

Committee Reports

103d Congress, 2nd Session

House Rept. 103-498

103 H. Rpt. 498

CALIFORNIA DESERT PROTECTION ACT OF 1994

DATE: May 10, 1994. Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

SPONSOR: Mr. Miller of California, from the Committee on Natural Resources, submitted the following

REPORT together with SEPARATE AND DISSENTING VIEWS
(To accompany H.R. 518)
(Including cost estimate of the Congressional Budget Office)

TEXT:

The Committee on Natural Resources, to whom was referred the bill (H.R.518) to designate certain lands in the California Desert as wilderness, to establish the Death Valley and Joshua Tree National Parks and the Mojave National Monument, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass. The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

That this Act may be cited as the "California Desert Protection Act of 1994".

findings and policy Sec. 2. (a) The Congress finds and declares that

(1) the federally owned desert lands of Southern California constitute a public wildland resource of extraordinary and inestimable value for this and future generations;

(2) these desert wildlands display unique scenic, historical, archeological, environmental, ecological, wildlife, cultural, scientific, educational, and recreational values used and enjoyed by millions of Americans for hiking and camping, scientific study and scenic appreciation;

(3) the public land resources of the California desert now face and are increasingly threatened by adverse pressures which would impair, dilute, and destroy their public and natural values;

(4) the California desert, embracing wilderness lands, units of the National Park System, other Federal lands, State parks and other State lands, and private lands, constitutes a cohesive unit posing unique and difficult resource protection and management challenges;

(5) through designation of national monuments by Presidential proclamation, through enactment of general public land statutes (including section 601 of the Federal Land Policy and Management Act of 1976, 90 Stat. 2743, 43 U.S.C. 1701 et seq.) and through interim administrative actions, the Federal Government has begun the process of appropriately providing for protection of the significant resources of the public lands in the California desert; and

(6) statutory land unit designations are needed to afford the full protection which the resources and public land values of the California desert merit.

(b) In order to secure for the American people of this and future generations an enduring heritage of wilderness, national parks, and public land values in the California desert, it is hereby declared to be the policy of the Congress that (1) appropriate public lands in the California desert shall be included within the National Park System and the National Wilderness Preservation System, in order to

(A) preserve unrivaled scenic, geologic, and wildlife values associated with these unique natural landscapes;

(B) perpetuate in their natural state significant and diverse ecosystems of the California desert;

(C) protect and preserve historical and cultural values of the California desert associated with ancient Indian cultures, patterns of western exploration and settlement, and sites exemplifying the mining, ranching and railroading history of the Old West;

(D) provide opportunities for compatible outdoor public recreation, protect and interpret ecological and geological features and historic, paleontological, and archeological sites, maintain wilderness resource values, and promote public understanding and appreciation of the California desert; and

(E) retain and enhance opportunities for scientific research in undisturbed ecosystems.

TITLE I WILDERNESS ADDITIONS

findings

Sec. 101. The Congress finds and declares that

(1) wilderness is a distinguishing characteristic of the public lands in the California desert, one which affords an unrivaled opportunity for experiencing vast areas of the Old West essentially unaltered by mans activities, and which merits preservation for the benefit of present and future generations;

(2) the wilderness values of desert lands are increasingly threatened by and especially vulnerable to impairment, alteration, and destruction by activities and intrusions associated with incompatible use and development; and

(3) preservation of desert wilderness necessarily requires the highest forms of protective designation and management.

designation of wilderness

Sec. 102. In furtherance of the purpose of the Wilderness Act (78 Stat. 890, 16 U.S.C. 1131 et seq.), and sections 601 and 603 of the Federal Land Policy and Management Act of 1976 (90 Stat. 2743, 43 U.S.C. 1701 et seq.), the following lands in the State of California, as generally depicted on maps referenced herein, are hereby designated as wilderness, and therefore, as components of the National Wilderness Preservation System:

(1) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately seventy-four thousand eight hundred and ninety acres, as generally depicted on a map entitled "Argus Range Wilderness Proposed 1", dated May 1991, and two maps entitled "Argus Range Wilderness Proposed 2" and "Argus Range Wilderness Proposed 3", dated January 1989, and which shall be known as the Argus Range Wilderness.

(2) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately ten thousand three hundred and eighty acres, as generally depicted on a map entitled "Bigelow Cholla Garden Wilderness Proposed", dated July 1993, and which shall be known as the Bigelow Cholla Garden Wilderness.

(3) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, and within the San Bernardino National Forest, which comprise approximately thirty-nine thousand two hundred acres, as generally depicted on a map entitled "Bighorn Mountain Wilderness Proposed", dated September 1991, and which shall be known as the Bighorn Mountain Wilderness.

(4) Certain lands in the California Desert Conservation Area and the Yuma District, of the Bureau of Land Management, which comprise approximately forty-seven thousand five hundred and seventy acres, as generally depicted on a map entitled "Big Maria Mountains Wilderness Proposed", dated February 1986, and which shall be known as the Big Maria Mountains Wilderness.

(5) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately thirteen thousand nine hundred and forty acres, as generally depicted on a map entitled "Black Mountain Wilderness Proposed", dated July 1993, and which shall be known as the Black Mountain Wilderness.

(6) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately nine thousand five hundred and twenty acres, as generally depicted on a map entitled "Bright Star Wilderness Proposed", dated May 1991, and which shall be known as the Bright Star Wilderness.

(7) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately sixty-eight thousand five hundred and fifteen acres, as generally depicted on two maps entitled "Bristol Mountains Wilderness Proposed 1", and "Bristol Mountains Wilderness Proposed 2", dated September 1991, and which shall be known as Bristol Mountains Wilderness.

(8) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately thirty-nine thousand seven hundred and forty acres, as generally depicted on a map entitled "Cadiz Dunes Wilderness Proposed", dated July 1993, and which shall be known as the Cadiz Dunes Wilderness.

(9) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately eighty-four thousand four hundred acres, as generally depicted on a map entitled "Cady Mountains Wilderness Proposed", dated July 1993, and which shall be known as the Cady Mountains Wilderness.

(10) Certain lands in the California Desert Conservation Area and Eastern San Diego County, of the Bureau of Land Management, which comprise approximately fifteen thousand seven hundred acres, as generally depicted on a map entitled "Carrizo Gorge Wilderness Proposed", dated February 1986, and which shall be known as the Carrizo Gorge Wilderness.

(11) Certain lands in the California Desert Conservation Area and Yuma District, of the Bureau of Land Management, which comprise approximately sixty-four thousand three hundred and twenty acres, as generally depicted on a map entitled "Chemehuevi Mountains Wilderness Proposed", dated July 1993, and which shall be known as the Chemehuevi Mountains Wilderness.

(12) Certain lands in the Bakersfield District, of the Bureau of Land Management, which comprise approximately thirteen thousand seven hundred acres, as generally depicted on two maps entitled "Chimney Peak Wilderness Proposed 1" and "Chimney Peak Wilderness Proposed 2", dated May 1991, and which shall be known as the Chimney Peak Wilderness.

(13) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately one hundred fifty-eight thousand nine hundred and fifty acres, as generally depicted on two maps entitled "Chuckwalla Mountains Wilderness Proposed 1" and "Chuckwalla Mountains Wilderness Proposed 2", dated January 1989, and which shall be known as the Chuckwalla Mountains Wilderness.

(14) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise thirty-four thousand three hundred and eighty acres, as generally depicted on a map entitled "Cleghorn Lakes Wilderness Proposed", dated September 1991, and which shall be known as the Cleghorn Lakes Wilderness. The Secretary may, pursuant to an application filed by the Department of Defense, grant a right-of-way for, and authorize construction of, a road within the area depicted as "non-wilderness road corridor" on such map.

(15) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately forty thousand acres, as generally depicted on a map entitled "Clipper Mountain Wilderness Proposed", dated May 1991, and which shall be known as Clipper Mountain Wilderness. (16) Certain lands in the California Desert Conservation

Area, of the Bureau of Land Management, which comprise approximately fifty thousand five hundred and twenty acres, as generally depicted on a map entitled "Coso Range Wilderness Proposed", dated May 1991, and which shall be known as Coso Range Wilderness.

(17) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately seventeen thousand acres, as generally depicted on a map entitled "Coyote Mountains Wilderness Proposed", dated July 1993, and which shall be known as Coyote Mountains Wilderness.

(18) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately eight thousand six hundred acres, as generally depicted on a map entitled "Darwin Falls Wilderness Proposed", dated May 1991, and which shall be known as Darwin Falls Wilderness.

(19) Certain lands in the California Desert Conservation Area and the Yuma District, of the Bureau of Land Management, which comprise approximately forty-eight thousand eight hundred and fifty acres, as generally depicted on a map entitled "Dead Mountains Wilderness Proposed", dated October 1991, and which shall be known as Dead Mountains Wilderness.

(20) Certain lands in the Bakersfield District, of the Bureau of Land Management, which comprise approximately thirty-six thousand three hundred acres, as generally depicted on two maps entitled "Domeland Wilderness Additions Proposed 1" and "Domeland Wilderness Additions Proposed 2", dated February 1986 and which are hereby incorporated in, and which shall be deemed to be a part of, the Domeland Wilderness as designated by Public Laws 93-632 and 98-425.

(21) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately twenty-three thousand seven hundred and eighty acres, as generally depicted on a map entitled "El Paso Mountains Wilderness Proposed", dated July 1993, and which shall be known as the El Paso Mountains Wilderness.

(22) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately twenty-five thousand nine hundred and forty acres, as generally depicted on a map entitled "Fish Creek Mountains Wilderness Proposed", dated July 1993, and which shall be known as Fish Creek Mountains Wilderness.

(23) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately twenty-eight thousand one hundred and ten acres, as generally depicted on a map entitled "Funeral Mountains Wilderness Proposed", dated May 1991, and which shall be known as Funeral Mountains Wilderness.

(24) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately thirty-seven thousand seven hundred acres, as generally depicted on a map entitled "Golden Valley Wilderness Proposed", dated February 1986 and which shall be known as Golden Valley Wilderness.

(25) Certain lands in the California Desert Conservation Area, of the Bureau of Land

Management, which comprise approximately thirty-one thousand seven hundred and twenty acres, as generally depicted on a map entitled "Grass Valley Wilderness Proposed", dated February 1986 and which shall be known as the Grass Valley Wilderness.

(26) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately twenty-two thousand two hundred and forty acres, as generally depicted on a map entitled "Hollow Hills Wilderness Proposed", dated May 1991, and which shall be known as the Hollow Hills Wilderness.

(27) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately twenty-six thousand four hundred and sixty acres, as generally depicted on a map entitled "Ibex Wilderness Proposed", dated May 1991, and which shall be known as the Ibex Wilderness.

(28) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately thirty-four thousand and fifty-five acres, as generally depicted on a map entitled "Indian Pass Wilderness Proposed", dated May 1994, and which shall be known as the Indian Pass Wilderness.

(29) Certain lands in the California Desert Conservation Area and the Bakersfield District, of the Bureau of Land Management, and within the Inyo National Forest, which comprise approximately two hundred five thousand and twenty acres, as generally depicted on three maps entitled "Inyo Mountains Wilderness Proposed", numbered in the title one through three, and dated May 1991, and which shall be known as the Inyo Mountains Wilderness.

(30) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately thirty-three thousand six hundred and seventy acres, as generally depicted on a map entitled "Jacumba Wilderness Proposed", dated July 1993, and which shall be known as the Jacumba Wilderness.

(31) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately one hundred and twenty-nine thousand five hundred and eighty acres, as generally depicted on a map entitled "Kelso Dunes Wilderness Proposed 1", dated October 1991, a map entitled "Kelso Dunes Wilderness Proposed 2", dated May 1991, and a map entitled "Kelso Dunes Wilderness Proposed 3", dated September 1991, and which shall be known as the Kelso Dunes Wilderness.

(32) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, and the Sequoia National Forest, which comprise approximately eighty-eight thousand two hundred and ninety acres, as generally depicted on a map entitled "Kiavah Wilderness Proposed 1", dated February 1986, and a map entitled "Kiavah Wilderness Proposed 2", dated May 1991, and which shall be known as the Kiavah Wilderness.

(33) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately two hundred forty-nine thousand three hundred and sixty-eight acres, as generally depicted on four maps entitled "Kingston Range Wilderness Proposed", numbered in the title one through four dated May 1994, and which shall be known as the Kingston Range Wilderness.

(34) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately twenty-nine thousand eight hundred and eighty acres, as generally depicted on a map entitled "Little Chuckwalla Mountains Wilderness Proposed", dated May 1991, and which shall be known as the Little Chuckwalla Mountains Wilderness.

(35) Certain lands in the California Desert Conservation Area and the Yuma District, of the Bureau of Land Management, which comprise approximately thirty-three thousand six hundred acres, as generally depicted on a map entitled "Little Picacho Wilderness Proposed", dated July 1993, and which shall be known as the Little Picacho Wilderness.

(36) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately thirty-two thousand three hundred and sixty acres, as generally depicted on a map entitled "Malpais Mesa Wilderness Proposed", dated September 1991, and which shall be known as the Malpais Mesa Wilderness.

(37) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately sixteen thousand one hundred and five acres, as generally depicted on a map entitled "Manly Peak Wilderness Proposed", dated October 1991, and which shall be known as the Manly Peak Wilderness.

(38) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately twenty-four thousand two hundred acres, as generally depicted on a map entitled "Mecca Hills Wilderness Proposed", dated July 1993, and which shall be known as the Mecca Hills Wilderness.

(39) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately forty-seven thousand three hundred and thirty acres, as generally depicted on a map entitled "Mesquite Wilderness Proposed", dated May 1991, and which shall be known as the Mesquite Wilderness.

(40) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately twenty-two thousand nine hundred acres, as generally depicted on a map entitled "Newberry Mountains Wilderness Proposed", dated February 1986, and which shall be known as the Newberry Mountains Wilderness.

(41) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately one hundred ten thousand eight hundred and sixty acres, as generally depicted on a map entitled "Nopah Range Wilderness Proposed", dated July 1993, and which shall be known as the Nopah Range Wilderness.

(42) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately thirty-two thousand two hundred and forty acres, as generally depicted on a map entitled "North Algodones Dunes Wilderness Proposed", dated October 1991, and which shall be known as the North Algodones Dunes Wilderness.

(43) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately twenty-five thousand five hundred and forty acres, as generally depicted on a map entitled "North Mesquite Mountains Wilderness Proposed", dated May 1991, and which shall be known as the North Mesquite Mountains Wilderness.

(44) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately one hundred forty-six thousand and seventy acres, as generally depicted on a map entitled "Old Woman Mountains Wilderness Proposed 1", dated May 1994 and a map entitled "Old Woman Mountains Wilderness Proposed 2", dated October 1991, and which shall be known as the Old Woman Mountains Wilderness.

(45) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately fifty-seven thousand four hundred and eighty acres, as generally depicted on a map entitled "Orocopia Mountains Wilderness Proposed", dated May 1994, and which shall be known as the Orocopia Mountains Wilderness.

(46) Certain lands in the California Desert Conservation Area and the Bakersfield District, of the Bureau of Land Management, which comprise approximately seventy-four thousand six hundred and forty acres, as generally depicted on a map entitled "Owens Peak Wilderness Proposed 1", dated February 1986, and two maps entitled "Owens Peak Wilderness Proposed 2" dated February 1986 and "Owens Peak Wilderness Proposed 3", dated May 1991, and which shall be known as the Owens Peak Wilderness.

(47) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately seventy-four thousand eight hundred acres, as generally depicted on a map entitled "Pahrump Valley Wilderness Proposed", dated February 1986 and which shall be known as the Pahrump Valley Wilderness.

(48) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately two hundred seventy thousand six hundred and twenty-nine acres, as generally depicted on a map entitled "Palen/McCoy Wilderness Proposed 1", dated July 1993, and a map entitled "Palen/McCoy Wilderness Proposed 2", dated July 1993, and which shall be known as the Palen/McCoy Wilderness.

(49) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately thirty-two thousand three hundred and ten acres, as generally depicted on a map entitled "Palo Verde Mountains Wilderness Proposed", dated July 1993, and which shall be known as the Palo Verde Mountains Wilderness.

(50) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately seven thousand seven hundred acres, as generally depicted on a map entitled "Picacho Peak Wilderness Proposed", dated May 1991, and which shall be known as the Picacho Peak Wilderness.

(51) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately seventy-two thousand six hundred acres, as generally depicted on a map entitled "Piper Mountain Wilderness Proposed", dated May 1991, and which shall be known as the Piper Mountain Wilderness.

(52) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately thirty-six thousand eight hundred and forty acres, as generally depicted on a map entitled "Piute Mountains Wilderness Proposed", dated July 1993, and which shall be known as the Piute Mountains Wilderness.

(53) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately seventy-eight thousand eight hundred and sixty-eight acres, as generally depicted on a map entitled "Resting Spring Range Wilderness Proposed", dated May 1991, and which shall be known as the Resting Spring Range Wilderness.

(54) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately forty thousand eight hundred and twenty acres, as generally depicted on a map entitled "Rice Valley Wilderness Proposed", dated May 1991, and which shall be known as the Rice Valley Wilderness.

(55) Certain lands in the California Desert Conservation Area and the Yuma District, of the Bureau of Land Management, which comprise approximately twenty-two thousand three hundred eighty acres, as generally depicted on a map entitled "Riverside Mountains Wilderness Proposed", dated May 1991, and which shall be known as the Riverside Mountains Wilderness.

(56) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately twenty-seven thousand seven hundred acres, as generally depicted on a map entitled "Rodman Mountains Wilderness Proposed", dated January 1989, and which shall be known as the Rodman Mountains Wilderness.

(57) Certain lands in the California Desert Conservation Area and the Bakersfield District, of the Bureau of Land Management, which comprise approximately fifty-one thousand nine hundred acres, as generally depicted on two maps entitled "Sacatar Trail Wilderness Proposed 1" and "Sacatar Trail Wilderness Proposed 2", dated May 1991, and which shall be known as the Sacatar Trail Wilderness.

(58) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately one thousand four hundred and forty acres, as generally depicted on a map entitled "Saddle Peak Hills Wilderness Proposed", dated July 1993, and which shall be known as the Saddle Peak Hills Wilderness.

(59) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately thirty-seven thousand nine hundred and eighty acres, as generally depicted on a map entitled "San Gorgonio Wilderness Additions Proposed", dated July 1993, and which are hereby incorporated in, and which shall be deemed to be a part of, the San Gorgonio Wilderness as designated by Public Laws 88-577 and 98-425.

(60) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately sixty-four thousand three hundred and forty acres, as generally depicted on a map entitled "Santa Rosa Wilderness Additions Proposed", dated March 1994, and which are hereby incorporated in, and which shall be deemed to be part of, the

Santa Rosa Wilderness designated by Public Law 98-425.

(61) Certain lands in the California Desert District, of the Bureau of Land Management, which comprise approximately thirty-five thousand and eighty acres, as generally depicted on a map entitled "Sawtooth Mountains Wilderness Proposed", dated July 1993, and which shall be known as the Sawtooth Mountains Wilderness.

(62) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately one hundred seventy-four thousand eight hundred acres, as generally depicted on two maps entitled "Sheep Hole Valley Wilderness Proposed 1", dated July 1993, and "Sheep Hole Valley Wilderness Proposed 2", dated July 1993, and which shall be known as the Sheephole Valley Wilderness.

(63) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately forty-four thousand four hundred and ten acres, as generally depicted on a map entitled "Slate Range Wilderness Proposed", dated October 1991, and which shall be known as the Slate Range Wilderness.

(64) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately sixteen thousand seven hundred and eighty acres, as generally depicted on a map entitled "South Nopah Range Wilderness Proposed", dated February 1986, and which shall be known as the South Nopah Range Wilderness.

(65) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately seven thousand and fifty acres, as generally depicted on a map entitled "Stateline Wilderness Proposed", dated May 1991, and which shall be known as the Stateline Wilderness.

(66) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately eighty-one thousand six hundred acres, as generally depicted on a map entitled "Stepladder Mountains Wilderness Proposed", dated February 1986, and which shall be known as the Stepladder Mountains Wilderness.

(67) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately twenty-nine thousand one hundred and eighty acres, as generally depicted on a map entitled "Surprise Canyon Wilderness Proposed", dated September 1991, and which shall be known as the Surprise Canyon Wilderness. (68) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately seventeen thousand eight hundred and twenty acres, as generally depicted on a map entitled "Sylvania Mountains Wilderness Proposed", dated February 1986, and which shall be known as the Sylvania Mountains Wilderness.

(69) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately thirty-three thousand seven hundred and twenty acres, as generally depicted on a map entitled "Trilobite Wilderness Proposed", dated May 1991, and which shall be known as the Trilobite Wilderness.

(70) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management, which comprise approximately one hundred forty-four thousand five hundred acres, as generally depicted on a map entitled "Turtle Mountains Wilderness Proposed 1", dated February 1986 and a map entitled "Turtle Mountains Wilderness Proposed 2", dated May 1991, and which shall be known as the Turtle Mountains Wilderness.

(71) Certain lands in the California Desert Conservation Area and the Yuma District, of the Bureau of Land Management, which comprise approximately seventy-seven thousand five hundred and twenty acres, as generally depicted on a map entitled "Whipple Mountains Wilderness Proposed", dated July 1993, and which shall be known as the Whipple Mountains Wilderness.

Administration of wilderness areas

Sec. 103. Subject to valid existing rights, each wilderness area designated under section 102 shall be administered by the appropriate Secretary in accordance with the provisions of the Wilderness Act, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this title and any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary who has administrative jurisdiction over the area.

Grazing

Sec. 104. Within the wilderness areas designated under section 102, the grazing of livestock, where established prior to the enactment of this Act, shall be permitted to continue subject to such reasonable regulations, policies, and practices as the Secretary deems necessary, as long as such regulations, policies, and practices fully conform with and implement the intent of Congress regarding grazing in such areas as such intent is expressed in the Wilderness Act and section 108 of Public Law 96-560 (16 U.S.C. 133 note).

Buffer zones

Sec. 105. The Congress does not intend for the designation of wilderness areas in section 102 of this Act to lead to the creation of protective perimeters or buffer zones around any such wilderness area. The fact that nonwilderness activities or uses can be seen or heard from areas within a wilderness shall not, of itself, preclude such activities or uses up to the boundary of the wilderness area.

Mining claim validity review

Sec. 106. The Secretary of the Interior shall not approve any plan of operation prior to determining the validity of the unpatented mining claims, mill sites, and tunnel sites affected by such plan within any wilderness area designated under section 102, and shall submit to Congress recommendations as to whether any valid or patented claims should be acquired by the United States, including the estimated acquisition costs of such claims, and a discussion of the environmental consequences of the extraction of minerals from these lands.

Filing of maps and descriptions

Sec. 107. As soon as practicable after enactment of section 102, a map and a legal description on each wilderness area designated under this title shall be filed by the Secretary concerned with the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives, and each such map and description shall have the same force and effect as if included in this title, except that the Secretary may correct clerical and typographical errors in each such legal description and map. Each such map and legal description shall be on file and available for public inspection in the office of the Director of the Bureau of Land Management, Department of the Interior, or the Chief of the Forest Service, Department of Agriculture, as is appropriate.

Wilderness review

Sec. 108. (a) The Congress hereby finds and directs that except for those areas provided for in subsection (b), the public lands in the California Desert Conservation Area, managed by the Bureau of Land Management, not designated as wilderness or wilderness study areas by this Act, have been adequately studied for wilderness designation pursuant to section 603 of the Federal Land Policy and Management Act of 1976 (90 Stat. 2743, 43 U.S.C. 1782), and are no longer subject to the requirements of section 603(c) of the Federal Land Policy and Management Act of 1976 pertaining to the management of wilderness study areas in a manner that does not impair the suitability of such areas for preservation as wilderness.

(b) The following areas shall continue to be subject to the requirements of section 603(c) of the Federal Land Policy and Management Act of 1976, pertaining to the management of wilderness study areas in a manner that does not impair the suitability of such areas for preservation as wilderness:

(1) Certain lands which comprise approximately sixty-one thousand three hundred and twenty acres, as generally depicted on a map entitled "Avawatz Mountains Wilderness Proposed", dated May 1991.

(2) Certain lands which comprise approximately eighty thousand four hundred and thirty acres, as generally depicted on two maps entitled "Soda Mountains Wilderness Proposed 1", dated May 1991, and "Soda Mountains Wilderness Proposed 2", dated January 1989.

(3) Certain lands which compromise approximately twenty-three thousand two hundred and fifty acres, as generally depicted on a map entitled "South Avawatz Mountains Proposed", dated May 1991.

(4) Certain lands which comprise approximately eight thousand eight hundred acres, as generally depicted on a map entitled "Great Falls Basin Wilderness Proposed", dated February 1986.

(c) Subject to valid existing rights, the Federal lands referred to in subsection (b) are hereby withdrawn from all forms of entry, appropriation, or disposal under the public land laws; from location, entry, and patent under the United States mining laws; and from disposition under all laws pertaining to mineral and geothermal leasing, and mineral materials, and all amendments

thereto, and shall be administered by the Secretary in accordance with the provisions of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782).

Designation of wilderness study area

Sec. 109. In furtherance of the provisions of the Wilderness Act, certain public lands in the California Desert Conservation Area of the Bureau of Land Management which comprise eleven thousand two hundred acres as generally depicted on a map entitled "White Mountains Wilderness Study Area Proposed", dated May 1991, are hereby designated the White Mountains Wilderness Study Area and shall be administered by the Secretary in accordance with the provisions of section 603(c) of the Federal Land Policy and Management Act of 1976.

Suitability report

Sec. 110. The Secretary is required, ten years after the date of enactment of this Act, to report to Congress on current and planned exploration, development or mining activities on, and suitability for future wilderness designation of, the lands as generally depicted on maps entitled "Surprise Canyon Wilderness Proposed", "Middle Park Canyon Wilderness Proposed", and "Death Valley National Park Boundary and Wilderness 15", dated September 1991 and a map entitled "Manly Peak Wilderness Proposed", dated October 1991.

Wilderness designation and management in the national wildlife refuge system

Sec. 111. (a) In furtherance of the purposes of the Wilderness Act, the following lands are hereby designated as wilderness and therefore, as components of the National Wilderness Preservation System:

(1) Certain lands in the Havasu National Wildlife Refuge, California, which comprise approximately three thousand one hundred and ninety-five acres, as generally depicted on a map entitled "Havasu Wilderness Proposed", and dated October 1991, and which shall be known as the Havasu Wilderness.

(2) Certain lands in the Imperial National Wildlife Refuge, California, which comprise approximately five thousand eight hundred and thirty-six acres, as generally depicted on two maps entitled "Imperial Refuge Wilderness Proposed 1" and "Imperial Refuge Wilderness Proposed 2", and dated October 1991, and which shall be known as the Imperial Refuge Wilderness.

(b) Subject to valid existing rights, the wilderness areas designated under this section shall be administered by the Secretary in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act (or any similar reference) shall be deemed to be a reference to the date of enactment of this Act and any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

(c) As soon as practicable after enactment of this section, the Secretary shall file a map and a

legal description of each wilderness area designated under this section with the Committees on Energy and Natural Resources and Environment and Public Works of the Senate and Natural Resources and Merchant Marine and Fisheries of the House of Representatives. Such map and description shall have the same force and effect as if included in this Act, except that correction of clerical and typographical errors in such legal description and map may be made. Such map and legal description shall be on file and available for public inspection in the Office of the Director, United States Fish and Wildlife Service, Department of the Interior.

