

109TH CONGRESS  
2D SESSION

# H. R. 5149

To maintain the rural heritage of the Eastern Sierra and enhance the region's tourism economy by designating certain public lands as wilderness and certain rivers as wild and scenic rivers in the State of California, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 6, 2006

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

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## A BILL

To maintain the rural heritage of the Eastern Sierra and enhance the region's tourism economy by designating certain public lands as wilderness and certain rivers as wild and scenic rivers in the State of California, 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. SHORT TITLE.**

4       This Act may be cited as the “Eastern Sierra Rural  
5       Heritage and Economic Enhancement Act”.

6       **SEC. 2. DEFINITION OF SECRETARY.**

7       In this Act, the term “Secretary” means—

1           (1) with respect to land under the jurisdiction  
2           of the Secretary of Agriculture, the Secretary of Ag-  
3           riculture; and

4           (2) with respect to land under the jurisdiction  
5           of the Secretary of the Interior, the Secretary of the  
6           Interior.

7   **SEC. 3. DESIGNATION OF WILDERNESS AREAS.**

8           In accordance with the Wilderness Act (16 U.S.C.  
9   1131 et seq.) the following areas in the State of California  
10   are designated as wilderness areas and as components of  
11   the National Wilderness Preservation System:

12           (1) HOOVER WILDERNESS ADDITION.—

13                 (A) DESIGNATION.—Certain land in the  
14           Humboldt-Toiyabe National Forest, comprising  
15           approximately 39,680 acres, as generally de-  
16           picted as Area C on the map entitled “Hoover  
17           Proposed Wilderness Addition” and dated Au-  
18           gust 8, 2005, is incorporated in, and shall be  
19           deemed to be a part of the Hoover Wilderness  
20           as designated by Public Law 88–577.

21                 (B) OPERATION AND MAINTENANCE OF  
22           PIUTE CABIN.—The designation under subpara-  
23           graph (A) shall not preclude operation and  
24           maintenance of the existing historic Piute  
25           Cabin, located in the western portion of the

1 Hoover Wilderness Addition, in the same man-  
2 ner and degree in which operation and mainte-  
3 nance of such cabin were occurring as of the  
4 date of introduction of this Act.

5 (C) NO RESTRICTION ON CERTAIN ACTIVI-  
6 TIES.—The designation under subparagraph  
7 (A) is not intended to restrict the ongoing ac-  
8 tivities of the adjacent United States Marine  
9 Corps Mountain Warfare Training Center on  
10 lands outside the wilderness under agreement  
11 with the Secretary.

12 (2) EMIGRANT WILDERNESS ADDITION.—Cer-  
13 tain land in the Humboldt-Toiyabe National Forest,  
14 comprising approximately 640 acres, as generally de-  
15 picted as Area D on the map entitled “Hoover Pro-  
16 posed Wilderness Addition” and dated August 8,  
17 2005, is incorporated in, and which shall be deemed  
18 to be a part of the Emigrant Wilderness as des-  
19 ignated by Public Law 88–577.

20 **SEC. 4. ADMINISTRATION OF WILDERNESS AREAS.**

21 (a) MANAGEMENT.—Subject to valid existing rights,  
22 each area designated as wilderness by this Act shall be  
23 administered by the Secretary in accordance with the Wil-  
24 derness Act (16 U.S.C. 1131 et seq.) except that—

1           (1) any reference in that Act to the effective  
2           date shall be considered to be a reference to the date  
3           of the enactment of this Act; and

4           (2) any reference in that Act to the Secretary  
5           of Agriculture shall be considered to be a reference  
6           to the Secretary that has jurisdiction over the wil-  
7           derness.

8           (b) MAP AND DESCRIPTION.—

9           (1) IN GENERAL.—As soon as practicable after  
10          the date of the enactment of this Act, the Secretary  
11          shall file a map and legal description of each wilder-  
12          ness area designated by this Act with—

13                 (A) the Committee on Resources of the  
14                 House of Representatives; and

15                 (B) the Committee on Energy and Natural  
16                 Resources of the Senate.

17          (2) FORCE OF LAW.—A map and legal descrip-  
18          tion filed under paragraph (1) shall have the same  
19          force and effect as if included in this Act, except  
20          that the Secretary may correct errors in the map  
21          and legal description.

22          (3) PUBLIC AVAILABILITY.—Each map and  
23          legal description filed under paragraph (1) shall be  
24          filed and made available for public inspection in the  
25          appropriate office of the Secretary.

1       (c) INCORPORATION OF ACQUIRED LAND AND INTER-  
2 ESTS.—Any land within the boundary of a wilderness area  
3 designated by this Act that is acquired by the United  
4 States shall—

5           (1) become part of the wilderness area in which  
6 the land is located; and

7           (2) be managed in accordance with this Act, the  
8 Wilderness Act (16 U.S.C. 1131 et seq.) and any  
9 other applicable law.

10       (d) WITHDRAWAL.—Subject to valid rights in exist-  
11 ence on the date of the enactment of this Act, the Federal  
12 land designated as wilderness by this Act is withdrawn  
13 from all forms of—

14           (1) entry, appropriation, or disposal under the  
15 public land laws;

16           (2) location, entry, and patent under the mining  
17 laws; and

18           (3) disposition under all laws pertaining to min-  
19 eral and geothermal leasing or mineral materials.

