

CONGRESSIONAL RECORD -- *HOUSE*

Wednesday, November 15, 2006

109th Congress, 2nd Session

152 Cong Rec H 8646

REFERENCE: Vol. 152, No. 129

SECTION: House

TITLE: NEW ENGLAND WILDERNESS ACT OF 2006

SPEAKER: Mrs. DRAKE; Mr. RAHALL; Mr. BRADLEY of New Hampshire; Mr. SANDERS;
Mr. BASS.

TEXT: [*H8646]

Mrs. DRAKE . Mr. Speaker, I move to suspend the rules and pass the Senate bill ([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.

The Clerk read as follows:

S. 4001

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title._This Act may be cited as the "New England Wilderness Act of 2006".

(b) Table of Contents._The table of contents of 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

SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term "Secretary" means the Secretary of Agriculture, acting through the Chief of the Forest Service.

TITLE I_NEW HAMPSHIRE

SEC. 101. DEFINITION OF STATE.

In this title, the term "State" means the State of New Hampshire.

SEC. 102. DESIGNATION OF WILDERNESS AREAS.

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

(1) Certain Federal land managed by the Forest Service, comprising approximately 23,700 acres, as generally depicted on the map entitled "Proposed Wild River Wilderness_White Mountain National Forest", dated February 6, 2006, which shall be known as the "Wild River Wilderness".

(2) Certain Federal land managed by the Forest Service, comprising approximately 10,800 acres, as generally depicted on the map entitled "Proposed Sandwich Range Wilderness Additions_White Mountain National Forest", dated February 6, 2006, and which are incorporated in the Sandwich Range Wilderness, as designated by the New Hampshire Wilderness Act of 1984 (Public Law 98-323; 98 Stat. 259).

SEC. 103. MAP AND DESCRIPTION.

(a) In General._As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and a legal description of each wilderness area designated by section 102 with the committees of appropriate jurisdiction in the Senate and the House of Representatives.

(b) Force and Effect._A map and legal description filed under subsection (a) shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in the map and legal description.

(c) Public Availability._Each map and legal description filed under subsection (a) shall be

filed and made available for public inspection in the Office of the Chief of the Forest Service.

SEC. 104. ADMINISTRATION.

(a) Administration._Subject to valid existing rights, each wilderness area designated under this title shall be administered by the Secretary in accordance with_

- (1) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and
- (2) the Wilderness Act (16 U.S.C. 1131 et seq.).

(b) Effective Date of Wilderness Act._With respect to any wilderness area designated by this title, any reference in the Wilderness Act (16 U.S.C. 1131 et seq.) to the effective date of the Wilderness Act shall be deemed to be a reference to the date of enactment of this Act.

(c) Fish and Wildlife._As provided in section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this title affects any jurisdiction or responsibility of the State with respect to wildlife and fish in the State. [*H8647]

(d) Withdrawal._Subject to valid existing rights, all Federal land in the wilderness areas designated by section 102 are withdrawn from_

- (1) all forms of entry, appropriation, or disposal under the public land laws;
- (2) location, entry, and patent under the mining laws; and
- (3) disposition under the mineral leasing laws (including geothermal leasing laws).

TITLE II_VERMONT

SEC. 201. DEFINITIONS.

In this title:

(1) Management plan._The term "Management Plan" means the Green Mountain National Forest Land and Resource Management Plan.

(2) State._The term "State" means the State of Vermont.

Subtitle A_Designation of Wilderness Areas

SEC. 211. DESIGNATION.

In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) Certain Federal land managed by the United States Forest Service, comprising approximately 22,425 acres, as generally depicted on the map entitled "Glastenbury Wilderness_Proposed", dated September 2006, which shall be known as the "Glastenbury Wilderness".

(2) Certain Federal land managed by the United States Forest Service, comprising

approximately 12,333 acres, as generally depicted on the map entitled "Joseph Battell Wilderness_Proposed", dated September 2006, which shall be known as the "Joseph Battell Wilderness".

(3) Certain Federal land managed by the United States Forest Service, comprising approximately 3,757 acres, as generally depicted on the map entitled "Breadloaf Wilderness Additions_Proposed", dated September 2006, which shall be known as the "Breadloaf Wilderness".

