

OMNIBUS OREGON WILD AND SCENIC RIVERS ACT OF  
1988

SEPTEMBER 30 (legislative day, SEPTEMBER 26), 1988.—Ordered to be printed

Mr. JOHNSTON, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany S. 2148]

[Including cost estimate of the Congressional Budget Office]

The Committee on Energy and Natural Resources to which was referred the bill (S. 2148) to amend the Wild and Scenic Rivers Act of 1968, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

The amendment is as follows:

Strike all after the enacting clause and insert in lieu thereof:

SEC. 1. SHORT TITLE.

This Act may be referred to as the "Omnibus Oregon Wild and Scenic Rivers Act of 1988".

SEC. 2. AMENDMENTS TO THE WILD AND SCENIC RIVERS ACT.

Section 3(a) of the Wild and Scenic Rivers Act (P.L. 90-542, 82 Stat. 907), as amended, is further amended by adding the following new paragraphs at the end thereof:

"( ) BIG MARSH CREEK, OREGON.—The 15-mile segment from the northeast quarter of section 15, township 26 south, range 6 east, to its confluence with Crescent Creek in the northeast quarter of section 20, township 24 south, range 7 east, as a recreational river; to be administered by the Secretary of Agriculture: *Provided*, Nothing in this act shall prohibit the Secretary from undertaking construction activities to enhance and restore wetland resources associated with Big Marsh Creek.

"( ) CHETCO, OREGON.—The 44.5-mile segment from its headwaters to the Sis-kiyou National Forest boundary; to be administered by the Secretary of Agriculture in the following classes:

"(A) the 25.5-mile segment from its headwaters to Boulder Creek at the Kalmiopsis Wilderness boundary as a wild river;

"(B) the eight-mile segment from Boulder Creek to Steel Bridge as a scenic river; and

“(C) the 11-mile segment from Steel Bridge to the Siskiyou National Forest boundary, one mile below Wilson Creek, as a recreational river.

“( ) CLACKAMAS, OREGON.—The 47-mile segment from Big Springs to Big Cliff; to be administered by the Secretary of Agriculture in the following classes:

“(A) The 4-mile segment from Big Springs to the Forest Service Road 4690 bridge as a scenic river;

“(B) the 3.5-mile segment from the Forest Service Road 4690 bridge to the junction with Oregon State Highway 224 as a recreational river;

“(C) the 10.5-mile segment from Oregon State Highway 224 to the June Creek Bridge as a scenic river;

“(D) the 9-mile segment from the June Creek Bridge to Tar Creek as a recreational river;

“(E) the 5.5-mile segment from Tar Creek to just south of Indian Henry Campground as a scenic river; and

“(F) the 14.5-mile segment just south of Indian Henry Campground to Big Cliff as a recreational river.

“( ) CRESCENT CREEK, OREGON.—The 10-mile segment from the southwest quarter of section 11, township 24 south, range 6 east, to the west section line of section 13, township 24 south, range 7 east, as a recreational river; to be administered by the Secretary of Agriculture.

“( ) CROOKED, OREGON.—The 15-mile segment from the National Grassland boundary to Dry Creek; to be administered by the Secretary of the Interior in the following classes:

“(A) the 7-mile segment from the National Grassland boundary to River Mile 8 south of Opal Spring as a recreational river; and

“(B) the 8-mile segment from Bowman Dam to Dry Creek as a recreational river.

“( ) DESCHUTES, OREGON.—Those portions as follows:

“(A) the 40.4-mile segment from Wickiup Dam to northern boundary of Sunriver at the southwest quarter of section 20, township 19 south, range 11 east as a recreational river; to be administered by the Secretary of Agriculture;

“(B) the 11-mile segment from the northern boundary of Sunriver at the southwest quarter of section 20, township 19 south, range 11 east, to Lava Island Camp as a scenic river; to be administered by the Secretary of Agriculture;

“(C) the 3-mile segment from Lava Island Camp to the Bend Urban Growth Boundary at the southwest corner of section 13, township 18 south, range 11 east, as a recreational river; to be administered by the Secretary of Agriculture;

“(D) the 19-mile segment from Oden Falls to the Upper End of Lake Billy Chinook as a scenic river; to be administered by the Secretary of the Interior;

“(E) the 100-mile segment from the Pelton Reregulating Dam to its confluence with the Columbia River as a recreational river; to be administered by the Secretary of the Interior through a cooperative management agreement between the Confederated Tribes of the Warm Springs Reservation, and the State of Oregon as provided in section 10 of this act and section 4 of the Omnibus Oregon Wild and Scenic Rivers Act of 1988.

“( ) DONNER UND BLITZEN, OREGON.—Those segments, including its major tributaries, as a wild river; to be administered by the Secretary of the Interior as follows:

“(A) the 16.75-mile segment of the Donner und Blitzen from its confluence with the South Fork Blitzen and Little Blitzen;

“(B) the 12.5-mile segment of the Little Blitzen from its headwaters to its confluence with the South Fork Blitzen;

“(C) the 16.5-mile segment of the South Fork Blitzen from its headwaters to its confluence with the Little Blitzen;

“(D) the 10-mile segment of Big Indian Creek from its headwaters to its confluence with the South Fork Blitzen;

“(E) the 3.7-mile segment of Little Indian Creek from its headwaters to its confluence with Big Indian Creek; and

“(F) the 13.25-mile segment of Fish Creek from its headwaters to its confluence with the Donner und Blitzen.

“( ) EAGLE CREEK, OREGON.—The 27-mile segment from its headwaters below Eagle Lake to the Wallowa-Whitman National Forest boundary at Skull Creek; to be administered by the Secretary of Agriculture in the following classes:

“(A) the 4-mile segment from its headwaters below Eagle Lake to the Eagle Cap Wilderness boundary at Hummingbird Mountain as a wild river;

“(B) the 15.5-mile segment from the Eagle Cap Wilderness boundary at Hummingbird Mountain to Paddy Creek as a recreational river;

"(C) the 6-mile segment from Paddy Creek to Little Eagle Creek as a scenic river; and

"(D) the 1.5-mile segment from Little Eagle Creek to the Wallowa-Whitman National Forest boundary as a recreational river.

"( ) ELK, OREGON.—The 19-mile segment to be administered by the Secretary of Agriculture in the following classes:

"(A) the 17-mile segment from the confluence of the North and South Forks of the Elk to Anvil Creek as a recreational river; and

"(B) the 2-mile segment of the North Fork Elk from the falls to its confluence with the South Fork as a wild river.

"( ) GRANDE RONDE, OREGON.—The 43.8-mile segment from its confluence with the Wallowa River to the Oregon-Washington State line in the following classes:

"(A) the 1.5-mile segment from its confluence with the Wallowa River to the Umatilla National Forest boundary in section 11, township 3 north, range 40 east, as a recreational river; to be administered by the Secretary of Agriculture;

"(B) the 17.4-mile segment from the Umatilla National Forest boundary in section 11, township 3 north, range 40 east, to the Wallowa-Whitman National Forest boundary approximately one-half mile east of Grossman Creek as a wild river; to be administered by the Secretary of Agriculture;

"(C) the 9-mile segment from the Wallowa-Whitman National Forest boundary approximately one-half mile east of Grossman Creek to Wildcat Creek as a scenic river; to be administered by the Secretary of the Interior; and

"(D) the 15.9-mile segment from Wildcat Creek to the Oregon-Washington State line as a recreational river; to be administered by the Secretary of the Interior.

"( ) IMNAHA, OREGON.—The 68-mile segment from its confluence with the North and South Forks of the Imnaha River to its mouth; to be administered by the Secretary of Agriculture in the following classes:

"(A) the 6-mile segment from its confluence with the North and South Forks of the Imnaha River to Indian Crossing as a wild river;

"(B) the 58-mile segment from Indian Crossing to Cow Creek as a recreational river;

"(C) the 4-mile segment from Cow Creek to its mouth as a scenic river.

"( ) JOHN DAY, OREGON.—The 147.5-mile segment from Service Creek to Tumwater Falls as a recreational river; to be administered through a cooperative management agreement between the State of Oregon and the Secretary of the Interior.

"( ) JOSEPH CREEK, OREGON.—The 29.1-mile segment from Joseph Creek Ranch, one mile downstream for Cougar Creek, to the Oregon-Washington State line in the following classes:

"(A) the 8.6-mile segment from Joseph Creek Ranch, one mile downstream from Cougar Creek, to the Wallowa-Whitman National Forest boundary as a wild river; to be administered by the Secretary of Agriculture; and

"(B) the 20.5-mile segment from the Wallowa-Whitman National Forest boundary to the Oregon-Washington State line as a wild river; to be administered by the Secretary of the Interior.

"( ) LITTLE DESCHUTES, OREGON.—The 12-mile segment from its source to the north section line of section 12, township 26 south, range 7 east as a recreational river; to be administered by the Secretary of Agriculture.

"( ) LOSTINE, OREGON.—The 16-mile segment from its headwaters to the Wallowa-Whitman National Forest boundary; to be administered by the Secretary of Agriculture in the following classes:

"(A) the 5-mile segment from its headwaters to the Eagle Cap Wilderness boundary as a wild river; and

"(B) the 11-mile segment from the Eagle Cap Wilderness boundary to the Wallowa-Whitman National Forest boundary at Silver Creek as a recreational river.

"( ) MALHEUR, OREGON.—The 13.7-mile segment from Bosonberg Creek to the Malheur National Forest boundary; to be administered by the Secretary of Agriculture in the following classes:

"(A) the 7-mile segment from Bosonberg Creek to Malheur Ford as a scenic river; and

"(B) the 6.7-mile segment from Malheur Ford to the Malheur National Forest boundary as a wild river.

"( ) MCKENZIE, OREGON.—The 12.7-mile segment from Clear Lake to Scott Creek; to be administered by the Secretary of Agriculture in the following classes:

"(A) the 1.8-mile segment from Clear Lake to the head of maximum pool at Carmen Reservoir as a recreational river;

"(B) the 4.3-mile segment from a point 100 feet downstream from Carmen Dam to the maximum pool at Trail Bridge Reservoir as a recreational river; and

"(C) the 6.6-mile segment from the developments at the base of the Trail Bridge Reservoir Dam to Scott Creek as a recreational river.

"( ) METOLIUS, OREGON.—The 28.6-mile segment from the south Deschutes National Forest boundary to Lake Billy Chinook in the following classes:

"(A) the 11.5-mile segment from the south Deschutes National Forest boundary (approximately 2,055.5 feet from Metolius Springs) to Bridge 99 as a recreational river; to be administered by the Secretary of Agriculture;

"(B) the 17.1-mile segment from Bridge 99 to Lake Billy Chinook as scenic river; by the Secretary of Agriculture, through a cooperative management agreement between the Secretary of the Interior, the Confederated Tribes of the Warm Springs Reservation, and the State of Oregon as provided in section 10 of this act and section 4 of the Omnibus Oregon Wild and Scenic Rivers Act of 1988: *Provided*, That the river and its adjacent land area will be managed to provide a primitive recreational experience as defined in the ROS User's Guide.

"( ) MINAM, OREGON.—The 39-mile segment from its headwaters at the south end of Minam Lake to the Eagle Cap Wilderness boundary, one-half mile downstream from Cougar Creek, as a wild river; to be administered by the Secretary of Agriculture.

"( ) NORTH FORK CROOKED, OREGON.—The 32.3-mile segment from its source at Williams Prairie to one mile from its confluence with the Crooked River in the following classes:

"(A) the 3-mile segment from its source at Williams Prairie to the Upper End of the Big Summit Prairie as recreational river; to be administered by the Secretary of Agriculture;

"(B) the 3.7-mile segment from the Lower End of Big Summit Prairie to the bridge across from the Deep Creek Campground as a recreational river; to be administered by the Secretary of Agriculture;

"(C) the 8-mile segment from the bridge across from the Deep Creek Campground to the Ochoco National Forest boundary, one-half mile from Lame Dog Creek as a scenic river; to be administered by the Secretary of Agriculture;

"(D) the 1.5-mile segment from the Ochoco National Forest boundary to Upper Falls as a scenic river; to be administered by the Secretary of Agriculture;

"(E) the 11.1-mile segment from Upper Falls to Committee Creek as a wild river; to be administered by the Secretary of the Interior; and

"(F) the 5-mile segment from Committee Creek to one mile from its confluence with the Crooked River as a recreational river; to be administered by the Secretary of the Interior.

"( ) NORTH FORK JOHN DAY, OREGON.—The 54.1-mile segment from its headwaters in the North Fork of the John Day Wilderness Area at section 13, township 8 south, range 36 east, to its confluence with Camas Creek in the following classes:

"(A) the 3.5-mile segment from its headwaters in the North Fork of the John Day Wilderness at section 13, township 8 south, range 36 east, to the North Fork of the John Day Wilderness boundary as a wild river; to be administered by the Secretary of Agriculture;

"(B) the 7.5-mile segment from the North Fork of the John Day Wilderness boundary to Trail Creek as a recreational river; to be administered by the Secretary of Agriculture;

"(C) the 24.3-mile segment from Trail Creek to Big Creek as a wild river; to be administered by the Secretary of Agriculture;

"(D) the 10.5-mile segment from Big Creek to Texas Bar Creek as a scenic river; to be administered by the Secretary of Agriculture; and

"(E) the 8.3-mile segment from Texas Bar Creek to its confluence with Camas Creek as a recreational river; to be administered by the Secretary of Agriculture.

"( ) NORTH FORK MALHEUR, OREGON.—The 25.5-mile segment from its headwaters to the Malheur National Forest boundary as a scenic river; to be administered by the Secretary of Agriculture.

"( ) NORTH FORK OF THE MIDDLE FORK OF THE WILLAMETTE, OREGON.—The 42.3-mile segment from Waldo Lake to the Willamette National Forest boundary; to be administered by the Secretary of Agriculture in the following classes:

"(A) the 8.8-mile segment from Waldo Lake to the south section line of section 36, township 19 south, range 5½ east as a wild river;

"(B) the 6.5-mile segment from the south section line of section 36, township 19 south, range 5½ east to Fisher Creek as a scenic river; and

"(C) the 27-mile segment from Fisher Creek to the Willamette National Forest boundary as a recreational river.

"( ) NORTH FORK OWYHEE, OREGON.—The 8-mile segment from the Oregon-Idaho State line to its confluence with the Owyhee River as a wild river; to be administered by the Secretary of the Interior.

