

1 shall continue to provide for fire protection of  
2 the Oregon and California Railroad Grant lands  
3 and O&C Region Public Domain lands, includ-  
4 ing those transferred to the Forest Service  
5 under section 331, through continuation of the  
6 reciprocal fire protection agreements, new coop-  
7 erative agreements, or by any means otherwise  
8 permitted by law. The means selected shall be  
9 based on the review by the Board of Trustees  
10 of whether the reciprocal fire protection agree-  
11 ments were effective in protecting the lands  
12 from fire.

13 (D) EMERGENCY RESPONSE.—Nothing in  
14 this paragraph shall prevent the Secretary of  
15 Agriculture from an emergency response to a  
16 fire on the O&C Trust lands or lands trans-  
17 ferred to the Forest Service under section 321.

18 (2) EMERGENCY RESPONSE TO FIRE.—Subject  
19 to paragraph (1), if the Secretary of Agriculture de-  
20 termines that fire on any of the lands transferred  
21 under section 321 is burning uncontrolled or the  
22 Secretary, the Board of Trustees, or contracted  
23 party does not have readily and immediately avail-  
24 able personnel and equipment to control or extin-  
25 guish the fire, the Secretary, or any forest protective

1 association or agency under contract or agreement  
2 with the Secretary or the Board of Trustees for the  
3 protection of forestland against fire, shall summarily  
4 and aggressively abate the nuisance thus controlling  
5 and extinguishing the fire.

6 (k) NORTHERN SPOTTED OWL.—So long as the O&C  
7 Trust maintains the 100-120 year rotation on 50 percent  
8 of the harvestable acres required in subsection (c), the sec-  
9 tion 321 lands representing the best quality habitat for  
10 the owl are transferred to the Forest Service, and the O&C  
11 Trust protects currently occupied northern spotted owl  
12 nest sites consistent with the forest practices in the Or-  
13 egon Forest Practices Act, management of the O&C Trust  
14 land by the Board of Trustees shall be considered to com-  
15 ply with section 9 of Public Law 93-205 (16 U.S.C. 1538)  
16 for the northern spotted owl. A currently occupied north-  
17 ern spotted owl nest site shall be considered abandoned  
18 if there are no northern spotted owl responses following  
19 three consecutive years of surveys using the Protocol for  
20 Surveying Management Activities that May Impact North-  
21 ern Spotted Owls dated February 2, 2013.

22 **SEC. 315. DISTRIBUTION OF REVENUES FROM O&C TRUST**  
23 **LANDS.**

24 (a) ANNUAL DISTRIBUTION OF REVENUES.—

1           (1) TIME FOR DISTRIBUTION; USE.—Payments  
2 to each O&C Trust county shall be made available  
3 to the general fund of the O&C Trust county as soon  
4 as practicable following the end of each fiscal year,  
5 to be used as are other unrestricted county funds.

6           (2) AMOUNT.—The amount paid to an O&C  
7 Trust county in relation to the total distributed to  
8 all O&C Trust counties for a fiscal year shall be  
9 based on the proportion that the total assessed value  
10 of the Oregon and California Railroad Grant lands  
11 in each of the O&C Trust counties for fiscal year  
12 1915 bears to the total assessed value of all of the  
13 Oregon and California Railroad Grant lands in the  
14 State for that same fiscal year. However, for the  
15 purposes of this subsection the portion of the re-  
16 vested Oregon and California Railroad Grant lands  
17 in each of the O&C Trust counties that was not as-  
18 sessed for fiscal year 1915 shall be deemed to have  
19 been assessed at the average assessed value of the  
20 Oregon and California Railroad Grant lands in the  
21 county.

22           (3) LIMITATION.—After the fifth payment made  
23 under this subsection, the payment to an O&C Trust  
24 county for a fiscal year shall not exceed 110 percent  
25 of the previous year's payment to the O&C Trust

1 county, adjusted for inflation based on the consumer  
2 price index applicable to the geographic area in  
3 which the O&C Trust counties are located.

4 (b) RESERVE FUND.—

5 (1) ESTABLISHMENT OF RESERVE FUND.—The  
6 Board of Trustees shall generate and maintain a re-  
7 serve fund.

8 (2) DEPOSITS TO RESERVE FUND.—Within 10  
9 years after creation of the O&C Trust or as soon  
10 thereafter as is practicable, the Board of Trustees  
11 shall establish and seek to maintain an annual bal-  
12 ance of \$125,000,000 in the Reserve Fund, to be de-  
13 rived from revenues generated from management ac-  
14 tivities involving O&C Trust lands. All annual reve-  
15 nues generated in excess of operating costs and pay-  
16 ments to O&C Trust counties required by subsection  
17 (a) and payments into the Conservation Fund as  
18 provided in subsection (c) shall be deposited in the  
19 Reserve Fund.

