

DISCUSSION DRAFT

THE POOP-OUT MOUNTAIN NATIONAL RECREATION AND PROTECTION ACT

Legislative Pillars:

- “Suitable” WSA's will be included in National Wilderness Protection System
- “Unsuitable” Poop-Out Sand Dune WSA released out of WSA management
- Protects important natural resources
- Establish a National Recreation Area managed by the Department of the Interior
- Provides for focus management on recreation and protecting important natural resource values
- Requires that management plan(s) be completed in 3 years
- Solves long standing recreational conflicts and minimizes environmental impacts
- Protects nationally significant scientific resources

DRAFT LEGISLATION OUTLINE:

SECTION X. SHORT TITLE

This Act may be cited as the “The Poop-Out Mountain National Recreation and Protection Act.”

SEC. X. DEFINITIONS

SEC. X. FINDINGS AND PURPOSE

(a) CAREFULLY CRAFTED STATEMENT THAT ARTICULATES CONGRESS'S FINDINGS: Wilderness has been adequately studied, Wilderness is appropriate for some, but not all, in one WSA needed recreation management is precluded by WSA designation, a NRA will bring appropriate and needed management emphasis to protect natural and recreational resources.

SEC. X. DESIGNATION OF WILDERNESS AREAS

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

(1) POOP-OUT RIDGE WILDERNESS

(2) POOP-OUT BASIN WILDERNESS

SEC. X. ADMINISTRATION OF WILDERNESS AREAS

SPECIFIC PROVISIONS, IF ANY, FOR THE MANAGEMENT OF WILDERNESS AREAS DESIGNATED BY THIS ACT

SEC. X. DESIGNATION OF POOP-OUT SLAMANDER CONSERVATION AREA

(a) Purposes- The purposes of this section are--

(1) to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the ecological, scenic, wildlife, recreational, cultural, historical, natural,

educational, recreational and scientific resources existing in the National Conservation Area; and

(2) to protect the endangered Poop-Out Salamander that is listed as an endangered species under section 4(c)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1533(c)(1)).

(b) IN GENERAL- Not later than 3 years after the date of enactment of this Act and in accordance with paragraph (2), the Secretary shall develop a comprehensive plan for the long-term management of the National Conservation Area.

(1) CONSULTATION- In developing the management plan required under paragraph (1), the Secretary shall consult with--

- (A) appropriate State, tribal, and local governmental entities; and
- (B) members of the public.

(2) INCORPORATION OF PLANS- In developing the management plan required under paragraph (1), to the extent consistent with this section, the Secretary may incorporate any provision of--

- (A) the existing habitat conservation plan;
- (B) the existing resource management plan; and
- (C) the county public use plan.

SEC. X. RELEASE OF WILDERNESS STUDY AREAS

(a) Finding- Congress finds that, for purposes of section 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782), any portion of a wilderness study area described in subsection (b) that is not designated as wilderness by this Act or any other Act enacted before the date of enactment of this Act has been adequately studied for wilderness.

(b) FORMAL NAMES OF WSA(S) TO BE RELEASED HERE:

POOP-OUT DUNES WSA

(c) Release- Any portion of a wilderness study area described in subsection (b) that is not designated as wilderness by this Act or any other Act enacted before the date of enactment of this Act shall not be subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), and shall be managed in accordance with applicable law and the land management plans adopted under section 202 of that Act (43 U.S.C. 1712).

SEC. X. DESIGNATION OF NATIONAL RECREATION AREA

(a) In General —To bring appropriate management emphasis and protection to the values and resources existing within the Poop-Out Mountain Area.

(b) The purpose of this section is to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the scenic, wildlife, recreational, including motorized and non motorized recreation, cultural, historical, natural, educational, and scientific resources and values, there is established the Poop-Out Mountain Recreation area, to be managed by the Bureau of Land Management.

(b) MAP AND BOUNDARY DESCRIPTION-

(c) WITHDRAWAL-

(1) Subject to valid existing rights, all Federal land within the Forest is withdrawn from-

- (A) all forms of entry, appropriation or disposal under the public land laws;
- (B) location, entry, and patent under the mining laws; and
- (C) disposition under all laws relating to mineral and geothermal leasing.

SEC. X MANAGEMENT PLAN-

(a) The Secretary shall manage the National Recreation Area in a manner that conserves, protects, and enhances the resources and values in section (X) of this Act.

(1) Not later than 3 years after the date of enactment of this Act, in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and other applicable laws the Secretary shall comprehensive plan for the long-term management of the National Recreation Area.

(2) CONSULTATION- In developing the management plan required under paragraph (1), the Secretary shall consult with--

- (A) appropriate State, tribal, and local governmental entities; and
- (B) members of the public
- (C) OHV GROUP
- (D) PARKS AND REC OHV PROGRAM
- (E) CREDIBLE NON MOTORIZED STAKEHOLDER

(3) INCORPORATION OF PLANS-

(A) In developing the management plan under subparagraph (1), the Secretary shall incorporate management guidance in the existing Land Use Plan (as amended) regarding roads, trails, and facilities development, motor vehicle use, pest management, energy exploration, land acquisition, utilities placement, wildfire management, grazing, timber, riparian areas, hunting, and recreation.

(4) TRAVEL MANAGEMENT PLAN-

(A) Not later than 3 years after the date of enactment of this Act, in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and other applicable laws (including regulations), the Secretary, in consultation with appropriate Federal agencies and State, tribal, and local governmental entities, and after an opportunity for public comment, shall develop a comprehensive travel management plan for the land managed by the Bureau of Land Management in the County--

- (i) to provide to the public a clearly marked network of roads and trails with signs and maps to promote and enhance public enjoyment of the travel management plan
- (ii) promote public safety and awareness; and
- (iii) cooperate with user groups to provide for trail system management and the monitoring and stewardship of the routes, including the compliance with off-highway vehicle laws and regulations.

SEC. X BUFFER ZONE

SEC. X ACCESS TO PRIVATE LANDS

SEC. X WATER RIGHTS AND OTHER VALID EXISTING RIGHTS

SEC. X AUTHORIZATION OF APPROPRIATION

END