

109TH CONGRESS  
1ST SESSION

# S. 741

To provide for the disposal of certain Forest Service administrative sites  
in the State of Oregon, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

APRIL 7, 2005

Mr. SMITH (for himself and Mr. WYDEN) introduced the following bill; which  
was read twice and referred to the Committee on Energy and Natural  
Resources

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## A BILL

To provide for the disposal of certain Forest Service adminis-  
trative sites in the State of Oregon, and for other pur-  
poses.

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 “Oregon National For-  
5 est Administrative Site Disposal Act”.

6 **SEC. 2. DISPOSAL OF ADMINISTRATIVE SITES, NATIONAL**  
7 **FOREST SYSTEM LANDS, OREGON.**

8 (a) CONVEYANCE AUTHORITY.—The Secretary of  
9 Agriculture (in this section referred to as the “Secretary”)

1 may sell or exchange, under such terms and conditions  
2 as the Secretary may prescribe, any or all right, title, and  
3 interest of the United States in and to the following Na-  
4 tional Forest System lands and improvements thereon lo-  
5 cated in the Rogue River, Siskiyou, Siuslaw, Umpqua, and  
6 Willamette National Forests in the State of Oregon:

7           (1) TRACT ROR-A.—Star Gulch Complex, Jack-  
8           sonville, Oregon, consisting of approximately 2.25  
9           acres in the north half of section 28, township 39  
10          south, range 3 west, Willamette meridian, and con-  
11          taining the Star Gulch complex buildings of the Ap-  
12          plegate Ranger District.

13          (2) TRACT ROR-B.—Butte Falls Houses, Butte  
14          Falls, Oregon, consisting of approximately 0.50  
15          acres in the S1/2NE1/4 of section 10, township 35  
16          south, range 2 east, Willamette meridian, and con-  
17          taining those Forest lands in the Butte Falls Ranger  
18          District associated with Butte Falls Houses.

19          (3) TRACT SIS-A.—Old Agness Guard Station,  
20          Agness, Oregon, consisting of approximately 2.5  
21          acres in the SE1/4, NE1/4, Lot 14, of section 7,  
22          township 35 south, range 11 west, Willamette merid-  
23          ian, and containing those Forest lands in the Gold  
24          Beach Ranger District and associated administrative  
25          buildings at the Old Agness Guard Station.

1           (4) TRACT SIS-B.—Chetco Ranger District  
2     Housing Complex, Brookings, Oregon, consisting of  
3     approximately 1.5 acres in the SW1/4, Block 29, of  
4     section 5, township 41 south, range 13 west, Wil-  
5     lamette meridian, and containing the Chetco Ranger  
6     District and the associated housing complex.

7           (5) TRACT SIS-C.—Daycare center on Wallace  
8     Street in Gold Beach, Oregon, consisting of approxi-  
9     mately 0.25 acres.

10          (6) TRACT SIS-D.—Powers South Work Center,  
11     Powers, Oregon, consisting of approximately 1.59  
12     acres in the east 1/2 of section 13, township 31  
13     south, range 12 west, Willamette meridian, and con-  
14     taining the South Compound site and associated ad-  
15     ministrative buildings.

16          (7) TRACT SIU-B.—Gardiner Administrative  
17     Site, Gardiner, Oregon, consisting of approximately  
18     3.4 acres in the NW1/4NE1/4 of section 22, town-  
19     ship 21 south, range 12 west, Willamette meridian,  
20     and containing the Gardiner Administrative Site and  
21     the associated administrative buildings.

22          (8) TRACT SIU-C.—Waldport Administrative  
23     Site, Waldport, Oregon, consisting of approximately  
24     6.65 acres in the SW1/4SW1/4 of section 19, town-  
25     ship 13 south, range 11 west, and the SE1/4SE1/

1 4 of section 24, township 13 south, range 12 west,  
2 Willamette meridian, and containing the Waldport  
3 Administrative Site and the associated administra-  
4 tive buildings.

5 (9) TRACT UMP-A.—Roseburg Service Center  
6 Administrative Site, Roseburg, Oregon, consisting of  
7 approximately 2.92 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of sec-  
8 tion 20, township 27 south, range 5 west, Willam-  
9 ette meridian.

10 (10) TRACT UMP-B.—Roseburg Powder House  
11 Administrative Site, Roseburg, Oregon, consisting of  
12 approximately 1.34 acres in section 15, township 27  
13 south, range 5 west, Willamette meridian.

14 (11) TRACT UMP-C.—Brown Street Residence  
15 Administrative Site, Glide, Oregon, consisting of ap-  
16 proximately 2.35 acres in the E $\frac{1}{2}$ NW $\frac{1}{4}$  of section  
17 19, township 26 south, range 3 west, Willamette me-  
18 ridian.

