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(Original Signature of Member)

112TH CONGRESS  
2D SESSION

# H. R.

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To designate additional National Forest System land in the Los Padres National Forest in the State of California as wilderness, to make certain wild and scenic river designations in that National Forest, to designate the Condor Ridge Scenic Area, to address off highway vehicle use in that National Forest, to facilitate a land exchange with the United Water Conservation District of California, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

Mr. GALLEGLY introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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# A BILL

To designate additional National Forest System land in the Los Padres National Forest in the State of California as wilderness, to make certain wild and scenic river designations in that National Forest, to designate the Condor Ridge Scenic Area, to address off highway vehicle use in that National Forest, to facilitate a land exchange with the United Water Conservation District of California, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the  
3 “Los Padres Conservation and Recreation Act of 2012”.

4 (b) TABLE OF CONTENTS.—The table of contents for  
5 this Act is as follows:

- Sec. 1. Short title and table of contents.
- Sec. 2. Purpose.
- Sec. 3. Effect on existing uses.
- Sec. 4. False surveys within the National Forest.

TITLE I—ADDITIONS TO NATIONAL WILDERNESS PRESERVATION SYSTEM

- Sec. 101. Designation of wilderness, Los Padres National Forest.
- Sec. 102. Administration.

TITLE II—ADDITIONS TO NATIONAL WILD AND SCENIC RIVER SYSTEM

- Sec. 201. Designation of wild and scenic rivers.

TITLE III—CONDOR RIDGE SCENIC AREA

- Sec. 301. Condor Ridge Scenic Area, Los Padres National Forest.
- Sec. 302. Administration.

TITLE IV—OFF HIGHWAY VEHICLE USE

- Sec. 401. Off highway vehicle use.
- Sec. 402. Construction of new trails.
- Sec. 403. Trail construction, maintenance, and repair.

TITLE V—LAND EXCHANGE

- Sec. 501. Short title.
- Sec. 502. Land exchange, Los Padres National Forest.

6 **SEC. 2. PURPOSE.**

7 The purpose of this Act is to conserve, protect, and  
8 enhance the outstanding recreational, ecological, scenic,  
9 archaeological, cultural, historic, and other resources of  
10 the Los Padres National Forest in the State of California  
11 (in this Act referred to as the “National Forest”).

1 **SEC. 3. EFFECT ON EXISTING USES.**

2 Nothing in this Act shall affect trails in use in the  
3 Los Padres National Forest, whether or not indicated on  
4 a map, on the date of the enactment of this Act. It is  
5 the intent of Congress that there shall be no net loss of  
6 trail miles in and recreational value of the National For-  
7 est. Prior to closing any trail in the National Forest, the  
8 Secretary of Agriculture (in this Act referred to as the  
9 “Secretary”) shall establish and open one or more new  
10 trails in the National Forest of corresponding distance and  
11 recreational value as the trail to be closed. Nothing in this  
12 Act shall affect current legal access for rock hounding in  
13 the National Forest. The Secretary shall endeavor to ex-  
14 pand access to the National Forest to all people, including  
15 people with disabilities.

16 **SEC. 4. FALSE SURVEYS WITHIN THE NATIONAL FOREST.**

17 The Secretary of Agriculture shall endeavor to cor-  
18 rect all incorrect land surveys involving lands located in  
19 the Los Padres National Forest.

20 **TITLE I—ADDITIONS TO NA-**  
21 **TIONAL WILDERNESS PRES-**  
22 **ERVATION SYSTEM**

23 **SEC. 101. DESIGNATION OF WILDERNESS, LOS PADRES NA-**  
24 **TIONAL FOREST.**

25 (a) DESIGNATION.—In furtherance of the purposes of  
26 the Wilderness Act (16 U.S.C. 1131 et seq.), the following

1 National Forest System lands in the State of California  
2 administered as part of the Los Padres National Forest  
3 are designated as wilderness and as additions to existing  
4 components of the National Wilderness Preservation Sys-  
5 tem:

6 (1) Certain National Forest System lands com-  
7 prising approximately 2,269 acres, as generally de-  
8 picted on the map entitled “Proposed Additions to  
9 Dick Smith Wilderness—East” and dated  
10 \_\_\_\_\_, and approximately 32,676 acres, as  
11 generally depicted on the map entitled “Proposed  
12 Additions to Dick Smith Wilderness Additions—  
13 South & West” and dated \_\_\_\_\_, which are  
14 added to and shall be administered as part of the  
15 Dick Smith Wilderness designated by section  
16 101(a)(6) of the California Wilderness Act of 1984  
17 (Public Law 98–425; 98 Stat. 1620).

