

Union Calendar No. 28

103D CONGRESS
1ST SESSION

H. R. 63

[Report No. 103-59]

A BILL

To establish the Spring Mountains National Recreation Area in Nevada, and for other purposes.

APRIL 20, 1993

Reported with amendments, committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

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

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[Omit the part struck through and insert the part printed in italic]

A BILL

To establish the Spring Mountains National Recreation Area
in Nevada, 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 “Spring Mountains Na-
5 tional Recreation Area Act”.

1 **SEC. 2. DEFINITIONS.**

2 As used in this Act:

3 (1) NATIONAL FOREST LANDS.—The term “Na-
4 tional Forest lands” means lands included in the
5 National Forest System (as defined in section 11(a)
6 of the Forest and Rangeland Renewable Resources
7 Planning Act of 1974 (16 U.S.C. 1609(a))).

8 (2) RECREATION AREA.—The term “Recreation
9 Area” means the Spring Mountains National Recre-
10 ation Area established by this Act.

11 (3) SECRETARY.—The term “Secretary” means
12 the Secretary of Agriculture.

13 **SEC. 3. PURPOSES.**

14 The purposes of this Act are to—

15 (1) preserve scenic, scientific, historic, cultural,
16 natural, wilderness, watershed, riparian, wildlife,
17 threatened and endangered species, and other values
18 contributing to public enjoyment and biological di-
19 versity in the Spring Mountains of Nevada;

20 (2) ensure appropriate conservation and man-
21 agement of natural *and* recreation resources in the
22 Spring Mountains; and

23 (3) provide for the development of public recre-
24 ation opportunities in the Spring Mountains for the
25 enjoyment of present and future generations.

1 **SEC. 4. ESTABLISHMENT OF RECREATION AREA.**

2 (a) IN GENERAL.—Subject to valid existing rights,
3 there is established the Spring Mountains National Recre-
4 ation Area in Nevada.

5 (b) BOUNDARIES AND MAP.—The Recreation Area
6 shall consist of approximately 316,000 acres of federally
7 owned lands and waters in the Toiyabe National Forest,
8 as generally depicted on a map entitled “Spring Mountain
9 National Recreation Area—Proposed”, numbered NV-
10 CH, and dated August 2, 1992.

11 (c) MAP FILING.—As soon as practicable after the
12 date of enactment of this Act, the Secretary shall file a
13 map of the Recreation Area with the Committee on En-
14 ergy and Natural Resources of the Senate and the Com-
15 mittee on ~~Interior and Insular Affairs~~ *Natural Resources*
16 of the House of Representatives.

17 (d) PUBLIC INSPECTION.—The map shall be on file
18 and available for public inspection in the offices of the
19 Chief of the Forest Service, Department of Agriculture.

20 (e) DISCREPANCIES.—In the case of any discrepancy
21 between or among the acreage referred to in subsection
22 (b) and the map described in subsection (b), the map de-
23 scribed in subsection (b) shall control any question con-
24 cerning the boundaries of the Recreation Area.

1 **SEC. 5. MANAGEMENT.**

2 (a) IN GENERAL.—The Secretary, acting through the
3 Chief of the Forest Service, shall manage the Recreation
4 Area in accordance with the laws, rules, and regulations
5 pertaining to the National Forest System and this Act to
6 provide for—

7 (1) the conservation of scenic, scientific, his-
8 toric, cultural, and other values contributing to pub-
9 lic enjoyment;

10 (2) the conservation of fish and wildlife popu-
11 lations and habitat, including the use of prescribed
12 fire to improve or maintain habitat;

13 (3) the protection of watersheds and the main-
14 tenance of free flowing streams and the quality of
15 ground and surface waters in accordance with appli-
16 cable Federal and State law;

17 (4) public outdoor recreation benefits, includ-
18 ing, but not limited to, hunting, fishing, trapping,
19 hiking, horseback riding, backpacking, rock climb-
20 ing, camping, and nature study;

21 (5) wilderness areas as designated by Congress;
22 and

23 (6) the management, utilization, and disposal of
24 natural resources in a manner compatible with the
25 purposes for which the Recreation Area is estab-
26 lished.

