

Calendar No. 403

104TH CONGRESS
2^D SESSION

S. 1025

[Report No. 104-268]

A BILL

To provide for the exchange of certain federally owned lands and mineral interests therein, and for other purposes.

MAY 13, 1996

Reported with an amendment

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2D SESSION**S. 1025****[Report No. 104-268]**

To provide for the exchange of certain federally owned lands and mineral interests therein, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 12 (legislative day, JULY 10), 1995

Mr. BUMPERS (for himself, Mr. NICKLES, Mr. PRYOR, and Mr. INHOFE) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

MAY 13, 1996

Reported by Mr. MURKOWSKI, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To provide for the exchange of certain federally owned lands and mineral interests therein, 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. FINDINGS AND PURPOSE.**

4 ~~(a) FINDINGS.—Congress finds that:~~

1 (1) The Weyerhaeuser Company has offered to
2 the United States Government an exchange of lands
3 under which Weyerhaeuser would receive approxi-
4 mately 50,000 acres of Federal land in Arkansas
5 and Oklahoma in return for conveying to the United
6 States lands owned by Weyerhaeuser consisting of
7 approximately 165,000 acres of forested wetlands
8 and other forest land of public interest in Arkansas
9 and Oklahoma, consisting of—

10 (A) certain Arkansas Ouachita lands lo-
11 cated near Lake Ouachita, Little Missouri Wild
12 and Scenic River, Flatside Wilderness and the
13 Ouachita National Forest;

14 (B) certain lands in Oklahoma located
15 near the McCurtain County Wilderness, the
16 Broken Bow Reservoir, the Glover River, and
17 the Ouachita National Forest; and

18 (C) certain Arkansas Cossatot lands lo-
19 cated on the Little and Cossatot Rivers and
20 identified as the “Pond Creek Bottoms” in the
21 Lower Mississippi River Delta section of the
22 North American Waterfowl Management Plan.

23 (2) Acquisition of the Arkansas Cossatot lands
24 by the United States will remove the lands in the

1 heart of a critical wetland ecosystem from sustained
2 timber production and other development.

3 ~~(3) The acquisition of the Arkansas Ouachita~~
4 ~~lands and the Oklahoma lands by the United States~~
5 ~~for administration by the Forest Service will provide~~
6 ~~an opportunity for enhancement of ecosystem man-~~
7 ~~agement of the National Forest System lands and~~
8 ~~resources.~~

9 ~~(4) The Arkansas Ouachita lands and the Okla-~~
10 ~~homa lands have outstanding wildlife habitat and~~
11 ~~important recreational values and should continue to~~
12 ~~be made available for activities such as public hunt-~~
13 ~~ing, fishing, trapping, nature observation, enjoy-~~
14 ~~ment, education, and timber management.~~

15 ~~(5) Private use of the lands the United States~~
16 ~~will convey to Weyerhaeuser will not conflict with es-~~
17 ~~tablished management objectives on adjacent Fed-~~
18 ~~eral lands.~~

19 ~~(6) The lands the United States will convey to~~
20 ~~Weyerhaeuser as part of the exchange described in~~
21 ~~paragraph (1) do not contain comparable fish, wild-~~
22 ~~life, or wetland values.~~

23 ~~(7) The United States will convey all mineral~~
24 ~~interests and oil and gas interests to Weyerhaeuser~~
25 ~~on or under all surface acres designated to be ex-~~

1 changed pursuant to the exchange described in para-
2 graph (1) in which the Federal Government owns
3 such interests.

4 (8) Pursuant to such exchange, Weyerhaeuser
5 will convey to the United States all mineral interests
6 and equivalent oil and gas interests on or under all
7 surface acres designated to be exchanged pursuant
8 to the exchange described in paragraph (1) in which
9 Weyerhaeuser owns such interests.

10 (9) The United States and Weyerhaeuser have
11 agreed to the values and boundaries of all lands,
12 mineral interests, and oil and gas interests to be
13 conveyed in the exchange and concur that the lands,
14 mineral interests, and oil and gas interests to be
15 conveyed by Weyerhaeuser and the lands, mineral
16 interests, and oil and gas interests to be conveyed by
17 the United States area approximately equal in value.

18 (10) The exchange of lands, mineral interests,
19 and oil and gas interests between Weyerhaeuser and
20 the United States is in the public interest.

