

Calendar No. 224

106TH CONGRESS
1ST SESSION**H. R. 15****[Report No. 106-116]**

IN THE SENATE OF THE UNITED STATES

APRIL 13, 1999

Received; read twice and referred to the Committee on Energy and Natural
Resources

JULY 21, 1999

Reported by Mr. MURKOWSKI, without amendment

AN ACT

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 1999”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds and declares the following:

1 (1) The public lands within the Otay Mountain
2 region of California are one of the last remaining
3 pristine locations in western San Diego County,
4 California.

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

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

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

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

21 **SEC. 3. DESIGNATION.**

22 In furtherance of the purposes of the Wilderness Act
23 (16 U.S.C. 1131 et seq.), certain public lands in the Cali-
24 fornia Desert District of the Bureau of Land Manage-
25 ment, California, comprising approximately 18,500 acres

1 as generally depicted on a map entitled “Otay Mountain
2 Wilderness” and dated May 7, 1998, are hereby des-
3 ignated as wilderness and therefore as a component of the
4 National Wilderness Preservation System, which shall be
5 known as the Otay Mountain Wilderness.

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

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

21 (b) UNITED STATES-MEXICO BORDER.—In carrying
22 out this section, the Secretary shall ensure that the south-
23 ern boundary of the Wilderness Area is 100 feet north
24 of the trail depicted on the map referred to in subsection

1 (a) and is at least 100 feet from the United States-Mexico
2 international border.

3 **SEC. 5. WILDERNESS REVIEW.**

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

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

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

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

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

4 (b) BORDER ENFORCEMENT, DRUG INTERDICTION,
5 AND WILDLAND FIRE PROTECTION.—Because of the
6 proximity of the Wilderness Area to the United States-
7 Mexico international border, drug interdiction, border op-
8 erations, and wildland fire management operations are
9 common management actions throughout the area encom-
10 passing the Wilderness Area. This Act recognizes the need
11 to continue such management actions so long as such
12 management actions are conducted in accordance with the
13 Wilderness Act (16 U.S.C. 1131 et seq.) and are subject
14 to such conditions as the Secretary considers appropriate.

15 **SEC. 7. FURTHER ACQUISITIONS.**

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

22 **SEC. 8. NO BUFFER ZONES.**

23 The Congress does not intend for the designation of
24 the Wilderness Area by this Act to lead to the creation
25 of protective perimeters or buffer zones around the Wil-

1 derness Area. The fact that nonwilderness activities or
2 uses can be seen or heard from areas within the Wilder-
3 ness Area shall not, of itself, preclude such activities or
4 uses up to the boundary of the Wilderness Area.

5 **SEC. 9. DEFINITIONS.**

6 As used in this Act:

7 (1) PUBLIC LANDS.—The term “public lands”
8 has the same meaning as that term has in section
9 103(e) of the Federal Land Policy and Management
10 Act of 1976.

11 (2) SECRETARY.—The term “Secretary” means
12 the Secretary of the Interior.

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

Passed the House of Representatives April 12, 1999.

Attest:

JEFF TRANDAHL,

Clerk.

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