

## Calendar No. 823

110<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**H. R. 5151****[Report No. 110-391]**

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IN THE SENATE OF THE UNITED STATES

APRIL 23, 2008

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

JUNE 16, 2008

Reported by Mr. BINGAMAN, with amendments

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**AN ACT**

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”.

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

3 (a) DESIGNATION.—In furtherance of the purposes of  
4 the Wilderness Act (16 U.S.C. 1131 et seq.), the following  
5 Federal lands within the Monongahela National Forest in  
6 the State of West Virginia are designated as wilderness  
7 and as either a new component of the National Wilderness  
8 Preservation System or as an addition to an existing com-  
9 ponent of the National Wilderness Preservation System:

10 (1) Certain Federal land comprising approxi-  
11 mately 5,144 acres, as generally depicted on the  
12 map entitled “Big Draft Proposed Wilderness” and  
13 dated March 11, 2008, which shall be known as the  
14 “Big Draft Wilderness”.

15 (2) Certain Federal land comprising approxi-  
16 mately 11,951 acres, as generally depicted on the  
17 map entitled “Cranberry Expansion Proposed Wil-  
18 derness” and dated March 11, 2008, which shall be  
19 added to and administered as part of the Cranberry  
20 Wilderness designated by section 1(1) of Public Law  
21 97–466 (96 Stat. 2538).

22 (3) Certain Federal land comprising approxi-  
23 mately 7,156 acres, as generally depicted on the  
24 map entitled “Dolly Sods Expansion Proposed Wil-  
25 derness” and dated March 11, 2008, which shall be  
26 added to and administered as part of the Dolly Sods

1 Wilderness designated by section 3(a)(13) of Public  
2 Law 93–622 (88 Stat. 2098).

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

10 (5) Certain Federal land comprising approxi-  
11 mately 6,792 acres, as generally depicted on the  
12 map entitled “Roaring Plains Proposed Wilderness”  
13 and dated March 11, 2008, which shall be known as  
14 the “Roaring Plains West Wilderness”.

15 (6) Certain Federal land comprising approxi-  
16 mately 6,030 acres, as generally depicted on the  
17 map entitled “Spice Run Proposed Wilderness” and  
18 dated March 11, 2008, which shall be known as the  
19 “Spice Run Wilderness”.

20 (b) MAPS AND LEGAL DESCRIPTION.—

21 (1) FILING AND AVAILABILITY.—As soon as  
22 practicable after the date of the enactment of this  
23 Act, the Secretary of Agriculture, acting through the  
24 Chief of the Forest Service, shall file with the Com-  
25 mittee on Natural Resources of the House of Rep-

1        representatives and the Committee on Energy and Nat-  
2        ural Resources of the Senate a map and legal de-  
3        scription of each wilderness area designated or ex-  
4        panded by subsection (a). The maps and legal de-  
5        scriptions shall be on file and available for public in-  
6        spection in the office of the Chief of the Forest Serv-  
7        ice and the office of the Supervisor of the  
8        Monongahela National Forest.

9                (2) FORCE AND EFFECT.—The maps and legal  
10        descriptions referred to in this subsection shall have  
11        the same force and effect as if included in this Act,  
12        except that the Secretary may correct errors in the  
13        maps and descriptions.

14        (c) ADMINISTRATION.—Subject to valid existing  
15        rights, the Federal lands designated as wilderness by sub-  
16        section (a) shall be administered by the Secretary in ac-  
17        cordance with the Wilderness Act (16 U.S.C. 1131 et  
18        seq.). The Secretary may continue to authorize the com-  
19        petitive running event permitted from 2003 through 2007  
20        in the vicinity of the boundaries of the Dolly Sods Wilder-  
21        ness addition designated by paragraph (3) of subsection  
22        (a) and the Roaring Plains West Wilderness Area des-  
23        igned by paragraph (5) of such subsection, in a manner  
24        compatible with the preservation of such areas as wilder-  
25        ness.

