A BILL

To designate wilderness areas and a cooperative management and protection area in the vicinity of Steens Mountain in Harney County, Oregon, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; PURPOSES; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Steens Mountain Wilderness Act of 2000”.

(b) PURPOSES.—The purposes of this Act are the following:
(1) To designate six wilderness areas and the Steens Mountain Cooperative Management and Protection Area in Harney County, Oregon.

(2) To provide for the acquisition of private lands through exchange for inclusion in the wilderness areas and the Cooperative Management and Protection Area.

(3) To provide for and expand cooperative management activities between public and private landowners in the vicinity of the wilderness areas and surrounding lands.

(4) To authorize the purchase of land and development and nondevelopment rights.

(5) To designate additional components of the National Wild and Scenic Rivers System.

(6) To support efforts to preserve the Redband Trout and the Hammond fir grove.

(7) To establish a citizens’ management advisory council for the Cooperative Management and Protection Area.

(8) To provide for the management of the Cooperative Management and Protection Area to ensure—
(A) the conservation, protection, and improved management of the ecological, social and economic environment of the area;

(B) the protection of geological, biological, wildlife, riparian and scenic resources, North American Indian tribal and cultural and archaeological resource sites, and additional cultural and historic sites; and

(C) the recognition and promotion of current and historic recreation use.

(9) To maintain and enhance cooperative and innovative management practices between the public and private land managers in the Cooperative Management and Protection Area.

(10) To maintain the viability of grazing and recreation operations on private and public land in the Cooperative Management and Protection Area.

(11) To conserve, protect, and manage the long-term ecological health and functioning watersheds of Steens Mountain.

(12) To authorize only such uses on Federal lands in the Cooperative Management and Protection Area that are consistent with the purposes of this Act.
(c) Table of Contents.—The table of contents of this Act is as follows:

Sec. 1. Short title; purposes; table of contents.
Sec. 2. Definitions.
Sec. 3. Maps and legal descriptions.
Sec. 4. Valid existing rights.

TITLE I—STEENS MOUNTAIN COOPERATIVE MANAGEMENT AND PROTECTION AREA.

Subtitle A—Designation and Purposes
Sec. 101. Designation of Cooperative Management and Protection Area.
Sec. 102. Objectives of Cooperative Management and Protection Area.

Subtitle B—Management of Federal Lands
Sec. 111. Management authorities and purposes.
Sec. 112. Roads and travel access.
Sec. 113. Land use authorities.
Sec. 114. Land acquisition authority.

Subtitle C—Cooperative Management
Sec. 121. Cooperative management projects.
Sec. 122. Cooperative efforts to control development on non-Federal lands.

Subtitle D—Advisory Council
Sec. 131. Establishment of advisory council.
Sec. 132. Advisory role in management activities.
Sec. 133. Science committee.

TITLE II—STEENS MOUNTAIN WILDERNESS AREAS
Sec. 201. Designation of wilderness areas, Harney County, Oregon.
Sec. 202. Administration of wilderness areas.
Sec. 203. Water rights.
Sec. 204. Treatment of other wilderness study areas.

TITLE III—WILD AND SCENIC RIVERS AND TROUT RESERVE
Sec. 301. Designation of streams for wild and scenic river status in Steens Mountain area.
Sec. 302. Donner und Blitzen River redband trout reserve.

TITLE IV—MINERAL WITHDRAWAL AREA
Sec. 401. Designation of mineral withdrawal area.
Sec. 402. Treatment of State lands and mineral interests.

TITLE V—PROTECTION OF FIR GROVE
Sec. 501. Fir grove management area and reserve.

TITLE VI—LAND EXCHANGES
Sec. 601. Land exchange, Roaring Springs Ranch.
Sec. 602. Land exchanges, Kiger Gorge.
Sec. 603. Land exchange, Scharff Estate inholding.
Sec. 604. Land exchange, Tom J. Davis Livestock, Incorporated.
Sec. 605. Land exchange, Hammond Ranch.
Sec. 606. Land exchange, John and Cindy Witzel.
Sec. 607. General provisions applicable to land exchanges.

TITLE VII—FUNDING AUTHORITIES

Sec. 701. Authorization of appropriations.
Sec. 702. Use of land and water conservation fund.

TITLE VIII—CONDITIONAL IMPLEMENTATION OF ACT

Sec. 801. Implementation conditioned on completion of certain exchanges.

SEC. 2. DEFINITIONS.

In this Act:

(1) ADVISORY COUNCIL.—The term “advisory
council” means the Steens Mountain Advisory Coun-
cil established by title IV.

(2) COOPERATIVE MANAGEMENT AND PROTEC-
tION AREA.—The term “Cooperative Management
and Protection Area” means the Steens Mountain
Cooperative Management and Protection Area des-
ignated by title I.

(3) COOPERATIVE MANAGEMENT PROGRAM.—
The term “cooperative management program”
means the cooperative management program carried
out in the Cooperative Management and Protection
Area pursuant to section 121.

(4) MANAGEMENT PLAN.—The term “manage-
ment plan” means the management plan for the Co-
operative Management and Protection Area and the
wilderness areas required to be prepared by section 111(b).

(5) NONDEVELOPMENT EASEMENT.—The term “nondevelopment easement” means a binding contractual agreement between the Secretary and a landowner in the Cooperative Management and Protection Area to prevent or restrict development on the land covered by the easement permanently or during a time period specified in the agreement.

(6) REDBAND TROUT RESERVE.—The term “Redband Trout Reserve” means the Donner und Blitzen Redband Trout Reserve designated by section 302.

(7) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Bureau of Land Management.

(8) SCIENCE COMMITTEE.—The term “science committee” means the committee of independent scientists appointed under section 133.

(9) WILDERNESS AREA.—The term “wilderness area” means any of the wilderness areas in the vicinity of Steens Mountain in the State of Oregon designated by title II.
SEC. 3. MAPS AND LEGAL DESCRIPTIONS.

