

nearby 325 acre tract of native oak woodlands and grasslands historically owned by the Muir family.

H.R. 1719 authorizes the Department of the Interior to acquire by donation approximately 44 acres to expand the boundary of John Muir National Historic Site.

The acreage to be acquired is directly continuous with Mount Wanda and will allow for better public access to trails.

In the 114th Congress, H.R. 1289, a bill identical to H.R. 1719, passed the House by voice vote.

Additionally, a similar bill, H.R. 5699, was introduced in the 113th Congress by former Congressman George Miller, and passed the House by a vote of 361–39.

Companion legislation, S. 729, has been introduced in the Senate by Senator KAMALA HARRIS of California.

Mr. Speaker, H.R. 1719 is a fitting tribute to one of America's greatest citizen activists, the co-founder of the Sierra Club, and a central actor in the successful effort to establish Yosemite National Park.

I urge all Members to join me in voting for H.R. 1719.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. LAHOOD) that the House suspend the rules and pass the bill, H.R. 1719, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. LAHOOD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

## CLEAR CREEK NATIONAL RECREATION AREA AND CONSERVATION ACT

Mr. LAHOOD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1913) to establish the Clear Creek National Recreation Area in San Benito and Fresno Counties, California, to designate the Joaquin Rocks Wilderness in such counties, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1913

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the “Clear Creek National Recreation Area and Conservation Act”.

### SEC. 2. DEFINITIONS.

In this Act:

(1) **MANAGEMENT PLAN.**—The term “management plan” means the Plan for the Recreation Area prepared under section 4(c).

(2) **RECREATION AREA.**—The term “Recreation Area” means the Clear Creek National Recreation Area.

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

(4) **STATE.**—The term “State” means the State of California.

(5) **OFF HIGHWAY VEHICLE.**—The term “off highway vehicle” means any motorized vehicle designed for or capable of cross-country travel on or immediately over land, water, snow, or other natural terrain and not intended for use on public roads.

### SEC. 3. ESTABLISHMENT OF CLEAR CREEK NATIONAL RECREATION AREA.

(a) **IN GENERAL.**—To promote environmentally responsible off highway vehicle recreation, the area generally depicted as “Proposed Clear Creek National Recreation Area” on the map titled “Proposed Clear Creek National Recreation Area” and dated February 14, 2017, is established as the “Clear Creek National Recreation Area”, to be managed by the Secretary.

(b) **OTHER PURPOSES.**—The Recreation Area shall also support other public recreational uses, such as hunting, hiking, and rock and gem collecting.

(c) **MAP ON FILE.**—Copies of the map referred to in subsection (a) shall be on file and available for public inspection in—

(1) the Office of the Director of the Bureau of Land Management; and

(2) the appropriate office of the Bureau of Land Management in California.

### SEC. 4. MANAGEMENT.

(a) **IN GENERAL.**—The Secretary shall manage the Recreation Area to further the purposes described in section 3(a), in accordance with—

(1) this Act;

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

(3) any other applicable law.

(b) **USES.**—The Secretary shall—

(1) prioritize environmentally responsible off highway vehicle recreation and also facilitate hunting, hiking, gem collecting, and the use of motorized vehicles, mountain bikes, and horses in accordance with the management plan described in subsection (c);

(2) issue special recreation permits for motorized and non-motorized events; and

(3) reopen the Clear Creek Management Area to the uses described in this subsection as soon as practicable following the enactment of this Act and in accordance with the management guidelines outlined in this Act and other applicable law.

(c) **INTERIM MANAGEMENT PLAN.**—The Secretary shall use the 2006 Clear Creek Management Area Resource Management Plan Amendment and Route Designation Record of Decision as modified by this Act or the Secretary to incorporate natural resource protection information not available in 2006, as the basis of an interim management plan to govern off highway vehicle recreation within the Recreation Area pending the completion of the long-term management plan required in subsection (d).

