

115TH CONGRESS
1ST SESSION

S. 1714

To provide for the conduct of certain economic activities in Malheur County, Oregon, to provide for the conduct of a study on the need for a regional economic commission for certain counties in the State of Oregon, to withdraw certain Federal land located in Malheur County, Oregon, from all forms of entry, appropriation, or disposal under the public land laws, location, entry, and patent under the mining laws, and operation under the mineral leasing laws, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 2, 2017

Mr. WYDEN (for himself and Mr. MERKLEY) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To provide for the conduct of certain economic activities in Malheur County, Oregon, to provide for the conduct of a study on the need for a regional economic commission for certain counties in the State of Oregon, to withdraw certain Federal land located in Malheur County, Oregon, from all forms of entry, appropriation, or disposal under the public land laws, location, entry, and patent under the mining laws, and operation under the mineral leasing laws, 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. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) IN GENERAL.—This Act may be cited as the
3 “Southeastern Oregon Development Act”.

4 (b) TABLE OF CONTENTS.—The table of contents for
5 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—ECONOMIC DEVELOPMENT ACTIVITIES IN
SOUTHEASTERN OREGON

Sec. 101. Water development.

Sec. 102. Establishment of an Agricultural Center for Rangeland Excellence.

Sec. 103. Rural fire assistance.

Sec. 104. Infrastructure assistance to promote economic development in rural
communities.

Sec. 105. Workforce development training grants.

Sec. 106. Authorization of appropriations.

TITLE II—REGIONAL COMMISSION STUDY

Sec. 201. Study.

TITLE III—SOUTHEASTERN OREGON WITHDRAWAL AREA

Sec. 301. Definitions.

Sec. 302. Designation of Southeastern Oregon Withdrawal Area.

Sec. 303. Purposes and management.

Sec. 304. Authorization of appropriations.

Sec. 305. Effect of title.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) CITY.—The term “City” means a city or
9 unincorporated community in the County.

10 (2) COUNTY.—The term “County” means
11 Malheur County, Oregon.

12 (3) SECRETARY.—The term “Secretary” means
13 the Secretary of the Interior.

1 (4) STATE.—The term “State” means the State
2 of Oregon.

3 (5) WITHDRAWAL AREA.—The term “with-
4 drawal area” means the Southeastern Oregon With-
5 drawal Area established by section 302(a).

6 **TITLE I—ECONOMIC DEVELOP-**
7 **MENT ACTIVITIES IN SOUTH-**
8 **EASTERN OREGON**

9 **SEC. 101. WATER DEVELOPMENT.**

10 (a) IN GENERAL.—The Secretary of Agriculture shall
11 provide grants for projects in the State to develop modern
12 and efficient water systems that are designed—

13 (1) to provide adequate water supply and im-
14 prove water storage for livestock, other agricultural
15 users, and wildlife;

16 (2) to keep livestock out of rivers, streams, and
17 riparian areas; and

18 (3) to find innovative ways to address water
19 needs for fighting fires and protecting habitats.

20 (b) UPDATES AND REPLACEMENTS TO WATERING
21 SYSTEMS.—In providing grants under subsection (a), the
22 Secretary of Agriculture may provide grants for projects
23 in the State to update or replace watering systems within
24 the boundary of the withdrawal area with more efficient
25 systems.

1 **SEC. 102. ESTABLISHMENT OF AN AGRICULTURAL CENTER**
2 **FOR RANGELAND EXCELLENCE.**

3 The Secretary of Agriculture shall establish an Agri-
4 cultural Center for Rangeland Excellence to be located in
5 the County—

6 (1) to collaborate with the Department of Agri-
7 culture Research Station in Harney County, Oregon,
8 Oregon State University Extension Livestock Range-
9 land Management Program in the County, local ag-
10 ricultural producers, and other entities, as appro-
11 priate;

12 (2) to conduct rangeland and grazing research,
13 including the conduct of research that addresses
14 invasive species and water storage improvements for
15 livestock and wildlife;

16 (3) to collaborate with agricultural researchers
17 and producers in the County and surrounding area
18 to improve grazing practices; and

19 (4) to provide to the Director of the Bureau of
20 Land Management any findings of the Center to as-
21 sist in preparing applicable allotment management
22 plans.

23 **SEC. 103. RURAL FIRE ASSISTANCE.**

24 (a) REAUTHORIZATION OF RURAL FIREFIGHTER AS-
25 SISTANCE PROGRAM.—

1 (1) USE OF FUNDS.—Section 6405(d) of the
2 Farm Security and Rural Investment Act of 2002 (7
3 U.S.C. 2655(d)) is amended—

4 (A) in paragraph (9), by striking “or” at
5 the end;

6 (B) in paragraph (10), by striking the pe-
7 riod at the end and inserting “; or”; and

8 (C) by adding at the end the following:

9 “(11) to fund operating expenses of firefighters,
10 including expenses for training, equipment, insur-
11 ance, maintenance, and fuel.”.