(4) Certain Federal land managed by the United States Forest Service, comprising approximately 2,338 acres, as generally depicted on the map entitled "Lye Brook Wilderness Additions_Proposed", dated September 2006, which shall be known as the "Lye Brook Wilderness".

(5) Certain Federal land managed by the United States Forest Service, comprising approximately 752 acres, as generally depicted on the map entitled "Peru Peak Wilderness Additions_Proposed", dated September 2006, which shall be known as the "Peru Peak Wilderness".

(6) Certain Federal land managed by the United States Forest Service, comprising approximately 47 acres, as generally depicted on the map entitled "Big Branch Wilderness Additions_Proposed", dated September 2006, which shall be known as the "Big Branch Wilderness".

SEC. 212. MAP AND DESCRIPTION.

(a) In General._As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and a legal description of each wilderness area designated by section 211 with_

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

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

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

(b) Force of Law._A map and legal description filed under subsection (a) shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in the map and legal description.

(c) Public Availability._Each map and legal description filed under subsection (a) shall be filed and made available for public inspection in the Office of the Chief of the Forest Service.

SEC. 213. ADMINISTRATION.

(a) Administration._Subject to valid rights in existence on the date of enactment of this Act, each wilderness area designated under this subtitle and in the Green Mountain National Forest (as of the date of enactment of this Act) shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.).

(b) Fish and Wildlife._Nothing in this subtitle affects the jurisdiction of the State with respect to wildlife and fish on the public land located in the State, including the stocking of fish in rivers and streams in the State to support the Connecticut River Atlantic Salmon Restoration Program.

(c) Trails._The Forest Service shall allow the continuance of_

(1) the Appalachian National Scenic Trail;

(2) the Long Trail;

(3) the Catamount Trail; and

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

Subtitle B_Moosalamoo National Recreation Area

SEC. 221. DESIGNATION.

Certain Federal land managed by the United States Forest Service, comprising approximately 15,857 acres, as generally depicted on the map entitled "Moosalamoo National Recreation Area_Proposed", dated September 2006, is designated as the "Moosalamoo National Recreation Area".

SEC. 222. MAP AND DESCRIPTION.

(a) In General._As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and a legal description of the national recreation area designated by section 221 with_

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

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

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

(b) Force of Law._A map and legal description filed under subsection (a) shall have the same force and effect as if included in this subtitle, except that the Secretary may correct clerical and typographical errors in the map and legal description.

(c) Public Availability._Each map and legal description filed under subsection (a) shall be filed and made available for public inspection in the Office of the Chief of the Forest Service.

SEC. 223. ADMINISTRATION OF NATIONAL RECREATION AREA.

(a) In General._Subject to valid rights existing on the date of enactment of this Act, the Secretary shall administer the Moosalamoo National Recreation Area in accordance with_

(1) laws (including rules and regulations) applicable to units of the National Forest System; and

(2) the management direction (including objectives, standards, and guidelines) established for the Moosalamoo Recreation and Education Management Area under the Management Plan.

(b) Fish and Wildlife._Nothing in this subtitle affects the jurisdiction of the State with

respect to wildlife and fish on the public land located in the State.

(c) Escarpment and Ecological Areas._Nothing in this subtitle prevents the Secretary from managing the Green Mountain Escarpment Management Area and the Ecological Special Areas, as described in the Management Plan.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Virginia (Mrs. Drake) and the gentleman from West Virginia (Mr. Rahall) each will control 20 minutes.

The Chair recognizes the gentlewoman from Virginia.

General Leave

Mrs. DRAKE . Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

Mrs. DRAKE . Mr. Speaker, I yield myself such time as I may consume.

S. 4001 would designate 34,500 acres of wilderness in the White Mountain National Forest in New Hampshire and 41,652 acres of wilderness in the Green Mountain National Forest in Vermont.

The Resources Committee supports the wilderness designation in the White Mountain National Forest. This designation was developed with the Forest Service through its forest planning process and with substantial input and involvement from the public and local interest groups. It boasts the strong support of New Hampshire's citizens, environmental groups, the forest products industry, elected officials, the Forest Service and the administration.

