

108TH CONGRESS  
1ST SESSION

# S. 391

To enhance ecosystem protection and the range of outdoor opportunities protected by statute in the Skykomish River valley of the State of Washington by designating certain lower-elevation Federal lands as wilderness, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 13, 2003

Mrs. MURRAY (for herself and Ms. CANTWELL) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To enhance ecosystem protection and the range of outdoor opportunities protected by statute in the Skykomish River valley of the State of Washington by designating certain lower-elevation Federal lands as wilderness, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Wild Sky Wilderness  
5 Act of 2003”.

6 **SEC. 2. FINDINGS AND STATEMENT OF POLICY.**

7 (a) FINDINGS.—Congress finds the following:

1           (1) Americans cherish the continued existence  
2 of diverse wilderness ecosystems and wildlife found  
3 on their Federal lands and share a strong sense of  
4 moral responsibility to protect their wilderness herit-  
5 age as an enduring resource to cherish, protect, and  
6 bequeath undisturbed to future generations of Amer-  
7 icans.

8           (2) The values of an area of wilderness offer to  
9 this and future generations of Americans are greatly  
10 enhanced to the degree that the area is diverse in to-  
11 pography, elevation, life zones and ecosystems, and  
12 to the extent that it offers a wide range of outdoor  
13 recreational and educational opportunities accessible  
14 in all seasons of the year.

15           (3) Large blocks of wildlands embracing a wide  
16 range of ecosystems and topography, including low-  
17 elevation forests, have seldom remained undisturbed  
18 due to many decades of development.

19           (4) Certain wildlands on the western slope of  
20 the Cascade Range in the Skykomish River valley of  
21 the State of Washington offer an outstanding rep-  
22 resentation of the original character of the forested  
23 landscape, ranging from high alpine meadows and  
24 extremely rugged peaks to low-elevation mature and  
25 old-growth forests, including groves with some of the

1 largest and most spectacular trees in Washington,  
2 with diameters of eight feet and larger.

3 (5) These diverse, thickly forested mountain  
4 slopes and valleys of mature and old-growth trees in  
5 the Skykomish River valley harbor nearly the full  
6 complement of the original wildlife and fish species  
7 found by settlers of the 19th century, including  
8 mountain goats, bald eagles, black bear, pine  
9 marten, black-tailed deer, as well as rare and endan-  
10 gered wildlife such as northern spotted owls and gos-  
11 hawks, Chinook and Coho salmon, and steelhead and  
12 bull trout.

13 (6) An ecologically and topographically diverse  
14 wilderness area in the Skykomish River valley acces-  
15 sible in all seasons of the year will be enjoyable to  
16 users of various kinds, such as hikers, horse riders,  
17 hunters, anglers, and educational groups, but also to  
18 the many who cherish clean water and clean air, fish  
19 and wildlife (including endangered species such as  
20 wild salmon), and pristine mountain and riverside  
21 scenery.

22 (b) STATEMENT OF POLICY.—Congress hereby de-  
23 clares that it is the policy of the United States:

24 (1) to better serve the diverse wilderness and  
25 environmental education needs of the people of the

1 State of Washington and its burgeoning metropoli-  
 2 tan regions by granting wilderness protection to cer-  
 3 tain lower elevation wildlands in the Skykomish  
 4 River valley of the State of Washington; and

5 (2) to protect additional lands adjacent to the  
 6 Henry M. Jackson Wilderness designated by the  
 7 Washington Wilderness Act of 1984 (Public Law  
 8 98–339), in further tribute to the ecologically en-  
 9 lightened vision of the distinguished Senator from  
 10 the State of Washington and former Chairman of  
 11 the Senate Committee on Energy and Natural Re-  
 12 sources (formerly the Senate Interior and Insular  
 13 Affairs Committee).

14 **SEC. 3. ADDITIONS TO THE NATIONAL WILDERNESS PRES-**  
 15 **ERVATION SYSTEM.**

16 (a) ADDITIONS.—The following Federal lands in the  
 17 State of Washington are hereby designated as wilderness  
 18 and, therefore, as components of the National Wilderness  
 19 Preservation System: certain lands which comprise ap-  
 20 proximately 106,000 acres, as generally depicted on a map  
 21 entitled “Wild Sky Wilderness Proposal”, “Map #1”, and  
 22 dated January 7, 2003, which shall be known as the Wild  
 23 Sky Wilderness.

24 (b) MAPS AND LEGAL DESCRIPTIONS.—As soon as  
 25 practicable after the date of enactment of this Act, the

1 Secretary of Agriculture shall file a map and a legal de-  
2 scription for the wilderness area designated under this Act  
3 with the Committee on Energy and Natural Resources of  
4 the United States Senate and the Committee on Resources  
5 of the United States House of Representatives. The map  
6 and description shall have the same force and effect as  
7 if included in this Act, except that the Secretary of Agri-  
8 culture may correct clerical and typographical errors in  
9 the legal description and map. The map and legal descrip-  
10 tion shall be on file and available for public inspection in  
11 the office of the Chief of the Forest Service, Department  
12 of Agriculture.