"( ) NORTH FORK SMITH, OREGON.—The 13-mile segment from its headwaters to the Oregon-California State line; to be administered by the Secretary of Agriculture in the following classes:

"(A) the 6.5-mile segment from its headwaters to Horse Creek as a wild river;

"(B) the 4.5-mile segment from Horse Creek to Baldface Creek as a scenic river; and

"(C) the 2-mile segment from Baldface Creek to the Oregon-California State line as a wild river.

"( ) NORTH FORK SPRAGUE, OREGON.—The 15-mile segment from the Head of River Spring in the southwest quarter of section 15, township 35 south, range 16 east, to the northwest quarter of the southwest quarter of section II, township 35 south, range 15 east, as a scenic river; to be administered by the Secretary of Agriculture.

"( ) NORTH POWDER, OREGON.—The 6-mile segment from its headwaters to the Willowa-Whitman National Forest boundary at River Mile 20 as a scenic river; to be administered by the Secretary of Agriculture.

"( ) NORTH UMPQUA, OREGON.—The 33.8-mile segment from the Soda Springs Powerhouse to Rock Creek in the following classes:

"(A) the 25.4-mile segment from the Soda Springs Powerhouse to the Umpqua National Forest boundary as a recreational river; to be administered by the Secretary of Agriculture; and

"(B) the 8.4-mile segment from the Umpqua National Forest boundary to its confluence with Rock Creek as a recreational river; to be administered by the Secretary of the Interior.

"(C) POWDER, OREGON.—The 11.7-mile segment from Thief Valley Dam to the Highway 203 bridge as a scenic river; to be administered by the Secretary of the Interior.

"( ) QUARTZVILLE CREEK, OREGON.—The 12-mile segment from the Willamette National Forest boundary to Slack Water in Green Peter Reservoir as a recreational river; to be administered by the Secretary of the Interior.

"( ) ROARING, OREGON.—The 13.7-mile segment from its headwaters to its confluence with the Clackamas River; to be administered by the Secretary of Agriculture in the following classes:

"(A) the 13.5-mile segment from its headwater to one-water mile upstream of the mouth as a wild river; and

"(B) the .2-mile segment from one-quarter mile upstream of the mouth to its confluence with the Clackamas River as a recreational river.

"( ) SALMON, OREGON.—The 33.5-mile segment from its headwaters to its confluence with the Sandy River in the following classes:

"(A) the 7-mile segment from its headwaters to the south boundary line of section 6, township 4 south, range 9 east as a recreational river; to be administered by the Secretary of Agriculture: *Provided*, That designation and classification shall not preclude the Secretary from exercising discretion to approve the construction, operation, and maintenance of ski lifts, ski runs, and associated facilities for the land comprising the Timberline Lodge Winter Sports Area insofar as such construction does not involve water resources projects;

"(B) the 15-mile segment from the south boundary line at section 6, township 4 south, range 9 east to the junction with the South Fork of the Salmon River as a wild river; to be administered by the Secretary of Agriculture;

"(C) the 3.5-mile segment from the junction with the south fork of the Salmon River to the Mt. Hood National Forest boundary as a recreational river; to be administered by the Secretary of Agriculture;

"(D) the 3.2-mile segment from the Mt. Hood National Forest boundary to Lymp Creek as a recreational river; to be administered by the Secretary of the Interior; and

"(E) the 4.8-mile segment from Lymp Creek to its confluence with the Sandy River as a scenic river; to be administered by the Secretary of the Interior.

"( ) SANDY, OREGON.—Those portions as follows:

"(A) The 4.5-mile segment from its headwaters to the section line between sections 15 and 22, township 2 south, range 8 east as a wild river; to be administered by the Secretary of Agriculture;

"(B) the 7.9-mile segment from the section line between sections 15 and 22, township 2 south, range 8 east to the Mt. Hood National Forest boundary at the west section line of section 26, township 2 south, range 7 east as a recreational river; to be administered by the Secretary of Agriculture;

"(C) the 12.5-mile segment from the east boundary of sections 25 and 36, township 1 south, range 4 east in Clackamas County near Dodge Park, downstream to the west line of the east half of the northeast quarter of section 6, township 1 south, range 4 east, in Multnomah County at Dabney State Park, the upper 3.8 miles as a scenic river and the lower 8.7 miles as a recreational river; both to be administered through a cooperative management agreement between the State of Oregon, the Secretary of the Interior and the Counties of Multnomah and Clackamas in accordance with section 10(e) of this Act: *Provided*, That nothing in this act shall preclude or impair the licensing, development, operation, or maintenance of City of Portland, Oregon water resources facilities on those portions of the Bull Run or Little Sandy Rivers that are outside the boundary of the wild and scenic river area as designated in this section: *Provided further*, That nothing in this section is intended or shall be construed to affect any rights, obligations, privileges, or benefits granted to the City of Portland, Oregon under any prior authority of law or under any agreement or administrative ruling entered into or made effective before the effective date of this act.

"( ) SOUTH FORK IMNAHA, OREGON.—The 9-mile segment from its headwaters to the confluence with the Imnaha River as a wild river; to be administered by the Secretary of Agriculture.

"( ) SOUTH FORK JOHN DAY, OREGON.—The 47-mile segment from the Malheur National Forest to Smokey Creek as a recreational river; to be administered by the Secretary of the Interior.

"( ) SQUAW CREEK, OREGON.—The 15.4-mile segment from its source to the hydrologic Gaging Station 800 feet upstream from the intake of the McAllister Ditch, including the Soap Fork Squaw Creek, the North Fork, the South Fork, the East and West Forks of Park Creek, and Park Creek Fork; to be administered by the Secretary of Agriculture as follows:

"(A) the 6.6-mile segment and its tributaries from the source to the Three Sisters Wilderness boundary as a wild river; and

"(B) the 8.8-mile segment from the boundary of the Three Sisters Wilderness Area to the hydrologic Gaging Station 800 feet upstream from the intake of the McAllister Ditch as a scenic river: *Provided*, That nothing in this act shall prohibit the construction of facilities necessary for emergency protection for the town of Sisters relative to a rapid discharge of Carver Lake if no other reasonable flood warning or control alternative exists.

"( ) SYCAN, OREGON.—The 59-mile segment from the northeast quarter of section 5, township 34 south, range 17 east to Coyote Bucket at the Fremont National Forest boundary; to be administered by the Secretary of Agriculture in the following classes:

"(A) the 26.4-mile segment from the northeast quarter of section 5, township 34 south, range 17 east to the west section line of section 22, township 32 south, range 14 east, as a scenic river;

"(B) the 8.6-mile segment from the west section line of section 22, township 32 south, range 14 east, to the Fremont National Forest boundary in the southeast quarter of section 10, township 33 south, range 13 east, as a recreational river; and

"(C) the 24-mile segment from the Fremont National Forest boundary in the southeast quarter of section 10, township 33 south, range 13 east, to Coyote Bucket at the Fremont National Forest boundary, as a scenic river.

"( ) UPPER ROGUE, OREGON.—The 40.3-mile segment from the Crater Lake National Park boundary to the Rogue River National Forest boundary; to be administered by the Secretary of Agriculture in the following classes:

"(A) the 0.5-mile segment from the Crater Lake National Park boundary to approximately 0.1 mile downstream from the forest road 6530760 (West Lake Road) crossing as a scenic river;

"(B) the 6.1-mile segment from approximately 0.1-mile downstream from the forest road 6530760 (West Lake Road) crossing to Minehaha Creek as a wild river; and

"(C) the 33.7-mile segment from Minehaha Creek to the Rogue River National Forest boundary as a scenic river.

"( ) WENAHA, OREGON.—The 21.55-mile segment from the confluence of the North Fork and the South Fork to its confluence with the Grande Ronde River; to be administered by the Secretary of Agriculture in the following classes:

"(A) the 18.7-mile segment from the confluence of the North Fork and South Fork to the Umatilla National Forest as a wild river;

"(B) the 2.7-mile segment from the Umatilla National Forest boundary to the easternmost boundary of the Wenaha State Wildlife Area as a scenic area; and

"(C) the 0.15-mile segment from the easternmost boundary of the Wenaha State Wildlife Area to the confluence with the Grande Ronde River as a recreational river.

"( ) WEST LITTLE OWYHEE, OREGON.—The 51-mile segment from its headwaters to its confluence with Owyhee River as wild river; to be administered by the Secretary of the Interior.

"( ) WHITE, OREGON.—The 46.5-mile segment from its headquarters to its confluence with the Deschutes River in the following classes:

"(A) the 2-mile segment from its headwaters to the section line between sections 9 and 16, township 3 south, range 9 east, as a recreational river; to be administered by the Secretary of Agriculture: *Provided*; That designation and classification shall not preclude the Secretary from exercising discretion to approve construction, operation, and from exercising discretion to approve construction, operation, and maintenance of ski lifts, ski runs, and associated facilities for the land comprising the Mt. Hood Winter Sports Area insofar as such construction does not involve water resource projects and is consistent with protecting the values for which the river was designated.

"(B) the 13.6-mile segment from the section line between sections 9 and 16, township 3 south, range 9 east, to Deep Creek as recreational river; to be administered by the Secretary of Agriculture;

"(C) the 6.5-mile segment from Deep Creek to the Mt. Hood National Forest boundary a swild river; to be administered by the Secretary of Agriculture;

"(D) the 22.8-mile segment from the Mt. Hood National Forest boundary to River Mile 2.2 as a recreational river; to be administered by the Secretary of the Interior; and

"(E) the 1.6-mile segment from River Mile 1.6 to its confluence with the Deschutes River as a recreational river; to be administered by the Secretary of the Interior."

### SEC. 3. WILD AND SCENIC RIVER STUDIES.

Section 5(a) of the Wild and Scenic Rivers Act (Public Law 90-542, 82 Stat. 910), as amended, is further amended by adding the following new paragraphs at the end thereof:

"( ) BLUE, OREGON.—The segment from its headwaters to the Blue River Reservoir; by the Secretary of Agriculture.

"( ) CHEWAUCAN, OREGON.—The segment from its headwaters to the Paisley Urban Growth boundary to be studied in cooperation with, and integrated with, the Klamath River Basin Plan; by the Secretary of Agriculture.

"( ) NORTH FORK MALHEUR, OREGON.—The segment from the Malheur National Forest boundary to Beulah Reservoir; by the Secretary of the Interior.

"( ) SOUTH FORK MCKENZIE, OREGON.—The segments from its headwaters to the upper end of Cougar Reservoir and from the lower end of Cougar Reservoir to its confluence with the McKenzie River; by the Secretary of Agriculture.

"( ) STEAMBOAT CREEK, OREGON.—The entire creek; by the Secretary of Agriculture.

"( ) UPPER KLAMATH, OREGON.—The segment from immediately below John Boyle Dam to the Oregon-California State line; by the Secretary of the Interior: *Provided*, That nothing in this Act, or any amendments thereto, shall be construed to affect or delay, or to interfere with completion of, any studies or proceedings by any Department or agency of the United States which has jurisdiction over the Salt Caves Hydroelectric Project proposed by the City of Klamath Falls, Oregon.

"( ) WALLOWA, OREGON.—The segment from its confluence with the Minam River to its confluence with the Grande Ronde River; by the Secretary of Agriculture."

### SEC. 4. INDIAN TREATY LANDS AND ADMINISTRATIVE PROVISIONS

(a) (1) Lands now or hereafter held in trust by the United States for the benefit of an Indian tribe or individual Indian shall not be included within the boundaries of

the Deschutes or Metolius Rivers as designated by this act without the consent of the applicable tribal council.

(2) When Indian treaty lands exist in association with lands included in the National Wild and Scenic Rivers System under this act, the Secretaries of the Interior and Agriculture, as appropriate, shall fully consult and enter into written cooperative management agreements with the affected Indian tribe for planning, administration, and management of such areas.

(b) Nothing in this act shall affect:

(1) the jurisdiction or responsibilities of an Indian tribe with respect to fish, wildlife, land, and water management;

(2) the treaty or other rights of an Indian tribe;

(3) the water and land claims, present or future, of an Indian tribe;

(4) the relicensing or amending the license of the Pelton Hydroelectric Project, FERC Project No. 2030 so long as such project does not adversely affect the values for which the Deschutes River was designated;

(5) the licensing of the Whitewater Hydroelectric Project located within the Warm Springs Indian Reservation;

(6) the rights or jurisdiction of Indian tribes over waters or any river or stream within the affected river area or stream, or over any ground water resource; or

(7) the beneficial ownership interest of land held in trust, now or hereafter, by the United States for Indian Tribes or individual Indians;

#### SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for fiscal years after the fiscal year 1988

(a) for the purpose of acquisition of lands, waters, and interests therein pursuant to this Act, not to exceed \$10,000,000; and

(b) for the purpose of preparing the studies for the rivers and river segments listed in section 3 of this act, not to exceed \$2,500,000.

#### PURPOSE OF THE MEASURE

The purpose of S. 2148, as ordered reported, is to add segments of 41 rivers in Oregon, totaling some 1,435 miles, as components of the National Wild and Scenic Rivers System and to study seven additional Oregon rivers for future inclusion in the System.

#### BACKGROUND AND NEED

With the enactment of the Wild and Scenic Rivers Act in 1968, Congress established a national policy toward the protection of certain rivers within the United States. The policy declared that rivers which possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values, should be preserved in a free-flowing condition, and that they and their immediate environments should be protected for the benefit and enjoyment of present and future generations.

The original purpose of the Act was to balance established federal construction and dam building at certain river sections with a policy that would (1) preserve other selected rivers or sections thereof in their free-flowing condition, (2) protect the water quality of such rivers, and (3) fulfill other vital national conservation purposes.

In the twenty years since the enactment of the Wild and Scenic Rivers Act, only 75 rivers have been designated as components of the Wild and Scenic Rivers System. The original 1968 legislation included 10 rivers. Since then, the Congress has designated an additional 56 rivers. The other nine were included in the national rivers system by the Secretary of the Interior at the request of the Governors of the states through which the rivers flow, in accordance with Section 2(a)(ii) of the Act. In addition, 95 rivers have



been designated for study for possible inclusion in the system. Many of these "study rivers" have been designated as components of the Wild and Scenic Rivers System while studies are underway or pending before the Congress.