12 (2) AUTHORIZATION OF APPROPRIATIONS.—
13 Section 6405(g)(1) of the Farm Security and Rural
14 Investment Act of 2002 (7 U.S.C. 2655(g)(1)) is
15 amended by striking “each of fiscal years 2008
16 through 2012” and inserting “each fiscal year”.

17 (3) LIMITATION.—Section 6405 of the Farm
18 Security and Rural Investment Act of 2002 (7
19 U.S.C. 2655) is amended by adding at the end the
20 following:

21 “(h) LIMITATION.—In carrying out the program
22 under this section, the Secretary shall, to the maximum
23 extent practicable, minimize the administrative and paper-
24 work burden imposed on recipients of financial assistance
25 under this section.”.

1 (b) SURPLUS EQUIPMENT PROGRAM.—The Secre-
 2 taries of Homeland Security and Defense and the Sec-
 3 retary (referred to in this subsection as the “Secretaries”)
 4 shall establish a program within the Departments of
 5 Homeland Security, Defense, and the Interior, respec-
 6 tively, under which the Secretaries shall transfer to States
 7 and units of local government surplus equipment of the
 8 applicable Department that can be used in firefighting, in-
 9 cluding surplus mechanical equipment and communication
 10 devices.

11 (c) ESTABLISHMENT OF FUEL BREAKS ALONG CER-
 12 TAIN ELIGIBLE ACCESS ROADS.—

13 (1) IN GENERAL.—The Secretary shall establish
 14 a program within the Bureau of Land Management
 15 for the establishment and maintenance of strategic
 16 fuel breaks from which firefighters would be able to
 17 safely operate—

18 (A) to preserve critical sage grouse habitat;

19 and

20 (B) to support the ranching community in
 21 the vicinity of the fuel breaks.

22 (2) PRIORITY.—In determining the placement
 23 of strategic fuel breaks under paragraph (1), the
 24 Secretary shall—

1 (A) consult with land managers to assess
 2 whether the fuel break serves the purposes de-
 3 scribed in that paragraph; and

4 (B) give priority to fuel breaks that the
 5 Secretary determines would serve the purposes
 6 described in that paragraph.

7 **SEC. 104. INFRASTRUCTURE ASSISTANCE TO PROMOTE**
 8 **ECONOMIC DEVELOPMENT IN RURAL COM-**
 9 **MUNITIES.**

10 (a) INFRASTRUCTURE GRANTS FOR COMMUNITIES IN
 11 THE COUNTY.—

12 (1) IN GENERAL.—The Secretary of Agriculture
 13 (acting through the Under Secretary for Rural De-
 14 velopment) (referred to in this subsection as the
 15 “Secretary”) shall provide to eligible communities
 16 described in paragraph (2) grants for infrastructure
 17 projects in the eligible communities, including—

18 (A) projects relating to drinking water and
 19 wastewater systems; and

20 (B) projects for the improvement of
 21 broadband or cellular service.

22 (2) ELIGIBLE COMMUNITY.—An eligible com-
 23 munity referred to in paragraph (1) is a community
 24 that is—

1 (A) incorporated or recognized in the
 2 County land use plan or a regional land use
 3 plan; or

4 (B) within tribal jurisdictional boundaries
 5 in the County.

6 (3) APPLICATION.—To be eligible to receive a
 7 grant under this subsection an eligible community
 8 described in paragraph (2) shall submit to the Sec-
 9 retary an application at such time, in such manner,
 10 and containing such information as the Secretary
 11 may require.

12 (b) STUDY OF RURAL AIR SERVICE.—

13 (1) IN GENERAL.—Not later than 2 years after
 14 the date of enactment of this Act, the Secretary of
 15 Transportation shall conduct a study of infrastruc-
 16 ture needs in rural communities and improvements
 17 for rural air services and infrastructure that would
 18 support commercial, charter, or subscription air
 19 service at the Ontario Municipal Airport, which shall
 20 focus on—

21 (A) the air service needs of the County and
 22 surrounding areas;

23 (B) improving access for tourism to the
 24 County;

1 (C) supporting firefighting staging and de-
2 ployment;

3 (D) supporting commercial, recreational,
4 and agricultural needs; and

5 (E) improving economic development op-
6 portunities in the County through transpor-
7 tation improvements.

8 (2) REPORT.—On completion of the study
9 under paragraph (1), the Secretary of Transpor-
10 tation shall submit to the appropriate committees of
11 Congress a report that describes the results of the
12 study.

