§ 539n. Crystal Springs Watershed Special Resources Management Unit

(1) Establishment

(A) In general

On completion of the land exchange under section 1206 (a)(2), there shall be established a special resources management unit in the State consisting of certain Federal land managed by the Forest Service, as generally depicted on the map entitled “Crystal Springs Watershed Special Resources Management Unit”, dated June 2006 (referred to in this section as the “map”), to be known as the “Crystal Springs Watershed Special Resources Management Unit” (referred to in this section as the “Management Unit”).

(B) Exclusion of certain land

The Management Unit does not include any National Forest System land otherwise covered by subparagraph (A) that is designated as wilderness by section 1202.

(C) Withdrawal

(i) In general

Subject to valid rights in existence on March 30, 2009, the Federal land designated as the Management Unit is withdrawn from all forms of—

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

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

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

(ii) Exception

Clause (i)(I) does not apply to the parcel of land generally depicted as “HES 151” on the map.

(2) Purposes

The purposes of the Management Unit are—

(A) to ensure the protection of the quality and quantity of the Crystal Springs watershed as a clean drinking water source for the residents of Hood River County, Oregon; and

(B) to allow visitors to enjoy the special scenic, natural, cultural, and wildlife values of the Crystal Springs watershed.

(3) Map and legal description

(A) Submission of legal description

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

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

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

(B) Force of law

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

(C) Public availability
The map and legal description filed under subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

(4) **Administration**

(A) **In general**

The Secretary shall—

(i) administer the Management Unit—

(I) in accordance with the laws (including regulations) and rules applicable to units of the National Forest System; and

(II) consistent with the purposes described in paragraph (2); and

(ii) only allow uses of the Management Unit that are consistent with the purposes described in paragraph (2).

(B) **Fuel reduction in proximity to improvements and primary public roads**

To protect the water quality, water quantity, and scenic, cultural, natural, and wildlife values of the Management Unit, the Secretary may conduct fuel reduction and forest health management treatments to maintain and restore fire-resilient forest structures containing late successional forest structure characterized by large trees and multistoried canopies, as ecologically appropriate, on National Forest System land in the Management Unit—

(i) in any area located not more than 400 feet from structures located on—

(I) National Forest System land; or

(II) private land adjacent to National Forest System land;

(ii) in any area located not more than 400 feet from the Cooper Spur Road, the Cloud Cap Road, or the Cooper Spur Ski Area Loop Road; and

(iii) on any other National Forest System land in the Management Unit, with priority given to activities that restore previously harvested stands, including the removal of logging slash, smaller diameter material, and ladder fuels.

(5) **Prohibited activities**

Subject to valid existing rights, the following activities shall be prohibited on National Forest System land in the Management Unit:

(A) New road construction or renovation of existing non-System roads, except as necessary to protect public health and safety.

(B) Projects undertaken for the purpose of harvesting commercial timber (other than activities relating to the harvest of merchantable products that are byproducts of activities conducted to further the purposes described in paragraph (2)).

(C) Commercial livestock grazing.

(D) The placement of new fuel storage tanks.

(E) Except to the extent necessary to further the purposes described in paragraph (2), the application of any toxic chemicals (other than fire retardants), including pesticides, rodenticides, or herbicides.

(6) **Forest road closures**

(A) **In general**

Except as provided in subparagraph (B), the Secretary may provide for the closure or gating to the general public of any Forest Service road within the Management Unit.

(B) **Exception**

Nothing in this section requires the Secretary to close the road commonly known as “Cloud Cap Road”, which shall be administered in accordance with otherwise applicable law.

(7) **Private land**
(A) **Effect**

Nothing in this section affects the use of, or access to, any private property within the area identified on the map as the “Crystal Springs Zone of Contribution” by—

(i) the owners of the private property; and

(ii) guests to the private property.

(B) **Cooperation**

The Secretary is encouraged to work with private landowners who have agreed to cooperate with the Secretary to further the purposes of this section.

(8) **Acquisition of land**

(A) **In general**

The Secretary may acquire from willing landowners any land located within the area identified on the map as the “Crystal Springs Zone of Contribution”.

(B) **Inclusion in Management Unit**

On the date of acquisition, any land acquired under subparagraph (A) shall be incorporated in, and be managed as part of, the Management Unit.

**Footnotes**

1 See References in Text note below.


**References in Text**

Section 1206 (a)(2), referred to in par. (1)(A), is section 1206(a)(2) of Pub. L. 111–11, title I, Mar. 30, 2009, 123 Stat. 1018, which is not classified to the Code.

Section 1202, referred to in par. (1)(B), is section 1202 of Pub. L. 111–11, which enacted provisions listed in a table of National Memorials set out under section 431 of this title and enacted and amended provisions listed in a table of Wilderness Areas set out under section 1132 of this title.

This subtitle, referred to in par. (3)(B), is subtitle C (§§ 1201–1207) of title I of Pub. L. 111–11, Mar. 30, 2009, 123 Stat. 1007, which enacted this section and subchapter CXXII of chapter 1 of this title, amended sections 544k and 1274 of this title, enacted provisions set out as notes under sections 460uuu and 1274 of this title, enacted provisions listed in a table of National Memorials set out under section 431 of this title, and enacted and amended provisions listed in a table of Wilderness Areas set out under section 1132 of this title. For complete classification of subtitle C to the Code, see Tables.

**Definitions**

For definitions of terms used in this section, see section 1201 of Pub. L. 111–11, set out as a note under section 460uuu of this title.