

118TH CONGRESS
2D SESSION

S. 5360

To establish the Sutton Mountain National Monument, to authorize certain land exchanges in the State of Oregon, to convey certain Bureau of Land Management land in the State of Oregon to the city of Mitchell, Oregon, for conservation, economic, and community development purposes, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 20, 2024

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

A BILL

To establish the Sutton Mountain National Monument, to authorize certain land exchanges in the State of Oregon, to convey certain Bureau of Land Management land in the State of Oregon to the city of Mitchell, Oregon, for conservation, economic, and community development purposes, 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 “Sutton Mountain and
3 Painted Hills Area Wildfire Resiliency Preservation and
4 Economic Enhancement Act”.

5 **SEC. 2. DEFINITIONS.**

6 In this Act:

7 (1) **ACTIVE HABITAT RESTORATION.**—The term
8 “active habitat restoration” means, with respect to
9 an area, to restore and enhance the ecological health
10 of the area through the use of management tools
11 consistent with this Act.

12 (2) **CITY.**—The term “City” means the city of
13 Mitchell, Oregon.

14 (3) **COUNTY.**—The term “County” means
15 Wheeler County, Oregon.

16 (4) **ECOLOGICAL HEALTH.**—The term “ecologi-
17 cal health” means the ability of the ecological proc-
18 esses of a native ecosystem to function in a manner
19 that maintains the structure, composition, activity,
20 and resilience of the ecosystem over time, including
21 an ecologically appropriate diversity of plant and
22 animal communities, habitats, and conditions that
23 are sustainable through successional processes.

24 (5) **INDIAN TRIBE.**—The term “Indian Tribe”
25 has the meaning given the term in section 4 of the

1 Indian Self-Determination and Education Assistance
2 Act (25 U.S.C. 5304).

3 (6) LANDOWNER.—The term “landowner”
4 means an owner of non-Federal land that enters into
5 a land exchange with the Secretary under section
6 4(a).

7 (7) LOWER UNIT.—The term “Lower Unit”
8 means the area that consists of the approximately
9 27,184 acres of land generally depicted as “Pro-
10 posed National Monument-Lower Unit” on the Map.

11 (8) MANAGEMENT PLAN.—The term “manage-
12 ment plan” means the management plan for the
13 Monument developed by the Secretary under section
14 3(d)(2).

15 (9) MAP.—The term “Map” means the map
16 prepared by the Bureau of Land Management enti-
17 tled “Sutton Complex-Painted Hills National Monu-
18 ment Proposal” and dated November 12, 2024.

19 (10) MONUMENT.—The term “Monument”
20 means the Sutton Mountain National Monument es-
21 tablished by section 3(a).

22 (11) PASSIVE HABITAT MANAGEMENT.—The
23 term “passive habitat management” means those ac-
24 tions that are proposed or implemented to address
25 degraded or non-functioning resource conditions that

1 are expected to improve the ecological health of the
2 area without additional on-the-ground actions, such
3 that resource objectives and desired outcomes are
4 anticipated to be reached without additional human
5 intervention.

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

8 (13) STATE.—The term “State” means the
9 State of Oregon.

10 (14) UPPER UNIT.—The term “Upper Unit”
11 means the area that consists of the approximately
12 38,023 acres of land generally depicted as “Pro-
13 posed National Monument-Upper Unit” on the Map.

14 **SEC. 3. ESTABLISHMENT OF SUTTON MOUNTAIN NATIONAL**
15 **MONUMENT.**

16 (a) IN GENERAL.—There is established in the State
17 the Sutton Mountain National Monument, consisting of
18 the following 2 management units, as generally depicted
19 on the Map:

20 (1) Upper Unit.

21 (2) Lower Unit.

22 (b) PURPOSE.—The purpose of the Monument is to
23 conserve, protect, and manage the long-term ecological in-
24 tegrity of Sutton Mountain and the surrounding area for
25 the benefit of present and future generations.

