

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 3513  
OFFERED BY MR. DEFAZIO OF OREGON**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Copper Salmon Wilder-  
3 ness Act of 2008”.

**4 SEC. 2. DESIGNATION OF THE COPPER SALMON WILDER-  
5 NESS.**

6 (a) DESIGNATION.—Section 3 of the Oregon Wilder-  
7 ness Act of 1984 (16 U.S.C. 1132 note; Public Law 98-  
8 328) is amended—

9 (1) in the matter preceding paragraph (1), by  
10 striking “eight hundred fifty-nine thousand six hun-  
11 dred acres” and inserting “871,593 acres”;

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

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

15 “(30) certain land in the Siskiyou National  
16 Forest, comprising approximately 11,922 acres, as  
17 generally depicted on the map entitled ‘Copper  
18 Salmon Wilderness Proposal’ and dated April 1,

1 2008, to be known as the ‘Copper Salmon Wilder-  
2 ness’.”.

3 (b) MAPS AND LEGAL DESCRIPTION.—

4 (1) IN GENERAL.—As soon as practicable after  
5 the date of enactment of this Act, the Secretary of  
6 Agriculture (referred to in this Act as the “Sec-  
7 retary”) shall file a map and a legal description of  
8 the Copper Salmon Wilderness with—

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

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

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

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

22 (4) PUBLIC AVAILABILITY.—Each map and  
23 legal description filed under paragraph (1) shall be  
24 on file and available for public inspection in the ap-  
25 propriate offices of the Forest Service.

1 **SEC. 3. WILD AND SCENIC RIVER DESIGNATIONS, ELK**  
2 **RIVER, OREGON.**

3 Section 3(a)(76) of the Wild and Scenic Rivers Act  
4 (16 U.S.C. 1274(a)(76)) is amended—

5 (1) in the matter preceding subparagraph (A),  
6 by striking “19-mile segment” and inserting “28.2-  
7 mile segment”;

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

10 (3) by striking subparagraph (B) and inserting  
11 the following:

12 “(B)(i) The approximately 0.6-mile seg-  
13 ment of the North Fork Elk from its source in  
14 sec. 21, T. 33 S., R. 12 W., Willamette Merid-  
15 ian, downstream to 0.01 miles below Forest  
16 Service Road 3353, as a scenic river.

17 “(ii) The approximately 5.5-mile segment  
18 of the North Fork Elk from 0.01 miles below  
19 Forest Service Road 3353 to its confluence with  
20 the South Fork Elk, as a wild river.

21 “(C)(i) The approximately 0.9-mile seg-  
22 ment of the South Fork Elk from its source in  
23 the southeast quarter of sec. 32, T. 33 S., R.  
24 12 W., Willamette Meridian, downstream to  
25 0.01 miles below Forest Service Road 3353, as  
26 a scenic river.

1           “(ii) The approximately 4.2-mile segment  
2           of the South Fork Elk from 0.01 miles below  
3           Forest Service Road 3353 to its confluence with  
4           the North Fork Elk, as a wild river.”.

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

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

8           (b) MEMORANDUM OF UNDERSTANDING.—The Sec-  
9           retary shall seek to enter into a memorandum of under-  
10          standing with the Coquille Indian Tribe regarding access  
11          to the Copper Salmon Wilderness to conduct historical and  
12          cultural activities.

13 **SEC. 5. DESIGNATION OF POTENTIAL WILDERNESS AREA,**  
14 **SISKIYOU NATIONAL FOREST, OREGON.**

15          (a) DESIGNATION.—In furtherance of the purposes of  
16          the Wilderness Act (16 U.S.C. 1131 et seq.), certain Na-  
17          tional Forest System land in the State of Oregon adminis-  
18          tered by the Forest Service as part of the Siskiyou Na-  
19          tional Forest and compromising approximately 1,708  
20          acres, as generally depicted on the map entitled “Copper  
21          Salmon Wilderness Proposal” and dated April 1, 2008,  
22          are designated as a potential wilderness area for eventual  
23          inclusion in the Copper Salmon Wilderness designated by  
24          paragraph (30) of section 3 of the Oregon Wilderness Act

1 of 1984 (16 U.S.C. 1132 note; Public Law 98–328), as  
2 added by section 2.

3 (b) MAP AND LEGAL DESCRIPTION.—As soon as  
4 practicable after the date of the enactment of this Act,  
5 the Secretary shall file with the Committee on Natural Re-  
6 sources of the House of Representatives and the Com-  
7 mittee on Energy and Natural Resources of the Senate  
8 a map and legal description of potential wilderness area  
9 designated by subsection (a). The map and legal descrip-  
10 tion shall have the same force and effect as if included  
11 in this Act, except that the Secretary may correct clerical  
12 and typographical errors in the map and description. In  
13 the case of any discrepancy between the acreage specified  
14 in subsection (a) and the map, the map shall control. The  
15 map and legal description shall be on file and available  
16 for public inspection in the Office of the Chief of the For-  
17 est Service.

18 (c) MANAGEMENT.—Except as provided in subsection  
19 (d) and subject to valid existing rights, the Secretary shall  
20 manage the potential wilderness area designated by sub-  
21 section (a) as wilderness until its designated as wilderness  
22 under subsection (e).

23 (d) ECOLOGICAL RESTORATION.—

24 (1) IN GENERAL.—For the purposes of imple-  
25 menting the planned ecological restoration approved

1 by the Decision Notice and Finding of No Signifi-  
2 cant Impact for the Environmental Assessment for  
3 the Coastal Healthy Forest Treatments, dated May  
4 25, 2007, the Secretary may use motorized equip-  
5 ment and mechanized transport in the potential wil-  
6 derness area until its designated as wilderness under  
7 subsection (e).

8 (2) LIMITATION.—To the maximum extent  
9 practicable, the Secretary shall use the minimum  
10 tool or administrative practice necessary to accom-  
11 plish ecological restoration under paragraph (1) with  
12 the least amount of adverse impact on wilderness  
13 character and resources.

14 (e) EVENTUAL WILDERNESS DESIGNATION.—The  
15 potential wilderness area designated by subsection (a)  
16 shall be designated as wilderness on the earlier of—

17 (1) the date on which the Secretary publishes in  
18 the Federal Register notice that the conditions in  
19 the potential wilderness area that are incompatible  
20 with the Wilderness Act (16 U.S.C. 1131 et seq.)  
21 have been removed; or

22 (2) the date that is 10 years after the date of  
23 the enactment of this Act.

24 (f) INCORPORATION INTO COPPER SALMON WILDER-  
25 NESS; ADMINISTRATION.—On its designation as wilder-

1 ness under subsection (e), the potential wilderness area  
2 designated by subsection (a) shall be—

3 (1) incorporated into the Copper Salmon Wil-  
4 derness; and

5 (2) administered in accordance with the Wilder-  
6 ness Act, the Oregon Wilderness Act of 1984, and  
7 other laws applicable to the Copper Salmon Wilder-  
8 ness, except that, with respect to the potential wil-  
9 derness area, any reference in the Wilderness Act to  
10 the effective date of that Act shall be deemed to be  
11 a reference to the date on which the lands are des-  
12 igned as wilderness under subsection (e).