20 (3) EXPENDITURES FROM RESERVE FUND.—  
21 The Board of Trustees shall use amounts in the Re-  
22 serve Fund only—

23 (A) to pay management and administrative  
24 expenses or capital improvement costs on O&C  
25 Trust lands; and

1           (B) to make payments to O&C Trust coun-  
2           ties when payments to the counties under sub-  
3           section (a) are projected to be 90 percent or  
4           less of the previous year's payments.

5           (c) O&C TRUST CONSERVATION FUND.—

6           (1) ESTABLISHMENT OF CONSERVATION  
7           FUND.—The Board of Trustees shall use a portion  
8           of revenues generated from activity on the O&C  
9           Trust lands, consistent with paragraph (2), to estab-  
10          lish and maintain a O&C Trust Conservation Fund.  
11          The O&C Trust Conservation Fund shall include no  
12          Federal appropriations.

13          (2) REVENUES.—Following the transition pe-  
14          riod, five percent of the O&C Trust's annual net op-  
15          erating revenue, after deduction of all management  
16          costs and expenses, including the payment required  
17          under section 317, shall be deposited to the O&C  
18          Trust Conservation Fund.

19          (3) EXPENDITURES FROM CONSERVATION  
20          FUND.—The Board of Trustees shall use amounts  
21          from the O&C Trust Conservation Fund only—

22                 (A) to fund the voluntary acquisition of  
23                 conservation easements from willing private  
24                 landowners in the State; and

1 (B) to fund watershed restoration, remedi-  
2 ation and enhancement projects within the  
3 State; or

4 (C) to contribute to balancing values in a  
5 land exchange with willing private landowners  
6 proposed under section 323(b), if the land ex-  
7 change will result in a net increase in ecosystem  
8 benefits for fish, wildlife, or rare native plants.

9 **SEC. 316. LAND EXCHANGE AUTHORITY.**

10 (a) **AUTHORITY.**—Subject to approval by the Sec-  
11 retary concerned, the Board of Trustees may negotiate  
12 proposals for land exchanges with owners of lands adja-  
13 cent to O&C Trust lands in order to create larger contig-  
14 uous blocks of land under management by the O&C Trust  
15 to facilitate resource management, to improve conserva-  
16 tion value of such lands, or to improve the efficiency of  
17 management of such lands.

18 (b) **APPROVAL REQUIRED; CRITERIA.**—The Sec-  
19 retary concerned may approve a land exchange proposed  
20 by the Board of Trustees administratively if the exchange  
21 meets the following criteria:

22 (1) The non-Federal lands are completely with-  
23 in the State.

24 (2) The non-Federal lands have high timber  
25 production value, or are necessary for more efficient

1 or effective management of adjacent or nearby O&C  
2 Trust lands.

3 (3) The non-Federal lands have equal or great-  
4 er value to the O&C Trust lands proposed for ex-  
5 change.

6 (4) The proposed exchange is reasonably likely  
7 to increase the net income to the O&C Trust coun-  
8 ties over the next 20 years and not decrease the net  
9 income to the O&C Trust counties over the next 10  
10 years.

11 (c) ACREAGE LIMITATION.—The Secretary concerned  
12 shall not approve land exchanges under this section that,  
13 taken together with all previous exchanges involving the  
14 O&C Trust lands, have the effect of reducing the total  
15 acreage of the O&C Trust lands by more than five percent  
16 from the total acreage to be designated as O&C Trust land  
17 under section 311(c)(1).

18 (d) INAPPLICABILITY OF CERTAIN LAWS.—Section 3  
19 of the Oregon Public Lands Transfer and Protection Act  
20 of 1998 (Public Law 105–321; 112 Stat. 3022), the Fed-  
21 eral Land Policy and Management Act of 1976 (43 U.S.C.  
22 1701 et. seq.), including the amendments made by the  
23 Federal Land Exchange Facilitation Act of 1988 (Public  
24 Law 100–409; 102 Stat. 1086), the Act of March 20,  
25 1922 (16 U.S.C. 485, 486), and the Act of March 1, 1911

1 (commonly known as the Weeks Act; 16 U.S.C. 480 et  
2 seq.) shall not apply to the land exchange authority pro-  
3 vided by this section.

4 (e) EXCHANGES WITH FOREST SERVICE.—

5 (1) EXCHANGES AUTHORIZED.—The Board of  
6 Trustees is authorized to engage in land exchanges  
7 with the Forest Service if approved by the Secretary  
8 pursuant to section 323(e).

