

Public Law 95-237
95th Congress

An Act

Feb. 24, 1978
[H.R. 3454]

To designate certain endangered public lands for preservation as wilderness, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Endangered American Wilderness Act of 1978".

STATEMENT OF FINDINGS AND POLICY

SECTION 1. (a) The Congress finds that—

(1) many areas of undeveloped national forest land possess and exhibit outstanding natural characteristics giving them high value as wilderness and will, if properly preserved, contribute as an enduring resource of wilderness for the benefit of the American people;

(2) certain of these undeveloped national forest lands meet all statutory criteria for suitability as wilderness as established by subsection 2(c) of the Wilderness Act (78 Stat. 890), but are not adequately protected and lack statutory designation pursuant to the Wilderness Act as units of the National Wilderness Preservation System;

(3) these and other undeveloped national forest lands exhibiting wilderness values are immediately threatened by pressures of a growing and more mobile population, large-scale industrial and economic growth, and development and uses inconsistent with the protection, maintenance, restoration, and enhancement of their wilderness character; and

(4) among such immediately threatened areas are lands not being adequately protected or fully studied for wilderness suitability by the agency responsible for their administration.

(b) Therefore, the Congress finds and declares that it is in the national interest that certain of these endangered areas be promptly designated as wilderness within the National Wilderness Preservation System, in order to preserve such areas as an enduring resource of wilderness which shall be managed to promote and perpetuate the wilderness character of the land and its specific multiple values for watershed preservation, wildlife habitat protection, scenic and historic preservation, scientific research and educational use, primitive recreation, solitude, physical and mental challenge, and inspiration for the benefit of all of the American people of present and future generations.

DESIGNATION OF WILDERNESS AREAS

Sec. 2. In furtherance of the purposes of the Wilderness Act, the following lands (hereinafter referred to as "wilderness areas"), as generally depicted on maps appropriately referenced, dated January 1978, are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System—

(a) certain lands in the Coronado National Forest, Arizona, which comprise about fifty-six thousand four hundred and thirty

acres, are generally depicted on a map entitled "Pusch Ridge Wilderness Area—Proposed", and shall be known as the Pusch Ridge Wilderness;

(b) certain lands in the Inyo and Sequoia National Forests, California, which comprise about three hundred and six thousand acres, are generally depicted on a map entitled "Golden Trout Wilderness Area—Proposed", and shall be known as the Golden Trout Wilderness;

(c) certain lands in and adjacent to the Los Padres National Forest, California, which comprise about twenty-one thousand two hundred and fifty acres, are generally depicted on a map entitled "Santa Lucia Wilderness Area—Proposed", and shall be known as the Santa Lucia Wilderness: *Provided*, That the tract identified on said map as "Wilderness Reserve" is designated as wilderness, subject only to the removal of the existing and temporary nonconforming improvement, at which time the Secretary of Agriculture (hereinafter referred to as the "Secretary") is directed to publish notice thereof in the Federal Register. Pending such notice, and subject only to the maintenance of the existing nonconforming improvement, said tract shall be managed as wilderness in accordance with section 5 of this Act. In order to guarantee the continued viability of the Santa Lucia watershed and to insure the continued health and safety of the communities serviced by such watershed, the management plan for the Santa Lucia area to be prepared following designation as wilderness shall authorize the Forest Service to take whatever appropriate actions are necessary for fire prevention and watershed protection including, but not limited to, acceptable fire presuppression and fire suppression measures and techniques. Any special provisions contained in the management plan for the Santa Lucia Wilderness area shall be incorporated in the planning for the Los Padres National Forest: *Provided*, That the Forest Service is authorized to continue fire presuppression, fire suppression measures and techniques, and watershed maintenance pending completion of the management plan for the Santa Lucia area;

(d) certain lands in the Los Padres National Forest, California, which comprise about sixty-one thousand acres, are generally depicted on a map entitled "Ventana Wilderness Additions—Proposed", and which are hereby incorporated in, and shall be deemed to be a part of, the Ventana Wilderness as designated by Public Law 91-58. In order to guarantee the continued viability of the Ventana watershed and to insure the continued health and safety of the communities serviced by such watershed, the management plan for the Ventana area to be prepared following designation as wilderness shall authorize the Forest Service to take whatever appropriate actions are necessary for fire prevention and watershed protection including, but not limited to, acceptable fire presuppression and fire suppression measures and techniques. Any special provisions contained in the management plan for the Ventana Wilderness area shall be incorporated in the planning for the Los Padres National Forest;

(e) certain lands in the White River National Forest, Colorado, which comprise approximately seventy-four thousand four hundred and fifty acres, are generally depicted on a map entitled "Hunter-Fryberger Wilderness Area—Proposed", and shall be known as the Hunter-Fryberger Wilderness. The area is commonly known as the "Spruce Creek Addition".

Endangered
American
Wilderness Act of
1978.

16 USC 1132

note.

16 USC 1132

note.

16 USC 1131.

Golden
Wilderness
Calif.

Santa
Wilderness
Calif.

Forest
Public
Federal

16 USC

Ventana
Wilderness
Calif.