19 (12) TRACT WIL-A.—Blue River Administrative  
20 Site, Blue River, Oregon, consisting of approxi-  
21 mately 31.91 acres in the SW $\frac{1}{4}$ S $\frac{1}{2}$  of section 28,  
22 township 16 south, range 4 east, Willamette merid-  
23 ian, and containing the upper portion of the Blue  
24 River Ranger District Compound and the associated  
25 administrative buildings.

1           (13) TRACT WIL-B.—Hemlock Houses, Westfir,  
2           Oregon, consisting of approximately 6 acres in sec-  
3           tion 12, township 21 south, range 2 east, Willamette  
4           meridian, and containing those lands in Lot 2 asso-  
5           ciated with the Hemlock Houses.

6           (14) TRACT WIL-C.—Flat Creek Administrative  
7           Site, Oakridge, Oregon, consisting of approximately  
8           45 acres in the NW1/4 of section 14, township 21  
9           south, range 3 east, Willamette meridian, and con-  
10          taining the Rigdon Ranger District Compound and  
11          the associated administrative buildings.

12          (15) TRACT WIL-D.—Subject to section 3,  
13          Rigdon Administrative Site, Oakridge, Oregon, con-  
14          sisting of approximately 15 acres in the NE1/4NE1/  
15          4 of section 21, township 21 south, range 3 east,  
16          Willamette meridian, and containing the Rigdon  
17          Ranger District Compound and the associated ad-  
18          ministrative buildings.

19          (16) TRACT WIL-F.—Cascadia Administrative  
20          Site, Sweet Home, Oregon, consisting of approxi-  
21          mately 15 acres in the SE1/4 of section 36, town-  
22          ship 13 south, range 2 east, Willamette meridian,  
23          and containing the Cascadia Administrative Site and  
24          the associated administrative buildings.

1           (17) TRACT WIL-H.—Residence at 19 Osage  
2           Street, Sweet Home, Oregon, consisting of approxi-  
3           mately .07 acres.

4           (18) TRACT WIL-I.—Residence at 940 3rd Ave-  
5           nue, Sweet Home, Oregon, consisting of approxi-  
6           mately 1.4 acres.

7           (19) TRACT WIL-J.—Residence at 175 Haw-  
8           thorne Street, Sweet Home, Oregon, consisting of  
9           approximately .21 acres.

10          (20) TRACT WIL-K.—Residence at 565 Parkside  
11          Drive, Mill City, Oregon, consisting of approximately  
12          .30 acres.

13          (21) TRACT WIL-L.—Residence at 571 Parkside  
14          Drive, Mill City, Oregon, consisting of approximately  
15          .30 acres.

16          (22) TRACT WIL-M.—Residence at 610 Parkside  
17          Drive, Mill City, Oregon, consisting of approximately  
18          .30 acres.

19          (23) TRACT WIL-N.—Residence at 658 Parkside  
20          Drive, Mill City, Oregon, consisting of approximately  
21          .33 acres.

22          (24) TRACT WIL-O.—Willamette National For-  
23          est Warehouse Administrative Site, Eugene, Oregon,  
24          consisting of approximately 2.4 acres in the NW1/  
25          4SE1/4 of section 25, township 17 south, range 4

1 west, Willamette meridian, and containing the Wil-  
2 lamette National Forest Warehouse Administrative  
3 Site and the associated administrative buildings.

4 (25) TRACT WIL-P.—Westfir Residences,  
5 Westfir, Oregon, consisting of approximately 20  
6 acres in the NW1/4SW1/4 of section 8, township 21  
7 south, range 3 east, Willamette meridian, and con-  
8 taining those lands associated with the Westfir Resi-  
9 dences of a community nature.

10 (b) MAPS AND CORRECTION AUTHORITY.—The lands  
11 described in subsection (a) (other than in paragraphs (9),  
12 (10), and (11) of such subsection) are depicted on maps  
13 entitled “Oregon Land Dispositions” and dated June 30,  
14 2003. The lands described in paragraphs (9), (10), and  
15 (11) of such subsection, Tracts UMP-A, UMP-B, and  
16 UMP-C, are depicted on the map entitled “Umpqua Na-  
17 tional Forest Land Dispositions” and dated June 1, 2003.  
18 The maps shall be on file and available for public inspec-  
19 tion in the office of the Chief of the Forest Service until  
20 such time as the lands are conveyed. The Secretary may  
21 make minor corrections to the maps and may modify the  
22 descriptions in subsection (a) to correct errors or to recon-  
23 figure the lands to facilitate their conveyance.

24 (c) CONSIDERATION.—

1           (1) AUTHORIZED CONSIDERATION.—Consider-  
 2           ation for the conveyance of land described in sub-  
 3           section (a) may include cash, land, including land  
 4           with improvements constructed to the specifications  
 5           of the Secretary, or a combination thereof.