9 (2) MANAGEMENT OF EXCHANGED LANDS.—  
10 Following completion of a land exchange under para-  
11 graph (1), the management requirements applicable  
12 to the newly acquired lands by the O&C Trust or the  
13 Forest Service shall be the same requirements under  
14 this subtitle applicable to the other lands that are  
15 managed by the O&C Board or the Forest Service.

16 **SEC. 317. PAYMENTS TO THE UNITED STATES TREASURY.**

17 As soon as practicable after the end of the third fiscal  
18 year of the transition period and in each of the subsequent  
19 seven fiscal years, the O&C Trust shall submit a payment  
20 of \$10,000,000 to the United States Treasury.



1           **CHAPTER 2—TRANSFER OF CERTAIN**  
2           **LANDS TO FOREST SERVICE**

3   **SEC. 321. TRANSFER OF CERTAIN OREGON AND CALI-**  
4           **FORNIA RAILROAD GRANT LANDS TO FOREST**  
5           **SERVICE.**

6           (a) **TRANSFER REQUIRED.**—The Secretary of the In-  
7   terior shall transfer administrative jurisdiction over all Or-  
8   regon and California Railroad Grant lands and O&C Re-  
9   gion Public Domain lands not designated as O&C Trust  
10   lands by subparagraphs (A) through (F) of section  
11   311(c)(1), including those lands excluded by section  
12   311(c)(2), to the Secretary of Agriculture for inclusion in  
13   the National Forest System and administration by the  
14   Forest Service as provided in section 322.

15          (b) **EXCEPTION.**—This section does not apply to  
16   Tribal lands transferred under subtitle D.

17   **SEC. 322. MANAGEMENT OF TRANSFERRED LANDS BY FOR-**  
18           **EST SERVICE.**

19          (a) **ASSIGNMENT TO EXISTING NATIONAL FOR-**  
20   **ESTS.**—To the greatest extent practicable, management  
21   responsibilities for the lands transferred under section 321  
22   shall be assigned to the unit of the National Forest Sys-  
23   tem geographically closest to the transferred lands. The  
24   Secretary of Agriculture shall have ultimate decision-mak-  
25   ing authority, but shall assign the transferred lands to a

1 unit not later than the applicable transfer date provided  
2 in the transition period.

3 (b) APPLICATION OF NORTHWEST FOREST PLAN.—

4 (1) IN GENERAL.—Except as provided in para-  
5 graph (2), the lands transferred under section 321  
6 shall be managed under the Northwest Forest Plan  
7 and shall retain Northwest Forest Plan land use  
8 designations until or unless changed in the manner  
9 provided by Federal laws applicable to the adminis-  
10 tration and management of the National Forest Sys-  
11 tem.

12 (2) EXCEPTION FOR CERTAIN DESIGNATED  
13 LANDS.—The lands excluded from the O&C Trust by  
14 subparagraphs (A) through (F) of section 311(c)(2)  
15 and transferred to the Forest Service under section  
16 321 shall be managed as provided by Federal laws  
17 applicable to the lands.

18 (c) PROTECTION OF OLD GROWTH.—Old growth, as  
19 defined by the Old Growth Review Panel pursuant to rule-  
20 making conducted in accordance with section 553 of title  
21 5, United States Code, shall not be harvested by the For-  
22 est Service on lands transferred under section 321.

23 (d) EMERGENCY RESPONSE TO FIRE.—Subject to  
24 section 314(i), if the Secretary of Agriculture determines  
25 that fire on any of the lands transferred under section 321

1 is burning uncontrolled or the Secretary or contracted  
2 party does not have readily and immediately available per-  
3 sonnel and equipment to control or extinguish the fire, the  
4 Secretary, or any forest protective association or agency  
5 under contract or agreement with the Secretary for the  
6 protection of forestland against fire, and within whose pro-  
7 tection area the fire exists, shall summarily and aggres-  
8 sively abate the nuisance thus controlling and extin-  
9 guishing the fire.

10 **SEC. 323. MANAGEMENT EFFICIENCIES AND EXPEDITED**  
11 **LAND EXCHANGES.**

12 (a) **LAND EXCHANGE AUTHORITY.**—The Secretary  
13 of Agriculture may conduct land exchanges involving lands  
14 transferred under section 321, other than the lands ex-  
15 cluded from the O&C Trust by subparagraphs (A) through  
16 (F) of section 311(c)(2), in order create larger contiguous  
17 blocks of land under management of the Secretary to fa-  
18 cilitate resource management, to improve conservation  
19 value of such lands, or to improve the efficiency of man-  
20 agement of such lands.