(d) **PERMANENT MANAGEMENT PLAN.**—Not later than 2 years after the date of the enactment of this Act, the Secretary shall create a comprehensive management plan for the Clear Creek Recreation Area that—

(1) shall describe the appropriate uses and management of the Recreation Area in accordance with this Act;

(2) shall be prepared in consultation with—  
(A) appropriate Federal, State, and local agencies (including San Benito, Monterey, and Fresno Counties);

(B) adjacent land owners;

(C) other stakeholders (including conservation and recreational organizations); and

(D) holders of any easements, rights-of-way, and other valid rights in the Recreation Area;

(3) shall include a hazards education program to inform people entering the Recreation Area of the asbestos related risks associated with various activities within the

Recreation Area, including off-highway vehicle recreation;

(4) shall include a user fee program for motorized vehicle use within the Recreational Area and guidelines for the use of the funds collected for the management and improvement of the Recreation Area;

(5) shall designate as many previously used trails, roads, and other areas for off highway vehicle recreation as feasible in accordance with this in order to provide a substantially similar recreational experience, except that nothing in this paragraph shall be construed as precluding the Secretary from closing any area, trail, or route from use for the purposes of public safety or resource protection;

(6) may incorporate any appropriate decisions, as determined by the Secretary, in accordance with this Act, that are contained in any management or activity plan for the area completed before the date of the enactment of this Act;

(7) may incorporate appropriate wildlife habitat management plans or other plans prepared for the land within or adjacent to the Recreation Area before the date of the enactment of this Act, in accordance with this Act;

(8) may use information developed under any studies of land within or adjacent to the Recreation Area carried out before the date of enactment of this Act; and

(9) may include cooperative agreements with State or local government agencies to manage all or a portion of the recreational activities within the Recreation Area in accordance with an approved management plan and the requirements of this Act.

(e) **ACQUISITION OF PROPERTY.**—

(1) **IN GENERAL.**—The Secretary may acquire land adjacent to the National Recreation Area by purchase from willing sellers, donation, or exchange.

(2) **MANAGEMENT.**—Any land acquired under paragraph (1) shall be managed in accordance with—

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

(B) this Act; and

(C) any other applicable law (including regulations).

(3) **IMPROVED ACCESS.**—The Secretary may acquire by purchase from willing sellers, donation, exchange, or easement, land, or interest in land to improve public safety in providing access to the Recreation Area.

(f) **PRIVATE PROPERTY.**—

(1) **ACCESS TO PRIVATE PROPERTY.**—

(A) **IN GENERAL.**—The Secretary shall provide landowners adequate access to inholdings within the Recreation Area.

(B) **INHOLDINGS.**—For access purposes, private land adjacent to the Recreation Area to which there is no other practicable access except through the Recreation Area shall be managed as an inholding.

(2) **USE OF PRIVATE PROPERTY.**—Nothing in this Act affects the ownership, management, or other rights relating to any non-Federal land (including any interest in any non-Federal land).

(3) **BUFFER ZONES.**—Nothing in this Act creates a protective perimeter or buffer zone around the Recreation Area.

(4) **VALID RIGHTS.**—Nothing in this Act affects any easements, rights-of-way, and other valid rights in existence on the date of the enactment of this Act.

(g) **WATER RIGHT EXCLUSION.**—Nothing in this Act—

(1) shall constitute or be construed to constitute either an express or implied reservation by the United States of any water or water rights with respect to the Recreation Area; or

(2) shall affect any water rights existing on the date of the enactment of this Act.

(h) HUNTING AND FISHING.—Nothing in this Act—

(1) limits hunting or fishing; or

(2) affects the authority, jurisdiction, or responsibility of the State to manage, control, or regulate fish and resident wildlife under State law (including regulations), including the regulation of hunting or fishing on public land managed by the Bureau of Land Management.

(i) MOTORIZED VEHICLES.—Except in cases in which motorized vehicles are needed for administrative purposes or to respond to an emergency, the use of motorized vehicles on public land in the Recreation Area shall be permitted only on roads, trails, and areas designated by the management plan for the use by motorized vehicles.

(j) GRAZING.—In the Recreation Area, the grazing of livestock in areas in which grazing is allowed as of the date of the enactment of this Act shall be allowed to continue, consistent with—

(1) this Act;

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

(3) any regulations promulgated by the Secretary, acting through the Director of the Bureau of Land Management.