21 (b) PURPOSE.—The purpose of this Act is to author-
22 ize and direct the Secretary of the Interior and the Sec-
23 retary of Agriculture to enter into an exchange of lands,
24 mineral interests, and oil and gas interests that will pro-
25 vide environmental, land management, recreational, and

1 economic benefits to the States of Arkansas and Okla-
2 homa and to the United States.

3 **SEC. 2. DEFINITIONS.**

4 As used in this Act:

5 (a) LAND.—The terms “land” or “lands” mean
6 the surface estate and any other interests therein ex-
7 cept for mineral interests and oil and gas interests.

8 (b) MINERAL INTERESTS.—The term “mineral
9 interests” means geothermal steam and heat and all
10 metals, ores, and minerals of any nature whatsoever,
11 except oil and gas interests, in or upon lands subject
12 to this Act including, but not limited to, coal, lignite,
13 peat, rock, sands, gravel, and quartz.

14 (c) OIL AND GAS INTERESTS.—The term “oil
15 and gas interests” means all oil and gas of any na-
16 ture whatsoever including carbon dioxide, helium,
17 and gas taken from coal seams (collectively “oil and
18 gas”) together with the right to enter lands for the
19 purpose of exploring the lands for oil and gas and
20 drilling, opening, developing, and working wells on
21 such lands and taking out and removing from such
22 lands all such oil and gas together with the right to
23 occupy and make use of as much of the surface of
24 said lands as may reasonably be necessary for these
25 purposes subject to the Secretary of Agriculture’s

1 rules and regulations set forth in section 251.15 of
2 title 36, Code of Federal Regulations.

3 (d) SECRETARIES.—The term “Secretaries”
4 means the Secretary of the Interior and the Sec-
5 retary of Agriculture.

6 (e) WEYERHAEUSER.—The term “Weyer-
7 haeuser” means Weyerhaeuser Company, a company
8 incorporated in the State of Washington.

9 **SEC. 3. EXCHANGE.**

10 (a) EXCHANGE OF LANDS AND MINERAL INTER-
11 ESTS.—

12 (1) IN GENERAL.—Subject to paragraph (a)(2),
13 within 120 days after the date of the enactment of
14 this Act, the Secretary of Agriculture shall convey to
15 Weyerhaeuser, subject to any valid existing rights,
16 approximately 20,000 acres of Federal lands and
17 mineral interests in the State of Arkansas and ap-
18 proximately 30,000 acres of Federal lands and min-
19 eral interests in the State of Oklahoma as depicted
20 for exchange on maps entitled “Arkansas-Oklahoma
21 Land Exchange—Federal Arkansas and Oklahoma
22 Lands”, dated 1995 and available for
23 public inspection in appropriate offices of the Sec-
24 retaries.

1 (2) OFFER AND ACCEPTANCE OF LANDS.—The
2 Secretary of Agriculture shall make the conveyance
3 to Weyerhaeuser if Weyerhaeuser offers deeds of
4 title, subject to limitations and the reservation de-
5 scribed in subsection (b), acceptable to the Secretary
6 of Agriculture that convey to the United States the
7 following:

8 (A) Approximately 110,000 acres of lands
9 and mineral interests owned by Weyerhaeuser
10 in the State of Oklahoma, as depicted for trans-
11 fer to the United States upon a map entitled
12 “Arkansas-Oklahoma Land Exchange—
13 Weyerhaeuser Oklahoma Lands”, dated
14 1995 and available for public in-
15 spection in appropriate offices of the Secretar-
16 ies:

17 (B) Approximately 30,000 acres of lands
18 and mineral interests owned by Weyerhaeuser
19 in the State of Arkansas, as depicted for trans-
20 fer to the United States upon a map entitled
21 “Arkansas-Oklahoma Land Exchange—
22 Weyerhaeuser Arkansas Ouachita Lands”,
23 dated 1995 and available for
24 public inspection in appropriate offices of the
25 Secretaries:

