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SENATE

{ REPORT
{ 113-307

OREGON AND CALIFORNIA LAND GRANT ACT

DECEMBER 11, 2014.—Ordered to be printed

Ms. LANDRIEU, from the Committee on Energy and Natural Resources, submitted the following

R E P O R T

[To accompany S. 1784]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 1784) to improve timber management on Oregon and California Railroad and Coos Bay Wagon Road grant land, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Oregon and California Land Grant Act of 2014”.

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

Sec. 101. Management of Oregon and California Railroad and Coos Bay Wagon Road grant land.

- “Sec. 1. Short title.
- “Sec. 2. Definitions.
- “Sec. 3. Land management.
- “Sec. 4. Aquatic and riparian protection.
- “Sec. 5. Notice of intent.
- “Sec. 6. Landscape prioritization plans.
- “Sec. 7. Objections; O&C administrative review process; judicial review.
- “Sec. 8. Moist Forestry Emphasis Area.
- “Sec. 9. Dry Forestry Emphasis Area.
- “Sec. 10. Conservation Emphasis Areas.
- “Sec. 11. Land management rationalization.
- “Sec. 12. Distribution of funds.

Sec. 102. Designation of wild and scenic rivers.

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.

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.

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, Oregon.
 Sec. 322. Technical corrections to the Wild and Scenic Rivers Act.

Subtitle D—Frank Moore Wild Steelhead Sanctuary

Sec. 331. Definitions.
 Sec. 332. Frank Moore Wild Steelhead Sanctuary, Oregon.

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

SEC. 101. MANAGEMENT OF OREGON AND CALIFORNIA RAILROAD AND COOS BAY WAGON ROAD GRANT LAND.

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

- (1) by redesignating sections 2, 4, and 5 (43 U.S.C. 1181b, 1181d, 1181e) as sections 13, 14, and 15, respectively; and
- (2) by striking the first section and inserting the following:

“SECTION 1. SHORT TITLE.

“This Act may be cited as the ‘Oregon and California Land Grant Act of 2014’.

“SEC. 2. DEFINITIONS.

“In this Act:

“(1) 80 YEAR OLD AGE CLASS.—The term ‘80 year old age class,’ following the common usage by the Bureau of Land Management, means a group of trees of which the average age of the dominant trees is 75 to 85 years old, comprising part of or an entire stand.

“(2) 90 YEAR OLD AGE CLASS.—The term ‘90 year old age class,’ following the common usage by the Bureau of Land Management, means a group of trees of which the average age of the dominant trees is 85 to 95 years old, comprising part of or an entire stand.

“(3) ADJACENT PRIVATE LAND.—The term ‘adjacent private land’ means any privately owned land that is—

“(A) contiguous to covered land as defined in this Act; or

“(B) situated so that it is reasonably necessary to use covered land as defined in this Act to access the privately owned land.

“(4) AGENCY ACTION.—The term ‘agency action’ has the meaning given the term in section 551 of title 5, United States Code.

“(5) ARCHEOLOGICAL SITE.—The term ‘archeological site’ means any district, site, building, structure, or object that is included, or eligible for inclusion, in the National Register under section 106 of the National Historic Preservation Act (16 U.S.C. 470f).

“(6) CONSERVATION EMPHASIS AREA.—The term ‘Conservation Emphasis Area’ means the lands allocated for various purposes in section 10, except for subsection (f), and generally depicted on the map entitled ‘O & C Land Grant Act of 2014: Conservation Emphasis Areas’ and dated November 3, 2014 and the lands generally depicted on the map entitled ‘O & C Land Grant Act of 2014:

Late Successional Old-Growth Forest Heritage Areas and dated November 3, 2014.

“(7) COVERED AGENCY ACTION.—The term ‘covered agency action’ means an agency action carried out by the Secretary, through the U.S. Bureau of Land Management or U.S. Fish and Wildlife Service, relating to the management of vegetation on covered land.

“(8) COVERED CIVIL ACTION.—The term ‘covered civil action’ means a civil action seeking judicial review of a covered agency action.

“(9) COVERED LAND.—The term ‘covered land’ means the approximately 2,800,000 acres of land designated as ‘Oregon and California Railroad and Coos Bay Wagon Road grant land’, generally depicted as ‘covered lands’ on the map entitled ‘O & C Land Grant Act of 2014’ and dated November 3, 2014, which includes the approximately 410,000 acres of the Public Domain and acquired lands in section 3(d), the approximately 72,000 acres of the reconveyed Coos Bay Wagon Road grant land that is under the jurisdiction of the Department, and the approximately 311,500 acres of final BLM land, formerly Forest Service and Army Corps of Engineers land, denoted in section 11 of this Act entitled ‘Land Management Rationalization’ all to be designated O&C lands; provided further any lands later acquired by the Secretary surrounding the area generally depicted on this map shall also be covered lands and designated O&C lands; and further provided that any lands otherwise intended to be accepted into the O&C lands land base also be considered ‘covered land’ by this Act.

“(10) DECOMMISSION.—The term ‘decommission’, with respect to a road, means to restore any natural drainage, watershed function, or other ecological process that has been disrupted or adversely impacted by the road by—

“(A) removing or hydrologically disconnecting the road prism;

“(B) reestablishing vegetation on the former road prism; and

“(C) using the best available science to restore the integrity and form of associated hill slopes, channels, and floodplains.

“(11) DEPARTMENT.—The term ‘Department’ means the Department of the Interior.

“(12) DRY FOREST EMPHASIS AREAS.—The term ‘Dry Forests’ means the land that is labeled as ‘Dry Forest’ on the map entitled ‘O & C Land Grant Act of 2014: Moist Forests and Dry Forests’ and dated November 3, 2014 and that is located within the area labeled as ‘Forestry Emphasis Area’ on the map entitled ‘O & C Land Grant Act of 2014: Forestry Emphasis Areas’ and dated November 3, 2014.

“(13) FOREST HEALTH.—The term ‘forest health’ means conditions that enable forested land—

“(A) to be durable, resilient, and less prone to uncharacteristic wildfire, insect, or pathogen events, while—

“(i) supporting ecosystem services and populations of native species;

and

“(ii) allowing for natural disturbances;

“(B) to maintain or develop species composition, ecosystem function and structure, hydrologic function, and sediment regimes that are within an acceptable range that considers—

“(i) historic variability; and

“(ii) anticipated future conditions.

“(14) FOREST MANAGEMENT.—The term ‘forest management’, with respect to the activities of adjacent private land owners, means any activity or plan reasonably necessary for the prudent management, upkeep, and use of forested land, including—

“(A) timber harvesting, thinning, reforestation, vegetation and pest management, and other silvicultural activities;

“(B) development and harvest of other forest resources and products;

“(C) fire prevention and suppression activities; and

“(D) installing, constructing, maintaining, improving, and reconstructing—

“(i) roads;

“(ii) landings;

“(iii) yarding corridors and wedges;

“(iv) guyline supports; and

“(v) tail holds for permanent or temporary use that are reasonably necessary for prudent land management.

“(15) LATE SUCCESSIONAL OLD-GROWTH FOREST.—The term ‘late successional old-growth forest’ means a stand of trees equal to or greater than $\frac{1}{4}$ acre in size and with a 90-year or older age class of trees as of the date of enactment of the Oregon and California Land Grant Act of 2014.

“(16) LEGACY TREE.—The term ‘legacy tree’ means a live tree that is determined to be equal to or greater than 150 years of age, or a dead tree that is estimated to have been 150 years or older when it died.

“(17) MOIST FORESTRY EMPHASIS AREA.—The term ‘Moist Forestry Emphasis Area’ means the land that is labeled as ‘Moist Forest’ on the map entitled ‘O & C Land Grant Act of 2014: Moist Forests and Dry Forests’ and dated November 3, 2014 and that is located within the area labeled as ‘Forestry Emphasis Areas’ on the map entitled ‘O & C Land Grant Act of 2014: Forestry Emphasis Areas’ and dated November 3, 2014, excluding the lands generally depicted on the map entitled ‘O & C Land Grant Act of 2014: Late Successional Old-Growth Forest Heritage Areas and dated November 3, 2014.

“(18) PLACE INTO STORAGE.—The term ‘place into storage’, with respect to a road, means—

“(A) to maintain the road in order to prevent resource damage; but

“(B) to alter the road to eliminate all vehicular traffic by—

“(i) for purposes of controlling erosion—

“(I) installing appropriate water control structures, such as water bars; or

“(II) ensuring the surface of the road slopes such that water quickly drains off the surface of the road;

“(ii) for purposes of preventing access by vehicles—

“(I) blocking the entrance of the road; and

“(II) scattering slash atop the road surface; and

“(iii) for purposes of restoring native vegetation—

“(I) scarifying lightly the surface of the road;

“(II) seeding the surface of the road, as needed; and

“(III) treating noxious weeds.

“(19) RESIDENCE.—The term ‘residence’ means a privately owned, permanent structure that is maintained for habitation as a dwelling or workplace.

“(20) SALMON.—The term ‘salmon’ means any of the wild *Oncorhynchus* species that occur in the State of Oregon.

“(21) SECRETARY.—The term ‘Secretary’ means the Secretary of the Interior, acting through the Director of the Bureau of Land Management, or her designee.

“(22) SITE-POTENTIAL TREE.—The term ‘site-potential tree’ means the average dominant tree, modeled at 200 years of age, for a given site class.

“(23) SOURCE WATER EMPHASIS AREA.—The term ‘Source Water Emphasis Area’ means the areas identified as Source Water Emphasis Area on the map entitled ‘O&C Land Grant Act of 2014: Source Water Emphasis Areas’ and dated November 3, 2014.

“(24) SUSTAINED YIELD.—The term ‘sustained yield’ means the definition of sustained yield under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) applying the ecological forestry principles and other provisions of this Act.

“(25) TIMBER-BY-PRODUCT.—The term ‘timber-by-product’ means timber produced as a consequence of vegetative treatments or other management actions undertaken solely to achieve ecological goals.

“(26) TREE TIPPING AND TREE FELLING ACTIVITY.—The term ‘tree tipping and tree felling activity’ means any activity relating to the intentional felling and placement of a tree in a stream or on the forest floor during a timber harvest operation for the purposes of fish or stream or riparian habitat improvement.

“(27) VEGETATION MANAGEMENT PROJECT.—The term ‘vegetation management project’ means an activity carried out on covered land that involves the cutting of vegetation to achieve the purposes of this Act.

“SEC. 3. LAND MANAGEMENT.

“(a) IN GENERAL.—Notwithstanding the Act of June 9, 1916 (39 Stat. 218, chapter 137), and the Act of February 26, 1919 (40 Stat. 1179, chapter 47), any portion of the revested Oregon and California Railroad grant land or the reconveyed Coos Bay Wagon Road grant land that is under the jurisdiction of the Department, here to for part of the covered land as defined in this Act, shall be managed in accordance with this Act.

“(b) MANAGEMENT.—The purposes of lands managed through this Act are to provide collectively certainty and economic stability for local communities and industries, fish and wildlife benefits, improved ecological and hydrological function and health, improved forest health, municipal and community drinking water, permanent forest production for identified forestry areas, protection of watersheds and regulation of stream flow, and recreational opportunities.

“(c) APPLICABILITY OF SURVEY AND MANAGE REQUIREMENTS UNDER THE NORTHWEST FOREST PLAN.—The document entitled ‘Northwest Forest Plan Survey and Manage Mitigation Measure Standard and Guidelines’ shall not apply to any—

“(1) Dry Forestry Emphasis Area; or

“(2) Moist Forestry Emphasis Area.

“(d) PUBLIC DOMAIN AND ACQUIRED LAND, COOS BAY WAGON ROAD LANDS, AND LAND MANAGEMENT RATIONALIZATION LANDS.—Any Federal public land generally depicted as ‘covered lands’ on the map entitled ‘O & C Land Grant Act of 2014’ and dated November 3, 2014, that is not designated as Oregon and California Railroad grant lands under the Act of August 28, 1937 (43 U.S.C. 1181a et seq.), as of the date of enactment of the Oregon and California Land Grant Act of 2014 shall be designated as Oregon and California Railroad grant lands and managed as covered land under this Act.

“(e) RESTRICTIONS REGARDING LATE SUCCESSIONAL OLD GROWTH FOREST AND LEGACY TREES.—

“(1) IN GENERAL.—The Secretary may not cut or remove late successional old-growth forests within any land designated under section 4(a)(3)(A) and (B), section 8, within the Late Successional Old Growth Heritage Forest Reserve or section 10 of this Act, allowing action—

“(A) for public safety purposes; or

“(B) to fulfill existing obligations pursuant to agreements affecting adjacent private lands.

“(2) FOREST MANAGEMENT OF LEGACY TREES.—

“(A) IN MOIST FORESTS.—(i) Legacy trees shall not be cut in areas designated under section 4(a)(3)(A) and (B), allowing action for—

“(I) safety purposes; or

“(II) tree tipping and felling activities.

“(ii) When legacy trees are located within a Moist Forest Emphasis Area the Secretary shall, to the greatest extent practicable, protect legacy trees by using them to meet the retention requirements applicable under section 8.

“(B) IN DRY FORESTS.—When legacy trees are located within a Dry Forest Emphasis Area the Secretary shall where appropriate protect legacy trees by using trees to meet the retention requirements applicable under section 9.

“(f) COMPLIANCE WITH EXISTING LAWS.—Nothing in this Act modifies any obligation—

“(1) of the Secretary to prepare or implement a land use plan in accordance with section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712);

“(2) under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

“(3) under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

or

“(4) under other law, except as expressly provided in this Act in regard to other law.

“(g) EFFECT ON PREVIOUS DESIGNATIONS.—If there is a conflict between any portion of this Act and land protection designations included in the National Landscape Conservation System or boundaries for such designations, the more protective provision shall control.

“(h) ADJACENT PRIVATE LAND LANDOWNER ACTIONS.—

“(1) IN GENERAL.—Without a permit from the Secretary, a person may enter and treat adjacent Federal land in a Dry or Moist Forestry Emphasis Area that is located within 100 feet of the residence of that person if—

“(A) the residence is in existence on the date of enactment of the Oregon and California Land Grant Act of 2014;

“(B) the treatment is carried out at the expense of the person;

“(C) the person notifies the Secretary of the intent to treat that land; and

“(D) the Secretary has adequate supervisory, monitoring, and enforcement resources to ensure that the person carries out the treatment activities in accordance with paragraph (3).

“(2) NOTICE.—

“(A) IN GENERAL.—Not less than 30 days before beginning to treat land described in paragraph (1), the person shall notify, in writing, the Secretary of the intention of that person to treat that land.

“(B) ADDITIONAL NOTIFICATION.—The person shall also notify the Secretary not less than 14 days before beginning the treatment.

“(C) COMMENCEMENT.—On receiving a notification to treat land under paragraph (h), the Secretary, if the requirements of paragraph (1)(D) are

satisfied, shall inform the person of the treatment requirements in paragraph (3).

“(3) TREATMENT.—A person treating land described in paragraph (1) shall carry out the treatment in accordance with the following requirements:

“(A) No dead tree, nest tree, legacy tree, or tree greater than 16 inches in diameter shall be cut.

“(B) No herbicide or insecticide application shall be used.

“(C) Vegetation shall be cut so that—

“(i) less flammable species are favored for retention; and

“(ii) the adequate height and spacing between bushes and trees are maintained.

“(D) Any residual trees shall be pruned—

“(i) to a height of the lesser of 10 feet or 50 percent of the crown height of the tree; and

“(ii) so that all parts of the tree are at not less than 10 feet away from the residence.

“(E) All slash created from treatment activities under this subparagraph shall be removed or treated not later than 60 days after the date on which the slash is created.

“(F) Any material of commercial value generated by the activity authorized in paragraph (1) is the property of the United States.

“(i) REDESIGNATIONS OF MOIST FORESTRY EMPHASIS AREA AND DRY FORESTRY EMPHASIS AREA LANDS.—

“(1) AUTHORIZATION TO REDESIGNATE.—

“(A) EVALUATION REQUIRED.—Not later than 5 years after the date of enactment of the Oregon and California Land Grant Act of 2014 and every 5 years thereafter, the Secretary—

“(i) shall evaluate the initial assignments of ‘Dry Forest’ and ‘Moist Forest’ on the map entitled ‘O&C Land Grant Act of 2014: Moist Forest and Dry Forest’ and dated November 3, 2014, and

“(ii) may, as the Secretary determines to be necessary and in accordance with the criteria described in paragraph (2)—

“(I) redesignate Moist Forestry Emphasis Area land as Dry Forestry Emphasis Area land; and

“(II) redesignate Dry Forestry Emphasis Area land as Moist Forestry Emphasis Area land.

“(B) FIELD EXAMINATION.—In addition to adjustments authorized under subparagraph (A), the Secretary may adjust dry and moist forest assignments in specific locations within a vegetation management project based on an on-the-ground field examination by the Secretary.

“(2) CRITERIA.—

“(A) IN GENERAL.—In redesignating land as Moist Forestry Emphasis Area or Dry Forestry Emphasis Area, the Secretary shall use the criteria described in this paragraph.

“(B) MOIST FORESTRY EMPHASIS AREA.—For purposes of this subsection, land in the Moist Forestry Emphasis Area generally—

“(i)(I) would have historically experienced infrequent wildfires at intervals that are greater than 100 years; and

“(II) these wildfires would have included significant areas of partial or complete stand-replacement intensity; and

“(ii) dominated by 1 or more of the following plant association groups:

“(I) The Western Hemlock (*Tsuga heterophylla*) series.

“(II) The Sitka Spruce (*Picea sitchensis*) series.

“(III) The Western Red cedar (*Thuja plicata*) series.

“(IV) The Pacific Silver Fir (*Abies amabilis*) series.

“(V) The Mountain Hemlock (*Tsuga mertensiana*) series.

“(VI) The Subalpine Fir-Engelmann Spruce (*Abies lasiocarpa-Picea engelmannii*) series.

“(VII) The Tanoak (*Lithocarpus densiflorus*) series.

“(VIII) The Moist Grand Fir (*Abies grandis*) plant association group.

“(IX) The Moist White Fir (*Abies concolor*) plant association group.

“(C) DRY FORESTRY EMPHASIS AREA.—For purposes of this subsection, land in the Dry Forestry Emphasis Area generally—

“(i)(I) would have historically experienced relatively frequent wildfires; and

“(II) these wildfires would have been predominantly low or mixed in severity; and

“(ii) dominated by 1 or more of the following plant association groups:

“(I) The Moist Grand Fir (*Abies grandis*) plant association group.

“(II) The Moist White Fir (*Abies concolor*) plant association group.

“(III) The Ponderosa Pine (*Pinus ponderosa*) series.

“(IV) The Oregon White Oak (*Quercus garryana*) series.

“(V) The Douglas-fir (*Pseudotsuga menziesii*) series.

“(VI) The Jeffrey Pine (*Pinus jeffreyi*) series.

“(VII) The Dry Grand Fir (*Abies grandis*) plant association group.

“(VIII) The Dry White Fir (*Abies concolor*) plant association group.

“(D) MIXED FORESTS.—

“(i) IN GENERAL.—For purposes of this subsection, the Secretary may consider land that contains a Moist Grand Fir or a Moist White Fir plant association group as Moist Forestry Emphasis Area or Dry Forestry Emphasis Area based on the condition of the land, landscape context, or management goals.

“(ii) MIXED FORESTS.—For land that meets criteria under both subparagraphs (B) and (C), the Secretary may choose to categorize the land as either Moist Forestry Emphasis Area or Dry Forestry Emphasis Area to align with the designations of adjacent covered land.

“(3) PUBLIC COMMENT.—In carrying out subsection (i)(1)(A), the Secretary shall provide the public a period of not less than 60 days to comment on a proposed redesignation of land.

“(j) EXISTING RIGHTS.—Notwithstanding any other section of this Act, nothing in this Act—

“(1) affects any private ownership or rights, including rights-of-way and reciprocal rights-of-way agreements, tail hold agreements, permits, easement obligations, and tribal treaty rights; or

“(2) affects the ability or process under which the Secretary can grant new permissions or terminates any valid existing lease, permit, patent, agreement, or other right of authorization, including new permissions for an existing lease, permit, patent, agreement, or other right of authorization for forest management activities, upon enactment of the Oregon and California Land Grant Act of 2014.

“(k) JURISDICTION.—Nothing in this Act affects the jurisdiction of the State of Oregon with respect to the management of fish and wildlife on public land in the State.

“(l) PESTICIDE USE AND FIRE PROTECTION.—

“(1) PESTICIDES MAY BE USED WITHIN THE COVERED LAND, IF THE USE—

“(A) is limited to plants listed by the Oregon Department of Agriculture as invasive plants;

“(B) is part of an integrated pest management plan; and

“(C) is restricted to the use of various ground-based systems that are designed to target only invasive plants.

“(2) The Secretary and the State of Oregon shall develop an agreement to provide fire protection on the covered lands, renegotiable every 5 years after the date of enactment to reassess fire protection needs.

“(m) SPECIAL MANAGEMENT AND RESEARCH AREAS.—

“(1) IN GENERAL.—The Secretary shall designate 50,000 acres across 2 to 5 sites in the covered land to include moist forests and dry forests, as generally depicted on the map entitled ‘O&C Land Grant Act of 2014: Moist Forest and Dry Forest’ and dated November 3, 2014, to be managed by the Secretary in consultation and coordination with Oregon State University as agreed to through a memorandum of understanding as special management and research areas in accordance with the criteria described in paragraph (2).

“(2) CRITERIA.—In designating land as special management and research areas under paragraph (1), the Secretary shall designate—

“(A) land that is designated as ‘Forestry Emphasis Areas’ on the map described in paragraphs (12) and (17) of section 2;

“(B) land, to the maximum extent practicable, contiguous to other land designated under paragraph (1);

“(C) land within close proximity of other land designated under paragraph (1);

“(D) land located within 150 miles of the main campus of Oregon State University in Corvallis, Oregon; and

“(E) land selected in consultation with Oregon State University.

“(3) AUTHORIZED PROJECTS.—Land designated under paragraph (1) shall be used by institutions of higher education, primarily in the State of Oregon, for the conduct of research projects and demonstration projects that address—

“(A) increasing social awareness and knowledge of the environmental, social, and economic impacts on the implementation of ecological forestry on public land;

“(B) improving the health of rural communities and citizens;

“(C) reducing uncharacteristic fires and the degradation of ecosystem health;

“(D) increasing conservation with a landscape approach;

“(E) relative to the retention requirements at variable retention harvest, half of the Moist Forestry Emphasis Area will be managed under section 8(b)(4)(E) and half will be managed as under section 8(b)(2)(c); and

“(F) understanding and conducting research on riparian reserve approaches authorized under this Act.

“(4) MONITORING.—Work performed on land designated under paragraph (1) shall include pre- and post-treatment monitoring on the land.

“(5) INSTITUTIONS OF HIGHER EDUCATION.—At least 10 percent of the authorized projects conducted annually under this subsection shall be conducted by an institution of higher education other than Oregon State University.

“(6) MINIMUM ACREAGE.—

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

“(B) FAILURE TO TREAT.—If the minimum acreage under subparagraph (A) is not treated for two 5-year periods during a 20-year period, management of the land designated under paragraph (1) shall revert to management by the Secretary.

“(7) REVIEW.—The Secretary shall—

“(A) review and decide whether to permit each proposed treatment to be conducted as part of an authorized project under this subsection; and

“(B) review for adequacy the documentation required to be prepared for each treatment.

“(8) CALCULATION.—The Secretary shall estimate—

“(A) the quantity of timber that can be produced in the sustained yield base from the Moist Forestry Emphasis Area, not including riparian reserves established under section 4, late successional old-growth forest reserves and other reserves; and

“(B) the quantity of timber-by-product from the Moist Forestry Emphasis Area, including riparian reserves established under section 4, and the portions of the Dry Forest Emphasis Area covered by this section.

“(n) TRANSITION.—

“(1) IN GENERAL.—During the period beginning on the date of enactment of the Oregon and California Land Grant Act of 2014 and ending 90 days after the date on which the record of decision is completed under section 6, a transition period shall be in effect in accordance with this section.

“(2) MANAGEMENT.—

“(A) EXISTING CONTRACTS.—Any timber sale or agreement to perform work on covered land that was entered into by the Secretary before the date of enactment of the Oregon and California Land Grant Act of 2014 shall remain binding and effective according to the terms of the contract.

“(B) PENDING TIMBER SALES.—Timber sales for which review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) has been completed or will be completed not later than 90 days following the date of enactment of the Oregon and California Land Grant Act of 2014 shall continue as planned.

“(C) INTERIM PROJECTS.—The Secretary may conduct vegetation management projects on the covered land during the transition period on the conditions that the vegetation management projects—

“(i) comply with the designations and requirements of this Act; and

“(ii) are reviewed pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), outside of the process described in section 7.

“(D) ADMINISTRATION.—The Secretary shall seek to make such accommodations as are necessary to avoid interfering with the performance of a timber sale or work agreement described in paragraph (1) or (2).

“(3) SPECIAL ADMINISTRATIVE REVIEW PROCESS.—The procedures established under section 105 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6515) shall be the only process to administratively challenge projects during the transition period.

“SEC. 4. Aquatic and Riparian Protection.

“(a) AQUATIC CONSERVATION STRATEGY.—

“(1) IN GENERAL.—The Secretary shall carry out the Aquatic Conservation Strategy incorporated in its entirety by reference for covered lands as set forth in the Northwest Forest Plan 1994 Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl, (hereinafter ‘NWFP’ and its Standards and Guidelines in Attachment A to the 1994 Record of Decision (hereinafter referred to as ‘Aquatic Conservation Strategy’), and as modified herein.

“(2) PROGRAM COMPONENTS MODIFIED.—In addition to those program components contained in the Aquatic Conservation Strategy of the NWFP, the aquatic conservation strategy under paragraph (1) shall also incorporate provisions for watershed analysis in accordance with paragraph (2)(A), and riparian reserve establishment and management within the Moist Forestry Emphasis Area or Dry Forestry Emphasis Area but that are not within Source Water Emphasis Areas or within Key Watersheds designated in the Aquatic Conservation Strategy in accordance with paragraph (3).

“(A) WATERSHED ANALYSIS.—

“(i) The Secretary shall develop appropriate management actions for a watershed, including adjustment of riparian reserve widths under subsection (b)(3)(A)(ii); and

“(ii) Within 90 days and via a contractor if necessary, determine the ecological importance of streams in the covered area using the following criteria:

“(I) The importance of the streams to salmonid and other native aquatic species.

“(II) The potential impacts of thermal loading.

“(III) The presence of areas of high erosion potential.

“(IV) The potential for the delivery and deposition of sediment and wood from upslope sources.

“(B) VEGETATION MANAGEMENT.—Vegetative management projects undertaken in riparian reserves or vegetative management projects or harvest undertaken in the outer riparian zone shall not cut or harvest trees in the 90-year-age class or above.

“(3) ESTABLISHMENT AND ACTIVITIES WITHIN ONE SITE-POTENTIAL TREE HEIGHT OF STREAMS WITHIN FOREST EMPHASIS AREAS AS VARIATIONS ON SECTION 4(A).—

“(A) RIPARIAN RESERVE.—

“(i) IN GENERAL.—The Secretary shall establish within Forestry Emphasis Areas described in paragraph (2)(A) riparian reserves in accordance with clause (ii).

“(ii) WIDTHS.—The widths of a riparian reserve established under clause (i) shall be as follows:

“(I) 1 site-potential tree or 150-foot slope distance, whichever is greater, from a fish-bearing stream of great ecological importance, as determined by the Secretary.

“(II) 1 site-potential tree or 150-foot slope distance, whichever is greater, from a nonfish-bearing stream of great ecological importance, as determined by the Secretary

“(III) 100-foot slope distance from a fish-bearing stream that is not a stream described in subclauses (I) and (II).

“(IV) 50-foot slope distance from a nonfish-bearing stream that is not a stream described in subclauses (I) and (II).

“(iii) FOREST MANAGEMENT ACTIVITIES.—The ecological forestry practices established in sections 8 and 9 of this Act shall apply the riparian reserves established in clause (ii) and the riparian management of section 4 of this Act.

“(B) OUTER RIPARIAN ZONES.—

“(i) ESTABLISHMENT AND MANAGEMENT OF THE OUTER RIPARIAN ZONE.—

“(I) IN GENERAL.—The outer riparian zone is the area between the riparian reserve established in clause (A)(ii) and one site-potential tree height.

“(II) MANAGEMENT.—The Secretary may carry out harvest in areas in the outer riparian zones using the standards for ecological forestry in Forestry Emphasis Areas subject to section 4(a)(3)(D) and other relevant provisions of this Act.

“(C) TREE-TIPPING AND TREE FELLING ACTIVITIES.—When harvesting timber within the outer riparian zone, the Secretary shall employ tree tipping

and tree felling activities during the harvest to maintain wood recruitment to adjacent streams.

“(D) TREE RETENTION LEVELS IN AQUATIC AREAS.—Not later than 60 days after the date of enactment of the Oregon and California Land Grant Act of 2014, the Secretary, in consultation with the Director of the United States Fish and Wildlife Service, the Administrator of the National Oceanic and Atmospheric Administration, the Director of the United States Geological Survey and the Administrator of the Environmental Protection Agency, shall establish minimum live and dead tree retention levels for thinning and other vegetation management projects consistent with the goals identified in subsection (a)(1).

“(4) MANAGEMENT ACTIVITIES FOR CONSERVATION AREA RIPARIAN RESERVES, KEY WATERSHEDS & SOURCE WATER EMPHASIS AREAS.—Riparian reserves and reserve widths within the Conservation Emphasis Areas, source water emphasis areas, and Key Watersheds shall be managed to carry out the Aquatic Conservation Strategy as set forth in subsection (a)(1) without modifications set forth in subsection (a)(2).

“(5) ADJUSTMENT OF RIPARIAN RESERVE WIDTHS AND MANAGEMENT.—

“(A) IN GENERAL.—Not earlier than 5 years after the date of enactment of the Oregon and California Land Grant Act of 2014, and not more frequently than once each 5 years thereafter, the Secretary may adjust the riparian reserve widths established under paragraph (1), as well as the size of designated key watersheds, subject to the advice of the scientific committee established under subparagraph (B).

“(B) SCIENTIFIC COMMITTEE.—

“(i) ESTABLISHMENT.—The Secretary shall establish a scientific committee made up of scientific and land management expertise to determine whether the riparian reserve widths and management should be adjusted to better attain the goals and objectives of the Aquatic Conservation Strategy.

“(ii) OUTSIDE MEMBERSHIP.—In addition to not more than 6 representatives of the Federal Government (including 1 representative of each of the Bureau of Land Management, the National Oceanic and Atmospheric Administration, the United States Geological Survey, the Environmental Protection Agency, the United States Forest Service, and the United States Fish and Wildlife Service), the scientific committee shall include 6 individuals, to be appointed by the Secretary, who—

“(I) are not full-time employees of the Federal Government; and

“(II) have expertise relating to aquatic and riparian ecosystems, as demonstrated by—

“(aa) an advanced degree in a related field; and

“(bb) subsequent relevant work experience.

“(iii) DUTIES.—The scientific committee shall make recommendations regarding whether the riparian reserve widths and management should be adjusted on individual bodies of water, and submit said recommendations to the Secretary in a report, taking into consideration—

“(I) the criteria listed in section 4(a)(2)(A)(ii);

“(II) additional criteria deemed appropriate;

“(III) new scientific information and understanding; and

“(IV) the need to manage covered lands per section 3(b).

“(iv) PUBLIC REVIEW & COMMENT.—On receipt of the report under clause (iii), the Secretary shall—

“(I) make the report available to the public; and

“(II) provide a period of not less than 60 days for public comment regarding the recommendations contained in the report.

“(v) DECISION TO ADJUST.—After taking into consideration the report under clause (iii) and any public comments received under clause (iv)(II), the Secretary may adjust the riparian reserve width—

“(I) taking into consideration the recommendations included in the report, and the public comments; and

“(II) if the Secretary determines that the adjustment meet the aquatic goals established in the Aquatic Conservation Strategy under paragraph (a)(1) and would be in the public interest.

“(b) ROADS.—

“(1) IN GENERAL.—Except as provided in sections 3(e) and 3(j) of this Act, and paragraph (2) of this subsection, the Secretary shall not construct a road inside a riparian reserve.

“(2) EXCEPTIONS.—

“(A) TEMPORARY ROADS.—The Secretary may construct a temporary road to enter a riparian reserve, including crossing a stream where necessary, to complete a vegetation management project, if—

- “(i) there is no existing road system that can be used;
- “(ii) it is not possible to construct a road outside of the riparian reserve;
- “(iii) the temporary road is decommissioned no more than 2 years after it is constructed or and the project for which it was constructed is completed, whichever comes first; and
- “(iv) any significant potential adverse impacts from the construction of any temporary road do not persist more than 1 year after the temporary road is decommissioned.

“(B) PERMANENT ROADS.—The Secretary may realign an existing road permanently inside a riparian reserve, including the replacement of stream crossings, if the Secretary determines that the realignment will maintain, restore, or improve aquatic or riparian ecosystems and water quality.

“(c) STREAM IMPROVEMENT WORK.—

“(1) IN GENERAL.—The Secretary may conduct certain activities on the covered land in accordance with this subsection.

“(2) PERMITTED ACTIVITIES.—

“(A) TREE TIPPING AND FELLING ACTIVITIES.—During a vegetation management project, the Secretary may carry out tree tipping and tree felling activities within the riparian reserves in Dry Forestry Emphasis Areas or Moist Forestry Emphasis Areas as the Secretary determines necessary to improve habitat for aquatic species.

“(B) WOODY DEBRIS AUGMENTATION.—The Secretary shall annually, subject to appropriations, use not less than \$1,000,000, indexed for inflation, of amounts made available under section 12(c) to transport and place large trees in streams on Federal, State, or private land to improve fish habitat.

“(C) NATIVE VEGETATION.—Within riparian reserves, the Secretary may only plant vegetation that is native to the site.

“(D) CULVERT REPLACEMENT.—The Secretary may replace a culvert that impedes the passage of fish or is unable to withstand a 100-year flood event.

“(3) ACTIVITIES CATEGORICALLY EXCLUDED FROM REVIEW.—Except as provided in paragraph (4), each activity described in paragraph (2) shall be—

“(A) considered an action categorically excluded from review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or section 1508.4 of title 40, Code of Federal Regulations (or a successor regulation); and

“(B) exempt from administrative review.

“(4) EXCLUSION OF CERTAIN AREAS.—Paragraph (3) does not apply to any activity located in—

- “(A) a component of the National Wilderness Preservation System;
- “(B) a component of the National Wild and Scenic Rivers System;
- “(C) lands with wilderness characteristics as defined in the Bureau of Land Management Manual provisions 6310 and 6320; or
- “(D) a Conservation Emphasis Area established by section 10 if the activity would be inconsistent with the purposes and values for which the area was established.

“SEC. 5. NOTICE OF INTENT.

“(a) IN GENERAL.—Not later than 30 days after the date of enactment of the Oregon and California Land Grant Act of 2014, and every 5 years thereafter the Secretary shall publish in the Federal Register a notice of intent to prepare—

- “(1) the landscape prioritization plan; and
- “(2) the draft comprehensive environmental impact statements required under section 6(g)(2).

“(b) PUBLIC COMMENT.—During the 45-day period beginning on the date of publication of the notice of intent under subsection (a), the Secretary shall solicit public comments regarding—

- “(1) the scope and content of the documents described in subsection (a); and
- “(2) the impacts that the Secretary should analyze regarding the alternatives in the draft comprehensive environmental impact statements described in subsection (a)(2).

“(c) COORDINATION WITH PREPARATION OF LAND USE PLANS.—The Secretary shall include the notice of intent in the development or revision of a land use plan required under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712) for the covered land or shall amend the land use plan required

under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712) for the covered land.

“(d) INITIATION OF EARLY PLANNING AND CONSULTATION AGREEMENT.—Not later than 30 days after the date on which a notice of intent is published under subsection (a), the Secretary of the Interior, the Secretary of Commerce, and the Administrator of the U.S. Environmental Protection Agency shall—

“(1) enter into an early planning and consultation agreement, including timeliness, regarding the development of information, data and/or documents required to carry out this Act with—

- “(A) the United States Fish and Wildlife Service;
- “(B) the National Oceanic and Atmospheric Administration;
- “(C) the Environmental Protection Agency; and
- “(D) the U.S. Geological Survey; and

“(2) invite to serve as cooperating agencies or to provide comments regarding the notice of intent—

- “(A) the State of Oregon;
- “(B) Federally recognized Indian tribes with ancestral land or officially ceded lands in the covered land; and
- “(C) affected units of local government.

“SEC. 6. LANDSCAPE PRIORITIZATION PLANS.

“(a) IN GENERAL.—Not later than 270 days after the date of enactment of the Oregon and California Land Grant Act of 2014, and every 5 years thereafter the Secretary, shall develop and make available to the public a landscape prioritization plan, which shall prioritize vegetation management projects and describe activities to be performed and areas to be established to satisfy landscape-related needs in the covered land—

“(1) as a part of the development or revision of a land use plan required under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712) for the covered land; and

“(2) implement the landscape prioritization plan required in this section through the comprehensive environmental impact statements regardless of whether a revision of that land use plan has been completed.

