

111TH CONGRESS  
1ST SESSION

# S. 1271

To amend the Wild and Scenic Rivers Act to add certain segments to the Rogue River designation, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JUNE 16, 2009

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 amend the Wild and Scenic Rivers Act to add certain segments to the Rogue River designation, 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 “Lower Rogue Wild and  
5       Scenic Rivers Act of 2009”.

6       **SEC. 2. ROGUE RIVER ADDITIONS.**

7       (a) IN GENERAL.—Section 3(a)(5) of the Wild and  
8       Scenic Rivers Act (16 U.S.C. 1274(a)(5)) is amended—

9               (1) by striking “The segment” and inserting  
10       the following:

1 “(A) IN GENERAL.—The segment”; and  
 2 (2) by adding at the end the following:

3 “(B) ADDITIONAL AREAS.—In addition to the  
 4 segment described in subparagraph (A), the fol-  
 5 lowing segments of the Rogue River, Oregon, to be  
 6 administered in the following classifications:

7 “(i) KELSEY CREEK.—

8 “(I) The 2.2-mile segment of Kelsey  
 9 Creek from the headwaters of the Creek to  
 10 the eastern section line of 32S 8W sec. 30  
 11 as a recreational river.

12 “(II) The 7.1-mile segment of Kelsey  
 13 Creek from the eastern section line of 32S  
 14 8W sec. 30 to the confluence with the  
 15 Rogue River as a wild river.

16 “(ii) EAST FORK KELSEY CREEK.—

17 “(I) The 0.1-mile segment of East  
 18 Fork Kelsey Creek from the headwaters of  
 19 the Creek to 0.1 miles downstream of road  
 20 32–7–19.3 as a scenic river.

21 “(II) The 4.7-mile segment of East  
 22 Fork Kelsey Creek downstream from 0.1  
 23 miles downstream of road 32–7–19.3 to  
 24 the confluence with Kelsey Creek as a wild  
 25 river.

1 “(iii) WHISKY CREEK.—

2 “(I) The 0.6-mile segment of Whisky  
3 Creek from the confluence of the East  
4 Fork and West Fork to 0.1 miles down-  
5 stream from road 33–8–23 as a rec-  
6 reational river.

7 “(II) The 1.9-mile segment of Whisky  
8 Creek from 0.1 miles downstream from  
9 road 33–8–23 to the confluence with the  
10 Rogue River as a wild river.

11 “(iv) EAST FORK WHISKY CREEK.—

12 “(I) The 0.1-mile segment of East  
13 Fork Whisky Creek from the headwaters  
14 of the Creek to 0.1 miles downstream of  
15 road 34–8–1 as a scenic river.

16 “(II) The 3.7-mile segment of East  
17 Fork Whisky Creek from 0.1 miles down-  
18 stream of road 34–8–1 to the confluence  
19 with Whisky Creek as a wild river.

20 “(v) WEST FORK WHISKY CREEK.—The  
21 4.8-mile segment of West Fork Whisky Creek  
22 from the headwaters of the Creek to the con-  
23 fluence of the Rogue River as a wild river.

24 “(vi) BIG WINDY CREEK.—

1           “(I) The 1.5-mile segment of Big  
2 Windy Creek from the headwaters of the  
3 Creek to 0.1 miles downstream from road  
4 34-9-17.1 as a scenic river.

5           “(II) The 5.8-mile segment of Big  
6 Windy Creek from 0.1 miles downstream  
7 from road 34-9-17.1 to the confluence  
8 with the Rogue River as a wild river.

9           “(vii) EAST FORK BIG WINDY CREEK.—

10           “(I) The 0.2-mile segment of East  
11 Fork Big Windy Creek from the head-  
12 waters of the Creek to 0.1 miles down-  
13 stream from road 34-8-36 as a scenic  
14 river.

15           “(II) The 3.7-mile segment of East  
16 Fork Big Windy Creek from 0.1 miles  
17 downstream from road 34-8-36 to the  
18 confluence with Big Windy Creek as a wild  
19 river.

