

Union Calendar No. 87

107TH CONGRESS
1ST SESSION

H. R. 427

[Report No. 107–151, Part I]

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 HOUSE OF REPRESENTATIVES

FEBRUARY 6, 2001

Mr. BLUMENAUER (for himself, Mr. DEFAZIO, and Mr. WU) introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

JULY 23, 2001

Additional sponsor: Ms. HOOLEY of Oregon

JULY 23, 2001

Reported from the Committee on Resources

JULY 23, 2001

Referral to the Committee on Agriculture extended for a period ending not later than July 23, 2001

JULY 23, 2001

The Committee on Agriculture discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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:

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

13 “(a) DEFINITION OF SECRETARY.—In this Act, the
 14 term ‘Secretary’ means—

15 “(1) with respect to land administered by the
 16 Secretary of Agriculture, the Secretary of Agri-
 17 culture; and

18 “(2) with respect to land administered by the
 19 Secretary of the Interior, the Secretary of the Inte-
 20 rior.

21 “(b) ESTABLISHMENT.—

22 “(1) IN GENERAL.—There is established, sub-
 23 ject to valid existing rights, a special resources man-
 24 agement unit in the State of Oregon, comprising ap-

1 proximately 98,272 acres, as depicted on a map
2 dated May 2000 and entitled ‘Bull Run Watershed
3 Management Unit’.

4 “(2) MAP.—The map described in paragraph
5 (1) shall be on file and available for public inspec-
6 tion in the offices of—

7 “(A) the Regional Forester-Pacific North-
8 west Region of the Forest Service; and

9 “(B) the Oregon State Director of the Bu-
10 reau of Land Management.

11 “(3) BOUNDARY ADJUSTMENTS.—The Sec-
12 retary may periodically make such minor adjust-
13 ments in the boundaries of the unit as are necessary,
14 after consulting with the city and providing for ap-
15 propriate public notice and hearings.”.

16 (b) CONFORMING AND TECHNICAL AMENDMENTS.—

17 (1) SECRETARY.—Public Law 95–200 (16
18 U.S.C. 482b note; 91 Stat. 1425) is amended by
19 striking “Secretary of Agriculture” each place it ap-
20 pears (except subsection (b) of section 1, as added
21 by subsection (a), and except in the amendments
22 made by paragraph (2)) and inserting “Secretary”.

23 (2) APPLICABLE LAW.—

24 (A) IN GENERAL.—Section 2(a) of Public
25 Law 95–200 (16 U.S.C. 482b note; 91 Stat.

1 1425) is amended by striking “applicable to
2 National Forest System lands” and inserting
3 “applicable to land under the administrative ju-
4 risdiction of the Forest Service (in the case of
5 land administered by the Secretary of Agri-
6 culture) or applicable to land under the admin-
7 istrative jurisdiction of the Bureau of Land
8 Management (in the case of land administered
9 by the Secretary of the Interior)”.

10 (B) MANAGEMENT PLANS.—The first sen-
11 tence of section 2(e) of Public Law 95–200 (16
12 U.S.C. 482b note; 91 Stat. 1426) is amended—

13 (i) by striking “subsection (a) and
14 (b)” and inserting “subsections (a) and
15 (b)”; and

16 (ii) by striking “, through the mainte-
17 nance” and inserting “(in the case of land
18 administered by the Secretary of Agri-
19 culture) or section 202 of the Federal
20 Land Policy and Management Act of 1976
21 (43 U.S.C. 1712) (in the case of land ad-
22 ministered by the Secretary of the Inte-
23 rior), through the maintenance”.

1 **SEC. 2. MANAGEMENT.**

2 (a) **TIMBER CUTTING RESTRICTIONS.**—Section 2(b)
3 of Public Law 95–200 (16 U.S.C. 482b note; 91 Stat.
4 1426) is amended by striking paragraph (1) and inserting
5 the following:

6 “(1) **IN GENERAL.**—Subject to paragraph (2),
7 the Secretary shall prohibit the cutting of trees on
8 Federal land in the unit, as designated in section 1
9 and depicted on the map referred to in that sec-
10 tion.”.