(k) WITHDRAWAL.—Subject to valid existing rights, all Federal land within the Recreation Area is withdrawn from—

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

(2) location, entry, and patenting under the mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(l) FEES.—Amounts received by the Secretary under the fee structure required by subsection (d)(4) shall be—

(1) deposited in a special account in the Treasury of the United States; and

(2) made available until expended to the Secretary for use in the Recreation Area.

(m) RISK STANDARD.—The National Oil and Hazardous Substances Pollution Contingency Plan (section 300 of title 40, Code of Federal Regulations), published pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9605), shall not apply to the Secretary's management of asbestos exposure risks faced by the public when recreating within the Clear Creek Recreation Area described in section 3(b).

#### SEC. 5. JOAQUIN ROCKS WILDERNESS.

In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the approximately 21,000 acres of Federal lands located in Fresno County and San Benito County, California, and generally depicted on a map entitled "Proposed Joaquin Rocks Wilderness" and dated February 14, 2017, is designated as wilderness and as a component of the National Wilderness Preservation System and shall be known as the "Joaquin Rocks Wilderness".

#### SEC. 6. RELEASE OF SAN BENITO MOUNTAIN WILDERNESS STUDY AREA.

(a) FINDING.—Congress finds that, for the purposes of section 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782), the San Benito Mountain wilderness study area has been adequately studied for wilderness designation.

(b) RELEASE.—The San Benito Mountain wilderness study area is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)).

#### SEC. 7. CLARIFICATION REGARDING FUNDING.

No additional funds are authorized to carry out the requirements of this Act. Such requirements shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. LAHOOD) and the gentleman

from California (Mr. PANETTA) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

#### GENERAL LEAVE

Mr. LAHOOD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. LAHOOD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1913, introduced by the gentleman from California (Mr. PANETTA), is a bipartisan bill that reopens public access and facilitates recreational activities in central California. The bill designates 63,000 acres as the Clear Creek National Recreation Area, 21,000 acres as the Joaquin Rocks Wilderness, and releases 1,500 acres of wilderness study area.

Once considered a world class off-highway vehicle, or OHV, recreation designation, the Clear Creek area has been closed to the public for nearly a decade due to concerns from the EPA about naturally occurring asbestos. However, after commissioning a study of the area, the State of California's Off-Highway Motor Vehicle Recreation Division found a minimal health risk to OHV users from exposure to naturally occurring asbestos. Despite these findings and appeals from local communities and OHV users, the Bureau of Land Management has not reopened the area to the public or for OHV use.

This bill remedies the situation by reopening and redesignating the area as the Clear Creek National Recreation Area and including special provisions to prioritize and facilitate long-term, sustainable off-highway vehicle access and recreation.

Mr. Speaker, I urge adoption of the measure, and I reserve the balance of my time.

Mr. PANETTA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1913 establishes the Clear Creek National Recreation Area and the Joaquin Rocks Wilderness Area on land administered by the Bureau of Land Management in the central coast region of California. From hiking and hunting to off-highway vehicle use, those designations will improve and enhance access for a variety of recreational activities, while ensuring that ecologically sensitive and unique areas are managed in a way that supports their lasting and permanent protection.

In addition to the many ecological benefits they provide, including clean air and clean water, wilderness areas throughout the country play a large role in supporting the approximately \$646 billion per year outdoor recreation economy, so I am pleased that we are advancing this bill to add 21,000 acres of the National Wilderness Preservation System.

This bill has strong local support from San Benito County government officials and a number of off-highway vehicle and wilderness groups. These advocates understand that Clear Creek is important to the economy, and they have fond memories of the recreational opportunities when they were younger.

I have received numerous support comments from my constituents, the off-highway vehicle community, and other California residents about the importance of Clear Creek to their family and how the closure has impacted them. It is time to honor the desire of my constituents in California's 20th Congressional District and pass this bill once again.

Mr. Speaker, I include in the RECORD letters in support of the bill.

SAN BENITO COUNTY,  
Hollister, CA, June 1, 2017.

Re Letter in Support of H.R. 1913.

