

105TH CONGRESS
2D SESSION

H. R. 3569

To transfer administrative jurisdiction over certain parcels of public domain land in Lake County, Oregon, to facilitate management of the land, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 26, 1998

Mr. SMITH of Oregon introduced the following bill; which was referred to the Committee on Resources

A BILL

To transfer administrative jurisdiction over certain parcels of public domain land in Lake County, Oregon, to facilitate management of the land, 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 “Hart Mountain Trans-
5 fer Act of 1998”.

1 **SEC. 2. TRANSFERS OF ADMINISTRATIVE JURISDICTION**
2 **OVER PARCELS OF LAND ADMINISTERED BY**
3 **THE BUREAU OF LAND MANAGEMENT AND**
4 **THE UNITED STATES FISH AND WILDLIFE**
5 **SERVICE.**

6 (a) TRANSFER FROM THE BUREAU OF LAND MAN-
7 AGEMENT TO THE UNITED STATES FISH AND WILDLIFE
8 SERVICE.—

9 (1) IN GENERAL.—Administrative jurisdiction
10 over the parcels of land identified for transfer to the
11 United States Fish and Wildlife Service on the map
12 entitled “Hart Mountain Jurisdictional Transfer”,
13 dated February 26, 1998, comprising approximately
14 12,100 acres of land in Lake Country, Oregon, lo-
15 cated adjacent to or within the Hart Mountain Na-
16 tional Antelope Refuge, is transferred from the Bu-
17 reau of Land Management to the United States Fish
18 and Wildlife Service.

19 (2) INCLUSION IN REFUGE.—The parcels of
20 land described in paragraph (1) shall be included in
21 the Hart Mountain National Antelope Refuge.

22 (3) WITHDRAWAL.—Subject to valid existing
23 rights, the parcels of land described in paragraph
24 (1)—

25 (A) are withdrawn from—

- 1 (i) surface entry under the public land
2 laws;
3 (ii) leasing under the mineral leasing
4 laws and Geothermal Steam Act of 1970
5 (30 U.S.C. 1001 et seq.); and
6 (iii) location under the mining laws;
7 and

8 (B) shall be treated as parcels of land sub-
9 ject to the provisions of Executive Order No.
10 7523 of December 21, 1936, as amended by
11 Executive Order No. 7895 of May 23, 1938,
12 and Presidential Proclamation No. 2416 of July
13 25, 1940, that withdrew parcels of land for the
14 Hart Mountain National Antelope Refuge.

15 (4) MANAGEMENT.—The land described in
16 paragraph (1) shall be included in the Hart Moun-
17 tain National Antelope Refuge and managed in ac-
18 cordance with the National Wildlife Refuge System
19 Administration Act of 1966 (16 U.S.C. 668dd et
20 seq.), and other applicable law, as expressed in man-
21 agement plans and agreements between the Bureau
22 of Land Management and the United States Fish
23 and Wildlife Service for the Hart Mountain Refuge.

1 (b) CONTINUED MANAGEMENT OF GUANO CREEK
2 WILDERNESS STUDY AREA BY THE BUREAU OF LAND
3 MANAGEMENT.—

4 (1) IN GENERAL.—The parcels of land identi-
5 fied for cooperative management on the map entitled
6 “Hart Mountain Jurisdictional Transfer”, dated
7 February 26, 1998, comprising approximately
8 10,900 acres of land in Lake County, Oregon, lo-
9 cated south of the Hart Mountain National Antelope
10 Refuge, shall be retained under the jurisdiction of
11 the Bureau of Land Management.

12 (2) MANAGEMENT.—The parcels of land de-
13 scribed in paragraph (1) that are within the Guano
14 Creek Wilderness Study Area as of the date of en-
15 actment of this Act shall be managed to maintain
16 the values for which the Wilderness Study Area was
17 designated, in accordance with current and future
18 management plans and agreements, including the
19 agreement known as the “Shirk Ranch Agreement”
20 and any amendments to that agreement.

21 (c) TRANSFER FROM THE UNITED STATES FISH AND
22 WILDLIFE SERVICE TO THE BUREAU OF LAND MANAGE-
23 MENT.—

24 (1) IN GENERAL.—Administrative jurisdiction
25 over the parcels of land identified for transfer to the

1 Bureau of Land Management on the map entitled
2 “Hart Mountain Jurisdictional Transfer”, dated
3 February 26, 1998, comprising approximately 7,700
4 acres of land in Lake County, Oregon, located adja-
5 cent to or within the Hart Mountain National Ante-
6 lope Refuge, is transferred from the United States
7 Fish and Wildlife Service to the Bureau of Land
8 Management.

9 (2) REMOVAL FROM REFUGE.—The parcels of
10 land described in paragraph (1) are removed from
11 the Hart Mountain National Antelope Refuge.

12 (3) REVOCATION OF WITHDRAWAL.—The provi-
13 sions of Executive Order No. 7523 of December 21,
14 1936, as amended by Executive Order No. 7895 of
15 May 23, 1938, and Presidential Proclamation No.
16 2416 of July 25, 1940, that withdrew the parcels of
17 land for the refuge, shall be of no effect with respect
18 to the parcels of land described in paragraph (1).

19 (4) STATUS.—The parcels of land described in
20 paragraph (1)—

21 (A) are designated as public land; and

22 (B) shall be open to—

23 (i) surface entry under the public land
24 laws;

1 (ii) leasing under the mineral leasing
2 laws and the Geothermal Steam Act of
3 1970 (30 U.S.C. 1001 et seq.); and
4 (iii) location and entry under the min-
5 ing laws.

6 (5) MANAGEMENT.—The land described in
7 paragraph (1) shall be managed in accordance with
8 the Federal Land Policy and Management Act of
9 1976 (43 U.S.C. 1701 et seq.) and other applicable
10 law, and the agreement known as the “Shirk Ranch
11 Agreement” and any amendments to that agree-
12 ment.

13 (d) MAP.—A copy of the map described in sub-
14 sections (a), (b), and (c) and such additional legal descrip-
15 tions as are applicable shall be kept on file and available
16 for public inspection in the Office of the Regional Director
17 of Region 1 of the United States Fish and Wildlife Serv-
18 ice, the local District Office of the Bureau of Land Man-
19 agement, the Committee on Energy and Natural Re-
20 sources of the Senate, and the Committee on Resources
21 of the House of Representatives.

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