

104TH CONGRESS
2D SESSION

S. 2182

To consolidate certain mineral interests in the National Grasslands in Billings County, North Dakota, through the exchange of Federal and private mineral interests to enhance land management capabilities and environmental and wildlife protection, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 30, 1996

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

A BILL

To consolidate certain mineral interests in the National Grasslands in Billings County, North Dakota, through the exchange of Federal and private mineral interests to enhance land management capabilities and environmental and wildlife protection, 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. EXCHANGE OF CERTAIN MINERAL INTERESTS**

4 **IN BILLINGS COUNTY, NORTH DAKOTA.**

5 (a) PURPOSE.—The purpose of this section is to con-
6 solidate certain mineral interests in the Little Missouri
7 National Grasslands in Billings County, North Dakota,

1 through the exchange of Federal and private mineral in-
2 terests in order to enhance land management capability
3 and environmental and wildlife protection.

4 (b) EXCHANGE.—Notwithstanding any other provi-
5 sion of law—

6 (1) if, not later than 45 days after the date of
7 enactment of this Act, Burlington Resources Oil &
8 Gas Company (referred to in this section as “Bur-
9 lington” and formerly known as Meridian Oil Inc.),
10 conveys title acceptable to the Secretary of Agri-
11 culture (referred to in this section as the “Sec-
12 retary”) to rights and interests identified on the
13 map entitled “Billings County, North Dakota, Con-
14 solidated Mineral Exchange—November 1995”, by
15 quitclaim deed acceptable to the Secretary, the Sec-
16 retary shall convey to Burlington, subject to valid
17 existing rights, by quit-claim deed, all Federal rights
18 and interests identified on that map; and

19 (2) if Burlington makes the conveyance under
20 paragraph (1) and, not later than 180 days after the
21 date of enactment of this Act, the owners of the re-
22 maining non-oil gas mineral interests identified on
23 that map convey title acceptable to the Secretary to
24 all rights, title, and interests in the interests held by
25 them, by quitclaim deed acceptable to the Secretary,

1 the Secretary shall convey to those owners, subject
2 to valid existing rights, by exchange deed, all Fed-
3 eral rights, title, and interests in National Forest
4 System lands and National Grasslands in the State
5 of North Dakota as are agreed to by the Secretary
6 and the owners of those interests.

7 (c) LEASEHOLD INTERESTS.—As a condition prece-
8 dent to the conveyance of interests by the Secretary to
9 Burlington under this section, all leasehold and contrac-
10 tual interests in the oil and gas interests to be conveyed
11 by Burlington to the United States under this section shall
12 be released, to the satisfaction of the Secretary.

13 (d) APPROXIMATE EQUAL VALUE OF EXCHANGES
14 WITH OTHER INTEREST OWNERS.—The values of the in-
15 terests to be exchanged under subsection (b)(2) shall be
16 approximately equal, as determined by the Secretary.

17 (e) LAND USE.—

18 (1) EXPLORATION AND DEVELOPMENT.—The
19 Secretary shall grant to Burlington, and its succes-
20 sors and assigns, the use of Federally-owned surface
21 lands to explore for and develop interests conveyed
22 to Burlington under this Act, subject to applicable
23 Federal and State laws.

24 (2) SURFACE OCCUPANCY AND USE.—Rights to
25 surface occupancy and use that Burlington would

1 have absent the exchange under this Act on its in-
2 terests conveyed under this Act shall apply to the
3 same extent on the federally owned surface estate
4 overlying oil and gas rights conveyed to Burlington
5 under this Act.

6 (f) ENVIRONMENTAL PROTECTION FOR ENVIRON-
7 MENTALLY SENSITIVE LANDS.—All activities of Bur-
8 lington, and its successors and assigns, relating to explo-
9 ration and development on environmentally sensitive Na-
10 tional Forest System lands, as described in the “Memo-
11 randum of Understanding Concerning Certain Severed
12 Mineral Estates, Billings County, North Dakota”, exe-
13 cuted by the Forest Service and Burlington and dated No-
14 vember 2, 1995, shall be subject to the terms of the memo-
15 randum.

16 (g) MAP.—The map referred to in subsection (b)
17 shall be provided to the Committee on Energy and Natural
18 Resources of the Senate and the Committee on Resources
19 of the House of Representatives, kept on file in the office
20 of the Chief of the Forest Service, and made available for
21 public inspection in the office of the Forest Supervisor of
22 the Custer National Forest within 45 days after the date
23 of enactment of this Act.

24 (h) OTHER LAWS.—The exchange under subsection
25 (b)(1) shall be deemed to meet the requirements of all

1 other Federal laws, including all land exchange laws, envi-
2 ronmental laws, and cultural laws (such as the National
3 Historic Preservation Act (16 U.S.C. 470 et seq.)), and
4 no further compliance with any other law shall be required
5 in order to implement the exchanges.

6 (i) CONTINUATION OF MULTIPLE USE.—Nothing in
7 this Act, shall limit, restrict, or otherwise affect the appli-
8 cation of the principle of multiple use (including outdoor
9 recreation, range, timber, watershed, and fish and wildlife
10 purposes) in any area of the Little Missouri National
11 Grasslands. Federal grazing permits or privileges in areas
12 designated on the map entitled “Billings County, North
13 Dakota, Consolidated Mineral Exchange—November
14 1995” or those lands described in the Memorandum of
15 Understanding Concerning Certain Severed Mineral Es-
16 tates, Billings County, North Dakota”, shall not be cur-
17 tailed or otherwise limited as a result of the exchange au-
18 thorized by this Act.

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