

STEENS MOUNTAIN COOPERATIVE MANAGEMENT AND
PROTECTION ACT OF 2000

OCTOBER 3, 2000.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

R E P O R T

[To accompany H.R. 4828]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 4828) to designate wilderness areas and a cooperative management and protection area in the vicinity of Steens Mountain in Harney County, Oregon, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; PURPOSES; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Steens Mountain Cooperative Management and Protection Act of 2000”.

(b) **PURPOSES.**—The purposes of this Act are the following:

(1) To maintain the cultural, economic, ecological, and social health of the Steens Mountain area in Harney County, Oregon.

(2) To designate the Steens Mountain Wilderness Area.

(3) To designate the Steens Mountain Cooperative Management and Protection Area.

(4) To provide for the acquisition of private lands through exchange for inclusion in the Wilderness Area and the Cooperative Management and Protection Area.

(5) To provide for and expand cooperative management activities between public and private landowners in the vicinity of the Wilderness Area and surrounding lands.

(6) To authorize the purchase of land and development and nondevelopment rights.

(7) To designate additional components of the National Wild and Scenic Rivers System.

(8) To establish a reserve for redband trout and a wildlands juniper management area.

(9) To establish a citizens’ management advisory council for the Cooperative Management and Protection Area.

(10) To maintain and enhance cooperative and innovative management practices between the public and private land managers in the Cooperative Management and Protection Area.

(11) To promote viable and sustainable grazing and recreation operations on private and public lands.

(12) To conserve, protect, and manage for healthy watersheds and the long-term ecological integrity of Steens Mountain.

(13) To authorize only such uses on Federal lands in the Cooperative Management and Protection Area that are consistent with the purposes of this Act.

(c) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

- Sec. 1. Short title; purposes; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Maps and legal descriptions.
- Sec. 4. Valid existing rights.
- Sec. 5. Protection of tribal rights.

TITLE I—STEENS MOUNTAIN COOPERATIVE MANAGEMENT AND PROTECTION AREA

Subtitle A—Designation and Purposes

- Sec. 101. Designation of Steens Mountain Cooperative Management and Protection Area.
- Sec. 102. Purpose and objectives of Cooperative Management and Protection Area.

Subtitle B—Management of Federal Lands

- Sec. 111. Management authorities and purposes.
- Sec. 112. Roads and travel access.
- Sec. 113. Land use authorities.
- Sec. 114. Land acquisition authority.
- Sec. 115. Special use permits.

Subtitle C—Cooperative Management

- Sec. 121. Cooperative management agreements.
- Sec. 122. Cooperative efforts to control development and encourage conservation.

Subtitle D—Advisory Council

- Sec. 131. Establishment of advisory council.
- Sec. 132. Advisory role in management activities.
- Sec. 133. Science committee.

TITLE II—STEENS MOUNTAIN WILDERNESS AREA

- Sec. 201. Designation of Steens Mountain Wilderness Area.
- Sec. 202. Administration of Wilderness Area.
- Sec. 203. Water rights.
- Sec. 204. Treatment of wilderness study areas.

TITLE III—WILD AND SCENIC RIVERS AND TROUT RESERVE

- Sec. 301. Designation of streams for wild and scenic river status in Steens Mountain area.
- Sec. 302. Donner und Blitzen River redband trout reserve.

TITLE IV—MINERAL WITHDRAWAL AREA

- Sec. 401. Designation of mineral withdrawal area.
- Sec. 402. Treatment of State lands and mineral interests.

TITLE V—ESTABLISHMENT OF WILDLANDS JUNIPER MANAGEMENT AREA

- Sec. 501. Wildlands juniper management area.
- Sec. 502. Release from wilderness study area status.

TITLE VI—LAND EXCHANGES

- Sec. 601. Land exchange, Roaring Springs Ranch.
- Sec. 602. Land exchanges, C.M. Otley and Otley Brothers.
- Sec. 603. Land exchange, Tom J. Davis Livestock, Incorporated.
- Sec. 604. Land exchange, Lowther (Clemens) Ranch.
- Sec. 605. General provisions applicable to land exchanges.

TITLE VII—FUNDING AUTHORITIES

- Sec. 701. Authorization of appropriations.
- Sec. 702. Use of land and water conservation fund.

SEC. 2. DEFINITIONS.

In this Act:

(1) **ADVISORY COUNCIL.**—The term “advisory council” means the Steens Mountain Advisory Council established by title IV.

(2) **COOPERATIVE MANAGEMENT AGREEMENT.**—An agreement to plan or implement (or both) cooperative recreation, ecological, grazing, fishery, vegetation, prescribed fire, cultural site protection, wildfire or other measures to beneficially meet public use needs and the public land and private land objectives of this Act.

(3) **COOPERATIVE MANAGEMENT AND PROTECTION AREA.**—The term “Cooperative Management and Protection Area” means the Steens Mountain Cooperative Management and Protection Area designated by title I.

(4) EASEMENTS.—

(A) CONSERVATION EASEMENT.—The term “conservation easement” means a binding contractual agreement between the Secretary and a landowner in the Cooperative Management and Protection Area under which the landowner, permanently or during a time period specified in the agreement, agrees to conserve or restore habitat, open space, scenic, or other ecological resource values on the land covered by the easement.

(B) NONDEVELOPMENT EASEMENT.—The term “nondevelopment easement” means a binding contractual agreement between the Secretary and a landowner in the Cooperative Management and Protection Area that will, permanently or during a time period specified in the agreement—

(i) prevent or restrict development on the land covered by the easement; or

(ii) protect open space or viewshed.

(5) ECOLOGICAL INTEGRITY.—The term “ecological integrity” means a landscape where ecological processes are functioning to maintain the structure, composition, activity, and resilience of the landscape over time, including—

(A) a complex of plant communities, habitats and conditions representative of variable and sustainable successional conditions; and

(B) the maintenance of biological diversity, soil fertility, and genetic interchange.

(6) MANAGEMENT PLAN.—The term “management plan” means the management plan for the Cooperative Management and Protection Area and the Wilderness Area required to be prepared by section 111(b).

(7) REDBAND TROUT RESERVE.—The term “Redband Trout Reserve” means the Donner und Blitzen Redband Trout Reserve designated by section 302.

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

(9) SCIENCE COMMITTEE.—The term “science committee” means the committee of independent scientists appointed under section 133.

(10) WILDERNESS AREA.—The term “Wilderness Area” means the Steens Mountain Wilderness Area designated by title II.

SEC. 3. MAPS AND LEGAL DESCRIPTIONS.

(a) PREPARATION AND SUBMISSION.—As soon as practicable after the date of the enactment of this Act, the Secretary shall prepare and submit to Congress maps and legal descriptions of the following:

(1) The Cooperative Management and Protection Area.

(2) The Wilderness Area.

(3) The wild and scenic river segments and redband trout reserve designated by title III.

(4) The mineral withdrawal area designated by title IV.

(5) The wildlands juniper management area established by title V.

(6) The land exchanges required by title VI.

(b) LEGAL EFFECT AND CORRECTION.—The maps and legal descriptions referred to in subsection (a) shall have the same force and effect as if included in this Act, except the Secretary may correct clerical and typographical errors in such maps and legal descriptions.

(c) PUBLIC AVAILABILITY.—Copies of the maps and legal descriptions referred to in subsection (a) shall be on file and available for public inspection in the Office of the Director of the Bureau of Land Management and in the appropriate office of the Bureau of Land Management in the State of Oregon.

SEC. 4. VALID EXISTING RIGHTS.

Nothing in this Act shall effect any valid existing right.

SEC. 5. PROTECTION OF TRIBAL RIGHTS.

Nothing in this Act shall be construed to diminish the rights of any Indian tribe. Nothing in this Act shall be construed to diminish tribal rights, including those of the Burns Paiute Tribe, regarding access to Federal lands for tribal activities, including spiritual, cultural, and traditional food gathering activities.

TITLE I—STEENS MOUNTAIN COOPERATIVE MANAGEMENT AND PROTECTION AREA

Subtitle A—Designation and Purposes

SEC. 101. DESIGNATION OF STEENS MOUNTAIN COOPERATIVE MANAGEMENT AND PROTECTION AREA.

(a) **DESIGNATION.**—The Secretary shall designate the Steens Mountain Cooperative Management and Protection Area consisting of approximately 425,550 acres of Federal land located in Harney County, Oregon, in the vicinity of Steens Mountain, as generally depicted on the map entitled “Steens Mountain Boundary Map” and dated September 18, 2000.

(b) **CONTENTS OF MAP.**—In addition to the general boundaries of the Cooperative Management and Protection Area, the map referred to in subsection (a) also depicts the general boundaries of the following:

- (1) The no livestock grazing area described in section 113(e).
- (2) The mineral withdrawal area designated by title IV.
- (3) The wildlands juniper management area established by title V.

SEC. 102. PURPOSE AND OBJECTIVES OF COOPERATIVE MANAGEMENT AND PROTECTION AREA.

(a) **PURPOSE.**—The purpose of the Cooperative Management and Protection Area is to conserve, protect, and manage the long-term ecological integrity of Steens Mountain for future and present generations.

