

States, an Indian tribe, a State, or a private individual, partnership, or corporation.

Subtitle F—Owyhee Public Land Management

SEC. 1501. DEFINITIONS.

In this subtitle:

(1) **ACCOUNT.**—The term “account” means the Owyhee Land Acquisition Account established by section 1505(b)(1).

(2) **COUNTY.**—The term “County” means Owyhee County, Idaho.

(3) **OWYHEE FRONT.**—The term “Owyhee Front” means the area of the County from Jump Creek on the west to Mud Flat Road on the east and draining north from the crest of the Silver City Range to the Snake River.

(4) **PLAN.**—The term “plan” means a travel management plan for motorized and mechanized off-highway vehicle recreation prepared under section 1507.

(5) **PUBLIC LAND.**—The term “public land” has the meaning given the term in section 103(e) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702(e)).

(6) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(7) **STATE.**—The term “State” means the State of Idaho.

(8) **TRIBES.**—The term “Tribes” means the Shoshone Paiute Tribes of the Duck Valley Reservation.

SEC. 1502. OWYHEE SCIENCE REVIEW AND CONSERVATION CENTER.

(a) **ESTABLISHMENT.**—The Secretary, in coordination with the Tribes, State, and County, and in consultation with the University of Idaho, Federal grazing permittees, and public, shall establish the Owyhee Science Review and Conservation Center in the County to conduct research projects to address natural resources management issues affecting public and private rangeland in the County.

(b) **PURPOSE.**—The purpose of the center established under subsection (a) shall be to facilitate the collection and analysis of information to provide Federal and State agencies, the Tribes, the County, private landowners, and the public with information on improved rangeland management.

SEC. 1503. WILDERNESS AREAS.

(a) **WILDERNESS AREAS DESIGNATION.**—

(1) **IN GENERAL.**—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(A) **BIG JACKS CREEK WILDERNESS.**—Certain land comprising approximately 52,826 acres, as generally depicted on the map entitled “Little Jacks Creek and Big Jacks Creek Wilderness” and dated May 5, 2008, which shall be known as the “Big Jacks Creek Wilderness”.

(B) **BRUNEAU-JARBIDGE RIVERS WILDERNESS.**—Certain land comprising approximately 89,996 acres, as generally depicted on the map entitled “Bruneau-Jarbidge Rivers

Wilderness” and dated December 15, 2008, which shall be known as the “Bruneau-Jarbidge Rivers Wilderness”.

(C) LITTLE JACKS CREEK WILDERNESS.—Certain land comprising approximately 50,929 acres, as generally depicted on the map entitled “Little Jacks Creek and Big Jacks Creek Wilderness” and dated May 5, 2008, which shall be known as the “Little Jacks Creek Wilderness”.

(D) NORTH FORK OWYHEE WILDERNESS.—Certain land comprising approximately 43,413 acres, as generally depicted on the map entitled “North Fork Owyhee and Pole Creek Wilderness” and dated May 5, 2008, which shall be known as the “North Fork Owyhee Wilderness”.

(E) OWYHEE RIVER WILDERNESS.—Certain land comprising approximately 267,328 acres, as generally depicted on the map entitled “Owyhee River Wilderness” and dated May 5, 2008, which shall be known as the “Owyhee River Wilderness”.

(F) POLE CREEK WILDERNESS.—Certain land comprising approximately 12,533 acres, as generally depicted on the map entitled “North Fork Owyhee and Pole Creek Wilderness” and dated May 5, 2008, which shall be known as the “Pole Creek Wilderness”.

(2) MAPS AND LEGAL DESCRIPTIONS.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a map and legal description for each area designated as wilderness by this subtitle.

(B) EFFECT.—Each map and legal description submitted under subparagraph (A) shall have the same force and effect as if included in this subtitle, except that the Secretary may correct minor errors in the map or legal description.

(C) AVAILABILITY.—Each map and legal description submitted under subparagraph (A) shall be available in the appropriate offices of the Bureau of Land Management.

(3) RELEASE OF WILDERNESS STUDY AREAS.—

(A) IN GENERAL.—Congress finds that, for the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the public land in the County administered by the Bureau of Land Management has been adequately studied for wilderness designation.

(B) RELEASE.—Any public land referred to in subparagraph (A) that is not designated as wilderness by this subtitle—

(i) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and

(ii) shall be managed in accordance with the applicable land use plan adopted under section 202 of that Act (43 U.S.C. 1712).

