

Calendar No. 588

114TH CONGRESS
2^D SESSION

S. 1167

[Report No. 114–315]

To modify the boundaries of the Pole Creek Wilderness, the Owyhee River Wilderness, and the North Fork Owyhee Wilderness and to authorize the continued use of motorized vehicles for livestock monitoring, herding, and grazing in certain wilderness areas in the State of Idaho.

IN THE SENATE OF THE UNITED STATES

APRIL 30, 2015

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

SEPTEMBER 6, 2016

Reported by Ms. MURKOWSKI, with an amendment

[Omit the part struck through and insert the part printed in *italic*]

A BILL

To modify the boundaries of the Pole Creek Wilderness, the Owyhee River Wilderness, and the North Fork Owyhee Wilderness and to authorize the continued use of motorized vehicles for livestock monitoring, herding, and grazing in certain wilderness areas in the State of Idaho.

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 “Owyhee Wilderness
 5 Areas Boundary Modifications Act”.

6 **SEC. 2. OWYHEE WILDERNESS AREAS BOUNDARY MODI-**
 7 **FICATIONS.**

8 (a) BOUNDARY MODIFICATIONS.—

9 (1) NORTH FORK OWYHEE WILDERNESS.—The
 10 boundary of the North Fork Owyhee Wilderness es-
 11 tablished by section 1503(a)(1)(D) of the Omnibus
 12 Public Land Management Act of 2009 (Public Law
 13 111–11; 123 Stat. 1033) is modified to exclude cer-
 14 tain land, as depicted on—

15 (A) the Bureau of Land Management map
 16 entitled “North Fork Owyhee and Pole Creek
 17 Wilderness Aerial” and dated October 15,
 18 2014; and

19 (B) the Bureau of Land Management map
 20 entitled “North Fork Owyhee Wilderness Big
 21 Springs Camp Zoom Aerial” and dated October
 22 15, 2014.

23 (2) OWYHEE RIVER WILDERNESS.—The bound-
 24 ary of the Owyhee River Wilderness established by
 25 section 1503(a)(1)(E) of the Omnibus Public Land

1 Management Act of 2009 (Public Law 111–11; 123
2 Stat. 1033) is modified to exclude certain land, as
3 depicted on—

4 (A) the Bureau of Land Management map
5 entitled “North Fork Owyhee Wilderness, Pole
6 Creek Wilderness and Owyhee River Wilderness
7 Aerial” and dated November 10, 2014;

8 (B) the Bureau of Land Management map
9 entitled “Owyhee River Wilderness Kincaid
10 Reservoir Zoom Aerial” and dated October 15,
11 2014; and

12 (C) the Bureau of Land Management map
13 entitled “Owyhee River Wilderness Dickshooter
14 Road Zoom Aerial” and dated October 15,
15 2014.

16 (3) POLE CREEK WILDERNESS.—The boundary
17 of the Pole Creek Wilderness established by section
18 1503(a)(1)(F) of the Omnibus Public Land Manage-
19 ment Act of 2009 (Public Law 111–11; 123 Stat.
20 1033) is modified to exclude certain land, as de-
21 picted on—

22 (A) the Bureau of Land Management map
23 entitled “North Fork Owyhee Wilderness, Pole
24 Creek Wilderness and Owyhee River Wilderness
25 Aerial” and dated November 10, 2014; and

1 (B) the Bureau of Land Management map
 2 entitled “Pole Creek Wilderness Pullout Zoom
 3 Aerial” and dated October 15, 2014.

4 (b) MAPS.—

5 (1) EFFECT.—The maps referred to in sub-
 6 section (a) shall have the same force and effect as
 7 if included in this Act, except that the Secretary of
 8 the Interior may correct minor errors in the maps.

9 (2) AVAILABILITY.—The maps referred to in
 10 subsection (a) shall be available in the appropriate
 11 offices of the Bureau of Land Management.

