

# ERRATA SHEET FOR THE JARBIDGE DRAFT RESOURCE MANAGEMENT PLAN (RMP)/ENVIRONMENTAL IMPACT STATEMENT (EIS)

## Omnibus Public Lands Management Act

The Omnibus Public Lands Management Act (OPLMA; Public Law 111-11) was signed by the President on March 30, 2009. Within the planning area, Title I, Subtitle F of this act, entitled *Owyhee Public Land Management*, designates the Bruneau-Jarbidge Rivers Wilderness and releases from consideration for Wilderness areas previously identified as the Bruneau River-Sheep Creek Wilderness Study Area (WSA) and the Jarbidge River WSA that are not contained in the newly designated Wilderness. In addition, OPLMA designates four Wild and Scenic Rivers (WSRs) within the planning area and contains additional management direction for cultural resources and transportation in the portions of the planning area within Owyhee County, Idaho. This subtitle is reprinted in its entirety following this errata sheet.

## Provisions of the Act Relevant to the Jarbidge Draft RMP/EIS

### Wilderness Designation

OPLMA designates 89,780 acres<sup>1</sup> as the Bruneau-Jarbidge Rivers Wilderness (Figure 1). Of this, 60,320 acres are in the planning area (Table 1); the remaining acres are outside the planning area within the Bureau of Land Management (BLM) Bruneau Field Office. Of the acres within the planning area, 46,170 acres were formerly in the Jarbidge River WSA, 13,980 acres were formerly in the Bruneau River-Sheep Creek WSA, and 170 acres were not in either WSA.

**Table 1. OPLMA Changes in Wilderness and WSA Management Affecting the Planning Area**

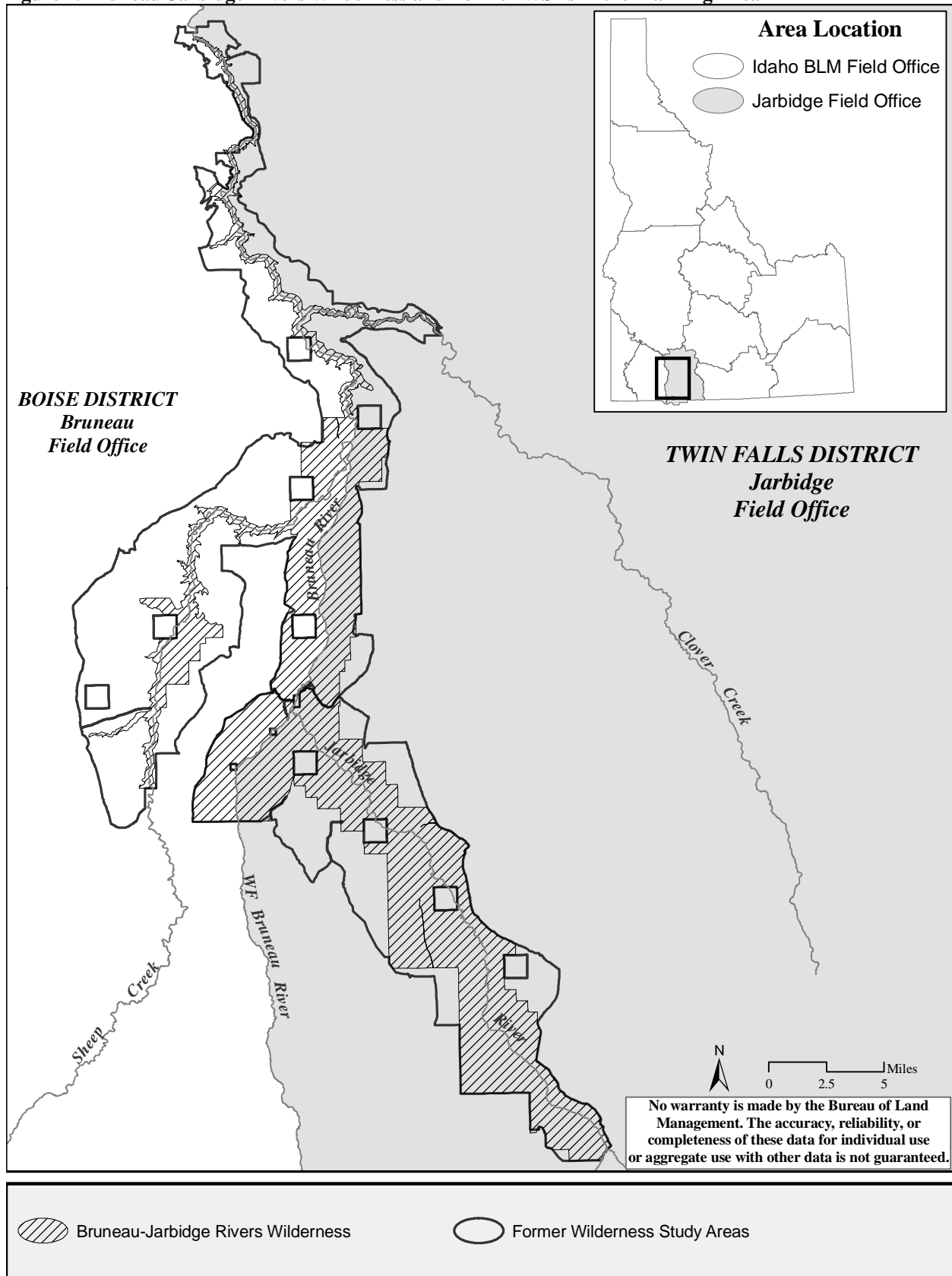
Former Management		Management Following OPLMA	
Field Office	Acres	Bruneau-Jarbidge Rivers Wilderness	Released from WSA Management
<b>Jarbidge River WSA</b>			
Jarbidge FO	64,110	46,170	17,940
Bruneau FO	6,840	6,820	20
<i>Total</i>	<i>70,950</i>	<i>52,990</i>	<i>17,960</i>
<b>Bruneau River-Sheep Creek WSA</b>			
Jarbidge FO	28,120	13,980	14,140
Bruneau FO	72,860	22,490	50,370
<i>Total</i>	<i>100,980</i>	<i>36,470</i>	<i>64,510</i>
<b>Not within any WSA</b>			
Jarbidge FO	170	170	0
Bruneau FO	150	150	0
<i>Total</i>	<i>320</i>	<i>320</i>	<i>0</i>
<b>GRAND TOTAL</b>	<b>172,250</b>	<b>89,780</b>	<b>82,470</b>