(b) ADMINISTRATION.—

(1) IN GENERAL.—Subject to valid existing rights, each area designated as wilderness by this subtitle shall be administered

by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(A) any reference in that Act to the effective date shall be considered to be a reference to the date of enactment of this Act; and

(B) any reference in that Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary of the Interior.

(2) WITHDRAWAL.—Subject to valid existing rights, the Federal land designated as wilderness by this subtitle is withdrawn from all forms of—

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

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

(C) disposition under the mineral leasing, mineral materials, and geothermal leasing laws.

(3) LIVESTOCK.—

(A) IN GENERAL.—In the wilderness areas designated by this subtitle, the grazing of livestock in areas in which grazing is established as of the date of enactment of this Act shall be allowed to continue, subject to such reasonable regulations, policies, and practices as the Secretary considers necessary, consistent with section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)) and the guidelines described in Appendix A of House Report 101-405.

(B) INVENTORY.—Not later than 1 year after the date of enactment of this Act, the Secretary shall conduct an inventory of existing facilities and improvements associated with grazing activities in the wilderness areas and wild and scenic rivers designated by this subtitle.

(C) FENCING.—The Secretary may construct and maintain fencing around wilderness areas designated by this subtitle as the Secretary determines to be appropriate to enhance wilderness values.

(D) DONATION OF GRAZING PERMITS OR LEASES.—

(i) ACCEPTANCE BY SECRETARY.—The Secretary shall accept the donation of any valid existing permits or leases authorizing grazing on public land, all or a portion of which is within the wilderness areas designated by this subtitle.

(ii) TERMINATION.—With respect to each permit or lease donated under clause (i), the Secretary shall—

(I) terminate the grazing permit or lease; and

(II) except as provided in clause (iii), ensure a permanent end to grazing on the land covered by the permit or lease.

(iii) COMMON ALLOTMENTS.—

(I) IN GENERAL.—If the land covered by a permit or lease donated under clause (i) is also covered by another valid existing permit or lease that is not donated under clause (i), the Secretary shall reduce the authorized grazing level on the land covered by the permit or lease to reflect the donation of the permit or lease under clause (i).

(II) AUTHORIZED LEVEL.—To ensure that there is a permanent reduction in the level of grazing

on the land covered by a permit or lease donated under clause (i), the Secretary shall not allow grazing use to exceed the authorized level established under subclause (I).

(iv) PARTIAL DONATION.—

(I) IN GENERAL.—If a person holding a valid grazing permit or lease donates less than the full amount of grazing use authorized under the permit or lease, the Secretary shall—

(aa) reduce the authorized grazing level to reflect the donation; and

(bb) modify the permit or lease to reflect the revised level of use.

(II) AUTHORIZED LEVEL.—To ensure that there is a permanent reduction in the authorized level of grazing on the land covered by a permit or lease donated under subclause (I), the Secretary shall not allow grazing use to exceed the authorized level established under that subclause.

(4) ACQUISITION OF LAND AND INTERESTS IN LAND.—

(A) IN GENERAL.—Consistent with applicable law, the Secretary may acquire land or interests in land within the boundaries of the wilderness areas designated by this subtitle by purchase, donation, or exchange.

(B) INCORPORATION OF ACQUIRED LAND.—Any land or interest in land in, or adjoining the boundary of, a wilderness area designated by this subtitle that is acquired by the United States shall be added to, and administered as part of, the wilderness area in which the acquired land or interest in land is located.

(5) TRAIL PLAN.—

(A) IN GENERAL.—The Secretary, after providing opportunities for public comment, shall establish a trail plan that addresses hiking and equestrian trails on the land designated as wilderness by this subtitle, in a manner consistent with the Wilderness Act (16 U.S.C. 1131 et seq.).

(B) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress a report that describes the implementation of the trail plan.

(6) OUTFITTING AND GUIDE ACTIVITIES.—Consistent with section 4(d)(5) of the Wilderness Act (16 U.S.C. 1133(d)(5)), commercial services (including authorized outfitting and guide activities) are authorized in wilderness areas designated by this subtitle to the extent necessary for activities that fulfill the recreational or other wilderness purposes of the areas.

(7) ACCESS TO PRIVATE PROPERTY.—In accordance with section 5(a) of the Wilderness Act (16 U.S.C. 1134(a)), the Secretary shall provide any owner of private property within the boundary of a wilderness area designated by this subtitle adequate access to the property.

