

110TH CONGRESS
2^D SESSION

H. R. 3682

IN THE SENATE OF THE UNITED STATES

JUNE 10, 2008

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

AN ACT

To designate certain Federal lands in Riverside County, California, as wilderness, to designate certain river segments in Riverside County as a wild, scenic, or recreational river, to adjust the boundary of the Santa Rosa and San Jacinto Mountains National Monument, 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 title may be cited as the
 5 “California Desert and Mountain Heritage Act of 2008”.

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

Sec. 1. Short title; table of contents.

TITLE I—DESIGNATION AND EXPANSION OF WILDERNESS AREAS

Sec. 101. Definition of Secretary.

Sec. 102. Designation of wilderness, Cleveland and San Bernardino National
 Forests, Joshua Tree National Park, and Bureau of Land
 Management land in Riverside County, California.

Sec. 103. Joshua Tree National Park potential wilderness.

Sec. 104. Administration of wilderness.

TITLE II—WILD AND SCENIC RIVER DESIGNATIONS

Sec. 201. Wild and scenic river designations, Riverside County, California.

**TITLE III—ADDITIONS AND TECHNICAL CORRECTIONS TO SANTA
 ROSA AND SAN JACINTO MOUNTAINS NATIONAL MONUMENT**

Sec. 301. Boundary adjustment, Santa Rosa and San Jacinto Mountains Na-
 tional Monument.

Sec. 302. Technical amendments to the Santa Rosa and San Jacinto Mountains
 National Monument Act of 2000.

8 **TITLE I—DESIGNATION AND EX-**
 9 **PANSION OF WILDERNESS**
 10 **AREAS**

11 **SEC. 101. DEFINITION OF SECRETARY.**

12 In this title, the term “Secretary” means—

13 (1) with respect to land under the jurisdiction
 14 of the Secretary of Agriculture, the Secretary of Ag-
 15 riculture; and

1 (2) with respect to land under the jurisdiction
2 of the Secretary of the Interior, the Secretary of the
3 Interior.

4 **SEC. 102. DESIGNATION OF WILDERNESS, CLEVELAND AND**
5 **SAN BERNARDINO NATIONAL FORESTS, JOSH-**
6 **UA TREE NATIONAL PARK, AND BUREAU OF**
7 **LAND MANAGEMENT LAND IN RIVERSIDE**
8 **COUNTY, CALIFORNIA.**

9 (a) AGUA TIBIA WILDERNESS ADDITIONS.—In ac-
10 cordance with the Wilderness Act (16 U.S.C. 1131 et
11 seq.), certain land in the Cleveland National Forest and
12 certain land administered by the Bureau of Land Manage-
13 ment in Riverside County, California, together comprising
14 approximately 2,053 acres, as generally depicted on the
15 map titled “Proposed Addition to Agua Tibia Wilderness”,
16 and dated May 9, 2008, is designated as wilderness and
17 is incorporated in, and shall be deemed to be a part of,
18 the Agua Tibia Wilderness designated by section 2(a) of
19 Public Law 93–632 (88 Stat. 2154; 16 U.S.C. 1132 note).

20 (b) CAHUILLA MOUNTAIN WILDERNESS.—In accord-
21 ance with the Wilderness Act (16 U.S.C. 1131 et seq.),
22 certain land in the San Bernardino National Forest, Cali-
23 fornia, comprising approximately 5,585 acres, as generally
24 depicted on the map titled “Cahuilla Mountain Proposed
25 Wilderness”, and dated May 1, 2008, is designated as wil-

1 derness and, therefore, as a component of the National
2 Wilderness Preservation System, which shall be known as
3 the “Cahuilla Mountain Wilderness”.

4 (c) SOUTH FORK SAN JACINTO WILDERNESS.—In
5 accordance with the Wilderness Act (16 U.S.C. 1131 et
6 seq.), certain land in the San Bernardino National Forest,
7 California, comprising approximately 20,217 acres, as
8 generally depicted on the map titled “South Fork San
9 Jacinto Proposed Wilderness”, and dated May 1, 2008,
10 is designated as wilderness and, therefore, as a component
11 of the National Wilderness Preservation System, which
12 shall be known as the “South Fork San Jacinto Wilder-
13 ness”.