With that said, the committee is somewhat troubled with the Vermont wilderness designation within S. 4001. The Forest Service's publicly vetted and collaborative forest plan recommends only 27,000 acres of wilderness. However, considering the few days remaining in this Congress and the support of this bill by the entire Vermont delegation, the Resources Committee will defer to Vermont's elected officials and pass the bill today.

Mr. Speaker, I reserve the balance of my time.

Mr. RAHALL . Mr. Speaker, I yield myself such time as I may consume.

(Mr. RAHALL asked and was given permission to revise and extend his remarks.)

Mr. RAHALL . Mr. Speaker, I would simply note that this legislation, which would designate Federal wilderness areas on national forest system lands within the States of New Hampshire and Vermont, is before us in part due to the efforts of our colleague, Bernie Sanders, and for that, I commend the gentleman from Vermont for his dedication, persistence and willingness to work with us on this legislation. He will soon become a member of the other body, but we shall still maintain our friendship. I salute him for his tenacity in ensuring that his State's interests are included in this measure. [*H8648]

I would also observe that the wilderness designations made by the pending measure are clean, and by that, I refer to the fact that they are not coupled with other matters which have nothing to do with wilderness.

Wilderness standing on its own here, the benefits of wilderness designation to the local economy, to hunters and fishermen, and to our heritage and future generations of Americans, is on display for all to see.

It is not being coupled or being debased with other matters such as the disposal of public lands as the price of obtaining some wilderness designation as we have seen with a number of other bills considered by this body in recent months.

So I am pleased to support the measure.

Mr. Speaker, I reserve the balance of my time.

Mrs. DRAKE . Mr. Speaker, I yield as much time as he may consume to the gentleman from New Hampshire (Mr. Bradley).

Mr. BRADLEY of New Hampshire . Mr. Speaker, I would like to thank the leadership of the Resources Committee on both sides of the aisle, as well as the leadership on both sides of the aisle in the House, for allowing myself, Congressman Bass and Congressman Sanders to have another opportunity to debate this bill today.

What we have before us is a compromise in true New England fashion, with both States' delegations and Governors of both States having worked together to bring before the House a consensus package that represents the best interests of my colleague's State of Vermont and the best interests of my State of New Hampshire.

As someone who is an avid hiker and someone who will have a little bit more time now to hike, I can attest to all Members of the House, this wilderness designation makes sense for New Hampshire. I have hiked in both regions of the proposed wilderness designation. They are worthy of this additional protection of wilderness designation.

In the case of New Hampshire, myself and Congressman Bass, Senator Gregg and Senator Sununu, the sponsors of this measure, have worked extensively with all sides that were interested in this legislation, both environmental groups, logging interests, snowmobiling groups to make sure that we had a plan that mirrored the interests of Tom Wagner, who is the administrator of the White Mountain National Forest, and his very capable group of people that proposed the White Mountain National Forest plan and the wilderness designation.

As a side note, the White Mountain National Forest plan, despite all the comments that came in after the plan was published, in particular comments about wilderness designation, was not challenged in court by any of the various interests, which is a tribute to how hard New Hampshire interests worked on the compromise that you see before you today.

So, as somebody who has spent extensive time hiking in the White Mountain National Forest, including in these two proposed wilderness designations, the Sandwich designation, as well as the Wild River designation, I thank again my colleagues on both sides of the aisle for allowing this bill to come forward. I thank the leadership on both sides for allowing this bill to come forward. It is truly going to protect both the Green Mountain National Forest and the White Mountain National Forest, and I would welcome all of you to come join me in hiking in these two wilderness designations once they have been signed into law.

Mr. RAHALL . Mr. Speaker, I now yield such time as he may consume to our distinguished colleague from Vermont (Mr. Sanders) and again congratulate him on his ascension into the other body.

Mr. SANDERS . Mr. Speaker, I thank my friend from West Virginia.

This has been a somewhat long and unusual path to get here to where we are today, and I want to thank the gentlewoman and I want to thank the committee for their support and I want to thank my colleagues, Mr. Bradley and Mr. Bass from New Hampshire, for their very hard work on this, and the New Hampshire delegation in the Senate and Senator Leahy and Senator Jeffords for where we are today.

I rise, obviously, in very strong support of this legislation which would designate wilderness areas in both Vermont and New Hampshire. This legislation passed the Senate unanimously in September, and I hope this body will pass it today in similar fashion.

