

AMENDMENT NO. _____ Calendar No. _____

Purpose: To provide a complete substitute.

IN THE SENATE OF THE UNITED STATES—110th Cong., 1st Sess.

S. 647

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

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by _____

Viz:

1 Strike all after the enacting clause and insert the fol-

2 lowing:

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

4 (a) **SHORT TITLE.**—This Act may be cited as the

5 “Lewis and Clark Mount Hood Wilderness Act of 2007”.

6 (b) **TABLE OF CONTENTS.**—The table of contents of

7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—PROTECTED AREAS

Subtitle A—Designation of Wilderness Areas

2

- Sec. 101. Designation of Lewis and Clark Mount Hood wilderness areas.
- Sec. 102. Richard L. Kohnstamm Memorial Area.
- Sec. 103. Potential wilderness area; additions to wilderness areas.
- Sec. 104. Maps and legal descriptions.
- Sec. 105. Administration.
- Sec. 106. Buffer zones.
- Sec. 107. Fish and wildlife.
- Sec. 108. Fire, insects, and diseases.
- Sec. 109. Withdrawal.

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

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

Subtitle C—Mount Hood National Recreation Area

- Sec. 121. Mount Hood National Recreation Area.

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

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

TITLE II—LAND EXCHANGES

Subtitle A—Cooper Spur-Government Camp Land Exchange

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

Subtitle B—Port of Cascade Locks Land Exchange

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

Subtitle C—Hunchback Mountain Land Exchange and Boundary Adjustment

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

Subtitle D—Conditions on Development of Federal Land

- Sec. 231. Improved natural disaster preparedness.

TITLE III—TRIBAL PROVISIONS; PLANNING AND STUDIES

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

1 SEC. 2. DEFINITIONS.

2 In this Act:

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

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

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

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

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

14 (1) BADGER CREEK WILDERNESS ADDITIONS.—
15 Certain Federal land managed by the Forest Serv-
16 ice, comprising approximately 4,140 acres, as gen-
17 erally depicted on the maps entitled “Badger Creek
18 Wilderness-Badger Creek Additions” and “Badger
19 Creek Wilderness-Bonney Butte”, dated July 16,
20 2007, which is incorporated in, and considered to be
21 a part of, the Badger Creek Wilderness, as des-
22 ignated by section 3(3) of the Oregon Wilderness
23 Act of 1984 (16 U.S.C. 1132 note; 98 Stat. 273).

24 (2) BULL OF THE WOODS WILDERNESS ADDI-
25 TION.—Certain Federal land managed by the Forest

1 Service, comprising approximately 10,180 acres, as
2 generally depicted on the map entitled “Bull of the
3 Woods Wilderness-Bull of the Woods Additions”,
4 dated July 16, 2007, which is incorporated in, and
5 considered to be a part of, the Bull of the Woods
6 Wilderness, as designated by section 3(4) of the Or-
7 egon Wilderness Act of 1984 (16 U.S.C. 1132 note;
8 98 Stat. 273).

9 (3) CLACKAMAS WILDERNESS.—Certain Federal
10 land managed by the Forest Service, comprising ap-
11 proximately 9,470 acres, as generally depicted on the
12 maps entitled “Clackamas Wilderness-Big Bottom”,
13 “Clackamas Wilderness-Clackamas Canyon”,
14 “Clackamas Wilderness-Memaloose Lake”,
15 “Clackamas Wilderness-Sisi Butte”, and
16 “Clackamas Wilderness-South Fork Clackamas”,
17 dated July 16, 2007, which shall be known as the
18 “Clackamas Wilderness”.

19 (4) MARK O. HATFIELD WILDERNESS ADDI-
20 TIONS.—Certain Federal land managed by the For-
21 est Service, comprising approximately 25,960 acres,
22 as generally depicted on the maps entitled “Mark O.
23 Hatfield Wilderness-Gorge Face” and “Mark O.
24 Hatfield Wilderness-Larch Mountain”, dated July
25 16, 2007, which is incorporated in, and considered

1 to be a part of, the Mark O. Hatfield Wilderness, as
2 designated by section 3(1) of the Oregon Wilderness
3 Act of 1984 (16 U.S.C. 1132 note; 98 Stat. 273).