(b) **OBJECTIVES.**—To further the purpose specified in subsection (a), and consistent with such purpose, the Secretary shall manage the Cooperative Management and Protection Area for the benefit of present and future generations—

- (1) to maintain and enhance cooperative and innovative management projects, programs and agreements between tribal, public, and private interests in the Cooperative Management and Protection Area;
- (2) to promote grazing, recreation, historic, and other uses that are sustainable;
- (3) to conserve, protect and to ensure traditional access to cultural, gathering, religious, and archaeological sites by the Burns Paiute Tribe on Federal lands and to promote cooperation with private landowners;
- (4) to ensure the conservation, protection, and improved management of the ecological, social, and economic environment of the Cooperative Management and Protection Area, including geological, biological, wildlife, riparian, and scenic resources; and
- (5) to promote and foster cooperation, communication, and understanding and to reduce conflict between Steens Mountain users and interests.

Subtitle B—Management of Federal Lands

SEC. 111. MANAGEMENT AUTHORITIES AND PURPOSES.

(a) **IN GENERAL.**—The Secretary shall manage all Federal lands included in the Cooperative Management and Protection Area pursuant to the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and other applicable provisions of law, including this Act, in a manner that—

- (1) ensures the conservation, protection, and improved management of the ecological, social and economic environment of the Cooperative Management and Protection Area, including geological, biological, wildlife, riparian, and scenic resources, North American Indian tribal and cultural and archaeological resource sites, and additional cultural and historic sites; and
- (2) recognizes and allows current and historic recreational use.

(b) **MANAGEMENT PLAN.**—Within four years after the date of the enactment of this Act, the Secretary shall develop a comprehensive plan for the long-range protection and management of the Federal lands included in the Cooperative Management and Protection Area, including the Wilderness Area. The plan shall—

- (1) describe the appropriate uses and management of the Cooperative Management and Protection Area consistent with this Act;
- (2) incorporate, as appropriate, decisions contained in any current or future management or activity plan for the Cooperative Management and Protection Area and use information developed in previous studies of the lands within or adjacent to the Cooperative Management and Protection Area;

(3) provide for coordination with State, county, and private local landowners and the Burns Paiute Tribe; and

(4) determine measurable and achievable management objectives, consistent with the management objectives in section 102, to ensure the ecological integrity of the area.

(c) **MONITORING.**—The Secretary shall implement a monitoring program for Federal lands in the Cooperative Management and Protection Area so that progress towards ecological integrity objectives can be determined.

SEC. 112. ROADS AND TRAVEL ACCESS.

(a) **TRANSPORTATION PLAN.**—The management plan shall include, as an integral part, a comprehensive transportation plan for the Federal lands included in the Cooperative Management and Protection Area, which shall address the maintenance, improvement, and closure of roads and trails as well as travel access.

(b) **PROHIBITION ON OFF-ROAD MOTORIZED TRAVEL.**—

(1) **PROHIBITION.**—The use of motorized or mechanized vehicles on Federal lands included in the Cooperative Management and Protection Area—

(A) is prohibited off road; and

(B) is limited to such roads and trails as may be designated for their use as part of the management plan.

(2) **EXCEPTIONS.**—Paragraph (1) does not prohibit the use of motorized or mechanized vehicles on Federal lands included in the Cooperative Management and Protection Area if the Secretary determines that such use—

(A) is needed for administrative purposes or to respond to an emergency;

or

(B) is appropriate for the construction or maintenance of agricultural facilities, fish and wildlife management, or ecological restoration projects, except in areas designated as wilderness or managed under the provisions of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782).

(c) **ROAD CLOSURES.**—Any determination to permanently close an existing road in the Cooperative Management and Protection Area or to restrict the access of motorized or mechanized vehicles on certain roads shall be made in consultation with the advisory council and the public.

(d) **PROHIBITION ON NEW CONSTRUCTION.**—

(1) **PROHIBITION, EXCEPTION.**—No new road or trail for motorized or mechanized vehicles may be constructed on Federal lands in the Cooperative Management and Protection Area unless the Secretary determines that the road or trail is necessary for public safety or protection of the environment. Any determination under this subsection shall be made in consultation with the advisory council and the public.

(2) **TRAILS.**—Nothing in this subsection is intended to limit the authority of the Secretary to construct or maintain trails for nonmotorized or nonmechanized use.

(e) **ACCESS TO NONFEDERALLY OWNED LANDS.**—

(1) **REASONABLE ACCESS.**—The Secretary shall provide reasonable access to nonfederally owned lands or interests in land within the boundaries of the Cooperative Management and Protection Area and the Wilderness Area to provide the owner of the land or interest the reasonable use thereof.

(2) **EFFECT ON EXISTING RIGHTS-OF-WAY.**—Nothing in this Act shall have the effect of terminating any valid existing right-of-way on Federal lands included in the Cooperative Management and Protection Area.

SEC. 113. LAND USE AUTHORITIES.

(a) **IN GENERAL.**—The Secretary shall allow only such uses of the Federal lands included in the Cooperative Management and Protection Area as the Secretary finds will further the purposes for which the Cooperative Management and Protection Area is established.

(b) **COMMERCIAL TIMBER.**—

(1) **PROHIBITION.**—The Federal lands included in the Cooperative Management and Protection Area shall not be made available for commercial timber harvest.

(2) **LIMITED EXCEPTION.**—The Secretary may authorize the removal of trees from Federal lands in the Cooperative Management and Protection Area only if the Secretary determines that the removal is clearly needed for purposes of ecological restoration and maintenance or for public safety. Except in the Wilderness Area and the wilderness study areas referred to in section 204(a), the Secretary may authorize the sale of products resulting from the authorized removal of trees under this paragraph.

(c) JUNIPER MANAGEMENT.—The Secretary shall emphasize the restoration of the historic fire regime in the Cooperative Management and Protection Area and the resulting native vegetation communities through active management of Western Juniper on a landscape level. Management measures shall include the use of natural and prescribed burning.

(d) HUNTING, FISHING, AND TRAPPING.—

(1) AUTHORIZATION.—The Secretary shall permit hunting, fishing, and trapping on Federal lands included in the Cooperative Management and Protection Area in accordance with applicable laws and regulations of the United States and the State of Oregon.

(2) AREA AND TIME LIMITATIONS.—After consultation with the Oregon Department of Fish and Wildlife, the Secretary may designate zones where, and establish periods when, hunting, trapping or fishing is prohibited on Federal lands included in the Cooperative Management and Protection Area for reasons of public safety, administration, or public use and enjoyment.

(e) GRAZING.—

(1) CONTINUATION OF EXISTING LAW.—Except as otherwise provided in this Act, the laws, regulations, and executive orders otherwise applicable to the Bureau of Land Management in issuing and administering grazing leases and permits on lands under its jurisdiction shall apply in regard to the Federal lands included in the Cooperative Management and Protection Area.

(2) CANCELLATION OF CERTAIN PERMITS.—The Secretary shall cancel that portion of the permitted grazing on Federal lands in the Fish Creek/Big Indian, East Ridge, and South Steens allotments located within the area designated as the “no livestock grazing area” on the map referred to in section 101(a). Upon cancellation, future grazing use in that designated area is prohibited. The Secretary shall be responsible for installing and maintaining any fencing required for resource protection within the designated no livestock grazing area.

(3) FORAGE REPLACEMENT.—Reallocation of available forage shall be made as follows:

(A) O’Keefe pasture within the Miners Field allotment to Stafford Ranches.

(B) Fields Seeding and Bone Creek Pasture east of the county road within the Miners Field allotment to Amy Ready.

(C) Miners Field Pasture, Schouver Seeding and Bone Creek Pasture west of the county road within the Miners Field allotment to Roaring Springs Ranch.

(D) 800 animal unit months within the Crows Nest allotment to Lowther (Clemens) Ranch.

(4) FENCING AND WATER SYSTEMS.—The Secretary shall also construct fencing and develop water systems as necessary to allow reasonable and efficient livestock use of the forage resources referred to in paragraph (3).

(f) PROHIBITION ON CONSTRUCTION OF FACILITIES.—No new facilities may be constructed on Federal lands included in the Cooperative Management and Protection Area unless the Secretary determines that the structure—

(1) will be minimal in nature;

(2) is consistent with the purposes of this Act; and

(3) is necessary—

(A) for enhancing botanical, fish, wildlife, or watershed conditions;

(B) for public information, health, or safety;

(C) for the management of livestock; or

(D) for the management of recreation, but not for the promotion of recreation.

(g) WITHDRAWAL.—Subject to valid existing rights, the Federal lands and interests in lands included in the Cooperative Management and Protection Areas are hereby withdrawn from all forms of entry, appropriation, or disposal under the public land laws, except in the case of land exchanges if the Secretary determines that the exchange furthers the purpose and objectives specified in section 102 and so certifies to Congress.

SEC. 114. LAND ACQUISITION AUTHORITY.

(a) ACQUISITION.—

(1) ACQUISITION AUTHORIZED.—In addition to the land acquisitions authorized by title VI, the Secretary may acquire other non-Federal lands and interests in lands located within the boundaries of the Cooperative Management and Protection Area or the Wilderness Area.

(2) ACQUISITION METHODS.—Lands may be acquired under this subsection only by voluntary exchange, donation, or purchase from willing sellers.

(b) TREATMENT OF ACQUIRED LANDS.—

(1) **IN GENERAL.**—Subject to paragraphs (2) and (3), lands or interests in lands acquired under subsection (a) or title VI that are located within the boundaries of the Cooperative Management and Protection Area shall—

(A) become part of the Cooperative Management and Protection Area; and
(B) be managed pursuant to the laws applicable to the Cooperative Management and Protection Area.