18 (2) Certain National Forest System lands com-  
19 prising approximately 16,608 acres, as generally de-  
20 picted on the map entitled “Proposed Additions to  
21 Matilija Wilderness Additions—North & East” and  
22 dated \_\_\_\_\_, which are added to and shall be  
23 administered as part of the Matilija Wilderness des-  
24 ignated by section 2(2) of Public Law 102–301 (106  
25 Stat. 242).

1           (3) Certain National Forest System lands com-  
2           prising approximately 4,926 acres, as generally de-  
3           picted on the map entitled “Proposed Additions to  
4           Sespe Wilderness Additions—North” and dated  
5           \_\_\_\_\_, and approximately 9,563 acres, as gen-  
6           erally depicted on the map entitled “Proposed Addi-  
7           tions to Sespe Wilderness Additions—West” and  
8           dated \_\_\_\_\_, which are added to and shall be  
9           administered as part of the Sespe Wilderness des-  
10          ignated by section 2(1) of Public Law 102–301 (106  
11          Stat. 242).

12          (b) MAPS AND LEGAL DESCRIPTIONS.—

13           (1) FILING.—The Secretary of Agriculture shall  
14          file a map and a legal description of each wilderness  
15          area expanded by this section with—

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

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

20           (2) FORCE OF LAW; CORRECTIONS.—The maps  
21          and legal descriptions filed under paragraph (1)  
22          shall have the same force and effect as if included  
23          in this section, except that the Secretary may correct  
24          any technical errors in the maps and legal descrip-  
25          tions.

1           (3) PUBLIC AVAILABILITY.—Each map and  
2           legal description filed under paragraph (1) shall be  
3           on file and available for public inspection in the ap-  
4           propriate offices of the Forest Service.

5           (c) ROADWAY SETBACK.—In preparing the maps and  
6           legal descriptions required by subsection (b), the Secretary  
7           shall ensure that there is a setback of at least 1,000 feet  
8           from the center-line of California State Route 33 to the  
9           boundary of the land designated as wilderness by this sec-  
10          tion.

11       **SEC. 102. ADMINISTRATION.**

12          (a) IN GENERAL.—Subject to valid existing rights,  
13          the land designated as wilderness by this title shall be ad-  
14          ministered by the Secretary of Agriculture in accordance  
15          with the Wilderness Act (16 U.S.C. 1131 et seq.), except  
16          that, with respect to such land, any reference in the Wil-  
17          derness Act to the effective date of the Wilderness Act  
18          shall be considered to be a reference to the date of the  
19          enactment of this Act.

20          (b) INCORPORATION OF ACQUIRED LAND AND IN-  
21          TERESTS.—Any land within the boundary of a wilderness  
22          area expanded by this title that is acquired by the United  
23          States shall—

24                (1) become part of the wilderness area in which  
25                the land is located;

1           (2) be managed in accordance with this Act and  
2           any other applicable law; and

3           (3) not allow for new power to regulate wilder-  
4           ness laws on adjoining private land.

5           (c) BUFFER ZONES.—

6           (1) IN GENERAL.—Congress does not intend for  
7           the designation of land as wilderness by this title to  
8           lead to the creation of protective perimeters or buff-  
9           er zones beyond the border of each wilderness area  
10          expanded by this title.

11          (2) ACTIVITIES OR USES UP TO BOUNDARIES.—

12          The fact that non-wilderness activities or uses can  
13          be seen or heard from land designated as wilderness  
14          by this title shall not preclude or provide the basis  
15          to regulate the activities or uses up to the boundary  
16          of each wilderness area expanded by this title.

17          (d) FISH AND WILDLIFE.—Nothing in this section  
18          affects the jurisdiction or responsibilities of the State of  
19          California with respect to fish and wildlife.

20          (e) FIRE MANAGEMENT AND RELATED ACTIVI-  
21          TIES.—

22          (1) IN GENERAL.—The Secretary may take  
23          such measures with respect to land designated as  
24          wilderness by this title, as are necessary for the pre-  
25          vention and control of fire, insects, and diseases in

1       accordance with section 4(d)(1) of the Wilderness  
2       Act (16 U.S.C. 1133(d)(1)) and House Report 98–  
3       40 of the 98th Congress.

4               (2) AUTHORIZED MEASURES FOR FIRE SUP-  
5       PRESSION AND PRESUPPRESSION.—For purposes of  
6       responding to a wildfire that threatens a community,  
7       the designation of land as wilderness by this title  
8       shall not be construed as interfering with, or pre-  
9       venting, the use by the Secretary, the Forest Super-  
10      visor, or a Federal Incident Commander of any mod-  
11      ern method of fire suppression and prevention on  
12      the designated land, including methods involving the  
13      use of mechanized heavy equipment.

14              (3) FIRE PRE-SUPPRESSION POLICY.—The Sec-  
15      retary shall use existing authority and available re-  
16      sources to implement fire pre-suppression activities  
17      to reduce the risk posed to neighboring communities  
18      by wildfire and by post-wildfire hazards on the land  
19      designated as wilderness by this title.

