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VIRGINIA WILDERNESS ACT OF 2000

SEPTEMBER 29, 2000.—Ordered to be printed

Filed under authority of the order of the Senate of September 28 (legislative day, September 22), 2000

Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany S. 2865]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 2865) to designate certain land of the National Forest System located in the State of Virginia as wilderness, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE MEASURE

The purpose of S. 2865 is to amend Public Law 100–326 to designate certain land of the National Forest System located in the States of Virginia and West Virginia as Wilderness.

BACKGROUND AND NEED

The Virginia Wilderness Act (Public Law 100–326), identified wilderness study areas in the George Washington National Forest for evaluation as wilderness during the revision process for the land and resource management plan for the George Washington National Forest. The plan revision, completed in 1993, recommends wilderness consideration for the Priest Wilderness Study Area and the Three Ridges Study Area. Congressional action is necessary to designate wilderness.

LEGISLATIVE HISTORY

S. 2865 was introduced by Senators Robb and Warner on July 13, 2000. The Subcommittee on Forests and Public Land Manage-

ment held a hearing on S. 2865 on September 13, 2000. At a business meeting on September 20, 2000, the Committee on Energy and Natural Resources ordered S. 2865 reported favorably without amendment.

COMMITTEE RECOMMENDATION AND TABULATION OF VOTES

The Senate Committee on Energy and Natural Resources, in open business session on September 20, 2000, by a voice vote of a quorum present, recommends that the Senate pass S. 2865.

SECTION-BY-SECTION ANALYSIS

Section 1 provides the title of the Act as the Virginia Wilderness Act of 2000.

Section 2 amends the existing Virginia and West Virginia Wilderness Act to add the Priest Wilderness Area and the Three Ridges Wilderness Area to the Act.

COST AND BUDGETARY CONSIDERATIONS

The Congressional Budget Office (CBO) estimate of the costs of this measure has been requested but was not received at the time the report was filed. When the report becomes available the Chairman will request that they be printed in the Congressional Record for the advice of the Senate.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 2865.

The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 2865, as ordered reported.

EXECUTIVE COMMUNICATIONS

On September 25, 2000 the Committee on Energy and Natural Resources requested legislative reports from the Department of Agriculture and the Office of Management and Budget setting forth Executive agency recommendations on S. 2865. These reports had not been received at the time the report on S. 2865 was filed. When the reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate. The testimony provided by the Forest Service at the Subcommittee hearing follows:

STATEMENT OF PAUL BROUHA, ASSOCIATE DEPUTY CHIEF, USDA—FOREST SERVICE

Dear Mr. Chairman and members of the subcommittee, thank you for the opportunity to testify today on S. 2865, the Virginia Wilderness Act of 2000.

The Administration supports S. 2865.

S. 2865, the Virginia Wilderness Act of 2000, proposes to amend Public Law 100–326 by adding the Priest and Three Ridges areas to the National Wilderness Preservation System. These two areas were reviewed by George Washington National Forest personnel during the forest planning effort completed in 1993. The Final Environmental Impact Statement and Record of Decision identified these areas as potential wilderness and recommended them for wilderness study.

The Priest

The Priest is an area 5,963 acres in size. It is located in the northeast portion of the Pedlar Ranger District on the George Washington National Forest, east of the Blue Ridge Parkway in Nelson County, Virginia. Elevations range from 4,063 feet at the Priest Mountain summit to 997 feet above sea level. The area is generally very steep and rugged consisting of undulating ridges with deep "V" shaped hollows. Large rock outcrops are common throughout. This area contains spectacular mountain scenery.

The Appalachian National Scenic Trail provides access to very rugged terrain. Vistas from the Appalachian Trail are restricted due to the closed vegetative canopy; however, spur trails to overlooks, rock outcrops, and waterfalls provide magnificent views of the surrounding area.

Little evidence of turn-of-the-century activities would be evident to the casual visitor. The very limited number of old skid trails and haul roads have grown over with vegetation and have healed, and are being used as hiking or horse trails. Timber harvest areas where logging and prior road construction occurred in the past are not readily apparent to the casual visitor. The last major logging took place in the western part of the area around 1945 when the South River Lumber Company extended their railroad to Crabtree Meadows. The only evidence remaining of this logging activity is American chestnut stumps and the pole size second growth timber in the area. There are no valid mining claims or mineral leases within the wilderness study area. There are no private land inholdings within the area.

