

107TH CONGRESS
1ST SESSION

S. 254

To provide further protections for the watershed of the Little Sandy River as part of the Bull Run Watershed Management Unit, Oregon, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 6, 2001

Mr. WYDEN (for himself and Mr. SMITH of Oregon) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To provide further protections for the watershed of the Little Sandy River as part of the Bull Run Watershed Management Unit, Oregon, 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. INCLUSION OF ADDITIONAL PORTION OF THE**
4 **LITTLE SANDY RIVER WATERSHED IN THE**
5 **BULL RUN WATERSHED MANAGEMENT UNIT,**
6 **OREGON.**

7 (a) IN GENERAL.—Public Law 95–200 (16 U.S.C.
8 482b note; 91 Stat. 1425) is amended by striking section
9 1 and inserting the following:

1 **“SECTION 1. ESTABLISHMENT OF SPECIAL RESOURCES**
2 **MANAGEMENT UNIT; DEFINITION OF SEC-**
3 **RETARY.**

4 “(a) DEFINITION OF SECRETARY.—In this Act, the
5 term ‘Secretary’ means—

6 “(1) with respect to land administered by the
7 Secretary of Agriculture, the Secretary of Agri-
8 culture; and

9 “(2) with respect to land administered by the
10 Secretary of the Interior, the Secretary of the Inte-
11 rior.

12 “(b) ESTABLISHMENT.—

13 “(1) IN GENERAL.—There is established, sub-
14 ject to valid existing rights, a special resources man-
15 agement unit in the State of Oregon, comprising ap-
16 proximately 98,272 acres, as depicted on a map
17 dated May 2000 and entitled ‘Bull Run Watershed
18 Management Unit’.

19 “(2) MAP.—The map described in paragraph
20 (1) shall be on file and available for public inspec-
21 tion in the offices of—

22 “(A) the Regional Forester—Pacific
23 Northwest Region of the Forest Service; and

24 “(B) the Oregon State Director of the Bu-
25 reau of Land Management.

1 “(3) BOUNDARY ADJUSTMENTS.—The Sec-
 2 retary may periodically make such minor adjust-
 3 ments in the boundaries of the unit as are necessary,
 4 after consulting with the city and providing for ap-
 5 propriate public notice and hearings.”.

6 (b) CONFORMING AND TECHNICAL AMENDMENTS.—

7 (1) SECRETARY.—Public Law 95–200 (16
 8 U.S.C. 482b note; 91 Stat. 1425) is amended by
 9 striking “Secretary of Agriculture” each place it ap-
 10 pears (except subsection (b) of section 1, as added
 11 by subsection (a), and except in the amendments
 12 made by paragraph (2)) and inserting “Secretary”.

13 (2) APPLICABLE LAW.—

14 (A) IN GENERAL.—Section 2(a) of Public
 15 Law 95–200 (16 U.S.C. 482b note; 91 Stat.
 16 1425) is amended by striking “applicable to
 17 National Forest System lands” and inserting
 18 “applicable to land under the administrative ju-
 19 risdiction of the Forest Service (in the case of
 20 land administered by the Secretary of Agri-
 21 culture) or applicable to land under the admin-
 22 istrative jurisdiction of the Bureau of Land
 23 Management (in the case of land administered
 24 by the Secretary of the Interior)”.

1 (B) MANAGEMENT PLANS.—The first sen-
2 tence of section 2(e) of Public Law 95–200 (16
3 U.S.C. 482b note; 91 Stat. 1426) is amended—

4 (i) by striking “subsection (a) and
5 (b)” and inserting “subsections (a) and
6 (b)”; and

7 (ii) by striking “, through the mainte-
8 nance” and inserting “(in the case of land
9 administered by the Secretary of Agri-
10 culture) or section 202 of the Federal
11 Land Policy and Management Act of 1976
12 (43 U.S.C. 1712) (in the case of land ad-
13 ministered by the Secretary of the Inte-
14 rior), through the maintenance”.