“(b) COORDINATION.—The Secretary shall develop the landscape prioritization plan under this section under the agreement entered into under section 5(d) in coordination with the Director of the United States Fish and Wildlife Service and the Administrator of the National Oceanic and Atmospheric Administration to ensure that the landscape prioritization plan complies with the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) and in coordination with the State of Oregon to ensure compliance with water quality standards adopted under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

“(c) COMPONENTS.—

“(1) PROJECTS IN MOIST FORESTRY EMPHASIS AREA.—

“(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall identify the locations of the vegetation management projects that the Secretary proposes to conduct in the Moist Forestry Emphasis Area for the length of each Landscape Prioritization Plan.

“(B) REQUIREMENTS.—

“(i) IN GENERAL.—For each consecutive 5-year period during the period described in subparagraph (A), the Secretary shall plan to conduct—

“(I) variable retention harvest consistent with this Act across stands that comprise 4 to 6 percent of the Moist Forestry Emphasis Area, subject to clause (ii); and

“(II) thinning activities consistent with this Act across stands in Moist Forest Emphasis Area

“(ii) VEGETATION MANAGEMENT PROJECTS.—The locations of the proposed vegetation management projects under clause (i)(I) shall be distributed across the Bureau of Land Management districts, to the extent practicable.

“(2) PROJECTS IN DRY FORESTRY EMPHASIS AREA.—The Secretary shall identify the locations of the vegetation management projects consistent with ecological forestry principles the Secretary proposes to conduct in the Dry Forestry Emphasis Area for each consecutive length of the Landscape Prioritization Plan beginning on the date of enactment of the Oregon and California Land Grant Act of 2014.

“(3) PROJECTS IN CONSERVATION EMPHASIS AREA.—The Secretary shall identify the locations of vegetation management projects, including habitat protection or restoration projects, the Secretary proposes to conduct in the Conservation Em-

phasis Area consistent with section 10 for the length of each Landscape Prioritization Plan beginning on the date of enactment of the Oregon and California Land Grant Act of 2014.

“(4) SPECIFIC INFORMATION FOR PROJECTS.—

“(A) IN GENERAL.—For each vegetation management project proposed by the Secretary, the Landscape Prioritization Plan shall include an identification of—

- “(i) the location of forest stands to be treated;
- “(ii) the approximate size and timing of the treatment in those stands;
- “(iii) the specific vegetation treatment recommended for each forest stand; and
- “(iv) the goals and objectives for any habitat protection or restoration projects.

“(B) ONSITE REVIEWS.—In addition to identifying forest stands under subparagraph (A), the Secretary shall conduct onsite reviews to verify, at a minimum—

- “(i) riparian and aquatic parameters and assessments;
- “(ii) any streams or aquatic resources within the specific stands;
- “(iii) water quality;
- “(iv) the presence of sensitive or special status species and habitats;
- “(v) road conditions and information; and
- “(vi) forest stand boundaries.

“(d) PUBLIC COMMENT.—The Secretary shall solicit public comments regarding the landscape prioritization plan for a period of not less than 60 days after the date on which the Secretary makes the landscape prioritization plan available to the public.

“(e) REVISED PLAN.—The Secretary shall revise the Landscape Prioritization Plan as the Secretary considers to be necessary, based on public comments received under subsection (d).

“(f) MONITORING AND LONG-TERM EVALUATION.—

“(1) IN GENERAL.—Each Landscape Prioritization Plan implementation shall be monitored annually, and evaluated every 5 years as a part of the development or revision of a resource management plan required under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C.1712) for the covered land, with opportunity for public comment prior to finalizing the monitoring assessments.

“(2) COMPONENTS OF THE MONITORING ASSESSMENT.—In preparing the monitoring assessment, the Secretary shall include assessments and reports on—

- “(A) changes in the volume and quality of timber sold;
 - “(B) changes in water quality;
 - “(C) changes in recreation;
 - “(D) the effectiveness of fish and wildlife protections;
 - “(E) the effectiveness of measures to prevent uncharacteristic wildfire;
- and
- “(F) changes in forest health and fish and wildlife habitat.

“(3) COMPONENTS OF LANDSCAPE PRIORITIZATION PLAN TO BE MONITORED AND EVALUATED.—Each Landscape Prioritization Plan shall include for monitoring and evaluation a description of the Moist Forest Emphasis Areas and Dry Forest Emphasis Areas—

“(A) for Moist Forestry Emphasis Areas—

- “(i) landscape-level plans depicting areas of the moist forest landscape that would result in a distribution of variable retention regeneration harvests to ensure the desired placement and the appropriate scale of vegetation management projects; and
- “(ii) areas that will accelerate the development of complex forest structure, including opportunities to create spatial heterogeneity (such as creating skips and gaps), in a young stand that has a canopy that has closed and been simplified through past forest management;

“(B) for Dry Forestry Emphasis Areas—

- “(i) a landscape-level plan depicting areas of dry forest landscape that will be left over the length of the Landscape Prioritization Plan in a denser condition beginning on the date of enactment of the Oregon and California Land Grant Act of 2014; and
- “(ii) areas that will minimize and reduce the risk of uncharacteristic fire and insect events, and improve fire resiliency particularly if critical components and values are at risk, including—

“(I) communities in the wildland-urban interface (as defined in section 101 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511)); and

“(II) valuable forest structures, such as legacy trees and oak savannas that are in need of restoration or in danger from a potential fire risk;

“(C) for Conservation Emphasis Areas the Secretary shall describe and evaluate the landscape-level plan depicting areas of the Conservation Emphasis Areas that will be left in a more natural condition over the length of the Landscape Prioritization Plan beginning on the date of enactment of the Oregon and California Land Grant Act of 2014.

“(g) ANNUAL MONITORING.—The Secretary shall annually use not less than \$1,000,000, adjusted for inflation, of the amounts made available under section 13(c) to monitor short-term and long-term changes in forest health, water quality, and fish and wildlife habitat.

“(h) ENVIRONMENTAL COMPLIANCE.—

“(1) IN GENERAL.—The Secretary shall implement the Landscape Prioritization Plan, including priorities and vegetation management projects identified in a landscape prioritization plan under section 6(a), in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the requirements of this section.

“(2) DRAFT COMPREHENSIVE ENVIRONMENTAL IMPACT STATEMENTS.—Not later than 18 months after the date of enactment of the Oregon and California Land Grant Act of 2014, and every 5 years thereafter the Secretary shall publish notice in the Federal Register of the availability for public review of 2 draft comprehensive environmental impact statements for the vegetation management projects proposed to be carried out during the 5- year period, of which—

“(A) one shall cover the Moist Forestry Emphasis Area and, of the Conservation Emphasis Areas designated under section 10—

“(i) the Conservation Network that is predominantly moist forest;

“(ii) the Late Successional Old-Growth Forest Heritage Reserves;

“(iii) the Drinking Water Special Management Units;

“(iv) the Molalla National Recreation Area;

“(v) the Crabtree Valley Primitive Backcountry Area;

“(vi) the Brummit Fir Primitive Backcountry Area;

“(vii) the Kilchis Wild Salmon Refuge Area; and

“(viii) the Protected Environmental Zones that are predominantly moist forest; and

“(B) one shall cover the Dry Forestry Emphasis Area and, of the Conservation Emphasis Areas designated under section 10—

“(i) the Conservation Network that is predominantly dry forest;

“(ii) the Rogue Canyon National Recreation Area;

“(iii) the Illinois Valley Salmon and Botanical Area;

“(iv) the Grizzly Peak Primitive Backcountry Area;

“(v) the Dakubetede Primitive Backcountry Area;

“(vi) the Wellington Wildlands Primitive Backcountry Area;

“(vii) the Mungers Butte Primitive Backcountry Area;

“(viii) the Pacific Crest Trail Corridor;

“(ix) the Applegate Primitive Backcountry Area; and

“(x) the Protected Environment Zones that are predominantly dry forest.

“(3) ALTERNATIVES.—Each draft comprehensive environmental impact statement under this subsection shall analyze different locations for the relevant vegetation management projects under—

“(A) the no-action alternative; and

“(B) three other alternatives that are consistent with this Act.

“(4) INTERAGENCY COORDINATION AND COOPERATION.—The Secretary shall require the Directors of the U.S. Bureau of Land Management and the U.S. Fish and Wildlife Service to coordinate and cooperate between their agencies, and shall coordinate and cooperate with the Secretary of Commerce in developing each draft comprehensive impact statement under this subsection to ensure compliance with the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

“(5) PUBLIC COMMENT.—The Secretary shall solicit public comment regarding the draft comprehensive environmental impact statements under subsection (b) during the 60-day period beginning on the date on which the Secretary makes the draft comprehensive environmental impact statements available to the public.

“(6) FINAL COMPREHENSIVE ENVIRONMENTAL IMPACT STATEMENTS.—Not later than 27 months after the date of enactment of the Oregon and California Land Grant Act of 2014, and 9 months after publication of subsequent draft comprehensive environmental impact statements the Secretary—

“(A) shall prepare 2 final comprehensive environmental impact statements for the vegetation management projects that have been identified in the draft comprehensive environmental impact statements in paragraph (2);

“(B) shall publish in the Federal Register a notice of availability for public review of the final comprehensive environmental impact statements; and

“(C) may publish the final comprehensive environmental impact statements in conjunction with the environmental impact assessments relating to the land use plan developed by the Bureau of Land Management for the covered land.

“(7) RECORDS OF DECISION.—Except as provided in section 7(a), not later than 60 days after the date on which a notice of availability of the final comprehensive environmental impact statements is published in the Federal Register, the Secretary shall issue a record of decision relating to the vegetation management projects analyzed in the final comprehensive environmental impact statements.

“SEC. 7. OBJECTIONS; O&C ADMINISTRATIVE REVIEW PROCESS; JUDICIAL REVIEW.

“(a) O & C ADMINISTRATIVE REVIEW PROCESS.—

“(1) IN GENERAL.—During the 60-day period described in section 6(h)(7), an eligible person may file an objection to the final comprehensive environmental impact statement, or during the first 15 days of the 90-day period described in section 7(b) an eligible person may protest a proposed vegetation management project. This objection or protest must be used in lieu of any other appeal that may be available. A protest will be considered and treated as an objection in this subsection.

“(2) ELIGIBILITY.—To be eligible to file an objection to the final environmental impact statement or a protest for a proposed vegetation management project under paragraph (1), a person shall have submitted to the Secretary during the 60-day period described in section 6(h)(5) written comments that describe the objections to the action proposed under the final comprehensive environmental impact statement.

“(3) ELIGIBLE PROJECT LEVEL OBJECTIONS.—An objection to an individual vegetation management project may only be filed under paragraph (1) if the objector can show—

“(A)(i) a proposed activity under the vegetation management project is inconsistent with a record of decision; and

“(ii) the likely impacts of that activity are inconsistent with the impacts analyzed in the final comprehensive environmental impact statement;

“(B) the vegetation management project violates the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); or

“(C)(i) in the circumstance of new information, changed circumstances, or changed conditions on a particular project that may result in significant negative environmental impacts that were not encompassed in the analysis in the applicable final comprehensive environmental impact statement; and

“(ii) those circumstances were not considered in the final comprehensive environmental impact statement.

“(4) RESPONSE.—The Secretary shall respond in writing to an objection filed under paragraph (1) not later than 30 days after the date on which the objection is filed.

“(5) SUPPLEMENT.—In response to an objection filed under paragraph (1), the Secretary may supplement the final comprehensive environmental impact statement or the draft Record of Decision to reflect the objection.

“(6) TIMING OF RECORD OF DECISION.—If a person files an objection under section 7(a)(1) relating to a final comprehensive environmental impact statement, the Secretary shall publish a record of decision for that final comprehensive environmental impact statement—

“(A) immediately after the Secretary responds to the objection; or

“(B) as soon as practicable after the date on which the Secretary supplements the final comprehensive environmental impact statement to reflect that objection under section 7(a)(4).

“(b) DELAY OF IMPLEMENTATION.—The Secretary shall not offer for a bid or implementation a vegetation management project pending the disposition of the objection. Not less than 90 days prior to actual commencement of the project, notice of a bid or implementation shall be published in the Federal Register and mailed electronically to each person that submitted comments on a comprehensive environmental impact statement and requested a reply.

“(c) JUDICIAL REVIEW.—

“(1) IN GENERAL.—A person may only challenge a covered agency action in a United States district court by bringing a covered civil action.

“(2) VENUE.—Venue for any covered civil action shall lie in the United States District Court for the District of Oregon or the United States District Court for the District of Columbia.

“(3) ADDITIONAL STANDING REQUIREMENTS FOR NEPA.—A person shall only have standing to bring a covered civil action under paragraph (1) for claims under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), if that person filed an objection under subsection (a)(1).

“(4) ELIGIBILITY.—A reviewing court under this subsection shall not consider any issue in a covered civil action unless the issue has previously been raised, in the discretion of the court, in writing in the administrative review process described in section 7(a) or through other judicial notice provisions required by Federal law.

“(5) LIMITATION OF ACTIONS.—A covered civil action shall not be maintained unless the covered civil action commenced not later than 75 days after the date on which the covered agency action to which the covered civil action relates is final.

“(6) EXPEDITED PROCEEDINGS.—

“(A) IN GENERAL.—Congress expects that judicial review of covered actions will be based on review of the administrative record prepared by the Secretary.

“(B) DISPOSITION.—The disposition of the complaint, by summary judgment or any other mechanism, shall commence not later than 190 days after the date on which the covered civil action is commenced.

“(C) EXPEDITIOUS COMPLETION OF JUDICIAL REVIEW.—Congress encourages a court of competent jurisdiction to expedite, to the maximum extent practicable, the proceedings in a covered civil action with the goal of rendering a final determination on the merits of the covered civil action as soon as practicable after the date on which a complaint or appeal is filed to initiate the action.

“(7) APPLICABILITY.—Except as otherwise provided in this section, judicial review of a covered agency action shall be conducted in accordance with subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ‘Administrative Procedure Act’).

“SEC. 8. MOIST FORESTRY EMPHASIS AREA.

“(a) IN GENERAL.—

“(1) CONFORMITY WITH PRINCIPLE OF SUSTAINED YIELD.—Timber from the Moist Forestry Emphasis Area shall be sold, cut, and removed in conformity with the principle of sustained yield as defined by the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and in accordance with the provisions of this Act.

“(2) PRODUCTION LEVELS.—The Secretary shall maintain the highest consistent timber production levels that can be sustained under ecological forestry principles and other provisions described in this Act.

“(3) CALCULATION.—

“(A) IN GENERAL.—The Secretary shall calculate —

“(i) the sustained yield and identify the quantity of timber the Secretary can produce as part of the draft comprehensive environmental impact statement required under this Act for the Moist Forestry Emphasis Area, not including riparian reserves established under section 4; and

“(ii) the quantity of timber as a by-product the Secretary can produce, as part of the Moist Forestry Emphasis Area, including riparian reserves established under section 4, and the portions of the Conservation Emphasis Area, as described in the draft comprehensive environmental impact statement under section 6(h)(2).

“(B) REQUIREMENTS.—The Secretary shall—

“(i) calculate the quantities under clauses (i) and (ii) of subparagraph (A) in 5-year increments; and

“(ii) in calculating that quantity, classify the volume of timber that could be offered from the various areas defined in subparagraph (A).

“(b) MANAGEMENT OF MOIST FORESTRY EMPHASIS AREA.—

“(1) IN GENERAL.—Moist Forestry Emphasis Areas shall be managed in accordance with the principles of ecological forestry.

“(2) ECOLOGICAL FORESTRY PRINCIPLES FOR MOIST FORESTRY EMPHASIS AREAS.—The ecological forestry principles referred to in paragraph (1) relate to variable retention regeneration harvests and include—

“(A) the retention of legacy trees;

“(B) the acceleration of the development of structural complexity, including spatial heterogeneity, through the use of diverse silvicultural approaches, such as variable density and clump-based thinning prescriptions;

“(C) the implementation of variable retention regeneration harvesting activities that retain approximately $\frac{1}{3}$ of the live basal area of the forest within the harvest area, primarily but not exclusively in aggregates, provided that non-fish bearing stream riparian reserves within the harvest unit count towards retention, but other reserves, including riparian reserves on fish bearing streams, do not count;

“(D) the development and maintenance of early seral ecosystems with diverse species following harvesting activities through the use of less intense approaches to site preparation and tree regeneration and nurturing of diverse early seral ecosystems; and

“(E) the long-term establishment of a silvicultural system that includes the development and management of multiaged, mixed-species stands.

“(3) VARIABLE RETENTION REGENERATION HARVEST.—

“(A) IN GENERAL.—The Secretary shall designate not less than 4 percent and not greater than 6 percent of the moist forests described in paragraph (1) as land on which the Secretary shall carry out during each 5 year period variable retention regeneration harvesting activities, consistent with—

“(i) this section and other provisions of this Act;

“(ii) the Endangered Species Act (16 U.S.C. 1531 et seq.); and

“(iii) the environmental impact statement required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) as described in section 6.

“(4) NORTHWEST FOREST PLAN APPLICATION.—The Secretary shall identify 50,000 acres of Moist Forest Emphasis Area that—

“(A) have been previously subject to forest management;

“(B) whose trees are in the 80 year age class or younger;

“(C) are not within one site-potential tree height of any stream, or within a source water emphasis area or a key watershed under the NWFP;

“(D) are not within critical habitat; and

“(E) apply the implementation of variable retention regeneration harvesting activities that retain approximately $\frac{1}{4}$ of the live basal area of the forest within the harvest area, provided that non-fish bearing stream riparian reserves within the harvest unit count towards retention, but other reserves, including riparian reserves on fish bearing streams, do not. In total, not less than 15 percent of the live basal area in the stand, excluding all reserves, must be retained.

“(c) ROADS.—

“(1) IN GENERAL.—The Secretary shall not increase the total quantity of mileage of permanent, system and non-system roads that are operational in the Moist Forestry Emphasis Area to a quantity greater than the quantity of mileage in existence on the date of enactment of the Oregon and California Land Grant Act of 2014, excluding roads constructed pursuant to reciprocal rights of way agreements, easement obligations or other access rights of non-Federal parties in effect as of enactment of the Oregon and California Land Grant Act of 2014, subject to the rights of the owner of adjacent private land as set forth in sections 3(e) and 3(j) of this Act.

“(2) SYSTEM ROADS.—The Secretary—

“(A) may construct new system roads outside of the riparian reserves to carry out a vegetation management project under this Act; and

“(B) subject to the availability of appropriations and to the maximum extent practicable, shall reduce the quantity of mileage of system roads by decommissioning roads, subject to the rights of the owner of adjacent private land as set forth in sections 3(e) and 3(j) of this Act, provided that decommissioning shall be done with an adjacent private landowner if—

“(i) the adjacent private landowner is a party to a reciprocal right-of-way agreement covering an area which includes the road in question;

or

“(ii) the decommissioning would remove or increase the cost of vehicular access to the adjacent private lands.

“(3) NON-SYSTEM ROADS.—Subject to the availability of appropriations, the Secretary shall annually reduce the total quantity of mileage of nonsystem roads.

“(4) TEMPORARY ROADS.—If the Secretary constructs a temporary road as part of a vegetation management project, the Secretary shall close and decommission the temporary road not later than the earlier of—

“(A) the date that is 2 years after the date on which the activity for which the temporary road was constructed is completed; and

“(B) the date that is 1 year after the date on which the vegetation management project is completed.

“SEC. 9. DRY FORESTRY EMPHASIS AREA.

“(a) IN GENERAL.—

“(1) The Secretary shall manage the Dry Forestry Emphasis Area to increase the resiliency of the stands by reducing the risk from uncharacteristic wildfires, droughts, and insect or disease events while maintaining consistent timber production levels that can be sustained under ecological forestry principles and other provisions described in this Act.

“(2) CONFORMITY WITH PRINCIPLE OF SUSTAINED YIELD.—Timber from the Dry Forestry Emphasis Area shall be sold, cut, and removed in conformity with the principle of sustained yield as defined by the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and in accordance with the provisions of this Act.

“(3) PRODUCTION LEVELS.—The Secretary shall maintain the highest consistent timber production levels that can be sustained under ecological forestry principles and other provisions described in this Act.

“(4) CALCULATION.—

“(A) IN GENERAL.—The Secretary shall calculate—

“(i) the sustained yield and identify the quantity of timber the Secretary can produce as part of the draft comprehensive environmental impact statement required under this Act for the Dry Forestry Emphasis Area, not including riparian reserves established under section 4; and

“(ii) the quantity of timber as a by-product the Secretary can produce, as part of the Dry Forestry Emphasis Area, including riparian reserves established under section 4, and the portions of the Conservation Emphasis Area, as described in the draft comprehensive environmental impact statement under section 6.

“(b) REQUIREMENTS.—The Secretary shall maintain, restore, or improve conditions of tree density, tree composition, and tree size distribution that will result in a stand with a high level of resistance and resilience to uncharacteristic wildfires, droughts, and insect events.

“(c) PRIORITY.—In carrying out vegetation management projects, the Secretary shall give priority to areas that contain important components, including—

“(1) communities in the wildland-urban interface (as defined in section 101 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511)); and

“(2) valuable forest structures, such as legacy trees and oak savannas that are in need of restoration or are in danger from uncharacteristic fire.

“(d) MANAGEMENT OF DRY FORESTRY EMPHASIS AREAS.—

“(1) IN GENERAL.—Dry Forestry Emphasis Areas shall be managed in accordance with ecological forestry principles described in paragraph (2).

“(2) ECOLOGICAL FORESTRY PRINCIPLES IN DRY FORESTS.—The ecological forestry principles referred to in paragraph (1) include—

“(A) the retention and improvement of the survivability of legacy trees through the reduction of adjacent fuels and competing vegetation to promote resilience against mortality from insects, disease, and fire;

“(B) the retention and protection of important structures such as large hardwoods, snags, and logs;

“(C) the reduction of overall stand densities through partial cutting in an effort—

“(i) to reduce basal areas to desired levels, particularly in overstocked stands;

“(ii) to increase the mean stand diameter; and

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

“(D) the restoration of spatial heterogeneity through the variation of the treatment of stands, such as by leaving untreated patches, creating openings, and establishing tree clumps and isolated single trees;

“(E) the establishment of new tree cohorts of shade-intolerant species in created openings;

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

“(G) the maintenance of sustainable and fire-resilient conditions in perpetuity through both passive and active management of the dry forests in accordance with this subsection, including the treatment of activity fuels

and other surface and ladder fuels and understory vegetation using prescribed fire, natural fire or mechanical activities; and

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

“(e) ROADS.—

“(1) IN GENERAL.—The Secretary shall not increase the total quantity of mileage of system roads that are operational in the Dry Forestry Emphasis Area to a quantity greater than the quantity of mileage in existence on the date of enactment of the Oregon and California Land Grant Act of 2014, excluding roads constructed pursuant to reciprocal rights of way agreements, easement obligations or other access rights of non-Federal parties in effect as of enactment of the Oregon and California Land Grant Act of 2014, subject to the rights of the owner of adjacent private land as set forth in sections 3(e) and 3(j) of this Act.

“(2) SYSTEM ROADS.—The Secretary—

“(A) may construct new system roads to carry out a vegetation management project; and

“(B) subject to the availability of appropriations, shall decommission or place into storage all system roads that the Secretary has not planned to use in the next 5 years for vegetation management projects or administrative purposes, subject to the rights of the owner of adjacent private land as set forth in sections 3(e) and 3(j) of this Act, provided that decommissioning shall be done with an adjacent private landowner if—

“(i) the adjacent private landowner is a party to a reciprocal right-of-way agreement covering an area which includes the road in question; or

“(ii) the decommissioning would remove or increase the cost of vehicular access to the adjacent private lands.

“(3) NONSYSTEM ROADS.—Subject to the availability of appropriations, the Secretary shall annually reduce the total quantity of mileage of nonsystem roads by decommissioning.

“(4) TEMPORARY ROADS.—If the Secretary constructs a temporary road as part of a vegetation management project, the Secretary shall close and decommission the temporary road not later than the earlier of—

“(A) the date that is 2 years after the date on which the activity for which the temporary road was constructed is completed; and

“(B) the date that is 1 year after the date on which the vegetation management project is completed.

“SEC. 10. CONSERVATION EMPHASIS AREAS.

“(a) CONSERVATION NETWORKS.—The approximately 690,000 acres of land managed by the Secretary, as generally depicted as ‘Conservation Network’ on the map entitled ‘O&C Land Grant Act of 2014: Conservation Network’ and dated November 3, 2014, which is designated as the Conservation Network, the purpose of which is to create forest reserves providing ecological benefits and protect conservation values, including providing late successional old-growth forest complex habitat, complex early successional habitat, aquatic and riparian protection, fish and wildlife benefits, recreational and educational opportunities and other natural processes needed for the healthy functioning of the ecosystem, shall be managed in accordance with subsection (h).

“(b) LATE SUCCESSIONAL OLD-GROWTH FOREST HERITAGE RESERVES.—The approximately 510,000 acres of land managed by the Secretary, as generally depicted on the map entitled ‘O & C Land Grant Act of 2014: Late Successional Old-Growth Forest Heritage Reserves’ and dated November 3, 2014, which is designated as the ‘Late Successional Old-Growth Forest Heritage Reserves’, the purpose of which is to protect and preserve Moist Forest stands that, as of the date of enactment of the Oregon and California Land Grant Act of 2014, contain a 90 year or above age class, shall be managed by the Secretary in a manner that does not allow harvesting of any tree within the area.

“(c) SPECIAL MANAGEMENT UNITS.—

“(1) DESIGNATION.—For the purposes of ensuring the protection of the watersheds as a source of clean drinking water, to safeguard the water quality and quantity in the areas, and to allow visitors to enjoy the special scenic, natural, cultural, and fish and wildlife values of the watersheds, the following areas in the State of Oregon are designated as special management units for special management by the Secretary in accordance with subsection (h) and this subsection:

“(A) MCKENZIE DRINKING WATER SPECIAL MANAGEMENT UNIT.—The approximately 12,042 acres of land managed by the Secretary, as generally

depicted on the map entitled 'O&C Land Grant Act of 2014: McKenzie Source Water Emphasis Area' and dated November 3, 2014, which is designated as the 'McKenzie Drinking Water Special Management Unit'.

"(B) HILLSBORO DRINKING WATER SPECIAL MANAGEMENT UNIT.—The approximately 1,243 acres of land managed by the Secretary, as generally depicted on the map entitled 'O&C Land Grant Act of 2014: Hillsboro Source Water Emphasis Area' and dated November 3, 2014, which is designated as the 'Hillsboro Drinking Water Special Management Unit'.

"(C) CLACKAMAS DRINKING WATER SPECIAL MANAGEMENT UNIT.—The approximately 416 acres of land managed by the Secretary, as generally depicted on the map entitled 'O&C Land Grant Act of 2014: Clackamas Source Water Emphasis Area' and dated November 3, 2014, which is designated as the 'Clackamas Drinking Water Special Management Unit'.

"(D) SPRINGFIELD DRINKING WATER SPECIAL MANAGEMENT UNIT.—The approximately 3,161 acres of land managed by the Secretary, as generally depicted on the map entitled 'O&C Land Grant Act of 2014: Springfield Source Water Emphasis Area' and dated November 3, 2014, which is designated as the 'Springfield Drinking Water Special Management Unit'.

"(2) LIVESTOCK.—The grazing of livestock shall not be allowed within a special management unit designated by paragraph (1).

"(d) NATIONAL RECREATION AREAS.—For the purposes of protecting, conserving, and enhancing the unique and nationally important recreational, ecological, scenic, cultural, watershed, and fish and wildlife values of the areas, the following areas in the State of Oregon are designated as recreation areas for management by the Secretary in accordance with subsection (h):

"(1) ROGUE CANYON NATIONAL RECREATION AREA.—The approximately 94,700 acres of Bureau of Land Management land, within the boundary generally depicted on the map entitled 'O&C Land Grant Act of 2014: Rogue Canyon National Recreation Area' and dated November 3, 2014, which is designated as the 'Rogue Canyon National Recreation Area'.

"(2) MOLALLA NATIONAL RECREATION AREA.—The approximately 24,100 acres of Bureau of Land Management land, within the boundary generally depicted on the map entitled 'O&C Land Grant Act of 2014: Molalla National Recreation Area' and dated November 3, 2014, which is designated as the 'Molalla National Recreation Area'.

"(e) SPECIAL MANAGEMENT AREAS.—For the purposes of protecting, preserving and enhancing the natural character, scientific use, and the botanical, recreational, ecological, fish and wildlife, scenic, drinking water, or cultural values of the areas or to preserve opportunities for primitive recreation, the following areas in the State of Oregon are designated for special management by the Secretary in accordance with subsection (h):

"(1) ILLINOIS VALLEY SALMON AND BOTANICAL SPECIAL MANAGEMENT AREA.—The approximately 15,000 acres of Bureau of Land Management land, as generally depicted on the map entitled 'O&C Land Grant Act of 2014: Illinois Valley Salmon and Botanical Area' and dated November 3, 2014, which is designated as the 'Illinois Valley Salmon and Botanical Special Management Area'.

"(2) KILCHIS WILD SALMON REFUGE AREA.—The approximately 9,000 acres of Bureau of Land Management land, as generally depicted on the map entitled 'O&C Land Grant Act of 2014: Kilchis Wild Salmon Refuge Area' and dated November 3, 2014, which is designated as the 'Kilchis Wild Salmon Refuge Area'.

"(3) SMITH RIVER SALMON RESTORATION UNIT.—The purpose of this restoration unit is to ensure the protection, maintenance and restoration of the salmonid resources of these rivers segments. The riparian areas along the mainstem of the Smith River, from the confluence of Spencer Creek (Smith River mile 22.8), upstream to Clabber Creek (Smith River mile 60.5), which flows through the covered lands and the mainstem of the West Fork of the Smith River, from the confluence of W. Fork Smith river with the main stem Smith River (Smith River mile 34.5) upstream along the West Fork of the Smith River to the junction of Upper W. Fork Smith River Road (W. Fork Smith River mile 12.43), which flows through the covered lands, will be managed to under section 4(a)(1 of this Act without modifications under 4(a)(2).

"(4) GRIZZLY PEAK PRIMITIVE BACKCOUNTRY SPECIAL MANAGEMENT AREA.—The approximately 2,100 acres of Bureau of Land Management land, as generally depicted on the map entitled 'O&C Land Grant Act of 2014: Grizzly Peak Primitive Backcountry Area' and dated November 3, 2014, which is designated as the 'Grizzly Peak Primitive Backcountry Special Management Area'.

"(5) DAKUBETED PRIMITIVE BACKCOUNTRY SPECIAL MANAGEMENT AREA.—The approximately 21,200 acres of Bureau of Land Management land, as generally depicted on the map entitled 'O&C Land Grant Act of 2014: Dakubetede Primi-

tive Backcountry Area' and dated November 3, 2014, which is designated as the 'Dakubetede Primitive Backcountry Special Management Area'.

"(6) WELLINGTON WILDLANDS PRIMITIVE BACKCOUNTRY SPECIAL MANAGEMENT AREA.—The approximately 5,700 acres of Bureau of Land Management land, as generally depicted on the map entitled 'O&C Land Grant Act of 2014: Wellington Wildlands Primitive Backcountry Area' and dated November 3, 2014, which is designated as the 'Wellington Wildlands Primitive Backcountry Special Management Area'.

"(7) MUNGERS BUTTE PRIMITIVE BACKCOUNTRY SPECIAL MANAGEMENT AREA.—The approximately 10,200 acres of Bureau of Land Management land, as generally depicted on the map entitled 'O&C Land Grant Act of 2014: Mungers Butte Primitive Backcountry Area' and dated November 3, 2014, which is designated as the 'Mungers Butte Primitive Backcountry Special Management Area'.

"(8) BRUMMIT FIR PRIMITIVE BACKCOUNTRY SPECIAL MANAGEMENT AREA.—The approximately 2,000 acres of Bureau of Land Management land, as generally depicted on the map entitled 'O&C Land Grant Act of 2014: Brummit Fir Primitive Backcountry Area' and dated November 3, 2014, which is designated as the 'Brummit Fir Primitive Backcountry Special Management Area'.

"(9) CRABTREE VALLEY PRIMITIVE BACKCOUNTRY SPECIAL MANAGEMENT AREA.—The approximately 2,100 acres of Bureau of Land Management land, as generally depicted on the map entitled 'O&C Land Grant Act of 2014: Crabtree Valley Primitive Backcountry Area' and dated November 3, 2014, which is designated as the 'Crabtree Valley Primitive Backcountry Special Management Area'.

"(10) APPLGATE PRIMITIVE BACKCOUNTRY SPECIAL MANAGEMENT AREA.—The approximately 9,000 acres of Bureau of Land Management land, as generally depicted on the map entitled 'O&C Land Grant Act of 2014: Crabtree Valley Primitive Backcountry Area' and dated November 1, 2014, which is designated as the 'Crabtree Valley Primitive Backcountry Special Management Area'.

"(11) PROTECTED ENVIRONMENTAL ZONE SPECIAL MANAGEMENT AREA.—The approximately 95,767 acres of land administered by the Secretary, as generally depicted on the map entitled 'O&C Land Grant Act of 2014: Special Environmental Zones' and dated November 3, 2014, which is designated as the 'Special Environmental Zone Special Management Area'.

"(f) CASCADE-SISKIYOU NATIONAL MONUMENT EXPANSION.—Subject to valid existing rights, the Secretary shall administer the approximately 2,050 acres of land administered by the Director of the Bureau of Land Management generally depicted on the map entitled 'O&C Land Grant Act of 2014: Cascade-Siskiyou National Monument Expansion' and dated November 3, 2014, as part of the Cascade-Siskiyou National Monument and subject to the same proclamation, regulations, rules and policies that apply to the rest of the national monument.

"(g) PACIFIC CREST TRAIL PROTECTION CORRIDOR.—

"(1) ESTABLISHMENT.—There is designated in the State of Oregon a protective corridor for the Pacific Crest National Scenic Trail, to be known as the 'Pacific Crest Trail Protection Corridor', consisting of all Bureau of Land Management land located within approximately ¼ mile on either side of the Pacific Crest National Scenic Trail, beginning at the west boundary of Section 23, T.40.S, R.7.W, W.M. at the border of the Klamath National Forest in the Siskiyou Mountains, continuing approximately 45 miles and ending at the eastern boundary Section 13, T.38.S, R.4.E, W.M near the southern boundary of the Rogue River National Forest in the Cascade Range, to be managed by the Secretary in accordance with subsection (h).

"(2) PURPOSES.—The purposes of the Pacific Crest Trail Protection Corridor are to protect and enhance the recreational, scenic, historic, and wildlife values of the Pacific Crest National Scenic Trail in as natural and undeveloped a state as practicable.

"(3) FOREST ROADS.—Forest roads crossing the Pacific Crest Trail Protection Corridor or within the Pacific Crest Trail Protection Corridor shall be limited to those necessary for the proper use and administration of adjacent public land, as determined by the Secretary in applicable management plans.

"(h) ADMINISTRATION.—

"(1) MAPS AND LEGAL DESCRIPTIONS.—

"(A) IN GENERAL.—As soon as practicable after the date of enactment of the Oregon and California Land Grant Act of 2014, the Secretary shall prepare a map and legal description of each Conservation Emphasis Area.

"(B) EFFECT.—The maps and legal descriptions prepared under subparagraph (A) shall have the same force and effect as if included in this Act,

except that the Secretary may correct any minor errors in the maps and legal descriptions.

“(C) PUBLIC AVAILABILITY.—The maps and legal descriptions prepared under subparagraph (A) shall be available for public inspection in the appropriate offices of the Bureau of Land Management.

“(2) ADMINISTRATION.—

“(A) APPLICABLE LAW.—The Secretary shall administer each Conservation Emphasis Area—

“(i) in a manner that furthers the purposes for which the Conservation Emphasis Area was established; and

“(ii) in accordance with—

“(I) this subsection;

“(II) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

“(III) any other applicable Federal laws.

“(B) USES.—The Secretary shall only allow uses of a Conservation Emphasis Area that are consistent with the purposes and values for which the Conservation Emphasis Area is established.

“(C) WITHDRAWAL.—Subject to valid existing rights, all Federal surface and subsurface land within a Conservation Emphasis Area is withdrawn from—

“(i) all forms of entry, appropriation, or disposal under the public land laws;

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

“(iii) operation under the mineral leasing and geothermal leasing laws.

“(3) ADJACENT MANAGEMENT.—Nothing in this section creates any protective perimeter or buffer zone around an area designated under this section.

“(4) USE OF MOTORIZED VEHICLES.—The use of motorized vehicles within the Conservation Emphasis Areas shall be limited to roads allowed by the Secretary for such use, provided that the Secretary may allow off-road vehicle use in designated portions of the areas designated by this section if such use is consistent with the purposes and values for which the area was designated.

“(5) FOREST MANAGEMENT.—

“(A) IN GENERAL.—Subject to subparagraph (B), in the Conservation Emphasis Area (other than a special management area designated by subsection (e)), the cutting, sale, or removal of timber may be permitted—

“(i) to the extent necessary to improve forest health in ways that also—

“(I) improve the habitats of threatened or endangered species or species considered sensitive by the Secretary over the long term after completion of the vegetation management project; or

“(II) in the case of harvests in moist forest sites, is conducted—

“(aa) through variable density and clump based thinning;

“(bb) in a manner that retains legacy trees; and

“(III) in the case of dry forests, through partial cutting in a manner that retains legacy trees;

“(ii) is also in furtherance of the purposes for which the Conservation Emphasis Area was established; or

“(iii) for de minimis personal or administrative use within a Conservation Emphasis Area established in subsection (a), if the use would not impact the purposes for which the Conservation Network was established.

