

Calendar No. 101

103D CONGRESS
1ST SESSION

H. R. 63

[Report No. 103-63]

AN ACT

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

JUNE 22, 1993

Reported with amendments

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IN THE SENATE OF THE UNITED STATES

APRIL 21 (legislative day, APRIL 19), 1993

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

JUNE 22, 1993

Reported by Mr. JOHNSTON, with amendments

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

AN ACT

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~~ *interests therein* in the Toiyabe
8 National Forest, as generally depicted on a map entitled
9 “Spring Mountain National Recreation Area—Proposed”,
10 numbered NV-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 Natural Resources of the House of Representa-
16 tives.

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 *the management and use of* natural resources in a
25 manner compatible with the purposes for which the
26 Recreation Area is established.

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~~ *in* 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 *on Federal*
14 *lands* may be permitted to continue pursuant to Federal
15 law and subject to such reasonable regulations, policies,
16 and practices as 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 *be consistent with* the provisions of this Act, except
6 that nothing in this Act shall require the Secretary
7 to revise the Toiyabe National Forest Land and Re-
8 source Management Plan pursuant to section 6 of
9 the Forest and Rangeland Renewable Resources
10 Planning Act of 1974. The provisions of the national
11 forest land and resource management plan relating
12 to the Recreation Area shall also be available to the
13 public in a document separate from the rest of the
14 forest plan.

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

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

22 (B) proposals for public facilities to be de-
23 veloped, expanded, or improved for the Recre-
24 ation Area, including one or more visitor cen-

1 ters to accommodate both local and out-of-State
2 visitors;

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

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

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

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

24 (G) an inventory of all lands within the
25 Recreation Area not presently managed as Na-

1 tional Forest lands that will permit the Sec-
2 retary to evaluate possible future acquisitions.

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

12 (b) WILDERNESS STUDY AREAS.—

13 (1) RECOMMENDATIONS.—The general manage-
14 ment plan for the Recreation Area shall include the
15 recommendations of the Bureau of Land Manage-
16 ment as to the suitability or nonsuitability for pres-
17 ervation as wilderness ~~of the 89,270 acres~~ *those*
18 *lands within the Recreation Area* identified as the
19 Mt. Stirling, La Madre Mountains, and Pine Creek
20 Wilderness Study Areas on the Bureau of Land
21 Management Wilderness Status Map, dated March
22 1990.

23 (2) MANAGEMENT.—Pending submission of a
24 recommendation and until otherwise directed by Act
25 of Congress, the Secretary, acting through the Chief

1 of the Forest Service, shall manage the lands and
2 waters within the wilderness study areas referred to
3 in paragraph (1) so as to maintain their potential
4 for inclusion within the National Wilderness Preser-
5 vation System.

6 **SEC. 7. ACQUISITION OF LANDS.**

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

13 *(a) IN GENERAL.—The Secretary is authorized to ac-*
14 *quire lands and interests therein within the boundaries of*
15 *the Recreation Area by donation, purchase with donated or*
16 *appropriated funds, exchange, or transfer from another*
17 *Federal agency, except that such lands or interests owned*
18 *by the State of Nevada or a political subdivision thereof may*
19 *be acquired only by donation or exchange.*

20 (b) INCORPORATION OF ACQUIRED LANDS.—Any
21 lands, waters, or interests in lands ~~or waters~~ or interests
22 therein located within the Recreation Area that are ac-
23 quired by the United States or administratively trans-
24 ferred to the Secretary after the date of enactment of this
25 Act shall be incorporated into the Recreation Area and

1 managed in accordance with the laws, rules, and regula-
2 tions applicable to the National Forest System and the
3 provisions of this Act.

4 (c) LAND AND WATER CONSERVATION FUND.—For
5 purposes of section 7 of the Land and Water Conservation
6 Fund Act of 1965 (16 U.S.C. 4601–9), where such bound-
7 aries are established for units of the National Forest Sys-
8 tem, such established boundaries shall be treated as if they
9 were the boundaries of the National Forests as of January
10 1, 1965. Money appropriated from the Land and Water
11 Conservation Fund shall be available for the acquisition
12 of ~~lands, waters, and interests~~ *lands and interests* therein
13 in furtherance of the purposes of this Act.

14 **SEC. 8. WITHDRAWAL.**

15 (a) IN GENERAL.—Subject to valid existing rights
16 and except for lands described in subsection (b), all Fed-
17 eral lands within the Recreation Area ~~and all lands, wa-~~
18 ~~ters, and interests in lands and waters within the Recre-~~
19 ~~ation Area that are acquired by the United States after~~
20 ~~the date of enactment of this Act are withdrawn from—~~
21 *are withdrawn from—*

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

24 (2) location, entry, and patent under the mining
25 laws; and