1 (c) OBJECTIVES.—To further the purpose of the
2 Monument described in subsection (b), and consistent with
3 that purpose, the Secretary shall manage the Monument
4 for the benefit of present and future generations—

5 (1) to conserve, interpret, and enhance for the
6 benefit of present and future generations the paleon-
7 tological and cultural resources of Sutton Mountain
8 and the surrounding area;

9 (2) to promote the scientific and educational
10 values of the Monument;

11 (3) to maintain sustainable grazing on the Fed-
12 eral land within the Upper Unit and Lower Unit, in
13 accordance with applicable Federal law;

14 (4) to promote recreation, historical, cultural,
15 and other uses that are sustainable, in accordance
16 with applicable Federal law;

17 (5) to ensure the conservation, protection, res-
18 toration, and improved management of the ecologi-
19 cal, social, and economic environment of the Monu-
20 ment, including geological, paleontological, biological,
21 wildlife, riparian, and scenic resources; and

22 (6) to restore wildfire resiliency within the
23 Monument and the surrounding area, including
24 through juniper removal and habitat restoration, as
25 appropriate.

1 (d) MANAGEMENT AUTHORITIES.—

2 (1) IN GENERAL.—The Secretary (acting
3 through the Director of the Bureau of Land Man-
4 agement) shall manage the Monument in accordance
5 with—

6 (A) the Federal Land Policy and Manage-
7 ment Act of 1976 (43 U.S.C. 1701 et seq.) and
8 other applicable laws; and

9 (B) this Act.

10 (2) MANAGEMENT PLAN.—

11 (A) IN GENERAL.—Not later than 3 years
12 after the date of enactment of this Act, the Sec-
13 retary shall develop a comprehensive manage-
14 ment plan for the long-term conservation and
15 management of the Monument that fulfills the
16 purpose of the Monument described in sub-
17 section (b).

18 (B) REQUIREMENTS.—The management
19 plan developed under subparagraph (A) shall—

20 (i) describe the appropriate uses and
21 management of each of the Upper Unit
22 and the Lower Unit, consistent with the
23 purposes and objectives of this Act;

1 (ii) include an assessment of ecologi-
2 cal conditions of the Monument, including
3 an assessment of—

4 (I) the status, causes, and rate of
5 juniper encroachments at the Monu-
6 ment; and

7 (II) the ecological impacts of the
8 juniper encroachments at the Monu-
9 ment;

10 (iii) identify science-based, short-term
11 and long-term, active habitat restoration
12 and passive habitat management actions—

13 (I) to reduce wildfire risk and
14 improve the resilience of native plant
15 communities; and

16 (II) to restore historical native
17 vegetation communities, including the
18 prioritization of the removal of
19 invasive annual grasses and juniper
20 trees in the Lower Unit;

21 (iv) include a habitat restoration op-
22 portunities component that prioritizes—

23 (I) restoration within the Lower
24 Unit; and

1 (II) maintenance of the existing
2 wilderness characteristics of the
3 Upper Unit;

4 (v) include a riparian conservation
5 and restoration component to support
6 anadromous and other native fish, wildlife,
7 and other riparian resources and values in
8 the monument;

9 (vi) include a recreational enhance-
10 ment component that prioritizes—

11 (I) new and expanded opportuni-
12 ties for mechanized and nonmecha-
13 nized recreation in the Lower Unit;
14 and

15 (II) enhancing nonmechanized,
16 primitive, and unconfined recreation
17 opportunities in the Upper Unit;

18 (vii) include an active habitat restora-
19 tion component that prioritizes, with re-
20 spect to the Lower Unit—

21 (I) the restoration of native eco-
22 systems;

23 (II) the enhancement of recre-
24 ation and grazing activities; and

1 (III) activities that will reduce
2 wildfire risk;

3 (viii) include a passive habitat man-
4 agement component that prioritizes, with
5 respect to the Upper Unit—

6 (I) the restoration of native eco-
7 systems; and

8 (II) management activities that
9 will reduce the risk of wildfire;

10 (ix) determine measurable and achiev-
11 able management objectives, consistent
12 with the management objectives described
13 in subsection (c), to ensure the ecological
14 health of the Monument;

15 (x) develop a monitoring program for
16 the Monument so that progress towards ec-
17 ological health objectives can be deter-
18 mined;

19 (xi) include, as an integral part, a
20 comprehensive transportation plan devel-
21 oped in accordance with subsection (e);
22 and

23 (xii) include, as an integral part, a
24 wildfire mitigation plan developed in ac-
25 cordance with paragraph (4).

1 (3) WILDFIRE RISK ASSESSMENT.—Not later
2 than 1 year after the date of enactment of this Act,
3 the Secretary, in consultation with the Governor’s
4 Council on Wildfire Response of the State, shall con-
5 duct a wildfire risk assessment of the Upper Unit
6 and the Lower Unit.