13 (c) CONSTRUCTION OF INNOVATIVE AGRICULTURAL
14 TRANSPORTATION INFRASTRUCTURE.—

15 (1) GRANT.—The Secretary of Transportation
16 may provide to the State a grant for the construc-
17 tion or improvement of transportation systems facili-
18 tating the efficient movement of agricultural and
19 other products through the Treasure Valley Inter-
20 modal Transfer Facility in the County.

21 (2) APPLICATIONS.—To be eligible to receive a
22 grant under this subsection, the State shall submit
23 to the Secretary of Transportation an application at
24 such time, in such manner, and containing such in-

1 formation as the Secretary of Transportation may
 2 require.

3 (d) TRANSPORTATION SYSTEM IMPROVEMENTS.—

4 (1) IN GENERAL.—The Secretary of Transpor-
 5 tation shall provide financial assistance to the Coun-
 6 ty for the conduct of projects that would improve—

7 (A) the downtown area of the Cities and
 8 surrounding communities; and

9 (B) transportation within the Cities, in-
 10 cluding—

11 (i) projects relating to—

12 (I) pedestrian, bicycle, and tran-
 13 sit access in the Cities; and

14 (II) safety corridors in the Cities;

15 (ii) projects to improve access to, and
 16 improvements for, trails along waterfronts
 17 in the Cities;

18 (iii) projects to ensure the availability
 19 of transit for senior citizens; and

20 (iv) projects to improve the avail-
 21 ability of transit for workers and individ-
 22 uals needing transportation to healthcare
 23 appointments.

24 (2) APPLICATIONS.—To be eligible to receive fi-
 25 nancial assistance under this subsection, the County

1 shall submit to the Secretary of Transportation an
 2 application at such time, in such manner, and con-
 3 taining such information as the Secretary of Trans-
 4 portation may require.

5 (e) LAKE OWYHEE ROAD TRANSPORTATION IM-
 6 PROVEMENT PROJECTS.—

7 (1) IN GENERAL.—The Secretary of Transpor-
 8 tation shall provide to the State grants to support
 9 transportation projects to improve—

10 (A) the safety and security of the Owyhee
 11 Project; and

12 (B) transportation access routes associated
 13 with the Owyhee Project.

14 (2) APPLICATIONS.—To be eligible to receive a
 15 grant under this subsection, the State shall submit
 16 to the Secretary of Transportation an application at
 17 such time, in such manner, and containing such in-
 18 formation as the Secretary of Transportation may
 19 require.

20 **SEC. 105. WORKFORCE DEVELOPMENT TRAINING GRANTS.**

21 (a) DEFINITIONS.—In this section:

22 (1) ELIGIBLE ENTITY.—

23 (A) IN GENERAL.—The term “eligible enti-
 24 ty” means a public or private nonprofit agency

1 or organization or a consortium of public or pri-
2 vate nonprofit agencies or organizations.

3 (B) INCLUSIONS.—The term “eligible enti-
4 ty” includes—

5 (i) a community-based organization;

6 (ii) a faith-based organization;

7 (iii) an entity carrying out activities
8 under title I of the Workforce Innovation
9 and Opportunity Act (29 U.S.C. 3111 et
10 seq.), such as a local board;

11 (iv) a community action agency;

12 (v) a State or local housing develop-
13 ment agency;

14 (vi) an Indian tribe or other agency
15 primarily serving members of Indian
16 tribes;

17 (vii) a community development cor-
18 poration;

19 (viii) a State or local youth service or
20 conservation corps; and

21 (ix) any other entity eligible to provide
22 education or employment training under a
23 Federal program (other than the program
24 carried out under this section).

1 (2) SECRETARY.—The term “Secretary” means
2 the Secretary of Labor.

3 (b) ESTABLISHMENT OF GRANT PROGRAM.—The
4 Secretary shall establish within the Employment and
5 Training Administration of the Department of Labor a
6 program to provide to eligible entities grants for the con-
7 duct of workforce development training activities in the
8 County.

9 (c) PRIORITIES.—In providing grants under sub-
10 section (b), the Secretary shall give priority to activities
11 relating to—

12 (1) providing career technical education and
13 training to youth under the Malheur County Poverty
14 to Prosperity program;

15 (2) training for adults that are reentering the
16 workforce or seeking to improve career opportuni-
17 ties; and

18 (3) training in agriculture and ranching for vet-
19 erans and youth, including the use of innovative ag-
20 ricultural practices and conservation techniques.

21 (d) APPLICATIONS.—To be eligible to receive finan-
22 cial assistance under this section, an eligible entity shall
23 submit to the Secretary an application at such time, in
24 such manner, and containing such information as the Sec-
25 retary may require.