(2) **LANDS WITHIN WILDERNESS AREA.**—If lands or interests in lands acquired under subsection (a) or title VI are within the boundaries of the Wilderness Area, the acquired lands or interests in lands shall—

(A) become part of the Wilderness Area; and
(B) be managed pursuant to title II and the other laws applicable to the Wilderness Area.

(3) **LANDS WITHIN WILDERNESS STUDY AREA.**—If the lands or interests in lands acquired under subsection (a) or title VI are within the boundaries of a wilderness study area, the acquired lands or interests in lands shall—

(A) become part of that wilderness study area; and
(B) be managed pursuant to the laws applicable to that wilderness study area.

(c) **APPRAISAL.**—In appraising non-Federal land, development rights, or conservation easements for possible acquisition under this section or section 122, the Secretary shall disregard any adverse impacts on values resulting from the designation of the Cooperative Management and Protection Area or the Wilderness Area.

SEC. 115. SPECIAL USE PERMITS.

The Secretary may renew a special recreational use permit applicable to lands included in the Wilderness Area to the extent that the Secretary determines that the permit is consistent with the Wilderness Act (16 U.S.C. 1131 et seq.). If renewal is not consistent with the Wilderness Act, the Secretary shall seek other opportunities for the permit holder through modification of the permit to realize historic permit use to the extent that the use is consistent with the Wilderness Act and this Act, as determined by the Secretary.

Subtitle C—Cooperative Management

SEC. 121. COOPERATIVE MANAGEMENT AGREEMENTS.

(a) **COOPERATIVE EFFORTS.**—To further the purposes and objectives for which the Cooperative Management and Protection Area is designated, the Secretary may work with non-Federal landowners and other parties who voluntarily agree to participate in the cooperative management of Federal and non-Federal lands in the Cooperative Management and Protection Area.

(b) **AGREEMENTS AUTHORIZED.**—The Secretary may enter into a cooperative management agreement with any party to provide for the cooperative conservation and management of the Federal and non-Federal lands subject to the agreement.

(c) **OTHER PARTICIPANTS.**—With the consent of the landowners involved, the Secretary may permit permittees, special-use permit holders, other Federal and State agencies, and interested members of the public to participate in a cooperative management agreement as appropriate to achieve the resource or land use management objectives of the agreement.

(d) **TRIBAL CULTURAL SITE PROTECTION.**—The Secretary may enter into agreements with the Burns Paiute Tribe to protect cultural sites in the Cooperative Management and Protection Area of importance to the tribe.

SEC. 122. COOPERATIVE EFFORTS TO CONTROL DEVELOPMENT AND ENCOURAGE CONSERVATION.

(a) **POLICY.**—Development on public and private lands within the boundaries of the Cooperative Management and Protection Area which is different from the current character and uses of the lands is inconsistent with the purposes of this Act.

(b) **USE OF NONDEVELOPMENT AND CONSERVATION EASEMENTS.**—The Secretary may enter into a nondevelopment easement or conservation easement with willing landowners to further the purposes of this Act.

(c) **CONSERVATION INCENTIVE PAYMENTS.**—The Secretary may provide technical assistance, cost-share payments, incentive payments, and education to a private landowner in the Cooperative Management and Protection Area who enters into a contract with the Secretary to protect or enhance ecological resources on the private land covered by the contract if those protections or enhancements benefit public lands.

(d) **RELATION TO PROPERTY RIGHTS AND STATE AND LOCAL LAW.**—Nothing in this Act is intended to affect rights or interests in real property or supersede State law.

Subtitle D—Advisory Council

SEC. 131. ESTABLISHMENT OF ADVISORY COUNCIL.

(a) **ESTABLISHMENT.**—The Secretary shall establish the Steens Mountain Advisory Council to advise the Secretary in managing the Cooperative Management and Protection Area and in promoting the cooperative management under subtitle C.

(b) **MEMBERS.**—The advisory council shall consist of 12 voting members, to be appointed by the Secretary, as follows:

(1) A private landowner in the Cooperative Management and Protection Area, appointed from nominees submitted by the county court for Harney County, Oregon.

(2) Two persons who are grazing permittees on Federal lands in the Cooperative Management and Protection Area, appointed from nominees submitted by the county court for Harney County, Oregon.

(3) A person interested in fish and recreational fishing in the Cooperative Management and Protection Area, appointed from nominees submitted by the Governor of Oregon.

(4) A member of the Burns Paiute Tribe, appointed from nominees submitted by the Burns Paiute Tribe.

(5) Two persons who are recognized environmental representatives, one of whom shall represent the State as a whole, and one of whom is from the local area, appointed from nominees submitted by the Governor of Oregon.

(6) A person who participates in what is commonly called dispersed recreation, such as hiking, camping, nature viewing, nature photography, bird watching, horse back riding, or trail walking, appointed from nominees submitted by the Oregon State Director of the Bureau of Land Management.

(7) A person who is a recreational permit holder or is a representative of a commercial recreation operation in the Cooperative Management and Protection Area, appointed from nominees submitted jointly by the Oregon State Director of the Bureau of Land Management and the county court for Harney County, Oregon.

(8) A person who participates in what is commonly called mechanized or consumptive recreation, such as hunting, fishing, off-road driving, hang gliding, or parasailing, appointed from nominees submitted by the Oregon State Director of the Bureau of Land Management.

(9) A person with expertise and interest in wild horse management on Steens Mountain, appointed from nominees submitted by the Oregon State Director of the Bureau of Land Management.

(10) A person who has no financial interest in the Cooperative Management and Protection Area to represent statewide interests, appointed from nominees submitted by the Governor of Oregon.

(c) **CONSULTATION.**—In reviewing nominees submitted under subsection (b) for possible appointment to the advisory council, the Secretary shall consult with the respective community of interest that the nominees are to represent to ensure that the nominees have the support of their community of interest.

(d) **TERMS.**—

(1) **STAGGERED TERMS.**—Members of the advisory council shall be appointed for terms of three years, except that, of the members first appointed, four members shall be appointed for a term of one year and four members shall be appointed for a term of two years.

(2) **REAPPOINTMENT.**—A member may be reappointed to serve on the advisory council.

(3) **VACANCY.**—A vacancy on the advisory council shall be filled in the same manner as the original appointment.

(d) **CHAIRPERSON AND PROCEDURES.**—The advisory council shall elect a chairperson and establish such rules and procedures as it deems necessary or desirable.

(e) **SERVICE WITHOUT COMPENSATION.**—Members of the advisory council shall serve without pay, but the Secretary shall reimburse members for reasonable expenses incurred in carrying out official duties as a member of the council.

(f) **ADMINISTRATIVE SUPPORT.**—The Secretary shall provide the advisory council with necessary administrative support and shall designate an appropriate officer of the Bureau of Land Management to serve as the Secretary's liaison to the council.

(g) **STATE LIAISON.**—The Secretary shall appoint one person, nominated by the Governor of Oregon, to serve as the State government liaison to the advisory council.

(h) **APPLICABLE LAW.**—The advisory committee shall be subject to the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and the Federal Advisory Committee Act (5 U.S.C. App.).

SEC. 132. ADVISORY ROLE IN MANAGEMENT ACTIVITIES.

(a) **MANAGEMENT RECOMMENDATIONS.**—The advisory committee shall utilize sound science, existing plans for the management of Federal lands included in the Cooperative Management and Protection Area, and other tools to formulate recommendations for the Secretary regarding—

(1) new and unique approaches to the management of lands within the boundaries of the Cooperative Management and Protection Area; and

(2) cooperative programs and incentives for seamless landscape management that meets human needs and maintains and improves the ecological and economic integrity of the Cooperative Management and Protection Area.

(b) **PREPARATION OF MANAGEMENT PLAN.**—The Secretary shall consult with the advisory committee as part of the preparation and implementation of the management plan.

(c) **SUBMISSION OF RECOMMENDATIONS.**—No recommendations may be presented to the Secretary by the advisory council without the agreement of at least nine members of the advisory council.

SEC. 133. SCIENCE COMMITTEE.

The Secretary shall appoint, as needed or at the request of the advisory council, a team of respected, knowledgeable, and diverse scientists to provide advice on questions relating to the management of the Cooperative Management and Protection Area to the Secretary and the advisory council. The Secretary shall seek the advice of the advisory council in making these appointments.

TITLE II—STEENS MOUNTAIN WILDERNESS AREA

SEC. 201. DESIGNATION OF STEENS MOUNTAIN WILDERNESS AREA.

The Federal lands in the Cooperative Management and Protection Area depicted as wilderness on the map entitled “Steens Mountain Wilderness Area” and dated September 18, 2000, are hereby designated as wilderness and therefore as a component of the National Wilderness Preservation System. The wilderness area shall be known as the Steens Mountain Wilderness Area.

SEC. 202. ADMINISTRATION OF WILDERNESS AREA.

(a) **GENERAL RULE.**—The Secretary shall administer the Wilderness Area in accordance with this title and the Wilderness Act (16 U.S.C. 1131 et seq.). Any reference in the Wilderness Act to the effective date of that Act (or any similar reference) shall be deemed to be a reference to the date of the enactment of this Act.

