

114TH CONGRESS
2D SESSION

S. 3048

To withdraw certain Federal land located in Malheur County, Oregon, from all forms of entry, appropriation, or disposal under the public land laws, location, entry, and patent under the mining laws, and operation under the mineral leasing laws, to provide for the conduct of certain economic activities in Malheur County, Oregon, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 10, 2016

Mr. WYDEN (for himself and Mr. MERKLEY) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To withdraw certain Federal land located in Malheur County, Oregon, from all forms of entry, appropriation, or disposal under the public land laws, location, entry, and patent under the mining laws, and operation under the mineral leasing laws, to provide for the conduct of certain economic activities in Malheur County, 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. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) IN GENERAL.—This Act may be cited as the
 3 “Southeastern Oregon Mineral Withdrawal and Economic
 4 Preservation and Development Act”.

5 (b) TABLE OF CONTENTS.—The table of contents for
 6 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—SOUTHEASTERN OREGON WITHDRAWAL AREA

Sec. 101. Definitions.

Sec. 102. Designation of Southeastern Oregon Withdrawal Area.

Sec. 103. Purposes and management.

Sec. 104. Authorization of appropriations.

Sec. 105. Effect of title.

TITLE II—ECONOMIC DEVELOPMENT ACTIVITIES IN MALHEUR
 COUNTY, OREGON

Sec. 201. Water development.

Sec. 202. Establishment of an Agricultural Center for Excellence.

Sec. 203. Rural fire assistance.

Sec. 204. Infrastructure assistance to promote economic development in rural
 communities.

Sec. 205. Workforce training grants.

Sec. 206. Authorization of appropriations.

7 **SEC. 2. DEFINITIONS.**

8 In this Act:

9 (1) CITY.—The term “City” means the city of
 10 Ontario, Oregon.

11 (2) COUNTY.—The term “County” means
 12 Malheur County, Oregon.

13 (3) SECRETARY.—The term “Secretary” means
 14 the Secretary of the Interior.

15 (4) STATE.—The term “State” means the State
 16 of Oregon.

1 (5) WITHDRAWAL AREA.—The term “with-
 2 drawal area” means the Southeastern Oregon With-
 3 drawal Area established by section 102(a).

4 **TITLE I—SOUTHEASTERN**
 5 **OREGON WITHDRAWAL AREA**

6 **SEC. 101. DEFINITIONS.**

7 In this title:

8 (1) ELIGIBLE FEDERAL LAND.—The term “eli-
 9 gible Federal land” means—

10 (A) any federally owned land or interest in
 11 the federally owned land depicted on the Map;
 12 and

13 (B) any land or interest in land located
 14 within the withdrawal area that is acquired by
 15 the Federal Government after the date of enact-
 16 ment of this Act.

17 (2) MAP.—The term “Map” means the map en-
 18 titled “Southeastern Oregon Mineral Withdrawal
 19 Map–Proposed” and dated June 7, 2016.

20 **SEC. 102. DESIGNATION OF SOUTHEASTERN OREGON WITH-**
 21 **DRAWAL AREA.**

22 (a) IN GENERAL.—There is established the South-
 23 eastern Oregon Withdrawal Area, comprising approxi-
 24 mately 2,065,000 acres of eligible Federal land in the
 25 County, as generally depicted on the Map.

1 (b) WITHDRAWAL.—Subject to valid existing rights,
2 the eligible Federal land is withdrawn from all forms of—

3 (1) entry, appropriation, and disposal under the
4 public land laws;

5 (2) location, entry, and patent under the mining
6 laws; and

7 (3) operation under the mineral leasing laws.

8 (c) AVAILABILITY OF MAP.—The Map shall be on file
9 and available for inspection in the appropriate offices of
10 the Director of the Bureau of Land Management.

11 (d) EFFECT ON GEOTHERMAL LEASES.—This sec-
12 tion shall not apply to geothermal leases issued as of or
13 after the date of enactment of this Act in the withdrawal
14 area.

15 **SEC. 103. PURPOSES AND MANAGEMENT.**

16 (a) PURPOSES.—The purposes of the withdrawal area
17 are—

18 (1) to preserve the traditional uses and values
19 of the communities in the vicinity of the withdrawal
20 area;

21 (2) to protect against the harmful effects min-
22 ing and oil and gas extraction could have on the
23 unique and important resources of the region, par-
24 ticularly water quality, grazing, and other economic
25 development opportunities; and

1 (3)(A) to support the continuation of grazing in
2 and around the withdrawal area; and

3 (B) to recognize the significance of grazing in
4 the economy, history, and culture of the County.