TITLE II DEATH VALLEY NATIONAL PARK

Findings

Sec. 201. The Congress hereby finds that

(1) proclamations by Presidents Herbert Hoover in 1933 and Franklin Roosevelt in 1937 established and expanded the Death Valley National Monument for the preservation of the unusual features of scenic, scientific, and educational interest therein contained;

(2) Death Valley National Monument is today recognized as a major unit of the National Park System, having extraordinary values enjoyed by millions of visitors;

(3) the Monument boundaries established in the 1930s exclude and thereby expose to incompatible development and inconsistent management, contiguous Federal lands of essential and superlative natural, ecological, geological, archeological, paleontological, cultural, historical and wilderness values;

(4) Death Valley National Monument should be substantially enlarged by the addition of all contiguous Federal lands of national park caliber and afforded full recognition and statutory protection as a national park; and

(5) the wilderness within Death Valley should receive maximum statutory protection by designation pursuant to the Wilderness Act.

establishment of death valley national park

Sec. 202. There is hereby established the Death Valley National Park, as generally depicted on 23 maps entitled "Death Valley National Park Boundary and Wilderness Proposed", numbered in the title one through twenty-three, and dated May 1994 or prior, which shall be on file and available for public inspection in the offices of the Superintendent of the Park and the Director of the National Park Service, Department of the Interior. The Death Valley National Monument is hereby abolished as such, the lands and interests therein are hereby incorporated within and made part of the new Death Valley National Park, and any funds available for purposes of the monument shall be available for purposes of the park.

Transfer and administration of lands

Sec. 203. Upon enactment of this title, the Secretary shall transfer the lands under the jurisdiction of the Bureau of Land Management depicted on the maps described in section 202 of this title, without consideration, to the administrative jurisdiction of the Director of the National Park Service for administration as part of the National Park System. The boundaries of the public lands and the national parks shall be adjusted accordingly. The Secretary shall administer the areas added to the National Park System by this title in accordance with the provisions of law generally applicable to units of the National Park System, including the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-4).

Maps and legal description

Sec. 204. Within six months after the enactment of this title, the Secretary shall file maps and a legal description of the park designated under this title with the Energy and Natural Resources Committee of the Senate and the Natural Resources Committee of the House of Representatives. Such maps and legal description shall have the same force and effect as if included in this title, except that the Secretary may correct clerical and typographical errors in such legal description and in the maps referred to in section 202. The maps and legal description shall be on file and available for public inspection in the offices of the Superintendent of the Park and the Director of the National Park Service, Department of the Interior.

Withdrawal

Sec. 205. Subject to valid existing rights, the Federal lands and interests therein added to the National Park System by this title are withdrawn from disposition under the public land laws and from entry or appropriation under the mining laws of the United States, from the operation of the mineral leasing laws of the United States, and from operation of the Geothermal Steam Act of 1970.

Study as to validity of mining claims

Sec. 206. The Secretary shall not approve any plan of operation prior to determining the validity of the unpatented mining claims, mill sites, and tunnel sites affected by such plan within the additions to the park and shall submit to Congress recommendations as to whether any valid or patented claims should be acquired by the United States, including the estimated acquisition costs of such claims, and a discussion of the environmental consequences of the extraction of minerals from these lands.

Grazing

Sec. 207. (a) The privilege of grazing domestic livestock on lands within the park shall continue to be exercised at no more than the current level, subject to applicable laws and National Park Service regulations. (b) If a person holding a grazing permit referred to in subsection (a) informs the Secretary that such permittee is willing to convey to the United States any base property with respect to which such permit was issued and to which such permittee holds title, the Secretary shall make the acquisition of such base property a priority as compared with the acquisition of other lands within the park, provided agreement can be reached concerning the

terms and conditions of such acquisition. Any such base property which is located outside the park and acquired as a priority pursuant to this section shall be managed by the Federal agency responsible for the majority of the adjacent lands in accordance with the laws applicable to such adjacent lands.

TITLE III JOSHUA TREE NATIONAL PARK

Findings

Sec. 301. The Congress hereby finds that

(1) a proclamation by President Franklin Roosevelt in 1936 established Joshua Tree National Monument to protect various objects of historical and scientific interest;

(2) Joshua Tree National Monument today is recognized as a major unit of the National Park System, having extraordinary values enjoyed by millions of visitors;

(3) the Monument boundaries as modified in 1950 and 1961 exclude and thereby expose to incompatible development and inconsistent management, contiguous Federal lands of essential and superlative natural, ecological, archeological, paleontological, cultural, historical and wilderness values;

(4) Joshua Tree National Monument should be enlarged by the addition of contiguous Federal lands of national park caliber, and afforded full recognition and statutory protection as a national park; and

(5) the nondesignated wilderness within Joshua Tree should receive statutory protection by designation pursuant to the Wilderness Act.

establishment of joshua tree national park

Sec. 302. There is hereby established the Joshua Tree National Park, as generally depicted on a map entitled "Joshua Tree National Park Boundary Proposed", dated May 1991, and four maps entitled "Joshua Tree National Park Boundary and Wilderness", numbered in the title one through four, and dated October 1991 or prior, which shall be on file and available for public inspection in the offices of the Superintendent of the Park and the Director of the National Park Service, Department of the Interior. The Joshua Tree National Monument is hereby abolished as such, the lands and interests therein are hereby incorporated within and made part of the new Joshua Tree National Park, and any funds available for purposes of the monument shall be available for purposes of the park.

transfer and administration of lands

Sec. 303. Upon enactment of this title, the Secretary shall transfer the lands under the jurisdiction of the Bureau of Land Management depicted on the maps described in section 302 of this title, without consideration, to the administrative jurisdiction of the Director of the National Park Service for administration as part of the National Park System. The boundaries of the public lands and the national parks shall be adjusted accordingly. The Secretary shall administer the

areas added to the National Park System by this title in accordance with the provisions of law generally applicable to units of the National Park System, including the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-4).

maps and legal description

Sec. 304. Within six months after the enactment of this title, the Secretary shall file maps and legal description of the park designated by this title with the Energy and Natural Resources Committee of the Senate and the Natural Resources Committee of the House of Representatives. Such maps and legal description shall have the same force and effect as if included in this title, except that the Secretary may correct clerical and typographical errors in such legal description and in the maps referred to in section 302. The maps and legal description shall be on file and available for public inspection in the offices of the Superintendent of the Park and the Director of the National Park Service, Department of the Interior.

withdrawal

Sec. 305. Subject to valid existing rights, Federal lands and interests therein added to the National Park System by this title are withdrawn from disposition under the public lands laws and from entry or appropriation under the mining laws of the United States, from the operation of the mineral leasing laws of the United States, and from the operation of the Geothermal Steam Act of 1970.

utility rights-of-way

Sec. 306. Nothing in this title shall have the effect of terminating any validly issued right-of-way or customary operation maintenance, repair, and replacement activities in such right-of-way, issued, granted, or permitted to the Metropolitan Water District pursuant to the Boulder Canyon Project Act (43 U.S.C. 617-619b), which is located on lands included in the Joshua Tree National Park, but outside lands designated as wilderness under section 501(2). Such activities shall be conducted in a manner which will minimize the impact on park resources. Nothing in this title shall have the effect of terminating the fee title to lands or customary operation, maintenance, repair, and replacement activities on or under such lands granted to the Metropolitan Water District pursuant to the Act of June 18, 1932 (47 Stat. 324), which are located on lands included in the Joshua Tree National Park, but outside lands designated as wilderness under section 501(2). Such activities shall be conducted in a manner which will minimize the impact on park resources. The Secretary shall prepare within 180 days after the date of enactment of this Act, in consultation with the Metropolitan Water District, plans for emergency access by the Metropolitan Water District to its lands and rights-of-way.

study as to validity of mining claims

Sec. 307. The Secretary shall not approve any plan of operation prior to determining the validity of the unpatented mining claims, mill sites, and tunnel sites affected by such plan within the park and shall submit to Congress recommendations as to whether any valid or patented claims should be acquired by the United States, including the estimated acquisition costs of such claims, and a discussion of the environmental consequences of the extraction of minerals from these

lands.

TITLE IV MOJAVE NATIONAL PARK

Findings

Sec. 401. The Congress hereby finds that

(1) Death Valley and Joshua Tree National Parks, as established by this Act, protect unique and superlative desert resources, but do not embrace the particular ecosystems and transitional desert type found in the Mojave Desert area lying between them on public lands now afforded only impermanent administrative designation as a national scenic area;

(2) the Mojave Desert area possesses outstanding natural, cultural, historical, and recreational values meriting statutory designation and recognition as a unit of the National Park System;

(3) the Mojave Desert area should be afforded full recognition and statutory protection as a national park;

(4) the wilderness within the Mojave Desert should receive maximum statutory protection by designation pursuant to the Wilderness Act; and

(5) the Mojave Desert area provides an outstanding opportunity to develop services, programs, accommodations and facilities to ensure the use and enjoyment of the area by individuals with disabilities, consistent with section 504 of the Rehabilitation Act of 1973, Public Law 101-336, the Americans With Disabilities Act of 1990 (42 U.S.C. 12101), and other appropriate laws and regulations.

establishment of the mojave national park

Sec. 402. There is hereby established the Mojave National Park, comprising approximately one million four hundred and forty-eight thousand acres, as generally depicted on a map entitled "Mojave National Park Boundary Proposed", dated May 1994, which shall be on file and available for inspection in the appropriate offices of the Director of the National Park Service, Department of the Interior.

transfer of lands

Sec. 403. Upon enactment of this title, the Secretary shall transfer the lands under the jurisdiction of the Bureau of Land Management depicted on the maps described in section 402 of this title, without consideration, to the administrative jurisdiction of the Director of the National Park Service. The boundaries of the public lands shall be adjusted accordingly.

maps and legal description

Sec. 404. Within six months after the enactment of this title, the Secretary shall file maps and a legal description of the park designated under this title with the Energy and Natural Resources Committee of the Senate and the Natural Resources Committee of the House of Representatives. Such maps and legal description shall have the same force and effect as if included in this title, except that the Secretary may correct clerical and typographical errors in such legal description and in the maps referred to in section 402. The maps and legal description shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

abolishment of scenic area

Sec. 405. The East Mojave National Scenic Area, designated on January 13, 1981 (46 FR 3994), and modified on August 9, 1983 (48 FR 36210), is hereby abolished.

administration of lands

Sec. 406. The Secretary shall administer the park in accordance with this title and with the provisions of law generally applicable to units of the National Park System, including the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-4).

Withdrawal

Sec. 407. Subject to valid existing rights, Federal lands within the park, and interests therein, are withdrawn from disposition under the public land laws and from entry or appropriation under the mining laws of the United States, from the operation of the mineral leasing laws of the United States, and from operation of the Geothermal Steam Act of 1970.

study as to validity of mining claims

Sec. 408. The Secretary shall not approve any plan of operation prior to determining the validity of the unpatented mining claims, mill sites, and tunnel sites affected by such plan within the park and shall submit to Congress recommendations as to whether any valid or patented claims should be acquired by the United States, including the estimated acquisition costs of such claims, and a discussion of the environmental consequences of the extraction of minerals from these lands.

Grazing

Sec. 409. (a) The privilege of grazing domestic livestock on lands within the park shall continue to be exercised at no more than the current level, subject to applicable laws and National Park Service regulations. (b) If a person holding a grazing permit referred to in subsection (a) informs the Secretary that such permittee is willing to convey to the United States any base property

with respect to which such permit was issued and to which such permittee holds title, the Secretary shall make the acquisition of such base property a priority as compared with the acquisition of other lands within the park, provided agreement can be reached concerning the terms and conditions of such acquisition. Any such base property which is located outside the park and acquired as a priority pursuant to this section shall be managed by the Federal agency responsible for the majority of the adjacent lands in accordance with the laws applicable to such adjacent lands.

utility rights of way

Sec. 410. (a)(1) Nothing in this title shall have the effect of terminating any validly issued right-of-way or customary operation, maintenance, repair, and replacement activities in such right-of-way, issued, granted, or permitted to Southern California Edison Company, which is located on lands included in the Mojave National Park, but outside lands designated as wilderness under section 501(3). Such activities shall be conducted in a manner which will minimize the impact on park resources.

(2) Nothing in this title shall have the effect of prohibiting the upgrading of an existing electrical transmission line for the purpose of increasing the capacity of such transmission line in the Southern California Edison Company validly issued Eldorado-Lugo Transmission Line right-of-way and Mojave-Lugo Transmission Line right-of-way, or in a right-of-way if issued, granted, or permitted by the Secretary adjacent to the existing Mojave-Lugo Transmission Line right-of-way (hereafter in this section referred to as "adjacent right-of-way"), including construction of a replacement transmission line: Provided, That

(A) in the Eldorado-Lugo Transmission Line rights-of-way (hereafter in this section referred to as the "Eldorado rights-of-way") at no time shall there be more than three electrical transmission lines,

(B) in the Mojave-Lugo Transmission Line right-of-way (hereafter in this section referred to as the "Mojave right-of-way") and adjacent right-of-way, removal of the existing electrical transmission line and reclamation of the site shall be completed no later than three years after the date on which construction of the upgraded transmission line begins, after which time there may be only one electrical transmission line in the lands encompassed by Mojave right-of-way and adjacent right-of-way,

(C) if there are no more than two electrical transmission lines in the Eldorado rights-of-way, two electrical transmission lines in the lands encompassed by the Mojave right-of-way and adjacent right-of-way may be allowed,

(D) in the Eldorado rights-of-way and Mojave right-of-way no additional land shall be issued, granted, or permitted for such upgrade unless an addition would reduce the impacts to park resources,

(E) no more than 350 feet of additional land shall be issued, granted, or permitted for an adjacent right-of-way to the south of the Mojave right-of-way unless a greater addition would reduce the impacts to park resources, and

(F) such upgrade activities, including helicopter aided construction, shall be conducted in a manner which will minimize the impact on park resources.

(3) The Secretary shall prepare within 180 days after the date of enactment of this Act, in consultation with the Southern California Edison Company, plans for emergency access by the Southern California Edison Company to its rights-of-way.

(b)(1) Nothing in this title shall have the effect of terminating any validly issued right-of-way, or customary operation, maintenance, repair, and replacement activities in such right-of-way; prohibiting the upgrading of and construction on existing facilities in such right-of-way for the purpose of increasing the capacity of the existing pipeline; or prohibiting the renewal of such right-of-way issued, granted, or permitted to the Southern California Gas Company, its successors or assigns, which is located on lands included in the Mojave National Park, but outside lands designated as wilderness under section 501(3). Such activities shall be conducted in a manner which will minimize the impact on park resources.

(2) The Secretary shall prepare within one hundred and eighty days after the date of enactment of this title, in consultation with the Southern California Gas Company, plans for emergency access by the Southern California Gas Company to its rights-of-way.

(c) Nothing in this title shall have the effect of terminating any validly issued right-of-way or customary operation, maintenance, repair, and replacement activities of existing facilities issued, granted, or permitted for communications cables or lines, which are located on lands included in the Mojave National Park, but outside lands designated as wilderness under section 501(3). Such activities shall be conducted in a manner which will minimize the impact on park resources.

(d) Nothing in this title shall have the effect of terminating any validly issued right-of-way or customary operation, maintenance, repair, and replacement activities of existing facilities issued, granted, or permitted to Molybdenum Corporation of America; Molycorp, Incorporated; or Union Oil Company of California (d/b/a Unocal Corporation); or its successors or assigns, or prohibiting renewal of such right-of-way, which is located on lands included in the Mojave National Park, but outside lands designated as wilderness under section 501(3). Such activities shall be conducted in a manner which will minimize the impact on park resources.

preparation of management plan

Sec. 411. Within three years after the date of enactment of this title, the Secretary shall submit to the Energy and Natural Resources Committee of the Senate and the Natural Resources Committee of the House of Representatives a detailed and comprehensive management plan for the park. Such plan shall place emphasis on historical and cultural sites and ecological and wilderness values within the boundaries of the park. Any development, including road improvements, proposed by such plan shall be strictly limited to that which is essential and appropriate for the administration of the park and shall be designed and located so as to maintain the primitive nature of the area and to minimize the impairment of park resources or ecological values. To the extent practicable, administrative facilities, employee housing, commercial visitor services, accommodations, and other park-related development shall be located or provided for outside of the boundaries of the park. Such plan shall evaluate the feasibility of using the Kelso Depot and existing railroad corridor to provide public access to and

a facility for special interpretive, educational, and scientific programs within the park. Such plan shall specifically address the needs of individuals with disabilities in the design of services, programs, accommodations and facilities consistent with section 504 of the Rehabilitation Act of 1973, Public Law 101-336, the Americans with Disabilities Act of 1990 (42 U.S.C. 12101), and other appropriate laws and regulations.

granite mountains natural reserve

Sec. 412. (a) There is hereby designated the Granite Mountains Natural Reserve within the park comprising approximately nine thousand acres as generally depicted on a map entitled "Mojave National Park Boundary and Wilderness Proposed 6", dated May 1991.

(b) Upon enactment of this title, the Secretary of the Interior shall enter into a cooperative management agreement with the University of California for the purposes of managing the lands within the Granite Mountains Natural Reserve. Such cooperative agreement shall ensure continuation of arid lands research and educational activities of the University of California, consistent with the provisions of law generally applicable to units of the National Park System.

construction of visitor center

Sec. 413. The Secretary is authorized to construct a visitor center in the park for the purpose of providing information through appropriate displays, printed material, and other interpretive programs, about the resources of the park.

acquisition of lands

Sec. 414. The Secretary is authorized to acquire all lands and interest in lands within the boundary of the park by donation, purchase, or exchange, except that

(1) any lands or interests therein within the boundary of the park which are owned by the State of California, or any political subdivision thereof, may be acquired only by donation or exchange except for lands managed by the California State Lands Commission; and

(2) lands or interests therein within the boundary of the park which are not owned by the State of California or any political subdivision thereof may be acquired only with the consent of the owner thereof unless the Secretary determines, after written notice to the owner and after opportunity for comment, that the property is being developed, or proposed to be developed, in a manner which is detrimental to the integrity of the park or which is otherwise incompatible with the purposes of this title.

acquired lands be made part of mojave national park Sec. 415. Any lands acquired by the Secretary under this title shall become part of the Mojave National Park.

TITLE V NATIONAL PARK WILDERNESS

designation of wilderness

Sec. 501. The following lands are hereby designated as wilderness in accordance with the Wilderness Act (78 Stat. 890; 16 U.S.C. 1131 et seq.) and shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act:

(1) Death Valley National Park Wilderness, comprising approximately three million one hundred seventy-nine thousand four hundred and eighteen acres, as generally depicted on 23 maps entitled "Death Valley National Park Boundary and Wilderness", numbered in the title one through twenty-three, and dated May 1994 or prior, and three maps entitled "Death Valley National Park Wilderness", numbered in the title one through three, and dated May 1994 or prior, and which shall be known as the Death Valley Wilderness;

(2) Joshua Tree National Park Wilderness Additions, comprising approximately one hundred thirty-one thousand seven hundred and eighty acres, as generally depicted on four maps entitled "Joshua Tree National Park Boundary and Wilderness Proposed", numbered in the title one through four, and dated October 1991 or prior, and which are hereby incorporated in, and which shall be deemed to be a part of the Joshua Tree Wilderness as designated by Public Law 94-567; and

(3) Mojave National Park Wilderness, comprising approximately six hundred ninety-four thousand acres, as generally depicted on ten maps entitled "Mojave National Park Boundary and Wilderness Proposed", numbered in the title one through ten, and dated May 1994 or prior, and seven maps entitled "Mojave National Park Wilderness Proposed", numbered in the title one through seven, and dated May 1994 or prior, and which shall be known as the Mojave Wilderness.

(4) Upon cessation of all uses prohibited by the Wilderness Act and publication by the Secretary in the Federal Register of notice of such cessation, potential wilderness, comprising approximately six thousand eight hundred and forty acres, as described in "1988 Death Valley National Monument Draft General Management Plan Draft Environmental Impact Statement" (hereafter in this title referred to as "Draft Plan") and as generally depicted on a map in the Draft Plan entitled "Wilderness Plan Death Valley National Monument", dated January 1988, shall be deemed to be a part of the Death Valley Wilderness as designated in paragraph (1). Lands identified in the Draft Plan as potential wilderness shall be managed by the Secretary insofar as practicable as wilderness until such time as said lands are designated as wilderness.

filing of maps and descriptions

Sec. 502. Maps and a legal description of the boundaries of the areas designated in section 501 of this title shall be on file and available for public inspection in the Office of the Director of the National Park Service, Department of the Interior, and in the Office of the Superintendent of each area designated in section 501. As soon as practicable after this title takes effect, maps of the wilderness areas and legal descriptions of their boundaries shall be filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives, and such maps and descriptions shall have the same force and effect as if included in this title, except that the Secretary may correct clerical and typographical errors in such maps and descriptions.

administration of wilderness areas

Sec. 503. The areas designated by section 501 of this title as wilderness shall be administered by the Secretary in accordance with the applicable provisions of the Wilderness Act governing areas designated by that title as wilderness, except that any reference in such provision to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this title, and where appropriate, and reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

TITLE VI MISCELLANEOUS PROVISIONS

transfer of lands to red rock canyon state park

Sec. 601. Upon enactment of this title, the Secretary of the Interior shall transfer to the State of California certain lands within the California Desert Conservation Area, California, of the Bureau of Land Management, comprising approximately twenty thousand five hundred acres, as generally depicted on two maps entitled "Red Rock Canyon State Park Additions 1" and "Red Rock Canyon State Park Additions 2", dated May 1991, for inclusion in the State of California Park System. Should the State of California cease to manage these lands as part of the State Park System, ownership of the lands shall revert to the Department of the Interior to be managed as part of the California Desert Conservation Area to provide maximum protection for the areas scenic and scientific values.

desert lily sanctuary

Sec. 602. (a) There is hereby established the Desert Lily Sanctuary within the California Desert Conservation Area, California, of the Bureau of Land Management, comprising approximately two thousand forty acres, as generally depicted on a map entitled "Desert Lily Sanctuary", dated February 1986. The Secretary of the Interior shall administer the area to provide maximum protection to the desert lily.

(b) Subject to valid existing rights, Federal lands within the sanctuary, and interests therein, are withdrawn from disposition under the public land laws and from entry or appropriation under the mining laws of the United States, from the operation of the mineral leasing laws of the United States, and from operation of the Geothermal Steam Act of 1970.

land tenure adjustments

Sec. 603. In preparing land tenure adjustment decisions within the California Desert Conservation Area, of the Bureau of Land Management, the Secretary shall give priority to consolidating Federal ownership within the national park units and wilderness areas designated by this Act.

disposal prohibition

Sec. 604. Notwithstanding any other provision of law, the Secretary of the Interior and the Secretary of Agriculture may not dispose of any lands within the boundaries of the wilderness or parks designated under this Act or grant a right-of-way in any lands within the boundaries of the wilderness designated under this Act. Further, none of the lands within the boundaries of the wilderness or parks designated under this Act shall be granted to or otherwise made available for use by the Metropolitan Water District and any other agencies or persons pursuant to the Boulder Canyon Project Act (43 U.S.C. 617-619b) or any similar acts.

management of newly acquired lands

Sec. 605. Any lands within the boundaries of a wilderness area designated under this Act which are acquired by the Federal Government shall become part of the wilderness area within which they are located and shall be managed in accordance with all the provisions of this Act and other laws applicable to such wilderness area.

native american uses

Sec. 606. In recognition of the past use of the parks and wilderness areas designed under this Act by Indian people for traditional cultural and religious purposes, the Secretary shall ensure access to such parks and wilderness areas by Indian people for such traditional cultural and religious purposes. In implementing this section, the Secretary, upon the request of an Indian tribe or Indian religious community, shall temporarily close to the general public use of one or more specific portions of park or wilderness areas in order to protect the privacy of traditional cultural and religious activities in such areas by Indian people. Such access shall be consistent with the purpose and intent of Public Law 95-341 (42 U.S.C. 1996) commonly referred to as the "American Indian Religious Freedom Act", and with respect to areas designated as wilderness, the Wilderness Act (78 Stat. 890; 16 U.S.C. 1131).

Water rights

Sec. 607. (a) With respect to each wilderness area designated by this Act, Congress hereby reserves a quantity of water sufficient to fulfill the purposes of this Act. The priority date of such reserved water rights shall be the date of enactment of this Act.

(b) The Secretary of the Interior and all other officers of the United States shall take all steps necessary to protect the rights reserved by this section, including the filing by the Secretary of a claim for the quantification of such rights in any present or future appropriate stream adjudication in the courts of the State of California in which the United States is or may be joined and which is conducted in accordance with section 208 of the Act of July 10, 1952 (66 Stat. 560, 43 U.S.C. 666; commonly referred to as the McCarran Amendment).

(c) Nothing in this Act shall be construed as a relinquishment or reduction of any water rights reserved or appropriated by the United States in the State of California on or before the date of enactment of this Act.

(d) The Federal water rights reserved by this Act are specific to the wilderness areas located in

the State of California designated under this Act. Nothing in this Act related to the reserved Federal water rights shall be construed as establishing a precedent with regard to any future designations, nor shall it constitute an interpretation of any other Act or any designation made thereto.

state school lands

Sec. 608. (a) Upon request of the California State Lands Commission (hereinafter in this section referred to as the "Commission"), the Secretary shall enter into negotiations for an agreement to exchange Federal lands or interests therein on the list referred to in subsection (b)(2) for California State School Lands (hereinafter in this section referred to as "State School Lands") or interests therein which are located within the boundaries of one or more of the wilderness areas or park units designated by this Act. The Secretary shall negotiate in good faith to reach a land exchange agreement consistent with the requirements of section 206 of the Federal Land Policy and Management Act of 1976.

(b) Within six months after the date of enactment of this Act, the Secretary shall send to the Commission and to the Committees a list of the following:

(1) The State School Lands or interests therein (including mineral interests) which are located within the boundaries of the wilderness areas or park units designated by this Act.

(2) Lands under the Secretary's jurisdiction to be offered for exchange, including in the following priority:

(A) Lands with mineral interests, including geothermal, which have the potential for commercial development but which are not currently under mineral lease or producing Federal mineral revenues.

(B) Federal lands in California managed by the Bureau of Reclamation that the Secretary determines are not needed for any Bureau of Reclamation project.

(C) Any public lands in California that the Secretary, pursuant to the Federal Land Policy and Management Act of 1976, has determined to be suitable for disposal through exchange.

(c)(1) If an agreement under this section is for an exchange involving five thousand acres or less of Federal land or interests therein, or Federal lands valued at less than \$5,000,000, the Secretary may carry out the exchange in accordance with the Federal Land Policy and Management Act of 1976.

(2) If an agreement under this section is for an exchange involving more than five thousand acres of Federal land or interests therein, or Federal land valued at more than \$5,000,000, the agreement shall be submitted to the Committees, together with a report containing

(A) a complete list and appraisal of the lands or interests in lands proposed for exchange; and

(B) a determination that the State School Lands proposed to be acquired by the United States do not contain any hazardous waste, toxic waste, or radioactive waste.

(d) An agreement submitted under subsection (c)(2) shall not take effect unless approved by a joint resolution enacted by the Congress.

(e) If exchanges of all of the State School Lands are not completed by October 1, 2004, the Secretary shall adjust the appraised value of any remaining inholdings consistent with the provisions of section 206 of the Federal Land Management Policy Act of 1976. The Secretary shall establish an account in the name of the Commission in the amount of such appraised value. Title to the State School Lands shall be transferred to the United States at the time such account is credited.

(f) The Commission may use the credit in its account to bid, as any other bidder, for excess or surplus Federal property to be sold in the State of California in accordance with the applicable laws and regulations of the Federal agency offering such property for sale. The account shall be adjusted to reflect successful bids under this section or payments or forfeited deposits, penalties, or other costs assessed to the bidder in the course of such sales. In the event that the balance in the account has not been reduced to zero by October 1, 2009, there are authorized to be appropriated to the Secretary for payment to the California State Lands Commission funds equivalent to the balance remaining in the account as of October 1, 2009.

(g) As used in this section, the term "Committees" means the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

Exchanges

Sec. 609. (a) Upon request of the Catellus Development Corporation, its subsidiaries or successors in interest (hereafter in this section referred to as "Catellus"), the Secretary shall enter into negotiations for an agreement or agreements to exchange Federal lands or interests therein on the list referred to in subsection (b)(2) of this section for lands of Catellus or interests therein which are located within the boundaries of one or more of the wilderness areas or park units designated by this Act.

(b) Within six months after the date of enactment of this Act, the Secretary shall send to Catellus and to the Committees a list of the following:

(1) Lands of Catellus or interests therein (including mineral interests) which are located within the boundaries of the wilderness areas or park units designated by this Act.

(2) Lands under the Secretary's jurisdiction to be offered for exchange, in the following priority:

(A) Lands, including lands with mineral and geothermal interests, which have the potential for

commercial development but which are not currently under lease or producing Federal revenues.