“(B) EXCEPTIONS.—Notwithstanding subparagraph (A), forest thinning and vegetation treatments may be permitted in a special management area designated by subsection (e), if the purpose of the treatments is—

“(i) to improve forest health in a case in which the forest is threatened by uncharacteristic fire, an insect event, or disease;

“(ii) to improve or maintain recreational facilities and opportunities; or

“(iii) to protect public health or safety.

“(C) CALCULATION.—The Secretary shall calculate the quantity of timber that the Secretary would produce from the Conservation Emphasis Areas as a by-product of the conservation management, not including riparian reserves established under section 4 and Late Successional Old-Growth Heritage Reserves.

“(i) ROADS.—

“(1) IN GENERAL.—The Secretary, to the maximum extent practicable, shall decrease the total mileage of system roads that are operational in the Conserva-

tion Emphasis Areas to a quantity less than the quantity of mileage in existence on the date of enactment of the Oregon and California Land Grant Act of 2014. The Secretary shall prioritize decreasing the mileage of the road network in order to reduce impacts to water quality from sediment delivered to streams by forest roads.

“(2) TEMPORARY ROADS.—If the Secretary constructs a temporary road as part of a vegetation management project, the Secretary shall close and decommission the temporary road not later than the earlier of—

“(A) the date that is 2 years after the date on which the activity for which the temporary road was constructed is completed; and

“(B) the date that is 1 year after the date on which the vegetation management project is completed.

“(3) NO NEW ROADS.—The Secretary shall prohibit any new system or non-system road within the Conservation Emphasis Areas and key watersheds under the NWFP after the date of enactment of the Oregon and California Land Grant Act of 2014 except as necessary, where no practicable alternative exists and subject to the availability of appropriations. The Secretary shall also prohibit the construction of any new road in any roadless area or areas with wilderness characteristics.

“(4) ROADS IN RIPARIAN AREAS.—Requirements in section 4(b) apply to riparian reserves in the Conservation Emphasis Areas.

“SEC. 11. LAND MANAGEMENT RATIONALIZATION.

“(a) IN GENERAL.—The Secretary may exchange Federal land in the Moist Forestry Emphasis Area or the Dry Forestry Emphasis Area or the Conservation Emphasis Area or interests in the Federal land in the Emphasis Areas for adjacent non-Federal land or interests in the non-Federal land if—

“(1) the Federal land does not contain critical habitat for a species listed under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

“(2) the Federal land is not identified in the landscape prioritization plan developed under section 6(a);

“(3) the Secretary determines that the land exchange would facilitate the administration of the Moist Forestry Emphasis Area or Dry Forestry Emphasis Area or the Conservation Emphasis Area; and

“(4) the Secretary determines that the land exchange is in the public interest, including, but not limited to, the acknowledgment that the consolidation of Federal land and non-Federal land and the enhancement of conservation values are in the public interest.

“(b) BUREAU OF LAND MANAGEMENT LANDS TO THE FOREST SERVICE.—

“(1) IN GENERAL.—The approximately 25,000 acres of lands, as generally depicted as ‘BLM to USFS’ on the map entitled ‘O & C Land Grant Act of 2014: Land Management Rationalization’ and dated November 3, 2014, are transferred to the administration of the Forest Service in the Department of Agriculture from the administration of the Department of the Interior Bureau of Land Management.

“(2) MANAGEMENT.—The Secretary of Agriculture, through the Chief of the Forest Service, shall manage the lands described in paragraph (1):

“(A) as other National Forest System lands and subject to the same statutes, regulations and policies;

“(B) as they have been generally managed under the Northwest Forest Plan and the appropriate Bureau of Land Management resource management plan at least until revised in a land and resource management plan revision; and

“(C) under any specific statutes that may apply to any of these lands.

“(3) NATIONAL FOREST BOUNDARIES.—The Secretary of Agriculture, through the Chief of the Forest Service, shall adjust the official boundaries of the relevant national forests to accommodate the inclusion of the lands described in paragraph (1).

“(c) FOREST SERVICE LANDS TO THE BUREAU OF LAND MANAGEMENT.—

“(1) LAND FOR MANAGEMENT RATIONALIZATION BETWEEN BUREAU OF LAND MANAGEMENT AND FOREST SERVICE.—Not later than 30 days after the date of enactment of the Oregon and California Land Grant Act of 2014, the Secretary of Agriculture shall identify for transfer to the Secretary of the Interior approximately 102,000 acres of U.S. Forest Service land, some of which is identified on the map entitled ‘O&C Land Grant Act of 2014: Land Management Rationalization’ and dated November 3, 2014, with the following criteria—

“(A) adjacent to existing Bureau of Land Management covered land under this Act;

“(B) facilitates management by reducing fragmentation and creating more contiguous parcels of lands for both the U.S. Forest Service and Bureau of Land Management lands; and

“(C) appropriate for designation into Moist or Dry Forestry Emphasis Areas as identified in this Act; and

“(D) not within—

“(i) inventoried roadless areas;

“(ii) wilderness or other designated conservation areas; or

“(iii) high-quality critical habitat.

“(2) MANAGEMENT.—The Secretary shall manage the lands described in subparagraph (1) under this Act, including section 4(a)(1) without modification under section 4(a)(2).

“(3) LAND MANAGEMENT RATIONALIZATION WITHIN THE BUREAU OF LAND MANAGEMENT.—Not later than 30 days after completion of actions required under paragraph (1), the Secretary of Agriculture and the Secretary of the Interior shall identify for transfer to the Secretary of the Interior not less than 206,000 acres of Forest Service land ecologically associated with the acres identified in paragraph (1) and other covered lands, suitable for conservation protection.

“(4) LAND ALLOCATION.—

“(A) FOREST EMPHASIS AREAS.—The Secretary shall allocate, as most appropriately consistent with this Act, the lands described in paragraph (3) into—

“(i) moist forestry emphasis area subject to the provisions of section 8; or

“(ii) dry forestry emphasis area subject to the provisions of section 9.

“(B) CONSERVATION EMPHASIS AREAS.—The Secretary shall designate the lands described in paragraph (3) as Conservation Emphasis Areas to be managed under section 10 and section 4(a)(1) without modification under section 4(a)(2) of this Act.

“(5) REPORT TO CONGRESS.—

“(A) IN GENERAL.—Within one year of the date of enactment of the Oregon and California Land Grant Act of 2014, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report detailing how, after consideration of public comment in subparagraph (B), the lands described in paragraph (1) were allocated pursuant to paragraph (3).

“(B) PUBLIC COMMENT.—Before submitting the report as required in subparagraph (A), the Secretary shall make a draft available for public comment for no less than 60 days.

“(d) ARMY CORPS OF ENGINEERS LANDS TO THE BUREAU OF LAND MANAGEMENT.—

“(1) IN GENERAL.—The approximately 3,502 acres of lands, as generally depicted as ‘USACE to BLM’ on the map entitled ‘O & C Land Grant Act of 2014: Land Management Rationalization’ and dated November 3, 2014, are transferred to the administration of the Bureau of Land Management in the Department of the Interior from the administration of the United States Army Corps of Engineers.

“(2) MANAGEMENT.—

“(A) BUREAU OF LAND MANAGEMENT.—The Secretary shall—

“(i) allocate as appropriate the transferred lands that are not within the Elk Creek Wild and Scenic River management corridor, to the Dry Areas Conservation Network or the Moist Areas Conservation Network established in Sec. 10(a); and

“(ii) manage the transferred lands consistent with this Act.

“(B) U.S. ARMY CORPS OF ENGINEERS.—The Secretary of the Army, through the Corps of Engineers, will continue to have the obligation to maintain the safe condition of the Elk Creek Dam structure, rock piles and associated components, in an area of approximately 147.1 acres of the transferred lands.

“(e) LEGACY ROADS AND TRAILS PROGRAM.—

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

“(A) urgently needed road decommissioning, road and trail repair and maintenance and associated activities, and removal of fish passage barriers, especially in areas in which roads may be contributing to water quality problems in streams and water bodies that support threatened, endangered, or sensitive species or community water sources;

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

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

“(2) PROJECT SELECTION.—

“(A) IN GENERAL.—The Secretary shall—

“(i) consider public input in the selection of projects; and

“(ii) publish the selection process of the Secretary on the website of the Bureau of Land Management.

“(B) PRIORITIES.—In selecting projects under this subsection, the Secretary shall give priority to decommissioning and repairing roads and trails in—

“(i) environmentally sensitive areas; and

“(ii) areas in which roads may be contributing to water quality problems in streams and water bodies that support threatened or endangered species, or species considered sensitive by the Secretary.

“(3) REPORT TO CONGRESS.—Not later than 120 days after the end of each fiscal year, the Secretary shall submit to Congress a report on the status of the projects selected for completion in the previous 2 fiscal years.

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

“SEC. 12. DISTRIBUTION OF FUNDS.

“(a) IN GENERAL.—Effective for fiscal year 2014 and each fiscal year thereafter, all receipts generated from activities on covered land shall be collected, deposited in a separate fund in the Treasury designated the ‘Oregon and California Railroad Grant Lands Fund’, and distributed annually in accordance with this section and title II of the Oregon and California Land Grant Act (43 U.S.C. 1181f) and sections 1 through 4 of the Act of May 24, 1939 (43 U.S.C. 1181f-1 through 1181f-4), as applicable.

“(b) GENERAL FUND.—Subject to subsection (d)(4), as soon as practicable after the end of each fiscal year described in subsection (a), \$4,000,000 of all amounts received by the Secretary for the applicable fiscal year from the covered land shall be transferred to the general fund of the Treasury.

“(c) ADMINISTRATIVE COSTS.—

“(1) IN GENERAL.—Subject to paragraph (2) and subsection (d)(4), all amounts received for the applicable fiscal year by the Secretary from the covered land shall be used to pay for the management of, administrative expenses for, and capital improvement costs for the covered land, including the protection or restoration of fish and wildlife habitat on the covered land.

“(2) LIMITATIONS.—The amount of revenue that is used to pay for expenses and costs for a fiscal year under paragraph (1) shall not exceed—

“(A) 25 percent of all amounts received for the applicable fiscal year by the Secretary from the covered land during the fiscal year; or

“(B) \$20,000,000 in 2014 dollars indexed for inflation.

“(d) PAYMENTS TO COUNTIES.—

“(1) IN GENERAL.—All amounts received for the applicable fiscal year by the Secretary from the covered land during a fiscal year that is in excess of the amount necessary to carry out subsections (b) and (c) shall be provided to the counties that contain covered land (referred to in this subsection as a ‘covered county’) in the form of annual payments.

“(2) TIMING.—Payments shall be made available to covered counties under this subsection as soon as practicable following the end of each fiscal year.

“(3) OTHER COUNTY FUNDS.—Payments made to covered counties under this subsection shall be used as other county funds.

“(4) MINIMUM AMOUNT.—

“(A) IN GENERAL.—Subject to clauses (ii) and (iii), the annual payment paid to a covered county under this subsection, to the extent practicable, shall not be less than the payment that the covered county would have received solely under this Act (as in effect on the day before the date of enactment of the Oregon and California Land Grant Act of 2014) for fiscal year 2013 if the covered county had elected to receive payment under this Act and not under any other law.

“(B) USE OF GENERAL FUND SHARE.—If the portion of revenues to be provided to a covered county for a fiscal year is less than the amount described in clause (i), the payment made to the Treasury for the fiscal year under subsection (b) shall be reduced by an amount necessary to provide the minimum payments required under clause (i) for the covered county.”.

(b) CONFORMING AMENDMENTS.—

(1) NATIONAL LANDSCAPE CONSERVATION SYSTEM ADDITIONS.—Section 2002(b)(2) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7202(b)(2)) is amended—

(A) in subparagraph (D), by striking “and” after the semicolon;

(B) by redesignating subparagraph (E) as subparagraph (F); and

(C) by inserting after subparagraph (D) the following:

“(E) public land designated as Oregon and California Land grant land in the State of Oregon, administered by the Bureau of Land Management as conservation emphasis areas; and”.

(2) SETTLEMENT OF CONTROVERTED LAND STATUS.—The first section of the Act of June 24, 1954 (68 Stat. 270, chapter 357; 43 U.S.C. 1181g) is amended in subsection (a)—

(A) by striking “are hereby declared to be revested Oregon and California Railroad grant lands; and said lands”; and

(B) by striking “ : *Provided*, That” and all that follows through the end of the subsection and inserting a period.

SEC. 102. DESIGNATION OF WILD AND SCENIC RIVERS.

(a) DESIGNATION OF WILD AND SCENIC RIVER SEGMENTS.—

(1) IN GENERAL.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

“(208) NESTUCCA RIVER, OREGON.—The approximately 15.5-mile segment from its confluence with Ginger Creek downstream until it crosses T. 4 S., R. 7 W., sec. 7, Willamette Meridian, to be administered by the Secretary of the Interior as a recreational river.

“(209) WALKER CREEK, OREGON.—The approximately 2-mile segment from the headwaters in T. 3 S., R. 6 W., sec. 20 downstream to the confluence with the Nestucca River in T. 3 S., R. 6 W., sec. 15, Willamette Meridian, to be administered by the Secretary of the Interior as a recreational river.

“(210) NORTH FORK SILVER CREEK, OREGON.—The approximately 6-mile segment from the headwaters in T. 35 S., R. 9 W., sec. 1 downstream to the edge of the Bureau of Land Management boundary in T. 35 S., R. 9 W., sec. 17, Willamette Meridian, to be administered by the Secretary of the Interior as a recreational river.

“(211) JENNY CREEK, OREGON.—The approximately 17.6-mile segment from the Bureau of Land Management boundary located at the north boundary of the southwest quarter of the southeast quarter of T. 38 S., R. 4 E., sec. 34, Willamette Meridian, downstream to the Oregon State border, to be administered by the Secretary of the Interior as a scenic river.

“(212) SPRING CREEK, OREGON.—The approximately 1.1-mile segment from its source at Shoat Springs in T. 40 S., R. 4 E., sec. 34, Willamette Meridian, downstream to the confluence with Jenny Creek in T. 41 S., R. 4 E., sec. 3, Willamette Meridian, to be administered by the Secretary of the Interior as a scenic river.

“(213) LOBSTER CREEK, OREGON.—The approximately 5-mile segment from T. 15 S., R. 8 W., sec. 35, Willamette Meridian, downstream to the edge of the Bureau of Land Management boundary in T. 15 S., R. 8 W., sec. 15, Willamette Meridian, to be administered by the Secretary of the Interior as a recreational river.

“(214) ELK CREEK, OREGON.—The approximately 7.3-mile segment from its confluence with Flat Creek near river mile 9, to the southern edge of the Army Corps of Engineers boundary in T. 33 S., R. 1 E., sec. 30, Willamette Meridian, near river mile 1.7, to be administered by the Secretary of the Interior as a scenic river.”.

(2) ADMINISTRATION.—

(A) LATERAL BOUNDARIES.—Notwithstanding section 3(b), the lateral boundaries of the scenic river area along Elk Creek shall include an average of not more than 640 acres per mile measured from the ordinary high water mark on both sides of the river.

(B) DEAUTHORIZATION.—The Elk Creek Project, authorized by the Flood Control Act of 1962 (Public Law 87–874, 21 September 1962) is deauthorized.

(b) ELK RIVER SALMON EMPHASIS AREA, ELK RIVER, OREGON.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by striking paragraph (76) and inserting the following:

“(76) ELK, OREGON.—The 63.1-mile segment to be administered by the Secretary of Agriculture in the following classes:

“(A) MAINSTEM.—The 17-mile segment from the confluence of the North and South Forks of the Elk to Anvil Creek as a recreational river.

“(B) NORTH FORK.—

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

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

“(C) SOUTH FORK.—

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

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

“(D) OTHER TRIBUTARIES.—

“(i) ROCK CREEK.—The approximately 1.7-mile segment of Rock Creek from its headwaters to its confluence with Elk River, as a wild river.

“(ii) BALD MOUNTAIN CREEK.—The approximately 8-mile segment of Bald Mountain Creek from its headwaters, including Salal Spring to its confluence with Elk River, as a recreational river.

“(iii) SOUTH FORK BALD MOUNTAIN CREEK.—The approximately 3.5-mile segment of South Fork Bald Mountain Creek from its headwaters to its confluence with Bald Mountain Creek, as a scenic river.

“(iv) PLATINUM CREEK.—The approximately 1-mile segment of Platinum Creek from—

“(I) its headwaters to 0.01 miles above Forest Service Road 5325, as a wild river; and

“(II) 0.01 miles above Forest Service Road 5325 to its confluence with Elk River, as a wild river.

“(v) PANTHER CREEK.—The approximately 5.0-mile segment of Panther Creek from—

“(I) its headwaters, including Mountain Well, to 0.01 miles above Forest Service Road 5325, as a wild river; and

“(II) 0.01 miles above Forest Service Road 5325 to its confluence with Elk River, as a scenic river.

“(vi) EAST FORK PANTHER CREEK.—The approximately 3.0-mile segment of East Fork Panther Creek from its headwaters, to the confluence with Panther Creek, as a wild river.

“(vii) WEST FORK PANTHER CREEK.—The approximately 3.0-mile segment of West Fork Panther Creek from its headwaters to the confluence with Panther Creek as a wild river.

“(viii) LOST CREEK.—The approximately 1.0-mile segment of Lost Creek from—

“(I) its headwaters to 0.01 miles above Forest Service Road 5325, as a wild river; and

“(II) 0.01 miles above Forest Service Road 5325 to its confluence with the Elk River, as a scenic river.

“(ix) MILBURY CREEK.—The approximately 1.5-mile segment of Milbury Creek from—

“(I) its headwaters to 0.01 miles above Forest Service Road 5325, as a wild river; and

“(II) 0.01 miles above Forest Service Road 5325 to its confluence with the Elk River, as a scenic river.

“(x) BLACKBERRY CREEK.—The approximately 5.0-mile segment of Blackberry Creek from—

“(I) its headwaters to 0.01 miles above Forest Service Road 5325, as a wild river; and

“(II) 0.01 miles above Forest Service Road 5325 to its confluence with the Elk River, as a scenic river.

“(xi) MCCURDY CREEK.—The approximately 1.0-mile segment of McCurdy Creek from—

“(I) its headwaters to 0.01 miles above Forest Service Road 5325, as a wild river; and

“(II) 0.01 miles above Forest Service Road 5325 to its confluence with the Elk River, as a scenic river, and

“(xii) BEAR CREEK.—The approximately 1.5-mile segment of Bear Creek from headwaters to the confluence with Bald Mountain Creek, as a recreational river.

(c) **WITHDRAWAL.**—Subject to valid existing rights, the Federal land within the boundaries of the river segments designated by paragraphs (208) through (215) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is withdrawn from all forms of—

- (1) entry, appropriation, or disposal under the public land laws;
- (2) location, entry, and patent under the mining laws; and
- (3) disposition under all laws relating to mineral and geothermal leasing or mineral materials.

TITLE II—TRIBAL LAND

Subtitle A—Oregon Coastal Land Conveyance

SEC. 201. DEFINITIONS.

In this subtitle:

(1) **FEDERAL LAND.**—The term “Federal land” means the approximately 14,804 acres of Federal land, as generally depicted on the map entitled “Oregon Coastal Land Conveyance”, and dated March 27, 2013.

(2) **PLANNING AREA.**—The term “planning area” means land—

(A) administered by the Director of the Bureau of Land Management; and
(B) located in—

- (i) the Coos Bay District;
- (ii) the Eugene District;
- (iii) the Medford District;
- (iv) the Roseburg District;
- (v) the Salem District; or
- (vi) the Klamath Falls Resource Area of the Lakeview District.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(4) **TRIBE.**—The term “Tribe” means the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians.

SEC. 202. CONVEYANCE.

(a) **IN GENERAL.**—Subject to valid existing rights, including rights-of-way and reciprocal rights-of-way, all right, title, and interest of the United States in and to the Federal land, including any improvements located on the Federal land, appurtenances to the Federal land, and minerals on or in the Federal land, including oil and gas, shall be—

- (1) held in trust by the United States for the benefit of the Tribe; and
- (2) part of the reservation of the Tribe.

(b) **SURVEY.**—Not later than 180 days after the date of enactment of this Act, if the Secretary determines a survey to be necessary, the Secretary shall complete a survey of the boundary lines to establish the boundaries of the land taken into trust under subsection (a).

SEC. 203. MAP AND LEGAL DESCRIPTION.

(a) **IN GENERAL.**—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and legal description of the Federal land with—

- (1) the Committee on Energy and Natural Resources of the Senate; and
- (2) the Committee on Natural Resources of the House of Representatives.

(b) **FORCE AND EFFECT.**—The map and legal description filed under subsection (a) shall have the same force and effect as if included in this subtitle, except that the Secretary may correct any clerical or typographical errors in the map or legal description.

(c) **PUBLIC AVAILABILITY.**—The map and legal description filed under subsection (a) shall be on file and available for public inspection in the Office of the Secretary.

SEC. 204. ADMINISTRATION.

(a) **IN GENERAL.**—Unless expressly provided in this subtitle, nothing in this subtitle affects any right or claim of the Tribe existing on the date of enactment of this Act to any land or interest in land.

(b) **PROHIBITIONS.**—

(1) **EXPORTS OF UNPROCESSED LOGS.**—Federal law (including regulations) relating to the export of unprocessed logs harvested from Federal land shall apply to any unprocessed logs that are harvested from the Federal land.

(2) **NON-PERMISSIBLE USE OF LAND.**—Any real property taken into trust under section 202(a) shall not be eligible, or used, for any gaming activity carried out under Public Law 100–497 (25 U.S.C. 2701 et seq.).

SEC. 205. FOREST MANAGEMENT.

(a) **APPLICABLE LAW.**—Any commercial forestry activity that is carried out on the Federal land shall be managed in accordance with all applicable Federal laws, including the National Indian Forest Resources Management Act (25 U.S.C. 3101 et seq.).

(b) **AGREEMENTS.**—The Tribe shall consult with the Secretary and other parties as necessary to develop agreements to provide for access to the land taken into trust under section 202(a) that provide for—

- (1) honoring existing reciprocal right-of-way agreements;
- (2) administrative access by the Bureau of Land Management; and
- (3) management of the parcels of the land taken into trust under section 202(a) that are acquired or developed under the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–4 et seq.), consistent with section 8(f)(3) of that Act (16 U.S.C. 4601– 8(f)(3)).

(c) **LAND USE PLANNING REQUIREMENTS.**—On conveyance of the Federal land to the Tribe under section 202, the Federal land shall not be subject to the land use planning requirements of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) or the Act of August 28, 1937 (50 Stat. 874, chapter 876; 43 U.S.C. 1181a et seq.).

Subtitle B—Canyon Mountain Land Conveyance

SEC. 211. DEFINITIONS.

In this subtitle:

(1) **FEDERAL LAND.**—The term “Federal land” means the approximately 17,826 acres of Federal land, as generally depicted on the map entitled “Canyon Mountain Land Conveyance”, and dated June 27, 2013.

(2) **PLANNING AREA.**—The term “planning area” means land—

- (A) administered by the Director of the Bureau of Land Management; and
- (B) located in—
 - (i) the Coos Bay District;
 - (ii) the Eugene District;
 - (iii) the Medford District;
 - (iv) the Roseburg District;
 - (v) the Salem District; or
 - (vi) the Klamath Falls Resource Area of the Lakeview District.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(4) **TRIBE.**—The term “Tribe” means the Cow Creek Band of Umpqua Tribe of Indians.

SEC. 212. CONVEYANCE.

(a) **IN GENERAL.**—Subject to valid existing rights, including rights-of-way and reciprocal rights-of-way, all right, title, and interest of the United States in and to the Federal land, including any improvements located on the Federal land, appurtenances to the Federal land, and minerals on or in the Federal land, including oil and gas, shall be—

- (1) held in trust by the United States for the benefit of the Tribe; and
- (2) part of the reservation of the Tribe.

(b) **SURVEY.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall complete a survey of the boundary lines to establish the boundaries of the land taken into trust under subsection (a).

SEC. 213. MAP AND LEGAL DESCRIPTION.

(a) **IN GENERAL.**—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and legal description of the Federal land with—

- (1) the Committee on Energy and Natural Resources of the Senate; and
- (2) the Committee on Natural Resources of the House of Representatives.

(b) **FORCE AND EFFECT.**—The map and legal description filed under subsection (a) shall have the same force and effect as if included in this subtitle except that the Secretary may correct any clerical or typographical errors in the map or legal description.

(c) **PUBLIC AVAILABILITY.**—The map and legal description filed under subsection (a) shall be on file and available for public inspection in the Office of the Secretary.

SEC. 214. ADMINISTRATION.

(a) **IN GENERAL.**—Unless expressly provided in this subtitle, nothing in this subtitle affects any right or claim of the Tribe existing on the date of enactment of this Act to any land or interest in land.

(b) **PROHIBITIONS.**—

(1) EXPORTS OF UNPROCESSED LOGS.—Federal law (including regulations) relating to the export of unprocessed logs harvested from Federal land shall apply to any unprocessed logs that are harvested from the Federal land.

(2) NON-PERMISSIBLE USE OF LAND.—Any real property taken into trust under section 212 shall not be eligible, or used, for any gaming activity carried out under Public Law 100– 497 (25 U.S.C. 2701 et seq.).

(c) EFFECT ON TIMBER SALE CONTRACTS.—Nothing in this subtitle affects any timber sale contracts awarded as of the date of enactment of this Act.

SEC. 215. FOREST MANAGEMENT.

(a) APPLICABLE LAW.—Any commercial forestry activity that is carried out on the Federal land shall be managed in accordance with all applicable Federal laws, including the National Indian Forest Resources Management Act (25 U.S.C. 3101 et seq.).

(b) AGREEMENTS.—The Tribe shall consult with the Director of the Bureau of Land Management and other parties as necessary to develop agreements to provide for access to the land taken into trust under section 212(a) that provide for—

(1) honoring existing reciprocal right-of-way agreements; and

(2) administrative access by the Bureau of Land Management.

(c) LAND USE PLANNING REQUIREMENTS.—On conveyance of the Federal land to the Tribe under section 212, the Federal land shall not be subject to the land use planning requirements of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) or the Act of August 28, 1937 (50 Stat. 874, chapter 876; 43 U.S.C. 1181a et seq.).

Subtitle C—Amendments to Coquille Restoration Act

SEC. 221. AMENDMENTS TO COQUILLE RESTORATION ACT.

Section 5(d) of the Coquille Restoration Act (25 U.S.C. 715c(d)) is amended—

(1) by striking paragraph (5) and inserting the following:

“(5) MANAGEMENT.—

“(A) IN GENERAL.—Subject to subparagraph (B), the Secretary of the Interior, acting through the Assistant Secretary for Indian Affairs, shall—

“(i) manage the Coquille Forest in accordance with the laws pertaining to the management of Indian trust land; and

“(ii) distribute revenues in accordance with the National Indian Forest Resources Management Act (25 U.S.C. 3101 et seq.).

“(B) ADMINISTRATION.—

“(i) UNPROCESSED LOGS.—Unprocessed logs harvested from the Coquille Forest shall be subject to the same Federal statutory restrictions on export to foreign nations that apply to unprocessed logs harvested from Federal land.

“(ii) SALES OF TIMBER.—Notwithstanding any other provision of law, all sales of timber from land subject to this subsection shall be advertised, offered, and awarded according to competitive bidding practices, with sales being awarded to the highest responsible bidder.”.

(2) by striking paragraph (9); and

(3) by redesignating paragraphs (10) through (12) as paragraphs (9) through (11), respectively.

TITLE III—OREGON TREASURES

Subtitle A—Wild Rogue Wilderness Area

SEC. 301. WILD ROGUE WILDERNESS AREA.

(a) DEFINITIONS.—In this section:

(1) COMMISSION.—The term “Commission” means the Federal Energy Regulatory Commission.

(2) MAP.—The term “Map” means the map entitled “Wild Rogue Wilderness Additions” and dated June 12, 2013.

(3) SECRETARY.—The term “Secretary” means—

(A) the Secretary of the Interior, with respect to public land administered by the Secretary of the Interior; or

- (B) the Secretary of Agriculture, with respect to National Forest System land.
- (4) WILDERNESS ADDITIONS.—The term “Wilderness additions” means the land added to the Wild Rogue Wilderness under subsection (b)(1).
- (b) EXPANSION OF WILD ROGUE WILDERNESS AREA.—
- (1) EXPANSION.—The approximately 56,100 acres of Federal land in the State of Oregon generally depicted on the map as “BLM Proposed Wilderness” and “Proposed USFS Wilderness” shall be added to and administered as part of the Wild Rogue Wilderness in accordance with Public Law 95–237 (16 U.S.C. 1132 note; 92 Stat. 43), except that—
- (A) the Secretary of the Interior and the Secretary of Agriculture shall administer the Federal land under their respective jurisdiction; and
- (B) any reference in that Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary of Agriculture or the Secretary of the Interior, as applicable.
- (2) MAP; LEGAL DESCRIPTION.—
- (A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare a map and legal description of the wilderness area designated by paragraph (1).
- (B) FORCE OF LAW.—The map and legal description filed under subparagraph (A) shall have the same force and effect as if included in this section, except that the Secretary may correct typographical errors in the map and legal description.
- (C) PUBLIC AVAILABILITY.—The map and legal description filed under subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management and Forest Service.
- (3) CORRECTION.—Section 3(b) of the Endangered American Wilderness Act of 1978 (16 U.S.C. 1132 note; Public Law 95–237; 92 Stat. 43) is amended by striking “3(a)(5)” and inserting “3(a)(5)(A)”.
- (4) WITHDRAWAL.—Subject to valid existing rights, the Wilderness additions are withdrawn from all forms of—
- (A) entry, appropriation, or disposal under the public land laws;
- (B) location, entry, and patent under the mining laws; and
- (C) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.
- (5) TRIBAL RIGHTS.—Nothing in this subsection alters, modifies, enlarges, diminishes, or abrogates the treaty rights of any Indian tribe.
- (c) POTENTIAL ADDITION TO WILDERNESS AREA.—
- (1) DESIGNATION.—Subject to paragraph (3) and in furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), certain public land in the State of Oregon administered by the Secretary of the Interior, comprising approximately 600 acres, as generally depicted on the map as “Potential Wilderness”, shall be added to and administered as part of the Wild Rogue Wilderness.
- (2) INTERIM MANAGEMENT.—Subject to valid existing rights, the Secretary shall manage the land described in paragraph (1) to protect its suitability for designation as wilderness until the date on which the land is designated as wilderness in accordance with paragraph (3).
- (3) WILDERNESS DESIGNATION.—
- (A) IN GENERAL.—The land described in paragraph (1) shall be designated as wilderness and added to and administered as part of the Wild Rogue Wilderness on the date on which the Secretary publishes in the Federal Register notice that the conditions in the potential wilderness area that are incompatible with the Wilderness Act (16 U.S.C. 1131 et seq.) have been removed.
- (B) ADMINISTRATION.—On designation as wilderness under paragraph (1), the land described in that paragraph shall be administered in accordance with this Act, the Wilderness Act (16 U.S.C. 1131 et seq.), and Public Law 95–237 (16 U.S.C. 1132 note; 92 Stat. 40).
- (4) WITHDRAWAL.—Subject to valid existing rights, the land described in paragraph (1) is withdrawn from all forms of—
- (A) entry, appropriation, or disposal under the public land laws;
- (B) location, entry, and patent under the mining laws; and
- (C) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.
- (d) WITHDRAWAL AREA PROTECTIONS.—
- (1) IN GENERAL.—The Secretary shall manage the Federal land described in paragraph (2) in a manner that preserves the natural and primitive character of the land for recreational, scenic, and scientific use.

(2) DESCRIPTION OF THE LAND.—The Federal land referred to in paragraph (1) is the approximately 4,000 acres generally depicted on the map as “Withdrawal Area”.

(3) MAPS AND LEGAL DESCRIPTIONS.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare a map and legal description of the land described in paragraph (2).

(B) FORCE OF LAW.—The map and legal description filed under subparagraph (A) shall have the same force and effect as if included in this section, except that the Secretary may correct typographical errors in the map and legal description.

(C) PUBLIC AVAILABILITY.—The map and legal description filed under subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(4) USE OF LAND.—

(A) IN GENERAL.—Subject to valid existing rights, with respect to the Federal land described in paragraph (2), the Secretary shall only allow uses that are consistent with the purposes described in paragraph (1).

(B) PROHIBITED USES.—The following shall be prohibited on the Federal land described in paragraph (2):

(i) Permanent roads.

(ii) Commercial enterprises.

(iii) Except as necessary to meet the minimum requirements for the administration of the Federal land and to protect public health and safety—

(I) the use of motor vehicles; or

(II) the establishment of temporary roads.

(5) WITHDRAWAL.—Subject to valid existing rights, the Federal land described in paragraph (2) is withdrawn from—

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

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

(C) disposition under all laws relating to mineral and geothermal leasing or mineral materials.

(e) WILD AND SCENIC RIVER DESIGNATIONS, ROGUE RIVER AREA.—

(1) AMENDMENTS.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by striking paragraph (5) and inserting the following:

“(5) ROGUE, OREGON.—

“(A) IN GENERAL.—The segment of the river extending from the mouth of the River downstream to the Lobster Creek Bridge, to be administered by the Secretary of the Interior or the Secretary of Agriculture, as agreed to by the Secretaries of the Interior and Agriculture or as directed by the President.

“(B) ADDITIONS.—In addition to the segment described in subparagraph (A), there are designated the following segments in the Rogue River:

“(i) KELSEY CREEK.—The approximately 6.8-mile segment of Kelsey Creek from the Wild Rogue Wilderness boundary in T. 32 S., R. 9 W., sec. 25, Willamette Meridian, to the confluence with the Rogue River, as a wild river.

“(ii) EAST FORK KELSEY CREEK.—

“(I) SCENIC RIVER.—The approximately 0.2-mile segment of East Fork Kelsey Creek from headwaters downstream to the Wild Rogue Wilderness boundary in T. 33 S., R. 8 W., sec. 5, Willamette Meridian, as a scenic river.

“(II) WILD RIVER.—The approximately 4.6-mile segment of East Fork Kelsey Creek from the Wild Rogue Wilderness boundary in T. 33 S., R. 8 W., sec. 5, Willamette Meridian, to the confluence with Kelsey Creek, as a wild river.

“(iii) WHISKY CREEK.—

“(I) RECREATIONAL RIVER.—The approximately 0.6-mile segment of Whisky Creek from the confluence of the East Fork and West Fork to 0.1 miles downstream from road 33-8-23, as a recreational river.

“(II) WILD RIVER.—The approximately 1.9-mile segment of Whisky Creek from 0.1 miles downstream from road 33-8-23 to the confluence with the Rogue River, as a wild river.

“(iv) EAST FORK WHISKY CREEK.—

“(I) SCENIC RIVER.—The approximately 0.9-mile segment of East Fork Whisky Creek from its headwaters to Wild Rogue Wilderness

boundary in T. 33 S., R. 8 W., sec. 11, Willamette Meridian., as a scenic river.

“(II) WILD RIVER.—The approximately 2.6-mile segment of East Fork Whisky Creek from the Wild Rogue Wilderness boundary in T. 33 S., R. 8 W., sec. 11, Willamette Meridian., to 0.1 miles downstream of road 33-8-26 crossing, as a wild river.

“(III) RECREATIONAL RIVER.—The approximately 0.3-mile segment of East Fork Whisky Creek from 0.1 miles downstream of road 33-8-26 to the confluence with Whisky Creek, as a recreational river.

“(v) WEST FORK WHISKY CREEK.—The approximately 4.8-mile segment of West Fork Whisky Creek from its headwaters to the confluence with the East Fork Whisky Creek, as a wild river.

“(vi) BIG WINDY CREEK.—

“(I) SCENIC RIVER.—The approximately 1.5-mile segment of Big Windy Creek from its headwaters to 0.1 miles downstream from road 34-9-17.1, as a scenic river.

“(II) WILD RIVER.—The approximately 5.8-mile segment of Big Windy Creek from 0.1 miles downstream from road 34-9-17.1 to the confluence with the Rogue River, as a wild river.

“(vii) EAST FORK BIG WINDY CREEK.—

“(I) SCENIC RIVER.—The approximately 0.2-mile segment of East Fork Big Windy Creek from its headwaters to 0.1 miles downstream from road 34-8-36, as a scenic river.

“(II) WILD RIVER.—The approximately 3.7-mile segment of East Fork Big Windy Creek from 0.1 miles downstream from road 34-8-36 to the confluence with Big Windy Creek, as a wild river.

“(viii) LITTLE WINDY CREEK.—

“(I) SCENIC RIVER.—The approximately 1.2-mile segment of Little Windy Creek from its headwaters to the Wild Rogue Wilderness boundary in T. 33 S., R. 9 W., sec. 34, Willamette Meridian, as a scenic river.

“(II) WILD RIVER.—The approximately 1.9-mile segment of Little Windy Creek from the Wild Rogue Wilderness boundary in T. 33 S., R. 9 W., sec. 34, Willamette Meridian to the confluence with the Rogue River, as a wild river.

“(ix) HOWARD CREEK.—

“(I) SCENIC RIVER.—The approximately 0.3-mile segment of Howard Creek from its headwaters to 0.1 miles downstream of road 34-9-34, as a scenic river.

“(II) WILD RIVER.—The approximately 6.9-mile segment of Howard Creek from 0.1 miles downstream of road 34-9-34 to the confluence with the Rogue River, as a wild river.

“(x) MULE CREEK.—

“(I) SCENIC RIVER.—The approximately 3.5-mile segment of Mule Creek from its headwaters downstream to the Wild Rogue Wilderness boundary as a scenic river.