20              (4) PRE-SUPPRESSION ACTIVITIES.—

21                      (A) IN GENERAL.—In carrying out pre-  
22      suppression activities on the land designated as  
23      wilderness by this title, the Secretary may use  
24      motorized equipment and mechanized transport,  
25      including chainsaws, helicopters, portable water

1 pumps, heavy equipment, and motorized vehi-  
2 cles.

3 (B) IMPLEMENTATION.—Implementation  
4 of pre-suppression activities under subpara-  
5 graph (A) shall be consistent with wilderness  
6 values and shall consider the impact of the pre-  
7 suppression activities on wildfire management  
8 of adjacent non-Federal lands.

9 (f) COORDINATION WITH CALIFORNIA DEPARTMENT  
10 OF TRANSPORTATION.—In managing the land designated  
11 as wilderness by this title located along California State  
12 Route 33, the Secretary shall coordinate with the Cali-  
13 fornia Department of Transportation in order to identify,  
14 and mutually agree upon, mechanisms by which the Cali-  
15 fornia Department of Transportation can continue to  
16 maintain and operate State Route 33 without interrup-  
17 tion, especially during expedited emergency lifeline repair  
18 projects, while concurrently working to address and  
19 achieve the management goals of these wilderness designa-  
20 tions.

21 (g) OVERFLIGHTS.—Nothing in this Act shall pre-  
22 clude low-level overflights of military aircraft, the designa-  
23 tion of new units of special airspace, or the use or estab-  
24 lishment of military flight training routes over the land  
25 designated as wilderness by this title.

1           (h) GRAZING.—With respect to the land designated  
2 as wilderness by this title, the grazing of livestock and the  
3 maintenance of existing structures that are used for graz-  
4 ing, in areas in which grazing is established as of the date  
5 of enactment of this Act shall be allowed to continue con-  
6 sistent with section 4(d)(4) of the Wilderness Act (16  
7 U.S.C. 133(d)(4)) and the guidelines described in Appen-  
8 dix A of House Report 101–405.

9           (i) APPLICABILITY TO ENTIRE WILDERNESS  
10 AREA.—The provisions of this section shall apply to the  
11 entirety of each wilderness area expanded by this title, not  
12 just to land designated as wilderness by this title.

13           (j) PRIVATE LAND ISOLATED INSIDE NEW WILDER-  
14 NESS ADDITIONS.—If private lands are in any way made  
15 inaccessible by motorized vehicles due to the designation  
16 of land as wilderness by this title, the lawful owner of such  
17 property shall be allowed right of way to their property  
18 with motor vehicles in a manner to which they were accus-  
19 tomed before the date of the enactment of this Act.

1 **TITLE II—ADDITIONS TO NA-**  
2 **TIONAL WILD AND SCENIC**  
3 **RIVER SYSTEM**

4 **SEC. 201. DESIGNATION OF WILD AND SCENIC RIVERS.**

5 Section 3(a) of the Wild and Scenic Rivers Act (16  
6 U.S.C. 1274(a)) is amended by adding at the end of the  
7 following:

8 “(\_\_\_\_\_) UPPER PIRU CREEK, CALIFORNIA.—

9 “(A) DESIGNATION.—Approximately 38.5  
10 miles of Upper Piru Creek from its headwaters  
11 within the Sespe Wilderness in the southwest  
12 corner of Sec 3, T6N, R22W, SBBM, to the  
13 confluence with Buck Creek, to be administered  
14 by the Secretary of Agriculture in the following  
15 classes:

16 “(i) The approximately 5.8-mile seg-  
17 ment from its headwaters within the Sespe  
18 Wilderness in the southwest corner of Sec-  
19 tion 3, T6N, R22W, SBBM, to the eastern  
20 edge of Section 31, T7N, R21W, SBBM,  
21 as a wild river.

22 “(ii) The approximately 20.4-mile seg-  
23 ment from the Sespe Wilderness boundary  
24 along the eastern edge of Sec 31, T7N,  
25 R21W, SBBM, to one-quarter mile below

1 Gold Hill crossing in Sec 18, T7N, R19W,  
2 SBBM), as a scenic river.

3 “(iii) The approximately 4.7-mile seg-  
4 ment from one-quarter mile below Gold  
5 Hill crossing Sec 18, T7N, R19W, SBBM  
6 to the Castaic Mine located on private land  
7 in Sec 22, T7N, R19W, SBBM, as a wild  
8 river.

9 “(iv) The approximately 7.25-mile  
10 segment from Castaic Mine located on pri-  
11 vate land in Sec 22, T7N, R19W, SBBM,  
12 to the confluence with Buck Creek, as a  
13 scenic river.

