

117TH CONGRESS  
2D SESSION

# H. R. 7665

To provide for conservation and recreation enhancement for Mount Hood and the Columbia River Gorge National Scenic Area, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

MAY 6, 2022

Mr. BLUMENAUER introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

## A BILL

To provide for conservation and recreation enhancement for Mount Hood and the Columbia River Gorge National Scenic Area, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

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

4       (a) SHORT TITLE.—This Act may be cited as the  
5       “Mt. Hood and Columbia River Gorge Recreation En-  
6       hancement and Conservation Act of 2022” or the “REC  
7       Act of 2022”.

1 (b) TABLE OF CONTENTS.—The table of contents for  
 2 this Act is as follows:

Sec. 1. Short title; table of contents.

#### TITLE I—HONORING TRIBAL TREATY RIGHTS

Sec. 101. Indian Treaty Resources Emphasis Zones, Mount Hood National Forest.

#### TITLE II—ENHANCING SUSTAINABLE OUTDOOR RECREATION

Sec. 201. Enhancing recreation management on the Mount Hood National Forest.

Sec. 202. Enhancing recreation management in the Columbia River Gorge National Scenic Area.

Sec. 203. Establishing recreation centers for excellence.

Sec. 204. Authorization of appropriations.

#### TITLE III—WILDFIRE PLANNING, MITIGATION, AND REHABILITATION

Sec. 301. Wildfire assessment and mitigation planning.

Sec. 302. Rehabilitating recreational infrastructure post wildfire.

Sec. 303. Authorization of appropriations.

#### TITLE IV—PROTECTION OF SPECIAL PLACES

Sec. 401. Preservation of wilderness.

Sec. 402. Preservation of wild and scenic rivers.

Sec. 403. Enhancement of Pacific Crest National Scenic Trail.

Sec. 404. Honoring Nancy Russell.

Sec. 405. Authorization of appropriations.

#### TITLE V—MODERNIZING TRANSIT AND TRANSPORTATION

Sec. 501. Establishing a Columbia River Gorge Access Committee.

Sec. 502. Establishing a Mount Hood Access Committee.

Sec. 503. Authorization of appropriations.

#### TITLE VI—MISCELLANEOUS

Sec. 601. Improving public safety.

Sec. 602. Rules of construction.

## 3 **TITLE I—HONORING TRIBAL** 4 **TREATY RIGHTS**

### 5 **SEC. 101. INDIAN TREATY RESOURCES EMPHASIS ZONES,** 6 **MOUNT HOOD NATIONAL FOREST.**

7 (a) IN GENERAL.—Subtitle C of title I of the Omni-  
 8 bus Public Land Management Act of 2009 (Public Law

1 111–11; 123 Stat. 1007) is amended by adding at the end  
2 the following:

3 **“SEC. 1208. INDIAN TREATY RESOURCES EMPHASIS ZONES.**

4 “(a) DEFINITIONS.—In this section:

5 “(1) NATIONAL FOREST.—The term ‘National  
6 Forest’ means the Mount Hood National Forest in  
7 the State.

8 “(2) RESERVATION.—The term ‘Reservation’  
9 means the reservation of the Tribe.

10 “(3) TREATY.—The term ‘Treaty’ means the  
11 Treaty between the United States and the confed-  
12 erated tribes and bands of Indians in Middle Or-  
13 egon, concluded at Wasco June 25, 1855 (12 Stat.  
14 963).

15 “(4) TRIBE.—The term ‘Tribe’ means the Con-  
16 federated Tribes of the Warm Springs Reservation  
17 of Oregon.

18 “(5) ZONE.—The term ‘Zone’ means an Indian  
19 Treaty Resources Emphasis Zone established under  
20 subsection (b)(1).

21 “(6) SECRETARY.—The term ‘Secretary’ means  
22 the Secretary of Agriculture.

23 “(b) ESTABLISHMENT.—

24 “(1) IN GENERAL.—There is established within  
25 the area of the National Forest described in para-

graph (3) one or more zones, each of which shall be known as an ‘Indian Treaty Resources Emphasis Zone’, consisting of any area within the National Forest with respect to which the Tribe and the Secretary enter into a memorandum of understanding under subsection (c)(1) to protect and enhance Treaty resources or to protect the Reservation from wildfire.

“(2) PURPOSES.—The purposes of the Zones are—

“(A) to meet the trust responsibility of the United States in protecting the exercise of off-Reservation Treaty rights reserved by the Treaty in the National Forest;

“(B) to ensure that land and resource management priorities in the Zones maintain and enhance resources, activities, and access reserved by the Treaty;

“(C) to protect Treaty rights and resources and the Reservation from wildfire, drought, and insect and disease outbreaks in the National Forest;

“(D) to recognize and integrate indigenous knowledge (including traditional ecological knowledge) as an important part of the best

1           available scientific information that is used in  
2           forest and resource management areas within  
3           the Zones;

4           “(E) to improve the technical under-  
5           standing of Forest Service employees in the Na-  
6           tional Forest with respect to the trust respon-  
7           sibilities of the Federal Government (including  
8           the application of those responsibilities to ongo-  
9           ing forest management processes and prac-  
10          tices); and

11          “(F) to enable a co-management strategy  
12          between the Forest Service and the Tribe.

13          “(3) SCOPE.—The authority of this section ap-  
14          plies to any area within the boundaries of the Na-  
15          tional Forest in which the Tribe retains Treaty  
16          rights.

17          “(c) MANAGEMENT STRATEGY.—

18          “(1) MEMORANDUM OF UNDERSTANDING.—Not  
19          later than 60 days after the date of enactment of  
20          this section, the Secretary shall seek to enter into a  
21          memorandum of understanding with the Tribe—

22          “(A) to better fulfill the trust relationship  
23          between the United States and the Tribe by en-  
24          suring that the Forest Service includes the  
25          Tribe in the land and resource management de-

cision-making process in the Zones to avoid adverse effects on Treaty rights and management of the resources on which the Treaty rights depend; and

“(B) to cooperatively develop a management strategy for the Zones, including guiding documents for the management of the National Forest and ecosystems for Treaty rights and resources within the Zones.

“(2) REQUIREMENTS.—A memorandum of understanding entered into under paragraph (1) shall—

“(A) include an assessment of wildfire risk to—

“(i) the Reservation from the National Forest; and

“(ii) Treaty and cultural resources within the National Forest;

“(B) provide that forest restoration and management planning within the Zones includes, and is guided by reserved Treaty rights, and the resources on which the Treaty rights depend, including by establishing—

“(i) vegetation treatment objectives;

“(ii) botanical treatment objectives;

1 “(iii) wildlife habitat restoration treat-  
2 ment objectives; and

3 “(iv) objectives for reducing wildfire  
4 risks to Treaty resources and the Reserva-  
5 tion;

6 “(C) provide project planning maps,  
7 timelines, and goals for Zones to further the  
8 purposes of the Zones described in subsection  
9 (b)(2), including—

10 “(i) targets for acres treated to effec-  
11 tively reduce fire risks in the Zones; and

12 “(ii) targets for acres restored for  
13 deer and elk habitat (including cover and  
14 forage), habitat for cultural plant commu-  
15 nities, and other Treaty resources in the  
16 Zones;

17 “(D)(i) address the planning, implementa-  
18 tion, monitoring, and adaptive management of  
19 forest projects and management activities in the  
20 Zones; and

21 “(ii) provide for reporting on the activities  
22 described in clause (i); and

23 “(E) include requirements that no roads,  
24 temporary or permanent, shall be constructed  
25 within a Zone except as necessary—

1 “(i) to meet the requirements for the  
2 administration of a Zone;

3 “(ii) to protect public health and safe-  
4 ty;

5 “(iii) to respond to an emergency; and

6 “(iv) for the control of fire, insects, or  
7 diseases, subject to such terms and condi-  
8 tions as the Secretary determines to be ap-  
9 propriate.

10 “(3) ROAD MAINTENANCE.—Subject to appro-  
11 priations, the Secretary shall maintain existing roads  
12 determined by the Secretary, in consultation with  
13 the Tribe, to be necessary for authorized existing  
14 uses and the administration of a Zone. The require-  
15 ment under this paragraph shall continue and be in-  
16 cluded in any memorandum of understanding en-  
17 tered into under paragraph (1).

18 “(4) VALID EXISTING RIGHTS.—The designa-  
19 tion of a Zone shall be subject to valid existing  
20 rights.

21 “(5) WITHDRAWAL.—Subject to valid existing  
22 rights, all public land within a Zone, and all land  
23 and interests in land acquired by the United States  
24 within a Zone, shall be withdrawn from—



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

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

5           “(C) operation of the mineral leasing, min-  
6           eral materials, and geothermal leasing laws.

7           “(6) DEADLINES.—To the maximum extent  
8           practicable, the Secretary shall—

9           “(A) not later than the date that is 180  
10          days after the date of enactment of this section,  
11          ratify a memorandum of understanding under  
12          paragraph (1); and

13          “(B) not later than the date that is 2  
14          years and 180 days after the date of enactment  
15          of this section, complete a management strategy  
16          for the Zones.

17          “(d) REQUIREMENTS FOR IMPLEMENTATION.—In  
18          carrying out this section, the Secretary shall, to the max-  
19          imum extent practicable—

20          “(1) use all existing authorities available to the  
21          Secretary, including, as applicable—

22                 “(A) the Tribal Forest Protection Act of  
23                 2004 (25 U.S.C. 3115a et seq.);

1 “(B) the good neighbor authority under  
2 section 8206 of the Agricultural Act of 2014  
3 (16 U.S.C. 2113a);

4 “(C) title XXVI of the Energy Policy Act  
5 of 1992 (25 U.S.C. 3501 et seq.);

6 “(D) stewardship end result contracting  
7 authority under section 604 of the Healthy For-  
8 ests Restoration Act of 2003 (16 U.S.C.  
9 6591c);

10 “(E) section 102 of the Indian Self-Deter-  
11 mination and Education Assistance Act (25  
12 U.S.C. 5321); and

13 “(F) the authority to enter into contracts  
14 with the Tribe to expedite projects, on request  
15 by the Tribe, under section 8703 of the Agri-  
16 culture Improvement Act of 2018 (25 U.S.C.  
17 3115b);

18 “(2) develop a programmatic analysis for inte-  
19 grating the management strategy for the Zones  
20 under the National Environmental Policy Act of  
21 1969 (42 U.S.C. 4321 et seq.); and

22 “(3) pursue a programmatic biological assess-  
23 ment to implement the actions analyzed under para-  
24 graph (2) under section 7 of the Endangered Species  
25 Act of 1973 (16 U.S.C. 1536).