4 (5) MOUNT HOOD WILDERNESS ADDITIONS.—
5 Certain Federal land managed by the Forest Serv-
6 ice, comprising approximately 18,450 acres, as gen-
7 erally depicted on the maps entitled “Mount Hood
8 Wilderness-Barlow Butte”, “Mount Hood Wilder-
9 ness-Elk Cove/Mazama”, “Mount Hood Wilderness-
10 Richard L. Kohnstamm Memorial Area”, “Mount
11 Hood Wilderness-Sand Canyon”, “Mount Hood Wil-
12 derness-Sandy Additions”, “Mount Hood Wilder-
13 ness-Twin Lakes”, and “Mount Hood Wilderness-
14 White River”, dated July 16, 2007, and the map en-
15 titled “Mount Hood Wilderness-Cloud Cap”, dated
16 July 20, 2007, which is incorporated in, and consid-
17 ered to be a part of, the Mount Hood Wilderness,
18 as designated under section 3(a) of the Wilderness
19 Act (16 U.S.C. 1132(a)) and enlarged by section
20 3(d) of the Endangered American Wilderness Act of
21 1978 (16 U.S.C. 1132 note; 92 Stat. 43).

22 (6) ROARING RIVER WILDERNESS.—Certain
23 Federal land managed by the Forest Service, com-
24 prising approximately 36,550 acres, as generally de-
25 picted on the map entitled “Roaring River Wilder-

1 ness-Roaring River Wilderness”, dated July 16,
2 2007, which shall be known as the “Roaring River
3 Wilderness”.

4 (7) SALMON-HUCKLEBERRY WILDERNESS ADDI-
5 TIONS.—Certain Federal land managed by the For-
6 est Service, comprising approximately 16,620 acres,
7 as generally depicted on the maps entitled “Salmon-
8 Huckleberry Wilderness-Alder Creek Additions”,
9 “Salmon-Huckleberry Wilderness-Eagle Creek Addi-
10 tion”, “Salmon-Huckleberry Wilderness-Hunchback
11 Mountain”, “Salmon-Huckleberry Wilderness-Inch
12 Creek”, “Salmon-Huckleberry Wilderness-Mirror
13 Lake”, and “Salmon-Huckleberry Wilderness-Salm-
14 on River Meadows”, dated July 16, 2007, which is
15 incorporated in, and considered to be a part of, the
16 Salmon-Huckleberry Wilderness, as designated by
17 section 3(2) of the Oregon Wilderness Act of 1984
18 (16 U.S.C. 1132 note; 98 Stat. 273).

19 (8) LOWER WHITE RIVER WILDERNESS.—Cer-
20 tain Federal land managed by the Forest Service
21 and Bureau of Land Management, comprising ap-
22 proximately 2,870 acres, as generally depicted on the
23 map entitled “Lower White River Wilderness-Lower
24 White River”, dated July 16, 2007, which shall be
25 known as the “Lower White River Wilderness”.

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

2 Certain Federal land managed by the Forest Service,
3 as generally depicted on the map entitled “Mount Hood
4 Wilderness-Richard L. Kohnstamm Memorial Area”,
5 dated July 16, 2007, is designated as the “Richard L.
6 Kohnstamm Memorial Area”.

7 **SEC. 103. POTENTIAL WILDERNESS AREA; ADDITIONS TO**
8 **WILDERNESS AREAS.**

9 (a) ROARING RIVER POTENTIAL WILDERNESS
10 AREA.—

11 (1) IN GENERAL.—In furtherance of the pur-
12 poses of the Wilderness Act (16 U.S.C. 1131 et
13 seq.), certain Federal land managed by the Forest
14 Service, comprising approximately 900 acres identi-
15 fied as “Potential Wilderness” on the map entitled
16 “Roaring River Wilderness”, dated July 16, 2007, is
17 designated as a potential wilderness area.

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

22 (3) DESIGNATION AS WILDERNESS.—On the
23 date on which the Secretary publishes in the Federal
24 Register notice that the conditions in the potential
25 wilderness area designated by paragraph (1) are

1 compatible with the Wilderness Act (16 U.S.C. 1131
2 et seq.), the potential wilderness shall be—

3 (A) designated as wilderness and as a com-
4 ponent of the National Wilderness Preservation
5 System; and

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

8 (b) ADDITION TO THE MOUNT HOOD WILDER-
9 NESS.—On completion of the land exchange under section
10 202, certain Federal land managed by the Forest Service,
11 comprising approximately 1,710 acres, as generally de-
12 picted on the map entitled “Mount Hood Wilderness-Tilly
13 Jane”, dated July 20, 2007, shall be incorporated in, and
14 considered to be a part of, the Mount Hood Wilderness,
15 as designated under section 3(a) of the Wilderness Act
16 (16 U.S.C. 1132(a)) and enlarged by section 3(d) of the
17 Endangered American Wilderness Act of 1978 (16 U.S.C.
18 1132 note; 92 Stat. 43) and section 101(5).