14 “(B) EFFECT OF DESIGNATION.—Nothing  
15 in subparagraph (A) shall affect the designated  
16 use, including motorized and mechanized vehi-  
17 cles, of the Snowy Creek Trail (19W04) that  
18 runs along Upper Piru Creek.

19 “(\_\_\_\_) UPPER SESPE CREEK, CALIFORNIA.—

20 “(A) DESIGNATION.—Approximately 11.5  
21 miles of Upper Sespe Creek from the confluence  
22 of Chorro Grande Canyon to the confluence of  
23 Rock Creek in the northwest ¼ of Sec 5. T5N,  
24 R22W, SBBM, to be administered by the Sec-  
25 retary of Agriculture in the following classes:

1           “(i) The approximately 9.5-mile seg-  
2           ment from the confluence of Chorro  
3           Grande Canyon to the section line dividing  
4           Sec 1, T5N, R23W, and Sec 6, T5N,  
5           R22W, SBBM, as a recreational river.

6           “(ii) The approximately 2.0-mile seg-  
7           ment from the section line dividing Sec 1,  
8           T5N, R23W and Sec 6, T5N, R22W,  
9           SBBM to the confluence of Rock Creek in  
10          the northwest ¼ of Sec 5, T5N, R22W,  
11          SBBM, as a scenic river.

12          “(B) EFFECT OF DESIGNATION.—Nothing  
13          in subparagraph (A) shall effect the mainte-  
14          nance, repair, or improvements of California  
15          Highway 33 by the California Department of  
16          Transportation.

17          “(\_\_\_\_) MONO CREEK, CALIFORNIA.—Approxi-  
18          mately 24.2 miles of Mono Creek from the source to  
19          the upper extent of the Mono Debris Basin in the  
20          northeast corner of Township 5 N., Range 26 W.,  
21          Section 5, SBBM, to be administered by the Sec-  
22          retary of Agriculture in the following classes:

23                 “(A) The approximately 4.5-mile segment  
24                 from the source of Mono Creek to the boundary

1 of the Dick Smith Wilderness in Sec 28, T 7N,  
2 R25W, SBBM, as a wild river.

3 “(B) The approximately 19.7-mile segment  
4 from the boundary of the Dick Smith Wilder-  
5 ness to the upper extent of the Mono Debris  
6 Basin in the northeast corner of Sec 5, T5N,  
7 R26W, SBBM, as a scenic river.

8 “(\_\_\_\_) INDIAN CREEK, CALIFORNIA.—Ap-  
9 proximately 14.7 miles of Indian Creek from a point  
10 in the Dick Smith Wilderness near Bluff Camp in  
11 Sec 19, T7N, R26W, SBBM to the upstream extent  
12 of the Mono Debris Basin in the northeast corner of  
13 Sec 6, T5N, R26W, SBBM, to be administered by  
14 the Secretary of Agriculture as a wild river.”.

15 **TITLE III—CONDOR RIDGE**  
16 **SCENIC AREA**

17 **SEC. 301. CONDOR RIDGE SCENIC AREA, LOS PADRES NA-**  
18 **TIONAL FOREST.**

19 (a) ESTABLISHMENT AND PURPOSES.—

20 (1) ESTABLISHMENT.—Subject to valid existing  
21 rights, there is established within the Los Padres  
22 National Forest the Condor Ridge Scenic Area (in  
23 this title referred to as the “scenic area”).

24 (2) AREA INCLUDED.—The scenic area shall  
25 consist of approximately \_\_\_\_\_ acres of National

1 Forest System land in the Los Padres National For-  
2 est, as generally depicted on the map entitled  
3 “ \_\_\_\_\_ ” and dated  
4 \_\_\_\_\_.

5 (3) PURPOSES.—The purposes of the scenic  
6 area are to conserve, protect, and enhance the out-  
7 standing ecological, geological, scenic, recreational,  
8 archaeological, cultural, historic, and other resources  
9 of the scenic area.

10 (b) MAP AND DESCRIPTION.—

11 (1) PREPARATION AND SUBMISSION.—the Sec-  
12 retary of Agriculture shall file a map and legal de-  
13 scription of the scenic area with—

14 (A) the Committee on Natural Resources  
15 of the House of Representatives; and

16 (B) the Committee on Energy and Natural  
17 Resources of the Senate.

18 (2) LEGAL EFFECT.—The map and legal de-  
19 scriptions of the scenic area filed under paragraph  
20 (1) shall have the same force and effect as if in-  
21 cluded in this Act, except that the Secretary may  
22 correct errors in the map and legal description.

23 (3) PUBLIC AVAILABILITY.—The map and legal  
24 description filed under paragraph (1) shall be filed

1 and made available for public inspection in the ap-  
2 propriate offices of the Forest Service.

