not exceed—

6 “(A) 25 percent of all amounts received for
7 the applicable fiscal year by the Secretary from
8 the covered land during the fiscal year; or

9 “(B) \$20,000,000.

10 “(d) PAYMENTS TO COUNTIES.—

11 “(1) IN GENERAL.—All amounts received for
12 the applicable fiscal year by the Secretary from the
13 covered land during a fiscal year that is in excess of
14 the amount necessary to carry out subsections (b)
15 and (c) shall be provided to the counties that con-
16 tain covered land (referred to in this subsection as
17 a ‘covered county’) in the form of annual payments.

18 “(2) TIMING.—Payments shall be made avail-
19 able to covered counties under this subsection as
20 soon as practicable following the end of each fiscal
21 year.

22 “(3) OTHER COUNTY FUNDS.—Payments made
23 to covered counties under this subsection shall be
24 used as other county funds.

25 “(4) AMOUNT.—

1 would have received solely under this Act
2 for fiscal year 2013 if the covered county
3 had elected to receive payment under this
4 Act and not under any other law.

5 “(ii) USE OF GENERAL FUND
6 SHARE.—If the portion of revenues to be
7 provided to a covered county for a fiscal
8 year is less than the amount described in
9 clause (i), the payment made to the Treas-
10 ury for the fiscal year under subsection (b)
11 shall be reduced by an amount necessary
12 to provide the minimum payments required
13 under clause (i) for the covered county.

14 “(iii) USE OF ADMINISTRATIVE COSTS
15 SHARE.—If the minimum payments re-
16 quired under clause (i) could not be made
17 to all covered counties after the payment
18 made to the Treasury is reduced under
19 clause (ii), the payment made for adminis-
20 trative expenses for the fiscal year under
21 subsection (c) shall be reduced by an
22 amount necessary to provide the minimum
23 payments required under clause (i) for all
24 covered counties.”.

1 (b) EFFECTIVE DATE.—The amendment made by
2 subsection (a) takes effect on October 1, 2013.

3 **SEC. 103. WILD AND SCENIC RIVER DESIGNATIONS.**

4 (a) IN GENERAL.—Section 3(a) of the Wild and Sce-
5 nic Rivers Act (16 U.S.C. 1274(a)) is amended by adding
6 at the end the following:

7 “(208) NESTUCCA RIVER, OREGON.—The ap-
8 proximately 15.5-mile segment from its confluence
9 with Ginger Creek downstream until it crosses T. 4
10 S., R. 7 W., sec. 7, Willamette Meridian, to be ad-
11 ministered by the Secretary of the Interior as a rec-
12 reational river.

13 “(209) WALKER CREEK, OREGON.—The ap-
14 proximately 2-mile segment from the headwaters in
15 T. 3 S., R. 6 W., sec. 20 downstream to the con-
16 fluence with the Nestucca River in T. 3 S., R. 6 W.,
17 sec. 15, Willamette Meridian, to be administered by
18 the Secretary of the Interior as a recreational river.

19 “(210) NORTH FORK SILVER CREEK, OR-
20 EGON.—The approximately 6-mile segment from the
21 headwaters in T. 35 S., R. 9 W., sec. 1 downstream
22 to the edge of the Bureau of Land Management
23 boundary in T. 35 S., R. 9 W., sec. 17, Willamette
24 Meridian, to be administered by the Secretary of the
25 Interior as a recreational river

1 “(211) JENNY CREEK, OREGON.—The approxi-
2 mately 17.6-mile segment from the Bureau of Land
3 Management boundary located at the north bound-
4 ary of the southwest quarter of the southeast quar-
5 ter of T. 38 S., R. 4 E., sec. 34, Willamette Merid-
6 ian, downstream to the Oregon State border, to be
7 administered by the Secretary of the Interior as a
8 scenic river.

9 “(212) SPRING CREEK, OREGON.—The approxi-
10 mately 1.1-mile segment from its source at Shoat
11 Springs in T. 40 S., R. 4 E., sec. 34, Willamette
12 Meridian, downstream to the confluence with Jenny
13 Creek in T. 41 S., R. 4 E., sec. 3, Willamette Merid-
14 ian, to be administered by the Secretary of the Inte-
15 rior as a scenic river.

16 “(213) LOBSTER CREEK, OREGON.—The ap-
17 proximately 5-mile segment from T. 15 S., R. 8 W.,
18 sec. 35, Willamette Meridian, downstream to the
19 edge of the Bureau of Land Management boundary
20 in T. 15 S., R. 8 W., sec. 15, Willamette Meridian,
21 to be administered by the Secretary of the Interior
22 as a recreational river.”.

23 (b) WITHDRAWAL.—Subject to valid existing rights,
24 the Federal land within the boundaries of the river seg-
25 ments designated by paragraphs (208) through (213) of

1 section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C.
2 1274(a)) is withdrawn from all forms of—

3 (1) entry, appropriation, or disposal under the
4 public land laws;

5 (2) location, entry, and patent under the mining
6 laws; and

7 (3) disposition under all laws relating to min-
8 eral and geothermal leasing or mineral materials.

9 **TITLE II—TRIBAL LAND**
10 **Subtitle A—Oregon Coastal Land**
11 **Conveyance**

12 **SEC. 201. DEFINITIONS.**

13 In this subtitle:

14 (1) **FEDERAL LAND.**—The term “Federal land”
15 means the approximately 14,804 acres of Federal
16 land, as generally depicted on the map entitled “Or-
17 egon Coastal Land Conveyance”, and dated March
18 27, 2013.

19 (2) **PLANNING AREA.**—The term “planning
20 area” means land—

21 (A) administered by the Director of the
22 Bureau of Land Management; and

23 (B) located in—

24 (i) the Coos Bay District;

25 (ii) the Eugene District;

- 1 (iii) the Medford District;
2 (iv) the Roseburg District;
3 (v) the Salem District; and
4 (vi) the Klamath Falls Resource Area
5 of the Lakeview District.

6 (3) PUBLIC DOMAIN LAND.—

7 (A) IN GENERAL.—The term “public do-
8 main land” has the meaning given the term
9 “public lands” in section 103 of the Federal
10 Land Policy and Management Act of 1976 (43
11 U.S.C. 1702).

12 (B) EXCLUSION.—The term “public do-
13 main land” does not include any land managed
14 in accordance with the Act of August 28, 1937
15 (43 U.S.C. 1181a et seq.).

16 (4) SECRETARY.—The term “Secretary” means
17 the Secretary of the Interior.