(a) Preparation and Submission.—As soon as practicable after the date of the enactment of this Act, the Secretary shall prepare and submit to Congress maps and legal descriptions of the following:

(1) The Cooperative Management and Protection Area.

(2) The wilderness areas.

(3) The wild and scenic river segments and redband trout reserve designated by title III.

(4) The mineral withdrawal area designated by title IV.

(5) The fir grove management area and reserve designated by title V.

(6) The land exchanges required by title VI.

(b) Legal Effect and Correction.—The maps and legal descriptions referred to in subsection (a) shall have the same force and effect as if included in this Act, except the Secretary may correct clerical and typographical errors in such maps and legal descriptions.

(c) Public Availability.—Copies of the maps and legal descriptions referred to in subsection (a) shall be on file and available for public inspection in the Office of the Director of the Bureau of Land Management and in the appropriate office of the Bureau of Land Management in the State of Oregon.
SEC. 4. VALID EXISTING RIGHTS.

Nothing in this Act shall effect any valid existing right.

TITLE I—STEEENS MOUNTAIN CO-OPERATIVE MANAGEMENT AND PROTECTION AREA.

Subtitle A—Designation and Purposes

SEC. 101. DESIGNATION OF COOPERATIVE MANAGEMENT AND PROTECTION AREA.

Subject to section 801, the Secretary shall designate the Steens Mountain Cooperative Management and Protection Area consisting of approximately 500,000 acres of Federal land located in Harney County, Oregon, in the vicinity of Steens Mountain, as generally depicted on the map entitled Steens Mountain Cooperative Management and Protection Area and dated ____________, 2000.

SEC. 102. OBJECTIVES OF COOPERATIVE MANAGEMENT AND PROTECTION AREA.

The objectives for which the Cooperative Management and Protection Area is designated are as follows:

(1) To maintain and enhance cooperative and innovative management practices between the public and private land managers in the Cooperative Management and Protection Area.
(2) To maintain the viability of grazing and recreation operations on private and public lands in the Cooperative Management and Protection Area.

(3) To conserve, protect, and manage the long-term ecological health and functioning watersheds of Steens Mountain.

Subtitle B—Management of Federal Lands

SEC. 111. MANAGEMENT AUTHORITIES AND PURPOSES.

(a) In General.—The Secretary shall manage all Federal lands included in the Cooperative Management and Protection Area pursuant to the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and other applicable provisions of law, including this Act, in a manner that—

(1) ensures the conservation, protection, and improved management of the ecological, social and economic environment of the Cooperative Management and Protection Area, including geological, biological, wildlife, riparian, and scenic resources, North American Indian tribal and cultural and archaeological resource sites, and additional cultural and historic sites; and

(2) recognizes and promotes current and historic recreational use.
(b) MANAGEMENT PLAN.—Within four years after the date of the enactment of this Act, the Secretary shall develop a comprehensive plan for the long-range protection and management of the Federal lands included in the Cooperative Management and Protection Area, including the wilderness areas. The plan shall—

(1) describe the appropriate uses and management of the Cooperative Management and Protection Area consistent with this Act;

(2) incorporate, as appropriate, decisions contained in any current or future management or activity plan for the Cooperative Management and Protection Area and use information developed in previous studies of the lands within or adjacent to the Cooperative Management and Protection Area;

and

(3) provide for coordination with State, county, and private local landowners.

SEC. 112. ROADS AND TRAVEL ACCESS.

(a) TRANSPORTATION PLAN.—The management plan shall include, as an integral part, a comprehensive transportation plan for the Federal lands included in the Cooperative Management and Protection Area, which shall address the maintenance, improvement, and closure of roads and trails as well as travel access.
(b) Prohibition on Off-Road Motorized Travel.—

(1) Prohibition.—The use of motorized or mechanized vehicles on Federal lands included in the Cooperative Management and Protection Area—

(A) is prohibited off road; and

(B) is limited to such roads and trails as may be designated for their use as part of the management plan.

(2) Exceptions.—Paragraph (1) does not prohibit the use of motorized or mechanized vehicles on Federal lands included in the Cooperative Management and Protection Area if the Secretary determines that such use—

(A) is needed for administrative purposes or to respond to an emergency; or

(B) is appropriate for the construction or maintenance of agricultural facilities, fish and wildlife management, or ecological restoration projects, except in areas designated as wilderness or managed under the provisions of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782).

(c) Prohibition on New Construction.—
(1) **Prohibition, Exception.**—No new road or trail for motorized or mechanized vehicles may be constructed on Federal lands in the Cooperative Management and Protection Area unless the Secretary determines that the road or trail is necessary for public safety or protection of the environment. Any determination under this subsection shall be made in consultation with the advisory council.

(2) **Trails.**—Nothing in this subsection is intended to limit the authority of the Secretary to construct or maintain trails for nonmotorized or nonmechanized use.

(d) **Access to Nonfederally Owned Lands.**—

(1) **Reasonable Access.**—The Secretary shall provide reasonable access to nonfederally owned lands or interests in land within the boundaries of the Cooperative Management and Protection Area and the wilderness areas to provide the owner of the land or interest the reasonable use thereof.

(2) **Effect on existing rights-of-way.**—Nothing in this Act shall have the effect of terminating any valid existing right-of-way on Federal lands included in the Cooperative Management and Protection Area.
SEC. 113. LAND USE AUTHORITIES.

(a) IN GENERAL.—The Secretary shall allow only such uses of the Federal lands included in the Cooperative Management and Protection Area as the Secretary finds will further the purposes for which the Cooperative Management and Protection Area is established.

(b) COMMERCIAL TIMBER.—

(1) PROHIBITION.—The Federal lands included in the Cooperative Management and Protection Area shall not be made available for commercial timber harvest.

