

# Calendar No. 806

110TH CONGRESS  
2D SESSION

# S. 2833

[Report No. 110-374]

To provide for the management of certain public land in Owyhee County, Idaho, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

APRIL 9, 2008

Mr. CRAPO introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

JUNE 16, 2008

Reported by Mr. BINGAMAN, with an amendment

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

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## A BILL

To provide for the management of certain public land in Owyhee County, Idaho, 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. SHORT TITLE.**

4 This Act may be cited as the “Owyhee Public Land  
5 Management Act of 2008”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) ACCOUNT.—The term “account” means the  
4 Owyhee Land Acquisition Account established by  
5 section 6(b)(1).

6 (2) COUNTY.—The term “County” means  
7 Owyhee County, Idaho.

8 (3) OWYHEE FRONT.—The term “Owyhee  
9 Front” means the area of the County from Jump  
10 Creek on the west to Mud Flat Road on the east  
11 and draining north from the crest of the Silver City  
12 Range to the Snake River.

13 (4) PLAN.—The term “plan” means a travel  
14 management plan for motorized and mechanized off-  
15 highway vehicle recreation prepared under section 8.

16 (5) PUBLIC LAND.—The term “public land”  
17 has the meaning given the term in section 103(c) of  
18 the Federal Land Policy and Management Act of  
19 1976 (43 U.S.C. 1702(c)).

20 (6) SECRETARY.—The term “Secretary” means  
21 the Secretary of the Interior.

22 (7) STATE.—The term “State” means the State  
23 of Idaho.

24 (8) TRIBES.—The term “Tribes” means the  
25 Shoshone Paiute Tribes of the Duck Valley Reserva-  
26 tion.

1 **SEC. 3. OWYHEE SCIENCE REVIEW AND CONSERVATION**  
 2 **CENTER.**

3 (a) **ESTABLISHMENT.**—The Secretary, in coordina-  
 4 tion with the Tribes, State, and County, and in consulta-  
 5 tion with the University of Idaho, Federal grazing permit-  
 6 tees, and public, shall establish the Owyhee Science Re-  
 7 view and Conservation Center in the County to conduct  
 8 research projects to address natural resources manage-  
 9 ment issues affecting public and private rangeland in the  
 10 County.

11 (b) **PURPOSE.**—The purpose of the center established  
 12 under subsection (a) shall be to facilitate the collection  
 13 and analysis of information to provide Federal and State  
 14 agencies, private landowners, and the public with informa-  
 15 tion on improved rangeland management.

16 **SEC. 4. WILDERNESS AREAS.**

17 (a) **WILDERNESS AREAS DESIGNATION.**—

18 (1) **IN GENERAL.**—In accordance with the Wil-  
 19 derness Act (16 U.S.C. 1131 et seq.), the following  
 20 areas in the State are designated as wilderness areas  
 21 and as components of the National Wilderness Pres-  
 22 ervation System:

23 (A) **BIG JACKS CREEK WILDERNESS.**—Cer-  
 24 tain land comprising approximately 52,826  
 25 acres, as generally depicted on the map entitled  
 26 “Little Jacks Creek and Big Jacks Creek Wil-

1           derness” and dated October 18, 2007, which  
2           shall be known as the “Big Jacks Creek Wilder-  
3           ness”.

4           (B) BRUNEAU-JARBIDGE RIVERS WILDER-  
5           NESS.—Certain land comprising approximately  
6           90,007 acres, as generally depicted on the map  
7           entitled “Bruneau-Jarbidge Rivers Wilderness”  
8           and dated October 18, 2007, which shall be  
9           known as the “Bruneau-Jarbidge Rivers Wil-  
10          derness”.

11          (C) LITTLE JACKS CREEK WILDERNESS.—  
12          Certain land comprising approximately 51,021  
13          acres, as generally depicted on the map entitled  
14          “Little Jacks Creek and Big Jacks Creek Wil-  
15          derness” and dated October 18, 2007, which  
16          shall be known as the “Little Jacks Creek Wil-  
17          derness”.

18          (D) NORTH FORK OWYHEE WILDER-  
19          NESS.—Certain land comprising approximately  
20          43,413 acres, as generally depicted on the map  
21          entitled “North Fork Owyhee and Pole Creek  
22          Wilderness” and dated October 18, 2007, which  
23          shall be known as the “North Fork Owyhee  
24          Wilderness”.

1           (E) OWYHEE RIVER WILDERNESS.—Cer-  
2           tain land comprising approximately 267,328  
3           acres, as generally depicted on the map entitled  
4           “Owyhee River Wilderness” and dated October  
5           18, 2007, which shall be known as the “Owyhee  
6           River Wilderness”.

7           (F) POLE CREEK WILDERNESS.—Certain  
8           land comprising approximately 12,533 acres, as  
9           generally depicted on the map entitled “North  
10          Fork Owyhee and Pole Creek Wilderness” and  
11          dated October 18, 2007, which shall be known  
12          as the “Pole Creek Wilderness”.

13          (2) MAPS AND LEGAL DESCRIPTIONS.—

14           (A) IN GENERAL.—As soon as practicable  
15           after the date of enactment of this Act, the Sec-  
16           retary shall submit to the Committee on Energy  
17           and Natural Resources of the Senate and the  
18           Committee on Natural Resources of the House  
19           of Representatives a map and legal description  
20           for each area designated as wilderness by this  
21           Act.

22           (B) EFFECT.—Each map and legal de-  
23           scription submitted under subparagraph (A)  
24           shall have the same force and effect as if in-  
25           cluded in this Act, except that the Secretary

1 may correct minor errors in the map or legal  
2 description.

3 (C) AVAILABILITY.—Each map and legal  
4 description submitted under subparagraph (A)  
5 shall be available in the appropriate offices of  
6 the Bureau of Land Management.

7 ~~(3) RELEASE OF WILDERNESS STUDY AREAS.—~~

8 (A) IN GENERAL.—Congress finds that, for  
9 the purposes of section 603(e) of the Federal  
10 Land Policy and Management Act of 1976 (43  
11 U.S.C. 1782(e)), the public land in the County  
12 administered by the Bureau of Land Manage-  
13 ment has been adequately studied for wilder-  
14 ness designation.

15 (B) RELEASE.—Any public land referred  
16 to in subparagraph (A) that is not designated  
17 as wilderness by this Act—

18 (i) is no longer subject to section  
19 603(e) of the Federal Land Policy and  
20 Management Act of 1976 (43 U.S.C.  
21 1782(e)); and

22 (ii) shall be managed in accordance  
23 with the applicable land use plan adopted  
24 under section 202 of that Act (43 U.S.C.  
25 1712).

1 (b) ADMINISTRATION.—

2 (1) IN GENERAL.—Subject to valid existing  
3 rights, each area designated as wilderness by this  
4 Act shall be administered by the Secretary in ac-  
5 cordance with the Wilderness Act (16 U.S.C. 1131  
6 et seq.); except that—

7 (A) any reference in that Act to the effec-  
8 tive date shall be considered to be a reference  
9 to the date of enactment of this Act; and

10 (B) any reference in that Act to the Sec-  
11 retary of Agriculture shall be considered to be  
12 a reference to the Secretary of the Interior.

13 (2) WITHDRAWAL.—Subject to valid existing  
14 rights, the Federal land designated as wilderness by  
15 this Act is withdrawn from all forms of—

16 (A) entry, appropriation, or disposal under  
17 the public land laws;

18 (B) location, entry, and patent under the  
19 mining laws; and

20 (C) disposition under the mineral leasing,  
21 mineral materials, and geothermal leasing laws.

