

21, 1976, 90 Stat. 2743, which is classified principally to chapter 35 (§1701 et seq.) of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 1701 of Title 43 and Tables.

#### Statutory Notes and Related Subsidiaries

##### CHANGE OF NAME

Committee on Resources of House of Representatives changed to Committee on Natural Resources of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

##### SHORT TITLE

Pub. L. 109-362, §1(a), Oct. 17, 2006, 120 Stat. 2064, provided that: “This Act [enacting this section, amending sections 460y-8 and 1274 of this title, and amending provisions listed in a table of Wilderness Areas set out under section 1132 of this title] may be cited as the ‘Northern California Coastal Wild Heritage Wilderness Act.’”

#### SUBCHAPTER CXXXI—MOOSALAMOO NATIONAL RECREATION AREA

#### § 460ttt. Designation

Certain Federal land managed by the United States Forest Service, comprising approximately 15,857 acres, as generally depicted on the map entitled “Moosalamoo National Recreation Area—Proposed”, dated September 2006, is designated as the “Moosalamoo National Recreation Area”.

(Pub. L. 109-382, title II, §221, Dec. 1, 2006, 120 Stat. 2676.)

#### Statutory Notes and Related Subsidiaries

##### SHORT TITLE

Pub. L. 109-382, §1(a), Dec. 1, 2006, 120 Stat. 2673, provided that: “This Act [enacting this subchapter and provisions set out as notes under this section and amending provisions listed in a table of Wilderness Areas under section 1132 of this title] may be cited as the ‘New England Wilderness Act of 2006.’”

##### DEFINITIONS

Pub. L. 109-382, §2, Dec. 1, 2006, 120 Stat. 2673, provided that: “In this Act [see Short Title note above], the term ‘Secretary’ means the Secretary of Agriculture, acting through the Chief of the Forest Service.”

Pub. L. 109-382, title II, §201, Dec. 1, 2006, 120 Stat. 2675, provided that: “In this title [enacting this subchapter and amending provisions listed in a table of Wilderness Areas under section 1132 of this title]:

“(1) MANAGEMENT PLAN.—The term ‘Management Plan’ means the Green Mountain National Forest Land and Resource Management Plan.

“(2) STATE.—The term ‘State’ means the State of Vermont.”

#### § 460ttt-1. Map and description

##### (a) In general

As soon as practicable after December 1, 2006, the Secretary shall file a map and a legal description of the national recreation area designated by section 460ttt of this title with—

- (1) the Committee on Resources of the House of Representatives;
- (2) the Committee on Agriculture of the House of Representatives; and
- (3) the Committee on Agriculture, Nutrition, and Forestry of the Senate.

##### (b) Force of law

A map and legal description filed under subsection (a) shall have the same force and effect as if included in this subchapter, except that the Secretary may correct clerical and typographical errors in the map and legal description.

##### (c) Public availability

Each map and legal description filed under subsection (a) shall be filed and made available for public inspection in the Office of the Chief of the Forest Service.

(Pub. L. 109-382, title II, §222, Dec. 1, 2006, 120 Stat. 2676.)

#### Statutory Notes and Related Subsidiaries

##### CHANGE OF NAME

Committee on Resources of House of Representatives changed to Committee on Natural Resources of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

#### § 460ttt-2. Administration of national recreation area

##### (a) In general

Subject to valid rights existing on December 1, 2006, the Secretary shall administer the Moosalamoo National Recreation Area in accordance with—

(1) laws (including rules and regulations) applicable to units of the National Forest System; and

(2) the management direction (including objectives, standards, and guidelines) established for the Moosalamoo Recreation and Education Management Area under the Management Plan.

##### (b) Fish and wildlife

Nothing in this subchapter affects the jurisdiction of the State with respect to wildlife and fish on the public land located in the State.

##### (c) Escarpment and ecological areas

Nothing in this subchapter prevents the Secretary from managing the Green Mountain Escarpment Management Area and the Ecological Special Areas, as described in the Management Plan.

(Pub. L. 109-382, title II, §223, Dec. 1, 2006, 120 Stat. 2677.)

#### SUBCHAPTER CXXXII—MOUNT HOOD NATIONAL RECREATION AREA

#### § 460uuu. Mount Hood National Recreation Area

##### (a) Designation

To provide for the protection, preservation, and enhancement of recreational, ecological, scenic, cultural, watershed, and fish and wildlife values, there is established the Mount Hood National Recreation Area within the Mount Hood National Forest.