(2) LIMITED EXCEPTION.—The Secretary may authorize the removal of trees from Federal lands included in the Cooperative Management and Protection Area only if the Secretary determines that the removal is clearly needed for purposes of ecological restoration and maintenance or for public safety. The Secretary may authorize the sale of forest products resulting from the authorized removal of trees under this paragraph.

(3) SPECIAL RULE FOR JUNIPER SPECIES.—The Secretary may not permit management of juniper species with mechanized tools unless the Secretary first considers nonmechanized treatments and the recommendations of the science committee and the advisory council.
(c) **HUNTING, FISHING AND TRAPPING.**—

(1) **AUTHORIZATION.**—The Secretary shall permit hunting, fishing, and trapping on Federal lands included in the Cooperative Management and Protection Area in accordance with applicable laws and regulations of the United States and the State of Oregon.

(2) **AREA AND TIME LIMITATIONS.**—After consultation with the Oregon Department of Fish and Wildlife, the Secretary may designate zones where, and establish periods when, hunting, trapping or fishing is prohibited on Federal lands included in the Cooperative Management and Protection Area for reasons of public safety, administration, or public use and enjoyment.

(d) **GRAZING.**—

(1) **CONTINUATION OF EXISTING LAW.**—Except as otherwise provided in this Act, the laws, regulations, and executive orders otherwise applicable to the Bureau of Land Management in issuing and administering grazing leases and permits on lands under its jurisdiction shall apply in regard to the Federal lands included in the Cooperative Management and Protection Area.
(2) CANCELLATION OF CERTAIN PERMITS.—

The Secretary shall cancel that portion of the permitted grazing on Federal lands in the Lowther and Roaring Springs allotments located within the area designated on the map referred to in section 101 as the “no livestock grazing area”. Upon cancellation, future grazing use in that designated area is prohibited. The Secretary shall seek suitable forage elsewhere for the grazing permittees whose permits are canceled under this paragraph.

(e) PROHIBITION ON CONSTRUCTION OF FACILITIES.—No new facilities may be constructed on Federal lands included in the Cooperative Management and Protection Area unless the Secretary determines that the structure is necessary—

1. for enhancing botanical, fish, wildlife, or watershed conditions; or
2. for public information, health, or safety.

SEC. 114. LAND ACQUISITION AUTHORITY.

(a) ACQUISITION.—

1. ACQUISITION AUTHORIZED.—In addition to the land acquisitions authorized by title VI, the Secretary may acquire other non-Federal lands and interests in lands located within the boundaries of the
Cooperative Management and Protection Area or the wilderness areas.

(2) Acquisition methods.—Lands may be acquired under this subsection only by voluntary exchange, donation, or purchase from willing sellers.

(b) Treatment of acquired lands.—

(1) In general.—Upon acquisition under subsection (a), lands or interests in lands acquired within the boundaries of the Cooperative Management and Protection Area shall—

(A) become part of the Cooperative Management and Protection Area; and

(B) be managed pursuant to the laws applicable to the Cooperative Management and Protection Area.

(2) Lands within wilderness area.—If the acquired lands or interests in lands are also within the boundaries of a wilderness area, the lands or interests in lands shall—

(1) become part of the wilderness area; and

(2) be managed pursuant to title II and the other laws applicable to the wilderness area.

(e) Appraisal.—In appraising non-Federal land, development rights, or conservation easements for possible acquisition under this section or section 122, the Secretary
shall disregard any adverse impacts on values resulting from the designation of the Cooperative Management and Protection Area or the wilderness areas.

(d) LIMITATION ON DISPOSAL.—The Secretary may not dispose of Federal land in the Cooperative Management and Protection Area unless—

(1) the disposal is specifically authorized by Congress in a law enacted after the date of the enactment of this Act; or

(2) the Secretary certifies to Congress that the disposal of the land is part of a land exchange that furthers the purposes of the Cooperative Management and Protection Area.

Subtitle C—Cooperative Management

SEC. 121. COOPERATIVE MANAGEMENT PROJECTS.

(a) COOPERATIVE EFFORTS.—To further the purposes for which the Cooperative Management and Protection Area is designated, the Secretary may work with non-Federal landowners in the Cooperative Management and Protection Area who voluntarily agree to participate in the cooperative management of Federal and non-Federal lands in the Cooperative Management and Protection Area.
(b) MANAGEMENT AND CONSERVATION.—The Secretary may enter into an agreement with a non-Federal landowner in the Cooperative Management and Protection Area to provide for the cooperative conservation and management of the Federal and non-Federal lands subject to the agreement.

(c) OTHER PARTICIPANTS.—With the consent of the landowners involved, the Secretary may permit permittees, special-use permit holders, other Federal and State agencies, and interested members of the public to participate in a cooperative management project carried out under this section as appropriate to achieve the resource or land use management objectives of the project.

(d) TRIBAL CULTURAL SITE PROTECTION.—The Secretary may enter into agreements with the Burns Paiute Tribe to protect cultural sites in the Cooperative Management and Protection Area of importance to the tribe.

SEC. 122. COOPERATIVE EFFORTS TO CONTROL DEVELOPMENT ON NON-FEDERAL LANDS.

(a) POLICY.—Development on public and private lands within the boundaries of the Cooperative Management and Protection Area which is different from the current character and uses of the lands is inconsistent with the purpose of this Act.
(b) **Use of Nondevelopment and Conservation Easements.**—The Secretary may enter into a non-development easement with willing landowners for the acquisition of development rights and a temporary or perpetual conservation easement to prevent or restrict development on non-Federal lands within the boundaries of the Cooperative Management and Protection Area and to protect open space and the viewshed in the Cooperative Management and Protection Area.