22 (3) LIVESTOCK.—

23 (A) IN GENERAL.—In the wilderness areas  
24 designated by this Act, the grazing of livestock  
25 in areas in which grazing is established as of

1 the date of enactment of this Act shall be al-  
2 lowed to continue, subject to such reasonable  
3 regulations, policies, and practices as the Sec-  
4 retary considers necessary, consistent with sec-  
5 tion 4(d)(4) of the Wilderness Act (16 U.S.C.  
6 1133(d)(4)) and the guidelines described in Ap-  
7 pendix A of House Report 101-405.

8 (B) INVENTORY.—Not later than 1 year  
9 after the date of enactment of this Act, the Sec-  
10 retary shall conduct an inventory of existing fa-  
11 cilities and improvements associated with graz-  
12 ing activities in the wilderness areas and wild  
13 and scenic rivers designated by this Act.

14 (C) FENCING.—The Secretary may con-  
15 struct and maintain fencing around wilderness  
16 areas designated by this Act as the Secretary  
17 determines to be appropriate to protect wilder-  
18 ness values.

19 (D) DONATION OF GRAZING PERMITS OR  
20 LEASES.—

21 (i) ACCEPTANCE BY SECRETARY.—

22 The Secretary shall accept the donation of  
23 any valid existing permits or leases author-  
24 izing grazing on public land within the wil-  
25 derness areas designated by this Act.

1           (ii) **TERMINATION.**—The Secretary  
2 shall terminate any grazing permit or lease  
3 acquired under clause (i) to ensure a per-  
4 manent end to grazing on the land covered  
5 by the permit or lease.

6           (iii) **PARTIAL DONATION.**—

7           (I) **IN GENERAL.**—If a person  
8 holding a valid grazing permit or lease  
9 donates less than the full amount of  
10 grazing use authorized under the per-  
11 mit or lease, the Secretary shall—

12           (aa) reduce the authorized  
13 grazing level to reflect the dona-  
14 tion; and

15           (bb) modify the permit or  
16 lease to reflect the revised level of  
17 use.

18           (II) **AUTHORIZED LEVEL.**—To  
19 ensure that there is a permanent re-  
20 duction in the level of grazing on the  
21 land covered by a permit or lease do-  
22 nated under subclause (I), the Sec-  
23 retary shall not allow grazing use to  
24 exceed the authorized level established  
25 under that subclause.

1           (4) ACQUISITION OF LAND AND INTERESTS IN  
2 LAND.—

3           (A) IN GENERAL.—Consistent with appli-  
4 cable law, the Secretary may acquire land or in-  
5 terests in land within the boundaries of the wil-  
6 derness areas designated by this Act by pur-  
7 chase, donation, or exchange.

8           (B) INCORPORATION OF ACQUIRED  
9 LAND.—Any land or interest in land in, or ad-  
10 joining the boundary of, a wilderness area des-  
11 ignated by this Act that is acquired by the  
12 United States shall be added to, and adminis-  
13 tered as part of, the wilderness area in which  
14 the acquired land or interest in land is located.

15       (5) TRAIL PLAN.—

16           (A) IN GENERAL.—The Secretary, after  
17 providing opportunities for public comment,  
18 shall establish a trail plan for public land in  
19 southwestern Idaho that addresses hiking and  
20 equestrian trails on the land designated as wil-  
21 derness by this Act, in a manner consistent  
22 with the Wilderness Act (16 U.S.C. 1131 et  
23 seq.).

24           (B) REPORT.—Not later than 2 years after  
25 the date of enactment of this Act, the Secretary

1           shall submit to Congress a report that describes  
2           the implementation of the trail plan.

3           ~~(6) OUTFITTING AND GUIDE ACTIVITIES.—~~Con-  
4           sistent with section 4(d)(5) of the Wilderness Act  
5           (16 U.S.C. 1133(d)(5)), commercial services (includ-  
6           ing authorized outfitting and guide activities) are  
7           authorized in wilderness areas designated by this  
8           Act to the extent necessary for activities that fulfill  
9           the recreational or other wilderness purposes of the  
10          areas.

11          ~~(7) ACCESS TO PRIVATE PROPERTY.—~~In ac-  
12          cordance with section 5(a) of the Wilderness Act (16  
13          U.S.C. 1134(a)), the Secretary shall provide any  
14          owner of private property within the boundary of a  
15          wilderness area designated by this Act adequate ac-  
16          cess to the property.

17          ~~(8) FISH AND WILDLIFE.—~~

18                 ~~(A) IN GENERAL.—~~Nothing in this Act af-  
19                 fects the jurisdiction of the State with respect  
20                 to fish and wildlife on public land in the State.

21                 ~~(B) MANAGEMENT ACTIVITIES.—~~

22                         ~~(i) IN GENERAL.—~~In furtherance of  
23                         the purposes and principles of the Wilder-  
24                         ness Act (16 U.S.C. 1131 et seq.), the Sec-  
25                         retary may conduct any management ac-

1           activities that are necessary to maintain or  
2           restore fish and wildlife populations and  
3           habitats in the wilderness areas designated  
4           by this Act, if the management activities  
5           are—

6                   (I) consistent with relevant wil-  
7                   derness management plans; and

8                   (II) conducted in accordance with  
9                   appropriate policies, such as the poli-  
10                  cies established in Appendix B of  
11                  House Report 101-405.

12           (ii) INCLUSIONS.—Management activi-  
13           ties under clause (i) may include the occa-  
14           sional and temporary use of motorized ve-  
15           hicles, if the use, as determined by the  
16           Secretary, would promote healthy, viable,  
17           and more naturally distributed wildlife  
18           populations that would enhance wilderness  
19           values while causing the minimum impact  
20           necessary to accomplish those tasks.

21           (C) EXISTING ACTIVITIES.—Consistent  
22           with section 4(d)(1) of the Wilderness Act (16  
23           U.S.C. 1133(d)(1)) and in accordance with ap-  
24           propriate policies, such as those established in  
25           Appendix B of House Report 101-405, the

1 State may use aircraft (including helicopters) in  
2 the wilderness areas designated by this Act to  
3 survey, capture, transplant, monitor, and pro-  
4 vide water for wildlife populations, including  
5 bighorn sheep, and feral stock, feral horses, and  
6 feral burros.

7 ~~(9) WILDFIRE, INSECT, AND DISEASE MANAGE-~~  
8 ~~MENT.—~~Consistent with section 4(d)(1) of the Wil-  
9 derness Act (16 U.S.C. 1133(d)(1)), the Secretary  
10 may take any measures that the Secretary deter-  
11 mines to be necessary to control fire, insects, and  
12 diseases, including, as the Secretary determines ap-  
13 propriate, the coordination of those activities with a  
14 State or local agency.

15 ~~(10) ADJACENT MANAGEMENT.—~~

16 ~~(A) IN GENERAL.—~~The designation of a  
17 wilderness area by this Act shall not create any  
18 protective perimeter or buffer zone around the  
19 wilderness area.

20 ~~(B) NONWILDERNESS ACTIVITIES.—~~The  
21 fact that nonwilderness activities or uses can be  
22 seen or heard from areas within a wilderness  
23 area designated by this Act shall not preclude  
24 the conduct of those activities or uses outside  
25 the boundary of the wilderness area.

1           (11) ~~MILITARY OVERFLIGHTS.~~—Nothing in this  
2 Act restricts or precludes—

3           (A) ~~low-level overflights of military aircraft~~  
4 ~~over the areas designated as wilderness by this~~  
5 ~~Act, including military overflights that can be~~  
6 ~~seen or heard within the wilderness areas;~~

7           (B) ~~flight testing and evaluation; or~~

8           (C) ~~the designation or creation of new~~  
9 ~~units of special use airspace, or the establish-~~  
10 ~~ment of military flight training routes, over the~~  
11 ~~wilderness areas.~~

12           (12) ~~WATER RIGHTS.~~—

13           (A) ~~IN GENERAL.~~—The designation of  
14 areas as wilderness in section 4 of this Act shall  
15 not create an express or implied reservation by  
16 the United States of any water or water rights  
17 for wilderness purposes with respect to such  
18 areas.

