

116TH CONGRESS
1ST SESSION

S. 1262

To designate certain land administered by the Bureau of Land Management and the Forest Service in the State of Oregon as wilderness and national recreation areas, to withdraw certain land located in Curry County and Josephine County, Oregon, from all forms of entry, appropriation, or disposal under the public land laws, location, entry, and patent under the mining laws, and operation under the mineral leasing and geothermal leasing laws, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 1, 2019

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

A BILL

To designate certain land administered by the Bureau of Land Management and the Forest Service in the State of Oregon as wilderness and national recreation areas, to withdraw certain land located in Curry County and Josephine County, Oregon, from all forms of entry, appropriation, or disposal under the public land laws, location, entry, and patent under the mining laws, and operation under the mineral leasing and geothermal leasing laws, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Oregon Recreation En-
3 hancement Act”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) **SECRETARY.**—The term “Secretary”
7 means—

8 (A) the Secretary of the Interior, with re-
9 spect to public land administered by the Sec-
10 retary of the Interior; or

11 (B) the Secretary of Agriculture, with re-
12 spect to National Forest System land.

13 (2) **STATE.**—The term “State” means the State
14 of Oregon.

15 **SEC. 3. ROGUE CANYON AND MOLALLA RECREATION**
16 **AREAS, OREGON.**

17 (a) **DESIGNATION OF ROGUE CANYON AND MOLALLA**
18 **RECREATION AREAS.**—For the purposes of protecting,
19 conserving, and enhancing the unique and nationally im-
20 portant recreational, ecological, scenic, cultural, water-
21 shed, and fish and wildlife values of the areas, the fol-
22 lowing areas in the State are designated as recreation
23 areas for management by the Secretary in accordance with
24 subsection (c):

25 (1) **ROGUE CANYON RECREATION AREA.**—The
26 approximately 98,150 acres of Bureau of Land Man-

1 agement land within the boundary generally depicted
2 as the “Rogue Canyon Recreation Area” on the map
3 entitled “Rogue Canyon Recreation Area Wild
4 Rogue Wilderness Additions” and dated October 10,
5 2018, which is designated as the “Rogue Canyon
6 Recreation Area”.

7 (2) MOLALLA RECREATION AREA.—The ap-
8 proximately 29,884 acres of Bureau of Land Man-
9 agement land within the boundary generally depicted
10 on the map entitled “Molalla Recreation Area” and
11 dated September 26, 2018, which is designated as
12 the “Molalla Recreation Area”.

13 (b) MAPS AND LEGAL DESCRIPTIONS.—

14 (1) IN GENERAL.—As soon as practicable after
15 the date of enactment of this Act, the Secretary
16 shall prepare a map and legal description of each
17 recreation area designated by subsection (a).

18 (2) EFFECT.—The maps and legal descriptions
19 prepared under paragraph (1) shall have the same
20 force and effect as if included in this Act, except
21 that the Secretary may correct any minor errors in
22 the maps and legal descriptions.

23 (3) PUBLIC AVAILABILITY.—The maps and
24 legal descriptions prepared under paragraph (1)

1 shall be available for public inspection in the appro-
2 priate offices of the Bureau of Land Management.

3 (c) ADMINISTRATION.—

4 (1) APPLICABLE LAW.—The Secretary shall ad-
5 minister each recreation area designated by sub-
6 section (a)—

7 (A) in a manner that conserves, protects,
8 and enhances the purposes for which the recre-
9 ation area is established; and

10 (B) in accordance with—

11 (i) this section;

12 (ii) the Federal Land Policy and Man-
13 agement Act of 1976 (43 U.S.C. 1701 et
14 seq.); and

15 (iii) other applicable laws.

16 (2) USES.—The Secretary shall only allow those
17 uses of a recreation area designated by subsection
18 (a) that are consistent with the purposes for which
19 the recreation area is established.

20 (3) ROAD CONSTRUCTION.—

21 (A) IN GENERAL.—Except as the Sec-
22 retary determines necessary for public safety,
23 no new permanent or temporary roads shall be
24 constructed (other than the repair and mainte-

1 nance of existing roads) within a recreation
2 area designated by subsection (a).

3 (B) EFFECT.—Nothing in this paragraph
4 affects the administration by the Secretary of
5 the Molalla Forest Road in accordance with ap-
6 plicable resource management plans.

7 (4) VEGETATION MANAGEMENT.—Nothing in
8 this section prohibits the Secretary from conducting
9 vegetation management projects (including wildfire
10 resiliency and forest health projects) within a recre-
11 ation area designated by subsection (a) to the extent
12 consistent with the purposes of the recreation area.

13 (5) WILDFIRE MANAGEMENT.—Nothing in this
14 section alters the authority of the Secretary (in co-
15 operation with other Federal, State, and local agen-
16 cies, as appropriate) to conduct wildland fire oper-
17 ations within a recreation area designated by sub-
18 section (a), consistent with the purposes of this Act.