1 (2) RESERVATION.—In addition to exchanging
2 oil and gas interests pursuant to paragraph (b)(1),
3 to account for the acreage imbalance in the ex-
4 change required under this Act, there is hereby re-
5 served to Weyerhaeuser, its successors, and assigns
6 until December 31, 2041, and for so long thereafter
7 that oil or gas is produced therefrom (“term reserva-
8 tion”), all oil and gas in and under the acreage im-
9 balance lands depicted for reservation by
10 Weyerhaeuser upon a map entitled “Arkansas-Okla-
11 homa Land Exchange—Weyerhaeuser Oil and Gas
12 Interest Reservation Lands”, dated
13 1995 and available for public inspection in appro-
14 priate offices of the Secretaries. Beginning January
15 1, 2042, there is hereby reserved to Weyerhaeuser,
16 its successors and assigns, a proportionately reduced
17 6.25 percent of 8/8’s overriding royalty interest in
18 all oil and gas produced from any well in any gov-
19 ernmental section adjacent to or cornering a section
20 in which oil and gas is being produced at the expira-
21 tion of the term reservation (“overriding royalty”).
22 The overriding royalty will continue until either the
23 producing well (a well producing on December 31,
24 2041) ceases production or until all federally leased

1 wells to which the overriding royalty applies cease
2 production, which is later.

3 (c) GENERAL PROVISIONS.—

4 (1) VALUATION.—The lands, mineral interests,
5 and oil and gas interests exchanged pursuant to this
6 Act shall be approximately equal in value, as deter-
7 mined by the Secretaries and agreed to by
8 Weyerhaeuser. To ensure that the natural values of
9 the area are not affected by the exchange, a formal
10 appraisal based upon drilling or other surface dis-
11 turbing activities shall not be required for any min-
12 eral interests or oil and gas interests exchanged.

13 (2) MAPS CONTROLLING.—The acreage cited in
14 this Act is approximate. In the case of a discrepancy
15 between the description of lands, mineral interests,
16 and/or oil and gas interests to be exchanged pursu-
17 ant to subsection (a) and the lands, mineral inter-
18 ests, and/or oil and gas interests depicted on a map
19 referred to in such subsection, the map shall control.
20 Subject to the notification required by paragraph
21 (3), the maps referenced in this Act are subject to
22 such minor corrections as may be agreed upon by
23 the Secretaries and Weyerhaeuser.

24 (3) FINAL MAPS.—Not later than 180 days
25 after the conclusion of the exchange required by sub-

1 section (a), the Secretaries shall transmit maps ac-
2 curately depicting the lands and mineral interests
3 conveyed and transferred pursuant to this Act and
4 the acreage and boundary descriptions of such lands
5 and mineral interests to the Committees on Energy
6 and Natural Resources of the Senate and the Com-
7 mittee on Resources of the House of Representa-
8 tives.

9 (4) CANCELLATION.—If, before the exchange
10 has been carried out pursuant to subsections (a) and
11 (b), Weyerhaeuser provides written notification to
12 the Secretaries that Weyerhaeuser no longer intends
13 to complete the exchange, with respect to the lands,
14 mineral interests, and oil and gas interests that
15 would otherwise be subject to the exchange, the sta-
16 tus of such lands, mineral interests, and oil and gas
17 interests shall revert to the status of such lands,
18 mineral interests, and oil and gas interests as of the
19 day before the date of enactment of this Act and
20 shall be managed in accordance with applicable man-
21 agement plans.

22 (5) WITHDRAWAL.—Subject to valid existing
23 rights, the lands, mineral interests, and oil and gas
24 interests depicted for conveyance to Weyerhaeuser
25 for possible exchange on the maps referenced in sub-

1 sections (a) and (b) are withdrawn from all forms of
2 entry and appropriation under the public land laws
3 (including the mining laws); and from the operation
4 of mineral leasing and geothermal steam leasing
5 laws effective upon the date of the enactment of this
6 Act. Such withdrawal shall terminate 45 days after
7 completion of the exchange provided for in sub-
8 sections (a) and (b) or on the date of notification by
9 Weyerhaeuser of a decision not to complete the ex-
10 change.

11 **SEC. 4. DESIGNATION AND USE OF LANDS ACQUIRED BY**
12 **THE UNITED STATES.**

13 (a) NATIONAL FOREST SYSTEM.—

14 (1) ADDITION TO THE SYSTEM.—Upon accept-
15 ance of title by the Secretary of Agriculture, the
16 140,000 acres of land conveyed to the United States
17 pursuant to section 3(a)(2) (A) and (B) of this Act
18 shall be administered by the Secretary of Agriculture
19 in accordance with the laws and regulations pertain-
20 ing to the National Forest system.