Hon. JIMMY PANETTA,  
House of Representatives,  
Washington, DC.

DEAR REPRESENTATIVE PANETTA: I would like to express my support of proposed legislation H.R. 1913. On at least three previous occasions, the San Benito County Board of Supervisors has formally expressed their support of this proposed measure in the form of H.R. 1776 as submitted by then-Congressman Sam Farr.

As background, the Serpentine Area of Critical Environmental Concern (ACEC) of the Clear Creek Management Area (CCMA) was closed in 2008 based on a study by the EPA which concluded that naturally occurring asbestos (NOA) posed a public health risk. However, in 2010, the Off Highway Motor Vehicle Recreation (OHMVR) Division of the State of California Department of Parks and Recreation Commissioned an independent OHV-specific risk assessment of NOA exposure within the Serpentine ACEC of the CCMA.

This report, completed by the International Environmental Research Foundation (IERF), concluded that management and operation strategies could be employed to allow for off-highway vehicle (OHV) recreation in the CCMA without exposing the public to higher than acceptable levels of NOA and without presenting a serious risk to human health. Specifically, the risk of OHV usage five days per year, for eight hours on each of those days, was equated to being similar to the lifetime risk of smoking less than one cigarette one the same one year period, and the report noted that other recreational activities, such as swimming, hiking and snow skiing, are over 100 times more dangerous.

In light of this report which directly contradicts the conclusions of the EPA study and undermines the necessity of BLM actions taken since 2008 in reliance of that study, it would appear that closure of the ACEC is not scientifically warranted, and especially not during winter months when dust from OHV activity is greatly reduced.

Therefore, the County supports opening the area to OHV users once again and allowing the public access to this natural area which is easily accessible to the urban residents in the San Jose/San Francisco metropolitan areas. H.R. 1913, which would establish the Clear Creek National Recreation Area in San Benito and Fresno Counties, is essential to enhancing public access to natural and scenic areas within our State.

The lack of evidence of a serious health risk is reinforced by the fact that there is

the lack of any documented case of any person, whether recreational, visitor or governmental employee, injured by NOA within the ACEC despite the use of the area for decades. Therefore, the activities taken to close the area are especially troubling considering the effect of the closure on the public generally, as well as the local economy.

Access to recreational areas within San Benito County, including the CCMA, provides a necessary and substantial component to the local economy which has been drastically affected by the recent economic climate. The BLM's past decision to close the Clear Creek area has already seriously affected San Benito County's economic vitality. The County could understand such action if there was truly a serious health risk presented by use of the CCMA, but there is no generally accepted scientific evidence, especially during wetter winter months.

The Clear Creek Management Area was among the five most popular areas cited by California off-highway-vehicle (OHV) users in a 1990 study conducted by the California Department of Parks and Recreation. Many of these users were residents of the San Jose and San Francisco Bay. In 2003 and 2004, there were an estimated 50,000 visitors to the CCMA, largely attributable to allowed OHV usage.

In conclusion, the Board of Supervisors supports the proposed legislation, as well as designation of the Clear Creek Management Area as a National Recreation Area, designation of OHV recreation as a "prescribed use" within the National Recreation Area, and providing that the management plan of the Clear Creek National Recreation Area, including OHV routes, open areas, number of permitted OHV events and other recreational activities should be as set forth in the 2005 Clear Creek Travel Management Plan.

Thank you for your consideration of this letter.

Respectfully,

JERRY MUENZER,  
Supervisor District 4,  
Board of Supervisors.

CALIFORNIA WILDERNESS PROJECT,  
Cottonwood, CA, April 20, 2017.

Hon. JIMMY PANETTA,  
Washington, DC.

DEAR MR. PANETTA: We greatly appreciate your sponsorship of H.R. 1913, the Clear Creek National Recreation Area and Conservation Act. The legislation will permanently protect 21,000 acres of BLM land in Fresno and San Benito counties by its inclusion in the National Wilderness Preservation System.

The proposed Joaquin Rocks Wilderness follows the steep northern slope of Joaquin Ridge which climbs high above the floor of the western San Joaquin Valley.

