

Wilderness Area, as provided in section 460nnn-22(d)¹ of this title.

(d) Grazing

(1) Administration

Except as provided in section 460nnn-23(e)(2) of this title, 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 subchapter, 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 section 460nnn-11(a) of this title, and livestock shall be excluded from these lands.

(Pub. L. 106-399, title II, §202, Oct. 30, 2000, 114 Stat. 1666.)

REFERENCES IN TEXT

The Wilderness Act, referred to in subsec. (a), is Pub. L. 88-577, Sept. 3, 1964, 78 Stat. 890, as amended, which is classified generally to chapter 23 (§1131 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1131 of this title and Tables.

The effective date of the Wilderness Act, referred to in subsec. (a), means Sept. 3, 1964, the date of enactment of Pub. L. 88-577, which enacted chapter 23 of this title.

This subchapter, referred to in subsec. (d)(1), was in the original “this Act”, meaning Pub. L. 106-399, Oct. 30, 2000, 114 Stat. 1655, which is classified generally to this subchapter. For complete classification of this Act to the Code, see Short Title note set out under section 460nnn of this title and Tables.

§ 460nnn-63. Water rights

Nothing in this subchapter shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

(Pub. L. 106-399, title II, §203, Oct. 30, 2000, 114 Stat. 1667.)

§ 460nnn-64. Treatment of wilderness study areas

(a) Status unaffected

Except as provided in section 460nnn-92 of this title, 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 subchapter.

(b) Management

The wilderness study areas referred to in subsection (a) of this section shall continue to be managed under section 1782(c) of title 43 in a manner so as not to impair the suitability of the areas for preservation as wilderness.

(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 1782(c) of title 43 to protect and enhance the wilderness values of these lands.

(Pub. L. 106-399, title II, §204, Oct. 30, 2000, 114 Stat. 1667.)

PART C—WILD AND SCENIC RIVERS AND TROUT RESERVE

§ 460nnn-71. Designation of streams for wild and scenic river status in Steens Mountain Area

(a), (b) Omitted

(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.

(Pub. L. 106-399, title III, §301, Oct. 30, 2000, 114 Stat. 1667.)

REFERENCES IN TEXT

For the amendments made by this section, referred to in subsec. (c), see Codification note below.

The Wild and Scenic Rivers Act, referred to in subsec. (c), is Pub. L. 90-542, Oct. 2, 1968, 82 Stat. 906, as amended, which is classified generally to chapter 28 (§1271 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1271 of this title and Tables.

CODIFICATION

Section is comprised of section 301 of Pub. L. 106-399. Subsecs. (a) and (b) of section 301 of Pub. L. 106-399 amended section 1274 of this title.

§ 460nnn-72. 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

¹ So in original. Probably should be section “460nnn-22(e)”.

(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.

(Pub. L. 106-399, title III, §302, Oct. 30, 2000, 114 Stat. 1668.)

REFERENCES IN TEXT

The Wilderness Act, referred to in subsec. (e)(1), is Pub. L. 88-577, Sept. 3, 1964, 78 Stat. 890, as amended, which is classified generally to chapter 23 (§1131 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1131 of this title and Tables.

The Wild and Scenic Rivers Act, referred to in subsec. (e)(1), is Pub. L. 90-542, Oct. 2, 1968, 82 Stat. 906, as amended, which is classified generally to chapter 28 (§1271 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1271 of this title and Tables.

PART D—MINERAL WITHDRAWAL AREA

§ 460nnn-81. 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 460nnn-11(a) of this title 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) of this section.

(b) Road maintenance

If consistent with the purposes of this subchapter 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 460nnn-11(a) of this title 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 October 30, 2000.

(Pub. L. 106-399, title IV, §401, Oct. 30, 2000, 114 Stat. 1669.)

REFERENCES IN TEXT

This subchapter, referred to in subsec. (b), was in the original “this Act”, meaning Pub. L. 106-399, Oct. 30, 2000, 114 Stat. 1655, which is classified generally to this subchapter. For complete classification of this Act to the Code, see Short Title note set out under section 460nnn of this title and Tables.

§ 460nnn-82. Treatment of State lands and mineral interests

(a) Acquisition required

The Secretary shall acquire, for approximately equal value and as agreed to by the Secretary and the State of Oregon, lands and interests in lands owned by the State within the boundaries of the mineral withdrawal area designated pursuant to section 460nnn-81 of this title.

(b) Acquisition methods

The Secretary shall acquire such State lands and interests in lands in exchange for—

(1) Federal lands or Federal mineral interests that are outside the boundaries of the mineral withdrawal area;

(2) a monetary payment to the State; or

(3) a combination of a conveyance under paragraph (1) and a monetary payment under paragraph (2).

(Pub. L. 106-399, title IV, §402, Oct. 30, 2000, 114 Stat. 1669.)

PART E—ESTABLISHMENT OF WILDLANDS
JUNIPER MANAGEMENT AREA

§ 460nnn-91. Wildlands Juniper Management Area

(a) Establishment

To further the purposes of section 460nnn-23(c) of this title, 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 460nnn-11(a) of this title, which shall be known as the Wildlands Juniper Management Area.