(c) **Consideration.**—Consideration for a non-development easement or a conservation easement under subsection (b) may include—

1. the exchange of other lands under the jurisdiction of the Bureau of Land Management; and
2. the provision of a legally binding long-term (up to 30 years) grazing permit in exchange for a legally binding equivalent long-term development right or conservation easement.

(d) **Relation to Property Rights and State and Local Law.**—Nothing in this section is intended to affect rights or interests in real property or supersede State law.
Subtitle D—Advisory Council

SEC. 131. ESTABLISHMENT OF ADVISORY COUNCIL.

(a) Establishment.—Subject to section 801, the Secretary shall establish the Steens Mountain Advisory Council to advise the Secretary in managing the wilderness areas and the Cooperative Management and Protection Area and in promoting the cooperative management under subtitle C.

(b) Members.—The advisory council shall consist of 12 members, to be appointed by the Secretary, as follows:

(1) A private landowner in the Cooperative Management and Protection Area, appointed from nominees submitted by the county court for Harney County, Oregon.

(2) Two persons who are grazing permittees on Federal lands in the Cooperative Management and Protection Area, appointed from nominees submitted by the county court for Harney County, Oregon.

(3) A person interested in fish and recreational fishing in the Cooperative Management and Protection Area, appointed from nominees submitted by the Governor of Oregon.

(4) A member of the Burns Paiute Tribe, appointed from nominees submitted by the tribe.
(5) Two persons who are recognized environmental representatives, one of whom shall represent the State as a whole, and one of whom is from the local area, appointed from nominees submitted by the Governor of Oregon.

(6) A person who participates in what is commonly called dispersed recreation, such as hiking, camping, nature viewing, nature photography, bird watching, horse back riding, or trail walking, appointed from nominees submitted by the Oregon State Director of the Bureau of Land Management.

(7) A person who is a recreational permit holder or is a representative of a commercial recreation operation in the Cooperative Management and Protection Area, appointed from nominees submitted jointly by the Oregon State Director of the Bureau of Land Management and the county court for Harney County, Oregon.

(8) A person who participates in what is commonly called mechanized or consumptive recreation, such as hunting, fishing, off-road driving, hang gliding, or parasailing, appointed from nominees submitted by the Oregon State Director of the Bureau of Land Management.
(9) A person with expertise and interest in wild horse management on Steens Mountain, appointed from nominees submitted by the Oregon State Director of the Bureau of Land Management.

(10) A person who has no financial interest in the Cooperative Management and Protection Area to represent statewide interests, appointed from nominees submitted by the Governor of Oregon.

(e) TERMS.—

(1) STAGGERED TERMS.—Members of the advisory council shall be appointed for terms of three years, except that, of the members first appointed, four members shall be appointed for a term of one year and four members shall be appointed for a term of two years.

(2) REAPPOINTMENT.—A member may be re-appointed to serve on the advisory council.

(3) VACANCY.—A vacancy on the advisory council shall be filled in the same manner as the original appointment.

(d) CHAIRPERSON AND PROCEDURES.—The advisory council shall elect a chairperson and establish such rules and procedures as it deems necessary or desirable.

(e) SERVICE WITHOUT COMPENSATION.—Members of the advisory council shall serve without pay, but the
Secretary shall reimburse members for reasonable expenses incurred in carrying out official duties as a member of the council.

(f) **ADMINISTRATIVE SUPPORT.**—The Secretary shall provide the advisory council with necessary administrative support and shall designate an appropriate officer of the Bureau of Land Management to serve as the Secretary’s liaison to the council.

(g) **APPLICABLE LAW.**—The advisory committee shall be subject to the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and the Federal Advisory Committee Act (5 U.S.C. App.).

**SEC. 132. ADVISORY ROLE IN管理模式 ACTIVITIES.**

(a) **MANAGEMENT RECOMMENDATIONS.**—The advisory committee shall utilize sound science, existing plans for the management of Federal lands included in the Cooperative Management and Protection Area, and other tools to formulate recommendations for the Secretary regarding—

(1) new and unique approaches to the management of lands within the boundaries of the Cooperative Management and Protection Area; and

(2) cooperative programs and incentives for seamless landscape management that meets human needs and maintains and improves the ecological and
economic integrity of the Cooperative Management
and Protection Area.

(b) Preparation of Management Plan.—The
Secretary shall consult with the advisory committee as
part of the preparation and implementation of the man-
age ment plan.

(c) Submission of Recommendations.—No rec-
ommendations may be presented to the Secretary by the
advisory council without the agreement of at least nine
members of the advisory council.

SEC. 133. SCIENCE COMMITTEE.

The Secretary shall appoint, as needed or at the re-
quest of the advisory council, a team of respected, knowl-
edgeable, and diverse scientists to provide advice on ques-
tions relating to the management of the Cooperative Man-
agement and Protection Area to the Secretary and the ad-
visory council. The Secretary shall seek the advice of the
advisory council in making these appointments.

TITLE II—STEENS MOUNTAIN
WILDERNESS AREAS

SEC. 201. DESIGNATION OF WILDERNESS AREAS, HARNEY
COUNTY, OREGON.

(a) Initial Designation.—In order to protect the
wilderness character and the remote nature of Steens
Mountain and surrounding Federal lands, and to further
the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), the Secretary shall designate, subject to section 801, lands in the Cooperative Management and Protection Area eventually comprising a total of approximately 143,000 acres, as generally depicted on the map referred to in section 101, as wilderness and therefore as components of the National Wilderness Preservation System, as follows:

(1) Certain lands in Harney County, Oregon, comprising approximately 22,450 acres of Federal land, as generally depicted on a map entitled “Blitzen River Wilderness” and dated ____, which shall be known as the Blitzen River Wilderness.

(2) Certain lands in Harney County, Oregon, comprising approximately 49,100 acres of Federal land, as generally depicted on a map entitled “High Steens Wilderness” and dated ____, which shall be known as the High Steens Wilderness.