1 **SEC. 106. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated such sums
3 as are necessary to carry out this title.

4 **TITLE II—REGIONAL**
5 **COMMISSION STUDY**

6 **SEC. 201. STUDY.**

7 (a) IN GENERAL.—Not later than 1 year after the
8 date of enactment of this Act, the Secretary of Agriculture
9 shall conduct a study on the need for an economic regional
10 commission based on economic need in each of the fol-
11 lowing counties in the State:

- 12 (1) Malheur County.
13 (2) Klamath County.
14 (3) Lake County.
15 (4) Harney County.
16 (5) Grant County.
17 (6) Baker County.
18 (7) Wheeler County.

19 (b) REPORT.—The Secretary of Agriculture shall
20 submit to Congress a report on the results of the study
21 under subsection (a).

22 **TITLE III—SOUTHEASTERN**
23 **OREGON WITHDRAWAL AREA**

24 **SEC. 301. DEFINITIONS.**

25 In this title:

1 (1) ELIGIBLE FEDERAL LAND.—The term “eli-
2 gible Federal land” means—

3 (A) any federally owned land or interest in
4 the federally owned land depicted on the Map;
5 and

6 (B) any land or interest in land located
7 within the withdrawal area that is acquired by
8 the Federal Government after the date of enact-
9 ment of this Act.

10 (2) MAP.—The term “Map” means the map en-
11 titled “Southeastern Oregon Mineral Withdrawal
12 Map–Proposed” and dated June 7, 2016.

13 **SEC. 302. DESIGNATION OF SOUTHEASTERN OREGON WITH-**
14 **DRAWAL AREA.**

15 (a) IN GENERAL.—There is established the South-
16 eastern Oregon Withdrawal Area, comprising approxi-
17 mately 2,065,000 acres of eligible Federal land in the
18 County, as generally depicted on the Map.

19 (b) WITHDRAWAL.—Subject to valid existing rights,
20 the eligible Federal land is withdrawn from all forms of—

21 (1) entry, appropriation, and disposal under the
22 public land laws;

23 (2) location, entry, and patent under the mining
24 laws; and

25 (3) operation under the mineral leasing laws.

1 (c) AVAILABILITY OF MAP.—The Map shall be on file
 2 and available for inspection in the appropriate offices of
 3 the Director of the Bureau of Land Management.

4 (d) EFFECT ON GEOTHERMAL LEASES.—This sec-
 5 tion shall not apply to geothermal leases issued as of or
 6 after the date of enactment of this Act in the withdrawal
 7 area.

8 **SEC. 303. PURPOSES AND MANAGEMENT.**

9 (a) PURPOSES.—The purposes of the withdrawal area
 10 are—

11 (1) to preserve the traditional uses and values
 12 of the communities in the vicinity of the withdrawal
 13 area;

14 (2) to protect against the harmful effects min-
 15 ing and oil and gas extraction could have on the
 16 unique and important resources of the region, par-
 17 ticularly water quality, grazing, and other economic
 18 development opportunities; and

19 (3)(A) to support the continuation of grazing in
 20 and around the withdrawal area; and

21 (B) to recognize the significance of grazing in
 22 the economy, history, and culture of the County.

23 (b) MAPS AND LEGAL DESCRIPTION.—

24 (1) IN GENERAL.—As soon as practicable after
 25 the date of enactment of this Act, the Secretary

1 shall file with the Committee on Energy and Natural
2 Resources of the Senate and the Committee on Nat-
3 ural Resources of the House of Representatives a
4 map and legal description of the withdrawal area.

5 (2) FORCE AND EFFECT.—The map and legal
6 description filed under paragraph (1) shall have the
7 same force and effect as if included in this title, ex-
8 cept that the Secretary may correct clerical and ty-
9 pographical errors in the map and legal description.

10 (3) AVAILABILITY.—The map and legal descrip-
11 tion filed under paragraph (1) shall be on file and
12 available for public inspection in—

13 (A) the office of the Director of the Bu-
14 reau of Land Management; and

15 (B) the appropriate office of the Bureau of
16 Land Management in the State.

17 **SEC. 304. AUTHORIZATION OF APPROPRIATIONS.**

18 There are authorized to be appropriated such sums
19 as are necessary to carry out this title.

20 **SEC. 305. EFFECT OF TITLE.**

21 Nothing in this title restricts livestock grazing, law
22 enforcement activities, wildfire management, hunting,
23 fishing, fish and wildlife management activities, other au-
24 thorized uses, or Federal, State, or local agency authori-

- 1 ties allowed on the date of enactment of this Act on the
- 2 eligible Federal land in accordance with applicable law.