20           “(viii) LITTLE WINDY CREEK.—

21           “(I) The 1.1-mile segment of Little  
22 Windy Creek from the headwaters of the  
23 Creek to 0.1 miles downstream of road 34-  
24 8-36 as a scenic river.

1           “(II) The 1.9-mile segment of Little  
2 Windy Creek from 0.1 miles downstream  
3 of road 34–8–36 to the confluence with the  
4 Rogue River as a wild river.

5           “(ix) HOWARD CREEK.—

6           “(I) The 0.3-mile segment of Howard  
7 Creek from the headwaters of the Creek to  
8 0.1 miles downstream of road 34–9–34 as  
9 a scenic river.

10           “(II) The 6.9-mile segment of Howard  
11 Creek from 0.1 miles downstream of road  
12 34–9–34 to the confluence with the Rogue  
13 River as a wild river.

14           “(x) MULE CREEK.—

15           “(I) The 0.2-mile segment of Mule  
16 Creek from the headwaters of the Creek to  
17 0.1 miles downstream from road 32–9–  
18 15.1 as a scenic river.

19           “(II) The 11.2-mile segment of Mule  
20 Creek from 0.1 miles downstream from  
21 road 32–9–15.1 to the confluence with the  
22 Rogue River as a wild river.

23           “(xi) GRAVE CREEK.—

1                   “(I) The 1.6-mile segment of Grave  
2                   Creek from the confluence of Wolf Creek  
3                   downstream as a scenic river.

4                   “(II) The 8.2-mile segment of Grave  
5                   Creek from 1.6 miles downstream of the  
6                   confluence of Wolf Creek to the confluence  
7                   with the Rogue River as a recreational  
8                   river.

9                   “(xii) ANNA CREEK.—The 3.5-mile seg-  
10                  ment of Anna Creek from the headwaters of  
11                  Anna Creek to the confluence with Howard  
12                  Creek as a wild river.

13                  “(xiii) MISSOURI CREEK.—

14                  “(I) The 2.6-mile segment of Missouri  
15                  Creek from the headwaters of the Creek to  
16                  the north section line of 33S 10W sec. 25  
17                  as a scenic river.

18                  “(II) The 2.2-mile segment of Mis-  
19                  souri Creek from the north section line of  
20                  33S 10W sec. 25 to the confluence with  
21                  the Rogue River as a wild river.

22                  “(xiv) JENNY CREEK.—

23                  “(I) The 0.3-mile segment of Jenny  
24                  Creek from the headwaters of the Creek to

1           0.1 miles downstream from road 34–9–7  
2           as a scenic river.

3           “(II) The 4.6-mile segment of Jenny  
4           Creek from 0.1 miles downstream from  
5           road 34–9–7 to the confluence with the  
6           Rogue River as a wild river.

7           “(xv) RUM CREEK.—

8           “(I) The 2-mile segment of Rum  
9           Creek from the headwaters of the Creek to  
10          0.1 miles downstream from road 34–8–34  
11          as a scenic river.

12          “(II) The 2.4-mile segment of Rum  
13          Creek from 0.1 miles downstream from  
14          road 34–8–34 to the confluence with the  
15          Rogue River as a wild river.

16          “(xvi) EAST FORK RUM CREEK.—

17          “(I) The 0.5-mile segment of East  
18          Rum Creek from the headwaters to 0.1  
19          miles downstream of road 34–8–10.1 as a  
20          scenic river.

21          “(II) The 1.5-mile segment of East  
22          Rum Creek from 0.1 miles downstream of  
23          road 34–8–10.1 to the confluence with  
24          Rum Creek as a wild river.

1           “(xvii) WILDCAT CREEK.—The 1.7-mile  
2           segment of Wildcat Creek from the headwaters  
3           of the Creek downstream to the confluence with  
4           the Rogue River as a wild river.

5           “(xviii) MONTGOMERY CREEK.—The 1.8-  
6           mile segment of Montgomery Creek from the  
7           headwaters of the Creek downstream to the  
8           confluence with the Rogue River as a wild river.