21 (b) **CRITERIA FOR EXCHANGES WITH NON-FEDERAL**  
22 **OWNERS.**—The Secretary of Agriculture may conduct a  
23 land exchange administratively under this section with a  
24 non-Federal owner (other than the O&C Trust) if the land  
25 exchange meets the following criteria:

1           (1) The non-Federal lands are completely with-  
2           in the State.

3           (2) The non-Federal lands have high wildlife  
4           conservation or recreation value or the exchange is  
5           necessary to increase management efficiencies of  
6           lands administered by the Forest Service for the  
7           purposes of the National Forest System.

8           (3) The non-Federal lands have equal or great-  
9           er value to the Federal lands proposed for exchange  
10          or a balance of values can be achieved—

11           (A) with a grant of funds provided by the  
12          O&C Trust pursuant to section 315(c); or

13           (B) from other sources.

14          (c) CRITERIA FOR EXCHANGES WITH O&C TRUST.—

15          The Secretary of Agriculture may conduct land exchanges  
16          with the Board of Trustees administratively under this  
17          subsection, and such an exchange shall be deemed to not  
18          involve any Federal action or Federal discretionary in-  
19          volvement or control if the land exchange with the O&C  
20          Trust meets the following criteria:

21           (1) The O&C Trust lands to be exchanged have  
22           high wildlife value or ecological value or the ex-  
23           change would facilitate resource management or oth-  
24           erwise contribute to the management efficiency of  
25           the lands administered by the Forest Service.

1           (2) The exchange is requested or approved by  
2           the Board of Trustees for the O&C Trust and will  
3           not impair the ability of the Board of Trustees to  
4           meet its fiduciary responsibilities.

5           (3) The lands to be exchanged by the Forest  
6           Service do not contain stands of timber meeting the  
7           definition of old growth established by the Old  
8           Growth Review Panel pursuant to section 324.

9           (4) The lands to be exchanged are equal in  
10          acreage.

11          (d) ACREAGE LIMITATION.—The Secretary of Agri-  
12          culture shall not approve land exchanges under this sec-  
13          tion that, taken together with all previous exchanges in-  
14          volving the lands described in subsection (a), have the ef-  
15          fect of reducing the total acreage of such lands by more  
16          than five percent from the total acreage originally trans-  
17          ferred to the Secretary.

18          (e) INAPPLICABILITY OF CERTAIN LAWS.—Section 3  
19          of the Oregon Public Lands Transfer and Protection Act  
20          of 1998 (Public Law 105–321; 112 Stat. 3022), the Fed-  
21          eral Land Policy and Management Act of 1976 (43 U.S.C.  
22          1701 et. seq.), including the amendments made by the  
23          Federal Land Exchange Facilitation Act of 1988 (Public  
24          Law 100–409; 102 Stat. 1086), the Act of March 20,  
25          1922 (16 U.S.C. 485, 486), and the Act of March 1, 1911

1 (commonly known as the Weeks Act; 16 U.S.C. 480 et  
2 seq.) shall not apply to the land exchange authority pro-  
3 vided by this section.

4 **SEC. 324. REVIEW PANEL AND OLD GROWTH PROTECTION.**

5 (a) APPOINTMENT; MEMBERS.—Within 60 days after  
6 the date of the enactment of this Act the Secretary of Ag-  
7 riculture shall appoint an Old Growth Review Panel con-  
8 sisting of five members. At a minimum, the members must  
9 hold a Doctor of Philosophy degree in wildlife biology, for-  
10 estry, ecology, or related field and published peer-reviewed  
11 academic articles in their field of expertise.

12 (b) PURPOSE OF REVIEW.—Members of the Old  
13 Growth Review Panel shall review existing, published,  
14 peer-reviewed articles in relevant academic journals and  
15 establish a definition or definitions of old growth as it ap-  
16 plies to the ecologically, geographically and climato-  
17 logically unique Oregon and California Railroad Grant  
18 lands and O&C Region Public Domain lands managed by  
19 the O&C Trust or the Forest Service only. The definition  
20 or definitions shall bear no legal force, shall not be used  
21 as a precedent for, and shall not apply to any lands other  
22 than the Oregon and California Railroad Grant lands and  
23 O&C Region Public Domain lands managed by the O&C  
24 Trust or the Forest Service in western Oregon. The defini-  
25 tion or definitions shall not apply to Tribal lands.

1 (c) SUBMISSION OF RESULTS.—The definition or  
2 definitions for old growth in western Oregon established  
3 under subsection (b), if approved by at least four members  
4 of the Old Growth Review Panel, shall be submitted to  
5 the Secretary of Agriculture within six months after the  
6 date of the enactment of this Act.

