

Union Calendar No. 371

110TH CONGRESS
2^D SESSION

H. R. 5151

[Report No. 110-598, Part I]

To designate as wilderness additional National Forest System lands in the Monongahela National Forest in the State of West Virginia, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 29, 2008

Mr. RAHALL (for himself, Mrs. CAPITO, and Mr. MOLLOHAN) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Agriculture, 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

APRIL 22, 2008

Reported from the Committee on Natural Resources with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

APRIL 22, 2008

Committee on Agriculture discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on January 29, 2008]

A BILL

To designate as wilderness additional National Forest System lands in the Monongahela National Forest in the State of West Virginia, 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 “Wild Monongahela Act:*
5 *A National Legacy for West Virginia’s Special Places”.*

6 **SEC. 2. DESIGNATION OF WILDERNESS, MONONGAHELA NA-**
7 **TIONAL FOREST, WEST VIRGINIA.**

8 (a) *DESIGNATION.*—*In furtherance of the purposes of*
9 *the Wilderness Act (16 U.S.C. 1131 et seq.), the following*
10 *Federal lands within the Monongahela National Forest in*
11 *the State of West Virginia are designated as wilderness and*
12 *as either a new component of the National Wilderness Pres-*
13 *ervation System or as an addition to an existing component*
14 *of the National Wilderness Preservation System:*

15 (1) *Certain Federal land comprising approxi-*
16 *mately 5,144 acres, as generally depicted on the map*
17 *entitled “Big Draft Proposed Wilderness” and dated*
18 *March 11, 2008, which shall be known as the “Big*
19 *Draft Wilderness”.*

20 (2) *Certain Federal land comprising approxi-*
21 *mately 11,951 acres, as generally depicted on the map*
22 *entitled “Cranberry Expansion Proposed Wilderness”*
23 *and dated March 11, 2008, which shall be added to*
24 *and administered as part of the Cranberry Wilderness*

1 *designated by section 1(1) of Public Law 97–466 (96*
2 *Stat. 2538).*

3 *(3) Certain Federal land comprising approxi-*
4 *mately 7,156 acres, as generally depicted on the map*
5 *entitled “Dolly Sods Expansion Proposed Wilderness”*
6 *and dated March 11, 2008, which shall be added to*
7 *and administered as part of the Dolly Sods Wilder-*
8 *ness designated by section 3(a)(13) of Public Law 93–*
9 *622 (88 Stat. 2098).*

10 *(4) Certain Federal land comprising approxi-*
11 *mately 698 acres, as generally depicted on the map*
12 *entitled “Otter Creek Expansion Proposed Wilder-*
13 *ness” and dated March 11, 2008, which shall be*
14 *added to and administered as part of the Otter Creek*
15 *Wilderness designated by section 3(a)(14) of Public*
16 *Law 93–622 (88 Stat. 2098).*

17 *(5) Certain Federal land comprising approxi-*
18 *mately 6,792 acres, as generally depicted on the map*
19 *entitled “Roaring Plains Proposed Wilderness” and*
20 *dated March 11, 2008, which shall be known as the*
21 *“Roaring Plains West Wilderness”.*

22 *(6) Certain Federal land comprising approxi-*
23 *mately 6,030 acres, as generally depicted on the map*
24 *entitled “Spice Run Proposed Wilderness” and dated*

1 *March 11, 2008, which shall be known as the “Spice*
2 *Run Wilderness”.*

3 *(b) MAPS AND LEGAL DESCRIPTION.—*

4 *(1) FILING AND AVAILABILITY.—As soon as prac-*
5 *ticable after the date of the enactment of this Act, the*
6 *Secretary of Agriculture, acting through the Chief of*
7 *the Forest Service, shall file with the Committee on*
8 *Natural Resources of the House of Representatives*
9 *and the Committee on Energy and Natural Resources*
10 *of the Senate a map and legal description of each wil-*
11 *derness area designated or expanded by subsection*
12 *(a). The maps and legal descriptions shall be on file*
13 *and available for public inspection in the office of the*
14 *Chief of the Forest Service and the office of the Super-*
15 *visor of the Monongahela National Forest.*

16 *(2) FORCE AND EFFECT.—The maps and legal*
17 *descriptions referred to in this subsection shall have*
18 *the same force and effect as if included in this Act,*
19 *except that the Secretary may correct errors in the*
20 *maps and descriptions.*

21 *(c) ADMINISTRATION.—Subject to valid existing rights,*
22 *the Federal lands designated as wilderness by subsection (a)*
23 *shall be administered by the Secretary in accordance with*
24 *the Wilderness Act (16 U.S.C. 1131 et seq.). Notwith-*
25 *standing the designation of the Dolly Sods Wilderness addi-*

1 tion by paragraph (3) of subsection (a) and the designation
2 of the Roaring Plains West Wilderness Area by paragraph
3 (5) of such subsection, the Secretary may continue to au-
4 thorize the competitive running event permitted from 2003
5 through 2007 in the vicinity of the boundaries of the new
6 wilderness addition and new wilderness area in a manner
7 compatible with the area's preservation as wilderness.