19 (6) WITHDRAWAL.—Subject to valid existing
20 rights, all Federal surface and subsurface land with-
21 in a recreation area designated by subsection (a) is
22 withdrawn from all forms of—

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

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

3 (C) disposition under all laws pertaining to
4 mineral leasing, geothermal leasing, or mineral
5 materials.

6 (d) ADJACENT MANAGEMENT.—Nothing in this sec-
7 tion creates any protective perimeter or buffer zone
8 around a recreation area designated by subsection (a).

9 **SEC. 4. EXPANSION OF WILD ROGUE WILDERNESS AREA.**

10 (a) DEFINITIONS.—In this section:

11 (1) MAP.—The term “map” means the map en-
12 titled “Rogue Canyon Recreation Area Wild Rogue
13 Wilderness Additions” and dated October 10, 2018.

14 (2) WILDERNESS ADDITIONS.—The term “Wil-
15 derness additions” means the land added to the Wild
16 Rogue Wilderness under subsection (b)(1).

17 (b) EXPANSION OF WILD ROGUE WILDERNESS
18 AREA.—

19 (1) EXPANSION.—The approximately 59,512
20 acres of Federal land in the State generally depicted
21 on the map as “Proposed Wilderness” shall be
22 added to and administered as part of the Wild
23 Rogue Wilderness in accordance with the Endan-
24 gered American Wilderness Act of 1978 (16 U.S.C.
25 1132 note; Public Law 95–237), except that—

1 (A) the Secretary of the Interior and the
2 Secretary of Agriculture shall administer the
3 Federal land under their respective jurisdiction;
4 and

5 (B) any reference in that Act to the Sec-
6 retary of Agriculture shall be considered to be
7 a reference to the Secretary of Agriculture or
8 the Secretary of the Interior, as applicable.

9 (2) MAP; LEGAL DESCRIPTION.—

10 (A) IN GENERAL.—As soon as practicable
11 after the date of enactment of this Act, the Sec-
12 retary shall prepare a map and legal description
13 of the wilderness area designated by paragraph
14 (1).

15 (B) FORCE OF LAW.—The map and legal
16 description filed under subparagraph (A) shall
17 have the same force and effect as if included in
18 this section, except that the Secretary may cor-
19 rect typographical errors in the map and legal
20 description.

21 (C) PUBLIC AVAILABILITY.—The map and
22 legal description filed under subparagraph (A)
23 shall be on file and available for public inspec-
24 tion in the appropriate offices of the Bureau of
25 Land Management and Forest Service.

1 (3) FIRE, INSECTS, AND DISEASE.—The Sec-
 2 retary may take such measures within the Wilder-
 3 ness additions as the Secretary determines to be
 4 necessary for the control of fire, insects, and disease,
 5 in accordance with section 4(d)(1) of the Wilderness
 6 Act (16 U.S.C. 1131(d)(1)).

7 (4) WITHDRAWAL.—Subject to valid existing
 8 rights, the Wilderness additions are withdrawn from
 9 all forms of—

10 (A) entry, appropriation, or disposal under
 11 the public land laws;

12 (B) location, entry, and patent under the
 13 mining laws; and

14 (C) disposition under all laws pertaining to
 15 mineral leasing, geothermal leasing, or mineral
 16 materials.

17 (5) TRIBAL RIGHTS.—Nothing in this sub-
 18 section alters, modifies, enlarges, diminishes, or ab-
 19 rogates the treaty rights of any Indian Tribe.

20 **SEC. 5. WITHDRAWAL OF FEDERAL LAND, CURRY COUNTY**
 21 **AND JOSEPHINE COUNTY, OREGON.**

22 (a) DEFINITIONS.—In this section:

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

1 (A) any federally owned land or interest in
2 land depicted on the Maps as within the Hunter
3 Creek and Pistol River Headwaters Withdrawal
4 Proposal or the Rough and Ready and Baldface
5 Creeks Mineral Withdrawal Proposal; or

6 (B) any land or interest in land located
7 within such withdrawal proposals that is ac-
8 quired by the Federal Government after the
9 date of enactment of this Act.

10 (2) MAPS.—The term “Maps” means—

11 (A) the Bureau of Land Management map
12 entitled “Hunter Creek and Pistol River Head-
13 waters Withdrawal Proposal” and dated Janu-
14 ary 12, 2015; and

15 (B) the Bureau of Land Management map
16 entitled “Rough and Ready and Baldface
17 Creeks Mineral Withdrawal Proposal” and
18 dated January 12, 2015.

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

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

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

1 (3) operation under the mineral leasing and
2 geothermal leasing laws.

3 (c) AVAILABILITY OF MAPS.—Not later than 30 days
4 after the date of enactment of this Act, the Maps shall
5 be made available to the public at each appropriate office
6 of the Bureau of Land Management.

7 (d) EXISTING USES NOT AFFECTED.—Except with
8 respect to the withdrawal under subsection (b), nothing
9 in this section restricts recreational uses, hunting, fishing,
10 forest management activities, or other authorized uses al-
11 lowed on the date of enactment of this Act on the eligible
12 Federal land in accordance with applicable law.

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