

§ 460nnn-52. Advisory role in management activities

(a) Management recommendations

The advisory committee¹ 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 committee¹ 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.

(Pub. L. 106-399, title I, §132, Oct. 30, 2000, 114 Stat. 1665.)

§ 460nnn-53. 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.

(Pub. L. 106-399, title I, §133, Oct. 30, 2000, 114 Stat. 1666.)

PART B—STEENS MOUNTAIN WILDERNESS AREA

§ 460nnn-61. 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.

(Pub. L. 106-399, title II, §201, Oct. 30, 2000, 114 Stat. 1666.)

CODIFICATION

Section is comprised of section 201 of Pub. L. 106-399. Section 201 also enacted provisions listed in a table of Wilderness Areas set out under section 1132 of this title.

¹ So in original. Probably should be “advisory council”.

§ 460nnn-62. Administration of Wilderness Area

(a) General rule

The Secretary shall administer the Wilderness Area in accordance with this part 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 October 30, 2000.

(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 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, known as the Steens Mountain Cooperative Management and Protection Act of 2000, 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.)

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

REFERENCES IN TEXT

This subchapter, referred to in text, was in the original “this Act”, meaning Pub. L. 106-399, Oct. 30, 2000, 114 Stat. 1655, known as the Steens Mountain Cooperative Management and Protection Act of 2000, 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-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) 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.)

REFERENCES IN TEXT

This subchapter, referred to in subsec. (a), was in the original “this Act”, meaning Pub. L. 106-399, Oct. 30, 2000, 114 Stat. 1655, known as the Steens Mountain Cooperative Management and Protection Act of 2000, 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.

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
- (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