In 1982, the Department of the Interior released a Nationwide Rivers Inventory. This five year study effort identified some 62,000 miles of rivers in the United States for possible inclusion in the Wild and Scenic Rivers System. During this same period, the Forest Service and the Bureau of Land Management, through their planning processes, have begun the process of more specifically identifying rivers that qualify for inclusion in the System or require special management pursuant to the respective forest or land management plans. As a result of these efforts, there is currently considerable new data available on the resources associated with free-flowing rivers in the United States and a growing interest in the protection of these rivers and their associated environments.

As part of the ongoing process of evaluating rivers, creeks, and streams for possible inclusion into the National Wild and Scenic Rivers System, both the Forest Service and the Bureau of Land Management have been analyzing rivers in Oregon for their potential wild and scenic qualities in their respective draft land and resource management planning processes.

In December 1987, Senator Hatfield requested a list of all rivers analyzed in each draft planning process from the two agencies. The request was not limited to rivers recommended in draft planning documents for inclusion in the National System; rather, the request was to include all rivers analyzed in each alternative whether recommended or not. An initial list of segments of 40 rivers was provided, which was used as the outline for the introduction of S. 2148.

Unlike additions to the National Wilderness Preservation System which are often made on a statewide basis, rivers have traditionally been added to the Wild and Scenic Rivers System on an individual basis. S. 2148, which, as reported, would add segments of 41 rivers in Oregon to the System, brakes sharply with that tradition. The measure represents the largest single effort to enlarge the Wild and Scenic Rivers System in the lower 48 states since the System was created in 1968. (The Alaska Lands Act in 1980 added more river acreage to the System but included fewer individual units.) However, if all the river segments in S. 2148 are included in the Wild and Scenic Rivers System, and are added to the four designated river segments already in Oregon, only some 1,700 miles, or 4.8 percent, of Oregon's 35,000 miles of major named rivers and streams would be protected in the federal System.

Still by almost any measure, the enactment of S. 2148 would be a major step forward in protecting Oregon's significant free flowing river resources.

#### LEGISLATIVE HISTORY

S. 2148 was introduced by Senators Hatfield and Packwood on March 4, 1988. Field hearings were held by the Subcommittee on Public Lands, National Parks and Forests in Oregon City, Bend,

and Grants Pass, Oregon on May 3, 30, and June 1, respectively. A hearing was held in Washington, D.C. on July 26, 1988.

An identical House companion measure, H.R. 4259, was introduced by Congressman Denny Smith on March 24, 1988. A similar measure, H.R. 4164, was introduced by Congressman DeFazio on March 16, 1988.

At the business meeting on Thursday, September 22, 1988, the Senate Committee on Energy and Natural Resources ordered S. 2148, as amended, favorably reported.

#### COMMITTEE RECOMMENDATIONS AND TABULATION OF VOTES

The Senate Committee on Energy and Natural Resources, in open business session on Thursday, September 22, 1988, by unanimous voice vote of a quorum present, recommends that the Senate pass S. 2148 if amended, as described herein.

#### COMMITTEE AMENDMENT

During the consideration of S. 2148, the Committee adopted an amendment in the nature of a substitute. The substitute amendment incorporated a number of technical changes, minor modifications, the addition and deletion of several river segments, the addition of several study rivers, and numerous other minor conforming changes. The substantive changes made by the substitute amendment and other concerns are discussed in the Section-by-Section Analysis portion of this report.

#### SECTION-BY-SECTION ANALYSIS

Section 1 is self explanatory.

Section 2 provides for the designation of 41 rivers or river segments in Oregon as components of the Wild and Scenic Rivers System.

Five river segments included in S. 2148, as introduced, are not included in the bill as ordered reported. These rivers are: the Alsea, Nestucca, Williamson, South Fork of the Crooked, and Burnt. These rivers were deleted from the bill in response to a variety of concerns raised during the hearings on this measure.

Six river segments were added to the bill as a result of public input. These rivers are: the Elk, North Fork of the Middle Fork of the Willamette, Sandy, Malheur, North Fork of the Malheur, and Squaw Creek.

In total, the substitute designates approximately 1,434 miles of river for inclusion in the Wild and Scenic Rivers System. This is approximately 271.5 miles less than S. 2148 as introduced. A summary table depicting the river, length of the segment, managing agency, and classification is included as Appendix 1.

#### *Metolius River*

The portion of the Metolius River to be designated will begin at the existing Deschutes National Forest boundary, approximately 2,055.5 feet from the headwaters at the Metolius Springs. That portion of the river from the Metolius Springs to the National Forest boundary includes approximately 157 acres of land and the head-

waters, and is specifically exempted from designation. This river segment will continue under the management of the owner, Mrs. Sam Johnson and her family and estate. Exclusion of the Johnson property from federal designation is an acknowledgement of the unique public/private partnership that has developed over nearly 70 years. The management of that area over the years has exemplified sound stewardship and land management and should serve as a model for the type of management that can be achieved on even the most fragile and vulnerable environment.

### *Upper Salmon and White Rivers*

The general area around the Upper Salmon and White Rivers incorporates much of the timberline Lodge/Mount Hood Meadows Winter Recreation Complex. This area is a long-time winter recreation area for hundreds of thousands of Americans annually. Among other considerations, the area is currently being promoted by the citizens of Oregon for the possible site of the 1998 Winter Olympic Games. The Committee emphasizes that the wild and scenic designation for these two rivers is expected to complement, and not interfere with, that effort.

#### FINAL LIST OF RIVERS IN S. 2148, THE OMNIBUS OREGON WILD AND SCENIC RIVERS ACT OF 1988

Designated rivers	Mileage	Agency	Class
1. Big Marsh Creek .....	15.00	FS	R
2. Chetco .....	44.50	FS	W S R
3. Clackamas .....	47.00	FS	S R
4. Crescent Creek .....	10.00	FS	R
5. Crooked .....	15.00	BLM	R
6. Deschutes .....	173.40	BLM, FS	S R
7. Donner und Blitzen .....	68.50	BLM	W
8. Eagle Creek .....	23.00	FS	W R
9. Elk .....	19.00	FS	W S R
10. Grande Ronde .....	43.80	BLM, FS	W R
11. Imnaha .....	68.00	FS	W S R
12. John Day (main stem) .....	175.20	BLM	W R
13. Joseph Creek .....	29.10	FS	W
14. Little Deschutes .....	12.00	FS	R
15. Lostine .....	16.00	FS	W R
16. Malheur .....	13.70	FS	W
17. McKenzie .....	12.70	FS	S R
18. Metolius .....	28.50	FS	R
19. Minam .....	39.00	FS	W
20. North Fork, Crooked .....	32.30	BLM, FS	W S R
21. North Fork John Day .....	92.30	BLM, FS	R
22. North Fork Malheur .....	25.50	FS	S
23. North Fork of the Middle Fork of the Willamette .....	42.30	FS	W S R
24. North Fork Owyhee .....	8.00	BLM	W
25. North Fork Smith .....	13.00	FS	W S
26. North Fork Sprague .....	15.00	FS	S
27. North Powder .....	6.00	FS	S
28. North Umpqua .....	33.80	BLM, FS	R
29. Powder .....	11.70	BLM	S
30. Quartzville Creek .....	12.00	BLM	R
31. Roaring .....	13.50	FS	W R
32. Salmon .....	33.50	FS	R
33. Sandy .....	22.00	FS	W R
34. South Fork Imnaha .....	48.00	BLM	R
35. South Fork John Day .....	48.00	BLM	R
36. Squaw Creek .....	15.40	FS	W S

FINAL LIST OF RIVERS IN S. 2148, THE OMNIBUS OREGON WILD AND SCENIC RIVERS ACT OF 1988—  
Continued

Designated rivers	Mileage	Agency	Class
37. Sycan.....	54.00	FS	S R
38. Upper Rogue.....	40.30	FS	W S
39. Wenaha.....	21.55	FS	W S R
40. West Little Owyhee.....	51.00	BLM	W
41. White.....	45.10	FS	W S R
Total, 41 rivers .....	1,434.05 .....		

Study rivers Blue, Chewaucan, North Fork Malheur, South Fork McKenzie, Steamboat Creek, Upper Klamath, and Wallowa.

### *Lower White River*

The Committee also notes that a portion of the lower White River has been excluded from designation to preclude interference with the rehabilitation of the existing diversion and powerhouse being pursued in North Wasco County, Oregon. The State of Oregon supports this rehabilitation effort, and the Committee notes that it is likely to contribute to the overall economic, environmental, and safety values of the area immediately adjacent to Tygh Valley State Park.

### *Opal Creek*

During the formalation of S. 2148, there has been intense interest expressed about Opal Creek. This creek is an important source of water for the City of Salem, Oregon and evidences very strong scenic and recreational values. After considerable deliberation, the Committee chose not to include Opal Creek as a designated river. The Oregon Legislature considered Opal Creek for inclusion in the State Scenic Waterways Program in 1985 and 1987. After allowing the inclusion for a trial two-year basis in 1985, the Legislature included a sunset provision that would remove Opal Creek from the State System. Also, information provided by the Forest Service indicates that timber harvest impacts by including Opal Creek would range between 1.9 and 3.3 MMBF which the Committee believes is too concentrated an impact for that area.

Section 3 designates 7 rivers or rivers segments for study to determine their eligibility for potential inclusion in the Wild and Scenic Rivers System. These rivers are: the Blue, Chewaucan, North Fork of the Malheur, South Fork of the McKenzie, Steamboat Creek, Upper Klamath, and Wallowa. S. 2148, as introduced, did not designate any study rivers.

### *Steamboat Creek*

Steamboat Creek was the subject of Committee report guidance in 1984, when the Owyhee and Illinois Rivers were added to the National System. Steamboat Creek reflects one of the common concerns of our time: how to allow sustained timber management while simultaneously protecting the critical fishery values of the stream. The Committee at that time directed the Forest Service to manage Steamboat Creek and its environment with an emphasis on enhancing fishery values and water quality. Since 1984, the

Umpqua National Forest has made a strong effort to meet that management guidance.

However, it should be noted that, despite these management efforts, the average water temperature of Steamboat Creek is about 68 degrees Fahrenheit, which is approximately 10 degrees higher than fishery biologists recommend for sound anadromous fisheries. As such, Steamboat Creek has been added to the amendment as a study river to determine whether wild and scenic river designation would offer management tools to better protect this important value.

In addition, the Committee directs the Forest Service and Bureau of Land Management to extend fishery management emphasis to the tributaries of Steamboat Creek, including Canton Creek, to optimize fish production, and including, where necessary, increased law enforcement activities. Concurrently with this management, however, the Forest Service must make every effort to integrate these considerations with its normally-programmed timber management schedule for the area.

#### *Upper Klamath River*

The amendment also includes the Upper Klamath River as a study river, with language which directs the Department of the Interior study to proceed concurrently with, and without interfering with, the ongoing license application process now being conducted by the Federal Energy Regulatory Commission (FERC) for the Salt Caves Dam Project in Klamath County, Oregon. Because the Project was proposed prior to the adoption of the amendment, and because the City has invested considerable time and resources in pursuing the Project, it is the intent of Committee that review of the Project by federal agencies—and issuance or denial of necessary project approvals—should not be affected or delayed by the pendency of the wild and scenic river study. The Committee expects FERC to proceed with this license application without delay or interruption. The Department of the Interior is expected to prepare its study with a view toward more fully examining the Upper Klamath's natural values.

Section 4 ensures that Indian Tribes will be fully involved and consulted with regard to the management of those designated river segments involving tribal lands. This section also includes several disclaimer provisions with regard to the application of the Wild and Scenic Rivers Act to Indian lands affected by the river designations made by this Act.

Section 5 authorizes \$10 million for land acquisition and \$2.5 million for the preparation of the seven studies authorized by the Act.

#### TIMBER HARVESTING

The Committee underscores its concern with the burgeoning use of appeals and litigation relating to timber management activities in Oregon and Washington in recent years. In 1988, for example, over 250 administrative appeals were filed on national forest timber sales in this region. Many of these appeals were filed because of concerns about planned timber sales in controversial un-

roaded areas released for multiple use management through the Oregon Wilderness Act of 1984.

While some slight reductions in the allowable sale quantity (ASQ) are likely to occur, S. 2148, as ordered reported, attempts to avoid concentrating these impacts in any particular river area. Bases upon information provided by the Forest Service and BLM and its own analysis, the Committee does not expect ASQ reductions to exceed 15 million board feet (MMBF) statewide.

The Committee emphasizes that there is no intent to generate additional appeals and litigation because of controversies which may arise on lands outside the corridors of the rivers designated by this act. Timber harvesting is a statutorily accepted management activity on public lands which can provide both environmental and economic balance in public land stewardship. Although section 12(a) of the 1968 Wild and Scenic Rivers Act provides agency direction with regard to adjacent land management, it is not the Committee's intent to create de facto river boundaries on lands beyond the designated corridors. Management activities on such lands should follow the direction provided in the National Forest Management Act (P.L. 94-588, 90 Stat. 2949, as amended) and the Federal Land Policy Management Act (P.L. 94-579, 90 Stat. 2743, as amended) to protect the values for which the rivers were designated.

#### WATER RIGHTS

The Committee reiterates that section 6(f) of the Wild and Scenic Rivers Act is intended to preserve the status quo with respect to the law of water rights. No change is intended in S. 2148. All existing water rights are expected to be fully protected by the provisions of the act. While the federal government has been determined to have rights to unappropriated water in designated river areas, established principles of law make it clear that the government must pay just compensation for a water right taken for wild river purposes if the water right is a vested property right under established principles of State or Federal law.

The Committee wishes to reiterate the words included in the former Senate Committee on Interior and Insular Affairs in S. Rpt. 90-491:

It should be made clear that it is the intention of the [c]ommittee that the Federal Government may reserve only such unappropriated waters as may be required for the purposes specified in this act. The establishment of a National Wild and Scenic Rivers System is not intended to affect or impair any prior valid water right vested under State or Federal law.

#### FISHERY ENHANCEMENT EFFORTS

The Committee fully expects anadromous and resident fishery enhancement programs to proceed on rivers designated in this bill. The Committee directs each Secretary to coordinate with Federal and State fish enhancement projects in developing and carrying out management plans.

## CURRENT AND FUTURE BASIN PLANNING

All wild and scenic river planning is to be fully coordinated with current and future basin planning at every level. It is further noted that section 13(e) specifically makes interstate compacts by unaffected wild and scenic designation. This is particularly applicable in instances such as with the Klamath Basin Interstate Compact. The Sycan, North Fork Sprague, and Upper Klamath Rivers are all addressed in the amendment, and all are subject to the provisions of this compact. The Committee notes that this compact predates the wild and scenic river designation and the designation is subject to the provisions of the Compact.