(3) Certain lands in Harney County, Oregon, comprising approximately 13,850 acres of Federal land, as generally depicted on a map entitled “Little Blitzen Gorge Wilderness” and dated ____, which shall be known as the Little Blitzen Gorge Wilderness.

(4) Certain lands in Harney County, Oregon, comprising approximately 9,150 acres of Federal
land, as generally depicted on a map entitled “South Fork Donner und Blitzen Wilderness” and dated ____, which shall be known as the South Fork Donner und Blitzen Wilderness.

(5) Certain lands in Harney County, Oregon, comprising approximately 13,950 acres of Federal land, as generally depicted on a map entitled “Home Creek Wilderness” and dated ____, which shall be known as the Home Creek Wilderness.

(6) Certain lands in Harney County, Oregon, comprising approximately 16,650 acres of Federal land, as generally depicted on a map entitled “Alvord Peak Wilderness” and dated ____, which shall be known as the Alvord Peak Wilderness.

(b) COVERED WILDERNESS STUDY AREAS.—The Federal lands designated as wilderness under subsection (a) consist of all or a portion of the following wilderness study areas:

(1) The Alvord Peak wilderness study area (WSA OR–2–83).

(2) The High Steens wilderness study area (WSA OR–2–85F).

(3) The South Fork Donner und Blitzen wilderness study area (WSA OR–2–85G).
(4) The Home Creek wilderness study area (WSA OR–2–85H).

(5) The Blitzen River wilderness study area (WSA OR–2–86E).

(6) The Little Blitzen Gorge wilderness study area (WSA OR–2–86F).

(c) Exclusion of Roads.—In preparing the maps and the legal descriptions for the wilderness areas as required by section 3(a), the Secretary shall ensure that the following roads are outside of the boundaries of the wilderness areas:

(1) The Steens Mountain Loop Road.

(2) Newton Cabin Road to Indian Creek.

(3) Cold Springs Road.

(4) Carlson Creek Road.

(5) Bone Creek Road.

SEC. 202. ADMINISTRATION OF WILDERNESS AREAS.

(a) General Rule.—The Secretary shall administer the wilderness areas in accordance with this Act and the Wilderness Act (16 U.S.C. 1131 et seq.). Any reference in the Wilderness Act to the effective date of that Act (or any similar reference) shall be deemed to be a reference to the date of the enactment of this Act.

(b) Access to Non-Federal Lands.—The Secretary shall provide reasonable access to private
lands within the boundaries of the wilderness areas, as provided in section 112(d).

(c) Grazing.—

(1) Continuation of existing law.—Except as provided in paragraph (2), grazing of livestock shall be administered in accordance with the provision of section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)), in accordance with the provisions of this Act, and in accordance with the guidelines set forth in Appendix A of House Report 101–405 of the 101st Congress.

(2) Retirement of certain permits.—The Secretary shall permanently retire all grazing permits applicable to certain lands in the wilderness areas, totaling approximately 100,648 acres, as depicted on the map referred to in section 101, and livestock shall be excluded from these lands.

(d) Special Use Permits.—The Secretary may renew a special recreational use permit applicable to lands included in the wilderness areas to the extent that the Secretary determines that the permit is consistent with the Wilderness Act (16 U.S.C. 1131 et seq). If renewal is not consistent with the Wilderness Act, the Secretary shall seek other opportunities for the permit holder to realize historic permit use to the extent that the use is consistent
with the Wilderness Act and this Act, as determined by
the Secretary.

(c) USE OF AIRCRAFT.—The Secretary may author-
ize aircraft overflights of the wilderness areas to the extent
the Secretary determines the aircraft use is necessary for
livestock and wildlife management.

(f) WATER DEVELOPMENTS.—In the Alvord Peak
Wilderness designated pursuant to section 201(6), the
Secretary may permit the establishment of up to six new
water developments consistent with the Federal Land Pol-
icy and Management Act of 1976 (43 U.S.C. 1701 et
seq.).

(g) MANAGEMENT OF JUNIPER SPECIES.—The Sec-
retary may not permit management of juniper species on
lands in the wilderness areas with mechanized tools unless
the Secretary first considers nonmechanized treatments
and the recommendations of the science committee and
the advisory council.

SEC. 203. WATER RIGHTS.

(a) RESERVATION.—Congress hereby reserves a
quantity of water sufficient to fulfill the purposes for
which the wilderness areas are designated. The priority
date of such reserved rights shall be the date of the enact-
ment of this Act.
(b) PROTECTION.—The Secretary shall take such steps as may be necessary to protect the rights reserved by subsection (a), including the filing by the Secretary of a claim for the quantification of the rights in any present or future appropriate stream adjudication in the courts of the State of Oregon in which the United States is or may be joined and which is conducted in accordance with section 208 of the Act of July 10, 1952 (43 U.S.C. 666; commonly referred the McCarran Amendment).

(c) RELATION TO OTHER RESERVATIONS.—Nothing in this Act shall be construed as a relinquishment or reduction of any water rights reserved or appropriated by the United States in the State of Oregon on or before the date of enactment of this Act.

SEC. 204. TREATMENT OF OTHER WILDERNESS STUDY AREAS.

(a) STATUS UNAFFECTED.—Any wilderness study area, or portion of a wilderness study area, within the boundaries of the Cooperative Management and Protection Area but not included in a wilderness area shall—

(1) remain a wilderness study area; and

(2) continue to be managed as a wilderness study area under section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782).
(b) Special Management Considerations.—

(1) In General.—It is anticipated that water developments, juniper management, and fencing may be necessary in the wilderness study areas referred to in subsection (a) for the purpose of resource protection rather than to accommodate increased numbers of livestock, subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782). The Secretary shall be responsible for installing any fencing required for resource protection.