14 (d) SANTA ROSA WILDERNESS ADDITIONS.—In ac-
15 cordance with the Wilderness Act (16 U.S.C. 1131 et
16 seq.), certain land in the San Bernardino National Forest,
17 California, and certain land administered by the Bureau
18 of Land Management in Riverside County, California,
19 comprising approximately 2,149 acres, as generally de-
20 picted on the map titled “Santa Rosa-San Jacinto Na-
21 tional Monument Expansion and Santa Rosa Wilderness
22 Addition”, and dated March 12, 2008, is designated as
23 wilderness and is incorporated in, and shall be deemed to
24 be a part of, the Santa Rosa Wilderness designated by
25 section 101(a)(28) of Public Law 98–425 (98 Stat. 1623;

1 16 U.S.C. 1132 note) and expanded by paragraph (59)
2 of section 102 of Public Law 103–433 (108 Stat. 4472;
3 16 U.S.C. 1132 note).

4 (e) BEAUTY MOUNTAIN WILDERNESS.—In accord-
5 ance with the Wilderness Act (16 U.S.C. 1131 et seq.),
6 certain land administered by the Bureau of Land Manage-
7 ment in Riverside County, California, comprising approxi-
8 mately 15,621 acres, as generally depicted on the map ti-
9 tled “Beauty Mountain Proposed Wilderness”, and dated
10 April 3, 2007, is designated as wilderness and, therefore,
11 as a component of the National Wilderness Preservation
12 System, which shall be known as the “Beauty Mountain
13 Wilderness”.

14 (f) JOSHUA TREE NATIONAL PARK WILDERNESS
15 ADDITIONS.—In accordance with the Wilderness Act (16
16 U.S.C. 1131 et seq.), certain land in Joshua Tree National
17 Park, comprising approximately 36,700 acres, as generally
18 depicted on the map numbered 156/80,055, and titled
19 “Joshua Tree National Park Proposed Wilderness Addi-
20 tions”, and dated March 2008, is designated as wilderness
21 and is incorporated in, and shall be deemed to be a part
22 of, the Joshua Tree Wilderness designated by section 1(g)
23 of Public Law 94–567 (90 Stat. 2692; 16 U.S.C. 1132
24 note).

1 (g) OROCOPIA MOUNTAINS WILDERNESS ADDI-
2 TIONS.—In accordance with the Wilderness Act (16
3 U.S.C. 1131 et seq.), certain land administered by the Bu-
4 reau of Land Management in Riverside County, Cali-
5 fornia, comprising approximately 4,635 acres, as generally
6 depicted on the map titled “Orocopia Mountains Proposed
7 Wilderness Addition”, and dated May 8, 2008, is des-
8 ignated as wilderness and is incorporated in, and shall be
9 deemed to be a part of, the Orocopia Mountains Wilder-
10 ness as designated by paragraph (44) of section 102 of
11 Public Law 103–433 (108 Stat. 4472; 16 U.S.C. 1132
12 note), except that the wilderness boundaries established
13 by this subsection in Township 7 South are intended to
14 exclude—

15 (1) a corridor 250 feet north of the centerline
16 of the Bradshaw Trail;

17 (2) a corridor 250 feet from both sides of the
18 centerline of the vehicle route in the unnamed wash
19 that flows between the Eagle Mountain Railroad on
20 the south and the existing Orocopia Mountains Wil-
21 derness boundary; and

22 (3) a corridor 250 feet from both sides of the
23 centerline of the vehicle route in the unnamed wash
24 that flows between the Chocolate Mountain Aerial

1 Gunnery Range on the south and the existing
2 Orocopia Mountains Wilderness boundary.

3 (h) PALEN/McCOY WILDERNESS ADDITIONS.—In
4 accordance with the Wilderness Act (16 U.S.C. 1131 et
5 seq.), certain land administered by the Bureau of Land
6 Management in Riverside County, California, comprising
7 approximately 22,645 acres, as generally depicted on the
8 map titled “Palen-McCoy Proposed Wilderness Addi-
9 tions”, and dated May 8, 2008, is designated as wilderness
10 and is incorporated in, and shall be deemed to be a part
11 of, the Palen/McCoy Wilderness as designated by para-
12 graph (47) of section 102 of Public Law 103–433 (108
13 Stat. 4472; 16 U.S.C. 1132 note).

