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TITLE: CRANBERRY WILDERNESS BOUNDARY

SPEAKER: Mr. de la GARZA; Mr. MORRISON of Washington; MR. RAHALL; Mr. RHODES; MR. STAGGERS; Mr. VENTO

TEXT:

Text that appears in UPPER CASE identifies statements or insertions which are not spoken by a Member of the House on the floor.

[*H7662] Mr. VENTO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1576) to modify the boundary of the Cranberry Wilderness, located in the Monogahela National Forest, WV, as amended.

The Clerk read as follows:

H.R. 1576

BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED,

SECTION 1. BOUNDARY MODIFICATION.

The boundary of the Cranberry Wilderness located within the Monogahela National Forest, West Virginia, is modified as depicted on a map entitled "Cranberry Wilderness Area Revised" dated October 1987, on file in the Office of the Chief, Forest Service, United States Department of Agriculture, Washington, District of Columbia.

The SPEAKER pro tempore. Is a second demanded?

Mr. RHODES. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Minnesota [Mr. Vento] will be recognized for 20 minutes, and the gentleman from Arizona [Mr. Rhodes] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. Vento].

Mr. VENTO. Mr. Speaker, I yield 10 minutes of the time on behalf of the Committee on Interior and Insular Affairs to the chairman of the Committee on Agriculture, the gentleman from Texas [Mr. de la Garza].

The SPEAKER pro tempore. Without objection, the gentleman from Minnesota [Mr. Vento] will be recognized for 10 minutes, the gentleman from Texas [Mr. de la Garza] will be recognized for 10 minutes, and the gentleman from Arizona [Mr. Rhodes] will be recognized for 10 minutes.

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota [Mr. Vento].

GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 days in which to revise and extend their remarks on the bill presently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

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

Mr. Speaker, H.R. 1576, sponsored by my colleague from West Virginia, Mr. Staggers, would modify the boundary of the Cranberry Wilderness in West Virginia to allow the construction of an acid neutralization station on the north fork of the Cranberry River. Approximately 5 acres would be taken out of the wilderness for the station. The station would facilitate the restoration of a trout fishery in the Cranberry River.

The bill would add 5 acres of land to the Cranberry Wilderness to replace the acreage taken out. It also would require that the acid neutralization station be constructed in such a way as to minimize its impact on the wilderness and to conform to the landscape.

Furthermore, the bill would give study river protections to those portions of the north fork of the Cherry River, the Gauley River and the Cranberry River that flow within the Monongahela National Forest. This corrects an oversight in the West Virginia River Act of 1988. One hundred miles of river would receive interim protection.

These provisions were added by an amendment of Congressman Rahall during Interior Committee action.

The bill has bipartisan support and I urge my colleagues to support this legislation.

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

Mr. RHODES. Mr. Speaker, I yield 10 minutes of my time to the gentleman from Washington [Mr. Morrison], on behalf of the Committee on Agriculture.

The SPEAKER pro tempore. Without objection, the gentleman from Arizona [Mr. Rhodes] will be recognized for 10 minutes, and the gentleman from Washington [Mr. Morrison] will be recognized for 10 minutes.

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Arizona [Mr. Rhodes].

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

Mr. Speaker, I rise in support of H.R. 1576 introduced by Mr. Staggers of West Virginia and ably shepherded through the Interior Committee by Mr. Rahall.

This legislation proposes a minor boundary adjustment to West Virginia's Cranberry Wilderness on the Monongahela National Forest to allow construction of a fish enhancement project on a site currently within the existing wilderness boundary.

In exchange for the 5 acres taken out of the wilderness boundary for the fish enhancement project, an equal acreage of national forest acreage outside the current wilderness boundary will be added to the Cranberry Wilderness. This will result in a no net loss of wilderness.

H.R. 1576 also corrects an oversight in the West Virginia wild rivers bill from the last Congress by giving river study protection to segments of the Cranberry, Gauley and north Cherry Rivers within the Monongahela National Forest. This provision essentially prevents development of these rivers for 3 years when the Forest Service will have completed its study of these river segments for their suitability as potential additions to the wild and scenic rivers system.

I urge my colleagues to support H.R. 1576.

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

[*H7663] Mr. de la GARZA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1576, as amended, and urge its adoption by the House.

H.R. 1576, introduced by our colleague Mr. Staggers, would modify the boundary of the Cranberry Wilderness located in the Monogahela National Forest in West Virginia. The bill was introduced on March 22, 1989, and jointly referred to the Committee on Agriculture and the Committee on Interior and Insular Affairs.