OPLMA also contains management provisions for the new Wilderness designations. Management specified by the Act relevant to the Bruneau-Jarbidge Rivers Wilderness is as follows:

- Subject to valid existing rights, the Wilderness shall be administered by the Secretary of the Interior in accordance with the Wilderness Act.
- Subject to valid existing rights, the Wilderness is withdrawn from all forms of:
  - Entry, appropriation, or disposal under the public land laws;
  - Location, entry, and patent under the mining laws; and

<sup>1</sup> Acres and miles were calculated using Geographic Information Systems (GIS) and include only BLM-managed lands. All acres have been rounded to the nearest 10 acres. As a result, some acres and miles are slightly different from those contained in the Act.

**Figure 1. Bruneau-Jarbidge Rivers Wilderness and Former WSAs in the Planning Area**



- Disposition under the mineral leasing, mineral materials, and geothermal leasing laws.
- Livestock grazing established as of the passage of the Act shall be allowed to continue, subject to such reasonable regulations, policies, and practices as the Secretary of the Interior considers necessary, consistent with section 4(d)(4) of the Wilderness Act and the guidelines described in Appendix A of House Report 101-405.
- Fences may be constructed and maintained around the Wilderness as determined to be appropriate to enhance Wilderness values.
- The Secretary of the Interior shall accept the donation of any valid existing grazing permits or leases, all or a portion of which is within the Wilderness; for each permit or lease donated, the permit or lease shall be terminated and grazing on the land covered by the permit or lease shall be ended permanently. If the land is also covered by another valid existing permit or lease that is not donated, the authorized grazing level on that land shall be reduced to reflect the donated permit or lease. If less than the full amount of grazing use under a permit or lease is donated, the authorized grazing level shall be reduced to reflect the donation and the permit or lease shall be modified to reflect the revised use levels.
- Land or interests in land may be acquired within the boundaries of the Wilderness through purchase, donation, or exchange. Any land or interest in land acquired in, or adjoining the boundary of, the Wilderness shall be added to and administered as part of the Wilderness.
- A trail plan addressing hiking and equestrian trails will be developed.
- Commercial services, including authorized outfitting and guide activities, are authorized in the Wilderness to the extent necessary for activities that fulfill recreational or other Wilderness purposes.
- Adequate access shall be provided to any owner of private property within the Wilderness boundary.
- Management activities necessary to maintain or restore fish and wildlife populations and habitats in Wilderness may be conducted if the activities are consistent with relevant Wilderness management plans and conducted in accordance with appropriate policies, such as those established in Appendix B of House Report 101-405. These management activities may include the occasional and temporary use of motorized vehicles, if the use, would promote healthy viable, and more naturally distributed wildlife populations that would enhance Wilderness values while causing the minimum impact necessary to accomplish those tasks.
- Any measures that the Secretary determines to be necessary may be taken to control fire, insects, and diseases.
- No protective perimeter or buffer zone shall be created around the Wilderness.
- Non-Wilderness activities or uses outside the Wilderness that can be seen or heard from within the Wilderness shall not be precluded.

### **Release of Areas from WSA Management**

OPLMA releases the remaining portions of the Jarbidge River and Bruneau River-Sheep Creek WSAs from consideration as Wilderness. Within the planning area, 17,940 acres of the Jarbidge River WSA and 14,140 acres of the Bruneau River-Sheep Creek WSA were released (Figure 1; Table 1). The released lands are to be managed in accordance with the applicable land use plan adopted under section 202 of the Federal Land Policy and Management Act of 1976 (FLPMA). Within the planning area, the applicable land use plan is the 1987 Jarbidge Resource Management Plan (RMP).