The State of Oregon has established statewide basin planning, which is an ongoing process. The Committee expects each Secretary, where appropriate, to consult and coordinate with the appropriate State and local planning and governing bodies..

In addition, the Committee notes that water resource and related projects are not precluded on river segments or tributaries not designated as components of the Wild and Scenic Rivers System by this Act so long as such projects do not invade the wild and scenic river area or unreasonably diminish the scenic, recreational, and fish and wildlife values present in the area on the date the river was added as a component of the system.

## OREGON SCENIC WATERWAYS PROGRAM

The State of Oregon administers the Oregon Scenic Waterways Program which complements the federal Wild and Scenic Rivers Act.

Where all or part of designated river areas have also been included in Oregon's State Scenic Waterways System, it is expected that the State will take an active roll in the administration of the river area. In all other areas, the Committee expects the federal agencies to fully consult with the State, local governments, affected Indian tribes and local citizen organizations in developing and implementing river management plans where dual State and Federal designation exists.

## COST AND BUDGETARY CONSIDERATIONS

The following estimate of the cost of this measure has been provided by the Congressional Budget Office:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, September 26, 1988.*

Hon. J. BENNETT JOHNSTON, Jr.,  
*Chairman, Committee on Energy and Natural Resources,*  
*U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the attached cost estimate for S. 2148, the Omnibus Oregon Wild and Scenic Rivers Act of 1988.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

JAMES L. BLUM,  
*Acting Director.*

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: S. 2148.
2. Bill title: Omnibus Oregon Wild and Scenic Rivers Act of 1988.
3. Bill status: As ordered reported by the Senate Committee on Energy and Natural Resources, September 21, 1988.
4. Bill purpose: S. 2148 would designate over 1,400 miles of river in Oregon as components of the Wild and Scenic River System. The bill would add seven other river segments in Oregon to the list of rivers to be studied for inclusion in the system. The bill would also protect certain rights of Indian tribes and the city of Portland relating to the use and development of facilities near the rivers affected by this bill.
- S. 2148 would authorize the appropriation of \$12.5 million for land acquisition and studies.
5. Estimated cost to the Federal Government:

[By fiscal year, in millions of dollars]

	1989	1990	1991	1992	1993
Authorization level.....	12.5				
Estimated outlays.....	2.1	5.1	3.4	1.3	0.6

The costs of the bill fall within budget function 300.

Basis of estimate: For the purposes of this estimate, we assumed that S. 2148 would be enacted early in fiscal year 1989 and the full amounts authorized in the bill would be appropriated as needed for studies, land acquisition, and other management activities. Outlays were estimated based on information from the Bureau of Land Management and the Forest Service.

6. Estimated cost to State and local government: None.
7. Estimate comparison: None.
8. Previous CBO estimate: None.
9. Estimate prepared by: Theresa Gullo.
10. Estimate approved by: C.G. Nuckols (for James L. Blum, Assistant Director for Budget Analysis).

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 2148. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact of personal privacy.



Little, if any, additional paperwork would result from the enactment of S. 2148, as reported.

#### EXECUTIVE COMMUNICATIONS

On April 21, 1988, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and Agriculture and the Office of Management and Budget setting forth executive views on S. 2148. The report from the Department of Agriculture follows. At the time this report was filed, no report had been received regarding this measure from the Department of the Interior. When the report becomes available, the chairman will request that it be printed in the Congressional Record for the advice of the Senate. The testimony provided from the Department of the Interior at the Subcommittee hearing follows:

DEPARTMENT OF AGRICULTURE,  
OFFICE OF THE SECRETARY,  
*Washington, DC, September 19, 1988.*

Hon. J. BENNETT JOHNSTON,  
*Chairman, Committee on Energy and Natural Resources,  
U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: This is in reply to your request for the views of this Department regarding S. 2148, the "Omnibus Oregon Wild and Scenic Rivers Act of 1988."

The Department of Agriculture recommends enactment if amended as we suggest. We defer to the Department of the Interior regarding those portions of the bill affecting only that Department.

S. 2148 would designate segments of 40 rivers in Oregon as components of the National Wild and Scenic Rivers System, totaling about 1,705 miles. The Secretary of Agriculture would administer 812 miles and the Secretary of the Interior would administer 631 miles. In addition, 262 miles would be administered by the Departments of the Interior and Agriculture, as agreed to by the Secretaries or as directed by the President.

Our comments and recommendations pertain to river segments within or immediately adjacent to National Forests, river segments for which S. 2148 would require administration by the Secretary of Agriculture, and river segments that would be administered by either the Department of Agriculture or the Department of the Interior.

For those river segments within National Forests, S. 2148 would designate and classify, with few exceptions, the same segments the Forest Service inventoried in the draft Forest Land and Resource Management Plans.

We support the designation of all, or segments of all, the rivers that S. 2148 would designate that affect National Forest lands. A listing of these rivers is enclosed. We recommend that approximately 722 miles be designated and administered by the Secretary of Agriculture.

The lands along some segments of Crescent Creek and the Deschutes, Little Deschutes, North Fork of the Sprague, Lower Williamson, Nestucca, and Alsea Rivers are virtually all private. We

believe it is inappropriate for the Federal Government to administer these river segment corridors because such administration would involve private lands. Private land regulation should be done by State or local government. Therefore, we recommend that these segments not be designated at this time. Instead, we suggest that the State consider adding them to the Oregon State Scenic Waterways System. These segments could then be federally designated at the State's request, pursuant to section 2(a)(ii) of the Wild and Scenic Rivers Act. If designated in this manner, the State would have the responsibility for administration of these rivers. Such a partnership—Federal designation and State administration—is most appropriate for rivers deserving designation but flowing through mostly private lands. For those segments of these rivers that flow predominately through Federal lands, we generally support designation at this time. We are still reviewing river segments that would be included by the bill in the Wild and Scenic Rivers System that flow through parcels of private land. Such designation could lead to pressure for additional land acquisition which we believe should be minimized. Consequently, we may report back to the Committee with additional recommendations regarding S. 2148.

We believe that one segment of one river does not meet the eligibility requirements for designation in the Wild and Scenic Rivers Act. The 3-mile segment of the North Fork of the Crooked River from its source at Williams Prairie to the upper end of Big Summit Prairie does not, in our judgment, contain the outstandingly remarkable values necessary for designation. We, therefore, recommend that this segment not be designated.

We recommend that two additional segments of the Wenaha River be designated. The Wenaha flows into the Grand Ronde River. Adding these two segments, which total only 2.85 miles, would complete the protection of these two rivers. These segments of the Wenaha contain outstandingly remarkable scenic, recreation, wildlife, and fisheries values.

As a result of our coordination with the Department of the Interior, we recommend several amendments in regard to which Secretary would administer certain river segments. Also, we recommend other amendments regarding which Secretary should administer the river segments that, in S. 2148, would be administered by either the Department of Agriculture or the Department of the Interior. We believe that our recommendations would result in the most appropriate and economical administration of each segment.

We recommend several amendments to S. 2148 in regard to the recreational, scenic, and wild classifications of the river segments. These amendments are based upon our most current data for each river, and we believe they accurately reflect the classification criteria in the Wild and Scenic Rivers Act.

We have remeasured each river segment and found that many of the mileages in S. 2148 need to be corrected. We recommend that the correct mileages be used in order to accurately describe each segment. These changes would not affect the actual "on the ground" river segment that would be designated.

All of our recommendations are presented, with supporting rationale, in our enclosed supplemental statement.

The Office of Management and Budget advises that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

PETER C. MYERS,  
Deputy Secretary.

Enclosure.

SUMMARY—S. 2148, THE OMNIBUS OREGON WILD AND SCENIC RIVERS ACT OF 1988 AS COMPARED TO THE DEPARTMENT OF AGRICULTURE RECOMMENDATIONS FOR CLASSIFICATION, JURISDICTION, AND MILEAGE

(Only as pertaining to the Department of Agriculture)

River:	S. 2148 Secretary of Agriculture jurisdiction			S. 2148 Secretary of Agriculture or Interior jurisdiction			USDA recommendation Secretary of Agriculture jurisdiction		
	Recreational	Scenic	Wild	Recreational	Scenic	Wild	Recreational	Scenic	Wild
Deschutes .....	43.4	11.0			19.0		36.4	11.0	
L. Deschutes .....	97.0						12.0		
Metolius .....	29.0						11.9	17.1	
Sycan .....		58.3					8.6	45.4	
N.F. Sprague .....	4.0	21.3						15.0	
Roaring .....	.3		13.4				.2		13.5
Salmon .....	4.0	6.5	15.0				4.0	6.5	15.0
Cackamas .....	30.0	19.0					27.0	20.0	
White .....	13.6	2.0	6.5	5.8		19.2	13.6	2.0	6.5
N.F. Crooked .....				14.7	8.0	9.6	3.7	8.0	
Crooked .....	9.3								
Upper Rogue .....		33.7	6.6					34.2	6.1
Chetco .....	8.0	8.0	25.5				11.0	8.0	25.5
N.F. Smith .....		4.5	8.5					4.5	8.5
Grande Ronde .....			18.0	15.0		12.0	1.5		17.4
Wenaha .....			18.7				0.15	2.7	18.7
N.F. John Day .....				54.5	10.5	44.2	15.8	10.5	27.8
N. Umpqua .....				33.8			25.4		
Joseph Creek .....	6.0		10.0			16.0	9.6		8.6
Lostine .....	15.0		4.0				11.0		5.0
N.F. Powder .....			6.0					6.0	
Eagle Creek .....	18.0		4.0				19.0		4.0
McKenzie .....	15.3						15.3		
L. Williamson .....	18.0	7.0						7.5	
Big Marsh Creek .....	13.0						15.0		
Crescent Creek .....	18.0						10.0		
Imnaha .....	58.0	4.0	6.0				58.0	4.0	6.0
S. Fk. Imnaha .....			9.0						9.0
Minam .....			23.0						39.0
nestucca .....	35.5								
Alsea .....	27.0								
Total .....	462.4	175.3	174.2	123.8	37.5	101.0	309.15	202.4	210.6

SUPPLEMENTAL STATEMENT—U.S. DEPARTMENT OF AGRICULTURE CONCERNING S. 2148, THE OMNIBUS OREGON WILD AND SCENIC RIVERS ACT OF 1988

This supplemental statement follows the format of S. 2148. In the interest of brevity, it only includes sections for which the Department of Agriculture recommends amendments. Material to be de-

leted is enclosed within black brackets [ ], and material to be inserted is italicized. The rationale for the changes follows each amended section in all capital letters set off by double asterisks.

A BILL To amend the Wild and Scenic Rivers Act of 1968, and for other purposes

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be referred to as the "Omnibus Oregon Wild and Scenic Rivers Act of 1988."

SEC. 2. AMENDMENTS TO THE WILD AND SCENIC RIVERS ACT.

Section 3(a) of the Wild and Scenic Rivers Act (Public Law 90-542, 82 Stat. 907), as amended, is further amended by adding the following new paragraphs at the end thereof:

"( ) DESCHUTES, OREGON.—

"(A) the [40.4-mile] *27.4-mile* segment from Wickiup Dam to the *General Patch Bridge* as a recreational river; to be administered by the Secretary of Agriculture;

"(B) the *6-mile* segment from *Harpers Bridge* to the northern boundary of Sunriver at the southwest quarter of section 20, township 19 south, range 11 east, as a recreational river; to be administered by the Secretary of Agriculture [.] ;

"[(B)] (C) the eleven-mile segment from the northern boundary of Sunriver at the southwest quarter of section 20, township 19 south, range 11 east, to Lava Island Camp as a scenic river; to be administered by the Secretary of Agriculture;

"[(C)] (D) the three-mile segment from Lava Island Camp to the Bend Urban Growth Boundary at the southwest corner of section 13, township 18 south, range 11 east, as a recreational river; to be administered by the Secretary of Agriculture;

"[(D)] (E) the [nineteen-mile] *11-mile* segment from [Oden Falls] *Big Falls* to the Upper End of Lake Billy Chinook as a scenic river; to be administered by the [Departments] Secretary of the Interior [and Agriculture as agreed upon by the Secretaries of said Departments or as directed by the President];"

\*\*WE RECOMMEND DELETING THE 7-MILE PORTION OF THE ORIGINAL SEGMENT (A) FROM THE GENERAL PATCH BRIDGE TO HARPERS BRIDGE BECAUSE OF THE PREDOMINANCE OF PRIVATE LAND AND THE AMOUNT OF DEVELOPMENT ON THE PRIVATE LAND. THE 7 MILES THAT WOULD BE DELETED COULD BE DESIGNATED AND ADMINISTERED BY THE STATE OF OREGON. IF THE STATE SO DESIRED, THIS SECTION COULD BE FEDERALLY DESIGNATED PURSUANT TO SECTION 2(a)(ii) OF THE WILD AND SCENIC RIVERS ACT. THE ADMINISTRATION OF THE 11-MILE PORTION OF THE ORIGINAL SEGMENT (D) WOULD BEST BE ACCOMPLISHED BY THE SECRETARY OF THE INTERIOR. WE DEFER TO THE DEPARTMENT OF THE INTERIOR REGARDING THE MERITS OF DESIGNATION OF THE 8-MILE PORTION OF THE ORIGINAL SEGMENT (D), FROM ODEN FALLS TO BIG FALLS.\*\*

"( ) **LITTLE DESCHUTES, OREGON.**—The [ninety-seven-mile segment from its source to its confluence with the main stem of the Deschutes River] *12-mile segment from its source in the northwest quarter of section 15, township 26 south, range 6½ east, to the north section line of section 12, township 26 south, range 7 east, as a recreational river; to be administered by the Secretary of Agriculture.*"

**\*\*RECOMMEND DELETION OF 85 MILES DUE TO THE PRE-DOMINANCE OF PRIVATE LAND. THE 85 MILES THAT WOULD BE DELETED COULD BE DESIGNATED AND ADMINISTERED BY THE STATE OF OREGON. IF THE STATE SO DESIRED, THIS SEGMENT COULD BE FEDERALLY DESIGNATED PURSUANT TO SECTION 2(a)(ii) OF THE WILD AND SCENIC RIVERS ACT.\*\***

"( ) **METOLIUS, OREGON.**—The twenty-nine-mile segment from its source at *Metolius Springs* to Lake Billy Chinook [as a recreational river]; to be administered by the Secretary of Agriculture [.] *in the following classes:*