Mr. Speaker, H.R. 1576 was amended by the Committee on Agriculture to permit the deletion of a tract of 5 acres from the existing wilderness area and to offset this by the addition of another 5-acre tract elsewhere in the wilderness. This adjustment will allow the State of West Virginia to construct a facility to treat the Cranberry River to reduce its acidity and thus promote a year-round trout population in the river.

The bill also provides interim wild and scenic river protection for parts of the Cranberry, Gauley, and North Fork of the Cherry River, through their designation for study in accordance with the Wild and Scenic Rivers Act.

Mr. Speaker, I urge our House colleagues to support H.R. 1576, as amended.

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

Mr. MORRISON of Washington, Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, anytime we discuss the subject of removing land from a wilderness area, we immediately attract a lot of attention. In this particular case, though, as the Members will notice, with the two committees working together to see that this is accomplished, the rough edges have been taken off. The gentleman from West Virginia [Mr. Staggers] has done an excellent job. This is appropriate for the sake of preserving this particular area.

So we do send this to the full House with the recommendation that Members support the gentleman from West Virginia [Mr. Staggers] in this effort to modify the boundaries of the Cranberry Wilderness Area.

MR. RAHALL. MR. SPEAKER, THE PURPOSE OF H.R. 1576 IS TO MODIFY THE BOUNDARY OF THE CRANBERRY WILDERNESS AREA IN ORDER TO ACCOMMODATE THE WEST VIRGINIA DIVISION OF NATURAL RESOURCES' PROPOSED ACID NEUTRALIZATION TREATMENT STATION ON THE NORTH FORK OF THE CRANBERRY RIVER IN AN EFFORT TO RESTORE THE RIVER'S FISHERY.

WHEN CONGRESS PASSED LEGISLATION TO DESIGNATE THE CRANBERRY WILDERNESS AREA IN 1982, IT APPEARS WE UNINTENTIONALLY PRECLUDED THE CONSTRUCTION OF THIS PROJECT. IN FACT, THE WEST VIRGINIA DEPARTMENT OF NATURAL RESOURCES BEGAN DRAWING UP

PLANS FOR THE FACILITY DURING THE LATE 1970'S BECAUSE, AS IT NOTED BACK THEN, THE CRANBERRY, ONE OF THE FINEST TROUT FISHING STREAMS IN THE STATE, WAS BECOMING SO ACIDIC THAT TROUT COULD ONLY SURVIVE FOR A FEW MONTHS EACH YEAR.

THIS PENDING LEGISLATION, INTRODUCED BY MY COLLEAGUE FROM WEST VIRGINIA, HARLEY STAGGERS, WAS REPORTED BY THE INTERIOR COMMITTEE WITH AN AMENDMENT IN THE NATURE OF A SUBSTITUTE THAT I OFFERED DURING CONSIDERATION OF THE BILL BY THE SUBCOMMITTEE ON NATIONAL PARKS AND PUBLIC LANDS. IT IS MY UNDERSTANDING THAT THE AGRICULTURE COMMITTEE SUBSEQUENTLY REPORTED IDENTICAL BILL LANGUAGE.

THE BILL BEFORE US TODAY INCORPORATES THE AGREEMENT THAT HAS BEEN REACHED BETWEEN THE WEST VIRGINIA DIVISION OF NATURAL RESOURCES, INTERESTED PARTIES FROM THE ENVIRONMENTAL COMMUNITY, REPRESENTATIVE STAGGERS AND MYSELF ON THE SCOPE OF THE CRANBERRY WILDERNESS BOUNDARY MODIFICATION AND THE TYPE OF PROJECT THAT MAY BE BUILT. UNDER THE PENDING LEGISLATION, 4.85 ACRES OF LAND IN THE VICINITY OF THE CONFLUENCE OF THE NORTH FORK AND THE MAIN STEM OF THE CRANBERRY RIVER WOULD BE WITHDRAWN FROM WILDERNESS IN ORDER TO SUPPORT THE CONSTRUCTION OF THE ACID NEUTRALIZATION PROJECT. HOWEVER, THIS SAME AMOUNT OF ACREAGE WOULD BE ADDED TO THE WILDERNESS AREA'S SOUTHERN BOUNDARY. AS SUCH, THERE WILL BE NO NET LOSS OF DESIGNATED WILDERNESS AREA.

