

(k) “management plan” means the scenic area management plan adopted pursuant to section 544d of this title;

(l) “open spaces” means unimproved lands not designated as agricultural lands or forest lands pursuant to section 544d of this title and designated as open space pursuant to section 544d of this title. Open spaces include—

- (1) scenic, cultural, and historic areas;
- (2) fish and wildlife habitat;
- (3) lands which support plant species that are endemic to the scenic area or which are listed as rare, threatened or endangered species pursuant to State or Federal Endangered Species Acts;
- (4) ecologically and scientifically significant natural areas;
- (5) outstanding scenic views and sites;
- (6) water areas and wetlands;
- (7) archaeological sites, Indian burial grounds and village sites, historic trails and roads and other areas which are culturally or historically significant;
- (8) potential and existing recreation resources; and
- (9) Federal and State wild, scenic, and recreation waterways;

(m) “recreation assessment” means the recreation assessment adopted pursuant to section 544d of this title;

(n) “residential development” means the permitting for siting or construction of any residence or other related major structure;

(o) “scenic area” means the Columbia River Gorge National Scenic Area established pursuant to section 544b of this title;

(p) “Secretary” means the Secretary of Agriculture;

(q) “special management areas” means areas within the scenic area established pursuant to section 544b of this title;

(r) “States” means the States of Oregon and Washington; and

(s) “urban areas” means those areas within the scenic area identified as urban areas on the map referred to in section 544b(e) of this title or within the boundaries of an urban area as revised pursuant to section 544b(f) of this title.

(Pub. L. 99-663, §2, Nov. 17, 1986, 100 Stat. 4274; Pub. L. 103-435, §17(b), Nov. 2, 1994, 108 Stat. 4573.)

REFERENCES IN TEXT

Federal Endangered Species Acts, referred to in subsec. (l)(3), are classified principally to chapter 35 (§1531 et seq.) of this title.

AMENDMENTS

1994—Subsec. (g). Pub. L. 103-435 substituted “Yakama Indian Nation” for “Yakima Indian Nation”.

SHORT TITLE

Pub. L. 99-663, §1, Nov. 17, 1986, 100 Stat. 4274, provided that: “This Act [enacting this section and sections 544a to 544p of this title and amending sections 1274 and 1276 of this title] may be referred to as the ‘Columbia River Gorge National Scenic Area Act.’”

§ 544a. Purposes

The purposes of sections 544 to 544p of this title are—

(1) to establish a national scenic area to protect and provide for the enhancement of the scenic, cultural, recreational, and natural resources of the Columbia River Gorge; and

(2) to protect and support the economy of the Columbia River Gorge area by encouraging growth to occur in existing urban areas and by allowing future economic development in a manner that is consistent with paragraph (1). (Pub. L. 99-663, §3, Nov. 17, 1986, 100 Stat. 4276.)

§ 544b. Establishment of scenic area

(a) National scenic area

(1) There is hereby established the Columbia River Gorge National Scenic Area.

(2) BOUNDARIES.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the boundaries of the scenic area shall be generally depicted on the map entitled “Boundary Map, Columbia River Gorge National Scenic Area,” numbered NSA-001 sheets 1 and 2, and dated September 1986, which shall be on file and available for public inspection in the offices of the Commission and of the Chief, Forest Service.

(B) EXCLUSIONS.—The scenic area shall not include the approximately 29 acres of land owned by the Port of Camas-Washougal in the South ½ of Section 16, Township 1 North, Range 4 East, and the North ½ of Section 21, Township 1 North, Range 4 East, Willamete¹ Meridian, Clark County, Washington, that consists of—

(i) the approximately 19 acres of Port land acquired from the Corps of Engineers under the Second Supplemental Appropriations Act, 1984 (Public Law 98-396); and

(ii) the approximately 10 acres of adjacent Port land to the west of the land described in clause (i).

(b) Special management areas

(1) The following areas within the boundaries of the scenic area are hereby designated “Special Management Areas”: Gates of the Columbia River Gorge; Wind Mountain; Burdoin Mountain; and Rowena.

(2) The boundaries of the special management areas designated by paragraph (1)—

(A) shall be generally depicted on the map entitled “Special Management Areas, Columbia River Gorge National Scenic Area”, numbered SMA-002 sheets 1 through 17, and dated September 1986, which shall be on file and available for public inspection in the offices of the Commission and of the Chief, Forest Service; and

(B) shall include all islands within the boundaries of the scenic area.

(3) MODIFICATION OF BOUNDARIES.—The boundaries of the special management areas are modified as depicted on a map dated September 20, 2000, which shall be on file and available for public inspection in the office of the Chief of the Forest Service in Washington, District of Columbia, and copies shall be available in the office of the Commission, and the headquarters of the scenic area.

¹ So in original. Probably should be “Willamette”.