7 **SEC. 325. UNIQUENESS OF OLD GROWTH PROTECTION ON**  
8 **OREGON AND CALIFORNIA RAILROAD GRANT**  
9 **LANDS.**

10 All sections of this subtitle referring to the term “old  
11 growth” are uniquely suited to resolve management issues  
12 for the lands covered by this subtitle only, and shall not  
13 be construed as precedent for any other situation involving  
14 management of other Federal, State, Tribal, or private  
15 lands.

16 **CHAPTER 3—TRANSITION**

17 **SEC. 331. TRANSITION PERIOD AND OPERATIONS.**

18 (a) TRANSITION PERIOD.—

19 (1) COMMENCEMENT; DURATION.—Effective on  
20 October 1 of the first fiscal year beginning after the  
21 appointment of the Board of Trustees under section  
22 313, a transition period of three fiscal years shall  
23 commence.

24 (2) EXCEPTIONS.—Unless specifically stated in  
25 the following subsections, any action under this sec-

1       tion shall be deemed not to involve Federal agency  
2       action or Federal discretionary involvement or con-  
3       trol.

4       (b) YEAR ONE.—

5           (1) APPLICABILITY.—During the first fiscal  
6       year of the transition period, the activities described  
7       in this subsection shall occur.

8           (2) BOARD OF TRUSTEES ACTIVITIES.—The  
9       Board of Trustees shall employ sufficient staff or  
10      contractors to prepare for beginning management of  
11      O&C Trust lands and O&C Region Public Domain  
12      lands in the second fiscal year of the transition pe-  
13      riod, including preparation of management plans  
14      and a harvest schedule for the lands over which  
15      management authority is transferred to the O&C  
16      Trust in the second fiscal year.

17          (3) FOREST SERVICE ACTIVITIES.—The Forest  
18      Service shall begin preparing to assume management  
19      authority of all Oregon and California Railroad  
20      Grant lands and O&C Region Public Domain lands  
21      transferred under section 321 in the second fiscal  
22      year.

23          (4) SECRETARY CONCERNED ACTIVITIES.—The  
24      Secretary concerned shall continue to exercise man-  
25      agement authority over all Oregon and California



1 Railroad Grant lands and O&C Region Public Do-  
2 main lands under all existing Federal laws.

3 (5) INFORMATION SHARING.—Upon written re-  
4 quest from the Board of Trustees, the Secretary of  
5 the Interior shall provide copies of any documents or  
6 data, however stored or maintained, that includes  
7 the requested information concerning O&C Trust  
8 lands. The copies shall be provided as soon as prac-  
9 ticable and to the greatest extent possible, but in no  
10 event later than 30 days following the date of the re-  
11 quest.

12 (6) EXCEPTION.—This subsection does not  
13 apply to Tribal lands transferred under subtitle D.  
14 (e) YEAR TWO.—

15 (1) APPLICABILITY.—During the second fiscal  
16 year of the transition period, the activities described  
17 in this subsection shall occur.

18 (2) TRANSFER OF O&C TRUST LANDS.—Effec-  
19 tive on October 1 of the second fiscal year of the  
20 transition period, management authority over the  
21 O&C Trust lands shall be transferred to the O&C  
22 Trust.

23 (3) TRANSFER OF LANDS TO FOREST SERV-  
24 ICE.—The transfers required by section 321 shall  
25 occur.

1           (4) INFORMATION SHARING.—The Secretary of  
2           Agriculture shall obtain and manage, as soon as  
3           practicable, all documents and data relating to the  
4           Oregon and California Railroad Grant lands, O&C  
5           Region Public Domain lands, and Coos Bay Wagon  
6           Road lands previously managed by the Bureau of  
7           Land Management. Upon written request from the  
8           Board of Trustees, the Secretary of Agriculture shall  
9           provide copies of any documents or data, however  
10          stored or maintained, that includes the requested in-  
11          formation concerning O&C Trust lands. The copies  
12          shall be provided as soon as practicable and to the  
13          greatest extent possible, but in no event later than  
14          30 days following the date of the request.

15          (5) IMPLEMENTATION OF MANAGEMENT  
16          PLAN.—The Board of Trustees shall begin imple-  
17          menting its management plan for the O&C Trust  
18          lands and revise the plan as necessary. Distribution  
19          of revenues generated from all activities on the O&C  
20          Trust lands shall be subject to section 315.

21          (d) YEAR THREE AND SUBSEQUENT YEARS.—

22                (1) APPLICABILITY.—During the third fiscal  
23                year of the transition period and all subsequent fis-  
24                cal years, the activities described in this subsection  
25                shall occur.