12 **SEC. 3. USE OF MOTORIZED VEHICLES FOR LIVESTOCK**
 13 **MONITORING, HERDING, AND GRAZING.**

14 Section 1503(b)(3)(A) of the Omnibus Public Land
 15 Management Act of 2009 (Public Law 111–11; 123 Stat.
 16 1034) is amended by inserting “(including the use of
 17 motor vehicles for livestock monitoring, herding, and gath-
 18 ering in those areas)” before “shall be allowed”.

19 **SEC. 4. REPORT ON LIVESTOCK GRAZING MANAGEMENT**
 20 **ACTIVITIES.**

21 (a) IN GENERAL.—Not later than 90 days after the
 22 date of enactment of this Act, the Secretary of the Interior
 23 shall submit to the appropriate Committees of Congress
 24 a report describing all livestock grazing management ac-
 25 tivities that were authorized in the areas designated as

1 wilderness by section 1503 of the Omnibus Public Land
 2 Management Act of 2009 (Public Law 111–11; 123 Stat.
 3 1032) on the day before the date on which those wilder-
 4 ness areas were designated.

5 (b) USE.—The Secretary shall use the report sub-
 6 mitted under subsection (a) to assist in the management
 7 of livestock grazing in the wilderness areas referred to in
 8 subsection (a).

9 **SEC. 3. LIMITED MOTORIZED USE FOR LIVESTOCK OPER-**
 10 **ATIONS.**

11 (a) *IN GENERAL.*—The holder of a grazing permit
 12 within the Pole Creek Wilderness and the Owyhee River
 13 Wilderness designated by subtitle F of title I of the Omnibus
 14 Public Land Management Act of 2009 (Public Law 111–
 15 11; 123 Stat. 1032) (referred to in this section as the “wil-
 16 derness areas”) shall be allowed continued limited motor-
 17 ized use in the wilderness areas to support livestock oper-
 18 ations in accordance with this section if—

19 (1) the use occurred prior to the designation of
 20 the wilderness areas; and

21 (2) the Secretary of the Interior (referred to in
 22 this section as the “Secretary”), as part of the min-
 23 imum requirements analysis required under sub-
 24 section (b)(1) and consistent with section 4(d)(4) of
 25 the Wilderness Act (16 U.S.C. 1133(d)(4)) and the

1 *guidelines set forth in Appendix A of the report of the*
 2 *Committee on Interior and Insular Affairs of the*
 3 *House of Representatives accompanying H.R. 2570 of*
 4 *the 101st Congress (House Report 101-405), has au-*
 5 *thorized the permittee to conduct limited motorized*
 6 *use within the wilderness areas as of the date of en-*
 7 *actment of this Act.*

8 *(b) MINIMUM REQUIREMENTS ANALYSIS.—*

9 *(1) IN GENERAL.—The Secretary shall conduct a*
 10 *minimum requirements analysis for motorized use*
 11 *within the wilderness areas as part of the renewal*
 12 *process for the affected grazing permit.*

13 *(2) INCLUSION.—As part of the analysis con-*
 14 *ducted under paragraph (1), the Secretary shall ana-*
 15 *lyze the impacts of limited motorized use for livestock*
 16 *operations on vegetation, wildlife, and cultural re-*
 17 *sources within the wilderness areas.*

18 *(3) EFFECT.—Nothing in this section prohibits*
 19 *the Secretary from modifying or terminating motor-*
 20 *ized use for livestock operations within the wilderness*
 21 *areas authorized under this section if, based on the*
 22 *analysis required under this subsection, the Secretary*
 23 *finds that the motorized use within the wilderness*
 24 *areas is not consistent with—*

1 (A) section 4(d)(4) of the Wilderness Act (16
2 U.S.C. 1133(d)(4)); and

3 (B) the guidelines set forth in Appendix A
4 of the report of the Committee on Interior and
5 Insular Affairs of the House of Representatives
6 accompanying H.R. 2570 of the 101st Congress
7 (House Report 101–405).

8 (c) *INTERIM AUTHORIZATION.*—Until the date on
9 which the analysis described in subsection (b) is completed,
10 the Secretary shall permit limited motorized use for live-
11 stock operations in the wilderness areas at not more than
12 the level authorized as of the date of enactment of this Act,
13 subject to such terms and conditions as the Secretary deter-
14 mines necessary.

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