1       “(e) REVIEW OF MOU.—No later than every 5 years  
2 following the completion of a memorandum of under-  
3 standing entered into under subsection (c)(1), the Sec-  
4 retary shall, in coordination with the Tribe, review the ac-  
5 complishments of the memorandum of understanding to  
6 determine if the memorandum of understanding shall be  
7 extended or modified.

8       “(f) FUNDING AGREEMENT.—The Secretary shall de-  
9 velop a funding agreement with the Tribe, including the  
10 use of appropriated funding, to ensure that the Tribe, in  
11 partnership with the Forest Service, has the capacity to  
12 participate in designing, implementing, and monitoring  
13 projects within the Zones.

14       “(g) MONITORING.—

15               “(1) IN GENERAL.—The Secretary shall enter  
16 into an agreement with the Tribe under which the  
17 Tribe may, at the discretion of the Tribe—

18                       “(A) review and provide comments on any  
19 land management prescriptions developed by  
20 the Secretary for the Zones;

21                       “(B) monitor—

22                               “(i) the long-term effectiveness of res-  
23 toration and management treatments of  
24 actions carried out in the Zones; and

1 “(ii) any other action or lack of action  
2 that is detrimental to the purposes of the  
3 Zones; and

4 “(C) share any other information with the  
5 Forest Service that the Tribe determines to be  
6 necessary to further the purposes of the Zones.

7 “(h) MANAGEMENT OF CULTURAL FOODS OBLIGA-  
8 TIONS.—

9 “(1) IN GENERAL.—If section 1207(c) of Public  
10 Law 111–11 has not been completed as of the date  
11 of enactment of this section, the Secretary shall  
12 complete a management plan in accordance with  
13 that paragraph within 180 days of enactment of this  
14 section.

15 “(2) DEFINITION OF CULTURAL FOODS.—For  
16 purposes of a management plan for cultural foods  
17 obligations for the National Forest completed under  
18 paragraph (1), the Secretary shall ensure that the  
19 definition of the term ‘cultural foods’ shall be de-  
20 fined by the Tribe.

21 “(3) INCLUSION.—On completion, the manage-  
22 ment plan for cultural food obligations for the Na-  
23 tional Forest may be included in the management  
24 strategy for the Zones developed under subsection  
25 (c).

1       “(i) FOREST MANAGEMENT PLANS.—To the max-  
2 imum extent practicable, any revisions to the National  
3 Forest management plan applicable to the National Forest  
4 under the Forest and Rangeland Renewable Resources  
5 Planning Act of 1974 (16 U.S.C. 1600 et seq.) shall—

6               “(1) be made in consultation with the Tribe;

7               “(2) be consistent with the management strat-  
8 egy for the Zones; and

9               “(3) protect Treaty rights, and allow manage-  
10 ment of the resources on which the Treaty rights de-  
11 pend, for purposes of considering any changes to the  
12 applicable management plan or land allocation under  
13 the applicable management plan.

14       “(j) FUNDING.—

15               “(1) AUTHORIZATION OF APPROPRIATIONS.—  
16 There is authorized to be appropriated to carry out  
17 this section \$3,500,000 for each of fiscal years 2023  
18 through 2027.

19               “(2) AUTHORITY TO USE OTHER FUNDS.—The  
20 Secretary may use existing funds of the Forest Serv-  
21 ice and Forest Service program revenue generated  
22 from forest restoration activities to carry out the  
23 management plan for the Zone.

1 “(k) EFFECT.—Nothing in this section enlarges, es-  
 2 tablishes, or diminishes the rights of any Indian Tribe,  
 3 including—

4 “(1) the exercise of hunting, fishing, gathering,  
 5 and pasturing of livestock rights in usual and accus-  
 6 tomed areas; or

7 “(2) Indian hunting, fishing, or gathering ac-  
 8 tivities conducted under an agreement with the  
 9 State.”.

10 (b) CLERICAL AMENDMENT.—The table of contents  
 11 of the Omnibus Public Land Management Act of 2009  
 12 (Public Law 111–11; 123 Stat. 991) is amended by insert-  
 13 ing after the matter relating to section 1207 the following:  
 “1208. Indian Treaty Resources Emphasis Zones.”.

## 14 **TITLE II—ENHANCING SUSTAIN-** 15 **ABLE OUTDOOR RECREATION**

### 16 **SEC. 201. ENHANCING RECREATION MANAGEMENT ON THE** 17 **MOUNT HOOD NATIONAL FOREST.**

18 (a) IN GENERAL.—Section 1204 of the Omnibus  
 19 Public Land Management Act of 2009 (16 U.S.C.  
 20 460uuu) is amended—

21 (1) by amending subsection (a) to read as fol-  
 22 lows:

23 “(a) DESIGNATION.—

24 “(1) IN GENERAL.—There is established the  
 25 Mount Hood National Recreation Area within the

1 Mount Hood National Forest (in this section re-  
2 ferred to as the ‘Area’).

3 “(2) PURPOSES.—The purposes of establishing  
4 the Mount Hood National Recreation Area under  
5 paragraph (1) include providing for the protection,  
6 preservation, and enhancement of—

7 “(A) outdoor recreational values, includ-  
8 ing—

9 “(i) equitable access to a diversity of  
10 high-quality, environmentally sustainable  
11 outdoor recreation opportunities in such  
12 Area; and

13 “(ii) the natural resources that sup-  
14 port recreation in such Area; and

15 “(B) other values with respect to such  
16 Area, including Tribal treaty rights, cultural,  
17 spiritual, ecological, scenic, historical, geologi-  
18 cal, climate, carbon storage and sequestration,  
19 scientific, and native fish and wildlife values.”;

20 (2) in subsection (b), by striking “34,550  
21 acres” and all that follows through the period at the  
22 end and inserting “349,877 acres, as generally de-  
23 picted on the map entitled ‘Proposed and Existing  
24 National Recreation Areas’.”;

1           (3) by amending subsection (c) to read as fol-  
2       lows:

3       “(c) MAP AND LEGAL DESCRIPTION.—

4           “(1) SUBMISSION OF MAP.—As soon as prac-  
5       ticable after the date of the enactment of the REC  
6       Act of 2022, the Secretary of Agriculture, in coordi-  
7       nation with the Secretary of the Interior, shall—

8           “(A) make the map entitled ‘Proposed and  
9       Existing National Recreation Areas’, available  
10      for public inspection and download on the pub-  
11      licly available website of each of the Depart-  
12      ment of Agriculture and the Department of the  
13      Interior; and

14          “(B) file such map with—

15               “(i) the Committee on Energy and  
16               Natural Resources of the Senate; and

17               “(ii) the Committee on Natural Re-  
18               sources of the House of Representatives.

19          “(2) FORCE OF LAW.—The map filed under  
20      paragraph (1) shall have the same force and effect  
21      as if included in the REC Act of 2022, except that  
22      the Secretary may correct typographical errors in  
23      the map.

24          “(3) PUBLIC AVAILABILITY.—The map filed  
25      under paragraph (1) shall be on file and available



1 for public inspection in the appropriate offices of the  
2 Forest Service and the Department of the Interior.”;

3 (4) in subsection (d)—

4 (A) in paragraph (1), by inserting “, in co-  
5 ordination with the Secretary of the Interior as  
6 appropriate,” after the word “Secretary”; and

7 (B) by amending paragraph (2) to read as  
8 follows:

9 “(2) APPLICABLE LAW.—

10 “(A) WILDERNESS.—Any portion of a wil-  
11 derness area that is located within the Area  
12 shall be administered in accordance with the  
13 Wilderness Act (16 U.S.C. 1131 et seq.).

14 “(B) WILD AND SCENIC RIVERS.—Any  
15 portion of a wild and scenic river that is located  
16 within the Area shall be administered in accord-  
17 ance with the Wild and Scenic Rivers Act (16  
18 U.S.C. 1271 et seq.), except to the extent that  
19 such Act requires a legal description to be filed  
20 with respect to such portion.

21 “(C) NATIONAL SCENIC & HISTORIC  
22 TRAILS.—Any portion of a national scenic trail  
23 or historic trail that is located within the Area  
24 shall be administer in accordance with the Na-

1           tional Trails System Act (16 U.S.C. 1241 et  
2           seq.).”;

3           (5) by amending subsection (e) to read as fol-  
4       lows:

5           “(e) TIMBER.—The cutting, sale, or removal of tim-  
6       ber within the Area may be permitted—

7           “(1) to the extent necessary to improve forest  
8       health in a manner that—

9           “(A) maximizes the retention of large  
10       trees—

11           “(i) as appropriate to the forest type;  
12       and

13           “(ii) to the extent that the trees pro-  
14       mote stands that are fire-resilient and  
15       healthy;

16           “(B) improves the habitats of threatened,  
17       endangered, or sensitive species, such as by re-  
18       storing wildlife connectivity;

19           “(C) maintains or restores the composition  
20       and structure of the ecosystem by reducing the  
21       risk of uncharacteristic wildfire;

22           “(D) improves watershed conditions;

23           “(E) improves scenic character; or

24           “(F) increases carbon storage and seques-  
25       tration wherever possible;

1 “(2) to accomplish an approved management  
2 activity in furtherance of the purposes described in  
3 subsection (a) if the cutting, sale, or removal of tim-  
4 ber is incidental to the management activity;

5 “(3) for de minimus personal or administrative  
6 use within the Area, so long as such use does not  
7 impair a purpose described in subsection (a);

8 “(4) for purposes of maintaining reliability or  
9 wildfire resiliency of utility infrastructure (as defined  
10 in section 201(f) of the REC Act of 2022) and re-  
11 ducing fire risk to such infrastructure; or

12 “(5) to implement activities under the wildfire  
13 mitigation and adaptation plan described in section  
14 301 of the REC Act of 2022.”; and

15 (6) in subsection (f)—

16 (A) in the matter before paragraph (1), by  
17 inserting “system” after “new”;

18 (B) in paragraph (4), by striking “or”;

19 (C) in paragraph (5), by striking the pe-  
20 riod at the end and inserting “; or”; and

21 (D) by adding at the end the following:

22 “(6) to address wildfires, consistent with the  
23 purposes in subsection (a), except a temporary  
24 road—

1           “(A) may not be located in an area des-  
2           ignated as a unit of the National Wilderness  
3           Preservation System; and

4           “(B) shall be administered in accordance  
5           with the Wilderness Act (16 U.S.C. 1131 et  
6           seq.).”.