21 (2) PLAN AMENDMENTS.—Within 36 months
22 after the completion of the exchange required by this
23 Act, the Secretary of Agriculture shall amend appli-
24 cable land and resource management plans and ac-
25 companying documents pursuant to section 6 of the

1 Forest and Rangeland Renewable Resources Plan-
2 ning Act of 1974, as amended by the National For-
3 est Management Act of 1976 (16 U.S.C. 1604).

4 (b) OTHER.—

5 (1) ADDITION TO THE NATIONAL WILDLIFE
6 REFUGE SYSTEM.—Once acquired by the United
7 States, the 25,000 acres of land identified in section
8 3(a)(2)(A), the Cossatot lands, shall be managed by
9 the Secretary of the Interior as a component of the
10 Cossatot National Wildlife Refuge in accordance
11 with the National Wildlife Refuge System Adminis-
12 tration Act of 1966 (16 U.S.C. 668dd—668ee).

13 (2) PLAN PREPARATION.—Within 24 months
14 after the completion of the exchange required by this
15 Act, the Secretary of the Interior shall prepare and
16 implement a single refuge management plan for the
17 Cossatot National Wildlife Refuge, as expanded by
18 this Act. Such plans shall recognize the important
19 public purposes served by the nonconsumptive activi-
20 ties, other recreational activities, and wildlife-related
21 public use, including hunting, fishing and trapping.
22 The plan shall permit, to the maximum extent prac-
23 ticable, compatible uses to the extent that they are
24 consistent with sound wildlife management and in
25 accordance with the National Wildlife Refuge Sys-

1 tem Administration Act of 1966 (~~16 U.S.C. 668dd-~~
2 ~~668ee~~) and other applicable laws. Any regulations
3 promulgated by the Secretary of the Interior with
4 respect to hunting, fishing, and trapping on those
5 lands shall, to the extent practicable, be consistent
6 with State fish and wildlife laws and regulations. In
7 preparing the management plan and regulations, the
8 Secretary of the Interior shall consult with the Ar-
9 kansas Game and Fish Commission.

10 ~~(2)~~ INTERIM USE OF LANDS.—

11 (A) IN GENERAL.—Except as provided in
12 paragraph ~~(2)~~, during the period beginning on
13 the date of the completion of the exchange of
14 lands required by this Act and ending on the
15 first date of the implementation of the plan pre-
16 pared under paragraph ~~(2)~~, the Secretary of the
17 Interior shall administer all lands added to the
18 Cossatot National Wildlife Refuge pursuant to
19 this Act in accordance with the National Wild-
20 life Refuge System Administration Act of 1966
21 (~~16 U.S.C. 668dd-668ee~~) and other applicable
22 laws.

23 (B) HUNTING SEASONS.—During the pe-
24 riod described in subparagraph (A), the dura-
25 tion of any hunting season on the lands de-

1 scribed in subsection (1) shall comport with the
2 applicable State law.

3 **SEC. 5. OUACHITA NATIONAL FOREST BOUNDARY ADJUST-**
4 **MENT.**

5 (a) **IN GENERAL.**—Upon acceptance of title by the
6 Secretary of Agriculture of the lands conveyed to the
7 United States pursuant to section 4(a)(2) (B) and (C),
8 the boundaries of the Ouachita National Forest shall be
9 adjusted to encompass those lands conveyed to the United
10 States generally depicted on the maps entitled “Arkansas-
11 Oklahoma Land Exchange—Weyerhaeuser Oklahoma
12 Lands” and “Arkansas-Oklahoma Land Exchange—
13 Weyerhaeuser Arkansas Ouachita Lands”, dated
14 1995. For the purpose of section 7 of the
15 Land and Water Conservation Fund Act of 1965 (16
16 U.S.C. 4601–9), the boundaries of the Ouachita National
17 Forest, as adjusted by this Act, shall be considered to be
18 the boundaries of the Forest as of January 1, 1965.

19 (b) **MAPS AND BOUNDARY DESCRIPTIONS.**—Not
20 later than 180 days after the date of enactment of this
21 Act, the Secretary of Agriculture shall prepare a boundary
22 description of the lands depicted on the maps referred to
23 in section 3(a)(2) (B) and (C). Such maps and boundary
24 description shall have the same force and effect as if in-

1 eluded in this Act, except that the Secretary of Agriculture
2 may correct clerical and typographical errors.

