

106TH CONGRESS
2D SESSION

S. 2273

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 6, 2000

Referred to the Committee on Resources

AN ACT

To establish the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area, 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 “Black Rock Desert-
5 High Rock Canyon Emigrant Trails National Conserva-
6 tion Area Act of 2000”.

1 **SEC. 2. FINDINGS.**

2 The Congress finds the following:

3 (1) The areas of northwestern Nevada known
4 as the Black Rock Desert and High Rock Canyon
5 contain and surround the last nationally significant,
6 untouched segments of the historic California emi-
7 grant Trails, including wagon ruts, historic inscrip-
8 tions, and a wilderness landscape largely unchanged
9 since the days of the pioneers.

10 (2) The relative absence of development in the
11 Black Rock Desert and high Rock Canyon areas
12 from emigrant times to the present day offers a
13 unique opportunity to capture the terrain, sights,
14 and conditions of the overland trails as they were ex-
15 perienceed by the emigrants and to make available to
16 both present and future generations of Americans
17 the opportunity of experiencing emigrant conditions
18 in an unaltered setting.

19 (3) The Black Rock Desert and High Rock
20 Canyon areas are unique segments of the Northern
21 Great Basin and contain broad representation of the
22 Great Basin's land forms and plant and animal spe-
23 cies, including golden eagles and other birds of prey,
24 sage grouse, mule deer, pronghorn antelope, bighorn
25 sheep, free roaming horses and burros, threatened
26 fish and sensitive plants.

1 (4) The Black Rock-High Rock region contains
2 a number of cultural and natural resources that
3 have been declared eligible for National Historic
4 Landmark and Natural Landmark status, including
5 a portion of the 1843–44 John Charles Fremont ex-
6 ploration route, the site of the death of Peter
7 Lassen, early military facilities, and examples of
8 early homesteading and mining.

9 (5) The archeological, paleontological, and geo-
10 graphical resources of the Black Rock-High Rock re-
11 gion include numerous prehistoric and historic Na-
12 tive American sites, wooly mammoth sites, some of
13 the largest natural potholes of North America, and
14 a remnant dry Pleistocene lakebed (playa) where the
15 curvature of the Earth may be observed.

16 (6) The two large wilderness mosaics that
17 frame the conservation area offer exceptional oppor-
18 tunities for solitude and serve to protect the integ-
19 rity of the viewshed of the historic emigrant trails.

20 (7) Public lands in the conservation area have
21 been used for domestic livestock grazing for over a
22 century, with resultant benefits to community sta-
23 bility and contributions to the local and State econo-
24 mies. It has not been demonstrated that continu-
25 ation of this use would be incompatible with appro-

1 piate protection and sound management of the re-
2 source values of these lands; therefore, it is expected
3 that such grazing will continue in accordance with
4 the management plan for the conservation area and
5 other applicable laws and regulations.

6 (8) The Black Rock Desert playa is a unique
7 natural resource that serves as the primary destina-
8 tion for the majority of visitors to the conservation
9 area, including visitors associated with large-scale
10 permitted events. It is expected that such permitted
11 events will continue to be administered in accordance
12 with the management plan for the conservation area
13 and other applicable laws and regulations.

14 **SEC. 3. DEFINITIONS.**

15 As used in this Act:

16 (1) The term “Secretary” means the Secretary
17 of the Interior.

18 (2) The term “public lands” has the meaning
19 stated in section 103(e) of the Federal Land Policy
20 and Management Act of 1976 (43 U.S.C. 1702(e)).

21 (3) The term “conservation area” means the
22 Black Rock Desert-High Rock Canyon Emigrant
23 Trails National Conservation Area established pur-
24 suant to section 4 of this Act.

1 **SEC. 4. ESTABLISHMENT OF THE CONSERVATION AREA.**

2 (a) ESTABLISHMENT AND PURPOSES.—In order to
3 conserve, protect, and enhance for the benefit and enjoy-
4 ment of present and future generations the unique and
5 nationally important historical, cultural, paleontological,
6 scenic, scientific, biological, educational, wildlife, riparian,
7 wilderness, endangered species, and recreational values
8 and resources associated with the Applegate-Lassen and
9 Nobles Trails corridors and surrounding areas, there is
10 hereby established the Black Rock Desert-High Rock Can-
11 yon Emigrant Trails National Conservation Area in the
12 State of Nevada.

13 (b) AREAS INCLUDED.—The conservation area shall
14 consist of approximately 797,100 acres of public lands as
15 generally depicted on the map entitled “Black Rock Desert
16 Emigrant Trail National Conservation Area” and dated
17 July 19, 2000.

18 (c) MAPS AND LEGAL DESCRIPTION.—As soon as
19 practicable after the date of the enactment of this Act,
20 the Secretary shall submit to Congress a map and legal
21 description of the conservation area. The map and legal
22 description shall have the same force and effect as if in-
23 cluded in this Act, except the Secretary may correct cler-
24 ical and typographical errors in such map and legal de-
25 scription. Copies of the map and legal description shall

1 be on file and available for public inspection in the appro-
2 priate offices of the Bureau of Land Management.

