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CONSOLIDATED NATURAL RESOURCES ACT OF 2008

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SPEAKER: Mr. RAHALL; Mr. BISHOP of Utah; Mr. DeFAZIO; Mrs. BIGGERT; Mrs. CHRISTENSEN; Mr. WOLF; Ms. BORDALLO; Mr. INSLEE; Mr. LARSEN of Washington; Mr. BROUN of Georgia; Mr. COURTNEY; Mr. HASTINGS of Washington; Mr. MOORE of Kansas; Mrs. CAPPS; Mr. REGULA; Mr. BECERRA

SEC. 101. WILD SKY **WILDERNESS**.

(a) Additions to the National **Wilderness** Preservation System.-

(1) Additions.-The following Federal lands in the State of Washington are hereby designated as **wilderness** and, therefore, as components of the National **Wilderness** Preservation System: certain lands which comprise approximately 106,000 acres, as generally depicted on a map entitled "Wild Sky **Wilderness** Proposal" and dated February 6, 2007, which shall be known as the "Wild Sky **Wilderness**".

(2) Map and legal descriptions.-As soon as practicable after the date of enactment of this Act, the Secretary of Agriculture shall file a map and a legal description for the **wilderness** area designated under this section with the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives. The map and description shall have the same force and effect as if included in this section, except that the Secretary of Agriculture may correct clerical and typographical errors in the legal description and map. The map and legal description shall be on file and available for public inspection in the office of the Chief of the Forest Service, Department of Agriculture.

(b) Administration Provisions.-

(1) In general.-

(A) Subject to valid existing rights, lands designated as **wilderness** by this section shall be managed by the Secretary of Agriculture in accordance with the **Wilderness Act** ([16 U.S.C. 1131 et seq.](#)) and this section, except that, with respect to any **wilderness** areas designated by this section, any reference in the **Wilderness Act** to the effective date of the **Wilderness Act** shall be deemed to be a reference to the date of enactment of this Act.

(B) To fulfill the purposes of this section and the **Wilderness Act** and to achieve administrative efficiencies, the Secretary of Agriculture may manage the area designated by this section as a comprehensive part of the larger complex of adjacent and nearby **wilderness** areas.

(2) New trails.-

(A) The Secretary of Agriculture shall consult with interested parties and shall establish a trail plan for Forest Service lands in order to develop-

(i) a system of hiking and equestrian trails within the **wilderness** designated by this section in a manner consistent with the **Wilderness Act** ([16 U.S.C. 1131 et seq.](#)); and

(ii) a system of trails adjacent to or to provide access to the **wilderness** designated by this section.

(B) Within 2 years after the date of enactment of this Act, the Secretary of Agriculture shall complete a report on the implementation of the trail plan required under this section. This report shall include the identification of priority trails for development.

(3) Repeater site.-Within the Wild Sky **Wilderness**, the Secretary of Agriculture is authorized to use helicopter access to construct and maintain a joint Forest Service and Snohomish County telecommunications repeater site, in compliance with a Forest Service approved communications site plan, for the purposes of improving communications for safety, health, and emergency services.

(4) Float plane access.-As provided by section 4(d)(1) of the **Wilderness Act** ([16 U.S.C. 1133\(d\)\(1\)](#)), the use of floatplanes on Lake Isabel, where such use has already become established, shall be permitted to continue subject to such reasonable restrictions as the Secretary of Agriculture determines to be desirable.

(5) Evergreen mountain lookout.-The designation under this section shall not preclude the operation and maintenance of the existing Evergreen Mountain Lookout in the same manner and degree in which the operation and maintenance of such lookout was occurring as of the date of enactment of this Act.

(c) Authorization for Land Acquisition.-

(1) In general.-The Secretary of Agriculture is authorized to acquire lands and interests therein, by purchase, donation, or exchange, and shall give priority consideration to those lands identified as "Priority Acquisition Lands" on the map described in subsection (a)(1). The boundaries of the Mt. Baker-Snoqualmie National Forest and the Wild Sky **Wilderness** shall be adjusted to encompass any lands acquired pursuant to this section.

(2) Access.-Consistent with section 5(a) of the **Wilderness Act** ([16 U.S.C. 1134\(a\)](#)), the Secretary of Agriculture shall ensure adequate access to private inholdings within the Wild Sky **Wilderness**.

(3) Appraisal.-Valuation of private lands shall be determined without reference to any restrictions on access or use which arise out of designation as a **wilderness** area as a result of this section.

(d) Land Exchanges.-The Secretary of Agriculture shall exchange lands and interests in lands, as generally depicted on a map entitled "Chelan County Public Utility District Exchange" and dated May 22, 2002, with the Chelan County Public Utility District in accordance with the following provisions:

(1) If the Chelan County Public Utility District, within 90 days after the date of enactment of this Act, offers to the Secretary of Agriculture approximately 371.8 acres within the Mt. Baker-Snoqualmie National Forest in the State of Washington, the Secretary shall accept such lands.