“(II) WILD RIVER.—The approximately 7.8-mile segment of Mule Creek from the Wild Rogue Wilderness boundary in T. 32 S., R. 9 W., sec. 29, Willamette Meridian, to the confluence with the Rogue River, as a wild river.

“(xi) ANNA CREEK.—The approximately 3.5-mile segment of Anna Creek from its headwaters to the confluence with Howard Creek, as a wild river.

“(xii) MISSOURI CREEK.—

“(I) SCENIC RIVER.—The approximately 3.1-mile segment of Mule Creek from its headwaters downstream to the Wild Rogue Wilderness boundary in T. 33 S., R. 10 W., sec. 24, Willamette Meridian, as a scenic river.

“(II) WILD RIVER.—The approximately 1.6-mile segment of Missouri Creek from the Wild Rogue Wilderness boundary in T. 33 S., R. 10 W., sec. 24, Willamette Meridian, to the confluence with the Rogue River, as a wild river.

“(xiii) JENNY CREEK.—

“(I) SCENIC RIVER.—The approximately 3.1-mile segment of Jenny Creek from its headwaters downstream to the Wild Rogue Wilderness boundary in T. 33 S., R. 9 W., sec. 28, Willamette Meridian, as a scenic river.

- “(II) WILD RIVER.—The approximately 1.8-mile segment of Jenny Creek from the Wild Rogue Wilderness boundary in T. 33 S., R. 9 W., sec. 28, Willamette Meridian, to the confluence with the Rogue River, as a wild river.
- “(xiv) RUM CREEK.—
- “(I) SCENIC RIVER.—The approximately 2.2-mile segment of Rum Creek from its headwaters to the Wild Rogue Wilderness boundary in T. 34 S., R. 8 W., sec. 9., Willamette Meridian, as a scenic river.
- “(II) WILD RIVER.—The approximately 2.2-mile segment of Rum Creek from the Wild Rogue Wilderness boundary in T. 34 S., R. 8 W., sec. 9, Willamette Meridian, to the confluence with the Rogue River, as a wild river.
- “(xv) EAST FORK RUM CREEK.—
- “(I) SCENIC RIVER.—The approximately 0.8-mile segment of East Fork Rum Creek from its headwaters to the Wild Rogue Wilderness boundary in T. 34 S., R. 8 W., sec. 10., Willamette Meridian, as a scenic river.
- “(II) WILD RIVER.—The approximately 1.3-mile segment of East Fork Rum Creek from the Wild Rogue Wilderness boundary in T. 34 S., R. 8 W., sec. 10, Willamette Meridian, to the confluence with Rum Creek, as a wild river.
- “(xvi) WILDCAT CREEK.—The approximately 1.7-mile segment of Wildcat Creek from its headwaters downstream to the confluence with the Rogue River, as a wild river.
- “(xvii) MONTGOMERY CREEK.—The approximately 1.8-mile segment of Montgomery Creek from its headwaters downstream to the confluence with the Rogue River, as a wild river.
- “(xviii) HEWITT CREEK.—
- “(I) SCENIC RIVER.—The approximately 1.4-mile segment of Hewitt Creek from its headwaters to the Wild Rogue Wilderness boundary in T. 33 S., R. 9 W., sec. 19., Willamette Meridian, as a scenic river.
- “(II) WILD RIVER.—The approximately 1.2-mile segment of Hewitt Creek from the Wild Rogue Wilderness boundary in T. 33 S., R. 9 W., sec. 19, Willamette Meridian, to the confluence with the Rogue River, as a wild river.
- “(xix) BUNKER CREEK.—The approximately 6.6-mile segment of Bunker Creek from its headwaters to the confluence with the Rogue River, as a wild river.
- “(xx) DULOG CREEK.—
- “(I) SCENIC RIVER.—The approximately 0.8-mile segment of Dulog Creek from its headwaters to 0.1 miles downstream of road 34-8-36, as a scenic river.
- “(II) WILD RIVER.—The approximately 1.0-mile segment of Dulog Creek from 0.1 miles downstream of road 34-8-36 to the confluence with the Rogue River, as a wild river.
- “(xxi) QUAIL CREEK.—The approximately 1.7-mile segment of Quail Creek from the Wild Rogue Wilderness boundary in T. 33 S., R. 10 W., sec. 1, Willamette Meridian, to the confluence with the Rogue River, as a wild river.
- “(xxii) MEADOW CREEK.—The approximately 4.1-mile segment of Meadow Creek from its headwaters to the confluence with the Rogue River, as a wild river.
- “(xxiii) RUSSIAN CREEK.—
- “(I) SCENIC RIVER.—The approximately 0.1-mile segment of Russian Creek from its headwaters to the Wild Rogue Wilderness boundary in T. 33 S., R. 8 W., sec. 20., Willamette Meridian, as a scenic river.
- “(II) WILD RIVER.—The approximately 2.5-mile segment of Russian Creek from the Wild Rogue Wilderness boundary in T. 33 S., R. 8 W., sec. 20, Willamette Meridian, to the confluence with the Rogue River, as a wild river.
- “(xxiv) ALDER CREEK.—The approximately 1.2-mile segment of Alder Creek from its headwaters to the confluence with the Rogue River, as a wild river.
- “(xxv) BOOZE CREEK.—The approximately 1.5-mile segment of Booze Creek from its headwaters to the confluence with the Rogue River, as a wild river.

“(xxvi) BRONCO CREEK.—The approximately 1.8-mile segment of Bronco Creek from its headwaters to the confluence with the Rogue River, as a wild river.

“(xxvii) COPSEY CREEK.—The approximately 1.5-mile segment of Copsey Creek from its headwaters to the confluence with the Rogue River, as a wild river.

“(xxviii) CORRAL CREEK.—The approximately 0.5-mile segment of Corral Creek from its headwaters to the confluence with the Rogue River, as a wild river.

“(xxix) COWLEY CREEK.—The approximately 0.9-mile segment of Cowley Creek from its headwaters to the confluence with the Rogue River, as a wild river.

“(xxx) DITCH CREEK.—The approximately 1.8-mile segment of Ditch Creek from the Wild Rogue Wilderness boundary in T. 33 S., R. 9 W., sec. 5, Willamette Meridian, to its confluence with the Rogue River, as a wild river.

“(xxxi) FRANCIS CREEK.—The approximately 0.9-mile segment of Francis Creek from its headwaters to the confluence with the Rogue River, as a wild river.

“(xxxii) LONG GULCH.—

“(I) SCENIC RIVER.—The approximately 1.4-mile segment of Long Gulch from its headwaters to the Wild Rogue Wilderness boundary in T. 33 S., R. 10 W., sec. 23, Willamette Meridian, as a scenic river.

“(II) WILD RIVER.—The approximately 1.1-mile segment of Long Gulch from the Wild Rogue Wilderness boundary in T. 33 S., R. 10 W., sec. 23, Willamette Meridian, to the confluence with the Rogue River, as a wild river.

“(xxxiii) BAILEY CREEK.—

“(I) SCENIC RIVER.—The approximately 1.4-mile segment of Bailey Creek from its headwaters to the Wild Rogue Wilderness boundary on the west section line of T. 34 S., R. 8 W., sec. 14, Willamette Meridian, as a scenic river.

“(II) WILD RIVER.—The approximately 1.7-mile segment of Bailey Creek from the west section line of T. 34 S., R. 8 W., sec. 14, Willamette Meridian, to the confluence of the Rogue River, as a wild river.

“(xxxiv) SHADY CREEK.—The approximately 0.7-mile segment of Shady Creek from its headwaters to the confluence with the Rogue River, as a wild river.

“(xxxv) SLIDE CREEK.—

“(I) SCENIC RIVER.—The approximately 0.5-mile segment of Slide Creek from its headwaters to 0.1 miles downstream from road 33-9-6, as a scenic river.

“(II) WILD RIVER.—The approximately 0.7-mile section of Slide Creek from 0.1 miles downstream of road 33-9-6 to the confluence with the Rogue River, as a wild river.

“(xxxvi) QUARTZ CREEK.—The approximately 3.3-mile segment of Quartz Creek from its headwaters to its confluence with the North Fork Galice Creek, as a scenic river.

“(xxxvii) NORTH FORK GALICE CREEK.—The approximately 5.7-mile segment of the North Fork Galice Creek from its headwaters to its confluence with Galice Creek, as a recreational river.”.

(2) MANAGEMENT.—Each river segment designated by subparagraph (B) of section 3(a)(5) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(5)) (as added by paragraph (1)) shall be managed as part of the Rogue Wild and Scenic River.

(3) WITHDRAWAL.—Subject to valid existing rights, the Federal land within the boundaries of the river segments designated under subparagraph (B) of section 3(a)(5) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(5)) (as added by paragraph (1)) is withdrawn from all forms of—

- (A) entry, appropriation, or disposal under the public land laws;
- (B) location, entry, and patent under the mining laws; and
- (C) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(f) ADDITIONAL PROTECTIONS FOR ROGUE RIVER TRIBUTARIES.—

(1) LICENSING BY COMMISSION.—The Commission shall not license the construction of any dam, water conduit, reservoir, powerhouse, transmission line, or other project works on or directly affecting any stream described in paragraph (4).

(2) OTHER AGENCIES.—

(A) IN GENERAL.—No department or agency of the United States shall assist by loan, grant, license, or otherwise in the construction of any water resources project on or directly affecting any stream segment that is described in paragraph (4), except to maintain or repair water resources projects in existence on the date of enactment of this Act.

(B) EFFECT.—Nothing in this paragraph prohibits any department or agency of the United States in assisting by loan, grant, license, or otherwise, a water resources project—

(i) the primary purpose of which is ecological or aquatic restoration; and

(ii) that provides a net benefit to water quality and aquatic resources.

(3) WITHDRAWAL.—Subject to valid existing rights, the Federal land located within ¼ mile on either side of the stream segments described in paragraph (4), is withdrawn from all forms of—

(A) entry, appropriation, or disposal under the public land laws;

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

(C) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(4) DESCRIPTION OF STREAM SEGMENTS.—The following are the stream segments referred to in paragraph (1):

(A) KELSEY CREEK.—The approximately 2.5-mile segment of Kelsey Creek from its headwaters to Wild Rogue Wilderness boundary in T. 32 S., R. 9 W., sec. 25.

(B) GRAVE CREEK.—The approximately 10.2-mile segment of Grave Creek from the confluence of Wolf Creek downstream to the confluence with the Rogue River.

(C) CENTENNIAL GULCH.—The approximately 2.2-mile segment of Centennial Gulch from its headwaters to its confluence with the Rogue River.

(D) QUAIL CREEK.—The approximately 0.8-mile segment of Quail Creek from its headwaters to the Wild Rogue Wilderness boundary in T. 33 S., R. 10 W., sec. 1., Willamette Meridian.

(E) DITCH CREEK.—The approximately 0.7-mile segment of Ditch Creek from its headwaters to the Wild Rogue Wilderness boundary in T. 33 S., R. 9 W., sec. 5., Willamette Meridian.

(F) GALICE CREEK.—The approximately 2.2-mile segment of Galice Creek from the confluence with the South Forest Galice Creek downstream to the confluence with the Rogue River.

Subtitle B—Devil’s Staircase Wilderness

SEC. 311. DEFINITIONS.

In this subtitle:

(1) MAP.—The term “map” means the map entitled “Devil’s Staircase Wilderness Proposal” and dated June 15, 2010.

(2) SECRETARY.—The term “Secretary” means—

(A) with respect to land under the jurisdiction of the Secretary of Agriculture, the Secretary of Agriculture; and

(B) with respect to land under the jurisdiction of the Secretary of the Interior, the Secretary of the Interior.

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

(4) WILDERNESS.—The term “Wilderness” means the Devil’s Staircase Wilderness designated by section 312(a).

SEC. 312. DEVIL’S STAIRCASE WILDERNESS, OREGON.

(a) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the approximately 30,540 acres of Forest Service land and Bureau of Land Management land in the State, as generally depicted on the map, is designated as wilderness and as a component of the National Wilderness Preservation System, to be known as the “Devil’s Staircase Wilderness

(b) MAP; LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare a map and legal description of the Wilderness.

(2) FORCE OF LAW.—The map and legal description prepared under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in the map and legal description.

- (3) AVAILABILITY.—The map and legal description prepared under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service and Bureau of Land Management.
- (c) ADMINISTRATION.—Subject to valid existing rights, the area designated as wilderness by this section shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that—
- (1) any reference in that Act to the effective date shall be considered to be a reference to the date of enactment of this Act; and
 - (2) any reference in that Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary that has jurisdiction over the land within the Wilderness.
- (d) FISH AND WILDLIFE.—Nothing in this section affects the jurisdiction or responsibilities of the State with respect to fish and wildlife in the State.
- (e) ADJACENT MANAGEMENT.—
- (1) IN GENERAL.—Nothing in this section creates any protective perimeter or buffer zone around the Wilderness.
 - (2) ACTIVITIES OUTSIDE WILDERNESS.—The fact that a nonwilderness activity or use on land outside the Wilderness can be seen or heard within the Wilderness shall not preclude the activity or use outside the boundary of the Wilderness.
- (f) PROTECTION OF TRIBAL RIGHTS.—Nothing in this section diminishes any treaty rights of an Indian tribe.
- (g) TRANSFER OF ADMINISTRATIVE JURISDICTION.—
- (1) IN GENERAL.—Administrative jurisdiction over the approximately 49 acres of Bureau of Land Management land north of the Umpqua River in sec. 32, T. 21 S., R. 11 W, is transferred from the Bureau of Land Management to the Forest Service.
 - (2) ADMINISTRATION.—The Secretary shall administer the land transferred by paragraph (1) in accordance with—
 - (A) the Act of March 1, 1911 (commonly known as the “Weeks Law”) (16 U.S.C. 480 et seq.); and
 - (B) any laws (including regulations) applicable to the National Forest System.

SEC. 313. WILD AND SCENIC RIVER DESIGNATIONS, WASSON CREEK AND FRANKLIN CREEK, OREGON.

Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as amended by section 102(a)) is amended by adding at the end the following:

“(215) FRANKLIN CREEK, OREGON.—The 4.5-mile segment from its headwaters to the line of angle points within sec. 8, T. 22 S., R. 10 W., shown on the survey recorded in the Official Records of Douglas County, Oregon, as M64–62, to be administered by the Secretary of Agriculture as a wild river.

“(216) WASSON CREEK, OREGON.—The 10.1-mile segment in the following classes:

“(A) The 4.2-mile segment from the eastern boundary of sec. 17, T. 21 S., R. 9 W., downstream to the western boundary of sec. 12, T. 21 S., R. 10 W., to be administered by the Secretary of the Interior as a wild river.

“(B) The 5.9-mile segment from the western boundary of sec. 12, T. 21 S., R. 10 W., downstream to the eastern boundary of the northwest quarter of sec. 22, T. 21 S., R. 10 W., to be administered by the Secretary of Agriculture as a wild river.”

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

SEC. 321. DESIGNATION OF WILD AND SCENIC RIVER SEGMENTS, MOLALLA RIVER, OREGON.

(a) IN GENERAL.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as amended by section 313) is amended by adding at the end the following:

“(217) MOLALLA RIVER, OREGON.—

“(A) IN GENERAL.—The following segments in the State of Oregon, to be administered by the Secretary of the Interior as a recreational river:

“(i) MOLALLA RIVER.—The approximately 15.1-mile segment from the southern boundary line of T. 7 S., R. 4 E., sec. 19, downstream to the edge of the Bureau of Land Management boundary in T. 6 S., R. 3 E., sec. 7.

“(ii) TABLE ROCK FORK MOLALLA RIVER.—The approximately 6.2-mile segment from the easternmost Bureau of Land Management boundary

line in the NE ¼ sec. 4, T. 7 S., R. 4 E., downstream to the confluence with the Molalla River.

“(B) WITHDRAWAL.—Subject to valid existing rights, the Federal land within the boundaries of the river segments designated by subparagraph (A) is withdrawn from all forms of—

- “(i) entry, appropriation, or disposal under the public land laws;
- “(ii) location, entry, and patent under the mining laws; and
- “(iii) disposition under all laws relating to mineral and geothermal leasing or mineral materials.”.

(b) TECHNICAL CORRECTIONS.—Section 3(a)(102) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(102)) is amended—

(1) in the paragraph heading, by striking “SQUAW CREEK” and inserting “WHYCHUS CREEK”;

(2) in the matter preceding subparagraph (A), by striking “McAllister Ditch, including the Soap Fork Squaw Creek, the North Fork, the South Fork, the East and West Forks of Park Creek, and Park Creek Fork” and inserting “Plainview Ditch, including the Soap Creek, the North and South Forks of Whychus Creek, the East and West Forks of Park Creek, and Park Creek”; and

(3) in subparagraph (B), by striking “McAllister Ditch” and inserting “Plainview Ditch”.

SEC. 322. TECHNICAL CORRECTIONS TO THE WILD AND SCENIC RIVERS ACT.

Section 3(a)(69) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(69)) is amended—

(1) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively, and indenting appropriately;

(2) in the matter preceding clause (i) (as so redesignated), by striking “The 44.5-mile” and inserting the following:

“(A) DESIGNATIONS.—The 44.5-mile”;

(3) in clause (i) (as so redesignated)—

(A) by striking “25.5-mile” and inserting “27.5-mile”; and

(B) by striking “Boulder Creek at the Kalmiopsis Wilderness boundary” and inserting “Mislatah Creek”;

(4) in clause (ii) (as so redesignated)—

(A) by striking “8-mile” and inserting “7.5-mile”; and

(B) by striking “Boulder Creek to Steel Bridge” and inserting “Mislatah Creek to Eagle Creek”;

(5) in clause (iii) (as so redesignated)—

(A) by striking “11-mile” and inserting “9.5-mile”; and

(B) by striking “Steel Bridge” and inserting “Eagle Creek”; and

(6) by adding at the end the following:

“(B) WITHDRAWAL.—Subject to valid rights, the Federal land within the boundaries of the river segments designated by subparagraph (A), is withdrawn from all forms of—

- “(i) entry, appropriation, or disposal under the public land laws;
- “(ii) location, entry, and patent under the mining laws; and
- “(iii) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.”.

Subtitle D—Frank Moore Wild Steelhead Sanctuary

SEC. 331. DEFINITIONS.

In this subtitle:

(1) MAP.—The term “Map” means the map entitled “‘O&C Land Grant Act of 2014: Frank Moore Wild Steelhead Sanctuary” and dated November 3, 2014.

(2) SECRETARY.—The term “Secretary” means the Secretary of Agriculture acting through the Chief of the Forest Service.

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

SEC. 332. FRANK MOORE WILD STEELHEAD SANCTUARY, OREGON.

(a) DESIGNATION.—The approximately 104,000 acres of Forest Service land in the State, as generally depicted on the map, is designated as the “Frank Moore Wild Steelhead Sanctuary”.

(b) MAP; LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare a map and legal description of the Frank Moore Wild Steelhead Sanctuary.

- (2) **FORCE OF LAW.**—The map and legal description prepared under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in the map and legal description.
- (3) **AVAILABILITY.**—The map and legal description prepared under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service.
- (c) **ADMINISTRATION.**—Subject to valid existing rights, the area designated as the Frank Moore Wild Steelhead Sanctuary by this section shall be administered by the Secretary in accordance with the all laws (including regulations applicable to the National Forest System, and in addition for the purposes of protecting, preserving and enhancing the natural character, scientific use, and the botanical, recreational, ecological, fish and wildlife, scenic, drinking water, and cultural values of the areas and to preserve opportunities for primitive recreation and especially to protect and enhance the wild salmonid resources of this area and maintain the watershed as a thermal refuge for native salmonids.
- (d) **FISH AND WILDLIFE.**—Nothing in this section affects the jurisdiction or responsibilities of the State with respect to fish and wildlife in the State.
- (e) **ADJACENT MANAGEMENT.**—
- (1) **IN GENERAL.**—Nothing in this section creates any protective perimeter or buffer zone around the Frank Moore Wild Steelhead Sanctuary.
- (2) **ADJACENT MANAGEMENT.**—Nothing in this section creates any protective perimeter or buffer zone around an area designated under this section.
- (f) **PROTECTION OF TRIBAL RIGHTS.**—Nothing in this section diminishes any treaty rights of an Indian tribe.
- (g) **WITHDRAWAL.**—Subject to valid existing rights, the Federal land within the boundaries of the Frank Moore Wild Steelhead Sanctuary river segments designated by subsection (a) is withdrawn from all forms of—
- (1) entry, appropriation, or disposal under the public land laws;
- (2) location, entry, and patent under the mining laws; and
- (3) disposition under all laws relating to mineral and geothermal leasing or mineral materials.
- (h) **USES.**—The Secretary shall only allow uses of the Frank Moore Wild Steelhead Sanctuary that are consistent with the purposes and values for which the Frank Moore Wild Steelhead Sanctuary is established.
- (i) **USE OF MOTORIZED VEHICLES.**—The use of motorized vehicles within the Frank Moore Wild Steelhead Sanctuary shall be limited to roads allowed by the Secretary for such use, provided that the Secretary may allow off-road vehicle use in designated portions of the areas designated by this section if such use is consistent with the purposes and values for which the area was designated.
- (j) **ROADS.**—
- (1) **IN GENERAL.**—The Secretary, to the maximum extent practicable, shall decrease the total mileage of system roads that are operational in the Frank Moore Wild Steelhead Sanctuary to a quantity less than the quantity of mileage in existence on the date of enactment of the Oregon and California Land Grant Act of 2014. The Secretary shall prioritize decreasing the mileage of the road network in order to reduce impacts to water quality from sediment delivered to streams by forest roads.
- (2) **TEMPORARY ROADS.**—If the Secretary constructs a temporary road as part of a vegetation management project, the Secretary shall close and decommission the temporary road not later than the earlier of—
- (A) the date that is 2 years after the date on which the activity for which the temporary road was constructed is completed; and
- (B) the date that is 1 year after the date on which the vegetation management project is completed.
- (3) **NO NEW ROADS.**—The Secretary shall prohibit any new system or non-system road within the Frank Moore Wild Steelhead Sanctuary and key watersheds under the NWFP after the date of enactment of the Oregon and California Land Grant Act of 2014 except as necessary, where no practicable alternative exists and subject to the availability of appropriations. The Secretary shall also prohibit the construction of any new road in any roadless area.

PURPOSE

The purpose of S. 1784 is to improve timber management and protect old growth trees and protect water quality on the Oregon and California Railroad and Coos Bay Wagon Road grant land, to designate certain Federal land as wilderness and other special des-

ignations, to take certain land into trust, and to modify how timber receipts are to be shared with counties.

BACKGROUND AND NEED

The Oregon and California Railroad Revested Lands, commonly known as the “O&C lands,” consist of more than 2.4 million acres of forest land distributed in a checkerboard pattern through eighteen counties of western Oregon. Most of the O&C lands are administered by the Bureau of Land Management (BLM), with approximately 462,000 acres managed by the Forest Service. These lands were originally granted by the Federal government to the Oregon and California Railroad Company in the 1860s to promote completion of the Oregon section of the Portland to San Francisco rail line, but in 1916, after the railroad failed to meet its obligation to sell the land to settlers, Congress took back title to these lands. Three years later, Congress also revested 93,000 acres of Coos Bay Wagon Road grant lands under similar circumstances.

In 1937, Congress passed an act relating to the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands situated in the State of Oregon (the O&C Lands Act of 1937), which provided counties with a share of the receipts collected from these lands to compensate the counties for foregone property tax revenues that would be available if the lands were privately owned. The lands were classified as timberlands to be managed for permanent forest production for the purpose of providing a permanent source of timber supply. The Act also provided for protecting watersheds and stream flow, contributing to the economic stability of local communities and industries, and providing recreation.

The range of uses desired for the O&C lands, as well as their checkerboard pattern across the landscape, has led to challenges in their management. Timber harvests from O&C lands were substantial for many decades and provided significant revenues to Oregon’s rural counties. However, after the listing in 1990 of the Northern Spotted Owl under the Endangered Species Act, timber harvests plummeted. The Northwest Forest Plan, adopted administratively in 1994, has governed the management of these lands and was intended to strike a balance between conservation and timber harvest. Critics often say that the conservation objectives were largely achieved—although the spotted owl remains threatened and in decline—but renewed timber harvests have failed to materialize, with continued timber sale protests and litigation tying up forest management actions.

This legislation would divide the O&C lands so that roughly half of the lands would be designated for conservation and the other half would be managed to revive timber harvesting. Further, timber sales on that portion of the O&C lands would be afforded streamlined environmental review and some protection from protests or litigation.

LEGISLATIVE HISTORY

S. 1784 was introduced by Senator Wyden of Oregon on December 9, 2013. On February 6, 2014, the Senate Committee on Energy and Natural Resources held a hearing on S. 1784 (S. Hrg. 113–

349). At its business meeting on November 13, 2014, the Committee ordered S. 1784 to be reported favorably with an amendment in the nature of a substitute.

S. 1784 is comprised of several other bills introduced in the 113th Congress—S. 352, S. 353, S. 354, S. 1414 and S. 1415.

S. 352, Devil’s Staircase Wilderness Act, was introduced by Senators Wyden and Merkley on February 14, 2013. At its business meeting on March 14, 2013 the Committee ordered S. 23 favorably reported by voice vote. Similar legislation, S. 766, was introduced in the 112th Congress by Senators Wyden and Merkley on April 7, 2011. The Subcommittee on Public Lands and Forests held a hearing on the bill on May 18, 2011, (S. Hrg. 112–39). At its business meeting on November 10, 2011, the Committee ordered S. 766 favorably reported without amendment (S. Rpt. 112–39). The Committee reported a similar bill (S. 1272) in the 111th Congress (S. Rept. 111–387).

Senators Wyden and Merkley introduced S. 353, Oregon’s Treasures Act of 2013, on February 14, 2013. The Subcommittee on Public Lands, Forests, and Mining held a hearing on S. 353 on April 25, 2013 (S. Hrg. 113–28). At its business meeting on June 18, 2013, the Committee ordered the bill favorably reported with an amendment in the nature of a substitute (S. Rept. 113–100). S. 353 combines elements from several bills considered by the Committee in the 112th Congress: S. 403, S. 607, S. 764, and S. 2001 (and in some cases, predecessor legislation in the 111th Congress). S. 403, the Molalla River Wild and Scenic Rivers Act, was introduced by Senators Wyden and Merkley on February 17, 2012. The Subcommittee on National Parks held a hearing on S. 403 on May 11, 2011, (S. Hrg. 112–124). Senators Wyden and Merkley introduced similar legislation during the 111th Congress. S. 607, the Cathedral Rock and Horse Heaven Wilderness Act of 2011, was introduced by Senators Wyden and Merkley on March 17, 2011. The Subcommittee on Public Lands and Forests held a hearing on the bill on May 18, 2011, (S. Hrg. 112–39). S. 764, the Chetco River Protection Act of 2011, was introduced by Senators Wyden and Merkley on April 7, 2011. The Subcommittee on National Parks held a hearing on the bill on July 29, 2011, (S. Hrg. 112–39). S. 2001, the Rogue Wilderness Area Expansion Act of 2011, was introduced by Senators Wyden and Merkley on December 15, 2011. The Subcommittee on Public Lands and Forests held a hearing on the bill on March 22, 2012, (S. Hrg. 112–39).

S. 1414, Oregon Coastal Land Conveyance Act, was introduced by Senators Wyden and Merkley on July 31, 2013. The subcommittee on Public Lands, Forests and Mining held a hearing on November 20, 2013, (S. Hrg. 113–342).

S. 1415, Canyon Mountain Land Conveyance Act of 2013, was also introduced by Senators Wyden and Merkley on July 31, 2013. The subcommittee on Public Lands, Forests and Mining held a hearing on November 20, 2013, (S. Hrg. 113–342).

Representative Hastings and others introduced legislation on the O&C lands, H.R. 1526, Restoring Healthy Forests for Healthy Communities Act, in the House of Representatives on April 12, 2013. The House Committee on Natural Resources ordered the bill reported on September 17, 2013, (H. Rept. 113–213). The House of

Representatives passed H.R. 1526 on September 20, 2013 by a recorded vote of 244–173.

COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in open business session on November 13, 2014, by a majority vote of a quorum present recommends that the Senate pass S. 1784, if amended as described herein.

The roll call vote on reporting the measure was 15 yeas, 7 nays as follows:

YEAS	NAYS
Ms. Landrieu*	Mr. Barrasso*
Mr. Wyden	Mr. Risch*
Mr. Johnson	Mr. Lee*
Ms. Cantwell	Mr. Heller*
Mr. Sanders	Mr. Flake
Ms. Stabenow*	Mr. Scott*
Mr. Udall	Mr. Portman
Mr. Franken	
Mr. Manchin	
Mr. Schatz	
Mr. Heinrich	
Ms. Baldwin	
Ms. Murkowski	
Mr. Alexander*	
Mr. Hoeven*	

* Indicates vote by proxy.

COMMITTEE AMENDMENT

During its consideration of S. 1784, the Committee adopted an amendment in the nature of a substitute. The amendment makes several substantive changes in the bill as well as numerous technical changes. The substituted bill would change the amount of land (from 2.4 million to 2.6 million acres) governed by the legislation, by adding: 410,000 acres of BLM public domain lands; 72,000 acres of BLM's Coos Bay Wagon Road lands; 3,500 acres of Army Corps of Engineers lands; and 308,000 acres of U.S. Forest Service land; and by releasing 380,000 acres of U.S. Forest Service land currently managed under the O&C Lands Act of 1937. The updated bill directs the BLM to identify 50,000 acres from the land covered under this bill to continue to be harvested under the BLM's current guidelines, as laid out in the Northwest Forest Plan. Also, the updated bill redefines old growth forests in the bill as stands of trees over 85 years old (down from 120 years). Harvesting is prohibited on these forests. Lastly, the stream protections in the updated bill are both simpler and will be easier to adjust in the future.

SECTION-BY-SECTION ANALYSIS

Section 1 provides a short title and table of contents.

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

Section 101 amends the O&C Lands Act of 1937 by inserting 12 new sections in place of the first section of the current law, and by redesignating the remaining 3 sections of the current law as sections 13 through 15.

Section 1, as amended, redesignates the O&C Lands Act of 1937 as the “Oregon and California Land Grant Act of 2014”.

Section 2 defines key terms. Most notably, paragraph (9) defines the term “covered land” to mean the 2.8 million acres of Federal land to which the Act would apply by way of a map. This land includes the 2.0 million-acre portion of the O&C land that was originally managed by the BLM; the 410,000 acres of public domain land managed by the BLM; the 72,000 acres of Coos Bay Wagon Road land managed by the BLM; 308,000 acres of land currently managed by the Forest Service; and 3,502 acres of land currently managed by the Army Corps of Engineers. Paragraph (16) defines the term “legacy tree” to mean a tree whether live or dead that is greater than 150 years old.

Section 3 provides overall management direction to the land covered by this bill.

Subsection (a) requires the original O&C land to be managed in accordance with the Act.

Subsection (b) both modifies and adds additional purposes for which these lands are to be managed. The original purpose of managing for forest production is limited to those areas identified in the bill. Also the purpose “recreational facilities” was changed to “recreational opportunities.” Fish and wildlife benefits, improved ecological and hydrological function and health, and improved forest health were added to the original purposes.

Subsection (c) directs the Secretary to not apply the BLM’s Survey and Manage Mitigation Measures to projects that occur in the dry forestry emphasis area or the moist forestry emphasis area.

Subsection (d) requires the covered land, even that land not originally designated as O&C land to be managed in accordance with the Act.

Subsection (e) prohibits the harvesting of stands of trees 90 years of age or older in Moist Forestry Emphasis Areas and Conservation Emphasis Areas, and prohibits the harvesting of individual trees that are over 150 years old and located near a stream.

Subsection (f) states that nothing in this Act modifies the Endangered Species Act.

Subsection (g) requires the Secretary to follow the more protective provisions if land is subject to overlapping designations.

Subsection (h) authorizes residents living adjacent to these Federal lands to treat hazardous fuels within a 100 feet of their homes.

Subsection (i) directs the Secretary to adjust the placement of land either in the Dry Forestry Emphasis Area or the Moist Forestry Emphasis Area provided in this bill within 5 years of enactment.

Subsection (j) makes clear that nothing in this Act affects private existing rights.

Subsection (k) makes clear that State of Oregon still retains jurisdiction of fish and wildlife on these lands.

Subsection (l) restricts the Secretary's use of pesticides on these lands to controlling invasive plants.

Subsection (m) directs the Secretary to identify 50,000 acres from these lands to be jointly managed with Oregon State University to promote research and demonstration projects.

Subsection (n) establishes a transition period for implementation during which existing timber sales and analysis for projects can be completed, for the most part without modification.

Section 4 directs BLM to carry out the Northwest Forest Plan's Aquatic Conservation Strategy but amends it.

Subsection (a) amends the Aquatic Conservation Strategy by reducing the size of the buffers required along streams, but also directs the Secretary after 5 years to establish a scientific committee in order to adjust the buffers along individual streams.

Subsection (b) authorizes the construction of temporary roads and permanent roads, in certain instances, within these stream buffers.

Subsection (c) authorized the Secretary to do certain types of restoration projects within and along streams and exempts them from review under the National Environmental Policy Act.

Section 5 directs the Secretary to publish a notice of intent to publish a Landscape Prioritization Plan and two draft Comprehensive Environmental Impact Statements, formally starting the environmental review process required under the National Environmental Policy Act.

Subsection (a) directs the Secretary to publish the notice of intent within 30 days of enactment and every five years thereafter.

Subsection (b) directs the Secretary to take public comments on the notice of intent for 45 days.

Subsection (c) requires the Secretary to revise the applicable Land Management Plan as part of this process.

Subsection (d) directs the Secretary of the Interior, the Secretary of Commerce, and the Administrator of the EPA, within 30 days of enactment, to enter into an agreement as to how to produce the analysis and documentation required to carry out this Act.

Section 6 directs the Secretary to publish a Landscape Prioritization Plan, which is a framework for 5 years' worth of projects.

Subsection (a) directs the Secretary to publish the Landscape Prioritization Plan within 270 days of enactment and every five years thereafter.

Subsection (b) directs the Secretary to coordinate with the U. S. Fish and Wildlife Service and the National Marine Fisheries Service to ensure the Landscape Prioritization Plan complies with the Endangered Species Act.

Subsection (c) requires the Secretary to identify the locations and types of projects that the BLM proposes to accomplish in the next five years in the moist forestry emphasis areas, dry forestry emphasis areas, and conservation emphasis areas.

Subsection (d) directs the Secretary to take public comments on the Landscape Prioritization Plan for 60 days.

Subsection (e) directs the Secretary to revise the Landscape Prioritization Plan upon review of the public comments.

Subsection (f) directs the Secretary to assess implementation of the Act every five years.

Subsection (g) directs the Secretary to U.S.e at least \$1 million annually to monitor changes to water quality, fish and wildlife habitat, and forest health.

Subsection (h) directs the Secretary to publish, within 18 months and every five years thereafter, two draft Comprehensive Environmental Impact Statements. One will be for the Moist Forestry Emphasis Area and the Conservation Emphasis Area, and the other will be for the Dry Forestry Emphasis Area. Both will analyze different locations for projects across four alternatives and will analyze five years' worth of projects. The Secretary is also directed to solicit public comment on these draft Comprehensive Environmental Impact Statements for 60 days and to publish two final Comprehensive Environmental Impact Statements nine months after the publication of the draft Comprehensive Environmental Impact Statements. The Secretary is directed to publish each record of decision 60 days later.

Section 7 sets eligibility requirements and guidance for each relief mechanism—objections, administrative review process, and judicial review.

Subsection (a) authorizes a person to file an objection to a final Comprehensive Environmental Impact Statement within 60 days of its publication, and to file a protest of an individual vegetation management project within 15 days of its notice being published. To be eligible to file, the person must have submitted comments during the development of the Comprehensive Environmental Impact Statement.

Subsection (b) requires the Secretary to provide the public notice of a vegetation management project 90 days before the BLM solicits a bid for the project.

Subsection (c) authorizes a person that filed an objection to seek judicial review within 75 days of receiving a decision from the BLM.

Section 8 provides requirements for timber harvests on the lands designated as the moist forestry emphasis area.

Subsection (a) directs the Secretary to calculate how much timber will be cut from the moist forestry emphasis area over each five-year period.

Subsection (b) provides several specific directions on how timber should be harvested from these lands. These directions include not cutting $\frac{1}{3}$ of the trees within each timber sale, and choosing 50,000 acres for which $\frac{1}{6}$ of the trees within each timber sale would not be cut.

Subsection (c) restricts the Secretary to the present size of the existing road system in this area. This subsection authorizes the construction of new permanent roads, but also directs the Secretary to decommission existing BLM roads that will not be used within the next 5 years.

Section 9 provides requirements for timber harvests on the lands designated as the dry forestry emphasis area.

Subsection (a) directs the Secretary to calculate how much timber will be cut from the dry forestry emphasis area over each five-year period.

Subsection (b) directs the Secretary to harvest timber on this land to reduce the likelihood of a large wildfire.

Subsection (c) requires the Secretary to prioritize treatments near communities.

Subsection (d) provides several specific directions on how timber should be harvested from these lands in order to make them more resistant to wildfire.

Subsection (e) restricts the Secretary to the present size of the existing road system in this area. This subsection authorizes the construction of new permanent roads, but also directs the Secretary to decommission existing BLM roads that will not be used within the next 5 years.

Section 10 designates dozens of areas for various conservation purposes that in total constitute the conservation emphasis area.

Subsection (a) designates 690,000 acres as a conservation network to be managed as forest reserves to provide conservation benefits.