*"(A) the 11.9-mile segment from its source at Metolius Springs to Jefferson Creek, as a recreational river; and*

*"(B) the 17.1-mile segment from Jefferson Creek to Lake Billy Chinook, as a scenic river."*

**\*\*RECOMMENDED CLASSIFICATION IN ACCORDANCE WITH THE CRITERIA IN THE WILD AND SCENIC RIVERS ACT.\*\***

"( ) **SYCAN, OREGON.**—The [58.3-mile] *54-mile* segment from [the] *South Fork Creek* to Coyote Bucket at the Fremont National Forest boundary [as a scenic river]; to be administered by the Secretary of Agriculture *in the following classes:*

*"(A) the 21.4-mile segment from South Fork Creek to the west section line of section 22, township 32 south, range 14 east, as a scenic river;*

*"(B) the 8.6-mile segment from the west section line of section 22, township 32 south, range 14 east, to the Fremont National Forest boundary in the southeast quarter of section 10, township 33 south, range 13 east, as a recreational river; and*

*"(C) the 24-mile segment from the Fremont National Forest boundary in the southeast quarter of section 10, township 33 south, range 13 east, to Coyote Bucket at the Fremont National Forest boundary, as a scenic river."*

**\*\*CHANGE IN MILEAGES AS A RESULT OF REMEASUREMENT. RECOMMENDED CLASSIFICATION IN ACCORDANCE WITH THE CRITERIA IN THE WILD AND SCENIC RIVERS ACT.\*\***

"( ) **NORTH FORK SPRAGUE, OREGON.**—[The 25.3-mile segment from the Fremont National Forest boundary in the southwest quarter of section 3, township 36 south, range 14 east, to the head of River Spring in the southwest quarter of section 15, township 35 south, range 16 east; to be administered by the Secretary of Agriculture in the following classes:

*"(A) the four-mile segment from the Fremont National Forest boundary in the southwest quarter of section 3, township 36 south, range 14 east, to Forest Road 3411 in the northwest quarter of section 36, township 35 south, range 14 east, as a recreational river; and*

“(B) the 21.3-mile segment from Forest Road 3411 in the northwest quarter of section 36, township 35 south, range 14 east,] *The 15-mile segment from the northwest quarter of the southwest quarter of section 11, township 35 south, range 15 east, to the head of River Spring in the southwest quarter of section 15, township 35 south, range 16 east, as a scenic river to be administered by the Secretary of Agriculture.*”

**\*\*RECOMMEND DELETION OF 10.3 MILES DUE TO THE PREDOMINANCE OF PRIVATE LAND. THE 10.3 MILES THAT WOULD BE DELETED COULD BE DESIGNATED AND ADMINISTERED BY THE STATE OF OREGON. IF THE STATE SO DESIRED, THIS SEGMENT COULD BE FEDERALLY DESIGNATED PURSUANT TO SECTION 2(a)(ii) OF THE WILD AND SCENIC RIVERS ACT.\*\***

“( ) SALMON, OREGON.—The 35.5-mile segment from its headwaters to its confluence with the Sandy River in the following classes:

“(A) the half-mile segment for its headwaters to one-half mile downstream as a recreational river; to be administered by the Secretary of Agriculture; *Provided, That designation and classification shall not preclude the Secretary from exercising discretion to approve the construction, operation, and maintenance of ski lifts, ski runs, and associated facilities for the land comprising the Timberline Lodge Winter Sports Area insofar as such construction does not involve water resources projects;*”

**\*\*THE RIVER CORRIDOR FOR THIS SEGMENT OVERLAPS THE EXISTING PERMIT AREA FOR THE TIMBERLINE WINTER SPORTS AREA. ADDITIONAL SKI LIFT DEVELOPMENT IS PLANNED IN THIS AREA.\*\***

“( ) CLACKAMAS, OREGON.—The [forty-nine-mile] 47-mile segment from Big Springs to Big Cliff; to be administered by the Secretary of Agriculture in the following classes:

“(B) the [six-mile] 3.5-mile segment from the Forest Service Road 4690 bridge to the junction with Oregon State Highway 224 as a recreational river;

“(C) the [nine-mile] 10.5-mile segment from Oregon State Highway 224 to the June Creek Bridge as a scenic river;

“(D) the [ten-mile] 9-mile segment from the June Creek Bridge to Tar Creek as a recreational river; [Tar Creek to just South of Indian Henry Campground as a scenic river; and]

“[(e)] (E) the [six-mile] 5.5-mile segment from Tar Creek to just south of Indian Henry Campground as a scenic river; and

“(F) the [fourteen-mile] 14.5-mile segment just south of Indian Henry Campground to Big Cliff as a recreational river.”

**\*\*CHANGE IN MILEAGES AS A RESULT OF REMEASUREMENT. AMENDMENTS TO LANGUAGE FOR SEGMENTS (D) AND (E) TO CORRECT PRINTING ERROR.\*\***

“( ) WHITE, OREGON.—The 47.1-mile segment from its headwaters to its confluence with the Deschutes River in the following classes:

“(A) the two-mile segment from its headwaters to the section line between sections 9 and 16, township 3 south, range 9 east, as a scenic river; to be administered by the Secretary of Agriculture: *Provided; That designation and classification shall not*

*preclude the Secretary from exercising discretion to approve construction, operation, and maintenance of ski lifts, ski runs, and associated facilities for the land comprising the Mt. Hood Meadows Winter Sports Area insofar as such construction does not involve water resources projects;*

*"(B) the 13.6-mile segment from the section line between sections 9 and 16, township 3 south, range 9 east, to Klip Creek as a recreational river; to be administered by the Secretary of Agriculture; Provided; That designation and classification shall not preclude the Secretary from exercising discretion to approve construction, operation, and maintenance of ski lifts, ski runs, and associated facilities for the land comprising the Mt. Hood Meadows Winter Sports Area insofar as such construction does not involve water resources projects;*

*"(D) the [19.2-mile] 17.7-mile segment from the Mt. Hood National Forest boundary to [the Highway 197 bridge] its confluence with Three Mile Creek as a wild river; to be administered by the [Departments] Secretary of the Interior [and Agriculture as agreed upon by the Secretaries of said Departments or as directed by the President]; and*

*"(E) the [5.8-mile] 7.3-mile segment from [the Highway 197 bridge] its confluence with Three Mile Creek to its confluence with the Deschutes River as a recreational river; to be administered by the [Departments] Secretary of the Interior [and Agriculture as agreed upon by the Secretaries of said Departments or as directed by the President]."*

**\*\*THE RIVER CORRIDOR FOR SEGMENTS (A) AND (B) OVERLAPS AN AREA UNDER CONSIDERATION FOR EXPANSION OF THE EXISTING PERMIT AREA FOR THE MT. HOOD MEADOWS WINTER SPORTS AREA. AN ADDITIONAL CHAIR LIFT AND FOUR SKI RUNS ARE CONTEMPLATED WITHIN THE RIVER CORRIDOR. THE ADMINISTRATION OF SEGMENTS (D) AND (E) WOULD BEST BE ACCOMPLISHED BY THE SECRETARY OF THE INTERIOR. THE MILEAGE CHANGES ARE A RESULT OF RECOMMENDED CHANGE IN CLASSIFICATION OF 1.5 MILES OF THE RIVER BETWEEN THE HIGHWAY 197 BRIDGE AND THREE MILE CREEK IN ACCORDANCE WITH THE CRITERIA IN THE WILD AND SCENIC RIVERS ACT. IN EFFECT, THIS CHANGE MOVES 1.5 MILES OF SEGMENT (D) TO SEGMENT (E).\*\***

*"( ) NORTH FORK CROOKED, OREGON.—The [32.3-mile] 24.3-mile segment from [its source at Williams Prairie to one mile from its confluence with the Crooked River; to be administered by the Departments of the Interior and Agriculture as agreed upon by the Secretaries of said Departments or as directed by the President in the following classes] the lower end of Big Summit Prairie to its confluence with Committee Creek in the following classes:*

*"[(A) the three-mile segment from its source at Williams Prairie to the Upper End of Big Summit Prairie as a recreational river;]*

*"[(B) (A) the 3.7-mile segment from the Lower End of Big Summit Prairie to the bridge across from the Deep Creek Campground as a recreational river; to be administered by the Secretary of Agriculture;*

"[(C)] (B) the eight-mile segment from the bridge across from the Deep Creek Campground to the Ochoco National Forest boundary, one-half mile from Lame Dog Creek, as a scenic river [.] to be administered by the Secretary of Agriculture;

"[(D)] the three-mile] (C) the 1.5-mile segment from the Ochoco National Forest boundary [, one-half mile from Lame Dog Creek, to Fox Canyon Creek as a recreational river;] to Upper Falls as a scenic river; to be administered by the Secretary of the Interior; and

"[(E)] the 9.6-mile segment from Fox Canyon Creek] (D) the 11.1-mile segment from Upper Falls to Committee Creek as a wild river, [and] to be administered by the Secretary of the Interior.

**\*\*WE RECOMMEND DELETING SEGMENT (A) AS WE BELIEVE IT DOES NOT CONTAIN THE OUTSTANDINGLY REMARKABLE VALUES NECESSARY FOR DESIGNATION. THE ADMINISTRATION OF THE SEGMENTS WOULD BEST BE ACCOMPLISHED AS RECOMMENDED. WE DEFER TO THE DEPARTMENT OF THE INTERIOR REGARDING THE MERITS OF DESIGNATING SEGMENT (F). THE MILEAGE CHANGES FOR THE ORIGINAL SEGMENTS (D) AND (E) ARE THE RESULT OF RECOMMENDED CHANGE IN CLASSIFICATION OF THE RIVER BETWEEN LAME DOG CREEK AND UPPER FALLS IN ACCORDANCE WITH THE CRITERIA IN THE WILD AND SCENIC RIVERS ACT.\*\***

"( ) CROOKED, OREGON.—

"(A) The 9.3-mile segment from the National Grassland boundary to Lake Billy Chinook, one mile west of Highway 97, as a recreational river; to be administered by the Secretary of [Agriculture] the Interior; and"

**\*\*THE ADMINISTRATION OF THIS 9.3-MILE SEGMENT WOULD BEST BE ACCOMPLISHED BY THE SECRETARY OF THE INTERIOR.**

"( ) UPPER ROGUE, OREGON.—The 40.3-mile segment from the Crater Lake National Park boundary to the Rogue River National Forest boundary; to be administered by the Secretary of Agriculture in the following classes:

"(A) the [6.6-mile] 0.5-mile segment from the Crater Lake National Park boundary to approximately 0.1-mile downstream from the forest road 6530760 (West Lake Road) crossing as a scenic river;

"(B) the 6.1-mile segment from approximately 0.1-mile downstream from the forest road 6530760 (West Lake Road) crossing to Minehaha Creek as a wild river; and

"[(B)] (C) the 33.7-mile segment from Minehaha Creek to the Rogue River National Forest boundary as a scenic river."

**\*\*AN EXISTING YEAR-AROUND LOW-STANDARD RECREATION ROAD CROSSES THE RIVER NEAR THE CRATER LAKE NATIONAL PARK BOUNDARY AND PROVIDES ACCESS TO LAKE WEST, THEREFORE THIS PORTION OF THE ORIGINAL SEGMENT (A) DOES NOT QUALIFY FOR WILD CLASSIFICATION. THE FOREST SERVICE DESIRES TO CONTINUE TO**



**USE, OPERATE AND MAINTAIN THIS ROAD FOR PUBLIC RECREATION PURPOSES.\*\***

“( ) CHETCO, OREGON.—The [41.5-mile] 44.5-mile segment from its headwaters to the Siskiyou National Forest boundary; to be administered by the Secretary of Agriculture in the following classes:

“(C) the [eight-mile] 11-mile segment from Steel Bridge to the Siskiyou National Forest boundary, one mile below Wilson Creek, as a recreational river.”

**\*\*CHANGE IN MILEAGES AS A RESULT OF REMEASUREMENT.\*\***

“( ) GRANDE RONDE, OREGON.—The [forty-five-mile] 43.8-mile segment from its confluence with the Willowa River to the Oregon-Washington [stateline] State line in the following classes:

“(A) the 1.5-mile segment from its confluence with the Willowa River to the Umatilla National Forest boundary in section 11, township 3 north, range 40 east, as a recreational river; to be administered by the Secretary of Agriculture;

“[(A)] (B) the [eighteen-mile segment from its confluence with the Willowa River to Grossman Creek] 17.4-mile segment from the Umatilla National Forest boundary in section 11, township 3 north, range 40 east, to the Willowa-Whitman National Forest boundary approximately one-half mile east of Grossman Creek as a wild river; to be administered by the Secretary of Agriculture;

“[(B)] (C) the [twelve-mile segment from] 9-mile segment from the Willowa-Whitman National Forest boundary approximately one-half mile east of Grossman Creek to Wildcat Creek as a wild river; to be administered by the [Departments] Secretary of the Interior [and Agriculture as agreed upon by the Secretaries of said Departments or as directed by the President]; and

“[(C)] (D) the [fifteen-mile] 15.9-mile segment from Wildcat Creek to the Oregon-Washington [stateline] State line as a recreational river; to be administered by the [Departments] Secretary of the Interior [and Agriculture as agreed upon by the Secretaries of said Departments or as directed by the President].”