White
River
Colorado

Hunter-Fryberger
Wilderness
Colorado

sand acres, shall, in accordance with the provisions of subsection 3(d) of the Wilderness Act, be reviewed by the Secretary as to its suitability or non-suitability for preservation as wilderness. The Secretary shall complete his review and report his findings to the President, and the President shall submit to the United States Senate and the House of Representatives his recommendation with respect to the designation of the Spruce Creek area as wilderness not later than two years from the date of enactment of this Act. Subject to valid existing rights, the wilderness study area designated by this subsection shall, until Congress determines otherwise, be administered by the Secretary so as to maintain presently existing wilderness character and potential for inclusion in the National Wilderness Preservation System. No right, or claim of right, to the diversion and use of the waters of Hunter Creek, the Fryingpan or Roaring Fork Rivers, or any tributaries of said creeks or rivers, by the Fryingpan-Arkansas Project, Public Law 87-590, Eighty-seventh Congress, and the reauthorization thereof by Public Law 93-493, Ninety-third Congress, under the laws of the State of Colorado, shall be prejudiced, expanded, diminished, altered, or affected by this Act. Nothing in this Act shall be construed to expand, abate, impair, impede, or interfere with the construction, maintenance, or repair of said Fryingpan-Arkansas Project facilities, nor the operation thereof, pursuant to the Operating Principles, House Document Numbered 130, Eighty-seventh Congress, and pursuant to the water laws of the State of Colorado;

(f) certain lands in the Cibola National Forest, New Mexico, which comprise about thirty-seven thousand acres, are generally depicted on a map entitled "Manzano Mountain Wilderness Area—Proposed", and shall be known as the Manzano Mountain Wilderness;

(g) certain lands in Cibola National Forest, New Mexico, which comprise about thirty thousand nine hundred and thirty acres, are generally depicted on a map entitled "Sandia Mountain Wilderness Area (North and South Units)—Proposed", and shall be known as the Sandia Mountain Wilderness;

(h) certain lands in the Santa Fe and Carson National Forests, New Mexico, which comprise approximately fifty thousand three hundred acres, are generally depicted on a map entitled "Chama River Canyon Wilderness Area—Proposed", and shall be known as the Chama River Canyon Wilderness;

(i) certain lands in Wasatch and Uinta National Forests, Utah, which comprise about twenty-nine thousand two hundred and sixty-seven acres, are generally depicted on a map entitled "Lone Peak Wilderness Area—Proposed", and shall be known as the Lone Peak Wilderness: *Provided*, That the Forest Service is directed to utilize whatever sanitary facilities are necessary (including but not limited to vault toilets, and, if required, service by helicopter) to insure the continued health and safety of the communities serviced by the Lone Peak watershed; furthermore, nothing in this Act shall be construed to limit the access and road maintenance by local municipalities and the minimum maintenance activities necessary to guarantee the continued viability of whatsoever watershed facilities currently exist, or which may be necessary in the future to prevent the degradation of the water supply in the Lone Peak area;

(j) certain lands in the Medicine Bow National Forest, Wy-

forty acres, are generally depicted on a map entitled "Savage Run Wilderness Area—Proposed", and shall be known as the Savage Run Wilderness; and

(k) certain lands in Lolo National Forest, Montana, which comprise approximately twenty-eight thousand four hundred and forty acres are generally depicted on a map entitled "Welcome Creek Wilderness Area—Proposed", and shall be known as the Welcome Creek Wilderness.

OREGON OMNIBUS WILDERNESS ACT OF 1978

SEC. 3. In furtherance of the purposes of the Wilderness Act, the following lands (hereinafter referred to as "wilderness areas") as generally depicted on maps appropriately referenced, dated January 1978, are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System—

(a) certain lands in the Siskiyou National Forest, Oregon, which comprise about ninety-two thousand acres, are generally depicted on a map entitled "Kalmiopsis Wilderness Additions—Proposed", and which are hereby incorporated in and shall be deemed to be a part of the Kalmiopsis Wilderness as designated by Public Law 88-577;

(b) certain lands in the Siskiyou National Forest, Oregon, which comprise about thirty-six thousand seven hundred acres, are generally depicted on a map entitled "Wild Rogue Wilderness—Proposed", and shall be known as the Wild Rogue Wilderness: *Provided*, That the portion of the segment of the Rogue River designated as a component of the National Wild and Scenic Rivers System by section 3(a) (5) of the Wild and Scenic River Act (82 Stat. 906, as amended) which lies within the Wild Rogue Wilderness shall be managed as a wild river notwithstanding section 10(b) of that Act or any provisions of the Wilderness Act to the contrary;

(c) certain lands in the Umatilla National Forest, Oregon and Washington, which comprise about one hundred and eighty thousand acres, are generally depicted on a map entitled "Wenaha-Tucannon Wilderness—Proposed", and shall be known as the Wenaha-Tucannon Wilderness;

(d) certain lands in the Mount Hood National Forest, Oregon, which comprise about thirty-three thousand acres, are generally depicted on a map entitled "Mount Hood (Zig Zag) Proposed Wilderness Additions", and which are hereby incorporated in and shall be deemed to be a part of the Mount Hood Wilderness as designated by Public Law 88-577; and

(e) certain lands in the Willamette National Forest, Oregon, which comprise about forty-five thousand four hundred acres, are generally depicted on a map entitled "French Pete Creek and Other Proposed Additions, Three Sisters Wilderness", and which are hereby incorporated in, and shall be deemed to be a part of, the Three Sisters Wilderness as designated by Public Law 88-577.

GOSPEL-HUMP AREA

SEC. 4. (a) (1) In furtherance of the purposes of the Wilderness Act, certain lands in the Nezperce National Forest, Idaho, which comprise about two hundred and six thousand acres, as generally depicted on the category "Wilderness" on a map entitled "Gospel-Hump Plateau Unit" and dated January 1978, are hereby designated as wilderness

16 USC 1132.

Revised

Revised

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43 USC 616.

43 USC 600f.

Manzano
Mountain
Wilderness,
N. Mex.

Sandia Mountain
Wilderness,
N. Mex.

Chama River
Canyon
Wilderness,
N. Mex.

Lone Peak
Wilderness,
Utah.

Savage Run

Welch
Wild
Mont.

Kalmi
Wild
Oregon

16 U
note
Wild
Oregon

16 U
16 U

Wen
Tuc
Wild
Oregon

Mo
Wild
Oregon

16
no