IT SHOULD BE NOTED THAT THE BILL WOULD ALSO IMPOSE A NUMBER OF PROTECTIVE STIPULATIONS ON THE PROJECT SO AS TO ENSURE THAT IT IS COMPATIBLE WITH THE SURROUNDING ENVIRONMENT. FOR EXAMPLE, WE ARE ENVISIONING A PROJECT THAT WOULD BE BUILT PRIMARILY OF WOOD SO THAT IT WILL BLEND INTO THE IMMEDIATE SURROUNDINGS. FURTHER, THIS LEGISLATION WAS CONSIDERED WITH OUR UNDERSTANDING THAT THE ENVIRONMENTAL ASSESSMENT AND DECISION NOTICE WILL BE MODIFIED TO PROVIDE MEASURES FOR THE MITIGATION OF NOISE, VEHICLE TRAFFIC, AND VISUAL IMPACTS OF THE PROJECT. FINALLY, IT IS ALSO OUR UNDERSTANDING THAT A PERMIT FOR THIS PROJECT WOULD HAVE TO BE ISSUED BY THE STATE WATER RESOURCES DIVISION AS THE CRANBERRY AND ITS HEADWATERS ARE PROTECTED UNDER THE WEST VIRGINIA NATURAL STREAMS PRESERVATION SYSTEM.

ONE ASPECT OF THE PENDING LEGISLATION INITIATED BY THIS GENTLEMAN FROM WEST VIRGINIA IS ITS PROVISION TO EXTEND THE PROTECTIONS AFFORDED TO STUDY RIVERS UNDER THE WILD AND SCENIC RIVERS ACT TO THE FOLLOWING RIVER SEGMENTS LOCATED

WITHIN THE EXTERIOR BOUNDARIES OF THE MONONGAHELA NATIONAL FOREST.

THE 33-MILE SEGMENT OF THE CRANBERRY RIVER FROM ITS HEADWATERS TO ITS CONFLUENCE WITH THE GAULEY; THE 52-MILE SEGMENT OF THE GAULEY RIVER FROM ITS HEADWATER TO ITS CONFLUENCE WITH THE CHERRY; AND, THE ENTIRE 15.6 MILES OF THE NORTH FORK OF THE CHERRY RIVER. THESE PROTECTIONS WOULD BE IN PLACE UNTIL DECEMBER 31, 1993. HOWEVER, IT MUST BE STRESSED THAT THE LEGISLATION CLEARLY STATES THAT THE PROTECTIONS AFFORDED TO STUDY RIVERS SHALL NOT PROHIBIT THE CONSTRUCTION, MAINTENANCE AND USE OF THE PROPOSED ACID NEUTRALIZATION TREATMENT STATION ON THE NORTH FORK OF THE CRANBERRY RIVER. THE 33-MILE SEGMENT OF THE CRANBERRY RIVER FROM ITS SOURCE ON THE SOUTH FORK DOWNSTREAM TO ITS CONFLUENCE WITH THE GAULEY RIVER HAS ALREADY BEEN DETERMINED TO BE ELIGIBLE UNDER THE NATIONAL WILD AND SCENIC RIVERS SYSTEM UNDER A STUDY CONDUCTED PURSUANT TO SECTION 5(A)(74) OF THE WILD AND SCENIC RIVERS ACT. THE SEGMENT OF THE GAULEY RIVER THAT LIES WITHIN THE EXTERIOR BOUNDARIES OF THE MONONGAHELA NATIONAL FOREST WAS ALSO PART OF THIS STUDY AND A PORTION OF THE SEGMENT WAS FOUND TO BE ELIGIBLE AS WELL. IN PART, THE LEGISLATION SIMPLY SERVES TO REAPPLY THE 3-YEAR STUDY RIVER PROTECTIONS -- WHICH EXPIRED IN 1988 -- AFFORDED UNDER THE WILD AND SCENIC RIVERS ACT TO THESE SEGMENTS.