1 of Land Management or Forest Service on or with respect  
2 to Oregon and California Railroad Grant lands or O&C  
3 Region Public Domain lands before the transfer of the  
4 lands to the O&C Trust or the Forest Service, or Tribal  
5 lands transferred under subtitle D, shall remain binding  
6 and effective according to the terms of the contracts after  
7 the transfer of the lands. The Board of Trustees and Sec-  
8 retary concerned shall make such accommodations as are  
9 necessary to avoid interfering in any way with the per-  
10 formance of the contracts.

11 (b) TREATMENT OF PAYMENTS UNDER CON-  
12 TRACTS.—Payments made pursuant to the contracts de-  
13 scribed in subsection (a), if any, shall be made as provided  
14 in those contracts and not made to the O&C Trust.

15 **SEC. 334. PROTECTION OF VALID EXISTING RIGHTS AND**  
16 **ACCESS TO NON-FEDERAL LAND.**

17 (a) VALID RIGHTS.—Nothing in this title, or any  
18 amendment made by this title, shall be construed as termi-  
19 nating any valid lease, permit, patent, right-of-way, agree-  
20 ment, or other right of authorization existing on the date  
21 of the enactment of this Act with regard to Oregon and  
22 California Railroad Grant lands or O&C Region Public  
23 Domain lands, including O&C Trust lands over which  
24 management authority is transferred to the O&C Trust  
25 pursuant to section 311(c)(1), lands transferred to the

1 Forest Service under section 321, and Tribal lands trans-  
2 ferred under subtitle D.

3 (b) ACCESS TO LANDS.—

4 (1) EXISTING ACCESS RIGHTS.—The Secretary  
5 concerned shall preserve all rights of access and use,  
6 including (but not limited to) reciprocal right-of-way  
7 agreements, tail hold agreements, or other right-of-  
8 way or easement obligations existing on the date of  
9 the enactment of this Act, and such rights shall re-  
10 main applicable to lands covered by this subtitle in  
11 the same manner and to the same extent as such  
12 rights applied before the date of the enactment of  
13 this Act.

14 (2) NEW ACCESS RIGHTS.—If a current or fu-  
15 ture landowner of land intermingled with Oregon  
16 and California Railroad Grant lands or O&C Region  
17 Public Domain lands does not have an existing ac-  
18 cess agreement related to the lands covered by this  
19 subtitle, the Secretary concerned shall enter into an  
20 access agreement, including appurtenant lands, to  
21 secure the landowner the reasonable use and enjoy-  
22 ment of the landowner's land, including the harvest  
23 and hauling of timber.

24 (c) MANAGEMENT COOPERATION.—The Board of  
25 Trustees and the Secretary concerned shall provide cur-

1 rent and future landowners of land intermingled with Or-  
2 egon and California Railroad Grant lands or O&C Region  
3 Public Domain lands the permission needed to manage  
4 their lands, including to locate tail holds, tramways, and  
5 logging wedges, to purchase guylines, and to cost-share  
6 property lines surveys to the lands covered by this subtitle,  
7 within 30 days after receiving notification of the land-  
8 owner's plan of operation.

9 (d) JUDICIAL REVIEW.—Notwithstanding section  
10 312(g)(2), a private landowner may obtain judicial review  
11 of a decision of the Board of Trustees to deny—

12 (1) the landowner the rights provided by sub-  
13 section (b) regarding access to the landowner's land;  
14 or

15 (2) the landowner the reasonable use and enjoy-  
16 ment of the landowner's land.

17 **SEC. 335. REPEAL OF SUPERSEDED LAW RELATING TO OR-**  
18 **EGON AND CALIFORNIA RAILROAD GRANT**  
19 **LANDS.**

20 (a) REPEAL.—Except as provided in subsections (b)  
21 and (c), the Act of August 28, 1937 (43 U.S.C. 1181a  
22 et seq.) is repealed effective on October 1 of the first fiscal  
23 year beginning after the appointment of the Board of  
24 Trustees.

1 (b) EFFECT OF CERTAIN COURT RULINGS.—If, as  
2 a result of judicial review authorized by section 312, any  
3 provision of this subtitle is held to be invalid and imple-  
4 mentation of the provision or any activity conducted under  
5 the provision is then enjoined, the Act of August 28, 1937  
6 (43 U.S.C. 1181a et seq.), as in effect immediately before  
7 its repeal by subsection (a), shall be restored to full legal  
8 force and effect as if the repeal had not taken effect.