Subsection (b) designates 510,000 acres as Late Successional Old-Growth Forest Heritage Reserves, which all contain stands of trees 90 years of age or older. No logging is allowed in these areas.

Subsection (c) designates 16,863 acres across four distinct areas as Special Management Units, to protect municipal water supplies. No livestock grazing is allowed in these areas.

Subsection (d) designates two National Recreation Areas—the Rogue Canyon National Recreation area, which is 94,700 acres adjacent to the Rogue Wilderness, and the Mollalla National Recreation Area, which is 24,100 acres.

Subsection (e) designates 170,267 acres across 11 distinct areas as Special Management Areas, each to be managed according to its own purposes.

Subsection (f) expands the Cascade-Siskiyou National Monument to encompass an adjacent 2,050 acres.

Subsection (g) establishes a protective corridor along the Pacific Crest National Scenic Trail.

Subsection (h) limits activities on these lands to those that are consistent with the purposes of the Conservation Emphasis Area. For example, timber harvesting is only allowed when necessary to address forest health.

Subsection (i) prohibits the construction of new permanent roads on these lands.

Section 11 both authorizes and directs BLM to pursue land exchanges consistent with the Federal Land Policy and Management Act of 1976 (FLPMA). Moreover, lands managed by the BLM, Forest Service, and Army Corps of Engineers are redistributed among the agencies.

Subsection (a) authorizes the Secretary to exchange BLM lands for adjacent private lands.

Subsection (b) transfers 25,000 acres of BLM land to the U.S. Forest Service.

Subsection (c) requires the Secretary of Agriculture to identify 308,000 acres of U.S. Forest Service land to transfer to the BLM: 102,000 acres to become part of either the Moist Forestry Emphasis Area or Dry Forestry Emphasis Area, and 206,000 acres to become part of the Conservation Emphasis Area.

Subsection (d) transfers 3,502 acres of Army Corps of Engineers land to the BLM.

Subsection (e) authorizes the creation of a Legacy Roads and Trails program to fund road decommissioning up to \$5 million annually.

Section 12 provides how generated receipts on covered land will be shared among the U.S. Treasury, the BLM, and the respective counties.

Subsection (a) establishes a separate fund in the treasury for receipts from these lands.

Subsection (b) transfers \$4 million annually from this fund into the General Fund of the Treasury.

Subsection (c) authorizes 25 percent of the money from receipts to be used by the BLM for administering this Act, up to \$20 million.

Subsection (d) distributes the remainder of the funds to the counties using the allocation method to distribute funding across counties that is currently used.

Subsection (b) provides two conforming amendments. The first is to place all of the Conservation Emphasis Area into the National Landscape Conservation System. The second is to un-designate the O&C lands that are managed by the U.S. Forest Service, but have not been transferred to the BLM. These lands would now be managed as normal Forest Service lands.

Section 102 amends the Wild and Scenic Rivers Act, designating over 100 miles of rivers within the covered land as Wild and Scenic Rivers.

Subsection (a) adds 7 rivers to the national wild and scenic rivers system.

Subsection (b) alters which portions of the Elk River will be protected under the Wild and Scenic Rivers Act.

Subsection (c) withdraws the Federal lands adjacent to these rivers from mining or disposal.

TITLE II—TRIBAL LAND

Subtitle A—Oregon Coastal Land Conveyance

Section 201 defines key terms used in subtitle A.

Section 202 transfers 14,801 acres of BLM land to be held in trust as a reservation for the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians.

Section 203 directs the Secretary to create and provide to Congress and the public a detailed map of these lands.

Section 204 prohibits the Tribes from exporting any unprocessed logs that are harvested from this land outside of the United States, and prohibits the lands from being used for gaming.

Section 205 requires any forest management activities that occur on these lands to be done consistent with the laws that govern these activities on other Federal lands, except the Federal Land Policy and Management Act of 1976 will not apply. This section also requires that the Tribe provide administrative access to the BLM.

Subtitle B—Canyon Mountain Land Conveyance

Section 211 defines key terms used in subtitle B.

Section 212 transfers 17,826 acres of BLM land to be held in trust as a reservation for the Cow Creek Band of Umpqua Tribe of Indians.

Section 213 directs the Secretary to create and provide to Congress and the public a detailed map of these lands.

Section 214 prohibits the Tribes from exporting any unprocessed logs that are harvested from this land outside of the United States.

Section 215 requires any forest management activities that occur on these lands to be done consistent with the laws that govern these activities on other Federal lands, except the Federal Land Policy and Management Act of 1976 will not apply. This section also requires that the Tribe provide administrative access to the BLM.

Subtitle C—Amendments to Coquille Restoration Act

Section 221 amends the Coquille Restoration Act to make the laws regarding the management of their forest uniform with the laws affecting other Tribes.

TITLE III—OREGON TRASURES

Subtitle A—Wild Rogue Wilderness Area

Section 301 expands the existing Wild Rogue Wilderness and adds segments (92 miles) of the Rogue River to the Wild and Scenic Rivers Act.

Subsection (a) defines key terms used in subtitle A.

Subsection (b) expands the existing Wild Rogue Wilderness by 56,100 acres.

Subsection (c) directs the Secretary to remove those structures on 600 acres of BLM land that are incompatible with a wilderness designation; and once complete, this land will be added to the Wild Rogue Wilderness without further action by Congress.

Subsection (d) withdraws an additional 4,000 acres from permanent road construction, disposal, and mining.

Subsection (e) adds 37 segments of the Rogue River to the Wild and Scenic Rivers Act.

Subsection (f) prohibits the development of water or energy resources along the Rogue River's Tributaries.

Subtitle B—Devil's Staircase Wilderness

Section 311 defines key terms used in subtitle B.

Section 312 establishes the Devil's Staircase Wilderness on approximately 30,540 acres of Forest Service and BLM land. Also, 49 acres of BLM land is transferred to the Forest Service.

Section 313 designates a total of 14.6 miles of river segments on the Wasson Creek and Franklin Creek as wild rivers under the Wild and Scenic Rivers Act.

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

Section 321 designates a 15.1-mile segment of the Molalla River and a 6.2-mile segment of the Table Rock Fork Molalla River as recreational rivers under the Wild and Scenic Rivers Act.

Section 322 makes technical corrections to existing wild and scenic river designations along the Chetco River. The wild segment increases from 25.5 miles to 27.5 miles. The scenic segment decreases from 8 miles to 7.5 miles. The recreational segment decreases from 11 miles to 9.5 miles.

Subtitle D—Frank Moore Wild Steelhead Sanctuary

Section 331 defines key terms used in subtitle D.

Section 332 establishes a Wild Steelhead Sanctuary, known as the “Frank Moore Wild Steelhead Sanctuary” on 104,000 acres of U.S. Forest Service land. This section also prohibits the construction of any new roads on the refuge and directs the Secretary to decrease the quantity of existing roads.

COST AND BUDGETARY CONSIDERATIONS

The Congressional Budget Office estimate of the costs of this measure has been requested but was not received at the time the report was filed. When the Congressional Budget Office completes its cost estimate, it will be posted on the Internet at www.cbo.gov.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 1784.

The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 1784, as ordered reported.

CONGRESSIONALLY DIRECTED SPENDING

Section 4(c)(2)(B) of the Oregon and California Land Grant Act of 2014, as added by section 101 of S. 1784, as reported, requires the Secretary of Agriculture to spend not less than \$1 million annually, indexed for inflation, to transport and place large trees in streams in the covered land to improve fish habitat.

Section 6(g) of the Oregon and California Land Grant Act of 2014, as added by section 101 of S. 1784, as reported, requires the Secretary of Agriculture to spend not less than \$1 million annually, indexed for inflation, to monitor changes in forest health water quality, and fish and wildlife habitat.

Section 11(e)(4) of the Oregon and California Land Grant Act of 2014, as added by section 101 of S. 1784, as reported, authorizes the appropriation of \$5 million, adjusted for inflation, for each of fiscal years 2013 through 2023, to carry out legacy road and trail projects in the covered land.

Section 12(c)(2) of the Oregon and California Land Grant Act of 2014, as added by section 101 of S. 1784, as reported, requires the Secretary of Agriculture to spend up to \$20 million annually, ad-

justed for inflation, on the management of, administrative expense for, and capital improvement costs for the covered land.

EXECUTIVE COMMUNICATIONS

The testimony provided by Bureau of Land Management at the Committee's February 6, 2013, hearing on S. 1784 follows:

STATEMENT OF STEVEN A. ELLIS, DEPUTY DIRECTOR FOR OPERATIONS, BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR

Thank you for the opportunity to discuss the views of the Department of the Interior on S. 1784, the Oregon and California Land Grant Act of 2013. The bill concerns the 2.2 million acres of Revested Oregon and California Railroad and Reconveyed Coos Bay Wagon Road Grant Lands (the O&C Lands) in western Oregon administered by the Bureau of Land Management (BLM).

S. 1784 would establish new designations and principles for the management of O&C forest lands (Title I), transfer certain lands into trust status on behalf of two tribes and amend the Coquille Restoration Act (Title II), and establish new conservation designations in western Oregon (Title III). Due to the complexity of the bill and the issues it addresses, the Department of the Interior's testimony summarizes the views of the Administration on each title of the bill.

The Department appreciates the Chairman's work in developing this legislation and views it as a continuation of discussions about improving the management of these western Oregon lands. The Department supports many of the goals of the bill, supports Title III, and would like to work with the sponsor and the Committee on substantive, clarifying, and technical amendments to Titles I and II. The Department has previously testified on many of the ideas contained in the provisions in Title II and Title III. We have concerns with the bill as drafted, but we are committed to continue working with the sponsor to address concerns and we are encouraged by the ongoing discussion between stakeholders. We look forward to working with the sponsor and the Committee to further develop the proposal.

MANAGEMENT OF O&C LANDS/BACKGROUND

Current BLM Management of O&C Lands

The O&C Lands Act of 1937 placed 2.2 million checkerboard acres of Oregon and California Railroad and Coos Bay Wagon Road grant lands under the jurisdiction of the Department of the Interior. Under the O&C Lands Act, the Department of the Interior manages the O&C lands for "the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities." The Act also provides that the 18 O&C counties receive yearly

payments equal to 50 percent of receipts from timber harvests on O&C lands in these counties.

After the historic highs of the late 1980s, timber harvests and the associated payments to counties decreased significantly in the mid-1990s due to many factors, including business cycles, changes in logging practices, and a better understanding of conservation requirements for threatened and endangered species such as the Northern Spotted Owl, Coho Salmon, and Marbled Murrelet. The 1994 Northwest Forest Plan was developed by Federal agencies and scientists in consultation with the public and industry to be a balanced, long-term management plan striving for a stable supply of timber along with protection of fish and wildlife habitat for 24.5 million acres of Federal forest, most of which is managed by the U.S. Forest Service, and the majority of which occurs in western Oregon, western Washington, and northern California. The BLM's western Oregon Resource Management Plans were amended in 1995 (1995 RMPs) to incorporate the Northwest Forest Plan management guidelines and land use allocations.

In addition to the O&C lands in western Oregon, the BLM manages 212,000 acres of public domain forests and other acquired lands within the boundary of the Northwest Forest Plan. The Department of the Interior continues to manage the O&C lands under the 1995 RMPs and the guidance of the Northwest Forest Plan, along with management recommendations derived from the 2011 Northern Spotted Owl recovery plan and 2012 Final Critical Habitat Rule, as well as a number of court decisions. The BLM's timber management program involves complex legislative frameworks and resource management goals, including providing a predictable and sustainable yield of timber and other forest products vital to rural communities, maintaining endangered species habitat and recovering populations, providing clean water, restoring fire-adapted ecosystems, and providing recreational opportunities. In the last three years, the BLM in western Oregon has offered approximately 620 million board feet of timber from O&C lands and generated over \$60 million dollars in timber receipts. These and other BLM-managed lands in western Oregon also provide outstanding recreational opportunities, with over 5 million visits per year to enjoy hiking, camping, hunting, and fishing.

Collaborative Approaches

In western Oregon, the BLM strives to strike a balance between the need for a predictable and sustainable timber supply, provision of recreational opportunities and other non-timber products, and achieving conservation objectives, such as protecting older forests and aiding in the recovery of the Northern Spotted Owl and other threatened and endangered species. Despite decades of controversy surrounding these issues, many in Oregon continue to work hard to look for solutions that meet the needs of industry, rural communities, local governments, and the con-

servation of habitat, species, and water resources. As provided under Title II of the Secure Rural Schools Act, the BLM has collaborated with Resource Advisory Committees to prioritize and allocate funding for restoration projects.

As part of the Administration's ongoing commitment to improve forest resiliency, aid in the recovery of the Northern Spotted Owl, and support economic opportunities for local communities in the Pacific Northwest, leaders from the FWS, BLM, and U.S. Forest Service met in 2013 with employees from all three agencies to articulate a common vision and intent in approaching these goals. We are aware that during the past year, Governor Kitzhaber; Senator Wyden; and Representatives DeFazio, Walden, and Schrader have initiated efforts to better understand and address these multifaceted concerns. We are eager to engage with them on these issues and we appreciate both the challenges and the possibilities that result from collaborative efforts involving the wide range of stakeholders.

Resource Management Plans

The BLM is currently revising the 1995 RMPs that govern management of the O&C lands. The BLM has actively sought significant engagement from the public and key stakeholders and will continue to do so throughout this effort, striving for a cooperative approach to the complex issues associated with managing these lands. The BLM in western Oregon is employing a series of collaborative approaches and meetings to engage over 25 formal cooperators and interested stakeholders during the current efforts to revise the RMPs. We have received positive feedback on these efforts. The revised RMPs will provide a management framework for O&C lands that furthers the recovery of threatened and endangered species, produces a reliable and sustainable yield of timber products, provides for clean water, restores fire-adapted ecosystems, and ensures diverse recreational opportunities. The BLM has completed public scoping as part of the National Environmental Policy Act (NEPA) process and used input derived during the scoping period to help craft the Purpose and Need for the planning effort. As the BLM moves forward in developing draft RMPs, it will consider public input as well as lessons learned from 20 years of experience implementing the Northwest Forest Plan, the BLM's ecological forestry pilot projects, and threatened and endangered species recovery plans and critical habitat designations from both the U.S. Fish and Wildlife Service (FWS) and National Marine Fisheries Service (NMFS).

S. 1784 TITLE I

Management of O&C Lands

Title I pertains to management of the O&C lands. This title allocates certain forest lands as "Forestry Emphasis Areas" and others as "Conservation Emphasis Areas" and provides guidance for the management of each area. The

BLM shares the goals of providing a sustained yield of timber, establishing a large block network of older forest habitat, and protecting older, more complex forests in support of improved conservation of threatened and endangered species. The BLM understands that one of the goals of S. 1784 is to simplify management direction and environmental analysis for the O&C lands and we also share that goal. BLM believes that the goal of addressing management challenges in Western Oregon must be achieved collaboratively and with the best available science. However, rather than simplify management for the O&C lands, BLM is concerned that the current draft of the bill could create increased complexity and uncertainty.

In support of some of the same broad goals of Title I, in 2010, the Department of the Interior initiated four collaborative pilot projects applying the principles of ecological forestry in the BLM's Roseburg, Coos Bay, and Medford districts. These pilot projects have involved collaboration with resource professionals from the BLM, FWS, NMFS, and the Coquille Indian Tribe, as well as industry and the conservation community. The BLM is exploring the further application of ecological forestry principles in preparing ongoing timber sales while it undertakes efforts to revise its RMPs.

Although the BLM supports many of Title I's broad policy goals, we have concerns with the language of Title I and the impacts of its implementation. We would like to highlight some of those concerns and we would like to continue to work with the sponsor and the Committee to address them.

The BLM's management of the O&C lands, as well as public domain forests in western Oregon, is currently governed by a number of statutory and other requirements, including the National Environmental Policy Act (NEPA), the Endangered Species Act (ESA), the Clean Water Act, the O&C Lands Act of 1937, the Federal Land Policy and Management Act (FLPMA), and the relevant implementing regulations and plans. We are concerned that there is a lack of clarity about the relationship between the various statutory provisions in this legislation and other related laws and regulations. This could lead to duplicative analyses and planning efforts, disputes or confusion over appropriate BLM management actions, delayed compliance, and potentially increased costs of litigation. In addition, the Department is concerned that the very prescriptive management requirements will undermine flexibility necessary to manage in changing circumstances, use the best available science, engage the public, or achieve recovery goals for key threatened and endangered species. For these reasons and others, it is difficult for the Department to determine the full scope of the impact this bill would have on existing environmental laws, public involvement in, and sound management of, these lands and to provide comments on that basis.

As drafted, the bill could be inconsistent with important protections provided by current laws for environmentally sound management of these lands and could reduce public involvement in the management planning process. The Department has concerns about provisions that are inconsistent with the species protections afforded by the ESA, such as the apparent allowance for certain projects to go forward in spite of a jeopardy determination by the FWS or site specific analysis.

Additionally, the Department has concerns regarding the time frames established in the bill, including the timelines prescribed for compliance with NEPA—the cornerstone law guiding environmental protection and public involvement in federal actions. Many deadlines in the bill are not sufficient to allow for the necessary level of analysis, the public participation necessitated by the high level of public interest and involvement in these issues, and the complexity of the issues and information that must be analyzed. In our experience, mandatory deadlines can often result in incomplete or rushed analyses, increasing litigation risk and delay. We are also very concerned with using an environmental impact statement prepared for a large area as the only NEPA review for any subsequent site- or project-specific activity for a period of 10 years precluding consideration of changes on the ground that occur during that 10 year period. The Administration's concerns include: (1) the temporal and spatial scale of the EIS; (2) the limitation precluding consideration of more than two reasonable alternatives; (3) the limitation precluding consideration of impacts beyond specific authorized actions; (4) the limitations on the public's ability to review and challenge; and (5) the limitations on the consistency document that replaces a tiered, site- or project-specific, environmental review. These concerns cut to the very core of the ability to prepare a reasoned and considered NEPA environmental review. We would like to work with the sponsor and the Committee to ensure that the processes required under the bill allow for the necessary analyses and sequencing to produce environmental reviews for informed and defensible analyses and decisions.

Finally, the bill does not incorporate direction for the 212,000 acres of public domain lands that are found within western Oregon and currently managed under the Northwest Forest Plan guidance. The BLM is concerned that implementing different management direction on public domain versus O&C lands that are intermingled, ecologically similar, and have historically been managed under the same guidance could lead to confusion and further management challenges and associated costs.

The Department has a number of substantive and technical concerns, and would like to work with the sponsor on clarifying amendments.

Revenue Distribution

The Administration has a number of concerns with the language regarding revenue distribution as drafted and we look forward to working with the sponsor on clarifying amendments. Title I would depart from the historic formula of sharing revenues from O&C timber sales with the O&C counties and Treasury's General fund for the benefit of all taxpayers. Additionally, the bill caps receipts allocated to the General Fund at no more than \$4 million and provides that money be taken from the U.S. Treasury and BLM administrative payments if a minimum county payment threshold is not met. BLM takes seriously its responsibility to the public as stewards of our nation's natural resources and ensuring that public resources on federal and Indian lands provide a fair return to the American people. As drafted, the bill may set an undesirable precedent by diverting receipts from the Treasury and thereby reducing the net return to taxpayers.

Conservation Designations

Title I would establish or modify several conservation designations that would be included in the BLM's National Landscape Conservation System. Section 112 proposes to add approximately 2,050 acres to the Cascade-Siskiyou National Monument in southwestern Oregon. The Monument was established by Presidential Proclamation on June 8, 2000, and was later modified with the addition of wilderness and additional management direction by P.L. 111-11, the Omnibus Public Lands Act. The Monument's nearly 53,000 acres are a place of great biological diversity due to its location at the confluence of three converging mountain ecoregions—the Cascade, Klamath, and Eastern Cascade. The proposed additions would enhance this biodiversity and provide important habitat connectivity. The BLM generally supports the proposed additions, and would like to work with the sponsor to ensure consistency in management across the entire Monument and to consider any minor boundary modifications.

Section 114 establishes a protective corridor for sections of the Pacific Crest National Scenic Trail where it travels through and adjacent to Cascade-Siskiyou National Monument. While the BLM generally supports these provisions we would like to work with the sponsor to improve consistency with the National Trails System Act, BLM policy, and BLM management objectives. Finally, section 103 would protect over 50 miles of Oregon rivers with new designation as either recreational or scenic rivers under the Wild and Scenic Rivers Act. The BLM supports these designations.

Title I also establishes a wide variety of designations, including two National Recreation Areas four Drinking Water Special Management Units, and the Illinois Valley Salmon and Botanical Area Special Management Unit. Additionally, the bill establishes Special Environmental Zones, Primitive Backcountry Special Management Areas,

and Special Management and Research Areas. Many of these designations are new to BLM and it is unclear whether they will meet their stated conservation objectives. We would like to work with the sponsor on language that would clarify the management goals for each of these designation types. Likewise, we would like the opportunity to consider boundary modifications for manageability.

S. 1784 TITLE II, TRIBAL LAND

Title II of S. 1784 provides that approximately 14,804 acres of BLM-managed lands in western Oregon be held in trust for the benefit of the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians and that approximately 17,826 acres of BLM-managed lands in western Oregon be held in trust on behalf of the Cow Creek Band of Umpqua Tribe of Indians. This title would also require the Department of the Interior to reclassify an equal number of acres of public domain lands as O&C lands to compensate for the loss of O&C lands transferred by the bills. Finally, Title II provides for an amendment to the Coquille Restoration Act.

Many of the BLM-managed lands in this area have significance for nearby tribes. Both the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians and the Cow Creek Band of Umpqua Tribe of Indians have expressed their desire to acquire culturally significant tracts of land in the region as well as forest lands to be managed for the financial benefit of tribal members. The BLM strongly believes that open communication between the BLM and tribes is essential in maintaining effective government-to-government relationships, and the BLM has a positive working relationship with the tribes in the area. The Department welcomes opportunities to work with Congress on the transfer of lands into trust status and supports the goals of this title. The BLM would like the opportunity to work with the sponsor and the Committee to address various issues related to the bill, including access rights, utility and facility encumbrances, and timber harvest.

The bill would require the BLM to identify sections of public domain lands to be reclassified as O&C lands within 18 months. It is our understanding that the sponsor intends the bill to transfer or reclassify only BLM-managed lands. The BLM would like to work with the sponsor to clarify language in sections 206 and 216 accordingly. The timeframes provided in the bill to complete reclassification of public domain lands are insufficient considering the workload, staffing and costs involved. Additionally, the BLM is concerned that lands of approximately equal acreage, habitat condition, productivity, and land use allocation are unavailable for reclassification within the affected planning areas. The BLM would like to work with the sponsor on a timeline that would add flexibility and language providing specificity regarding the lands to be reclassified and their subsequent management.

Because many of the lands to be taken into trust through this title have been identified for potential future timber sales, the BLM believes that the transfer of these lands into trust status would reduce the land base from which the BLM could offer timber sales, thereby reducing the quantities of timber that could be offered by the BLM in future timber sales and resulting in a potential reduction of timber revenues to the United States and to the O&C counties, and potentially impacting the BLM's implementation of the provisions in Title I.

Subtitle A, Oregon Coastal Land Conveyance

The bill's Oregon Coastal Land Conveyance provisions (Title II, Subtitle A; introduced separately as S. 1414) provide that seven tracts of land currently managed by the BLM, totaling 14,804 acres, be held in trust for the benefit of the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians (the Tribes). The bill directs all right, title, and interest of the United States to the identified lands, subject to valid existing rights, to be held in trust for the benefit of the Tribes. These parcels are located in western Oregon's Coos, Douglas, Benton, and Lane Counties, and include tracts such as the Coos Head, Talbot Allotment, and Umpqua Eden parcels, which are of particular cultural significance to the Tribes, as well as areas such as the Lower Smith River and Tioga tracts, managed for timber production. While the transfer would be subject to valid existing rights, we have concerns about access and withdrawal. Finally, the lands identified for transfer contain 6,236 acres of critical habitat for the northern spotted owl, as well as critical habitat for the marbled murrelet and other threatened species. The Department notes that transfer of these lands could impact recovery of these species, and would like to work with the sponsor to clarify language related to the protection of wildlife.

Subtitle B, Canyon Mountain Land Conveyance

The bill's Canyon Mountain Land Conveyance provisions (Title II, Subtitle B; introduced separately as S. 1415) provide that approximately 17,826 acres of BLM-managed land in Douglas County, Oregon, be held in trust for the benefit of the Cow Creek Band of Umpqua Tribe of Indians (Tribe). The bill directs all right, title, and interest of the United States to the identified lands, subject to valid existing rights, to be held in trust for the benefit of the Tribe. The lands identified for transfer would be used to restore and expand the historic and economic base for the Tribe in southwestern Oregon. The parcels are scattered and interspersed with private lands, and include many areas popular with hunters, anglers, and campers. While the transfer would be subject to valid existing rights, the BLM has access concerns related to some parcels. These lands also include populations of the Federally-threatened Kincaid's Lupine and roughly 14,600 acres of critical habitat for the northern spotted owl. The Department notes that transfer

of these lands could impact recovery of these species. The BLM would like to work with the sponsor to clarify language related to the protection of recreational, wildlife, and cultural resources.

Subtitle C, Coquille Restoration Act

Subtitle C of Title II would amend the Coquille Restoration Act (P.L. 101-42) to provide for a change in management direction for the Coquille Forest. The Department supports this modification to the Coquille Restoration Act.

S. 1784 TITLE III, OREGON TREASURES

The BLM also manages many extraordinary lands in western Oregon that are proposed for conservation designation under this legislation. Title III of S. 1784 includes the following wilderness and wild and scenic river designations in Oregon: the Wild Rogue in southwestern Oregon (introduced separately as part of S. 353); the Devil's Staircase in southwestern Oregon (introduced separately as S. 352); and the Molalla River in northern Oregon (introduced separately as part of S. 353). It also makes technical corrections to the Wild and Scenic Rivers Act (introduced separately as part of S. 353). The Department supports this title, which would conserve and protect these special places that are treasured both locally and nationally.

Wild Rogue Wilderness

Over millions of years, the Rogue River, one of the initial eight rivers recognized in the 1968 Wild and Scenic Rivers Act, has carved its way through western Oregon's mountains. Dense, old-growth forests flank the Rogue providing habitat for forest-dependent species. The cold, clear waters of the river provide a home for Pacific salmon, steelhead trout, and green sturgeon.

Recreationists drawn to the Rogue River watershed are a critical economic engine for local economies and include fishing, rafting and boat tours, and hiking and backpacking.

The bill (Section 301) proposes to enlarge the existing Wild Rogue Wilderness by adding nearly 60,000 acres of land administered by the BLM and extend the existing Rogue Wild and Scenic River by adding 93 miles of 35 tributaries to the wild and scenic river system. In addition, the bill withdraws 50 miles of 20 other Rogue River tributaries from land laws, mining laws, and mineral leasing laws and prohibits the Federal Energy Regulatory Commission (FERC) from licensing new water resource projects and associated facilities along these tributaries.

The BLM supports this section of the bill. This wild and rugged area is largely untrammled and has been influenced primarily by the forces of nature with outstanding opportunities for primitive recreation or solitude.

Devil's Staircase Wilderness

The proposed Devil's Staircase Wilderness near the coast of southwestern Oregon is wild, reminding us of what much of this land looked like hundreds of years ago. A multi-storied forest of Douglas fir and western hemlock towers over underbrush of giant ferns, providing critical habitat for the threatened northern spotted owl and marbled murrelet. The remote and rugged nature of this area provides a truly wild experience for any hiker.

Subtitle B of Title III proposes to designate over 30,000 acres as wilderness, as well as portions of both Franklin Creek and Wasson Creek as components of the Wild and Scenic Rivers System. In previous testimonies, the U.S. Department of Agriculture has supported legislation to designate Devil's Staircase as Wilderness as well as Franklin and Wasson Creeks as components to the Wild and Scenic River System. Our understanding is that USDA continues to support these designations. Additionally, the Department supports the designations that would be managed by the BLM, including approximately 6,830 acres of the proposed Devil's Staircase Wilderness and 4.2 miles of Wasson Creek.

Molalla Wild & Scenic River

At an elevation of 4,800 feet, the Molalla River flows undammed for 49 miles west and north until it joins the Willamette River, providing drinking water for local communities and important spawning habitat for several fish species. Within an hour's drive of the metropolitan areas of Portland and Salem, the Molalla watershed provides significant recreational opportunities for fishing, canoeing, mountain biking, horseback riding, hiking, hunting, camping, and swimming and draws over 65,000 visitors annually.

Section 321 of the bill proposes to designate 15.1 miles of the Molalla River and 6.2 miles of the Table Rock Fork of the Molalla as components of the National Wild and Scenic Rivers System. The Department supports these designations.

Corrections to the Wild and Scenic Rivers Act

Section 322 of the bill pertains to lands managed by the U.S. Forest Service, and the Department defers to the Department of Agriculture on this provision.

CONCLUSION

S. 1784 would modify and direct the BLM's management of the O&C lands for timber harvest and conservation purposes, transfer certain lands into trust status for the benefit of tribes, and establish new conservation designations in western Oregon. The Department does support the goals of transferring lands into trust status and modifying management of certain lands for the benefit of tribes and supports the conservation designations that would be made

under Title III. Additionally, the Department supports the goal of identifying a collaborative solution to conflicting management goals in western Oregon and the Department looks forward to continuing to work with the sponsor, the Committee, and stakeholders to address concerns with the bill as drafted, and to accomplish our shared stewardship goals for BLM-managed lands in western Oregon.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill S. 2602, as ordered reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

AN ACT Relating to the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands situated in the State of Oregon.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, [That notwithstanding any provisions in the Acts of June 9, 1916 (39 Stat. 218), and February 26, 1919 (40 Stat. 1179), as amended, such portions of the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands as are or may hereafter come under the jurisdiction of the Department of the Interior, which have heretofore or may hereafter be classified as timberlands, and power-site lands valuable for timber, shall be managed, except as provided in section 3 hereof, for permanent forest production, and the timber thereon shall be sold, cut, and removed in conformity with the principal of sustained yield for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities: Provided, That nothing herein shall be construed to interfere with the use and development of power sites as may be authorized by law.

[The annual productive capacity for such lands shall be determined and declared as promptly as possible after the passage of this Act, but until such determination and declaration are made the average annual cut therefrom shall not exceed one-half billion feet board measure: Provided, That timber from said lands in an amount not less than one-half billion feet board measure, or not less than the annual sustained yield capacity when the same has been determined and declared, shall be sold annually, or so much thereof as can be sold at reasonable prices on a normal market.

[If the Secretary of the Interior determines that such action will facilitate sustained-yield management, he may subdivide such re-vested lands into sustained-yield forest units, the boundary lines of which shall be so established that a forest unit will provide, insofar as practicable, a permanent source of raw materials for the support of dependent communities and local industries of the region; but until such subdivision is made the land shall be treated as a single unit in applying the principle of sustained yield: Provided, That before the boundary liens of such forest units are established, the Department, after published notice thereof, shall hold a hearing

thereon in the vicinity of such lands open to the attendance of State and local officers, representative of dependent industries, residents, and other persons interested in the use of such lands. Due consideration shall be given to established lumbering operations in subdividing such lands when necessary to protect the economic stability of dependent communities. Timber sales from a forest unit shall be limited to the productive capacity of such unit and the Secretary is authorized, in his discretion to reject any bids which may interfere with the sustained-yield management plan of any unit.]

SECTION 1. SHORT TITLE.

This Act may be cited as the “Oregon and California Land Grant Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) **80 YEAR OLD AGE CLASS.**—*The term “80 year old age class,” following the common usage by the Bureau of Land Management, means a group of trees of which the average age of the dominant trees is 75 to 84 years old, comprising part of or an entire stand.*

(2) **90 YEAR OLD AGE CLASS.**—*The term “90 year old age class”, following the common usage by the Bureau of Land Management, means a group of trees, of which the average age of the dominant trees is 85 to 94 years old, comprising part of or an entire stand.*

(3) **ADJACENT PRIVATE LAND.**—*The term “adjacent private land” means any privately owned land that is—*

(A) contiguous to covered land as defined in this Act; or

(B) situated so that it is reasonably necessary to use covered land as defined in this Act to access the privately owned land.

(4) **AGENCY ACTION.**—*The term “agency action” has the meaning given the term in section 551 of title 5, United States Code.*

(5) **ARCHEOLOGICAL SITE.**—*The term “archeological site” means any district, site, building, structure, or object that is included, or eligible for inclusion, in the National Register under section 106 of the National Historic Preservation Act (16 U.S.C. 470f).*

(6) **CONSERVATION EMPHASIS AREA.**—*The term “Conservation Emphasis Area” means the lands allocated for various purposes in Section 10, except for subsection 10(f), and generally depicted on the map entitled “O & C Land Grant Act of 2014: Conservation Emphasis Areas” and dated November 3, 2014 and the lands generally depicted on the map entitled “O & C Land Grant Act of 2014: Late Successional Old-Growth Forest Heritage Areas” and dated November 3, 2014.*

(7) **COVERED AGENCY ACTION.**—*The term “covered agency action” means an agency action carried out by the Secretary, through the U.S. Bureau of Land Management or U.S. Fish and Wildlife Service, relating to the management of vegetation on covered land.*

(8) **COVERED CIVIL ACTION.**—*The term “covered civil action” means a civil action seeking judicial review of a covered agency action.*

(9) *COVERED LAND.*—The term “covered land” means the approximately 2,700,000 acres of land designated as “Oregon and California Railroad and Coos Bay Wagon Road grant land”, generally depicted as “covered lands” on the map entitled “O & C Land Grant Act of 2014” and dated November 3, 2014, which includes the approximately 410,000 acres of the Public Domain and acquired lands in section 3(d), the approximately 72,000 acres of the reconveyed Coos Bay Wagon Road grant land that is under the jurisdiction of the Department, and the approximately 205,500 acres of final BLM land, formerly Forest Service and Army Corps of Engineers land, denoted in section 11 of this Act entitled “Land Management Rationalization” all to be designated O&C lands; provided further any lands later acquired by the Secretary surrounding the area generally depicted on this map shall also be covered lands and designated O&C lands; and further provided that any lands otherwise intended to be accepted into the O&C lands land base also be considered “covered land” by this Act.

(10) *DECOMMISSION.*—The term “decommission”, with respect to a road, means to restore any natural drainage, watershed function, or other ecological process that has been disrupted or adversely impacted by the road by—

(A) removing or hydrologically disconnecting the road prism;

(B) reestablishing vegetation on the former road prism; and

(C) using the best available science to restore the integrity and form of associated hill slopes, channels and floodplains.

(11) *DEPARTMENT.*—The term “Department” means the Department of the Interior.

(12) *DRY FORESTS.*—The term “Dry Forests” means the land that is labeled as “Dry Forest” on the map entitled “O & C Land Grant Act of 2014: Moist Forests and Dry Forests” and dated November 3, 2014 and that is located within the area labeled as “Forestry Emphasis Area” on the map entitled “O & C Land Grant Act of 2014: Forestry Emphasis Areas” and dated November 3, 2014.

(13) *FOREST HEALTH.*—The term “forest health” means conditions that enable forested land—

(A) to be durable, resilient, and less prone to uncharacteristic wildfire, insect, or pathogen events, while—

(i) supporting ecosystem services and populations of native species; and

(ii) allowing for natural disturbances;

(B) to maintain or develop species composition, ecosystem function and structure, hydrologic function, and sediment regimes that are within an acceptable range that considers—

(i) historic variability; and

(ii) anticipated future conditions

(14) *FOREST MANAGEMENT.*—The term “forest management”, with respect to the activities of adjacent private land owners,

means any activity or plan reasonably necessary for the prudent management, upkeep, and use of forested land, including—

(A) timber harvesting, thinning, reforestation, vegetation and pest management, and other silvicultural activities;

(B) development and harvest of other forest resources and products;

(C) fire prevention and suppression activities; and

(D) installing, constructing, maintaining, improving, and reconstructing—

(i) roads;

(ii) landings;

(iii) yarding corridors and wedges;

(iv) guyline supports; and

(v) tail holds for permanent or temporary use that are reasonably necessary for prudent land management.

(15) **LATE SUCCESSIONAL OLD-GROWTH FOREST.**—The term “late successional old-growth forest” means a stand of trees equal to or greater than $\frac{1}{4}$ acre in size and with a 90-year or older age class of trees as of the date of enactment of the Oregon and California Land Grant Act of 2014.

(16) **LEGACY TREE.**—The term “legacy tree” means a live tree that is determined to be equal to or greater than 150 years of age or a dead tree that is estimated to have been 150 years or older when it died.

(17) **MOIST FORESTRY EMPHASIS AREA.**—The term “Moist Forestry Emphasis Area” means the land that is labeled as “Moist Forest” on the map entitled “O & C Land Grant Act of 2014: Moist Forests and Dry Forests” and dated November 3, 2014 and that is located within the area labeled as “Forestry Emphasis Area” on the map entitled “O & C Land Grant Act of 2014: Forestry Emphasis Areas” and dated November 3, 2014, excluding the lands generally depicted on the map entitled “O & C Land Grant Act of 2014: Late Successional Old-Growth Forest Heritage Areas and dated November 3, 2014.

(18) **PLACE INTO STORAGE.**—The term “place into storage”, with respect to a road, means—

(A) to maintain the road in order to prevent resource damage; but

(B) to alter the road to eliminate all vehicular traffic by—

(i) for purposes of controlling erosion—

(I) installing appropriate water control structures, such as water bars; or

(II) ensuring the surface of the road slopes such that water quickly drains off the surface of the road;

(ii) for purposes of preventing access by vehicles—

(I) blocking the entrance of the road; and

(II) scattering slash atop the road surface; and

(iii) for purposes of restoring native vegetation—

(I) scarifying lightly the surface of the road;

(II) seeding the surface of the road, as needed;

and

(III) treating noxious weeds.