(b) **WILDERNESS BOUNDARIES ALONG ROADS.**—Where a wilderness boundary exists along a road, the wilderness boundary shall be set back from the centerline of the road, consistent with the Bureau of Land Management’s guidelines as established in its Wilderness Management Policy.

(c) **ACCESS TO NON-FEDERAL LANDS.**—The Secretary shall provide reasonable access to private lands within the boundaries of the Wilderness Area, as provided in section 112(d).

(d) **GRAZING.**—

(1) **ADMINISTRATION.**—Except as provided in section 113(e)(2), grazing of livestock shall be administered in accordance with the provision of section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)), in accordance with the provisions of this Act, and in accordance with the guidelines set forth in Appendices A and B of House Report 101–405 of the 101st Congress.

(2) **RETIREMENT OF CERTAIN PERMITS.**—The Secretary shall permanently retire all grazing permits applicable to certain lands in the Wilderness Area, as depicted on the map referred to in subsection (a), and livestock shall be excluded from these lands.

SEC. 203. WATER RIGHTS.

(a) **RESERVATION.**—Congress hereby reserves a quantity of water sufficient to fulfill the purposes for which the Wilderness Area are designated. The priority date of such reserved rights shall be the date of the enactment of this Act.

(b) **PROTECTION.**—The Secretary shall take such steps as may be necessary to protect the rights reserved by subsection (a), including the filing by the Secretary of a claim for the quantification of the rights in any present or future appropriate stream adjudication in the courts of the State of Oregon in which the United States is or may be joined and which is conducted in accordance with section 208 of the Act of July 10, 1952 (43 U.S.C. 666; commonly referred the McCarran Amendment).

(c) RELATION TO OTHER RESERVATIONS.—Nothing in this Act shall be construed as a relinquishment or reduction of any water rights reserved or appropriated by the United States in the State of Oregon on or before the date of enactment of this Act.

SEC. 204. TREATMENT OF WILDERNESS STUDY AREAS.

(a) STATUS UNAFFECTED.—Any wilderness study area, or portion of a wilderness study area, within the boundaries of the Cooperative Management and Protection Area but not included in the Wilderness Area shall remain a wilderness study area notwithstanding the enactment of this Act.

(b) MANAGEMENT.—

(1) APPLICABLE LAWS.—The wilderness study areas referred to in subsection (a) shall continue to be managed under section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)) in a manner so as not to impair the suitability of the areas for preservation as wilderness.

(2) CERTAIN ACTIVITIES PERMITTED.—Consistent with section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the Secretary may permit water developments, juniper management, and fencing in a wilderness study area referred to in subsection (a) when necessary to protect or enhance wilderness values. The Secretary may not permit management of juniper species in the wilderness study areas with mechanized tools unless the Secretary first considers nonmechanized treatments and the recommendations of the science committee and the advisory council.

(c) EXPANSION OF BASQUE HILLS WILDERNESS STUDY AREA.—The boundaries of the Basque Hills Wilderness Study Area are hereby expanded to include the Federal lands within sections 8, 16, 17, 21, 22, and 27 of township 36 south, range 31 east, Willamette Meridian. These lands shall be managed under section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)) to protect and enhance the wilderness values of these lands.

TITLE III—WILD AND SCENIC RIVERS AND TROUT RESERVE

SEC. 301. DESIGNATION OF STREAMS FOR WILD AND SCENIC RIVER STATUS IN STEENS MOUNTAIN AREA.

(a) EXPANSION OF DONNER UND BLITZEN WILD RIVER.—Section 3(a)(74) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(74)) is amended—

(1) by striking “the” at the beginning of each subparagraph and inserting “The”;

(2) by striking the semicolon at the end of subparagraphs (A), (B), (C), and (D) and inserting a period;

(3) by striking “; and” at the end of subparagraph (E) and inserting a period; and

(4) by adding at the end the following new subparagraphs:

“(G) The 5.1 mile segment of Mud Creek from its confluence with an unnamed spring in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of section 32, township 33 south, range 33 east, to its confluence with the Donner und Blitzen River.

“(H) The 8.1 mile segment of Ankle Creek from its headwaters to its confluence with the Donner und Blitzen River.

“(I) The 1.6 mile segment of the South Fork of Ankle Creek from its confluence with an unnamed tributary in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of section 17, township 34 south, range 33 east, to its confluence with Ankle Creek.”.

(b) DESIGNATION OF WILDHORSE CREEK, OREGON.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following new paragraph:

“(163) WILDHORSE CREEK, OREGON.—The following segments in the Steens Mountain Cooperative Management and Protection Area in the State of Oregon, to be administered by the Secretary of the Interior as a wild river:

“(A) The 2.6 mile segment of Little Wildhorse Creek from its headwaters to its confluence with Wildhorse Creek.

“(B) The 7.0 mile segment of Wildhorse Creek from its headwaters, and including .36 stream miles into section 34, township 34 south, range 33 east.”.

(c) MANAGEMENT.—Where management requirements for a stream segment described in the amendments made by this section differ between the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.) and the Wilderness Area, the more restrictive requirements shall apply.

SEC. 302. DONNER UND BLITZEN RIVER REDBAND TROUT RESERVE.

- (a) FINDINGS.—The Congress finds the following:
- (1) Those portions of the Donner und Blitzen River in the Wilderness Area are an exceptional environmental resource that provides habitat for unique populations of native fish, migratory waterfowl, and other wildlife resources, including a unique population of redband trout.
 - (2) Redband trout represent a unique natural history reflecting the Pleistocene connection between the lake basins of eastern Oregon and the Snake and Columbia Rivers.
- (b) DESIGNATION OF RESERVE.—The Secretary shall designate the Donner und Blitzen Redband Trout Reserve consisting of the Donner und Blitzen River in the Wilderness Area above its confluence with Fish Creek and the Federal riparian lands immediately adjacent to the river.
- (c) RESERVE PURPOSES.—The purposes of the Redband Trout Reserve are—
- (1) to conserve, protect, and enhance the Donner und Blitzen River population of redband trout and the unique ecosystem of plants, fish, and wildlife of a river system; and
 - (2) to provide opportunities for scientific research, environmental education, and fish and wildlife oriented recreation and access to the extent compatible with paragraph (1).
- (d) EXCLUSION OF PRIVATE LANDS.—The Redband Trout Reserve does not include any private lands adjacent to the Donner und Blitzen River or its tributaries.
- (e) ADMINISTRATION.—
- (1) IN GENERAL.—The Secretary shall administer all lands, waters, and interests therein in the Redband Trout Reserve consistent with the Wilderness Act (16 U.S.C. 1131 et seq.) and the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.).
 - (2) CONSULTATION.—In administering the Redband Trout Reserve, the Secretary shall consult with the advisory council and cooperate with the Oregon Department of Fish and Wildlife.
 - (3) RELATION TO RECREATION.—To the extent consistent with applicable law, the Secretary shall manage recreational activities in the Redband Trout Reserve in a manner that conserves the unique population of redband trout native to the Donner und Blitzen River.
 - (4) REMOVAL OF DAM.—The Secretary shall remove the dam located below the mouth of Fish Creek and above Page Springs if removal of the dam is scientifically justified and funds are available for such purpose.
- (f) OUTREACH AND EDUCATION.—The Secretary may work with, provide technical assistance to, provide community outreach and education programs for or with, or enter into cooperative agreements with private landowners, State and local governments or agencies, and conservation organizations to further the purposes of the Redband Trout Reserve.

TITLE IV—MINERAL WITHDRAWAL AREA**SEC. 401. DESIGNATION OF MINERAL WITHDRAWAL AREA.**

- (a) DESIGNATION.—Subject to valid existing rights, the Federal lands and interests in lands included within the withdrawal boundary as depicted on the map referred to in section 101(a) are hereby withdrawn from—
- (1) location, entry and patent under the mining laws; and,
 - (2) operation of the mineral leasing and geothermal leasing laws and from the minerals materials laws and all amendments thereto except as specified in subsection (b).
- (b) ROAD MAINTENANCE.—If consistent with the purposes of this Act and the management plan for the Cooperative Management and Protection Area, the Secretary may permit the development of saleable mineral resources, for road maintenance use only, in those locations identified on the map referred to in section 101(a) as an existing “gravel pit” within the mineral withdrawal boundaries (excluding the Wilderness Area, wilderness study areas, and designated segments of the National Wild and Scenic Rivers System) where such development was authorized before the date of enactment of this Act.

SEC. 402. TREATMENT OF STATE LANDS AND MINERAL INTERESTS.

The Secretary shall acquire all right, title, and interest of the State of Oregon in lands owned by the State within the boundaries of the mineral withdrawal area designated pursuant to section 401 in exchange for—

- (1) Federal lands or Federal mineral interests that are outside the boundaries of the mineral withdrawal area, are of approximately equal value, and are agreed to by the parties;
- (2) a monetary payment to the State; or
- (3) a combination of a conveyance under paragraph (1) and a monetary payment under paragraph (2).

TITLE V—ESTABLISHMENT OF WILDLANDS JUNIPER MANAGEMENT AREA

SEC. 501. WILDLANDS JUNIPER MANAGEMENT AREA.

(a) **ESTABLISHMENT.**—To further the purposes of section 113(c), the Secretary shall establish a special management area consisting of certain Federal lands in the Cooperative Management and Protection Area, as depicted on the map referred to in section 101(a), which shall be known as the Wildlands Juniper Management Area.