3 **SEC. 5. MANAGEMENT.**

4 (a) MANAGEMENT.—The Secretary, acting through
5 the Bureau of Land Management, shall manage the con-
6 servation area in a manner that conserves, protects and
7 enhances its resources and values, including those re-
8 sources and values specified in subsection 4(a), in accord-
9 ance with this Act, the Federal Land Policy and Manage-
10 ment Act of 1976 (43 U.S.C. 1701 et seq.), and other
11 applicable provisions of law.

12 (b) ACCESS.—

13 (1) IN GENERAL.—The Secretary shall main-
14 tain adequate access for the reasonable use and en-
15 joyment of the conservation area.

16 (2) PRIVATE LAND.—The Secretary shall pro-
17 vide reasonable access to privately owned land or in-
18 terests in land within the boundaries of the con-
19 servation area.

20 (3) EXISTING PUBLIC ROADS.—The Secretary
21 is authorized to maintain existing public access with-
22 in the boundaries of the conservation area in a man-
23 ner consistent with the purposes for which the con-
24 servation area was established.

25 (c) USES.—

1 (1) IN GENERAL.—The Secretary shall only
2 allow such uses of the conservation area as the Sec-
3 retary finds will further the purposes for which the
4 conservation area is established.

5 (2) OFF-HIGHWAY VEHICLE USE.—Except
6 where needed for administrative purposes or to re-
7 spond to an emergency, use of motorized vehicles in
8 the conservation area shall be permitted only on
9 roads and trails and in other areas designated for
10 use of motorized vehicles as part of the management
11 plan prepared pursuant to subsection (e).

12 (3) PERMITTED EVENTS.—The Secretary may
13 continue to permit large-scale events in defined, low
14 impact areas of the Black Rock Desert playa in the
15 conservation area in accordance with the manage-
16 ment plan prepared pursuant to subsection (e).

17 (d) HUNTING, TRAPPING, AND FISHING.—Nothing in
18 this Act shall be deemed to diminish the jurisdiction of
19 the State of Nevada with respect to fish and wildlife man-
20 agement, including regulation of hunting and fishing, on
21 public lands within the conservation area.

22 (e) MANAGEMENT PLAN.—Within three years fol-
23 lowing the date of enactment of this Act, the Secretary
24 shall develop a comprehensive resource management plan
25 for the long-term protection and management of the con-

1 servation area. The plan shall be developed with full public
2 participation and shall describe the appropriate uses and
3 management of the conservation area consistent with the
4 provisions of this Act. The plan may incorporate appro-
5 priate decisions contained in any current management or
6 activity plan for the area and may use information devel-
7 oped in previous studies of the lands within or adjacent
8 to the conservation area.

9 (f) GRAZING.—Where the Secretary of the Interior
10 currently permits livestock grazing in the conservation
11 area, such grazing shall be allowed to continue subject to
12 all applicable laws, regulations, and executive orders.

13 (g) VISITOR SERVICE FACILITIES.—The Secretary is
14 authorized to establish, in cooperation with other public
15 or private entities as the Secretary may deem appropriate,
16 visitor service facilities for the purpose of providing infor-
17 mation about the historical, cultural, ecological, rec-
18 reational, and other resources of the conservation area.

19 **SEC. 6. WITHDRAWAL.**

20 (a) IN GENERAL.—Subject to valid existing rights,
21 all Federal lands within the conservation area and all
22 lands and interests therein which are hereafter acquired
23 by the United States are hereby withdrawn from all forms
24 of entry, appropriation, or disposal under the public land
25 laws, from location, entry, and patent under the mining

1 laws, from operation of the mineral leasing and geo-
2 thermal leasing laws and from the minerals materials laws
3 and all amendments thereto.

4 **SEC. 7. NO BUFFER ZONES.**

5 The Congress does not intend for the establishment
6 of the conservation area to lead to the creation of protec-
7 tive perimeters or buffer zones around the conservation
8 area. The fact that there may be activities or uses on lands
9 outside the conservation area that would not be permitted
10 in the conservation area shall not preclude such activities
11 or uses on such lands up to the boundary of the conserva-
12 tion area consistent with other applicable laws.

13 **SEC. 8. WILDERNESS.**

14 (a) DESIGNATION.—In furtherance of the purposes of
15 the Wilderness Act of 1964 (16 U.S.C. 1131 et seq.), the
16 following lands in the State of Nevada are designated as
17 wilderness, and, therefore, as components of the National
18 Wilderness Preservation System:

19 (1) Certain lands in the Black Rock Desert
20 Wilderness Study Area comprised of approximately
21 315,700 acres, as generally depicted on a map enti-
22 tled “Black Rock Desert Wilderness—Proposed”
23 and dated July 19, 2000, and which shall be known
24 as the Black Rock Desert Wilderness.