##### (b) Boundary

The Mount Hood National Recreation Area shall consist of certain Federal land managed by the Forest Service and Bureau of Land Manage-

ment, comprising approximately 34,550 acres, as generally depicted on the maps entitled “National Recreation Areas—Mount Hood NRA”, “National Recreation Areas—Fifteenmile Creek NRA”, and “National Recreation Areas—Shellrock Mountain”, dated February 2007.

**(c) Map and legal description**

**(1) Submission of legal description**

As soon as practicable after March 30, 2009, the Secretary shall file a map and a legal description of the Mount Hood National Recreation Area with—

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

**(2) Force of law**

The map and legal description filed under paragraph (1) shall have the same force and effect as if included in this subtitle, except that the Secretary may correct typographical errors in the map and the legal description.

**(3) Public availability**

The map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

**(d) Administration**

**(1) In general**

The Secretary shall—

- (A) administer the Mount Hood National Recreation Area—
  - (i) in accordance with the laws (including regulations) and rules applicable to the National Forest System; and
  - (ii) consistent with the purposes described in subsection (a); and
- (B) only allow uses of the Mount Hood National Recreation Area that are consistent with the purposes described in subsection (a).

**(2) Applicable law**

Any portion of a wilderness area designated by section 1202<sup>1</sup> that is located within the Mount Hood National Recreation Area shall be administered in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.).

**(e) Timber**

The cutting, sale, or removal of timber within the Mount Hood National Recreation Area may be permitted—

- (1) to the extent necessary to improve the health of the forest in a manner that—
  - (A) maximizes the retention of large trees—
    - (i) as appropriate to the forest type; and
    - (ii) to the extent that the trees promote stands that are fire-resilient and healthy;
  - (B) improves the habitats of threatened, endangered, or sensitive species; or
  - (C) maintains or restores the composition and structure of the ecosystem by reducing the risk of uncharacteristic wildfire;

(2) to accomplish an approved management activity in furtherance of the purposes established by this section, if the cutting, sale, or removal of timber is incidental to the management activity; or

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

**(f) Road construction**

No new or temporary roads shall be constructed or reconstructed within the Mount Hood National Recreation Area except as necessary—

- (1) to protect the health and safety of individuals in cases of an imminent threat of flood, fire, or any other catastrophic event that, without intervention, would cause the loss of life or property;
- (2) to conduct environmental cleanup required by the United States;
- (3) to allow for the exercise of reserved or outstanding rights provided for by a statute or treaty;
- (4) to prevent irreparable resource damage by an existing road; or
- (5) to rectify a hazardous road condition.

**(g) Withdrawal**

Subject to valid existing rights, all Federal land within the Mount Hood National Recreation Area is withdrawn from—

- (1) all forms of 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.

**(h) Transfer of administrative jurisdiction**

**(1) In general**

Administrative jurisdiction over the Federal land described in paragraph (2) is transferred from the Bureau of Land Management to the Forest Service.

**(2) Description of land**

The land referred to in paragraph (1) is the approximately 130 acres of land administered by the Bureau of Land Management that is within or adjacent to the Mount Hood National Recreation Area and that is identified as “BLM Lands” on the map entitled “National Recreation Areas—Shellrock Mountain”, dated February 2007.

(Pub. L. 111–11, title I, §1204, Mar. 30, 2009, 123 Stat. 1013.)

**Editorial Notes**

REFERENCES IN TEXT

This subtitle, referred to in subsec. (c)(2), is subtitle C (§§1201–1207) of title I of Pub. L. 111–11, Mar. 30, 2009, 123 Stat. 1007, which enacted this subchapter and section 539n of this title, amended sections 544k and 1274 of this title, enacted provisions set out as a note under section 1274 of this title, enacted provisions listed in a table of National Memorials set out under section 320301 of Title 54, National Park Service and Related Programs, and enacted and amended provisions listed in a table of Wilderness Areas set out under section 1132 of this title. For complete classification of subtitle C to the Code, see Tables.

<sup>1</sup> See References in Text note below.

Section 1202, referred to in subsec. (d)(2), is section 1202 of Pub. L. 111–11, which enacted provisions listed in a table of National Memorials set out under section 320301 of Title 54, National Park Service and Related Programs, and enacted and amended provisions listed in a table of Wilderness Areas set out under section 1132 of this title.