**\*\*CHANGE IN MILEAGES AS A RESULT OF REMEASUREMENT. RECOMMENDED CLASSIFICATION IN ACCORDANCE WITH THE CRITERIA IN THE WILD AND SCENIC RIVERS ACT.\*\***

“( ) WENAHA, OREGON.—The [18.7-mile] 21.55-mile segment from the [junction] confluence of the North Fork and the South Fork to [the Umatilla National Forest boundary at River Mile 3] its confluence with the Grande Ronde River [as a wild river]; to be administered by the Secretary of Agriculture in the following classes:

“(A) the 18.7-mile segment from the confluence of the North Fork and South Fork to the Umatilla National Forest Boundary as a wild river;

“(B) the 2.7-mile segment from the Umatilla National Forest boundary to the easternmost boundary of the Wenaha State Wildlife Area as a scenic river; and

*“(C) the 0.15-mile segment from the easternmost boundary of the Wenaha State Wildlife Area to the confluence with the Grande Ronde River as a recreational river.”*

**\*\*S. 2148 WOULD DESIGNATE SEGMENTS OF BOTH THE GRANDE RONDE RIVER AND THE WENAHA RIVER. DESIGNATING THE WENAHA FROM THE UMATILLA NATIONAL FOREST BOUNDARY TO ITS CONFLUENCE WITH THE GRANDE RONDE WOULD “LINK” THESE DESIGNATIONS TOGETHER. THESE SEGMENTS OF THE WENAHA CONTAIN OUTSTANDING SCENIC, RECREATIONAL, WILDLIFE AND FISHERIES VALUES.\*\***

**“( ) NORTH FORK JOHN DAY, OREGON,—The [109.2-mile] 109.7-mile segment from its headwaters in the North Fork of the John Day Wilderness at section 13, township 8 south, range 36 east, to its confluence with the John Day River [; to be administered by the Departments of the Interior and Agriculture as agreed upon by the Secretaries of said Departments or as directed by the President] in the following classes:**

**“(A) the 3.5-mile segment from its headwaters in the North Fork of the John Day Wilderness at section 13, township 8 south, range 36 east, to the North Fork of the John Day Wilderness boundary as a wild river; to be administered by the Secretary of Agriculture;**

**“(B) the [seven-mile] 7.5 mile segment from the North Fork of the John Day Wilderness boundary to Trail Creek as a recreational river; to be administered by the Secretary of Agriculture;**

**“(C) the 24.3-mile segment from Trail Creek to Big Creek as a wild river: to be administered by the Secretary of Agriculture;**

**“(D) the 10.5-mile segment from Big Creek to Texas Bar Creek as a scenic river; to be administered by the Secretary of Agriculture;**

**“(E) the [3.9-mile] 8.3-mile segment from Texas Bar Creek to [the Umatilla National Forest boundary] its confluence with Camas Creek as a recreational river; to be administered by the Secretary of Agriculture;**

**“(F) the [twenty-one-mile] 16.6-mile segment from [the Umatilla National Forest boundary] its confluence with Camas Creek to Mallory Creek as a recreational river; to be administered by the Secretary of the Interior;**

**“(G) the 16.4-mile segment from Mallory Creek to Wall Creek as a wild river; to be administered by the Secretary of the Interior; and**

**“(H) the 22.6-mile segment from Wall Creek to its confluence with the John Day River as a recreational river; to be administered by the Secretary of the Interior.”**

**\*\*CHANGE IN MILEAGE FOR SEGMENT (B) AS A RESULT OF REMEASUREMENT. THE CHANGE IN MILEAGE FOR SEGMENTS (E) AND (F) IS BECAUSE WE RECOMMEND CHANGING THE “BREAKING-POINT” BETWEEN THESE TWO SEGMENTS AS WE BELIEVE THE SECRETARY OF AGRICULTURE SHOULD ADMINISTER THAT PORTION OF THE ORIGINAL SEGMENT (F) WHICH INCLUDES THE FOREST SERVICE WORK CENTER AT DALE, OREGON. THE ADMINISTRATION**

**WOULD BEST BE ACCOMPLISHED AS WE HAVE INDICATED ABOVE.\*\***

"( ) **NORTH UMPQUA, OREGON.**—The 33.8-mile segment from the Soda Springs Powerhouse to Rock Creek [as a recreational river; to be administered by the Departments of the Interior and Agriculture as agreed upon by the Secretaries of said Departments or as directed by the President.] *in the following classes:*

"(A) *the 25.4-mile segment from the Soda Springs Powderhouse to the Umpqua National Forest boundary as a recreational river; to be administered by the Secretary of Agriculture; and*

"(B) *the 8.4-mile segment from the Umpqua National Forest boundary to its confluence with Rock Creek as a recreational river; to be administered by the Secretary of the Interior."*

**\*\*THE ADMINISTRATION WOULD BEST BE ACCOMPLISHED AS INDICATED ABOVE.\*\***

"( ) **JOSEPH CREEK, OREGON.**—The [thirty-two-mile] 38.7-mile segment from Crow Creek Bridge to the Oregon-Washington [state-line] *State line* in the following classes:

"(A) the [six-mile] 9.6-mile segment from the Crow Creek Bridge to Joseph Creek Ranch, one mile downstream from Cougar Creek, as a recreational river; to be administered by the Secretary of Agriculture;

"(B) the [ten-mile] 8.6-mile segment from Joseph Creek Ranch, one mile downstream from Cougar Creek, to the Wallowa-Whitman National Forest boundary as a wild river; to be administered by the Secretary of Agriculture; and

"(C) the [sixteen-mile] 20.5-mile segment from the Wallowa-Whitman National Forest boundary to the Oregon-Washington [stateline] *State line* as a wild river; to be administered by the [Departments] *Secretary of the Interior* [and Agriculture as agreed upon by the Secretaries of said Departments or as directed by the President]."

**\*\*CHANGE IN MILEAGES AS A RESULT OF REMEASUREMENT. THE ADMINISTRATION OF SEGMENT (C) WOULD BEST BE ACCOMPLISHED BY THE SECRETARY OF THE INTERIOR.\*\***

"( ) **LOSTINE, OREGON.**—The [nineteen-mile] 16-mile segment from its headwaters to the Wallowa-Whitman National Forest boundary; to be administered by the Secretary of Agriculture in the following classes;

"(A) the [four-mile] 5-mile segment from its headwaters to the Eagle Cap Wilderness boundary as a wild river; and

"(B) the [fifteen-mile] 11-mile segment from the Eagle Cap Wilderness boundary to the Wallowa-Whitman National Forest boundary at Silver Creek as a recreational river."

**\*\*CHANGE IN MILEAGES AS A RESULT OF REMEASUREMENT.\*\***

"( ) **NORTH [FORK] POWDER, OREGON.**—The six-mile segment from its headwaters to the Wallowa-Whitman National Forest boundary at River Mile 20 as a [wild] *scenic* river; to be administered by the Secretary of Agriculture.

**\*\*RECOMMENDED CLASSIFICATION IN ACCORDANCE WITH THE CRITERIA IN THE WILD AND SCENIC RIVERS**

**ACT. NAME CHANGE TO REFLECT USGS 1972 ANTHONY LAKES, OREGON QUADRANGLE.**

"( ) **EAGLE CREEK, OREGON.**—The [twenty-two-mile] 23-mile segment from its headwaters to the Wallowa-Whitman National Forest boundary at Skull Creek; to be administered by the Secretary of Agriculture in the following classes:

"(B) the [eighteen-mile] 19-mile segment from the Eagle Cap Wilderness boundary at Hummingbird Mountain to the Wallowa-Whitman National Forest boundary at Skull Creek as a recreational river."

**\*\*CHANGE IN MILEAGE AS A RESULT OF REMEASUREMENT.\*\***

"( ) **LOWER WILLIAMSON, OREGON.**—The [twenty-five-mile] 7.5-mile segment from the western boundary of the Winema National Forest to [Upper Klamath Lake;] Collier State Park as a scenic river; to be administered by the Secretary of Agriculture." [in the following classes:]

[“(A) the seven-mile segment from the western boundary of the Winema National Forest to Collier State Park as a scenic river; and

[“(B) eighteen-mile segment from Collier State Park to Upper Klamath Lake as a recreation river.]

**\*\*MILEAGE OF THE ORIGINAL SEGMENT (A) IS CHANGED AS A RESULT OF REMEASUREMENT. WE RECOMMEND DELETING SEGMENT (B) DUE TO THE PREDOMINANCE OF PRIVATE LAND. SEGMENT (B) COULD BE DESIGNATED AND ADMINISTERED BY THE STATE OF OREGON. IF THE STATE SO DESIRED, THIS SEGMENT COULD BE FEDERALLY DESIGNATED PURSUANT TO SECTION 2(a)(ii) OF THE WILD AND SCENIC RIVERS ACT.\*\***

"( ) **BIG MARSH CREEK, OREGON.**—The [thirteen-mile] 15-mile segment from the northeast quarter of section 15, township 26 south, range 6 east, to its confluence with Crescent Creek in the northeast quarter of section 20, township 24 [south,] south, range 7 east, as a recreational river; to be administered by the Secretary of Agriculture: *Provided, That notwithstanding any other provision of this Act, the Secretary may undertake construction activities to enhance and restore wetland resources associated with Big Marsh Creek.*"

**\*\*CHANGE IN MILEAGE AS A RESULT OF REMEASUREMENT. CORRECTS PRINTING ERROR IN LEGAL DESCRIPTION. DIVERSIONS EXIST IN THE STREAM AT BIG MARSH. WATER IS DIVERTED FROM THE MAIN CHANNEL AS IT FLOWS THROUGH BIG MARSH, AND MUCH OF THE WATER FLOWS AROUND THE MARSH IN MAN-MADE DITCHES. THE FOREST SERVICE IS PRESENTLY CONSIDERING OPTIONS FOR RESTORATION OF NATURAL FLOWAGE IN THE MAIN CHANNEL BY REDUCING OR ELIMINATING THE FLOW IN THE DITCHES. THE OBJECTIVE OF ANY RESTORATION WILL BE TO ENHANCE RECREATION AND WILDLIFE VALUES.**

"( ) **CRESCENT CREEK, OREGON.**—The [eighteen-mile] 10-mile segment from the southwest quarter of section 11, township 24 south, range 6 east, to [its confluence with the Little Deschutes River in the northeast quarter of section 4, township 24 south,

range 9 east] *the west section line of section 13, township 24 south, range 7 east*, as a recreational river; to be administered by the Secretary of Agriculture."

**\*\*THE SEGMENTS OF CRESCENT CREEK THAT WOULD BE DESIGNATED BY THIS BILL IS ACTUALLY 26 MILES LONG—THIS CHANGE IS A RESULT OF REMEASUREMENT. THE SECTION THAT WE RECOMMEND BE DESIGNATED IS 10 MILES LONG. WE RECOMMEND DELETION OF THE 16-MILE SECTION DUE TO THE PREDOMINANCE OF PRIVATE LAND. IF THE STATE SO DESIRED, THIS SECTION COULD BE FEDERALLY DESIGNATED PURSUANT TO SECTION 2(a)(ii) OF THE WILD AND SCENIC RIVERS ACT.\*\***

"( ) Minam, Oregon.—The [twenty-three-mile] *39-mile* segment from its headquarters at *the south end of Minam Lake* to the Eagle Cap Wilderness boundary, one-half mile downstream from Cougar Creek, as a wild river; to be administered by the Secretary of Agriculture."

**CHANGE IN MILEAGE AS A RESULT OF REMEASUREMENT. MORE ACCURATE DESCRIPTION OF THE ORIGIN OF THE RIVER.**

"( ) Nestucca, Oregon.—[The 47.5-mile segment from its headwaters to its mouth at Nestucca Bay in the following classes:]

["(B) the 35.5-mile segment from the eastern Siuslaw National Forest boundary to its mouth at Nestucca Bay as a recreational river; to be administered by the Secretary of Agriculture."]

**\*\*TOTAL MILEAGE AND OVERALL DESCRIPTION MUST BE AMENDED TO CORRESPOND TO RECOMMENDED AMENDMENTS FOR THE SEGMENTS BY BOTH THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF THE INTERIOR. WE RECOMMEND DELETION OF SEGMENT (B) DUE TO THE PREDOMINANCE OF PRIVATE LAND. SEGMENT (B) COULD BE DESIGNATED AND ADMINISTERED BY THE STATE OF OREGON. IF THE STATE SO DESIRED, THIS SEGMENT COULD BE FEDERALLY DESIGNATED PURSUANT TO SECTION 2(a)(ii) OF THE WILD AND SCENIC RIVERS ACT.**

"( ) Alsea, Oregon.—[The seventy-four-mile segment from its headwaters, including the North and South Forks, to its mouth at Alsea Bay in the following classes:]

["(G) the twenty-seven-mile segment from the eastern Siuslaw National Forest boundary to its mouth at Alsea Bay as a recreational river; to be administered by the Secretary of Agriculture."]

**\*\*[TOTAL MILEAGE AND OVERALL DESCRIPTION NEEDS TO BE AMENDED TO CORRESPOND TO RECOMMENDED AMENDMENTS FOR THE SEGMENTS BY BOTH THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF THE INTERIOR. WE RECOMMEND SEGMENT (G) BE DELETED DUE TO THE PREDOMINANCE OF PRIVATE LAND. SEGMENT (G) COULD BE DESIGNATED AND ADMINISTERED BY THE STATE OF OREGON. IF THE STATE SO DESIRED, THIS SEGMENT COULD BE FEDERALLY DESIGNATED PURSUANT TO SECTION 2(a)(ii) OF THE WILD AND SCENIC RIVERS ACT.**

STATEMENT OF ROLAND G. ROBISON, DEPUTY DIRECTOR, BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS, NATIONAL PARKS AND FORESTS, COMMITTEE ON ENERGY AND NATURAL RESOURCES, U.S. SENATE, ON S. 2148, A BILL TO AMEND THE WILD AND SCENIC RIVERS ACT OF 1968, AND FOR OTHER PURPOSES

I appreciate the opportunity to appear here today to discuss the views of the Department of the Interior on S. 2148.

S. 2148 would amend section 3(a) of the Wild and Scenic Rivers Act of 1968 by designating about 1,700 additional miles of Oregon rivers as wild, scenic, or recreational. Further, the bill would designate the Secretary responsible for administering each segment. S. 2148 would affect 22 rivers.

We strongly support the intent of S. 2148; however, we recommend several amendments which we believe will improve the bill. We will address only those provisions we believe should be amended in the order they appear in the bill. Specifically, we recommend the following changes:

*Deschutes*

(D)—would designate 19 miles as scenic. We believe the 8-mile segment from Oden Falls to Big Falls is nonsuitable for designation because 80 percent of the segment is developed by private interests.

(E)(G)—would designate 71.6 miles as scenic. We suggest this be designated as recreational because of a variety of types of development along the segment.

*Salmon*

(F)—would designate 4.8 miles as scenic. We suggest this be designated as recreational because of a recreational vehicle park, roads and quarry located near the river.

*White*

(D&E)—would designate 19.2 miles as wild and 5.8 miles as recreational. We suggest 17.7 miles be designated as wild and 7.3 miles as recreational due to the presence of private developments near the highway 197 bridge.

*North Fork Crooked*

(D)—would designate 3 miles as recreational. We suggest that 1.5 miles from Ochoco National Forest Boundary to Upper Falls be designated as scenic because of outstanding scenic values.

(E)—would designate 9.6 miles as wild. We suggest that the 11.1 miles from Upper Falls to Committee Creek be designated wild because of absence of development.