(B) Federal lands managed by the Bureau of Reclamation that the Secretary determines are not needed for any Bureau of Reclamation project.

(C) Any public lands that the Secretary, pursuant to the Federal Land Policy and Management Act of 1976, has determined to be suitable for disposal through exchange.

(c)(1) If an agreement under this section is for (A) an exchange involving lands outside the State of California, (B) more than 5,000 acres of Federal land or interests therein in California, or (C) Federal lands in any State valued at more than \$5,000,000, the Secretary shall provide to the Committees a detailed report of each such land exchange agreement.

(2) All land exchange agreements shall be consistent with the Federal Land Policy and Management Act of 1976.

(3) Any report submitted to the Committees under this subsection shall include the following:

(A) A complete list and appraisal of the lands or interests in land proposed for exchange.

(B) A complete list of the lands, if any, to be acquired by the United States which contain any hazardous waste, toxic waste, or radioactive waste which requires removal or remedial action under Federal or State law, together with the estimated costs of any such action.

(4) An agreement under this subsection shall not take effect unless approved by a joint resolution enacted by the Congress.

(d) The Secretary shall provide the California State Lands Commission with a one hundred eighty-day right of first refusal to exchange for any Federal lands or interests therein, located in the State of California, on the list referred to in subsection (b)(2). Any lands with respect to which a right of first refusal is not noticed within such period or exercised under this subsection shall be available to Catellus for exchange in accordance with this section.

(e) On January 3, 1999, the Secretary shall provide to the Committees a list and appraisal consistent with the Federal Land Policy and Management Act of 1976 of all Catellus lands eligible for exchange under this section for which an exchange has not been completed. With respect to any of such lands for which an exchange has not been completed by October 1, 2004 (hereafter in this section referred to as "remaining lands"), the Secretary shall establish an account in the name of Catellus (hereafter in this section referred to as the "exchange account"). Upon the transfer of title by Catellus to all or a portion of the remaining lands to the United States, the Secretary shall credit the exchange account in the amount of the appraised value of the transferred remaining lands at the time of such transfer.

(f) Catellus may use the credit in its account to bid, as any other bidder, for excess or surplus Federal property to be sold in the State of California in accordance with the applicable laws and

regulations of the Federal agency offering such property for sale. The account shall be adjusted to reflect successful bids under this section or payments or forfeited deposits, penalties, or other costs assessed to the bidder in the course of such sales. Upon approval by the Secretary in writing, the credits in Catelluss exchange account may be transferred or sold in whole or in part by Catellus to any other party, thereby vesting such party with all the rights formerly held by Catellus. The exchange account shall be adjusted to reflect successful bids under this section or payments or forfeited deposits, penalties, or other costs assessed to the bidder in the course of such sales.

(g)(1) The Secretary shall not accept title pursuant to this section to any lands unless such title includes all right, title, and interest in and to the fee estate.

(2) Notwithstanding paragraph (1), the Secretary may accept title to any subsurface estate where the United States holds title to the surface estate.

(3) This subsection does not apply to easements and rights-of-way for utilities or roads.

(h) In no event shall the Secretary accept title under this section to lands which contain any hazardous waste, toxic waste, or radioactive waste which requires removal or remedial action under Federal or State law unless such remedial action has been completed prior to the transfer.

(i) For purposes of the section, any appraisal shall be consistent with the provisions of section 206 of the Federal Land Policy and Management Act of 1976.

(j) As used in this section, the term "Committees" means the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

TITLE VII DEFINITIONS AND AUTHORIZATION OF APPROPRIATIONS

definitions Sec. 701. For the purposes of this Act:

(1) The term "Secretary", unless specifically designated otherwise, means the Secretary of the Interior.

(2) The term "public lands" means any land and interest in land owned by the United States and administered by the Secretary of the Interior through the Bureau of Land Management.

authorization of appropriations

Sec. 702. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

draft committee report on h.r. 518 California desert protection

Act Purpose

H.R. 518

1 is intended to improve the management of the public lands within the desert region of California. Toward that end, the bill would designate 71 wilderness areas for management by the Bureau of Land Management, designate one area for wilderness study, and withdraw from disposal and mineral entry four other areas which will continue to be managed as if wilderness study areas; enlarge and rename as National Parks the Death Valley and Joshua Tree National Monuments; designate areas within these expanded National Park System units as wilderness; establish a new Mojave National Park and designate lands within it as wilderness; and designate as wilderness other lands within existing units of the National Wildlife Refuge System in California.

1H.R. 518 was introduced on January 21, 1993 by Representatives Lehman of California, Miller of California, Vento, Stark, Owens, Olver, Mfume, Pelosi, Mineta, McDermott, Brown of California, Frank of Massachusetts, Waxman, Stokes, DeFazio, Maloney, and Hinchey.

Background and need

Physical setting

Within the overall area known as the California desert, scientists recognize three deserts: the Mojave, the Sonoran, and a small portion of the Great Basin. Subtropical high pressure belts, the "rainshadow" effect of the coastal mountain ranges, and other topographical features create conditions by which some geographers define a desert: an area in which evaporation and transpiration exceed the mean annual precipitation.

The California deserts were cooler and moister places in the past. Prior to the end of the last ice age, Joshua trees, pinyon pines, sagebrush and junipers extended across broader expanses than they do today. A subsequent drying trend caused these plant communities to retreat to higher elevations, leaving small enclaves of white fir forests on mountaintops and species like the creosote bush to dominate the lowlands. This trend toward increasing dryness is evident in rainfall records kept since the last century. Today, parts of the Sonoran Desert receive less water than any other place in the United States.

In addition to aridity, extreme temperatures are a trait of the desert. The lack of insulating humidity causes wide fluctuations in daily seasonal temperatures varying from 14 degrees Fahrenheit at Deep Springs Valley in January to nearly 117 degrees Fahrenheit at Death Valley in July.

Human uses

Before European contact in the mid-16th century, Native Americans in the California desert hunted and foraged for food, set down permanent and seasonal village sites, mined and quarried for common and exotic stones, flood-irrigated land for agriculture, and traded goods through an

elaborate network of foot trails that were of great value to the Spanish, who saw the desert as little more than a daunting obstacle over which they had to travel between their settlements in New Mexico and coastal California. After acquisition of the area by the United States in the mid-19th century, land use intensity continually increased.

After initial forays through the area by explorers, soldiers, and Mormon settlers, there was a growing stream of emigrants bound for coastal California, protected by military forts and supplied by outposts along the route. Fanning out from the trail outposts, miners began creating colorful desert settlements that went through boom-bust cycles until the end of the Nineteenth Century. By 1868, with the subduing of the native population, most of the major modern California desert land uses had become entrenched in some form: livestock grazing, mining, military bases, major transportation arteries, and the growth of permanent settlements. Railroad facilities and mining operations, mainly those for precious metals but also for the celebrated borax trade, had substantial, although often ephemeral, impacts. Ranchers grazed their livestock across a wide expanse of the desert, at one time almost its entire western portion.

After the turn of the century, the dominance of these activities was challenged when the construction of a canal from the Colorado River transformed "The Land of the Dead" into the lush Imperial Valley, now one of the most productive agricultural spots in the world. The City of Los Angeles brought water across more than 200 miles of the desert from the Owens Valley, presaging a number of large water projects to come.

Between the two world wars, the freewheeling days of the prospector waned as corporate entities developed large operations. The reign of the railroads reached a national and local zenith and then faltered as roads were laid across the desert. Highway settlements and resorts sprang up to serve automobile travelers, many of whom had been inspired by authors who had described the desert as a beautiful, delicate place.

By the 1930s, this new sentiment had evolved into legislation creating the deserts three large parks: Anza-Borrego State Park and Joshua Tree and Death Valley National Monuments. More water projects, notably the Colorado River Aqueduct, brought pumping stations and other support facilities, and the first appearance of long, high voltage power transmission lines. After an absence of many years, the military returned to the California desert sun, clear air and sparsely-settled landscape because of the countrys new interest in flying.

As elsewhere in the nation, military concerns took priority over all other activities in the California desert during World War II. The desert lands, indeed, experienced perhaps more impacts from military operations than anywhere else in the country. Preparing for North African tank warfare, General Pattons troops ranged across vast expanses of the landscape. The Army Air Corps and the Navy withdrew large tracts of land for training and the testing of a rapidly evolving weapons technology.

Since World War II

The formation of the modern California desert character began immediately following the war. In 1946, livestock grazing became more regulated under the stewardship of the newly formed Bureau of Land Management. BLM also administered such disposal policies as the Small Tract Act of 1938, which allowed private individuals to secure five-acre tracts for a very small fee. Attracted by this opportunity, other land deals and the boon of such new technology as air

conditioning, refugees from coastal California's urban problems spilled over into the western fringes of the desert. Residential developments ranged from the closely-spaced suburbia of Palm Springs to "jackrabbit homesteads", shacks measuring 20 feet on each side and dispersed sparsely across hundreds of square miles. The war's legacy of jeeps and air-cooled engines allowed visitors to penetrate even the most remote regions of the desert, while cheap gas and improved roads made auto touring increasingly popular. Mineral operations increased in size, but not generally in number.

The physical manifestations of these human pressures include over 100 communities, ranging in type from one-person mining settlements to resorts; large industrial mining operations and thousands of speculative digs; canal-fed agricultural valleys; nine military bases and testing grounds; 11 electrical power-generating plants; 3,500 miles of high capacity power transmission lines; 12,000 miles of oil and gas pipelines; over 100 communication sites on ridges and mountaintops; and 15,000 miles of paved and maintained roads.

FLPMA and the CDCA

The most recent statutory response came in 1976, through enactment of section 601 of the Federal Land Policy and Management Act of 1976 ("FLPMA"), requiring the development and implementation of a comprehensive, long-range plan for the management, use, development, and protection of the public lands in the California Desert Conservation Area ("CDCA").

The Secretaries of Agriculture and Defense are required, by subsection 601(h) of FLPMA, to manage lands under their jurisdiction that are within or adjacent to the CDCA in a manner "consonant with the purpose" of section 601, which is "to provide for the immediate and future protection and administration of the public lands in the California desert within the framework of a program of multiple use and sustained yield, and the maintenance of environmental quality."

Further, Section 603 of FLPMA, requiring the identification and study for possible designation as wilderness of certain roadless public lands, applied to the public lands within the CDCA. Under that section, BLM identified and analyzed wilderness study areas ("WSAs") and in 1991 President Bush transmitted to the Congress his recommendation for designation as wilderness of a total of about 2.078 million acres within 46 of the 62 WSAs in the CDCA (part of a Statewide total recommendation of 2.3 million acres).

Congressional consideration of desert legislation

Legislative proposals similar to H.R. 518 and H.R. 880 (California Military Lands Withdrawal and Overflights Act) have been actively considered by the Committee in recent years.

During the 100th Congress, the Committee considered and favorably reported a bill similar to H.R. 880 (H.R. 1548 of 100th Congress, House Report 100-332, Part 1) that was passed by the House on October 5, 1987 but was not acted on by the Senate.

In 1989, the Subcommittee on National Parks and Public Lands held hearings on a bill that combined provisions similar to those in both H.R. 518 and H.R. 880, including one hearing in Washington, D.C. and field hearings in Bishop, Barstow, and Beverly Hills, California. At those

hearings, the Subcommittee received the testimony of numerous Members of Congress, officials of the Federal, State, and local Governments, and more than 300 public witnesses. No further action was taken on those bills during the 101st Congress.

During the 102nd Congress, the Subcommittee on General Oversight and California Desert Lands held a hearing on similar bills.

On October 16, 1991, the Full Committee considered a bill similar to H.R. 518 (H.R. 2929 of the 102nd Congress by Representative Lehman of California) and ordered it favorably reported to the House. After two days of debate and adoption of several amendments (including an amendment by Delegate Blaz of Guam and Representative Vento that added provisions similar to those now included in H.R. 880), the House passed the bill on November 26, 1991, by a vote of 297 yeas to 136 nays. However, the Senate did not act on the bill, which died with the sine die adjournment of the 102nd Congress in October, 1992.

H.R. 518 was introduced on January 21, 1993. The Subcommittee on National Parks and Public Lands held a hearing on the bill on June 15, 1993. On April 13, 1994, the Senate passed a similar bill (S. 21) by a vote of 69 to 29.

the committee amendment

As introduced, H.R. 518, like the House-passed bill of 1991, would have designated approximately four million acres of wilderness in 73 separate areas, plus one wilderness study area, all under BLM jurisdiction; would have transferred about 3 million acres from BLM management to management of the National Park Service as part of the Joshua Tree and Death Valley National Monuments; would have redesignated those units as National Parks; would have designated as a new Mojave National Monument (to be administered by the National Park Service) most of the lands now managed by BLM as the East Mojave National Scenic Area; and would have designated as wilderness about 4 million acres of lands within those three National Park System units.

The Committee adopted an amendment in the nature of a substitute, whose provisions are discussed in detail in the Section-by-Section Analysis portion of this report.

The substitute would designate approximately 3,019,410 acres of wilderness in 71 separate areas under BLM jurisdiction; about 9,000 acres of wilderness in two existing wildlife refuges; and require BLM to study about 11,200 acres for possible future designation as wilderness.

The substitute would transfer about 3,013,000 acres from BLM management to management by the National Park Service, and would designate about 3,985,012 acres of wilderness for management by the National Park Service.

section-by-section analysis

Short title

Section 1 provides a short title for H.R. 518, namely the "California Desert Protection Act of 1994."

Findings and policy

Section 2(a) sets forth a number of findings concerning the need for wilderness designation and National Park designation for the lands affected by the bill.

Title I: Wilderness additions

Findings

Section 101 sets forth three findings explaining the need for wilderness designation in the California desert. BLM-Managed Wilderness areas

Section 102 would designate 71 wilderness areas as follows: Argus Range

The 74,890 acre Argus Range contains a great diversity of terrain, land forms and geological features: alluvial fans, broad canyons and washes, and narrow twisting steep-walled canyons. Because of its elevation, the area receives higher-than-average rainfall for a desert region. Standards of pinyon and juniper adorn the upper slopes, which have traditionally attracted Native American groups interested in collecting the pinon nuts in the fall. There are several permanent streams, springs and waterfalls with dense riparian vegetation.

The geology of the Argus Range is very complex. The north end of the Argus Mountains is a steep, relatively narrow hogback of metamorphic rock. South of the metaphoric rocks are large areas of igneous rocks followed by more extensive regions of metamorphic rocks. Still further south is large rough area of basalt, and finally a region of eroded and fractured granites.

Although this area is only 4-6 miles wide, it is very easy to find places out of sight and sound of human activity and to gain the solitude needed for a true wilderness experience. From many of the ridge tops the views east across Panamint Valley toward Telescope Peak or north toward Panamint Butte and Hunter Mountain are splendid.

In the riparian areas and the adjacent canyon hillsides are small populations of the Inyo Brown Towhee, a candidate for rare and endangered species listing. *Mimulus rupicola*, on the California Native Plant Society list (1980) of rare and endangered plants, occurs in at least two of the canyons. There is also a very small band of wild horses that have lived in the Argus Range for many years. Bigelow Cholla Garden

This 10,380 acre area includes the California deserts largest concentration of Bigelow Cholla. This rare "teddy bear" cactus is covered with thousands of dangerous spines which impart a golden sheen to the plant. Many animals live amidst the very dense cholla stands, using the chollas needles as protection from their own enemies. Species such as the cactus wren and wood rat

build nests here while giant tarantulas prowl the prickly thickets.

Setting off the visual feast of tan and yellow cholla are the very dark, picturesquely eroded background rocks of the Sacramento Mountains. These volcanic mountains are bisected by numerous washes densely vegetated with ironwood and mesquite trees. Prairie falcons, desert tortoises, cactus wren and wood rats can be seen in the area. Spectacular spring floral displays nicely round out the beauties of this wilderness rock garden.

The Committee has adopted the same boundaries for this area as in S. 21 as passed by the Senate.

Bighorn Mountain

The 39,200 acre Bighorn Mountain Wilderness is a magnificent transition zone; it forms the northeast bastion of the San Bernardino Mountains east of Big Bear. The area is home to bighorn sheep and mountain lion on the higher slopes and desert tortoise on the lower slopes. This rugged area includes several ecosystems from Yellow Pine forest, pinon-juniper forest, Joshua Tree Forest, down to the creosote scrub community. Also contained within the area is the worlds champion Joshua Tree, a magnificent specimen of this Pleistocene giant lily.

Big Maria Mountains

This 47,570 area is unique to the desert because of its green valley and colorful mountains in stark contrast against the desert sky. Wildlife and vegetation are free from danger because the steep, rugged Big Maria Mountains make the area largely inaccessible except by foot.

Vegetation is mostly confined to the washes and canyons, although outstanding spring floral displays sometimes blanket the slopes. Plants consist chiefly of palo verde, ironwood, and acacia trees as well as mixed shrubs.

Two important springs on this area support a variety of wildlife. Mule-deer and desert bighorn sheep are the largest mammals. In addition, there are foraging bald eagles, prairie falcon nests, and roosts of three species of bats. The Mojave fringe-toed lizard also inhabits the area.

This area offers a varied landscape for wildlife. High vertical slopes allow birds of prey to forage easily, and numerous caves provide shelter for many types of wildlife.

Several areas of high sensitivity for cultural resources occur, including rock art, trails, rock shelters, rock alignments and historic remains. The Giant Indian Intaglios are adjacent to the eastern border of the area.

Black Mountain

This Area is northwest of Barstow. While it is relatively small at 13,940 acres, it is significant for what is found within its boundaries. The flat-topped Black Mountain is visible from many surrounding valleys. On the northeast a fairly gentle slope rises to the top, but the southwest face is an abrupt basaltic cliff. The typical basalt flows in this area of relatively recent origin,

include dikes, ridges and canyons. Views from this area include two relatively undisturbed dry lakes. The occurrences of cultural signs are so dense that the entire area is listed as sensitive. These aboriginal signs include trails, rock art and camp sites; they are also of interest to Native Americans.

An endangered cactus, *Sclerocactus Polyancistrus* is found among the lava flows of Black Mountain. there is potential for the occurrence of *Eriophyllum mojavense*. Other inhabitants include the desert tortoise and the state-listed Mojave ground squirrel. Raptors using the area include prairie falcons and golden eagles, including an eagle eyrie.

Bright Star

The 9,520 acre Bright Star Wilderness provides an opportunity to preserve the unique evolutionary development of species from differing ecosystems. This area lies between the Piute Mountains and Kelso Valley, east of Ridgecrest. Most of the terrain consists of steep-sided ridges separated by narrow canyons, at elevations of 3500 to over 5000 feet.

The vegetation represents a transition between the conifer forests of the Piute Mountains to the west and the desert to the east. The Piute Mountains have been recognized as an area where many of California's ecosystems overlap, including these of the Sierra Nevada, the Mojave Desert and the Central Valley. Unique plant and animal associations representing species from all of these large ecosystems are found living side by side in the Piute Mountains area.

Bristol Mountains

The Bristol Mountains, a north-south-trending range located 70 miles east of Barstow, are the core range of the 68,515 acre Bristol Mountains Wilderness; it also contains portions of the Old Dad Mountains, a lifted and tilted volcanic tableland. Similarly, the Bristol Mountains are primarily influenced by volcanic activity and include rhyolite and other interesting small bands of different formations which attract numerous rockhounds hiking over the rugged hills, spires and ridges seeking treasured gems.

Although the area is bounded on the south by a major Inter-state highway, it is still considered extremely isolated, and there are many opportunities for hiking and study of the ecotone where all three of the great American deserts exert an influence.

Wildlife includes a small bighorn sheep herd, golden eagle and prairie falcon nesting and forage areas, mule deer, ring-tailed cats, and skunks. Vegetation in the mid levels is creosote bush and yucca, with pinon at higher elevations, and smoke trees in extremely dense stands at the lowest and hottest elevations.

There are many archeological sites found in this proposed wilderness, especially noteworthy is one site where there are extensive lithic scatters and other evidence of toolmaking, probably made by prehistoric Chemehuevi and Serrano groups.

Cadiz Dunes

This 39,740 acre area is one of the few truly unstable dune systems in California. The dunes are at a very low elevation compared to the surrounding terrain, as they are at a low point in Cadiz Valley. This area lies northeast of 29 Palms. The heat of the Cadiz Dunes flow to the southeast toward the Kilbeck Hills, just northeast of Cadiz Dry Lake.

The dunes have a surprise for everyone who visits them instead of becoming more barren as one penetrates them, one finds pockets of water and vegetation in the hollows between the dune ridges. These pockets support a variety of wildlife, and more mammals, especially, than one would normally find in dune systems. Wildflower displays long past the usual Spring show are often found in these unusual dunes. The dunes have their full complement of insects, especially those who build their burrows in the loose sand. It took several years for the dunes to reestablish itself after the closure of the dunes to ORV activity in 1977.

Cady Mountains

The 84,400 acre Cady Mountains are an area of vast, windblown, sandy valleys and highly eroded volcanic ridges. Outstanding opportunities exist for unconfined recreation, and the visitor has a feeling of isolation and solitude.

Two springs provide the major water source for significant wildlife populations. Desert bighorn sheep, prairie falcons, golden eagles and fringe-toed lizards roam the land.

This area is within very easy reach of a growing desert urban center (Barstow/Daggett) to the west. It is particularly accessible from Los Angeles.

Carrizo Gorge

This 15,700 acre area tucked in southeastern San Diego County is adjacent to state wilderness in Anza Borrego Desert State Park. It is named for the significant gorge just to the east and inside the State Park.

Peninsular bighorn sheep, a state-listed endangered species is found in this area. The BLM In-Ko-Pah Mountains ACEC was established to protect the species habitat. At least three sensitive plant species are found in the area; *Astragalus douglasii*, var. *perstrictus*, *Hemizonia floribunda*, and *Caulanthus simulens*.

Archeological resources are found throughout the area, including sites, trails, and grinding holes. BLM has recognized those in the northern one-third of the area as needing special protection.

Chemehuevi Mountains

This 64,320 acre area is along the Colorado River south of Needles, next to the Chemehuevi Indian Reservation. Its traditional use by these peoples have left numerous archaeological artifacts, many of which have not been fully examined because of the exceedingly difficult terrain. The area is crisscrossed with washes, mountains, and eroded slopes. There are more

than 20 different peaks identifiable on the skyline from various positions.

The wildlife is varied, with bighorn sheep, and mule deer in the mountains, and desert tortoises on the flats. There also are unusual reptile species found in the area. A mix of vegetation types are found along the Colorado River, with bigelow cholla from the Mojave Desert and ocotillo from the Colorado Desert both present along with buckhorn, barrel and other cactus varieties. The riverline ecology with its riparian areas, and foraging eagles was rated very high by BLM.

Chimney Peak

The 13,700 acre Chimney Peak area lies west of the first ridge of the Sierras as seen from the vicinity of Little Lake in southern Owens Valley, on the Kern Plateau of the southern Sierra, and north of Walker Pass. The area is characterized by steep-sided ridges and narrow canyons covered, for the most part, by pinon pine forest at elevations from 5000 to 8000 feet. The Pacific Crest Trail runs through the middle of the area. This is part of the Kern River watershed. Campgrounds accessible by car are located in the Long Valley on the west and the Chimney Creek road on the east. This remote portion of the Sierra has interested anthropologists looking for isolated populations of Native Americans and the outposts they inhabited.

Chuckwalla Mountains

This 158,950 acre area contains the rugged Chuckwalla Mountains south of Desert Center, which present a craggy profile to the outside world as they encircle one of the better known remote palm oases of the California Desert, Corn Springs. This oasis and the popular campground there is located in the large interior valley which drains northeast out of the range and provides excellent access to the entire area. Around the mountain range are broad bajadas dissected with washes favoring the growing of ironwood. Because of the high incidence of springs in this range there is more wildlife than is common in much of the desert. Bighorn sheep, chuckwalla, mule deer, quail and a core population of desert tortoise are all in this area, while prairie falcons hover above it all. This area is important for today's Native Americans, especially the Cahuilla Band, who revere the intaglios, village sites and petroglyph areas in the northwest portion. There is also evidence of ancient human uses in other parts of the Chuckwalla Mountains, and evidence that this was a major trading center for Indians from many different groups.

The southern part of the Chuckwalla range is known as the Chuckwalla Bench, where one of the very best transition zones between the Mojave and the Colorado Deserts is found. The cactus gardens here have not yet been totally raided by thieves. These rare assemblages of plants have been recognized by the California Native Plant Society. A rare cacti, *Opuntia munzii*, the largest cholla of the California Desert, is found only here and in the Chocolate Mountains, which are closed to the public.

The historic Bradshaw Stage Line which connected the San Bernardino area to the Colorado River runs along the southern boundary of the area. The interior valley is popular with recreationists.

Cleghorn Lakes

The Cleghorn Lakes is a 34,380 acre area. The granitic boulders of Bullion Mountains northeast of 29 Palms are classic scrambling terrain. The Cleghorn Lakes are screened from view from the road to the south and east the low rolling hills. The miniature scale allows those with more

restricted physical capabilities the opportunity of sampling an isolated dry lake, without a road down the middle.

The western portion of the area is prime wildflower terrain, while the vast flats and gentle slopes up to the boulder fields are carpeted in yellows, oranges and blues with lots of "belly flowers". These wildflower flats are very sensitive to vehicular intrusions and tracks, and take some time to re-establish in scarred areas. Fiddlenecks sometimes briefly cover the Cleghorn Lake bottoms like a thick lawn.

Clipper Mountains

A sharp prow, blunt stern and three masts suggested by peaks led early Clipper Mountains Wilderness visitors about 55 miles west of Needles to whimsically name them after a stranded ship. With Interstate 40 to the north and historic old Route 66 to the south, the Clipper Mountain Volcanics are a colorful and interesting geologic area of this 40,000 acre wilderness. The interior valleys provide a variety of terrain from rugged spires to flat topped ridges and mesas offer a range of challenges to hikers and backpackers. The brown and yellow striated mountain range is still mostly undiscovered and unexplored.

The Fenner and Clipper Valleys lap like a quiet ocean south and north, home to desert tortoise, Mojave yucca, creosote, a large variety of cacti. Some of the interior valleys support mesquite and smoke trees, species more common 150 miles south in the lower Colorado Desert. In the alluvial washes, shrubs provide shelter and browse for a major desert bighorn sheep herd and mule deer who are attracted to the area by its abundance of springs. Numerous prairie falcons and some golden eagles nest here as well. Abundant springs support a limited riparian vegetation zone and in the past attracted both wildlife and Indians, who left many signs of their presence in the area.

Coso Range

The Coso Range lies on the east side of the Owens Valley, southeast of Owens Valley. The 50,520 acre area contains two large interior valleys and surrounding volcanic tablelands. Scenic views from the area include the Sierra Crest and the Inyos with their snow-capped peaks. Extensive evidence of volcanic activity is found throughout the range. Large obsidian outcrops were used by the Paiute Indians. There is evidence of early occupation of the area. A variety of large mammals is found here, including bighorn sheep, mule deer, burros and wild horses. Naturalists have also noted the presence of a rare black toad.

Coyote Mountains

West of El Centro, the Coyote Mountains form the backbone ridge leading down to the three major washes, Carrizo Wash to the northeast, Painted Gorge to the east, and the Fossil Canyon area to the south. In 1975 this was identified by the BLM as a "primitive area." In addition to several colorful gorges, this 17,000 acre area contains sensitive plants, the state listed rare Peninsular Bighorn Sheep and the magic gecko, a shy primitive looking reptile. The Painted Canyon area is a favorite of hikers and photographers. In Fossil Canyon the casts of hundreds of thousands of marine animals, especially clams, are scattered on the surface evidence of ancient lake beds in the area. The soft muddy hills are eroding away, exposing more fossils every year in the badlands terrain. The Committee has adopted the same boundaries for this area as in S. 21 as passed by the Senate.

Darwin Falls

The 8,600 acre Darwin Falls area is located east of Olancha in the Argus Range. The terrain is made up of two distinct parts: Darwin Canyon with its stream and waterfalls, and the northern highlands. While the most spectacular part of this area is included within Death Valley National Park, the headwaters, watershed and surrounding area on the plateau provide spectacular views. Numerous species of birds can be found here all year round. The high plateau is popular with desert visitors seeking respite from the heat. There are views across Panamint Valley to Telescope Peak and the Panamint Mountains from the highlands, and views down the north end of the Argus Range. The northern highlands are formed by a large flat lava flow and igneous rock deposition. The Committee has adopted the same boundaries for this area as in S. 21 as passed by the Senate.