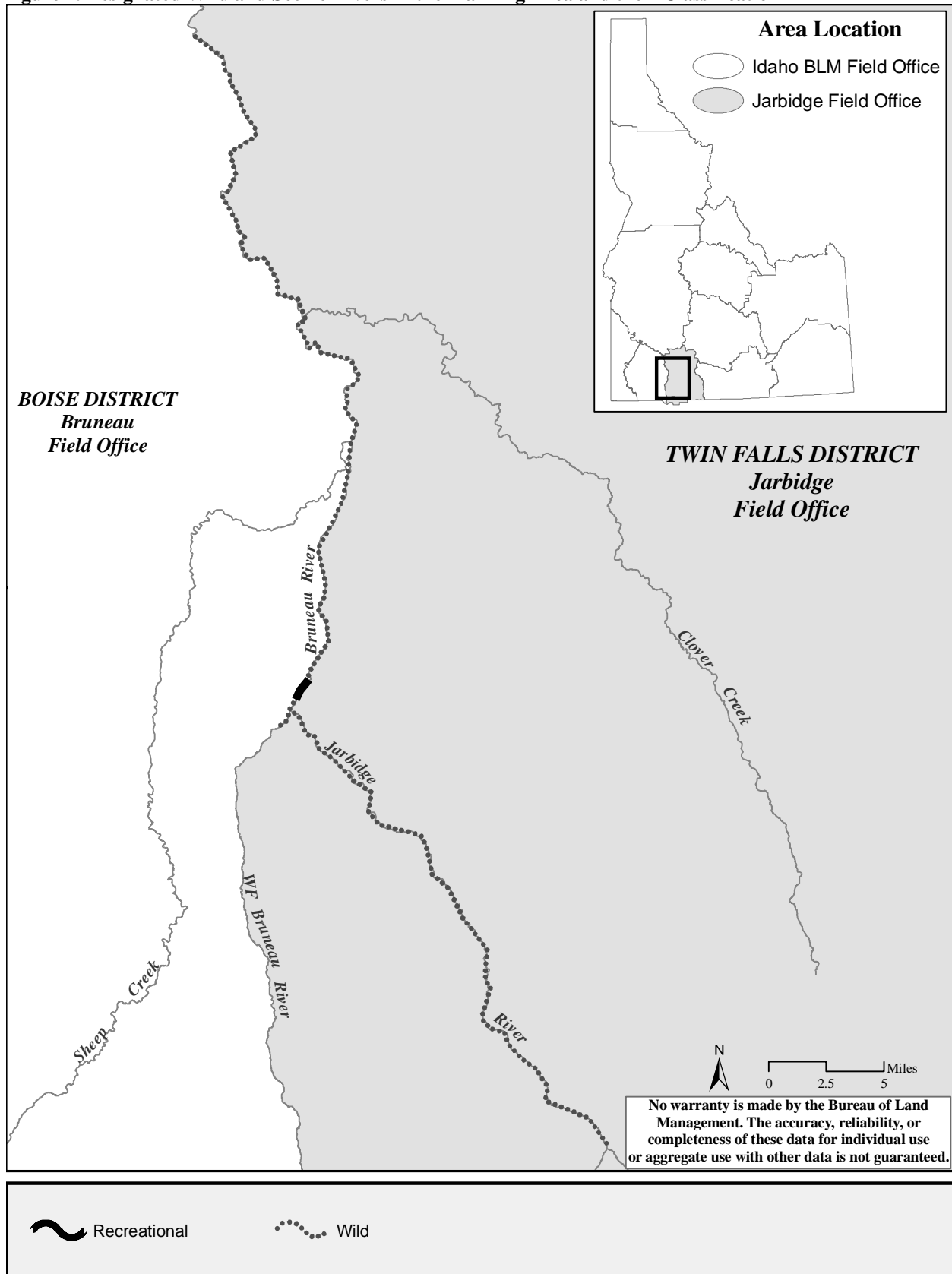
### **Wild and Scenic River (WSR) Designations**

OPLMA designates the following WSRs in the planning area (Figure 2):

- A 38.1-mile segment of the Bruneau River from the downstream boundary of the Bruneau-Jarbidge Rivers Wilderness to the confluence with the West Fork of the Bruneau River, except for a 0.5-mile segment at the Indian Hot Springs public road access, to be administered as a wild river<sup>2</sup>
- A 0.5-mile segment of the Bruneau River at the Indian Hot Springs public road access to be administered as a recreational river

<sup>2</sup> 37.8 miles of the wild segment are downstream from Indian Hot Springs, while 0.3 miles of the wild segment are upstream from Indian Hot Springs.

**Figure 2. Designated Wild and Scenic Rivers in the Planning Area and their Classification**



- A 0.3-mile segment of the West Fork of the Bruneau River from the confluence with the Jarbidge River to the downstream boundary of the Bruneau Canyon Grazing Allotment to be administered as a wild river
- A 27.9-mile segment of the Jarbidge River from the confluence with the West Fork of the Bruneau River to the upstream boundary of the Bruneau-Jarbidge Rivers Wilderness to be administered as a wild river

All four of these river segments were identified as suitable for inclusion in the National Wild and Scenic Rivers System (NWSRS) in the 1976 Bruneau Wild and Scenic River Study Report. That report assigned these segments a tentative classification as wild and identified scenic, recreational, geological, fish, wildlife, cultural, and vegetation outstandingly remarkable values.

### Transportation Management

OPLMA directs the Secretary to prepare a travel management plan for motorized and mechanized off-highway vehicle (OHV) recreation on BLM-managed lands in Owyhee County. In general, the plan will limit recreational motorized and mechanized OHV use to a system of designated roads and trails; this limitation will not apply to snowmobiles. Until the plan is completed, all recreational motorized and mechanized off-highway vehicle use (excluding snowmobiles) shall be limited to roads and trails lawfully in existence on the day before the enactment of the Act.

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### ***Implications for the Jarbidge Draft RMP/EIS***

When OPLMA passed in March 2009, the Interdisciplinary Team (ID Team) was in the process of finalizing the impact analysis for the Jarbidge Draft RMP/Environmental Impact Statement (EIS). To incorporate OPLMA into the Jarbidge Draft RMP/EIS, the BLM determined numerous acreage changes would be necessary in the document; however, these minor changes would not likely affect the ultimate conclusions of the analysis. Updating the acres in the document would require changes to the description of the No Action Alternative in Chapter 2, 14 sections of the action alternatives in Chapter 2, 6 sections of Chapter 3, and every section of Chapter 4 except the *Wild Horses*, *Areas of Critical Environmental Concern*, and *National Historic Trails* sections. These changes would be extensive due to the structure of the alternatives and analysis. For example, the new mineral withdrawals within the Wilderness designation would affect the *Leasable Minerals*, *Salable Minerals*, and *Locatable Minerals* sections of Chapter 2 and their associated GIS layers. These changes, in turn, would affect the 12 sections of Chapter 4 in which impacts from minerals actions are analyzed.

The ID Team determined this workload would delay publication of the Jarbidge Draft RMP/EIS by approximately one year. Due to the timeline specified in the September 30, 2005, Stipulated Settlement Agreement (SSA) in the case of *Western Watersheds Project v. Bennett et al. (Case No. CV-04-181-S-BLW) (D. Idaho)* (Appendix A), BLM decided to publish the Jarbidge Draft RMP/EIS without full incorporation of the designations and management contained in the Act and incorporate them before publication of the Proposed RMP/Final EIS.