8 (d) *EFFECTIVE DATE OF WILDERNESS ACT.*—With re-
9 spect to the Federal lands designated as wilderness by sub-
10 section (a), any reference in the Wilderness Act (16 U.S.C.
11 1131 et seq.) to the effective date of the Wilderness Act shall
12 be deemed to be a reference to the date of the enactment
13 of this Act.

14 (e) *FISH AND WILDLIFE.*—As provided in section
15 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), noth-
16 ing in this section affects the jurisdiction or responsibility
17 of the State of West Virginia with respect to wildlife and
18 fish.

19 **SEC. 3. BOUNDARY ADJUSTMENT, LAUREL FORK SOUTH**
20 **WILDERNESS, MONONGAHELA NATIONAL**
21 **FOREST.**

22 (a) *BOUNDARY ADJUSTMENT.*—The boundary of the
23 Laurel Fork South Wilderness designated by section 1(3)
24 of Public Law 97–466 (96 Stat. 2538) is modified to exclude
25 two parcels of land, as generally depicted on the map enti-

1 tled “*Monongahela National Forest Laurel Fork South Wil-*
2 *derness Boundary Modification*” and dated March 11,
3 2008, and more particularly described according to the site-
4 *specific maps and legal descriptions on file in the office of*
5 *the Forest Supervisor, Monongahela National Forest. The*
6 *general map shall be on file and available for public inspec-*
7 *tion in the Office of the Chief of the Forest Service.*

8 (b) *MANAGEMENT.*—*Federally owned land delineated*
9 *on the maps referred to in subsection (a) as the Laurel Fork*
10 *South Wilderness, as modified by such subsection, shall con-*
11 *tinue to be administered by the Secretary of Agriculture*
12 *in accordance with Wilderness Act (16 U.S.C. 1131 et seq.).*
13 *Any reference in the Wilderness Act to the effective date of*
14 *that Act shall be deemed to be a reference to the effective*
15 *date of Public Law 97–466 and this Act.*

16 **SEC. 4. MONONGAHELA NATIONAL FOREST BOUNDARY**
17 **CONFIRMATION.**

18 *The boundary of the Monongahela National Forest is*
19 *confirmed to include the tracts of land as generally depicted*
20 *on the map entitled “Monongahela National Forest Bound-*
21 *ary Confirmation” and dated March 13, 2008, and all Fed-*
22 *eral lands under the jurisdiction of the Secretary of Agri-*
23 *culture, acting through the Chief of the Forest Service, en-*
24 *compassed within such boundary shall be managed under*

1 *the laws and regulations pertaining to the National Forest*
2 *System.*

3 **SEC. 5. ENHANCED TRAIL OPPORTUNITIES.**

4 (a) *PLAN.*—

5 (1) *IN GENERAL.*—*The Secretary of Agriculture,*
6 *in consultation with interested parties, shall develop*
7 *a plan to provide for enhanced nonmotorized recre-*
8 *ation trail opportunities on lands not designated as*
9 *wilderness within the Monongahela National Forest.*

10 (2) *NONMOTORIZED RECREATION TRAIL DE-*
11 *FINED.*—*For the purposes of this subsection, the term*
12 *“nonmotorized recreation trail” means a trail de-*
13 *signed for hiking, bicycling, and equestrian use.*

14 (b) *REPORT.*—*Not later than two years after the date*
15 *of the enactment of this Act, the Secretary of Agriculture*
16 *shall submit to Congress a report on the implementation*
17 *of the plan required under subsection (a), including the*
18 *identification of priority trails for development.*

19 (c) *CONSIDERATION OF CONVERSION OF FOREST*
20 *ROADS TO RECREATIONAL USES.*—*In considering possible*
21 *closure and decommissioning of a Forest Service road with-*
22 *in the Monongahela National Forest after the date of the*
23 *enactment of this Act, the Secretary of Agriculture, in ac-*
24 *cordance with applicable law, may consider converting the*

- 1 *road to nonmotorized uses to enhance recreational opportu-*
- 2 *nities within the Monongahela National Forest.*

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