19 (c) ADDITION TO THE SALMON-HUCKLEBERRY WIL-
20 DERNES.—On acquisition by the United States, the ap-
21 proximately 160 acres of land identified as “Land to be
22 acquired by USFS” on the map entitled “Hunchback
23 Mountain Land Exchange, Clackamas County”, dated
24 June 2006, shall be incorporated in, and considered to be
25 a part of, the Salmon-Huckleberry Wilderness, as des-

1 ignated by section 3(2) of the Oregon Wilderness Act of
2 1984 (16 U.S.C. 1132 note; 98 Stat. 273) and enlarged
3 by section 101(7).

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

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

9 (1) the Committee on Energy and Natural Re-
10 sources of the Senate; and

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

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

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

22 (d) DESCRIPTION OF LAND.—The boundaries of the
23 areas designated as wilderness by section 101 that are im-
24 mediately adjacent to a utility right-of-way or a Federal
25 Energy Regulatory Commission project boundary shall be

1 100 feet from the boundary of the right-of-way or the
2 project boundary.

3 **SEC. 105. ADMINISTRATION.**

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

9 (1) any reference in that Act to the effective
10 date shall be considered to be a reference to the date
11 of enactment of this Act; and

12 (2) any reference in that Act to the Secretary
13 of Agriculture shall be considered to be a reference
14 to the Secretary that has jurisdiction over the land
15 within the wilderness.

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

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

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

1 **SEC. 106. BUFFER ZONES.**

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

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

13 **SEC. 107. FISH AND WILDLIFE.**

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

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

17 As provided in section 4(d)(1) of the Wilderness Act
18 (16 U.S.C. 1133(d)(1)), within the wilderness areas des-
19 igned by this Act, the Secretary that has jurisdiction
20 over the land within the wilderness (referred to in this sec-
21 tion as the “Secretary”) may take such measures as are
22 necessary to control fire, insects, and diseases, subject to
23 such terms and conditions as the Secretary determines to
24 be desirable and appropriate.

1 **SEC. 109. WITHDRAWAL.**

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

5 (1) entry, appropriation, or disposal under the
6 public land laws;

7 (2) location, entry, and patent under the mining
8 laws; and

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

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

14 **SEC. 111. WILD AND SCENIC RIVER DESIGNATIONS, MOUNT**
15 **HOOD NATIONAL FOREST.**

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

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

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

24 (3) by designating the undesignated paragraph
25 relating to the Black Butte River, California, as
26 paragraph (168); and

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

2 “(170) SOUTH FORK CLACKAMAS RIVER.—The
3 4.2-mile segment of the South Fork Clackamas
4 River from its confluence with the East Fork of the
5 South Fork Clackamas to its confluence with the
6 Clackamas River, to be administered by the Sec-
7 retary of Agriculture as a wild river.

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

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

18 “(173) SOUTH FORK ROARING RIVER.—The
19 4.6-mile segment of the South Fork Roaring River
20 from its headwaters to its confluence with Roaring
21 River, to be administered by the Secretary of Agri-
22 culture as a wild river.

23 “(174) ZIG ZAG RIVER.—The 2.9-mile segment
24 of the Zig Zag River from its headwaters to the

1 Mount Hood Wilderness boundary, to be adminis-
2 tered by the Secretary of Agriculture as a wild river.

3 “(175) FIFTEENMILE CREEK.—

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

10 “(i) the 2.6-mile segment from its
11 source at Senecal Spring to the Badger
12 Creek Wilderness boundary, as a wild
13 river;

14 “(ii) the 0.4-mile segment from the
15 Badger Creek Wilderness boundary to the
16 point 0.4 miles downstream, as a scenic
17 river;

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

23 “(iv) the 0.2-mile segment from the
24 western edge of section 20, township 2
25 south, range 12 east, to the eastern edge

1 of the northwest quarter of the northwest
2 quarter of section 20, township 2 south,
3 range 12 east as a scenic river.