7           (b) COMPREHENSIVE SUSTAINABLE RECREATION  
8           MANAGEMENT PLAN.—

9           (1) IN GENERAL.—The Secretary of Agri-  
10          culture, in consultation with the Secretary of the In-  
11          terior where appropriate, shall complete and publish  
12          a comprehensive sustainable recreation management  
13          plan for the Mount Hood National Recreation Area  
14          (in this section referred to as the “Area”) des-  
15          ignated under subsection (a) of section 1204 of the  
16          Omnibus Public Land Management Act of 2009 (16  
17          U.S.C. 460uuu).

18          (2) PURPOSE.—The purpose of the manage-  
19          ment plan required under this section is to ensure  
20          sustainable management of the Area with consider-  
21          ations for existing uses and resources, future uses  
22          and limitations, and opportunities to increase the so-  
23          cial, ecological, and economic sustainability in recre-  
24          ation management and infrastructure.

1           (3) TIMELINE.—The plan required under para-  
2           graph (1) shall be completed and published not later  
3           than 5 years after the date of the enactment of this  
4           Act and updated every 10 years thereafter.

5           (4) PUBLIC REVIEW AND COMMUNITY INVOLVE-  
6           MENT.—The Secretary of Agriculture shall—

7                   (A) make a draft of the plan required  
8                   under paragraph (1) available for public com-  
9                   ment for a period of not less than 90 days; and

10                   (B) provide other opportunities for public  
11                   engagement, including, with respect to such  
12                   plan, consideration of the analysis and com-  
13                   ments of relevant experts, State and local agen-  
14                   cies, community partners, and other relevant in-  
15                   terested parties, and consultation with affected  
16                   Indian Tribes.

17           (5) CONTENT.—The Secretary of Agriculture  
18           shall ensure that the plan required under paragraph  
19           (1)—

20                   (A) is consistent with the purposes de-  
21                   scribed in subsection (a) of section 1204 of the  
22                   Omnibus Public Land Management Act of 2009  
23                   (16 U.S.C. 460uuu);

24                   (B) identifies and addresses issues related  
25                   to equity (as such term is defined in section 2

1 of Executive Order 13985 (86 Fed. Reg. 7009))

2 and inclusion; and

3 (C) uses the best available science.

4 (6) CONSULTATION.—In developing and carrying out the plan required under paragraph (1), the  
5 Secretary of Agriculture shall consult with the Con-  
6 federated Tribes of the Warm Springs Reservation  
7 of Oregon to ensure that the plan does not conflict  
8 with section 1208 of subtitle C of title I of the Om-  
9 nibus Public Land Management Act of 2009 (Public  
10 Law 111–11; 123 Stat. 1007), as added by this Act.

12 (7) OTHER REQUIREMENTS.—The plan re-  
13 quired under paragraph (1) shall—

14 (A) be developed in accordance with appli-  
15 cable law and regulations, including the Na-  
16 tional Environmental Policy Act of 1969 (42  
17 U.S.C. 4321 et seq.); and

18 (B) include the following elements:

19 (i) RECREATION.—A comprehensive  
20 assessment of the recreation program with-  
21 in the Area, including—

22 (I) existing recreation infrastruc-  
23 ture and recreation use, including  
24 recreation user experience;

1 (II) the efficacy of existing man-  
2 agement strategies to enhance recre-  
3 ation user experiences, reduce recre-  
4 ation-related conflicts, ensure equi-  
5 table access to high-quality recreation  
6 opportunities, and improve recreation  
7 infrastructure; and

8 (III) a plan for more effective  
9 management and recreation enhance-  
10 ment to meet existing and future  
11 recreation needs.

12 (ii) TRANSPORTATION.—A com-  
13 prehensive assessment of recreation access  
14 issues related to National Forest System  
15 roads and road-related infrastructure in  
16 the Area, including—

17 (I) existing infrastructure and  
18 recreation user experience on National  
19 Forest System roads;

20 (II) an analysis of issues related  
21 to access, traffic, and parking; and

22 (III) a plan for more effective  
23 management and recreation enhance-  
24 ment on National Forest System

1 roads to meet existing and future  
2 transportation needs.

3 (iii) PUBLIC SAFETY.—A comprehen-  
4 sive assessment of public safety manage-  
5 ment with respect to recreation in the  
6 Area, including—

7 (I) existing public safety re-  
8 sources and recreation user experience  
9 with respect to public safety;

10 (II) an analysis of deficiencies  
11 and risk; and

12 (III) a plan to enhance public  
13 safety and meet existing and future  
14 public safety needs.

15 (iv) NATURAL RESOURCE PROTECTION  
16 AND ENHANCEMENT.—A comprehensive  
17 assessment of ecological carrying capacity  
18 for recreation within the Area, in accord-  
19 ance with existing laws and regulations, in-  
20 cluding—

21 (I) existing resources for natural  
22 resource protection and enhancement;

23 (II) an analysis of ecological im-  
24 pacts and risks, including risks from  
25 climate change and wildfire; and



1 (III) a plan to ensure that nat-  
2 ural resources are enhanced and pro-  
3 tected in managing the Area.

4 (v) PERMITS AND LEASES.—A com-  
5 prehensive assessment of permits and  
6 leases in effect on the date of the enact-  
7 ment of this Act within the Area and how  
8 such permits and leases shall be permitted  
9 to continue—

10 (I) subject to such reasonable  
11 regulations, policies, and practices as  
12 the Secretary of Agriculture consider  
13 necessary;

14 (II) subject to applicable law;  
15 and

16 (III) in a manner compatible  
17 with the purposes and values de-  
18 scribed in subsection (a) of section  
19 1204 of the Omnibus Public Land  
20 Management Act of 2009 (16 U.S.C.  
21 460uuu), as amended by this Act.

22 (c) CONVERSION OF A PORTION OF ABBOT ROAD.—

23 (1) IN GENERAL.—Not later than 180 days  
24 after the date of the enactment of this paragraph,  
25 the Secretary of Agriculture shall—

1 (A) convert a portion of Abbot Road, part  
2 of Forest Service Road 4610 to a non-motor-  
3 ized trail;

4 (B) close Abbot Road to motorized use by  
5 gate, barrier, or other effective means, as deter-  
6 mined by the Secretary of Agriculture; and

7 (C) locate the—

8 (i) west end of the closure required  
9 under subparagraph (B) in the NE1/4 of  
10 section 13, T4S, R6E, WM; and

11 (ii) east end of the closure required  
12 under subparagraph (B) at the intersection  
13 of Forest Service Road 4610 and Forest  
14 Service Road 4610–220.

15 (2) MONITORING AND MAINTENANCE.—The  
16 Secretary of Agriculture shall assess and manage ex-  
17 isting use of the non-motorized trail converted under  
18 paragraph (1), including unauthorized use, to limit  
19 disturbance to native wildlife and protect wilderness  
20 character, in accordance with the best available  
21 science.

22 (d) COMPLIANCE WITH INDIAN TREATY RESOURCE  
23 EMPHASIS ZONES.—The plan required under subsection  
24 (b)(1), and activities carried out under the plan, may not  
25 conflict section 1208 of subtitle C of title I of the Omnibus

1 Public Land Management Act of 2009 (Public Law 111–  
2 11; 123 Stat. 1007), as added by this Act.

3 (e) RULES OF CONSTRUCTION.—

4 (1) LEASES APPLICABLE TO THE AREA.—Noth-  
5 ing in this section affects the lease or management  
6 of recreation residences within the Area.

7 (2) CRYSTAL SPRINGS WATERSHED SPECIAL  
8 RESOURCES MANAGEMENT UNIT.—Nothing in this  
9 section affects the Crystal Springs Watershed Spe-  
10 cial Resources Management Unit established under  
11 section 1205(a) of the Omnibus Public Land Man-  
12 agement Act of 2009 (16 U.S.C. 539n).

13 (3) MANAGEMENT GUIDELINES.—Nothing in  
14 this section affects the management guidelines with-  
15 in the Special Use Permit area boundaries for ski  
16 areas, campgrounds, resorts, or related recreation  
17 permit holders in effect on the date of the enactment  
18 of this Act in the Area.

19 (f) DEFINITION OF UTILITY INFRASTRUCTURE.—In  
20 this section, the term “utility infrastructure” means infra-  
21 structure related to power lines, poles, structures, commu-  
22 nications, or equipment, both overhead and underground,  
23 including appurtenances, used to support energy genera-  
24 tion, transmission, or distribution.

1 **SEC. 202. ENHANCING RECREATION MANAGEMENT IN THE**  
2 **COLUMBIA RIVER GORGE NATIONAL SCENIC**  
3 **AREA.**

4 (a) IN GENERAL.—The Secretary of Agriculture shall  
5 complete and publish a comprehensive plan for sustainable  
6 recreation management within the Columbia River Gorge  
7 National Scenic Area (in this section referred to as the  
8 “Scenic Area”).