3 (c) EXISTING USES.—Nothing in this title shall af-  
4 fect recreational uses, including roads, water developments  
5 and associated facilities, grazing, mountain bikes, hunting,  
6 rock hounding, sport shooting, camping and uses under  
7 special use authorizations in the scenic area in existence  
8 on the date of enactment of this Act.

9 **SEC. 302. ADMINISTRATION.**

10 (a) IN GENERAL.—The Secretary of Agriculture  
11 shall—

12 (1) administer the scenic area—

13 (A) in furtherance of the purposes of the  
14 scenic area described in section 301; and

15 (B) in accordance with this section and  
16 any laws (including regulations) relating to the  
17 National Forest System; and

18 (2) only allow such uses in the scenic area as  
19 are consistent with the purposes of the scenic area.

20 (b) MOTORIZED VEHICLES.—

21 (1) IN GENERAL.—Except in cases in which  
22 motorized vehicles are needed for administrative pur-  
23 poses, or to respond to an emergency, and as pro-  
24 vided in subsection (c), the use of motorized vehicles  
25 in the scenic area shall be permitted only on roads

1 and trails designated for use by such vehicles as of  
2 the date of enactment of this Act.

3 (2) LIMITATION.—Nothing in this section shall  
4 be construed as precluding the Secretary from clos-  
5 ing any road, trail, or area from use for purposes of  
6 resource protection or public safety.

7 (c) WILDFIRE OPERATIONS.—Nothing in this section  
8 prohibits the Secretary, in cooperation with other Federal,  
9 State, and local agencies, as appropriate, from conducting  
10 wildland fire operations in the scenic area, consistent with  
11 the purposes of the scenic area.

12 (d) TRAIL MAINTENANCE.—Nothing in this section  
13 shall limit the use of motorized or mechanized equipment  
14 for the maintenance of trails within the scenic area, con-  
15 sistent with the purposes of the scenic area.

16 (e) MANAGEMENT PLAN.—

17 (1) IN GENERAL.—Within three years after the  
18 date of enactment of this Act, the Secretary shall  
19 develop a comprehensive management plan for the  
20 long-term management of the scenic area.

21 (2) ADDITIONAL REQUIREMENT.—The manage-  
22 ment plan shall describe measures necessary to pre-  
23 vent the unauthorized use of motorized vehicles  
24 within the scenic area.

1 (f) GRAZING.—The grazing of livestock in the scenic  
2 area, where established before the date of enactment of  
3 this Act, shall be permitted to continue—

4 (1) subject to applicable law; and

5 (2) in a manner consistent with the purposes of  
6 the scenic area.

7 (g) WITHDRAWAL.—Subject to valid existing rights,  
8 any Federal land within the scenic area is withdrawn from  
9 all forms of—

10 (1) entry, appropriation, or disposal under the  
11 public land laws;

12 (2) location, entry, and patent under the mining  
13 laws; and

14 (3) disposition under all laws pertaining to min-  
15 eral and geothermal leasing or mineral materials.

## 16 **TITLE IV—OFF HIGHWAY** 17 **VEHICLE USE**

### 18 **SEC. 401. OFF HIGHWAY VEHICLE USE.**

19 (a) DESIGNATION OF ROADS AND TRAILS.—The fol-  
20 lowing roads and trails in the Los Padres National Forest,  
21 as generally depicted on the map entitled “Wilderness,  
22 Special Management Area, OHV Area and Route Pro-  
23 posal”, and dated \_\_\_\_\_, 2011, are hereby added  
24 to the Motor Vehicle Use Map for the Los Padres National  
25 Forest and are designated for the following use:

1           (1) Sierra Madre Road (32S13) from the inter-  
2           section of Forest Road 9N11 at the southern ter-  
3           minus of Sierra Madre Road (32S13) to the north-  
4           ern terminus at Highway 166 shall be open to  
5           Highway Legal Vehicles only.

6           (2) Forest Road 8N08 from junction with For-  
7           est Road 8N09 south including McKinley fire trail  
8           and until junction of Forest Road 6N14 and Forest  
9           Road 9N11 shall be open to all vehicles 50 inches  
10          or less.

11          (3) The loop surrounding the Dick Smith Wil-  
12          derness accessing the areas around Don Victor and  
13          Hildreth Peaks composed of Forest Roads 7N05,  
14          6N11, 6N17, 6N30, and 6N24 shall be open to high  
15          clearance vehicles.

16          (4) Forest Road 6N17 from junction with For-  
17          est Road 5N15 to junction with Forest Road 6N30  
18          shall be open to high clearance vehicles.

19          (5) Forest Road 5N20 connection 5N12 and  
20          5N18 shall be open to highway legal vehicles.

21          (6) Forest Road 5N01 from junction with For-  
22          est Roads 5N16 and 5N15 to junction with Portrero  
23          Seco Road (6N03) shall be open to high clearance  
24          vehicles.