5 (b) MAPS AND LEGAL DESCRIPTION.—

6 (1) IN GENERAL.—As soon as practicable after
7 the date of enactment of this Act, the Secretary
8 shall file with the Committee on Energy and Natural
9 Resources of the Senate and the Committee on Nat-
10 ural Resources of the House of Representatives a
11 map and legal description of the withdrawal area.

12 (2) FORCE AND EFFECT.—The map and legal
13 description filed under paragraph (1) shall have the
14 same force and effect as if included in this title, ex-
15 cept that the Secretary may correct clerical and ty-
16 pographical errors in the map and legal description.

17 (3) AVAILABILITY.—The map and legal descrip-
18 tion filed under paragraph (1) shall be on file and
19 available for public inspection in—

20 (A) the office of the Director of the Bu-
21 reau of Land Management; and

22 (B) the appropriate office of the Bureau of
23 Land Management in the State.

1 **SEC. 104. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated such sums
3 as are necessary to carry out this title.

4 **SEC. 105. EFFECT OF TITLE.**

5 Nothing in this title restricts livestock grazing, law
6 enforcement activities, wildfire management, hunting,
7 fishing, fish and wildlife management activities, other au-
8 thorized uses, or Federal, State, or local agency authori-
9 ties allowed on the date of enactment of this Act on the
10 eligible Federal land in accordance with applicable law.

11 **TITLE II—ECONOMIC DEVELOP-**
12 **MENT ACTIVITIES IN**
13 **MALHEUR COUNTY, OREGON**

14 **SEC. 201. WATER DEVELOPMENT.**

15 (a) IN GENERAL.—The Secretary of Agriculture shall
16 provide grants for projects in the State to develop modern
17 and efficient water systems that are designed—

18 (1) to provide adequate water supply and im-
19 prove water storage for livestock, other agricultural
20 users, and wildlife;

21 (2) to keep livestock out of rivers, streams, and
22 riparian areas; and

23 (3) to find innovative ways to address water
24 needs for fighting fires and protecting habitats.

25 (b) UPDATES AND REPLACEMENTS TO WATERING
26 SYSTEMS.—In providing grants under subsection (a), the

1 Secretary of Agriculture may provide grants for projects
2 in the State to update or replace watering systems within
3 the boundary of the withdrawal area with more efficient
4 systems.

5 **SEC. 202. ESTABLISHMENT OF AN AGRICULTURAL CENTER**
6 **FOR EXCELLENCE.**

7 The Secretary of Agriculture shall establish an Agri-
8 cultural Center for Excellence to be located in the Coun-
9 ty—

10 (1) to collaborate with the Department of Agri-
11 culture Research Station in Harney County, Oregon,
12 Oregon State University, local agricultural pro-
13 ducers, and other entities, as appropriate;

14 (2) to conduct rangeland and grazing research,
15 including the conduct of research that addresses
16 invasive species and water storage improvements for
17 livestock and wildlife;

18 (3) to collaborate with agricultural researchers
19 and producers in the County and surrounding area
20 to improve grazing practices; and

21 (4) to provide to the Director of the Bureau of
22 Land Management any findings of the Center to as-
23 sist in preparing applicable allotment management
24 plans.

1 **SEC. 203. RURAL FIRE ASSISTANCE.**

2 (a) REAUTHORIZATION OF RURAL FIREFIGHTER AS-
3 SISTANCE PROGRAM.—

4 (1) USE OF FUNDS.—Section 6405(d) of the
5 Farm Security and Rural Investment Act of 2002 (7
6 U.S.C. 2655(d)) is amended—

7 (A) in paragraph (9), by striking “or” at
8 the end;

9 (B) in paragraph (10), by striking the pe-
10 riod at the end and inserting “; or”; and

11 (C) by adding at the end the following:

12 “(11) to fund operating expenses of firefighters,
13 including expenses for training, equipment, insur-
14 ance, maintenance, and fuel.”.

15 (2) AUTHORIZATION OF APPROPRIATIONS.—
16 Section 6405(g)(1) of the Farm Security and Rural
17 Investment Act of 2002 (7 U.S.C. 2655(g)(1)) is
18 amended by striking “each of fiscal years 2008
19 through 2012” and inserting “ each fiscal year”.