13 **SEC. 4. ADMINISTRATION PROVISIONS.**

14 (a) IN GENERAL.—

15 (1) Subject to valid existing rights, lands des-  
16 igned as wilderness by this Act shall be managed  
17 by the Secretary of Agriculture in accordance with  
18 the Wilderness Act (16 U.S.C. 1131 et seq.) and  
19 this Act, except that, with respect to any wilderness  
20 areas designated by this Act, any reference in the  
21 Wilderness Act to the effective date of the Wilder-  
22 ness Act shall be deemed to be a reference to the  
23 date of enactment of this Act.

24 (2) To fulfill the purposes of this Act and the  
25 Wilderness Act and to achieve administrative effi-

1       ciencies, the Secretary of Agriculture may manage  
2       the area designated by this Act as a comprehensive  
3       part of the larger complex of adjacent and nearby  
4       wilderness areas.

5       (b) NEW TRAILS.—

6             (1) The Secretary of Agriculture shall consult  
7       with interested parties and shall establish a trail  
8       plan for Forest Service lands in order to develop:

9             (a) a system of hiking and equestrian  
10       trails within the wilderness designated by this  
11       Act in a manner consistent with the Wilderness  
12       Act, Public Law 88–577 (16 U.S.C. 1131 et  
13       seq.); and

14            (b) a system of trail adjacent to or to pro-  
15       vide access to the wilderness designated by this  
16       Act.

17            (2) Within two years after the date of enact-  
18       ment of this Act, the Secretary of Agriculture shall  
19       complete a report on the implementation of the trail  
20       plan required under this Act. This report shall in-  
21       clude the identification of priority trail for develop-  
22       ment.

23       (c) REPEATER SITE.—Within the Wild Sky Wilder-  
24       ness, the Secretary of Agriculture is authorized to use heli-  
25       copter access to construct and maintain a joint Forest

1 Service and Snohomish County repeater site, in compli-  
2 ance with a Forest Service approved communications site  
3 plan, for the purposes of improving communications for  
4 safety, health, and emergency services.

5 (d) FLOAT PLANE ACCESS.—As provided by section  
6 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the  
7 use of floatplanes on Lake Isabel, where such use has al-  
8 ready become established, shall be permitted to continue  
9 subject to such reasonable restrictions as the Secretary of  
10 Agriculture determines desirable.

11 (e) EVERGREEN MOUNTAIN LOOKOUT.—The des-  
12 ignation under this Act shall not preclude the operation  
13 and maintenance of the existing Evergreen Mountain  
14 Lookout in the same manner and degree in which the op-  
15 eration and maintenance of such lookout was occurring  
16 as of the date of enactment of this Act.

17 **SEC. 5. AUTHORIZATION FOR LAND ACQUISITION.**

18 (a) IN GENERAL.—The Secretary of Agriculture is  
19 authorized to acquire lands and interests therein, by pur-  
20 chase, donation, or exchange, and shall give priority con-  
21 sideration to those lands identified as “Priority Acquisi-  
22 tion Lands” on the map described in section 3(a)(1). The  
23 boundaries of the Mt. Baker-Snoqualmie National Forest  
24 and the Wild Sky Wilderness shall be adjusted to encom-  
25 pass any lands acquired pursuant to this section.

1 (b) ACCESS.—Consistent with section 5(a) of the Wil-  
2 derness Act (Public Law 88–577; 16 U.S.C. 1134(a)), the  
3 Secretary of Agriculture shall assure adequate access to  
4 private inholdings within the Wild Sky Wilderness.

5 (c) APPRAISAL.—Valuation of private lands shall be  
6 determined without reference to any restrictions on access  
7 or use which arise out of designation as a wilderness area  
8 as a result of this Act.

9 **SEC. 6. LAND EXCHANGES.**

10 The Secretary of Agriculture shall exchange lands  
11 and interests in lands, as generally depicted on a map enti-  
12 tled Chelan County Public Utility District Exchange and  
13 dated May 22, 2002, with the Chelan County Public Util-  
14 ity District in accordance with the following provisions:

15 (1) If the Chelan County Public Utility District,  
16 within ninety days after the date of enactment of  
17 this Act, offers to the Secretary of Agriculture ap-  
18 proximately 371.8 acres within the Mt. Baker-  
19 Snoqualmie National Forest in the State of Wash-  
20 ington, the Secretary shall accept such lands.

21 (2) Upon acceptance of title by the Secretary of  
22 Agriculture to such lands and interests therein, the  
23 Secretary of Agriculture shall convey to the Chelan  
24 County Public Utility District a permanent ease-  
25 ment, including helicopter access, consistent with

1 such levels as used as of date of enactment, to main-  
2 tain an existing snowtel site on 1.82 acres on the  
3 Wenatchee National Forest in the State of Wash-  
4 ington.

5 (3) The exchange directed by this Act shall be  
6 consummated if Chelan County Public Utility Dis-  
7 trict conveys title acceptable to the Secretary and  
8 provided there is no hazardous material on the site,  
9 which is objectionable to the Secretary.

10 (4) In the event Chelan County Public Utility  
11 District determines there is no longer a need to  
12 maintain a snowtel site to monitor the snow pack for  
13 calculating expected runoff into the Lake Chelan hy-  
14 droelectric project and the hydroelectric projects in  
15 the Columbia River Basin, the secretary shall be no-  
16 tified in writing and the easement shall be extin-  
17 guished and all rights conveyed by this exchange  
18 shall revert to the United States.

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