(8) FISH AND WILDLIFE.—

(A) IN GENERAL.—Nothing in this subtitle affects the jurisdiction of the State with respect to fish and wildlife on public land in the State.

(B) MANAGEMENT ACTIVITIES.—

(i) IN GENERAL.—In furtherance of the purposes and principles of the Wilderness Act (16 U.S.C. 1131 et seq.), the Secretary may conduct any management activities that are necessary to maintain or restore fish and wildlife populations and habitats in the wilderness areas designated by this subtitle, if the management activities are—

(I) consistent with relevant wilderness management plans; and

(II) conducted in accordance with appropriate policies, such as the policies established in Appendix B of House Report 101–405.

(ii) INCLUSIONS.—Management activities under clause (i) may include the occasional and temporary use of motorized vehicles, if the use, as determined by the Secretary, would promote healthy, viable, and more naturally distributed wildlife populations that would enhance wilderness values while causing the minimum impact necessary to accomplish those tasks.

(C) EXISTING ACTIVITIES.—Consistent with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and in accordance with appropriate policies, such as those established in Appendix B of House Report 101–405, the State may use aircraft (including helicopters) in the wilderness areas designated by this subtitle to survey, capture, transplant, monitor, and provide water for wildlife populations, including bighorn sheep, and feral stock, feral horses, and feral burros.

(9) WILDFIRE, INSECT, AND DISEASE MANAGEMENT.—Consistent with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the Secretary may take any measures that the Secretary determines to be necessary to control fire, insects, and diseases, including, as the Secretary determines appropriate, the coordination of those activities with a State or local agency.

(10) ADJACENT MANAGEMENT.—

(A) IN GENERAL.—The designation of a wilderness area by this subtitle shall not create any protective perimeter or buffer zone around the wilderness area.

(B) NONWILDERNESS ACTIVITIES.—The fact that non-wilderness activities or uses can be seen or heard from areas within a wilderness area designated by this subtitle shall not preclude the conduct of those activities or uses outside the boundary of the wilderness area.

(11) MILITARY OVERFLIGHTS.—Nothing in this subtitle restricts or precludes—

(A) low-level overflights of military aircraft over the areas designated as wilderness by this subtitle, including military overflights that can be seen or heard within the wilderness areas;

(B) flight testing and evaluation; or

(C) the designation or creation of new units of special use airspace, or the establishment of military flight training routes, over the wilderness areas.

(12) WATER RIGHTS.—

(A) IN GENERAL.—The designation of areas as wilderness by subsection (a) shall not create an express or implied

reservation by the United States of any water or water rights for wilderness purposes with respect to such areas.

(B) EXCLUSIONS.—This paragraph does not apply to any components of the National Wild and Scenic Rivers System designated by section 1504.

SEC. 1504. DESIGNATION OF WILD AND SCENIC RIVERS.

(a) IN GENERAL.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as amended by section 1203(a)(1)) is amended by adding at the end the following:

“(180) BATTLE CREEK, IDAHO.—The 23.4 miles of Battle Creek from the confluence of the Owyhee River to the upstream boundary of the Owyhee River Wilderness, to be administered by the Secretary of the Interior as a wild river.

“(181) BIG JACKS CREEK, IDAHO.—The 35.0 miles of Big Jacks Creek from the downstream border of the Big Jacks Creek Wilderness in sec. 8, T. 8 S., R. 4 E., to the point at which it enters the NW $\frac{1}{4}$ of sec. 26, T. 10 S., R. 2 E., Boise Meridian, to be administered by the Secretary of the Interior as a wild river.

“(182) BRUNEAU RIVER, IDAHO.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the 39.3-mile segment of the Bruneau River from the downstream boundary of the Bruneau-Jarbidge Wilderness to the upstream confluence with the west fork of the Bruneau River, to be administered by the Secretary of the Interior as a wild river.

“(B) EXCEPTION.—Notwithstanding subparagraph (A), the 0.6-mile segment of the Bruneau River at the Indian Hot Springs public road access shall be administered by the Secretary of the Interior as a recreational river.

“(183) WEST FORK BRUNEAU RIVER, IDAHO.—The approximately 0.35 miles of the West Fork of the Bruneau River from the confluence with the Jarbidge River to the downstream boundary of the Bruneau Canyon Grazing Allotment in the SE/NE of sec. 5, T. 13 S., R. 7 E., Boise Meridian, to be administered by the Secretary of the Interior as a wild river.

