

105TH CONGRESS
2D SESSION

H. R. 3950

To designate a portion of the Otay Mountain region of California as
wilderness.

IN THE HOUSE OF REPRESENTATIVES

MAY 22, 1998

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

A BILL

To designate a portion of the Otay Mountain region of
California as wilderness.

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 “Otay Mountain Wilder-
5 ness Act of 1998”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds and declares the following:

8 (1) The public lands within the Otay Mountain
9 region of California are one of the last remaining

1 pristine locations in western San Diego County,
2 California.

3 (2) This rugged mountain adjacent to the
4 United States-Mexico border is internationally
5 known for its diversity of unique and sensitive
6 plants.

7 (3) This area plays a critical role in San
8 Diego’s multi-species conservation plan, a national
9 model made for maintaining biodiversity.

10 (4) Due to its proximity to the international
11 border, this area is the focus of important law en-
12 forcement and border interdiction efforts necessary
13 to curtail illegal immigration and protect the area’s
14 wilderness values.

15 (5) The illegal immigration traffic, combined
16 with the rugged topography, also presents unique
17 fire management challenges for protecting lives and
18 resources.

19 **SEC. 3. DESIGNATION.**

20 In furtherance of the purposes of the Wilderness Act
21 (16 U.S.C. 1131 et seq.), certain public lands in the Cali-
22 fornia Desert District of the Bureau of Land Manage-
23 ment, California, comprising approximately 18,500 acres
24 as generally depicted on a map entitled “Otay Mountain
25 Wilderness” and dated May 7, 1998, are hereby des-

1 ignated as wilderness and therefore as a component of the
2 National Wilderness Preservation System, which shall be
3 known as the Otay Mountain Wilderness.

4 **SEC. 4. MAP AND LEGAL DESCRIPTION.**

5 (a) IN GENERAL.—As soon as practicable after the
6 date of enactment of this Act, a map and a legal descrip-
7 tion for the Wilderness Area shall be filed by the Secretary
8 with the Committee on Energy and Natural Resources of
9 the Senate and the Committee on Resources of the House
10 of Representatives. Such map and legal description shall
11 have the same force and effect as if included in this Act,
12 except that the Secretary, as appropriate, may correct
13 clerical and typographical errors in such legal description
14 and map. Such map and legal description for the Wilder-
15 ness Area shall be on file and available for public inspec-
16 tion in the offices of the Director and California State Di-
17 rector, Bureau of Land Management, Department of the
18 Interior.

19 (b) UNITED STATES-MEXICO BORDER.—In carrying
20 out this section, the Secretary shall ensure that the south-
21 ern boundary of the Wilderness Area is 100 feet north
22 of the trail depicted on the map referred to in subsection
23 (a) and is at least 100 feet from the United States-Mexico
24 international border.

1 **SEC. 5. WILDERNESS REVIEW.**

2 The Congress hereby finds and directs that all the
3 public lands not designated wilderness within the bound-
4 aries of the Southern Otago Mountain Wilderness Study
5 Area (CA-060-029) and the Western Otago Mountain Wil-
6 derness Study Area (CA-060-028) managed by the Bu-
7 reau of Land Management and reported to the Congress
8 in 1991, have been adequately studied for wilderness des-
9 ignation pursuant to section 603 of the Federal Land Pol-
10 icy and Management Act of 1976 (43 U.S.C. 1782), and
11 are no longer subject to the requirements contained in sec-
12 tion 603(c) of that Act pertaining to the management of
13 wilderness study areas in a manner that does not impair
14 the suitability of such areas for preservation as wilderness.

15 **SEC. 6. ADMINISTRATION OF WILDERNESS AREA.**

16 (a) IN GENERAL.—Subject to valid existing rights
17 and to subsection (b), the Wilderness Area shall be admin-
18 istered by the Secretary in accordance with the provisions
19 of the Wilderness Act (16 U.S.C. 1131 et seq.), except
20 that—

21 (1) any reference in such provisions to the ef-
22 fective date of the Wilderness Act is deemed to be
23 a reference to the effective date of this Act; and

24 (2) any reference in such provisions to the Sec-
25 retary of Agriculture is deemed to be a reference to
26 the Secretary of the Interior.

1 (b) BORDER ENFORCEMENT, DRUG INTERDICTION,
2 AND WILDLAND FIRE PROTECTION.—Nothing in this Act
3 or the Wilderness Act may be construed to preclude Fed-
4 eral, State, and local agencies from conducting within the
5 Wilderness Area, in accordance with appropriate condi-
6 tions determined by the Secretary—

7 (1) drug interdiction and border operations, in-
8 cluding the installation of electronic sensors and
9 other surveillance equipment; and

10 (2) wildland fire management operations, in-
11 cluding prescribed burns.

12 **SEC. 7. FURTHER ACQUISITIONS.**

13 Any lands within the boundaries of the Wilderness
14 Area that are acquired by the United States after the date
15 of enactment of this Act shall become part of the Wilder-
16 ness Area and shall be managed in accordance with all
17 the provisions of this Act and other laws applicable to such
18 a wilderness.

19 **SEC. 8. NO BUFFER ZONES.**

20 The Congress does not intend for the designation of
21 the Wilderness Area by this Act to lead to the creation
22 of protective perimeters or buffer zones around the Wil-
23 derness Area. The fact that nonwilderness activities or
24 uses can be seen or heard from areas within the Wilder-

1 ness Area shall not, of itself, preclude such activities or
2 uses up to the boundary of the Wilderness Area.

3 **SEC. 9. DEFINITIONS.**

4 As used in this Act:

5 (1) PUBLIC LANDS.—The term “public lands”
6 has the same meaning as that term has in section
7 103(e) of the Federal Land Policy and Management
8 Act of 1976.

9 (2) SECRETARY.—The term “Secretary” means
10 the Secretary of the Interior.

11 (3) WILDERNESS AREA.—The term “Wilderness
12 Area” means the Otay Mountain Wilderness des-
13 ignated by section 3.

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