14 (i) PINTO MOUNTAINS WILDERNESS.—In accordance
15 with the Wilderness Act (16 U.S.C. 1131 et seq.), certain
16 land administered by the Bureau of Land Management
17 in Riverside County, California, comprising approximately
18 24,404 acres, as generally depicted on the map titled
19 “Pinto Mountains Proposed Wilderness”, and dated Feb-
20 ruary 21, 2008, is designated as wilderness and, therefore,
21 as a component of the National Wilderness Preservation
22 System, which shall be known as the “Pinto Mountains
23 Wilderness”.

24 (j) CHUCKWALLA MOUNTAINS WILDERNESS ADDI-
25 TIONS.—In accordance with the Wilderness Act (16

1 U.S.C. 1131 et seq.), certain land administered by the Bu-
2 reau of Land Management in Riverside County, Cali-
3 fornia, comprising approximately 12,815 acres, as gen-
4 erally depicted on the map titled “Chuckwalla Mountains
5 Proposed Wilderness Addition”, and dated May 8, 2008,
6 is designated as wilderness and is incorporated in, and
7 shall be deemed to be a part of the Chuckwalla Mountains
8 Wilderness as designated by paragraph (12) of section 102
9 of Public Law 103–433 (108 Stat. 4472; 16 U.S.C. 1132
10 note).

11 (k) MAPS AND DESCRIPTIONS.—

12 (1) IN GENERAL.—As soon as practicable after
13 the date of the enactment of this Act, the Secretary
14 shall file a map and legal description of each wilder-
15 ness area and wilderness addition designated by this
16 section with the Committee on Natural Resources of
17 the House of Representatives and the Committee on
18 Energy and Natural Resources of the Senate.

19 (2) FORCE OF LAW.—A map and legal descrip-
20 tion filed under paragraph (1) shall have the same
21 force and effect as if included in this title, except
22 that the Secretary may correct errors in the map
23 and legal description.

24 (3) PUBLIC AVAILABILITY.—Each map and
25 legal description filed under paragraph (1) shall be

1 filed and made available for public inspection in the
2 appropriate office of the Secretary.

3 (l) UTILITY FACILITIES AND CORRIDORS.—The wil-
4 derness areas and wilderness additions designated by this
5 section are intended to exclude rights of way for existing
6 utility facilities, such as power, gas, and telecommuni-
7 cations lines, and associated structures and access roads,
8 and existing designated utility corridors. Nothing in this
9 section or the Wilderness Act shall be construed to pro-
10 hibit construction, operation, and maintenance, using
11 standard industry practices, of existing utility facilities lo-
12 cated outside of the wilderness areas and wilderness addi-
13 tions designated by this section.

14 **SEC. 103. JOSHUA TREE NATIONAL PARK POTENTIAL WIL-**
15 **DERNESS.**

16 (a) DESIGNATION OF POTENTIAL WILDERNESS.—
17 Certain land in the Joshua Tree National Park, com-
18 prising approximately 43,300 acres, as generally depicted
19 on the map numbered 156/80,055, and titled “Joshua
20 Tree National Park Proposed Wilderness Additions”, and
21 dated March 2008, is designated potential wilderness and
22 shall be managed by the Secretary of the Interior insofar
23 as practicable as wilderness until such time as the land
24 is designated as wilderness pursuant to subsection (b).

1 (b) DESIGNATION AS WILDERNESS.—The land des-
2 ignated potential wilderness by subsection (a) shall be des-
3 ignated as wilderness and incorporated in, and be deemed
4 to be a part of, the Joshua Tree Wilderness designated
5 by section 1(g) of Public Law 94–567 (90 Stat. 2692; 16
6 U.S.C. 1132 note), effective upon publication by the Sec-
7 retary of the Interior in the Federal Register of a notice
8 that—

9 (1) all uses of the land within the potential wil-
10 derness prohibited by the Wilderness Act (16 U.S.C.
11 1131 et seq.) have ceased; and

12 (2) sufficient inholdings within the boundaries
13 of the potential wilderness have been acquired to es-
14 tablish a manageable wilderness unit.