18 (5) TRIBE.—The term “Tribe” means the Con-
19 federated Tribes of Coos, Lower Umpqua, and
20 Siuslaw Indians.

21 **SEC. 202. CONVEYANCE.**

22 (a) IN GENERAL.—Subject to valid existing rights,
23 including rights-of-way, all right, title, and interest of the
24 United States in and to the Federal land, including any
25 improvements located on the Federal land, appurtenances

1 to the Federal land, and minerals on or in the Federal
2 land, including oil and gas, shall be—

3 (1) held in trust by the United States for the
4 benefit of the Tribe; and

5 (2) part of the reservation of the Tribe.

6 (b) SURVEY.—Not later than 180 days after the date
7 of enactment of this Act, the Secretary shall complete a
8 survey of the boundary lines to establish the boundaries
9 of the land taken into trust under subsection (a).

10 **SEC. 203. MAP AND LEGAL DESCRIPTION.**

11 (a) IN GENERAL.—As soon as practicable after the
12 date of enactment of this Act, the Secretary shall file a
13 map and legal description of the Federal land with—

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

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

18 (b) FORCE AND EFFECT.—The map and legal de-
19 scription filed under subsection (a) shall have the same
20 force and effect as if included in this subtitle, except that
21 the Secretary may correct any clerical or typographical er-
22 rors in the map or legal description.

23 (c) PUBLIC AVAILABILITY.—The map and legal de-
24 scription filed under subsection (a) shall be on file and

1 available for public inspection in the Office of the Sec-
2 retary.

3 **SEC. 204. ADMINISTRATION.**

4 (a) IN GENERAL.—Unless expressly provided in this
5 subtitle, nothing in this subtitle affects any right or claim
6 of the Tribe existing on the date of enactment of this Act
7 to any land or interest in land.

8 (b) PROHIBITIONS.—

9 (1) EXPORTS OF UNPROCESSED LOGS.—Fed-
10 eral law (including regulations) relating to the ex-
11 port of unprocessed logs harvested from Federal
12 land shall apply to any unprocessed logs that are
13 harvested from the Federal land.

14 (2) NON-PERMISSIBLE USE OF LAND.—Any real
15 property taken into trust under section 202 shall not
16 be eligible, or used, for any gaming activity carried
17 out under Public Law 100–497 (25 U.S.C. 2701 et
18 seq.).

19 **SEC. 205. FOREST MANAGEMENT.**

20 Any commercial forestry activity that is carried out
21 on the Federal land shall be managed in accordance with
22 all applicable Federal laws.

23 **SEC. 206. LAND RECLASSIFICATION.**

24 (a) IDENTIFICATION OF OREGON AND CALIFORNIA
25 RAILROAD GRANT LAND.—Not later than 180 days after

1 the date of enactment of this Act, the Secretary of Agri-
2 culture and the Secretary shall identify any Oregon and
3 California Railroad grant land that is conveyed under sec-
4 tion 202.

5 (b) IDENTIFICATION OF PUBLIC DOMAIN LAND.—
6 Not later than 18 months after the date of enactment of
7 this Act, the Secretary shall identify public domain land
8 that—

9 (1) is approximately equal in acreage and con-
10 dition as the land identified under subsection (a);
11 and

12 (2) is located within the planning area.

13 (c) MAPS.—Not later than 2 years after the date of
14 enactment of this Act, the Secretary shall submit to Con-
15 gress and publish in the Federal Register 1 or more maps
16 depicting the land identified in subsections (a) and (b).

17 (d) RECLASSIFICATION.—

18 (1) IN GENERAL.—After providing an oppor-
19 tunity for public comment, the Secretary shall re-
20 classify the land identified in subsection (b) as Or-
21 egon and California Railroad grant land.

22 (2) APPLICABILITY.—The Act of August 28,
23 1937 (43 U.S.C. 1181a et seq.) shall apply to land
24 reclassified as Oregon and California Railroad grant
25 land under paragraph (1).

1 **Subtitle B—Canyon Mountain Land**
2 **Conveyance**

3 **SEC. 211. DEFINITIONS.**

4 In this subtitle:

5 (1) FEDERAL LAND.—The term “Federal land”
6 means the approximately 17,826 acres of Federal
7 land, as generally depicted on the map entitled
8 “Canyon Mountain Land Conveyance”, and dated
9 June 27, 2013.

10 (2) PLANNING AREA.—The term “planning
11 area” means land—

12 (A) administered by the Director of the
13 Bureau of Land Management; and

14 (B) located in—

15 (i) the Coos Bay District;

16 (ii) the Eugene District;

17 (iii) the Medford District;

18 (iv) the Roseburg District;

19 (v) the Salem District; and

20 (vi) the Klamath Falls Resource Area
21 of the Lakeview District.

22 (3) PUBLIC DOMAIN LAND.—

23 (A) IN GENERAL.—The term “public do-
24 main land” has the meaning given the term
25 “public lands” in section 103 of the Federal

1 Land Policy and Management Act of 1976 (43
2 U.S.C. 1702).

3 (B) EXCLUSION.—The term “public do-
4 main land” does not include any land managed
5 in accordance with the Act of August 28, 1937
6 (43 U.S.C. 1181a et seq.).

7 (4) SECRETARY.—The term “Secretary” means
8 the Secretary of the Interior.

9 (5) TRIBE.—The term “Tribe” means the Cow
10 Creek Band of Umpqua Tribe of Indians.

11 **SEC. 212. CONVEYANCE.**

12 (a) IN GENERAL.—Subject to valid existing rights,
13 including rights-of-way, all right, title, and interest of the
14 United States in and to the Federal land, including any
15 improvements located on the Federal land, appurtenances
16 to the Federal land, and minerals on or in the Federal
17 land, including oil and gas, shall be—

18 (1) held in trust by the United States for the
19 benefit of the Tribe; and

20 (2) part of the reservation of the Tribe.

21 (b) SURVEY.—Not later than 180 days after the date
22 of enactment of this Act, the Secretary shall complete a
23 survey of the boundary lines to establish the boundaries
24 of the land taken into trust under subsection (a).

1 **SEC. 213. MAP AND LEGAL DESCRIPTION.**

2 (a) IN GENERAL.—As soon as practicable after the
3 date of enactment of this Act, the Secretary shall file a
4 map and legal description of the Federal land with—

5 (1) the Committee on Energy and Natural Re-
6 sources of the Senate; and

7 (2) the Committee on Natural Resources of the
8 House of Representatives.

