

109TH CONGRESS  
2D SESSION

# S. 4001

To designate certain land in New England as wilderness for inclusion in the National Wilderness Preservation system and certain land as a National Recreation Area, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 2006

Mr. SUNUNU (for himself, Mr. LEAHY, Mr. GREGG, and Mr. JEFFORDS) introduced the following bill; which was read twice, considered, read the third time, and passed

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## A BILL

To designate certain land in New England as wilderness for inclusion in the National Wilderness Preservation system and certain land as a National Recreation 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “New England Wilderness Act of 2006”.

6 (b) TABLE OF CONTENTS.—The table of contents of  
7 this Act is as follows:

Section 1. Short title; table of contents.

Sec. 2. Definition of Secretary.

#### TITLE I—NEW HAMPSHIRE

Sec. 101. Definition of State.  
 Sec. 102. Designation of wilderness areas.  
 Sec. 103. Map and description.  
 Sec. 104. Administration.

#### TITLE II—VERMONT

Sec. 201. Definitions.

##### Subtitle A—Designation of Wilderness Areas

Sec. 211. Designation.  
 Sec. 212. Map and description.  
 Sec. 213. Administration.

##### Subtitle B—Moosalamoo National Recreation Area

Sec. 221. Designation.  
 Sec. 222. Map and description.  
 Sec. 223. Administration of National Recreation Area.

### 1 **SEC. 2. DEFINITION OF SECRETARY.**

2 In this Act, the term “Secretary” means the Sec-  
 3 retary of Agriculture, acting through the Chief of the For-  
 4 est Service.

## 5 **TITLE I—NEW HAMPSHIRE**

### 6 **SEC. 101. DEFINITION OF STATE.**

7 In this title, the term “State” means the State of  
 8 New Hampshire.

### 9 **SEC. 102. DESIGNATION OF WILDERNESS AREAS.**

10 In accordance with the Wilderness Act (16 U.S.C.  
 11 1131 et seq.), the following Federal land in the State is  
 12 designated as wilderness and as components of the Na-  
 13 tional Wilderness Preservation System:

14 (1) Certain Federal land managed by the For-  
 15 est Service, comprising approximately 23,700 acres,

1 as generally depicted on the map entitled “Proposed  
2 Wild River Wilderness—White Mountain National  
3 Forest”, dated February 6, 2006, which shall be  
4 known as the “Wild River Wilderness”.

5 (2) Certain Federal land managed by the For-  
6 est Service, comprising approximately 10,800 acres,  
7 as generally depicted on the map entitled “Proposed  
8 Sandwich Range Wilderness Additions—White  
9 Mountain National Forest”, dated February 6,  
10 2006, and which are incorporated in the Sandwich  
11 Range Wilderness, as designated by the New Hamp-  
12 shire Wilderness Act of 1984 (Public Law 98–323;  
13 98 Stat. 259).

14 **SEC. 103. MAP AND DESCRIPTION.**

15 (a) IN GENERAL.—As soon as practicable after the  
16 date of enactment of this Act, the Secretary shall file a  
17 map and a legal description of each wilderness area des-  
18 igned by section 102 with the committees of appropriate  
19 jurisdiction in the Senate and the House of Representa-  
20 tives.

21 (b) FORCE AND EFFECT.—A map and legal descrip-  
22 tion filed under subsection (a) shall have the same force  
23 and effect as if included in this Act, except that the Sec-  
24 retary may correct clerical and typographical errors in the  
25 map and legal description.

1 (c) PUBLIC AVAILABILITY.—Each map and legal de-  
2 scription filed under subsection (a) shall be filed and made  
3 available for public inspection in the Office of the Chief  
4 of the Forest Service.

5 **SEC. 104. ADMINISTRATION.**

6 (a) ADMINISTRATION.—Subject to valid existing  
7 rights, each wilderness area designated under this title  
8 shall be administered by the Secretary in accordance  
9 with—

10 (1) the Federal Land Policy and Management  
11 Act of 1976 (43 U.S.C. 1701 et seq.); and

12 (2) the Wilderness Act (16 U.S.C. 1131 et  
13 seq.).