Dead Mountains

This wilderness name is deceiving, because the 48,850 acre area supports much life. The Dead Mountains harbor spectacular living communities of Bigelow Cholla, yucca, red barrel, cacti, creosote, annual grasses, and Colorado River basin plants. Hawks, eagles, bighorn sheep, hares, quail and coyotes abound amidst the rugged chocolate and reddish brown peaks and in the many large winding interior canyons.

The massive, steep central mountains are surrounded by sloping bajadas cut with small reddish-brown washes and playas. These flatter areas hosts very high populations of desert tortoises. It is also believed that this high concentration of tortoises may form the source for populations in the surrounding areas.

Outstanding points of interest include: Red Springs, an active spring on a large mound, and Picture Canyon, with its hundreds of carefully chiseled petroglyphs. These sights are considered spiritual by the Native Indians.

Domeland Additions

The 36,300 acre Domeland Additions are natural ecological extensions of the Domeland wilderness in Sequoia National Forest. The largest of the additions lies between the existing Domeland wilderness and the proposed Chimney Peak wilderness. All these areas are north of Walker Pass and east of the southern Owens Valley, on the Kern Plateau in the southern Sierra.

The two larger units of the Domeland Additions consist of extremely rugged terrain between the existing Domeland wilderness and the Kern River, east of the wilderness. They are the largest part of the South Fork watershed on public land not currently in the wilderness system.

Included in this area is the South Fork of the Kern River. It is an outstanding candidate for Wild River status and most of its watershed is already in the watershed system. It represents an opportunity to protect an outstanding wild river and most of its watershed in its natural state, from its mouth to its headwaters above timber line. There are few such opportunities remaining on major streams in California.

Elevations range from less than 3,000 feet in the south to over 7,000 feet farther north. Most of

the area is covered by Pinyon Pine forest. Much of it is so rugged that it is nearly inaccessible even on foot.

El Paso Mountains

The El Paso Mountains are located between Ridgecrest and Red Rock Canyon, east of Highway 14. This very scenic 23,780 acre area has Black Mountain, a peak of over 5,200 feet, deep canyons, mesas and reddish volcanic rock. Portions have an almost "badlands" appearance. Flats and bajadas support the state-listed rare Mojave ground squirrel, hiding from raptors seeking food for their young. Clinging to the rocky outcrops of limestone in sheltered corners is the rare fishhook cactus, *Sclerocactus polyancistrus*. Eagles forage, hunting for birds and rabbits in the areas where grasses and flowers are plentiful. This is part of the Red Mountain/El Paso Raptor Breeding Area, one of the densest in the California Desert Conservation Area. Archaeological resources, remnant historic sites, and cultural use of the area by Native American groups marks this entire area as having cultural significance. The Committee has adopted the same boundaries for this area as in S. 21 as passed by the Senate.

Northwest of El Centro, near the eastern extension of Anza Borrego Desert State Park, are the rugged, sheer, nearly vertical Fish Creek Mountains. In Pleistocene times the waters of the giant Lake Cahuilla lapped at their feet and left gravel bed shorelines which are still visible. Dividing the Fish Creek Mountains from the mountain chains in the central part of the Anza Borrego is Split Mountains, named for an impressive defile the "back side" of the Fish Creek Mountains. Fish Creek Wash exits from the badlands through the "split" in Split Mountains.

Within the Fish Creek Mountains is habitat for the magic gecko, a shy lizard-like animal seldom seen. Raptors use this area also, especially prairie falcons. On the south is the historic route of the old Overland Stage Line, as it crossed the Yuma Desert and traveled through Carizzo Wash up toward Julian. There is much evidence both within Anza Borrego and in this area of use by Native Americans, with historical evidence of use for village sites and burial grounds. The Fish Creek Mountain wilderness area is 25,940 acres, and the Committee has adopted the same boundaries as in S. 21 as passed by the Senate.

Funeral Mountains

Sandwiched between Death Valley National Park and the Nevada State Line 75 miles west of Las Vegas, dominated by 6,703 foot Pyramid Peak on the skyline to the west, the Funeral Mountains Wilderness of 28,110 acres includes the southern end of the Funeral Range.

The whole of the wilderness consists of thrust fault blocks of ancient limestone that was once at the bottom of the sea, and the slopes below these blocks. Many fossils can be found in these thick layers of former ocean ooze. As with much of the limestone in the California desert, this entire wilderness is rich with rare and endemic plant species, along with a rich variety of more common species. The valleys between the limestone blocks and the peaks and riparian areas offer outstanding opportunities for solitude, isolation, and a variety of levels of challenge, from the relatively flat areas to the east to the broken blocks on the west.

The low eastern flanks lie along the Amargosa River which supports a riparian areas along its braided route south into Death Valley, though the flow is mostly below ground. Funeral Mountains support a herd of desert bighorn sheep.

Golden Valley

Named for the grassy valley in the southwestern portion, the 37,700 acre Golden Valley Wilderness lies about 20 miles southeast of Ridgecrest. The classic picturesque valley lies between a matching pair of ranges the Lava Mountains and Almond Mountain, each rising abruptly about 1,500 feet above the valley floor. Their rugged profiles present a true challenge to the hiker. At the same time, the valley presents the hiker and horseback rider with an invitingly gentle up-slope with a backdrop of a lower arm of the Lava Mountains. In the spring, the Golden Valley flower display, commonly one of the premier sites in the desert, is visible from many miles away to the southwest.

The abundant seeds and grasses feed large populations of rodents, including the state-listed Mojave ground squirrel, rabbits, and various seed eating birds such as quail, chukars and doves. The abundance of small mammals and birds brings their natural predators, eagles, falcons, hawks. The area is part of the Red Mountain/El Paso Raptor Breeding Area, one of the densest in the entire desert.

The entire area is significant culturally, with two places nominated for the National Register of Historic Places: Bedrock Springs and Golden Valley itself. The Bedrock Springs Area of Critical Environmental Concern was established to protect a significant archaeological site which developed around this water source.

Grass Valley

A range of low rolling hills and broad valleys dotted with Joshua Trees and outcroppings of granitic boulders characterizes the 31,720 acre Grass Valley Wilderness, with a wide grass valley to the northeast, and low hills in the center. The area is located about midway between Barstow and Ridgecrest. The overall impression is one of vast distance and isolation as the western two thirds slopes gently down toward Cuddeback Dry Lake to the west and southwest ten miles away. The low brush and allscale scrub create a Great Basin Desert feeling more typical of Wyoming or Montana, and unique in California. The antelope grazed here on the sagebrush at one time, too, and it remains an area with potential for reintroduction.

The state listed rare Mojave ground squirrel frequents the entire area. The abundance of small rodents has attracted golden eagles. The flats provide homes for desert tortoises, one of the areas in the western Mojave, where the tortoise populations are in trouble. This is an excellent area for gentle wilderness experiences, with granitic boulders strewn about to provide contrast and interest, and abundant birdlife. This remote corner is seldom visited and so provides many opportunities for the solitude desired by wilderness visitors.

Hollow Hills

In the northeastern portion of Hollow Hills, rolling hills overlook the ancient Turquoise Mine outside the area. To the southwest of this area is seen a long bajada sloping to Silver Dry Lake and Baker. The lake is notable for mirages when the whole shimmering lake ripples with heat waves. The Topography varies from flat to gently sloping bajada, then to rolling hills, and gentle mountains. The bajada is interlaced with washes and slopes to the west towards Silver Lake. Around the ancient Silver Lake dry lake bed, are Indian camping areas. This is habitat for the Mojave fringe-toed lizard, a candidate for endangered species listing. The 22,240 acre areas

washes, hills, and mountains ensure areas where outstanding opportunities for solitude are available. Because of the topographical and vegetative diversity, and because of the naturalness of the area, outstanding opportunities for primitive and unconfined types of recreation exist.

Ibex

The Ibex Hills and Ibex Spring are located west of Tecopa on the eastern border of Death Valley National Park. Physical features have a general north-south orientation. The dominant features include the Ibex Hills, Black Mountains, and southern Greenwater Valley. The horizontal rock layers in the hills of brown, bright yellow, red and black, produces a unique scenic effect. Peaks in the mountains vary in elevation between 3,000 and 4,752 feet on Ibex Peak. Excellent view of the coloration of the Ibex Hills can be seen from Greenwater Valley, which supports a good creosote bush community. Eight square miles of the 26,460 acre area contain cultural artifacts with high sensitivity.

Indian Pass

The Indian Pass Wilderness is a 34,055 acre scenic and culturally important region along the Colorado River 25 miles north of Yuma, Arizona. An important breach in the Picacho Mountains, Indian Pass has provided the easiest access from inland to Colorado River for hundreds of years. Native American sacred mythological sites, numerous artifacts and valued areas remain, including the northwest corner of Quartz Peak, a sacred hunting ground. Others include a village, temporary camps, lithic scatters, shard scatters, milling stations, trails and isolates of early native American Colorado River tribes. On the west, the terrain is mountainous, and falls off gradually to the east toward the Colorado River.

Vegetation is extensive, including cholla cactus, mesquite, creosote, palo verde, smoke trees, catsclaw and a variety of low shrubs and grasses. Gavilan Wash contains a unique species, and Milipitas Wash has the finest example of palo verde/ironwood association in California and has scientific and educational value. Julian Wash is highly regarded for its archaeological values.

Scenic values are derived from diverse bright red badlands and an intimate relationship to the Colorado River. The penetration of Colorado River flora and fauna into the washes is a unique California desert phenomenon. Hikers, backpackers, photographers, canoeists, rafters, horseback riders, all have relatively easy access to the heart of the wilderness through the network of washes from the River and from the dirt road on the south. Rockhounds have found jasper, agate, petrified palm root, and geodes within the badlands and north of the pass. The area will be adjacent to wilderness being designated in the Imperial National Wildlife Refuge to the east and northeast.

The southern portion of the area consists of dramatic spires, buttes, lava capped mesa with rich colors and sparse vegetation, habitat for bighorn sheep in Vinegre Wash. Burro deer occur over the entire area.

Inyo Mountains

The Inyo Mountains Wilderness is perhaps the most spectacular and scenic in the entire desert.

From Owens Valley to the west at 3,500 feet, the Inyo Mountains climb to over 11,000 feet among ancient bristlecone pines then plunge to the bottom of Saline Valley at 1000 feet in less than 10 miles all along a crest over 40 miles long.

The 205,020 acre wilderness is in two units, divided in the southwest corner by the Swansea Road. The northern unit includes both Inyo National Forest and Bureau of Land Management Lands, a necessary measure since the wilderness ecological, scenic, and recreational values are shared. At least five of the peaks in the wilderness are a common goal for hikers and climbers from the Los Angeles area. The canyons on the east offer visitors a respite from the intense desert heat in the summer, as do the large open granite boulder strewn valleys accessible from the north. The area is accessible by ancient trails and by roads on the north and south and end of the range, providing a variety of primitive experiences, including photography of the ancient Bristlecone Pines in their montane setting and panoramas of the Sierra Nevada to the west.

Eagle, prairie falcon, mule deer, mountain lion and bighorn sheep inhabit the high peaks and cliffs. Limestone formations support an extensive variety of rare and endemic plants. In the deep canyons, springs and running water provide riparian habitat, waterfalls, maidenhair fern grottos, and on the east, habitat for the Inyo Slender Salamander, a candidate for Federal listing, and a lungless salamander.

Native Americans use the extensive pinon pine forests for pinon nut gathering, and gathering of other cultural materials. Extensive signs of prehistoric use are scattered throughout. Two historical sites, the 100 year old ghost town of Beverage in upper Beverage Canyon, and portions of the Salt Tram are reminders of past mining activity.

Jacumba

West of El Centro, the rounded granitic boulders at the entrance to In-ko-pah Gorge reminiscent of those found in Joshua Tree National Park, introduce most visitors to the Jacumba Mountains. The range rises abruptly from the Yuha desert on the east, at an elevation of 400 feet to the wide bench-like Davies and Meyer Valleys, then rises again to over 3500 feet on the west as it ascends to the crest of the mountains. This 33,670 acre area includes ancient trails, petroglyphs, and rock ligmments.

Smugglers Cave has been identified as one of the few areas with a southern chaparral vegetation mix. Palm oases are found in Davies Valley and around the border of this area. Davies Valley also has a unique agave/ocotillo plant assemblage. Sensitive plant species identified are *Mimulus aridus*, *pilostyles thurberi*, and *Castela emoryi*.

Special wildlife found in the area include peninsular bighorn sheep, which are on the state listed endangered list, magic gecko habitat, and raptors. A flat-tailed horned lizard in the area is being considered for listing as an endangered species.

The Committee has adjusted the boundaries of this area to coincide with those in S. 21 as passed by the Senate.

Kelso Dunes

The 129,580 acre Kelso Dunes Wilderness, west of Needles, is just west of the second tallest dune in the California Desert and from the isolated peaks of the Bristol Mountains there are panoramic views of the entire dune complex. These dunes are unusual not only because of their great size and height but because of their high species diversity, including several endemic species. While the central highest dunes are within the adjacent Mojave National Park, the Kelso Dunes Wilderness includes lower sand hills and dunes, and share the species diversity and floral displays with evening primrose, desert sunflower, and desert lily. Another spectacular feature of the western end of the area is Broadwell Mesa, with sheer sides, and a flat top forming an easily recognized landmark. West of Broadwell Mesa is a natural arch, one of few in the California Desert.

The Committee has adjusted the boundaries of this area to coincide with those in S. 21 as passed by the Senate.

Kiavah

The Kiavah Mountains are an isolated range south of Walker Pass and Highway 178. Geographically, it is a southern extension of the Kern Plateau and the Sierra Crest. The central area is relatively gentle terrain surrounded by steep ridges and narrow canyons. Elevations range from 4000 feet on the flanks to 7000 feet at the highest points.

Most of the 88,290 acre area is covered by a magnificent pinon pine forest, an ecosystem not presently well represented in the wilderness system in California. There are scattered groves of Jeffrey Pine in the higher elevations. The flanks of the range are covered by vegetation that is a transition between the pinon forest and the desert flora of the Mojave Desert. Kern-stemmed Joshua Trees are found along Highway 178. These unique members of the lily family use runners to reproduce, unlike the other species of Joshua Trees.

The Kiavah Mountains are high in archeological sites, and Indians frequented the area to harvest pinon pine nuts. Archeological sites are so abundant the Forest Service had a difficult time in locating a route for the Pacific Coast Trail to avoid them. Good views can be obtained of the Sierra to the north from appropriate vantage points.

Kingston Range

The highest concentrations of endangered species and unusual plant assemblages in the California Desert are found in the 249,368 acre Kingston Range Wilderness, only 40 miles southwest of Las Vegas. The diversity of the terrain, the limestone formations with a central granitic core, and the meeting of two different deserts are responsible for this extreme species variation.

Elevations in the area range from 600 feet to over 7300 feet. The Amargosa River which flows through a gorge on the west end of one of three year-round rivers in the desert. The peaks of the Kingston Range in the northeast attract hikers and backpackers. The riparian areas along the Amargosa River and around Horsethief Springs and Salt Creek attract bird watchers on a regular basis. The southern flats are an important foraging and tortoise habitat area.

The lower slopes and Kingston Wash provide typical cacti, Joshua Tree and creosote bush stands along with barrel and other cactus. Higher are a pinon pine and juniper forest, with white fir found at the highest elevations rare in the desert. Prairie falcons, bighorn sheep, Panamint chipmunks, yellow-billed cuckoos, desert tortoise, pupfish and vermilion fly-catchers are found here 9 sensitive species, and 13 other significant species of animals As to plants, there are five unusual assemblages and 17 rare species, ranging from those which are found along the salty waters of Amargosa River to those which are adapted to the limestone.

Little Chuckwalla Mountains

The beauty of this 29,880 acre wilderness area lies in its vast open spaces, with a backdrop of the close yet seemingly far

Little Chuckwalla Mountains. The mountains, with rugged volcanic peaks and spires, trend northeast in the middle of the area, which also encompasses a fair portion of the bajadas.

The vegetation represents a transition zone between the low Colorado Desert and the high Mojave Desert. It consists of mostly creosote bush, scrub and desert microphyll woodland. Dense ironwood stands are found in major washes of the bajadas. In the extreme northern portion of the area is a dune thicket which has been recognized as an ACEC.

The Little Chuckwalla Mountains provide the habitat for many animal species. The area includes extensive mule deer range and supports a collection of sensitive, rare, threatened and endangered wildlife including bighorn sheep, desert tortoise, prairie falcons, golden eagles and fringe-toed lizard.

The Committee has adjusted the boundaries of this area to coincide with those in S. 21 as passed by the Senate.

Little Picacho

The 33,600 acre Little Picacho wilderness is located in the southeastern corner of California, north of Yuma. Scenic qualities in this area rate high. Little Picacho Peak is visually striking, with color variations and highly eroded hills and canyons. Flat expanses of land contrast with jagged peaks and deep canyons. From the peaks in the interior one can see the Colorado River and Arizona to the north and east. This location along the Colorado River accounts for the abundance and variety of vegetation found in the washes, including dense stands of smoke tree, palo verde and mesquite. On the bajadas are ocotillo, creosote and cholla with their exuberance of colorful flowers in spring. On the river banks are numerous areas frequented by the wildlife protected in the Imperial Wildlife Refuge. The project site for the existing and operating gold mine is not within the wilderness area.

Malpais Mesa

The basalt-capped 32,360 acre Malpais Mesa Wilderness is located in a low saddle of the southern Inyo Mountains sixty miles north of Ridgecrest. The top of the mesa affords a spectacular 360 degree view of Owens Lake to the west, the Inyo Mountains to the north, the Coso Mountains to the south and the Panamint Mountains to the east. No other nearby area offers such stark contrasts of sky and rock. The whole wilderness is uplifted on all sides and gives a singular feeling of solitude. Its stark contrasts appeal to the seeker of isolation.

The mesa tops Joshua Tree forest is at the upper limit of that species range, and the area also shelters two unusual and sought after cacti, the Mojave fishhook cactus and the Grizzly Bear Opuntia. The relatively open scrub is a favorite hunting area for Owens Valley residents. Hawks and golden eagles forage over the same open flats of the central mesa. The winds are sometimes fierce across this break in the range, and storms blow in quickly, sometimes dropping a load of snow on the mesa. Its vertical face on the west has discouraged casual visitors, although from the east there is a more gradual approach from the locale of an old mining operation excluded from the proposal.

For cross-country off-trail hiking the area has no equal. Two registers on low rises mark the highest points of the southern extent of the Inyo Mountains and attest to its attractive features as a recreation area.

Manly Peak

The 16,105 acre Manly Peak wilderness, named for a prominent peak on the southern crest of the metamorphic Panamint Range, lies west of Death Valley and 40 miles northeast of Ridgecrest. West from the Crest lie deeply carved canyons that grew as the range lifted above the floor of Panamint Valley in a 6000 foot escarpment caused by massive faulting of the range. The narrow canyon "stems" formed by rapid uplift are subject to monster flash floods. Once into the high gentle valleys at the top of the range, however, hiking access is relatively easy from the high Striped Butte Valley to the east, so the area offers a variety of opportunities for hiking or challenging climbs. Because the range is so high it still wrings moisture from the clouds, and the added moisture from winter snows has expanded the niches for both plants and animals.

The variety of vegetation is extensive, beginning at the lower elevations with sparse desert shrubs, such as creosote, and annual plants in the canyons. In some sections of the canyons, water flows in large quantities, providing a riparian community with such plants as desert willow, cottonwoods, and cattails. Juniper and pinyon forests cover the higher elevations. At the height of the mining boom, over 100 years ago, the pinyon were extensively cut and burned to make charcoal for use in silver smelters, but thanks to the Pinyon Jays, the pinyon have made a remarkable recovery. Once again the pinyon are providing traditional food for the local bands of Shoshone, who consider the area to be culturally important to them springs, wildlife and plants. Desert bighorn sheep are the best known mammal, but the Panamint kangaroo rat, a BLM proposed sensitive species of very limited distribution, is present.

Mecca Hills

The Mecca Hills are located southeast of Indio between I-10 and the Salton Sea. They lie on the San Andreas Fault Zone, which accounts for their great scenic and geologic interest.

There are unlimited outstanding opportunities in this 24,200 acre area for solitude due to the intricate passageways and complex canyon systems that screen users from one another. A primitive and unconfined recreation experience is remarkably accessible here. Visitors, even those not among the physically elite, can take very rewarding hikes with little to moderate exertion.

The canyons of the Mecca Hills are the most notable feature. First among them is the impressive, multi-colored Painted Canyon. In its drainage there are numerous footpath-wide, vertical-walled, "saw-cut" canyons, Ladder Canyon being the outstanding example. Skeleton Canyon, off Painted Canyon near its mouth, is notable for its display of the effects of fault action.

Hidden Spring Canyon on the east has walls of unusual geologic interest and a wide floor with smoke trees, ironwood, and palo verde. Its drainage contains two grottoes, which are parts of canyons that are almost enclosed, and two palm oases, Sheep Hole and Hidden Spring, both with water available to bighorn sheep and other wildlife.

Phantom Canyon on the northwest is a winding, steep-walled canyon leading into Enchanted Valley. Near Shavers Well, is Blake Hill (1781 ft.), the highest point in the area. From its top there is a spectacular view starting east and scanning clockwise: the Orocopias, the Salton Sea, the Santa Rosa Wilderness, Coachella Valley, San Jacinto Peak, San Gorgonio Peak, the Little San Bernardinos and Shavers Valley.

The Mecca Hills have provided material for theses for advanced degrees in geology, and they are an unequalled locale for field trips for geology. Amateur geologists come to look and enjoy, and even the visitor with little or no knowledge is sure to find the rocks fascinating.

The Committee has adjusted the boundaries of this area to coincide with those in S. 21 as passed by the Senate.

Mesquite

Mesquite Wilderness, on the slopes of the Mesquite Mountains 30 miles southwesterly from Las Vegas is 47,330 acres in an important transition zone from the Mojave Desert to the Great Basin, where Utah yuccas mingle with Joshua Trees.

The north slopes, just above Mesquite Lake, are noted for outstanding mesquite thickets, fed by snows on the Spring Mountains in Nevada, and Clark Mountain in California, two of the most reliable sources of water in the eastern Mojave Desert. The thickets are an important food gathering areas for Native peoples; the southern Clark Mountains area contains many archeological resources including rock shelters, lithics, ceramics, and agave roasting pits.

A rich variety of plants and animals exists throughout, but especially in the Clark Mountain portion. Bighorn sheep, part of a herd of about 40, Panamint chipmunk, mule deer, golden eagles, and desert tortoises are also in the area. This wealth of wildlife along with a section of caves and grottoes in the limestone and dolomite make hiking and backpacking, or horseback riding into the area a uniquely interesting experience.

Newberry Mountains

The Newberry Mountains are southeast of the growing urban area of Barstow. Volcanic Newberry Mountain rises to 3,551 feet while other parts of the range climb to 4,800 feet. The 22,900 acre area is very scenic, with colorful rock formations and numerous canyons. There are relatively high densities of golden eagle and prairie falcon aeries and this area is part of seven core raptor breeding areas in the California Desert Conservation Area. This is also an area where reintroduction of desert bighorn sheep is recommended to supplement the small existing herd. Archeological resources date back some 8,000 to 9,000 years.

Nopah Range

This 110,860 acre, rugged area is located east of Death Valley National Park on the California/Nevada line 30 miles west of Las Vegas. The Nopah Range, Chicago Valley, and south end of the Resting Spring Range to the west are some of the most remote locations in the desert and make the Nopah Range Wilderness one of the premier wilderness experiences in the Mojave Desert.

The entire central range is a spectacular series of narrow stripes of colorful sharply contrasting bands primarily ancient dolomite and limestone. A prominent peak on the north end has abrupt limestone cliffs to the west. Views from there and the central escarpment are of the Spring Range in Nevada, and the Resting Spring Range to the west, making it a favorite, if remote, climb for Los Angeles hikers seeking desert solitude. The lonely valley, though accessible by paved highway, has few visitors except those climbing the peaks or living on a few private parcels in the valley bottom.

From common creosote and cactus to desert willows and mesquite in riparian areas in the valley bottom, the Nopah Range is also home to pinyon pine on the upper reaches and three rare plants: two buckwheats, and the Utah Agave. Golden eagles, desert tortoise, prairie falcons all share the broad alluvial fans, and the raptors nest in the mountain ranges. Abundant springs to support a full range of desert wildlife. Of special note are the extensive variety of reptiles, including four or five snakes and some unusual lizards.

Five different tribes of Native Americans still visit both of the ranges for collection of materials and pinyon pine nuts at the higher elevations.

The Committee has adjusted the boundaries of this area to coincide with those in S. 21 as passed by the Senate.

North Algodones Dunes

The Algodones Dunes, only a few miles east of Brawley, stretch more than 60 miles north from the Mexican border between the Colorado River and the vast Salton Sea depression. This is the most extensive system of wind-blown sand formations in the United States. Of this dune system, 32,240 acres are being designated the North Algodones Dunes Wilderness.

Because of their size and complexity, the dunes are home to many uniquely adapted species of plant and animal life, some only recently discovered. At least six species are in need of protection. Most of the species depend upon the moisture and cooler temperature only a few inches below the broiling surface. An existing water development, installed to keep deer and other large mammals from trying to drink (and drown) in the Coachella Canal, would be retained. The dunes are traditional hunting/collecting areas of the Kamia, and have mythological associations with several tribes. Cremation sites have been identified in the dunes.

The northern dunes display a crescent shape generated by the slow and continual movement southeasterly. Seeds and rootstock of the wildflowers seem not to notice because widespread flower displays appear reliably every spring. Because of ease of access, this area will receive high recreational use by hikers, backpackers, photographers, and families looking for a unique outing.

In 1991, the House-passed bill provided for wilderness designation of an additional 61,630 acres in the southern portion of the Algodones dunes, and such a designation was included in H.R. 518 as introduced. However, S. 21 as passed by the Senate deleted the South Algodones Dunes from wilderness, and the Committee has made a similar deletion in H.R. 518 as reported.

North Mesquite Mountains

In the North Mesquite Mountains Wilderness, creosote bush, that ubiquitous plant of the Mojave Desert, blends into the blackbrush of the Great Basin in this alluvial plain with a low range of mountains to the north. Limestone outcrops in this wilderness only 30 miles southeast of Las Vegas support at least two rare plants endemic to limestone soils.

The low mountains are not as imposing as the Kingston Range on the western horizon, but provide ample opportunity for the hiker, horseback rider and backpacker to get lost in the limestone outcrops of the colorful rolling hills, and find solitude and isolation in the long vistas to the southwest, south and southeast. The 25,540 acre area, with its more moderate terrain, affords an opportunity for those with disabilities or with small children to have a wilderness experience.

Springs in the foothills support small itinerant populations of birds and transient bighorn sheep who make their permanent home in the nearby Kingston Range. The alluvial areas to the south are habitat for desert tortoise. Known collecting areas for three different local Native American tribes will be preserved for future generations of use.

Old Woman Mountains

The massive, fault-lifted Old Woman Mountains wilderness southwest of Needles is a 146,070 acre wonderland of rock walls, deep canyon, sandy washes, enclosed valleys and steep spires. A tired hiker can find shade under huge spreading pinon trees on the upper slopes and enjoy the diverse flora of the area, which includes yucca, nolin, barrel cactus, and juniper-pinon forest.

Water is no problem for the modern explorer since there is an abundant supply in this mountain range, consisting of at least sixteen springs. These fresh waters support a herd of desert bighorn sheep and even a large mule deer population. Desert tortoises can be seen on valley floors and this area includes part of the Fenner-Chemehuevi Desert Tortoise Area, one of four core

populations recognized in California.

The visitor feels the deep enchantment of these mountains and is not surprised to discover that locales within the Old Woman Mountains are referred to in Indian myths. The careful seeker can find many campsites, villages, and even an occasional Indian burial area and appreciate deeply the long association man has had with this vast and inspiring 146,070 acre wild area.