“(184) COTTONWOOD CREEK, IDAHO.—The 2.6 miles of Cottonwood Creek from the confluence with Big Jacks Creek to the upstream boundary of the Big Jacks Creek Wilderness, to be administered by the Secretary of the Interior as a wild river.

“(185) DEEP CREEK, IDAHO.—The 13.1-mile segment of Deep Creek from the confluence with the Owyhee River to the upstream boundary of the Owyhee River Wilderness in sec. 30, T. 12 S., R. 2 W., Boise Meridian, to be administered by the Secretary of the Interior as a wild river.

“(186) DICKSHOOTER CREEK, IDAHO.—The 9.25 miles of Dickshooter Creek from the confluence with Deep Creek to a point on the stream $\frac{1}{4}$ mile due west of the east boundary of sec. 16, T. 12 S., R. 2 W., Boise Meridian, to be administered by the Secretary of the Interior as a wild river.

“(187) DUNCAN CREEK, IDAHO.—The 0.9-mile segment of Duncan Creek from the confluence with Big Jacks Creek upstream to the east boundary of sec. 18, T. 10 S., R. 4 E., Boise Meridian, to be administered by the Secretary of the Interior as a wild river.

“(188) JARBIDGE RIVER, IDAHO.—The 28.8 miles of the Jarbidge River from the confluence with the West Fork Bruneau River to the upstream boundary of the Bruneau-Jarbidge Rivers Wilderness, to be administered by the Secretary of the Interior as a wild river.

“(189) LITTLE JACKS CREEK, IDAHO.—The 12.4 miles of Little Jacks Creek from the downstream boundary of the Little Jacks Creek Wilderness, upstream to the mouth of OX Prong Creek, to be administered by the Secretary of the Interior as a wild river.

“(190) NORTH FORK OWYHEE RIVER, IDAHO.—The following segments of the North Fork of the Owyhee River, to be administered by the Secretary of the Interior:

“(A) The 5.7-mile segment from the Idaho-Oregon State border to the upstream boundary of the private land at the Juniper Mt. Road crossing, as a recreational river.

“(B) The 15.1-mile segment from the upstream boundary of the North Fork Owyhee River recreational segment designated in paragraph (A) to the upstream boundary of the North Fork Owyhee River Wilderness, as a wild river.

“(191) OWYHEE RIVER, IDAHO.—

“(A) IN GENERAL.—Subject to subparagraph (B), the 67.3 miles of the Owyhee River from the Idaho-Oregon State border to the upstream boundary of the Owyhee River Wilderness, to be administered by the Secretary of the Interior as a wild river.

“(B) ACCESS.—The Secretary of the Interior shall allow for continued access across the Owyhee River at Crutchers Crossing, subject to such terms and conditions as the Secretary of the Interior determines to be necessary.

“(192) RED CANYON, IDAHO.—The 4.6 miles of Red Canyon from the confluence of the Owyhee River to the upstream boundary of the Owyhee River Wilderness, to be administered by the Secretary of the Interior as a wild river.

“(193) SHEEP CREEK, IDAHO.—The 25.6 miles of Sheep Creek from the confluence with the Bruneau River to the upstream boundary of the Bruneau-Jarbidge Rivers Wilderness, to be administered by the Secretary of the Interior as a wild river.

“(194) SOUTH FORK OWYHEE RIVER, IDAHO.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the 31.4-mile segment of the South Fork of the Owyhee River upstream from the confluence with the Owyhee River to the upstream boundary of the Owyhee River Wilderness at the Idaho-Nevada State border, to be administered by the Secretary of the Interior as a wild river.

“(B) EXCEPTION.—Notwithstanding subparagraph (A), the 1.2-mile segment of the South Fork of the Owyhee River from the point at which the river enters the southernmost boundary to the point at which the river exits the northernmost boundary of private land in sec. 25 and 26, T. 14 S., R. 5 W., Boise Meridian, shall be administered by the Secretary of the Interior as a recreational river.

“(195) WICKAHONEY CREEK, IDAHO.—The 1.5 miles of Wickahoney Creek from the confluence of Big Jacks Creek to the upstream boundary of the Big Jacks Creek Wilderness,

to be administered by the Secretary of the Interior as a wild river.”.

(b) BOUNDARIES.—Notwithstanding section 3(b) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(b)), the boundary of a river segment designated as a component of the National Wild and Scenic Rivers System under this subtitle shall extend not more than the shorter of—

- (1) an average distance of $\frac{1}{4}$ mile from the high water mark on both sides of the river segment; or
- (2) the distance to the nearest confined canyon rim.