(19) *RESIDENCE*.—The term “residence” means a privately owned, permanent structure that is maintained for habitation as a dwelling or workplace.

(20) *SALMON*.—The term “salmon” means any of the wild *Oncorhynchus* species that occur in the State of Oregon.

(21) *SECRETARY*.—The term “Secretary” means the Secretary of the Interior, acting through the Director of the Bureau of Land Management, or their designee.

(22) *SITE-POTENTIAL TREE*.—The term “site-potential tree” means the average dominant tree, modeled at 200 years of age, for a given site class.

(23) *SOURCE WATER EMPHASIS AREA*.—The term “Source Water Emphasis Area” means the areas identified as Source Water Emphasis Area on the map entitled “O&C Land Grant Act of 2014: Source Water Emphasis Areas” and dated November 3, 2014.

(24) *SUSTAINED YIELD*.—The term “sustained yield” means the definition of sustained yield under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(25) *TIMBER-AS-A-BY-PRODUCT*.—The term “timber-as-a-by-product” means timber produced as a consequence of vegetative treatments or other management actions undertaken solely to achieve ecological goals.

(26) *TREE TIPPING AND TREE FELLING ACTIVITY*.—The term “tree tipping and tree felling activity” means any activity relating to the intentional felling or placement of a tree in a stream or on the forest floor for the purposes of fish or stream or riparian habitat improvement.

(27) *VEGETATION MANAGEMENT PROJECT*.—The term “vegetation management project” means an activity carried out on covered land that involves the cutting of vegetation to achieve the purposes of this Act.

SEC. 3. LAND MANAGEMENT.

(a) *IN GENERAL*.—Notwithstanding the Act of June 9, 1916 (39 Stat. 218, chapter 137), and the Act of February 26, 1919 (40 Stat. 1179, chapter 47), any portion of the revested Oregon and California Railroad grant land or the reconveyed Coos Bay Wagon Road grant land that is under the jurisdiction of the Department, here to for part of the covered land as defined in this Act, shall be managed in accordance with this Act.

(b) *MANAGEMENT*.—The management of the covered land through this Act is to provide collectively certainty and economic stability for local communities and industries, fish and wildlife benefits, improved ecological and hydrological function and health, improved forest health, municipal and community drinking water, permanent forest production for identified forestry areas, protection of watersheds and regulation of stream flow, and recreational opportunities.

(c) *APPLICABILITY OF SURVEY AND MANAGE REQUIREMENTS UNDER THE NORTHWEST FOREST PLAN*.—The document entitled “Northwest Forest Plan Survey and Manage Mitigation Measure Standard and Guidelines” shall not apply to any—

(1) Dry forestry emphasis area; or

(2) Moist forestry emphasis area.

(d) *PUBLIC DOMAIN AND ACQUIRED LAND, COOS BAY WAGON ROAD LANDS, AND LAND MANAGEMENT RATIONALIZATION LANDS*.—

Any federal public land generally depicted as “covered lands” on the map entitled “O & C Land Grant Act of 2014” and dated November 3, 2014, that is not designated as Oregon and California Railroad grant lands under the Act of August 28, 1937 (43 U.S.C. 1181a et seq.), as of the date of enactment of the Oregon and California Land Grant Act of 2014 shall be designated as Oregon and California Railroad grant lands and managed as covered land under this Act.

(e) *RESTRICTIONS REGARDING LATE SUCCESSIONAL OLD GROWTH FOREST AND LEGACY TREES.*—

(1) *IN GENERAL.*—The Secretary may not cut or remove late successional old-growth forests within any land designated under section 4(a)(3)(A) and (B), section 8, within the Late Successional Old Growth Heritage Forest Reserve or section 10 of this act, allowing action—

(A) for public safety purposes; or

(B) to fulfill existing obligations pursuant to agreements affecting adjacent private lands.

(2) *FOREST MANAGEMENT OF LEGACY TREES.*—

(A) *IN MOIST FORESTS.*—(i) Legacy trees shall not be cut in areas designated under Section 4(a)(3)(A) and (B), allowing action for—

(I) safety purposes; or

(II) tree tipping and felling activities.

(ii) When legacy trees are located within a Moist Forest Emphasis Area, the Secretary shall, to the greatest extent practicable, protect legacy trees by using them to meet the retention requirements applicable under section 8.

(B) *IN DRY FORESTS.*—When legacy trees are located within a Dry Forest Emphasis Area the Secretary shall where appropriate protect legacy trees by using them to meet the retention requirements applicable under section 9.

(f) *COMPLIANCE WITH EXISTING LAWS.*—Nothing in this Act modifies any obligation—

(1) of the Secretary to prepare or implement a land use plan in accordance with section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712);

(2) under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(3) under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); or

(4) under other law, except as expressly provided in this Act in regard to other law.

(g) *EFFECT ON PREVIOUS DESIGNATIONS.*—If there is a conflict between any portion of this Act and land protection designations included in the National Landscape Conservation System or boundaries for such designations, the more restrictive provision shall control.

(h) *ADJACENT PRIVATE LAND LANDOWNER ACTIONS.*—

(1) *IN GENERAL.*—Without a permit from the Secretary, a person may enter and treat adjacent federal land in a Dry or Moist Forestry Emphasis Area that is located within 100 feet of the residence of that person if—

(A) the residence is in existence on the date of enactment of the Oregon and California Land Grant Act of 2014;

(B) the treatment is carried out at the expense of the person;

(C) the person notifies the Secretary of the intent to treat that land; and

(D) the Secretary has adequate supervisory, monitoring, and enforcement resources to ensure that the person carries out the treatment activities in accordance with paragraph (3).

(2) NOTICE.—

(A) IN GENERAL.—Not less than 30 days before beginning to treat land described in paragraph (1), the person shall notify, in writing, the Secretary of the intention of that person to treat that land.

(B) ADDITIONAL NOTIFICATION.—The person shall also notify the Secretary not less than 14 days before beginning the treatment.

(C) COMMENCEMENT.—On receiving a notification to treat land under subparagraph (A), the Secretary, if the requirements of subparagraph (1)(D) are satisfied, shall inform the person of the treatment requirements in paragraph (3).

(3) TREATMENT.—A person treating land described in paragraph (1) shall carry out the treatment in accordance with the following requirements:

(A) No dead tree, nest tree, legacy tree, or tree greater than 16 inches in diameter shall be cut.

(B) No herbicide or insecticide application shall be used.

(C) Vegetation shall be cut so that—

(i) less flammable species are favored for retention; and

(ii) the adequate height and spacing between bushes and trees are maintained.

(D) Any residual trees shall be pruned—

(i) to a height of the lesser of 10 feet or 50 percent of the crown height of the tree; and

(ii) so that all parts of the tree are at not less than 10 feet away from the residence.

(E) All slash created from treatment activities under this subparagraph shall be removed or treated not later than 60 days after the date on which the slash is created.

(F) Any material of commercial value generated by the activity authorized in paragraph (1) is the property of the United States.

(i) REDESIGNATIONS OF MOIST FORESTRY EMPHASIS AREA AND DRY FORESTRY EMPHASIS AREA LANDS.—

(1) AUTHORIZATION TO REDESIGNATE.—

(A) EVALUATION REQUIRED.—Not later than 10 years after the date of enactment of the Oregon and California Land Grant Act of 2014 and every 10 years thereafter, the Secretary—

(i) shall evaluate the initial assignments of “Dry Forest” and “Moist Forest” on the map entitled “O&C Land Grant Act of 2014: Moist Forest and Dry Forest” and dated November 3, 2014, and

(ii) may, as the Secretary determines to be necessary and in accordance with the criteria described in paragraph (2)—

(I) redesignate Moist Forestry Emphasis Area land as Dry Forestry Emphasis Area land; and

(II) redesignate Dry Forestry Emphasis Area land as Moist Forestry Emphasis Area land.

(B) FIELD EXAMINATION.—In addition to adjustments authorized under subparagraph (A), the Secretary may adjust dry and moist forest assignments in specific locations within a vegetation management project based on an on-the-ground field examination by the Secretary.

(2) CRITERIA.—

(A) IN GENERAL.—In redesignating land as Moist Forestry Emphasis Area or Dry Forestry Emphasis Area, the Secretary shall use the criteria described in this paragraph.

(B) MOIST FORESTRY EMPHASIS AREA.—For purposes of this subsection, land in the Moist Forestry Emphasis Area generally—

(i)(I) would have historically experienced infrequent wildfires at intervals that are greater than 100 years; and

(II) these wildfires would have included significant areas of partial or complete stand-replacement intensity; and

(ii) dominated by 1 or more of the following plant association groups:

(I) The Western Hemlock (*Tsuga heterophylla*) series.

(II) The Sitka Spruce (*Picea sitchensis*) series.

(III) The Western Red cedar (*Thuja plicata*) series.

(IV) The Pacific Silver Fir (*Abies amabilis*) series.

(V) The Mountain Hemlock (*Tsuga mertensiana*) series.

(VI) The Subalpine Fir-Engelmann Spruce (*Abies lasiocarpa*-*Picea engelmannii*) series.

(VII) The Tanoak (*Lithocarpus densiflorus*) series.

(VIII) The Moist Grand Fir (*Abies grandis*) plant association group.

(IX) The Moist White Fir (*Abies concolor*) plant association group.

(C) DRY FORESTRY EMPHASIS AREA.—For purposes of this subsection, land in the Dry Forestry Emphasis Area generally—

(i)(I) would have historically experienced relatively frequent wildfires; and

(II) these wildfires would have been predominantly low or mixed in severity; and

(ii) dominated by 1 or more of the following plant association groups:

(I) The Moist Grand Fir (*Abies grandis*) plant association group.

(II) *The Moist White Fir (Abies concolor) plant association group.*

(III) *The Ponderosa Pine (Pinus ponderosa) series.*

(IV) *The Oregon White Oak (Quercus garryana) series.*

(V) *The Douglas-fir (Pseudotsuga menziesii) series.*

(VI) *The Jeffrey Pine (Pinus jeffreyi) series.*

(VII) *The Dry Grand Fir (Abies grandis) plant association group.*

(VIII) *The Dry White Fir (Abies concolor) plant association group.*

(D) *MIXED FORESTS.—*

(i) *IN GENERAL.—For purposes of this subsection, the Secretary may consider land that contains a Moist Grand Fir or a Moist White Fir plant association group as Moist Forestry Emphasis Area or Dry Forestry Emphasis Area based on the condition of the land, landscape context, or management goals.*

(ii) *MIXED FORESTS.—For land that meets criteria under both subparagraph (B) and (C), the Secretary may choose to categorize the land as either Moist Forestry Emphasis Area or Dry Forestry Emphasis Area to align with the designations of adjacent covered land.*

(3) *PUBLIC COMMENT.—In carrying out subparagraph (i)(1)(A), the Secretary shall provide the public a period of not less than 60 days to comment on a proposed redesignation of land.*

(j) *EXISTING RIGHTS.—Notwithstanding any other section of this Act, nothing in this Act:*

(1) *affects any private ownership or rights, including rights-of-way and reciprocal rights-of-way agreements, tail hold agreements, easement obligations, and tribal treaty rights; or*

(2) *affects the ability or process under which the Secretary can grant new permissions or terminates any valid existing lease, permit, patent, or other right of authorization, including new permissions for an existing lease, permit, patent, or other right of authorization for forest management activities, upon enactment of the Oregon and California Land Grant Act of 2014.*

(k) *JURISDICTION.—Nothing in this Act affects the jurisdiction of the State of Oregon with respect to the management of fish and wildlife on public land in the State.*

(l) *PESTICIDE USE AND FIRE PROTECTION.—*

(1) *Pesticides may be used within the covered land, if the use—*

(A) *is limited to plants listed by the Oregon Department of Agriculture as invasive plants;*

(B) *is part of an integrated pest management plan; and*

(C) *is restricted to the use of various ground-based systems that are designed to target only invasive plants.*

(2) *The Secretary and the State of Oregon shall develop an agreement to provide fire protection on the covered lands, re-*

negotiable every 5 years after the date of enactment to reassess fire protection needs.

(m) SPECIAL MANAGEMENT AND RESEARCH AREAS.—

(1) IN GENERAL.—The Secretary shall designate 50,000 acres across 2 to 5 sites in the covered land to include moist forests and dry forests, as generally depicted on the map entitled “O&C Land Grant Act of 2014: Moist Forest and Dry Forest” and dated November 3, 2014, to be managed by the Secretary in consultation and coordination with Oregon State University as agreed to through a memorandum of understanding as special management and research areas in accordance with the criteria described in paragraph (2).

(2) CRITERIA.—In designating land as special management and research areas under paragraph (1), the Secretary shall designate—

(A) land that is designated as “Forestry Emphasis Areas” on the map described in paragraphs (12) and (17) of section 2;

(B) land, to the maximum extent practicable, contiguous to other land designated under paragraph (1);

(C) land within close proximity of other land designated under paragraph (1);

(D) land located within 150 miles of the main campus of Oregon State University in Corvallis, Oregon; and

(E) land selected in consultation with Oregon State University.

(3) AUTHORIZED PROJECTS.—Land designated under paragraph (1) shall be used by institutions of higher education, primarily in the State of Oregon, for the conduct of research projects and demonstration projects that address—

(A) increasing social awareness and knowledge of the environmental, social, and economic impacts on the implementation of ecological forestry on public land;

(B) improving the health of rural communities and citizens;

(C) reducing uncharacteristic fires and the degradation of ecosystem health;

(D) increasing conservation with a landscape approach;

(E) relative to the retention requirements at variable retention harvest, half of the Moist Forestry Emphasis Area will be managed under section 8(b)(4)(E) and half will be managed as under section 8(b)(2)(C); and

(F) understanding and conducting research on riparian reserve approaches.

(4) MONITORING.—Work performed on land designated under paragraph (1) shall include pre- and post-treatment monitoring on the land.

(5) INSTITUTIONS OF HIGHER EDUCATION.—At least 10 percent of the authorized projects conducted annually under this subsection shall be conducted by an institution of higher education other than Oregon State University.

(6) MINIMUM ACREAGE.—

(A) IN GENERAL.—At least 3,750 acres of the land designated under paragraph (1) shall be treated during each 5-year period.

(B) *FAILURE TO TREAT.*—If the minimum acreage under subparagraph (A) is not treated for two 5-year periods during a 20-year period, management of the land designated under paragraph (1) shall revert to management by the Secretary.

(7) *REVIEW.*—The Secretary shall—

(A) review and decide whether to permit each proposed treatment to be conducted as part of an authorized project under this subsection; and

(B) review for adequacy the documentation required to be prepared for each treatment.

(8) *CALCULATION.*—The Secretary shall estimate—

(A) the quantity of timber that can be produced in the sustained yield base from the Moist Forestry Emphasis Area, not including riparian reserves established under section 4, late successional old-growth forest reserves and other reserves, and

(B) the quantity of timber-as-a-by-product from the Moist Forestry Emphasis Area, including riparian reserves established under section 4, and the portions of the Dry Forest Emphasis Area covered by this section.

(n) *TRANSITION.*—

(1) *IN GENERAL.*—During the period beginning on the date of enactment of the Oregon and California Land Grant Act of 2014 and ending 90 days after the date on which the record of decision is completed under section 6, a transition period shall be in effect in accordance with this section.

(2) *MANAGEMENT.*—

(A) *EXISTING CONTRACTS.*—Any timber sale or agreement to perform work on covered land that was entered into by the Secretary before the date of enactment of the Oregon and California Land Grant Act of 2014 shall remain binding and effective according to the terms of the contract.

(B) *PENDING TIMBER SALES.*—Timber sales for which review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) has been completed or will be completed not later than 90 days following the date of enactment of the Oregon and California Land Grant Act of 2014 shall continue as planned.

(C) *INTERIM PROJECTS.*—The Secretary may conduct vegetation management projects on the covered land during the transition period on the conditions that the vegetation management projects—

(i) comply with the designations and requirements of this Act; and

(ii) are reviewed pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), outside of the process described in section 7.

(D) *ADMINISTRATION.*—The Secretary shall seek to make such accommodations as are necessary to avoid interfering with the performance of a timber sale or work agreement described in paragraph (1) or (2).

(3) *SPECIAL ADMINISTRATIVE REVIEW PROCESS.*—The procedures established under section 105 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6515) shall be the only process

to administratively challenge projects during the transition period.

SEC. 4. AQUATIC AND RIPARIAN PROTECTION.

(a) AQUATIC CONSERVATION STRATEGY.—

(1) *IN GENERAL.*—The Secretary shall carry out the Aquatic Conservation Strategy incorporated in its entirety by reference for covered lands, as set forth in the Northwest Forest Plan 1994 Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl, (hereinafter “NWFP” and its Standards and Guidelines in Attachment A to the 1994 Record of Decision (hereinafter referred to as “Aquatic Conservation Strategy”), and as modified herein.

(2) *PROGRAM COMPONENTS MODIFIED.*—In addition to those program components contained in the Aquatic Conservation Strategy of the NWFP, the aquatic conservation strategy under paragraph (1) shall also incorporate provisions for watershed analysis in accordance with subparagraph (2)(A), and riparian reserve establishment and management within the Moist Forestry Emphasis Area or Dry Forestry Emphasis Area but that are not within Source Water Emphasis Areas or within Key Watersheds designated in the Aquatic Conservation Strategy, in accordance with paragraph (3).

(A) WATERSHED ANALYSIS.—

(i) The Secretary shall develop appropriate management actions for a watershed, including adjustment of riparian reserve widths under subsection (b)(3)(A)(ii); and

(ii) within 90 days and via a contractor if necessary, determine the ecological importance of riparian reserves in the covered area as necessary under paragraph (5) using the following criteria:

(I) the importance of the streams to salmon and other native aquatic species;

(II) the potential impacts of thermal loading;

(III) the presence of areas of high erosion potential; and

(IV) the potential for the delivery and deposition of sediment and wood from upslope sources.

(B) VEGETATION MANAGEMENT.—Vegetative management projects undertaken in riparian reserves or vegetative management projects or harvest undertaken in the outer riparian zone shall not cut or harvest trees in the 90-year-age class or above.

(3) ESTABLISHMENT AND ACTIVITIES WITHIN ONE SITE-POTENTIAL TREE HEIGHT OF STREAMS WITHIN FOREST EMPHASIS AREAS AS VARIATIONS ON SECTION 4(a).—

(A) RIPARIAN RESERVE.—

(i) *IN GENERAL.*—The Secretary shall establish within Forestry Emphasis Areas described in subparagraph 2(A) riparian reserves in accordance with clause (ii).

(ii) *WIDTHS.*—The widths of a riparian reserve established under clause (i) shall be as follows:

(I) 1 site-potential tree or 150-foot slope distance, whichever is greater, from a fish-bearing stream of

great ecological importance, as determined by the Secretary.

(II) 1 site-potential tree or 150-foot slope distance, whichever is greater, from a nonfish-bearing stream of great ecological importance, as determined by the Secretary.

(III) 100-foot slope distance from a fish-bearing stream that is not a stream described in subclauses (I) and (II).

(IV) 50-foot slope distance from a nonfish-bearing stream that is not a stream described in subclauses (I) and (II).

(iii) *FOREST MANAGEMENT ACTIVITIES.*—The ecological forestry practices established in Sections 8 and 9 of this Act shall apply the riparian reserves established in clause (ii) and the riparian management of section 4 of this Act.

(B) *OUTER RIPARIAN ZONES.*—

(i) *ESTABLISHMENT AND MANAGEMENT OF THE OUTER RIPARIAN ZONE.*—

(I) *IN GENERAL.*—The outer riparian zone is the area between the riparian reserve established in clause (A)(ii) and one site-potential tree height.

(II) *MANAGEMENT.*—The Secretary may carry out harvest in areas in the outer riparian zones using the standards for ecological forestry in Forestry Emphasis Areas subject to Section 4(a)(3)(D) and other relevant provisions of this Act.

(C) *TREE TIPPING AND TREE FELLING ACTIVITIES.*—When harvesting timber within the outer riparian zone, the Secretary shall employ tree tipping and tree felling activities during the harvest to maintain wood recruitment to adjacent streams.

(D) *TREE RETENTION LEVELS IN AQUATIC AREAS.*—Not later than 60 days after the date of enactment of the Oregon and California Land Grant Act of 2014, the Secretary, in consultation with the Director of the United States Fish and Wildlife Service, the Administrator of the National Oceanic and Atmospheric Administration, the Director of the United States Geological Survey and the Administrator of the Environmental Protection Agency, shall establish minimum live and dead tree retention levels for thinning and other vegetation management projects consistent with the goals identified in paragraph (a)(1).

(4) *MANAGEMENT ACTIVITIES FOR CONSERVATION AREA RIPARIAN RESERVES, KEY WATERSHEDS & SOURCE WATER EMPHASIS AREAS.*—Riparian reserves and reserve widths within the Conservation Emphasis Areas, source water emphasis areas, and Key Watersheds shall be managed to carry out the Aquatic Conservation Strategy as set forth in paragraph (a)(1) without modifications set forth in paragraph (a)(2).

(5) *ADJUSTMENT OF RIPARIAN RESERVE WIDTHS AND MANAGEMENT.*—

(A) *IN GENERAL.*—Not earlier than 5 years after the date of enactment of the Oregon and California Land Grant Act

of 2014, and not more frequently than once each 5 years thereafter, the Secretary may adjust the riparian reserve widths established under paragraph (1), as well as the size of designated key watersheds, subject to the advice of the scientific committee established under subparagraph (B).

(B) SCIENTIFIC COMMITTEE.—

(i) **ESTABLISHMENT.**—The Secretary shall establish a scientific committee made up of scientific and land management expertise to determine whether the riparian reserve widths and management should be adjusted to better attain the goals and objectives of the Aquatic Conservation Strategy.

(ii) **OUTSIDE MEMBERSHIP.**—In addition to 5 representatives of the Federal Government (including 1 representative of each of the Bureau of Land Management, the National Oceanic and Atmospheric Administration, the United States Geological Survey, the Environmental Protection Agency and the United States Fish and Wildlife Service), the scientific committee shall include 5 individuals, to be appointed by the Secretary, who—

(I) are not full-time employees of the Federal Government; and

(II) have expertise relating to aquatic and riparian ecosystems, as demonstrated by—

(aa) an advanced degree in a related field; and

(bb) subsequent relevant work experience.

(iii) **DUTIES.**—The scientific committee shall make recommendations regarding whether the riparian reserve widths and management should be adjusted on individual bodies of water, and submit said recommendations to the Secretary in a report, taking into consideration—

(I) the criteria listed in Section 4(a)(2)(B)(ii);

(II) additional criteria deemed appropriate;

(III) new scientific information and understanding; and

(IV) the need to manage covered lands per section 3(b).

(iv) **PUBLIC REVIEW & COMMENT.**—On receipt of the report under clause (iii), the Secretary shall—

(I) make the report available to the public; and

(II) provide a period of not less than 60 days for public comment regarding the recommendations contained in the report.

(v) **DECISION TO ADJUST.**—After taking into consideration the report under clause (iii) and any public comments received under clause (iv)(II), the Secretary may adjust the riparian reserve width—

(I) taking into consideration the recommendations included in the report; and the public comments and

(II) if the Secretary determines that the adjustment meets the aquatic goals established in the

Aquatic Conservation Strategy under paragraph (a)(1) and would be in the public interest.

(b) ROADS.—

(1) IN GENERAL.—*Except as provided in paragraph (2), the Secretary shall not construct a road inside a riparian reserve.*

(2) EXCEPTIONS.—

(A) TEMPORARY ROADS.—*The Secretary may construct a temporary road to enter a riparian reserve, including crossing a stream where necessary, to complete a vegetation management project, if—*

- (i) there is no existing road system that can be used;*
- (ii) it is not possible to construct an ample road outside of the riparian reserve;*
- (iii) the temporary road is decommissioned no more than 2 years after it is constructed; and*
- (iv) any significant potential adverse impacts from the construction of any temporary road do not persist more than 1 year after the temporary road is decommissioned.*

(B) PERMANENT ROADS.—*The Secretary may realign an existing road permanently inside a riparian reserve, including the replacement of stream crossings, if the Secretary determines that the realignment will maintain, restore, or improve aquatic or riparian ecosystems and water quality.*

(c) STREAM IMPROVEMENT WORK.—

(1) IN GENERAL.—*The Secretary may conduct certain activities on the covered land in accordance with this subsection.*

(2) PERMITTED ACTIVITIES.—

(A) TREE TIPPING AND FELLING ACTIVITIES.—*During a vegetation management project, the Secretary may carry out tree tipping and tree felling activities within the riparian reserves in Dry Forestry Emphasis Areas or Moist Forestry Emphasis Areas as the Secretary determines necessary to improve habitat for aquatic species.*

(B) WOODY DEBRIS AUGMENTATION.—*The Secretary shall annually, subject to appropriations, use not less than \$1,000,000 indexed for inflation, of amounts made available under subsection 12(c) to transport and place large trees in streams on Federal, State, or private land to improve fish habitat.*

(C) NATIVE VEGETATION.—*Within riparian reserves, the Secretary may only plant vegetation that is native to the site.*

(D) CULVERT REPLACEMENT.—*The Secretary may replace a culvert that impedes the passage of fish or is unable to withstand a 100-year flood event.*

(3) ACTIVITIES CATEGORICALLY EXCLUDED FROM REVIEW.—*Except as provided in paragraph (4), each activity described in paragraph (2) shall be—*

(A) *considered an action categorically excluded from review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or section 1508.4 of title 40, Code of Federal Regulations (or a successor regulation); and*

(B) *exempt from administrative review.*

(4) *EXCLUSION OF CERTAIN AREAS.*—Paragraph (3) does not apply to any activity located in—

(A) a component of the National Wilderness Preservation System;

(B) a component of the National Wild and Scenic Rivers System;

(C) lands with wilderness characteristics as defined in the Bureau of Land Management Manual provisions 6310 and 6320; or

(D) a Conservation Emphasis Area established by section 10 if the activity would be inconsistent with the purposes and values for which the area was established.

SEC. 5. NOTICE OF INTENT.

(a) *IN GENERAL.*—Not later than 30 days after the date of enactment of the Oregon and California Land Grant Act of 2014, and every 5 years thereafter the Secretary shall publish in the Federal Register a notice of intent to prepare—

(1) the landscape prioritization plan; and

(2) the draft comprehensive environmental impact statements required under section 6(g)(2).

(b) *PUBLIC COMMENT.*—During the 45-day period beginning on the date of publication of the notice of intent under subsection (a), the Secretary shall solicit public comments regarding—

(1) the scope and content of the documents described in subsection (a); and

(2) the impacts that the Secretary should analyze regarding the alternatives in the draft comprehensive environmental impact statements described in subsection (a)(2).

(c) *COORDINATION WITH PREPARATION OF LAND USE PLANS.*—The Secretary shall include the notice of intent in the development or revision of a land use plan required under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712) for the covered land or shall amend the land use plan required under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712) for the covered land.

(d) *INITIATION OF EARLY PLANNING AND CONSULTATION AGREEMENT.*—Not later than 30 days after the date on which a notice of intent is published under subsection (a), the Secretary of the Interior, the Secretary of Commerce, and the Administrator of the U.S. Environmental Protection Agency shall—

(1) enter into an early planning and consultation agreement, including timelines, regarding the development of information, data and/or documents required to carry out this Act with—

(A) the United States Fish and Wildlife Service;

(B) the National Oceanic and Atmospheric Administration;

(C) the Environmental Protection Agency; and

(D) the U.S. Geological Survey; and

(2) invite to serve as cooperating agencies or to provide comments regarding the notice of intent—

(A) the State of Oregon;

(B) federally recognized Indian tribes with ancestral land or officially ceded lands in the covered land; and

(C) affected units of local government.

SEC. 6. LANDSCAPE PRIORITIZATION PLANS.

(a) *IN GENERAL.*—Not later than 270 days after the date of enactment of the Oregon and California Land Grant Act of 2014, and every 5 years thereafter the Secretary, shall develop and make available to the public a landscape prioritization plan, which shall prioritize vegetation management projects and describe activities to be performed and areas to be established to satisfy landscape-related needs in the covered land.

(1) as a part of the development or revision of a land use plan required under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712) for the covered land; and

(2) implement the landscape prioritization plan required in this section through the comprehensive environmental impact statements regardless of whether a revision of that land use plan has been completed.

(b) *COORDINATION.*—The Secretary shall develop the landscape prioritization plan under this section under the agreement entered into under Sec. 5(d) in coordination with the Director of the United States Fish and Wildlife Service and the Administrator of the National Oceanic and Atmospheric Administration to ensure that the landscape prioritization plan complies with the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) and in coordination with the State of Oregon to ensure compliance with water quality standards adopted under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

(c) *COMPONENTS.*—

(1) *PROJECTS IN MOIST FORESTRY EMPHASIS AREA.*—

(A) *IN GENERAL.*—Subject to subparagraph (B), the Secretary shall identify the locations of the vegetation management projects that the Secretary proposes to conduct in the Moist Forestry Emphasis Area for the length of each Landscape Prioritization Plan.

(B) *REQUIREMENTS.*—

(i) *IN GENERAL.*—For each consecutive 5-year period during the period described in subparagraph (A), the Secretary shall plan to conduct—

(I) variable retention harvest consistent with this Act across stands that comprise 4 to 6 percent of the Moist Forestry Emphasis Area, subject to clause (ii); and

(II) thinning activities consistent with this Act across stands in Moist Forest Emphasis Area

(ii) *VEGETATION MANAGEMENT PROJECTS.*—The locations of the proposed vegetation management projects under subclause (i)(I) shall be distributed across the Bureau of Land Management districts, to the maximum extent practicable.

(2) *PROJECTS IN DRY FORESTRY EMPHASIS AREA.*—The Secretary shall identify the locations of the vegetation management projects the Secretary proposes to conduct in the Dry Forestry Emphasis Area for each consecutive length of the Landscape Prioritization Plan beginning on the date of enactment of the Oregon and California Land Grant Act of 2014.

(3) *PROJECTS IN CONSERVATION EMPHASIS AREA.*—The Secretary shall identify the locations of vegetation management projects, including habitat protection or restoration projects, the Secretary proposes to conduct in the Conservation Emphasis Area consistent with section 10 for the length of each Landscape Prioritization Plan beginning on the date of enactment of the Oregon and California Land Grant Act of 2014.

(4) *SPECIFIC INFORMATION FOR PROJECTS.*—

(A) *IN GENERAL.*—For each vegetation management project proposed by the Secretary, the Landscape Prioritization Plan shall include an identification of—

- (i) the location of forest stands to be treated;
- (ii) the approximate size and timing of the treatment in those stands;
- (iii) the specific vegetation treatment recommended for each forest stand; and
- (iv) the goals and objectives for any habitat protection or restoration projects.

(B) *ONSITE REVIEWS.*—In addition to identifying forest stands under subparagraph (A), the Secretary shall conduct onsite reviews to verify, at a minimum—

- (i) riparian and aquatic parameters and assessments;
- (ii) any streams or aquatic resources within the specific stands;
- (iii) water quality;
- (iv) the presence of sensitive or special status species and habitats;
- (v) road conditions and information; and
- (vi) forest stand boundaries.

(d) *PUBLIC COMMENT.*—The Secretary shall solicit public comments regarding the landscape prioritization plan for a period of not less than 60 days after the date on which the Secretary makes the landscape prioritization plan available to the public.

(e) *REVISED PLAN.*—The Secretary shall revise the Landscape Prioritization Plan as the Secretary considers to be necessary, based on public comments received under subsection (d).

(f) *MONITORING AND LONG-TERM EVALUATION.*—

(1) *IN GENERAL.*—Each Landscape Prioritization Plan implementation shall be monitored annually, and evaluated every five years as a part of the development or revision of a resource management plan required under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712) for the covered land, with opportunity for public comment prior to finalizing the monitoring assessments.

(2) *COMPONENTS OF THE MONITORING ASSESSMENT.*—In preparing the monitoring assessment, the Secretary shall include assessments and reports on—

- (A) changes in the volume and quality of timber sold;
- (B) changes in water quality;
- (C) changes in recreation;
- (D) the effectiveness of fish and wildlife protections;
- (E) the effectiveness of measures to prevent uncharacteristic wildfire; and
- (F) changes in forest health and fish and wildlife habitat.

(3) *COMPONENTS OF LANDSCAPE PRIORITIZATION PLAN TO BE MONITORED AND EVALUATED.*—Each Landscape Prioritization Plan shall include for monitoring and evaluation a description of the Moist Forest Emphasis Areas and Dry Forest Emphasis Areas—

(A) *for Moist Forestry Emphasis Areas*—

(i) *landscape-level plans depicting areas of the moist forest landscape that would result in a distribution of variable retention regeneration harvests to ensure the desired placement and the appropriate scale of vegetation management projects; and*

(ii) *areas that will accelerate the development of complex forest structure, including opportunities to create spatial heterogeneity (such as creating skips and gaps), in a young stand that has a canopy that has closed and been simplified through past forest management;*

(B) *for Dry Forestry Emphasis Areas*—

(i) *a landscape-level plan depicting areas of dry forest landscape that will be left over the length of the Landscape Prioritization Plan in a denser condition, beginning on the date of enactment of the Oregon and California Land Grant Act of 2014; and*

(ii) *areas that will minimize and reduce the risk of uncharacteristic fire and insect events, and improve fire resiliency particularly if critical components and values are at risk, including—*

(I) *communities in the wildland-urban interface (as defined in section 101 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511)); and*

(II) *valuable forest structures, such as legacy trees and oak savannas that are in need of restoration or in danger from a potential fire risk;*

(C) *for Conservation Emphasis Areas the Secretary shall describe and evaluate the landscape-level plan depicting areas of the Conservation Emphasis Areas that will be left in a more natural condition over the length of the Landscape Prioritization Plan beginning on the date of enactment of the Oregon and California Land Grant Act of 2014;*

(g) *ANNUAL MONITORING.*—The Secretary shall annually use not less than \$1,000,000, adjusted for inflation, of the amounts made available under subsection 13(c) to monitor short-term and long-term changes in forest health, water quality, and fish and wildlife habitat.

(h) *ENVIRONMENTAL COMPLIANCE.*—

(1) *IN GENERAL.*—The Secretary shall implement the Landscape Prioritization Plan, including priorities and vegetation management projects identified in a landscape prioritization plan under section 6(a), in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the requirements of this section.

(2) *DRAFT COMPREHENSIVE ENVIRONMENTAL IMPACT STATEMENTS.*—Not later than 18 months after the date of enactment of the Oregon and California Land Grant Act of 2014, and every 5 years thereafter the Secretary shall publish notice in the Federal Register of the availability for public review of 2 draft

comprehensive environmental impact statements for the vegetation management projects proposed to be carried out during the 5-year period, of which—

(A) One shall cover the Moist Forestry Emphasis Area and, of the Conservation Emphasis Areas designated under section 10—

(i) the Conservation Network that is predominantly moist forest;

(ii) the Late Successional Old-Growth Forest Heritage Reserves;

(iii) the Drinking Water Special Management Units;

(iv) the Molalla National Recreation Area;

(v) the Crabtree Valley Primitive Backcountry Area;

(vi) the Brummit Fir Primitive Backcountry Area;

(vii) the Kilchis Wild Salmon Refuge Area; and

(viii) the Protected Environmental Zones that are predominantly moist forest; and

(B) one shall cover the Dry Forestry Emphasis Area and, of the Conservation Emphasis Areas designated under section 10—

(i) the Conservation Network that is predominantly dry forest;

(ii) the Rogue Canyon National Recreation Area;

(iii) the Illinois Valley Salmon and Botanical Area;

(iv) the Grizzly Peak Primitive Backcountry Area;

(v) the Dakubetede Primitive Backcountry Area;

(vi) the Wellington Wildlands Primitive Backcountry Area;

(vii) the Mungers Butte Primitive Backcountry Area;

(viii) the Pacific Crest Trail Corridor and

(ix) the Applegate Primitive Backcountry Area; and

(x) the Protected Environment Zones that are predominantly dry forest.

(3) ALTERNATIVES.—Each draft comprehensive environmental impact statement under this subsection shall analyze different locations for the relevant vegetation management projects under—

(A) the no-action alternative; and

(B) three other alternatives that are consistent with this Act.

(4) INTERAGENCY COORDINATION AND COOPERATION.—COORDINATION AND COOPERATION.—The Secretary shall require the Directors of the U.S. Bureau of Land Management and the U.S. Fish and Wildlife Service to coordinate and cooperate between their agencies, and shall coordinate and cooperate with the Secretary of Commerce in developing each draft comprehensive impact statement under this subsection to ensure compliance with the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(5) PUBLIC COMMENT.—The Secretary shall solicit public comment regarding the draft comprehensive environmental impact statements under subsection (b) during the 60-day period beginning on the date on which the Secretary makes the draft comprehensive environmental impact statements available to the public.

(6) *FINAL COMPREHENSIVE ENVIRONMENTAL IMPACT STATEMENTS.*—Not later than 27 months after the date of enactment of the Oregon and California Land Grant Act of 2014, and 9 months after publication of subsequent draft comprehensive environmental impact statements the Secretary—

(A) shall prepare 2 final comprehensive environmental impact statements for the vegetation management projects that have been identified in the draft comprehensive environmental impact statements in paragraph (2);

(B) shall publish in the Federal Register a notice of availability for public review of the final comprehensive environmental impact statements; and

(C) may publish the final comprehensive environmental impact statements in conjunction with the environmental impact assessments relating to the land use plan developed by the Bureau of Land Management for the covered land.