(b) **MANAGEMENT.**—Special management practices shall be adopted for the Wildlands Juniper Management Area for the purposes of experimentation, education, interpretation, and demonstration of active and passive management intended to restore the historic fire regime and native vegetation communities on Steens Mountain.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—In addition to the authorization of appropriations in section 701, there is authorized to be appropriated \$5,000,000 to carry out this section and section 113(c) regarding juniper management in the Cooperative Management and Protection Area.

SEC. 502. RELEASE FROM WILDERNESS STUDY AREA STATUS.

The Federal lands included in the Wildlands Juniper Management Area established under section 501 are no longer subject to the requirement of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)) pertaining to managing the lands so as not to impair the suitability of the lands for preservation as wilderness.

TITLE VI—LAND EXCHANGES

SEC. 601. LAND EXCHANGE, ROARING SPRINGS RANCH.

(a) **EXCHANGE AUTHORIZED.**—For the purpose of protecting and consolidating Federal lands within the Cooperative Management and Protection Area, the Secretary may carry out a land exchange with Roaring Springs Ranch, Incorporated, to convey all right, title, and interest of the United States in and to certain parcels of land under the jurisdiction of the Bureau of Land Management in the vicinity of Steens Mountain, Oregon, as depicted on the map referred to in section 605(a), consisting of a total of approximately 76,373.53 acres in exchange for the private lands described in subsection (b).

(b) **RECEIPT OF NON-FEDERAL LANDS.**—As consideration for the conveyance of the Federal lands referred to in subsection (a), Roaring Springs Ranch, Incorporated, shall convey to the Secretary parcels of land consisting of approximately 10,908.72 acres, as depicted on the map referred to in section 605(a), for inclusion in the Wilderness Area, a wilderness study area, and the no livestock grazing area as appropriate.

(c) **TREATMENT OF GRAZING.**—Paragraphs (2) and (3) of section 113(e), relating to the effect of the cancellation in part of grazing permits for the South Steens allotment in the Wilderness Area and reassignment of use areas as described in paragraph (3)(C) of such section, shall apply to the land exchange authorized by this section.

(d) **ECONOMIC ADJUSTMENT DISBURSEMENTS.**—Upon the completion of the land exchange authorized by this section, the Secretary shall make an economic adjustment disbursement to the Roaring Springs Ranch, Incorporated, in the amount of \$2,889,000 to compensate for lost productivity and economic activity caused by the dislocation and reallocation of resources and the disruption and termination of traditional management techniques as a result of the enactment of this Act.

(e) **COMPLETION OF CONVEYANCE.**—The Secretary shall complete the conveyance of the Federal lands under subsection (a) within 70 days after the Secretary accepts the lands described in subsection (b).

SEC. 602. LAND EXCHANGES, C.M. OTLEY AND OTLEY BROTHERS.

(a) **C.M. OTLEY EXCHANGE.**—

(1) EXCHANGE AUTHORIZED.—For the purpose of protecting and consolidating Federal lands within the Cooperative Management and Protection Area, the Secretary may carry out a land exchange with C.M. Otley to convey all right, title, and interest of the United States in and to certain parcels of land under the jurisdiction of the Bureau of Land Management in the vicinity of Steens Mountain, Oregon, as depicted on the map referred to in section 605(a), consisting of a total of approximately 3,844.58 acres in exchange for the private lands described in paragraph (2).

(2) RECEIPT OF NON-FEDERAL LANDS.—As consideration for the conveyance of the Federal lands referred to in paragraph (1), C.M. Otley shall convey to the Secretary a parcel of land in the headwaters of Kiger gorge consisting of approximately 851.13 acres, as depicted on the map referred to in section 605(a), for inclusion in the Wilderness Area and the no livestock grazing area as appropriate.

(3) ECONOMIC ADJUSTMENT DISBURSEMENTS.—Upon the completion of the land exchange authorized by this subsection, the Secretary shall make an economic adjustment disbursement to C.M. Otley in the amount of \$920,000 to compensate for lost productivity and economic activity caused by the dislocation and reallocation of resources and the disruption and termination of traditional management techniques as a result of the enactment of this Act.

(b) OTLEY BROTHERS EXCHANGE.—

(1) EXCHANGE AUTHORIZED.—For the purpose of protecting and consolidating Federal lands within the Cooperative Management and Protection Area, the Secretary may carry out a land exchange with the Otley Brother's, Inc., to convey all right, title, and interest of the United States in and to certain parcels of land under the jurisdiction of the Bureau of Land Management in the vicinity of Steens Mountain, Oregon, as depicted on the map referred to in section 605(a), consisting of a total of approximately 6,880.54 acres in exchange for the private lands described in paragraph (2).

(2) RECEIPT OF NON-FEDERAL LANDS.—As consideration for the conveyance of the Federal lands referred to in paragraph (1), the Otley Brother's, Inc., shall convey to the Secretary a parcel of land in the headwaters of Kiger gorge consisting of approximately 504.91 acres, as depicted on the map referred to in section 605(a), for inclusion in the Wilderness Area and the no livestock grazing area as appropriate.

(3) ECONOMIC ADJUSTMENT DISBURSEMENTS.—Upon the completion of the land exchange authorized by this subsection, the Secretary shall make an economic adjustment disbursement to Otley Brother's, Inc., in the amount of \$400,000 to compensate for lost productivity and economic activity caused by the dislocation and reallocation of resources and the disruption and termination of traditional management techniques as a result of the enactment of this Act.

(c) COMPLETION OF CONVEYANCE.—The Secretary shall complete the conveyances of the Federal lands under subsections (a) and (b) within 70 days after the Secretary accepts the lands described in such subsections.

SEC. 603. LAND EXCHANGE, TOM J. DAVIS LIVESTOCK, INCORPORATED.

(a) EXCHANGE AUTHORIZED.—For the purpose of protecting and consolidating Federal lands within the Wilderness Area, the Secretary may carry out a land exchange with Tom J. Davis Livestock, Incorporated, to convey all right, title, and interest of the United States in and to certain parcels of land under the jurisdiction of the Bureau of Land Management in the vicinity of Steens Mountain, Oregon, as depicted on the map referred to in section 605(a), consisting of a total of approximately 5,339.51 acres in exchange for the private lands described in subsection (b).

(b) RECEIPT OF NON-FEDERAL LANDS.—As consideration for the conveyance of the Federal lands referred to in subsection (a), Tom J. Davis Livestock, Incorporated, shall convey to the Secretary a parcel of land consisting of approximately 5,103.2 acres, as depicted on the map referred to in section 605(a), for inclusion in the Wilderness Area.

(c) ECONOMIC ADJUSTMENT DISBURSEMENTS.—Upon the completion of the land exchange authorized by this section, the Secretary shall make an economic adjustment disbursement to Tom J. Davis Livestock, Incorporated, in the amount of \$800,000 to compensate for lost productivity and economic activity caused by the dislocation and reallocation of resources and the disruption and termination of traditional management techniques as a result of the enactment of this Act.

(d) COMPLETION OF CONVEYANCE.—The Secretary shall complete the conveyance of the Federal lands under subsection (a) within 70 days after the Secretary accepts the lands described in subsection (b).

SEC. 604. LAND EXCHANGE, LOWTHER (CLEMENS) RANCH.

(a) EXCHANGE AUTHORIZED.—For the purpose of protecting and consolidating Federal lands within the Cooperative Management and Protection Area, the Secretary may carry out a land exchange with the Lowther (Clemens) Ranch to convey all right, title, and interest of the United States in and to certain parcels of land under the jurisdiction of the Bureau of Land Management in the vicinity of Steens Mountain, Oregon, as depicted on the map referred to in section 605(a), consisting of a total of approximately 11,795.84 acres in exchange for the private lands described in subsection (b).

(b) RECEIPT OF NON-FEDERAL LANDS.—As consideration for the conveyance of the Federal lands referred to in subsection (a), the Lowther (Clemens) Ranch shall convey to the Secretary a parcel of land consisting of approximately 1,077.67 acres, as depicted on the map referred to in section 605(a), for inclusion in the Cooperative Management and Protection Area.

(c) TREATMENT OF GRAZING.—Paragraphs (2) and (3) of section 113(e), relating to the effect of the cancellation in whole of the grazing permit for the Fish Creek/Big Indian allotment in the Wilderness Area and reassignment of use areas as described in paragraph (3)(D) of such section, shall apply to the land exchange authorized by this section.

(d) ECONOMIC ADJUSTMENT DISBURSEMENTS.—Upon the completion of the land exchange authorized by this section, the Secretary shall make an economic adjustment disbursement to the Lowther (Clemens) Ranch in the amount of \$148,000 to compensate for lost productivity and economic activity caused by the dislocation and reallocation of resources and the disruption and termination of traditional management techniques as a result of the enactment of this Act.

(e) COMPLETION OF CONVEYANCE.—The Secretary shall complete the conveyance of the Federal lands under subsection (a) within 70 days after the Secretary accepts the lands described in subsection (b).

SEC. 605. GENERAL PROVISIONS APPLICABLE TO LAND EXCHANGES.

(a) MAP.—The land conveyances described in this title are generally depicted on the map entitled “Steens Mountain Land Exchanges” and dated September 18, 2000.