Orocopia Mountains

The 57,480 acre Orocopia Mountains Wilderness 40 miles east of Palm Springs represents a broad range of Colorado desert plants, in all their characteristic settings. Wildlife includes bighorn sheep, burros, coyote, fox, coatimundi, desert tortoises, and a typical assemblage of lizards and birds; hawks, and falcons nest in the many steep cliffs and pinnacles.

The Orocopia Mountains are scientifically unique. Located east of the great San Andreas Fault System, the geological characteristics of this range provide evidence of how far the fault has slipped and what the rate is. They are remarkably exposed and constitute probably the most unique geologic site of its kind in the world. The effects of the great faults in the region have been to bring together five distinctive geologic terrains rarely found so compactly juxtaposed. The lack of vegetation and the recent geologic stripping by drainage into the Salton depression provided a nearly 100 percent exposure of these diverse geological components.

The diversity of the geological features, the remarkable exposure, and the unsurpassed desert viewing make the interior of the range a magnificent stone park. Brilliant rock colors, exotic natural rock sculptures, labyrinthine canyons, high western peak and central ridge line combine to provide a continually intriguing set of impressions and experiences for visitors. A climb to Orocopia Peak provides one the best views available of the entire Salton depression, from Mt. San Gorgonio and Mt. San Jacinto to the Mexico border and the Sierra Juarez.

A central high ridge with radiating side ridges makes this range an ideal walking region. Well defined and isolated canyons can accommodate many groups of hikers and backpackers. Because of the natural advantages of narrow rocky canyons with steep gradients, the Orocopia Mountains are essentially unspoiled.

Owens Peak

The 74,640 acre Owens Peak wilderness straddles the spine of the Sierra Nevada north of the Walker Pass. From 8,475 foot Owens Peak the Sierra Crest drops rapidly eastward to the alluvial fans that mark the beginning of the Mojave Desert, and westward into the Kern Plateau.

West of the Sierra Crest, the Owens Peak Wilderness forms the southeastern corner of the Kern Plateau. Extensive forests of pinion pine and juniper carpet rugged peaks, ridges, and canyons traversed by the Pacific Crest Trail. There are stands of Jeffrey Pine and a grove of sugar pines southeast of Owens Peak. The eastern escarpment of the Sierra in this area provides an outstanding example of the transition between desert and mountain plant and animal habitats.

The canyons which reach to the Sierra Crest from both the east and west provide corridors for wildlife migration across the range, and conditions which create unexpected plant communities. These deep canyons contain small streams bordered by riparian vegetation provide habitat for a wide variety of plants and wildlife. In Short Canyon there are 280 species of plants. Creosote rings that may be thousands of years old can be seen on the slopes north of Freeman Junction. Fields of the rare Charlottes Phacelia in some of the eastern canyons are spectacular in good wildflower years.

Spectacular vistas of the Sierra to the west and north make this remote and rugged area popular among those seeking solitude and a primitive wilderness experience. For those who prefer a physical challenge, the steep rocky slopes of Owens Peak are popular with rock climbers.

Pahrump Valley

The steep and broken northwest half of the sedimentary Kingston Range and the untouched portions of the large Pahrump Valley to the north characterize the 74,800 acre Pahrump Valley Wilderness along the California-Nevada boundary. The east- and north-facing bajadas slope down gradually with winding washes and rugged topography; and unprepossessing facade which disguises the unique character of geology, plants and animals.

Some 505 species of plants, 32 of which are considered rare, endangered, threatened, or of limited distribution are found all along the Cambrian, Precambrian, and other limestone formations in the Range. The Kingston Range Natural Area extends protection to both these resources and wildlife beyond the wilderness boundaries, including a relict population of Banded Gila Monster, golden eagle, desert tortoise, desert bighorn sheep, mountain lion, 134 other bird species, and 35 other mammals.

California Valley is one of the favored camping areas for visitors to this remote region and affords hikers with ready access into the heart of the area. The rugged Kingston Range and Nopah Ranges dominate the scene on the west and south, with distant views of Nevadas Charleston Peak on the eastern skyline. Its proximity to Las Vegas burgeoning population only 40 miles to the northeast makes it an important recreational resource as well.

Recent cultural surveys have revealed dozens of new and important prehistoric sites in the Kingston Range; the richness and diversity of the area was not lost on Native Americans: no fewer than five different groups used the area.

Palen/McCoy

Four mountain ranges encircling broad valleys rampant with ironwood-laced washes, set only 20 miles northwest of Blythe, are all popular with those seeking solitude, wildflowers and challenging mountain climbing in the Palen/McCoy Wilderness. Geology, history, and lush desert washes offer a variety of experiences in this 270,629 acre wilderness.

The colorfully striated Palen Mountains consist of meta-sedimentary and meta-volcanic rocks. The similarly striated McCoy Mountains paralleling them to the east are meta-sedimentary. Between these two major ranges an extensive interior valley of vast bajadas of varnished desert

pavement is cut by washes filled with ironwood. To the north, the Granite Mountains, rise steeply beyond the Palen Mountains with scarcely a break between them. The Little Maria Mountains, east of the Palens, are a small but complex range of limestone hills.

The four ranges are home to bighorn sheep. West of the Palen and Granite Mountains is a complex of low dunes and sheet sand, home for the Mojave fringe-toed lizard. Prairie falcons can be seen flying overhead.

Evidence of prehistoric occupation is found throughout. Highly sensitive sites include temporary camps, trails, lithic scatters, cleared circles, isolates, rock art, and shard scatter. The area is still in use by Native American groups. Historic occupation sites include permanent village sites, springs with ritual associations, burials, hunting areas and trails.

Evidence of more contemporary occupation of a unique character is also evident between the Palen and McCoy Mountains: traces left by military use of the area during World War II. Networks of foxholes, depressions left by wide tank treads moving across the desert pavement, bits of rubber that have oxidized to an almost obsidian-like rock, and rusting metal containers mark sections where soldiers labored in the hot sun. Because the details of use are so well known, wilderness will not only protect these historic remains but afford scientists an opportunity to study the recovery rate of desert areas subjected to disturbance, and afford future users of the wilderness a sense of the ebb and flow of life across the desert through the ages.

The Committee has adjusted the boundaries of this area to coincide with those in S. 21 as passed by the Senate.

Palo Verde Mountains

From northwest to southeast, the scenic Palo Verde Mountains Wilderness offers a variety of different profiles to visitors both in the wilderness users and those viewing the 32,310 acre wilderness from surrounding roads. Those hiking into the area from the west across broad expanses of desert pavement dotted with ocotillo and other Colorado Desert vegetation see the famous Flat Tops. From the north, the smooth isolated knob known as Thumb Peak sets the range apart from Interstate 10, 15 miles away. Approaching from Blythe, 15 miles northeast of the wilderness, the sheer peak of the eastern unit is the most striking feature.

In the southeastern corner of the Palo Verde Mountains is a harsh red rough-textured region with grottoes, volcanic peaks, sheer cliffs, caves, arches with narrow canyons, and small enclosed intimate valleys. The highest peak, of this same red volcanic rock, is in the smaller unit to the southeast. Views from this peak extend east across the Colorado River and west to the Chocolate Mountains. Densely vegetated wash areas contrast with expanses of desert pavement and creosote bush shrub.

The valleys, canyons and peaks offer many recreational opportunities, including photography of the spectacular wildflower displays on the western slopes in the spring. The rich red and abrasive volcanic rock is a sharp contrast to the very green Milpitas Wash. This broad wash, a portion of which is within the wilderness, is the premier wildlife and desert woodland area of the entire southeastern corner of the state. Many species normally found only in Arizona in the main Sonoran Desert are also found here, affording many opportunities for scientific study, hunting,

and photography. The mountains provide habitat for burro deer, desert tortoise, bighorn sheep, and at least one prairie falcon eyries. Clapp Spring and flows along Milpitas wash are important water sources for all species.

Also of importance are two areas of known high cultural resource sensitivity averaging 10 prehistoric sites per square mile. Particularly dense findings are noted along the northern boundary and southwestern edge extending into Milpitas Wash. All these important archaeological resources remain available for study.

Picacho Peak

Located north of Yuma, Arizona along the Colorado River, this 7,700 acre land mass includes impressively diverse terrain. Typical flat desert mixes with deep canyons, volcanic rock mesas and meandering washes to form the Cargo Muchacho Mountains of the south. The northern half is characterized by a local, Picacho Peak, and its surrounding jagged, rough landscape with low rolling hills. Carrizo Falls, on the southeastern corner, is dry much of the year.

Approached from the west, the range presents a formidable barrier with no hint of the Colorado River just on the other side. Views from the peaks are very special and quite unusual. One can see well into Arizona, the Colorado River, and as far as the Algodones Dunes in California. Plant cover varies. It is mostly sparse to nonexistent in the higher elevations, although washes provide ecological niches for some plants. The dramatic increase, however, is noted nearer the Colorado River. Typical here are mesquite, catclaw, smoketree, and low desert shrubs and grasses, A sensitive plant species (*Ditaxis californica*) is known to occur in the area. The entire area is range for a herd of bighorn sheep. It is also range for a large burro deer herd, a species known for its large ears.

Highly sensitive cultural resource areas have been recorded here. It represents the former territory of the Quechan Coyote Clan and its associated with a ritual collection area for hawk, eagle and owl feathers.

Piper Mountains

Piper Mountains Wilderness, 15 miles east of Big Pine, encompasses 72,600 acres. It includes the fractured and jumbled transition between two of the highest mountain ranges in California. From the floor of Eureka Valley at 3,400 feet to the top of Piper Peak at 7,703 feet is an extremely complex geology and variety of plants and wildlife.

On the valley floor are shadscale scrub and the pale kangaroo mouse, common in the Great Basin Desert. Higher flats boast the northern-most Joshua Tree forest in California, typical of Mojave Desert. Still higher are pinon forests, with white fir at the highest elevations. Hikers and backpackers select this 72,600 acres as an uncrowded and unconfined alternative to the busy trails in the Sierra. Views from the top of the mountain are spectacular, ranging from the snowy tops of the Sierra Nevada to the west to the huge undisturbed expanse of the Eureka Dunes to the south. To the east are the views of the western extent of the march of north-south mountains extending to Utah.

There are herds of both Desert Bighorn Sheep and mule deer. Hunting is popular for both big game and game birds. Prairie falcon, and golden eagles nest and forage in the wilderness. The flats and alluvial slopes are carpeted with desert wildflowers very late in the spring because of the high elevation and northern location. Bands of local Shoshone use the higher areas for pinon nut gathering, and examples of rock art are found over most of the wilderness.

Piute Mountains

West of Needles, this range, known as Kwikantsoka to the Mojave Indians who hold it sacred, is home to many species. Bighorn sheep, mule deer, quail and doves can all be found amidst the rough rocky ridges and deep canyons of these mountains. An extensive system of connecting washes bisect the area. Lush creosote stands, outstanding cactus displays (cholla, barrel, hedgehog), and yucca are scattered throughout. This is part of the Fenner-Chemehuevi Desert Tortoise Core Area, where concentrations of tortoise are high enough to assure reproduction. This area is 236,840 acres. The Committee has adjusted the boundaries to coincide with those of S. 21 as passed by the Senate.

Resting Spring Rang

Across the Amargosa River Valley from the Resting Spring Range, the lonely but striking Eagle Mountain rises abruptly in colorful bands of strata. Valley, mountain and range, of Great Basin Desert province and just 40 miles northwest of Las Vegas along the California-Nevada boundary, form the Resting Spring Range Wilderness. Alluvial Amargosa Valley glides down to a dry lake just north of Eagle Mountain. Like Eagle Mountain, the Resting Spring Range is a long panorama of colorful wide bands of dolomite and limestone deposits from the Cambrian and Precambrian period flaunting colors ranging from subdued brown and tans to intense pinks, reds, greens and black.

Wildlife, including bighorn sheep, prairie falcons, and golden eagles, range over this 78,868 acre area. Along the western edge, the wilderness overlies the Amargosa River which is flowing primarily underground in this segment. This same river ultimately delivers its waters to Badwater in Death Valley. The area contains both prehistoric and contemporary Native American sites important to the Panamint-Shoshone and Chemehuevi cultures, some in the higher ranges, some in the river bottom.

The area is visited by hiking groups who regularly climb the peaks of Resting Spring and meet the challenge of Eagle Mountain, but most tourists see the ranges only as a remote backdrop to the eastern entrance to Death Valley. The lower slopes are famous for spectacular wildflower displays when the slopes get sufficient winter rain.

Rice Valley

North of Blythe lies the broad Rice Valley. The Valley itself, the largely untouched central portion of the wilderness area, has retained its natural condition. A long and narrow system of dunes runs through its center. Adjacent to the valley are the rolling Riverside Mountains and to the south the Big Maria Mountains. Views to the north are of the Turtle Mountains and its classic peaks. Vegetation is sparse, consisting primarily of creosote, galleta grass, mixed shrubs, palo verde and ironwood.

The southern portion of this 40,820 acre area represents a territorial subdivision between Chemehuevi and Serrano Native American groups. Noted here are occupation sites, ritual collection areas, rock art and springs. All are considered sensitive by Mojave and Chemehuevi.

Riverside Mountains

Along the Colorado River north of Blythe lie the Big Maria and Riverside Mountains. These mountains were traversed by early man moving along the river, and for the most part remain accessible only by foot. As a result, many artifacts are still intact rock alignments, intaglios and petroglyphs are just a few of the resources found.

Behind the benches along the river are foothills and forbidding escarpments. To the west the mountains tail off into the sand dunes, south of Rice. The narrow, steep walled canyons invite climbers who are apt to encounter Mojave Green Rattlesnakes in these remote reaches. Three different bats are found, including western pipistrelle and Brazilian free tailed. Proximity to the river and summer storms from the Gulf of California slake the thirst of the palo verde, mesquite and ironwood which grow in dense lush stands in the washes and canyons.

The Mojave fringe-toed lizard is found in these sand dunes; sadly, the Bighorn sheep no longer frequent these mountains. This wilderness area is 22,380 acres.

Rodman Mountains

The Rodman Mountains lie southeast of Barstow, just south of Interstate 40, and northwest of the 29 Palms Marine Base. This volcanic area contains many petroglyphs and archeological remains. The vulcanism and lava flows of this area are marvelously scenic. Higher elevations offer outstanding vistas of the Mojave River Valley, the Newberry, Alford, and Cady Mountains, and Pisgah Crater and lava beds. Deep canyons provide a sense of isolation.

Wildlife found here include bighorn sheep, prairie falcon, and golden eagle, including nesting areas as part of a core breeding area for raptors in the desert. Two springs are near the center of the 27,700 acre wilderness, and are very important to wildlife.

Sacatar Trail

The Sacatar Trail wilderness straddles the Sierra Crest north of the Ninemile Canyon road, east of the Owens Valley at Little Lake. The eastern escarpment of this portion of the Sierra at an elevation of 8,000 to 9,000 feet is extremely rugged and is virtually inaccessible except on foot. West of the crest the area blends into the relatively gentle terrain of the Kern Plateau. The higher elevations are covered by Pinon pine/juniper woodland, while the lower elevations to the east provide a transition of animal and plant habitats between the mountains and the desert.

The Sacatar Trail was originally used by Native Americans and even today evidence of caches can be found in Sacatar Canyon. The desert was important to the Indian because of the obsidian deposits they used for arrow heads and other tools. Numerous archaeological sites are located in this 51,900 acre area and need to be protected.

Saddle Peak Hills

The 1,440 acre Saddle Peak Hills wilderness, 70 miles northeast of Barstow, parallels the southeastern boundary of Death Valley National Park. The lower slopes on both the east and west side of the range are covered with sandy flats and low dunes. Dunes are the only domain of Mojave fringe-toed lizards, found "swimming" through the sand.

The Amargosa River, whose waters attracted native peoples, sometimes flows on the surface south of the hills, but more commonly flows underground through the complex geologic formation at the intersection of the Death Valley and Garlock fault on its way to Saratoga Springs and Death Valleys salt lake. West of the Saddle Peak Hills is a historic immigrant route.

This 1,440 acre area was part of the larger IbeX wilderness in previous legislation, and in the House-passed bill included 1,800 acres. The Committee has adjusted its boundaries to coincide with those in S. 21 as passed by the Senate.

San Gorgonio Wilderness Additions

The extremely wild eastern flanks of Mount San Gorgonio, only 12 miles northwest of Palm Springs, drop down from the highest peak in southern California to its base in the hot Colorado Desert. The San Gorgonio Wilderness Addition completes protection of this diversity in wilderness, including parts of Whitewater River, Mission Creek, Smith Canyon and Big and Little Morongo Canyons, Morongo Valley, and Morongo Peak.

Home to black bear, bighorn sheep, mountain lion, and many other species of wildlife, the entire 37,980 acre area is an extremely important watershed for domestic water for communities in the Coachella Valley, including Palm Springs, which draw their supplies from below the wilderness boundaries. The reliable streams attract many migrating bird species, and other water dependent species. Vegetation ranges from low desert scrub to riparian willow, cottonwoods, to pinyon and juniper in the upper reaches of the canyons and ridges.

The Pacific Crest Trail winds through the south and center of the addition, skirting around the base of the mountain massif. With rolling hills on the east, deep canyons, rugged mountains on the west, and the Pacific Crest Trail, there are a variety of choices of recreation, each of which offers excellent opportunities for solitude.

The Committee has adjusted the boundaries of this area to coincide with those in S. 21 as passed by the Senate.

Santa Rosa Addition

This 64,340 acre area, which is an addition to the Santa Rosa wilderness area between Palm Springs and Anza Borrego, is a spectacular area. The pinon-juniper and mountain mahogany studded 6623 foot Rabbit Peak dominates the skyline, offering the visitor a tremendous view of

the Salton Sea to the east. The lower mountain slopes are spotted with ocotillo, agave, yucca, fan palms and barrel cacti. The wilderness addition contains the largest herd of rare Peninsular Bighorn Sheep in the United States.

This magnificent wilderness area lies between two existing wilderness areas, Santa Rosa wilderness on the north and the Santa Rosa Mountains State Wilderness in Anza Borrego Desert State Park. The Santa Rosas are rich in Mountain Cahuilla archeological remains including trace trails.

Sawtooth Mountains

Located between Cleveland National Forest and the Anza State Borrego Desert State Park is a sliver of public land containing the Sawtooth Mountains, a barrier for anyone who would wish to traverse this slice of land.

Placed between the park and the peaks of Cleveland National Forest, it includes characteristics of both. On the west are chaparral covered slopes, with pinon in the upper protected regions. In the lower flats are creosote bush and fan palms.

From the lookouts at Garnet and Monument Peaks, the sheer slide down Storm Canyon to Potrero and Sawtooth Mountains seems almost totally impassible. This escarpment, marking the edge of the desert floor. The Pacific Crest Trail lies along the ridge.

On the east side, Canabrake Wash, among others supports riparian vegetation, and its dependent wildlife. The sheer slopes have been identified by California Department of Fish and Game as being suitable for reintroduction of Peninsular Bighorn Sheep, a state listed rare species. This area is 35,080 acres.

The Committee has adjusted the boundaries of the area to coincide with those in S. 21 as passed by the Senate.

Sheephole Valley

The 174,800 acres Sheephole Valley wilderness, located 50 miles northeast of Palm Springs, contains the immense Sheephole Valley as its central feature, to the west are the rounded, steep, granitic Sheephole Mountains, to the east, the Calumet Mountains and the small dry lake between them, and part of Cadiz Valley east of the Calumet Mountains.

The Valley is immediately north of lands that the bill would designate as wilderness within the Joshua Tree National Park, with one narrow ribbon of highway between. Because further to the west Yucca Valley has been totally developed, it represents a critical link where species can move into and out of the park to Mojave Desert lands to the north, and thus keep species in both Sheephole Valley Wilderness and Joshua Tree National Park from the dangers of isolation.

This vast, remote, nearly untouched area takes the visitor back in time thousands of years. It is

the only large valley in the entire California desert which doesn't have a road running the length of it. As such it represents a unique resource for science and citizen to taste the desert experience as the early pioneers did, with no interruptions of view, flora or fauna. Hiking into the area from the west is very popular. The peaks of the Sheephole Mountains are easily accessible from the west.

Cresote, galleta grass and mixed shrubs dominate the valley. Protected stands of native grasses are not that common anywhere in California. Bighorn sheep, desert tortoises, and prairie falcons inhabit this austere area which on the south has some areas with sheet sand. The open desert is valued by wilderness visitors in the spring when the wildflowers are arrayed from one end of the valley to the other.

Slate Range

The Slate Range wilderness located 30 miles northeast of Ridgecrest includes the central portion of the Slate Range, the southern end of Panamint Valley, and the west face of the Panamint Range just north of China Lake Naval Weapons Center within the 44,410 acre wilderness.

Both the Slate and Panamint Ranges have rugged terrain of jagged peaks and steep canyons, the valley portion lies just above the flat salt pan of Panamint Dry Lake. The volcanic and metamorphic rock bases of the Slate Range have afforded few opportunities for vegetation to gain a foothold; vegetation is mostly confined to the washes where the infrequent rainfall collects and the area is more sheltered. The mountains present a barren forbidding look which has left them untouched by man. This is probably the least visited range in the northern desert, although its facades are craggy, rugged and picturesque. The opportunities for solitude are unparalleled.

The Panamint Range portion is best known for the many small unnamed springs important to a resident bighorn sheep herd. The area offers superb vistas north and easterly into Death Valley and adjoins wilderness proposed for the expanded park. However, the best views from the upper ridges of the range that greet the hiker and backpacker are to the west and southwest where the march of north south ranges line up and fade to purple in the distance. The portion of the Panamint Valley that is included in the wilderness proposal was the southern extent of the shoreline of the Pleistocene lake, and the link to the chain of lakes and streams that connected the ancient lakes in Owens Valley, Panamint Valley and Death Valley.

South Nopah Range

Precambrian gneiss in lower hills to the southwest, dolomite, quartzite, and limestone in a higher range to the east are layered in the geologically interesting 16,780 acre South Nopah Range Wilderness that reflects confusing eastern end of the Transverse Fault Zone crossing California. There are two invertebrate fossil sites along the northern edges; the sedimentary deposits lend color and variety to the striations of rock in the South Nopah Range Wilderness about 50 miles west southwest of Las Vegas.

Mesquite and catsclaw are found in woodlands along the western drainage which joins Amargosa River drainage to the west. Wildlife and Native peoples concentrated in these areas where mesquite beans and water are plentiful. A rare agave, *Agave utahensis* var. *ebonispina*, is reported present in the area, thought to have been an important food for Native Americans.

Prairie falcons use the lowland to forage, with nest sites in the adjacent Nopah Range.

The rocky alluvial northern flats are washed repeatedly with flash floods and scoured by winds. The jumble is also visited by those looking for the miniature mountain ranges represented in a single cobble so prized by Japanese artist. The eastern escarpment, ending in California Valley, is a favorite camping area in the region. Hiking and climbing into the area afford outstanding opportunities for solitude, with the canyons and rock outcrops screening visitors from one another, especially those seeking to reproduce the experiences of those who took the old Spanish Trail from Utah to California just north of the wilderness.

Indian trails, villages, and artifacts can be found throughout the area. This wilderness will protect sensitive soils, and historic and archaeological sites.

Stateline

This 7,050 acre wilderness area on the California/Nevada state line between Las Vegas and Baker contains the junction of the Clark Mountains of California and the Spring Mountains in Nevada. The north slopes lie above Mesquite Lake, noted for outstanding Mesquite thickets, a highly valued food source for early Indian cultures. This area contains many archeological resources, including rock shelters, lithics, ceramics, and agave roasting pits.

The Clark Mountains are part of the range of a herd of desert bighorn sheep. Protecting the transition range will keep the Spring Mountains and Clark Mountain herds from being isolated in the face of increasing development and mining in the area. The rich variety of plants and animals which exists on Clark Mountain also exist in this wilderness area. There is good potential for finding the rare species on similar outcrops, and panamint chipmunk and mule deer range over the wilderness area.

Limestone and dolomite forms have added an unusual feature to the Clark Mountains range a section of caves and grottoes in the porous rock.

Stepladder Mountains

The Stepladder Mountains southwest of Needles provide a rich, and even unique, habitat for many species of birds and mammals. Desert tortoises occur in extremely high densities within this area. Bighorn sheep, prairie falcons, golden eagles, Brazilian free-tailed bats, doves, quail, and rabbits all thrive amidst the diverse mountains, bajadas, and washes.

A dense stand of "teddy bear" cholla and a rare California aggregation of crucifixion thorn occur in the region. The southern section of this 81,600 acre area are a Chemehuevi Indian village and burial sites. Outstanding opportunities for solitude are possible within this extensively vegetated area, abounding in cactus gardens, octillo, Mojave Yucca, and fine creosote flats.

Surprise Canyon

The 29,180 acre Surprise Canyon wilderness lies on the western face of the Panamint Mountains adjacent to Death Valley National Park, approximately 50 miles northeast of Ridgecrest. The rugged ridges, high peaks and deep narrow canyons with riparian zones in the bottom offer physically challenging wilderness experiences, and nearly unlimited opportunities for solitude. In the northwestern lowlands are badlands and alluvial fans spreading into Panamint Valley. At the upper reaches are Great Basin sagebrush and pinon pine-juniper belts, and an occasional limber pine.

Rocky patches between 1,200 and 4,000 feet in elevation support the Panamint daisy, a wonderfully large flowering variety that is endangered. Special wildlife include the indigenous Panamint alligator lizard and bighorn sheep. This important area is adjacent to National Park Service wilderness on the east and north.

Sylvania Mountains

The 17,820 acre Sylvania Mountains wilderness, noted for its scenic attributes, is located north of Death Valley National Park in the extreme southern portion of Fish Lake Valley, the extreme northern portion of the Last Chance Range, and the western Sylvania Mountains (the remainder is in Nevada). There are large elevation changes: a rolling and flat western edge with elevations of 5,071 feet, and mountains of 7,998 feet to the east near California/Nevada state line.

Lower elevation flora includes shadscale with Joshua Tree, creosote, and sagebrush scrub. Flora at higher elevation is within the pinon-juniper woodland community. The limestone formations have fostered the development of many endemic species, and several of them are expected to occur in this area also, including many rare species such as the Fishhook Cactus, *Sclerocactus polyancistrus*.

The extreme elevation range also promotes a diverse group of fauna such as the pale Kangaroo mouse on the valley floor, 25 square miles of prairie falcon foraging area, at least 17 square miles of desert bighorn sheep seasonal range for a herd of 65 individuals.

Trilobite

An extremely unusual fossil-rich area in the desert, the Trilobite wilderness, 33,720 acres, is the only such area being proposed for wilderness. The trilobite rich Marble Mountains are about 70 miles west of Needles. The rugged terrain, though almost waterless, supports a variety of wildlife. Prairie falcons roam over the flat alluvial areas looking for rodents and snakes. The flats are also part of an important desert tortoise population.

Though mainly bypassed by recreationists, the area does attract some hikers to climb the peaks and those who are interested in the fossilized remnants of early life on the planet. Vistas from the top offer great rewards to hikers and backpackers: to the south are spectacular long expanses, over the Cadiz Dunes; to the north views of the boulder strewn Granite Mountains.

The Marble Mountains are known for their Desert Bighorn Sheep herd, one of only two areas in the state in which hunting was allowed until recent additions of other ranges, and a potential source of animals to reestablish herds in other areas now depopulated. The Marble Mountains

were part of a traditional hunting area for the Native Americans living along the Colorado River.

Turtle Mountains

This 144,500 acre area west of Parker has some magnificent, diverse landscapes broad open bajadas contrasted with picturesque spires and cliffs. The Turtle Mountains are characterized by steep, highly eroded volcanic crags and peaks to the northeast, while the southwest section has a steep rounded form.

Between the two mountain areas lies a large, interior valley that is transected by numerous shallow washes. Vegetation is relatively lush on the bajadas which completely surround the mountains. The interior valley is dominated by fairly dense stands of creosote, cactus and mixed shrubs. The Mopah Springs site is noted for its small cluster of the native fan palms, the northernmost occurrence of the species.

The region includes all of the Turtle Mountains bighorn sheep range and most of its seasonal range. Desert tortoise habitat covers a large portion of the area with tortoise densities of 20 to 50 individual animals per square mile. Prairie falcon and golden eagle foraging habitat is abundant and two falcon and eagle aeries are known. Bendires thrasher breeding locations and western pipistrelle bat roosts are also known to exist. There are 11 important springs in the area.