(F)—would designate 5 miles as recreational. We recommend this segment not be designated because of agricultural development on private land.

*Crooked*

(A)—would designate 9.3 miles as recreational, administered by the Secretary of Agriculture. We recommend administration by the

Secretary of the Interior because these are public lands administered by the Secretary of the Interior.

(B)—would designate 8 miles as recreational. There appears to be an error in the description. The segment should be described as "Bowman Dam to private land, (T. 16 S., R. 16 E., Sec. 20)."

#### *Grande Ronde*

Would designate 30 miles as wild and 15 miles as recreational to be administered by Department of Agriculture and the Interior. We recommend the 9-mile segment from Wallowa-Whitman National Forest boundary to Wildcat Creek be designated as wild because of its primitive values and that it be administered by the Department of the Interior inasmuch as it is located on public lands.

#### *Joseph Creek*

(C)—would designate 16 miles as wild. There appears to be an error in the mileage calculation. It should be 20.5 miles.

#### *Alsea*

Would designate 74 miles as scenic and recreational. We recommend that 12.5 miles from the headwaters of the South Fork to Tobe Creek be designated as recreational and 9.7 miles from the headwaters of the North Fork to Bailey Creek be designated as recreational, both to be administered by the Department of the Interior. In addition, we recommend these three segments be designated recreational and administered by the State of Oregon because the State operates fish hatcheries: (1) 2.5 miles—South Fork from Tobe Creek to the confluence with North Fork; (2) 5.3 miles—North Fork from Bailey Creek to confluence with South Fork; (3) 17 miles—main stem from confluence of North and South Forks to the Siuslaw National Forest boundary. The designations should all be recreational because mixed ownership dominates the corridor, which includes timber production, access roads and bridge crossings.

#### *Quartzville Creek*

Would designate 8.7 miles as recreational. There appears to be a miscalculation in the mileage. It should be 12 miles.

#### *South Fork John Day*

Would designate 48 miles as recreational. We recommend that 17 miles from the bridge crossing near Keerins Ranch upstream to the Malheur National Forest boundary be deleted because it is about 90 percent private agricultural lands.

#### *John Day*

Would designate 171 miles as recreational and 31 miles as wild. We recommend these 2 segments be designated as recreational: (1) 115 miles from the confluence with South Fork to Butte Creek, and (2) 31 miles from Big Eddy to Tumwater Falls. In addition we recommend designation as wild 56 miles from Butte Creek to Big Eddy (1.5 miles upstream from Cottonwood Bridge) because of the outstanding and primitive values along the river.

*South Fork Crooked*

(A)—would designate 10 miles as recreational. We recommend no designation because of its location on private agricultural land.

*Donner und Blitzen*

Would designate 68.5 miles as wild. It appears that the mileage calculation is incorrect. We calculate the mileage to be 72.8 miles. Also, we recommend the addition of tributaries as follows: (1) Mud Creek—4 miles; (2) Ankle Creek—6.5 miles; and (3) Deep Creek—3 miles. The additions are justified because of outstanding wildlife and fisheries values.

*Powder*

(A), (B), and (C)—would designate 13.1 miles as recreational, wild and scenic. It appears that the mileage of 13.1 miles is incorrect. We calculate the mileage to be 11.7 miles from Thief Valley Dam to the Highway 203 bridge. In addition, we recommend the 11.7-mile segment to be designated scenic because of the location of two cabins and a vehicle trail on the portion identified as wild in the bill and because of the primitive nature of the roads located on the segment identified in the bill as recreational.

*Burnt*

Would designate 32 miles as recreational. It appears that the mileage calculation is incorrect. We calculate the distance to be 16.5 miles.

We are also reviewing other river segments that flow through private land and would be designated as wild and scenic by S. 2148. Such designation could create pressures for additional Federal land acquisition which we believe should be minimized. Accordingly, we may report back to the Committee with additional recommendations regarding this legislation.

We might mention that the Bureau of Indian Affairs has informed us of the interests of the Confederated Tribes of the Warm Springs Reservation and individual allottees, and the hunting and fishing rights of the Warm Springs, Umatilla, Nez Perce and Klamath Tribes contained in treaties.

This concludes my prepared statement. I will be pleased to answer questions.

#### CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes the following changes in existing law made by the bill S. 2148, as reported (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, and existing law to which no change is proposed is shown in roman):



## WILD AND SCENIC RIVERS ACT

AN ACT To provide a National Wild and Scenic Rivers System, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) this Act may be cited as the "Wild and Scenic Rivers Act".*

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SEC. 3. (a) The following rivers and the land adjacent thereto are hereby designated as components of the national wild and scenic rivers system:

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( ) *BIG MARSH CREEK, OREGON.—The 15-mile segment from the northeast quarter of section 15, township 26 south, range 6 east, to its confluence with Crescent Creek in the northeast quarter of section 20, township 24 south, range 7 east, as a recreational river; to be administered by the Secretary of Agriculture: Provided, Nothing in this act shall prohibit the Secretary from undertaking construction activities to enhance and restore wetland resources associated with Big Marsh Creek.*

( ) *CHETCO, OREGON.—The 44.5-mile segment from its headwaters to the Siskiyou National Forest boundary; to be administered by the Secretary of Agriculture in the following classes:*

*(A) the 25.5-mile segment from its headwaters to Boulder Creek at the Kalmiopsis Wilderness boundary as a wild river;*

*(B) the eight-mile segment from Boulder Creek to Steel Bridge as a scenic river; and*

*(C) the 11-mile segment from Steel Bridge to the Siskiyou National Forest boundary, one mile below Wilson Creek, as a recreational river.*

( ) *CLACKAMAS, OREGON.—The 47-mile segment from Big Springs to Big Cliff; to be administered by the Secretary of Agriculture in the following classes:*

*(A) the 4-mile segment from Big Springs to the Forest Service Road 4690 bridge as a scenic river;*

*(B) the 3.5-mile segment from the Forest Service Road 4690 bridge to the junction with Oregon State Highway 224 as a recreational river;*

*(C) the 10.5-mile segment from Oregon State Highway 224 to the June Creek Bridge as a scenic river;*

*(D) the 9-mile segment from the June Creek Bridge to Tar Creek as a recreational river;*

*(E) the 5.5-mile segment from Tar Creek to just south of Indian Henry Campground as a scenic river; and*

*(F) the 14.5-mile segment just south of Indian Henry Campground to Big Cliff as a recreational river.*

( ) *CRESCENT CREEK, OREGON.—The 10-mile segment from the southwest quarter of section 11, township 24 south, range 6 east, to the west section line of section 13, township 24 south, range 7 east, as a recreational river; to be administered by the Secretary of Agriculture.*

( ) **CROOKED, OREGON.**—The 15-mile segment from the National Grassland boundary to Dry Creek; to be administered by the Secretary of the Interior in the following classes:

(A) the 7-mile segment from the National Grassland boundary to River Mile 8 south of Opal Spring as a recreational river; and

(B) the 8-mile segment from Bowman Dam to Dry Creek as a recreational river.

( ) **DESCHUTES, OREGON.**—Those portions as follows:

(A) The 40.4-mile segment from Wickiup Dam to northern boundary of Sunriver at the southwest quarter of section 20, township 19 south, range 11 east as a recreational river; to be administered by the Secretary of Agriculture;

(B) the 11-mile segment from the northern boundary of Sunriver at the southwest quarter of section 20, township 19 south, range 11 east, to Lava Island Camp as a scenic river; to be administered by the Secretary of Agriculture;

(C) the 3-mile segment from Lava Island Camp to the Bend Urban Growth Boundary at the southwest corner of section 13, township 18 south, range 11 east, as a recreational river; to be administered by the Secretary of Agriculture;

(D) the 19-mile segment from Oden Falls to the Upper End of Lake Billy Chinook as a scenic river; to be administered by the Secretary of the Interior;

(E) the 100-mile segment from the Pelton Reregulating Dam to its confluence with the Columbia River as a recreational river; to be administered by the Secretary of the Interior through a cooperative management agreement between the Confederated Tribes of the Warm Springs Reservation, and the State of Oregon as provided in section 10 of this act and section 4 of the Omnibus Oregon Wild and Scenic Rivers Act of 1988.

( ) **DONNER UND BLITZEN, OREGON.**—Those segments, including its major tributaries, as a wild river; to be administered by the Secretary of the Interior as follows:

(A) the 16.75-mile segment of the Donner and Blitzen from its confluence with the South Fork Blitzen and Little Blitzen;

(B) the 12.5-mile segment of the Little Blitzen from its headwaters to its confluence with the South Fork Blitzen;

(C) the 16.5-mile segment of the South Fork Blitzen from its headwaters to its confluence with the Little Blitzen;

(D) the 10-mile segment of Big Indian Creek from its headwaters to its confluence with the South Fork Blitzen;

(E) the 3.7-mile segment of Little Indian Creek from its headwaters to its confluence with Big Indian Creek; and

(F) the 13.25-mile segment of Fish Creek from its headwaters to its confluence with the Donner and Blitzen.

( ) **EAGLE CREEK, OREGON.**—The 27-mile segment from its headwaters below Eagle Lake to the Wallowa-Whitman National Forest boundary at Skull Creek; to be administered by the Secretary of Agriculture in the following classes:

(A) the 4-mile segment from its headwaters below Eagle Lake to the Eagle Cap Wilderness boundary at Hummingbird Mountain as a wild river;

(B) the 15.5-mile segment from the Eagle Cap Wilderness boundary at Hummingbird Mountain to Paddy Creek as a recreational river;

(C) the 6-mile segment from Paddy Creek to Little Eagle Creek as a scenic river; and

(D) the 1.5-mile segment from Little Eagle Creek to the Wallowa-Whitman National Forest boundary as a recreational river.

( ) ELK, OREGON.—The 19-mile segment to be administered by the Secretary of Agriculture in the following classes:

(A) The 17-mile segment from the confluence of the North and South Forks of the Elk to Anvil Creek as a recreational river; and

(B) the 2-mile segment of the North Fork Elk from the falls to its confluence with the South Fork as a wild river.

( ) GRANDE RONDE, OREGON.—The 43.8-mile segment from its confluence with the Wallowa River to the Oregon-Washington State line in the following classes:

(A) the 1.5-mile segment from its confluence with the Wallowa River to the Umatilla National Forest boundary in section 11, township 3 north, range 40 east, as a recreational river; to be administered by the Secretary of Agriculture;

(B) the 17.4-mile segment from the Umatilla National Forest boundary in section 11, township 3 north, range 40 east, to the Wallowa-Witman National Forest boundary approximately one-half mile east of Grossman Creek as a wild river; to be administered by the Secretary of Agriculture;

(C) the 9-mile segment from Wallowa-Whitman National Forest boundary approximately one-half mile east of Grossman Creek to Wildcat Creek as a scenic river; to be administered by the Secretary of the Interior; and

(D) the 15.9-mile segment from Wildcat Creek to the Oregon-Washington State line as a recreational river; to be administered by the Secretary of the Interior.

( ) IMNAHA, OREGON.—The 68-mile segment from its confluence with the North and South Forks of the Imnaha River to its mouth; to be administered by the Secretary of Agriculture in the following classes:

(A) the 6-mile segment from its confluence with the North and South Forks of the Imnaha River to Indian Crossing as a wild river;

(B) the 58-mile segment from Indian Crossing to Cow Creek as a recreational river;

(C) the 4-mile segment from Cow Creek to its mouth as a scenic river.

( ) JOHN DAY, OREGON.—The 147.5-mile segment from Service Creek to Tumwater Falls as a recreational river; to be administered through a cooperative management agreement between the State of Oregon and the Secretary of the Interior.

( ) JOSEPH CREEK, OREGON.—The 29.1-mile segment from Joseph Creek Ranch, one mile downstream from Cougar Creek, to the Oregon-Washington State line in the following classes:

(A) the 8.6-mile segment from Joseph Creek Ranch, one mile downstream from Cougar Creek, to the Wallowa-Whitman Na-

tional Forest boundary as a wild river; to be administered by the Secretary of Agriculture; and

(B) the 20.5-mile segment from Wallowa-Whitman National Forest boundary to the Oregon-Washington State line as a wild river; to be administered by the Secretary of the Interior.

( ) **LITTLE DESCHUTES OREGON.**—The 12-mile segment from its source to the north section line of section 12, township 26 south, range 7 east as a recreational river; to be administered by the Secretary of Agriculture.

( ) **LOSTINE, OREGON.**—The 16-mile segment from its headwaters to the Wallowa-Whitman National Forest boundary; to be administered by the Secretary of Agriculture in the following classes:

(A) the 5-mile segment from its headwaters to the Eagle Cap Wilderness boundary as a wild river; and

(B) the 11-mile segment from the Eagle Cap Wilderness boundary to the Wallowa-Whitman National Forest boundary at Silver Creek as a recreational river.

( ) **MALHEUR, OREGON.**—The 13.7-mile segment from Bosonberg Creek to the Malheur National Forest boundary; to be administered by the Secretary of Agriculture in the following classes:

(A) the 7-mile segment from Bosonberg Creek to Malheur Ford as a scenic river; and

(B) the 6.7-mile segment from Malheur Ford to the Malheur National Forest boundary as a wild river.

( ) **MCKENZIE, OREGON.**—The 12.7-mile segment from Clear Lake to Scott Creek; to be administered by the Secretary of Agriculture in the following classes:

(A) the 1.8-mile segment from Clear Lake to the head of maximum pool at Carmen Reservoir as a recreational river;

(B) the 4.3-mile segment from a point 100 feet downstream from Carmen Dam to the maximum pool at Trail Bridge Reservoir as a recreational river; and

(C) the 6.6-mile segment from the developments at the base of the Trail Bridge Reservoir Dam to Scott Creek as a recreational river.

( ) **METOLIUS, OREGON.**—The 28.6-mile segment from the south Deschutes National Forest boundary to Lake Billy Chinook in the following classes:

(A) The 11.5-mile segment from the south Deschutes National Forest boundary (approximately 2,055 feet from Metolius Springs) to Bridge 99 as a recreational river; to be administered by the Secretary of Agriculture;

(B) the 17.1-mile segment from Bridge 99 to Lake Billy Chinook as scenic river; by the Secretary of Agriculture, through a cooperative management agreement between the Secretary of the Interior, the Confederated Tribes of the Warm Springs Reservation, and the State of Oregon as provided in section 10 of this act and section 4 of the Omnibus Oregon Wild and Scenic Rivers Act of 1988: Provided, That the river and its adjacent land area will be managed to provide a primitive recreational experience as defined in the ROS User's Guide.