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

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

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

22 “(A) The 11.0-mile segment from the
23 headwaters of the East Fork Collawash River
24 to Buckeye Creek, as a scenic river.

1 “(B) The 6.8-mile segment from Buckeye
2 Creek to the Clackamas River, as a recreational
3 river.

4 “(178) FISH CREEK.—The 13.5-mile segment
5 of Fish Creek from its headwaters to the confluence
6 with the Clackamas River, to be administered by the
7 Secretary of Agriculture as a recreational river.”.

8 (b) EFFECT.—The amendments made by subsection
9 (a) do not affect valid existing water rights.

10 **SEC. 112. PROTECTION FOR HOOD RIVER, OREGON.**

11 Section 13(a)(4) of the “Columbia River Gorge Na-
12 tional Scenic Area Act” (16 U.S.C. 544k(a)(4)) is amend-
13 ed by striking “for a period not to exceed twenty years
14 from the date of enactment of this Act,”.

15 **Subtitle C—Mount Hood National**
16 **Recreation Area**

17 **SEC. 121. MOUNT HOOD NATIONAL RECREATION AREA.**

18 (a) DESIGNATION.—To provide for the protection,
19 preservation, and enhancement of recreational, ecological,
20 scenic, cultural, watershed, and fish and wildlife values,
21 there is established the Mount Hood National Recreation
22 Area within the Mount Hood National Forest.

23 (b) BOUNDARY.—The Mount Hood National Recre-
24 ation Area shall consist of certain Federal land managed
25 by the Forest Service and Bureau of Land Management,

1 comprising approximately 34,550 acres, as generally de-
2 picted on the maps entitled “National Recreation Areas-
3 Mount Hood NRA”, “National Recreation Areas-
4 Fifteenmile Creek NRA”, and “National Recreation
5 Areas-Shellrock Mountain”, dated February 2007.

6 (c) MAP AND LEGAL DESCRIPTION.—

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

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

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

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

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

25 (d) ADMINISTRATION.—

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

2 (A) administer the Mount Hood National
3 Recreation Area—

4 (i) in accordance with the laws (in-
5 cluding regulations) and rules applicable to
6 the National Forest System; and

7 (ii) consistent with the purposes de-
8 scribed in subsection (a); and

9 (B) only allow uses of the Mount Hood
10 National Recreation Area that are consistent
11 with the purposes described in subsection (a).

12 (2) APPLICABLE LAW.—Any portion of a wil-
13 derness area designated by subtitle A that is located
14 within the Mount Hood National Recreation Area
15 shall be administrated in accordance with the Wil-
16 derness Act (16 U.S.C. 1131 et seq.).

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

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

22 (A) maximizes the retention of large
23 trees—

24 (i) as appropriate to the forest type;

25 and

1 (ii) to the extent that the trees pro-
2 mote stands that are fire-resilient and
3 healthy;

4 (B) improves the habitats of threatened,
5 endangered, or sensitive species; or

6 (C) maintains or restores the composition
7 and structure of the ecosystem by reducing the
8 risk of uncharacteristic wildfire;

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

13 (3) for de minimus personal or administrative
14 use within the Mount Hood National Recreation
15 Area, where such use will not impair the purposes
16 established by this subtitle.

17 (f) ROAD CONSTRUCTION.—No new or temporary
18 roads shall be constructed or reconstructed within the
19 Mount Hood National Recreation Area except as nec-
20 essary—

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

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

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

5 (4) to prevent irreparable resource damage by
6 an existing road; or

7 (5) to rectify a hazardous road condition.

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

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

13 (2) location, entry, and patent under the mining
14 laws; and

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

17 (h) TRANSFER OF ADMINISTRATIVE JURISDIC-
18 TION.—

19 (1) IN GENERAL.—Administrative jurisdiction
20 over the Federal land described in paragraph (2) is
21 transferred from the Bureau of Land Management
22 to the Forest Service.

23 (2) DESCRIPTION OF LAND.—The land referred
24 to in paragraph (1) is the approximately 130 acres
25 of land administered by the Bureau of Land Man-

1 agement within or adjacent to the Mount Hood Na-
2 tional Recreation Area that is identified as “BLM
3 Lands” on the map entitled “National Recreation
4 Areas-Shellrock Mountain”, dated February 2007.