7 (4) WILDFIRE MITIGATION PLAN.—

8 (A) IN GENERAL.—Not later than 2 years
9 after the date on which the wildfire risk assess-
10 ment is conducted under paragraph (3), the
11 Secretary shall develop, based on the wildfire
12 risk assessment, a wildfire mitigation plan as
13 part of the management plan developed under
14 paragraph (2) that identifies, evaluates, and
15 prioritizes management activities that can be
16 implemented in the Lower Unit to mitigate
17 wildfire risk to structures and communities lo-
18 cated near the Monument.

19 (B) PLAN COMPONENTS.—The wildfire
20 mitigation plan developed under subparagraph
21 (A) shall include—

22 (i) appropriate vegetation manage-
23 ment projects (including mechanical treat-
24 ments to reduce hazardous fuels and im-
25 prove ecological health and resiliency);

1 (ii) necessary evacuation routes for
2 communities located near the Monument,
3 to be developed in consultation with the
4 State and local fire agencies;

5 (iii) strategies for public dissemination
6 of emergency evacuation plans and routes;

7 (iv) appropriate passive habitat man-
8 agement activities; and

9 (v) strategies or management require-
10 ments to protect items of value identified
11 at the Monument, consistent with the ap-
12 plicable fire management plan and the doc-
13 ument prepared by the National Inter-
14 agency Fire Center entitled “Interagency
15 Standards for Fire and Fire Aviation Op-
16 erations” or successor interagency agree-
17 ment or guidance.

18 (C) APPLICABLE LAW.—The wildfire miti-
19 gation plan under subparagraph (A) shall be
20 developed in accordance with—

21 (i) this Act; and

22 (ii) any other applicable law.

23 (5) TEMPORARY ROADS.—

24 (A) IN GENERAL.—Consistent with the
25 purposes of this Act and the comprehensive

1 transportation plan under subsection (e), the
2 Secretary may travel off-road or establish tem-
3 porary roads within the Lower Unit to imple-
4 ment the wildfire mitigation plan developed
5 under paragraph (4).

6 (B) EFFECT ON WILDFIRE MANAGE-
7 MENT.—Nothing in this section affects the au-
8 thority of the Secretary, in cooperation with
9 other Federal, State, and local agencies, as ap-
10 propriate, to conduct wildland fire operations at
11 the Monument, consistent with the purposes of
12 this Act.

13 (6) INCORPORATION OF ACQUIRED LAND AND
14 INTERESTS IN LAND.—Any land or interest in land
15 within the boundary of the Monument or adjacent to
16 the Monument that is acquired by the United States
17 shall—

18 (A) become part of the Monument; and

19 (B) be managed in accordance with—

20 (i) this Act; and

21 (ii) applicable Federal laws.

22 (e) COMPREHENSIVE TRANSPORTATION PLAN.—

23 (1) IN GENERAL.—The Secretary shall develop
24 as part of the management plan a comprehensive

1 transportation plan for the Monument, which shall
2 address—

3 (A) motorized, mechanized, and non-
4 motorized use;

5 (B) the maintenance and closure of motor-
6 ized and nonmotorized routes; and

7 (C) travel access.

8 (2) PROHIBITION OF MOTORIZED AND MECHA-
9 NIZED USE IN THE UPPER UNIT.—Except as pro-
10 vided in paragraphs (3) through (6), motorized and
11 mechanized use shall be prohibited in the Upper
12 Unit.

13 (3) PROHIBITION OF OFF-ROAD MOTORIZED
14 TRAVEL.—Except in cases in which motorized or
15 mechanized vehicles are needed for administrative
16 purposes, ecological restoration projects, or to re-
17 spond to an emergency, the use of motorized or
18 mechanized vehicles in the Monument shall be per-
19 mitted only on routes designated by the transpor-
20 tation plan developed under paragraph (1).

21 (4) PROHIBITION OF NEW CONSTRUCTION.—No
22 new motorized routes of any type shall be con-
23 structed within the Monument, except that the Sec-
24 retary may—

1 (A) develop temporary motorized routes in
2 the Lower Unit to assist with management ac-
3 tivities consistent with the management plan;

4 (B) authorize the construction and mainte-
5 nance of motorized trailhead access routes and
6 parking areas within the Monument within 100
7 yards of an existing roadway; and

8 (C) construct a new motorized route if the
9 Secretary determines, in consultation with the
10 public, that the motorized route is necessary for
11 public safety in the Upper Unit or Lower Unit.