19           (B) ~~EXCLUSIONS.~~—This paragraph does  
20 not apply to any components of the National  
21 Wild and Scenic Rivers System designated by  
22 section 5.

23 **SEC. 5. DESIGNATION OF WILD AND SCENIC RIVERS.**

24           (a) ~~IN GENERAL.~~—Section 3(a) of the Wild and Sce-  
25 nic Rivers Act (16 U.S.C. 1274(a)) is amended—

1           (1) by redesignating paragraph (167) (relating  
2 to the Musconetcong River, New Jersey) as para-  
3 graph (169);

4           (2) by designating the undesignated paragraph  
5 relating to the White Salmon River, Washington, as  
6 paragraph (167);

7           (3) by designating the undesignated paragraph  
8 relating to the Black Butte River, California, as  
9 paragraph (168); and

10          (4) by adding at the end the following:

11           “(170) BATTLE CREEK, IDAHO.—The 23.4  
12 miles of Battle Creek from the confluence of the  
13 Owyhee River to the upstream boundary of the  
14 Owyhee River Wilderness, to be administered by the  
15 Secretary of the Interior as a wild river.

16           “(171) BIG JACKS CREEK, IDAHO.—The 35.0  
17 miles of Big Jacks Creek from the downstream bor-  
18 der of the Big Jacks Creek Wilderness in sec. 8, T.  
19 8 S., R. 4 E., to the point at which it enters the NW  
20  $\frac{1}{4}$  of sec. 26, T. 10 S., R. 2 E., Boise Meridian, to  
21 be administered by the Secretary of the Interior as  
22 a wild river.

23           “(172) BRUNEAU RIVER, IDAHO.—

24           “(A) IN GENERAL.—Except as provided in  
25 subparagraph (B), the 39.3-mile segment of the

1 Bruneau River from the downstream boundary  
2 of the Bruneau-Jarbridge Wilderness to the up-  
3 stream confluence with the west fork of the  
4 Bruneau River, to be administered by the Sec-  
5 retary of the Interior as a wild river.

6 “(B) EXCEPTION.—Notwithstanding sub-  
7 paragraph (A), the 0.6-mile segment of the  
8 Bruneau River at the Indian Hot Springs pub-  
9 lic road access shall be administered by the Sec-  
10 retary of the Interior as a recreational river.

11 “(173) WEST FORK BRUNEAU RIVER, IDAHO.—  
12 The approximately 0.35 miles of the West Fork of  
13 the Bruneau River from the confluence with the  
14 Jarbridge River to the downstream boundary of the  
15 Bruneau Canyon Grazing Allotment in the SE/NE  
16 of sec. 5, T. 13 S., R. 7 E., Boise Meridian, to be  
17 administered by the Secretary of the Interior as a  
18 wild river.

19 “(174) COTTONWOOD CREEK, IDAHO.—The 2.6  
20 miles of Cottonwood Creek from the confluence with  
21 Big Jacks Creek to the upstream boundary of the  
22 Big Jacks Creek Wilderness, to be administered by  
23 the Secretary of the Interior as a wild river.

24 “(175) DEEP CREEK, IDAHO.—The 13.1-mile  
25 segment of Deep Creek from the confluence with the

1 Owyhee River to the upstream boundary of the  
2 Owyhee River Wilderness in sec. 30, T. 12 S., R. 2  
3 W., Boise Meridian, to be administered by the Sec-  
4 retary of the Interior as a wild river.

5 “(176) DICKSHOOTER CREEK, IDAHO.—The  
6 9.25 miles of Dickshooter Creek from the confluence  
7 with Deep Creek to a point on the stream  $\frac{1}{4}$  mile  
8 due west of the east boundary of sec. 16, T. 12 S.,  
9 R. 2 W., Boise Meridian, to be administered by the  
10 Secretary of the Interior as a wild river.

11 “(177) DUNCAN CREEK, IDAHO.—The 0.9-mile  
12 segment of Duncan Creek from the confluence with  
13 Big Jacks Creek upstream to the east boundary of  
14 sec. 18, T. 10 S., R. 4 E., Boise Meridian, to be ad-  
15 ministered by the Secretary of the Interior as a wild  
16 river.

17 “(178) JARBIDGE RIVER, IDAHO.—The 28.8  
18 miles of the Jarbidge River from the confluence with  
19 the West Fork Bruneau River to the upstream  
20 boundary of the Bruneau-Jarbidge Rivers Wilder-  
21 ness, to be administered by the Secretary of the In-  
22 terior as a wild river.

23 “(179) LITTLE JACKS CREEK, IDAHO.—The  
24 12.4 miles of Little Jacks Creek from the down-  
25 stream boundary of the Little Jacks Creek Wilder-

1       ness, upstream to the mouth of OX Prong Creek, to  
2       be administered by the Secretary of the Interior as  
3       a wild river.

4           “(180) NORTH FORK OWYHEE RIVER, IDAHO.—

5       The following segments of the North Fork of the  
6       Owyhee River, to be administered by the Secretary  
7       of the Interior:

8           “(A) The 5.7-mile segment from the  
9       Idaho-Oregon State border to the upstream  
10      boundary of the private land at the Juniper Mt.  
11      Road crossing, as a recreational river.

12          “(B) The 15.1-mile segment from the up-  
13      stream boundary of the North Fork Owyhee  
14      River recreational segment designated in para-  
15      graph (A) to the upstream boundary of the  
16      North Fork Owyhee River Wilderness, as a wild  
17      river.

18          “(181) OWYHEE RIVER, IDAHO.—

19          “(A) IN GENERAL.—Subject to subpara-  
20      graph (B), the 67.3 miles of the Owyhee River  
21      from the Idaho-Oregon State border to the up-  
22      stream boundary of the Owyhee River Wilder-  
23      ness, to be administered by the Secretary of the  
24      Interior as a wild river.

1           “(B) ACCESS.—The Secretary of the Inte-  
2           rior shall allow for continued access across the  
3           Owyhee River at Crutchers Crossing, subject to  
4           such terms and conditions as the Secretary of  
5           the Interior determines to be necessary

6           “(182) RED CANYON, IDAHO.—The 4.6 miles of  
7           Red Canyon from the confluence of the Owyhee  
8           River to the upstream boundary of the Owyhee River  
9           Wilderness, to be administered by the Secretary of  
10          the Interior as a wild river.

11          “(183) SHEEP CREEK, IDAHO.—The 25.6 miles  
12          of Sheep Creek from the confluence with the  
13          Bruneau River to the upstream boundary of the  
14          Bruneau-Jarbridge Rivers Wilderness, to be adminis-  
15          tered by the Secretary of the Interior as a wild river.

16          “(184) SOUTH FORK OWYHEE RIVER, IDAHO.—

17                 “(A) IN GENERAL.—Except as provided in  
18                 subparagraph (B), the 31.4-mile segment of the  
19                 South Fork of the Owyhee River upstream from  
20                 the confluence with the Owyhee River to the up-  
21                 stream boundary of the Owyhee River Wilder-  
22                 ness at the Idaho–Nevada State border, to be  
23                 administered by the Secretary of the Interior as  
24                 a wild river.

1           “(B) EXCEPTION.—Notwithstanding sub-  
 2 paragraph (A), the 1.2-mile segment of the  
 3 South Fork of the Owyhee River from the point  
 4 at which the river enters the southernmost  
 5 boundary to the point at which the river exits  
 6 the northernmost boundary of private land in  
 7 sec. 25 and 26, T. 14 S., R. 5 W., Boise Merid-  
 8 ian, shall be administered by the Secretary of  
 9 the Interior as a recreational river.

