

Public Law 107-374
107th Congress

An Act

To direct the Secretary of the Interior to grant to Deschutes and Crook Counties in the State of Oregon a right-of-way to West Butte Road.

Dec. 19, 2002

[H.R. 4953]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. COUNTY RIGHT-OF-WAY TO WEST BUTTE ROAD IN THE STATE OF OREGON.

(a) DEFINITIONS.—In this Act:

(1) WEST BUTTE ROAD.—The term “West Butte Road” means the unpaved Bureau of Land Management road in the State of Oregon identified on the map as BLM Road 6520.

(2) COUNTY.—The term “County” means each of Crook County and Deschutes County in the State of Oregon.

(3) MAP.—The term “map” means the map entitled “West Butte Road Right of Way” dated July 17, 2002.

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(b) GRANT TO COUNTIES.—Notwithstanding any other Act, and subject to subsection (d), the Secretary shall grant to each County a right-of-way to the West Butte Road.

(c) BOUNDARIES.—

(1) IN GENERAL.—Subject to paragraph (2), the rights-of-way granted under subsection (b) shall—

(A) extend in length from Reservoir Road in Crook County to United States Route 20 in Deschutes County, Oregon; and

(B) shall extend in width 100 feet on each side of the centerline of West Butte Road.

(2) MODIFICATIONS.—

(A) STATE ROADS.—

(i) IN GENERAL.—The Secretary shall amend the existing rights-of-way of each of the Counties as contained in their respective road case files to include the rights-of-way granted under subsection (b).

(ii) EFFECT.—The rights-of-way amended under clause (i) shall be subject to the common terms, conditions, and stipulations identified in the Counties’ rights-of-way grants that apply on the date of enactment of this Act.

(iii) CONSIDERATION OF ENVIRONMENTAL CONCERNS.—Environmental concerns associated with any development of the West Butte Road shall be addressed by the County in meeting compliance requirements

associated with State and Federal highway projects and the National Environmental Policy Act of 1969 as administered by the Federal Highway Administration.

(B) WEST BUTTE ROAD.—Notwithstanding any other Act, the Secretary shall provide for adjustment to the right-of-way width and alignment granted under subsection (b) in portions of the West Butte Road necessary for the road to meet applicable State and Federal highway standards.

SEC. 2. RELINQUISHMENT OF RIGHT-OF-WAY.

The right-of-way granted to each County under subsection (b) of section 1 shall be contingent upon the Counties relinquishing any right, title, or interest in and to any RS 2477 right-of-way claim held by the Counties to the portion of the road known as George Millican Road that is located in the area described in subsection (c)(1) of section 1.

Approved December 19, 2002.

LEGISLATIVE HISTORY—H.R. 4953 (S. 2482):

HOUSE REPORTS: No. 107-637 (Comm. on Resources).

SENATE REPORTS: No. 107-277 accompanying S. 2482 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 148 (2002):

Sept. 24, considered and passed House.

Nov. 19, considered and passed Senate.