5 **Subtitle D—Protections for Crystal**
6 **Springs, Upper Big Bottom, and**
7 **Cultus Creek**

8 **SEC. 131. CRYSTAL SPRINGS WATERSHED SPECIAL RE-**
9 **SOURCES MANAGEMENT UNIT.**

10 (a) ESTABLISHMENT.—

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

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

1 (3) WITHDRAWAL.—

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

6 (i) entry, appropriation, or disposal
7 under the public land laws;

8 (ii) location, entry, and patent under
9 the mining laws; and

10 (iii) disposition under all laws per-
11 taining to mineral and geothermal leasing
12 or mineral materials.

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

16 (b) PURPOSES.—The purposes of the Management
17 Unit are—

18 (1) to ensure the protection of the quality and
19 quantity of the Crystal Springs watershed as a clean
20 drinking water source for the residents of Hood
21 River County, Oregon; and

22 (2) to allow visitors to enjoy the special scenic,
23 natural, cultural, and wildlife values of the Crystal
24 Springs watershed.

25 (c) MAP AND LEGAL DESCRIPTION.—

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

5 (A) the Committee on Energy and Natural
6 Resources of the Senate; and

7 (B) the Committee on Natural Resources
8 of the House of Representatives.

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

14 (3) PUBLIC AVAILABILITY.—The map and legal
15 description filed under paragraph (1) shall be on file
16 and available for public inspection in the appropriate
17 offices of the Forest Service.

18 (d) ADMINISTRATION.—

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

20 (A) administer the Management Unit—

21 (i) in accordance with the laws (in-
22 cluding regulations) and rules applicable to
23 units of the National Forest System; and

24 (ii) consistent with the purposes de-
25 scribed in subsection (b); and

1 (B) only allow uses of the Management
2 Unit that are consistent with the purposes de-
3 scribed in subsection (b).

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

15 (A) in any area located not more than 400
16 feet from structures located on—

17 (i) National Forest System land; or
18 (ii) private land adjacent to National
19 Forest System land;

20 (B) in any area located not more than 400
21 feet from the Cooper Spur Road, the Cloud Cap
22 Road, or the Cooper Spur Ski Area Loop Road;
23 and

24 (C) on any other National Forest System
25 land in the Management Unit, with priority

1 given to activities that restore previously har-
2 vested stands, including the removal of logging
3 slash, smaller diameter material, and ladder
4 fuels.

5 (3) PROHIBITED ACTIVITIES.—Subject to valid
6 existing rights, the following activities shall be pro-
7 hibited on National Forest System land in the Man-
8 agement Unit:

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

12 (B) Projects undertaken for the purpose of
13 harvesting commercial timber (other than ac-
14 tivities relating to the harvest of merchantable
15 products that are byproducts of activities con-
16 ducted to further the purposes described in sub-
17 section (b)).

18 (C) Commercial livestock grazing.

19 (D) The placement of new fuel storage
20 tanks.

21 (E) Except to the extent necessary to fur-
22 ther the purposes described in subsection (b),
23 the application of any toxic chemicals (other
24 than fire retardants), including pesticides,
25 rodenticides, or herbicides.

1 (e) FOREST ROAD CLOSURES.—

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

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

10 (f) PRIVATE LAND.—

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

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

16 (B) guests to the private property.

17 (2) COOPERATION.—The Secretary is encour-
18 aged to work with private landowners who have
19 agreed to cooperate with the Secretary to further the
20 purposes of this section.

21 (g) ACQUISITION OF LAND.—

22 (1) IN GENERAL.—The Secretary may acquire
23 from willing landowners any land located within the
24 area identified on the map as the “Crystal Springs
25 Zone of Contribution”.

1 (A) the Committee on Energy and Natural
2 Resources of the Senate; and

3 (B) the Committee on Natural Resources
4 of the House of Representatives.

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

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

14 (d) USE OF LAND.—

15 (1) IN GENERAL.—Subject to valid existing
16 rights, with respect to the Federal land described in
17 subsection (b), the Secretary shall only allow uses
18 that are consistent with the purposes identified in
19 subsection (a).

20 (2) PROHIBITED USES.—The following shall be
21 prohibited on the Federal land described in sub-
22 section (b):

23 (A) Permanent roads.