10           “(185) WICKAHONEY CREEK, IDAHO.—The 1.5  
 11 miles of Wickahoney Creek from the confluence of  
 12 Big Jacks Creek to the upstream boundary of the  
 13 Big Jacks Creek Wilderness, to be administered by  
 14 the Secretary of the Interior as a wild river.”.

15           (b) BOUNDARIES.—Notwithstanding section 3(b) of  
 16 the Wild and Scenic Rivers Act (16 U.S.C. 1274(b)), the  
 17 boundary of a river segment designated as a component  
 18 of the National Wild and Scenic Rivers System under this  
 19 Act shall extend not more than the shorter of—

20           (1) an average distance of  $\frac{1}{4}$  mile from the  
 21 high water mark on both sides of the river segment;

22           or

23           (2) the distance to the nearest confined canyon  
 24 rim.

1       (c) ~~LAND ACQUISITION.~~—The Secretary shall not ac-  
 2       quire any private land within the exterior boundary of a  
 3       wild and scenic river corridor without the consent of the  
 4       owner.

5       **SEC. 6. LAND IDENTIFIED FOR DISPOSAL.**

6       (a) ~~IN GENERAL.~~—Consistent with applicable law,  
 7       the Secretary may sell public land located within the Boise  
 8       District of the Bureau of Land Management that, as of  
 9       the date of enactment of this Act, has been identified for  
 10      disposal in appropriate resource management plans.

11      (b) ~~USE OF PROCEEDS.~~—

12           (1) ~~IN GENERAL.~~—Notwithstanding any other  
 13      provision of law (other than a law that specifically  
 14      provides for a proportion of the proceeds of a land  
 15      sale to be distributed to any trust fund of the  
 16      State), proceeds from the sale of public land under  
 17      subsection (a) shall be deposited in a separate ac-  
 18      count in the Treasury of the United States to be  
 19      known as the “Owyhee Land Acquisition Account”.

20           (2) ~~AVAILABILITY.~~—

21           (A) ~~IN GENERAL.~~—Amounts in the ac-  
 22      count shall be available to the Secretary, with-  
 23      out further appropriation, to purchase land or  
 24      interests in land in, or adjacent to, the wilder-  
 25      ness areas designated by this Act, including

1 land identified as “Proposed for Acquisition”  
2 on the maps described in section 4(a)(2).

3 (B) APPLICABLE LAW.—Any purchase of  
4 land or interest in land under subparagraph (A)  
5 shall be in accordance with applicable law.

6 (3) APPLICABILITY.—This subsection applies to  
7 public land within the Boise District of the Bureau  
8 of Land Management sold on or after January 1,  
9 2008.

10 (c) TERMINATION OF AUTHORITY.—

11 (1) IN GENERAL.—The authority provided  
12 under this section terminates on the earlier of—

13 (A) the date that is 10 years after the date  
14 of enactment of this Act; or

15 (B) the date on which a total of  
16 \$8,000,000 from the account is expended.

17 (2) AVAILABILITY OF AMOUNTS.—Any amounts  
18 remaining in the account on the termination of au-  
19 thority under this section shall be—

20 (A) credited as sales of public land in the  
21 State;

22 (B) transferred to the Federal Land Dis-  
23 posal Account established under section 206(a)  
24 of the Federal Land Transaction Facilitation  
25 Act (43 U.S.C. 2305(a)); and

1 (C) used in accordance with that Act.

2 **SEC. 7. TRIBAL CULTURAL RESOURCES.**

3 (a) COORDINATION.—The Secretary shall coordinate  
4 with the Tribes in the implementation of the Shoshone  
5 Paiute Cultural Resource Protection Plan.

6 (b) AGREEMENTS.—The Secretary shall seek to enter  
7 into agreements with the Tribes to implement the Sho-  
8 shone Paiute Cultural Resource Protection Plan to protect  
9 cultural sites and resources important to the continuation  
10 of the traditions and beliefs of the Tribes.

11 **SEC. 8. RECREATIONAL TRAVEL MANAGEMENT PLANS.**

12 (a) IN GENERAL.—In accordance with the Federal  
13 Land Policy and Management Act of 1976 (43 U.S.C.  
14 1701 et seq.), the Secretary shall, in coordination with the  
15 Tribes, State, and County, prepare 1 or more travel man-  
16 agement plans for motorized and mechanized off-highway  
17 vehicle recreation for the land managed by the Bureau of  
18 Land Management in the County.

19 (b) INVENTORY.—Before preparing the plan under  
20 subsection (a), the Secretary shall conduct resource and  
21 route inventories of the area covered by the plan.

22 (c) LIMITATION TO DESIGNATED ROUTES.—

23 (1) IN GENERAL.—Except as provided in para-  
24 graph (2), the plan shall limit recreational motorized  
25 and mechanized off-highway vehicle use to a system

1 of designated roads and trails established by the  
2 plan.

3 ~~(2) EXCEPTION.—~~Paragraph ~~(1)~~ shall not  
4 apply to snowmobiles.

5 ~~(d) TEMPORARY LIMITATION.—~~

6 ~~(1) IN GENERAL.—~~Except as provided in para-  
7 graph ~~(2)~~, until the date on which the Secretary  
8 completes the plan, all recreational motorized and  
9 mechanized off-highway vehicle use shall be limited  
10 to roads and trails lawfully in existence on the day  
11 before the date of enactment of this Act.

12 ~~(2) EXCEPTION.—~~Paragraph ~~(1)~~ shall not  
13 apply to—

14 ~~(A)~~ snowmobiles; or

15 ~~(B)~~ areas specifically identified as open,  
16 closed, or limited in the Owyhee Resource Man-  
17 agement Plan.

18 ~~(e) SCHEDULE.—~~

19 ~~(1) OWYHEE FRONT.—~~It is the intent of Con-  
20 gress that, not later than 1 year after the date of  
21 enactment of this Act, the Secretary shall complete  
22 a transportation plan for the Owyhee Front.

23 ~~(2) OTHER BUREAU OF LAND MANAGEMENT~~  
24 ~~LAND IN THE COUNTY.—~~It is the intent of Congress  
25 that, not later than 3 years after the date of enact-

1 ment of this Act, the Secretary shall complete a  
 2 transportation plan for Bureau of Land Manage-  
 3 ment land in the County outside the Owyhee Front.

4 (f) EFFECT OF SECTION.—Nothing in this section  
 5 precludes the Secretary from addressing nonrecreational  
 6 travel management as part of the plan.

7 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

8 There are authorized to be appropriated such sums  
 9 as are necessary to carry out this Act.

10 **SECTION 1. SHORT TITLE.**

11 *This Act may be cited as the “Owyhee Public Land*  
 12 *Management Act of 2008”.*

13 **SEC. 2. DEFINITIONS.**

14 *In this Act:*

15 (1) ACCOUNT.—*The term “account” means the*  
 16 *Owyhee Land Acquisition Account established by sec-*  
 17 *tion 6(b)(1).*

18 (2) COUNTY.—*The term “County” means*  
 19 *Owyhee County, Idaho.*

20 (3) OWYHEE FRONT.—*The term “Owyhee Front”*  
 21 *means the area of the County from Jump Creek on*  
 22 *the west to Mud Flat Road on the east and draining*  
 23 *north from the crest of the Silver City Range to the*  
 24 *Snake River.*

1           (4) *PLAN.*—*The term “plan” means a travel*  
 2           *management plan for motorized and mechanized off-*  
 3           *highway vehicle recreation prepared under section 8.*

4           (5) *PUBLIC LAND.*—*The term “public land” has*  
 5           *the meaning given the term in section 103(e) of the*  
 6           *Federal Land Policy and Management Act of 1976*  
 7           *(43 U.S.C. 1702(e)).*

8           (6) *SECRETARY.*—*The term “Secretary” means*  
 9           *the Secretary of the Interior.*

10          (7) *STATE.*—*The term “State” means the State*  
 11          *of Idaho.*