3 **SECTION 1. FINDINGS AND PURPOSE.**

4 (a) *FINDINGS.*—Congress finds that:

5 (1) *The Weyerhaeuser Company has offered to*
6 *the United States Government an exchange of lands*
7 *under which Weyerhaeuser would receive approxi-*
8 *mately 48,000 acres of Federal land in Arkansas and*
9 *Oklahoma and all mineral interests and oil and gas*
10 *interests pertaining to these exchanged lands in which*
11 *the United States Government has an interest in re-*
12 *turn for conveying to the United States lands owned*
13 *by Weyerhaeuser consisting of approximately 181,000*
14 *acres of forested wetlands and other forest land of*
15 *public interest in Arkansas and Oklahoma and all*
16 *mineral interests and all oil and gas interests per-*
17 *taining to 48,000 acres of these 181,000 acres of ex-*
18 *changed lands in which Weyerhaeuser has an interest,*
19 *consisting of—*

20 (A) *certain lands in Arkansas (Arkansas*
21 *Ouachita lands) located near Poteau Mountain,*
22 *Caney Creek Wilderness, Lake Ouachita, Little*
23 *Missouri Wild and Scenic River, Flatside Wil-*
24 *derness, and the Ouachita National Forest;*

1 (B) certain lands in Oklahoma (Oklahoma
2 lands) located near the McCurtain County Wil-
3 derness, the Broken Bow Reservoir, the Glover
4 River, and the Ouachita National Forest; and

5 (C) certain lands in Arkansas (Arkansas
6 Cossatot lands) located on the Little and
7 Cossatot Rivers and identified as the “Pond
8 Creek Bottoms” in the Lower Mississippi River
9 Delta section of the North American Waterfowl
10 Management Plan.

11 (2) Acquisition of the Arkansas Cossatot lands
12 by the United States will remove the lands in the
13 heart of a critical wetland ecosystem from sustained
14 timber production and other development.

15 (3) The acquisition of the Arkansas Ouachita
16 lands and the Oklahoma lands by the United States
17 for administration by the Forest Service will provide
18 an opportunity for enhancement of ecosystem man-
19 agement of the National Forest System lands and re-
20 sources.

21 (4) The Arkansas Ouachita lands and the Okla-
22 homa lands have outstanding wildlife habitat and im-
23 portant recreational values and should continue to be
24 made available for activities such as public hunting,
25 fishing, trapping, nature observation, enjoyment, edu-

1 *cation, and timber management whenever these ac-*
2 *tivities are consistent with applicable Federal laws*
3 *and land and resource management plans; these*
4 *lands, especially in the riparian zones, also harbor*
5 *endangered, threatened, and sensitive plants and ani-*
6 *mals and the conservation and restoration of these*
7 *areas are important to the recreational and edu-*
8 *cational public uses and will represent a valuable eco-*
9 *logical resource which should be conserved.*

10 *(5) The private use of the lands the United*
11 *States will convey to Weyerhaeuser will not conflict*
12 *with established management objectives on adjacent*
13 *Federal lands.*

14 *(6) The lands the United States will convey to*
15 *Weyerhaeuser as part of the exchange described in*
16 *paragraph (1) do not contain comparable fish, wild-*
17 *life, or wetland values.*

18 *(7) The values of all lands, mineral interests,*
19 *and oil and gas interests to be exchanged between the*
20 *United States and Weyerhaeuser are approximately*
21 *equal in value.*

22 *(8) The exchange of lands, mineral interests, and*
23 *oil and gas interests between Weyerhaeuser and the*
24 *United States is in the public interest.*

1 **(b) PURPOSE.**—*The purpose of this Act is to authorize*
2 *and direct the Secretary of the Interior and the Secretary*
3 *of Agriculture, subject to the terms of this Act, to complete,*
4 *as expeditiously as possible, an exchange of lands, mineral*
5 *interests, and oil and gas interests with Weyerhaeuser that*
6 *will provide environmental, land management, rec-*
7 *reational, and economic benefits to the States of Arkansas*
8 *and Oklahoma and to the United States.*