9 (b) FORCE AND EFFECT.—The map and legal de-
10 scription filed under subsection (a) shall have the same
11 force and effect as if included in this subtitle except that
12 the Secretary may correct any clerical or typographical er-
13 rors in the map or legal description.

14 (c) PUBLIC AVAILABILITY.—The map and legal de-
15 scription filed under subsection (a) shall be on file and
16 available for public inspection in the Office of the Sec-
17 retary.

18 **SEC. 214. ADMINISTRATION.**

19 (a) IN GENERAL.—Unless expressly provided in this
20 subtitle, nothing in this subtitle affects any right or claim
21 of the Tribe existing on the date of enactment of this Act
22 to any land or interest in land.

23 (b) PROHIBITIONS.—

24 (1) EXPORTS OF UNPROCESSED LOGS.—Fed-
25 eral law (including regulations) relating to the ex-
26 port of unprocessed logs harvested from Federal

1 land shall apply to any unprocessed logs that are
2 harvested from the Federal land.

3 (2) NON-PERMISSIBLE USE OF LAND.—Any real
4 property taken into trust under section 212 shall not
5 be eligible, or used, for any gaming activity carried
6 out under Public Law 100–497 (25 U.S.C. 2701 et
7 seq.).

8 **SEC. 215. FOREST MANAGEMENT.**

9 Any commercial forestry activity that is carried out
10 on the Federal land shall be managed in accordance with
11 all applicable Federal laws.

12 **SEC. 216. LAND RECLASSIFICATION.**

13 (a) IDENTIFICATION OF OREGON AND CALIFORNIA
14 RAILROAD GRANT LAND.—Not later than 180 days after
15 the date of enactment of this Act, the Secretary of Agri-
16 culture and the Secretary shall identify any Oregon and
17 California Railroad grant land that is conveyed under sec-
18 tion 212.

19 (b) IDENTIFICATION OF PUBLIC DOMAIN LAND.—
20 Not later than 18 months after the date of enactment of
21 this Act, the Secretary shall identify public domain land
22 that—

23 (1) is approximately equal in acreage and con-
24 dition as the land identified under subsection (a);
25 and

1 (2) is located within the planning area.

2 (c) MAPS.—Not later than 2 years after the date of
3 enactment of this Act, the Secretary shall submit to Con-
4 gress and publish in the Federal Register 1 or more maps
5 depicting the land identified in subsections (a) and (b).

6 (d) RECLASSIFICATION.—

7 (1) IN GENERAL.—After providing an oppor-
8 tunity for public comment, the Secretary shall re-
9 classify the land identified in subsection (b) as Or-
10 egon and California Railroad grant land.

11 (2) APPLICABILITY.—The Act of August 28,
12 1937 (43 U.S.C. 1181a et seq.) shall apply to land
13 reclassified as Oregon and California Railroad grant
14 land under paragraph (1).

15 **Subtitle C—Amendments to**
16 **Coquille Restoration Act**

17 **SEC. 221. AMENDMENTS TO COQUILLE RESTORATION ACT.**

18 Section 5(d) of the Coquille Restoration Act (25
19 U.S.C. 715c(d)) is amended—

20 (1) by striking paragraph (5) and inserting the
21 following:

22 “(5) MANAGEMENT.—

23 “(A) IN GENERAL.—Subject to subpara-
24 graph (B), the Secretary of the Interior, acting

1 through the Assistant Secretary for Indian Af-
2 fairs, shall—

3 “(i) manage the Coquille Forest in ac-
4 cordance with the laws pertaining to the
5 management of Indian trust land; and

6 “(ii) distribute revenues in accordance
7 with the National Indian Forest Resources
8 Management Act (25 U.S.C. 3101 et seq.).

9 “(B) ADMINISTRATION.—

10 “(i) UNPROCESSED LOGS.—Unproc-
11 essed logs harvested from the Coquille For-
12 est shall be subject to the same Federal
13 statutory restrictions on export to foreign
14 nations that apply to unprocessed logs har-
15 vested from Federal land.

16 “(ii) SALES OF TIMBER.—Notwith-
17 standing any other provision of law, all
18 sales of timber from land subject to this
19 subsection shall be advertised, offered, and
20 awarded according to competitive bidding
21 practices, with sales being awarded to the
22 highest responsible bidder.”;

23 (2) by striking paragraph (9); and

24 (3) by redesignating paragraphs (10) through
25 (12) as paragraphs (9) through (11), respectively.

1 **TITLE III—OREGON TREASURES**
2 **Subtitle A—Wild Rogue Wilderness**
3 **Area**

4 **SEC. 301. WILD ROGUE WILDERNESS AREA.**

5 (a) DEFINITIONS.—In this section:

6 (1) COMMISSION.—The term “Commission”
7 means the Federal Energy Regulatory Commission.

8 (2) MAP.—The term “map” means the map en-
9 titled “Wild Rogue Wilderness Additions” and dated
10 June 12, 2013.

11 (3) SECRETARY.—The term “Secretary”
12 means—

13 (A) the Secretary of the Interior, with re-
14 spect to public land administered by the Sec-
15 retary of the Interior; or

16 (B) the Secretary of Agriculture, with re-
17 spect to National Forest System land.

18 (4) WILDERNESS ADDITIONS.—The term “Wil-
19 derness additions” means the land added to the Wild
20 Rogue Wilderness under subsection (b)(1).

21 (b) EXPANSION OF WILD ROGUE WILDERNESS
22 AREA.—

23 (1) EXPANSION.—The approximately 56,100
24 acres of Federal land in the State of Oregon gen-
25 erally depicted on the map as “BLM Proposed Wil-

1 derness” and “Proposed USFS Wilderness” shall be
2 added to and administered as part of the Wild
3 Rogue Wilderness in accordance with Public Law
4 95–237 (16 U.S.C. 1132 note; 92 Stat. 43), except
5 that—

6 (A) the Secretary of the Interior and the
7 Secretary of Agriculture shall administer the
8 Federal land under their respective jurisdiction;
9 and

10 (B) any reference in that Act to the Sec-
11 retary of Agriculture shall be considered to be
12 a reference to the Secretary of Agriculture or
13 the Secretary of the Interior, as applicable.

14 (2) MAP; LEGAL DESCRIPTION.—

15 (A) IN GENERAL.—As soon as practicable
16 after the date of enactment of this Act, the Sec-
17 retary shall prepare a map and legal description
18 of the wilderness area designated by paragraph
19 (1).