(b) APPLICABLE LAW.—Except as otherwise provided in this section, the exchange of Federal land under this title is subject to the existing laws and regulations applicable to the conveyance and acquisition of land under the jurisdiction of the Bureau of Land Management. It is anticipated that the Secretary will be able to carry out such land exchanges without the promulgation of additional regulations and without regard to the notice and comment provisions of section 553 of title 5, United States Code.

(c) CONDITIONS ON ACCEPTANCE.—Title to the non-Federal lands to be conveyed under this title must be acceptable to the Secretary, and the conveyances shall be subject to valid existing rights of record. The non-Federal lands shall conform with the title approval standards applicable to Federal land acquisitions.

(d) LEGAL DESCRIPTIONS.—The exact acreage and legal description of all lands to be exchanged under this title shall be determined by surveys satisfactory to the Secretary. The costs of any such survey, as well as other administrative costs incurred to execute a land exchange under this title, shall be borne by the Secretary.

TITLE VII—FUNDING AUTHORITIES**SEC. 701. AUTHORIZATION OF APPROPRIATIONS.**

Except as provided in section 702, there is hereby authorized to be appropriated such sums as may be necessary to carry out this Act.

SEC. 702. USE OF LAND AND WATER CONSERVATION FUND.

(a) AVAILABILITY OF FUND.—There are authorized to be appropriated \$25,000,000 from the land and water conservation fund established under section 2 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–5) to provide funds for the acquisition of land and interests in land under section 114 and to enter into nondevelopment easements and conservation easements under subsections (b) and (c) of section 122.

(b) TERM OF USE.—Amounts appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available until expended.

PURPOSE OF THE BILL

The purpose of H.R. 4828 is to designate wilderness areas and a cooperative management and protection area in the vicinity of Steens Mountain in Harney County, Oregon, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

The Steens Mountain area in southeastern Oregon is a unique geologic formation that is home to a wide diversity of flora and fauna. The Steens Mountain fault block stretches sixty miles, rises to an elevation of 9,700 feet and drops 5,500 feet in three miles to the historic lakebed of the Alvord Desert.

The federal lands on Steens Mountain are managed by the Bureau of Land Management, an agency of the Department of the Interior. There is significant private ownership in the area, with over 270 separate landowners controlling about one-third of the land. There are several large ranching operations that graze their livestock on both public and private lands in the Steens Mountain area.

In 1999, the Secretary of the Interior publicly indicated that, in his judgment, the Steens Mountain area was in need of protection beyond that provided in federal law for lands managed as public domain lands. The Secretary further indicated that if Congress did not enact additional protections for the area, he would recommend to the President that the area be designated as a National Monument under the Antiquities Act of 1906.

This determination by the Secretary was in contrast to the recommendation by the Southeast Oregon Resource Advisory Council (RAC) on October 22, 1999, that “[c]urrent management programs are working and there should be no designation of a National Park or National Monument.” The Southeast Oregon RAC is a federal advisory committee appointed by the Secretary of the Interior.

Faced with the prospect of a National Monument designation, which was opposed by the majority of local residents, the Oregon delegation began a lengthy negotiation process that included the Governor of Oregon and the Secretary of the Interior. This bill, as reported out of the Committee on Resources, is the product of those negotiations, and is intended to enhance statutory protections for the area while maintaining the viability of historic ranching and recreational operations in the Steens Mountain area.

The Committee recognizes that the legislation contains no language to address the transitions that will occur as the land exchanges are executed and the management plan for the Cooperative Management and Protection Area is developed. It is the Committee’s understanding that the Department of the Interior has existing management plans and other guidelines that will be used during this interim period.

H.R. 4828 would withdraw about 1.2 million acres from mining and geothermal development, and designate about 174,000 acres as wilderness. It would also create a non-grazing zone of approximately 100,000 acres as well as a 500,000 acre Cooperative Management and Protection Area. In addition, H.R. 4828 would establish the Wildlands Juniper Management Area, expand the Donner und Blitzen Wild and Scenic River, designate the Donner und

Blitzen Redband Trout Reserve, authorize the Secretary of the Interior to carry out a number of land exchanges to facilitate the purposes of this legislation, and allow the conservation of these lands to remain under local management.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title; purposes; table of contents

Section 1 contains the short title (the Steens Mountain Cooperative Management and Protection Act of 2000), a list of the purposes of the bill, and the table of contents.

Section 2. Definitions

Section 2 defines the terms: “Advisory Council”; “Cooperative Management Agreement”; “Cooperative Management and Protection Area”; “Conservation Easement”; “Nondevelopment Easement”; “Ecological Integrity”; “Management Plan”; “Redband Trout Reserve”; “Secretary”; “Science Committee”; and “Wilderness Area”.

Section 3. Maps and legal descriptions

This section directs the Secretary of the Interior to prepare and submit to Congress maps and legal descriptions of the six specified areas.

Section 4. Valid existing rights

Nothing in this bill affects valid existing rights.

Section 5. Protection of tribal rights

This section clarifies the effect of the bill on Indian tribal rights.

TITLE I—STEENS MOUNTAIN COOPERATIVE MANAGEMENT AND PROTECTION AREA

Section 101. Designation of Steens Mountain Cooperative Management and Protection Area

Under this section, the Secretary of the Interior shall designate the Steens Mountain Cooperative Management and Protection Area, consisting of approximately 425,550 acres of federal land in Harney County, Oregon.

Section 102. Purpose and objectives of Cooperative Management and Protection Area

Section 102 sets forth the purpose and objectives for the Area.

Section 111. Management authorities and purposes

This section sets forth provisions regarding management of federal lands in the Area. It requires a plan, within four years of enactment, for the long-range protection and management of such lands.

Section 112. Roads and travel access

This section requires a comprehensive transportation plan for federal lands in the Area as part of the Management Plan. It prohibits off-road travel on federal lands in the Area, except under certain circumstances. Any determination to close an existing road or

to restrict vehicular access on certain roads requires consultation with the advisory council and the public. The section bars construction of roads or trails for motorized vehicles unless the Secretary determines it necessary for public safety or environmental protection. The Secretary shall provide reasonable access to nonfederal lands in the Area. Nothing in the bill shall terminate a valid existing right-of-way on federal lands in the Area.

Section 113. Land use authorities

Section 113 allows only such uses of federal lands in the Area as the Secretary finds further the purposes for which the Area is established. The section prohibits commercial timber harvest, and permits the removal of trees only if needed for ecological restoration and maintenance or public safety. It authorizes the sale of forest products from removals outside the wilderness areas or wilderness study areas. The section describes juniper management priorities and goals in the Area. It permits hunting, fishing and trapping on Area lands, with certain limitations. The section requires the cancellation of grazing permits on specified allotments, designates forage replacements in other allotments, and requires the Secretary to construct fencing and water developments on replacement allotments. The section bars the construction of new facilities on federal lands in the Area unless minimal in nature and consistent with the purposes of the bill. Section 113 withdraws federal lands in the Area from all forms of entry, appropriation, or disposal under the public land laws, except for certain exchanges.

Section 114. Land acquisition authority

Section 114 authorizes the Secretary to acquire non-federal lands and interests in lands in the Area or the wilderness areas established by this bill. The section stipulates how acquired lands will be managed. In appraising lands, the Secretary shall disregard any adverse impacts on values resulting from the designation of the Area.

Section 115. Special use permits

Section 115 authorizes the Secretary to renew a special recreational use permit to the extent the permit is consistent with the Wilderness Act. If not, the Secretary is directed to seek other opportunities for the permit holder to realize historic permit use.

Section 121. Cooperative management agreements

This section authorizes the Secretary to work with non-federal landowners in the Area who agree to participate in the cooperative management of federal and non-federal lands in the Area. It permits the Secretary to enter into agreements with the Burns Paiute Tribe to protect cultural sites in the Area.

Section 122. Cooperative efforts to control development and encourage conservation

This section outlines cooperative efforts to control development and encourage conservation. Nothing in this bill is intended to affect rights or interests in real property or supersede State law.

Section 131. Establishment of advisory council

This section requires the Secretary to establish the Steens Mountain Advisory Council to advise the Secretary in managing the wilderness areas and the Area and in promoting cooperative management. The section specifies how the 12 voting members will be nominated. All members will be appointed by the Secretary. The section further specifies terms, administrative support, state liaison, and laws applicable to the advisory council.

Section 132. Advisory role in management activities

Section 132 outlines the role of the advisory council in developing recommendations for the Secretary regarding the management of the Area.

Section 133. Science Committee

Section 133 directs the Secretary to appoint, as needed or at the advisory council's request, a team of scientists to provide advice on questions relating to Area management.

TITLE II—STEENS MOUNTAIN WILDERNESS AREAS

Section 201. Designation of Steens Mountain Wilderness Area

This section designates certain federal lands within the Area as wilderness.

Section 202. Administration of wilderness area

The Secretary shall administer the wilderness area in accordance with this title and the Wilderness Act. Any wilderness boundary along a road will be set back from the centerline consistent with Bureau of Land Management guidelines. The section provides reasonable access to private lands within the boundary of the wilderness area, and retires certain grazing permits in the wilderness area.

Section 203. Water rights

Section 203 reserves a quantity of water sufficient to fulfill the purposes for which the wilderness areas are designated.