The Turtle Mountains have been associated with ritual use and extensive occupation by Native Americans. Several areas of known cultural resources are located in the wilderness area, including a Chemehuevi campsite in the middle of the Turtle Mountains.

Whipple Mountains

Gorges and untouched canyons inaccessible except on foot characterize much of the Whipple Mountains near the Colorado river west of Parker. After rains, tadpoles make their brief appearance in ponds and pockets in the rock and not long afterward the croaking of frogs can be heard. Bighorn sheep also frequent the mountains, and the springs on the eastern side. Visitors to the area have reported seeing a mountain lion. Reptiles, such as the Great Plains toad, spadefoot toad, tree lizard, western ground snake, and Sonoran lyre snake have been noted in the area.

Extensive cholla gardens and barrel cactus are found in the flats and canyons. The eastern portion of the wilderness area contains one of the few stands of Saguaro Cactus in the California Desert. The washes on the edges of the area are wide and support desert trees, including palo verde, ironwood and mesquite in dense stands.

The geology of the Whipple Mountains is very complex and has been studied extensively by university groups. The reddish and gray-green layers of rock are reminiscent of the Colorado formations found in "canyon country", as are the natural bridges. The study groups have identified a number of faults.

There is much evidence of use of the area by several Native American groups, both recent and

aboriginal, including burial areas, occupation sites, trails and mythological significance.

Broad, winding Whipple Wash on the northwest is one of the most scenic parts of the wilderness. The wash provides the best backpacking and hiking access into the heart of the area. Peak climbs in the range are popular. This is a 77,520 acre area.

Wilderness management

Section 103 provides that the wilderness areas designated by section 102 are to be managed in accordance with the provisions of the Wilderness Act. The Forest Service would be responsible for management of portions of two areas; the Bureau of Land Management would be responsible for management of the rest of the lands covered by this section.

Grazing in wilderness

Section 104 deals with the management of livestock grazing in the wilderness areas designated by section 102. The section references Public Law 96-560 which included (in section 108) a requirement that Wilderness Act provisions relating to grazing be interpreted and administered with guidelines included in the Committees Report on the bill (H.R. 5487 of the 96th Congress) that eventually became Public Law 96-560. A similar provision has routinely been included in subsequent Acts that designated wilderness areas located within the National Forest System. The Committee notes that in its Report (House Report 101-405) concerning H.R. 2570 of the 101st Congress designating certain BLM lands in Arizona as wilderness, it specifically stated that the guidelines referenced in Public Law 96-560, although formerly used in reference to Forest Service lands, should also be used in the management of livestock grazing on BLM wilderness areas. The Committee understands that these guidelines are fully consistent with the BLMs policy on management of livestock grazing in wilderness.

No buffer zones

Section 105 incorporates standard language stating Congress intent not to establish "buffer zones" around wilderness areas. By this, Congress means that non-wilderness activities outside wilderness areas should not be precluded by the simple fact that sight and sounds associated with those activities can be perceived from within the wilderness. Concerns have been raised about the meaning of the phrase "of itself" in the context of the buffer zone prohibition. The Committee intends by the inclusion of this phrase that, standing alone, the designation of wilderness areas by section 102 should not be construed to extend restrictions on non-wilderness sights and sounds to land outside the boundary of the wilderness area. Such non-wilderness sight and sounds would be subject to regulation, if any, flowing only from the application of other law. For example, the fact that a mining operation can be seen or heard from a point within a wilderness area is not sufficient to impose restrictions on that mining operation that are not the result of provisions in other applicable law.

Mining claim validity review

Section 106 addresses mining claims within the areas designated as wilderness by section 102. Under the provisions of the Wilderness Act, areas designated as wilderness prior to December

31, 1983 were withdrawn from mineral entry and leasing after such date, and any wilderness areas designated subsequent to such date are immediately withdrawn from mineral entry and leasing. However, valid existing mining claims are protected. The intent of section 106 is to clarify that the Secretary shall not approve a mining plan of operation for any existing mining, millsite or tunnel site claim unless such claim is valid. This is consistent with the Wilderness Act and with current BLM regulations regarding mining law administration in wilderness.

Filing of Maps

Section 107 is a standard provision requiring the filing of maps and legal descriptions of the wilderness areas designated by section 102.

Interim Protection Areas Released and Retained

Released areas

Section 108(a) declares that all public lands within the California Desert Conservation Area and administered by BLM in California that are not designated as wilderness or otherwise provided for by H.R. 518 have been sufficiently studied for wilderness designation under Section 603 of FLPMA, and are no longer subject to the management restrictions of subsection 603(c) of that Act. These restrictions generally require that the area be managed so as not to impair its suitability for wilderness designation. Therefore, upon enactment, all existing BLM wilderness study lands within the California Desert Conservation Area not designated as wilderness or otherwise provided for would be managed as multiple use lands under FLPMA and all other laws applicable to these public lands.

Retained areas

Subsection 108(b) provides for continued applicability of FLPMA's section 603(c) requirements to four specified areas, as follows:

Avawatz Mountains

This 61,320 acre area northwest of Baker consists of the large mountain mass of the Avawatz Mountains, which contains many colorfully eroded slopes, rugged ridges and steep-walled narrow canyons. These mountains are covered by a steeply descending creosote-covered bajada which flattens into a dry lake. White talc deposits dot the landscape. The north end of the mountains provides outstanding views into Death Valley National Park.

The southern portion of this area contains a large bajada of coarse gravel and scattered boulders descending from the abruptly rising south end of the Avawatz Mountains. Elevations range from 6,154 feet on Avawatz Peak to less than 800 feet at the dry lake.

This area contains over 75 square miles of bighorn sheep habitat, with nine springs in the mountains providing good sources of water. Recreational use of the Avawatz Mountain area by

backpackers and hikers is centered around Avawatz Peak. A route to the peak used frequently goes near Mormon Spring, above which is a long abandoned cabin site. This area contains numerous cultural sites associated with prehistoric use.

The Committee has postponed a decision about wilderness designation for this area to avoid potential conflicts with possible proposals to withdraw public lands, pursuant to the Engle Act (P.L. 85-337), for expansion of the Fort Irwin National Training Center, an important facility used for tank-warfare training and other military purposes. When presented with such proposals, the Committee expects to reconsider wilderness designation for this area.

Soda Mountains

The Soda Mountains area of 80,480 acres is located 45 miles northeast of Barstow. It includes highly eroded, jagged ridges of granitic and metamorphic rocks, interspersed with steep, rocky, multi-colored wastes and hidden interior valleys. The alluvial slopes of this 80,430 acre area include gardens of barrel cactus, cholla, and yuccas and two sensitive plant species. Although known to many, few have discovered its outstanding wilderness character. From the top of the ridge are spectacular views of the volcanic cinder cone region, dry lakes, sand dunes. On the east end of the range, massive Silver Dry Lake, on the west and unusual crucifixion thorn stand near two intermittent lakes East and West Cronese, bracket this austere and seldom visited range.

The Cronese Dry Lakes occasionally contain water, providing habitat for wintering and migrating waterfowl and shore birds including the federally listed Yuma Clapper rail. The Cronese Lake ACEC was designated to protect these unusual features. More regular visitors are the desert bighorn sheep. From the east end to the west end there are significant cultural resource areas which include archaeological rock alignments, anthropomorphic figures, portions of aboriginal trail systems, and a large lithic workshop. The area is considered to be "scenic and mysterious" and because of its close proximity to Interstate 10 and Baker, invites exploration, photography, scientific study, and hiking.

The Committee has postponed a decision about wilderness designation for this area to avoid potential conflicts with possible proposals to withdraw public lands, pursuant to the Engle Act (P.L. 85-337), for expansion of the Fort Irwin National Training Center, an important facility used for tank-warfare training and other military purposes. When presented with such proposals, the Committee expects to reconsider wilderness designation for this area.

South Avawatz Mountains

Varied terrain, wide panoramas, and portions of one of the few dry lake beds proposed to be included in desert wilderness, all attract visitors not just to the South Avawatz Mountains, but to the entire South Avawatz Mountain area of 23,250 acres of colorful eroded alluvium, rugged ridges, and steep-walled, narrow canyons.

The mountains gradually change to a creosote covered bajada which blends into the dry lake 60 miles northeast of Barstow. The creosote slope is one of the classic vulnerable soil types which look dry and bare during the summer and can easily be disturbed but are a lush rainbow carpet of flowers and grasses when the winter rainfall drenches the slopes. With roads along two sides

of the proposal, there is easy access for hiking and photography of the scenery.

On the south is a large bajada of coarse gravel and scattered boulders that eroded from the abruptly rising south end of the Avawatz Mountains. Elevations range from over 3000 feet to less than 800 feet at the dry lake. From the peaks the vistas include the Kingston Mountains and the Silurain Hills, to the east, as well as the Soda Mountains to the south. The sense of isolation and solitude created by the long panoramas is complete.

The Committee has postponed a decision about wilderness designation for this area to avoid potential conflicts with possible proposals to withdraw public lands, pursuant to the Engle Act (P.L. 85-337), for expansion of the Fort Irwin National Training Center, an important facility used for tank-warfare training and other military purposes. When presented with such proposals, the Committee expects to reconsider wilderness designation for this area.

Great Falls Basin

Once designated as a primitive area, and now also an Area of Critical Environmental Concern, the Great Falls Basin area has special wildlife habitat and scenic values. This 8,800 acre area, only 25 miles northeast of Ridgecrest, on the east side of China Lakes Naval Weapons Center, is frequently visited by those seeking wilderness and solitude to climb the peaks or to birdwatch.

Rising to almost 5,000 feet, the range receives higher-than-average rainfall for the desert, and there are several permanent springs, streams, marshy areas and waterfalls, one of which gives Great Falls Basin its name, all of which attract a great diversity of plant and animal communities. Pinon-juniper stands are found at the upper elevations, but most unusual is the collection of cottonwoods and willows in the half-mile wide semi-circular basin. In the riparian areas and canyons are small populations of the Inyo Brown Towhee, a Federally listed threatened species, Prairie falcon, and turkey vultures nest here as well. The Great Falls Basin Desert Bighorn sheep herd is being closely watched, as a recently reintroduced herd. Mule deer and game birds offer regular hunting opportunities.

The Committees postponement of a decision about wilderness designation for this area is consistent with the provisions of S. 21 as passed by the Senate. The Committee understands owners of an industrial facility outside the area have expressed concerns as to whether designation of the area as wilderness might cause imposition of restrictions on their facility because of provisions of the Clean Air Act, but the Committee notes that wilderness designation would have resulted only in designation of the area as Class II under that Act, which would not interfere with continuation of activities at that facility, that any upgrading of the area to Class I could be accomplished only by action of the California State Government, and that there is no greater reason to establish non-wilderness "buffer zones" around unaffected facilities than there is to establish wilderness-like "buffer zones" to protect wilderness areas.

Subsection 108(c) would withdraw the Federal lands in the areas specified in subsection 108(b) from all forms of disposal under the public land laws, from mineral entry, and from mineral and geothermal leasing, subject to valid existing rights, and would require those lands to be managed pursuant to section 603(c) of the Federal Land Policy and Management Act of 1976.

Designation of Wilderness Study Area

Section 109 would designate a White Mountains wilderness study area of 11,200 acres and require it to be managed in accordance with the provisions of section 603(c) of the Federal Land Policy and Management Act of 1976.

Suitability report

Section 110 would require the Secretary of the Interior to report to Congress in ten years on current and planned mineral exploration and development or mining activities in, and on the suitability for future designation as wilderness of, certain specified lands as identified on properly referenced maps. A similar provision was included in the version of this legislation approved by the Committee and passed by the House in 1991, and has been included in S. 21 as passed by the Senate.

All of these lands have been administratively designated as wilderness study areas, and thus are subject to management pursuant to section 603(c) of the Federal Land Policy and Management Act of 1976 (FLPMA) unless and until released from such management by legislation.

In shaping section 110, the Committee took account of the fact that a proposed gold mine, known as the Briggs Mine, would be located within the specified lands. The Committee considered designating these lands as wilderness, with a wilderness boundary that would exclude the proposed site of this mine, but opted instead to bring these lands under the release provisions of section 108(a). This will allow for more efficient operations of any mines and permit possible development of additional claims, as well as continued exploration.

The Committee has decided to require the specified report because of the speculative nature of the mining industry and the possibility that mining activities could prove not to be viable. The Committee believes that ten years is a reasonable time period to expect the discovery of any economically viable resource, and anticipates that after such time a future Congress may wish to reconsider possible wilderness designation of some of all of the lands covered by section 110. However, it should be noted that this reporting requirement neither prejudices the management of these lands after the report is submitted nor requires that the lands be managed as wilderness study areas during the ten-year interval between enactment and the reports submission. The Committee, in releasing the lands from the requirements of section 603(c) of FLPMA, recognizes that mineral activities can and presumably will occur there, subject to the same requirements that apply to other public lands that are not subject to section 603(c) of FLPMA.

Wildlife Refuge Wilderness

Section 111 designates and provides for management as wilderness of two areas within California units of the National Wildlife Refuge System.

Subsection 111(a) designates as wilderness 3,195 acres within the Havasu National Wildlife Refuge and 5,836 acres within the Imperial National Wildlife Refuge, as follows:

Havasu Wildlife Refuge wilderness

Just south of Needles, California, the Colorado River is constricted from an easy meander in a wide valley to an almost vertical slot through The Narrows for several miles before it opens up again. The narrow stretch is where the Havasu National Wildlife Refuge sits astride the river. The 3,195 acres Havasu wilderness on the California side of the river complements the existing Havasu Wilderness on the Arizona bank. It also lies adjacent to the Chemehuevi Wilderness to the west and enhances its values and protection as well.

This stretch of river, in addition to the obviously important wildlife habitat values for many resident species and migrating birds, is an extremely popular recreation section of the river. Boats, canoes, and especially inner tubes which allow the floaters to remain in contact with the cool water, are used on hot summer days by recreationists on the river. The scenic values are outstanding. The river is the principal human access route to the Refuge. Desert bighorn sheep, coyote, fox, and numerous other species use the canyons and lower riparian areas to gain access to the river.

Imperial Wildlife Refuge wilderness

Imperial Wildlife Refuge wilderness in California, less than 30 miles north of Yuma, Arizona, is in two units. Each unit has a complementing existing Imperial Refuge Wilderness unit across the Colorado River in Arizona. The important wildlife habitat values, including protection of habitat for the Yuma Clapper Rail, are well known.

The two units totalling 5,836 acres, separated by a popular state recreation area, receive considerable recreation use by boaters, fishermen and others seeking respite from the summer heat along the river. The broad open area that the river flows through before it makes its turn to the east has numerous washes, and the river bank vegetation sends fingers and swaths of mesquite and other water dependent species up the canyons.

In winter, these areas along the river are some of the most popular recreation areas in California. The temperature is moderate all winter, and backpacking, hiking, fishing, and nature study are all possible in these wilderness units.

These wilderness areas are contiguous to BLM wilderness areas designated under section 102: The Havasu Refuge area is contiguous to the BLMs Chemehuevi Mountains wilderness, and the Imperial Refuge area, divided into two units, has one unit contiguous to Indian Pass wilderness and one unit contiguous to the Little Picacho wilderness.

Subsection 111(b) provides for preparation and appropriate filing of maps and legal descriptions of the wilderness areas designated by subsection 111(a).

The Committee stresses that the wilderness designations made by this section should in no way be interpreted as affecting the status of any other refuge lands in California under the administrative jurisdiction of the U.S. Fish and Wildlife Service. The Committee also notes that the boundaries of these wilderness areas have been drawn so as to exclude land immediately contiguous to the Colorado River.

Title II: Death Valley National Park History and redesignation

Section 201 sets forth five findings concerning the history of the Death Valley National Monument and the basis for its redesignation as a National Park.

Section 202 redesignates as the Death Valley National Park the current Death Valley National Monument. The Committee believes that Death Valley National Monument fully qualifies for redesignation as a National Park because of the outstanding quality of its natural values, its size, and the diversity of its resources, and notes that Death Valley National Park contains a vast array of scenic topographical, geological, biological, historical, hydrological, and cultural resources within its boundaries. With a range of elevations from 282 feet below sea level the lowest point in North America to 11,049 feet above sea level, it is an area of stark and dramatic contrasts. With more than half a million visitors annually, Death Valley ranks eleventh in the entire National Park System in terms of overnight visitors.

Additions to Death Valley

Section 202 also would expand the newly-redesignated Death Valley National Park by adding approximately 1.3 million acres of public lands, to create a approximately 3.3 million acre park.

The additions are divided into four large blocks: the Saline/Eureka/Panamint Valleys and adjacent mountain ranges to the north and west of the Monument; Owlshhead/South Panamint Ranges to the southwest of the Monument; the Greenwater Range to the east; and the northern extension of the Death Valley itself. There is also a small addition at the southeast end of the Funeral Mountains to include the entire range within the boundaries of the park unit and two small additions at the southeast corner of the park to include part of the Saddle Peak Hills and the hills surrounding Sheep Creek Spring. These lands are currently BLM administered. In addition, the existing and operating Crater mine is not within the boundaries of Death Valley National Park.

Saline/Eureka/Panamint Addition

This area is a vast, pristine, largely undiscovered wilderness, composed of three huge valleys and their attendant mountain ranges. In the northeast part of this proposed addition is the Eureka Valley, bounded on the east of the rugged Last Chance Range, and on the west by the Saline Range. From this expansive desert valley, one can see majestic Mt. Whitney in the distance. Perhaps the most significant natural feature in the valley is the vast Eureka dune complex. The Eureka Dunes, the tallest dune system in the California Desert, are a designated National Natural Landmark and harbor several species of rare or endangered plants.

Further south in the addition, the barren floor of the Saline Valley presents a stark contrast with the Inyo Mountains to the west which rise abruptly to 11,000 feet. This awe inspiring landscape, a rare desert salt marsh, hot springs and cultural features, all contribute to make the Saline Valley an excellent addition to the National Park System.

Hunter Mountain is situated at the junction of three important desert valleys: Death Valley, Saline Valley and Panamint Valley. It is prominent, and its dark, pinon and juniper-mantled slopes are visible from all three valleys. A road over the top of the mountain provides access to cooler upper slopes and spectacular views of the three valleys as well as the crest of the Sierra

Nevada. Hunter Mountains location between the Inyo Mountains and Panamint Range, makes it important for both permanent and transient bighorn sheep habitat.

The Panamint Valley is the most accessible of the three valleys in the addition. Highway 190 crosses the valley from the east to west, linking Death Valley National Park with the bust Highway 395. The exceptional scenic views from Highway 190 include Hunter Mountain, the remote Panamint Dunes and the massive Panamint Range.

One of the most unique sites in the area is Darwin Falls, where a perennial stream from the plateau cascades down a series of waterfalls to feed a lush growth of ferns, mosses and riparian plants. This canyon is filled year round with abundant bird life. It is a popular spot with the desert visitor seeking respite from the heat.

Owlshead/South Panamint Range Addition

This is one the most remote, unvisited areas in the desert. The terrain includes mountains, playas and some of the Amargosa River bottom. As a result, there is an interesting mix of plant and animal species, including bighorn sheep and desert tortoise. Of historic interest, the Wingate Wash Trail, the historic route of the 20-mule teams, passes through the area. The area contains two very interesting geological features: outstanding examples of fault phenomenon along the Garlock fault, and the Quail Mountain Breccias.

Greenwater Addition

The terrain in this addition is a mixture of valleys and relatively low elevation mountains. The area has numerous Indian artifacts, including petroglyphs and rock shelters. The Greenwater Range is nearly waterless volcanic range of mountains which lies east of Death Valley; a place where black basalt contrasts with green creosote and deep blue sky. The area is home to both golden eagles and prairie falcons. Large chuckwallas live among the ancient Indian petroglyphs pounded into the black basalt. The road through Greenwater Valley is a very scenic, popular travel route, particularly in spring, as this is one of the premier wildflower areas in the desert.

Death Valley North Addition

This addition is actually the only portion of Death Valley proper not already managed by the National Park Service. Visually and ecologically linked to the existing Monument, this northern portion of Death Valley has been subject to indiscriminate use by off-road vehicles.

Section 203 would require the Secretary to transfer the lands specified in section 202 from the jurisdiction of the Bureau of Land Management, to the administrative jurisdiction of the National Park Service.

Maps and legal descriptions

Section 204 would require the Secretary to file maps and legal descriptions of Death Valley National Park within six months to the Senate Committee on Energy and Natural Resources and the House Committee on Natural Resources.

Withdrawal

Section 205 provides that subject to valid existing rights, the lands added to the National Park system by Title II are withdrawn from disposal under the public land laws, further entry under mining laws, and from mineral or geothermal leasing.

Mining claim validity study

Section 206 would preclude the Secretary from approving any mining plan of operation for any unpatented mining claims, millsites, and tunnel sites in the additions to the park prior to determining the validity of the relevant claims, and would direct the Secretary to submit to Congress recommendations as to whether any valid or patented claims should be acquired by the United States, together with a discussion of the estimated acquisition costs and the environmental consequences of extraction of minerals from the lands involved.

Grazing within Death Valley National Park

Section 207 deals with grazing in Death Valley National Park. It is discussed here, and also in connection with the explanation of section 409, below.

Subsection 207(a) provides that the privilege of grazing domestic livestock on lands within Death Valley National Park shall continue to be exercised, at no more than the current level, subject to applicable laws and National Park Service regulations. (See discussion in Section 409.)

Subsection 207(b) provides that if the holder of a grazing permit informs the Secretary that the permittee is willing to convey to the United States any private "base property" with respect to which the grazing permit was issued held by the permittee, the Secretary shall make acquisition of such base property a priority as compared with the acquisition of other lands within the park, provided that the Secretary and the permittee can agree on terms and conditions for such acquisition. The subsection also provides that any base property located outside the park and acquired as a priority pursuant to his section shall be managed by the agency responsible for management of the majority of adjacent Federal lands, in accordance with the laws applicable to such adjacent lands. The Committee expects that in the majority of cases related to Death Valley National Park such management would be by the Bureau of Land Management.

Title III: Joshua Tree National Park

History and redesignation

Section 301 sets forth five findings concerning the history of the Joshua Tree National Monument and the basis for its redesignation as a National Park.

Section 302 redesignates as the Joshua Tree National Park the current Joshua Tree National Monument. The Committee believes that Joshua Tree fully qualifies for redesignation as a

National Park because of its proximity to major population centers, outstanding scenery, recreation opportunities, and widely diverse ecosystems as well as the exceptional examples of Joshua Tree forests it offers.

Two major life zones intersect with Joshua Tree, the lower and the upper Sonoran zones. The more extensive lower Sonoran zone is further subdivided into the Colorado Desert in the lower elevations and the Mojave Desert in the higher elevations. This meeting of life zones and the transition areas create unique ecological niches with increased biological diversity and a rich assemblage of flora and fauna. Approximately 16 species of lizards, 20 species of snakes, well over 200 species of birds and over 50 species of mammals including bighorn sheep and mountain lion have been observed in the area.

The area also is significant for archeological and historical artifacts. There remains evidence of post-Pleistocene sites as well as the remains of early mining and ranching activities.

The Committee recognizes that there is a proposed Eagle Mountain solid waste disposal facility which, if developed, would be located at the site of the defunct Kaiser iron ore mine within approximately 1.5 miles of the Joshua Tree National Park. It is not the intent of the Committee that this legislation have any effect on the future development of this disposal facility at that location, and does not expect that such development will be affected by the sites proximity to the park or wilderness within the park. The Committee notes that any such development will first have to meet the requirements of various federal, state, and local laws and regulations in order to be licensed; the Committee does not intend that this legislation be construed so as to impose additional regulation, beyond such current federal, state and local laws or regulation, based on the mere fact that the Eagle Mountain site is in close proximity to the park or wilderness within the park, should this facility be located at that site.

Joshua Tree additions

Section 302 also expands the newly-designated Joshua Tree National Park by approximately 225,000 acres, making an approximately 800,000 acre Park. The additions will provide a more manageable boundary and will add several important features to the Park.

Transfer of jurisdiction

Section 303 would require the Secretary to transfer the lands added to Joshua Tree National Park from the jurisdiction of the BLM, to the administrative jurisdiction of the National Park Service.

Maps and legal descriptions

Section 304 would require the Secretary to file maps and legal descriptions of the park within six months with the Senate Committee on Energy and Natural Resources and the House Committee on Natural Resources.

Withdrawal

Section 305 provides that subject to valid existing rights, the lands added to the National Park System by Title III are withdrawn from disposal under the public lands laws, from further entry

under mining laws, and from mineral or geothermal leasing.

Utility rights-of-ways (Metropolitan Water District)

Section 306 would expressly allow the continuation of customary operation, maintenance, repair, and replacement activities by the Metropolitan Water District on its rights-of-way and fee title lands within the Joshua Tree National Park, but outside any wilderness areas. In order to conduct these activities in a manner which will minimize the impact on park resources, Park Service regulatory procedures will apply.

In order to enhance the management of the Joshua Tree wilderness, the Metropolitan Water District (MWD) has agreed to abandon three parcels on the east side of the park within the designated wilderness totalling 115.74 acres. These parcels are identified by MWD as Exhibit A7A (Cadiz Saddle Aggregate Deposit 9.9 acres), Exhibit A7B (Coxcomb Wash Aggregate Deposit 27.3, 0.5, and 2.1 acres), those portions of Exhibit A7C lying westerly of the Colorado River Aqueduct (45.9, 18.6, 0.79, 3.2, 3.21, 1.15, 2.06, and 1.03 acres). These lands were acquired by MWD, and MWD has agreed to quitclaim such lands, pursuant to the Act of June 18, 1932; (47 Stat. 324). Because MWD would not otherwise be required to abandon these parcels at this time and is doing so to enhance the management of the Joshua Tree wilderness, nothing in this legislation should be construed to require or imply that MWD must reclaim or restore these parcels. This should not be interpreted to alter any other law which might require reclamation or restoration of these parcels.

Mining claim validity study

Section 307 would preclude the Secretary from approving any mining plan of operation for any unpatented mining claims, millsites, and tunnel sites in the additions to the park prior to determining the validity of the relevant claims, and would direct the Secretary to submit to Congress recommendations as to whether any valid or patented claims should be acquired by the United States, together with a discussion of the estimated acquisition costs and the environmental consequences of extraction of minerals from the lands involved.

Title IV: Mojave National Park

Significance and basis for designation

Section 401 sets forth a series of findings concerning the significance of the portion of the Mojave Desert lying between the Death Valley and Joshua Tree National Parks, and the basis for establishment of a Mojave National Park there and the designation of wilderness for such a new National Park.

The proposed establishment of a National Park System unit in this portion of the Mojave Desert has been a particular focus of controversy in the Committee's consideration of California desert legislation, including H.R. 518. In 1980, the Department of Interior, in recognition of the internationally renowned resources of the Mojave Desert, created the 1.5 million-acre East Mojave National Scenic Area with boundaries based on previous legislative proposals for park status.

A 1979 BLM report to the Park Service concluded that "cultural and natural resource values of

the East Mojave study area are so diverse and outstanding that the area readily qualifies for National Park or Monument status." The report also found that, "In all the California Desert there is no finer grouping of different wildlife habitats than in the East Mojave."

In 1987, after reviewing this Mojave National Park Proposal, the professional staff of the Western Regional Office of the National Park Service (NPS) reported that the area met the required criteria specified in NPS Management Policies, and recommended that the area would be "a worthy and valuable addition to the National Park System."

This region is one of the most ecologically diverse areas in the nation because it is at the juncture of three different ecosystems: The Sonoran Desert, the higher elevation Mojave Desert and the Great Basin. These ecosystems combine to produce one of the finest Joshua-tree forests in the nation and support more than 700 species of plant life, including 25 rare or endangered plant species. The proposed Mojave National Park, home to golden eagles, desert bighorn sheep, desert tortoises, and many other animal species, contains the finest grouping of different wildlife habitats in the entire California Desert.