9 (b) PURPOSE.—The purpose of the plan required  
10 under subsection (a) is to increase the social, ecological,  
11 and economic sustainability of recreation management and  
12 infrastructure in the Scenic Area.

13 (c) TIMELINE.—The plan required under subsection  
14 (a) shall be published not later than 5 years after the date  
15 of the enactment of this Act and updated every 10 years  
16 thereafter.

17 (d) PUBLIC REVIEW AND COMMUNITY INVOLVE-  
18 MENT.—The Secretary of Agriculture shall—

19 (1) make a draft of the plan required under  
20 subsection (a) available for public comment for a pe-  
21 riod of not less than 90 days; and

22 (2) provide opportunities in addition to para-  
23 graph (1) for public engagement, including, with re-  
24 spect to such plan, consideration of the analysis and  
25 comments of relevant experts, State and local agen-  
26 cies, community partners, and other relevant inter-

1       ested parties, as determined by the Secretary, and  
2       consultation with affected Indian Tribes.

3       (e) CONTENT.—The Secretary of Agriculture shall  
4       ensure that the plan required under subsection (a)—

5               (1) considers outdoor recreational values, in-  
6       cluding—

7                       (A) equitable access to a diversity of high-  
8                       quality, environmentally sustainable outdoor  
9                       recreation opportunities in the Scenic Area;

10                      (B) the natural features that support  
11                      recreation in the Scenic Area; and

12                      (C) other values with respect to the Scenic  
13                      Area, including Tribal treaty rights, cultural,  
14                      spiritual, ecological, scenic, historical, geologi-  
15                      cal, climate, carbon storage and sequestration,  
16                      scientific, and native fish and wildlife values;

17               (2) identifies and addresses issues related to eq-  
18       uity (as such term is defined in section 2 of Execu-  
19       tive Order 13985 (86 Fed. Reg. 7009)) and inclu-  
20       sion; and

21               (3) uses the best available science.

22       (f) OTHER REQUIREMENTS.—The plan required  
23       under subsection (a) shall—

24               (1) be developed in accordance with applicable  
25       law and regulations, including the National Environ-

1       mental Policy Act of 1969 (42 U.S.C. 4321 et seq.);  
2       and

3       (2) include the following elements—

4               (A) a description of recreation infrastruc-  
5       ture and resources across jurisdictional bound-  
6       aries in the Columbia River Gorge National  
7       Scenic Area that exist on the date of the enact-  
8       ment of this Act;

9               (B) a description of management strategies  
10      and resources for sustainable recreation in the  
11      Scenic Area that exist on the date of the enact-  
12      ment of this Act;

13              (C) an analysis of ecological impacts and  
14      risks of current and future recreation use, in-  
15      cluding wildfire risk;

16              (D) a plan for more effective management,  
17      including recreation and natural resource en-  
18      hancement; and

19              (E) a comprehensive assessment of—

20                      (i) permits and leases in effect on the  
21                      date of the enactment of this Act within  
22                      the Area; and

23                      (ii) how such permits and leases shall  
24                      be permitted to continue, subject to appli-  
25                      cable law.

1 (g) SPECIAL STUDIES.—The plan required under  
 2 subsection (a), shall conduct certain studies to assess  
 3 recreation trail initiatives, including the development of—

4 (1) a set of interconnected trails that connect  
 5 municipalities to trails around the Columbia River  
 6 Gorge National Scenic Area; and

7 (2) a trail connection between the Oregon com-  
 8 munities of Mosier and The Dalles.

9 **SEC. 203. ESTABLISHING RECREATION CENTERS FOR EX-**  
 10 **CELLENCE.**

11 (a) IN GENERAL.—Not later than 90 days after the  
 12 date of the enactment of this Act, the Secretary of Agri-  
 13 culture shall establish a Center for Recreation Excellence  
 14 (in this section referred to as the “Centers”) in each of  
 15 the Mount Hood National Forest and the Columbia River  
 16 Gorge National Scenic Area.

17 (b) NAME.—The Centers shall be named after Mary  
 18 Gautreaux.

19 (c) PURPOSE.—The purpose of the Centers is to fa-  
 20 cilitate the management and enhancement of outdoor  
 21 recreation on the Mount Hood National Forest and in the  
 22 Columbia River Gorge National Scenic Area in accordance  
 23 with this title and the amendment made by this title.

24 (d) AREAS OF FOCUS.—Each Center shall, with re-  
 25 spect to the area such Center serves—

1           (1) in coordination with other relevant units of  
2           the Forest Service, facilitate the management and  
3           enhancement of outdoor recreation on the Mount  
4           Hood National Forest and in the Columbia River  
5           Gorge National Scenic Area and ensure that the ini-  
6           tiatives undertaken by the Centers will not detract  
7           from efforts in neighboring units, in accordance with  
8           this title and the amendment made by this title;

9           (2) subject to availability of funds, hire addi-  
10          tional staff to enhance management of recreation,  
11          including staff focused on trail and related recre-  
12          ation infrastructure and engagement of underserved  
13          communities (as such term is defined in section 2 of  
14          Executive Order 13985 (86 Fed. Reg. 7009));

15          (3) meaningfully engage the public, including  
16          Tribes, in—

17                (A) addressing trail stewardship priorities  
18                and other recreation infrastructure maintenance  
19                needs, and implementing activities to address  
20                those needs;

21                (B) creating strategies to improve commu-  
22                nication between the agency and partners re-  
23                garding trail and other recreational infrastruc-  
24                ture stewardship activities and priorities;



1 (C) assessing and addressing short- and  
2 long-term needs related to recreation access and  
3 infrastructure for underserved communities;

4 (D) addressing accessibility of recreation  
5 infrastructure, including trails, trailheads, park-  
6 ing, campgrounds, day-use areas, boat launches,  
7 and other recreation infrastructure for people  
8 with disabilities, including working with the  
9 Secretary of Agriculture to ensure this informa-  
10 tion is made publicly accessible; and

11 (E) updated partnership guides that pro-  
12 vide greater clarity and accessibility to individ-  
13 uals, groups, and organizations that wish to  
14 partner with a Center;

15 (4) as needed, modernize federally owned equip-  
16 ment necessary to safely and effectively manage  
17 recreation infrastructure maintenance and enhance-  
18 ment; and

19 (5) carry out other activities as determined by  
20 the Secretary of Agriculture to enhance recreation  
21 and recreation infrastructure management.

22 (e) CONSISTENCY.—In carrying out this section, the  
23 Secretary of Agriculture shall ensure that the Centers  
24 carry out activities that are consistent with this section,  
25 this title, and the amendment made by this title.

1 (f) AGREEMENTS FOR STEWARDSHIP OF FEDERAL  
2 LAND.—

3 (1) AUTHORITY TO ENTER INTO AGREE-  
4 MENTS.—The Secretary of Agriculture may enter  
5 into agreements with States, private agencies, orga-  
6 nizations, institutions, corporations, individuals, or  
7 other entities to carry out one or more projects or  
8 programs with the Forest Service on Federal land  
9 within the Mount Hood National Forest and Colum-  
10 bia River Gorge National Scenic Area lands in ac-  
11 cordance with this subsection.

12 (2) PROJECT AND PROGRAM INSTRUCTIONS.—  
13 The Secretary of Agriculture shall include in any  
14 agreement under paragraph (1) the desired out-  
15 comes of the project or program and the guidelines  
16 for the cooperators to follow, including—

17 (A) the physical boundaries of the project  
18 or program;

19 (B) the equipment the volunteers are au-  
20 thorized to use to complete the project or pro-  
21 gram;

22 (C) the training the volunteers are re-  
23 quired to complete, including agency consider-  
24 ation and incorporation of training offered by

1 qualified nongovernmental organizations and  
2 volunteer partner organizations;

3 (D) the actions the volunteers are author-  
4 ized to take to complete the project or program;  
5 and

6 (E) any other information that the Sec-  
7 retary determines necessary for the volunteer  
8 group to complete the project or program.

9 (3) AUTHORIZED PROJECTS AND PROGRAMS.—

10 Subject to paragraph (4), the Secretary of Agri-  
11 culture may use agreements to carry out projects  
12 and programs for Federal land located in the Mount  
13 Hood National Forest and Columbia River Gorge  
14 National Scenic Area that—

15 (A) promote the stewardship of resources  
16 of Federal land by volunteers;

17 (B) support maintaining the resources,  
18 trails, and facilities on Federal land in a sus-  
19 tainable manner;

20 (C) increase awareness, understanding,  
21 and stewardship of Federal land through the  
22 development, publication, or distribution of edu-  
23 cational materials and products; and

24 (D) promote the use of Federal land as  
25 outdoor classrooms.

1           (4) CONDITIONS ON USE OF AUTHORITY.—The  
2       Secretary of Agriculture may use agreements under  
3       paragraph (3) to carry out a project or program for  
4       the Federal land only if the project or program—

5           (A) complies with all Federal laws (includ-  
6       ing regulations) and policies;

7           (B) with respect to any Federal rec-  
8       reational lands and waters involved, is con-  
9       sistent with an applicable management plan, in-  
10      cluding the plans required under—

11           (i) section 1208 of subtitle C of title  
12       I of the Omnibus Public Land Manage-  
13       ment Act of 2009 (Public Law 111–11;  
14       123 Stat. 1007), as added by this Act; and

15           (ii) sections 201, 202, and 301;

16           (C) is monitored by the relevant Federal  
17       land management agency during the project  
18       and after project completion to determine com-  
19       pliance with the instructions under paragraph  
20       (2); and

21           (D) satisfies such other terms and condi-  
22       tions as the Secretary of Agriculture concerned  
23       determines to be appropriate.

1 **SEC. 204. AUTHORIZATION OF APPROPRIATIONS.**

2       There is authorized to be appropriated to carry out  
3 this title \$7,500,000 for each of fiscal years 2023 through  
4 2027.