(2) Special Rule for Juniper Species.—The Secretary may not permit management of juniper species in the wilderness study areas referred to in subsection (a) with mechanized tools unless the Secretary first considers nonmechanized treatments and the recommendations of the science committee and the advisory council.
TITLE III—WILD AND SCENIC
RIVERS AND TROUT RESERVE

SEC. 301. DESIGNATION OF STREAMS FOR WILD AND SCENIC RIVER STATUS IN STEENS MOUNTAIN AREA.

(a) EXPANSION OF DONNER UND BLITZEN WILD RIVER.—Section 3(a)(74) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(74)) is amended—

(1) by striking “the” at the beginning of each subparagraph and inserting “The”;

(2) by striking the semicolon at the end of subparagraphs (A), (B), (C), and (D) and inserting a period;

(3) by striking “; and” at the end of subparagraph (E) and inserting a period; and

(4) by adding at the end the following new subparagraphs:

“(G) The 5.1 mile segment of Mud Creek from its confluence with an unnamed spring in the SW. 1/4 of section 32, township 33 south, range 33 east, to its confluence with the Donner und Blitzen River.

“(H) The 8.1 mile segment of Ankle Creek from its headwaters to its confluence with the Donner und Blitzen River.
“(I) The 1.6 mile segment of the South Fork of Ankle Creek from its confluence with an unnamed tributary in the SE.1⁄4SE.1⁄4 of section 17, township 34 south, range 33 east, to its confluence with Ankle Creek.”.

(b) DESIGNATION OF WILDBRICE CREEK, OREGON.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following new paragraph:

“(161) WILDBRICE CREEK, OREGON.—The following segments in the Steens Mountain Cooperative Management and Protection Area in the State of Oregon, to be administered by the Secretary of the Interior as a wild river:

“(A) The 2.6 mile segment of Little Wildhorse Creek from its headwaters to its confluence with Wildhorse Creek.

“(B) The 7.0 mile segment of Wildhorse Creek from its headwaters, and including .36 stream miles into section 34, township 34 south, range 33 east.”.

(b) MAPS.—The stream segments described in the amendments made by this section are generally depicted on the map referred to in section 101.

(c) MANAGEMENT.—Where management requirements for a stream segment described in the amendments
made by this section differ between the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.) and the wilderness area within which the segment is located, the more restrictive requirements shall apply.

SEC. 302. DONNER UND BLITZEN RIVER REDBAND TROUT RESERVE.

(a) FINDINGS.—The Congress finds the following:

(1) Those portions of the Donner und Blitzen River in the wilderness areas are an exceptional environmental resource that provides habitat for unique populations of native fish, migratory waterfowl, and other wildlife resources, including a unique population of redband trout.

(2) Redband trout represent a unique natural history reflecting the Pleistocene connection between the lake basins of eastern Oregon and the Snake and Columbia Rivers.

(b) DESIGNATION OF RESERVE.—Subject to section 801, the Secretary shall designate the Donner und Blitzen Redband Trout Reserve consisting of the Donner und Blitzen River in the wilderness areas above its confluence with Fish Creek and the Federal riparian lands immediately adjacent to the river, as depicted on the map referred to in section 101.
(c) Reserve Purposes.—The purposes of the Redband Trout Reserve are—

(1) to conserve, protect, and enhance the Donner und Blitzen River population of redband trout and the unique ecosystem of plants, fish, and wildlife of a river system; and

(2) to provide opportunities for scientific research, environmental education, and fish and wildlife oriented recreation and access to the extent compatible with paragraph (1).

(d) Exclusion of Private Lands.—The Redband Trout Reserve does not include any private lands adjacent to the Donner und Blitzen River or its tributaries.

(e) Administration.—

(1) In General.—The Secretary shall administer all lands, waters, and interests therein in the Redband Trout Reserve consistent with the Wilderness Act (16 U.S.C. 1131 et seq.) and the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.).

(2) Consultation.—In administering the Redband Trout Reserve, the Secretary shall consult with the advisory council and cooperate with the Oregon Department of Fish and Wildlife.

(3) Relation to Recreation.—To the extent consistent with applicable law, the Secretary shall
manages recreational activities in the Redband Trout Reserve in a manner that conserves the unique population of redband trout native to the Donner und Blitzen River.

(4) REMOVAL OF DAM.—The Secretary shall remove the dam located below the mouth of Fish Creek and above Page Springs if removal of the dam is scientifically justified and funds are available for such purpose.

(f) OUTREACH AND EDUCATION.—The Secretary may work with, provide technical assistance to, provide community outreach and education programs for or with, or enter into cooperative agreements with private landowners, State and local governments or agencies, and conservation organizations to further the purposes of the Redband Trout Reserve.

**TITLE IV—MINERAL WITHDRAWAL AREA**

SEC. 401. DESIGNATION OF MINERAL WITHDRAWAL AREA.

(a) DESIGNATION.—Except as provided in this section and subject to section 801, all Federal lands included within the mineral withdrawal boundaries depicted on the map referred to in section 101 shall be withdrawn from—

(1) location, entry, and patent under the mining laws; and
(2) operation of the mineral leasing and geo-

thermal leasing laws, and all amendments thereto,
and the minerals materials laws, and all amend-
ments thereto.

(b) Road Maintenance.—If consistent with the
purposes of this Act and the management plan for the Co-
operative Management and Protection Area, the Secretary
may permit the development of saleable mineral resources,
for road maintenance use only, in specific locations within
the mineral withdrawal boundaries (excluding the wilder-
ness areas and any wilderness study area) where such de-
velopment was authorized before the date of enactment of
this Act.

SEC. 402. TREATMENT OF STATE LANDS AND MINERAL IN-
TERESTS.