Though the Jarbidge Draft RMP/EIS does not incorporate the OPLMA, the analysis contained in Chapter 4 is still valid. BLM does not expect these changes to affect the ultimate conclusions of the analysis; rather, most changes will only appear as minor variations in acreages or changes in wording. The implications of the provisions of the Act for the Jarbidge Draft RMP/EIS are described in more detail below.

### Implications from Wilderness Designation

The new Wilderness designation will change the acres discussed in Chapters 2, 3, and 4, but is not likely to affect the ultimate conclusions of the analyses. Generally, any management or impacts relevant to the former Jarbidge River WSA or Bruneau River-Sheep Creek WSA are relevant to the Bruneau-Jarbidge Rivers Wilderness and discussed accordingly in the Proposed RMP/Final EIS. A new *Wilderness* section of Chapter 4 will be added as well. The analysis contained in the *Wilderness Study Areas* section of Chapter 4 will still apply to the Lower Salmon Falls Creek WSA, which is not affected by the Act.

**Implications from Release of Areas from WSA Management**

Management for lands released from WSA management for the No Action Alternative has already been described in detail in the *Wilderness Study Area* section of Chapter 2. Impacts to released WSA lands due to this management have already been analyzed in the *Wilderness Study Area* section of Chapter 4.

In an inventory conducted in 1981, lands released from Wilderness review under OPLMA were found to have Wilderness characteristics. In the intervening years, these Wilderness characteristics were protected until Congress could act on them. The Wilderness inventory for lands that were not designated as Wilderness but have been released under OPLMA will be updated to make a determination regarding Wilderness characteristics. Lands determined to have Wilderness characteristics will be incorporated into the *Non-WSA Lands with Wilderness Characteristics* sections in the Proposed RMP/Final EIS as appropriate to each action alternative. That is, under Alternatives I, IV, and V, these lands would be managed for Wilderness characteristics, and under Alternatives II and II, they would be managed for other values. Under all alternatives, proposals regarding the use of these lands would need to analyze impacts to Wilderness characteristics. Accordingly, the *Non-WSA Lands with Wilderness Characteristics* section of Chapter 4 of the Proposed RMP/Final EIS will be updated to analyze impacts to Wilderness characteristics on these lands.

Should any of the released lands be found to not have Wilderness characteristics, those lands would be managed the same as adjacent non-Wilderness lands as appropriate to each action alternative, and proposals regarding their use would not need to analyze impacts to Wilderness characteristics.

Impacts to released WSA lands that would be managed for Wilderness characteristics or managed for other values have already been analyzed in the Draft RMP/EIS in the *Wilderness Study Areas* section of Chapter 4.

**Implications from Wild and Scenic River Designations**

While the text of the *Wild and Scenic Rivers* section of Chapters 3 and 4 will be revised to show portions of the rivers designated as WSR segments, the management described in Chapter 2 and analysis in Chapter 4 is not affected because Chapter 2 includes identical management for suitable and designated WSRs. The new WSR designations will not change the analyses contained in Chapter 4 as those river segments designated WSRs by OPLMA were all previously identified as suitable WSRs.

**Implications from Transportation Management**

OPLMA's transportation designations represent an important change to the description of the No Action Alternative, but not to any of the action alternatives. Table 2 displays the travel designations identified in the Jarbidge Draft RMP/EIS for the No Action Alternative for the Owyhee County portion of the planning area and how those acres would change under OPLMA.

**Table 2. Travel Designations in Owyhee County under the No Action Alternative and OPLMA**

<b>Travel Designation</b>	<b>No Action Alternative</b>	<b>OPLMA</b>
Open to Cross-Country Motorized Vehicle Use	719,160	0
Limited to Designated Routes	113,270	864,460
Limited to Inventoried Ways	70,170	0
Closed to Motorized Vehicle Use	22,180	60,320

OPLMA changes all open areas to limited to designated routes, with a limited to existing routes designation in effect until a transportation plan is completed. The 32,080 acres released from WSA management are no longer limited to inventoried ways and, instead, are limited to designated routes under OPLMA, with a limited to existing routes designation in effect until a transportation plan is completed. Any acres within the Bruneau-Jarbidge Rivers Wilderness are closed to motorized and mechanized vehicle use under OPLMA.

The needed changes to the No Action Alternative in Chapter 2 would also affect sections of Chapter 4 in which impacts from transportation and travel are analyzed. In general, impacts due to transportation and

travel management under the No Action Alternative would be more similar to impacts under the action alternatives than they were prior to passage of the Act as the management would be more similar. Due to the major reduction in acres open to cross-country motorized vehicle use under OPLMA, impacts from transportation and travel management under the No Action Alternative to resources such as upland vegetation and wildlife would generally decrease; impacts to resource uses would generally increase due to the potential for decreased levels of motorized access.

In contrast, none of the action alternatives contain any areas open to cross-country motorized vehicle use within the Owyhee County portion of the planning area. The needed changes in the limited to inventoried ways and closed designations in Alternatives I, II, III, and IV are the same as described for the No Action Alternative. In Alternative V, the 32,080 acres released from WSA management would no longer be closed and instead would be limited to designated routes, with a limited to existing routes designation in effect until a transportation plan is completed. Impacts from transportation and travel management under the action alternatives to resources or resource uses are not expected to differ substantially from those already portrayed in Chapter 4.

## **Record of Decision and Resource Management Plan Amendments for Geothermal Leasing in the Western United States**

This Record of Decision (ROD; referred to as the “Geothermal Leasing ROD”) was signed in December 2008. This document contains plan amendments evaluated in the *Final Programmatic Environmental Impact Statement for Geothermal Leasing in the Western United States* (BLM, 2008). These amendments and the accompanying Programmatic Environmental Impact Statement (PEIS) were prepared in response to Section 225 of the Energy Policy Act of 2005. This decision amends the 1987 Jarbidge RMP by:

- Identifying public lands that are administratively and legally closed or open to leasing, and
- Adopting a comprehensive list of stipulations, best management practices (BMPs), and procedures to serve as consistent guidance for future geothermal leasing and development on public lands.