12          (8) *TRIBES.*—*The term “Tribes” means the Sho-*  
 13          *shone Paiute Tribes of the Duck Valley Reservation.*

14   **SEC. 3. OWYHEE SCIENCE REVIEW AND CONSERVATION**  
 15                                   **CENTER.**

16          (a) *ESTABLISHMENT.*—*The Secretary, in coordination*  
 17          *with the Tribes, State, and County, and in consultation*  
 18          *with the University of Idaho, Federal grazing permittees,*  
 19          *and public, shall establish the Owyhee Science Review and*  
 20          *Conservation Center in the County to conduct research*  
 21          *projects to address natural resources management issues af-*  
 22          *fecting public and private rangeland in the County.*

23          (b) *PURPOSE.*—*The purpose of the center established*  
 24          *under subsection (a) shall be to facilitate the collection and*  
 25          *analysis of information to provide Federal and State agen-*

1 *cies, the Tribes, the County, private landowners, and the*  
2 *public with information on improved rangeland manage-*  
3 *ment.*

4 **SEC. 4. WILDERNESS AREAS.**

5 *(a) WILDERNESS AREAS DESIGNATION.—*

6 *(1) IN GENERAL.—In accordance with the Wil-*  
7 *derness Act (16 U.S.C. 1131 et seq.), the following*  
8 *areas in the State are designated as wilderness areas*  
9 *and as components of the National Wilderness Preser-*  
10 *vation System:*

11 *(A) BIG JACKS CREEK WILDERNESS.—Cer-*  
12 *tain land comprising approximately 52,826*  
13 *acres, as generally depicted on the map entitled*  
14 *“Little Jacks Creek and Big Jacks Creek Wilder-*  
15 *ness” and dated May 5, 2008, which shall be*  
16 *known as the “Big Jacks Creek Wilderness”.*

17 *(B) BRUNEAU-JARBIDGE RIVERS WILDER-*  
18 *NESS.—Certain land comprising approximately*  
19 *89,996 acres, as generally depicted on the map*  
20 *entitled “Bruneau-Jarbidge Rivers Wilderness”*  
21 *and dated May 5, 2008, which shall be known as*  
22 *the “Bruneau-Jarbidge Rivers Wilderness”.*

23 *(C) LITTLE JACKS CREEK WILDERNESS.—*  
24 *Certain land comprising approximately 50,929*  
25 *acres, as generally depicted on the map entitled*

1           *“Little Jacks Creek and Big Jacks Creek Wilder-*  
2           *ness” and dated May 5, 2008, which shall be*  
3           *known as the “Little Jacks Creek Wilderness”.*

4           (D) *NORTH FORK OWYHEE WILDERNESS.—*  
5           *Certain land comprising approximately 43,413*  
6           *acres, as generally depicted on the map entitled*  
7           *“North Fork Owyhee and Pole Creek Wilderness”*  
8           *and dated May 5, 2008, which shall be known as*  
9           *the “North Fork Owyhee Wilderness”.*

10          (E) *OWYHEE RIVER WILDERNESS.—**Certain*  
11          *land comprising approximately 267,328 acres, as*  
12          *generally depicted on the map entitled “Owyhee*  
13          *River Wilderness” and dated May 5, 2008, which*  
14          *shall be known as the “Owyhee River Wilder-*  
15          *ness”.*

16          (F) *POLE CREEK WILDERNESS.—**Certain*  
17          *land comprising approximately 12,533 acres, as*  
18          *generally depicted on the map entitled “North*  
19          *Fork Owyhee and Pole Creek Wilderness” and*  
20          *dated May 5, 2008, which shall be known as the*  
21          *“Pole Creek Wilderness”.*

22          (2) *MAPS AND LEGAL DESCRIPTIONS.—*

23                 (A) *IN GENERAL.—**As soon as practicable*  
24                 *after the date of enactment of this Act, the Sec-*  
25                 *retary shall submit to the Committee on Energy*

1           *and Natural Resources of the Senate and the*  
2           *Committee on Natural Resources of the House of*  
3           *Representatives a map and legal description for*  
4           *each area designated as wilderness by this Act.*

5           *(B) EFFECT.—Each map and legal descrip-*  
6           *tion submitted under subparagraph (A) shall*  
7           *have the same force and effect as if included in*  
8           *this Act, except that the Secretary may correct*  
9           *minor errors in the map or legal description.*

10          *(C) AVAILABILITY.—Each map and legal*  
11          *description submitted under subparagraph (A)*  
12          *shall be available in the appropriate offices of the*  
13          *Bureau of Land Management.*

14          *(3) RELEASE OF WILDERNESS STUDY AREAS.—*

15          *(A) IN GENERAL.—Congress finds that, for*  
16          *the purposes of section 603(c) of the Federal*  
17          *Land Policy and Management Act of 1976 (43*  
18          *U.S.C. 1782(c)), the public land in the County*  
19          *administered by the Bureau of Land Manage-*  
20          *ment has been adequately studied for wilderness*  
21          *designation.*

22          *(B) RELEASE.—Any public land referred to*  
23          *in subparagraph (A) that is not designated as*  
24          *wilderness by this Act—*

1                   (i) is no longer subject to section  
2                   603(c) of the Federal Land Policy and  
3                   Management Act of 1976 (43 U.S.C.  
4                   1782(c)); and

5                   (ii) shall be managed in accordance  
6                   with the applicable land use plan adopted  
7                   under section 202 of that Act (43 U.S.C.  
8                   1712).

9           (b) ADMINISTRATION.—

10           (1) IN GENERAL.—Subject to valid existing  
11           rights, each area designated as wilderness by this Act  
12           shall be administered by the Secretary in accordance  
13           with the Wilderness Act (16 U.S.C. 1131 et seq.), ex-  
14           cept that—

15                   (A) any reference in that Act to the effective  
16                   date shall be considered to be a reference to the  
17                   date of enactment of this Act; and

18                   (B) any reference in that Act to the Sec-  
19                   retary of Agriculture shall be considered to be a  
20                   reference to the Secretary of the Interior.

21           (2) WITHDRAWAL.—Subject to valid existing  
22           rights, the Federal land designated as wilderness by  
23           this Act is withdrawn from all forms of—

24                   (A) entry, appropriation, or disposal under  
25                   the public land laws;

1           (B) *location, entry, and patent under the*  
2 *mining laws; and*

3           (C) *disposition under the mineral leasing,*  
4 *mineral materials, and geothermal leasing laws.*

5       (3) *LIVESTOCK.—*

6           (A) *IN GENERAL.—In the wilderness areas*  
7 *designated by this Act, the grazing of livestock in*  
8 *areas in which grazing is established as of the*  
9 *date of enactment of this Act shall be allowed to*  
10 *continue, subject to such reasonable regulations,*  
11 *policies, and practices as the Secretary considers*  
12 *necessary, consistent with section 4(d)(4) of the*  
13 *Wilderness Act (16 U.S.C. 1133(d)(4)) and the*  
14 *guidelines described in Appendix A of House Re-*  
15 *port 101–405.*

16           (B) *INVENTORY.—Not later than 1 year*  
17 *after the date of enactment of this Act, the Sec-*  
18 *retary shall conduct an inventory of existing fa-*  
19 *cilities and improvements associated with graz-*  
20 *ing activities in the wilderness areas and wild*  
21 *and scenic rivers designated by this Act.*

22           (C) *FENCING.—The Secretary may con-*  
23 *struct and maintain fencing around wilderness*  
24 *areas designated by this Act as the Secretary de-*

1           *termines to be appropriate to enhance wilderness*  
2           *values.*