20 (3) LIMITATION.—Section 6405 of the Farm
21 Security and Rural Investment Act of 2002 (7
22 U.S.C. 2655) is amended by adding at the end the
23 following:

24 “(h) LIMITATION.—In carrying out the program
25 under this section, the Secretary shall, to the maximum
26 extent practicable, minimize the administrative and paper-

1 work burden imposed on recipients of financial assistance
2 under this section.”.

3 (b) SURPLUS EQUIPMENT PROGRAM.—The Secre-
4 taries of Homeland Security and Defense and the Sec-
5 retary (referred to in this subsection as the “Secretaries”)
6 shall establish a program within the Departments of
7 Homeland Security, Defense, and the Interior, respec-
8 tively, under which the Secretaries shall transfer to States
9 and units of local government surplus equipment of the
10 applicable Department that can be used in firefighting, in-
11 cluding surplus mechanical equipment and communication
12 devices.

13 (c) ESTABLISHMENT OF FUEL BREAKS ALONG CER-
14 TAIN ELIGIBLE ACCESS ROADS.—

15 (1) IN GENERAL.—The Secretary shall establish
16 a program within the Bureau of Land Management
17 for the establishment and maintenance of strategic
18 fuel breaks from which firefighters would be able to
19 safely operate—

20 (A) to preserve critical sage grouse habitat;

21 and

22 (B) to support the ranching community in
23 the vicinity of the fuel breaks.

1 (2) PRIORITY.—In determining the placement
2 of strategic fuel breaks under paragraph (1), the
3 Secretary shall—

4 (A) consult with land managers to assess
5 whether the fuel break serves the purposes de-
6 scribed in that paragraph; and

7 (B) give priority to fuel breaks that the
8 Secretary determines would serve the purposes
9 described in that paragraph.

10 **SEC. 204. INFRASTRUCTURE ASSISTANCE TO PROMOTE**
11 **ECONOMIC DEVELOPMENT IN RURAL COM-**
12 **MUNITIES.**

13 (a) INFRASTRUCTURE GRANTS FOR COMMUNITIES IN
14 THE COUNTY.—

15 (1) IN GENERAL.—The Secretary of Agriculture
16 (acting through the Under Secretary for Rural De-
17 velopment) (referred to in this subsection as the
18 “Secretary”) shall provide to eligible communities
19 described in paragraph (2) grants for infrastructure
20 projects in the eligible communities, including—

21 (A) projects relating to drinking water and
22 wastewater systems; and

23 (B) projects for the improvement of
24 broadband or cellular service.

1 (2) ELIGIBLE COMMUNITY.—An eligible com-
2 munity referred to in paragraph (1) is a community
3 that is—

4 (A) incorporated or recognized in the
5 County land use plan or a regional land use
6 plan; or

7 (B) within tribal jurisdictional boundaries
8 in the County.

9 (3) APPLICATION.—To be eligible to receive a
10 grant under this subsection an eligible community
11 described in paragraph (2) shall submit to the Sec-
12 retary an application at such time, in such manner,
13 and containing such information as the Secretary
14 may require.

15 (b) STUDY OF RURAL AIR SERVICE.—

16 (1) IN GENERAL.—Not later than 2 years after
17 the date of enactment of this Act, the Secretary of
18 Transportation shall conduct a study of infrastruc-
19 ture needs in rural communities and improvements
20 for rural air services and infrastructure that would
21 support commercial, charter, or subscription air
22 service at the Ontario Municipal Airport, which shall
23 focus on—

24 (A) the air service needs of the County and
25 surrounding areas;

1 (B) improving access for tourism to the
2 County;

3 (C) supporting firefighting staging and de-
4 ployment;

5 (D) supporting commercial and agricul-
6 tural needs; and

7 (E) improving economic development op-
8 portunities in the County through transpor-
9 tation improvements.

10 (2) REPORT.—On completion of the study
11 under paragraph (1), the Secretary of Transpor-
12 tation shall submit to the appropriate committees of
13 Congress a report that describes the results of the
14 study.

15 (c) CONSTRUCTION OF INNOVATIVE AGRICULTURAL
16 TRANSPORTATION INFRASTRUCTURE.—

17 (1) DEFINITION OF INTERMODAL TRANSFER
18 FACILITY.—In this subsection, the term “intermodal
19 transfer facility” means a facility that supports the
20 transportation of agricultural products to market.

