

112TH CONGRESS
1ST SESSION

H. R. 41

To designate certain Federal lands in San Diego County, California, as wilderness, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 2011

Mr. ISSA introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To designate certain Federal lands in San Diego County, California, as wilderness, 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 “Beauty Mountain and Agua Tibia Wilderness Act of
6 2011”.

7 (b) **TABLE OF CONTENTS.**—The table of contents for
8 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 National Forest and Bureau of Land Management land in San Diego County, California.

Sec. 103. Administration of wilderness.

TITLE II—LOCATION AND NATURE OF APPROPRIATE
RECREATION FACILITIES

Sec. 201. Recreational facilities.

1 **TITLE I—DESIGNATION AND EX-**
2 **PANSION OF WILDERNESS**
3 **AREAS**

4 **SEC. 101. DEFINITION OF SECRETARY.**

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

6 (1) with respect to land under the jurisdiction
7 of the Secretary of Agriculture, the Secretary of Ag-
8 riculture; and

9 (2) with respect to land under the jurisdiction
10 of the Secretary of the Interior, the Secretary of the
11 Interior.

12 **SEC. 102. DESIGNATION OF WILDERNESS, CLEVELAND NA-**
13 **TIONAL FOREST AND BUREAU OF LAND MAN-**
14 **AGEMENT LAND IN SAN DIEGO COUNTY,**
15 **CALIFORNIA.**

16 (a) AGUA TIBIA WILDERNESS ADDITIONS.—In ac-
17 cordance with the Wilderness Act (16 U.S.C. 1131 et
18 seq.), certain land in the Cleveland National Forest com-
19 prising approximately 7,796 acres, as generally depicted
20 on the map titled “Agua Tibia Proposed Wilderness Addi-
21 tions”, and dated May 18, 2009, is designated as wilder-

1 ness and is incorporated in, and shall be deemed to be
2 a part of, the Agua Tibia Wilderness.

3 (b) BEAUTY MOUNTAIN WILDERNESS.—In accord-
4 ance with the Wilderness Act (16 U.S.C. 1131 et seq.),
5 certain land administered by the Bureau of Land Manage-
6 ment in San Diego County, California, comprising ap-
7 proximately 13,635 acres, as generally depicted on the
8 map titled “Beauty Mountain Wilderness Additions”, and
9 dated December 11, 2009, is designated as wilderness and
10 is incorporated in, and shall be deemed to be a part of,
11 the Beauty Mountain Wilderness.

12 (c) MAPS AND DESCRIPTIONS.—

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

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

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

5 (d) UTILITY FACILITIES AND CORRIDORS.—Nothing
6 in this section or the Wilderness Act shall be construed
7 to prohibit construction, operation, and maintenance,
8 using standard industry practices, of utility facilities lo-
9 cated, on the day before the date of the enactment of this
10 Act, outside of the wilderness areas and wilderness addi-
11 tions designated by this section.

12 **SEC. 103. ADMINISTRATION OF WILDERNESS.**

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

18 (1) any reference in that Act to the effective
19 date of that Act shall be deemed to be a reference
20 to the date of the enactment of this Act; and

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

24 (b) INCORPORATION OF ACQUIRED LAND AND IN-
25 TERESTS.—Any land within the boundaries of a wilderness

1 area or wilderness addition designated by this title that
2 is acquired by the United States shall—

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

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

8 (c) WITHDRAWAL.—Subject to valid rights in exist-
9 ence on the date of enactment of this Act, the land des-
10 igned as wilderness or wilderness addition by this title
11 is withdrawn from all forms of—

12 (1) entry, appropriation, or disposal under the
13 public land laws;

14 (2) location, entry, and patent under the mining
15 laws; and

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

18 (d) FIRE MANAGEMENT AND RELATED ACTIVI-
19 TIES.—

20 (1) IN GENERAL.—The Secretary may take
21 such measures in a wilderness area or wilderness ad-
22 dition designated by this Act as are necessary for
23 the control and prevention of fire, insects, and dis-
24 eases in accordance with section 4(d)(1) of the Wil-

1 derness Act (16 U.S.C. 1133(d)(1)) and House Re-
2 port 98–40 of the 98th Congress.

3 (2) FUNDING PRIORITIES.—Nothing in this sec-
4 tion limits funding for fire and fuels management in
5 the wilderness areas and additions designated by
6 this section.

7 (3) REVISION AND DEVELOPMENT OF LOCAL
8 FIRE MANAGEMENT PLANS.—As soon as practicable
9 after the date of the enactment of this Act, the Sec-
10 retary shall amend the local fire management plan
11 that applies to the Agua Tibia Wilderness and pre-
12 pare a local fire management plan for the Beauty
13 Mountain Wilderness.

14 (4) ADMINISTRATION.—Consistent with para-
15 graph (1) and other applicable Federal law, to en-
16 sure a timely and efficient response to fire emer-
17 gencies in the wilderness areas and additions des-
18 ignated by this section, the Secretary shall—

19 (A) not later than 1 year after the date of
20 enactment of this Act, establish agency ap-
21 proval procedures (including appropriate delega-
22 tions of authority to the Forest Supervisor, Dis-
23 trict Manager, or other agency officials) for re-
24 sponding to fire emergencies; and

1 (B) enter into agreements with appropriate
2 State or local firefighting agencies.

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

9 (f) MILITARY ACTIVITIES.—Nothing in this section
10 precludes—

11 (1) low-level overflights of military aircraft over
12 the wilderness areas or wilderness additions des-
13 ignated by this section;

14 (2) the designation of new units of special air-
15 space over the wilderness areas or wilderness addi-
16 tions designated by this section; or

17 (3) the use or establishment of military flight
18 training routes over wilderness areas or wilderness
19 additions designated by this section.

20 **TITLE II—LOCATION AND NA-**
21 **TURE OF APPROPRIATE**
22 **RECREATION FACILITIES**

23 **SEC. 201. RECREATIONAL FACILITIES.**

24 (a) CONSTRUCTION OF FACILITIES.—Consistent with
25 applicable law and the applicable donation agreements be-

1 tween the Bureau of Land Management and The Con-
2 servation Fund, the Bureau of Land Management shall
3 construct facilities as follows:

4 (1) LOCATION OF RECREATIONAL FACILI-
5 TIES.—Recreational facilities shall be located outside
6 of the Beauty Mountain Wilderness in sections 13
7 and 14 and the southeast 1/4 of the northeast 1/4,
8 and the northeast 1/4 of the southeast 1/4 of section
9 8, Township 9 South, Range 3 East, San
10 Bernardino Base and Meridian to support rec-
11 reational activities on public lands.

12 (2) PARKING AREA.—A parking area shall be
13 constructed in the northwest 1/4 section of the
14 southwest 1/4 of section 33, Township 9 South,
15 Range 3 East, San Bernardino Base and Meridian.

16 (b) APPROPRIATE RECREATIONAL FACILITIES.—
17 Consistent with the applicable donation agreement be-
18 tween the Bureau of Land Management and The Con-
19 servation Fund, recreational facilities located on the parcel
20 described in subsection (a) shall include a campground,
21 parking area, corrals, water supply, restrooms, and other
22 appropriate facilities.

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