

105TH CONGRESS
2D SESSION

H. R. 4525

To provide further protections for the watershed of the Little Sandy River as part of the Bull Run Watershed Management Unit, Oregon, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 9, 1998

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

A BILL

To provide further protections for the watershed of the Little Sandy River as part of the Bull Run Watershed Management Unit, Oregon, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. INCLUSION OF ADDITIONAL PORTION OF THE**
2 **LITTLE SANDY RIVER WATERSHED IN THE**
3 **BULL RUN WATERSHED MANAGEMENT UNIT,**
4 **OREGON.**

5 (a) IN GENERAL.—Public Law 95–200 (16 U.S.C.
6 482b note) is amended by striking section 1 and inserting
7 the following:

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

11 “(a) ESTABLISHMENT.—

12 “(1) IN GENERAL.—There is established, sub-
13 ject to valid existing rights, a special resources man-
14 agement unit in the State of Oregon comprising ap-
15 proximately 98,272 acres, as depicted on a map
16 dated September 1998, and entitled ‘Bull Run Wa-
17 tershed Management Unit’.

18 “(2) MAP.—The map described in paragraph
19 (1) shall be on file and available for public inspec-
20 tion in the offices of the Regional Forester-Pacific
21 Northwest Region, Forest Service, Department of
22 Agriculture, and in the offices of the Oregon State
23 Director, Bureau of Land Management, Department
24 of the Interior.

25 “(3) BOUNDARY ADJUSTMENTS.—Minor adjust-
26 ments in the boundaries of the unit may be made

1 from time to time by the Secretary after consulta-
2 tion with the city and appropriate public notice and
3 hearings.

4 “(b) DEFINITION OF SECRETARY.—In this Act, the
5 term ‘Secretary’ means—

6 “(1) with respect to land administered by the
7 Secretary of Agriculture, the Secretary of Agri-
8 culture; and

9 “(2) with respect to land administered by the
10 Secretary of the Interior, the Secretary of the Inte-
11 rior.”.

12 (b) CONFORMING AND TECHNICAL AMENDMENTS.—

13 (1) SECRETARY.—Public Law 95–200 (16
14 U.S.C. 482b note) is amended by striking “Sec-
15 retary of Agriculture” each place it appears (except
16 subsection (b) of section 1, as added by subsection
17 (a), and except in the amendments made by para-
18 graph (2)) and inserting “Secretary”.

19 (2) APPLICABLE LAW.—

20 (A) IN GENERAL.—Section 2(a) of Public
21 Law 95–200 (16 U.S.C. 482b note) is amended
22 by striking “applicable to National Forest Sys-
23 tem lands” and inserting “applicable to Na-
24 tional Forest System land (in the case of land
25 administered by the Secretary of Agriculture)

or applicable to land under the administrative jurisdiction of the Bureau of Land Management (in the case of land administered by the Secretary of the Interior)’’.

(B) MANAGEMENT PLANS.—The first sentence of section 2(c) of Public Law 95–200 (16 U.S.C. 482b note) is amended—

(i) by striking “subsection (a) or (b)” and inserting “subsections (a) and (b)”; and

(ii) by striking “, through the maintenance” and inserting “(in the case of land administered by the Secretary of Agriculture) or section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712) (in the case of land administered by the Secretary of the Interior), through the maintenance”.

SEC. 2. MANAGEMENT.

(a) TIMBER HARVESTING RESTRICTIONS.—Section 2(b) of Public Law 95–200 (16 U.S.C. 482b note) is amended by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall prohibit the cutting of trees on

1 Federal land in the entire unit, as designated in sec-
2 tion 1 and depicted on the map referred to in that
3 section.”.

4 (b) REPEAL OF MANAGEMENT EXCEPTION.—The
5 Oregon Resource Conservation Act of 1996 (division B of
6 Public Law 104–208) is amended by striking section 606
7 (110 Stat. 3009–543).

8 (c) REPEAL OF DUPLICATIVE ENACTMENT.—Section
9 1026 of division I of the Omnibus Parks and Public Lands
10 Management Act of 1996 (Public Law 104–333; 110 Stat.
11 4228) and the amendments made by that section are re-
12 pealed.

13 (d) WATER RIGHTS.—Nothing in this section
14 strengthens, diminishes, or has any other effect on water
15 rights held by any person or entity.

16 **SEC. 3. LAND EXCHANGE.**

17 (a) LAND EXCHANGE.—Upon application by the city
18 of Portland, Oregon (referred to in this section as the
19 “city”), the Secretary of Agriculture shall enter into nego-
20 tiations with the city for the transfer of National Forest
21 System land underlying the city’s Bull Run water supply
22 facilities to the city in exchange for city-owned land lying
23 within the boundaries of any unit of the National Forest
24 System in Oregon or Washington.

1 (b) TIME FOR EXCHANGE.—Subject to subsection
2 (c), the Secretary shall expedite the negotiations, if the
3 city applies for a land exchange under subsection (a), and
4 shall complete such a land exchange not later than Sep-
5 tember 30, 2001.

6 (c) APPLICABILITY OF OTHER LAWS.—Except as
7 provided in subsection (d), any land exchange under this
8 section shall be carried out in accordance with section 206
9 of the Federal Land Policy and Management Act of 1976
10 (43 U.S.C. 1716) and other applicable law.

11 (d) EXCEPTION TO SINGLE STATE LIMITATION ON
12 EXCHANGE.—The requirement that Federal and non-Fed-
13 eral parcels of land exchanged for each other must be lo-
14 cated within the same State, as specified in the Act enti-
15 tled “An Act to Consolidate National Forest Lands”, ap-
16 proved March 20, 1922 (16 U.S.C. 485), and the first sen-
17 tence of section 206(b) of the Federal Land Policy and
18 Management Act of 1976 (43 U.S.C. 1716(b)), shall not
19 apply to the land exchange authorized by this section.

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