20 (B) FORCE OF LAW.—The map and legal
21 description filed under subparagraph (A) shall
22 have the same force and effect as if included in
23 this section, except that the Secretary may cor-
24 rect typographical errors in the map and legal
25 description.

1 (C) PUBLIC AVAILABILITY.—The map and
2 legal description filed under subparagraph (A)
3 shall be on file and available for public inspec-
4 tion in the appropriate offices of the Bureau of
5 Land Management and Forest Service.

6 (3) CORRECTION.—Section 3(b) of the Endan-
7 gered American Wilderness Act of 1978 (16 U.S.C.
8 1132 note; Public Law 95–237; 92 Stat. 43) is
9 amended by striking “3(a)(5)” and inserting
10 “3(a)(5)(A)”.

11 (4) WITHDRAWAL.—Subject to valid existing
12 rights, the Wilderness additions are withdrawn from
13 all forms of—

14 (A) entry, appropriation, or disposal under
15 the public land laws;

16 (B) location, entry, and patent under the
17 mining laws; and

18 (C) disposition under all laws pertaining to
19 mineral and geothermal leasing or mineral ma-
20 terials.

21 (5) TRIBAL RIGHTS.—Nothing in this sub-
22 section alters, modifies, enlarges, diminishes, or ab-
23 rogates the treaty rights of any Indian tribe.

24 (c) POTENTIAL ADDITION TO WILDERNESS AREA.—

1 (1) DESIGNATION.—Subject to paragraph (3)
2 and in furtherance of the purposes of the Wilderness
3 Act (16 U.S.C. 1131 et seq.), certain public land in
4 the State of Oregon administered by the Secretary
5 of the Interior, comprising approximately 600
6 acres, as generally depicted on the map as “Poten-
7 tial Wilderness”, shall be added to and administered
8 as part of the Wild Rogue Wilderness.

9 (2) INTERIM MANAGEMENT.—Subject to valid
10 existing rights, the Secretary shall manage the land
11 described in paragraph (1) to protect its suitability
12 for designation as wilderness until the date on which
13 the land is designated as wilderness in accordance
14 with paragraph (3).

15 (3) WILDERNESS DESIGNATION.—

16 (A) IN GENERAL.—The land described in
17 paragraph (1) shall be designated as wilderness
18 and added to and administered as part of the
19 Wild Rogue Wilderness on the date on which
20 the Secretary publishes in the Federal Register
21 notice that the conditions in the potential wil-
22 derness area that are incompatible with the
23 Wilderness Act (16 U.S.C. 1131 et seq.) have
24 been removed.

1 (B) ADMINISTRATION.—On designation as
2 wilderness under paragraph (1), the land de-
3 scribed in that paragraph shall be administered
4 in accordance with this Act, the Wilderness Act
5 (16 U.S.C. 1131 et seq.), and Public Law 95-
6 237 (16 U.S.C. 1132 note; 92 Stat. 40).

7 (4) WITHDRAWAL.—Subject to valid existing
8 rights, the land described in paragraph (1) is with-
9 drawn from all forms of—

10 (A) entry, appropriation, or disposal under
11 the public land laws;

12 (B) location, entry, and patent under the
13 mining laws; and

14 (C) disposition under all laws pertaining to
15 mineral and geothermal leasing or mineral ma-
16 terials.

17 (d) WITHDRAWAL AREA PROTECTIONS.—

18 (1) IN GENERAL.—The Secretary shall manage
19 the Federal land described in paragraph (2) in a
20 manner that preserves the natural and primitive
21 character of the land for recreational, scenic, and
22 scientific use.

23 (2) DESCRIPTION OF THE LAND.—The Federal
24 land referred to in paragraph (1) is the approxi-

1 mately 4,000 acres generally depicted on the map as
2 “Withdrawal Area”.

3 (3) MAPS AND LEGAL DESCRIPTIONS.—

4 (A) IN GENERAL.—As soon as practicable
5 after the date of enactment of this Act, the Sec-
6 retary shall prepare a map and legal description
7 of the land described in paragraph (2).

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

14 (C) PUBLIC AVAILABILITY.—The map and
15 legal description filed under subparagraph (A)
16 shall be on file and available for public inspec-
17 tion in the appropriate offices of the Bureau of
18 Land Management.

19 (4) USE OF LAND.—

20 (A) IN GENERAL.—Subject to valid exist-
21 ing rights, with respect to the Federal land de-
22 scribed in paragraph (2), the Secretary shall
23 only allow uses that are consistent with the pur-
24 poses described in paragraph (1).

1 (B) PROHIBITED USES.—The following
2 shall be prohibited on the Federal land de-
3 scribed in paragraph (2):

4 (i) Permanent roads.

5 (ii) Commercial enterprises.

6 (iii) Except as necessary to meet the
7 minimum requirements for the administra-
8 tion of the Federal land and to protect
9 public health and safety—

10 (I) the use of motor vehicles; or

11 (II) the establishment of tem-
12 porary roads.

13 (5) WITHDRAWAL.—Subject to valid existing
14 rights, the Federal land described in paragraph (2)
15 is withdrawn from—

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

18 (B) location, entry, and patent under the
19 mining laws; and

20 (C) disposition under all laws relating to
21 mineral and geothermal leasing or mineral ma-
22 terials.

23 (e) WILD AND SCENIC RIVER DESIGNATIONS, ROGUE
24 RIVER AREA.—

1 (1) AMENDMENTS.—Section 3(a) of the Wild
2 and Scenic Rivers Act (16 U.S.C. 1274(a)) is
3 amended by striking paragraph (5) and inserting the
4 following:

5 “(5) ROGUE, OREGON.—

6 “(A) IN GENERAL.—The segment of the
7 river extending from the mouth of the Apple-
8 gate River downstream to the Lobster Creek
9 Bridge, to be administered by the Secretary of
10 the Interior or the Secretary of Agriculture, as
11 agreed to by the Secretaries of the Interior and
12 Agriculture or as directed by the President.

13 “(B) ADDITIONS.—In addition to the seg-
14 ment described in subparagraph (A), there are
15 designated the following segments in the Rogue
16 River:

17 “(i) KELSEY CREEK.—The approxi-
18 mately 4.8-mile segment of Kelsey Creek
19 from the east section line of T. 32 S., R.
20 9 W., sec. 34, Willamette Meridian, to the
21 confluence with the Rogue River, as a wild
22 river.