9 **SEC. 2. DEFINITIONS.**

10 *As used in this Act:*

11 **(a) LAND.**—*The terms “land” or “lands” mean*
12 *the surface estate and any other interests therein ex-*
13 *cept for mineral interests and oil and gas interests.*

14 **(b) MINERAL INTERESTS.**—*The term “mineral*
15 *interests” means geothermal steam and heat and all*
16 *metals, ores, and minerals of any nature whatsoever,*
17 *except oil and gas interests, in or upon lands subject*
18 *to this Act including, but not limited to, coal, lignite,*
19 *peat, rock, sand, gravel, and quartz.*

20 **(c) OIL AND GAS INTERESTS.**—*The term “oil and*
21 *gas interests” means all oil and gas of any nature,*
22 *including carbon dioxide, helium, and gas taken from*
23 *coal seams (collectively “oil and gas”).*

1 (d) *SECRETARIES.*—*The term “Secretaries”*
 2 *means the Secretary of the Interior and the Secretary*
 3 *of Agriculture.*

4 (e) *WEYERHAEUSER.*—*The term “Weyerhaeuser”*
 5 *means Weyerhaeuser Company, a company incor-*
 6 *porated in the State of Washington.*

7 **SEC. 3. EXCHANGE.**

8 (a) *EXCHANGE OF LANDS AND MINERAL INTER-*
 9 *ESTS.*—

10 (1) *IN GENERAL.*—*Subject to paragraph (a)(2)*
 11 *and notwithstanding any other provision of law,*
 12 *within 90 days after the date of the enactment of this*
 13 *Act, the Secretaries shall convey to Weyerhaeuser, sub-*
 14 *ject to any valid existing rights, approximately*
 15 *20,000 acres of Federal lands and mineral interests*
 16 *in the State of Arkansas and approximately 28,000*
 17 *acres of Federal lands and mineral interests in the*
 18 *State of Oklahoma as depicted on maps entitled “Ar-*
 19 *kansas-Oklahoma Land Exchange—Federal Arkansas*
 20 *and Oklahoma Lands,” dated February 1996 and*
 21 *available for public inspection in appropriate offices*
 22 *of the Secretaries.*

23 (2) *OFFER AND ACCEPTANCE OF LANDS.*—*The*
 24 *Secretary of Agriculture shall make the conveyance to*
 25 *Weyerhaeuser if Weyerhaeuser conveys deeds of title to*

1 *the United States, subject to limitations and the res-*
2 *ervation described in subsection (b) and which are ac-*
3 *ceptable to and approved by the Secretary of Agri-*
4 *culture to the following—*

5 *(A) approximately 120,000 acres of lands*
6 *and mineral interests in the State of Oklahoma,*
7 *as depicted on a map entitled “Arkansas-Okla-*
8 *homa Land Exchange—Weyerhaeuser Oklahoma*
9 *Lands,” dated February 1996 and available for*
10 *public inspection in appropriate offices of the*
11 *Secretaries;*

12 *(B) approximately 41,000 acres of lands*
13 *and mineral interests in the State of Arkansas,*
14 *as depicted on a map entitled “Arkansas-Okla-*
15 *homa Land Exchange—Weyerhaeuser Arkansas*
16 *Ouachita Lands,” dated February 1996 and*
17 *available for public inspection in appropriate of-*
18 *fices of the Secretaries; and*

19 *(C) approximately 25,000 acres of lands*
20 *and mineral interests in the State of Arkansas,*
21 *as depicted on a map entitled “Arkansas-Okla-*
22 *homa Land Exchange—Weyerhaeuser Arkansas*
23 *Cossatot Lands,” dated February 1996 and*
24 *available for public inspection in appropriate of-*
25 *fices of the Secretaries.*

1 **(b) EXCHANGE OF OIL AND GAS INTERESTS.**—

2 **(1) IN GENERAL.**—Subject to paragraph (b)(2)
3 and notwithstanding any other provision of law, at
4 the same time as the exchange for land and mineral
5 interests is carried out pursuant to this section, the
6 Secretary of Agriculture shall exchange all Federal oil
7 and gas interests, including existing leases and other
8 agreements, in the lands described in paragraph
9 (a)(1) for equivalent oil and gas interests, including
10 existing leases and other agreements, owned by
11 Weyerhaeuser in the lands described in paragraph
12 (a)(2).