5 **TITLE III—WILDFIRE PLANNING,**  
6 **MITIGATION, AND REHABILI-**  
7 **TATION**

8 **SEC. 301. WILDFIRE ASSESSMENT AND MITIGATION PLAN-**  
9 **NING.**

10       (a) **PURPOSE.**—The purpose of the wildfire assess-  
11 ment and wildfire mitigation and adaptation plan required  
12 under subsection (a) is to identify, evaluate, and prioritize  
13 management activities to be implemented in the land de-  
14 scribed in subsection (b)(1) to mitigate and adapt to wild-  
15 fire risk for communities, ecosystems, and responders.

16       (b) **WILDFIRE ASSESSMENT.**—

17           (1) **IN GENERAL.**—Not later than 280 days  
18 after the date of enactment of this Act, the Sec-  
19 retary of Agriculture shall ensure a wildfire assess-  
20 ment is conducted that covers—

21                   (A) the Mount Hood National Forest;

22                   (B) Federal land within the Columbia  
23 River Gorge National Scenic Area; and

24                   (C) any private, State, or Tribal land adja-  
25 cent to such areas, including the Warm Springs  
26 Reservation.

1           (2) ASSESSMENT COMPONENTS.—The wildfire  
2           assessment required under paragraph (1) shall in-  
3           clude an analysis of—

4                   (A) possible sources of ignition, both nat-  
5                   ural and human-caused;

6                   (B) wildfire likelihood and intensity, in-  
7                   cluding estimated impacts to communities, eco-  
8                   systems, Tribal treaty resources, and infra-  
9                   structure and structures; and

10                  (C) underlying or overarching factors such  
11                  as climate change and fire suppression that  
12                  have, are, or will contribute to wildfire risk.

13       (c) WILDFIRE MITIGATION AND ADAPTATION  
14       PLAN.—

15           (1) IN GENERAL.—Not later than 2 years after  
16           the date on which the wildfire assessment is con-  
17           ducted under subsection (b)(1), the Secretary of Ag-  
18           riculture shall develop a wildfire mitigation and ad-  
19           aptation plan, consistent with—

20                   (A) such wildfire assessment;

21                   (B) existing wildfire planning, prepared-  
22                   ness, and implementation frameworks including  
23                   Potential Operational Delineations; and

24                   (C) the best available science.

1           (2) PLAN COMPONENTS.—The wildfire mitiga-  
2       tion and adaptation plan developed under paragraph  
3       (1) shall include—

4           (A) noncommercial, science-based, ecologi-  
5       cal forest health and restoration treatments, in-  
6       cluding those informed by traditional cultural  
7       ecological knowledge, designed to promote the  
8       greatest amount of wildfire resiliency for the  
9       least amount of cost;

10          (B) methods to reduce the threat posed by  
11       wildfires to communities within or near the land  
12       described in subsection (b)(1), including permit  
13       holders for structures on Federal lands, leased  
14       recreation residences, and owners of structures  
15       on inholdings on non-Federal lands;

16          (C) methods to establish, restore, protect,  
17       and maintain fire-resilient forest structures con-  
18       taining late successional forest structure char-  
19       acterized by large trees and multistoried can-  
20       opies, as ecologically appropriate;

21          (D) evacuation routes for communities lo-  
22       cated within or near the land described in sub-  
23       section (b)(1), which shall be developed in con-  
24       sultation with State and local fire agencies;

1 (E) strategies for clear, accurate, and  
2 timely public dissemination of emergency evacu-  
3 ation plans and routes, including for permit  
4 holders, on the Federal lands covered by the  
5 wildfire assessment within or near the land de-  
6 scribed in subsection (b)(1);

7 (F) opportunities for increased prescribed  
8 fire that reduces wildfire risk while also improv-  
9 ing natural ecological function;

10 (G) opportunities for use of managed  
11 wildland fire in appropriate forest types to re-  
12 store more naturally resilient forest conditions  
13 and maintain or restore natural meadows;

14 (H) identification, through spatial mapping  
15 or other means, of areas and conditions under  
16 which wildfires could be managed to reduce  
17 wildfire risk and improve natural ecological  
18 function;

19 (I) opportunities to reduce the number of  
20 human-caused ignitions;

21 (J) opportunities to address underlying  
22 and overarching factors such as climate change  
23 and fire suppression that have, are, or will con-  
24 tribute to wildfire risk; and



1 (K) other items as determined by the Sec-  
2 retary of Agriculture.

3 (3) COORDINATION WITH LOCAL COMMUNITY.—

4 To the extent practicable, the wildfire mitigation and  
5 adaptation plan developed under subsection (b)(1)  
6 shall give consideration to community wildfire pro-  
7 tection plans developed by communities adjacent to  
8 the area described in such subsection.

9 (4) IMPLEMENTATION.—The Secretary of Agri-  
10 culture shall implement the wildfire mitigation and  
11 adaptation plan developed under subsection (b)(1) as  
12 soon as practicable after the date of the enactment  
13 of this Act.

14 (5) TEMPORARY ROAD CONSTRUCTION.—The  
15 Secretary of Agriculture—

16 (A) may construct temporary roads within  
17 or near the land described in subsection (b)(1)  
18 to address wildfires, in accordance with applica-  
19 ble law; and

20 (B) shall remediate such temporary roads  
21 as soon as practicable to meet the needs of eco-  
22 system function in the area, based on the best  
23 available science.

1 (d) CONFLICT OF LAWS.—If there is a conflict be-  
 2 tween the laws applicable to this section, the more restric-  
 3 tive provision shall control.

4 (e) RULE OF CONSTRUCTION.—Nothing in this sec-  
 5 tion affects the authority of the Secretary of Agriculture  
 6 (in cooperation with other Federal, State, and local agen-  
 7 cies, as appropriate) to conduct wildland fire operations  
 8 within the land described in subsection (b)(1).

9 **SEC. 302. REHABILITATING RECREATIONAL INFRASTRUC-**  
 10 **TURE POST WILDFIRE.**

11 (a) IN GENERAL.—With respect to the Mount Hood  
 12 National Recreation Area and the Columbia River Gorge  
 13 National Scenic Area, the Secretary of Agriculture—

14 (1) shall—

15 (A) in order to facilitate sustainable public  
 16 access and enjoyment of such Areas, prioritize  
 17 the rebuilding and rehabilitation of recreational  
 18 infrastructure damaged due to wildfire; and

19 (B) consider the construction of one or  
 20 more wildfire interpretive kiosks to offer edu-  
 21 cational information on the role of wildfire in  
 22 the forests of such Areas; and

23 (2) may consider relocating recreation sites to  
 24 nearby areas if ecological impacts of such sites could  
 25 be reduced by such relocation.

(b) CLARIFICATION ON CERTAIN TERMS.—In this section, the terms “infrastructure” and “structures” do not include utility infrastructure (as defined in section 201(f)) or utility structures.

**SEC. 303. AUTHORIZATION OF APPROPRIATIONS.**

There is authorized to be appropriated to carry out this title \$400,000 for each of fiscal years 2023 through 2027.

## **TITLE IV—PROTECTION OF SPECIAL PLACES**

**SEC. 401. PRESERVATION OF WILDERNESS.**

(a) DESIGNATION OF WILDERNESS AREAS.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State of Oregon are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) MOUNT HOOD WILDERNESS ADDITIONS.—

Certain Federal land managed by the Forest Service, comprising approximately 5,427 acres, as generally depicted on the maps entitled “Upper Sandy River Proposed Wilderness”, “Lower Vista Ridge Proposed Wilderness”, and “Coe Branch Proposed Wilderness”, dated April 14, 2022, which is incorporated in, and considered to be a part of, the Mount Hood Wilderness, as designated under sec-

tion 3(a) of the Wilderness Act (16 U.S.C. 1132(a)) and enlarged by section 3(d) of the Endangered American Wilderness Act of 1978 (16 U.S.C. 1132 note).

(2) SALMON-HUCKLEBERRY WILDERNESS ADDITIONS.—Certain Federal land managed by the Forest Service and Bureau of Land Management, comprising approximately 2,156 acres, as generally depicted on the maps entitled “Alder Creek Proposed Wilderness”, and “Salmon River Proposed Wilderness”, dated April 14, 2022, which is incorporated in, and considered to be a part of, the Salmon-Huckleberry Wilderness, as designated by section 3(2) of the Oregon Wilderness Act of 1984 (16 U.S.C. 1132 note).

(b) MAPS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of Agriculture shall file a map of each wilderness area designated under this section, with—

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

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

1           (2) FORCE OF LAW.—The maps filed under  
2       paragraph (1) shall have the same force and effect  
3       as if included in this section, except that the Sec-  
4       retary of Agriculture may correct typographical er-  
5       rors in the maps.

6           (3) PUBLIC AVAILABILITY.—Each map filed  
7       under paragraph (1) shall be on file and available  
8       for public inspection in the appropriate offices of the  
9       Forest Service or the Bureau of Land Management.

10          (4) SALMON-HUCKLEBERRY WILDERNESS  
11       BOUNDARY ADJUSTMENT.—The boundary of the  
12       “Salmon-Huckleberry Wilderness-Mirror Lake” ad-  
13       dition to the Salmon-Huckleberry Wilderness, as  
14       added by section 1202(a)(7) of the Omnibus Public  
15       Land Management Act of 2009 (16 U.S.C. 1132  
16       note)—

17               (A) is modified to exclude the approxi-  
18               mately 6 acres of land generally depicted on the  
19               map entitled “Salmon-Huckleberry Wilderness-  
20               Technical Amendment” dated April 14, 2022;  
21               and

22               (B) such excluded land shall not be des-  
23               ignated as a component of the National Wilder-  
24               ness Preservation System.

1 (c) LEGAL DESCRIPTION NOT REQUIRED.—Notwith-  
 2 standing any other provision of law, a legal description  
 3 shall not be required with respect to any wilderness area  
 4 designated under this section.