1 (b) HUNTING, TRAPPING, AND FISHING.—

2 (1) IN GENERAL.—Subject to paragraph (2),
3 the Secretary shall permit hunting, trapping, fishing,
4 and habitat management within the Recreation Area
5 in accordance with the laws of the United States and
6 the State of Nevada.

7 (2) EXCEPTIONS.—The Secretary, after con-
8 sultation with the Nevada Department of Wildlife,
9 may designate zones where and periods when hunt-
10 ing, trapping, or fishing shall not be permitted for
11 reasons of public safety, administration, or public
12 use and enjoyment.

13 (c) GRAZING.—The grazing of livestock may be per-
14 mitted to continue pursuant to Federal law and subject
15 to such reasonable regulations, policies, and practices as
16 the Secretary considers necessary.

17 (d) PREVENTIVE MEASURES.—Nothing in this Act
18 shall preclude such reasonable measures as the Secretary
19 considers necessary to protect the land and resources from
20 fire or insect or disease infestation in the Recreation Area.

21 **SEC. 6. MANAGEMENT PLAN.**

22 (a) IN GENERAL.—

23 (1) PROCEDURES.—Not later than 3 full fiscal
24 years after the date of enactment of this Act, the
25 Secretary shall develop a general management plan

1 for the Recreation Area as an amendment to the
2 Toiyabe National Forest Land and Resource Man-
3 agement Plan. Such an amendment shall reflect the
4 establishment of the Recreation Area and conform to
5 the provisions of this Act, except that nothing in this
6 Act shall require the Secretary to revise the Toiyabe
7 National Forest Land and Resource Management
8 Plan pursuant to section 6 of the Forest and Range-
9 land Renewable Resources Planning Act of 1974.
10 The provisions of the national forest land and re-
11 source management plan relating to the recreation
12 area shall also be available to the public in a docu-
13 ment separate from the rest of the forest plan.

14 (2) CONTENTS.—The management plan de-
15 scribed in paragraph (1) shall be developed with full
16 public participation and shall include—

17 (A) implementation plans for a continuing
18 program of interpretation and public education
19 about the resources and values of the Recre-
20 ation Area;

21 (B) proposals for public facilities to be de-
22 veloped, expanded, or improved for the Recre-
23 ation Area, including one or more visitor cen-
24 ters to accommodate both local and out-of-State
25 visitors;

1 (C) plans for the management of natural
2 and cultural resources in the Recreation Area,
3 with emphasis on the preservation and long-
4 term scientific use of archaeological resources,
5 with priority in development given to the en-
6 forcement of the Archaeological Resources Pro-
7 tection Act of 1979 (16 U.S.C. 470aa et seq.)
8 and the National Historic Preservation Act (16
9 U.S.C. 470 et seq.) within the Recreation Area;

10 (D) wildlife and fish resource management
11 plans for the Recreation Area prepared in con-
12 sultation with appropriate departments of the
13 State of Nevada and using other available stud-
14 ies of the Recreation Area;

15 (E) recreation management plans for the
16 Recreation Area in consultation with appro-
17 priate departments of the State of Nevada;

18 (F) wild horse and burro herd manage-
19 ment plans for the Recreation Area prepared in
20 consultation with appropriate departments and
21 commissions of the State of Nevada; and

22 (G) an inventory of all lands within the
23 Recreation Area not presently managed as Na-
24 tional Forest lands that will permit the Sec-
25 retary to evaluate possible future acquisitions.

1 (3) CONSULTATION.—The plans for the man-
2 agement of natural and cultural resources described
3 in paragraph (2)(C) shall be prepared in consulta-
4 tion with the Advisory Council on Historic Preserva-
5 tion established by title II of the National Historic
6 Preservation Act (16 U.S.C. 470i et seq.) and the
7 Nevada State Department of Conservation and Nat-
8 ural Resources, Division of Historic Preservation
9 and Archaeology.

10 (b) WILDERNESS STUDY AREAS.—

11 (1) RECOMMENDATIONS.—The general manage-
12 ment plan for the Recreation Area shall include the
13 recommendations of the Bureau of Land Manage-
14 ment as to the suitability or nonsuitability for pres-
15 ervation as wilderness of the 89,270 acres identified
16 as the Mt. Stirling, La Madre Mountains, and Pine
17 Creek Wilderness Study Areas on the Bureau of
18 Land Management Wilderness Status Map, dated
19 March 1990.