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### ***Provisions of the ROD Relevant to the Jarbidge Draft RMP/EIS***

#### **Allocations for Geothermal Leasing**

The plan amendments make the following geothermal leasing allocation decisions for the Jarbidge Field Office (FO):

- Allocate 1,565,165 acres as open for geothermal leasing subject to existing laws, regulations, formal orders, stipulations attached to the lease form, and the terms and conditions of the standard lease form.
- Allocate 131,547 acres as closed for geothermal leasing, including WSAs, the Oregon National Historic Trail (NHT), designated Wild Rivers under the Wild and Scenic River Act (WSRA), and areas previously closed to mineral leasing in the 1987 Jarbidge RMP.

#### **Stipulations for Geothermal Leasing**

The plan amendments adopt the stipulations for geothermal leasing listed below. These stipulations were developed to address a wide variety of landscapes, climates, and ecosystems; where the BLM determines particular stipulations may be inappropriate for a planning area, the procedures for waivers, exception, and modifications would be followed as discussed in the Final PEIS (BLM, 2008). The authorized officer retains the discretion to issue stipulations in order to mitigate the impacts on other land uses or resource objectives as defined in the 1987 Jarbidge RMP. If an existing land use plan offers more protective measures or has resource-specific commitments, those more protective measures would apply instead.

#### ***No Surface Occupancy Stipulations***

Areas with No Surface Occupancy (NSO) stipulations include:

- Bruneau-Jarbidge, Sand Point, and Salmon Falls Creek Areas of Critical Environmental Concern (ACECs);
- Designated or proposed critical habitat for listed species under the Endangered Species Act of 1973 (ESA) if geothermal leasing would adversely modify the habitat; for listed or proposed species without designated habitat, NSO would be implemented to the extent necessary to avoid jeopardy;
- Within the boundary of properties designated or eligible for the National Register of Historic Places, including National Landmarks and National Register Districts and Sites, and additional lands outside the designated boundaries to the extent necessary to protect values where the setting and integrity is critical to their designation or eligibility;
- Areas with important cultural and archaeological resources, such as traditional cultural properties (TCPs) and Native American sacred sites, as identified through consultation;
- Water bodies, riparian areas, wetlands, playas, and 100-year floodplains;
- Developed recreational facilities, special-use permit recreation sites (e.g., ski resorts and camps), and areas with significant recreational use with which geothermal development is deemed incompatible, excluding direct use applications;
- Designated National Scenic and Recreational Rivers under the WSRA;
- Segments of rivers determined to be potentially eligible for WSR status by virtue of a WSR inventory, including a corridor of 0.25 mile from the high water mark on either side of the bank;
- Designated important viewsheds, including public lands designated as Visual Resource Management (VRM) Class I; and
- Slopes in excess of 40% and/or soils with high erosion potential.

Additional NSO stipulations could be applied in conformance with the 1987 Jarbidge RMP to address site-specific resource concerns.

### ***Timing Limitations and Controlled Surface Use Stipulations***

Where standard lease terms and permit-level decisions are deemed insufficient to protect sensitive resources, but where an NSO stipulation is deemed overly restrictive, the BLM would apply seasonal or time-limited stipulations or controlled surface use stipulations to leases. In general, timing limitations are used to protect resources sensitive to disturbance during certain periods. Such stipulations are generally applicable to specific areas, seasons, and resources. They are commonly applied to wildlife activities and habitat, such as winter range for deer, elk, and moose; nesting habitat for raptors and migratory birds; and breeding areas. Buffer zones are also used to further mitigate impacts from any human activities. The size of buffers can also be specific to species and location, and can change based on findings of science or movement of species. Therefore, timing limitations would be applied by the authorizing officer as appropriate for the specific lease areas and in compliance with the FO's RMP. The BLM would consult with the appropriate agencies (e.g., State wildlife agencies) in establishing the periods and extent of area for timing limitations.

A controlled surface use stipulation allows the BLM to require that any future activity or development be modified or relocated from the proposed location if necessary to achieve resource protection. The project applicant will be required to submit a plan to meet the resource management objectives through special design, construction, operation, mitigation, or reclamation measures, and/or relocation. Unless the plan is approved, surface occupancy would not be allowed on the lease. The following controlled surface use stipulations would be applied by the authorizing officer as appropriate for the specific area and site conditions.

- **Protection of riparian and wetland habitat** – This stipulation would be applied within 500 feet of riparian or wetland vegetation to protect the values and functions of these areas. Measures required will be based on the nature, extent, and value of the area potentially affected.
- **Protection of visual resources** – This stipulation would be applied to VRM Class II areas (VRM Class III management objectives would be met through conditions of approval applied during the permit approval process, and may be referenced in a lease notice) and other sensitive viewsheds such as within the visual setting of National Scenic and Historic Trails or near residential areas.



- **Protection of recreational areas** – This stipulation would be applied to minimize the potential for adverse impacts to recreational values, both motorized and non-motorized, and the natural settings associated with the recreational activity.
- **Compatibility with urban interface** – This stipulation would be applied to minimize the potential for adverse impacts to residential areas, schools, or other adjacent urban land uses.
- **Protection of erosive soils and soils on slopes greater than 30%** – This stipulation would be applied to minimize the potential for adverse impacts to erosive soils as defined as severe or very severe erosion classes based on Natural Resources Conservation Service (NRCS) mapping.
- **Protection of important habitat and migration corridors** – This stipulation would be applied to protect the continuity of migration corridors and important habitat.

### ***Other Lease Stipulations***

#### Protection of Geothermal Features

Under the following situations, the BLM would apply stipulations to protect the integrity of geothermal resource features, such as springs and geysers. If it is determined that geothermal operations are reasonably likely to result in a significant adverse effect to such a feature, then BLM would decline to issue the lease.