12 (5) TRAILS.—Nothing in this subsection limits
13 the authority of the Secretary—

14 (A) to construct or maintain trails for non-
15 motorized or nonmechanized use in the Upper
16 Unit or Lower Unit; or

17 (B) to construct mechanized trails in the
18 Lower Unit.

19 (6) ACCESS TO INHOLDINGS.—The Secretary
20 shall provide reasonable access to inholdings within
21 the boundaries of the Monument to provide private
22 landowners the reasonable use of the inholdings.

23 (7) MODIFICATIONS TO EXISTING ROADS.—

24 (A) IN GENERAL.—Consistent with the
25 purposes of this Act, the existing roads de-

1 scribed in subparagraph (B) may be modified
2 or altered, as the Secretary determines to be
3 necessary to support use of motorized or
4 mechanized vehicles for access, utility develop-
5 ment, or public safety.

6 (B) DESCRIPTION OF ROADS.—The roads
7 referred to in subparagraph (A) are Burnt
8 Ranch Road, South Twickenham Road, Girds
9 Creek Road, and the Logging Road, as depicted
10 on the Map.

11 (C) RIGHT-OF-WAY.—The Secretary shall
12 grant to the County a right-of-way for mainte-
13 nance and repair of, and safety improvements
14 for, South Twickenham Road and Girds Creek
15 Road.

16 (f) GRAZING.—

17 (1) IN GENERAL.—The grazing of livestock in
18 the Monument, if established before the date of en-
19 actment of this Act, shall be allowed to continue—

20 (A) subject to—

21 (i) such reasonable regulations, poli-
22 cies, and practices as the Secretary con-
23 siders necessary; and

24 (ii) applicable law (including regula-
25 tions); and

1 (B) in a manner consistent with the au-
2 thorities described in subsection (d).

3 (2) VOLUNTARY RELINQUISHMENT OF GRAZING
4 PERMITS OR LEASES.—

5 (A) ACCEPTANCE BY SECRETARY.—The
6 Secretary shall accept the voluntary relinquis-
7 hment of any valid existing permits or leases au-
8 thorizing grazing on public land, all or a por-
9 tion of which is within the Monument.

10 (B) TERMINATION.—With respect to each
11 permit or lease voluntarily relinquished under
12 subparagraph (A), the Secretary shall—

13 (i) terminate the grazing permit or
14 lease; and

15 (ii) ensure a permanent end to graz-
16 ing on the land covered by the permit or
17 lease.

18 (C) PARTIAL RELINQUISHMENT.—

19 (i) IN GENERAL.—If a person holding
20 a valid grazing permit or lease voluntarily
21 and permanently relinquishes less than the
22 full level of grazing use authorized under
23 the permit or lease under subparagraph
24 (A), the Secretary shall—

1 (I) reduce the authorized grazing
2 level to reflect the voluntary relin-
3 quishment; and

4 (II) modify the permit or lease to
5 reflect the revised level.

6 (ii) AUTHORIZED LEVEL.—To ensure
7 that there is a permanent reduction in the
8 authorized level of grazing on the land cov-
9 ered by a permit or lease voluntarily relin-
10 quished under clause (i), the Secretary
11 shall not allow grazing use to exceed the
12 authorized level established under that
13 clause.

14 (g) PROHIBITION ON CONSTRUCTION OF NEW FA-
15 CILITIES.—No new facilities may be constructed in the
16 Monument unless the Secretary determines that the facil-
17 ity—

18 (1) will be minimal in nature;

19 (2) is consistent with the purpose of the Monu-
20 ment described in subsection (b); and

21 (3) is necessary—

22 (A) to enhance botanical, fish, wildlife, or
23 watershed conditions;

24 (B) to provide for public information,
25 health, or safety;

1 (C) for the management of livestock; or

2 (D) for the management, but not pro-
3 motion, of recreation.

4 (h) RELEASE OF WILDERNESS STUDY AREA.—

5 (1) FINDING.—Congress finds that the portions
6 of Federal land within the Monument designated as
7 a wilderness study area under section 202 of the
8 Federal Land Policy and Management Act of 1976
9 (43 U.S.C. 1712) as of the date of enactment of this
10 Act have been adequately studied for wilderness des-
11 ignation.

