

Calendar No. 850106TH CONGRESS
2^D SESSION**S. 2691****[Report No. 106-428]**

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

JUNE 7 (legislative day, JUNE 6), 2000

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

SEPTEMBER 28, (legislative day, SEPTEMBER 22), 2000

Reported by Mr. MURKOWSKI, with an amendment

[Insert the part printed in italic]

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,*

1 **SECTION 1. INCLUSION OF ADDITIONAL PORTION OF THE**
2 **LITTLE SANDY RIVER WATERSHED IN THE**
3 **BULL RUN WATERSHED MANAGEMENT UNIT,**
4 **OREGON.**

5 (a) IN GENERAL.—Public Law 95–200 (16 U.S.C.
6 482b note) is amended by striking section 1 and inserting
7 the following:

8 **“SECTION 1. ESTABLISHMENT OF SPECIAL RESOURCES**
9 **MANAGEMENT UNIT; DEFINITION OF SEC-**
10 **RETARY.**

11 “(a) ESTABLISHMENT.—

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

18 “(2) MAP.—The map described in paragraph
19 (1) shall be on file and available for public inspec-
20 tion in the offices of the Regional Forester-Pacific
21 Northwest Region, Forest Service, Department of
22 Agriculture, and in the offices of the State Director,
23 Bureau of Land Management, Department of the
24 Interior.

25 “(3) BOUNDARY ADJUSTMENTS.—Minor adjust-
26 ments in the boundaries of the unit may be made

1 from time to time by the Secretary after consulta-
2 tion with the city and appropriate public notice and
3 hearings.

4 “(b) 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) CONFORMING AND TECHNICAL AMENDMENTS.—

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

19 (2) APPLICABLE LAW.—

20 (A) IN GENERAL.—Section 2(a) of Public
21 Law 95–200 (16 U.S.C. 482b note) is amended
22 by striking “applicable to National Forest Sys-
23 tem lands” and inserting “applicable to Na-
24 tional Forest System land (in the case of land
25 administered by the Secretary of Agriculture)

1 or applicable to land under the administrative
 2 jurisdiction of the Bureau of Land Management
 3 (in the case of land administered by the Sec-
 4 retary of the Interior)”.

5 (B) MANAGEMENT PLANS.—The first sen-
 6 tence of section 2(c) of Public Law 95–200 (16
 7 U.S.C. 482b note) is amended—

8 (i) by striking “subsection (a) and
 9 (b)” and inserting “subsections (a) and
 10 (b)”; and

11 (ii) by striking “, through the mainte-
 12 nance” and inserting “(in the case of land
 13 administered by the Secretary of Agri-
 14 culture) or section 202 of the Federal
 15 Land Policy and Management Act of 1976
 16 (43 U.S.C. 1712) (in the case of land ad-
 17 ministered by the Secretary of the Inte-
 18 rior), through the maintenance”.

19 **SEC. 2. MANAGEMENT.**

20 (a) TIMBER HARVESTING RESTRICTIONS.—Section
 21 2(b) of Public Law 95–200 (16 U.S.C. 482b note) is
 22 amended by striking paragraph (1) and inserting the fol-
 23 lowing:

24 “(1) IN GENERAL.—Subject to paragraph (2),
 25 the Secretary shall prohibit the cutting of trees on

1 Federal land in the entire unit, as designated in sec-
2 tion 1 and depicted on the map referred to in that
3 section.”.

4 (b) REPEAL OF MANAGEMENT EXCEPTION.—The
5 Oregon Resource Conservation Act of 1996 (division B of
6 Public Law 104–208) is amended by striking section 606
7 (110 Stat. 3009–543).

8 (c) REPEAL OF DUPLICATIVE ENACTMENT.—Section
9 1026 of division I of the Omnibus Parks and Public Lands
10 Management Act of 1996 (Public Law 104–333; 110 Stat.
11 4228) and the amendments made by that section are re-
12 pealed.

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

16 **SEC. 3. LAND RECLASSIFICATION.**

17 (a) *Within six months of the date of enactment of this*
18 *Act, the Secretaries of Agriculture and Interior shall iden-*
19 *tify any Oregon and California Railroad lands (O&C*
20 *lands) subject to the distribution provision of the Act of Au-*
21 *gust 28, 1937 (chapter 876, title II, 50 Stat. 875; 43 U.S.C.*
22 *§ 1181f) within the boundary of the special resources man-*
23 *agement area described in Section 1 of this Act.*

24 (b) *Interior shall identify public domain lands within*
25 *the Medford, Roseburg, Eugene, Salem and Coos Bay Dis-*

1 *tricts and the Klamath Resource Area of the Lakeview Dis-*
2 *trict of the Bureau of Land Management approximately*
3 *equal in size and condition as those lands identified in*
4 *paragraph (a) but not subject to the distribution provision*
5 *of the Act of August 28, 1937 (chapter 876, title II, 50 Stat.*
6 *875; 43 U.S.C. § 1181f). For purposes of this paragraph,*
7 *“public domain lands” shall have the meaning given the*
8 *term “public lands” in Section 103 of the Federal Land*
9 *Policy and Management Act of 1976 (43 U.S.C. § 1702),*
10 *but excluding therefrom any lands managed pursuant to*
11 *the Act of August 28, 1937 (chapter 876, title II, 50 Stat.*
12 *875; 43 U.S.C. § 1181f).*

13 *(c) Within two years after the date of enactment of*
14 *this Act, the Secretary of the Interior shall submit to Con-*
15 *gress and publish in the Federal Register a map or maps*
16 *identifying those public domain lands pursuant to para-*
17 *graphs (a) and (b) of this Section. After an opportunity*
18 *for public comment, the Secretary of the Interior shall com-*
19 *plete an administrative land reclassification such that those*
20 *lands identified pursuant to paragraph (a) become public*
21 *domain lands not subject to the distribution provision of*
22 *the Act of August 28, 1937 (chapter 876, title II, 50 Stat.*
23 *875; 43 U.S.C. § 1181f) and those lands identified pursuant*
24 *to paragraph (b) become Oregon and California Railroad*
25 *lands (O&C lands) subject to the distribution provision of*

1 *the Act of August 28, 1937 (chapter 876, title II, 50 Stat.*
2 *875; 43 U.S.C. § 1181f).*

3 **SEC. 4. ENVIRONMENTAL RESTORATION.**

4 (a) *IN GENERAL.*—*In order to further the purposes of*
5 *this Act, there is hereby authorized to be appropriated \$10*
6 *million under the provisions of section 323 of the FY 1999*
7 *Interior Appropriations Act (P.L. 105–277) for Clackamas*
8 *County, Oregon, for watershed restoration near the Bull*
9 *Run Management Unit.*

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