14 (b) EFFECTIVE DATE OF WILDERNESS ACT.—With  
15 respect to any wilderness area designated by this title, any  
16 reference in the Wilderness Act (16 U.S.C. 1131 et seq.)  
17 to the effective date of the Wilderness Act shall be deemed  
18 to be a reference to the date of enactment of this Act.

19 (c) FISH AND WILDLIFE.—As provided in section  
20 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)),  
21 nothing in this title affects any jurisdiction or responsi-  
22 bility of the State with respect to wildlife and fish in the  
23 State.

1 (d) WITHDRAWAL.—Subject to valid existing rights,  
 2 all Federal land in the wilderness areas designated by sec-  
 3 tion 102 are withdrawn from—

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

6 (2) location, entry, and patent under the mining  
 7 laws; and

8 (3) disposition under the mineral leasing laws  
 9 (including geothermal leasing laws).

## 10 **TITLE II—VERMONT**

### 11 **SEC. 201. DEFINITIONS.**

12 In this title:

13 (1) MANAGEMENT PLAN.—The term “Manage-  
 14 ment Plan” means the Green Mountain National  
 15 Forest Land and Resource Management Plan.

16 (2) STATE.—The term “State” means the State  
 17 of Vermont.

## 18 **Subtitle A—Designation of** 19 **Wilderness Areas**

### 20 **SEC. 211. DESIGNATION.**

21 In accordance with the Wilderness Act (16 U.S.C.  
 22 1131 et seq.), the following areas in the State are des-  
 23 ignated as wilderness areas and as components of the Na-  
 24 tional Wilderness Preservation System:

1           (1) Certain Federal land managed by the  
2 United States Forest Service, comprising approxi-  
3 mately 22,425 acres, as generally depicted on the  
4 map entitled “Glastenbury Wilderness—Proposed”,  
5 dated September 2006, which shall be known as the  
6 “Glastenbury Wilderness”.

7           (2) Certain Federal land managed by the  
8 United States Forest Service, comprising approxi-  
9 mately 12,333 acres, as generally depicted on the  
10 map entitled “Joseph Battell Wilderness—Pro-  
11 posed”, dated September 2006, which shall be  
12 known as the “Joseph Battell Wilderness”.

13           (3) Certain Federal land managed by the  
14 United States Forest Service, comprising approxi-  
15 mately 3,757 acres, as generally depicted on the  
16 map entitled “Breadloaf Wilderness Additions—Pro-  
17 posed”, dated September 2006, which shall be  
18 known as the “Breadloaf Wilderness”.

19           (4) Certain Federal land managed by the  
20 United States Forest Service, comprising approxi-  
21 mately 2,338 acres, as generally depicted on the  
22 map entitled “Lye Brook Wilderness Additions—  
23 Proposed”, dated September 2006, which shall be  
24 known as the “Lye Brook Wilderness”.

1           (5) Certain Federal land managed by the  
2 United States Forest Service, comprising approxi-  
3 mately 752 acres, as generally depicted on the map  
4 entitled “Peru Peak Wilderness Additions—Pro-  
5 posed”, dated September 2006, which shall be  
6 known as the “Peru Peak Wilderness”.

7           (6) Certain Federal land managed by the  
8 United States Forest Service, comprising approxi-  
9 mately 47 acres, as generally depicted on the map  
10 entitled “Big Branch Wilderness Additions—Pro-  
11 posed”, dated September 2006, which shall be  
12 known as the “Big Branch Wilderness”.

13 **SEC. 212. MAP AND DESCRIPTION.**

14       (a) IN GENERAL.—As soon as practicable after the  
15 date of enactment of this Act, the Secretary shall file a  
16 map and a legal description of each wilderness area des-  
17 ignated by section 211 with—

18           (1) the Committee on Resources of the House  
19 of Representatives;

20           (2) the Committee on Agriculture of the House  
21 of Representatives; and

22           (3) the Committee on Agriculture, Nutrition,  
23 and Forestry of the Senate.