1           (7) Portrero Seco Road (6N03) from junction  
2           with Forest Road 5N13 to junction with Forest  
3           Road 6N11 shall be open to high clearance vehicles.

4           (8) Ortega Trail shall be open for following  
5           uses:

6                   (A) Forest Road 6N01.1 shall be open to  
7                   highway legal vehicles.

8                   (B) Northern segment of Forest Road  
9                   23W08 shall be open to vehicles 50 inches or  
10                  less.

11                  (C) Southern segment of Forest Road  
12                  23W08 shall be open to motorcycles only.

13           (b) DESIGNATION OF AREAS.—In order to expand  
14           the off highway vehicle trail system in the Los Padres Na-  
15           tional Forest and increase the recreational value of the  
16           system, particularly in the eastern end of Ballinger Can-  
17           yon, the following areas in the National Forest are hereby  
18           designated as off highway vehicle areas:

19                   (1) Ballinger Canyon OHV Area, as generally  
20                   depicted on the map entitled “Proposed Ballinger  
21                   Canyon OHV Area” and dated \_\_\_\_\_.

22                   (2) Mt. Pinos OHV Area, as generally depicted  
23                   on the map entitled “Proposed Mt. Pinos OHV  
24                   Area” and dated \_\_\_\_\_.

25           (c) MANAGEMENT.—

1           (1) CLOSURE CONDITION.—If any trail must be  
2 closed within an off highway vehicle area designated  
3 by subsection (b), the trail must be replaced by a  
4 new trail of equal distance and recreational value  
5 within the designated area before being closed.

6           (2) CONDOR PROTECTION.—If it can be dem-  
7 onstrated to the Secretary that off highway vehicle  
8 activity has caused a decline in the local California  
9 Condor population, the Secretary may close trails  
10 within an off highway vehicle area designated by  
11 subsection (b) as the Secretary considers necessary.

12 **SEC. 402. CONSTRUCTION OF NEW TRAILS.**

13           (a) IN GENERAL.—The Secretary of Agriculture shall  
14 construct the following new trails, as generally depicted  
15 on the map entitled “\_\_\_\_\_” and dated  
16 \_\_\_\_\_:

17           (1) A new trail connecting Forest Road 6N24  
18 near Lower Buckhorn Campground to Buckhorn  
19 Road 9N11. The trail shall be open to all vehicles  
20 50 inches or less in width.

21           (2) A new trail to be known as the “Divide  
22 Peak Trail” from junction with Forest Road 5N12  
23 to intersection with Forest Roads 6N03 and 5N13.  
24 The trail shall be open to all motor vehicles 50  
25 inches or less in width.

1           (3) A new trail connecting Forest Service High-  
2           way 95 to the existing trail system in the Ballinger  
3           Canyon OHV area. The trail shall be open to all ve-  
4           hicles 50 inches or less in width.

5           (4) A new trail through Lockwood Valley con-  
6           necting the Ballinger Canyon OHV area and the Mt.  
7           Pinos OHV area, from junction with Lockwood Val-  
8           ley road through junction with Forest Road 8N40,  
9           ending at junction with Forest Road 8N06, as gen-  
10          erally depicted on map entitled “\_\_\_\_\_” and  
11          dated \_\_\_\_\_. The trail shall be open to all ve-  
12          hicles 50 inches or less in width.

13          (b) ESTABLISHMENT OF SEASONS FOR USE.—The  
14          seasons of use for the protection of forest resources on  
15          the roads and trails constructed pursuant to subsection  
16          (a) may be established as considered necessary by the Sec-  
17          retary.

18          (c) EFFECT.—Upon final construction and incorpora-  
19          tion of the trail required by subsection (a)(4) into the  
20          Motor Vehicle Use Map for the Los Padres National For-  
21          est, the Toad Springs road corridor, as generally depicted  
22          on the map entitled “\_\_\_\_\_” and dated  
23          \_\_\_\_\_, shall be automatically incorporated  
24          in and managed as part of the Chumash Wilderness in

1 accordance with section 2(a)(5) of Public Law 102–301  
2 (106 Stat. 243).

3 **SEC. 403. TRAIL CONSTRUCTION, MAINTENANCE, AND RE-**  
4 **PAIR.**

5 It is the sense of Congress that, with respect to the  
6 Los Padres National Forest, the Secretary of Agriculture  
7 should fully utilize existing partnership authorities—

8 (1) to construct the trails required by section  
9 402; and

10 (2) to maintain and repair roads and trails (in-  
11 cluding maintenance and repair to prevent the need  
12 to close a road or trail for disrepair) for off highway  
13 vehicles.