6           (2) CONVEYANCES TO PUBLIC ENTITIES.—The  
 7           Secretary may convey, without consideration, to the  
 8           State of Oregon or a local government for public  
 9           purposes any or all right, title and interest of the  
 10          United States in and to land described in subsection  
 11          (a). The conveyance of land without consideration  
 12          under this paragraph shall be subject to such terms,  
 13          conditions, and restrictions as the Secretary con-  
 14          siders appropriate, and the Secretary shall include in  
 15          the deed of conveyance a right of the United States  
 16          to reenter and take title to the land if the land is  
 17          sold or conveyed to another party or is devoted to  
 18          a use other than the use for which the land was con-  
 19          veyed.

20          (3) RIGHT OF FIRST REFUSAL.—In the case of  
 21          the land described in paragraph (24) of subsection  
 22          (a), Tract WIL-O, the Secretary shall grant the Eu-  
 23          gene Mission the first right to acquire the land in  
 24          a direct sale for market value.

25          (d) CONVEYANCE METHODS.—



1           (1) IN GENERAL.—The Secretary may convey  
2           land under subsection (a) at public or private sale,  
3           including competitive sale by auction, bid, or other-  
4           wise, in accordance with such terms, conditions, and  
5           procedures as the Secretary determines will be in the  
6           best interests of the United States.

7           (2) SOLICITATIONS OF OFFERS.—The Secretary  
8           may solicit offers for the conveyance of land under  
9           subsection (a) on such terms and conditions as the  
10          Secretary considers appropriate. The Secretary may  
11          reject any offer if the Secretary determines that the  
12          offer is not adequate or not in the public interest.

13          (3) USE OF BROKERS.—The Secretary may use  
14          real estate brokers in the conveyance of lands under  
15          subsection (a), and may pay appropriate commis-  
16          sions commensurate with the prevailing rates in the  
17          area.

18          (4) RELATION TO OTHER CONVEYANCE AU-  
19          THORITY.—In the case of the lands described in  
20          paragraphs (17) through (23) of subsection (a),  
21          Tracts WIL-H through WIL-N, the Secretary may  
22          convey the lands using the authority provided by this  
23          section or using the pilot disposal authority other-  
24          wise available to the Secretary.

1 (e) VALUATION.—Any appraisal considered necessary  
2 by the Secretary to convey land described in subsection  
3 (a) shall conform to the Uniform Appraisal Standards for  
4 Federal Land Acquisitions.

5 (f) CASH EQUALIZATION PAYMENTS.—Notwith-  
6 standing any other provision of law, the Secretary may  
7 accept a cash equalization payment in excess of 25 percent  
8 of the value of any land conveyed by exchange under au-  
9 thority of subsection (a).

10 (g) DEPOSIT AND TREATMENT OF PROCEEDS.—The  
11 Secretary shall deposit the proceeds from the conveyance  
12 of the land described in subsection (a) in the fund estab-  
13 lished under Public Law 90–171 (commonly known as the  
14 “Sisk Act”; 16 U.S.C. 484a). No portion of the proceeds  
15 may be paid or distributed to the State of Oregon or a  
16 county in the State under any provision of law, and the  
17 proceeds are not moneys received from the National For-  
18 est for any purpose.

19 (h) USE OF DEPOSITED FUNDS.—

20 (1) AUTHORIZED USES.—Funds deposited pur-  
21 suant to subsection (g) shall be available to the Sec-  
22 retary, without further appropriation and until ex-  
23 pended, for the following purposes:

1 (A) The acquisition of land and interests  
2 in land for inclusion in a unit of the National  
3 Forest System specified in subsection (a).

4 (B) The payment or reimbursement of  
5 costs incurred by the Forest Service in proc-  
6 essing and arranging conveyances under this  
7 section, including the payment of real estate  
8 broker commissions authorized under subsection  
9 (d).

10 (C) The acquisition or construction of new  
11 facilities, or the rehabilitation of existing facili-  
12 ties, in a unit of the National Forest System  
13 specified in subsection (a).

14 (2) LAND ACQUISITION.—The use of the land  
15 acquisition authority provided by paragraph (1)(A)  
16 is subject to the following conditions:

17 (A) The amount available for expenditure  
18 in each unit of the National Forest System re-  
19 ferred to in subsection (a) shall be equal to the  
20 amount derived from the conveyance of land de-  
21 scribed in such subsection in that unit, reduced  
22 by any costs incurred by the Forest Service in  
23 processing those conveyances.

24 (B) Funds derived from conveyances under  
25 this section may be used for the acquisition of

1           lands and interests in land in other units of the  
 2           National Forest System in Oregon if the Re-  
 3           gional Forester for Region 6 agrees to such use.