15 **SEC. 2. MANAGEMENT.**

16 (a) TIMBER CUTTING RESTRICTIONS.—Section 2(b)
17 of Public Law 95–200 (16 U.S.C. 482b note; 91 Stat.
18 1426) is amended by striking paragraph (1) and inserting
19 the following:

20 “(1) IN GENERAL.—Subject to paragraph (2),
21 the Secretary shall prohibit the cutting of trees on
22 Federal land in the unit, as designated in section 1
23 and depicted on the map referred to in that sec-
24 tion.”.

1 (b) REPEAL OF MANAGEMENT EXCEPTION.—The
2 Oregon Resource Conservation Act of 1996 (division B of
3 Public Law 104–208) is amended by striking section 606
4 (110 Stat. 3009–543).

5 (c) REPEAL OF DUPLICATIVE ENACTMENT.—Section
6 1026 of division I of the Omnibus Parks and Public Lands
7 Management Act of 1996 (Public Law 104–333; 110 Stat.
8 4228) and the amendments made by that section are re-
9 pealed.

10 (d) WATER RIGHTS.—Nothing in this section
11 strengthens, diminishes, or has any other effect on water
12 rights held by any person or entity.

13 **SEC. 3. LAND RECLASSIFICATION.**

14 (a) OREGON AND CALIFORNIA RAILROAD LAND.—
15 Not later than 180 days after the date of enactment of
16 this Act, the Secretary of Agriculture and the Secretary
17 of the Interior shall identify any Oregon and California
18 Railroad land that is subject to the distribution provision
19 of title II of the Act of August 28, 1937 (43 U.S.C.
20 1181f), within the boundary of the special resources man-
21 agement area described in section 1 of Public Law 95–
22 200 (as amended by section 1(a)).

23 (b) PUBLIC DOMAIN LAND.—

24 (1) DEFINITION OF PUBLIC DOMAIN LAND.—

1 (A) IN GENERAL.—In this subsection, the
2 term “public domain land” has the meaning
3 given the term “public land” in section 103 of
4 the Federal Land Policy and Management Act
5 of 1976 (43 U.S.C. 1702).

6 (B) EXCLUSION.—The term “public do-
7 main land” does not include any land managed
8 under the Act of August 28, 1937 (43 U.S.C.
9 1181a et seq.).

10 (2) IDENTIFICATION.—Not later than 18
11 months after the date of enactment of this Act, the
12 Secretary of the Interior shall identify public domain
13 land within the Medford, Roseburg, Eugene, Salem,
14 and Coos Bay Districts and the Klamath Resource
15 Area of the Lakeview District of the Bureau of
16 Land Management in the State of Oregon that—

17 (A) is approximately equal in acreage and
18 condition as the land identified in subsection
19 (a); but

20 (B) is not subject to the Act of August 28,
21 1937 (43 U.S.C. 1181a et seq.).

22 (c) MAPS.—Not later than 2 years after the date of
23 enactment of this Act, the Secretary of the Interior shall
24 submit to Congress and publish in the Federal Register

1 1 or more maps depicting the land identified in sub-
2 sections (a) and (b).

3 (d) RECLASSIFICATION.—After providing an oppor-
4 tunity for public comment, the Secretary of the Interior
5 shall administratively reclassify—

6 (1) the land described in subsection (a), as pub-
7 lic domain land (as the term is defined in subsection
8 (b)) that is not subject to the distribution provision
9 of title II of the Act of August 28, 1937 (43 U.S.C.
10 1181f); and

11 (2) the land described in subsection (b), as Or-
12 egon and California Railroad land that is subject to
13 the Act of August 28, 1937 (43 U.S.C. 1181a et
14 seq.).

15 **SEC. 4. FUNDING FOR ENVIRONMENTAL RESTORATION.**

16 There is authorized to be appropriated to carry out,
17 in accordance with section 323 of the Department of the
18 Interior and Related Agencies Appropriations Act, 1999
19 (16 U.S.C. 1101 note; 112 Stat. 2681–290), watershed
20 restoration that protects or enhances water quality, or re-
21 lates to the recovery of endangered species or threatened
22 species listed under the Endangered Species Act of 1973
23 (16 U.S.C. 1531 et seq.), in Clackamas County, Oregon,
24 \$10,000,000.

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