

108TH CONGRESS
2D SESSION

H. R. 4202

To designate additional National Forest System lands in the State of Virginia as wilderness, to establish the Seng Mountain and Crawfish Valley Scenic Areas, to provide for the development of trail plans for the wilderness areas and scenic areas, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 22, 2004

Mr. BOUCHER (for himself, Mr. MORAN of Virginia, and Mr. TOM DAVIS of Virginia) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To designate additional National Forest System lands in the State of Virginia as wilderness, to establish the Seng Mountain and Crawfish Valley Scenic Areas, to provide for the development of trail plans for the wilderness areas and scenic areas, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Virginia Ridge and
3 Valley Wilderness and National Scenic Areas Act of
4 2004”.

5 **SEC. 2. DESIGNATION OF ADDITIONAL NATIONAL FOREST**
6 **SYSTEM LANDS AS WILDERNESS IN VIRGINIA.**

7 Section 1 of the Act entitled “An Act to designate
8 certain National Forest System lands in the States of Vir-
9 ginia and West Virginia as wilderness areas”, approved
10 June 7, 1988 (Public Law 100–326; 16 U.S.C. 1132
11 note), as amended by Public Law 106–471 (114 Stat.
12 2057), is further amended—

13 (1) by striking “and” at the end of paragraph
14 (7);

15 (2) by striking the period at the end of para-
16 graph (8) and inserting a semicolon; and

17 (3) by adding at the end the following new
18 paragraphs:

19 “(9) certain lands in the Jefferson National
20 Forest, which comprise approximately 3,844 acres,
21 as generally depicted on a map entitled ‘Brush
22 Mountain and Brush Mountain East’, dated Feb-
23 ruary 12, 2004, and which shall be known as the
24 Brush Mountain East Wilderness;

25 “(10) certain lands in the Jefferson National
26 Forest, which comprise approximately 4,707 acres,

1 as generally depicted on a map entitled ‘Brush
2 Mountain and Brush Mountain East’, dated Feb-
3 ruary 12, 2004, and which shall be known as the
4 Brush Mountain Wilderness;

5 “(11) certain lands in the Jefferson National
6 Forest, which comprise approximately 4,384 acres,
7 as generally depicted on a map entitled ‘Seng Moun-
8 tain and Raccoon Branch’, dated February 12,
9 2004, and which shall be known as the Raccoon
10 Branch Wilderness;

11 “(12) certain lands in the Jefferson National
12 Forest, which comprise approximately 3,300 acres,
13 as generally depicted on a map entitled ‘Stone
14 Mountain’, dated February 12, 2004, and which
15 shall be known as the Stone Mountain Wilderness;

16 “(13) certain lands in the Jefferson National
17 Forest, which comprise approximately 5,573 acres,
18 as generally depicted on a map entitled ‘Mountain
19 Lake Additions’, dated February 12, 2004, and
20 which are hereby incorporated in the Mountain Lake
21 Wilderness;

22 “(14) certain lands in the Jefferson National
23 Forest, which comprise approximately 748 acres, as
24 generally depicted on a map entitled ‘Lewis Fork
25 Addition and Little Wilson Creek Additions’, dated

1 February 12, 2004, and which are hereby incor-
2 porated in the Lewis Fork Wilderness;

3 “(15) certain lands in the Jefferson National
4 Forest, which comprise approximately 1,862 acres,
5 as generally depicted on a map entitled ‘Lewis Fork
6 Addition and Little Wilson Creek Additions’, dated
7 February 12, 2004, and which are hereby incor-
8 porated in the Little Wilson Creek Wilderness;

9 “(16) certain lands in the Jefferson National
10 Forest, which comprise approximately 2,789 acres,
11 as generally depicted on a map entitled ‘Shawvers
12 Run Additions’, dated February 12, 2004, and
13 which are hereby incorporated in the Shawvers Run
14 Wilderness; and

15 “(17) certain lands in the Jefferson National
16 Forest, which comprise approximately 1,570 acres,
17 as generally depicted on a map entitled ‘Peters
18 Mountain Addition’, dated February 12, 2004, and
19 which are hereby incorporated in the Peters Moun-
20 tain Wilderness.”.

21 **SEC. 3. SENG MOUNTAIN AND CRAWFISH VALLEY SCENIC**
22 **AREAS, JEFFERSON NATIONAL FOREST, VIR-**
23 **GINIA.**

24 (a) ESTABLISHMENT OF SCENIC AREAS.—

1 (1) ESTABLISHMENT.—The following National
2 Forest System lands in the State of Virginia are
3 hereby designated as National Scenic Areas (in this
4 section referred to as the “scenic areas”):

5 (A) Certain lands in the Jefferson Na-
6 tional Forest, which comprise approximately
7 6,455 acres, as generally depicted on a map en-
8 titled “Seng Mountain and Raccoon Branch”,
9 dated February 12, 2004, and which shall be
10 known as the Seng Mountain National Scenic
11 Area.

12 (B) Certain lands in the Jefferson Na-
13 tional Forest, which comprise approximately
14 5,400 acres, as generally depicted on a map en-
15 titled “Crawfish Valley” dated February 12,
16 2004, and which shall be known as the Craw-
17 fish Valley National Scenic Area.