12 (2) RELEASE.—The portions of Federal land
13 described in paragraph (1)—

14 (A) are no longer subject to management
15 as a wilderness study area; and

16 (B) shall be managed in accordance with—

17 (i) this Act; and

18 (ii) all other applicable land use plan
19 decisions adopted under section 202 of the
20 Federal Land Policy and Management Act
21 of 1976 (43 U.S.C. 1712), which may in-
22 clude management for the protection of
23 wilderness characteristics.

24 (i) EFFECT ON EXISTING RIGHTS AND FISH AND
25 WILDLIFE MANAGEMENT.—Nothing in this section—

1 (1) terminates any valid right-of-way on land
2 included in the Monument that is in existence on the
3 date of enactment of this Act;

4 (2) affects the ability of an owner of a private
5 inholding within, or private land adjoining, the
6 boundary of the Monument to obtain permits or
7 easements from any Federal agency with jurisdiction
8 over the Monument to support existing uses, access,
9 management, or maintenance of the private prop-
10 erty; or

11 (3) diminishes the authority of the State to
12 manage fish and wildlife (including the regulation of
13 fishing and hunting within the Monument).

14 (j) WATER RIGHTS AND INFRASTRUCTURE.—Noth-
15 ing in this section—

16 (1) constitutes an express or implied claim or
17 denial on the part of the Federal Government re-
18 garding an exemption from State water laws; or

19 (2) prohibits access to existing water infrastruc-
20 ture within the boundaries of the Monument.

21 (k) TRIBAL RIGHTS.—Nothing in this section alters,
22 modifies, enlarges, diminishes, or abrogates the treaty
23 rights of any Indian Tribe.

24 **SEC. 4. LAND EXCHANGES.**

25 (a) AUTHORIZATION.—

1 (1) FAULKNER EXCHANGE.—

2 (A) IN GENERAL.—Subject to subsections
3 (b) through (h), if the owner of the non-Federal
4 land described in subparagraph (B)(i) offers to
5 convey to the United States all right, title, and
6 interest of the landowner in and to the non-
7 Federal land, the Secretary shall—

8 (i) accept the offer; and

9 (ii) on receipt of acceptable title to the
10 non-Federal land and subject to valid ex-
11 isting rights, convey to the landowner all
12 right, title, and interest of the United
13 States in and to the Federal land described
14 in subparagraph (B)(ii).

15 (B) DESCRIPTION OF LAND.—

16 (i) NON-FEDERAL LAND.—The non-
17 Federal land referred to in subparagraph
18 (A) is the approximately 15 acres of non-
19 Federal land identified on the Map as
20 “Faulkner to BLM”.

21 (ii) FEDERAL LAND.—The Federal
22 land referred to in subparagraph (A)(ii) is
23 the approximately 10 acres of Federal land
24 identified on the Map as “BLM to Faulk-
25 ner”.

1 (2) QUANT EXCHANGE.—

2 (A) IN GENERAL.—Subject to subsections
3 (b) through (h), if the owner of the non-Federal
4 land described in subparagraph (B)(i) offers to
5 convey to the United States all right, title, and
6 interest of the landowner in and to the non-
7 Federal land, the Secretary shall—

8 (i) accept the offer; and

9 (ii) on receipt of acceptable title to the
10 non-Federal land and subject to valid ex-
11 isting rights, convey to the landowner all
12 right, title, and interest of the United
13 States in and to the Federal land described
14 in subparagraph (B)(ii).

15 (B) DESCRIPTION OF LAND.—

16 (i) NON-FEDERAL LAND.—The non-
17 Federal land referred to in subparagraph
18 (A) is the approximately 236 acres of non-
19 Federal land identified on the Map as
20 “Quant to BLM”.

21 (ii) FEDERAL LAND.—The Federal
22 land referred to in subparagraph (A)(ii) is
23 the approximately 271 acres of Federal
24 land identified on the Map as “BLM to
25 Quant”.

1 (3) TWICKENHAM LIVESTOCK LLC EX-
2 CHANGE.—

3 (A) IN GENERAL.—Subject to subsections
4 (b) through (h), if the owner of the non-Federal
5 land described in subparagraph (B)(i) offers to
6 convey to the United States all right, title, and
7 interest of the landowner in and to the non-
8 Federal land, the Secretary shall—

9 (i) accept the offer; and

10 (ii) on receipt of acceptable title to the
11 non-Federal land and subject to valid ex-
12 isting rights, convey to the landowner all
13 right, title, and interest of the United
14 States in and to the Federal land described
15 in subparagraph (B)(ii).