5 (d) BOUNDARIES OF CERTAIN WILDERNESS  
 6 AREAS.—The boundaries of each wilderness area des-  
 7 ignated under this section or title I, subtitle C of the Om-  
 8 nibus Public Land Management Act of 2009 (16 U.S.C.  
 9 1132 note) that are immediately adjacent to a utility line,  
 10 utility access road right-of-way, or a Federal Energy Reg-  
 11 ulatory Commission project boundary shall be 100 feet  
 12 from the boundary of the right-of-way or the project  
 13 boundary.

14 **SEC. 402. PRESERVATION OF WILD AND SCENIC RIVERS.**

15 (a) WILD AND SCENIC RIVER ADDITIONS.—Section  
 16 3(a) of the Wild and Scenic Rivers Act (16 U.S.C.  
 17 1274(a)) is amended—

18 (1) in paragraph (100)—

19 (A) by redesignating subparagraphs (A)  
 20 through (C) as clauses (i) through (iii) respec-  
 21 tively, and indenting appropriately;

22 (B) in the matter preceding clause (i) (as  
 23 so redesignated), by striking “Those portions as  
 24 follows:” and inserting the following:

1           “(A) IN GENERAL.—The following seg-  
2           ments, to be administered in the following class-  
3           es:”; and

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

5           “(B) ADDITIONAL SEGMENTS.—

6           “(i) MAINSTEM.—The following seg-  
7           ments, to be administered in the following  
8           classes:

9                   “(I) The approximately 2.3-mile  
10                  segment from the north boundary of  
11                  the southwest  $\frac{1}{4}$  of the southeast  $\frac{1}{4}$   
12                  of section 21, township 2 south, range  
13                  6 east, as a recreational river; to be  
14                  administered by the Secretary of the  
15                  Interior.

16                  “(II) The approximately 6.8-mile  
17                  segment from the south boundary of  
18                  section 13, township 2 south, range 5  
19                  east, to the west boundaries of sec-  
20                  tions 8 and 17, township 2 south,  
21                  range 5 east, as a recreational river;  
22                  to be administered by the Secretary of  
23                  the Interior.

1                   “(ii) TRIBUTARIES.—The following  
2 segments, to be administered in the fol-  
3 lowing classes:

4                   “(I) The approximately 9.4-mile  
5 segment of Lost Creek from its head-  
6 waters to its confluence with the  
7 Sandy River as a scenic river; to be  
8 administered by the Secretary of Agri-  
9 culture.

10                  “(II) The approximately 5.6-mile  
11 segment of the Clear Fork from its  
12 headwaters to its confluence with the  
13 Sandy River as a scenic river; to be  
14 administered by the Secretary of Agri-  
15 culture.

16                  “(III) The approximately 3.5-  
17 mile segment of North Boulder Creek  
18 from its headwaters to the western  
19 boundary of section 18, township 2  
20 south, range 7 east, as a scenic river;  
21 to be administered by the Secretary of  
22 Agriculture and the Secretary of Inte-  
23 rior.

24                  “(IV) The approximately 1.9-mile  
25 segment of the Little Sandy River in



1 section 12, township 2 south, range 5  
2 east, from the Bull Run Watershed  
3 Management Unit boundary to section  
4 10, township 2 south, range 5 east, at  
5 the Bull Run Watershed Management  
6 Unit boundary as a scenic river; to be  
7 administered by the Secretary of the  
8 Interior.”;

9 (2) in paragraph (107)—

10 (A) by striking subparagraphs (E) and  
11 (F);

12 (B) by striking “The 46.5-mile segment  
13 from its headwaters to its confluence with the  
14 Deschutes River in the following classes:” and  
15 inserting “Segments of the mainstem and cer-  
16 tain tributaries, to be administered in the fol-  
17 lowing classes:”;

18 (C) by striking “(A) The 2-mile segment”  
19 and inserting the following:

20 “(A) MAINSTEM.—The approximately  
21 47.1-mile segment from its headwaters to its  
22 confluence with the Deschutes River in the fol-  
23 lowing classes:

24 “(i) The 2-mile segment”;

(D) by redesignating subparagraphs (B) through (D) as clauses (ii) through (iv) respectively, and indenting appropriately;

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

(i) by striking “the 13.6-mile” and inserting “The 13.6-mile”; and

(ii) by striking “Agriculture;” and inserting “Agriculture.”;

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

(i) by striking “the 6.5-mile” and inserting “The 6.5-mile”; and

(ii) by striking “Agriculture;” and inserting “Agriculture.”;

(G) in clause (iv) (as so redesignated)—

(i) by striking “the 17.5-mile” and inserting “The 17.5-mile”; and

(ii) by striking “Interior;” and inserting “Interior.”;

(H) by inserting after clause (iv) (as so redesignated) the following:

“(v) The 7.5-mile segment from Three Mile Creek to its confluence with the Deschutes River as a recreational river; to be administered by the Secretary of the Interior.”; and

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

2 “(B) TRIBUTARIES.—The following seg-  
3 ments:

4 “(i) The 8.2-mile segment of Boulder  
5 Creek from its headwaters to the pool of  
6 the diversion dam in section 27, township  
7 4 south, range 10 east, as a wild river; to  
8 be administered by the Secretary of Agri-  
9 culture.

10 “(ii) The 3.2-mile segment of Boulder  
11 Creek from 100 feet below the diversion  
12 dam in section 27, township 4 south, range  
13 10 east, to its confluence with the White  
14 River as a scenic river; to be administered  
15 by the Secretary of Agriculture.”;

16 (3) by amending paragraph (175) to read as  
17 follows:

18 “(175) ZIGZAG RIVER, OREGON.—Segments of  
19 the mainstem and certain tributaries, to be adminis-  
20 tered by the Secretary of Agriculture in the fol-  
21 lowing classes:

22 “(A) MAINSTEM.—The following segments:

23 “(i) The 4.3-mile segment of the Zig-  
24 zag River from its headwaters to the

1 Mount Hood Wilderness boundary, as a  
2 wild river.

3 “(ii) The approximately 2.2-mile seg-  
4 ment of the Zigzag River from the east  
5 boundary of section 15, township 3 south,  
6 range 8 east, to the confluence with Lady  
7 Creek, as a recreational river.

8 “(B) TRIBUTARIES.—The approximately  
9 12.2-mile segment of Still Creek from the west  
10 boundary of the east  $\frac{1}{2}$  of the northwest  $\frac{1}{4}$  of  
11 section 25, township 3 south, range 8.5 east, to  
12 its confluence with the Zigzag River, as a rec-  
13 reational river.”; and

14 (4) in paragraph (177)—

15 (A) by striking “The 13.5-mile” and in-  
16 serting the following:

17 “(A) MAINSTEM.—The 13.5-mile”; and

18 (B) by adding at the end the following:

19 “(B) TRIBUTARIES.—The following seg-  
20 ments:

21 “(i) The 4.6-mile segment of Dog  
22 River from 0.1 miles below the diversion in  
23 section 11, township 2 south, range 10  
24 east, to the Forest Service boundary, to be

1 administered by the Secretary of Agri-  
 2 culture as a scenic river.

3 “(ii) The 6.1-mile segment of Cold  
 4 Springs Creek from its headwaters to its  
 5 confluence with the East Fork Hood River,  
 6 to be administered by the Secretary of Ag-  
 7 riculture as a wild river.”.

8 (b) NEW DESIGNATIONS.—Section 3(a) of the Wild  
 9 and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended  
 10 by adding at the end the following:

11 “(231) WEST FORK HOOD RIVER, OREGON.—

12 “(A) MAINSTEM.—The approximately 5.6-  
 13 mile segment of the West Fork Hood River  
 14 from the confluence of McGee Creek and Elk  
 15 Creek to the Mount Hood National Forest  
 16 boundary in section 1, township 1 south, range  
 17 8.5 east, to be administered by the Secretary of  
 18 Agriculture as a recreational river.

19 “(B) TRIBUTARIES.—

20 “(i) LAKE BRANCH.—The approxi-  
 21 mately 7.4-mile segment of the Lake  
 22 Branch from the east boundary of the  
 23 northwest  $\frac{1}{4}$  of section 9, township 1  
 24 south, range 8 east to the Mount Hood  
 25 National Forest boundary, to be adminis-

tered by the Secretary of Agriculture as a recreational river.

“(ii) MCGEE CREEK.—The approximately 5.6-mile segment of McGee Creek from its headwaters to its confluence with Elk Creek, to be administered by the Secretary Agriculture as a scenic river.

“(232) MIDDLE FORK FIVEMILE CREEK, OREGON.—The approximately 7.7-mile segment of Middle Fork Fivemile Creek from its headwaters to its confluence with South Fork Fivemile Creek, to be administered by the Secretary of Agriculture as a scenic river.”.

(c) TRIBAL LAND AND TREATY RIGHTS.—

(1) IN GENERAL.—Any land owned by an Indian Tribe or held in trust by the United States for the benefit of an Indian Tribe or member of an Indian Tribe shall not be included within the boundaries of a covered segment without the express consent of the governing body of such Indian Tribe or such member.

(2) CONSULTATION.—With respect to a covered segment that includes land described in paragraph (1), the Secretary shall, as appropriate, consult, and enter into written cooperative management agree-

ments, with the applicable Indian Tribe or member of an Indian Tribe for the planning, administration, and management of the covered segment, in accordance with section 10(e) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(e)).

(3) EFFECT OF ACT.—Nothing in this Act or an amendment made by this Act affects, within a covered segment—

(A) the jurisdiction or responsibilities of an Indian Tribe with respect to the management of fish, wildlife, land, or water;

(B) the treaty or other rights of an Indian Tribe;

(C) the claims of an Indian Tribe to water or land;

(D) the rights or jurisdiction of Indian Tribes over water or any groundwater resource; or

(E) a beneficial interest in land held in trust for by the United States for an Indian Tribe or a member of an Indian Tribe.