11 (b) **REPEAL OF MANAGEMENT EXCEPTION.**—The
12 Oregon Resource Conservation Act of 1996 (division B of
13 Public Law 104–208) is amended by striking section 606
14 (110 Stat. 3009–543).

15 (c) **REPEAL OF DUPLICATIVE ENACTMENT.**—Section
16 1026 of division I of the Omnibus Parks and Public Lands
17 Management Act of 1996 (Public Law 104–333; 110 Stat.
18 4228) and the amendments made by that section are re-
19 pealed.

20 (d) **WATER RIGHTS.**—Nothing in this section
21 strengthens, diminishes, or has any other effect on water
22 rights held by any person or entity.

23 **SEC. 3. LAND RECLASSIFICATION.**

24 (a) **OREGON AND CALIFORNIA RAILROAD LAND.**—
25 Not later than 180 days after the date of enactment of
26 this Act, the Secretary of Agriculture and the Secretary

1 of the Interior shall identify any Oregon and California
2 Railroad land that is subject to the distribution provision
3 of title II of the Act of August 28, 1937 (43 U.S.C.
4 1181f), within the boundary of the special resources man-
5 agement area described in section 1 of Public Law 95-
6 200 (as amended by section 1(a)).

7 (b) PUBLIC DOMAIN LAND.—

8 (1) DEFINITION OF PUBLIC DOMAIN LAND.—

9 (A) IN GENERAL.—In this subsection, the
10 term “public domain land” has the meaning
11 given the term “public land” in section 103 of
12 the Federal Land Policy and Management Act
13 of 1976 (43 U.S.C. 1702).

14 (B) EXCLUSION.—The term “public do-
15 main land” does not include any land managed
16 under the Act of August 28, 1937 (43 U.S.C.
17 1181a et seq.).

18 (2) IDENTIFICATION.—Not later than 18
19 months after the date of enactment of this Act, the
20 Secretary of the Interior shall identify public domain
21 land within the Medford, Roseburg, Eugene, Salem,
22 and Coos Bay Districts and the Klamath Resource
23 Area of the Lakeview District of the Bureau of
24 Land Management in the State of Oregon that—

1 (A) is approximately equal in acreage and
2 condition as the land identified in subsection
3 (a); but

4 (B) is not subject to the Act of August 28,
5 1937 (43 U.S.C. 1181a et seq.).

6 (c) MAPS.—Not later than 2 years after the date of
7 enactment of this Act, the Secretary of the Interior shall
8 submit to Congress and publish in the Federal Register
9 1 or more maps depicting the land identified in sub-
10 sections (a) and (b).

11 (d) RECLASSIFICATION.—After providing an oppor-
12 tunity for public comment, the Secretary of the Interior
13 shall administratively reclassify—

14 (1) the land described in subsection (a), as pub-
15 lic domain land (as the term is defined in subsection
16 (b)) that is not subject to the distribution provision
17 of title II of the Act of August 28, 1937 (43 U.S.C.
18 1181f); and

19 (2) the land described in subsection (b), as Or-
20 egon and California Railroad land that is subject to
21 the Act of August 28, 1937 (43 U.S.C. 1181a et
22 seq.).

23 **SEC. 4. FUNDING FOR ENVIRONMENTAL RESTORATION.**

24 There is authorized to be appropriated to carry out,
25 in accordance with section 323 of the Department of the

1 Interior and Related Agencies Appropriations Act, 1999
2 (16 U.S.C. 1101 note; 112 Stat. 2681–290), watershed
3 restoration that protects or enhances water quality, or re-
4 lates to the recovery of endangered species or threatened
5 species listed under the Endangered Species Act of 1973
6 (16 U.S.C. 1531 et seq.), in Clackamas County, Oregon,
7 \$10,000,000.

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