23 “(ii) EAST FORK KELSEY CREEK.—
24 The approximately 4.6-mile segment of
25 East Fork Kelsey Creek from the Wild

1 Rogue Wilderness boundary in T. 33 S., R.
2 8 W., sec. 5, Willamette Meridian, to the
3 confluence with Kelsey Creek, as a wild
4 river.

5 “(iii) WHISKY CREEK.—

6 “(I) RECREATIONAL RIVER.—

7 The approximately 0.6-mile segment
8 of Whisky Creek from the confluence
9 of the East Fork and West Fork to
10 0.1 miles downstream from road 33-8-
11 23, as a recreational river.

12 “(II) WILD RIVER.—The ap-
13 proximately 1.9-mile segment of Whis-
14 ky Creek from 0.1 miles downstream
15 from road 33-8-23 to the confluence
16 with the Rogue River, as a wild river.

17 “(iv) EAST FORK WHISKY CREEK.—

18 “(I) WILD RIVER.—The approxi-
19 mately 2.6-mile segment of East Fork
20 Whisky Creek from the Wild Rogue
21 Wilderness boundary in T. 33 S., R.
22 8 W., sec. 11, Willamette Meridian.,
23 to 0.1 miles downstream of road 33-
24 8-26 crossing, as a wild river.

1 “(II) RECREATIONAL RIVER.—

2 The approximately 0.3-mile segment
3 of East Fork Whisky Creek from 0.1
4 miles downstream of road 33-8-26 to
5 the confluence with Whisky Creek, as
6 a recreational river.

7 “(v) WEST FORK WHISKY CREEK.—

8 The approximately 4.8-mile segment of
9 West Fork Whisky Creek from its head-
10 waters to the confluence with Whisky
11 Creek, as a wild river.

12 “(vi) BIG WINDY CREEK.—

13 “(I) SCENIC RIVER.—The ap-
14 proximately 1.5-mile segment of Big
15 Windy Creek from its headwaters to
16 0.1 miles downstream from road 34-9-
17 17.1, as a scenic river.

18 “(II) WILD RIVER.—The ap-
19 proximately 5.8-mile segment of Big
20 Windy Creek from 0.1 miles down-
21 stream from road 34-9-17.1 to the
22 confluence with the Rogue River, as a
23 wild river.

24 “(vii) EAST FORK BIG WINDY
25 CREEK.—

1 of road 34-9-34 to the confluence with
2 the Rogue River, as a wild river.

3 “(x) MULE CREEK.—The approxi-
4 mately 6.3-mile segment of Mule Creek
5 from the east section line of T. 32 S., R.
6 10 W., sec. 25, Willamette Meridian, to the
7 confluence with the Rogue River, as a wild
8 river.

9 “(xi) ANNA CREEK.—The approxi-
10 mately 3.5-mile segment of Anna Creek
11 from its headwaters to the confluence with
12 Howard Creek, as a wild river.

13 “(xii) MISSOURI CREEK.—The ap-
14 proximately 1.6-mile segment of Missouri
15 Creek from the Wild Rogue Wilderness
16 boundary in T. 33 S., R. 10 W., sec. 24,
17 Willamette Meridian, to the confluence
18 with the Rogue River, as a wild river.

19 “(xiii) JENNY CREEK.—The approxi-
20 mately 1.8-mile segment of Jenny Creek
21 from the Wild Rogue Wilderness boundary
22 in T. 33 S., R. 9 W., sec.28, Willamette
23 Meridian, to the confluence with the Rogue
24 River, as a wild river.

1 “(xiv) RUM CREEK.—The approxi-
2 mately 2.2-mile segment of Rum Creek
3 from the Wild Rogue Wilderness boundary
4 in T. 34 S., R. 8 W., sec. 9, Willamette
5 Meridian, to the confluence with the Rogue
6 River, as a wild river.

7 “(xv) EAST FORK RUM CREEK.—The
8 approximately 1.3-mile segment of East
9 Rum Creek from the Wild Rogue Wilder-
10 ness boundary in T. 34 S., R. 8 W., sec.
11 10, Willamette Meridian, to the confluence
12 with Rum Creek, as a wild river.

13 “(xvi) WILDCAT CREEK.—The ap-
14 proximately 1.7-mile segment of Wildcat
15 Creek from its headwaters downstream to
16 the confluence with the Rogue River, as a
17 wild river.

18 “(xvii) MONTGOMERY CREEK.—The
19 approximately 1.8-mile segment of Mont-
20 gomery Creek from its headwaters down-
21 stream to the confluence with the Rogue
22 River, as a wild river.

23 “(xviii) HEWITT CREEK.—The ap-
24 proximately 1.2-mile segment of Hewitt
25 Creek from the Wild Rogue Wilderness

1 boundary in T. 33 S., R. 9 W., sec. 19,
2 Willamette Meridian, to the confluence
3 with the Rogue River, as a wild river.

4 “(xix) BUNKER CREEK.—The approxi-
5 mately 6.6-mile segment of Bunker Creek
6 from its headwaters to the confluence with
7 the Rogue River, as a wild river.

8 “(xx) DULOG CREEK.—

9 “(I) SCENIC RIVER.—The ap-
10 proximately 0.8-mile segment of
11 Dulog Creek from its headwaters to
12 0.1 miles downstream of road 34-8-
13 36, as a scenic river.

14 “(II) WILD RIVER.—The ap-
15 proximately 1.0-mile segment of
16 Dulog Creek from 0.1 miles down-
17 stream of road 34-8-36 to the con-
18 fluence with the Rogue River, as a
19 wild river.

20 “(xxi) QUAIL CREEK.—The approxi-
21 mately 1.7-mile segment of Quail Creek
22 from the Wild Rogue Wilderness boundary
23 in T. 33 S., R. 10 W., sec. 1, Willamette
24 Meridian, to the confluence with the Rogue
25 River, as a wild river.

1 “(xxii) MEADOW CREEK.—The ap-
2 proximately 4.1-mile segment of Meadow
3 Creek from its headwaters to the con-
4 fluence with the Rogue River, as a wild
5 river.

6 “(xxiii) RUSSIAN CREEK.—The ap-
7 proximately 2.5-mile segment of Russian
8 Creek from the Wild Rogue Wilderness
9 boundary in T. 33 S., R. 8 W., sec. 20,
10 Willamette Meridian, to the confluence
11 with the Rogue River, as a wild river.

12 “(xxiv) ALDER CREEK.—The approxi-
13 mately 1.2-mile segment of Alder Creek
14 from its headwaters to the confluence with
15 the Rogue River, as a wild river.