(d) COVERED SEGMENT DEFINED.—In this section, the term “covered segment” means a segment of river designated by the amendments made by subsection (b).

1 **SEC. 403. ENHANCEMENT OF PACIFIC CREST NATIONAL**  
2 **SCENIC TRAIL.**

3 Not later than 90 days after the date of the enact-  
4 ment of this Act, the Secretary of Agriculture shall—

5 (1) assess existing use of the Pacific Crest Na-  
6 tional Scenic Trail in accordance with the National  
7 Trails System Act (16 U.S.C. 1241 et seq.) and the  
8 Pacific Crest National Scenic Trail Comprehensive  
9 Management Plan of the Forest Service; and

10 (2) in accordance with the National Forest  
11 Management Act of 1976 (16 U.S.C. 472a et seq.)  
12 and part 219 of title 36, Code of Federal Regula-  
13 tions (or successor regulations) establish, through a  
14 land and resource management plan revision or  
15 amendment, management direction for the portion of  
16 the Pacific Crest National Scenic Trail within the  
17 Mount Hood National Forest, including desired con-  
18 ditions, standards, and guidelines to ensure adequate  
19 management and protection of the nature, purposes,  
20 significance, and fundamental resources and values  
21 of such Trail, and to enhance high quality recreation  
22 opportunities for travel on foot or horseback.

23 **SEC. 404. HONORING NANCY RUSSELL.**

24 (a) RENAMING.—In honor of Nancy Russell’s inspir-  
25 ing tenacity and commitment to protecting the natural  
26 treasures of the Columbia River Gorge, the sections of the



1 Mark O. Hatfield Wilderness on the maps entitled “Pro-  
 2 posed Rename, Nancy Russell Wilderness”, dated Decem-  
 3 ber 17, 2020, shall hereafter be known and designated as  
 4 the “Nancy Russell Columbia River Gorge Wilderness”.

5 (b) REFERENCES.—Any reference in any law, regula-  
 6 tion, map, document, paper, or other record of the United  
 7 States to the sections referred to in subsection (a) shall  
 8 be considered to be a reference to the “Nancy Russell Co-  
 9 lumbia River Gorge Wilderness”.

10 (c) SIGNING.—The Secretary of Agriculture is not re-  
 11 quired to post signage where the Wilderness area renamed  
 12 by subsection (a) shares a boundary with other existing  
 13 wilderness areas.

14 **SEC. 405. AUTHORIZATION OF APPROPRIATIONS.**

15 There is authorized to be appropriated to carry out  
 16 this title \$300,000 for each of fiscal years 2023 and 2024.

17 **TITLE V—MODERNIZING**  
 18 **TRANSIT AND TRANSPORTATION**

19 **SEC. 501. ESTABLISHING A COLUMBIA RIVER GORGE AC-**  
 20 **CESS COMMITTEE.**

21 (a) IN GENERAL.—Not later than 180 days after the  
 22 date of the enactment of this section, the Secretary and  
 23 the Secretary of Transportation, in coordination with the  
 24 Columbia River Gorge Commission, shall establish a Co-  
 25 lumbia River Gorge Access Committee to develop a Colum-

1   bia River Gorge National Scenic Area access strategy de-  
2   scribed in subsection (g).

3       (b) PURPOSE.—The purpose of the Committee estab-  
4   lished under subsection (a) is to establish a comprehen-  
5   sive, coordinated, multi-jurisdictional strategy to achieve  
6   safe, equitable, and ecologically sustainable access to  
7   recreation, tourism, and residential, cultural, and eco-  
8   nomic opportunities in the Area.

9       (c) MEMBERS.—The Committee shall consist of not  
10  more than 25 members appointed jointly by the Secretary  
11  and the Secretary of Transportation and include the fol-  
12  lowing:

13           (1) Not more than 8 representatives from Fed-  
14       eral, State, and local government agencies with au-  
15       thority to manage public land or ports in the Area.

16           (2) One representative from a Federal transpor-  
17       tation agency, one representative from each of the  
18       Washington and Oregon transportation agencies,  
19       and one representative from government transpor-  
20       tation agencies located within or adjacent to the  
21       Area.

22           (3) One representative from public transit agen-  
23       cies located within or adjacent to the Area.

24           (4) One representative from each of the Confed-  
25       erated Tribes of the Warm Springs Reservation of

1 Oregon and from any other affected Tribes, as de-  
2 termined by the Secretary.

3 (5) Five representatives from tourism, recre-  
4 ation, bicycle or pedestrian groups, conservation, and  
5 urban and rural communities within the Area, in-  
6 cluding tourism alliances, economic development dis-  
7 tricts, and non-profit organizations (including orga-  
8 nizations focused on environmental and transpor-  
9 tation justice).

10 (6) At least two representatives from under-  
11 served communities who reside in or visit the Area.

12 (d) MEETINGS.—The Committee shall—

13 (1) hold at least six meetings annually to de-  
14 velop the strategy described in subsection (g); and

15 (2) provide opportunities for public engagement  
16 during strategy development.

17 (e) GOVERNANCE.—The Committee shall establish a  
18 system of internal governance, which may include the for-  
19 mation of subcommittees.

20 (f) COORDINATION.—The Committee shall coordinate  
21 efforts with the Mount Hood Access Committee estab-  
22 lished under section 502.

23 (g) STRATEGY.—The strategy required under sub-  
24 section (a) shall—

1           (1) provide coordinated, reliable, and user-  
2 friendly transportation and transit options for Area  
3 residents, employees, and visitors, including assess-  
4 ing a singular Gorge access pass;

5           (2) through demand management strategies, re-  
6 duce congestion on roadways serving the most-traf-  
7 ficked recreation areas of the Area, including the  
8 Historic Columbia River Highway;

9           (3) improve recreational access, public safety,  
10 and emergency personnel access in such recreation  
11 areas;

12           (4) provide sustainable funding or financing  
13 sources for implementing the strategy;

14           (5) consider existing studies, reports, and other  
15 work products that are the result of collaborative  
16 discussions about the issues addressed by the strat-  
17 egy;

18           (6) ensure that the activities described in para-  
19 graphs (1) through (5) can be addressed by the  
20 strategy for a period of at least 20 years; and

21           (7) include a framework for implementation  
22 which may include jurisdictional transfer of recre-  
23 ation or transportation facilities, creating a trans-  
24 portation planning organization or a transportation  
25 management association, or suggested legislative or

1 regulatory changes at the Federal, State, or local  
2 government levels.

3 (h) DEADLINES.—Not later than 1 year after the  
4 date the Committee is established under subsection (a),  
5 and once every two years thereafter, the Committee shall  
6 submit the strategy described in subsection (g) and a re-  
7 port on the implementation of such strategy to the Com-  
8 mission, the Committee on Transportation and Infrastruc-  
9 ture of the House of Representatives, the Committee on  
10 Environment and Public Works of the Senate, the Oregon  
11 State Legislature, and the Washington State Legislature.

12 (i) TERMINATION.—The Committee shall terminate  
13 on the date that is 10 years after the date the Committee  
14 is established under subsection (a).

15 (j) DEFINITIONS.—In this section:

16 (1) AREA.—The term “Area” means the Co-  
17 lumbia River Gorge National Scenic Area.

18 (2) COMMISSION.—The term “Commission”  
19 means the Columbia River Gorge Commission estab-  
20 lished under section 5 of the Columbia River Gorge  
21 National Scenic Area Act (16 U.S.C. 544c).

22 (3) COMMITTEE.—The term “Committee”  
23 means the Columbia River Gorge Access Committee  
24 established under subsection (a).

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

3           (5) TRANSPORTATION DEMAND MANAGE-  
4       MENT.—The term “transportation demand manage-  
5       ment” means the use of planning, programs, policy,  
6       marketing, communications, incentives, pricing, and  
7       technology to manage high demand for transpor-  
8       tation facilities by shifting to alternative travel  
9       modes, routes, departure times, number of trips, and  
10      locations.

11 **SEC. 502. ESTABLISHING A MOUNT HOOD ACCESS COM-**  
12 **MITTEE.**

13       (a) IN GENERAL.—Not later than 180 days after the  
14      date of the enactment of this section, the Secretary and  
15      the Secretary of Transportation shall establish a Mt. Hood  
16      Access Committee to develop a Mount Hood Access Strat-  
17      egy described in subsection (g).

18       (b) PURPOSE.—The purpose of the Committee estab-  
19      lished under subsection (a) is to establish a comprehen-  
20      sive, coordinated, multi-jurisdictional strategy to achieve  
21      safe, equitable, and ecologically sustainable access to  
22      recreation, tourism, and residential, cultural, and eco-  
23      nomic opportunities along U.S. Highways 26 and 35 with-  
24      in the Mount Hood National Forest.

1       (c) MEMBERS.—The Committee shall consist of not  
2 more than 22 members appointed jointly by the Secretary  
3 and the Secretary of Transportation and include the fol-  
4 lowing:

5           (1) Not more than 6 representatives from Fed-  
6 eral, State, and local government agencies with au-  
7 thority to manage public land in or adjacent to the  
8 Mount Hood National Forest.

9           (2) One representative from a Federal transpor-  
10 tation agency, one representative from the Oregon  
11 transportation agency, and one representative from  
12 county or regional government transportation enti-  
13 ties.

14          (3) One representative from local public transit  
15 agencies based in counties immediately adjacent to  
16 the Mount Hood National Forest.

17          (4) One representative from each of the Confed-  
18 erated Tribes of the Warm Springs Reservation of  
19 Oregon and from any other affected Tribes, as de-  
20 termined by the Secretary.

21          (5) Six representatives from tourism, recre-  
22 ation, bicycle or pedestrian groups, conservation, and  
23 urban and rural communities, who live, work, oper-  
24 ate, or recreate within the Mount Hood National  
25 Forest including organizations or agencies focused

1 on tourism, economic development, and community  
2 resiliency (including organizations focused on envi-  
3 ronmental and transportation justice).