(7) *RECORDS OF DECISION.*—Except as provided in Section 7(a), not later than 60 days after the date on which a notice of availability of the final comprehensive environmental impact statements is published in the Federal Register, the Secretary shall issue a record of decision relating to the vegetation management projects analyzed in the final comprehensive environmental impact statements.

SEC. 7. OBJECTIONS; O&C ADMINISTRATIVE REVIEW PROCESS; JUDICIAL REVIEW.

(a) *O&C ADMINISTRATIVE REVIEW PROCESS.*—

(1) *IN GENERAL.*—During the 60-day period described in section 6(h)(7), an eligible person may file an objection to the final comprehensive environmental impact statement, or during the first 15 days of the 90-day period described in section 7(b) an eligible person may protest a proposed vegetation management project. This objection or protest must be used in lieu of any other appeal that may be available. A protest will be considered and treated as an objection in this subsection.

(2) *ELIGIBILITY.*—To be eligible to file an objection to the final environmental impact statement or a protest for a proposed vegetation management project under paragraph (1), a person shall have submitted to the Secretary during the 60-day period described in section 6(h)(5) written comments that describe the objections to the action proposed under the final comprehensive environmental impact statement.

(3) *ELIGIBLE PROJECT LEVEL OBJECTIONS.*—An objection to an individual vegetation management project may only be filed under paragraph (1) if the objector can show—

(A)(i) a proposed activity under the vegetation management project is inconsistent with a record of decision; and

(ii) the likely impacts of that activity are inconsistent with the impacts analyzed in the final comprehensive environmental impact statement;

(B) the vegetation management project violates the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); or

(C)(i) in the circumstance of new information, changed circumstances, or changed conditions on a particular

project that may result in significant negative environmental impacts that were not encompassed in the analysis in the applicable final comprehensive environmental impact statement; and

(ii) those circumstances were not considered in the final comprehensive environmental impact statement.

(4) *RESPONSE.*—The Secretary shall respond in writing to an objection filed under paragraph (1) not later than 30 days after the date on which the objection is filed.

(5) *SUPPLEMENT.*—In response to an objection filed under paragraph (1), the Secretary may supplement the final comprehensive environmental impact statement or the draft Record of Decision to reflect the objection.

(6) *TIMING OF RECORD OF DECISION.*—If a person files an objection under section 7(a)(1) relating to a final comprehensive environmental impact statement, the Secretary shall publish a record of decision for that final comprehensive environmental impact statement—

(A) immediately after the Secretary responds to the objection; or

(B) as soon as practicable after the date on which the Secretary supplements the final comprehensive environmental impact statement to reflect that objection under section 7(a)(4).

(b) *DELAY OF IMPLEMENTATION.*—The Secretary shall not offer for a bid or implementation a vegetation management project pending the disposition of the objection. Not less than 90 days prior to actual commencement of the project, notice of a bid or implementation shall be published in the Federal Register and mailed electronically to each person that submitted comments on a comprehensive environmental impact statement and requested a reply.

(c) *JUDICIAL REVIEW.*—

(1) *IN GENERAL.*—A person may only challenge a covered agency action in a United States district court by bringing a covered civil action.

(2) *VENUE.*—Venue for any covered civil action shall lie in the United States District Court for the District of Oregon or the United States District Court for the District of Columbia.

(3) *ADDITIONAL STANDING REQUIREMENTS FOR NEPA.*—A person shall only have standing to bring a covered civil action under paragraph (1) for claims under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), if that person filed an objection under subsection (a)(1).

(4) *ELIGIBILITY.*—A reviewing court under this subsection shall not consider any issue in a covered civil action unless the issue has previously been raised, in the discretion of the court, in writing in the administrative review process described in section 7(a) or through other judicial notice provisions required by Federal law.

(5) *LIMITATION OF ACTIONS.*—A covered civil action shall not be maintained unless the covered civil action commenced not later than 75 days after the date on which the covered agency action to which the covered civil action relates is final.

(6) *EXPEDITED PROCEEDINGS.*—

(A) *IN GENERAL.*—Congress expects that judicial review of covered actions will be based on review of the administrative record prepared by the Secretary.

(B) *DISPOSITION.*—The disposition of the complaint, by summary judgment or any other mechanism, shall commence not later than 190 days after the date on which the covered civil action is commenced.

(C) *EXPEDITIOUS COMPLETION OF JUDICIAL REVIEW.*—Congress encourages a court of competent jurisdiction to expedite, to the maximum extent practicable, the proceedings in a covered civil action with the goal of rendering a final determination on the merits of the covered civil action as soon as practicable after the date on which a complaint or appeal is filed to initiate the action.

(7) *APPLICABILITY.*—Except as otherwise provided in this section, judicial review of a covered agency action shall be conducted in accordance with subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the “Administrative Procedure Act”).

SEC. 8. MOIST FORESTRY EMPHASIS AREA.

(a) *IN GENERAL.*—

(1) *CONFORMITY WITH PRINCIPLE OF SUSTAINED YIELD.*—Timber from the Moist Forestry Emphasis Area shall be sold, cut, and removed in conformity with the principle of sustained yield as defined by the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and in accordance with the provisions of this Act.

(2) *PRODUCTION LEVELS.*—The Secretary shall maintain the highest consistent timber production levels that can be sustained under ecological forestry principles and other provisions described in this Act.

(3) *CALCULATION.*—

(A) *IN GENERAL.*—The Secretary shall calculate—

(i) the sustained yield and identify the quantity of timber the Secretary can produce as part of the draft comprehensive environmental impact statement required under this Act for the Moist Forestry Emphasis Area, not including riparian reserves established under section 4; and

(ii) the quantity of timber as a by-product the Secretary can produce, as part of the Moist Forestry Emphasis Area, including riparian reserves established under section 4, and the portions of the Conservation Emphasis Area, as described in the draft comprehensive environmental impact statement under section 6(h)(2).

(B) *REQUIREMENTS.*—The Secretary shall—

(i) calculate the quantities under clauses (i) and (ii) of subparagraph (A) in 5-year increments; and

(ii) in calculating that quantity, classify the volume of timber that could be offered from the various areas defined in subparagraph (A).

(b) *MANAGEMENT OF MOIST FORESTRY EMPHASIS AREA.*—

(1) *IN GENERAL.*—Moist Forestry Emphasis Areas shall be managed in accordance with the principles of ecological forestry.

(2) *ECOLOGICAL FORESTRY PRINCIPLES FOR MOIST FORESTRY EMPHASIS AREAS.*—The ecological forestry principles referred to in paragraph (1) relate to variable retention regeneration harvests and include—

(A) the retention of legacy trees;

(B) the acceleration of the development of structural complexity, including spatial heterogeneity, through the use of diverse silvicultural approaches, such as variable density and clump-based thinning prescriptions;

(C) the implementation of variable retention regeneration harvesting activities that retain approximately $\frac{1}{3}$ of the live basal area of the forest within the harvest area, primarily but not exclusively in aggregates, provided that non-fish bearing stream riparian reserves within the harvest unit count towards retention, but other reserves, including riparian reserves on fish bearing streams, do not count;

(D) the development and maintenance of early seral ecosystems with diverse species following harvesting activities through the use of less intense approaches to site preparation and tree regeneration and nurturing of diverse early seral ecosystems; and

(E) the long-term establishment of a silvicultural system that includes the development and management of multiaged, mixed-species stands.

(3) *VARIABLE RETENTION REGENERATION HARVEST.*—

(A) *IN GENERAL.*—The Secretary shall designate not less than 4 percent and not greater than 6 percent of the moist forests described in paragraph (1) as land on which the Secretary shall carry out during each 5 year period variable retention regeneration harvesting activities, consistent with—

(i) this section and other provisions of this Act;

(ii) the Endangered Species Act (16 U.S.C. 1531 et seq.); and

(iii) the environmental impact statement required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) as described in section 6.

(4) *NORTHWEST FOREST PLAN APPLICATION.*—The Secretary shall identify 50,000 acres of Moist Forest Emphasis Area that—

(A) have been previously subject to forest management;

(B) whose trees are in the 80 year age class or younger;

(C) are not within one site-potential tree height of any stream, or within a source water emphasis area or a key watershed under the NWFP;

(D) are not within critical habitat; and

(E) apply the implementation of variable retention regeneration harvesting activities that retain approximately $\frac{1}{4}$ of the live basal area of the forest within the harvest area, provided that non-fish bearing stream riparian reserves within the harvest unit count towards retention, but other reserves, including riparian reserves on fish bearing

streams, do not. In total, not less than 15 percent of the live basal area in the stand, excluding all reserves, must be retained.

(c) ROADS.—

(1) IN GENERAL.—*The Secretary shall not increase the total quantity of mileage of permanent, system and non-system roads that are operational in the Moist Forestry Emphasis Area to a quantity greater than the quantity of mileage in existence on the date of enactment of the Oregon and California Land Grant Act of 2014, excluding roads constructed pursuant to reciprocal rights of way agreements, easement obligations or other access rights of non-Federal parties in effect as of enactment of the Oregon and California Land Grant Act of 2014, subject to the rights of the owner of adjacent private land as set forth in sections 3(e) and 3(j) of this Act.*

(2) SYSTEM ROADS.—*The Secretary—*

(A) may construct new system roads outside of the riparian reserves to carry out a vegetation management project under this Act; and

(B) subject to the availability of appropriations and to the maximum extent practicable, shall reduce the quantity of mileage of system roads by decommissioning roads, subject to the rights of the owner of adjacent private land as set forth in sections 3(e) and 3(j) of this Act, provided that decommissioning shall be done with an adjacent private landowner if—

(i) the adjacent private landowner is a party to a reciprocal right-of-way agreement covering an area which includes the road in question; or

(ii) the decommissioning would remove or increase the cost of vehicular access to the adjacent private lands.

(3) NON-SYSTEM ROADS.—*Subject to the availability of appropriations, the Secretary shall annually reduce the total quantity of mileage of nonsystem roads.*

(4) TEMPORARY ROADS.—*If the Secretary constructs a temporary road as part of a vegetation management project, the Secretary shall close and decommission the temporary road not later than the earlier of—*

(A) the date that is 2 years after the date on which the activity for which the temporary road was constructed is completed; and

(B) the date that is 1 year after the date on which the vegetation management project is completed.

SEC. 9. DRY FORESTRY EMPHASIS AREA.

(a) IN GENERAL.—

(1) *The Secretary shall manage the Dry Forestry Emphasis Area to increase the resiliency of the stands by reducing the risk from uncharacteristic wildfires, droughts, and insect or disease events while maintaining consistent timber production levels that can be sustained under ecological forestry principles and other provisions described in this Act.*

(2) CONFORMITY WITH PRINCIPLE OF SUSTAINED YIELD.—*Timber from the Dry Forestry Emphasis Area shall be sold, cut, and removed in conformity with the principle of sustained yield*

as defined by the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and in accordance with the provisions of this Act.

(3) *PRODUCTION LEVELS.*—The Secretary shall maintain the highest consistent timber production levels that can be sustained under ecological forestry principles and other provisions described in this Act.

(4) *CALCULATION.*—

(A) *IN GENERAL.*—The Secretary shall calculate—

(i) the sustained yield and identify the quantity of timber the Secretary can produce as part of the draft comprehensive environmental impact statement required under this Act for the Dry Forestry Emphasis Area, not including riparian reserves established under section 4; and

(ii) the quantity of timber as a by-product the Secretary can produce, as part of the Dry Forestry Emphasis Area, including riparian reserves established under section 4, and the portions of the Conservation Emphasis Area, as described in the draft comprehensive environmental impact statement under section 6.

(b) *REQUIREMENTS.*—The Secretary shall maintain, restore, or improve conditions of tree density, tree composition, and tree size distribution that will result in a stand with a high level of resistance and resilience to uncharacteristic wildfires, droughts, and insect events.

(c) *PRIORITY.*—In carrying out vegetation management projects, the Secretary shall give priority to areas that contain important components, including—

(1) communities in the wildland-urban interface (as defined in section 101 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511)); and

(2) valuable forest structures, such as legacy trees and oak savannas that are in need of restoration or are in danger from uncharacteristic fire.

(d) *MANAGEMENT OF DRY FORESTRY EMPHASIS AREAS.*—

(1) *IN GENERAL.*—Dry Forestry Emphasis Areas shall be managed in accordance with ecological forestry principles described in paragraph (2).

(2) *ECOLOGICAL FORESTRY PRINCIPLES IN DRY FORESTS.*—The ecological forestry principles referred to in paragraph (1) include—

(A) the retention and improvement of the survivability of legacy trees through the reduction of adjacent fuels and competing vegetation to promote resilience against mortality from insects, disease, and fire;

(B) the retention and protection of important structures such as large hardwoods, snags, and logs;

(C) the reduction of overall stand densities through partial cutting in an effort—

(i) to reduce basal areas to desired levels, particularly in overstocked stands;

(ii) to increase the mean stand diameter; and

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

(D) the restoration of spatial heterogeneity through the variation of the treatment of stands, such as by leaving untreated patches, creating openings, and establishing tree clumps and isolated single trees;

(E) the establishment of new tree cohorts of shade-intolerant species in created openings;

(F) the harvesting of timber during the restoration process;

(G) the maintenance of sustainable and fire-resilient conditions in perpetuity through both passive and active management of the dry forests in accordance with this subsection, including the treatment of activity fuels and other surface and ladder fuels and understory vegetation using prescribed fire, natural fire or mechanical activities; and

(H) the retention of a basal area after a partial cut that is not less than 35 percent of the initial basal area of the sale.

(e) ROADS.—

(1) IN GENERAL.—The Secretary shall not increase the total quantity of mileage of system roads that are operational in the Dry Forestry Emphasis Area to a quantity greater than the quantity of mileage in existence on the date of enactment of the Oregon and California Land Grant Act of 2014, excluding roads constructed pursuant to reciprocal rights of way agreements, easement obligations or other access rights of non-Federal parties in effect as of enactment of the Oregon and California Land Grant Act of 2014, subject to the rights of the owner of adjacent private land as set forth in sections 3(e) and 3(j) of this Act.

(2) SYSTEM ROADS.—The Secretary—

(A) may construct new system roads to carry out a vegetation management project; and

(B) subject to the availability of appropriations, shall decommission or place into storage all system roads that the Secretary has not planned to use in the next 5 years for vegetation management projects or administrative purposes, subject to the rights of the owner of adjacent private land as set forth in sections 3(e) and 3(j) of this Act, provided that decommissioning shall be done with an adjacent private landowner if—

(i) the adjacent private landowner is a party to a reciprocal right-of-way agreement covering an area which includes the road in question; or

(ii) the decommissioning would remove or increase the cost of vehicular access to the adjacent private lands.

(3) NONSYSTEM ROADS.—Subject to the availability of appropriations, the Secretary shall annually reduce the total quantity of mileage of nonsystem roads by decommissioning.

(4) TEMPORARY ROADS.—If the Secretary constructs a temporary road as part of a vegetation management project, the Secretary shall close and decommission the temporary road not later than the earlier of—

(A) the date that is 2 years after the date on which the activity for which the temporary road was constructed is completed; and

(B) the date that is 1 year after the date on which the vegetation management project is completed.

SEC. 10. CONSERVATION EMPHASIS AREAS.

(a) **CONSERVATION NETWORKS.**—The approximately 690,000 acres of land managed by the Secretary, as generally depicted as “Conservation Network” on the map entitled “O&C Land Grant Act of 2014: Conservation Network” and dated November 3, 2014, which is designated as the Conservation Network, the purpose of which is to create forest reserves providing ecological benefits and protect conservation values, including providing late successional old-growth forest complex habitat, complex early successional habitat, aquatic and riparian protection, fish and wildlife benefits, recreational and educational opportunities and other natural processes needed for the healthy functioning of the ecosystem, shall be managed in accordance with subsection (h).

(b) **LATE SUCCESSIONAL OLD-GROWTH FOREST HERITAGE RESERVES.**—The approximately 510,000 acres of land managed by the Secretary, as generally depicted on the map entitled “O & C Land Grant Act of 2014: Late Successional Old-Growth Forest Heritage Reserves” and dated November 3, 2014, which is designated as the “Late Successional Old-Growth Forest Heritage Reserves”, the purpose of which is to protect and preserve Moist Forest stands that, as of the date of enactment of the Oregon and California Land Grant Act of 2014, contain a 90 year or above age class, shall be managed by the Secretary in a manner that does not allow harvesting of any tree within the area.

(c) **SPECIAL MANAGEMENT UNITS.**—

(1) **DESIGNATION.**—For the purposes of ensuring the protection of the watersheds as a source of clean drinking water, to safeguard the water quality and quantity in the areas, and to allow visitors to enjoy the special scenic, natural, cultural, and fish and wildlife values of the watersheds, the following areas in the State of Oregon are designated as special management units for special management by the Secretary in accordance with subsection (h) and this subsection:

(A) **MCKENZIE DRINKING WATER SPECIAL MANAGEMENT UNIT.**—The approximately 12,042 acres of land managed by the Secretary, as generally depicted on the map entitled “O&C Land Grant Act of 2014: McKenzie Source Water Emphasis Area” and dated November 3, 2014, which is designated as the “McKenzie Drinking Water Special Management Unit”.

(B) **HILLSBORO DRINKING WATER SPECIAL MANAGEMENT UNIT.**—The approximately 1,243 acres of land managed by the Secretary, as generally depicted on the map entitled “O&C Land Grant Act of 2014: Hillsboro Source Water Emphasis Area” and dated November 3, 2014, which is designated as the “Hillsboro Drinking Water Special Management Unit”.

(C) **CLACKAMAS DRINKING WATER SPECIAL MANAGEMENT UNIT.**—The approximately 416 acres of land managed by the Secretary, as generally depicted on the map entitled

“O&C Land Grant Act of 2014: Clackamas Source Water Emphasis Area” and dated November 3, 2014, which is designated as the “Clackamas Drinking Water Special Management Unit”.

(D) SPRINGFIELD DRINKING WATER SPECIAL MANAGEMENT UNIT.—The approximately 3,161 acres of land managed by the Secretary, as generally depicted on the map entitled “O&C Land Grant Act of 2014: Springfield Source Water Emphasis Area” and dated November 3, 2014, which is designated as the “Springfield Drinking Water Special Management Unit”.

(2) LIVESTOCK.—The grazing of livestock shall not be allowed within a special management unit designated by paragraph (1).

(d) NATIONAL RECREATION AREAS.—For the purposes of protecting, conserving, and enhancing the unique and nationally important recreational, ecological, scenic, cultural, watershed, and fish and wildlife values of the areas, the following areas in the State of Oregon are designated as recreation areas for management by the Secretary in accordance with subsection (h):

(1) ROGUE CANYON NATIONAL RECREATION AREA.—The approximately 94,700 acres of Bureau of Land Management land, within the boundary generally depicted on the map entitled “O&C Land Grant Act of 2014: Rogue Canyon National Recreation Area” and dated November 3, 2014, which is designated as the “Rogue Canyon National Recreation Area”.

(2) MOLALLA NATIONAL RECREATION AREA.—The approximately 24,100 acres of Bureau of Land Management land, within the boundary generally depicted on the map entitled “O&C Land Grant Act of 2014: Molalla National Recreation Area” and dated November 3, 2014, which is designated as the “Molalla National Recreation Area”.

(e) SPECIAL MANAGEMENT AREAS.—For the purposes of protecting, preserving and enhancing the natural character, scientific use, and the botanical, recreational, ecological, fish and wildlife, scenic, drinking water, or cultural values of the areas or to preserve opportunities for primitive recreation, the following areas in the State of Oregon are designated for special management by the Secretary in accordance with subsection (h):

(1) ILLINOIS VALLEY SALMON AND BOTANICAL SPECIAL MANAGEMENT AREA.—The approximately 15,000 acres of Bureau of Land Management land, as generally depicted on the map entitled “O&C Land Grant Act of 2014: Illinois Valley Salmon and Botanical Area” and dated November 3, 2014, which is designated as the “Illinois Valley Salmon and Botanical Special Management Area”.

(2) KILCHIS WILD SALMON REFUGE AREA.—The approximately 9,000 acres of Bureau of Land Management land, as generally depicted on the map entitled “O&C Land Grant Act of 2014: Kilchis Wild Salmon Refuge Area” and dated November 3, 2014, which is designated as the “Kilchis Wild Salmon Refuge Area”.

(3) SMITH RIVER SALMON RESTORATION UNIT.—The purpose of this restoration unit is to ensure the protection, maintenance and restoration of the salmonid resources of these rivers segments. The riparian areas along the mainstem of the Smith

River, from the confluence of Spencer Creek (Smith River mile 22.8), upstream to Clabber Creek (Smith River mile 60.5), which flows through the covered lands and the mainstem of the West Fork of the Smith River, from the confluence of W. Fork Smith river with the main stem Smith River (Smith River mile 34.5) upstream along the West Fork of the Smith River to the junction of Upper W. Fork Smith River Road (W. Fork Smith River mile 12.43), which flows through the covered lands, will be managed to under section 4(a)(1) of this Act without modifications under 4(a)(2).

(4) *GRIZZLY PEAK PRIMITIVE BACKCOUNTRY SPECIAL MANAGEMENT AREA.*—The approximately 2,100 acres of Bureau of Land Management land, as generally depicted on the map entitled “O&C Land Grant Act of 2014: Grizzly Peak Primitive Backcountry Area” and dated November 3, 2014, which is designated as the “Grizzly Peak Primitive Backcountry Special Management Area”.

(5) *DAKUBETEDE PRIMITIVE BACKCOUNTRY SPECIAL MANAGEMENT AREA.*—The approximately 21,200 acres of Bureau of Land Management land, as generally depicted on the map entitled “O&C Land Grant Act of 2014: Dakubetede Primitive Backcountry Area” and dated November 3, 2014, which is designated as the “Dakubetede Primitive Backcountry Special Management Area”.

(6) *WELLINGTON WILDLANDS PRIMITIVE BACKCOUNTRY SPECIAL MANAGEMENT AREA.*—The approximately 5,700 acres of Bureau of Land Management land, as generally depicted on the map entitled “O&C Land Grant Act of 2014: Wellington Wildlands Primitive Backcountry Area” and dated November 3, 2014, which is designated as the “Wellington Wildlands Primitive Backcountry Special Management Area”.

(7) *MUNGERS BUTTE PRIMITIVE BACKCOUNTRY SPECIAL MANAGEMENT AREA.*—The approximately 10,200 acres of Bureau of Land Management land, as generally depicted on the map entitled “O&C Land Grant Act of 2014: Mungers Butte Primitive Backcountry Area” and dated November 3, 2014, which is designated as the “Mungers Butte Primitive Backcountry Special Management Area”.

(8) *BRUMMIT FIR PRIMITIVE BACKCOUNTRY SPECIAL MANAGEMENT AREA.*—The approximately 2,000 acres of Bureau of Land Management land, as generally depicted on the map entitled “O&C Land Grant Act of 2014: Brummit Fir Primitive Backcountry Area” and dated November 3, 2014, which is designated as the “Brummit Fir Primitive Backcountry Special Management Area”.

(9) *CRABTREE VALLEY PRIMITIVE BACKCOUNTRY SPECIAL MANAGEMENT AREA.*—The approximately 2,100 acres of Bureau of Land Management land, as generally depicted on the map entitled “O&C Land Grant Act of 2014: Crabtree Valley Primitive Backcountry Area” and dated November 3, 2014, which is designated as the “Crabtree Valley Primitive Backcountry Special Management Area”.

(10) *APPLEGATE PRIMITIVE BACKCOUNTRY SPECIAL MANAGEMENT AREA.*—The approximately 9,000 acres of Bureau of Land Management land, as generally depicted on the map entitled

“O&C Land Grant Act of 2014: Crabtree Valley Primitive Backcountry Area” and dated November 1, 2014, which is designated as the “Crabtree Valley Primitive Backcountry Special Management Area”.

(11) *PROTECTED ENVIRONMENTAL ZONE SPECIAL MANAGEMENT AREA.—The approximately 95,767 acres of land administered by the Secretary, as generally depicted on the map entitled “O&C Land Grant Act of 2014: Special Environmental Zones” and dated November 3, 2014, which is designated as the “Special Environmental Zone Special Management Area”.*

(f) *CASCADE-SISKIYOU NATIONAL MONUMENT EXPANSION.—Subject to valid existing rights, the Secretary shall administer the approximately 2,050 acres of land administered by the Director of the Bureau of Land Management generally depicted on the map entitled “O&C Land Grant Act of 2014: Cascade-Siskiyou National Monument Expansion” and dated November 3, 2014, as part of the Cascade-Siskiyou National Monument and subject to the same proclamation, regulations, rules and policies that apply to the rest of the national monument.*

(g) *PACIFIC CREST TRAIL PROTECTION CORRIDOR.—*

(1) *ESTABLISHMENT.—There is designated in the State of Oregon a protective corridor for the Pacific Crest National Scenic Trail, to be known as the “Pacific Crest Trail Protection Corridor”, consisting of all Bureau of Land Management land located within approximately ¼ mile on either side of the Pacific Crest National Scenic Trail, beginning at the west boundary of Section 23, T.40.S, R.7.W, W.M. at the border of the Klamath National Forest in the Siskiyou Mountains, continuing approximately 45 miles and ending at the eastern boundary Section 13, T.38.S, R.4.E, W.M near the southern boundary of the Rogue River National Forest in the Cascade Range, to be managed by the Secretary in accordance with subsection (h).*

(2) *PURPOSES.—The purposes of the Pacific Crest Trail Protection Corridor are to protect and enhance the recreational, scenic, historic, and wildlife values of the Pacific Crest National Scenic Trail in as natural and undeveloped a state as practicable.*

(3) *FOREST ROADS.—Forest roads crossing the Pacific Crest Trail Protection Corridor or within the Pacific Crest Trail Protection Corridor shall be limited to those necessary for the proper use and administration of adjacent public land, as determined by the Secretary in applicable management plans.*

(h) *ADMINISTRATION.—*

(1) *MAPS AND LEGAL DESCRIPTIONS.—*

(A) *IN GENERAL.—As soon as practicable after the date of enactment of the Oregon and California Land Grant Act of 2014, the Secretary shall prepare a map and legal description of each Conservation Emphasis Area.*

(B) *EFFECT.—The maps and legal descriptions prepared under subparagraph (A) shall have the same force and effect as if included in this Act, except that the Secretary may correct any minor errors in the maps and legal descriptions.*

(C) *PUBLIC AVAILABILITY.—The maps and legal descriptions prepared under subparagraph (A) shall be available*

for public inspection in the appropriate offices of the Bureau of Land Management.

(2) ADMINISTRATION.—

(A) APPLICABLE LAW.—The Secretary shall administer each Conservation Emphasis Area—

- (i) in a manner that furthers the purposes for which the Conservation Emphasis Area was established; and
- (ii) in accordance with—

(I) this subsection;

(II) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(III) any other applicable Federal laws.

(B) USES.—The Secretary shall only allow uses of a Conservation Emphasis Area that are consistent with the purposes and values for which the Conservation Emphasis Area is established.

(C) WITHDRAWAL.—Subject to valid existing rights, all Federal surface and subsurface land within a Conservation Emphasis Area is withdrawn from—

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

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

(iii) operation under the mineral leasing and geothermal leasing laws.

(3) ADJACENT MANAGEMENT.—Nothing in this section creates any protective perimeter or buffer zone around an area designated under this section.

(4) USE OF MOTORIZED VEHICLES.—The use of motorized vehicles within the Conservation Emphasis Areas shall be limited to roads allowed by the Secretary for such use, provided that the Secretary may allow off-road vehicle use in designated portions of the areas designated by this section if such use is consistent with the purposes and values for which the area was designated.

(5) FOREST MANAGEMENT.—

(A) IN GENERAL.—Subject to subparagraph (B), in the Conservation Emphasis Area (other than a special management area designated by subsection (e)), the cutting, sale, or removal of timber may be permitted—

(i) to the extent necessary to improve forest health in ways that also—

(I) improve the habitats of threatened or endangered species or species considered sensitive by the Secretary over the long term after completion of the vegetation management project; or

(II) in the case of harvests in moist forest sites, is conducted—

(aa) through variable density and clump based thinning;

(bb) in a manner that retains legacy trees; and

(III) in the case of dry forests, through partial cutting in a manner that retains legacy trees;

(ii) is also in furtherance of the purposes for which the Conservation Emphasis Area was established; or

(iii) for de minimis personal or administrative use within a Conservation Emphasis Area established in subsection (a), if the use would not impact the purposes for which the Conservation Network was established.

(B) *EXCEPTIONS.*—Notwithstanding subparagraph (A), forest thinning and vegetation treatments may be permitted in a special management area designated by subsection (e), if the purpose of the treatments is—

(i) to improve forest health in a case in which the forest is threatened by uncharacteristic fire, an insect event, or disease;

(ii) to improve or maintain recreational facilities and opportunities; or

(iii) to protect public health or safety.

(C) *CALCULATION.*—The Secretary shall calculate the quantity of timber that the Secretary would produce from the Conservation Emphasis Areas as a by-product of the conservation management, not including riparian reserves established under section 4 and Late Successional Old-Growth Heritage Reserves.

(i) *ROADS.*—

(1) *IN GENERAL.*—The Secretary, to the maximum extent practicable, shall decrease the total mileage of system roads that are operational in the Conservation Emphasis Areas to a quantity less than the quantity of mileage in existence on the date of enactment of the Oregon and California Land Grant Act of 2014. The Secretary shall prioritize decreasing the mileage of the road network in order to reduce impacts to water quality from sediment delivered to streams by forest roads.

(2) *TEMPORARY ROADS.*—If the Secretary constructs a temporary road as part of a vegetation management project, the Secretary shall close and decommission the temporary road not later than the earlier of—

(A) the date that is 2 years after the date on which the activity for which the temporary road was constructed is completed; and

(B) the date that is 1 year after the date on which the vegetation management project is completed.

(3) *NO NEW ROADS.*—The Secretary shall prohibit any new system or nonsystem road within the Conservation Emphasis Areas and key watersheds under the NWFP after the date of enactment of the Oregon and California Land Grant Act of 2014 except as necessary, where no practicable alternative exists and subject to the availability of appropriations. The Secretary shall also prohibit the construction of any new road in any roadless area or areas with wilderness characteristics.

(4) *ROADS IN RIPARIAN AREAS.*—Requirements in section 4(b) apply to riparian reserves in the Conservation Emphasis Areas.

SEC. 11. LAND MANAGEMENT RATIONALIZATION.

(a) *IN GENERAL.*—The Secretary may exchange Federal land in the Moist Forestry Emphasis Area or the Dry Forestry Emphasis Area or the Conservation Emphasis Area or interests in the Federal

land in the Emphasis Areas for adjacent non-Federal land or interests in the non-Federal land if—

(1) the Federal land does not contain critical habitat for a species listed under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(2) the Federal land is not identified in the landscape prioritization plan developed under section 6(a);

(3) the Secretary determines that the land exchange would facilitate the administration of the Moist Forestry Emphasis Area or Dry Forestry Emphasis Area or the Conservation Emphasis Area; and

(4) the Secretary determines that the land exchange is in the public interest, including, but not limited to, the acknowledgment that the consolidation of Federal land and non-Federal land and the enhancement of conservation values are in the public interest.

(b) BUREAU OF LAND MANAGEMENT LANDS TO THE FOREST SERVICE.—

(1) IN GENERAL.—The approximately 25,000 acres of lands, as generally depicted as “BLM to USFS” on the map entitled “O & C Land Grant Act of 2014: Land Management Rationalization” and dated November 3, 2014, are transferred to the administration of the Forest Service in the Department of Agriculture from the administration of the Department of the Interior Bureau of Land Management.

(2) MANAGEMENT.—The Secretary of Agriculture, through the Chief of the Forest Service, shall manage the lands described in paragraph (1):

(A) as other National Forest Systems lands and subject to the same statutes, regulations and policies;

(B) as they have been generally managed under the Northwest Forest Plan and the appropriate Bureau of Land Management resource management plan at least until revised in a land and resource management plan revision; and

(C) under any specific statutes that may apply to any of these lands.

(3) NATIONAL FOREST BOUNDARIES.—The Secretary of Agriculture, through the Chief of the Forest Service, shall adjust the official boundaries of the relevant national forests to accommodate the inclusion of the lands described in paragraph (1).

(c) FOREST SERVICE LANDS TO THE BUREAU OF LAND MANAGEMENT.—

(1) LAND FOR MANAGEMENT RATIONALIZATION BETWEEN BUREAU OF LAND MANAGEMENT AND FOREST SERVICE.—Not later than 30 days after the date of enactment of the Oregon and California Land Grant Act of 2014, the Secretary of Agriculture shall identify for transfer to the Secretary of the Interior approximately 102,000 acres of U.S. Forest Service land, some of which is identified on the map entitled “O&C Land Grant Act of 2014: Land Management Rationalization” and dated November 3, 2014, with the following criteria—

(A) adjacent to existing Bureau of Land Management covered land under this Act;

(B) facilitates management by reducing fragmentation and creating more contiguous parcels of lands for both the U.S. Forest Service and Bureau of Land Management lands; and

(C) appropriate for designation into Moist or Dry Forestry Emphasis Areas as identified in this Act; and

(D) not within—

(i) inventoried roadless areas;

(ii) wilderness or other designated conservation areas; or

(iii) high-quality critical habitat.

(2) **MANAGEMENT.**—The Secretary shall manage the lands described in subparagraph (1) under this Act, including section 4(a)(1) without modification under section 4(a)(2).

(3) **LAND MANAGEMENT RATIONALIZATION WITHIN THE BUREAU OF LAND MANAGEMENT.**—Not later than 30 days after completion of actions required under paragraph (1), the Secretary of Agriculture and the Secretary of the Interior shall identify for transfer to the Secretary of the Interior not less than 206,000 acres of Forest Service land ecologically associated with the acres identified in paragraph (1) and other covered lands, suitable for conservation protection.

(4) **LAND ALLOCATION.**—

(A) **FOREST EMPHASIS AREAS.**—The Secretary shall allocate, as most appropriately consistent with this Act, the lands described in paragraph (3) into—

(i) moist forestry emphasis area subject to the provisions of section 8; or

(ii) dry forestry emphasis area subject to the provisions of section 9.

(B) **CONSERVATION EMPHASIS AREAS.**—The Secretary shall designate the lands described in paragraph (3) as Conservation Emphasis Areas to be managed under section 10 and section 4(a)(1) without modification under section 4(a)(2) of this Act.

(5) **REPORT TO CONGRESS.**—

(A) **IN GENERAL.**—Within one year of the date of enactment of the Oregon and California Land Grant Act of 2014, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report detailing how, after consideration of public comment in subparagraph (B), the lands described in paragraph (1) were allocated pursuant to paragraph (3).

(B) **PUBLIC COMMENT.**—Before submitting the report as required in subparagraph (A), the Secretary shall make a draft available for public comment for no less than 60 days

(d) **ARMY CORPS OF ENGINEERS LANDS TO THE BUREAU OF LAND MANAGEMENT.**—

(1) **IN GENERAL.**—The approximately 3,502 acres of lands, as generally depicted as “USACE to BLM” on the map entitled “O & C Land Grant Act of 2014: Land Management Rationalization” and dated November 3, 2014, are transferred to the administration of the Bureau of Land Management in the Depart-

ment of the Interior from the administration of the United States Army Corps of Engineers.

(2) *MANAGEMENT.*—

(A) *BUREAU OF LAND MANAGEMENT.*—The Secretary shall—

(i) *allocate as appropriate the transferred lands that are not within the Elk Creek Wild and Scenic River management corridor, to the Dry Areas Conservation Network or the Moist Areas Conservation Network established in Sec. 10(a); and*

(ii) *manage the transferred lands consistent with this Act.*

(B) *U.S. ARMY CORPS OF ENGINEERS.*—The Secretary of the Army, through the Corps of Engineers, will continue to have the obligation to maintain the safe condition of the Elk Creek Dam structure, rock piles and associated components, in an area of approximately 147.1 acres of the transferred lands.

(e) *LEGACY ROADS AND TRAILS PROGRAM.*—

(1) *IN GENERAL.*—The Secretary shall establish a program to be known as the “Legacy Roads and Trails” program to provide—

(A) *urgently needed road decommissioning, road and trail repair and maintenance and associated activities, and removal of fish passage barriers, especially in areas in which roads may be contributing to water quality problems in streams and water bodies that support threatened, endangered, or sensitive species or community water sources;*

(B) *urgently needed road repairs required due to recent storm events; or*

(C) *the decommissioning of unauthorized roads that are not part of the transportation system.*

(2) *PROJECT SELECTION.*—

(A) *IN GENERAL.*—The Secretary shall—

(i) *consider public input in the selection of projects; and*

(ii) *publish the selection process of the Secretary on the website of the Bureau of Land Management.*

(B) *PRIORITIES.*—In selecting projects under this subsection, the Secretary shall give priority to decommissioning and repairing roads and trails in—

(i) *environmentally sensitive areas; and*

(ii) *areas in which roads may be contributing to water quality problems in streams and water bodies that support threatened or endangered species, or species considered sensitive by the Secretary.*

(3) *REPORT TO CONGRESS.*—Not later than 120 days after the end of each fiscal year, the Secretary shall submit to Congress a report on the status of the projects selected for completion in the previous 2 fiscal years.

(4) *AUTHORIZATION OF APPROPRIATIONS.*—There is authorized to be appropriated to carry out this subsection \$5,000,000 adjusted for inflation for each of fiscal years 2013 through 2023.

