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SEQUOIA AND KINGS CANYON NATIONAL PARK **WILDERNESS** ACT OF 2008

June 9, 2008

REFERENCE: Vol. 154, No. 94

SECTION: House

SPEAKER: Mr. COSTA; Mr. NUNES

TEXT: [*5048]

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Mr. COSTA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3022) to designate the John Krebs **Wilderness** in the State of California, to add certain land to the Sequoia-Kings Canyon National Park **Wilderness**, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3022

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Sequoia and Kings Canyon National Parks **Wilderness** Act of 2008".

SEC. 2. DEFINITIONS.

In this Act:

(1) Secretary.-The term "Secretary" means the Secretary of the Interior.

(2) State.-The term "State" means the State of California.

SEC. 3. DESIGNATION OF **WILDERNESS** AREAS.

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

(1) John krebs **wilderness**.-

(A) Designation.-Certain land in Sequoia and Kings Canyon National Parks, comprising approximately 69,500 acres of land, and 130 acres of potential **wilderness** additions as generally depicted on the map numbered 102/60014a, titled "John Krebs **Wilderness**", and dated March 10, 2008.

(B) Limitations.-The designation of the **wilderness** under subparagraph (A) does not preclude operation and maintenance of the existing Hockett Meadow Cabin and Quinn Patrol Cabin in the same manner and degree in which the cabins were operated and maintained on the day before the date of enactment of this Act.

(C) Effect.-Nothing in this paragraph affects-

(i) the cabins in, and adjacent to, Mineral King Valley; or

(ii) the private inholdings known as "Silver City" and "Kaweah Han".

(D) Potential **wilderness** additions.-The designation of the potential **wilderness** additions under subparagraph (A) shall not prohibit the operation, maintenance, and repair of the small check dams and water impoundments on Lower Franklin Lake, Crystal Lake, Upper Monarch Lake, and Eagle Lake. The Secretary is authorized to allow the use of helicopters for the operation, maintenance, and repair of the small check dams and water impoundments on Lower Franklin Lake, Crystal Lake, Upper Monarch [*5049]

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Lake, and Eagle Lake. The potential **wilderness** additions shall be designated as **wilderness** and incorporated into the John Krebs **Wilderness** established by this Act upon termination of the non-conforming uses.

(2) Sequoia-kings canyon **wilderness** addition.-Certain land in Sequoia and Kings Canyon National Parks, California, comprising approximately 45,186 acres as generally depicted on the map titled "Sequoia-Kings Canyon **Wilderness** Addition", numbered 102/60015a, and dated March 10, 2008, is incorporated in, and shall be considered to be a part of, the Sequoia-Kings Canyon **Wilderness**.

SEC. 4. ADMINISTRATION OF **WILDERNESS** AREAS.

(a) In General.-Subject to valid existing rights, each area designated as **wilderness** by this Act shall be administered by the Secretary in accordance with the **Wilderness** Act ([16 U.S.C. 1131 et seq.](#)), except that any reference in the **Wilderness** Act to the effective date of the **Wilderness** Act shall be considered to be a reference to the date of enactment of this Act.

(b) Map and Legal Description.-

(1) Submission of map and legal description.-As soon as practicable, but not later than 3 years, after the date of enactment of this Act, the Secretary shall file a map and legal description of each area designated as **wilderness** by this Act with-

(A) the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) Force and effect.-The map and legal description filed under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary may correct any clerical or typographical error in the map or legal description.

(3) Public availability.-The map and legal description filed under paragraph (1) shall be on file and available for public inspection in the Office of the Secretary.

(c) Hydrologic, Meteorologic, and Climatological Devices, Facilities, and Associated Equipment.- The Secretary shall continue to manage maintenance and access to hydrologic, meteorologic, and climatological devices, facilities and associated equipment consistent with House Report 98-40.

(d) No Buffer Zones.-

(1) In general.-Nothing in this Act creates a protective perimeter or buffer zone around an area designated as **wilderness** by this Act.

(2) Activities outside **wilderness**.-Nothing in this Act precludes authorized activities conducted outside of the areas designated as **wilderness** by this Act by cabin owners (or their designees) in the Mineral King Valley area, or the property owners (or their designees) or lessees in the Silver City private inholding (as identified on the map titled "John Krebs **Wilderness**" and dated March 10, 2008).

(e) Horseback Riding.-Nothing in this Act precludes horseback riding in, or the entry of recreational or commercial saddle or pack stock into, an area designated as **wilderness** by this Act.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. Costa) and the gentleman from California (Mr. Nunes) each will control 20 minutes.

The Chair recognize the gentleman the California (Mr. Costa).

General Leave

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

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

There was no objection.

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

I rise today to introduce H.R. 3022, the Sequoia and Kings Canyon National Parks **Wilderness** Act of 2008. This bill adds nearly 115 acres of **wilderness** in the Sequoia and Kings Canyon National Parks in California, two parks that are among the crown jewels of our Nation's national park system. Coupled with existing **wilderness** areas in the parks, this bill will expand the **wilderness** to about 97 percent on the land base that is included within the park area.

About 45,000 acres of the **wilderness** created by this bill will be incorporated into currently existing Sequoia-Kings Canyon **Wilderness** Area. The other 70,000 acres will comprise a new **wilderness** area, which will be named after former Congressman John Krebs.

Congressman John Krebs served in this House from 1974 until 1978. He immigrated to this country when he was 17 years old. Like immigrants before him and immigrants since, he came

here to find a better life for himself and his family. And in that effort, he contributed mightily, as all immigrants have, over the history of our Nation's years.

