

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.

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## 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

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## 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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