15 (c) MAP AND DESCRIPTION.—

16 (1) IN GENERAL.—As soon as practicable after
17 the date on which the notice required by subsection
18 (b) is published in the Federal Register, the Sec-
19 retary shall file a map and legal description of the
20 land designated as wilderness and potential wilder-
21 ness by this section with the Committee on Natural
22 Resources of the House of Representatives and the
23 Committee on Energy and Natural Resources of the
24 Senate.

1 (2) FORCE OF LAW.—The map and legal de-
2 scription filed under paragraph (1) shall have the
3 same force and effect as if included in this title, ex-
4 cept that the Secretary may correct errors in the
5 map and legal description.

6 (3) PUBLIC AVAILABILITY.—Each map and
7 legal description filed under paragraph (1) shall be
8 filed and made available for public inspection in the
9 appropriate office of the Secretary.

10 **SEC. 104. ADMINISTRATION OF WILDERNESS.**

11 (a) MANAGEMENT.—Subject to valid existing rights,
12 the land designated as wilderness or as a wilderness addi-
13 tion by this title shall be administered by the Secretary
14 in accordance with the Wilderness Act (16 U.S.C. 1131
15 et seq.), except that—

16 (1) any reference in that Act to the effective
17 date of that Act shall be deemed to be a reference
18 to—

19 (A) the date of the enactment of this Act;

20 or

21 (B) in the case of the wilderness addition
22 designated by subsection (b) of section 513, the
23 date on which the notice required by such sub-
24 section is published in the Federal Register;
25 and

1 (2) any reference in that Act to the Secretary
2 of Agriculture shall be deemed to be a reference to
3 the Secretary that has jurisdiction over the land.

4 (b) INCORPORATION OF ACQUIRED LAND AND IN-
5 TERESTS.—Any land within the boundaries of a wilderness
6 area or wilderness addition designated by this title that
7 is acquired by the United States shall—

8 (1) become part of the wilderness area in which
9 the land is located; and

10 (2) be managed in accordance with this title,
11 the Wilderness Act (16 U.S.C. 1131 et seq.), and
12 any other applicable law.

13 (c) WITHDRAWAL.—Subject to valid rights in exist-
14 ence on the date of enactment of this Act, the land des-
15 ignated as wilderness by this title is withdrawn from all
16 forms of—

17 (1) entry, appropriation, or disposal under the
18 public land laws;

19 (2) location, entry, and patent under the mining
20 laws; and

21 (3) disposition under all laws pertaining to min-
22 eral and geothermal leasing or mineral materials.

23 (d) FIRE MANAGEMENT AND RELATED ACTIVI-
24 TIES.—

1 (1) IN GENERAL.—The Secretary may take
2 such measures in a wilderness area or wilderness ad-
3 dition designated by this Act as are necessary for
4 the control and prevention of fire, insects, and dis-
5 eases (including the use of prescribed burning, pri-
6 ority treatments, or fuels reduction) in accordance
7 with section 4(d)(1) of the Wilderness Act (16
8 U.S.C. 1133(d)(1)) and House Report 98–40 of the
9 98th Congress.

10 (2) FUNDING PRIORITIES.—The designation of
11 wilderness areas and wilderness additions by this
12 title is not intended to alter the priorities afforded
13 the land so designated in allocating funds for fire
14 and related fuels management.

15 (3) REVISION AND DEVELOPMENT OF LOCAL
16 FIRE MANAGEMENT PLANS.—As soon as practicable
17 after the date of the enactment of this Act, the Sec-
18 retary shall amend the local fire management plans
19 that apply to the Santa Rosa Wilderness and Agua
20 Tibia Wilderness, and prepare local fire management
21 plans for the Beauty Mountain Wilderness, Cahuilla
22 Mountain Wilderness, and South Fork San Jacinto
23 Wilderness Area, to identify appropriate local offi-
24 cials to take such actions in the wilderness areas as
25 are necessary for fire prevention and watershed pro-

1 tection consistent with paragraph (1), including best
2 management practices for fire pre-suppression and
3 fire suppression measures and techniques.