9 **Subtitle B—Coos Bay Wagon Roads**

10 **SEC. 341. TRANSFER OF MANAGEMENT AUTHORITY OVER**  
11 **CERTAIN COOS BAY WAGON ROAD GRANT**  
12 **LANDS TO COOS COUNTY, OREGON.**

13 (a) TRANSFER REQUIRED.—Except in the case of the  
14 lands described in subsection (b), the Secretary of the In-  
15 terior shall transfer management authority over the Coos  
16 Bay Wagon Road Grant lands reconveyed to the United  
17 States pursuant to the first section of the Act of February  
18 26, 1919 (40 Stat. 1179), and the surface resources there-  
19 on, to the Coos County government. The transfer shall be  
20 completed not later than one year after the date of the  
21 enactment of this Act.

22 (b) LANDS EXCLUDED.—The transfer under sub-  
23 section (a) shall not include any of the following Coos Bay  
24 Wagon Road Grant lands:

1 (1) Federal lands within the National Land-  
2 scape Conservation System as of January 1, 2013.

3 (2) Federal lands designated as Areas of Crit-  
4 ical Environmental Concern as of January 1, 2013.

5 (3) Federal lands that were in the National  
6 Wilderness Preservation System as of January 1,  
7 2013.

8 (4) Federal lands included in the National Wild  
9 and Scenic Rivers System of January 1, 2013.

10 (5) Federal lands within the boundaries of a  
11 national monument, park, or other developed recre-  
12 ation area as of January 1, 2013.

13 (6) All stands of timber generally older than  
14 125 years old, as of January 1, 2011, which shall  
15 be conclusively determined by reference to the pol-  
16 ygon spatial data layer in the electronic data com-  
17 pilation filed by the Bureau of Land Management  
18 based on the predominant birth-date attribute, and  
19 the boundaries of such stands shall be conclusively  
20 determined for all purposes by the global positioning  
21 system coordinates for such stands.

22 (7) Tribal lands addressed in subtitle D.

23 (c) MANAGEMENT.—

24 (1) IN GENERAL.—Coos County shall manage  
25 the Coos Bay Wagon Road Grant lands over which



1 management authority is transferred under sub-  
2 section (a) consistent with section 314, and for pur-  
3 poses of applying such section, “Board of Trustees”  
4 shall be deemed to mean “Coos County” and “O&C  
5 Trust lands” shall be deemed to mean the trans-  
6 ferred lands.

7 (2) RESPONSIBILITY FOR MANAGEMENT  
8 COSTS.—Coos County shall be responsible for all  
9 management and administrative costs of the Coos  
10 Bay Wagon Road Grant lands over which manage-  
11 ment authority is transferred under subsection (a).

12 (3) MANAGEMENT CONTRACTS.—Coos County  
13 may contract, if competitively bid, with one or more  
14 public, private, or tribal entities, including (but not  
15 limited to) the Coquille Indian Tribe, if such entities  
16 are substantially based in Coos or Douglas Counties,  
17 Oregon, to manage and administer the lands.

18 (d) TREATMENT OF REVENUES.—

19 (1) IN GENERAL.—All revenues generated from  
20 the Coos Bay Wagon Road Grant lands over which  
21 management authority is transferred under sub-  
22 section (a) shall be deposited in the general fund of  
23 the Coos County treasury to be used as are other  
24 unrestricted county funds.

1           (2) TREASURY.—As soon as practicable after  
2 the end of the third fiscal year of the transition pe-  
3 riod and in each of the subsequent seven fiscal  
4 years, Coos County shall submit a payment of  
5 \$400,000 to the United States Treasury.

6           (3) DOUGLAS COUNTY.—Beginning with the  
7 first fiscal year for which management of the Coos  
8 Bay Wagon Road Grant lands over which manage-  
9 ment authority is transferred under subsection (a)  
10 generates net positive revenues, and for all subse-  
11 quent fiscal years, Coos County shall transmit a  
12 payment to the general fund of the Douglas County  
13 treasury from the net revenues generated from the  
14 lands. The payment shall be made as soon as prac-  
15 ticable following the end of each fiscal year and the  
16 amount of the payment shall bear the same propor-  
17 tion to total net revenues for the fiscal year as the  
18 proportion of the Coos Bay Wagon Road Grant  
19 lands in Douglas County in relation to all Coos Bay  
20 Wagon Road Grant lands in Coos and Douglas  
21 Counties as of January 1, 2013.

22 **SEC. 342. TRANSFER OF CERTAIN COOS BAY WAGON ROAD**  
23 **GRANT LANDS TO FOREST SERVICE.**

24           The Secretary of the Interior shall transfer adminis-  
25 trative jurisdiction over the Coos Bay Wagon Road Grant

1 lands excluded by paragraphs (1) through (6) of section  
2 341(b) to the Secretary of Agriculture for inclusion in the  
3 National Forest System and administration by the Forest  
4 Service as provided in section 322.