Rising up over 4,000 feet from the valley floor, the striking Joaquin Rocks are the centerpiece of this remote area. These three scenic 250' tall monoliths are the eroded remnants of an ancient vaqueros sandstone formation.

The Joaquin Rocks are named for the legendary Joaquin Murietta, believed by some to be a heroic figure early California and an outlaw by others. The Joaquin Rocks are said to have provided a secluded hiding place for him and his band place during the 1850s. The area also shows archeological evidence of past Native American occupation.

The rugged area features deep canyons where oak woodlands cloak the numerous spur ridges that descend to the valley. Vegetation in the area includes, blue oak, California juniper, grey pine, chaparral, and native grasslands. Due to the cooler climate provided by its elevation, the area provides outstanding displays of native wildflowers well into summer.

The steep cliffs of the Joaquin Rocks—and the numerous other towering sandstone formations found throughout the area—are host to numerous falcons, hawks and owls. They could also provide potential nesting habitat for the California condor which has been reintroduced into the nearby Gavilan Range. One of the peaks of the Joaquin Rocks—La Centinela—hosts a vernal pool that supports fairy and tadpole shrimp.

The Joaquin Rocks proposed wilderness represents a unique opportunity to preserve one of central California's most outstanding natural landscapes and we sincerely appreciate Mr. Panetta's efforts to protect it for future generations.

Best Regards,

GORDON JOHNSON,  
Director.

APRIL 10, 2017.

Hon. JIMMY PANETTA,  
House of Representatives,  
Washington, DC.

DEAR REPRESENTATIVE PANETTA: As representatives of national motorized recreation organizations we write in support of the "Clear Creek National Recreation Area and Conservation Act" (H.R. 1913). This legislation would designate 75,000 acres of Federal land in San Benito and Fresno Counties in California as the Clear Creek National Recreation Area (NRA) and would ensure access for the responsible use of off-highway vehicles (OHVs) in the area into the future.

Clear Creek was closed in 2008 based on a questionable safety rationale related to exposure to asbestos. Subsequently the California Off-Highway Motor Vehicle Recreation Commission commissioned an independent risk assessment study which concluded that management and operational strategies could be effectively employed in the area to allow OHV use without exposing the public to unacceptable risks. H.R. 1913 would guarantee that moving forward, the area will be managed in such a way as to provide for all sorts of legitimate and responsible recreation, while also providing for the safety of all of the area's visitors.

Our support for H.R. 1913 is possible because of the endorsement of the bill from a broad array of local OHV organizations, businesses and enthusiasts. This local support is warranted not only because the legislation would reopen the popular OHV area, but because a diverse group of constituencies worked together on the bill.

We thank you for your statement upon introduction which makes it clear that you recognize the importance of multiple uses on public lands—"This bipartisan bill not only bolsters our area's conservation efforts, it also promotes recreation and tourism in our region. When this bill passes, locals and visitors will no longer be restricted from enjoying all that Clear Creek Management Area has to offer." We applaud this approach and hope that other Members of Congress will look to H.R. 1913 as a model for how to garner support for land use legislation.

Thank you for introducing this important bill. We look forward to working with you as it moves through the legislative process.

Sincerely,

Larry Smith, Executive Director, Americans for Responsible Recreational Access;

Nicole Nicholas Gilles, Executive Director, American Sand Association;

Don Amador, Western Representative, BlueRibbon Coalition, Inc.;

Duane Taylor, Director, Federal Affairs, Motorcycle Industry Council;

Russ Ehnes, Executive Director, National Off-Highway Vehicle Conservation Council;

Tom Yager, Vice President, Recreational Off-Highway Vehicle Association;

Stuart D. Gosswein, Sr. Director, Federal Government Affairs, Specialty Equipment Market Association;  
Kathy Van Kleeck, Senior Vice President, Government Relations, Specialty Vehicle Institute of America;  
Steve Egbert, Vice President, United Four Wheel Drive Associations, Inc.

CALIFORNIA WILDERNESS

COALITION,

Anderson, CA, May 19, 2017.

Subject: Support for H.R. 1913, the Clear Creek National Recreation Area and Conservation Act

Hon. JIMMY PANETTA,  
U.S. House of Representatives,  
Washington, DC.