He served in this House with distinction and honor. He was tenacious, and one of the areas that he worked on was this area of **wilderness** within the Sequoia-Kings Canyon **Wilderness** Area.

So therefore it is appropriate that we designate this act by including this as a namesake, because within the Sequoia and Kings Canyon National Parks, we have California's and some of our country's most beautiful areas. The Redwood Canyon area contains Redwood Mountain Grove, the largest stand of giant sequoia within the parks. The Redwood Canyon also includes over 75 known caves, include the longest cave in California with over 21 miles of surveyed passage. The Hockett Plateau includes vast rolling forests of lodgepole pine surrounding spectacular subalpine meadows. The area is a favorite designation for equestrians, backpackers and anglers, people who, like all of us, like to enjoy our mountains.

This bill is obviously important not only to me but for my colleague, Congressman Nunes, and all that have been a part of this effort, for preserving our natural areas for future generations is a responsibility that we all share in common. And it gives us an opportunity to honor Congressman John Krebs, whom I first went to work for back in the 1970s when he served in Congress. He was a mentor and still today is a friend and is living well in Fresno, California, at the young, tender age of 82.

So it is fitting and appropriate that we recognize the people who deserve credit for making this bill a reality. Among those, I want to thank Chairman Rahall, subcommittee Chairman Grijalva of the Natural Resources Committee for their support, their staffs, as well as the committee's minority staff that worked so hard on this bill, and the National Park Service.

In addition, there is a companion measure over in the Senate carried by Senator Boxer. I would very much like to thank her and her staff for their hard work, including most notably, the State director, Tom Bohigian, who devoted a great deal of time and energy to make this bill a reality.

Finally, I want to thank my colleague and dear friend, Congressman Devin Nunes, and his Deputy Chief of Staff, Damon Nelson, for their work on this bill. This is a sensitive issue. The land we are talking about resides within Congressman Nunes' congressional district. The **wilderness** created by H.R. 3022 there is important to Congressman Nunes, as well as to all of us, and I want to thank him for his hard work on this bill and for ensuring that he protects the interests of his district and the local communities and the folks that live and work and recreate in the **wilderness** and surrounding areas.

Mr. Speaker, I request my colleagues to support the passage of H.R. 3022, as amended.

I reserve the balance of my time.

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

Mr. Speaker, I take this opportunity to express my support for H.R. 3022, the Sequoia-Kings Canyon National Park **Wilderness** Act. I would also like to thank my good friend Mr. Costa and Senator Boxer for their willingness to work in a bipartisan manner to secure protections for my constituents.

When the idea of this designation was proposed, my constituents had three main concerns: Specifically, continued access to the hydroelectric facilities in the area; continued access for private and commercial horse stock users; and, finally, the cabin owners in the Mineral King and Silver City area needed assurances that they will continue to have access to their cabins in accordance with their Park Service permits. In each case, Congressman Costa and Senator Boxer agreed to add language to the bill that would resolve these concerns.

First the cabin owners were provided a half-mile buffer zone around the cabins in order to ensure that management of the **wilderness** does not impact their access to and their maintenance of the cabins.

Second, operators of the hydroelectric facilities were ensured they will continue to have access to their facilities to conduct maintenance and inspections as necessary. They will continue to be allowed motorized access, including helicopters, if non-motorized access is not reasonably feasible. [*5050]

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Finally, the private and commercial horse stock users were provided strong assurances that nothing in the act precludes access to the areas that are designated **wilderness**. There have been recurring problems with such access to surrounding **wilderness** areas, and the language in this bill intends to ensure that those issues will not be repeated in this **wilderness**.

Again, these were hard-fought protections, and the work of my colleagues during the drafting period was invaluable and much appreciated.

At this time, I would like to yield to my colleague Mr. Costa and would appreciate any comments he may have about these specific provisions that I mentioned.

Mr. COSTA. First I would like to thank Congressman Nunes for your hard work and efforts on this. Without your support, I don't believe this measure would be a reality. The bipartisan effort I think is a commendation on how we ought to be working on all of our efforts here in the House.

Protecting the local interests was a concern of mine, as it was of yours, and I am glad that we were able to find ways to satisfy the existing uses within the **wilderness** and the park area, because having been one who has utilized that park and have enjoyed it over the years, I want to be able to continue to use it myself in those ways, as do all of our constituents from the valley, who believe this, as I said, is one of our crown jewels.

It was always a goal of mine that this be a bipartisan effort, and I am glad that Congressman Nunes feels comfortable with supporting the legislation and proud you were able to help make it a reality.

Mr. NUNES. Reclaiming my time, I want to thank the gentleman for his statements. I think this is a fitting tribute to Mr. Krebs, who dedicated his life to public service. He served on the Fresno County Board of Supervisors and also in the United States Congress honorably. Hopefully this **wilderness** bill ends up being something that is really done in a bipartisan manner, that after it is passed is also enacted in such a way that ensures use by all of our constituents, because really these are America's parks and resources and we want to make sure that access is granted to those that want it.

So, thank you, Mr. Costa and Senator Boxer for honoring Mr. Krebs in this way, and I strongly urge passage of this bill.

I yield back the balance of my time.

Mr. COSTA. In closing, I just again want to thank Congressman Nunes and thank Senator Boxer. I think it is fitting and appropriate that we name this additional **wilderness** area on behalf of a gentleman who dedicated a large part of his time to protect and preserve our heritage for future generations to come and was one of my mentors. It is a proud day for me to be here today to in fact make this happen.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. Costa) that the House suspend the rules and pass the bill, H.R. 3022, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.