16 “(xxv) BOOZE CREEK.—The approxi-
17 mately 1.5-mile segment of Booze Creek
18 from its headwaters to the confluence with
19 the Rogue River, as a wild river.

20 “(xxvi) BRONCO CREEK.—The ap-
21 proximately 1.8-mile segment of Bronco
22 Creek from its headwaters to the con-
23 fluence with the Rogue River, as a wild
24 river.

1 “(xxvii) COPSEY CREEK.—The ap-
2 proximately 1.5-mile segment of Copsey
3 Creek from its headwaters to the con-
4 fluence with the Rogue River, as a wild
5 river.

6 “(xxviii) CORRAL CREEK.—The ap-
7 proximately 0.5-mile segment of Corral
8 Creek from its headwaters to the con-
9 fluence with the Rogue River, as a wild
10 river.

11 “(xxix) COWLEY CREEK.—The ap-
12 proximately 0.9-mile segment of Cowley
13 Creek from its headwaters to the con-
14 fluence with the Rogue River, as a wild
15 river.

16 “(xxx) DITCH CREEK.—The approxi-
17 mately 1.8-mile segment of Ditch Creek
18 from the Wild Rogue Wilderness boundary
19 in T. 33 S., R. 9 W., sec. 5, Willamette
20 Meridian, to its confluence with the Rogue
21 River, as a wild river.

22 “(xxxii) FRANCIS CREEK.—The ap-
23 proximately 0.9-mile segment of Francis
24 Creek from its headwaters to the con-

1 fluence with the Rogue River, as a wild
2 river.

3 “(xxxii) LONG GULCH.—The approxi-
4 mately 1.1-mile segment of Long Gulch
5 from the Wild Rogue Wilderness boundary
6 in T. 33 S., R. 10 W., sec. 23, Willamette
7 Meridian, to the confluence with the Rogue
8 River, as a wild river.

9 “(xxxiii) BAILEY CREEK.—The ap-
10 proximately 1.7-mile segment of Bailey
11 Creek from the west section line of T. 34
12 S., R.8 W., sec.14, Willamette Meridian, to
13 the confluence of the Rogue River, as a
14 wild river.

15 “(xxxiv) SHADY CREEK.—The ap-
16 proximately 0.7-mile segment of Shady
17 Creek from its headwaters to the con-
18 fluence with the Rogue River, as a wild
19 river.

20 “(xxxv) SLIDE CREEK.—

21 “(I) SCENIC RIVER.—The ap-
22 proximately 0.5-mile segment of Slide
23 Creek from its headwaters to 0.1
24 miles downstream from road 33-9-6,
25 as a scenic river.

1 “(II) WILD RIVER.—The ap-
2 proximately 0.7-mile section of Slide
3 Creek from 0.1 miles downstream of
4 road 33-9-6 to the confluence with the
5 Rogue River, as a wild river.”.

6 (2) MANAGEMENT.—Each river segment des-
7 ignated by subparagraph (B) of section 3(a)(5) of
8 the Wild and Scenic Rivers Act (16 U.S.C.
9 1274(a)(5)) (as added by paragraph (1)) shall be
10 managed as part of the Rogue Wild and Scenic
11 River.

12 (3) WITHDRAWAL.—Subject to valid existing
13 rights, the Federal land within the boundaries of the
14 river segments designated under subparagraph (B)
15 of section 3(a)(5) of the Wild and Scenic Rivers Act
16 (16 U.S.C. 1274(a)(5)) (as added by paragraph (1))
17 is withdrawn from all forms of—

18 (A) entry, appropriation, or disposal under
19 the public land laws;

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

22 (C) disposition under all laws pertaining to
23 mineral and geothermal leasing or mineral ma-
24 terials.

1 (f) ADDITIONAL PROTECTIONS FOR ROGUE RIVER
2 TRIBUTARIES.—

3 (1) LICENSING BY COMMISSION.—The Commis-
4 sion shall not license the construction of any dam,
5 water conduit, reservoir, powerhouse, transmission
6 line, or other project works on or directly affecting
7 any stream described in paragraph (4).

8 (2) OTHER AGENCIES.—

9 (A) IN GENERAL.—No department or
10 agency of the United States shall assist by loan,
11 grant, license, or otherwise in the construction
12 of any water resources project on or directly af-
13 fecting any stream segment that is described in
14 paragraph (4), except to maintain or repair
15 water resources projects in existence on the
16 date of enactment of this Act.

17 (B) EFFECT.—Nothing in this paragraph
18 prohibits any department or agency of the
19 United States in assisting by loan, grant, li-
20 cense, or otherwise, a water resources project—

21 (i) the primary purpose of which is ec-
22 ological or aquatic restoration; and

23 (ii) that provides a net benefit to
24 water quality and aquatic resources.

1 (3) WITHDRAWAL.—Subject to valid existing
2 rights, the Federal land located within a $\frac{1}{4}$ mile on
3 either side of the stream segments described in para-
4 graph (4), is withdrawn from all forms of—

5 (A) entry, appropriation, or disposal under
6 the public land laws;

7 (B) location, entry, and patent under the
8 mining laws; and

9 (C) disposition under all laws pertaining to
10 mineral and geothermal leasing or mineral ma-
11 terials.

12 (4) DESCRIPTION OF STREAM SEGMENTS.—The
13 following are the stream segments referred to in
14 paragraph (1):

15 (A) KELSEY CREEK.—The approximately
16 4.5-mile segment of Kelsey Creek from its
17 headwaters to the east section line of T. 32 S.,
18 R. 9 W., sec. 34.

19 (B) EAST FORK KELSEY CREEK.—The ap-
20 proximately 0.2-mile segment of East Fork
21 Kelsey Creek from its headwaters to the Wild
22 Rogue Wilderness boundary in T. 33 S., R. 8
23 W., sec. 5.

24 (C) EAST FORK WHISKY CREEK.—The ap-
25 proximately 0.9-mile segment of East Fork

1 Whisky Creek from its headwaters to the Wild
2 Rogue Wilderness boundary in T. 33 S., R. 8
3 W., sec. 11.

4 (D) LITTLE WINDY CREEK.—The approxi-
5 mately 1.2-mile segment of Little Windy Creek
6 from its headwaters to the west section line of
7 T. 33 S., R. 9 W., sec. 34.