(2) Upon acceptance of title by the Secretary of Agriculture to such lands and interests therein, the Secretary of Agriculture shall convey to the Chelan County Public Utility District a permanent easement, including helicopter access, consistent with such levels as used as of the date of enactment of this Act, to maintain an existing telemetry site to monitor snow pack on 1.82 acres on the Wenatchee National Forest in the State of Washington.

(3) The exchange directed by this section shall be consummated if Chelan County Public Utility District conveys title acceptable to the Secretary and provided there is no hazardous material on the site, which is objectionable to the Secretary.

(4) In the event Chelan County Public Utility District determines there is no longer a need to maintain a telemetry site to monitor the snow pack for calculating expected runoff into the Lake Chelan hydroelectric project and the hydroelectric projects in the Columbia River Basin, the Secretary shall be notified in writing and the easement shall be extinguished and all rights conveyed by this exchange shall revert to the United States.

Subtitle F-Denali National Park and Alaska Railroad Exchange

SEC. 351. DENALI NATIONAL PARK AND ALASKA RAILROAD CORPORATION EXCHANGE.

(a) Definitions.-In this section:

(1) Corporation.-The term "Corporation" means the Alaska Railroad Corporation owned by the State of Alaska.

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

(b) Exchange.-

(1) In general.-

(A) Easement expanded.-The Secretary is authorized to grant to the Alaska Railroad Corporation an exclusive-use easement on land that is identified by the Secretary within Denali National Park for the purpose of providing a location to the Corporation for construction, maintenance, and on-going operation of track and associated support facilities for turning railroad trains around near Denali Park Station.

(B) Easement relinquished.-In exchange for the easement granted in subparagraph (A), the Secretary shall require the relinquishment of certain portions of the Corporation's existing exclusive use easement within the boundary of Denali National Park.

(2) Conditions of the exchange.-

(A) Equal exchange.-The exchange of easements under this section shall be on an approximately equal-acre basis.

(B) Total acres.-The easement granted under paragraph (1)(A) shall not exceed 25 acres.

(C) Interests conveyed.-The easement conveyed to the Alaska Railroad Corporation by the Secretary under this section shall be under the same terms as the exclusive use easement granted to the Railroad in Denali National Park in the Deed for Exclusive Use Easement and Railroad Related Improvements filed in Book 33, pages 985-994 of the Nenana Recording District, Alaska, pursuant to the Alaska Railroad Transfer Act of 1982 ([45 U.S.C. 1201 et seq.](#)). The easement relinquished by the Alaska Railroad Corporation to the United States under this section shall, with respect to the portion being exchanged, be the full title and interest received by the Alaska Railroad in the Deed for Exclusive Use Easement and Railroad Related Improvements filed in Book 33, pages 985-994 of the Nenana Recording District, Alaska, pursuant to the Alaska Railroad Transfer Act of 1982 ([45 U.S.C. 1201 et seq.](#)).

(D) Costs.-The Alaska Railroad shall pay all costs associated with the exchange under this

section, including the costs of compliance with the National Environmental Policy Act of 1969 ([42 U.S.C. 4321 et seq.](#)), the costs of any surveys, and other reasonable costs.

(E) Land to be part of **wilderness**.-The land underlying any easement relinquished to the United States under this section that is adjacent to designated **wilderness** is hereby designated as **wilderness** and added to the Denali **Wilderness**, the boundaries of which are modified accordingly, and shall be managed in accordance with applicable provisions of the **Wilderness Act** (78 Stat. 892) and the Alaska National Interest Lands Conservation Act of 1980 ([94 Stat. 2371](#)).

(F) Other terms and conditions.-The Secretary shall require any additional terms and conditions under this section that the Secretary determines to be appropriate to protect the interests of the United States and of Denali National Park.

Mr. RAHALL. Mr. Speaker, I am pleased to call up this legislation which is comprised of 61 separate measures that were already considered by this body, packaged by the Senate, and sent back to us for further and final consideration. This is a bipartisan package, almost evenly split between bills sponsored by Democrats and Republicans.

Further, I would note that 57 of the measures included in this package originated in the Committee on Natural Resources. In this regard, I salute the committee's Chairs who worked so hard on this legislation:

Raul Grijalva, chairman of the Subcommittee on National Parks, Forests and Public Lands; Grace Napolitano, chairwoman of the Subcommittee on Water and Power, and Donna Christensen, chairwoman of the Subcommittee on Insular Affairs.

In this body, these three Members did all of the heavy lifting, the hearings, the managing of the individual bills on the floor, the listening from other Members of this body that helped to make the package we are considering today possible.

The pending measures include new protections for **wilderness**, national parks, historic sites and trails, and precious water resources from sea to shining sea.

I will not speak to each and every provision of this legislation today but would like to highlight two in particular.

This bill will finally designate the long-awaited Wild Sky **Wilderness** in Washington State, championed by our colleague, Rick Larsen. As I noted last week when the House considered **wilderness** legislation for my home State of West Virginia, to be in a **wilderness** area is truly a humbling experience. To be part of designating the **wilderness** is even more humbling because **wilderness** is an effort to retain the landscape as God created it. And as with God's good graces, we are working toward designating new **wilderness** areas in West Virginia today.