In addition to three National Natural Landmarks the Cinder Cones, Mitchell Caverns and Winding Stair Cave the proposed park contains world renowned desert landforms. With 16 mountain ranges, including the Castle Buttes, Clark Mountain, Providence Mountains and the New York Mountains, the landscape is punctuated with 6,000-foot peaks, sand dunes, flat-topped mesas, rolling hills and red volcanic spires. 32 cinder cones impart a lunar landscape to the areas northwest corner, while nearby the Devils Playground presents a stark expanse of sand dunes.

The area is centrally located and easily accessible from Interstates 15 or 40 as well as from a skeleton of interior roads. This area also offers a rich display of historic and cultural resources including petroglyphs, pictographs, Indian village occupation sites and trails, the historic Mojave (Old Government) Road, where the actual tracks of the iron-clad wheels of the pioneers from over a century ago can still be seen, abandoned Army forts and posts, abandoned mines, ghost towns, and the historic Kelso Depot, a train station built in the 1920s.

Designation

Section 402 would establish a Mojave National Park encompassing approximately 1,448,000 acres now managed by BLM under the administrative designation of the East Mojave National Scenic Area. The park boundary does not include approximately 170 acres of private land at Nipton and Goffs. S. 21 makes an identical change.

Lanfair Valley

In drawing the boundaries of this new National Park, the Committee has included public lands within the area of Lanfair Valley that were excluded by S. 21 as passed, and has also included lands in that area that are owned by the State of California and by the Catellus Development Corporation or its subsidiaries or assigns, but has excluded other non-Federal lands in that area that were also excluded by S. 21 as passed by the Senate.

Castle Mountain Mine

In developing similar legislation in the 102nd Congress, the Committee considered whether the Castle Mountain Mine, located within the ecosystem encompassed by the lands that this bill designates as the Mojave National Park, should be retained within the boundaries of a unit of the National Park System.

As noted in its report on that previous legislation (House Report 102-283, Part 1), the Committee decided in favor of such retention, for several reasons:

First, the project is in the watershed feeding the Piute Creek riparian zone, a unique natural resource within the monument, as well as within bighorn sheep and desert tortoise habitat inside the monument. Second, the projects operating life, while spanning up to a decade or more, is short if considered in relation to the monument which will exist in perpetuity. Third, the Park Service has successfully managed mining activities in a number of other park units and has the professional staff necessary with the requisite expertise in mining, hydrology, and geology. And finally, the mining and reclamation plan embodied in the BLM Record of Decision dated October 31, 1990 was designed to fully comply with the provisions of the Mining in the Parks Act. Therefore, inclusion of the area within a National Park system unit, as is done by H.R. 2929 should not establish new operating or reclamation requirements for the project.

In addition, it is appropriate for the mine to operate in accordance with the provisions of the mining and reclamation plan embodied in the BLM Record of Decision dated October 31, 1990. This plan has more than 100 mitigation measures and precedent-setting reclamation and revegetation standards. While the National Park Service will replace BLM as the land manager after enactment of H.R. 2929, it is intended for this plan to remain in effect.

Further, while section 408 requires validity exams for all millsite claims, the expectation is that millsite claims authorized for use by the BLMs Record of Decision dated October 31, 1990 are valid. Therefore, if the BLM would have otherwise determined that these millsite claims were valid under their existing regulation, they will be considered valid by the Park Service and continue to be available for the uses authorized by the BLMs Record of Decision dated October 31, 1990.

In considering H.R. 518, the Committee decided to exclude from the Mojave National Park those Castle Mountain Mine lands that are the locale of ongoing mining, and lands used for road access to the mine. These lands were also excluded by S. 21 as passed by the Senate. In contrast to H.R. 518, however, S. 21 also excluded additional lands for the mine outside the operating area.

Management transfer

Section 403 would require the Secretary to transfer the management of the public lands within the boundaries of the new Mojave National Park from the BLM to the administrative jurisdiction of the National Park Service.

Maps and legal descriptions

Section 404 would require the Secretary to file maps and legal descriptions of the park within six months with the Senate Committee on Energy and Natural Resources and the House Committee

on Natural Resources.

Abolishment of scenic area

Section 405 would abolish the East Mojave National Scenic Area, as administratively designated in 1981 and modified in 1983.

Administration

Section 406 provides for the new Mojave National Park to be managed in accordance with the laws generally applicable to units of the National Park system, including the National Park Service organic act (16 U.S.C. 1-4).

Withdrawal

Section 407 provides that subject to valid existing rights, the lands added to the National Park system by Title IV are withdrawn from disposal under the public land laws, further entry under the mining laws, and from mineral or geothermal leasing.

Mining claim validity study

Section 408 would preclude the Secretary from approving any plan of operation for any unpatented mining claims, millsites, and tunnel sites in the park until determining that the relevant claims are valid, and directs the Secretary to submit to Congress recommendations as to whether any valid or patented claims should be acquired by the United States, together with a cost estimate and a discussion of the environmental consequences of mineral extraction.

Grazing within Mojave National Park

Section 409 deals with grazing in the new Mojave National Park. Subsection 409(a) provides that the privilege of grazing domestic livestock on lands within Death Valley National Park shall continue to be exercised, at no more than the current level, subject to applicable laws and National Park Service regulations.

Subsection 409(b) provides that if the holder of a grazing permit informs the Secretary that the permittee is willing to convey to the United States any private "base property" with respect to which the grazing permit was issued held by the permittee, the Secretary shall make acquisition of such base property a priority as compared with the acquisition of other lands within the park, provided that the Secretary and the permittee can agree on terms and conditions for such acquisition. The subsection also provides that any base property located outside the park and acquired as a priority pursuant to this section shall be managed by the agency responsible for management of the majority of adjacent Federal lands, in accordance with the laws applicable to such adjacent lands. The Committee expects that in the majority of cases related to Mojave National Park such management would be by the Bureau of Land Management.

Sections 409 (like section 207) should not be viewed as precedential. The Committee understands that there are currently 2 livestock operations using lands that the bill would place within Death Valley National Park and 8 operators in the new Mojave National Park. The Committee emphasizes that it is not standard Park Service policy or Committee policy to allow

the continuation of livestock grazing in areas administered by the National Park Service.

During the Committee's consideration of this matter in the 102nd Congress, there was considerable discussion on how best to balance the fragile nature of the desert ecosystems of these parks (which include habitat for the desert tortoise, listed as threatened by the U.S. Fish and Wildlife Service) while not creating an inordinate disruption in livestock operations that have been in these areas for decades. At that time, the Committee decided that the optimal way to balance those interests was to phase out the grazing of livestock in those areas over a period of 25 years of the lifetime of the permittee, and to include the incentive of possible land purchases of base property by the federal government. This year, however, the Committee has dropped the concept of a phase-out of grazing and has adopted open-ended continuation of grazing, as was included in S. 21 as passed by the Senate.

The Committee does not intend that section 207 or 409 be construed as exempting grazing and related activities in the Death Valley and Mojave National Parks to be exempt from curtailment or even termination as a result of the application of laws other than the California Desert Protection Act. On the contrary, the Committee notes that nothing in section 207, section 409, or any other part of this bill will interfere with full implementation of all laws, including the Endangered Species Act of 1973, that are applicable to grazing on the public rangelands.

The Committee also notes that the Supreme Court, in *United States v. Fuller*, (409 U.S. 488 (1973)) has confirmed that public rangeland grazing permits are a privilege and can be terminated without requiring payment of compensation. Neither Section 207 nor Section 409 would establish or confirm any property right or any other right; the sections merely provide for continuation of the specified privilege, and after enactment of this bill the exercise of that privilege the grazing of domestic livestock on the lands covered by such sections will remain fully as regulated and revocable as prior to enactment of this legislation.

In this connection, the Committee wishes to stress that the National Park Service, in regulating grazing in Death Valley and Mojave National Parks, will have full authority (as BLM has now) to require changes in livestock numbers, timing of grazing, and exclusions of areas from grazing, and to take other appropriate measures for proper resource management and protection. The only limitation placed on normal administrative discretion in such matters by sections 207 and 409 is that grazing cannot be permitted to exceed its current level.

Utilities and rights-of-way

Section 410 addresses certain existing rights-of-way and utilities within or adjacent to the new Mojave National Park.

Subsection 411(a) would specifically allow the continuation of customary operation, maintenance, repair, and replacement activities, including the use of helicopters, by Southern California Edison Company (Edison) on its rights-of-way within the Mojave National Park, but outside any Mojave wilderness areas. In addition, it is intended to specifically allow Edison to increase the capacity of its four existing electrical transmission lines by upgrading them.

Subsection 410(a) identifies two existing groupings of rights-of-way in which such maintenance and upgrading may take place: the three adjacent rights-of-way, known as the "Eldorado-Lugo Transmission Line rights-of-way", and a right-of-way known as the "Mojave-Lugo Transmission

Line right-of-way". Currently, Edison owns and operated four electrical transmission lines within these rights-of-way.

In addition, the subsection identifies a potential third right-of-way which does not yet exist (known as the "adjacent right-of-way"), but which if permitted by the Secretary would also be available for an upgraded transmission line if one of the existing transmission lines were eliminated. This right-of-way could be located only immediately adjacent to the existing Mojave-Lugo Transmission Line right-of-way.

The maps accompanying this legislation reflect the location of the designated Mojave wilderness in relation to the existing rights-of-way and to the land that could be used for the adjacent right-of-way.

Nothing in this legislation places a restriction on the capacity of the upgraded electrical transmission lines. However, several other restrictions are placed on Edison's upgrading activities. At no time are there to be more than a total of 4 Edison electrical transmission lines in the Mojave National Park, except that if the electrical transmission line in the Mojave right-of-way or adjacent right-of-way is upgraded, Edison has 3 years from the time of the beginning of the construction of the new electrical transmission line to remove the old electrical transmission line and complete reclamation. This would result in a period of no greater than 3 years in which there could be 5, and only 5, Edison electrical transmission lines in the Mojave National Park.

Moreover, the Secretary is not allowed to grant any additional land for the Eldorado right-of-way or the Mojave right-of-way, unless an addition would reduce the impacts to the Park's natural resources. The Secretary is allowed to grant land immediately adjacent to the north or south boundary of the Mojave right-of-way for the adjacent right-of-way, except that to the south the Secretary may grant only 350 feet of land for such right-of-way (unless a greater addition would reduce the impacts to the Park's natural resources).

In order to conduct customary and upgrade activities in a manner which will minimize the impact on Park resources, Park Service regulatory procedures will apply.

Subsection 410(b) is intended to specifically allow the continuation of customary operation, maintenance, repair, and replacement activities by Southern California Gas Company on its rights-of-way within the Mojave National Park, but outside any Mojave wilderness areas. In addition, the purpose of this subsection is to allow the Gas Company to increase the capacity of its existing pipeline by a technique known as looping.

Such upgrading does not allow for the improvement of the entire pipeline system by the installation of a new pipeline parallel to the existing pipeline, but rather allows for improving the capacity of an individual portion of the pipeline by looping. Pipeline loops are extensions of pipelines which are attached to the existing pipeline. Construction of such loops, by definition, is to take place very close to the existing pipeline in the right-of-way and disruption from such construction is to be confined to areas that have already been disturbed by previous pipeline construction. While a new pipeline may promote development in areas that were previously without service, a pipeline loop only increases the carrying capacity of the existing line, thereby increasing service only to existing customers.

In the event of an emergency, the Secretary will allow the Gas Company to have the necessary access to their existing facilities. In order to conduct customary and upgrade/looping activities in a manner which will minimize the impact on park resources, park service regulatory procedures will apply.

Section 410(d) assures that nothing in the bill will terminate any validly issued right-of-way or customary operations, maintenance, repair, and replacement activities of existing facilities for the Molybdenum Corporation of America; Molycorp, Incorporated; or Union Oil Company of California.

Management plan

Section 411 provides for a management plan for the new Mojave National Park to be completed within 3 years after enactment of the bill. The Committee expects that the Secretary, in determining what "development" would be essential and appropriate for the administration of the park under section 412, will recognize that the activities referred to in section 410 dealing with certain utilities will be considered appropriate, and that in order to comply with the provisions requiring access for persons with disabilities, the Secretary will comply with all design and construction standards as required by the Architectural Barriers Act of 1968. The section also would require compliance with the Americans with Disabilities Act of 1990.

Granite Mountains Natural Reserve

Section 413 would designate a 9,000 acre Granite Mountains Natural Reserve with the Mojave National Park, and require the Secretary to enter into a cooperative management agreement with the University of California for the purposes of ensuring continuation of arid lands research and educational activities of the University in that area.

Construction of visitor center

Section 413 would authorize the Secretary to construct a visitor center for the Mojave National Park.

Acquisition of lands

Section 414 would authorize the Secretary to acquire all lands and interest in lands within the boundary of the Mojave National Park by donation, purchase, or exchange, except that state lands could only be acquired through donation or exchange, and private lands could only be acquired with consent of owner unless the Secretary, after written notice and an opportunity for comment, determines that property is being developed or is proposed to be developed in a manner which is detrimental to the integrity of the park or otherwise incompatible with the purposes of Title IV of the bill.

Title V: National Park System Wilderness

Section 501 designates as wilderness lands within California units of the National Park System, as follows:

Death Valley National Park Wilderness

Wilderness designated within Death Valley National Park comprises approximately 3,179,418 million acres. This includes lands within the original Death Valley National Monument, which were recommended for wilderness designation in 1974, a recommendation updated several times in the 1980s. Under applicable land-management plans, these lands have been managed as wilderness since that time. The remainder of this wilderness is within the lands added to this National Park System unit by Title II. This three million acre wilderness is subdivided into several dozen units by the existing road network.

In addition, section 501(4) provides that an additional 6,840 acres identified as "potential wilderness" will be added to and managed as part of the Death Valley National Park Wilderness upon the cessation of all uses prohibited by the Wilderness Act.

The wilderness lands within Death Valley offer a superb geologic museum. The rock strata, which has been exposed, broken, and eroded, represent all of the great eras of geologic time. If one could piece these jumbled layers of rock together, and restore them to their proper sequence their total thickness would exceed 12 miles. This geological showcase was created by the slow collapse of a huge section of land bounded by mountain ranges which thrust up on the east and west, isolating the collapsed valley in the interior. Water, in the form of short, violent summer thunderstorms, and wind have sculpted and shaped the land forms of Death Valley, leaving behind deep constricted gorges, so-called "hourglass" canyons, huge, gently sloping alluvial fans, and extensive sand dune systems.

Death Valley wilderness will also protect the habitat, including water resources, vital for a surprisingly varied wildlife population. The elevation range of more than two vertical miles provides an extremely varied habitat. Mammals include kit fox, coyote, bobcat, bighorn sheep, antelope, ground squirrel, rabbits and kangaroo rats. A dozen species of lizard and even two species of fish dwell here. More than 230 kinds of birds have been recorded here some winter visitors and other year-round residents.

Death Valley wilderness includes many unique assemblages. Because of the extreme heat and drought, the plant life in these areas is highly adapted to reduce water loss. They are either leafless, or possess leaves that are small, fuzz-covered, varnished or are shed in summer.

Evidence of man's presence in this hostile environment through hundreds of years is found in almost all parts of the area. Petroglyphs, ancient campsites, and trails remain from prehistoric hunter gatherers. The Panamint Indians were still inhabiting this area in 1849 when the pioneer wagons of the "forty-niners" came through. Prospectors and miners continued to come in periodic waves to Death Valley seeking silver and other precious metals as well as the "white gold of the desert," borax. None of these efforts supported a permanent community.

Joshua Tree National Park wilderness

Section 501 also designates as wilderness approximately 131,780 acres which are added to the existing Joshua Tree Wilderness. These include portions of the Coxcomb Mountains and their southern extension, and the Eagle Mountains. Each is a logical extension of existing wilderness and each has outstanding opportunities for solitude, primitive and unconfined recreation and extraordinarily scenic areas within a biologically significant region.

The Coxcomb Mountains around the old northeastern boundaries of the Monument, are aligned with existing Joshua Tree wilderness areas along most of this border. There is no perceptible difference in the quality of lands between the existing and proposed wilderness. The Coxcombs as their name implies, present one of the most rugged terrains to be found in the California desert. The pinnacled crest of the range is a prominent landmark for park visitors, on an intimate level, eroded into fantastic shapes and jagged towers, they provide ideal habitat for the native desert bighorn sheep, as well as severe challenges for the occasional mountaineer seeking adventure in primitive and undisturbed surroundings.

To the west, the landscape opens up into vast creosote covered flats that tilt southward with unobstructed views into Pinto Basin, and the lonely foot-traveller is subjected to an heroic scene of vast distances terminated by blue mountain ranges. Sand dunes comprise the most prominent feature at the western end of the wilderness extension. Because the paved highway touches the northern edge of the dunes, it provides easy access for elderly or handicapped to one of the deserts unique ecosystems, an undisturbed dune field. Those seeking a more isolated experience can hike into the dunes for a mile or more.

The dissected massif known as the Eagle Mountains is located adjacent to the southeast boundary of the old monument and abuts with wilderness areas within the existing Monument.

At least five separate mini-mountain ranges crown the part of the Eagle Mountain massif. These higher regions, at elevations of 3,000 to 4,000 feet, are within the "yucca belt", a diverse habitat characterized by the presence of fairly tall, well-spaced plants, chiefly yuccas, but also junipers. The twisted, ancient-appearing junipers are often scattered among huge piles of boulders.

A network of broad, interconnected valleys provide natural travel corridors for wildlife and for the wilderness explorer. Several of these valleys open into Pinto Basin, where the National Park Service has identified extremely high concentrations of the desert tortoise. These tortoise populations have been studied recently and found to be free of the respiratory disease now ravaging the tortoise in so many other desert areas. Addition of both the Eagle Mountains and the 5000 acre portion of Pinto Basin being added to both Park and Wilderness will add a further buffer zone around the known populations, as well as enhance the continued isolation required to protect the tortoise populations.

Mojave National Park wilderness

Within the newly-designated Mojave National Park, the Committee has designated 694,000 acres in 18 units as wilderness. These wilderness boundaries include the most pristine natural lands within the park as well as numerous important geological and archeological features.

Among the diverse resources within these wilderness designations are several unique and outstanding geological features, plant and wildlife habitats and archeological sites.

Among the many geological features of these wilderness areas is the Cima Dome, a huge volcanic dome that never fully erupted and remains a mystery to geologists. Other parts possess lunar-like cinder cones which are interspersed with magnificent cactus gardens, Joshua Trees, and an abundance of wildlife. The topography of the wilderness units vary from vertical walls of exposed lava bands interspersed with steep talus and layers of limestone to rolling rugged hills, narrow canyons and flat vast areas which all testify to the complicated geologic past of the mountains and valleys and add variety to the environment.

The variety of plant and animal life in Mojave is immense. In one area, the New York Mountains, over 288 species of plants exist including a small relict white fir forest near the summit. In this same area, bighorn sheep, mule deer, porcupine, mountain lion and over 60 species of birds including golden eagle, and prairie falcon reside. The nearby Providence Mountains have over 350 species of plants including a huge six-foot cacti barrel specimen. Within the Mojave wilderness areas are the largest numbers of desert tortoise. This area is crucial to their existence.

Petroglyph sites, and artifacts of early occupation by Native Americans are abundant in these wilderness areas. Aiken Wash is a well known cultural area with numerous examples of petroglyphs, sleeping circles, and other artifacts of early man.

Maps and legal descriptions

Section 502 would require the Secretary to file maps and legal descriptions of the wilderness areas designated by section 501 as soon as practicable with the Senate Committee on Energy and Natural Resources and the House Committee on Natural Resources.

Administration

Section 503 provides for administration of wilderness areas designated by section 501 in accordance with the applicable provision of the Wilderness Act.

Title VI: Miscellaneous provisions

Transfer of lands to Red Rock Canyon State Park

Section 601 would require the Secretary to transfer 20,500 acres of land from BLM to the State of California for inclusion in the State of California Park System, and provides that if the State of California ceases to manage these lands as part of their park system, ownership of the lands would revert back to the Department of the Interior, to be managed as part of the California Desert Conservation Area.

Desert Lily Sanctuary

Section 602 designates a 2,040 acre Desert Lily Sanctuary within the California Desert Conservation Area and, subject to valid existing rights, would withdraw the relevant lands from disposition under the public land laws and from entry or appropriation under the mining laws and from mineral or geothermal leasing.

Land tenure adjustments

Section 603 would direct the Secretary in preparing land tenure adjustment decisions within the California Desert Conservation Area, to give priority to consolidating federal ownership within the National Park System Units and wilderness areas designated by H.R. 518.

Land disposal

Section 604 provides that Federal lands designated as wilderness or included within a National Park System unit by this bill must be retained in federal ownership. The section would also preclude any grants of rights-of-way across any Federal land designated as wilderness by the bill, and would prohibit any acquisition or use of Federal lands that the bill designates as wilderness or as parts of the National Park System by the Metropolitan Water District or any other agencies or persons pursuant to the Boulder Canyon Project Act.

Management of newly acquired lands

Section 605 provides that any land that the United States hereafter acquires within the boundaries of wilderness designated by the bill will become part of such wilderness area and be managed accordingly.

Native American uses

The Committee recognizes that Indian people have used various areas designated in H.R. 518 as wilderness or part of the National park System for traditional cultural and religious purposes. The intent of section 607 is to allow Indian tribes or religious communities appropriate access and privacy for these purposes by authorizing the Secretary to temporarily close to general public use particular portions of areas designated in H.R. 518. Access and closure to the general public will be obtained upon request to the Secretary by the tribe or religious group and the Secretary's actions in response will be in accordance with the purpose and intent of Public Law 95-341, the American Indian Religious Freedom Act and the Wilderness Act.

Water rights

Section 607 deals with water rights. Its provisions are basically identical to those of section 101(g) of the Arizona Desert Wilderness Act of 1990 (Public Law 101-628), which were explained in some detail by the portion of the Committees report discussing section 2(d) of H.R. 2571 of the 101st Congress (House Report 101-435, part 1).

Subsection 607(a) expressly reserves to the United States a quantity of water sufficient to fulfill the purposes of each of the wilderness areas that would be designated by the bill, and establishes the priority date of such rights as being the date of enactment of this bill.

Subsection 607(b) would require appropriate Federal officials to protect and perfect the rights

reserved by subsection 607(a) by all steps necessary, including the filing of claims for the quantification of such rights in an appropriate stream adjudication, and to take all steps necessary to protect the reserved rights in such adjudication.

Subsection 607(c) specifies that these new water rights are additional to any other water rights that the United States may have reserved or otherwise obtained for other purposes. The purpose of this is to preclude any improper construing of this section as in some way constituting an abandonment or relinquishment of any part of such previously-obtained rights of the United States.

Section 607 would not alter existing Federal law regarding the jurisdiction of Federal or State courts relating to protection of rights of the type reserved by the section.

That Committee notes, with regard to this section on water rights, that boundaries of both of the Wildlife Refuge wilderness units designated in section 111 are above the historic high water mark of the Colorado River. Neither of these wilderness areas include any portion of the Colorado River. Therefore, the express reservation of water for wilderness purposes in section 607 does not affect the Colorado River, its water management or any compacts associated with it.

State school lands exchanges

The California State Lands Commission holds approximately 270,000 acres of State land (including surface and subsurface rights) and about 52,000 acres of subsurface interests within the park units and wilderness areas designated by H.R. 518.

These lands were granted to California in 1853, three years after California's admission to the Union, as a revenue source for public education. In 1983, California by law made the States retired teachers the beneficiaries of the revenues derived from these State School Lands.

The Committee believes it is in the public interest to consolidate into Federal ownership the lands within the park units and wilderness areas designated by H.R. 518. To facilitate this, section 608 provides a mechanism to expedite exchange of the State School Lands within the bills wilderness and park areas for Federal lands managed by the Department of the Interior.

Subsection 608(a) would require the Secretary of the Interior to enter into negotiations with the State Land Commission to seek agreement for such an exchange, consistent with the requirements of section 206 of the Federal Land Policy and Management Act of 1976 ("FLPMA").

Subsection 608(b) would require the Secretary to provide the Commission a list of State School lands located within the newly-designated wilderness and park areas, and the lands offered in exchange, including lands with potential for mineral or geothermal development not currently under lease and not currently producing Federal revenues; Bureau of Reclamation lands not needed for any reclamation project; and any BLM-managed public lands in California that have been identified, pursuant to FLPMA, as suitable for disposal through exchange.

It should be noted that Section 608 would not give the Secretary any new disposal authority, so only lands legally available for exchange or sale can be transferred to the State as part of an

exchange under this section.

Subsection 608(c) provides (in paragraph (1)) that an agreement for exchange of Federal lands not exceeding 5,000 acres and worth not more than \$5 million may be completed without further Congressional action, pursuant to FLPMA, but (in paragraph (2)), specifies that any agreement between the Secretary and the Commission for an exchange involving Federal lands in excess of 5,000 acres or worth more than \$5 million must be submitted to Congress, together with relevant information.

Subsection 608(d) provides that an exchange agreement submitted under subsection 608(c)(2) cannot take effect unless and until approved by enactment of a joint resolution of Congress.

Subsection 608(e) provides that if some State School Lands within the newly-designated wilderness and park areas remain in State ownership on October 1, 2004, the Secretary is to adjust the appraised value of these remaining inholdings, consistent with FLPMA, and is to establish an account in the name of the Commission in the amount of such appraised value; upon establishment of this account, title to all remaining State School Lands within the wilderness and park areas is to be transferred to the United States.

Subsection 608(f) would authorize the Commission to use credits in an account established under subsection 608(e) to bid, as any other bidder, for excess or surplus Federal property in California offered for sale under any applicable laws and regulations, and provides that if the balance in the account has not been reduced to zero by October 1, 2009, there are authorized to be appropriated funds sufficient for the Secretary to pay such balance to the Commission.

Subsection 608(g) makes clear that reports to Congress under the section are to be submitted to the Committee and to the Committee on Energy and Natural Resources of the Senate.

Other exchanges

Subsection 609, like 608, is intended to facilitate consolidation into Federal ownership of non-Federal lands located within the wilderness and park areas designated by the bill, by establishing a mechanism to expedite land exchanges between the Secretary of the Interior and the other party (aside from the State of California) with the largest amount of such inholdings.

Subsection 609(a) provides that upon a request by the Catellus Development Corporation, its subsidiaries, or successors in interests ("Catellus"), the Secretary is to enter into negotiations for acquiring Catellus approximately 315,000 acres of inholdings through exchange.

Subsection 609(b) would require the Secretary to provide Catellus with a list of Catellus inholdings and of specified lands under management of the Department of the Interior that are available for transfer to Catellus in exchange for such inholdings. The subsection specifies that the Federal lands to be so listed are lands with potential for minor or geothermal development not currently under lease and not currently producing Federal revenues; Bureau of Reclamation lands not needed for any reclamation project; and BLM-managed public lands that have been identified, pursuant to the Federal Land Policy and Management Act of 1976 ("FLPMA"), as suitable for disposal through exchange.

It should be noted that Section 609, like Section 608, would not give the Secretary any new disposal authority, so only Interior Department lands legally available for exchange or sale can be transferred to the State as part of an exchange under this section.

Subsection 609(c) provides (in paragraph (1)) that an agreement for exchange of Federal lands exceeding 5,000 acres or worth more than \$5 million must be submitted to Congress, together with relevant information; specifies (in paragraph (2)) that all land exchange agreements under the section must be consistent with FLPMA; specifies (in paragraph (3)) certain information to be included with each submittal made under paragraph (1); and provides (in paragraph (4)) that an exchange agreement submitted under paragraph (1) cannot take effect unless and until approved by enactment of a joint resolution of Congress.

Subsection 609(d) would require the Secretary of the Interior to provide the California State Land Commission with a 180-day right of first refusal to acquire, through exchange under section 608, any of the Federal lands in California included on a list provided to Catellus under subsection 609(b); to the extent that the Commission does not act to obtain such listed lands under this right of first refusal, the listed lands are to be available for acquisition by Catellus through exchange.

Subsection 609(e) would require the Secretary to notify Congress on January 3, 1999 which Catellus inholdings have not been acquired through an exchange under this section, and their value as determined through appraisal consistent with FLPMA. It also provides that if any such inholdings still have not been acquired by the United States through exchange on October 1, 2004, the Secretary is to establish an account in the name of Catellus; and that if Catellus thereafter transfers title to such remaining inholdings to the United States, the Secretary is to credit the account in the amount of the appraised value of the transferred inholdings.