- The BLM would include stipulations to protect any significant thermal features of a National Park System unit that could be adversely affected by geothermal development. These stipulations will be added, if necessary, when the lease or permit is issued, extended, renewed, or modified (43 CFR 3201.10[b]).
- Any leases that contain thermal features (e.g., springs or surface expressions) would have a stipulation requiring monitoring of the thermal features during any exploration, development, and production of the lease to ensure that there are no impacts to water quality or quantity.

#### ESA Stipulation

In accordance with *BLM Instruction Memorandum No. 2002-174, Oil and Gas Leasing Stipulations*, the BLM will apply the following stipulation on any leases where Threatened, Endangered, or other special status species or critical habitat is known or strongly suspected:

“The lease area may now or hereafter contain plants, animals, or their habitats determined to be Threatened, Endangered, or other special status species. BLM may recommend modifications to exploration and development proposals to further its conservation and management objective to avoid BLM-approved activity that will contribute to a need to list such a species or their habitat. BLM may require modifications to or disapprove proposed activity that is likely to result in jeopardy to the continued existence of a proposed or listed threatened or endangered species or result in the destruction or adverse modification of a designated or proposed critical habitat. BLM will not approve any ground-disturbing activity that may affect any such species or critical habitat until it completes its obligations under applicable requirements of the Endangered Species Act as amended, 16 USC 1531 et seq., including completion of any required procedure for conference or consultation.”

Additionally, the BLM will provide a separate notification through a lease notice to prospective lessees identifying the particular special status species that are present on the lease parcel offered.

#### Sensitive Species Stipulation

For agency-designated sensitive species (e.g., sage-grouse), a lease stipulation (NSO, controlled surface use, or timing limitations) would be imposed for those portions of high value, key, or crucial species habitat where other existing measures are inadequate to meet agency management objectives.

#### Cultural Resources Stipulation

In accordance with *BLM Instruction Memorandum No. 2005-003, Cultural Resources and Tribal Consultation for Fluid Minerals Leasing*, the BLM will apply the following stipulation to protect cultural resources:

“This lease may be found to contain historic properties and/or resources protected under the National Historic Preservation Act (NHPA), American Indian Religious Freedom Act, Native

American Graves Protection and Repatriation Act, Executive Order 13007, or other statutes and executive orders. The BLM will not approve any ground-disturbing activities that may affect any such properties or resources until it completes its obligations under applicable requirements of the NHPA and other authorities. The BLM may require modification to exploration or development proposals to protect such properties, or disapprove any activity that is likely to result in adverse effects that cannot be successfully avoided, minimized or mitigated.”

### **BMPs for Geothermal Leasing**

The plan amendments contain BMPs that could be applied to subsequent applications for geothermal exploration, drilling, utilization, and reclamation to aid in achieving desired outcomes for safe, environmentally responsible resource development, by preventing, minimizing, or mitigating adverse impacts and reducing conflicts. Appendix B of the ROD, which can be viewed on the Internet at [http://www.blm.gov/geothermal\\_eis](http://www.blm.gov/geothermal_eis), provides a list of recommended BMPs that would be incorporated as appropriate into the permit application by the lessee or would be included in the approved use authorization by the BLM as conditions of approval. The BMPs contained in Appendix B of the ROD provide a menu of improved practices for developing geothermal energy and minimize impacts to the biophysical and cultural landscape. The list is extensive but is not meant to be all inclusive given the constant development of improved practices, diversity of the western States, and potential for unique site-specific conditions. Not all of the individual mitigation measures will apply in most situations, and selection of appropriate BMPs and mitigation measures should be dependent on factors such as the project size, location, site specific characteristics, and potential resource impacts.

### **Management Procedures for Geothermal Leasing**

To ensure compliance with regulations and Federal laws, the plan amendments contain procedures to be implemented prior to any lands being included in a competitive lease sale. Stipulations listed above would also be used to help achieve resource protection in accordance with laws and regulations and the guiding land use plan. A summary of these management procedures is listed below; the full text of the management procedures in the ROD can be viewed on the Internet at [http://www.blm.gov/geothermal\\_eis](http://www.blm.gov/geothermal_eis).

- The authorized officer of the BLM would consult with the appropriate Native American tribal governments to identify tribal interests and traditional cultural resources or properties that may be affected by the Federal land leases and potential for geothermal energy development.
- The authorized officer of the BLM would consult with the appropriate Native American Tribes and State Historic Preservation Officers (SHPOs) regarding historic and cultural resources per NHPA Section 106.
- The authorized officer of the BLM would determine if any listed or proposed Threatened or Endangered species or critical habitat is present on nominated lease parcels. If so, the authorized officer would comply with ESA Section 7.
- The authorized officer of the BLM would review the lands for any other sensitive resources (e.g., paleontological or BLM sensitive status species) and provide for the necessary stipulations to protect these resources and ensure compliance with the land use plan.
- Prior to making a leasing decision on lands in proximity to a National Park System unit, the BLM would coordinate with the National Park Service to determine if there would be any impacts to thermal or hydrological features within the unit.
- Prior to making leasing decisions, the BLM will assess the adequacy of existing National Environmental Policy Act of 1696 (NEPA) documentation and ensure that the proposed action is in conformance with the approved land use plan (i.e., through completion of a Documentation of Land Use Plan Conformance and NEPA Adequacy, or DNA) to determine if there is new information or new circumstances that warrant further analysis.
- The level of environmental analysis to be required under NEPA for subsequent individual exploration, development, and production permits will be determined at the FO level.
- The authorized officer of the BLM would collaborate with appropriate State agencies, especially in the case of geothermal energy, as the states manage and typically have regulatory authority for water quality, water rights, and wildlife.

- Applicants for geothermal development and production on public lands will develop a project-specific operations plan that incorporates the applicable mitigation and best management practices provided in ROD Appendix B and, as appropriate, the requirements of other existing and relevant BLM mitigation guidance.