1 (d) EFFECTIVE DATE OF WILDERNESS ACT.—With  
2 respect to the Federal lands designated as wilderness by  
3 subsection (a), any reference in the Wilderness Act (16  
4 U.S.C. 1131 et seq.) to the effective date of the Wilderness  
5 Act shall be deemed to be a reference to the date of the  
6 enactment of this Act.

7 (e) FISH AND WILDLIFE.—As provided in section  
8 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)),  
9 nothing in this section affects the jurisdiction or responsi-  
10 bility of the State of West Virginia with respect to wildlife  
11 and fish.

12 **SEC. 3. BOUNDARY ADJUSTMENT, LAUREL FORK SOUTH**  
13 **WILDERNESS, MONONGAHELA NATIONAL**  
14 **FOREST.**

15 (a) BOUNDARY ADJUSTMENT.—The boundary of the  
16 Laurel Fork South Wilderness designated by section 1(3)  
17 of Public Law 97–466 (96 Stat. 2538) is modified to ex-  
18 clude two parcels of land, as generally depicted on the map  
19 entitled “Monongahela National Forest Laurel Fork  
20 South Wilderness Boundary Modification” and dated  
21 March 11, 2008, and more particularly described accord-  
22 ing to the site-specific maps and legal descriptions on file  
23 in the office of the Forest Supervisor, Monongahela Na-  
24 tional Forest. The general map shall be on file and avail-

1 able for public inspection in the Office of the Chief of the  
2 Forest Service.

3 (b) **MANAGEMENT.**—Federally owned land delineated  
4 on the maps referred to in subsection (a) as the Laurel  
5 Fork South Wilderness, as modified by such subsection,  
6 shall continue to be administered by the Secretary of Agri-  
7 culture in accordance with Wilderness Act (16 U.S.C.  
8 ~~1131 et seq.~~). Any reference in the Wilderness Act to the  
9 effective date of that Act shall be deemed to be a reference  
10 to the effective date of Public Law 97-466 and this Act.  
11 *1131 et seq.*)

12 **SEC. 4. MONONGAHELA NATIONAL FOREST BOUNDARY**  
13 **CONFIRMATION.**

14 (a) *IN GENERAL.*—The boundary of the Monongahela  
15 National Forest is confirmed to include the tracts of land  
16 as generally depicted on the map entitled “Monongahela  
17 National Forest Boundary Confirmation” and dated  
18 March 13, 2008, and all Federal lands under the jurisdic-  
19 tion of the Secretary of Agriculture, acting through the  
20 Chief of the Forest Service, encompassed within such  
21 boundary shall be managed under the laws and regulations  
22 pertaining to the National Forest System.

23 (b) *LAND AND WATER CONSERVATION FUND.*—*For the*  
24 *purposes of section 7 of the Land and Water Conservation*  
25 *Fund Act of 1965 (16 U.S.C. 460l–9), the boundaries of*

1 *the Monongahela National Forest, as confirmed by sub-*  
2 *section (a), shall be considered to be the boundaries of the*  
3 *Monongahela National Forest as of January 1, 1965.*

4 **SEC. 5. ENHANCED TRAIL OPPORTUNITIES.**

5 (a) PLAN.—

6 (1) IN GENERAL.—The Secretary of Agri-  
7 culture, in consultation with interested parties, shall  
8 develop a plan to provide for enhanced nonmotorized  
9 recreation trail opportunities on lands not des-  
10 ignated as wilderness within the Monongahela Na-  
11 tional Forest.

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

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

21 (c) CONSIDERATION OF CONVERSION OF FOREST  
22 ROADS TO RECREATIONAL USES.—In considering possible  
23 closure and decommissioning of a Forest Service road  
24 within the Monongahela National Forest after the date of  
25 the enactment of this Act, the Secretary of Agriculture,

- 1 in accordance with applicable law, may consider converting
- 2 the road to nonmotorized uses to enhance recreational op-
- 3 portunities within the Monongahela National Forest.





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