

105TH CONGRESS
2D SESSION

S. 2509

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

SEPTEMBER 22, 1998

Mr. WYDEN 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) is amended by striking section 1 and inserting
9 the following:

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

4 “(a) ESTABLISHMENT.—

5 “(1) IN GENERAL.—There is established, sub-
6 ject to valid existing rights, a special resources man-
7 agement unit in the State of Oregon comprising ap-
8 proximately 98,272 acres, as depicted on a map
9 dated September, 1998, and entitled ‘Bull Run Wa-
10 tershed Management Unit’.

11 “(2) MAP.—The map described in paragraph
12 (1) shall be on file and available for public inspec-
13 tion in the offices of the Regional Forester-Pacific
14 Northwest Region, Forest Service, Department of
15 Agriculture, and in the offices of the State Director,
16 Bureau of Land Management, Department of the
17 Interior.

18 “(3) BOUNDARY ADJUSTMENTS.—Minor adjust-
19 ments in the boundaries of the unit may be made
20 from time to time by the Secretary after consulta-
21 tion with the city and appropriate public notice and
22 hearings.

23 “(b) DEFINITION OF SECRETARY.—In this Act, the
24 term ‘Secretary’ means—

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

4 “(2) with respect to land administered by the
5 Secretary of the Interior, the Secretary of the Inte-
6 rior.”.

7 (b) CONFORMING AND TECHNICAL AMENDMENTS.—

8 (1) SECRETARY.—Public Law 95–200 (16
9 U.S.C. 482b note) is amended by striking “Sec-
10 retary of Agriculture” each place it appears (except
11 subsection (b) of section 1, as added by subsection
12 (a), and except in the amendments made by para-
13 graph (2)) and inserting “Secretary”.

14 (2) APPLICABLE LAW.—

15 (A) IN GENERAL.—Section 2(a) of Public
16 Law 95–200 (16 U.S.C. 482b note) is amended
17 by striking “applicable to National Forest Sys-
18 tem lands” and inserting “applicable to Na-
19 tional Forest System land (in the case of land
20 administered by the Secretary of Agriculture)
21 or applicable to land under the administrative
22 jurisdiction of the Bureau of Land Management
23 (in the case of land administered by the Sec-
24 retary 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) is amended—

4 (i) by striking “subsection (a) or (b)”
5 and inserting “subsections (a) and (b)”;
6 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 HARVESTING RESTRICTIONS.—Section
17 2(b) of Public Law 95–200 (16 U.S.C. 482b note) is
18 amended by striking paragraph (1) and inserting the fol-
19 lowing:

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

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 EXCHANGE.**

14 (a) LAND EXCHANGE.—Upon application by the city
15 of Portland, Oregon (referred to in this section as the
16 “city”), the Secretary of Agriculture shall enter into nego-
17 tiations with the city for the transfer of National Forest
18 System land underlying the city’s Bull Run water supply
19 facilities to the city in exchange for city-owned land lying
20 within the boundaries of any unit of the National Forest
21 System in Oregon or Washington.

22 (b) TIME FOR EXCHANGE.—Subject to subsection
23 (c), the Secretary shall expedite the negotiations, if the
24 city applies for a land exchange under subsection (a), and

1 shall complete such a land exchange not later than Sep-
2 tember 30, 2001.

3 (c) APPLICABILITY OF OTHER LAWS.—Except as
4 provided in subsection (d), any land exchange under this
5 section shall be carried out in accordance with section 206
6 of the Federal Land Policy and Management Act of 1976
7 (43 U.S.C. 1716) and other applicable law.

8 (d) EXCEPTION TO SINGLE STATE LIMITATION ON
9 EXCHANGE.—The requirement that Federal and non-Fed-
10 eral parcels of land exchanged for each other must be lo-
11 cated within the same State, as specified in the Act enti-
12 tled “An Act to Consolidate National Forest Lands”, ap-
13 proved March 20, 1922 (16 U.S.C. 485), and the first sen-
14 tence of section 206(b) of the Federal Land Policy and
15 Management Act of 1976 (43 U.S.C. 1716(b)), shall not
16 apply to the land exchange authorized by this section.

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