Section 204. Treatment of wilderness study areas

Wilderness study areas within the Area which are not designated as wilderness will continue to be managed as wilderness study areas. The section cites activities that may be permitted in wilderness study areas consistent with section 603(c) of the Federal Land Policy and Management Act of 1976, and expands the Basque Hills Wilderness Study Area.

TITLE III—WILD AND SCENIC RIVERS AND TROUT RESERVE

Section 301. Designation of streams for wild and scenic river status in Steens Mountain Area

Section 301 amends the Wild and Scenic Rivers Act to include segments of Mud Creek, Ankle Creek, the South Fork of Ankle Creek, Little Wildhorse Creek and Wildhorse Creeks, all located in the Area. All segments are designated as a wild river.

Section 302. Donner und Blitzen River Redband Trout Reserve

Section 302 directs the Secretary to designate the Donner und Blitzen Redband Trout Reserve, and specifies the purposes of the Reserve. The Reserve excludes private lands adjacent to the river from the Reserve. The section requires the Secretary to remove the dam located below the mouth of Fish Creek and above Page Springs if removal of the dam is scientifically justified and funds are available for such purpose. The section further authorizes outreach and education programs associated with the Reserve.

TITLE IV—MINERAL WITHDRAWAL AREA

Section 401. Designation of mineral withdrawal area

This section requires all federal lands included within the mineral withdrawal boundary to be withdrawn from location, entry, and patent under the mining laws and operation of the mineral leasing, geothermal, and minerals materials laws. It authorizes the development of saleable mineral resources, for road maintenance use only, in certain identified locations within the mineral withdrawal boundary where development was previously authorized.

Section 402. Treatment of State lands and mineral interests

Section 402 provides for the exchange of lands and mineral interests managed by the Oregon Division of State Lands and located within the mineral withdrawal area for federal lands or mineral interests outside such area, or a monetary payment to the State, or some combination thereof.

TITLE V—ESTABLISHMENT OF WILDLANDS JUNIPER
MANAGEMENT AREA

Section 501. Wildlands Juniper Management Area

The Secretary shall establish a Wildlands Juniper Management Area to further the purposes of section 133(c) of the bill. The section authorizes \$5 million to carry out this title and section 113(c).

Section 502. Release from wilderness study area status

Lands in the Wildlands Juniper Management Area are released from wilderness study area status.

TITLE VI—LAND EXCHANGES

Section 601. Land exchange, Roaring Springs Ranch

Section 602. Land exchanges, C.M. Otley and Otley Brothers

Section 603. Land exchange, Tom J. Davis Livestock, Incorporated

Section 604. Land exchange, Lowther (Clemens) Ranch

Section 605. General provisions applicable to land exchanges

These sections authorize the Secretary, for purposes of protecting and consolidating federal lands within the wilderness areas, to carry out five separate land exchanges with specified corporations and individuals, and to include acquired private lands in a wilderness area. The sections provide non-federal parties with economic adjustment disbursements to compensate for lost productivity and

economic activity caused by the dislocation and reallocation of resources and the disruption and termination of traditional management techniques as a result of the enactment of this bill. The sections also specify the deadline for the completion of each exchange.

TITLE VII—FUNDING AUTHORITIES

Section 701. Authorization of appropriations

Section 701 authorizes such sums as may be necessary to carry out the bill, except as provided for in Section 702.

Section 702. Use of Land and Water Conservation Fund

Section 702 authorizes appropriations from the Land and Water Conservation Fund for acquisition of non-federal lands and interests in the Area and wilderness areas and for entering into non-development and conservation easements.

COMMITTEE ACTION

H.R. 4828 was introduced on July 12, 2000, by Congressman Greg Walden (R-OR). The bill was referred to the Committee on Resources, and additionally to the Committee on Agriculture. Within the Committee the bill was referred to the Subcommittee on National Parks and Public Lands and the Subcommittee on Energy and Mineral Resources. On July 18, 2000, the Subcommittee on National Parks and Public Lands conducted a hearing on the bill. On September 20, 2000, the full Resources Committee met to consider H.R. 4828. The Subcommittee on National Parks and Public Lands and the Subcommittee on Energy and Mineral Resources were discharged from further consideration of the bill by unanimous consent. Congressman Walden offered an amendment in the nature of a substitute that reflected further negotiations among the parties involved. Congressman Richard Pombo (R-CA) offered and withdrew an amendment to strike section 203(a) from the bill. Congressman Mark Udall (D-CO) offered and withdrew an amendment which affected the wilderness study areas under the bill. The amendment in the nature of a substitute was adopted by voice vote. The bill, as amended, was then ordered favorably reported to the House of Representatives, by a vote of 24 to 5, as follows:

Committee on Resources
U.S. House of Representatives
106th Congress

Full Committee

Date 9-20-00Roll No. 1Bill No. H.R. 4828 Short Title Steens MountainAmendment or matter voted on: Final Passage

Member	Y	N	Present	Member	Y	N	Present
Mr. Young (Chairman)	X			Mr. Miller			
Mr. Tauzin				Mr. Rahall			
Mr. Hansen	X			Mr. Vento			
Mr. Saxton				Mr. Kildee	X		
Mr. Gallegly				Mr. DeFazio	X		
Mr. Duncan				Mr. Faleomavaega	X		
Mr. Hefley	X			Mr. Abercrombie	X		
Mr. Doolittle	X			Mr. Ortiz			
Mr. Gilchrest	X			Mr. Pickett	X		
Mr. Calvert	X			Mr. Pallone			
Mr. Pombo		X		Mr. Dooley			
Mrs. Cubin		X		Mr. Romero-Barcelo			
Mrs. Chenoweth-Hage		X		Mr. Underwood			
Mr. Radanovich				Mr. Kennedy			
Mr. Jones				Mr. Smith			
Mr. Thornberry	X			Mr. John			
Mr. Cannon				Mrs. Christensen			
Mr. Brady	X			Mr. Kind	X		
Mr. Peterson	X			Mr. Inslee	X		
Mr. Hill		X		Mrs. Napolitano			
Mr. Schaffer				Mr. Tom Udall	X		
Mr. Gibbons		X		Mr. Mark Udall	X		
Mr. Souder				Mr. Crowley	X		
Mr. Walden	X			Mr. Holt	X		
Mr. Sherwood							
Mr. Hayes	X						
Mr. Simpson	X						
Mr. Tancredo	X			TOTAL	24	5	

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

FEDERAL ADVISORY COMMITTEE STATEMENT

The functions of the proposed advisory committee authorized in the bill are not currently being nor could they be performed by one or more agencies, an advisory committee already in existence or by enlarging the mandate of an existing advisory committee.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 and Article IV, section 3 of the Constitution of the United States grant Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, credit authority, or an increase or decrease in tax expenditures. According to the Congressional Budget Office, enactment of this bill could affect direct spending (including offsetting receipts) but any such effects would be less than \$500,000 per year.

3. Government Reform Oversight Findings. Under clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform on this bill.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 29, 2000.

Hon. DON YOUNG,
*Chairman, Committee on Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 4828, the Steens Mountain Cooperative Management and Protection Act of 2000.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Megan Carroll.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

H.R. 4828—Steens Mountain Cooperative Management and Protection Act of 2000

Summary: CBO estimates that implementing H.R. 4828 would cost \$30 million over the 2001–2005 period, assuming appropriation of the necessary amounts. Because the bill would affect direct spending (including offsetting receipts), pay-as-you-go procedures would apply, but we estimate that any such effects would total less than \$500,000 a year.

H.R. 4828 would withdraw 896,907 acres of federal land in the vicinity of Steens Mountain, Oregon, from mining and from mineral and geothermal leasing and development. Within that area, the bill would direct the Secretary of the Interior to establish the Steens Mountain Cooperative Management and Protection Area on about 425,550 acres of federal land, and would designate 152,632 acres of other federal lands as wilderness. H.R. 4828 would authorize the appropriation of \$25 million for the Secretary to acquire nonfederal lands and conservation easements within the proposed protection area and \$5 million to study the role of fire in managing juniper forests. The bill also would authorize the appropriation of whatever sums are necessary to manage the federal lands included in the protection and wilderness areas, conduct certain land exchanges authorized by the bill, and establish new programs for managing natural resources within the proposed protection area.

H.R. 4828 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). Any costs incurred by state, local, or tribal governments to participate in managing the areas affected by this bill would be voluntary.

Estimated cost to the Federal Government: CBO estimates that implementing H.R. 4828 would cost \$30 million over the 2001–2005 period, assuming appropriation of the necessary amounts. The legislation also would affect direct spending, but we estimate that any such impacts would be less than \$500,000 a year. The estimated budgetary impact of H.R. 4828 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment).

	By fiscal year, in million of dollars—					
	2000	2001	2002	2003	2004	2005
CHANGES IN SPENDING SUBJECT TO APPROPRIATION ¹						
Estimated Authorization Level	0	16	6	6	6	6
Estimated Outlays	0	8	5	5	6	6

¹ H.R. 4828 also would affect direct spending, but by less than \$500,000 a year.

Basis of estimate: For this estimate, we assume that H.R. 4828 will be enacted near the start of fiscal year 2001 and that the amounts estimated to be necessary will be appropriated near the

start of each fiscal year. Estimates of outlays are based on historical spending patterns for similar activities.