3                   *(D) DONATION OF GRAZING PERMITS OR*  
4           *LEASES.—*

5                           *(i) ACCEPTANCE BY SECRETARY.—The*  
6                   *Secretary shall accept the donation of any*  
7                   *valid existing permits or leases authorizing*  
8                   *grazing on public land, all or a portion of*  
9                   *which is within the wilderness areas des-*  
10                   *ignated by this Act.*

11                           *(ii) TERMINATION.—With respect to*  
12                   *each permit or lease donated under clause*  
13                   *(i), the Secretary shall—*

14                                   *(I) terminate the grazing permit*  
15                                   *or lease; and*

16                                   *(II) except as provided in clause*  
17                                   *(iii), ensure a permanent end to graz-*  
18                                   *ing on the land covered by the permit*  
19                                   *or lease.*

20                           *(iii) COMMON ALLOTMENTS.—*

21                                   *(I) IN GENERAL.—If the land cov-*  
22                                   *ered by a permit or lease donated*  
23                                   *under clause (i) is also covered by an-*  
24                                   *other valid existing permit or lease*  
25                                   *that is not donated under clause (i),*

1            *the Secretary shall reduce the author-*  
2            *ized grazing level on the land covered*  
3            *by the permit or lease to reflect the do-*  
4            *nation of the permit or lease under*  
5            *clause (i).*

6            (II) *AUTHORIZED LEVEL.—To en-*  
7            *sure that there is a permanent reduc-*  
8            *tion in the level of grazing on the land*  
9            *covered by a permit or lease donated*  
10           *under clause (i), the Secretary shall*  
11           *not allow grazing use to exceed the au-*  
12           *thorized level established under sub-*  
13           *clause (I).*

14           (iv) *PARTIAL DONATION.—*

15           (I) *IN GENERAL.—If a person*  
16           *holding a valid grazing permit or lease*  
17           *donates less than the full amount of*  
18           *grazing use authorized under the per-*  
19           *mit or lease, the Secretary shall—*

20                    (aa) *reduce the authorized*  
21                    *grazing level to reflect the dona-*  
22                    *tion; and*

23                    (bb) *modify the permit or*  
24                    *lease to reflect the revised level of*  
25                    *use.*

1                   (II) *AUTHORIZED LEVEL.*—*To en-*  
2                   *sure that there is a permanent reduc-*  
3                   *tion in the authorized level of grazing*  
4                   *on the land covered by a permit or*  
5                   *lease donated under subclause (I), the*  
6                   *Secretary shall not allow grazing use*  
7                   *to exceed the authorized level estab-*  
8                   *lished under that subclause.*

9                   (4) *ACQUISITION OF LAND AND INTERESTS IN*  
10                  *LAND.*—

11                   (A) *IN GENERAL.*—*Consistent with applica-*  
12                   *ble law, the Secretary may acquire land or inter-*  
13                   *ests in land within the boundaries of the wilder-*  
14                   *ness areas designated by this Act by purchase,*  
15                   *donation, or exchange.*

16                   (B) *INCORPORATION OF ACQUIRED LAND.*—  
17                   *Any land or interest in land in, or adjoining the*  
18                   *boundary of, a wilderness area designated by*  
19                   *this Act that is acquired by the United States*  
20                   *shall be added to, and administered as part of,*  
21                   *the wilderness area in which the acquired land*  
22                   *or interest in land is located.*

23                   (5) *TRAIL PLAN.*—

24                   (A) *IN GENERAL.*—*The Secretary, after pro-*  
25                   *viding opportunities for public comment, shall*

1           *establish a trail plan that addresses hiking and*  
2           *equestrian trails on the land designated as wil-*  
3           *derness by this Act, in a manner consistent with*  
4           *the Wilderness Act (16 U.S.C. 1131 et seq.).*

5           *(B) REPORT.—Not later than 2 years after*  
6           *the date of enactment of this Act, the Secretary*  
7           *shall submit to Congress a report that describes*  
8           *the implementation of the trail plan.*

9           *(6) OUTFITTING AND GUIDE ACTIVITIES.—Con-*  
10          *sistent with section 4(d)(5) of the Wilderness Act (16*  
11          *U.S.C. 1133(d)(5)), commercial services (including*  
12          *authorized outfitting and guide activities) are author-*  
13          *ized in wilderness areas designated by this Act to the*  
14          *extent necessary for activities that fulfill the rec-*  
15          *reational or other wilderness purposes of the areas.*

16          *(7) ACCESS TO PRIVATE PROPERTY.—In accord-*  
17          *ance with section 5(a) of the Wilderness Act (16*  
18          *U.S.C. 1134(a)), the Secretary shall provide any*  
19          *owner of private property within the boundary of a*  
20          *wilderness area designated by this Act adequate access*  
21          *to the property.*

22          *(8) FISH AND WILDLIFE.—*

23                 *(A) IN GENERAL.—Nothing in this Act af-*  
24                 *fects the jurisdiction of the State with respect to*  
25                 *fish and wildlife on public land in the State.*

1 (B) *MANAGEMENT ACTIVITIES.*—

2 (i) *IN GENERAL.*—*In furtherance of the*  
3 *purposes and principles of the Wilderness*  
4 *Act (16 U.S.C. 1131 et seq.), the Secretary*  
5 *may conduct any management activities*  
6 *that are necessary to maintain or restore*  
7 *fish and wildlife populations and habitats*  
8 *in the wilderness areas designated by this*  
9 *Act, if the management activities are—*

10 (I) *consistent with relevant wil-*  
11 *derness management plans; and*

12 (II) *conducted in accordance with*  
13 *appropriate policies, such as the poli-*  
14 *cies established in Appendix B of*  
15 *House Report 101–405.*

16 (ii) *INCLUSIONS.*—*Management activi-*  
17 *ties under clause (i) may include the occa-*  
18 *sional and temporary use of motorized vehi-*  
19 *cles, if the use, as determined by the Sec-*  
20 *retary, would promote healthy, viable, and*  
21 *more naturally distributed wildlife popu-*  
22 *lations that would enhance wilderness val-*  
23 *ues while causing the minimum impact nec-*  
24 *essary to accomplish those tasks.*

1           (C) *EXISTING ACTIVITIES.*—Consistent with  
2           section 4(d)(1) of the Wilderness Act (16 U.S.C.  
3           1133(d)(1)) and in accordance with appropriate  
4           policies, such as those established in Appendix B  
5           of House Report 101–405, the State may use air-  
6           craft (including helicopters) in the wilderness  
7           areas designated by this Act to survey, capture,  
8           transplant, monitor, and provide water for wild-  
9           life populations, including bighorn sheep, and  
10          feral stock, feral horses, and feral burros.

11          (9) *WILDFIRE, INSECT, AND DISEASE MANAGE-*  
12          *MENT.*—Consistent with section 4(d)(1) of the Wilder-  
13          ness Act (16 U.S.C. 1133(d)(1)), the Secretary may  
14          take any measures that the Secretary determines to be  
15          necessary to control fire, insects, and diseases, includ-  
16          ing, as the Secretary determines appropriate, the co-  
17          ordination of those activities with a State or local  
18          agency.

19          (10) *ADJACENT MANAGEMENT.*—

20                (A) *IN GENERAL.*—The designation of a  
21                wilderness area by this Act shall not create any  
22                protective perimeter or buffer zone around the  
23                wilderness area.