9           “(xix) QUARTZ CREEK.—

10           “(I) The 0.5-mile segment of Quartz  
11           Creek from its headwaters to 0.1 miles  
12           downstream from road 35–9–1.2 as a rec-  
13           reational river.

14           “(II) The 2.8-mile segment from 0.1  
15           miles downstream from road 35–9–1.2 to  
16           the confluence of the North Fork Galice  
17           Creek as a scenic river.

18           “(xx) HEWITT CREEK.—

19           “(I) The 1.3-mile segment of Hewitt  
20           Creek from the headwaters of the Creek to  
21           0.1 miles downstream of road 33–9–21 as  
22           a scenic river.

23           “(II) The 1.3-mile segment of Hewitt  
24           Creek from 0.1 miles downstream of road



1                   33–9–21 to the confluence with the Rogue  
2                   River as a wild river.

3                   “(xxi) BUNKER CREEK.—The 6.6-mile seg-  
4                   ment of Bunker Creek from the headwaters of  
5                   the Creek to the confluence with the Rogue  
6                   River as a wild river.

7                   “(xxii) DULOG CREEK.—

8                   “(I) The 0.8-mile segment of Dulog  
9                   Creek from the headwaters of the Creek to  
10                  0.1 miles downstream of road 34–8–36 as  
11                  a scenic river.

12                  “(II) The 1.0-mile segment of Dulog  
13                  Creek from 0.1 miles downstream of road  
14                  34–8–36 to the confluence with the Rogue  
15                  River as a wild river.

16                  “(xxiii) GALICE CREEK.—The 2.2-mile seg-  
17                  ment of Galice Creek from the confluence with  
18                  the North and South Forks of Galice Creek to  
19                  the confluence with the Rogue River as a rec-  
20                  reational river.

21                  “(xxiv) NORTH FORK GALICE CREEK.—

22                  “(I) The 1.2-mile segment of North  
23                  Fork Galice Creek from the headwaters of  
24                  the Creek to 0.1 miles upstream of road  
25                  34–8–36 as a scenic river.

1 “(II) The 4.5-mile segment of North  
 2 Fork Galice Creek from 0.1 miles up-  
 3 stream of road 34–8–36 to the confluence  
 4 with Galice Creek as a recreational river.

5 “(xxv) QUAIL CREEK.—

6 “(I) The 0.7-mile segment of Quail  
 7 Creek from the headwaters of the Creek to  
 8 0.1 miles downstream from road 32–9–  
 9 14.2 as a scenic river.

10 “(II) The 1.8-mile segment of Quail  
 11 Creek from to 0.1 miles downstream from  
 12 road 32–9–14.2 to the confluence with the  
 13 Rogue River as a wild river.

14 “(xxvi) MEADOW CREEK.—The 4.1-mile  
 15 segment of Meadow Creek from the headwaters  
 16 of the Creek to the confluence with the Rogue  
 17 River as a wild river.

18 “(xxvii) RUSSIAN CREEK.—

19 “(I) The 0.4-mile segment of Russian  
 20 Creek from the headwaters of the Creek to  
 21 0.1 miles downstream from road 33–8–21  
 22 as a scenic river.

23 “(II) The 2.2-mile segment of Russian  
 24 Creek 0.1 miles downstream from road 33–

1           8–21 to the confluence with the Rogue  
2           River as a wild river.

3           “(xxviii) ALDER CREEK.—The 1.2-mile  
4           segment of Alder Creek from the headwaters of  
5           the Creek to the confluence with the Rogue  
6           River as a wild river.

7           “(xxix) BOOZE CREEK.—The 1.5-mile seg-  
8           ment of Booze Creek from the headwaters of  
9           the Creek to the confluence with the Rogue  
10          River as a wild river.

11          “(xxx) BRONCO CREEK.—The 1.8-mile seg-  
12          ment of Bronco Creek from the headwaters of  
13          the Creek to the confluence with the Rogue  
14          River as a wild river.

15          “(xxxix) CENTENNIAL GULCH CREEK.—The  
16          1.9-mile segment of Centennial Gulch Creek  
17          from the headwaters of the Creek to the con-  
18          fluence with the Rogue River as a recreational  
19          river.