20       (e) FIRE, INSECT, AND DISEASE MANAGEMENT AC-  
21 TIVITIES.—

22           (1) IN GENERAL.—The Secretary may take  
23 such measures in the wilderness areas designated by  
24 this act as are necessary for the control and preven-

1       tion of fire, insects, and diseases, in accordance  
2       with—

3               (A) section 4(d)(1) of the Wilderness Act  
4               (16 U.S.C. 1133(d)(1)); and

5               (B) House Report No. 98–40 of the 98th  
6       Congress.

7       (2) REVIEW.—Not later than 1 year after the  
8       date of the enactment of this Act, the Secretary  
9       shall review existing policies applicable to the wilder-  
10      ness areas designated by this Act to ensure that au-  
11      thorized approval procedures for any fire manage-  
12      ment measures allow a timely and efficient response  
13      to fire emergencies in the wilderness areas.

14      (f) SNOW SENSORS AND STREAM GAUGES.—If the  
15      Secretary determines that hydrologic, meteorologic, or cli-  
16      matological instrumentation is appropriate to further the  
17      scientific, educational, and conservation purposes of the  
18      wilderness areas designated by this Act, nothing in the  
19      Act shall prevent the installation and maintenance of the  
20      instrumentation within the wilderness areas.

21      (g) MILITARY ACTIVITIES.—Nothing in this Act pre-  
22      cludes low-level overflights of military aircraft, the des-  
23      ignation of new units of special airspace, or the use or  
24      establishment of military flight training routes over wil-  
25      derness areas designated by this Act.

1 (h) LIVESTOCK.—Grazing of livestock and the main-  
2 tenance of existing facilities related to grazing in the wil-  
3 derness areas designated by this Act, established before  
4 the date of the enactment of this Act shall be permitted  
5 to continue in accordance with—

6 (1) section 4(d)(4) of the Wilderness Act (16  
7 U.S.C. 1133(d)(4)); and

8 (2) the guidelines set forth in Appendix A of  
9 the report of the Committee on Interior and Insular  
10 Affairs of the House of Representatives accom-  
11 panying H.R. 2570 of the 101st Congress (H. Rept.  
12 101–405).

13 (i) FISH AND WILDLIFE MANAGEMENT.—

14 (1) IN GENERAL.—In furtherance of the pur-  
15 poses of the Wilderness Act (16 U.S.C. 1131 et  
16 seq.), the Secretary may carry out management ac-  
17 tivities to maintain or restore populations and habi-  
18 tats for fish and wildlife in wilderness areas des-  
19 ignated by this Act if such activities are—

20 (A) consistent with applicable wilderness  
21 management plans; and

22 (B) carried out in accordance with applica-  
23 ble guidelines and policies.

1           (2) STATE JURISDICTION.—Nothing in this Act  
2       affects the jurisdiction of the State of California  
3       with respect to fish and wildlife on public land.

4       (j) ADJACENT MANAGEMENT.—

5           (1) IN GENERAL.—Nothing in this Act creates  
6       protective perimeters or buffer zones around the wil-  
7       derness areas designated by this Act.

8           (2) NON-WILDERNESS ACTIVITIES.—The fact  
9       that non-wilderness activities or uses can be seen or  
10      heard from areas within a wilderness area des-  
11      ignated by this Act shall not preclude the conduct of  
12      those activities or uses outside the boundary of the  
13      wilderness area.

14   **SEC. 5. WILD AND SCENIC RIVER DESIGNATION.**

15       (a) DESIGNATION OF THE AMARGOSA WILD AND  
16      SCENIC RIVER, CALIFORNIA.—Section 3(a) of the Wild  
17      and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended  
18      by adding at the end the following:

19           “(167) AMARGOSA RIVER, CALIFORNIA.—The  
20      following segments of the Amargosa River in the  
21      State of California, to be administered by the Sec-  
22      retary of Interior:

23           “(A) The approximately 4.03 miles of the  
24      Amargosa River from the northern boundary of  
25      section 7 T21N R7E to 100 feet upstream of



1 the Tecopa Hot Springs road crossing, as a sce-  
2 nic river.

3 “(B) The approximately 6.69 miles of the  
4 Amargosa River from 100 feet downstream of  
5 the Tecopa Hot Springs Road crossing to 100  
6 feet upstream of the Old Spanish Trail High-  
7 way crossing near Tecopa, as a scenic river.

8 “(C) The approximately 7.82 miles of the  
9 Amargosa River from the northern boundary of  
10 section 16 T20N R7E to the boundary of the  
11 Kingston Range Wilderness excluding the Sper-  
12 ry Wash OHV corridor in section 10 T19N  
13 R7E, as a wild river.

14 “(D) The approximately 5.41 miles of the  
15 Amargosa River from the boundary of the  
16 Kingston Range Wilderness in section 10 T19N  
17 R7E to the southern boundary of section 31  
18 T19N R7E, as a recreational river.”.

19 **SEC. 6. APPROPRIATIONS FOR WINTER MANAGEMENT OF**  
20 **THE HUMBOLDT-TOIYABE NATIONAL FOREST.**

21 There is authorized to be appropriated \$2,000,000  
22 annually to the Secretary of Agriculture for management  
23 and enforcement of snowmobile use in areas adjacent to

- 1 the Hoover Wilderness Addition in the Humboldt-Toiyabe
- 2 National Forest.