24                (B) *NONWILDERNESS ACTIVITIES.*—The fact  
25                that nonwilderness activities or uses can be seen

1           *or heard from areas within a wilderness area*  
2           *designated by this Act shall not preclude the con-*  
3           *duct of those activities or uses outside the bound-*  
4           *ary of the wilderness area.*

5           (11) *MILITARY OVERFLIGHTS.*—*Nothing in this*  
6           *Act restricts or precludes—*

7                   (A) *low-level overflights of military aircraft*  
8                   *over the areas designated as wilderness by this*  
9                   *Act, including military overflights that can be*  
10                  *seen or heard within the wilderness areas;*

11                  (B) *flight testing and evaluation; or*

12                  (C) *the designation or creation of new units*  
13                  *of special use airspace, or the establishment of*  
14                  *military flight training routes, over the wilder-*  
15                  *ness areas.*

16           (12) *WATER RIGHTS.*—

17                   (A) *IN GENERAL.*—*The designation of areas*  
18                   *as wilderness in section 4 shall not create an ex-*  
19                   *press or implied reservation by the United States*  
20                   *of any water or water rights for wilderness pur-*  
21                   *poses with respect to such areas.*

22                   (B) *EXCLUSIONS.*—*This paragraph does not*  
23                   *apply to any components of the National Wild*  
24                   *and Scenic Rivers System designated by section*  
25                   5.

1 **SEC. 5. DESIGNATION OF WILD AND SCENIC RIVERS.**

2 (a) *IN GENERAL.*—Section 3(a) of the Wild and Scenic  
3 Rivers Act (16 U.S.C. 1274(a)) is amended—

4 (1) by redesignating paragraph (167) (relating  
5 to the Musconetcong River, New Jersey) as paragraph  
6 (169);

7 (2) by designating the undesignated paragraph  
8 relating to the White Salmon River, Washington, as  
9 paragraph (167);

10 (3) by designating the undesignated paragraph  
11 relating to the Black Butte River, California, as  
12 paragraph (168); and

13 (4) by adding at the end the following:

14 “(170) *BATTLE CREEK, IDAHO.*—The 23.4 miles  
15 of Battle Creek from the confluence of the Owyhee  
16 River to the upstream boundary of the Owyhee River  
17 Wilderness, to be administered by the Secretary of the  
18 Interior as a wild river.

19 “(171) *BIG JACKS CREEK, IDAHO.*—The 35.0  
20 miles of Big Jacks Creek from the downstream border  
21 of the Big Jacks Creek Wilderness in sec. 8, T. 8 S.,  
22 R. 4 E., to the point at which it enters the NW <sup>1</sup>/<sub>4</sub>  
23 of sec. 26, T. 10 S., R. 2 E., Boise Meridian, to be  
24 administered by the Secretary of the Interior as a  
25 wild river.

26 “(172) *BRUNEAU RIVER, IDAHO.*—

1           “(A) *IN GENERAL.*—*Except as provided in*  
2           *subparagraph (B), the 39.3-mile segment of the*  
3           *Bruneau River from the downstream boundary*  
4           *of the Bruneau-Jarbidge Wilderness to the up-*  
5           *stream confluence with the west fork of the*  
6           *Bruneau River, to be administered by the Sec-*  
7           *retary of the Interior as a wild river.*

8           “(B) *EXCEPTION.*—*Notwithstanding sub-*  
9           *paragraph (A), the 0.6-mile segment of the*  
10           *Bruneau River at the Indian Hot Springs public*  
11           *road access shall be administered by the Sec-*  
12           *retary of the Interior as a recreational river.*

13           “(173) *WEST FORK BRUNEAU RIVER, IDAHO.*—  
14           *The approximately 0.35 miles of the West Fork of the*  
15           *Bruneau River from the confluence with the Jarbidge*  
16           *River to the downstream boundary of the Bruneau*  
17           *Canyon Grazing Allotment in the SE/NE of sec. 5, T.*  
18           *13 S., R. 7 E., Boise Meridian, to be administered by*  
19           *the Secretary of the Interior as a wild river.*

20           “(174) *COTTONWOOD CREEK, IDAHO.*—*The 2.6*  
21           *miles of Cottonwood Creek from the confluence with*  
22           *Big Jacks Creek to the upstream boundary of the Big*  
23           *Jacks Creek Wilderness, to be administered by the*  
24           *Secretary of the Interior as a wild river.*

1           “(175) *DEEP CREEK, IDAHO.*—*The 13.1-mile seg-*  
2           *ment of Deep Creek from the confluence with the*  
3           *Owyhee River to the upstream boundary of the*  
4           *Owyhee River Wilderness in sec. 30, T. 12 S., R. 2*  
5           *W., Boise Meridian, to be administered by the Sec-*  
6           *retary of the Interior as a wild river.*

7           “(176) *DICKSHOOTER CREEK, IDAHO.*—*The 9.25*  
8           *miles of Dickshooter Creek from the confluence with*  
9           *Deep Creek to a point on the stream  $\frac{1}{4}$  mile due west*  
10          *of the east boundary of sec. 16, T. 12 S., R. 2 W.,*  
11          *Boise Meridian, to be administered by the Secretary*  
12          *of the Interior as a wild river.*

13          “(177) *DUNCAN CREEK, IDAHO.*—*The 0.9-mile*  
14          *segment of Duncan Creek from the confluence with*  
15          *Big Jacks Creek upstream to the east boundary of sec.*  
16          *18, T. 10 S., R. 4 E., Boise Meridian, to be adminis-*  
17          *tered by the Secretary of the Interior as a wild river.*

18          “(178) *JARBIDGE RIVER, IDAHO.*—*The 28.8*  
19          *miles of the Jarbidge River from the confluence with*  
20          *the West Fork Bruneau River to the upstream bound-*  
21          *ary of the Bruneau-Jarbidge Rivers Wilderness, to be*  
22          *administered by the Secretary of the Interior as a*  
23          *wild river.*

24          “(179) *LITTLE JACKS CREEK, IDAHO.*—*The 12.4*  
25          *miles of Little Jacks Creek from the downstream*

1 *boundary of the Little Jacks Creek Wilderness, up-*  
2 *stream to the mouth of OX Prong Creek, to be admin-*  
3 *istered by the Secretary of the Interior as a wild*  
4 *river.*

5 “(180) *NORTH FORK OWYHEE RIVER, IDAHO.—*  
6 *The following segments of the North Fork of the*  
7 *Owyhee River, to be administered by the Secretary of*  
8 *the Interior:*

9 “(A) *The 5.7-mile segment from the Idaho-*  
10 *Oregon State border to the upstream boundary of*  
11 *the private land at the Juniper Mt. Road cross-*  
12 *ing, as a recreational river.*

13 “(B) *The 15.1-mile segment from the up-*  
14 *stream boundary of the North Fork Owyhee*  
15 *River recreational segment designated in para-*  
16 *graph (A) to the upstream boundary of the North*  
17 *Fork Owyhee River Wilderness, as a wild river.*

18 “(181) *OWYHEE RIVER, IDAHO.—*

19 “(A) *IN GENERAL.—Subject to subpara-*  
20 *graph (B), the 67.3 miles of the Owyhee River*  
21 *from the Idaho-Oregon State border to the up-*  
22 *stream boundary of the Owyhee River Wilder-*  
23 *ness, to be administered by the Secretary of the*  
24 *Interior as a wild river.*

1           “(B) *ACCESS.*—*The Secretary of the Inte-*  
2           *rior shall allow for continued access across the*  
3           *Owyhee River at Crutchers Crossing, subject to*  
4           *such terms and conditions as the Secretary of the*  
5           *Interior determines to be necessary.*

6           “(182) *RED CANYON, IDAHO.*—*The 4.6 miles of*  
7           *Red Canyon from the confluence of the Owyhee River*  
8           *to the upstream boundary of the Owyhee River Wil-*  
9           *derness, to be administered by the Secretary of the In-*  
10          *terior as a wild river.*

11          “(183) *SHEEP CREEK, IDAHO.*—*The 25.6 miles*  
12          *of Sheep Creek from the confluence with the Bruneau*  
13          *River to the upstream boundary of the Bruneau-*  
14          *Jarbidge Rivers Wilderness, to be administered by the*  
15          *Secretary of the Interior as a wild river.*