20          “(xxxix) COPSEY CREEK.—The 1.5-mile  
21          segment of Copsey Creek from the headwaters  
22          of the Creek to the confluence with the Rogue  
23          River as a wild river.

24          “(xxxiii) CORRAL CREEK.—The 0.5-mile  
25          segment of Corral Creek from the headwaters

1 of the Creek to the confluence with the Rogue  
2 River as a wild river.

3 “(xxxiv) COWLEY CREEK.—The 0.9-mile  
4 segment of Cowley Creek from the headwaters  
5 of the Creek to the confluence with the Rogue  
6 River as a wild river.

7 “(xxxv) DITCH CREEK.—

8 “(I) The 0.5-mile segment of Ditch  
9 Creek from the headwaters of the Creek  
10 0.1 miles downstream from road 33–5–9.2  
11 as a scenic river.

12 “(II) The 1.9-mile segment of Ditch  
13 Creek from 0.1 miles downstream from  
14 road 33–5–9.2 to the confluence with the  
15 Rogue River as a wild river.

16 “(xxxvi) FRANCIS CREEK.—The 0.9-mile  
17 segment of Francis Creek from the headwaters  
18 of the Creek to the confluence with the Rogue  
19 River as a wild river.

20 “(xxxvii) LONG GULCH.—

21 “(I) The 1.4-mile segment of Long  
22 Gulch from the headwaters to 0.1 miles  
23 downstream from road 34–9–21 as a see-  
24 nic river.

1                   “(II) The 1.1-mile segment of Long  
2                   Gulch from 0.1 miles downstream of road  
3                   34-9-21 to the confluence with the Rogue  
4                   River as a wild river.

5                   “(xxxviii) BAILEY CREEK.—

6                   “(I) The 1.0-mile segment of Bailey  
7                   Creek from the headwaters of the Creek to  
8                   0.1 miles downstream from road 34-8-  
9                   22.2 as a scenic river.

10                  “(II) The 2.1-mile segment of Bailey  
11                  Creek from 0.1 miles downstream from  
12                  road 34-8-22.2 to the confluence of the  
13                  Rogue River as a wild river.

14                  “(xxxix) SHADY CREEK.—The 0.7-mile  
15                  segment of Shady Creek from the headwaters of  
16                  the Creek to the confluence with the Rogue  
17                  River, as a wild river.

18                  “(xl) SLIDE CREEK.—

19                  “(I) The 0.5-mile segment of Slide  
20                  Creek from the headwaters of the Creek to  
21                  0.1 miles downstream from road 33-9-6  
22                  as a scenic river.

23                  “(II) The 0.7-mile segment of Slide  
24                  Creek from 0.1 miles downstream of road

1                   33–9–6 to the confluence with the Rogue  
2                   River as a wild river.”.

3           (b) ADMINISTRATIVE PROVISIONS.—

4                   (1) IN GENERAL.—Any segment of the Rogue  
5           River designated by subparagraph (B) of section  
6           3(a)(5) of the Wild and Scenic Rivers Act (16  
7           U.S.C. 1274(a)(5)) (as added by subsection (a)(2))  
8           shall—

9                   (A) include an average of 640 acres per  
10           mile measured from the ordinary high water  
11           mark on both sides of the River; and

12                   (B) be managed as part of the Rogue Wild  
13           and Scenic River designated by subparagraph  
14           (A) of section 3(a)(5) of the Wild and Scenic  
15           Rivers Act (16 U.S.C. 1274(a)(5)) (as added by  
16           subsection (a)(1)).

17                   (2) WITHDRAWAL.—Subject to valid rights, the  
18           Federal land within the boundaries of the river seg-  
19           ments designated by subparagraph (B) of section  
20           3(a)(5) of the Wild and Scenic Rivers Act (16  
21           U.S.C. 1274(a)(5)) (as added by subsection (a)(2))  
22           is withdrawn from all forms of—

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

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

3                   (C) disposition under all laws relating to  
4                   mineral and geothermal leasing or mineral ma-  
5                   terials.

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