( ) **Minam, Oregon.**—The 39-mile segment from its headwaters at the south end of Minam Lake to the Eagle Cap Wilderness bounda-

ry, one-half mile downstream from Cougar Creek, as a wild river; to be administered by the Secretary of Agriculture.

( ) **NORTH FORK CROOKED, OREGON.**—The 32.3-mile segment from its source at Williams Prairie to one mile from its confluence with the Crooked River in the following classes:

(A) the 3-mile segment from its source at Williams Prairie to the Upper End of Big Summit Prairie as recreational river; to be administered by the Secretary of Agriculture;

(B) the 3.7-mile segment from the Lower End of Big Summit Prairie to the bridge across from the Deep Creek Campground as a recreational river; to be administered by the Secretary of Agriculture;

(C) the 8-mile segment from the bridge across from the Deep Creek Campground to the Ochoco National Forest boundary, one-half mile from Lame Dog Creek as a scenic river; to be administered by the Secretary of Agriculture;

(D) the 1.5-mile segment from the Ochoco National Forest boundary to Upper Falls as a scenic river; to be administered by the Secretary of the Interior;

(E) the 11.1-mile segment from Upper Falls to Committee Creek as a wild river; to be administered by the Secretary of the Interior; and

(F) the 5-mile segment from Committee Creek to one mile from its confluence with the Crooked River as a recreational river; to be administered by the Secretary of the Interior.

( ) **NORTH FORK JOHN DAY, OREGON.**—The 54.1-mile segment from its headwaters in the North Fork of the John Day Wilderness Area at section 13, township 8 south, range 36 east, to its confluence with Camas Creek in the following classes:

(A) the 3.5-mile segment from its headwaters in the North Fork of the John Day Wilderness at section 13, township 8 south, range 36 east, to the North Fork of the John Day Wilderness boundary as a wild river; to be administered by the Secretary of Agriculture;

(B) the 7.5-mile segment from the North Fork of the John Day Wilderness boundary to Trail Creek as a recreational river; to be administered by the Secretary of Agriculture;

(C) the 24.3-mile segment from Trail Creek to Big Creek as a wild river; to be administered by the Secretary of Agriculture;

(D) the 10.5-mile segment from Big Creek to Texas Bar Creek as a scenic river; to be administered by the Secretary of Agriculture; and

(E) the 8.3-mile segment from Texas Bar Creek to its confluence with Camas Creek as a recreational river; to be administered by the Secretary of Agriculture.

( ) **NORTH FORK MALHEUR, OREGON.**—The 25.5-mile segment from its headwaters to the Malheur National Forest boundary as a scenic river; to be administered as a Secretary of Agriculture.

( ) **NORTH FORK OF THE MIDDLE RIVER OF THE WILLAMETTE, OREGON.**—The 42.3-mile segment from Waldo Lake to the Willamette National Forest boundary; to be administered by the Secretary of Agriculture in the following classes:

(A) the 8.8-mile segment from Waldo Lake to the south section line of section 36, township 19 south, range 5½ east as a wild river;

(B) the 6.5-mile segment from the south section line of section 36, township 19 south, range 5½ east to Fisher Creek as a scenic river; and

(C) the 27-mile segment from Fisher Creek to the Willamette National Forest boundary as a recreational river.

( ) NORTH FORK OWYNHEE, OREGON.—The 8-mile segment from the Oregon-Idaho State line to its confluence with the Owyhee River as a wild river; to be administered by the Secretary of the Interior.

( ) NORTH FORK SMITH, OREGON.—The 13-mile segment from its headwaters to the Oregon-California State line; to be administered by the Secretary of Agriculture in the following classes:

(A) the 6.5-mile segment from its headwaters to Horse Creek as a wild river;

(B) the 4.5-mile segment from Horse Creek to Baldface Creek as a scenic river; and

(C) the 2-mile segment from Baldface Creek to the Oregon-California State line as a wild river.

( ) NORTH FORK SPRAGUE, OREGON.—The 15-mile segment from the head of River Spring in the southwest quarter of section 15, township 35 south, range 16 east, to the northwest quarter of the southwest quarter of section 11, township 35 south, range 15 east, as a scenic river; to be administered by the Secretary of Agriculture.

( ) NORTH POWDER, OREGON.—The 6-mile segment from its headwaters to the Wallowa-Whitman National Forest boundary at River Mile 20 as scenic river; to be administered by the Secretary of Agriculture.

( ) NORTH UMPQUA, OREGON.—The 33.8-mile segment from the Soda Springs Powerhouse to Rock Creek in the following classes:

(A) the 25.4-mile segment from the Soda Springs Powerhouse to the Umpqua National Forest boundary as a recreational river; to be administered by the Secretary of Agriculture; and

(B) the 8.4-mile segment from the Umpqua National Forest boundary to its confluence with Rock Creek as a recreational river; to be administered by the Secretary of the Interior.

( ) POWDER, OREGON.—The 11.7-mile segment from Thief Valley Dam to the Highway 203 bridge as a scenic river; to be administered by the Secretary of the Interior.

( ) QUARTZVILLE CREEK, OREGON.—The 12-mile segment from the Willamette National Forest boundary to Slack Water in Green Peter Reservoir as a recreational river; to be administered by the Secretary of the Interior.

( ) ROARING, OREGON.—The 13.7-mile segment from its headwaters to its confluence with the Clackamas River; to be administered by the Secretary of Agriculture in the following classes:

(A) the 13.5-mile segment from its headwaters to one-quarter mile upstream of the mouth as a wild river; and

(B) the .2-mile segment from one-quarter mile upstream of the mouth to its confluence with the Clackamas River as a recreational river.

( ) SALMON, OREGON.—The 33.5-mile segment from its headwaters to its confluence with the Sandy River in the following classes:

(A) the 7-mile segment from its headwaters to the south boundary line of section 6, township 4 south, range 9 east as a recreational river; to be administered by the Secretary of Agriculture: Provided, That designation and classification shall not preclude the Secretary from exercising discretion to approve the construction, operation, and maintenance of ski lifts, ski runs, and associated facilities for the land comprising the Timberline Lodge Winter Sports Area insofar as such construction does not involve water resources projects;

(B) the 15-mile segment from the south boundary line at section 6, township 4 south, range 9 east to the junction with the South Fork of the Salmon River as a wild river; to be administered by the Secretary of Agriculture;

(C) the 3.5-mile segment from the junction with the south fork of the Salmon River to the Mt. Hood National Forest boundary as a recreational river; to be administered by the Secretary of Agriculture;

(D) the 3.2-mile segment from the Mt. Hood National Forest boundary to Lymp Creek as a recreational river; to be administered by the Secretary of the Interior; and

(E) the 4.8-mile segment from Lymp Creek to its confluence with the Sandy River as a scenic river; to be administered by the Secretary of the Interior.

( ) SANDY, OREGON.—Those portions as follows:

(A) the 4.5-mile segment from its headwaters to the section line between section 15 and 22, township 2 south, range 8 east as a wild river; to be administered by the Secretary of Agriculture;

(B) the 7.9-mile segment from the section line between sections 15 and 22, township 2 south, range 8 east to the Mt. Hood National Forest boundary at the west section line of section 26, township 2 south, range 7 east as a recreational river; to be administered by the Secretary of Agriculture;

(C) the 12.5-mile segment from the east boundary of sections 25 and 36, township 1 south, range 4 east in Clackamas County near Dodge Park, downstream to the west line of the east half of the northeast quarter of section 6, township 1 south, range 4 east, in Multnomah County at Dabney State Park, the upper 3.8 miles as a scenic river and the lower 8.7 miles as a recreational river; both to be administered through a cooperative management agreement between the State of Oregon, the Secretary of the Interior and the Counties of Multnomah and Clackamas in accordance with section 10(e) of this Act: Provided, That nothing in this act shall preclude or impair the licensing, development, operation, or maintenance of City of Portland, Oregon water resources facilities on those portions of the Bull Run or Little Sandy Rivers that are outside the boundary of the wild and scenic river area as designated in this section: Provided further, That nothing in this section is intended or shall be construed to affect any rights, obligations, privileges, or benefits granted to the City of Portland, Oregon under any prior authority of law or under any agreement or administrative ruling entered into or made effective before the effective date of this Act.

( ) **SOUTH FORK IMNAHA, OREGON.**—The 9-mile segment from its headwaters to the confluence with the Imnaha River as a wild river; to be administered by the Secretary of Agriculture.

( ) **SOUTH FORK JOHN DAY, OREGON.**—The 47-mile segment from the Malheur National Forest to Smokey Creek as a recreational river; to be administered by the Secretary of the Interior.

( ) **SQUAW CREEK, OREGON.**—The 15.4-mile segment from its source to the hydrologic Gaging Station 800 feet upstream from the intake of the McAllister Ditch, including the Soap Fork Squaw Creek, the North Fork, the South Fork, the East and West Forks of Park Creek, and Park Creek Fork; to be administered by the Secretary of Agriculture as follows:

(A) the 6.6-mile segment and its tributaries from the source to the Three Sisters Wilderness boundary as a wild river; and

(B) the 8.8-mile segment from the boundary of the Three Sisters Wilderness Area to the hydrologic Gaging Station 800 feet upstream from the intake of the McAllister Ditch as a scenic river: Provided, That nothing in this act shall prohibit the construction of facilities necessary for emergency protection for the town of Sisters relative to a rapid discharge of Carver Lake if no other reasonable flood warning or control alternative exists.

( ) **SYCAN, OREGON.**—The 59-mile segment from the northeast quarter of section 5, township 34 south, range 17 east to Coyote Bucket at the Fremont National Forest boundary; to be administered by the Secretary of Agriculture in the following classes:

(A) the 26.4-mile segment from the northeast quarter of section 5, township 34 south, range 17 east to the west section line of section 22, township 32 south, range 14 east, as a scenic river;

(B) the 8.6-mile segment from the west section line of section 22, township 32 south, range 14 east, to the Fremont National Forest boundary in the southeast quarter of section 10, township 33 south, range 13 east, as a recreational river; and

(C) the 24-mile segment from the Fremont National Forest boundary in the southeast quarter of section 10, township 33 south, range 13 east, to Coyote Bucket at the Fremont National Forest boundary, as a scenic river.

( ) **UPPER ROGUE, OREGON.**—The 40.3-mile segment from the Crater Lake National Park boundary to the Rogue River National Forest boundary; to be administered by the Secretary of Agriculture in the following classes:

(A) the 0.5-mile segment from the Crater Lake National Park boundary to approximately 0.1-mile downstream from the forest road 6530760 (West Lake Road) crossing as a scenic river;

(B) the 6.1-mile segment from approximately 0.1-mile downstream from the forest road 6530760 (West Lake Road) crossing to Minehaha Creek as a wild river; and

(C) the 33.7-mile segment from Minehaha Creek to the Rogue River National Forest boundary as a scenic river.

( ) **WENAHA, OREGON.**—The 21.55-mile segment from the confluence of the North Fork and the South Fork to its confluence with the Grande Ronde River; to be administered by the Secretary of Agriculture in the following classes:



(A) the 18.7-mile segment from the confluence of the North Fork and South Fork to the Umatilla National Forest as a wild river;

(B) the 2.7-mile segment from the Umatilla National Forest boundary to the easternmost boundary of the Wenaha State Wildlife Area as a scenic area; and

(C) the 0.15-mile segment from the easternmost boundary of the Wenaha State Wildlife Area to the confluence with the Grande Ronde River as a recreational river.

( ) WEST LITTLE OWYHEE, OREGON.—The 51-mile segment from its headwaters to its confluence with Owyhee River as wild river; to be administered by the Secretary of the Interior.

( ) WHITE, OREGON.—The 46.5-mile segment from its headwaters to its confluence with the Deschutes River in the following classes:

(A) the 2-mile segment from its headwaters to the section line between sections 9 and 16, township 3 south, range 9 east, as a recreational river; to be administered by the Secretary of Agriculture: Provided; That designation and classification shall not preclude the Secretary from exercising discretion to approve construction, operation, and from exercising discretion to approve construction, operation, and maintenance of ski lifts, ski runs, and associated facilities for the land comprising the Mt. Hood Winter Sports Area insofar as such construction does not involve water resource projects and is consistent with protecting the values for which the river was designated.

(B) the 13.6-mile segment from the section line between sections 9 and 16, township 3 south, range 9 east, to Deep Creek as recreational river; to be administered by the Secretary of Agriculture;

(C) the 6.5-mile segment from Deep Creek to the Mt. Hood National Forest boundary as wild river; to be administered by the Secretary of Agriculture;

(D) the 22.8-mile segment from the Mt. Hood National Forest boundary to River Mile 2.2 as a recreational river; to be administered by the Secretary of the Interior; and

(E) the 1.6-mile segment from River Mile 1.6 to its confluence with the Deschutes River as a recreational river; to be administered by the Secretary of the Interior.

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SEC. 5. (a) The following rivers are hereby designated for potential addition to the national wild and scenic rivers system:

( ) BLUE, OREGON.—The segment from its headwaters to the Blue River Reservoir; by the Secretary of Agriculture.

( ) CHEWAUCAN, OREGON.—The segment from its headwaters to the Paisley Urban Growth boundary to be studied in cooperation with, and integrated with, the Klamath River Basin Plan; by the Secretary of Agriculture.

( ) NORTH FOLK MALHEUR, OREGON.—The segment from the Malheur National Forest boundary to Beulah Reservoir; by the Secretary of the Interior.

( ) SOUTH FOLK MCKENZIE, OREGON.—The segments from its headwaters to the upper end of Cougar Reservoir and from the

*lower end of Cougar Reservoir to its confluence with the McKenzie River; by the Secretary of Agriculture.*

( ) *STEAMBOAT CREEK, OREGON.—The entire creek; by the Secretary of Agriculture.*

( ) *UPPER KLAMATH, OREGON.—The segment from immediately below John Boyle Dam to the Oregon-California State line; by the Secretary of the Interior: Provided, That nothing in this Act, or any amendments thereto, shall be construed to affect or delay, or to interfere with completion of, any studies or proceedings by any Department or agency of the United States which has jurisdiction over the Salt Caves Hydroelectric Project proposed by the City of Klamath Falls, Oregon.*

( ) *WALLOWA, OREGON.—The segment from its confluence with the Minam River to its confluence with the Grande Ronde River; by the Secretary of Agriculture.*

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