14 **TITLE V—LAND EXCHANGE**

15 **SEC. 501. SHORT TITLE.**

16 This title may be cited as the “Los Padres National  
17 Forest Land Exchange Act”.

18 **SEC. 502. LAND EXCHANGE, LOS PADRES NATIONAL FOR-**  
19 **EST.**

20 (a) **LAND EXCHANGE.**—In exchange for all right,  
21 title, and interest of the United Water Conservation Dis-  
22 trict of California (in this section referred to as the “Dis-  
23 trict”) in and to the lands described in subsection (b), the  
24 Secretary of Agriculture shall convey to the District all  
25 right, title, and interest of the United States in and to

1 the National Forest System lands described in subsection  
2 (c). The conveyance of National Forest System lands  
3 under this section shall be subject to subsection (g), to  
4 valid existing rights, and to such terms, conditions, and  
5 reservations as may be required by this section or consid-  
6 ered necessary by the Secretary.

7 (b) LANDS TO BE CONVEYED BY DISTRICT.—The  
8 lands to be conveyed by the District under subsection (a)  
9 consist of approximately 340 acres located within Town-  
10 ship 5 North, Range 18 West, San Bernardino Base and  
11 Meridian and are more fully described as follows:

12 (1) TRACT A.—SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of section 16 (ap-  
13 proximately 40 acres).

14 (2) TRACT B.—NE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> of section 16 (ap-  
15 proximately 40 acres).

16 (3) TRACT C.—S<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub> of section 16 (approxi-  
17 mately 80 acres).

18 (4) TRACT D.—NE<sup>1</sup>/<sub>4</sub> of section 21 (approxi-  
19 mately 160 acres).

20 (5) TRACT E.—N<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> of section 15  
21 (approximately 20 acres).

22 (c) LANDS TO BE CONVEYED BY SECRETARY.—The  
23 National Forest System lands to be conveyed by the Sec-  
24 retary under subsection (a) consist of approximately 440  
25 acres located within Township 5 North, Range 18 West,

1 San Bernardino Base and Meridian and are more fully  
2 described as follows:

3 (1) TRACT 1.—E<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub> of section 10 (ap-  
4 proximately 80 acres).

5 (2) TRACT 2.—NE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of section 15 (ap-  
6 proximately 40 acres).

7 (3) TRACT 3.—S<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> of section  
8 15 (approximately 5 acres).

9 (4) TRACT 4.—N<sup>1</sup>/<sub>2</sub>S<sup>1</sup>/<sub>2</sub>S<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub> of section 15  
10 (approximately 20 acres).

11 (5) TRACT 5.—S<sup>1</sup>/<sub>2</sub>N<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> of section 15  
12 (approximately 10 acres).

13 (6) TRACT 6.—N<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> of section  
14 15 (approximately 5 acres).

15 (7) TRACT 7.—NW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> of sec-  
16 tion 15 (approximately 2.5 acres).

17 (8) TRACT 8.—S<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> of section  
18 15 (approximately 5 acres).

19 (9) TRACT 9.—SW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> of section  
20 15 (approximately 2.5 acres).

21 (10) TRACT 10.—W<sup>1</sup>/<sub>2</sub>W<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> of sec-  
22 tion 15 (approximately 10 acres).

23 (11) TRACT 11.—SE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> of sec-  
24 tion 15 (approximately 2.5 acres).

1           (12) TRACT 12.—SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> of sec-  
2           tion 15 (approximately 2.5 acres).

3           (13) TRACT 13.—W<sup>1</sup>/<sub>2</sub>W<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of sec-  
4           tion 15 (approximately 10 acres).

5           (14) TRACT 14.—SW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of section  
6           22 (approximately 10 acres).

7           (15) TRACT 15.—NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of  
8           section 22 (approximately 2.5 acres).

9           (16) TRACT 16.—SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of  
10          section 22 (approximately 2.5 acres).

11          (17) TRACT 17.—W<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> of section 22  
12          (approximately 20 acres).

13          (18) TRACT 18.—SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> of section 22 (ap-  
14          proximately 40 acres).

15          (19) TRACT 19.—E<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub> of section 22 (ap-  
16          proximately 80 acres).

17          (20) TRACT 20.—N<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> of section 22  
18          (approximately 20 acres).

19          (21) TRACT 21.—W<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub> of section 27 (ap-  
20          proximately 60 acres).

21          (22) TRACT 22.—NE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of section  
22          27 (approximately 10 acres).

23          (d) IMPLEMENTATION OF LAND EXCHANGE.—

24               (1) MAPS; PUBLIC AVAILABILITY.—The lands to  
25               be exchanged under this section are depicted on

1 maps entitled “Los Padres National Forest Land  
2 Exchange” and dated June 1, 2005. The maps shall  
3 be on file and available for public inspection in ap-  
4 propriate offices of the Forest Service until comple-  
5 tion of the land exchange. The Secretary may also  
6 correct errors in the maps or the accompanying legal  
7 descriptions.