Subsection 609(f) would authorize Catellus to use the credits in an account established under subsection 609(e) to bid, as any other bidder, for excess or surplus Federal property to be sold in California in accordance with applicable laws and regulations. It would also authorize Catellus to transfer or sell any or all such credits, with the written approval of the Secretary, to another party who could thereafter use them for the same purpose.

Subsection 609(g) would preclude the Secretary from accepting less than full fee title to any Catellus inholdings acquired under this section, except in those instances in which Catellus owns the subsurface estate in which is held by the United States and except in instances in which easements or rights-of-way have been granted for utilities or roads.

Subsection 609(h) would preclude the Secretary from accepting title under this section to any lands containing any hazardous waste, toxic waste, or radioactive waste requiring removal or remedial action under Federal or State law, unless the necessary remedial action has been completed.

Subsection 609(i) specifies that any appraisal of lands covered by this section must be consistent with FLPMA.

Subsection 609(j) makes clear that reports to Congress under the section are to be submitted to the Committee and to the Committee on Energy and Natural Resources of the Senate.

Title VII Definitions and Authorization of Appropriations

Section 701 provides definitions of several terms used in the bill.

Section 702 would authorize appropriation of such sums as may be necessary to carry out the purposes of H.R. 518.

clarifications regarding certain management matters

Horseback rides in wilderness and national park areas

The Committee recognizes that there have been longstanding events such as organized horseback rides that have occurred in some wilderness areas and park units designated in H.R. 518. For example, Equestrian trails, Inc. has annually staged horseback rides through the existing Death Valley National Monument. The Committee understands that the National Park Service and Bureau of Land Management have worked cooperatively with the event organizers in planning these horseback rides, and the Committee expects such a cooperative relationship to continue within all units of the National Park System and wilderness areas designated by H.R. 518.

Wildlife management in wilderness and national park areas

Although the Committee has not included a statutory provision to restate agreements between the BLM and the California Department of Wildlife and the Park Service and the California Department of Wildlife, the Committee notes that such agreements do exist and that certain wildlife management activities may be and have been carried out in wilderness and National Park areas in order to maintain or restore fish and wildlife populations or the habitat that supports such populations, provided that these activities are consistent with applicable wilderness management plans or other management plans.

Areas of critical environmental concern

The wilderness and National Park designations of H.R. 518 provide a permanent, statutory management framework for a portion of the Federal lands within the California desert. Many Federal lands in the desert with sensitive environmental, wildlife, historic, and archeological values remain outside of these designations. For example, only a relatively small portion of the identified desert tortoise habitat is included within the Wilderness Preservation System and National Park System units. The health of the California deserts ecology, and the protection of many of its cultural and historical artifacts will continue to rest with the BLM land use planning process. Therefore, pursuant to FLPMA, BLM should continue to vigorously pursue its Area of Critical Environmental Concern (ACEC) program, identifying and designating new areas and developing and implementing comprehensive management plans to protect those resources within the designated ACEs.

legislative history and committee recommendation

During the 101st Congress, several bills similar to H.R. 518 were under active consideration by the Committee (then known as the Committee on Interior and Insular Affairs), and extensive hearings were held by the Subcommittee on National Parks and Public Lands in Washington, D.C. and in Bishop, Barstow, and Beverly Hills, California.

During the 102nd Congress, the Committee considered another similar bill, H.R. 2929, which was introduced by Representatives Levine, Lehman and Miller on July 17, 1991. On August 16, 1991 the Subcommittee on General Oversight and California Desert Lands held a hearing on that bill in Washington, D.C., and on October 1, 1991, the Subcommittee adopted an amendment in the nature of a substitute by a voice vote and favorably referred the bill as so amended to the Full Committee. The bill was then sequentially referred to the Subcommittee on National Parks and Public Lands. On October 16, 1991, the Subcommittee on National Parks and Public Lands was discharged from further consideration of the bill, and the Full Committee adopted an amendment in the nature of a substitute and by a vote of 28-16 ordered the bill as so amended favorably reported to the House (see House Report 102-283, part 1). The House adopted further amendments and passed the bill on November 26, 1991, by a vote of 297 yeas to 136 noes.

H.R. 518 was introduced on January 21, 1993. The Subcommittee on National Parks, Forests, and Public Lands held a hearing on the bill on June 15, 1993, and on May 4, 1994 was discharged from further consideration of the bill by the full Committee on Natural Resources, which on the same date adopted an amendment in the nature of a substitute and ordered the bill as so amended favorably reported to the House by a vote of 28 to 14.

changes in existing law

If enacted, H.R. 518 would make no changes in existing law.

oversight statement

The Committee on Natural Resources will be responsible for oversight of the implementation of H.R. 518 after its enactment. No reports or recommendations were received pursuant to clauses 2(b)(2) of Rule X.

inflationary impact, cost and budget act compliance

In the opinion of the Committee, enactment of H.R. 518 will have no inflationary impact on the national economy and will result only in costs that are very reasonable in view of the extensive benefits to be derived. The Committee notes that the Secretary of the Interior has stated that implementation of legislation such as the reported bill can be accomplished within the Interior Department's current budget estimates. The report from the Congressional Budget Office follows:
U.S. Congress,
Congressional Budget Office,
Washington, DC, May 9, 1994.

Hon. George Miller,
Chairman, Committee on Natural Resources, House of Representatives, Washington, DC.

Dear Mr. Chairman: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 518, the California Desert Protection Act of 1994, as ordered reported by the House Committee on Natural Resources on May 4, 1994. Because enactment of H.R. 518 could affect direct spending, pay-as-you-go procedures would apply to the bill.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,
Robert D. Reischauer, Director.

Congressional Budget Office Cost Estimate

1. Bill number: H.R. 518.
2. Bill title: California Desert Protection Act of 1994.
3. Bill status: As ordered reported by the House Committee on Natural Resources on May 4, 1994.
4. Bill purpose: H.R. 518 would designate about 3.9 million acres of federal land in 71 areas in the California desert as wilderness and another 11,200 acres as a wilderness study area, all to be managed by the Department of the Interior (DOI) through the Bureau of Land Management (BLM). Approximately 9,000 acres of land in two wildlife refuges also would be designated as wilderness to be managed by the Fish and Wildlife Service.

The bill would establish the Death Valley, Joshua Tree, and Mojave National Parks. The existing Death Valley and Joshua Tree National Monuments and the East Mojave Scenic Area would be abolished, and the land in these areas would be incorporated into the new national parks. About 2.7 million acres of land currently managed by BLM would be transferred to the National Park Service (NPS) for management. Approximately 4 million acres of land within the three areas would be designated as wilderness.

With the exception of four specific areas, all other lands within the California Desert Conservation Area would no longer be subject to management as wilderness study areas.

The bill would preserve all valid existing rights to carry on commercial activities within the new wilderness and park areas but would require the Department of the Interior to conduct examinations to determine the validity of mining claims before approving mining operation plans within the newly designated areas. Current levels of grazing would be permitted to continue. The NPS would be required to prepare a management plan for the Mojave National Park within three years of the bill's enactment and would be authorized to construct a visitors center in the new park. The bill also contains specific land acquisition requirements for the Mojave National Park.

In addition, H.R. 518 would transfer 20,500 acres of federal land to the state of California for the Red Rock Canyon State Park; make provisions for Native American uses of lands; establish a 2,040-acre Desert Lily Sanctuary; and establish separate land exchange procedures for state-owned and certain privately owned land within the newly designated areas.

5. Estimated cost to the Federal Government: The largest potential cost of H.R. 518 would be for the acquisition of private and state lands within the new wilderness areas and parks. These lands have an estimated current surface value of as much as \$280 million.

Information from DOI indicates that at least 150,000 acres of private land excluding land owned by the state and the Catellus Development Company could have to be acquired as a result of this bill's enactment. CBO estimates that the cost of acquiring this land could amount to as much as \$30 million to \$100 million over ten or more years, assuming appropriation of the necessary funds. We cannot estimate the budgetary impact of these land acquisition activities with any certainty, however, because there is no basis for predicting how or when DOI would proceed with land acquisitions. Also, we cannot predict whether the landowners would choose to keep, sell, or exchange their land.

In addition, the Federal government could issue monetary credits with a value totaling as much as \$130 million to \$180 million as a result of separate provisions in the bill directing DOI to negotiate to acquire over 500,000 acres of land currently owned by the state of California and the Catellus Development Company. We cannot estimate the magnitude of these land acquisition costs because we cannot predict how much land would be exchanged prior to the establishment of the monetary credit accounts. Such costs, which would be direct spending, would not be incurred until fiscal year 2005.

CBO estimates that the bill would result in additional administrative and construction costs to the federal government totaling \$32 million over the 1995-1999 period, assuming appropriation of the necessary amounts. We expect that such costs would range between \$4 million and \$8 million a year over the five-year period.

The costs of this bill fall within budget function 300.

Basis of estimate: For the purpose of preparing this estimate, CBO assumed that H.R. 518 would be enacted during fiscal year 1994 and that funds necessary to carry out needed activities would be provided as estimated.

Authorizations of appropriations: Land Acquisition. Under current law, DOI may acquire lands (by exchange or otherwise, on a willing-seller basis) from private parties owning land within all areas designated as wilderness. In addition, the bill would specifically authorize the NPS to acquire private landholdings within the Mojave National Park.

Information from DOI indicates that at least 150,000 acres of private land would be affected by enactment of H.R. 518. (State landholdings and land owned by the Catellus Development Company have not been included in this estimate because the bill would set up separate acquisition procedures for these lands and would specify that, for specified time periods that

extend beyond 1998, these lands may be acquired only through exchange. The potential budgetary impact of these provisions is discussed below).

Recent DOI estimates indicate that the surface value of the private lands is probably between \$30 million and \$100 million. These land values do not include the value of subsurface mineral deposits, which are largely unknown and cannot be accurately estimated at this time.

CBO cannot estimate the total budgetary impact of land acquisition activities because we have no basis for predicting how DOI would proceed with these activities or whether landowners would choose to keep, sell, or exchange their landholdings. We estimate that administrative costs to carry out all land exchange and acquisition activities would total about \$9 million over the next five years.

Examination of Mining Claims. We expect that BLM would examine and determine the validity of unpatented mining claims before approving operating plans for exploration and development activities within the new park areas. Under current law, validity exams are required only when a patent application is submitted. Based on information from BLM, we estimate that additional validity exam activities resulting from the bill would cost about \$1 million over the next five years.

Additional Management Costs BLM Wilderness Areas. CBO expects that the BLM would incur additional management costs of about \$4 million over the next five years to manage about 4 million acres as wilderness areas. These costs would result from the surveying, planning, mapping, reporting, and related activities necessary to implement the wilderness withdrawals.

Additional Management Costs Transfer to NPS. The transfer of management responsibilities for 2.7 million acres from BLM to the NPS is expected to increase management costs of these areas. Based on information from BLM, the NPS, and the General Accounting Office on historical management costs and staffing in the California desert, we estimate that this transfer would result in additional costs to the federal government totaling about \$2.5 million annually. These additional costs would result because the NPS tends to have larger maintenance and security staffs in its management areas.

Facilities Construction. H.R. 518 would authorize the NPS to construct visitor facilities in the Mojave National Park. Based on information from the NPS, we estimate that the agency would spend approximately \$5 million over the next four years to construct the necessary facilities.

Revisions to the Desert Plan. Based on information from BLM, we estimate that enactment of H.R. 518 would necessitate revisions to the California desert management plan costing about \$1.5 million over the next five years.

Direct spending: Loss of Offsetting Receipts. CBO expects that enactment of this bill would not result in a significant loss of receipts to the federal government from mineral leasing activities over the next five years.

Monetary Credits. H.R. 518 would direct DOI to negotiate to acquire state lands within the newly designated park and wilderness areas in exchange for certain public lands elsewhere in the state.

Estimates from DOI and the state of California indicate that the state owns about 270,000 acres of lands in the affected areas with a surface value of \$30 million to \$80 million (The state also owns about 50,000 acres of mineral interests with an unknown value). If any of the affected state lands are not exchanged by the end of fiscal year 2004, DOI would acquire them by issuing monetary credits, which could be used by the state to acquire any federal properties offered for sale in California.

DOI also would be directed to negotiate to acquire about 315,000 acres of land currently owned by the Catellus Development Company. DOI and Catellus estimate that the surface value of these lands is roughly \$100 million. If any of these lands are not exchanged by October 1, 2004, DOI would purchase them with monetary credits, which could be used to acquire any federal properties offered for sale.

The value of monetary credits would count as direct spending budget authority and outlays in the year that they are issued. While credits could total as much as the full value of the lands currently owned by the state and Catellus \$130 million to \$180 million CBO has no basis for predicting how much land would be exchanged over the next ten years, which would determine the value of any credits that would be issued in fiscal year 2005.

6. Pay-as-you-go considerations: The Balanced Budget and Emergency Deficit Control Act of 1985 sets up pay-as-you-go procedures for legislation affecting direct spending or receipts through 1998. CBO expects that enactment of H.R. 518 could affect direct spending by causing a loss of offsetting receipts from mineral leasing activities. Such losses would be insignificant over the 1994-1998 period.

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

7. Estimated cost to State and local governments: None.

8. Estimate comparison: None.

9. Previous CBO estimate: On October 22, 1993, CBO prepared a cost estimate for S. 21, the California Desert Protection Act of 1993, as ordered reported by the Senate Committee on Energy and Natural Resources on October 5, 1993.

10. Estimate prepared by: Theresa Gullo.

11. Estimate approved by: C.G. Nuckols, Assistant Director for Budget Analysis.

SEPARATE VIEWS OF REPRESENTATIVE BRUCE F. VENTO

Grazing in Death Valley and Mojave National Parks

While I voted for the Committee substitute and to favorably report H.R. 518 as amended, I do not support its provisions regarding grazing in the Death Valley and Mojave National Parks.

During the Committees consideration of this matter in the 102nd Congress, there was considerable discussion on how best to balance the fragile nature of the desert ecosystems of these areas (which include habitat for the desert tortoise, listed as threatened by the U.S. Fish and Wildlife Service) while not creating an inordinate disruption in livestock operations that have been in these areas for decades.

At that time, the Committee decided that the optimal way to balance those interests was to phase out the grazing of livestock in these areas over a period of 25 years or the lifetime of the permittee, and to include the incentive of possible land purchases of base property by the federal government.

This year, however, the Committee has dropped the concept of a phase-out of grazing and has adopted open-ended continuation of grazing, as was included in S. 21 as passed by the Senate. I think that this is a mistake, and I cannot support it.

I accepted the decision of the Committee in 1991 to allow grazing to continue in these National Park System units for up to 25 years, even though I thought that was at the outer edge of an acceptable compromise. I do not think that allowing grazing to continue indefinitely in these areas is sound policy, nor an acceptable compromise.

The lands involved are not highly productive of forage indeed, much of the forage involved is ephemeral and continuation of domestic livestock grazing will merely mean continued competition for other species, including the threatened desert tortoise, that must look to that forage for sustenance. At the same time, so few grazing allotments are involved that continuation of grazing on them will make no real contribution even to the economy of California, let alone that of the United States.

During the Committees consideration of this legislation, I was prepared to offer an amendment that would have terminated current grazing permits for lands within Death Valley and Mojave National Parks two years after enactment or at the end of the permits term, whichever first occurred. This would have allowed the holders of those permits to prepare for cessation of grazing on those lands, in a manner consistent with existing law applicable to grazing on those lands. In the interests of timely Committee action on this very important bill, I did not offer that amendment, but am prepared to support that or a similar amendment when the bill is considered on the floor of the House.

MILITARY LANDS AND OVERFLIGHTS

H.R. 518 as reported does not address the renewal of military withdrawals for the China Lake or Chocolate Mountains areas, nor the relationship between the bills land designations and continued military overflights of those lands.

I fully support the Committees decision to omit such provisions, which involve areas of shared jurisdiction with the Committee on Armed Services.

However, renewal of the withdrawals of the China Lake and Chocolate Mountains areas needs to be addressed. In fact, in 1987 the Committee reported and the House passed a bill, introduced by Representative Byron, to renew those Engle Act withdrawals, on which the Senate did not complete action; and I joined with Delegate Blaz in offering an amendment that added similar provisions to the California desert bill (H.R. 2929 of the 102nd Congress) passed by the House in 1991.

As to overflights, I do not believe that there is an absolute need for Congress to legislate on this point, but I do think it would be desirable to resolve questions about the effects of the bill on the ability of the armed forces to continue their overflights of the California desert lands involved.

Therefore, I have joined with Chairman Miller and other Members of the Committee in introducing a separate bill, H.R. 880, that would renew the Engle Act withdrawals of the China Lake and Chocolate Mountains areas, and would address military overflights as well. Using that bill as a basis, and in coordination with other Members of the Natural Resources and Armed Services Committees, I intend to develop an amendment dealing with these matters that can be offered when H.R. 518 comes to the House floor.

Bruce F. Vento.

DISSENTING VIEWS ON H.R. 518

SUMMARY

We strongly oppose H.R. 518 which is the largest land withdrawal bill for the lower forty-eight states ever to pass either House of Congress. This legislation ignores the recommendations made by the Bureau of Land Management as mandated by the Federal Land Policy and Management Act of 1967. Those recommendations, which were based on 15 years of exhaustive studies, 40,000 public comments and \$8 million resulted in a genuine compromise management plan for this area.

H.R. 518 is not a compromise, but largely the wish list for a small band of well-funded and influential preservation groups with a narrow ideological agenda. This legislation is strongly opposed by all four Members who represent the affected area; Representatives Lewis, Thomas, Hunter and McCandless. These Members have been elected and reelected by those citizens who will be forced to live with the consequences of H.R. 518 if it is enacted. The Committee has done a disservice by not listening to the concerns of these four Members.

UNUSUAL AND UNFAIR COMMITTEE PROCEDURES

We are appalled by the manner this legislation was railroaded through the Committee, presumably so it could reach the House floor before Memorial Day recess. H.R. 518 is clearly one of the most controversial and far-reaching bills ever to come before this Committee, or its predecessor the Interior and Insular Affairs Committee. Consequently, it is inconceivable why it was discharged from the Subcommittee on National Parks, Forests and Public Lands thus denying Members an important opportunity to debate the bill and offer amendments. Typically, the Committee rarely uses the discharge procedure and generally reserves it for bi-partisan measures or during the last days of a legislative session when a real sense of urgency may exist.

The Majority claims since this legislation has been considered by the Committee in previous Congresses, a Subcommittee mark-up was not necessary. This explanation fails to account for the fourteen new Members of the Committee (nearly one-third of its total membership) who were not participants in the Committee action during previous Congresses.

Moreover, we were shocked but not entirely surprised, that the Minority did not receive its copy of the mark-up vehicle (a 71 page substitute) until 5:10 p.m. the night before the 10:00 a.m. Committee meeting. The Majority responded cavalierly that the substitute was very similar to H.R. 518 as introduced, thus seventeen hours was sufficient. Since the Minority was never supplied with a side-by-side comparison of the two versions, an exhaustive analysis was required to determine the differences between the two versions. Given the time constraint, it was difficult for the Minority to be well-informed about the substitute not to mention be in a good position to draft and prepare amendments.

cost

Since Section 702 authorizes "such sums as may be necessary", it is imperative to have good data on the potential costs of H.R. 518. Unfortunately, bill proponents and Secretary Babbitt have largely evaded this issue. Although CBO estimates land acquisition costs at \$100-\$300 million, it points out these estimates "do not include subsurface mineral deposits on private lands." A 1992 detailed study by the U.S. Bureau of Mines estimated subsurface mineral values in the proposed East Mojave National Park at \$7.7 billion or \$5133 per acre.

Although many bill proponents, including Secretary Babbitt, believe the federal government will acquire most of the approximately 700,000 acres of state and private inholdings through land exchanges, CBO believes "the pool of federal lands in California that would be available under current law to carry out exchanges is likely to be limited."

As a result, CBO states "we would expect the federal government to purchase a significant portion of the lands" needed to implement this legislation. It is important to note the remarks of Congressman Jerry Lewis who stated during our June 15, 1993 hearing that "there is endless evidence of land sales between \$750 and \$1000 per acre" on these lands. These factors lead us to believe the land acquisition costs to implement H.R. 518 will be staggering.

The Interior Departments October 1993 report entitled The California Desert in Transition: The Opportunity for Bioregional Management estimated an operations budget of \$125 million over five years. This amount is merely for operations and does not include any land acquisition, employee housing, new facilities or any other construction or development associated with H.R. 518.

In an effort to limit the bills open-ended authorization we supported the unsuccessful Duncan Amendment which would have replaced it with a five year authorization figure of \$336 million an estimate taken from CBOs report on H.R. 518. We look forward to supporting this amendment on the House Floor so Members can place some reasonable limits on this authorization.

impact on existing units of the national park service

The 367 existing units of the National Park System already experience serious funding shortfalls which result in deteriorated facilities for visitors, poor roads, personnel shortages and deferred construction of badly needed employee housing. The National Park Service estimates these shortfalls at \$7.4-\$9.4 billion. The land acquisition backlog (i.e. lands authorized for park status but not yet acquired) alone is an estimated \$2-\$3 billion. Since it is very unlikely the Interior Appropriations bills will be increased to fund the four million acres of new national parks in H.R. 518 (the equivalent of two Yellowstone National Parks), existing park units will have their funding reduced to pay for these new California parks.

In California alone there are approximately 22,000 acres of authorized but unacquired inholdings in National Park units. These include an estimated \$500 million-\$1 billion for the Santa Monica Mountains National Recreation Area. It is important to remember that recent annual budgets for Park Service land acquisition for the entire nation are between \$80-\$100 million.

This situation is only getting worse during this Congress. For example, pending before the Committee later this month is H.R. 2866, which the Administration estimates could cost up to \$1.5 billion to acquire 44,000 of private redwood timberlands in Humboldt County, California. Moreover, Chairman Miller and fourteen other Members have cosponsored legislation to acquire another 40,000 acres at Point Reyes National Seashore in trendy Marin County. Reliable estimates of this property are between \$35-\$40 million.

We note that Appropriations Committee Chairman Robert Byrd was the only Member of his party in the Senate to oppose this legislation. In announcing his opposition to this legislation, he told fellow Senators:

Capital development costs are unknown, but current experience with the Park Service tells us it is likely to be expensive. Land acquisition costs vary, depending on who is doing the estimating, but range from \$88 million to \$300 million. Operational and staffing needs, totalling in the millions of dollars will exist in perpetuity once an area is designated as part of the National Park Service it is rarely removed.

Senator Byrd ended his plea to fellow Senators by saying, "One does not go out and buy a Cadillac when one cannot afford payments on the family Ford."

impact on mining

The California Desert is one of the most highly mineralized areas in the world. The U.S. Bureau of Mines estimated the value of the regions 1988 production at \$2.9 billion. Although this legislation has accommodated some existing mining operations, it places over 25,000 mining claims in parks or wilderness where history shows future mining will be virtually impossible.

Moreover, since the approximately 7 million acres in this bill are withdrawn from future mineral exploration, it will be impossible to find vast new mineral deposits that are likely in this area.

In 1992, the U.S. Bureau of Mines estimated the mineral values in the proposed East Mojave

National Park at \$7.7 billion. Unfortunately, history shows the 1976 Mining in the Parks Act will increase regulation and operating costs for the mining industry and result in no mining within the East Mojave.

impact on drug interdiction and controlling illegal immigration

We were astonished to learn that Section 103(g) of S. 21 was not included in the substitute to H.R. 518. The modest provision, which was suggested by the U.S. Department of Justice, is listed below:

(g) Law Enforcement Border Activities. Nothing in this Act, including the designation as wilderness of lands within the Coyote, Fish Creek Mountains, and Jacumba wilderness areas designated in section 102 of this Act, the Wilderness Act, or other land management laws generally applicable to such areas, shall restrict or preclude continued law enforcement and border operations within such areas, including the use of motor vehicles and aircraft by the Immigration and Naturalization Service, the Drug Enforcement Administration, the United States Customs Service, or State and local law enforcement agencies in such manner and subject to such restrictions as may be determined by the Attorney General of the United States or Secretary of the Treasury, as appropriate, in consultation with the Secretary.

The U.S. Border Patrol has identified "five well documented smuggling corridors through the proposed Jacumba wilderness area." In one of these corridors the agency, using an existing road, seized 1277 pounds of cocaine valued at \$41 million during January of 1993. Without giving law enforcement agencies full access to aircraft and motorized vehicles in these wilderness areas, immigration and drug smuggling will go uncontrolled.

The Jacumba and Fish Creek wilderness areas are also popular corridors for illegal aliens to enter the U.S. According to the Border Patrol, there have been 31 deaths in these areas since 1985 because of heat and dehydration. During the same period, Border Patrol pilots have rescued 81 illegal aliens.

Although illegal aliens are not a problem in proposed wilderness areas north of these border areas, the illegal drug trade uses these areas for aircraft landing and sites for drug manufacturing laboratories. San Bernadino County Sheriff Dick Williams, in a May 5, 1994 letter to Congressman Jerry Lewis asked that Congress "not tie our hands in the enforcement of drug trafficking laws by providing a safe zone for drug manufacturers" to locate in wilderness areas. We will offer an amendment on the House Floor to allow motorized access in wilderness areas to law enforcement and Border patrol officials for control of illegal drugs and aliens.

hunting

We enthusiastically supported the LaRocco Amendment which would designate the 1.5 million acre East Mojave as a National Preserve where hunting is permitted. This amendment is very similar to one adopted by the House on a 235- 193 vote during consideration of H.R. 2929 on November 26, 1991. The National Park Service currently manages over 22 million acres of preserves in Alaska, Florida, Alabama, Texas and Louisiana which all permit hunting.

One of the most recent major additions to the National Park System was the Little River Canyon National Preserve in Alabama which was approved by our Committee in 1992. There was little debate over permitting hunting in this area. Similarly, there was no concern expressed in the Committee over hunting last year when the Big Thicket National Preserve in Texas was expanded.

This area in the East Mojave, which is twice the land area of the entire state of Rhode Island, is very important to hunters in Southern California. According to statistics provided by the California Department of Fish and Game, in 1991 there were 85,000 hunter days in this area. These hunters harvested approximately 27,000 quail, 16,000 coyotes, 15,000 jackrabbits, 12,000 cottontails and 10,000 doves.

We would like to contact Mr. Vento who stated twice during debate on this amendment that Dall Sheep (*Ovis dalli*) were present in this area. According to Walkers Mammals of the World: Fourth Edition, Dall Sheep are only found in Alaska and northwestern Canada approximately 2500 miles from the East Mojave. However, Desert Bighorn (*Ovis canadensis*) are present and hunted in this area. Although only a small number of Desert Bighorn hunting permits are issued annually there, six permits have been auctioned off to the highest bidder in the last six years and provided \$339,000 to enhance this species. In this age of lean public wildlife budgets, funding of this magnitude is hard to find.

We note that much of the opposition to hunting in this area is from groups that oppose hunting on all lands public and private. For example, the principal witness testifying on this issue at our 1993 hearing represented the Cleveland Armory's notorious anti-hunting organization Fund for Animals. When this witness was asked by Mr. Hansen if there were any exceptions to his group's opposition to hunting, he replied, "I will just say that we haven't seen the exception yet."

water rights

We support Sections 202, 203 and 204 of S. 21 dealing with the wilderness designation of 3195 acres within the Havasu National Wildlife Refuge and 5835 acres within the Imperial National Wildlife Refuge as wilderness and their impact on Colorado River water. These provisions, which are similar to provisions in the 1990 Arizona Desert Wilderness Act, clarify that nothing in this Act should be construed to affect the following:

Operations as dams owned by the federal government in the Lower Basin of the Colorado River;

Any federal or state law, interstate compact or international treaty relating to the Colorado River in the Upper Basin;

It further states that no rights to the Colorado River are reserved, either expressly, impliedly or otherwise.

We are hopeful that the Majority will include report language that embodies these concerns that we share with the Senate.

conclusion

We urge that H.R. 518 be rejected by the Full House. If not, we ask that it be amended to address our many concerns.

James V. Hansen.

Bob Smith.

Elton Gallegly.

Barbara F. Vucanovich.

Craig Thomas.

Ken Calvert.

John J. Duncan, Jr.

Richard H. Baker.

Jay Dickey.

John T. Doolittle.

Richard Pombo.

Scott McInnis.

Wayne Allard.

Don Young.