Let this be the next-to-last action, other than the President's signature, on establishing the Wild Sky **Wilderness** in the State of Washington.

The other measure I would like to highlight would finally bring badly needed immigration, national security and labor protections for the Commonwealth of the Northern Mariana Islands. Further, this legislation would also grant a nonvoting delegate to the U.S. House of Representatives to the Northern Mariana Islands.

For too long, abuses took place in the CNMI, and for too long remedial legislation was held

hostage in this body. Let this legislation bring forth a new dawn, the start of a new era with a delegate to this body, that the people of the CNMI's voices be heard.

Again, I want to thank the gentlelady from the Virgin Islands, the chairman of the Subcommittee on Insular Affairs, Dr. Donna Christensen, for her great work on this matter.

There are other issues of note in this bill. It would expand parks in Maine, Massachusetts, North Carolina, Washington and Idaho. It would improve visitor transportation options at Denali National Park and Acadia National Park. And it would expand and increase the authorization for the National Underground Railroad Network to Freedom. Three new national heritage areas and nine existing areas will receive Federal assistance under this measure. Seven other areas will be examined as possible new park units.

This bill would also authorize Federal participation in new and expanded water recycling projects around the west, projects which will provide an estimated 52,600 acre-feet of water annually in an area experiencing severe drought.

It's a good bill, Mr. Speaker. I urge all Members to vote for this package.

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

Mr. INSLEE. Mr. Speaker, I would like to commend this bill for two reasons.

First, the passage of the Bainbridge Island Japanese American Monument Act. It is long overdue. We will finally present a monument to a chapter in American history that should never be occasioned again. On March 30, 1942, on Bainbridge Island, Washington, the island where I live, the United States Army rounded up 227 people living on Bainbridge Island, put them on a ferry boat, shipped them by trains to a camp in Manzanar for the duration of the war, totally without legality. And 62 of those people subsequently served in World War II.

Two years ago a 95-year-old woman, Fumiko Hayashida, came to Congress and testified about the pain that episode caused her and all of America. And this dedication of a monument on Bainbridge Island will serve as a monument to all Americans of all future generations that we should never ever allow the power of fear to overcome the promise of liberty. This monument will serve to do that.

I want to thank the great work of people on Bainbridge Island: Fumiko Hayashida, Frank Kitamoto, Clarence Moriwaki; Senator Cantwell and others who worked on this bill. And I invite all Americans to come see this monument when it's completed.

I would also like to congratulate my colleague Rick Larsen and Senator Murray for their incredible work, who really set the model of how to do **wilderness** legislation in finally today passing the Wild Sky **Wilderness**. I sat on top of Berry Mountain a couple years ago and looked down, and I want to thank them for their great leadership so that my grandchild will be able to look down from the top of Berry Mountain and see the same **wilderness**; and to their allies, Tom Uniack, Mike Towns, and Jon Owen, all of who really created a model of how to do future **wildernesses**. Thank you very much, Rick and others, and I congratulate all of us for final passage of these great pieces of work.

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

Mr. RAHALL. Mr. Speaker, I have commended this gentleman in my opening remarks because he truly has worked hard over a number of years for a major part of this package. It is a highlight of the package, and I yield 2 minutes to the gentleman from Washington (Mr. Larsen) to explain

it.

Mr. LARSEN of Washington. Mr. Speaker, I rise today in support of the bipartisan Consolidated Natural Resources Act of 2008, which includes legislation I introduced to create the first new **wilderness** area in Washington State in over 20 years. The Wild Sky **Wilderness** will be unique, protecting 106,000 acres of pristine forests and streams in my district, while providing a clean and accessible place to hunt, to fish, and to hike.

My staff first met on this issue on February 20, 2001, 48 days into my first term. And now 2,625 or so days later, we are ready to pass the Wild Sky **Wilderness** bill as part of the broader bill and send it to the President's desk. [*2810]

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The Wild Sky **Wilderness** Act is a carefully crafted piece of legislation that reflects years of community input. It will protect the peaks, the forests, and the lakes of the Mount Baker-Snoqualmie National Forest, as well as thousands of acres of lower-elevation forests and salmon-bearing streams.

The bill has been vetted through a 7-year process of hearings, debate, local town hall meetings. It started out as a much larger bill, but through a series of compromises and through a process of inclusiveness, we came up with the bill that now stands before you today as part of the larger bill. And it would not have been possible without the help of many people here in Congress and in the Second District. Large businesses like REI, smaller businesses like a small bed and breakfast located in Index support this bill. It garners the support of Democrats and Republicans alike in Washington State. But deserving special recognition here in Congress are people like Chairman Nick Rahall and his staff, led by Jim Zoia and Rick Healy. This proposal went through a 7-year process and is soon to become law as it goes to the President's desk.

I also want to thank my partner on the Senate side, Senator Patty Murray. Creating the Wild Sky **Wilderness** bill would not have been possible without her hard work and strong leadership in the Senate.

So I ask my colleagues today to support the Consolidated Natural Resources Act of 2008 and know that when you do that, you will be helping to create the first **wilderness** bill for Washington State in over 20 years. I urge passage of this legislation.