4 (6) At least two representatives from under-  
5 served communities who reside in or near or visit the  
6 Mount Hood National Forest.

7 (d) MEETINGS.—The Committee shall—

8 (1) hold at least six meetings annually to de-  
9 velop the strategy described in subsection (g); and

10 (2) provide opportunities for public engagement  
11 during strategy development.

12 (e) GOVERNANCE.—The Committee shall establish a  
13 system of internal governance, which may include the for-  
14 mation of subcommittees.

15 (f) COORDINATION.—The Committee shall coordinate  
16 efforts with the Columbia River Gorge Access Committee  
17 established under section 501.

18 (g) STRATEGY.—The Strategy developed under this  
19 section shall—

20 (1) provide coordinated, reliable, and user-  
21 friendly transportation and transit options for resi-  
22 dents, employees, and visitors to the Mount Hood  
23 National Forest, particularly in the vicinity of Or-  
24 egon State Highway 26 and Oregon State Highway  
25 35;



1           (2) improve multimodal transportation alter-  
2 natives options between and among recreation areas  
3 and nearby communities, including Tribal commu-  
4 nities, that are located within the Mount Hood re-  
5 gion, with a focus on—

6                   (A) reducing congestion;

7                   (B) reducing greenhouse gas emissions  
8 from transportation sources;

9                   (C) providing reliable transit options, such  
10 as shuttle services, for residents, employees,  
11 and visitors;

12                  (D) improving access to transportation and  
13 transit infrastructure, such as park-and-ride fa-  
14 cilities located at nearby communities, inter-  
15 modal transportation centers to link public  
16 transportation, parking, and recreation destina-  
17 tions, including within or in close proximity to  
18 Government Camp; and

19                  (E) ensuring equitable access to transit op-  
20 portunities to underserved communities who re-  
21 side near or visit the Mount Hood region;

22           (3) improving recreational access, public safety,  
23 and emergency personnel access within the Mount  
24 Hood National Forest, particularly along Oregon  
25 State Highways 26 and 35;

1           (4) provide sustainable funding or financing  
2 sources for implementing the strategy;

3           (5) consider existing studies, reports, and other  
4 work products that are the result of collaborative  
5 discussions about the issues addressed by the strat-  
6 egy;

7           (6) ensure that the activities described in para-  
8 graphs (1) through (5) can be addressed by the  
9 strategy for a period of at least 20 years; and

10          (7) include a framework for implementation  
11 which may include jurisdictional transfer of recre-  
12 ation or transportation facilities, creating a trans-  
13 portation planning organization or a transportation  
14 management association, or suggested legislative or  
15 regulatory changes at the Federal, State, or local  
16 government levels.

17          (h) DEADLINES.—Not later than 1 year after the  
18 date the Committee is established under subsection (a),  
19 and once every two years thereafter, the Committee shall  
20 submit the strategy described in subsection (g) and a re-  
21 port on the implementation of such strategy to the Com-  
22 mission, the Committee on Transportation and Infrastruc-  
23 ture of the House of Representatives, the Committee on  
24 Environment and Public Works of the Senate, the Oregon  
25 State Legislature, and the Washington State Legislature.

1 (i) TERMINATION.—The Committee shall terminate  
2 on the date that is 10 years after the date the Committee  
3 is established under subsection (a).

4 (j) DEFINITIONS.—In this subsection:

5 (1) COMMITTEE.—The term “Committee”  
6 means the Mount Hood Access Committee estab-  
7 lished under subsection (a).

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

10 **SEC. 503. AUTHORIZATION OF APPROPRIATIONS.**

11 There is authorized to be appropriated to carry out  
12 this title \$1,000,000 for each of fiscal years 2023 through  
13 2027.

14 **TITLE VI—MISCELLANEOUS**

15 **SEC. 601. IMPROVING PUBLIC SAFETY.**

16 (a) SUPPORTING PUBLIC SAFETY PARTNERS.—In  
17 administering lands designated under this Act or the  
18 amendments made under this Act, the Secretary of Agri-  
19 culture shall enter into cooperative agreements with the  
20 State of Oregon or any political subdivision of the State  
21 of Oregon, Tribal governments, for the rendering, on a  
22 reimbursable or non-reimbursable basis, of—

23 (1) search and rescue, firefighting, and law en-  
24 forcement services; and

1           (2) cooperative assistance by nearby law en-  
2           forcement and fire management agencies, including  
3           Indian tribes.

4           (b) ENHANCING FEDERAL PUBLIC SAFETY EF-  
5 FORTS.—The Secretary of Agriculture shall, for each of  
6 the Mount Hood National Forest and Columbia River  
7 Gorge National Scenic Area, hire 5 additional law enforce-  
8 ment officers (staff positions) who have undergone exten-  
9 sive and rigorous diversity, equity, and inclusion training,  
10 to help welcome historically marginalized communities  
11 onto National Forest System lands and to ensure public  
12 safety.

13          (c) AUTHORIZATION OF APPROPRIATIONS.—There is  
14 authorized to be appropriated \$3,500,000 for fiscal years  
15 2023 through 2027 to carry out this section.

16 **SEC. 602. RULES OF CONSTRUCTION.**

17          (a) UTILITIES.—

18           (1) IN GENERAL.—Nothing in this Act or the  
19           amendments made by this Act—

20                   (A) affect any valid existing rights, includ-  
21                   ing the right to maintain and repair facilities  
22                   used to exercise valid existing rights; or

23                   (B) abrogate any existing right, privilege,  
24                   or contract with respect to—

1 (i) the operation, utility maintenance,  
2 modification, or replacement of existing  
3 utility lines, including power lines and  
4 power line systems, utility infrastructure,  
5 and associated utility access infrastructure,  
6 including existing roads;

7 (ii) the carrying out of permitted and  
8 licensed utility activities, or the renewal of  
9 permits and licenses; or

10 (iii) the ability of any utility to meet  
11 the operating requirement of a license in  
12 effect on the date of the enactment of this  
13 Act or a renewal of such a license issued  
14 by the Federal Energy Regulatory Com-  
15 mission or to access its facilities.

16 (2) DEFINITIONS.—In this subsection:

17 (A) UTILITY ACCESS INFRASTRUCTURE.—

18 The term “utility access infrastructure” means  
19 access roads, trails, rights of way, or other ac-  
20 cess methods used to locate, construct, operate,  
21 maintain, repair, rebuild, upgrade, remove, or  
22 patrol utility infrastructure (as defined in sec-  
23 tion 201(f)).

1 (B) UTILITY INFRASTRUCTURE.—The  
2 term “utility infrastructure” has the meaning  
3 given the term in section 201(f).

4 (C) UTILITY MAINTENANCE.—The term  
5 “utility maintenance”—

6 (i) means—

7 (I) routine, non-routine, and  
8 emergency inspection, operations and  
9 maintenance activities conducted on  
10 utility infrastructure and utility access  
11 infrastructure; and

12 (II) the routine and emergency  
13 management of incompatible vegeta-  
14 tion and trees inside and outside the  
15 right of way on abutting land that  
16 could interfere with the reliability of  
17 the powerline according to the utility’s  
18 vegetation management program; and

19 (ii) includes the use of motorized vehi-  
20 cles, motorized transport, or motorized or  
21 mechanized equipment.

22 (b) OTHER RULES.—

23 (1) BULL RUN WATERSHED.—Nothing in this  
24 Act, or the amendments made by this Act, affects  
25 the Bull Run Watershed, or negates any laws, regu-

lations, or provisions pertaining to the Bull Run Watershed, including Public Law 95–200, as amended, and any closure orders applicable to the Bull Run Watershed Management Unit.

(2) TREATIES.—Nothing in this Act or the amendments made by this Act, affects the exercise of reserved or outstanding rights provided for by a statute or treaty.

(3) RIGHTS OF WAY.—Nothing in this Act, or the amendments made by this Act, affects any existing rights of way in effect on the date of the enactment of this Act.

(4) WATER RIGHTS.—Nothing in this Act, or the amendments made by this Act—

(A) affects any valid or vested water right in existence on the date of enactment of this Act; or

(B) preempts the ability of the State of Oregon to administer water rights pursuant to State law and regulations.

(5) STREAM GAUGE ADMINISTRATION.—Nothing in this Act, or the amendment made by this Act, affects the installation, operation, maintenance, repair, or replacement of federally administered or State-administered stream gauges or any other simi-

1       lar science-based water quality or quantity measure-  
2       ment apparatus.

3           (6) FISH AND WILDLIFE.—Nothing in this Act,  
4       or the amendment made by this Act affects the ju-  
5       risdiction or responsibilities of the State of Oregon  
6       with respect to fish and wildlife in the State of Or-  
7       egon.

8           (7) THE DALLES WATERSHED.—Nothing in this  
9       Act, or the amendments made by this Act, affects  
10      the special order closure of The Dalles Watershed,  
11      signed by the Supervisor of the Mount Hood Na-  
12      tional Forest and dated May 20, 1985.

13          (8) MOUNT HOOD CORRIDOR.—Nothing in this  
14      Act, or the amendments made by this Act, affects  
15      section 401 of the Oregon Resource Conservation  
16      Act of 1996 (Public Law 104–208; 110 Stat. 3009–  
17      536).

18          (9) OTHER LAWS.—Nothing in this Act modi-  
19      fies any obligation under—

20           (A) the Endangered Species Act of 1973  
21           (16 U.S.C. 1531 et seq.);

22           (B) the Federal Water Pollution Control  
23           Act (33 U.S.C. 1251 et seq.);

24           (C) the National Environmental Policy Act  
25           of 1969 (42 U.S.C. 4321 et seq.);



1           (D) the Record of Decision for Amend-  
2           ments to Forest Service and Bureau of Land  
3           Management Planning Documents Within the  
4           Range of the Northern Spotted Owl, dated  
5           April, 1994, and published by the Department  
6           of the Interior and the Department of Agri-  
7           culture; or

8           (E) any other law (including regulations),  
9           except as expressly provided in this Act.

○