8 (E) MULE CREEK.—The approximately
9 5.1-mile segment of Mule Creek from its head-
10 waters to the east section line of T. 32 S., R.
11 10 W., sec. 25.

12 (F) MISSOURI CREEK.—The approximately
13 3.1-mile segment of Missouri Creek from its
14 headwaters to the Wild Rogue Wilderness
15 boundary in T. 33 S., R. 10 W., sec. 24.

16 (G) JENNY CREEK.—The approximately
17 3.1-mile segment of Jenny Creek from its head-
18 waters to the Wild Rogue Wilderness boundary
19 in T. 33 S., R. 9 W., sec. 28.

20 (H) RUM CREEK.—The approximately 2.2-
21 mile segment of Rum Creek from its head-
22 waters to the Wild Rogue Wilderness boundary
23 in T. 34 S., R. 8 W., sec. 9.

24 (I) EAST FORK RUM CREEK.—The approxi-
25 mately 0.8-mile segment of East Fork Rum

1 Creek from its headwaters to the Wild Rogue
2 Wilderness boundary in T. 34 S., R. 8 W., sec.
3 10.

4 (J) HEWITT CREEK.—The approximately
5 1.4-mile segment of Hewitt Creek from its
6 headwaters to the Wild Rogue Wilderness
7 boundary in T. 33 S., R. 9 W., sec. 19.

8 (K) QUAIL CREEK.—The approximately
9 0.8-mile segment of Quail Creek from its head-
10 waters to the Wild Rogue Wilderness boundary
11 in T. 33 S., R. 10 W., sec. 1.

12 (L) RUSSIAN CREEK.—The approximately
13 0.1-mile segment of Russian Creek from its
14 headwaters to the Wild Rogue Wilderness
15 boundary in T. 33 S., R. 8 W., sec. 20.

16 (M) DITCH CREEK.—The approximately
17 0.7-mile segment of Ditch Creek from its head-
18 waters to the Wild Rogue Wilderness boundary
19 in T. 33 S., R. 9 W., sec. 5.

20 (N) LONG GULCH.—The approximately
21 1.4-mile segment of Long Gulch from its head-
22 waters to the Wild Rogue Wilderness boundary
23 in T. 33 S., R. 10 W., sec. 23.

24 (O) BAILEY CREEK.—The approximately
25 1.4-mile segment of Bailey Creek from its head-

1 waters to the west section line of T. 34 S., R.
2 8 W., sec. 14.

3 (P) QUARTZ CREEK.—The approximately
4 3.3-mile segment of Quartz Creek from its
5 headwaters to its confluence with the North
6 Fork Galice Creek.

7 (Q) NORTH FORK GALICE CREEK.—The
8 approximately 5.7-mile segment of the North
9 Fork Galice Creek from its headwaters to its
10 confluence with Galice Creek.

11 (R) GRAVE CREEK.—The approximately
12 10.2-mile segment of Grave Creek from the
13 confluence of Wolf Creek downstream to the
14 confluence with the Rogue River.

15 (S) CENTENNIAL GULCH.—The approxi-
16 mately 2.2-mile segment of Centennial Gulch
17 from its headwaters to its confluence with the
18 Rogue River.

19 (T) GALICE CREEK.—The approximately
20 2.2-mile segment of Galice Creek from the con-
21 fluence with the South Fork Galice Creek
22 downstream to the Rogue River.

1 **Subtitle B—Devil’s Staircase**
2 **Wilderness**

3 **SEC. 311. DEFINITIONS.**

4 In this subtitle:

5 (1) MAP.—The term “map” means the map en-
6 titled “Devil’s Staircase Wilderness Proposal” and
7 dated June 15, 2010.

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

10 (A) with respect to land under the jurisdic-
11 tion of the Secretary of Agriculture, the Sec-
12 retary of Agriculture; and

13 (B) with respect to land under the jurisdic-
14 tion of the Secretary of the Interior, the Sec-
15 retary of the Interior.

16 (3) STATE.—The term “State” means the State
17 of Oregon.

18 (4) WILDERNESS.—The term “Wilderness”
19 means the Devil’s Staircase Wilderness designated
20 by section 312(a).

21 **SEC. 312. DEVIL’S STAIRCASE WILDERNESS, OREGON.**

22 (a) DESIGNATION.—In accordance with the Wilder-
23 ness Act (16 U.S.C. 1131 et seq.), the approximately
24 30,540 acres of Forest Service land and Bureau of Land
25 Management land in the State, as generally depicted on

1 the map, is designated as wilderness and as a component
2 of the National Wilderness Preservation System, to be
3 known as the “Devil’s Staircase Wilderness”.

4 (b) MAP; LEGAL DESCRIPTION.—

5 (1) IN GENERAL.—As soon as practicable after
6 the date of enactment of this Act, the Secretary
7 shall prepare a map and legal description of the Wil-
8 derness.

9 (2) FORCE OF LAW.—The map and legal de-
10 scription prepared under paragraph (1) shall have
11 the same force and effect as if included in this Act,
12 except that the Secretary may correct clerical and
13 typographical errors in the map and legal descrip-
14 tion.

15 (3) AVAILABILITY.—The map and legal descrip-
16 tion prepared under paragraph (1) shall be on file
17 and available for public inspection in the appropriate
18 offices of the Forest Service and Bureau of Land
19 Management.

20 (c) ADMINISTRATION.—Subject to valid existing
21 rights, the area designated as wilderness by this section
22 shall be administered by the Secretary in accordance with
23 the Wilderness Act (16 U.S.C. 1131 et seq.), except
24 that—

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

4 (2) any reference in that Act to the Secretary
5 of Agriculture shall be considered to be a reference
6 to the Secretary that has jurisdiction over the land
7 within the Wilderness.

8 (d) FISH AND WILDLIFE.—Nothing in this section
9 affects the jurisdiction or responsibilities of the State with
10 respect to fish and wildlife in the State.

11 (e) ADJACENT MANAGEMENT.—

12 (1) IN GENERAL.—Nothing in this section cre-
13 ates any protective perimeter or buffer zone around
14 the Wilderness.

15 (2) ACTIVITIES OUTSIDE WILDERNESS.—The
16 fact that a nonwilderness activity or use on land out-
17 side the Wilderness can be seen or heard within the
18 Wilderness shall not preclude the activity or use out-
19 side the boundary of the Wilderness.

20 (f) PROTECTION OF TRIBAL RIGHTS.—Nothing in
21 this section diminishes any treaty rights of an Indian
22 tribe.