5 **SEC. 343. LAND EXCHANGE AUTHORITY.**

6 Coos County may recommend land exchanges to the  
7 Secretary of Agriculture and carry out such land ex-  
8 changes in the manner provided in section 316.

9 **Subtitle C—Oregon Treasures**

10 **CHAPTER 1—WILDERNESS AREAS**

11 **SEC. 351. DESIGNATION OF DEVIL'S STAIRCASE WILDER-**  
12 **NESS.**

13 (a) DESIGNATION.—In furtherance of the purposes of  
14 the Wilderness Act (16 U.S.C. 1131 et seq.), the Federal  
15 land in the State of Oregon administered by the Forest  
16 Service and the Bureau of Land Management, comprising  
17 approximately 30,520 acres, as generally depicted on the  
18 map titled “Devil’s Staircase Wilderness Proposal”, dated  
19 October 26, 2009, are designated as a wilderness area for  
20 inclusion in the National Wilderness Preservation System  
21 and to be known as the “Devil’s Staircase Wilderness”.

22 (b) MAP AND LEGAL DESCRIPTION.—As soon as  
23 practicable after the date of the enactment of this Act,  
24 the Secretary shall file with the Committee on Natural Re-  
25 sources of the House of Representatives and the Com-

1 mittee on Energy and Natural Resources of the Senate  
2 a map and legal description of wilderness area designated  
3 by subsection (a). The map and legal description shall  
4 have the same force and effect as if included in this Act,  
5 except that the Secretary may correct clerical and typo-  
6 graphical errors in the map and description. In the case  
7 of any discrepancy between the acreage specified in sub-  
8 section (a) and the map, the map shall control. The map  
9 and legal description shall be on file and available for pub-  
10 lic inspection in the Office of the Chief of the Forest Serv-  
11 ice.

12 (c) ADMINISTRATION.—

13 (1) IN GENERAL.—Subject to valid existing  
14 rights, the Devil's Staircase Wilderness Area shall be  
15 administered by the Secretaries of Agriculture and  
16 the Interior, in accordance with the Wilderness Act  
17 and the Oregon Wilderness Act of 1984, except that,  
18 with respect to the wilderness area, any reference in  
19 the Wilderness Act to the effective date of that Act  
20 shall be deemed to be a reference to the date of the  
21 enactment of this Act.

22 (2) FOREST SERVICE ROADS.—As provided in  
23 section 4(d)(1) of the Wilderness Act (16 U.S.C.  
24 1133(d)(1)), the Secretary of Agriculture shall—

1 (A) decommission any National Forest  
2 System road within the wilderness boundaries;  
3 and

4 (B) convert Forest Service Road 4100  
5 within the wilderness boundary to a trail for  
6 primitive recreational use.

7 (d) INCORPORATION OF ACQUIRED LAND AND IN-  
8 TERESTS.—Any land within the boundary of the wilder-  
9 ness area designated by this section that is acquired by  
10 the United States shall—

11 (1) become part of the Devil's Staircase Wilder-  
12 ness Area; and

13 (2) be managed in accordance with this section  
14 and any other applicable law.

15 (e) FISH AND WILDLIFE.—Nothing in this section  
16 shall be construed as affecting the jurisdiction or respon-  
17 sibilities of the State of Oregon with respect to wildlife  
18 and fish in the national forests.

19 (f) WITHDRAWAL.—Subject to valid rights in exist-  
20 ence on the date of enactment of this Act, the Federal  
21 land designated as wilderness area by this section is with-  
22 drawn from all forms of—

23 (1) entry, appropriation, or disposal under the  
24 public land laws;

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

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

5       (g) PROTECTION OF TRIBAL RIGHTS.—Nothing in  
6 this section shall be construed to diminish—

7           (1) the existing rights of any Indian tribe; or

8           (2) tribal rights regarding access to Federal  
9 lands for tribal activities, including spiritual, cul-  
10 tural, and traditional food gathering activities.

11 **SEC. 352. EXPANSION OF WILD ROGUE WILDERNESS AREA.**

12       (a) EXPANSION.—In accordance with the Wilderness  
13 Act (16 U.S.C. 1131 et seq.), certain Federal land man-  
14 aged by the Bureau of Land Management, comprising ap-  
15 proximately 58,100 acres, as generally depicted on the  
16 map entitled “Wild Rogue”, dated September 16, 2010,  
17 are hereby included in the Wild Rogue Wilderness, a com-  
18 ponent of the National Wilderness Preservation System.

19       (b) MAPS AND LEGAL DESCRIPTIONS.—

20           (1) IN GENERAL.—As soon as practicable after  
21 the date of enactment of this Act, the Secretary of  
22 the Interior shall file a map and a legal description  
23 of the wilderness area designated by this section,  
24 with—