In the case of any lands and mineral interests that
are managed by the Oregon Division of State Lands and
located within the boundaries of the mineral withdrawal
area designated pursuant to section 401, the Secretary
shall acquire such lands and interests in exchange for—

(1) Federal lands or Federal mineral interests
that are outside the boundaries of the mineral with-
drawal area, are of approximately equal value, and
are agreed to by the parties;

(2) a monetary payment to the State; or
(3) a combination of a conveyance under paragraph (1) and a monetary payment under paragraph (2).

TITLE V—PROTECTION OF FIR GROVE

SEC. 501. FIR GROVE MANAGEMENT AREA AND RESERVE.

(a) Establishment.—Upon completion of the Ham-
mond land exchange authorized by section 605, the Sec-
retary shall establish a fir grove management area and
reserve in the area of Big Fir, Little Fir, and Fence
Creeks in the Cooperative Management and Protection
Area.

(b) Management.—Special management practices
shall be adopted for the management area to protect the
unique remnant Grand Fir Groves that exist in the area.
As part of the management plan, the Secretary, working
in conjunction with the advisory council and the science
committee, shall analyze and design management provi-
sions for the area.

(c) Grazing.—The management area shall be closed
to grazing, but the Secretary shall continue to permit the
trailing of livestock through the area and the maintenance
of these trails.
TITLE VI—LAND EXCHANGES

SEC. 601. LAND EXCHANGE, ROARING SPRINGS RANCH.

(a) Exchange Authorized.—For the purpose of protecting and consolidating Federal lands within the wilderness areas, the Secretary may carry out a land exchange with Roaring Springs Ranch, Incorporated, to convey all right, title, and interest of the United States in and to certain parcels of land under the jurisdiction of the Bureau of Land Management in the vicinity of Steens Mountain, Oregon, as depicted on the map referred to in section 101, consisting of a total of approximately ___ acres in exchange for the private lands described in subsection (b).

(b) Receipt of Non-Federal Lands.—As consideration for the conveyance of the Federal lands referred to in subsection (a), Roaring Springs Ranch, Incorporated, shall convey to the Secretary parcels of land consisting of approximately ___ acres, as depicted on the map referred to in subsection (a), for inclusion in a wilderness area.

(c) Treatment of Grazing.—Section 113(d)(2), relating to the effect of the cancellation of grazing permits for the Lowther and Roaring Springs allotments in the Cooperative Management and Protection Area, shall apply to the land exchange authorized by this section.
(c) COMPLETION OF CONVEYANCE.—The Secretary shall complete the conveyance of the Federal lands under subsection (a) within three months after the Secretary accepts the lands described in subsection (b).

SEC. 602. LAND EXCHANGES, KIGER GORGE.

(a) C. M. Otley Exchange.—

(1) Exchange Authorized.—For the purpose of protecting and consolidating Federal lands within the wilderness areas, the Secretary may carry out a land exchange with C. M. Otley to convey all right, title, and interest of the United States in and to certain parcels of land under the jurisdiction of the Bureau of Land Management in the vicinity of Steens Mountain, Oregon, as depicted on the map referred to in section 101, consisting of a total of approximately ____ acres in exchange for the private lands described in paragraph (2).

(2) Receipt of Non-Federal Lands.—As consideration for the conveyance of the Federal lands referred to in paragraph (1), C. M. Otley shall convey to the Secretary a parcel of land in the headwaters of Kiger gorge consisting of approximately ____ acres, as depicted on the map referred to in paragraph (1), for inclusion in a wilderness area.

(b) Otley Brothers Exchange.—
(1) EXCHANGE AUTHORIZED.—For the purpose of protecting and consolidating Federal lands within the wilderness areas, the Secretary may carry out a land exchange with the Otley Brother’s, Inc., to convey all right, title, and interest of the United States in and to certain parcels of land under the jurisdiction of the Bureau of Land Management in the vicinity of Steens Mountain, Oregon, as depicted on the map referred to in section 101, consisting of a total of approximately _____ acres in exchange for the private lands described in paragraph (2).

(2) RECEIPT OF NON-FEDERAL LANDS.—As consideration for the conveyance of the Federal lands referred to in paragraph (1), the Otley Brother’s, Inc., shall convey to the Secretary a parcel of land in the headwaters of Kiger gorge consisting of approximately _____ acres, as depicted on the map referred to in paragraph (1), for inclusion in a wilderness area.

(c) COMPLETION OF CONVEYANCE.—The Secretary shall complete the conveyances of the Federal lands under subsections (a) and (b) within three months after the Secretary accepts the lands described in such subsections.
SEC. 603. LAND EXCHANGE, SCHARFF ESTATE INHOLDING.

(a) Exchange Authorized.—For the purpose of protecting and consolidating Federal lands within the wilderness areas, the Secretary may carry out a land exchange with the Scharff Estate to convey all right, title, and interest of the United States in and to certain parcels of land under the jurisdiction of the Bureau of Land Management in the vicinity of Steens Mountain, Oregon, as depicted on the map referred to in section 101, consisting of a total of approximately ___ acres in exchange for the private lands described in subsection (b).

(b) Receipt of Non-Federal Lands.—As consideration for the conveyance of the Federal lands referred to in subsection (a), the Scharff Estate shall convey to the Secretary a parcel of land on Lower Fish Creek consisting of approximately 720 acres, as depicted on the map referred to in subsection (a), for inclusion in a wilderness area.

(c) Completion of Conveyance.—The Secretary shall complete the conveyance of the Federal lands under subsection (a) within three months after the Secretary accepts the lands described in subsection (b).

SEC. 604. LAND EXCHANGE, TOM J. DAVIS LIVESTOCK, INCORPORATED.

(a) Exchange Authorized.—For the purpose of protecting and consolidating Federal lands within the wil-
derness areas, the Secretary may carry out a land ex-
change with Tom J. Davis Livestock, Incorporated, to con-
vey all right, title, and interest of the United States in
and to certain parcels of land under the jurisdiction of
the Bureau of Land Management in the vicinity of Steens
Mountain, Oregon, as depicted on the map referred to in
section 101, consisting of a total of approximately ____
acres in exchange for the private lands described in sub-
section (b).

