

112TH CONGRESS
2^D SESSION

H. R. 5791

To provide for reasonable and necessary access to Wilderness Areas for the restoration of water sources, supplies, or infrastructure during a state of emergency declared by the Governor of a State.

IN THE HOUSE OF REPRESENTATIVES

MAY 16, 2012

Mr. FLAKE introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To provide for reasonable and necessary access to Wilderness Areas for the restoration of water sources, supplies, or infrastructure during a state of emergency declared by the Governor of a State.

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 “Emergency Water Sup-
5 ply Restoration Act”.

1 **SEC. 2. ACTIONS IN WILDERNESS AREAS DURING A DE-**
2 **CLARED STATE OF EMERGENCY.**

3 (a) **ACCESS TO WILDERNESS AREAS.**—When a state
4 of emergency declared by the Governor of a State author-
5 izes access to, reconstruction of, repairs to, or restoration
6 of water sources, supplies, or infrastructure located in a
7 Wilderness Area, the respective State’s agencies and polit-
8 ical subdivisions may take all reasonable and necessary
9 means of accessing, reconstructing, repairing, or restoring
10 such water sources, supplies, or infrastructure as deter-
11 mined in their sole discretion, including access by heavy
12 mechanized or motorized vehicles or equipment, the place-
13 ment, replacement or repair of above ground or under-
14 ground pipelines or aqueducts, and the repair or construc-
15 tion of permanent water catchment structures and above-
16 grade diversionary flumes or other diversion infrastruc-
17 ture.

18 (b) **RESTRICTION ON FEDERAL IMPEDIMENTS.**—No
19 Federal agency may regulate, permit, interfere, or other-
20 wise impede such access, reconstruction, repairs, or res-
21 toration during the duration or any extension of the de-
22 clared state of emergency.

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