24 (B) Commercial enterprises.

1 (C) Except as necessary to meet the min-
2 imum requirements for the administration of
3 the Federal land and to protect public health
4 and safety—

5 (i) the use of motor vehicles; or

6 (ii) the establishment of temporary
7 roads.

8 (e) WITHDRAWAL.—Subject to valid existing rights,
9 the Federal land described in subsection (b) is withdrawn
10 from—

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

13 (2) location, entry, and patent under the mining
14 laws; and

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

17 **TITLE II—LAND EXCHANGES**

18 **Subtitle A—Cooper Spur-**

19 **Government Camp Land Exchange**

20 **SEC. 201. DEFINITIONS.**

21 In this subtitle:

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

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

4 (3) FEDERAL LAND.—The term “Federal land”
5 means the approximately 120 acres of National For-
6 est System land in the Mount Hood National Forest
7 in Government Camp, Clackamas County, Oregon,
8 identified as “USFS Land to be Conveyed” on the
9 exchange map.

10 (4) MT. HOOD MEADOWS.—The term “Mt.
11 Hood Meadows” means the Mt. Hood Meadows Or-
12 egon, Limited Partnership.

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

15 (A) the parcel of approximately 770 acres
16 of private land at Cooper Spur identified as
17 “Land to be acquired by USFS” on the ex-
18 change map; and

19 (B) any buildings, furniture, fixtures, and
20 equipment at the Inn at Cooper Spur and the
21 Cooper Spur Ski Area covered by an appraisal
22 described in section 202(d).

1 **SEC. 202. COOPER SPUR-GOVERNMENT CAMP LAND EX-**
2 **CHANGE.**

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

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

16 (c) CONDITIONS ON ACCEPTANCE.—

17 (1) TITLE.—As a condition of the land ex-
18 change under this section, title to the non-Federal
19 land to be acquired by the Secretary under this sec-
20 tion shall be acceptable to the Secretary.

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

25 (d) APPRAISALS.—

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

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

9 (A) the Uniform Appraisal Standards for
10 Federal Land Acquisitions; and

11 (B) the Uniform Standards of Professional
12 Appraisal Practice.

13 (e) SURVEYS.—

14 (1) IN GENERAL.—The exact acreage and legal
15 description of the Federal land and non-Federal land
16 shall be determined by surveys approved by the Sec-
17 retary.

18 (2) COSTS.—The responsibility for the costs of
19 any surveys conducted under paragraph (1), and any
20 other administrative costs of carrying out the land
21 exchange, shall be determined by the Secretary and
22 Mt. Hood Meadows.

23 (f) DEADLINE FOR COMPLETION OF LAND EX-
24 CHANGE.—It is the intent of Congress that the land ex-

1 change under this section shall be completed not later than
2 16 months after the date of enactment of this Act.

3 (g) RESERVATION OF EASEMENTS.—As a condition
4 of the conveyance of the Federal land, the Secretary shall
5 reserve—

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

12 (2) a trail easement to the Federal land that al-
13 lows—

14 (A) nonmotorized use by the public of ex-
15 isting trails;

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

18 (C) improvement or relocation of the trails
19 to accommodate development of the Federal
20 land.

21 **Subtitle B—Port of Cascade Locks** 22 **Land Exchange**

23 **SEC. 211. DEFINITIONS.**

24 In this subtitle:

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

5 (2) FEDERAL LAND.—The term “Federal land”
6 means the parcel of land consisting of approximately
7 10 acres of National Forest System land in the Co-
8 lumbia River Gorge National Scenic Area identified
9 as “USFS Land to be conveyed” on the exchange
10 map.

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

15 (4) PORT.—The term “Port” means the Port of
16 Cascade Locks, Cascade Locks, Oregon.

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

19 (a) CONVEYANCE OF LAND.—Subject to the provi-
20 sions of this section, if the Port offers to convey to the
21 United States all right, title, and interest of the Port in
22 and to the non-Federal land, the Secretary shall, subject
23 to valid existing rights, convey to the Port all right, title,
24 and interest of the United States in and to the Federal
25 land.

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

6 (c) CONDITIONS ON ACCEPTANCE.—

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

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

15 (d) APPRAISALS.—

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

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

23 (A) the Uniform Appraisal Standards for
24 Federal Land Acquisitions; and

1 (B) the Uniform Standards of Professional
2 Appraisal Practice.