13 **(2) RESERVATION.**—In addition to the exchange
14 of oil and gas interests pursuant to paragraph (b)(1),
15 Weyerhaeuser shall reserve oil and gas interests in
16 and under the lands depicted for reservation upon a
17 map entitled “Arkansas-Oklahoma Land Exchange—
18 Weyerhaeuser Oil and Gas Interest Reservation
19 Lands,” dated February 1996 and available for pub-
20 lic inspection in appropriate offices of the Secretaries.
21 Such reservation shall be subject to the provisions of
22 this Act and the form of such reservation shall comply
23 with the jointly agreed to Memorandum of Under-
24 standing between the Forest Service and
25 Weyerhaeuser dated March 27, 1996 and on file with

1 *the Office of the Chief of the Forest Service in Wash-*
2 *ington, D.C.*

3 *(c) GENERAL PROVISIONS.—*

4 *(1) MAPS CONTROLLING.—The acreage cited in*
5 *this Act is approximate. In the case of a discrepancy*
6 *between the description of lands, mineral interests, or*
7 *oil and gas interests to be exchanged pursuant to sub-*
8 *sections (a) and (b) and the lands, mineral interests,*
9 *or oil and gas interests depicted on a map referred*
10 *to in such subsection, the map shall control. Subject*
11 *to the notification required by paragraph (3), the*
12 *maps referenced in this Act shall be subject to such*
13 *minor corrections as may be agreed upon by the Sec-*
14 *retaries and Weyerhaeuser.*

15 *(2) FINAL MAPS.—Not later than 180 days after*
16 *the conclusion of the exchange required by subsections*
17 *(a) and (b), the Secretaries shall transmit maps accu-*
18 *rately depicting the lands and mineral interests con-*
19 *veyed and transferred pursuant to this Act and the*
20 *acreage and boundary descriptions of such lands and*
21 *mineral interests to the Committees on Energy and*
22 *Natural Resources of the Senate and the Committee*
23 *on Resources of the House of Representatives.*

24 *(3) CANCELLATION.—If, before the exchange has*
25 *been carried out pursuant to subsections (a) and (b),*

1 *Weyerhaeuser provides written notification to the Sec-*
2 *retaries that Weyerhaeuser no longer intends to com-*
3 *plete the exchange, with respect to the lands, mineral*
4 *interests, and oil and gas interests that would other-*
5 *wise be subject to the exchange, the status of such*
6 *lands, mineral interests, and oil and gas interests*
7 *shall revert to the status of such lands, mineral inter-*
8 *ests, and oil and gas interests as of the day before the*
9 *date of enactment of this Act and shall be managed*
10 *in accordance with applicable law and management*
11 *plans.*

12 (4) *WITHDRAWAL.—Subject to valid existing*
13 *rights, the lands and interests therein depicted for*
14 *conveyance to Weyerhaeuser on the maps referenced*
15 *in subsection (a) and (b) are withdrawn from all*
16 *forms of entry and appropriation under the public*
17 *lands laws (including the mining laws) and from the*
18 *operation of mineral leasing and geothermal steam*
19 *leasing laws effective upon the date of the enactment*
20 *of this Act. Such withdrawal shall terminate 45 days*
21 *after completion of the exchange provided for in sub-*
22 *sections (a) and (b) or on the date of notification by*
23 *Weyerhaeuser of a decision not to complete the ex-*
24 *change.*

1 **SEC. 4. DESIGNATION AND USE OF LANDS ACQUIRED BY**
2 **THE UNITED STATES.**

3 (a) *NATIONAL FOREST SYSTEM.*—

4 (1) *ADDITION TO THE SYSTEM.*—Upon approval
5 and acceptance of title by the Secretary of Agri-
6 culture, the 155,000 acres of land conveyed to the
7 United States pursuant to section 3(a)(2) (A) and
8 (B) of this Act shall be subject to the Act of March
9 1, 1911 (commonly known as the “Weeks Law”) (36
10 Stat. 961, as amended), and shall be administered by
11 the Secretary of Agriculture in accordance with the
12 laws and regulations pertaining to the National For-
13 est System.

14 (2) *PLAN AMENDMENTS.*—No later than 12
15 months after the completion of the exchange required
16 by this Act, the Secretary of Agriculture shall begin
17 the process to amend applicable land and resource
18 management plans with public involvement pursuant
19 to section 6 of the Forest and Rangeland Renewable
20 Resources Planning Act of 1974 as amended by the
21 National Forest Management Act of 1976 (16 U.S.C.
22 1604).