16 (B) DESCRIPTION OF LAND.—

17 (i) NON-FEDERAL LAND.—The non-
18 Federal land referred to in subparagraph
19 (A) is the approximately 574 acres of non-
20 Federal land identified on the Map as
21 “Twickenham to BLM”.

22 (ii) FEDERAL LAND.—The Federal
23 land referred to in subparagraph (A)(ii) is
24 the approximately 566 acres of Federal

1 land identified on the Map as “BLM to
2 Twickenham”.

3 (b) APPLICABLE LAW.—Except as otherwise provided
4 in this section, the Secretary shall carry out each land ex-
5 change under subsection (a) in accordance with section
6 206 of the Federal Land Policy and Management Act of
7 1976 (43 U.S.C. 1716).

8 (c) CONDITIONS.—Each land exchange under sub-
9 section (a) shall be subject to such terms and conditions
10 as the Secretary may require.

11 (d) EQUAL VALUE EXCHANGE.—

12 (1) IN GENERAL.—The value of the Federal
13 land and non-Federal land to be exchanged under
14 subsection (a)—

15 (A) shall be equal; or

16 (B) shall be made equal in accordance with
17 paragraph (2).

18 (2) EQUALIZATION.—

19 (A) SURPLUS OF FEDERAL LAND.—If the
20 value of Federal land exceeds the value of non-
21 Federal land to be conveyed under a land ex-
22 change authorized under subsection (a), the
23 value of the Federal land and non-Federal land
24 shall be equalized by reducing the acreage of
25 the Federal land to be conveyed, as determined

1 to be appropriate and acceptable by the Sec-
2 retary and the landowner.

3 (B) SURPLUS OF NON-FEDERAL LAND.—If
4 the value of the non-Federal land exceeds the
5 value of the Federal land, the value of the Fed-
6 eral land and non-Federal land shall be equal-
7 ized by reducing the acreage of the non-Federal
8 land to be conveyed, as determined to be appro-
9 priate and acceptable by the Secretary and the
10 landowner.

11 (e) APPRAISALS.—

12 (1) IN GENERAL.—As soon as practicable after
13 the date of enactment of this Act, the Secretary and
14 the landowner shall select an appraiser to conduct
15 an appraisal of the Federal land and non-Federal
16 land to be exchanged under subsection (a).

17 (2) REQUIREMENTS.—An appraisal under para-
18 graph (1) shall be conducted in accordance with na-
19 tionally recognized appraisal standards, including—

20 (A) the Uniform Appraisal Standards for
21 Federal Land Acquisitions; and

22 (B) the Uniform Standards of Professional
23 Appraisal Practice.

24 (f) SURVEYS.—

1 (1) IN GENERAL.—The exact acreage and legal
2 description of the Federal land and non-Federal land
3 to be exchanged under subsection (a) shall be deter-
4 mined by surveys approved by the Secretary.

5 (2) COSTS.—The Secretary and the landowner
6 shall divide equally between the Secretary and the
7 landowner—

8 (A) the costs of any surveys conducted
9 under paragraph (1); and

10 (B) any other administrative costs of car-
11 rying out the land exchange under this section.

12 (g) VALID EXISTING RIGHTS.—The exchange of Fed-
13 eral land and non-Federal land under subsection (a) shall
14 be subject to any easements, rights-of-way, and other valid
15 rights in existence on the date of enactment of this Act.

16 (h) DEADLINE FOR COMPLETION OF LAND EX-
17 CHANGE.—It is the intent of Congress that the land ex-
18 changes under subsection (a) be completed by the date
19 that is not later than 2 years after the date of enactment
20 of this Act.

21 **SEC. 5. WITHDRAWAL.**

22 (a) IN GENERAL.—Subject to valid existing rights,
23 the Federal land and any interest in the Federal land in-
24 cluded within the Monument is withdrawn from—

1 (1) entry, appropriation, new rights-of-way, and
2 disposal under the public land laws;

3 (2) location, entry, and patent under the mining
4 laws; and

5 (3) operation of—

6 (A) the mineral leasing and geothermal
7 leasing laws; and

8 (B) except as provided in subsection (b),
9 the minerals materials laws.

10 (b) ROAD MAINTENANCE.—The Secretary shall con-
11 tinue to allow the operation, within the boundary of the
12 Monument and in a manner consistent with the manage-
13 ment of the Monument, of the following gravel pits that
14 are used for the purpose of road construction and mainte-
15 nance in the area surrounding the Monument:

16 (1) The Owens Quarry, Meyers Canyon Quarry,
17 and Monroe Pit operated by the Oregon Department
18 of Transportation.