3 (e) SURVEYS.—

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

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

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

17 **Subtitle C—Hunchback Mountain**
18 **Land Exchange and Boundary**
19 **Adjustment**

20 **SEC. 221. DEFINITIONS.**

21 In this subtitle:

22 (1) COUNTY.—The term “County” means
23 Clackamas County, Oregon.

24 (2) EXCHANGE MAP.—The term “exchange
25 map” means the map entitled “Hunchback Moun-

1 tain Land Exchange, Clackamas County”, dated
2 June 2006.

3 (3) FEDERAL LAND.—The term “Federal land”
4 means the parcel of land consisting of approximately
5 160 acres of National Forest System land in the
6 Mount Hood National Forest identified as “USFS
7 Land to be Conveyed” on the exchange map.

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

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

13 (a) CONVEYANCE OF LAND.—Subject to the provi-
14 sions of this section, if the County offers to convey to the
15 United States all right, title, and interest of the County
16 in and to the non-Federal land, the Secretary shall, sub-
17 ject to valid existing rights, convey to the County all right,
18 title, and interest of the United States in and to the Fed-
19 eral land.

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

25 (c) CONDITIONS ON ACCEPTANCE.—

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

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

9 (d) APPRAISALS.—

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

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

17 (A) the Uniform Appraisal Standards for
18 Federal Land Acquisitions; and

19 (B) the Uniform Standards of Professional
20 Appraisal Practice.

21 (e) SURVEYS.—

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

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

6 (f) DEADLINE FOR COMPLETION OF LAND EX-
7 CHANGE.—It is the intent of Congress that the land ex-
8 change under this section shall be completed not later than
9 16 months after the date of enactment of this Act.

10 **SEC. 223. BOUNDARY ADJUSTMENT.**

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

13 (1) any land conveyed to the United States
14 under section 222; and

15 (2) the land transferred to the Forest Service
16 by section 121(h)(1).

17 (b) ADDITIONS TO THE NATIONAL FOREST SYS-
18 TEM.—The Secretary shall administer the land described
19 in subsection (a)—

20 (1) in accordance with—

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

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

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

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

10 **Subtitle D—Conditions on** 11 **Development of Federal Land**

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

13 (a) REQUIREMENTS APPLICABLE TO THE CONVEY-
14 ANCE OF FEDERAL LAND.—

15 (1) IN GENERAL.—As a condition of each of the
16 conveyances of Federal land under this title, the
17 Secretary shall include in the deed of conveyance a
18 requirement that applicable construction activities
19 and alterations shall be conducted in accordance
20 with—

21 (A) nationally recognized building and
22 property maintenance codes; and

23 (B) nationally recognized codes for devel-
24 opment in the wildland-urban interface and
25 wildfire hazard mitigation.

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

6 (3) ENFORCEMENT.—The requirements under
7 paragraph (1) may be enforced by the same entities
8 otherwise enforcing codes, ordinances, and stand-
9 ards.

10 (b) COMPLIANCE WITH CODES ON FEDERAL
11 LAND.—The Secretary shall ensure that applicable con-
12 struction activities and alterations undertaken or per-
13 mitted by the Secretary on National Forest System land
14 in the Mount Hood National Forest are conducted in ac-
15 cordance with—

16 (1) nationally recognized building and property
17 maintenance codes; and

18 (2) nationally recognized codes for development
19 in the wildland-urban interface development and
20 wildfire hazard mitigation.

21 (c) EFFECT ON ENFORCEMENT BY STATES AND PO-
22 LITICAL SUBDIVISIONS.—Nothing in this section alters or
23 limits the power of the State or a political subdivision of
24 the State to implement or enforce any law (including regu-

1 lations), rule, or standard relating to development or fire
2 prevention and control.

3 **TITLE III—TRIBAL PROVISIONS;**
4 **PLANNING AND STUDIES**

5 **SEC. 301. TRANSPORTATION PLAN.**

6 (a) IN GENERAL.—The Secretary shall seek to par-
7 ticipate in the development of an integrated, multimodal
8 transportation plan developed by the Oregon Department
9 of Transportation for the Mount Hood region to achieve
10 comprehensive solutions to transportation challenges in
11 the Mount Hood region—

12 (1) to promote appropriate economic develop-
13 ment;

14 (2) to preserve the landscape of the Mount
15 Hood region; and

16 (3) to enhance public safety.