4 (4) STATE OR LOCAL AGENCIES.—Consistent
5 with paragraph (1) and other applicable Federal
6 law, the Secretary may delegate by written agree-
7 ment primary fire fighting authority and related
8 public safety activities to an appropriate State or
9 local agency.

10 (e) GRAZING.—Grazing of livestock in a wilderness
11 area or wilderness addition designated by this title shall
12 be administered in accordance with the provisions of sec-
13 tion 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4))
14 and the guidelines set forth in House Report 96–617 to
15 accompany H.R. 5487 of the 96th Congress.

16 (f) NATIVE AMERICAN USES AND INTERESTS.—

17 (1) EFFECT OF DESIGNATION.—Nothing in the
18 designation of the Cahuilla Mountain Wilderness by
19 this title affects the unique cultural artifacts and sa-
20 cred sites of the Indian tribes that are contained
21 within that wilderness area, as identified by Indian
22 tribes and the Forest Service.

23 (2) ACCESS AND USE.—To the extent prac-
24 ticable, the Secretary shall ensure access to the
25 Cahuilla Mountain Wilderness by members of an In-

1 dian tribe for traditional cultural purposes. In imple-
2 menting this subsection, the Secretary, upon the re-
3 quest of an Indian tribe, may temporarily close to
4 the general public use of one or more specific por-
5 tions of the wilderness area in order to protect the
6 privacy of traditional cultural activities in such areas
7 by members of the Indian tribe. Any such closure
8 shall be made to affect the smallest practicable area
9 for the minimum period necessary for such purposes.
10 Such access shall be consistent with the purpose and
11 intent of Public Law 95–341 (42 U.S.C. 1996),
12 commonly referred to as the American Indian Reli-
13 gious Freedom Act, and the Wilderness Act (11
14 U.S.C. 1131 et seq.).

15 (3) INDIAN TRIBE DEFINED.—In this sub-
16 section, the term “Indian tribe” means any Indian
17 tribe, band, nation, or other organized group or com-
18 munity of Indians which is recognized as eligible by
19 the Secretary of the Interior for the special pro-
20 grams and services provided by the United States to
21 Indians because of their status as Indians.

1 **TITLE II—WILD AND SCENIC**
2 **RIVER DESIGNATIONS**

3 **SEC. 201. WILD AND SCENIC RIVER DESIGNATIONS, RIVER-**
4 **SIDE COUNTY, CALIFORNIA.**

5 Section 3(a) of the Wild and Scenic Rivers Act (16
6 U.S.C. 1274(a)) is amended by adding at the end the fol-
7 lowing new paragraphs:

8 “() NORTH FORK SAN JACINTO RIVER, CALI-
9 FORNIA.—The following segments of the North Fork San
10 Jacinto River in the State of California, to be adminis-
11 tered by the Secretary of Agriculture:

12 “(A) The 2.12-mile segment from the source of
13 the North Fork San Jacinto River at Deer Springs
14 in Mt. San Jacinto State Park to the State Park
15 boundary, as a wild river.

16 “(B) The 1.66-mile segment from the Mt. San
17 Jacinto State Park boundary to the Lawler Park
18 boundary in section 26, township 4 south, range 2
19 east, San Bernardino meridian, as a scenic river.

20 “(C) The 0.68-mile segment from the Lawler
21 Park boundary to its confluence with Fuller Mill
22 Creek, as a recreational river.

23 “(D) The 2.15-mile segment from its confluence
24 with Fuller Mill Creek to .25 miles upstream of the
25 5S09 road crossing, as a wild river.

1 “(E) The 0.6-mile segment from .25 miles up-
2 stream of the 5S09 Road crossing to its confluence
3 with Stone Creek, as a scenic river.

4 “(F) The 2.91-mile segment from the Stone
5 Creek confluence to the northern boundary of sec-
6 tion 17, township 5 south, range 2 east, San
7 Bernardino meridian, as a wild river.