23 (g) TRANSFER OF ADMINISTRATIVE JURISDIC-
24 TION.—

1 (1) IN GENERAL.—Administrative jurisdiction
2 over the approximately 49 acres of Bureau of Land
3 Management land north of the Umpqua River in sec.
4 32, T. 21 S., R. 11 W, is transferred from the Bu-
5 reau of Land Management to the Forest Service.

6 (2) ADMINISTRATION.—The Secretary shall ad-
7 minister the land transferred by paragraph (1) in
8 accordance with—

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

12 (B) any laws (including regulations) appli-
13 cable to the National Forest System.

14 **SEC. 313. WILD AND SCENIC RIVER DESIGNATIONS,**
15 **WASSON CREEK AND FRANKLIN CREEK, OR-**
16 **EGON.**

17 Section 3(a) of the Wild and Scenic Rivers Act (16
18 U.S.C. 1274(a)) (as amended by section 103(a)) is amend-
19 ed by adding at the end the following:

20 “(214) FRANKLIN CREEK, OREGON.—The 4.5-
21 mile segment from its headwaters to the line of
22 angle points within sec. 8, T. 22 S., R. 10 W.,
23 shown on the survey recorded in the Official Records
24 of Douglas County, Oregon, as M64–62, to be ad-

1 ministered by the Secretary of Agriculture as a wild
2 river.

3 “(215) WASSON CREEK, OREGON.—The 10.1-
4 mile segment in the following classes:

5 “(A) The 4.2-mile segment from the east-
6 ern boundary of sec. 17, T. 21 S., R. 9 W.,
7 downstream to the western boundary of sec. 12,
8 T. 21 S., R. 10 W., to be administered by the
9 Secretary of the Interior as a wild river.

10 “(B) The 5.9-mile segment from the west-
11 ern boundary of sec. 12, T. 21 S., R. 10 W.,
12 downstream to the eastern boundary of the
13 northwest quarter of sec. 22, T. 21 S., R. 10
14 W., to be administered by the Secretary of Ag-
15 riculture as a wild river.”.

16 **Subtitle C—Additional Wild and**
17 **Scenic River Designations and**
18 **Technical Corrections**

19 **SEC. 321. DESIGNATION OF WILD AND SCENIC RIVER SEG-**
20 **MENTS, MOLALLA RIVER, OREGON.**

21 (a) IN GENERAL.—Section 3(a) of the Wild and Sce-
22 nic Rivers Act (16 U.S.C. 1274(a)) is amended by adding
23 at the end the following:

24 “(208) MOLALLA RIVER, OREGON.—

1 “(A) IN GENERAL.—The following seg-
2 ments in the State of Oregon, to be adminis-
3 tered by the Secretary of the Interior as a rec-
4 reational river:

5 “(i) MOLALLA RIVER.—The approxi-
6 mately 15.1-mile segment from the south-
7 ern boundary line of T. 7 S., R. 4 E., sec.
8 19, downstream to the edge of the Bureau
9 of Land Management boundary in T. 6 S.,
10 R. 3 E., sec. 7.

11 “(ii) TABLE ROCK FORK MOLALLA
12 RIVER.—The approximately 6.2-mile seg-
13 ment from the easternmost Bureau of
14 Land Management boundary line in the
15 NE $\frac{1}{4}$ sec. 4, T. 7 S., R. 4 E., down-
16 stream to the confluence with the Molalla
17 River.

18 “(B) WITHDRAWAL.—Subject to valid ex-
19 isting rights, the Federal land within the
20 boundaries of the river segments designated by
21 subparagraph (A) is withdrawn from all forms
22 of—

23 “(i) entry, appropriation, or disposal
24 under the public land laws;

1 “(ii) location, entry, and patent under
2 the mining laws; and

3 “(iii) disposition under all laws relat-
4 ing to mineral and geothermal leasing or
5 mineral materials.”.

6 (b) TECHNICAL CORRECTIONS.—Section 3(a)(102) of
7 the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(102))
8 is amended—

9 (1) in the heading, by striking “SQUAW CREEK”
10 and inserting “WHYCHUS CREEK”;

11 (2) in the matter preceding subparagraph (A),
12 by striking “McAllister Ditch, including the Soap
13 Fork Squaw Creek, the North Fork, the South
14 Fork, the East and West Forks of Park Creek, and
15 Park Creek Fork” and inserting “Plainview Ditch,
16 including the Soap Creek, the North and South
17 Forks of Whychus Creek, the East and West Forks
18 of Park Creek, and Park Creek”; and

19 (3) in subparagraph (B), by striking
20 “McAllister Ditch” and inserting “Plainview Ditch”.

21 **SEC. 322. TECHNICAL CORRECTIONS TO THE WILD AND**
22 **SCENIC RIVERS ACT.**

23 Section 3(a)(69) of the Wild and Scenic Rivers Act
24 (16 U.S.C. 1274(a)(69)) is amended—

1 (1) by redesignating subparagraphs (A), (B),
2 and (C) as clauses (i), (ii), and (iii), respectively,
3 and indenting appropriately;

4 (2) in the matter preceding clause (i) (as so re-
5 designated), by striking “The 44.5-mile” and insert-
6 ing the following:

7 “(A) DESIGNATIONS.—The 44.5-mile”;

8 (3) in clause (i) (as so redesignated)—

9 (A) by striking “25.5-mile” and inserting
10 “27.5-mile”; and

11 (B) by striking “Boulder Creek at the
12 Kalmiopsis Wilderness boundary” and inserting
13 “Mislatnah Creek”;

14 (4) in clause (ii) (as so redesignated)—

15 (A) by striking “8-mile” and inserting
16 “7.5-mile”; and

17 (B) by striking “Boulder Creek to Steel
18 Bridge” and inserting “Mislatnah Creek to
19 Eagle Creek”;

20 (5) in clause (iii) (as so redesignated)—

21 (A) by striking “11-mile” and inserting
22 “9.5-mile”; and

23 (B) by striking “Steel Bridge” and insert-
24 ing “Eagle Creek”; and

25 (6) by adding at the end the following:

1 “(B) WITHDRAWAL.—Subject to valid
2 rights, the Federal land within the boundaries
3 of the river segments designated by subpara-
4 graph (A), is withdrawn from all forms of—
5 “(i) entry, appropriation, or disposal
6 under the public land laws;
7 “(ii) location, entry, and patent under
8 the mining laws; and
9 “(iii) disposition under all laws per-
10 taining to mineral and geothermal leasing
11 or mineral materials.”.