24       (b) FORCE OF LAW.—A map and legal description  
25 filed under subsection (a) shall have the same force and

1 effect as if included in this Act, except that the Secretary  
2 may correct clerical and typographical errors in the map  
3 and legal description.

4 (c) PUBLIC AVAILABILITY.—Each map and legal de-  
5 scription filed under subsection (a) shall be filed and made  
6 available for public inspection in the Office of the Chief  
7 of the Forest Service.

8 **SEC. 213. ADMINISTRATION.**

9 (a) ADMINISTRATION.—Subject to valid rights in ex-  
10 istence on the date of enactment of this Act, each wilder-  
11 ness area designated under this subtitle and in the Green  
12 Mountain National Forest (as of the date of enactment  
13 of this Act) shall be administered by the Secretary in ac-  
14 cordance with the Wilderness Act (16 U.S.C. 1131 et  
15 seq.).

16 (b) FISH AND WILDLIFE.—Nothing in this subtitle  
17 affects the jurisdiction of the State with respect to wildlife  
18 and fish on the public land located in the State, including  
19 the stocking of fish in rivers and streams in the State to  
20 support the Connecticut River Atlantic Salmon Restora-  
21 tion Program.

22 (c) TRAILS.—The Forest Service shall allow the con-  
23 tinuance of —

24 (1) the Appalachian National Scenic Trail;

25 (2) the Long Trail;

1 (3) the Catamount Trail; and

2 (4) the marking and maintenance of associated  
3 trails and trail structures of the Trails referred to  
4 in this subsection, consistent with the management  
5 direction (including objectives, standards, guidelines,  
6 and agreements with partners) established for the  
7 Appalachian National Scenic Trail, Long Trail, and  
8 Catamount Trail under the Management Plan.

9 **Subtitle B—Moosalamoo National**  
10 **Recreation Area**

11 **SEC. 221. DESIGNATION.**

12 Certain Federal land managed by the United States  
13 Forest Service, comprising approximately 15,857 acres, as  
14 generally depicted on the map entitled “Moosalamoo Na-  
15 tional Recreation Area—Proposed”, dated September  
16 2006, is designated as the “Moosalamoo National Recre-  
17 ation Area”.

18 **SEC. 222. MAP AND DESCRIPTION.**

19 (a) IN GENERAL.—As soon as practicable after the  
20 date of enactment of this Act, the Secretary shall file a  
21 map and a legal description of the national recreation area  
22 designated by section 221 with—

23 (1) the Committee on Resources of the House  
24 of Representatives;

1           (2) the Committee on Agriculture of the House  
2 of Representatives; and

3           (3) the Committee on Agriculture, Nutrition,  
4 and Forestry of the Senate.

5           (b) FORCE OF LAW.—A map and legal description  
6 filed under subsection (a) shall have the same force and  
7 effect as if included in this subtitle, except that the Sec-  
8 retary may correct clerical and typographical errors in the  
9 map and legal description.

10          (c) PUBLIC AVAILABILITY.—Each map and legal de-  
11 scription filed under subsection (a) shall be filed and made  
12 available for public inspection in the Office of the Chief  
13 of the Forest Service.

14 **SEC. 223. ADMINISTRATION OF NATIONAL RECREATION**  
15 **AREA.**

16          (a) IN GENERAL.—Subject to valid rights existing on  
17 the date of enactment of this Act, the Secretary shall ad-  
18 minister the Moosalamoo National Recreation Area in ac-  
19 cordance with—

20           (1) laws (including rules and regulations) appli-  
21 cable to units of the National Forest System; and

22           (2) the management direction (including objec-  
23 tives, standards, and guidelines) established for the  
24 Moosalamoo Recreation and Education Management  
25 Area under the Management Plan.

1           (b) FISH AND WILDLIFE.—Nothing in this subtitle  
2 affects the jurisdiction of the State with respect to wildlife  
3 and fish on the public land located in the State.

4           (c) ESCARPMENT AND ECOLOGICAL AREAS.—Noth-  
5 ing in this subtitle prevents the Secretary from managing  
6 the Green Mountain Escarpment Management Area and  
7 the Ecological Special Areas, as described in the Manage-  
8 ment Plan.

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