23 (b) *OTHER.*—

24 (1) *ADDITION TO THE NATIONAL WILDLIFE REF-*
25 *UGE SYSTEM.*—Once acquired by the United States,
26 the 25,000 acres of land identified in section

1 3(a)(2)(C), the Arkansas Cossatot lands, shall be
2 managed by the Secretary of the Interior as a compo-
3 nent of the Cossatot National Wildlife Refuge in ac-
4 cordance with the National Wildlife Refuge System
5 Administration Act of 1966 (16 U.S.C. 668dd–668ee).

6 (2) *PLAN PREPARATION.*—Within 24 months
7 after the completion of the exchange required by this
8 Act, the Secretary of the Interior shall prepare and
9 implement a single refuge management plan for the
10 Cossatot National Wildlife Refuge, as expanded by
11 this Act. Such plan shall recognize the important
12 public purposes served by the nonconsumptive activi-
13 ties, other recreational activities, and wildlife-related
14 public use, including hunting, fishing, and trapping.
15 The plan shall permit, to the maximum extent prac-
16 ticable, compatible uses to the extent that they are
17 consistent with sound wildlife management and in
18 accordance with the National Wildlife Refuge System
19 Administration Act of 1966 (16 U.S.C. 668dd–668ee)
20 and other applicable laws. Any regulations promul-
21 gated by the Secretary of the Interior with respect to
22 hunting, fishing, and trapping on those lands shall,
23 to the extent practicable, be consistent with State fish
24 and wildlife laws and regulations. In preparing the
25 management plan and regulations, the Secretary of

1 *the Interior shall consult with the Arkansas Game*
 2 *and Fish Commission.*

3 (3) *INTERIM USE OF LANDS.—*

4 (A) *IN GENERAL.—Except as provided in*
 5 *paragraph (2), during the period beginning on*
 6 *the date of the completion of the exchange of*
 7 *lands required by this Act and ending on the*
 8 *first date of the implementation of the plan pre-*
 9 *pared under paragraph (2), the Secretary of the*
 10 *Interior shall administer all lands added to the*
 11 *Cossatot National Wildlife Refuge pursuant to*
 12 *this Act in accordance with the National Wildlife*
 13 *Refuge System Administration Act of 1966 (16*
 14 *U.S.C. 668dd–668ee) and other applicable laws.*

15 (B) *HUNTING SEASONS.—During the period*
 16 *described in subparagraph (A), the duration of*
 17 *any hunting season on the lands described in*
 18 *subsection (1) shall comport with the applicable*
 19 *State law.*

20 **SEC. 5. OUACHITA NATIONAL FOREST BOUNDARY ADJUST-**
 21 **MENT.**

22 (a) *IN GENERAL.—Upon acceptance of title by the Sec-*
 23 *retary of Agriculture of the lands conveyed to the United*
 24 *States pursuant to section 3(a)(2) (A) and (B), the bound-*
 25 *aries of the Ouachita National Forest shall be adjusted to*

1 *encompass those lands conveyed to the United States gen-*
2 *erally depicted on the appropriate maps referred to in sec-*
3 *tion 3(a). Nothing in this section shall limit the authority*
4 *of the Secretary of Agriculture to adjust the boundary pur-*
5 *suant to section 11 of the Weeks Law of March 1, 1911.*
6 *For the purposes of section 7 of the Land and Water Con-*
7 *servation Fund Act of 1965 (16 U.S.C. 460l-9), the bound-*
8 *aries of the Ouachita National Forest, as adjusted by this*
9 *Act, shall be considered to be the boundaries of the Forest*
10 *as of January 1, 1965.*

11 *(b) MAPS AND BOUNDARY DESCRIPTIONS.—Not later*
12 *than 180 days after the date of enactment of this Act, the*
13 *Secretary of Agriculture shall prepare a boundary descrip-*
14 *tion of the lands depicted on the map(s) referred to in sec-*
15 *tion 3(a)(2) (A) and (B). Such map(s) and boundary de-*
16 *scription shall have the same force and effect as if included*
17 *in this Act, except that the Secretary of Agriculture may*
18 *correct clerical and typographical errors.*