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

20 (1) transportation alternatives between and
21 among recreation areas and gateway communities
22 that are located within the Mount Hood region;

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

1 (3) establishing intermodal transportation cen-
2 ters to link public transportation, parking, and
3 recreation destinations;

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

7 (5) designating, maintaining, and improving al-
8 ternative routes using Forest Service or State roads
9 for—

10 (A) providing emergency routes; or

11 (B) improving access to, and travel within,
12 the Mount Hood region;

13 (6) the feasibility of establishing—

14 (A) a gondola connection that—

15 (i) connects Timberline Lodge to Gov-
16 ernment Camp; and

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

19 (B) an intermodal transportation center to
20 be located in close proximity to Government
21 Camp;

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

1 (8) creating mechanisms for funding the imple-
2 mentation of the transportation plan under sub-
3 section (a), including—

4 (A) funds provided by the Federal Govern-
5 ment;

6 (B) public-private partnerships;

7 (C) incremental tax financing; and

8 (D) other financing tools that link trans-
9 portation infrastructure improvements with de-
10 velopment.

11 **SEC. 302. MOUNT HOOD NATIONAL FOREST STEWARDSHIP**
12 **STRATEGY.**

13 (a) **IN GENERAL.**—The Secretary shall prepare a re-
14 port on, and implementation schedule for, the vegetation
15 management strategy (including recommendations for bio-
16 mass utilization) for the Mount Hood National Forest
17 being developed by the Forest Service.

18 (b) **SUBMISSION TO CONGRESS.**—

19 (1) **REPORT.**—Not later than 1 year after the
20 date of enactment of this Act, the Secretary shall
21 submit the report to—

22 (A) the Committee on Energy and Natural
23 Resources of the Senate; and

24 (B) the Committee on Natural Resources
25 of the House of Representatives.

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

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

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

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

11 (a) MANAGEMENT PLAN.—

12 (1) IN GENERAL.—The Secretary, in consulta-
13 tion with Indian tribes with treaty-reserved gather-
14 ing rights on land encompassed by the Mount
15 Hood National Forest and in a manner consistent
16 with the memorandum of understanding entered into
17 between the Department of Agriculture, the Bureau
18 of Land Management, the Bureau of Indian Affairs,
19 and the Confederated Tribes of the Warm Springs
20 Reservation of Oregon, dated April 25, 2003, as
21 modified, shall develop and implement a manage-
22 ment plan that meets the cultural foods obligations
23 of the United States under applicable treaties, in-
24 cluding the Treaty with the Tribes of Middle Oregon
25 of June 25, 1855 (12 Stat. 963).

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

5 (b) SAVINGS PROVISIONS REGARDING RELATIONS
6 WITH INDIAN TRIBES.—

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

13 (2) TRIBAL LAND.—Nothing in this Act affects
14 land held in trust by the Secretary of the Interior
15 for Indian tribes or individual members of Indian
16 tribes or other land acquired by the Army Corps of
17 Engineers and administered by the Secretary of the
18 Interior for the benefit of Indian tribes and indi-
19 vidual members of Indian tribes.

20 **SEC. 304. RECREATIONAL USES.**

21 (a) MOUNT HOOD NATIONAL FOREST REC-
22 REATIONAL WORKING GROUP.—The Secretary may estab-
23 lish a working group for the purpose of providing advice
24 and recommendations to the Forest Service on planning

1 and implementing recreation enhancements in the Mount
2 Hood National Forest.

3 (b) CONSIDERATION OF CONVERSION OF FOREST
4 ROADS TO RECREATIONAL USES.—In considering a For-
5 est Service road in the Mount Hood National Forest for
6 possible closure and decommissioning after the date of en-
7 actment of this Act, the Secretary, in accordance with ap-
8 plicable law, shall consider, as an alternative to decommis-
9 sioning the road, converting the road to recreational uses
10 to enhance recreational opportunities in the Mount Hood
11 National Forest.

12 (c) IMPROVED TRAIL ACCESS FOR PERSONS WITH
13 DISABILITIES.—The Secretary, in consultation with the
14 public, may design and construct a trail at a location se-
15 lected by the Secretary in Mount Hood National Forest
16 suitable for use by persons with disabilities.