1 (2) Certain lands in the Pahute Peak Wilder-
2 ness Study Area comprised of approximately 57,400
3 acres, as generally depicted on a map entitled
4 “Pahute Peak Wilderness—Proposed” and dated
5 July 19, 2000, and which shall be known as the
6 Pahute Peak Wilderness.

7 (3) Certain lands in the North Black Rock
8 Range Wilderness Study Area comprised of approxi-
9 mately 30,800 acres, as generally depicted on a map
10 entitled “North Black Rock Range Wilderness—Pro-
11 posed” and dated July 19, 2000, and which shall be
12 known as the North Black Rock Range Wilderness.

13 (4) Certain lands in the East Fork High Rock
14 Canyon Wilderness Study Area comprised of ap-
15 proximately 52,800 acres, as generally depicted on a
16 map entitled “East Fork High Rock Canyon Wilder-
17 ness—Proposed” and dated July 19, 2000, and
18 which shall be known as the East Fork High Rock
19 Canyon Wilderness.

20 (5) Certain lands in the High Rock Lake Wil-
21 derness Study Area comprised of approximately
22 59,300 acres, as generally depicted on a map enti-
23 tled “High Rock Lake Wilderness—Proposed” and
24 dated July 19, 2000, and which shall be known as
25 the High Rock Lake Wilderness.

1 (6) Certain lands in the Little High Rock Can-
2 yon Wilderness Study Area comprised of approxi-
3 mately 48,700 acres, as generally depicted on a map
4 entitled “Little High Rock Canyon Wilderness—Pro-
5 posed” and dated July 19, 2000, and which shall be
6 known as the Little High Rock Canyon Wilderness.

7 (7) Certain lands in the High Rock Canyon
8 Wilderness Study Area and Yellow Rock Canyon
9 Wilderness Study Area comprised of approximately
10 46,600 acres, as generally depicted on a map enti-
11 tled “High Rock Canyon Wilderness—Proposed”
12 and dated July 19, 2000, and which shall be known
13 as the High Rock Canyon Wilderness.

14 (8) Certain lands in the Calico Mountains Wil-
15 derness Study Area comprised of approximately
16 65,400 acres, as generally depicted on a map enti-
17 tled “Calico Mountains Wilderness—Proposed” and
18 dated July 19, 2000, and which shall be known as
19 the Calico Mountains Wilderness.

20 (9) Certain lands in the South Jackson Moun-
21 tains Wilderness Study Area comprised of approxi-
22 mately 56,800 acres, as generally depicted on a map
23 entitled “South Jackson Mountains Wilderness—
24 Proposed” and dated July 19, 2000, and which shall

1 be known as the South Jackson Mountains Wilder-
2 ness.

3 (10) Certain lands in the North Jackson Moun-
4 tains Wilderness Study Area comprised of approxi-
5 mately 24,000 acres, as generally depicted on a map
6 entitled “North Jackson Mountains Wilderness—
7 Proposed” and dated July 19, 2000, and which shall
8 be known as the North Jackson Mountains Wilder-
9 ness.

10 (b) ADMINISTRATION OF WILDERNESS AREAS.—
11 Subject to valid existing rights, each wilderness area des-
12 ignated by this Act shall be administered by the Secretary
13 in accordance with the provisions of the Wilderness Act,
14 except that any reference in such provisions to the effec-
15 tive date of the Wilderness Act shall be deemed to be a
16 reference to the date of enactment of this Act and any
17 reference to the Secretary of Agriculture shall be deemed
18 to be a reference to the Secretary of the Interior.

19 (c) MAPS AND LEGAL DESCRIPTION.—As soon as
20 practicable after the date of the enactment of this Act,
21 the Secretary shall submit to Congress a map and legal
22 description of the wilderness areas designated under this
23 Act. The map and legal description shall have the same
24 force and effect as if included in this Act, except the Sec-
25 retary may correct clerical and typographical errors in

1 such map and legal description. Copies of the map and
2 legal description shall be on file and available for public
3 inspection in the appropriate offices of the Bureau of
4 Land Management.

5 (d) GRAZING.—Within the wilderness areas des-
6 ignated under subsection (a), the grazing of livestock,
7 where established prior to the date of enactment of this
8 Act, shall be permitted to continue subject to such reason-
9 able regulations, policies, and practices as the Secretary
10 deems necessary, as long as such regulations, policies, and
11 practices fully conform with and implement the intent of
12 Congress regarding grazing in such areas as such intent
13 is expressed in the Wilderness Act and section 101(f) of
14 Public Law 101–628.

15 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

16 There is hereby authorized to be appropriated such
17 sums as may be necessary to carry out the provisions of
18 this Act.

Passed the Senate October 5 (legislative day, Sep-
tember 22), 2000.

Attest:

GARY SISCO,
Secretary.