

113TH CONGRESS  
1ST SESSION

# H. R. 2489

To modify the boundary of the Oregon Caves National Monument, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 25, 2013

Mr. DEFAZIO (for himself, Mr. BLUMENAUER, Mr. SCHRADER, and Ms. BONAMICI) introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To modify the boundary of the Oregon Caves National Monument, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Oregon Caves Revital-  
5 ization Act of 2013”.

6 **SEC. 2. PURPOSE.**

7 The purpose of this Act is to add surrounding land  
8 to the Monument—

9 (1) to enhance the protection of the resources  
10 associated with the Monument; and

1 (2) to increase public recreation opportunities.

2 **SEC. 3. DEFINITIONS.**

3 In this Act:

4 (1) MAP.—The term “map” means the map ti-  
5 tled “Oregon Caves National Monument and Pre-  
6 serve” numbered 150/80,023, and dated May 2010.

7 (2) MONUMENT.—The term “Monument”  
8 means the Oregon Caves National Monument estab-  
9 lished by Presidential Proclamation Number 876 (36  
10 Stat. 2497), dated July 12, 1909.

11 (3) NATIONAL PRESERVE.—The term “National  
12 Preserve” means the National Preserve designated  
13 by section 4(a).

14 (4) SECRETARY.—The term “Secretary” means  
15 the Secretary of the Interior.

16 (5) SECRETARY CONCERNED.—The term “Sec-  
17 retary concerned” means—

18 (A) the Secretary of Agriculture (acting  
19 through the Chief of the Forest Service), with  
20 respect to National Forest System land; and

21 (B) the Secretary of the Interior, with re-  
22 spect to land managed by the Bureau of Land  
23 Management.

24 (6) STATE.—The term “State” means the State  
25 of Oregon.

1 **SEC. 4. DESIGNATION; LAND TRANSFER; BOUNDARY AD-**  
2 **JUSTMENT.**

3 (a) IN GENERAL.—The Monument shall be known  
4 and designated as the “Oregon Caves National Monument  
5 and Preserve”. The land identified on the map as “Pro-  
6 posed Addition Lands” shall be designated as a National  
7 Preserve.

8 (b) LAND TRANSFER.—The Secretary of Agriculture  
9 shall—

10 (1) transfer approximately 4,070 acres of land  
11 identified on the map as the “Proposed Addition  
12 Lands” to the Secretary to be administered as part  
13 of the Oregon Caves National Monument and Pre-  
14 serve; and

15 (2) adjust the boundary of the Rogue River-  
16 Siskiyou National Forest to exclude the land trans-  
17 ferred under paragraph (1).

18 (c) BOUNDARY ADJUSTMENT.—The boundary of the  
19 National Monument is modified to exclude approximately  
20 4 acres of land—

21 (1) located in the City of Cave Junction; and

22 (2) identified on the map as the “Cave Junction  
23 Unit”, as depicted on the map.

24 (d) AVAILABILITY OF MAP.—The map shall be on file  
25 and available for public inspection in the appropriate of-  
26 fices of the National Park Service.

1 (e) REFERENCES.—Any reference in a law, map, reg-  
2 ulation, document, paper, or other record of the United  
3 States to the Monument shall be considered to be a ref-  
4 erence to the “Oregon Caves National Monument and Pre-  
5 serve”.

6 **SEC. 5. ADMINISTRATION.**

7 (a) IN GENERAL.—The Secretary, acting through the  
8 Director of the National Park Service, shall administer the  
9 National Monument and Preserve in accordance with—

10 (1) this Act;

11 (2) Presidential Proclamation Number 876 (36  
12 Stat. 2497), dated July 12, 1909; and

13 (3) any law (including regulations) generally  
14 applicable to units of the National Park System, in-  
15 cluding the National Park Service Organic Act (16  
16 U.S.C. 1 et seq.).

17 (b) FIRE MANAGEMENT.—As soon as practicable  
18 after the date of enactment of this Act, in accordance with  
19 subsection (a), the Secretary shall revise the fire manage-  
20 ment plan for the Monument to include the National Pre-  
21 serve and, in accordance with the revised plan, carry out  
22 hazardous fuel management activities within the bound-  
23 aries of the National Monument and Preserve.

24 (c) EXISTING FOREST SERVICE CONTRACTS.—The  
25 Secretary shall allow for the completion of existing Forest

1 Service stewardship and service contracts executed as of  
2 the date of enactment of this Act and shall recognize the  
3 authority of the Secretary of Agriculture for the purpose  
4 of administering the existing Forest Service contracts  
5 through their completion. All terms and conditions of ex-  
6 isting Forest Service contracts shall remain in place for  
7 the duration of those contracts. Any such liability existing  
8 at the time of enactment of this Act shall be that of the  
9 Forest Service.

10 (d) GRAZING.—The Secretary may allow the grazing  
11 of livestock within the preserve to continue where author-  
12 ized under permits or leases in existence as of the date  
13 of enactment of this Act. Grazing shall be at no more than  
14 the current level, as measured in Animal Unit Months,  
15 and subject to applicable laws and National Park Service  
16 regulations.