Activities in association with the Appalachian Trail are visually evident but have not had any significant or permanent influence on the area's ecological processes. There are periodic improvements and maintenance to the Priest Trail Shelter, the Appalachian Trail, and associated side trails. A picnic table, fire grill, and pit toilet are located at the shelter. Primitive, dispersed campsites are scattered throughout the area, but are inconspicuous. Wooden directional signs are present along the trails.

Three Ridges

The Three Ridges is 4,608 acres in size. It is located in the Pedlar District on the George Washington National forest, east of the Blue Ridge Parkway in Nelson and Au-

gusta counties, Virginia. Three Ridges is the major northern topographic feature of the Pedlar Ranger District. This area encompasses a very rugged and steep range of mountains along the crest of the Blue Ridge. Elevations range from about 1,000 feet to 3,970 feet above sea level. The general topographic pattern is steep, undulating ridges with deep "V" shaped hollows. Large rock outcrops are common throughout the area.

Three Ridges contains some of the most spectacular mountain scenery in Virginia. The Appalachian National Scenic Trail provides access to very rugged terrain with rock cliffs and chimneys. Sight distance from the Appalachian Trail is restricted due to the closed vegetative canopy; however, spur trails to overlooks, rock outcrops, and waterfalls provide magnificent views of the Shenandoah, Rockfish, and Tye River Valleys.

The swinging bridge on the Appalachian Trail, located just outside the boundary, across the Tye River is considered to be unusual and special. Hikers rate the northbound climb from Harper's Creek shelter to the top of Three Ridges as one of the steepest and toughest along the entire trail. There are some tremendous opportunities in Three Ridges to experience solitude and serenity, although many hikers use the Appalachian Trail and shelter sites.

Timber stand improvement on 176 acres was performed in 1961. Wildlife habitat improvements, such as pruning, planting, spring (water) improvements, and cutting of black locust, were accomplished in the early 1970s. Because of the rugged terrain and lack of access, there is no record of any timber sale harvest in the Three Ridges Area and any existing old skid trails and haul roads have grown over with vegetation and are now healed.

Activities in association with the Appalachian Trail and five old home sites are visually evident. The home sites are managed as wildlife areas and were last maintained between 1983 and 1985. Nature is rapidly reclaiming these areas to native vegetation. These areas would not be maintained if the area
is designated as wilderness. There are periodic improvements and maintenance to the Maupin Field and Harpers Creek Shelters and to the Appalachian Trail and its associated side trails.

Off road vehicle use in the area is limited. There are currently no trails designated for motorized use. None of Three Ridges is suitable for the development of a motorized trail system.

There are neither valid mining claims nor mineral leases. There are no private landholdings within the area.

In summary, both of these areas are suitable for wilderness designation. They provide opportunities for solitude, spectacular vistas, and challenging outdoor experiences. We support S. 2865 as proposed.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill S. 2865, as ordered reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

Public Law 100–326

AN ACT To designate certain national forest system lands in the States of Virginia and West Virginia as wilderness areas

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

SECTION 1. DESIGNATION OF WILDERNESS AREAS.

In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131–1136), the following lands in the States of Virginia and West Virginia are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System—

(1) * * *

* * * * * * *

(5) certain lands in the Jefferson National Forest, which comprise approximately 72 acres, as generally depicted on a map entitled "Lewis Fork Wilderness Area Addition—Proposed", dated June 1987, and which shall be known as the Lewis Fork Wilderness Area; [and]

(6) certain lands in the Jefferson National Forest, which comprise approximately 2,500 acres, as generally depicted on a map entitled "Mountain Lake Wilderness Area Addition—Proposed", dated June 1987, and which shall be known as the Mountain Lake Wilderness Area[.]*;*

(7) certain land in the George Washington National Forest, comprising approximately 6,500 acres, as generally depicted on a map entitled "The Priest Wilderness Study Area", dated June 6, 2000, to be known as the "Priest Wilderness Area"; and

(8) certain land in the George Washington National Forest, comprising approximately 4,800 acres, as generally depicted on a map entitled "The Three Ridges Wilderness Study Area", dated June 6, 2000, to be known as the "Three Ridges Wilderness Area."

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