

Wilderness:

What is Wilderness?

Wilderness is a designation that seeks to protect remaining tracts of “relatively undisturbed” Forest Service land. The purpose is to maintain these lands as untouched and wild as possible. All wilderness designations can be made only by Congress and in accordance with the Wilderness Act, which was signed into law in 1964 by President Johnson. The rules that apply to Wilderness only apply inside that Wilderness area, not beyond it or surrounding communities. Wilderness prohibits many activities, like use of motorized vehicles, that are permitted and encouraged in a National Monument.

What activities are allowed/prohibited in a Wilderness area?

Many types of recreation are permitted in Wilderness area including: hiking, camping, hunting, fishing, outfitting and guiding, kayaking, canoeing, rafting, swimming, backpacking, horseback riding, pack trips, wheelchairs (including motorized wheelchairs), skiing, snow-shoeing, bird-watching, scientific research and nature study, control of fire and insect and disease outbreaks, livestock grazing, mining on pre-existing claims, and continued use, with reasonable access, of tracts of private or state land that may be within the boundaries of some wilderness areas.

Prohibitions usually include commercial activities, use of motorized vehicles and mechanized transport (including mountain bikes), road construction, new mining claims, and human infrastructure. These are largely absent to begin with for the area to qualify as a wilderness. However, there are several exceptions to these prohibitions, such as measures to control fires, insects, and diseases; and commercial recreation activities.

How does Wilderness affect existing rights?

Wilderness designations are subject to valid existing rights. This includes mining claims, water rights, grazing permits, and other valid existing rights.

How does Wilderness affect private property?

Wilderness designation applies only to federal lands and does not affect private or other non-federal property. There is no buffer around wilderness, and wilderness designation does not affect the use of land outside the wilderness.

How does Wilderness affect fire prevention and suppression?

The Wilderness Act says that any means necessary may be used to protect against and control fire as well as insects and disease. While managers will attempt to fight fires in a way that preserves the area’s wilderness character, protecting life and property remains the top priority.

Why consider new wilderness? Are these lands threatened?

Southern California’s growing population needs a place to get away from it all and wilderness designation ensures that the land remains the way it is for everyone to enjoy. These lands are not currently threatened, and wilderness will ensure that they will stay that way. Wilderness also delivers many other benefits like providing a home for wildlife, delivering clean air and water, and strengthening the local economy.

Will wilderness impact water rights?

Wilderness designation does not affect existing rights, including water rights. In some cases, land managers can secure water rights needed to protect wilderness in accordance with state and federal law. However, such actions are rare and may not affect existing rights. In the San Gabriel Mountains, the areas being considered for wilderness area are upstream of all existing water uses. We are committed to ensuring that wilderness designation does not affect any existing or anticipated water use.

Which areas are being considered for wilderness and how were they identified? Have these areas ever been studied for wilderness?

Areas include additions to the existing Sheep Mountain, and San Gabriel Wilderness Areas, as well as two stand-alone areas, Yerba Buena and Condor Peak. The areas being considered for wilderness designation were originally inventoried by the Forest Service in the 1970s. Since the time when they were originally identified, they have been exhaustively and repeatedly studied by the Forest Service. Several of the areas have been recommended by the Forest Service for wilderness designation, and the agency is again evaluating other areas for potential wilderness designation.

Have these areas ever been considered for wilderness by Congress?

Yes. The areas in the San Gabriel Mountains being considered for wilderness have been included in legislation dating back to the 1980s. Most recently, Representative Dreier, with support from Representative Chu, introduced legislation in 2011 proposing additions to the Cucamonga and Sheep Mountain wilderness areas. This legislation was supported by the San Gabriel Valley Council of Governments, nine cities, and dozens of community leaders and organizations.

Does the public support new wilderness?

Yes. In Forest Service planning processes dating as far back as the 1980s, thousands of people have commented in favor of protecting new wilderness. In the most recent National Recreational Area study, 95% of the more than 12,000 comments received by the Park Service supported designating new wilderness in the San Gabriel Mountains. The 2011 legislation proposing new wilderness in the San Gabriel Mountains received broad public support.

Wild and Scenic Rivers:

What are Wild & Scenic Rivers?

Wild and Scenic Rivers are another type of designation that, similar to wilderness, are intended to help preserve the remaining free-flowing parts of rivers. The Wild and Scenic Rivers Act of 1968 established this policy to complement the construction of dams and other structures along waterways. The act created three types of wild and scenic rivers:

- **Wild rivers** — free from impoundments (dams, diversions, etc.) and generally inaccessible except by trail, where the watersheds (area surrounding the rivers and tributaries) are primitive and the shorelines are essentially undeveloped;
- **Scenic rivers** — free from impoundments and in generally undeveloped areas, but accessible in places by roads.
- **Recreational rivers** — readily accessible by road, with some shoreline development, and possibly subject to some impoundment or diversion in the past.

What activities are allowed/prohibited in a Wild and Scenic River area?

Management of Wild and Scenic Rivers is less restrictive than Wilderness. Road construction, hunting and fishing, and mining and mineral leasing may be permitted, as long as they don't violate other existing federal or state laws. Restrictions vary with the class of the designated river. Generally, wild rivers have the highest level of protection in terms of development and water resource use, scenic rivers an intermediate level, and recreational rivers the least restrictive.

How does a Wild & Scenic Rivers designation affect existing rights?

The federal government must cooperate with state and local governments, as well as land owners, in developing management plans for the area. The Wild and Scenic Rivers Act also limits eminent domain, and the federal government has never used this for Wild and Scenic Rivers in California.

Does Wild & Scenic protection affect existing water rights?

No, the state's authority to regulate water rights remains unaffected by designation. There is a federal water right conferred by designation, but it begins at the date of designation and is junior to all other existing rights. To assert this right, the managing federal agency must apply to the appropriate state water rights agency and any decision would follow existing state water rights procedures and established rule of law. To acquire water rights, federal agencies would have to pay fair market value. This legislation explicitly states that federal protection will not affect downstream water projects. There are currently no upstream water projects.