17 **SEC. 6. VOLUNTARY GRAZING LEASE OR PERMIT DONA-**  
18 **TION PROGRAM.**

19 (a) DONATION OF LEASE OR PERMIT.—

20 (1) ACCEPTANCE BY SECRETARY CON-  
21 CERNED.—The Secretary concerned shall accept the  
22 donation of a grazing lease or permit from a lessee  
23 or permittee for—

1 (A) the Big Grayback Grazing Allotment  
2 located in the Rogue River-Siskiyou National  
3 Forest; and

4 (B) the Billy Mountain Grazing Allotment  
5 located on a parcel of land that is managed by  
6 the Secretary (acting through the Director of  
7 the Bureau of Land Management).

8 (2) TERMINATION.—With respect to each per-  
9 mit or lease donated under subparagraph (a), the  
10 Secretary shall—

11 (A) terminate the grazing permit or lease;  
12 and

13 (B) ensure a permanent end to grazing on  
14 the land covered by the permit or lease.

15 (b) EFFECT OF DONATION.—A lessee or permittee  
16 that donates a grazing lease or grazing permit (or a por-  
17 tion of a grazing lease or grazing permit) under this sec-  
18 tion shall be considered to have waived any claim to any  
19 range improvement on the associated grazing allotment or  
20 portion of the associated grazing allotment, as applicable.

21 **SEC. 7. HUNTING, FISHING, AND TRAPPING.**

22 (a) IN GENERAL.—Except as provided in subsection  
23 (b), the Secretary shall permit hunting, fishing, and trap-  
24 ping on land and water within the National Preserve in

1 accordance with each applicable law (including regula-  
2 tions) of the Federal Government and the State.

3 (b) ADMINISTRATIVE EXCEPTIONS.—In accordance  
4 with subsection (c), the Secretary may designate areas in  
5 which, and establish limited periods during which, no  
6 hunting, fishing, or trapping may be permitted within the  
7 National Preserve due to concerns relating to—

8 (1) public safety;

9 (2) the administration of the National Preserve;

10 or

11 (3) the compliance by the Secretary with any  
12 applicable law (including regulations).

13 (c) CONSULTATION WITH APPROPRIATE STATE  
14 AGENCY.—Except to respond to a situation that the Sec-  
15 retary determines to be an emergency, the Secretary shall  
16 consult with the appropriate agency of the State before  
17 taking any act to close any area within the National Pre-  
18 serve to hunting, fishing, or trapping.

19 **SEC. 8. EFFECT.**

20 Nothing in this Act affects the authority or responsi-  
21 bility of the State to carry out any law or duty of the  
22 State relating to fish and wildlife on areas located within  
23 the National Preserve.

1 **SEC. 9. WILD AND SCENIC RIVER DESIGNATION, RIVER**  
2 **STYX, OREGON.**

3 Section 3(a) of the Wild and Scenic Rivers Act (16  
4 U.S.C. 1274(a)) is amended by inserting the following  
5 paragraph:

6 “(\_\_\_\_) RIVER STYX, OREGON.—The subterra-  
7 nean segment of Cave Creek, known as the River  
8 Styx, to be administered by the Secretary of the In-  
9 terior as a scenic river.”.

10 **SEC. 10. WILD AND SCENIC RIVER DESIGNATION FOR**  
11 **STUDY.**

12 Section 5(a) of the Wild and Scenic Rivers Act (16  
13 U.S.C. 1276(a)) is amended by adding at the end the fol-  
14 lowing:

15 “(\_\_\_\_) OREGON CAVES NATIONAL MONUMENT  
16 AND PRESERVE, OREGON.—

17 “(A) CAVE CREEK, OREGON.—The 2.6-  
18 mile segment of Cave Creek from the head-  
19 waters at the River Styx to the boundary of the  
20 Rogue River Siskiyou National Forest.

21 “(B) LAKE CREEK, OREGON.—The 3.6-  
22 mile segment of Lake Creek from the head-  
23 waters at Bigelow Lakes to the confluence with  
24 Cave Creek.



1           “(C) NO NAME CREEK, OREGON.—The  
2           0.6-mile segment of No Name Creek from the  
3           headwaters to the confluence with Cave Creek.

4           “(D) PANTHER CREEK.—The 0.8-mile seg-  
5           ment of Panther Creek from the headwaters to  
6           the confluence with Lake Creek.

7           “(E) UPPER CAVE CREEK.—The segment  
8           of Upper Cave Creek from the headwaters to  
9           the confluence with River Styx.”.

10 **SEC. 11. STUDY AND REPORT.**

11           Section 5(b) of the Wild and Scenic Rivers Act (16  
12 U.S.C. 1276(b)) is amended by adding at the end the fol-  
13 lowing:

14           “(\_\_\_\_) OREGON CAVES NATIONAL MONUMENT  
15           AND PRESERVE, OREGON.—Not later than 3 years  
16           after funds are made available to carry out this  
17           paragraph, the Secretary shall complete the study of  
18           the Oregon Caves National Monument and Preserve  
19           segments designated for study in subsection (a), and  
20           shall submit to Congress a report containing the re-  
21           sults of the study.”.

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