21 (2) GRANT.—The Secretary of Transportation
22 may provide to the State a grant for the construc-
23 tion of an intermodal transfer facility in the County
24 to improve the efficient movement of agricultural
25 products.

1 (3) APPLICATIONS.—To be eligible to receive a
 2 grant under this subsection, the State shall submit
 3 to the Secretary of Transportation an application at
 4 such time, in such manner, and containing such in-
 5 formation as the Secretary of Transportation may
 6 require.

7 (d) TRANSPORTATION SYSTEM IMPROVEMENTS.—

8 (1) IN GENERAL.—The Secretary of Transpor-
 9 tation shall provide financial assistance to the Coun-
 10 ty for the conduct of projects that would improve—

11 (A) the downtown area of the City and
 12 surrounding communities; and

13 (B) transportation within the City, includ-
 14 ing—

15 (i) projects relating to—

16 (I) pedestrian, bicycle, and tran-
 17 sit access in the City; and

18 (II) safety corridors in the City;

19 (ii) projects to improve access to, and
 20 improvements for, trails along riverfronts
 21 in the City; and

22 (iii) projects to ensure the availability
 23 of transit for senior citizens.

24 (2) APPLICATIONS.—To be eligible to receive fi-
 25 nancial assistance under this subsection, the County

1 shall submit to the Secretary of Transportation an
 2 application at such time, in such manner, and con-
 3 taining such information as the Secretary of Trans-
 4 portation may require.

5 (e) LAKE OWYHEE ROAD TRANSPORTATION IM-
 6 PROVEMENT PROJECTS.—

7 (1) IN GENERAL.—The Secretary of Transpor-
 8 tation shall provide to the State grants to support
 9 transportation projects to improve—

10 (A) the safety and security of the Owyhee
 11 Project; and

12 (B) transportation access routes associated
 13 with the Owyhee Project.

14 (2) APPLICATIONS.—To be eligible to receive a
 15 grant under this subsection, the State shall submit
 16 to the Secretary of Transportation an application at
 17 such time, in such manner, and containing such in-
 18 formation as the Secretary of Transportation may
 19 require.

20 **SEC. 205. WORKFORCE TRAINING GRANTS.**

21 (a) DEFINITIONS.—In this section:

22 (1) ELIGIBLE ENTITY.—

23 (A) IN GENERAL.—The term “eligible enti-
 24 ty” means a public or private nonprofit agency

1 or organization or a consortium of public or pri-
2 vate nonprofit agencies or organizations.

3 (B) INCLUSIONS.—The term “eligible enti-
4 ty” includes—

5 (i) a community-based organization;

6 (ii) a faith-based organization;

7 (iii) an entity carrying out activities
8 under title I of the Workforce Innovation
9 and Opportunity Act (29 U.S.C. 3111 et
10 seq.), such as a local board;

11 (iv) a community action agency;

12 (v) a State or local housing develop-
13 ment agency;

14 (vi) an Indian tribe or other agency
15 primarily serving members of Indian
16 tribes;

17 (vii) a community development cor-
18 poration;

19 (viii) a State or local youth service or
20 conservation corps; and

21 (ix) any other entity eligible to provide
22 education or employment training under a
23 Federal program (other than the program
24 carried out under this section).

1 (2) SECRETARY.—The term “Secretary” means
2 the Secretary of Labor.

3 (b) ESTABLISHMENT OF GRANT PROGRAM.—The
4 Secretary shall establish within the Employment and
5 Training Administration of the Department of Labor a
6 program to provide to eligible entities grants for the con-
7 duct of workforce training activities in the County.

8 (c) PRIORITIES.—In providing grants under sub-
9 section (b), the Secretary shall give priority to activities
10 relating to—

11 (1) providing technical education to youth
12 under the Malheur County Poverty to Prosperity
13 program;

14 (2) training for adults that are reentering the
15 workforce or seeking to improve career opportuni-
16 ties; and

17 (3) training in agriculture and ranching for vet-
18 erans and youth, including the use of innovative ag-
19 ricultural practices and conservation techniques.

20 (d) APPLICATIONS.—To be eligible to receive finan-
21 cial assistance under this section, an eligible entity shall
22 submit to the Secretary an application at such time, in
23 such manner, and containing such information as the Sec-
24 retary may require.

1 **SEC. 206. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated such sums

3 as are necessary to carry out this title.

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