

Calendar No. 611

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 4953**

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 25, 2002

Received; read twice and placed on the calendar

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**AN ACT**

To direct the Secretary of the Interior to grant to Deschutes  
and Crook Counties in the State of Oregon a right-  
of-way to West Butte Road.

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. COUNTY RIGHT-OF-WAY TO WEST BUTTE ROAD**  
2 **IN THE STATE OF OREGON.**

3 (a) DEFINITIONS.—In this Act:

4 (1) WEST BUTTE ROAD.—The term “West  
5 Butte Road” means the unpaved Bureau of Land  
6 Management road in the State of Oregon identified  
7 on the map as BLM Road 6520.

8 (2) COUNTY.—The term “County” means each  
9 of Crook County and Deschutes County in the State  
10 of Oregon.

11 (3) MAP.—The term “map” means the map en-  
12 titled “West Butte Road Right of Way” dated July  
13 17, 2002.

14 (4) SECRETARY.—The term “Secretary” means  
15 the Secretary of the Interior, acting through the Di-  
16 rector of the Bureau of Land Management.

17 (b) GRANT TO COUNTIES.—Notwithstanding any  
18 other Act, and subject to subsection (d), the Secretary  
19 shall grant to each County a right-of-way to the West  
20 Butte Road.

21 (c) BOUNDARIES.—

22 (1) IN GENERAL.—Subject to paragraph (2),  
23 the rights-of-way granted under subsection (b)  
24 shall—

(A) extend in length from Reservoir Road in Crook County to United States Route 20 in Deschutes County, Oregon; and

(B) shall extend in width 100 feet on each side of the centerline of West Butte Road.

(2) MODIFICATIONS.—

(A) STATE ROADS.—

(i) IN GENERAL.—The Secretary shall amend the existing rights-of-way of each of the Counties as contained in their respective road case files to include the rights-of-way granted under subsection (b).

(ii) EFFECT.—The rights-of-way amended under clause (i) shall be subject to the common terms, conditions, and stipulations identified in the Counties' rights-of-way grants that apply on the date of enactment of this Act.

(iii) CONSIDERATION OF ENVIRONMENTAL CONCERNS.—Environmental concerns associated with any development of the West Butte Road shall be addressed by the County in meeting compliance requirements associated with State and Federal highway projects and the National Envi-

1                   ronmental Policy Act of 1969 as adminis-  
 2                   tered by the Federal Highway Administra-  
 3                   tion.

4                   (B) WEST BUTTE ROAD.—Notwithstanding  
 5                   any other Act, the Secretary shall provide for  
 6                   adjustment to the right-of-way width and align-  
 7                   ment granted under subsection (b) in portions  
 8                   of the West Butte Road necessary for the road  
 9                   to meet applicable State and Federal highway  
 10                  standards.

11 **SEC. 2. RELINQUISHMENT OF RIGHT-OF-WAY.**

12           The right-of-way granted to each County under sub-  
 13           section (b) of section 1 shall be contingent upon the Coun-  
 14           ties relinquishing any right, title, or interest in and to any  
 15           RS 2477 right-of-way claim held by the Counties to the  
 16           portion of the road known as George Millican Road that  
 17           is located in the area described in subsection (c)(1) of sec-  
 18           tion 1.

                  Passed the House of Representatives September 24,  
 2002.

Attest:

JEFF TRANDAHL,

*Clerk.*



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