Spending subject to appropriation

Implementing several provisions of H.R. 4828 would increase costs for the Bureau of Land Management (BLM), the agency responsible for managing the federal lands affected by the bill. Those provisions would:

- Authorize the Secretary to establish the proposed protection and wilderness areas and specify conditions for grazing and other resource management activities on those lands,
- Authorize the appropriation of \$25 million for the Secretary to acquire nonfederal lands within the proposed protection area and provide incentives for landowners within that area to grant conservation easements on their properties,
- Establish the Wildlands Juniper Management Area and authorize the appropriation of \$5 million to study the role of fire in managing juniper forests,
- Authorize several land exchanges.

Establishment and Management Costs. H.R. 4828 would direct the BLM to establish and manage the proposed protection and wilderness areas pursuant to a management plan required under the bill. The bill would require the Secretary to establish an advisory council to assist in implementing that plan and would specify certain conditions for the management of resources within the proposed areas. Within the protection area, H.R. 4828 would require the Secretary to prohibit livestock grazing in certain areas and to build fences around other specified areas where grazing would be permitted. The bill would designate about 24 miles of river segments within the proposed wilderness area as wild rivers and establish a trout reserve for conserving and protecting redband trout within those rivers. Based on information from BLM, CBO estimates that these activities would cost about \$1 million annually.

Acquisition of Land and Easements. H.R. 4828 would authorize the appropriation of \$25 million for BLM to acquire nonfederal lands within the proposed protection area from willing sellers and to provide incentives for landowners to grant non-development or conservation easements on their property. Based on information from BLM, we estimate that these activities would cost about \$15 million over the next five years, and that remaining amounts would be spent over the 2006–2010 period.

Wildlands Juniper Management Area. The bill also would authorize the appropriation of \$5 million for BLM to establish a management area for studying the role of fire in managing juniper forests. Based on information from the agency, we estimate that this effort would cost \$5 million over the 2001–2004 period.

Land Exchanges. H.R. 4828 would authorize the Secretary to conduct five land exchanges with private parties and would specify the terms of each of those exchanges. Under the bill, the Secretary would exchange about 104,234 acres of federal lands beyond the boundaries of the proposed protection area for about 18,446 acres of privately-owned land within that area. The bill would authorize the Secretary to make a specified payment to the private party involved in each exchange. Based on information from BLM, we expect that all of the lands would be exchanged during fiscal year

2001 and that payments made as part of those exchanges would total about \$5 million in that year.

Finally, H.R. 4828 would direct the Secretary to acquire from the state of Oregon, through exchange, or purchase, roughly 1,100 acres of land and 50,000 acres of mineral estate located within the boundaries of the proposed mineral withdrawal area. According to BLM and the state, both parties would prefer to exchange lands of approximately equal value under this provision. Any payments to the state would come from appropriated funds. While the terms of any such exchange are highly uncertain, we expect that any amounts paid to the state would be insignificant.

Direct spending

H.R. 4828 contains several provisions that could affect offsetting receipts (a credit against direct spending) and payments to states for their share of those receipts. First, subject to valid existing rights, H.R. 4828 would withdraw certain lands from mining, mineral leasing, and geothermal leasing. Second, the bill would prohibit commercial timber harvesting within the proposed protection area. Third, H.R. 4828 would authorize the Secretary to exchange certain federal lands that currently produce some offsetting receipts. Based on information from BLM, we estimate that the net impact on direct spending of those provisions would be less than \$500,000 in any given year. According to the agency, the affected lands currently generate no significant receipts and are not expected to do so in the near future.

In addition, H.R. 4828 would authorize the Secretary to convey to Oregon federal lands in exchange for certain state lands, but does not specify the federal lands to be exchanged. Because it is uncertain which federal lands would be exchanged, we cannot estimate the amount of any forgone receipts that might result under this provision. Based on information from BLM regarding the likely terms of any such exchange, however, we expect that the agency would not exchange lands that produce a significant amount of receipts. Hence, we expect that any forgone receipts resulting from a land exchange with the state would be small.

Pay-as-you-go considerations: The Balanced Budget and Emergency Deficit Control Act sets up pay-as-you-go procedures for legislation affecting direct spending or receipts. H.R. 4828 contains provisions that could reduce offsetting receipts (a credit against direct spending) from the use of federal lands; thus, pay-as-you-go procedures would apply. CBO estimates, however, that any changes in direct spending would total less than \$500,000 a year.

Intergovernmental and private sector impact: H.R. 4828 contains no intergovernmental or private-sector mandates as defined in UMRA. Any costs incurred by state, local, or tribal governments to participate in managing the areas affected by this bill would be voluntary.

Estimate prepared by: Federal Costs: Megan Carroll.

Impact on State, Local, and Tribal Governments: Marjorie Miller.

Impact on the Private Sector: Lauren Marks.

Estimate approved by: Robert A. Sunshine, Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SECTION 3 OF THE WILD AND SCENIC RIVERS ACT

SEC. 3. (a) The following rivers and the land adjacent thereto are hereby designated as components of the national wild and scenic rivers system:

(1) * * *

* * * * *

(74) DONNER UND BLITZEN, OREGON.—Those segments, including its major tributaries, as a wild river; to be administered by the Secretary of the Interior as follows:

(A) The 16.75-mile segment of the Donner und Blitzen from its confluence with the South Fork Blitzen and Little Blitzen[;].

(B) [the] *The* 12.5-mile segment of the Little Blitzen from its headwaters to its confluence with the South Fork Blitzen[;].

(C) [the] *The* 16.5-mile segment of the South Fork Blitzen from its headwaters to its confluence with the South Fork Blitzen[;].

(D) [the] *The* 10-mile segment of Big Indian Creek from its headwaters to its confluence with the South Fork Blitzen[;].

(E) [the] *The* 3.7-mile segment of Little Indian Creek from its headwaters to its confluence with Big Indian Creek[; and].

(F) [the] *The* 13.25-mile segment of Fish Creek from its headwaters to its confluence with the Donner und Blitzen.

(G) *The 5.1 mile segment of Mud Creek from its confluence with an unnamed spring in the SW¹/₄SE¹/₄ of section 32, township 33 south, range 33 east, to its confluence with the Donner und Blitzen River.*

(H) *The 8.1 mile segment of Ankle Creek from its headwaters to its confluence with the Donner und Blitzen River.*

(I) *The 1.6 mile segment of the South Fork of Ankle Creek from its confluence with an unnamed tributary in the SE¹/₄SE¹/₄ of section 17, township 34 south, range 33 east, to its confluence with Ankle Creek.*

* * * * *

(163) WILDHORSE CREEK, OREGON.—*The following segments in the Steens Mountain Cooperative Management and Protection Area in the State of Oregon, to be administered by the Secretary of the Interior as a wild river:*

(A) *The 2.6 mile segment of Little Wildhorse Creek from its headwaters to its confluence with Wildhorse Creek.*

(B) *The 7.0 mile segment of Wildhorse Creek from its headwaters, and including .36 stream miles into section 34, township 34 south, range 33 east.*

* * * * *

COMMITTEE CORRESPONDENCE

HOUSE OF REPRESENTATIVES,
COMMITTEE ON RESOURCES,
Washington, DC, October 2, 2000.

Hon. LARRY COMBEST,
Chairman, Committee on Agriculture, Longworth House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: On September 20, 2000, the Committee on Resources ordered favorably reported with amendment H.R. 4828, the Steens Mountain Cooperative Management and Protection Act of 2000. The bill was referred to the Committee on Resources, with an additional referral to the Committee on Agriculture. This bill was ordered favorably reported by a bipartisan vote of 24 to 5, and its author, Congressman Greg Walden, would like to see it considered on the Floor before we end the 106th Congress as it is vitally important to the people of eastern Oregon.

Knowing that we have only a few days at most left, I ask that you allow the Committee on Agriculture to be discharged from further consideration of the bill so that it may be scheduled under suspension of the rules as soon as possible. By allowing the Committee on Agriculture to be discharged, I recognize that this action would not be considered as precedent for any future referrals of similar measures or seen as affecting your Committee's jurisdiction over the subject matter of the bill. Moreover, if the bill is conferenced with the Senate, I would support naming Agriculture Committee members to the conference committee. I would also be pleased to include this letter and your response to the Committee bill report on H.R. 4828.

Sincerely,

DON YOUNG,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, October 2, 2000.

Hon. DON YOUNG,
Chairman, Committee on Resources, Longworth House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for forwarding a draft copy of the Committee report to accompany H.R. 4828, a bill to designate wilderness areas and a cooperative management and protection area in the vicinity of Steens Mountain in Harney County, Oregon, as ordered reported by your Committee.

As you are aware, the Committee on Agriculture received an additional referral of this legislation on those provisions of H.R. 4828

that fall within this Committee's jurisdiction. However, after conferring with Chairman Goodlatte of the Subcommittee on Department Operations, Oversight, Nutrition, and Forestry, I will be glad to waive further consideration of this measure so as to allow its timely consideration by the entire House of Representatives during remainder of the 106th Congress.

This action is not intended to waive this Committee's jurisdiction over this matter for all purposes, and in the event a conference with the Senate is requested in this matter, I would ask you to support the Committee on Agriculture's request to be represented.

Thank you very much for your courtesy in this matter and I look forward to continued cooperation between our Committees as we deal with these issues in the future.

Sincerely,

LARRY COMBEST,
Chairman.

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