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### ***Implications for the Jarbidge Draft RMP/EIS***

When the Geothermal Leasing ROD was signed in December 2008, the ID Team was well into the process of conducting the impact analysis for the Jarbidge Draft RMP/EIS. The ID Team determined the workload associated with incorporating the decisions in this ROD into the Jarbidge Draft RMP/EIS would delay publication of the Jarbidge Draft RMP/EIS. Due to the timeline specified in the SSA (Appendix A), BLM decided to publish the Jarbidge Draft RMP/EIS without full incorporation of the decisions in this ROD and incorporate them before publication of the Proposed RMP/Final EIS.

Impacts of the decisions contained in the Geothermal Leasing ROD were analyzed in the *Final Programmatic Environmental Impact Statement for Geothermal Leasing in the Western United States* (BLM, 2008). As stated in the PEIS, the stipulations, BMPs, and procedures would be adopted to avoid, minimize and mitigate impacts associated with geothermal leasing, exploration, drilling, utilization, and reclamation and abandonment.

The implications of the decisions in the Geothermal Leasing ROD for the Jarbidge Draft RMP/EIS are described in more detail below.

### **Implications for the No Action Alternative**

Some of the decisions in the Geothermal Leasing ROD were already included and analyzed in the No Action Alternative in the Jarbidge Draft RMP/EIS; those portions of the No Action Alternative would not be modified in the Proposed RMP/Final EIS. Modifications to the No Action Alternative necessary for consistency with the Geothermal Leasing ROD will be incorporated into the Proposed RMP/Final EIS and include the following:

- Allocate WSAs, the Oregon NHT, and designated Wild Rivers as closed to geothermal leasing;
- Include designated or proposed critical habitat; developed recreational facilities and areas with significant recreational use with which geothermal development is deemed incompatible; designated Scenic or Recreational Rivers; eligible WSRs; areas allocated as VRM Class I; slopes in excess of 40%; and soils with high erosion potential as open to geothermal leasing with NSO;
- Include controlled surface use stipulations for protection of visual resources, protection of recreational areas, compatibility with urban interface, protection of erosive soils and soils on slopes greater than 30%, and protection of important habitat and migration corridors; and
- Include the other lease stipulations included in the Geothermal Leasing ROD (i.e., the Protection of Geothermal Features, ESA, Sensitive Species, and Cultural Resource Stipulations), the BMPs for geothermal leasing, or the management procedures for geothermal leasing.

### **Implications for the Action Alternatives**

Most of the decisions in the Geothermal Leasing ROD were already included and analyzed in some or all of the action alternatives in the Jarbidge Draft RMP/EIS. Thus, the mineral leasing allocations and other related management in Alternatives I through V as described in the Draft RMP/EIS would not be modified as a result of the Geothermal Leasing ROD, except as described below.

The action alternatives in the Jarbidge Draft RMP/EIS do not include the Protection of Geothermal Resources Stipulation, the Sensitive Species Stipulation, and the BMPs and management procedures for geothermal leasing. These stipulations, BMPs, and procedures would be incorporated into all action alternatives in the Proposed RMP/Final EIS.

## **Approved Resource Management Plan Amendments/Record of Decision (ROD) for Designation of Energy Corridors on Bureau of Land Management-Administered Lands in the 11 Western States**

This ROD (referred to as the “Energy Corridor ROD”) was signed in January 2009. This document contains plan amendments evaluated in the *Final Programmatic Environmental Impact Statement, Designation of Energy Corridors on Federal Land in the 11 Western States* (DOE & DOI, 2008). These amendments and the accompanying PEIS were prepared in response to Section 368 of the Energy Policy Act of 2005. The decision amends the 1987 Jarbidge RMP by:

- Identifying specific Section 368 energy corridors by centerline, width, and compatible energy uses and restrictions; and
- Adopting mandatory interagency operating procedures (IOPs) that would be implemented on a corridor- and project-specific basis.

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### ***Provisions of the ROD Relevant to the Jarbidge Draft RMP/EIS***

#### **Section 368 Energy Corridors**

The plan amendments designated four Section 368 energy corridors in the Jarbidge FO: 29-36, 36-112, 36-226, and 36-228. All are 3,500 feet wide and are for compatible multimodal uses (e.g., oil, gas, or hydrogen pipelines or electrical transmission or distribution facilities).

#### **Interagency Operating Procedures (IOPs)**

The plan amendments included the adoption of mandatory IOPs that would be implemented for projects proposed within the Section 368 corridors on a corridor- and project-specific basis. These IOPs are practicable means to avoid or minimize environmental harm from future project development that may occur within the designated corridors. The IOPs are not intended and should not be construed to alter applicable provisions of law or regulation or to reduce the protections afforded thereby to the resources addressed in the IOPs. The IOPs can be found in Appendix B of the Energy Corridor ROD, which can be viewed on the Internet at <http://corridoreis.anl.gov>.

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### ***Implications for the Jarbidge Draft RMP/EIS***

When the Energy Corridor ROD was signed in January 2009, the ID Team was well into the process of conducting the impact analysis for the Jarbidge Draft RMP/EIS. The ID Team determined the workload associated with incorporating the decisions in this ROD into the Jarbidge Draft RMP/EIS would delay publication of the Jarbidge Draft RMP/EIS. Due to the timeline specified in the SSA (Appendix A), BLM decided to publish the Jarbidge Draft RMP/EIS without full incorporation of the decisions in this ROD and incorporate them before publication of the Proposed RMP/Final EIS.

Impacts of the decisions contained in the Energy Corridor ROD were analyzed in the *Final Programmatic Environmental Impact Statement, Designation of Energy Corridors on Federal Land in the 11 Western States* (DOE & DOI, 2008). As stated in the PEIS, consolidation of right-of-way (ROW) development is expected to help reduce the proliferation of separate ROWs across the landscape. IOPs are anticipated to foster long-term, systematic planning for energy transport development in the West, provide industry with a coordinated and consistent interagency permitting process, and provide practicable measures to avoid or minimize environmental harm from future development within the corridors. In addition, impacts of adopting the IOPs on land use authorizations were analyzed in the Jarbidge Draft RMP/EIS; as stated in the *Land Use Authorizations* section of Chapter 4, the IOPs decrease the amount of constraint on land use authorizations within the ROW corridors by specifying standardized procedures and identifying requirements up front.