19 (2) The gravel pit near Priest Hole operated by
20 the County.

21 **SEC. 6. TREATMENT OF STATE LAND AND MINERAL INTER-**
22 **ESTS.**

23 (a) ACQUISITION REQUIRED.—The Secretary shall
24 acquire, for approximately equal value and as agreed to
25 by the Secretary and the State, any land and interests

1 in land owned by the State within the area withdrawn by
2 section 5(a).

3 (b) ACQUISITION METHODS.—The Secretary shall ac-
4 quire the State land and interests in land under subsection
5 (a) in exchange for—

6 (1) the conveyance of Federal land or Federal
7 mineral interests that are outside the boundaries of
8 the area withdrawn by section 5(a);

9 (2) a payment to the State; or

10 (3) a combination of the methods described in
11 paragraphs (1) and (2).

12 **SEC. 7. CONVEYANCES OF BUREAU OF LAND MANAGEMENT**

13 **LAND TO THE CITY OF MITCHELL, OREGON.**

14 (a) IN GENERAL.—Notwithstanding the land use
15 planning requirements of sections 202 and 203 of the Fed-
16 eral Land Policy and Management Act of 1976 (43 U.S.C.
17 1712, 1713), on the request of the City, the Secretary
18 shall convey to the City, without consideration, the ap-
19 proximately 1,327 acres of Federal land generally depicted
20 on the Map as “City of Mitchell Conveyance”.

21 (b) INTERIM MANAGEMENT.—Until the date on
22 which the applicable parcel of Federal land described in
23 subsection (a) is conveyed to the City under that sub-
24 section, the Secretary shall continue to manage the appli-
25 cable parcel of Federal land.

1 (c) USE OF CONVEYED LAND.—The Federal land
2 conveyed under subsection (a) shall be used for recreation
3 or other public purposes consistent with the Act of June
4 14, 1926 (commonly known as the “Recreation and Public
5 Purposes Act”) (44 Stat. 741, chapter 578; 43 U.S.C. 869
6 et seq.).

7 (d) MAP AND LEGAL DESCRIPTIONS.—

8 (1) IN GENERAL.—As soon as practicable after
9 the date of enactment of this Act, the Secretary
10 shall finalize legal descriptions of the parcels of Fed-
11 eral land to be conveyed under subsection (a).

12 (2) CORRECTIONS OF ERRORS.—The Secretary
13 may correct minor errors in the Map or the legal de-
14 scriptions.

15 (3) AVAILABILITY.—The Map and legal descrip-
16 tions shall be on file and available for public inspec-
17 tion in the appropriate offices of the Bureau of
18 Land Management.

19 (e) TRIBAL RIGHTS.—Nothing in this section alters,
20 modifies, enlarges, diminishes, or abrogates the treaty
21 rights of any Indian Tribe.

22 (f) REVERSION.—

23 (1) IN GENERAL.—If any parcel of land con-
24 veyed under subsection (a) ceases to be used for the
25 purposes described in subsection (c), the land shall,

1 at the discretion of the Secretary based on the deter-
 2 mination of the Secretary of the best interests of the
 3 United States, revert to the United States.

4 (2) RESPONSIBILITY OF LOCAL GOVERNMENTAL
 5 ENTITY.—If the Secretary determines under para-
 6 graph (1) that a parcel of land should revert to the
 7 United States and that the parcel of land is con-
 8 taminated with hazardous waste, the City shall be
 9 responsible for remediation of the contamination.

10 **SEC. 8. COORDINATION WITH UNITS OF LOCAL GOVERN-**
 11 **MENT.**

12 The Secretary shall coordinate with units of local gov-
 13 ernment, including the County commission and the City,
 14 in accordance with section 202 of the Federal Land Policy
 15 and Management Act of 1976 (43 U.S.C. 1712) and sec-
 16 tion 1610.3–1 of title 43, Code of Federal Regulations (or
 17 a successor regulation) in—

18 (1) developing the management plan;

19 (2) prioritizing implementation of project-level
 20 activities under the management plan;

21 (3) developing activities that implement the
 22 management plan; and

23 (4) carrying out any other activities under this
 24 Act.

1 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated such sums

3 as are necessary to carry out this Act.

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