DEAR CONGRESSMAN PANETTA: We are pleased to offer our support for H.R. 1913, the Clear Creek National Recreation Area and Conservation Act. We strongly support the designation of the proposed 21,000-acre Joaquin Rocks Wilderness and the protection of over 31 miles of streams as wild and scenic rivers. We believe that the bill strikes a reasonable balance between environmental protection, off-road vehicle recreation, public safety and other considerations in the Clear Creek-Joaquin Rocks area.

Joaquin Rocks is one of the dramatic scenic features in the region, with its three prominent pinnacles of rock standing like sentinels above the San Joaquin Valley. Its oak woodlands, grasslands and other plant communities provide important habitat for sensitive plant and wildlife species. Joaquin Rocks also has important historical values as, among other things, the former hideout of the notorious outlaw Joaquin Murietta.

Thank you for introducing and working to advance the legislation. Please do not hesitate to contact us if we can assist you in this or any other public lands-related matter.

Sincerely,

RYAN HENSON,  
Senior Policy Director.

Mr. PANETTA. Mr. Speaker, this is a bipartisan bill, and I thank Chairman BISHOP and Ranking Member GRIJALVA for their leadership, their work, and assistance in getting this bill to the floor of the House of Representatives. I also thank Representatives DAVID VALADAO, JEFF DENHAM, and PAUL COOK, as well as my predecessor, Representative Sam Farr, and our staffs for their work on this bill.

Mr. Speaker, I urge quick adoption of this legislation, and I yield back the balance of my time.

Mr. LAHOOD. Mr. Speaker, I thank my colleague and friend for introducing this legislation, and I urge its adoption.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. HOLLINGSWORTH). The question is on the motion offered by the gentleman from Illinois (Mr. LAHOOD) that the House suspend the rules and pass the bill, H.R. 1913.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

# WESTERN OREGON TRIBAL FAIRNESS ACT

Mr. LAHOOD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1306) to provide for the conveyance of certain Federal land in the State of Oregon, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1306

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Western Oregon Tribal Fairness Act”.

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

Sec. 1. Short title; table of contents.

### TITLE I—COW CREEK UMPQUA LAND CONVEYANCE

Sec. 101. Definitions.

Sec. 102. Land to be held in trust.

Sec. 103. Map and legal description.

Sec. 104. Administration.

Sec. 105. Land reclassification.

### TITLE II—OREGON COASTAL LAND CONVEYANCE

Sec. 201. Definitions.

Sec. 202. Land to be held in trust.

Sec. 203. Map and legal description.

Sec. 204. Administration.

Sec. 205. Land reclassification.

### TITLE III—AMENDMENTS TO COQUILLE RESTORATION ACT

Sec. 301. Amendments to Coquille Restoration Act.

### TITLE I—COW CREEK UMPQUA LAND CONVEYANCE

#### SEC. 101. DEFINITIONS.

In this title:

(1) **COUNCIL CREEK LAND.**—The term “Council Creek land” means the approximately 17,519 acres of land, as generally depicted on the map entitled “Canyon Mountain Land Conveyance” and dated May 24, 2016.

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

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

#### SEC. 102. LAND TO BE HELD IN TRUST.

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

(1) held in trust by the United States for the benefit of the Tribe; and

(2) part of the reservation of the Tribe.

(b) **SURVEY.**—Not later than 2 years after the date of enactment of this Act, the Secretary shall complete a survey to establish the boundaries of the land taken into trust under subsection (a).

(c) **EFFECTIVE DATE.**—Subsection (a) shall take effect on the day after the date on which the Secretary records the agreement entered into under section 104(d)(1).

#### SEC. 103. MAP AND LEGAL DESCRIPTION.

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

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

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

(b) **FORCE AND EFFECT.**—The map and legal description filed under subsection (a) shall

have the same force and effect as if included in this title, except that the Secretary may correct any clerical or typographical errors in the map or legal description.

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

#### SEC. 104. ADMINISTRATION.

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

(b) **PROHIBITIONS.**—

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

(2) **NON-PERMISSIBLE USE OF LAND.**—Any real property taken into trust under section 102 shall not be eligible, or used, for any gaming activity carried out under Public Law 100-497 (25 U.S.C. 2701 et seq.).

