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”.

SEC. 2. ACTIONS IN WILDERNESS AREAS DURING A DECLARED STATE OF EMERGENCY.

(a) ACCESS TO WILDERNESS AREAS.—When a state of emergency declared by the Governor of a State authorizes access to, reconstruction of, repairs to, or restoration of water sources, supplies, or infrastructure located in a Wilderness Area, the respective State’s agencies and political subdivisions may take all reasonable and necessary means of accessing, reconstructing, repairing, or restoring such water sources, supplies, or infrastructure as determined in their sole discretion, including access by heavy mechanized or motorized vehicles or equipment, the placement, replacement or repair of above ground or underground pipelines or aqueducts, and the repair or construction of permanent water catchment structures and above-grade diversionary flumes or other diversion infrastructure.

(b) RESTRICTION ON FEDERAL IMPEDIMENTS.—No Federal agency may regulate, permit, interfere, or otherwise impede such access, reconstruction, repairs, or restoration during the duration or any extension of the declared state of emergency.