18 (2) MAPS AND DESCRIPTIONS.—As soon as
19 practicable after the date of the enactment of this
20 Act, the Secretary of Agriculture shall file a map
21 and boundary description of the scenic areas with
22 the Committee on Agriculture, Nutrition, and For-
23 estry of the Senate and the Committee on Agri-
24 culture of the House of Representatives. The map
25 and description shall have the same force and effect

1 as if included in this Act, except that the Secretary
2 may correct clerical and typographical errors in the
3 map and description. The map and boundary de-
4 scription shall be on file and available for public in-
5 spection in the Office of the Chief of the Forest
6 Service, Department of Agriculture. In the case of
7 any discrepancy between the acreage specified in
8 paragraph (1) and the map filed under this para-
9 graph, the map shall control.

10 (b) PURPOSES OF SCENIC AREAS.—The scenic areas
11 are established for the purposes of—

12 (1) ensuring the protection and preservation of
13 scenic quality, water quality, natural characteristics,
14 and water resources;

15 (2) protecting wildlife and fish habitat, con-
16 sistent with paragraph (1);

17 (3) protecting areas that may develop charac-
18 teristics of old-growth forests; and

19 (4) providing a variety of recreation opportuni-
20 ties, consistent with the preceding paragraphs.

21 (c) ADMINISTRATION.—

22 (1) IN GENERAL.—The Secretary of Agriculture
23 shall administer the scenic areas in accordance with
24 this section and the laws and regulations generally
25 applicable to the National Forest System. In the

1 event of conflict between this section and other laws
2 and regulations, this section shall take precedence.

3 (2) CONSISTENT USE.—The Secretary shall
4 only allow such uses of the scenic areas as the Sec-
5 retary finds will further the purposes for which the
6 scenic areas are established.

7 (d) MANAGEMENT PLAN.—Within two years after the
8 date of the enactment of this Act, the Secretary of Agri-
9 culture shall develop a management plan for the scenic
10 areas consistent with this section. The management plan
11 shall be developed as an amendment to the land and re-
12 source management plan for the Jefferson National For-
13 est, except that nothing in this section requires the Sec-
14 retary to revise the land and resource management plan
15 for the Jefferson National Forest pursuant to section 6
16 of the Forest and Rangeland Renewable Resources Plan-
17 ning Act of 1974 (16 U.S.C. 1604).

18 (e) ROADS.—After the date of the enactment of this
19 Act, no roads shall be established or constructed within
20 the scenic areas, except that this prohibition shall not be
21 construed to deny access to private lands or interests
22 therein in the scenic areas.

23 (f) VEGETATION MANAGEMENT.—No timber harvest
24 shall be allowed within the scenic areas, except as the Sec-
25 retary of Agriculture finds necessary in the control of fire,

1 insects, and diseases and to provide for public safety and
2 trail access. Notwithstanding the preceding sentence, the
3 Secretary may engage in vegetation manipulation prac-
4 tices for maintenance of existing wildlife clearings and vis-
5 ual quality. Firewood may be harvested for personal use
6 along perimeter roads under such conditions as the Sec-
7 retary may impose.

8 (g) **MOTORIZED TRAVEL.**—Motorized travel shall not
9 be permitted within the scenic areas, except that the Sec-
10 retary of Agriculture may authorize motorized travel with-
11 in the scenic area—

12 (1) as necessary for administrative use in fur-
13 therance of the purposes of this section;

14 (2) in support of wildlife management projects
15 in existence as of the date of the enactment of this
16 Act; and

17 (3) on Forest Development Road 9410 and 84b
18 during deer and bear hunting seasons.

19 (h) **FIRE.**—Wildfires in the scenic area shall be sup-
20 pressed in a manner consistent with the purposes of this
21 section, using such means as the Secretary of Agriculture
22 considers appropriate.

23 (i) **INSECTS AND DISEASE.**—Insect and disease out-
24 breaks may be controlled in the scenic areas to maintain

1 scenic quality, prevent tree mortality, reduce hazards to
2 visitors, or protect private lands.

3 (j) WATER.—The Secretary of Agriculture shall ad-
4 minister the scenic areas so as to maintain and enhance
5 water quality.

6 (k) MINING WITHDRAWAL.—Subject to valid existing
7 rights, all federally owned lands in the scenic areas are
8 withdrawn from location, entry, and patent under the min-
9 ing laws of the United States and from leasing claims
10 under the mineral and geothermal leasing laws of the
11 United States, including amendments to such laws.

12 **SEC. 4. TRAIL PLAN AND DEVELOPMENT.**

13 (a) TRAIL PLAN.—The Secretary of Agriculture shall
14 establish, in consultation with interested parties, a trail
15 plan for National Forest System lands described in this
16 paragraph in order to develop the following:

17 (1) Hiking and equestrian trails within the wil-
18 derness areas designated by the amendments made
19 by section 2, in a manner consistent with the Wil-
20 derness Act (16 U.S.C. 1131 et seq.).

21 (2) Nonmotorized recreation trails within the
22 scenic areas designated by section 3.

23 (b) IMPLEMENTATION REPORT.—Within two years
24 after the date of the enactment of this Act, the Secretary
25 of Agriculture shall submit to Congress a report on the

1 implementation of the trail plan, including the identifica-
2 tion of priority trails for development.

3 (c) TRAIL AUTHORIZATION.—The Secretary of Agri-
4 culture is authorized to develop trails to provide a contin-
5 uous connection for nonmotorized travel between County
6 Route 650 and Forest Development Road 4018 along the
7 old Rye Valley Railroad Grade in Smyth County, Virginia,
8 as recorded on the map entitled “Seng Mountain and Rac-
9 coon Branch” and dated February 12, 2004.

○