SEC. 12. DISTRIBUTION OF FUNDS.

(a) *IN GENERAL.*—Effective for fiscal year 2014 and each fiscal year thereafter, all receipts generated from activities on covered land shall be collected, deposited in a separate fund in the Treasury designated the “Oregon and California Railroad Grant Lands Fund”, and distributed annually in accordance with this section and title II of the Oregon and California Land Grant Act (43 U.S.C. 1181f) and sections 1 through 4 of the Act of May 24, 1939 (43 U.S.C. 1181f–1 through 1181f–4), as applicable.

(b) *GENERAL FUND.*—Subject to subsection (d)(4), as soon as practicable after the end of each fiscal year described in subsection (a), \$4,000,000 of all amounts received by the Secretary for the applicable fiscal year from the covered land shall be transferred to the general fund of the Treasury.

(c) *ADMINISTRATIVE COSTS.*—

(1) *IN GENERAL.*—Subject to paragraph (2) and subsection (d)(4), all amounts received for the applicable fiscal year by the Secretary from the covered land shall be used to pay for the management of, administrative expenses for, and capital improvement costs for the covered land, including the protection or restoration of fish and wildlife habitat on the covered land.

(2) *LIMITATIONS.*—The amount of revenue that is used to pay for expenses and costs for a fiscal year under paragraph (1) shall not exceed—

(A) 25 percent of all amounts received for the applicable fiscal year by the Secretary from the covered land during the fiscal year; or

(B) \$20,000,000 in 2014 dollars indexed for inflation.

(d) *PAYMENTS TO COUNTIES.*—

(1) *IN GENERAL.*—All amounts received for the applicable fiscal year by the Secretary from the covered land during a fiscal year that is in excess of the amount necessary to carry out subsections (b) and (c) shall be provided to the counties that contain covered land (referred to in this subsection as a “covered county”) in the form of annual payments.

(2) *TIMING.*—Payments shall be made available to covered counties under this subsection as soon as practicable following the end of each fiscal year.

(3) *OTHER COUNTY FUNDS.*—Payments made to covered counties under this subsection shall be used as other county funds.

(4) *MINIMUM AMOUNT.*—

(A) *IN GENERAL.*—Subject to clauses (ii) and (iii), the annual payment paid to a covered county under this subsection, to the extent practicable, shall not be less than the payment that the covered county would have received solely under this Act (as in effect on the day before the date of enactment of the Oregon and California Land Grant Act of 2014) for fiscal year 2013 if the covered county had elected to receive payment under this Act and not under any other law.

(B) *USE OF GENERAL FUND SHARE.*—If the portion of revenues to be provided to a covered county for a fiscal year is less than the amount described in clause (i), the payment made to the Treasury for the fiscal year under subsection (b) shall be reduced by an amount necessary to provide the

minimum payments required under clause (i) for the covered county.

SEC. [2]13. The Secretary of the Interior is authorized, in his discretion, to make cooperative agreements with other Federal or State forest administrative agencies or with private forest owners or operators for the coordinated administration, with respect to time, rate, method of cutting, and sustained yield, or forest units comprising parts of revested or reconveyed lands, together with lands in private ownership or under the administration of other public agencies, when by such agreements he may be aided in accomplishing the purposes hereinbefore mentioned.

SEC. [4]14. The Secretary of the Interior is authorized, in his discretion, to lease for grazing any of said revested or reconveyed lands which may be so used without interfering with the production of timber or other purposes of this Act as state in section 1: *Provided*, That all the moneys received on account of grazing leases shall be covered either into the "Oregon and California land-grant fund" or the "Coos Bay Wagon Road grant fund" in the Treasury as the location of the leased land shall determine, and be subject to distribution as other moneys in such funds: *Provided further*, That the Secretary is also authorized to formulate rules and regulations for the use, protection, improvement, and rehabilitation of such grazing lands.

SEC. [5]15. The Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this Act into full force and effect. The Secretary of the Interior is further authorized, in formulating forest-practice rules and regulations, to consult with the Oregon State Board of Forestry, representatives of timber owners and operators on or contiguous to said revested and reconveyed lands, and other persons or agencies interested in the use of such lands.

In formulating regulations for the protection of such timberlands against fire, the Secretary is authorized, in his discretion, to consult and advise with Federal, State, and county agencies engaged in forest-fire-protection work, and to make agreements with such agencies for the cooperative administration of fire regulations therein: *Provided*, That rules and regulations for the protection of the revested lands from fire shall conform with the requirements and practices of the State of Oregon insofar as the same are consistent with the interests of the United States.

TITLE II

That on and after March 1, 1938, all moneys deposited in the Treasury of the United States in the special fund designated the "Oregon and California land-grant fund" shall be distributed annually as follows:

(a) Fifty per centum to the counties in which the lands revested under the Act of June 9, 1916 (39 Stat. 218), are situated, to be payable on or after June 30, 1938, and each year thereafter to each of said counties in the proportion that the total assessed value of the Oregon and California grant lands in each of said counties for the year 1915 bears to the total assessed value of all of said lands

in the State of Oregon for said year, such moneys to be used as other county funds.

(b) Twenty-five per centum to said counties as money in lieu of taxes accrued or which shall accrue to them prior to march 1 1938, under the provisions of the Act of July 13, 1926 (44 Stat. 915), and which taxes are unpaid on said date, such moneys to be paid to said counties severally by the Secretary of the Treasury of the United States, upon certification by the Secretary of the interior, until such tax indebtedness as shall have accrued prior to March 1 1938, is extinguished.

From and after payment of the above accrued taxes said 25 per centum shall be accredited annually to the general fund in the Treasury of the United States until all reimbursable charges against the Oregon and California land-grant fund owing to the general fund in the Treasury have been paid: *Provided*, That if for any year after the extinguishment of the tax indebtedness accruing to the counties prior to March 1, 1938, under the provisions of Forty-fourth Statutes, page 915, the total amount payable under subsection (a) of this title is less than 78 per centum of the aggregate amount of tax claims which accrued to said counties under said Act for the year 1934, there shall be additionally payable for such year such portion of said 25 per centum (but not in excess of three-fifths of said 25 per centum), as may be necessary to make up the deficiency. When the general fund in the Treasury has been fully reimbursed for the expenditures which were made charges against the Oregon and California land-grant fund said 25 per centum shall be paid annually, on or after June 30, to the several counties in the manner provided in subsection (a) hereof.

(c) Twenty-five per centum to be available for the administration of this Act, in such annual amounts as the Congress shall from time to time determine. Any part of such per centum not used for administrative purposes shall be covered into the general fund of the Treasury of the United States: *Provided*, That moneys covered into the Treasury in such manner shall be used to satisfy the reimbursable charges against the Oregon and California land-grant fund mentioned in subsection (b) so long as any such charges shall exist.

All Acts or parts of Acts in conflict with this Act are hereby repealed to the extent necessary to give full force and effect to this Act.

OMNIBUS PUBLIC LAND MANAGEMENT ACT OF 2009

PUBLIC LAW 111-11

AN ACT To designate certain land as components of the national Wilderness Preservation System, to authorize certain programs and activities in the Department of the Interior and the Department of Agriculture, and for other purposes.

* * * * *

**TITLE II—BUREAU OF LAND MANAGEMENT
AUTHORIZATIONS**

**Subtitle A—National Landscape Conservation
System**

* * * * *
**SEC. 2002. ESTABLISHMENT OF THE NATIONAL LANDSCAPE CON-
SERVATION SYSTEM.**

* * * * *
 (b) **COMPONENTS.**—The system shall include each of the following areas administered by the Bureau of Land Management:

* * * * *
 (2) Any area designated by Congress to be administered for conservation purposes, including—

- * * * * *
- (D) public land within the California Desert Conservation Area administered by the Bureau of Land Management for conservation purposes; **[and]**
 - (E) public land designated as Oregon and California Land grant land in the State of Oregon, administered by the Bureau of Land Management as conservation emphasis areas; and*
 - [(E)] (F)** any additional area designated by Congress for inclusion in the system.

* * * * *

WILD AND SCENIC RIVERS ACT

PUBLIC LAW 90-542

* * * * *
SEC. 3. (a) The following rivers and the land adjacent thereto are hereby designated as components of the national wild and scenic rivers system.

* * * * *

[(5) ROGUE, OREGON.—The segment of the river extending from the mouth of the Applegate River downstream to the Lobster Creek Bridge; to be administered by agencies of the Departments of the Interior or Agriculture as agreed upon by the Secretaries of said Departments or as directed by the President.]

- (5) ROGUE, OREGON.*—
- (A) IN GENERAL.*—The segment of the river extending from the mouth of the River downstream to the Lobster Creek Bridge, to be administered by the Secretary of the Interior or the Secretary of Agriculture, as agreed to by the Secretaries of the Interior and Agriculture or as directed by the President.
 - (B) ADDITIONS.*—In addition to the segment described in subparagraph (A), there are designated the following segments in the Rogue River:

(i) *KELSEY CREEK.*—The approximately 6.8-mile segment of Kelsey Creek from the Wild Rogue Wilderness boundary in T. 32 S., R. 9 W., sec. 25, Willamette Meridian, to the confluence with the Rogue River, as a wild river.

(ii) *EAST FORK KELSEY CREEK.*—

(I) *SCENIC RIVER.*—The approximately 0.2-mile segment of East Fork Kelsey Creek from headwaters downstream to the Wild Rogue Wilderness boundary in T. 33 S., R. 8 W., sec. 5, Willamette Meridian, as a scenic river.

(II) *WILD RIVER.*—The approximately 4.6-mile segment of East Fork Kelsey Creek from the Wild Rogue Wilderness boundary in T. 33 S., R. 8 W., sec. 5, Willamette Meridian, to the confluence with Kelsey Creek, as a wild river.

(iii) *WHISKY CREEK.*—

(I) *RECREATIONAL RIVER.*—The approximately 0.6-mile segment of Whisky Creek from the confluence of the East Fork and West Fork to 0.1 miles downstream from road 33-8-23, as a recreational river.

(II) *WILD RIVER.*—The approximately 1.9-mile segment of Whisky Creek from 0.1 miles downstream from road 33-8-23 to the confluence with the Rogue River, as a wild river.

(iv) *EAST FORK WHISKY CREEK.*—

(I) *SCENIC RIVER.*—The approximately 0.9-mile segment of East Fork Whisky Creek from its headwaters to Wild Rogue Wilderness boundary in T. 33 S., R. 8 W., sec. 11, Willamette Meridian., as a scenic river.

(II) *WILD RIVER.*—The approximately 2.6-mile segment of East Fork Whisky Creek from the Wild Rogue Wilderness boundary in T. 33 S., R. 8 W., sec. 11, Willamette Meridian., to 0.1 miles downstream of road 33-8-26 crossing, as a wild river.

(III) *RECREATIONAL RIVER.*—The approximately 0.3-mile segment of East Fork Whisky Creek from 0.1 miles downstream of road 33-8-26 to the confluence with Whisky Creek, as a recreational river.

(v) *WEST FORK WHISKY CREEK.*—The approximately 4.8-mile segment of West Fork Whisky Creek from its headwaters to the confluence with the East Fork Whisky Creek, as a wild river.

(vi) *BIG WINDY CREEK.*—

(I) *SCENIC RIVER.*—The approximately 1.5-mile segment of Big Windy Creek from its headwaters to 0.1 miles downstream from road 34-9-17.1, as a scenic river.

(II) *WILD RIVER.*—The approximately 5.8-mile segment of Big Windy Creek from 0.1 miles downstream from road 34-9-17.1 to the confluence with the Rogue River, as a wild river.

(vii) *EAST FORK BIG WINDY CREEK.*—

(I) SCENIC RIVER.—The approximately 0.2-mile segment of East Fork Big Windy Creek from its headwaters to 0.1 miles downstream from road 34-8-36, as a scenic river.

(II) WILD RIVER.—The approximately 3.7-mile segment of East Fork Big Windy Creek from 0.1 miles downstream from road 34-8-36 to the confluence with Big Windy Creek, as a wild river.

(viii) LITTLE WINDY CREEK.—

(I) SCENIC RIVER.—The approximately 1.2-mile segment of Little Windy Creek from its headwaters to the Wild Rogue Wilderness boundary in T. 33 S., R. 9 W., sec. 34, Willamette Meridian, as a scenic river.

(II) WILD RIVER.—The approximately 1.9-mile segment of Little Windy Creek from the Wild Rogue Wilderness boundary in T. 33 S., R. 9 W., sec. 34, Willamette Meridian to the confluence with the Rogue River, as a wild river.

(ix) HOWARD CREEK.—

(I) SCENIC RIVER.—The approximately 0.3-mile segment of Howard Creek from its headwaters to 0.1 miles downstream of road 34-9-34, as a scenic river.

(II) WILD RIVER.—The approximately 6.9-mile segment of Howard Creek from 0.1 miles downstream of road 34-9-34 to the confluence with the Rogue River, as a wild river.

(x) MULE CREEK.—

(I) SCENIC RIVER.—The approximately 3.5-mile segment of Mule Creek from its headwaters downstream to the Wild Rogue Wilderness boundary as a scenic river.

(II) WILD RIVER.—The approximately 7.8-mile segment of Mule Creek from the Wild Rogue Wilderness boundary in T. 32 S., R. 9 W., sec. 29, Willamette Meridian, to the confluence with the Rogue River, as a wild river.

(xi) ANNA CREEK.—The approximately 3.5-mile segment of Anna Creek from its headwaters to the confluence with Howard Creek, as a wild river.

(xii) MISSOURI CREEK.—

(I) SCENIC RIVER.—The approximately 3.1-mile segment of Mule Creek from its headwaters downstream to the Wild Rogue Wilderness boundary in T. 33 S., R. 10 W., sec. 24, Willamette Meridian, as a scenic river.

(II) WILD RIVER.—The approximately 1.6-mile segment of Missouri Creek from the Wild Rogue Wilderness boundary in T. 33 S., R. 10 W., sec. 24, Willamette Meridian, to the confluence with the Rogue River, as a wild river.

(xiii) JENNY CREEK.—

(I) SCENIC RIVER.—The approximately 3.1-mile segment of Jenny Creek from its headwaters down-

stream to the Wild Rogue Wilderness boundary in T. 33 S., R. 9 W., sec. 28, Willamette Meridian, as a scenic river.

(II) *WILD RIVER*.—The approximately 1.8-mile segment of Jenny Creek from the Wild Rogue Wilderness boundary in T. 33 S., R. 9 W., sec. 28, Willamette Meridian, to the confluence with the Rogue River, as a wild river.

(xiv) *RUM CREEK*.—

(I) *SCENIC RIVER*.—The approximately 2.2-mile segment of Rum Creek from its headwaters to the Wild Rogue Wilderness boundary in T. 34 S., R. 8 W., sec. 9, Willamette Meridian, as a scenic river.

(II) *WILD RIVER*.—The approximately 2.2-mile segment of Rum Creek from the Wild Rogue Wilderness boundary in T. 34 S., R. 8 W., sec. 9, Willamette Meridian, to the confluence with the Rogue River, as a wild river.

(xv) *EAST FORK RUM CREEK*.—

(I) *SCENIC RIVER*.—The approximately 0.8-mile segment of East Fork Rum Creek from its headwaters to the Wild Rogue Wilderness boundary in T. 34 S., R. 8 W., sec. 10, Willamette Meridian, as a scenic river.

(II) *WILD RIVER*.—The approximately 1.3-mile segment of East Fork Rum Creek from the Wild Rogue Wilderness boundary in T. 34 S., R. 8 W., sec. 10, Willamette Meridian, to the confluence with Rum Creek, as a wild river.

(xvi) *WILDCAT CREEK*.—The approximately 1.7-mile segment of Wildcat Creek from its headwaters downstream to the confluence with the Rogue River, as a wild river.

(xvii) *MONTGOMERY CREEK*.—The approximately 1.8-mile segment of Montgomery Creek from its headwaters downstream to the confluence with the Rogue River, as a wild river.

(xviii) *HEWITT CREEK*.—

(I) *SCENIC RIVER*.—The approximately 1.4-mile segment of Hewitt Creek from its headwaters to the Wild Rogue Wilderness boundary in T. 33 S., R. 9 W., sec. 19, Willamette Meridian, as a scenic river.

(II) *WILD RIVER*.—The approximately 1.2-mile segment of Hewitt Creek from the Wild Rogue Wilderness boundary in T. 33 S., R. 9 W., sec. 19, Willamette Meridian, to the confluence with the Rogue River, as a wild river.

(xix) *BUNKER CREEK*.—The approximately 6.6-mile segment of Bunker Creek from its headwaters to the confluence with the Rogue River, as a wild river.

(xx) *DULOG CREEK*.—

(I) *SCENIC RIVER*.—The approximately 0.8-mile segment of Dulog Creek from its headwaters to 0.1 miles downstream of road 34-8-36, as a scenic river.

(II) *WILD RIVER*.—The approximately 1.0-mile segment of Dulog Creek from 0.1 miles downstream of road 34-8-36 to the confluence with the Rogue River, as a wild river.

(xxi) *QUAIL CREEK*.—The approximately 1.7-mile segment of Quail Creek from the Wild Rogue Wilderness boundary in T. 33 S., R. 10 W., sec. 1, Willamette Meridian, to the confluence with the Rogue River, as a wild river.

(xxii) *MEADOW CREEK*.—The approximately 4.1-mile segment of Meadow Creek from its headwaters to the confluence with the Rogue River, as a wild river.

(xxiii) *RUSSIAN CREEK*.—

(I) *SCENIC RIVER*.—The approximately 0.1-mile segment of Russian Creek from its headwaters to the Wild Rogue Wilderness boundary in T. 33 S., R. 8 W., sec. 20., Willamette Meridian, as a scenic river.

(II) *WILD RIVER*.—The approximately 2.5-mile segment of Russian Creek from the Wild Rogue Wilderness boundary in T. 33 S., R. 8 W., sec. 20, Willamette Meridian, to the confluence with the Rogue River, as a wild river.

(xxiv) *ALDER CREEK*.—The approximately 1.2-mile segment of Alder Creek from its headwaters to the confluence with the Rogue River, as a wild river.

(xxv) *BOOZE CREEK*.—The approximately 1.5-mile segment of Booze Creek from its headwaters to the confluence with the Rogue River, as a wild river.

(xxvi) *BRONCO CREEK*.—The approximately 1.8-mile segment of Bronco Creek from its headwaters to the confluence with the Rogue River, as a wild river.

(xxvii) *COPSEY CREEK*.—The approximately 1.5-mile segment of Copsy Creek from its headwaters to the confluence with the Rogue River, as a wild river.

(xxviii) *CORRAL CREEK*.—The approximately 0.5-mile segment of Corral Creek from its headwaters to the confluence with the Rogue River, as a wild river.

(xxix) *COWLEY CREEK*.—The approximately 0.9-mile segment of Cowley Creek from its headwaters to the confluence with the Rogue River, as a wild river.

(xxx) *DITCH CREEK*.—The approximately 1.8-mile segment of Ditch Creek from the Wild Rogue Wilderness boundary in T. 33 S., R. 9 W., sec. 5, Willamette Meridian, to its confluence with the Rogue River, as a wild river.

(xxxi) *FRANCIS CREEK*.—The approximately 0.9-mile segment of Francis Creek from its headwaters to the confluence with the Rogue River, as a wild river.

(xxxii) *LONG GULCH*.—

(I) *SCENIC RIVER*.—The approximately 1.4-mile segment of Long Gulch from its headwaters to the Wild Rogue Wilderness boundary in T. 33 S., R. 10 W., sec. 23, Willamette Meridian, as a scenic river.

(II) *WILD RIVER*.—The approximately 1.1-mile segment of Long Gulch from the Wild Rogue Wilderness boundary in T. 33 S., R. 10 W., sec. 23, Willamette Meridian, to the confluence with the Rogue River, as a wild river.

(xxxiii) *BAILEY CREEK*.—

(I) *SCENIC RIVER*.—The approximately 1.4-mile segment of Bailey Creek from its headwaters to the Wild Rogue Wilderness boundary on the west section line of T. 34 S., R. 8 W., sec. 14, Willamette Meridian, as a scenic river.

(II) *WILD RIVER*.—The approximately 1.7-mile segment of Bailey Creek from the west section line of T. 34 S., R. 8 W., sec. 14, Willamette Meridian, to the confluence of the Rogue River, as a wild river.

(xxxiv) *SHADY CREEK*.—The approximately 0.7-mile segment of Shady Creek from its headwaters to the confluence with the Rogue River, as a wild river.

(xxxv) *SLIDE CREEK*.—

(I) *SCENIC RIVER*.—The approximately 0.5-mile segment of Slide Creek from its headwaters to 0.1 miles downstream from road 33-9-6, as a scenic river.

(II) *WILD RIVER*.—The approximately 0.7-mile section of Slide Creek from 0.1 miles downstream of road 33-9-6 to the confluence with the Rogue River, as a wild river.

(xxxvi) *QUARTZ CREEK*.—The approximately 3.3-mile segment of Quartz Creek from its headwaters to its confluence with the North Fork Galice Creek, as a scenic river.

(xxxvii) *NORTH FORK GALICE CREEK*.—The approximately 5.7-mile segment of the North Fork Galice Creek from its headwaters to its confluence with Galice Creek, as a recreational river.

* * * * *

(69) *CHETCO, OREGON*.—**[The 44.5-mile]**

(A) *The 44.5-mile segment from its headwaters to the Siskiyou National Forest boundary; to be administered by the Secretary of Agriculture in the following classes:*

[(A)] (i) *The [25.5-mile] 27.5-mile segment from its headwaters to [Boulder Creek at the Kalmiopsis Wilderness boundary] Mislatah Creek as a wild river;*

[(B)] (ii) *the [8-mile] 7.5-mile segment from [Boulder Creek to Steel Bridge] Mislatah Creek to Eagle Creek as a scenic river; and*

[(C)] (iii) *the [11-mile] 9.5-mile segment from [Steel Bridge] Eagle Creek to the Siskiyou National Forest boundary, one mile below Wilson Creek, as a recreational river.*

(B) *WITHDRAWAL*.—Subject to valid rights, the Federal land within the boundaries of the river segments designated by subparagraph (A), is withdrawn from all forms of—

- (i) entry, appropriation, or disposal under the public land laws;
- (ii) location, entry, and patent under the mining laws; and
- (iii) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

* * * * *

[(76) ELK, OREGON.—The 29-mile segment to be administered by the Secretary of Agriculture in the following classes:

[(A) The 17-mile segment from the confluence of the North and South Forks of the Elk to Anvil Creek as a recreational river;

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

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

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

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

(76) ELK, OREGON.—The 63.1-mile segment to be administered by the Secretary of Agriculture in the following classes:

(A) MAINSTEM.—The 17-mile segment from the confluence of the North and South Forks of the Elk to Anvil Creek as a recreational river.

(B) NORTH FORK.—

(i) The approximately 0.6 mile segment of the North Fork Elk from its source in sec. 21, T. 33 S., R. 12 W., Willamette Meridian, downstream to 0.01 miles below Forest Service Road 3353, as a scenic river.

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

(C) SOUTH FORK.—

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

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

(D) OTHER TRIBUTARIES.—

(i) ROCK CREEK.—The approximately 1.7-mile segment of Rock Creek from its headwaters to its confluence with Elk River, as a wild river.

(ii) *BALD MOUNTAIN CREEK.*—The approximately 8-mile segment of Bald Mountain Creek from its headwaters, including Salal Spring to its confluence with Elk River, as a recreational river.

(iii) *SOUTH FORK BALD MOUNTAIN CREEK.*—The approximately 3.5-mile segment of South Fork Bald Mountain Creek from its headwaters to its confluence with Bald Mountain Creek, as a scenic river.

(iv) *PLATINUM CREEK.*—The approximately 1-mile segment of Platinum Creek from—

(I) its headwaters to 0.01 miles above Forest Service Road 5325, as a wild river; and

(II) 0.01 miles above Forest Service Road 5325 to its confluence with Elk River, as a wild river.

(v) *PANTHER CREEK.*—The approximately 5.0-mile segment of Panther Creek from—

(I) its headwaters, including Mountain Well, to 0.01 miles above Forest Service Road 5325, as a wild river; and

(II) 0.01 miles above Forest Service Road 5325 to its confluence with Elk River, as a scenic river.

(vi) *EAST FORK PANTHER CREEK.*—The approximately 3.0-mile segment of East Fork Panther Creek from its headwaters, to the confluence with Panther Creek, as a wild river.

(vii) *WEST FORK PANTHER CREEK.*—The approximately 3.0-mile segment of West Fork Panther Creek from its headwaters to the confluence with Panther Creek as a wild river.

(viii) *LOST CREEK.*—The approximately 1.0-mile segment of Lost Creek from—

(I) its headwaters to 0.01 miles above Forest Service Road 5325, as a wild river; and

(II) 0.01 miles above Forest Service Road 5325 to its confluence with the Elk River, as a scenic river.

(ix) *MILBURY CREEK.*—The approximately 1.5-mile segment of Milbury Creek from—

(I) its headwaters to 0.01 miles above Forest Service Road 5325, as a wild river; and

(II) 0.01 miles above Forest Service Road 5325 to its confluence with the Elk River, as a scenic river.

(x) *BLACKBERRY CREEK.*—The approximately 5.0-mile segment of Blackberry Creek from—

(I) its headwaters to 0.01 miles above Forest Service Road 5325, as a wild river; and

(II) 0.01 miles above Forest Service Road 5325 to its confluence with the Elk River, as a scenic river.

(xi) *MCCURDY CREEK.*—The approximately 1.0-mile segment of McCurdy Creek from—

(I) its headwaters to 0.01 miles above Forest Service Road 5325, as a wild river; and

(II) 0.01 miles above Forest Service Road 5325 to its confluence with the Elk River, as a scenic river; and

(xii) *BEAR CREEK.*—*The approximately 1.5-mile segment of Bear Creek from headwaters to the confluence with Bald Mountain Creek, as a recreational river.*

* * * * *

(102) **[SQUAW CREEK]** *WHYCHUS CREEK, OREGON.*—The 15.4-mile segment from its source to the hydrologic Gaging Station 800 feet upstream from the intake of the **[McAllister Ditch, including the Soap Fork Squaw Creek, the North Fork, the South fork, the East and West Forks of Park Creek, and Park Creek Fork]** *Plainview Ditch, including the Soap Creek, the North and South Forks of Whychus Creek, the East and West Forks of Park Creek, and Park Creek;* to be administered by the Secretary of Agriculture as follows:

(A) The 6.6-mile segment and its tributaries from the source to the Three Sisters Wilderness boundary as a wild river; and

(B) the 8.8-mile segment from the boundary of the Three Sisters Wilderness Area to the hydrologic Gaging Station 800 feet upstream from the intake of the **[McAllister Ditch]** *Plainview Ditch* as a scenic river: Provided, That nothing in this Act shall prohibit the construction of facilities necessary for emergency protection for the town of Sisters relative to a rapid discharge of Carver Lake if no other reasonable flood warning or control alternative exists.

* * * * *

(207) *TAUNTON RIVER, MASSACHUSETTS.*—The main stem of the Tauton River from its headwaters at the confluence of the Town and Matfield Rivers in the Town of Bridgewater downstream 40 miles to the confluence with the Quequechan River at the Route 195 Bridge in the City of Fall River, to be administered by the Secretary of the Interior in cooperation with the Taunton River Stewardship Council as follows:

* * * * *

(208) *NESTUCCA RIVER, OREGON.*—*The approximately 15.5-mile segment from its confluence with Ginger Creek downstream until it crosses T. 4 S., R. 7 W., sec. 7, Willamette Meridian, to be administered by the Secretary of the Interior as a recreational river.*

(209) *WALKER CREEK, OREGON.*—*The approximately 2-mile segment from the headwaters in T. 3 S., R. 6 W., sec. 20 downstream to the confluence with the Nestucca River in T. 3 S., R. 6 W., sec. 15, Willamette Meridian, to be administered by the Secretary of the Interior as a recreational river.*

(210) *NORTH FORK SILVER CREEK, OREGON.*—*The approximately 6-mile segment from the headwaters in T. 35 S., R. 9 W., sec. 1 downstream to the edge of the Bureau of Land Management boundary in T. 35 S., R. 9 W., sec. 17, Willamette Meridian, to be administered by the Secretary of the Interior as a recreational river.*

(211) *JENNY CREEK, OREGON.*—*The approximately 17.6-mile segment from the Bureau of Land Management boundary located at the north boundary of the southwest quarter of the*

southeast quarter of T. 38 S., R. 4 E., sec. 34, Willamette Meridian, downstream to the Oregon State border, to be administered by the Secretary of the Interior as a scenic river.

(212) *SPRING CREEK, OREGON.*—The approximately 1.1-mile segment from its source at Shoat Springs in T. 40 S., R. 4 E., sec. 34, Willamette Meridian, downstream to the confluence with Jenny Creek in T. 41 S., R. 4 E., sec. 3, Willamette Meridian, to be administered by the Secretary of the Interior as a scenic river.

(213) *LOBSTER CREEK, OREGON.*—The approximately 5-mile segment from T. 15 S., R. 8 W., sec. 35, Willamette Meridian, downstream to the edge of the Bureau of Land Management boundary in T. 15 S., R. 8 W., sec. 15, Willamette Meridian, to be administered by the Secretary of the Interior as a recreational river.

(214) *ELK CREEK, OREGON.*—The approximately 7.3-mile segment from its confluence with Flat Creek near river mile 9, to the southern edge of the Army Corps of Engineers boundary in T. 33 S., R. 1 E., sec. 30, Willamette Meridian, near river mile 1.7, to be administered by the Secretary of the Interior as a scenic river.

(215) *FRANKLIN CREEK, OREGON.*—The 4.5-mile segment from its headwaters to the line of angle points within sec. 8, T. 22 S., R. 10 W., shown on the survey recorded in the Official Records of Douglas County, Oregon, as M64-62, to be administered by the Secretary of Agriculture as a wild river.

(216) *WASSON CREEK, OREGON.*—The 10.1-mile segment in the following classes:

(A) The 4.2-mile segment from the eastern boundary of sec. 17, T. 21 S., R. 9 W., downstream to the western boundary of sec. 12, T. 21 S., R. 10 W., to be administered by the Secretary of the Interior as a wild river.

(B) The 5.9-mile segment from the western boundary of sec. 12, T. 21 S., R. 10 W., downstream to the eastern boundary of the northwest quarter of sec. 22, T. 21 S., R. 10 W., to be administered by the Secretary of Agriculture as a wild river.

(217) *MOLALLA RIVER, OREGON.*—

(A) *IN GENERAL.*—The following segments in the State of Oregon, to be administered by the Secretary of the Interior as a recreational river:

(i) *MOLALLA RIVER.*—The approximately 15.1-mile segment from the southern boundary line of T. 7 S., R. 4 E., sec. 19, downstream to the edge of the Bureau of Land Management boundary in T. 6 S., R. 3 E., sec. 7.

(ii) *TABLE ROCK FORK MOLALLA RIVER.*—The approximately 6.2-mile segment from the easternmost Bureau of Land Management boundary line in the NE $\frac{1}{4}$ sec. 4, T. 7 S., R. 4 E., downstream to the confluence with the Molalla River.

(B) *WITHDRAWAL.*—Subject to valid existing rights, the Federal land within the boundaries of the river segments designated by subparagraph (A) is withdrawn from all forms of—

- (i) entry, appropriation, or disposal under the public land laws;
- (ii) location, entry, and patent under the mining laws; and
- (iii) disposition under all laws relating to mineral and geothermal leasing or mineral materials.

* * * * *

Act of June 24, 1954

AN ACT Relating to the administrative jurisdiction of certain public lands in the State of Oregon, and for other purposes.

* * * * *

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) those unselected and upatented odd-numbered sections within the indemnity limits of the Oregon and California Railroad land grant authorized by the Act of July 25, 1866 (14 Stat. 239), as amended by the Act of April 10, 1989 (16 Stat. 47), and for which payment was made by the United States to such railroad or its successors in interest under the Act of June 9, 1916 (39 Stat. 218), pursuant to the decree in the case of United States against Oregon and California R.R. Co. (8 F.(2d) 645), which were included within the boundaries of national forests by proclamations of the President of the United States issued under the dates of June 17, 1892, September 28, 1893, October 5, 1906, January 25, 1907, March 1, 1907, and March 2, 1907, [are hereby declared to be revested Oregon and California railroad grant lands; and said lands] shall continue to be administered as national-forest lands by the Secretary of Agriculture subject to all laws, rules, and regulations applicable to the national forests[: *Provided*, That all revenues hereafter derived from said lands and those revenues heretofore derived from such lands and placed in special deposit by agreement between the Secretary of Agriculture and the Secretary of the Interior shall be disposed of in accordance with the provisions of title II of the Act approved August 28, 1937 (50 Stat. 874) as hereby amended, and said lands shall not hereafter be subject to the provisions of any other laws or parts of laws which otherwise prescribe the disposal of distribution of receipts from lands of the United States, except that none of the provisions of this Act shall affect revenues heretofore distributed. No part of said lands or the resources thereof shall be subject to exchange under the provisions of this or any other law applicable to national-forest lands or otherwise].

* * * * *

COQUILLE RESTORATION ACT

PUBLIC LAW 101-42

AN ACT To provide for restoration of the Federal trust relationship with, and assistance to, the Coquille Tribe of Indians and the individual members consisting of the Coquille Tribe of Indians, and for other purposes.

SEC. 5. TRANSFER OF LAND TO BE HELD IN TRUST.

* * * * *

(d) CREATION OF THE COQUILLE FOREST.—

【(5) MANAGEMENT.—The Secretary of Interior, acting through the Assistant Secretary for Indian Affairs, shall manage the Coquille Forest under applicable State and Federal forestry and environmental protection laws, and subject to critical habitat designations under the Endangered Species Act, and subject to the standards and guidelines of Federal forest plans on adjacent or nearby Federal lands, now and in the future. The Secretary shall otherwise manage the Coquille Forest in accordance with the laws pertaining to the management of Indian Trust lands and shall distribute revenues in accord with Public Law 101–630, 25 U.S.C. 3107.

【(A) Unprocessed logs harvested from the Coquille forest shall be subject to the same Federal statutory restrictions on export to foreign Nations that apply to unprocessed logs harvested from Federal lands.

【(B) Notwithstanding any other provision of law, all sales of timber from land subject to this subsection shall be advertised, offered and awarded according to competitive bidding practices, with sales being awarded to the highest responsible bidder.】

(5) MANAGEMENT.—

(A) *IN GENERAL.*—*Subject to subparagraph (B), the Secretary of the Interior, acting through the Assistant Secretary for Indian Affairs, shall—*

(i) manage the Coquille Forest in accordance with the laws pertaining to the management of Indian trust land; and

(ii) distribute revenues in accordance with the National Indian Forest Resources Management Act (25 U.S.C. 3101 et seq.).

(B) *ADMINISTRATION.*—

(i) UNPROCESSED LOGS.—*Unprocessed logs harvested from the Coquille Forest shall be subject to the same Federal statutory restrictions on export to foreign nations that apply to unprocessed logs harvested from Federal land.*

(ii) SALES OF TIMBER.—*Notwithstanding any other provision of law, all sales of timber from land subject to this subsection shall be advertised, offered, and awarded according to competitive bidding practices, with sales being awarded to the highest responsible bidder.*

* * * * *

【(9) JURISDICTION.—

【(A) The United States District Court for the District of Oregon shall have jurisdiction over actions against the Secretary arising out of claims that this section has been violated. Consistent with existing precedents on standing to sue, any affected citizen may bring suit against the Secretary for violations of this subsection, except that suit may not be brought against the Secretary for claims that the MOA has been violated. The court has the authority to hold unlawful and set aside actions pursuant to this subsection that are arbitrary and capricious, an abuse of discretion, or otherwise an abuse of law.

[(B) The United States District Court for the District of Oregon shall have jurisdiction over actions between the State of Oregon and the Tribe arising out of claims of breach of the MOA.

[(C) Unless otherwise provided for by law, remedies available under this subsection shall be limited to equitable relief and shall not include damages.]

[(10)](9) STATE REGULATORY AND CIVIL JURISDICTION.—In addition to the jurisdiction described in paragraph 7 of this subsection, the State of Oregon may exercise exclusive regulatory civil jurisdiction, including but not limited to adoption and enforcement of administrative rules and orders, over the following subjects:

* * * * *

[(11)](10) SAVINGS CLAUSE, STATE AUTHORITY.—

* * * * *

[(12)](11) In the event of a conflict between Federal and State law under this subsection, Federal law shall control.

* * * * *

ENDANGERED AMERICAN WILDERNESS ACT OF 1978

PUBLIC LAW 95-237

AN ACT To designate certain endangered public lands for preservation as wilderness, and for other purposes.

* * * * *

OREGON OMNIBUS WILDERNESS ACT OF 1978

SEC. 3. In furtherance of the purposes of the Wilderness Act, the following lands (hereinafter referred to as “wilderness areas”) as generally depicted on maps appropriately referenced, dated January 1978, are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System—

* * * * *

(b) certain lands in the Siskiyou National Forest, Oregon, which comprise about thirty-six thousand seven hundred acres, are generally depicted on a map entitled “Wild Rogue Wilderness—Proposed”, and shall be known as the Wild Rogue Wilderness: Provided, That the portion of the segment of the Rogue River designated as a component of the National Wild and Scenic Rivers System by section [(3(a)(5))] 3(a)(5)(A) of the Wild and Scenic River Act (82 Stat. 906), as amended) which lies within the Wild Rogue Wilderness shall be managed as a wild river notwithstanding section 10(b) of that Act or any provisions of the Wilderness Act to the contrary.

* * * * *