(c) LAND ACQUISITION.—The Secretary shall not acquire any private land within the exterior boundary of a wild and scenic river corridor without the consent of the owner.

SEC. 1505. LAND IDENTIFIED FOR DISPOSAL.

(a) IN GENERAL.—Consistent with applicable law, the Secretary may sell public land located within the Boise District of the Bureau of Land Management that, as of July 25, 2000, has been identified for disposal in appropriate resource management plans.

(b) USE OF PROCEEDS.—

(1) IN GENERAL.—Notwithstanding any other provision of law (other than a law that specifically provides for a proportion of the proceeds of a land sale to be distributed to any trust fund of the State), proceeds from the sale of public land under subsection (a) shall be deposited in a separate account in the Treasury of the United States to be known as the “Owyhee Land Acquisition Account”.

(2) AVAILABILITY.—

(A) IN GENERAL.—Amounts in the account shall be available to the Secretary, without further appropriation, to purchase land or interests in land in, or adjacent to, the wilderness areas designated by this subtitle, including land identified as “Proposed for Acquisition” on the maps described in section 1503(a)(1).

(B) APPLICABLE LAW.—Any purchase of land or interest in land under subparagraph (A) shall be in accordance with applicable law.

(3) APPLICABILITY.—This subsection applies to public land within the Boise District of the Bureau of Land Management sold on or after January 1, 2008.

(4) ADDITIONAL AMOUNTS.—If necessary, the Secretary may use additional amounts appropriated to the Department of the Interior, subject to applicable reprogramming guidelines.

(c) TERMINATION OF AUTHORITY.—

(1) IN GENERAL.—The authority provided under this section terminates on the earlier of—

(A) the date that is 10 years after the date of enactment of this Act; or

(B) the date on which a total of \$8,000,000 from the account is expended.

(2) AVAILABILITY OF AMOUNTS.—Any amounts remaining in the account on the termination of authority under this section shall be—

(A) credited as sales of public land in the State;

(B) transferred to the Federal Land Disposal Account established under section 206(a) of the Federal Land Transaction Facilitation Act (43 U.S.C. 2305(a)); and

(C) used in accordance with that subtitle.

SEC. 1506. TRIBAL CULTURAL RESOURCES.

(a) **COORDINATION.**—The Secretary shall coordinate with the Tribes in the implementation of the Shoshone Paiute Cultural Resource Protection Plan.

(b) **AGREEMENTS.**—The Secretary shall seek to enter into agreements with the Tribes to implement the Shoshone Paiute Cultural Resource Protection Plan to protect cultural sites and resources important to the continuation of the traditions and beliefs of the Tribes.

SEC. 1507. RECREATIONAL TRAVEL MANAGEMENT PLANS.

(a) **IN GENERAL.**—In accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), the Secretary shall, in coordination with the Tribes, State, and County, prepare 1 or more travel management plans for motorized and mechanized off-highway vehicle recreation for the land managed by the Bureau of Land Management in the County.

(b) **INVENTORY.**—Before preparing the plan under subsection (a), the Secretary shall conduct resource and route inventories of the area covered by the plan.

(c) **LIMITATION TO DESIGNATED ROUTES.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), the plan shall limit recreational motorized and mechanized off-highway vehicle use to a system of designated roads and trails established by the plan.

(2) **EXCEPTION.**—Paragraph (1) shall not apply to snowmobiles.

(d) **TEMPORARY LIMITATION.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), until the date on which the Secretary completes the plan, all recreational motorized and mechanized off-highway vehicle use shall be limited to roads and trails lawfully in existence on the day before the date of enactment of this Act.

(2) **EXCEPTION.**—Paragraph (1) shall not apply to—

(A) snowmobiles; or

(B) areas specifically identified as open, closed, or limited in the Owyhee Resource Management Plan.

(e) **SCHEDULE.**—

(1) **OWYHEE FRONT.**—It is the intent of Congress that, not later than 1 year after the date of enactment of this Act, the Secretary shall complete a transportation plan for the Owyhee Front.

(2) **OTHER BUREAU OF LAND MANAGEMENT LAND IN THE COUNTY.**—It is the intent of Congress that, not later than 3 years after the date of enactment of this Act, the Secretary shall complete a transportation plan for Bureau of Land Management land in the County outside the Owyhee Front.

SEC. 1508. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this subtitle.