20 (2) MANAGEMENT.—Pending submission of a
21 recommendation and until otherwise directed by Act
22 of Congress, the Secretary, acting through the Chief
23 of the Forest Service, shall manage the lands and
24 waters within the wilderness study areas referred to
25 in paragraph (1) so as to maintain their potential

1 for inclusion within the National Wilderness Preser-
2 vation System.

3 **SEC. 7. ACQUISITION OF LANDS.**

4 (a) IN GENERAL.—The Secretary is authorized to ac-
5 quire by donation, purchase with donated or appropriated
6 funds, exchange, bequest, or otherwise any lands, or lesser
7 interests therein, including mineral interests, water rights,
8 and scenic easements, which the Secretary determines are
9 needed for the purposes of this Act.

10 ~~(b) EXCHANGES OUT OF FEDERAL OWNERSHIP.—~~
11 ~~Federally owned lands, waters, or interests in lands or wa-~~
12 ~~ters located within the Recreation Area may not be ex-~~
13 ~~changed except in connection with an exchange for lands,~~
14 ~~waters, or interests in lands or waters owned by the State~~
15 ~~of Nevada or a political subdivision of the State.~~

16 ~~(c) (b) INCORPORATION OF ACQUIRED LANDS.—~~Any
17 lands, waters, or interests in lands or waters located with-
18 in the Recreation Area that are acquired by the United
19 States or administratively transferred to the Secretary
20 after the date of enactment of this Act shall be incor-
21 porated into the Recreation Area and managed in accord-
22 ance with the laws, rules, and regulations applicable to
23 the National Forest System and the provisions of this Act.

24 ~~(d) (c) LAND AND WATER CONSERVATION FUND.—~~
25 For purposes of section 7 of the Land and Water Con-

1 servation Fund Act of 1965 (16 U.S.C. 460/-9), where
 2 such boundaries are established for units of the National
 3 Forest System, such established boundaries shall be treat-
 4 ed as if they were the boundaries of the National Forests
 5 as of January 1, 1965. Money appropriated from the Land
 6 and Water Conservation Fund shall be available for the
 7 acquisition of lands, waters, and interests therein in fur-
 8 therance of the purposes of this Act.

9 **SEC. 8. WITHDRAWAL.**

10 (a) IN GENERAL.—Subject to valid existing rights
 11 and except for lands described in subsection (b), all Fed-
 12 eral lands within the Recreation Area and all lands, wa-
 13 ters, and interests in lands and waters within the Recre-
 14 ation Area that are acquired by the United States after
 15 the date of enactment of this Act are withdrawn from—

16 (1) all forms of entry, appropriation, or disposal
 17 under the public land laws;

18 (2) location, entry, and patent under the mining
 19 laws; and

20 (3) operation under the mineral leasing and
 21 geothermal leasing laws.

22 (b) EXCEPTION.—The lands referred to in subsection
 23 (a) are described as follows:

24 ~~S^{1/2} Sec. 22, W^{1/2}E^{1/2} and W^{1/2} Sec. 27, E^{1/2}E^{1/2}~~
 25 ~~Sec. 28, T 23 S, R 58 E, Mt. Diablo Meridian.~~

1 *W^{1/2}E^{1/2} and W^{1/2}, Sec. 27, T23S, R58E, Mt. Diablo*
2 *Meridian.*

3 **SEC. 9. COORDINATED MANAGEMENT.**

4 The Secretary shall coordinate the management of
5 the Recreation Area with the management of all proximate
6 lands in a manner that best meets the present and future
7 needs of the people of the United States.

8 **SEC. 10. COOPERATIVE AGREEMENTS.**

9 In order to encourage unified and cost-effective man-
10 agement and interpretation of natural and cultural re-
11 sources in southern Nevada, the Secretary may enter into
12 cooperative agreements with other Federal, State, and
13 local agencies, and with nonprofit entities, that provide for
14 the management and interpretation of natural and cul-
15 tural resources in southern Nevada.

16 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

17 There are authorized to be appropriated such sums
18 as may be necessary to carry out this Act.