(c) **FOREST MANAGEMENT.**—Any forest management activity that is carried out on the Council Creek land shall be managed in accordance with all applicable Federal laws.

(d) **AGREEMENTS.**—

(1) **MEMORANDUM OF AGREEMENT FOR ADMINISTRATIVE ACCESS.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall seek to enter into an agreement with the Tribe that secures existing administrative access by the Secretary to the Council Creek land.

(2) **RECIPROCAL RIGHT-OF-WAY AGREEMENTS.**—

(A) **IN GENERAL.**—On the date on which the agreement is entered into under paragraph (1), the Secretary shall provide to the Tribe all reciprocal right-of-way agreements to the Council Creek land in existence as of the date of enactment of this Act.

(B) **CONTINUED ACCESS.**—Beginning on the date on which the Council Creek land is taken into trust under section 102, the Tribe shall continue the access provided by the agreements referred to in subparagraph (A) in perpetuity.

(c) **LAND USE PLANNING REQUIREMENTS.**—Except as provided in subsection (c), once the Council Creek land is taken into trust under section 102, the Council Creek land shall not be subject to the land use planning requirements of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) or the Act of August 28, 1937 (43 U.S.C. 1181a et seq.).

#### SEC. 105. LAND RECLASSIFICATION.

(a) **IDENTIFICATION OF OREGON AND CALIFORNIA RAILROAD GRANT LAND.**—Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture and the Secretary shall identify any Oregon and California Railroad grant land that is held in trust by the United States for the benefit of the Tribe under section 102.

(b) **IDENTIFICATION OF PUBLIC DOMAIN LAND.**—Not later than 2 years after the date of enactment of this Act, the Secretary shall identify public domain land in the State of Oregon that—

(1) is approximately equal in acreage and condition as the Oregon and California Railroad grant land identified under subsection (a); and

(2) is located within the 18 western Oregon and California Railroad grant land counties (other than Klamath County, Oregon).

(c) **MAPS.**—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to Congress and publish in the Federal Register one or more maps depicting the land identified in subsections (a) and (b).

(d) **RECLASSIFICATION.**—

(1) **IN GENERAL.**—After providing an opportunity for public comment, the Secretary shall reclassify the land identified in subsection (b) as Oregon and California Railroad grant land.

(2) **APPLICABILITY.**—The Act of August 28, 1937 (43 U.S.C. 1181a et seq.), shall apply to land reclassified as Oregon and California Railroad grant land under paragraph (1).

### TITLE II—OREGON COASTAL LAND CONVEYANCE

#### SEC. 201. DEFINITIONS.

In this title:

(1) **CONFEDERATED TRIBES.**—The term “Confederated Tribes” means the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians.

(2) **OREGON COASTAL LAND.**—The term “Oregon Coastal land” means the approximately 14,742 acres of land, as generally depicted on the map entitled “Oregon Coastal Land Conveyance” and dated July 11, 2016.

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

#### SEC. 202. LAND TO BE HELD IN TRUST.

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

(1) held in trust by the United States for the benefit of the Confederated Tribes; and

(2) part of the reservation of the Confederated Tribes.

(b) **SURVEY.**—Not later than 2 years after the date of enactment of this Act, the Secretary shall complete a survey to establish the boundaries of the land taken into trust under subsection (a).

(c) **EFFECTIVE DATE.**—Subsection (a) shall take effect on the day after the date on which the Secretary records the agreement entered into under section 204(d)(1).

#### SEC. 203. MAP AND LEGAL DESCRIPTION.

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

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

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

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

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

#### SEC. 204. ADMINISTRATION.

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

(b) **PROHIBITIONS.**—

(1) **EXPORTS OF UNPROCESSED LOGS.**—Federal law (including regulations) relating to the export of unprocessed logs harvested from Federal land shall apply to any unprocessed logs that are harvested from the Oregon Coastal land taken into trust under section 202.

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

(c) **FOREST MANAGEMENT.**—Any forest management activity that is carried out on the