8 (2) MODIFICATION OF STATUTORY TERMS OF  
9 EXCHANGE.—By mutual agreement to facilitate the  
10 land exchange under this section, the Secretary and  
11 the District may make de minimus changes to tracts  
12 of land involved in the land exchange or adjust the  
13 legal descriptions specified in subsections (b) and (c)  
14 and the boundaries depicted on the maps referred to  
15 in paragraph (1) based upon the environmental  
16 analysis conducted and public input obtained in com-  
17 plying with the National Environmental Policy Act  
18 of 1969 (42 U.S.C. 4331 et seq.).

19 (3) PRIORITY FOR COMPLETION.—The Sec-  
20 retary shall make the land exchange under this sec-  
21 tion a priority by endeavoring to complete the land  
22 exchange within two years after the date of the en-  
23 actment of this Act.

24 (4) ADMINISTRATIVE COSTS.—The District  
25 shall pay the costs of conducting the land exchange

1 under this section, including the costs incurred for  
2 environmental analysis, survey, mapping, appraisals,  
3 closing costs, recording fees, and similar expendi-  
4 tures, but not including the costs of staff salaries,  
5 administrative overhead, attorney fees, the cost of  
6 construction required by subsection (e)(2), or the  
7 costs to cure any title defects.

8 (5) TITLE STANDARDS.—The Secretary shall  
9 require that title to the District lands to be acquired  
10 by the Secretary under this section is in conformity  
11 with the title standards of the Attorney General.

12 (e) EASEMENTS AND ACCESS.—

13 (1) RESERVATION.—In the conveyance of the  
14 National Forest System lands under this section, the  
15 Secretary shall reserve easements for all roads and  
16 trails that the Secretary considers to be necessary or  
17 desirable to provide for administrative purposes and  
18 to ensure public access to National Forest System  
19 lands and shall reserve perpetual unrestricted rights  
20 of pedestrian and equestrian access over all existing  
21 roads and trails.

22 (2) CONSTRUCTION OF PARKING LOT.—As a  
23 condition on the receipt of National Forest System  
24 lands under this section, the District shall agree to  
25 construct a gravel parking area upon District lands

1 to provide access to the Potholes trail of the Los Pa-  
2 dres National Forest. The site design for the park-  
3 ing area shall be subject to the approval by the Sec-  
4 retary. The District may reasonably regulate vehic-  
5 ular access to the parking area in accordance with  
6 rules and regulations promulgated in accordance  
7 with applicable law.

8 (f) PARTIAL REVOCATION OF WITHDRAWALS.—The  
9 public lands withdrawals provided by the Act of May 29,  
10 1928 (Chapter 868; 45 Stat. 956), Power Site Classifica-  
11 tion No. 414-USGS, June 22, 1951, FERC Power Project  
12 No. 2153, January 15, 1957, and Forest Service Land  
13 Order No. 3338, February 28, 1964, are hereby revoked  
14 insofar as they effect the National Forest System lands  
15 conveyed under this section.

16 (g) WATER RIGHTS.—The land exchange under this  
17 section does not include any water rights owned by the  
18 District or the United States.

19 (h) CASH EQUALIZATION.—

20 (1) EQUAL VALUE EXCHANGE.—Subject to  
21 paragraph (2), the land exchange under this section  
22 shall be conducted on an equal value basis, as deter-  
23 mined by the appraisal done in conformity with the  
24 Uniform Appraisal Standards for Federal Lands

1 Standards for Acquisition and Forest Service ap-  
2 praisal instructions.

3 (2) LIMITS WAIVED.—The values of the lands  
4 to be exchanged under this section may be equalized  
5 through the payment of a cash equalization payment  
6 in an amount in excess of the statutory limit speci-  
7 fied in section 206 of the Federal Land Policy and  
8 Management Act of 1976 (43 U.S.C. 1716).

9 (i) MANAGEMENT OF ACQUIRED LANDS.—For pur-  
10 poses of section 7 of the Land and Water Conservation  
11 Fund Act of 1965 (16 U.S.C. 4601–9), the boundaries of  
12 the Los Padres National Forest, as adjusted as a result  
13 of the land exchange under this section, shall be consid-  
14 ered to be the boundaries of that national forest as of Jan-  
15 uary 1, 1965. The District lands acquired by the Secretary  
16 under this section shall be added to and administered as  
17 part of the Los Padres National Forest in accordance with  
18 the laws and regulations applicable to that national forest.

19 (j) EFFECT OF EXCHANGE.—The District shall com-  
20 ply with all applicable requirements of the Endangered  
21 Species Act of 1973 (16 U.S.C. 1531 et seq.) relating to  
22 the land conveyed to it under this section.