I should point out that the New England Wilderness Act not only has the unanimous support of the New Hampshire delegation and the Vermont delegation but the Governor of the State of Vermont and the Governor of the State of New Hampshire as well.

Mr. Speaker, the Green Mountain National Forest is integral to the State of Vermont. Established in 1932, the forest includes almost 400,000 acres stretching across two-thirds the length of the State. As you might imagine, the forest looms large on the minds of Vermonters. My constituents have high expectations about the stewardship of the resources within the forest, and the wilderness created in this bill is something almost all Vermonters eagerly await.

In fact, passage of the New England Wilderness Act would mark a successful culmination of on-the-ground efforts in both Vermont and New Hampshire. In Vermont, this has involved roughly 5 years of discussions as well as cooperation with the U.S. Forest Service as they worked to update the forest management plan which included a significant public process.

For example, five local planning groups met monthly during the planning process, and over 70 public meetings occurred during this same period. Additionally, four educational forums on the future management of the forest and four open houses on the forest plan also took place. Mr. Speaker, I can tell you, throughout the whole undertaking, one message was very clear: Designating wilderness areas in the State of Vermont has the overwhelming support of the vast majority of the people in my State.

In closing, Mr. Speaker, I ask for the support of all of my colleagues to pass this important legislation. Enacting this legislation into law will provide lasting benefits to current and future generations of citizens in Vermont and New Hampshire and throughout the entire United States, and I look forward to celebrating this important milestone.

Once again, I want to thank the committee and my colleagues from New Hampshire for their very hard work on this.

Mrs. DRAKE . Mr. Speaker, I yield such time as he may consume to the gentleman from New Hampshire (Mr. Bass).

Mr. BASS. I thank the gentlewoman.

Mr. Speaker, I appreciate the opportunity to stand here before you in support of S. 4001. As my good friend and colleague from Vermont mentioned a minute or two ago, this is

the culmination of a very tortuous negotiation process that has taken place over a period of years. I am very pleased to be able to culminate this process in this fashion as the last bill that I, as the Representative of the Second Congressional District, will be speaking in favor of and supporting on the floor of the House, and probably his last bill as he heads over to represent his great State of Vermont in the U.S. Senate, and I offer him my congratulations.

This is a very significant piece of legislation for New Hampshire and the White Mountain National Forest. It will set aside 34,000 acres in wilderness designated lands, as we said before, in the Sandwich Range and Wild River areas of northern New Hampshire. It is, as was said, the culmination of 5 years of planning on the part of the U.S. Department of Agriculture, the USDA staff that are on the ground in the area, the stakeholders in the region, including the towns, environmental groups, State reps and State legislators. It is the culmination of an open process in which many, many different points of view were brought into consideration, and this plan was developed. This is the legislative initiative that implements that plan, and I fully support it.

The White Mountain National Forest was established in 1911 through the Weeks Act. It is the most visited national forest in the country. I believe, although I don't recall the exact number right now, but over 5 million people frequent this national forest. We have [*H8649] two ski areas that exist in it. It is a great source of recreation, but it is also a very diverse ecosystem, and I think that the plan that we have here before us today represents a reasonable compromise between the need to preserve key wilderness areas for future generations and the need to recognize that a national forest is also an economic engine and is part of the economy for the region and a critical part of that economy.

So by including the designations in the State of Vermont, New Hampshire and Vermont are working together, because indeed their forests and our forests are very close to one another. In a bipartisan fashion, with the support of both Governors and the whole delegation to implement this plan, the impact of this designation will not be felt just this year and next year but forever.

So I just want to say that, as my last bill on the floor of the House, I think it is as important a bill as I have ever had because its impact will last long after I am gone and everybody else that is here today. So I want to thank, in closing, all of those who have helped on the House side and on the Senate side to bring this wonderful jewel to New Hampshire and preserving 34,000 acres of the White Mountain National Forest for eternity.

Mr. RAHALL . Mr. Speaker, I yield back the balance of my time.

Mrs. DRAKE . Mr. Speaker, I have no additional speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Virginia (Mrs. Drake) that the House suspend the rules and pass the Senate bill, S. 4001.

The question was taken; and (two-thirds of those voting having responded in the affirmative) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