16          “(184) *SOUTH FORK OWYHEE RIVER, IDAHO.*—

17                 “(A) *IN GENERAL.*—*Except as provided in*  
18                 *subparagraph (B), the 31.4-mile segment of the*  
19                 *South Fork of the Owyhee River upstream from*  
20                 *the confluence with the Owyhee River to the up-*  
21                 *stream boundary of the Owyhee River Wilderness*  
22                 *at the Idaho–Nevada State border, to be admin-*  
23                 *istered by the Secretary of the Interior as a wild*  
24                 *river.*

1                   “(B) *EXCEPTION.*—*Notwithstanding sub-*  
2                   *paragraph (A), the 1.2-mile segment of the South*  
3                   *Fork of the Owyhee River from the point at*  
4                   *which the river enters the southernmost boundary*  
5                   *to the point at which the river exits the north-*  
6                   *ernmost boundary of private land in sec. 25 and*  
7                   *26, T. 14 S., R. 5 W., Boise Meridian, shall be*  
8                   *administered by the Secretary of the Interior as*  
9                   *a recreational river.*

10                   “(185) *WICKAHONEY CREEK, IDAHO.*—*The 1.5*  
11                   *miles of Wickahoney Creek from the confluence of Big*  
12                   *Jacks Creek to the upstream boundary of the Big*  
13                   *Jacks Creek Wilderness, to be administered by the*  
14                   *Secretary of the Interior as a wild river.”.*

15                   (b) *BOUNDARIES.*—*Notwithstanding section 3(b) of the*  
16                   *Wild and Scenic Rivers Act (16 U.S.C. 1274(b)), the bound-*  
17                   *ary of a river segment designated as a component of the*  
18                   *National Wild and Scenic Rivers System under this Act*  
19                   *shall extend not more than the shorter of—*

20                   (1) *an average distance of 1/4 mile from the high*  
21                   *water mark on both sides of the river segment; or*

22                   (2) *the distance to the nearest confined canyon*  
23                   *rim.*

24                   (c) *LAND ACQUISITION.*—*The Secretary shall not ac-*  
25                   *quire any private land within the exterior boundary of a*

1 *wild and scenic river corridor without the consent of the*  
2 *owner.*

3 **SEC. 6. LAND IDENTIFIED FOR DISPOSAL.**

4 (a) *IN GENERAL.*—*Consistent with applicable law, the*  
5 *Secretary may sell public land located within the Boise Dis-*  
6 *trict of the Bureau of Land Management that, as of the*  
7 *date of enactment of this Act, has been identified for dis-*  
8 *posal in appropriate resource management plans.*

9 (b) *USE OF PROCEEDS.*—

10 (1) *IN GENERAL.*—*Notwithstanding any other*  
11 *provision of law (other than a law that specifically*  
12 *provides for a proportion of the proceeds of a land*  
13 *sale to be distributed to any trust fund of the State),*  
14 *proceeds from the sale of public land under subsection*  
15 *(a) shall be deposited in a separate account in the*  
16 *Treasury of the United States to be known as the*  
17 *“Owyhee Land Acquisition Account”.*

18 (2) *AVAILABILITY.*—

19 (A) *IN GENERAL.*—*Amounts in the account*  
20 *shall be available to the Secretary, without fur-*  
21 *ther appropriation, to purchase land or interests*  
22 *in land in, or adjacent to, the wilderness areas*  
23 *designated by this Act, including land identified*  
24 *as “Proposed for Acquisition” on the maps de-*  
25 *scribed in section 4(a)(1).*

1           (B) *APPLICABLE LAW.*—Any purchase of  
2           land or interest in land under subparagraph (A)  
3           shall be in accordance with applicable law.

4           (3) *APPLICABILITY.*—This subsection applies to  
5           public land within the Boise District of the Bureau  
6           of Land Management sold on or after January 1,  
7           2008.

8           (c) *TERMINATION OF AUTHORITY.*—

9           (1) *IN GENERAL.*—The authority provided under  
10          this section terminates on the earlier of—

11               (A) the date that is 10 years after the date  
12               of enactment of this Act; or

13               (B) the date on which a total of \$8,000,000  
14               from the account is expended.

15          (2) *AVAILABILITY OF AMOUNTS.*—Any amounts  
16          remaining in the account on the termination of au-  
17          thority under this section shall be—

18               (A) credited as sales of public land in the  
19               State;

20               (B) transferred to the Federal Land Dis-  
21               posal Account established under section 206(a) of  
22               the Federal Land Transaction Facilitation Act  
23               (43 U.S.C. 2305(a)); and

24               (C) used in accordance with that Act.

1 **SEC. 7. TRIBAL CULTURAL RESOURCES.**

2 (a) *COORDINATION.*—*The Secretary shall coordinate*  
3 *with the Tribes in the implementation of the Shoshone Pai-*  
4 *ute Cultural Resource Protection Plan.*

5 (b) *AGREEMENTS.*—*The Secretary shall seek to enter*  
6 *into agreements with the Tribes to implement the Shoshone*  
7 *Paiute Cultural Resource Protection Plan to protect cul-*  
8 *tural sites and resources important to the continuation of*  
9 *the traditions and beliefs of the Tribes.*

10 **SEC. 8. RECREATIONAL TRAVEL MANAGEMENT PLANS.**

11 (a) *IN GENERAL.*—*In accordance with the Federal*  
12 *Land Policy and Management Act of 1976 (43 U.S.C. 1701*  
13 *et seq.), the Secretary shall, in coordination with the Tribes,*  
14 *State, and County, prepare 1 or more travel management*  
15 *plans for motorized and mechanized off-highway vehicle*  
16 *recreation for the land managed by the Bureau of Land*  
17 *Management in the County.*

18 (b) *INVENTORY.*—*Before preparing the plan under sub-*  
19 *section (a), the Secretary shall conduct resource and route*  
20 *inventories of the area covered by the plan.*

21 (c) *LIMITATION TO DESIGNATED ROUTES.*—

22 (1) *IN GENERAL.*—*Except as provided in para-*  
23 *graph (2), the plan shall limit recreational motorized*  
24 *and mechanized off-highway vehicle use to a system*  
25 *of designated roads and trails established by the plan.*

1           (2) *EXCEPTION.*—*Paragraph (1) shall not apply*  
2 *to snowmobiles.*

3           (d) *TEMPORARY LIMITATION.*—

4           (1) *IN GENERAL.*—*Except as provided in para-*  
5 *graph (2), until the date on which the Secretary com-*  
6 *pletes the plan, all recreational motorized and mecha-*  
7 *nized off-highway vehicle use shall be limited to roads*  
8 *and trails lawfully in existence on the day before the*  
9 *date of enactment of this Act.*

10           (2) *EXCEPTION.*—*Paragraph (1) shall not apply*  
11 *to—*

12                   (A) *snowmobiles; or*

13                   (B) *areas specifically identified as open,*  
14 *closed, or limited in the Owyhee Resource Man-*  
15 *agement Plan.*

16           (e) *SCHEDULE.*—

17           (1) *OWYHEE FRONT.*—*It is the intent of Congress*  
18 *that, not later than 1 year after the date of enactment*  
19 *of this Act, the Secretary shall complete a transpor-*  
20 *tation plan for the Owyhee Front.*

21           (2) *OTHER BUREAU OF LAND MANAGEMENT*  
22 *LAND IN THE COUNTY.*—*It is the intent of Congress*  
23 *that, not later than 3 years after the date of enact-*  
24 *ment of this Act, the Secretary shall complete a trans-*

1        *portation plan for Bureau of Land Management land*  
2        *in the County outside the Owyhee Front.*

3    **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

4        *There are authorized to be appropriated such sums as*  
5        *are necessary to carry out this Act.*

Calendar No. 806

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

**S. 2833**

[Report No. 110-374]

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## **A BILL**

To provide for the management of certain public land in Owyhee County, Idaho, and for other purposes.

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JUNE 16, 2008

Reported with an amendment