

TEXT OF WYDEN AMENDMENT

[The following is the current language of the Wyden Amendment (16 U.S.C. 1011(a)), as modified by Section 136 of P.L. 105-277. The footnote details the amended language affecting paragraph (a).]

Sec. 1011. Watershed restoration and enhancement agreements

(a) In general

For Fiscal Year 1997 and each Fiscal Year thereafter, appropriations made for the Bureau of Land Management may be used by the Secretary of the Interior for the purpose of entering into cooperative agreements with the heads of other Federal agencies, tribal, State, and local governments, private and nonprofit entities, and landowners for the protection, restoration, and enhancement of fish and wildlife habitat and other resources on public or private land and the reduction of risk from natural disaster where public safety is threatened that benefit these resources on public lands within the watershed.

(b) Direct and indirect watershed agreements

The Secretary of the Interior may enter into a watershed restoration and enhancement agreement -

- (1) directly with a willing private landowner; or
- (2) indirectly through an agreement with a state, local, or

tribal government or other public entity, educational institution, or private nonprofit organization.

(c) Terms and conditions

In order for the Secretary to enter into a watershed restoration and enhancement agreement -

- (1) the agreement shall -
 - (A) include such terms and conditions mutually agreed to by the Secretary and the landowner;
 - (B) improve the viability of and otherwise benefit the fish, wildlife, and other biotic resources on public land in the watershed;
 - (C) authorize the provision of technical assistance by the Secretary in the planning of management activities that will further the purposes of the agreement;
 - (D) provide for the sharing of costs of implementing the agreement among the Federal Government, the landowner, and other entities, as mutually agreed on by the affected interests; and

- (E) ensure that any expenditure by the Secretary pursuant to the agreement is determined by the Secretary to be in the public interest; and
- (2) the Secretary may require such other terms and conditions as are necessary to protect the public investment on private lands, provided such terms and conditions are mutually agreed to by the Secretary and the landowner.
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Footnote: Changes to the Wyden Amendment: Section 124(a) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (16 U.S.C. 1011(a)) is amended by striking 'with willing private landowners for restoration and enhancement of fish, wildlife, and other biotic resources on public or private land or both' and inserting 'with the heads of other Federal agencies, tribal, State, and local governments, private nonprofit entities, and landowners for the protection restoration, and enhancement of fish and wildlife habitat and other resources on public or private land and the reduction of risk from natural disaster where public safety is threatened'.