4           (3) ADMINISTRATION OF LANDS ACQUIRED BY  
 5           THE UNITED STATES.—Lands acquired by the Sec-  
 6           retary under this subsection or acquired by exchange  
 7           under this section shall be managed in accordance  
 8           with the Act of March 1, 1911 (commonly known as  
 9           the Weeks Act; 16 U.S.C. 480 et seq.), and other  
 10          laws and regulations pertaining to the National For-  
 11          est System.

12          (i) DEPARTMENTAL REGULATIONS.—The Agri-  
 13          culture Property Management Regulations shall not apply  
 14          to any action taken pursuant to this section.

15          (j) WITHDRAWALS AND REVOCATIONS.—

16               (1) PUBLIC LAND ORDERS.—Effective as of the  
 17               date of the enactment of this Act, any public land  
 18               orders applicable to the land described in subsection  
 19               (a) are revoked with respect to that lands.

20               (2) WITHDRAWAL.—Subject to valid existing  
 21               rights, land described in subsection (a) are with-  
 22               drawn from location, entry, and patent under the  
 23               mining laws of the United States.

1 **SEC. 3. LAND CONVEYANCE, PORTION OF RIGDON ADMINIS-**  
2 **TRATIVE SITE, OAKRIDGE, OREGON, TRACT**  
3 **WIL-D.**

4 (a) CONVEYANCE REQUIRED.—The Secretary of Ag-  
5 riculture shall convey, without consideration, to the City  
6 of Oakridge, Oregon (in the section referred to as the  
7 “City”), all right, title, and interest of the United States  
8 in and to the lower portion of the land described in section  
9 2(a)(15), Tract WIL-D, for the purpose of facilitating the  
10 establishment of a timber museum on the conveyed land  
11 to be managed by the Upper Willamette Pioneer Associa-  
12 tion.

13 (b) LEGAL DESCRIPTION.—The portion of Tract  
14 WIL-D to be conveyed to the City under this section is  
15 located generally west of Rigdon Drive, but the Secretary  
16 shall determine the exact acreage and description of the  
17 land to be conveyed. The conveyed land may not include  
18 the five residential properties on the upper portion of  
19 Tract WIL-D, generally located northeast of the intersec-  
20 tion of Highway 58 and Rigdon Drive.

21 (c) CONDITION OF CONVEYANCE.—As a condition of  
22 the conveyance under this section, the City and the Upper  
23 Willamette Pioneer Association shall agree to honor the  
24 life and contributions of Loran L. “Stub” Stewart with  
25 an appropriate display in the museum established on the  
26 conveyed property.

1 **SEC. 4. BOUNDARY ADJUSTMENT, ROGUE-UMPQUA DIVIDE**  
2 **WILDERNESS, OREGON.**

3 (a) BOUNDARY ADJUSTMENT.—The Rogue-Umpqua  
4 Divide wilderness boundary, as established by the Oregon  
5 Wilderness Act of 1984 (Public Law 98–328; 98 Stat.  
6 273; 16 U.S.C. 1132 note) and approved by the Forest  
7 Service on May 4, 1987, is adjusted as depicted on the  
8 map entitled “Rogue-Umpqua Divide Wilderness Bound-  
9 ary Modification” and dated May 6, 2003. The adjust-  
10 ment is more fully described as follows:

11 (1) Beginning at township 30 south, range 3  
12 east, Willamette base and meridian, from Angle  
13 Point 927 of the legal boundary description  
14 monumented with a 2 inch diameter brass cap, set  
15 in cement, marked “USDA FOREST SERVICE AP  
16 927 2001”.

17 (2) Thence north  $63^{\circ}39'34''$  east, 3700.00 feet to  
18 new Angle Point 927B.

19 (3) Thence south  $84^{\circ}20'00''$  east, 360.00 feet to  
20 new Angle Point 927C.

21 (4) Thence on a line northeasterly, approxi-  
22 mately 330 feet, to original Angle Point 928, which  
23 is monumented with a 1–1/2 inch diameter alu-  
24 minum cap, on a 5/8 inch diameter rod driven flush  
25 with the ground, marked “AP 928 1999”.

1           (5) Thence north 23°0000 west, 175.00 feet to  
2       new Angle Point 928A.

3           (6) Thence on a line northeasterly, 1260 feet,  
4       more or less, to original Angle Point 929, which is  
5       described in the legal boundary description as “A  
6       high point on a ridge” in section 7, township 30  
7       south, range 3 east, Willamette base and meridian,  
8       with an elevation of approximately 4150 feet.

9       (b) MAP.—The map referred to in subsection (a)  
10   shall be on file and available for public inspection in the  
11   office of the Chief of the Forest Service. The Secretary  
12   of Agriculture may correct technical errors in the map and  
13   legal description specified in subsection (a).

○