The Wilderness Act, referred to in subsec. (d)(2), is Pub. L. 88–577, Sept. 3, 1964, 78 Stat. 890, which is classified generally to chapter 23 (§1131 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1131 of this title and Tables.

#### Statutory Notes and Related Subsidiaries

##### DEFINITIONS

Pub. L. 111–11, title I, §1201, Mar. 30, 2009, 123 Stat. 1007, provided that: “In this subtitle [subtitle C (§§1201–1207) of title I of Pub. L. 111–11, see References in Text note above]:

“(1) SECRETARY.—The term ‘Secretary’ means the Secretary of Agriculture.

“(2) STATE.—The term ‘State’ means the State of Oregon.”

#### SUBCHAPTER CXXXIII—BRIDGEPORT WINTER RECREATION AREA

### § 460vvv. Bridgeport Winter Recreation Area

#### (a) Designation

The approximately 7,254 acres of land in the Humboldt-Toiyabe National Forest identified as the “Bridgeport Winter Recreation Area”, as generally depicted on the map entitled “Humboldt-Toiyabe National Forest Proposed Management” and dated September 17, 2008, is designated as the Bridgeport Winter Recreation Area.

#### (b) Map and legal description

##### (1) In general

As soon as practicable after March 30, 2009, the Secretary shall file a map and legal description of the Recreation Area with—

(A) the Committee on Natural Resources of the House of Representatives; and

(B) the Committee on Energy and Natural Resources of the Senate.

##### (2) Force of law

The map and legal description filed under paragraph (1) shall have the same force and effect as if included in this subtitle, except that the Secretary may correct any errors in the map and legal description.

##### (3) Public availability

The map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

#### (c) Management

##### (1) Interim management

Until completion of the management plan required under subsection (d), and except as provided in paragraph (2), the Recreation Area shall be managed in accordance with the Toiyabe National Forest Land and Resource Management Plan of 1986 (as in effect on March 30, 2009).

##### (2) Use of snowmobiles

The winter use of snowmobiles shall be allowed in the Recreation Area—

(A) during periods of adequate snow coverage during the winter season; and

(B) subject to any terms and conditions determined to be necessary by the Secretary.

#### (d) Management plan

To ensure the sound management and enforcement of the Recreation Area, the Secretary shall, not later than 1 year after March 30, 2009, undergo a public process to develop a winter use management plan that provides for—

(1) adequate signage;

(2) a public education program on allowable usage areas;

(3) measures to ensure adequate sanitation;

(4) a monitoring and enforcement strategy; and

(5) measures to ensure the protection of the Trail.

#### (e) Enforcement

The Secretary shall prioritize enforcement activities in the Recreation Area—

(1) to prohibit degradation of natural resources in the Recreation Area;

(2) to prevent interference with non-motorized recreation on the Trail; and

(3) to reduce user conflicts in the Recreation Area.

#### (f) Pacific Crest National Scenic Trail

The Secretary shall establish an appropriate snowmobile crossing point along the Trail in the area identified as “Pacific Crest Trail Proposed Crossing Area” on the map entitled “Humboldt-Toiyabe National Forest Proposed Management” and dated September 17, 2008—

(1) in accordance with—

(A) the National Trails System Act (16 U.S.C. 1241 et seq.); and

(B) any applicable environmental and public safety laws; and

(2) subject to the terms and conditions the Secretary determines to be necessary to ensure that the crossing would not—

(A) interfere with the nature and purposes of the Trail; or

(B) harm the surrounding landscape.

#### (g) Military activities at United States Marine Corps Mountain Warfare Training Center

The designation of the Bridgeport Winter Recreation Area by this section is not intended to restrict or preclude the activities conducted by the United States Armed Forces at the United States Marine Corps Mountain Warfare Training Center.

(Pub. L. 111–11, title I, §1806, Mar. 30, 2009, 123 Stat. 1059; Pub. L. 111–84, div. B, title XXVIII, §2874, Oct. 28, 2009, 123 Stat. 2697.)

#### Editorial Notes

##### REFERENCES IN TEXT

This subtitle, referred to in subsec. (b)(2), is subtitle K (§§1801–1808) of title I of Pub. L. 111–11, Mar. 30, 2009, 123 Stat. 1052, which enacted this subchapter and section 5390 of this title, amended section 1274 of this title, enacted provisions set out as a note under section 1274 of this title, and enacted and amended provisions listed in a table of Wilderness Areas set out under section 1132 of this title. For complete classification of subtitle K to the Code, see Tables.