The implications of the decisions in the Energy Corridor ROD for the Jarbidge Draft RMP/EIS are described in more detail below.

### Implications for the No Action Alternative

The No Action Alternative in the Draft RMP/EIS does not include the Section 368 energy corridors or the IOPs; therefore, the No Action Alternative in the Proposed RMP/Final EIS would be updated to reflect these amendments to the 1987 Jarbidge RMP.

### Implications for the Action Alternatives

The Energy Corridor ROD states that plans currently undergoing revisions for reasons unrelated to Section 368, but not scheduled for completion until after the ROD is signed, will incorporate the corridor designations into their ongoing plan revisions upon signature of the ROD. This provision applies to the revision of the 1987 Jarbidge RMP described in the Jarbidge Draft RMP/EIS.

All four Section 368 energy corridors identified in the Jarbidge FO correspond to energy corridors that would be designated under the action alternatives in the Draft RMP/EIS; the locations of these corridors are depicted in Map 77 in Volume 3 of the Draft RMP/EIS. In the Draft RMP/EIS, Alternatives I, II, III, and IV would designate energy corridors corresponding to all four Section 368 energy corridors (Table 3), with a one-mile width instead of 3,500 feet; no modification to these alternatives in the Proposed RMP/Final EIS is necessary.

Alternative V in the Draft RMP/EIS would designate energy corridors corresponding to only three of the four Section 368 energy corridors (Table 3); therefore, Alternative V in the Proposed RMP/Final EIS would be modified to include the Section 368 energy corridor 36-228 (corresponding to the Saylor Creek corridor) at the 3,500-foot width prescribed in the plan amendments.

**Table 3. Section 368 Energy Corridors in the Jarbidge Field Office and Corresponding Corridor Identified in the Jarbidge Draft RMP/EIS.**

Section 368 Energy Corridor	Corresponding Jarbidge Draft RMP/EIS Corridor	Jarbidge Draft RMP/EIS Alternatives in which Corresponding Corridor would be Designated
29-36	Pilgrim Gulch	I, II, III, IV, V
36-112	Shoestring	I, II, III, IV, V
36-226	Balanced Rock	I, II, III, IV, V
36-228	Saylor Creek	I, II, III, IV

None of the action alternatives in the Draft RMP/EIS include the IOPs; therefore, the IOPs would also be incorporated into all action alternatives in the Proposed RMP/Final EIS.

### Works Cited

- BLM. (2008). *Final Programmatic Environmental Impact Statement for Geothermal Leasing in the Western United States*. Washington, D.C.: USDI, Bureau of Land Management and USDA, Forest Service.
- DOE, & DOI. (2008). *Final Programmatic Environmental Impact Statement, Designation of Energy Corridors on Federal Land in the 11 Western States* (No. DOE/EIS-0386). Washington, D.C.: DOE and USDI, Bureau of Land Management.

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

Idaho.

## **Subtitle F—Owyhee Public Land Management**

### **SEC. 1501. DEFINITIONS.**

In this subtitle:

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

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

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

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

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

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

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

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

### **SEC. 1502. OWYHEE SCIENCE REVIEW AND CONSERVATION CENTER.**

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

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

### **SEC. 1503. WILDERNESS AREAS.**

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

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

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

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

16 USC 1132  
note.

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

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

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

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

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

(2) MAPS AND LEGAL DESCRIPTIONS.—

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

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

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

(3) RELEASE OF WILDERNESS STUDY AREAS.—

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

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

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

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

(b) ADMINISTRATION.—

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

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

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

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

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

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

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

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

(3) LIVESTOCK.—

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

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

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

(D) DONATION OF GRAZING PERMITS OR LEASES.—

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

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

(I) terminate the grazing permit or lease; and

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

(iii) COMMON ALLOTMENTS.—

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

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

Deadline.



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

(iv) PARTIAL DONATION.—

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

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

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

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

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

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

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

(5) TRAIL PLAN.—

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

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

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

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

(8) FISH AND WILDLIFE.—

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

(B) MANAGEMENT ACTIVITIES.—

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

(I) consistent with relevant wilderness management plans; and

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

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

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

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

(10) **ADJACENT MANAGEMENT.**—

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

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

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

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

(B) flight testing and evaluation; or

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

(12) **WATER RIGHTS.**—

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

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

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

**SEC. 1504. DESIGNATION OF WILD AND SCENIC RIVERS.**

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

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

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

“(182) BRUNEAU RIVER, IDAHO.—

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

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

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

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

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

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

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

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

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

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

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

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

“(191) OWYHEE RIVER, IDAHO.—

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

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

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

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

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

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

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

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

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

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

16 USC 1274  
note.

(1) an average distance of  $\frac{1}{4}$  mile from the high water mark on both sides of the river segment; or

(2) the distance to the nearest confined canyon rim.

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

16 USC 1274  
note.

**SEC. 1505. LAND IDENTIFIED FOR DISPOSAL.**

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

(b) USE OF PROCEEDS.—

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

(2) AVAILABILITY.—

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

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

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

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

(c) TERMINATION OF AUTHORITY.—

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

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

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

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

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

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

(C) used in accordance with that subtitle.

**SEC. 1506. TRIBAL CULTURAL RESOURCES.**

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

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

**SEC. 1507. RECREATIONAL TRAVEL MANAGEMENT PLANS.**

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

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

(c) LIMITATION TO DESIGNATED ROUTES.—

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

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

(d) TEMPORARY LIMITATION.—

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

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

(A) snowmobiles; or

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

(e) SCHEDULE.—

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

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

Deadline.  
Transportation  
plan.

Deadline.  
Transportation  
plan.

**SEC. 1508. AUTHORIZATION OF APPROPRIATIONS.**

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