IT SHOULD BE NOTED THAT A COALITION OF ORGANIZATIONS -- INCLUDING TROUT UNLIMITED, THE SIERRA CLUB, AND AMERICAN RIVERS -- HAS RECOMMENDED THAT THE FOREST SERVICE CONDUCT SUITABILITY STUDIES ON 12 SEGMENTS INVOLVING ABOUT 260 MILES OF RIVER WITHIN THE MONONGAHELA NATIONAL FOREST. I NOT ONLY ENDORSE THIS PROPOSAL BUT IT IS MY INTENTION, AT THE APPROPRIATE TIME, TO PURSUE WILD AND SCENIC RIVER DESIGNATIONS WITHIN THE FOREST. THE STUDY RIVER PROTECTIONS PROVIDED BY H.R. 1576 FOR THE CRANBERRY, NORTH FORK OF THE CHERRY AND THE GAULEY SHOULD SERVE AS A CLEAR SIGNAL OF THIS INTENTION.

MR. STAGGERS. MR. SPEAKER, I RISE IN SUPPORT OF H.R. 1576, TO MODIFY THE BOUNDARY OF THE CRANBERRY WILDERNESS, ALLOWING FOR THE CONSTRUCTION OF AN ACID NEUTRALIZATION STATION ON THE NORTH FORK OF THE CRANBERRY RIVER.

WE TREASURE OUR NATURAL RESOURCES IN WEST VIRGINIA, AND THE CRANBERRY WILDERNESS AREA IS ONE OF OUR PROUDEST. THE LEGISLATION THAT I OFFER FOR YOUR CONSIDERATION TODAY IS INTENDED TO MAKE SURE THAT IT STAYS THAT WAY.

THE CRANBERRY RIVER USED TO BE ONE OF THE FINEST TROUT STREAMS IN WEST VIRGINIA. HOWEVER, THE RIVER HAS BECOME MORE AND MORE ACIDIC IN RECENT YEARS, TO THE POINT WHERE TROUT CAN LIVE ONLY A FEW MONTHS OF THE YEAR. BECAUSE THE SEGMENT OF THE RIVER WHERE THE ACID NEUTRALIZATION STATION NEEDS TO BE BUILT FALLS WITHIN THE CRANBERRY WILDERNESS AREA, IT IS NECESSARY TO MODIFY THE BOUNDARY TO PREVENT VIOLATION OF THE WILDERNESS ACT.

WHILE A WILDERNESS AREA BOUNDARY MODIFICATION IS NOT SOMETHING THAT WE SHOULD EVER TAKE LIGHTLY, THE CAUSE AT HAND AND THE MEANS OF RESTORING THE LIFE OF THE RIVER WEIGH HEAVILY IN FAVOR OF DOING SO. THE USE OF CRUSHED LIMESTONE AS AN ACID NEUTRALIZATION PROCESS HAS PROVED VERY EFFECTIVE IN OTHER AREAS, AND THE STATIONS ARE CONSTRUCTED SO THAT THEY BLEND WITH THE NATURAL SURROUNDINGS. AND I BELIEVE THE VALUE OF RESTORING THE CRANBERRY RIVER TO ITS FORMER STATUS AS ONE OF OUR BEST TROUT STREAMS IS UNDERSTOOD BY EVERYONE.

THE BILL REMOVES 5 ACRES OF LAND FROM THE CRANBERRY WILDERNESS WHERE THE STATION NEEDS TO BE BUILT, AND IT ADDS 5 ACRES OF NATIONAL FOREST LAND TO THE CRANBERRY WILDERNESS, SO THERE IS NO NET LOSS TO THE WILDERNESS AREA. AND WHILE I WANT TO REITERATE THAT THE NECESSITY OF THIS BOUNDARY MODIFICATION HAS BEEN DEMONSTRATED TO THE SATISFACTION OF EVERY ONE INVOLVED, I WANT TO STATE IN THE STRONGEST POSSIBLE TERMS THAT THIS IS NOT INTENDED TO SERVE AS A PRECEDENT FOR ANY FUTURE BOUNDARY MODIFICATION. OUR ACTION TODAY STANDS ON ITS OWN MERITS.

I WANT TO THANK MY COLLEAGUES ON THE INTERIOR AND AGRICULTURE COMMITTEE FOR THEIR HELP AND COOPERATION IN CRAFTING THIS LEGISLATION, AND I WANT TO THANK THE WEST VIRGINIA DEPARTMENT OF NATURAL RESOURCES AND THE WEST VIRGINIA SIERRA CLUB FOR THEIR WORK IN MAKING THIS LEGISLATION A REALITY.

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

Mr. RHODES. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

[*H7664] Mr. VENTO. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. Mazzoli). The question is on the motion offered by the gentleman from Minnesota [Mr. Vento] that the House suspend the rules and pass the bill, H.R. 1576, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.