8 “() FULLER MILL CREEK, CALIFORNIA.—The fol-
9 lowing segments of Fuller Mill Creek in the State of Cali-
10 fornia, to be administered by the Secretary of Agriculture:

11 “(A) The 1.2-mile segment from the source of
12 Fuller Mill Creek in the San Jacinto Wilderness to
13 the Pinewood property boundary in section 13, town-
14 ship 4 south, range 2 east, San Bernardino merid-
15 ian, as a scenic river.

16 “(B) The 0.9-mile segment in the Pine Wood
17 property, as a recreational river.

18 “(C) The 1.4-mile segment from the Pinewood
19 property boundary in section 23, township 4 south,
20 range 2 east, San Bernardino meridian, to its con-
21 fluence with the North Fork San Jacinto River, as
22 a scenic river.

23 “() PALM CANYON CREEK, CALIFORNIA.—The
24 8.1-mile segment of Palm Canyon Creek in the State of
25 California from the southern boundary of section 6, town-

1 ship 7 south, range 5 east, San Bernardino meridian, to
 2 the San Bernardino National Forest boundary in section
 3 1, township 6 south, range 4 east, San Bernardino merid-
 4 ian, to be administered by the Secretary of Agriculture
 5 as a wild river, and the Secretary shall enter into a cooper-
 6 ative management agreement with the Agua Caliente
 7 Band of Cahuilla Indians to protect and enhance river val-
 8 ues.

9 “() BAUTISTA CREEK, CALIFORNIA.—The 9.8-mile
 10 segment of Bautista Creek in the State of California from
 11 the San Bernardino National Forest boundary in section
 12 36, township 6 south, range 2 east, San Bernardino me-
 13 ridian, to the San Bernardino National Forest boundary
 14 in section 2, township 6 south, range 1 east, San
 15 Bernardino meridian, to be administered by the Secretary
 16 of Agriculture as a recreational river.”

17 **TITLE III—ADDITIONS AND**
 18 **TECHNICAL CORRECTIONS**
 19 **TO SANTA ROSA AND SAN**
 20 **JACINTO MOUNTAINS NA-**
 21 **TIONAL MONUMENT**

22 **SEC. 301. BOUNDARY ADJUSTMENT, SANTA ROSA AND SAN**
 23 **JACINTO MOUNTAINS NATIONAL MONUMENT.**

24 Section 2 of the Santa Rosa and San Jacinto Moun-
 25 tains National Monument Act of 2000 (Public Law 106–

1 351; 114 U.S.C. 1362; 16 U.S.C. 431 note) is amended
2 by adding at the end the following new subsection:

3 “(e) **EXPANSION OF BOUNDARIES.**—In addition to
4 the land described in subsection (c), the boundaries of the
5 National Monument shall include the following lands iden-
6 tified as additions to the National Monument on the map
7 titled ‘Santa Rosa-San Jacinto National Monument Ex-
8 pansion and Santa Rosa Wilderness Addition’, and dated
9 March 12, 2008:

10 “(1) The ‘Santa Rosa Peak Area Monument
11 Expansion’.

12 “(2) The ‘Snow Creek Area Monument Expan-
13 sion’.

14 “(3) The ‘Tahquitz Peak Area Monument Ex-
15 pansion’.

16 “(4) The ‘Southeast Area Monument Expan-
17 sion’, which is designated as wilderness in section
18 512(d), and is thus incorporated into, and shall be
19 deemed part of, the Santa Rosa Wilderness.”.

20 **SEC. 302. TECHNICAL AMENDMENTS TO THE SANTA ROSA**
21 **AND SAN JACINTO MOUNTAINS NATIONAL**
22 **MONUMENT ACT OF 2000.**

23 Section 7(d) of the Santa Rosa and San Jacinto
24 Mountains National Monument Act of 2000 (Public Law
25 106–351; 114 U.S.C. 1362; 16 U.S.C. 431 note) is

1 amended by striking “eight” and inserting “a majority of
2 the appointed”.

Passed the House of Representatives June 9, 2008.

Attest: LORRAINE C. MILLER,
Clerk.