(b) RECEIPT OF NON-FEDERAL LANDS.—As consid-
eration for the conveyance of the Federal lands referred
to in subsection (a), Tom J. Davis Livestock, Incor-
porated, shall convey to the Secretary a parcel of land con-
sisting of approximately ____ acres, as depicted on the
map referred to in subsection (a), for inclusion in a wilder-
ness area.

(c) COMPLETION OF CONVEYANCE.—The Secretary
shall complete the conveyance of the Federal lands under
subsection (a) within three months after the Secretary ac-
cepts the lands described in subsection (b).

SEC. 605. LAND EXCHANGE, HAMMOND RANCH.

(a) EXCHANGE AUTHORIZED.—For the purpose of
establishing the fir grove management area and reserve
under section 501, the Secretary may carry out a land
exchange with Hammond Ranch, Incorporated, to convey
all right, title, and interest of the United States in and
to certain parcels of land under the jurisdiction of the Bu-
reau of Land Management in the vicinity of Steens Moun-
tain, Oregon, as depicted on the map referred to in section
101, consisting of a total of approximately ____ acres in
exchange for the private lands described in subsection (b).

(b) RECEIPT OF NON-FEDERAL LANDS.—As consider-
eration for the conveyance of the Federal lands referred
to in subsection (a), Hammond Ranch, Incorporated, shall
convey to the Secretary a parcel of land consisting of ap-
proximately ____ acres, as depicted on the map referred
to in subsection (a), for inclusion in the fir grove manage-
ment area and reserve.

(c) COMPLETION OF CONVEYANCE.—The Secretary
shall complete the conveyance of the Federal lands under
subsection (a) within three months after the Secretary ac-
cepts the lands described in subsection (b).

SEC. 606. LAND EXCHANGE, JOHN AND CINDY WITZEL.

(a) EXCHANGE AUTHORIZED.—For the purpose of
protecting and consolidating Federal lands within the Co-
operative Management and Protection Area, the Secretary
may carry out a land exchange with John and Cindy
Witzel to convey all right, title, and interest of the United
States in and to certain parcels of land under the jurisdici-
tion of the Bureau of Land Management in the vicinity
of Steens Mountain, Oregon, as depicted on the map referred to in section 101, consisting of a total of approximately ___ acres in exchange for the private lands and conservation easement described in subsection (b).

(b) Receipt of Non-Federal Lands.—As consideration for the conveyance of the Federal lands referred to in subsection (a), John and Cindy Witzel shall convey to the Secretary—

(1) a parcel of land consisting of approximately 120 acres on Fish Creek, as depicted on the map referred to in subsection (a), for inclusion in the Cooperative Management and Protection Area; and

(2) a conservation easement on an additional 200 acres of their land.

(c) Completion of Conveyance.—The Secretary shall complete the conveyance of the Federal lands under subsection (a) within three months after the Secretary accepts the lands described in subsection (b).

SEC. 607. GENERAL PROVISIONS APPLICABLE TO LAND EXCHANGES.

(a) Applicable Law.—Except as otherwise provided in this section, any exchange of Federal land under this title shall be subject to the laws and regulations applicable to the conveyance and acquisition of land under the jurisdiction of the Bureau of Land Management.
(b) CONDITIONS ON ACCEPTANCE.—Title to the non-Federal lands to be conveyed under this title must be acceptable to the Secretary, and the conveyances shall be subject to valid existing rights of record. The non-Federal lands shall conform with the title approval standards applicable to Federal land acquisitions.

(c) LEGAL DESCRIPTIONS.—The exact acreage and legal description of all lands to be exchanged under this title shall be determined by surveys satisfactory to the Secretary. The costs of any such survey, as well as other administrative costs incurred to execute a land exchange under this title, shall be borne by the Secretary.

(d) PUBLIC COMMENT.—The Secretary shall provide interested persons with an opportunity to review and comment on the environmental benefits of the land exchanges authorized by this title.

(e) INDEPENDENT REVIEW.—The Secretary shall enter into an agreement with an independent party to review the land exchanges authorized by this title and to submit to the Secretary a report regarding whether the overall land exchange package described in this title reflects fair value and will benefit the public.
TITLE VII—FUNDING

AUTHORITIES

SEC. 701. AUTHORIZATION OF APPROPRIATIONS.
Except as provided in section 702, there is hereby authorized to be appropriated such sums as may be necessary to carry out this Act.

SEC. 702. USE OF LAND AND WATER CONSERVATION FUND.
(a) Availability of Fund.—There are authorized to be appropriated $25,000,000 from the land and water conservation fund established under section 2 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l—5) to provide funds for the acquisition of land and interests in land under section 114 and to enter into non-development easements and conservation easements under section 122(b).

(b) Term of Use.—Amounts appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available until expended.

TITLE VIII—CONDITIONAL IMPLEMENTATION OF ACT

SEC. 801. IMPLEMENTATION CONDITIONED ON COMPLETION OF CERTAIN EXCHANGES.
The amendments made by section 301 shall not take effect and the Secretary may not designate the Cooperative Management and Protection Area, the wilderness
areas, the mineral withdrawal area, the Donner und Blitzen River redband trout reserve, or the fir groves management area and reserve or undertake any other activity required or authorized by this Act (other than title VI) until the Secretary certifies to Congress that—

(1) the land exchanges authorized by sections 601, 602, 603, and 604 described in title VI have been successfully completed; and

(2) the Secretary has obtained suitable forage elsewhere, as required by section 113(d)(2) and 601(e), for the grazing permittees in the Lowther and Roaring Springs allotments whose permits are to be canceled pursuant to section 113(d)(2).