

108TH CONGRESS  
1ST SESSION

# H. R. 822

To enhance ecosystem protection and the range of outdoor opportunities protected by law 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 HOUSE OF REPRESENTATIVES

FEBRUARY 13, 2003

Mr. LARSEN of Washington (for himself, Mr. DICKS, Ms. DUNN, Mr. SMITH of Washington, Mr. McDERMOTT, Mr. BAIRD, and Mr. INSLEE) introduced the following bill; which was referred to the Committee on Resources

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## A BILL

To enhance ecosystem protection and the range of outdoor opportunities protected by law 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”.

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

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

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

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

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

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

1 old-growth forests, including groves with some of the  
2 largest and most spectacular trees in Washington,  
3 with diameters of eight feet and larger.

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

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

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

1           (1) to better serve the diverse wilderness and  
2 environmental education needs of the people of the  
3 State of Washington and its burgeoning metropoli-  
4 tan regions by granting wilderness protection to cer-  
5 tain lower elevation wildlands in the Skykomish  
6 River valley of the State of Washington; and

7           (2) to protect additional lands adjacent to the  
8 Henry M. Jackson Wilderness designated by section  
9 3(8) of the Washington State Wilderness Act of  
10 1984 (Public Law 98–339; 98 Stat. 300), in further  
11 tribute to the ecologically enlightened vision of the  
12 distinguished Senator from the State of Washington  
13 and former Chairman of the Committee on Energy  
14 and Natural Resources of the Senate.

15 **SEC. 3. ADDITION TO NATIONAL WILDERNESS PRESERVA-**  
16 **TION SYSTEM, STATE OF WASHINGTON.**

17           (a) WILD SKY WILDERNESS.—Certain Federal lands  
18 in the State of Washington comprising approximately  
19 106,000 acres, as generally depicted on the map entitled  
20 “Wild Sky Wilderness Proposal, Map #1” and dated Jan-  
21 uary 7, 2003, are hereby designated as wilderness and,  
22 therefore, as a component of the National Wilderness  
23 Preservation System. The Federal lands designated as wil-  
24 derness by this subsection shall be known as the Wild Sky  
25 Wilderness.

1 (b) MAPS AND LEGAL DESCRIPTIONS.—As soon as  
2 practicable after the date of enactment of this Act, the  
3 Secretary of Agriculture shall file a map and a legal de-  
4 scription for the Wild Sky Wilderness with the Committee  
5 on Energy and Natural Resources of the Senate and the  
6 Committee on Resources of the House of Representatives.  
7 The map and description shall have the same force and  
8 effect as if included in this Act, except that the Secretary  
9 of Agriculture may correct clerical and typographical er-  
10 rors in the legal description and map. The map and legal  
11 description shall be on file and available for public inspec-  
12 tion in the office of the Chief of the Forest Service, De-  
13 partment of Agriculture.

14 (c) ADMINISTRATION.—Subject to valid existing  
15 rights, the Secretary of Agriculture shall manage the Wild  
16 Sky Wilderness in accordance with the Wilderness Act (16  
17 U.S.C. 1131 et seq.) and this Act, except that, with re-  
18 spect to the Wild Sky Wilderness, any reference in the  
19 Wilderness Act to the effective date of the Wilderness Act  
20 shall be deemed to be a reference to the date of enactment  
21 of this Act. To fulfill the purposes of this Act and the  
22 Wilderness Act and to achieve administrative efficiencies,  
23 the Secretary may manage the Wild Sky Wilderness as  
24 a comprehensive part of the larger complex of adjacent  
25 and nearby wilderness areas.

1 (d) NEW TRAILS.—

2 (1) TRAIL PLAN.—The Secretary of Agriculture  
3 shall establish, in consultation with interested par-  
4 ties, a trail plan for National Forest System lands  
5 described in this paragraph in order to develop the  
6 following:

7 (A) A system of hiking and equestrian  
8 trails within the Wild Sky Wilderness in a man-  
9 ner consistent with the Wilderness Act (16  
10 U.S.C. 1131 et seq.).

11 (B) A system of trails adjacent to or to  
12 provide access to the Wild Sky Wilderness.

13 (2) IMPLEMENTATION REPORT.—Within two  
14 years after the date of enactment of this Act, the  
15 Secretary of Agriculture shall submit to Congress a  
16 report on the implementation of the trail plan estab-  
17 lished under paragraph (1). The report shall include  
18 the identification of priority trails for development.

19 (e) MAINTENANCE AND USE OF CERTAIN STRUC-  
20 TURES.—

21 (1) REPEATER SITE.—Within the Wild Sky  
22 Wilderness, the Secretary of Agriculture is author-  
23 ized to use helicopter access to construct and main-  
24 tain a joint Forest Service and Snohomish County  
25 repeater site, in compliance with a Forest Service

1 approved communications site plan, for the purposes  
2 of improving communication for safety, health, and  
3 emergency services.

4 (2) EVERGREEN MOUNTAIN LOOKOUT.—The  
5 designation of the Wild Sky Wilderness shall not  
6 preclude the operation and maintenance of the Ever-  
7 green Mountain Lookout, in the same manner and  
8 degree in which the operation and maintenance of  
9 the lookout was occurring as of the date of enact-  
10 ment of this Act.

11 (f) ACCESS.—

12 (1) PRIVATE INHOLDINGS.—Consistent with  
13 section 5(a) of the Wilderness Act (16 U.S.C.  
14 1134(a)), the Secretary of Agriculture shall assure  
15 adequate access to private inholdings in the Wild  
16 Sky Wilderness.

17 (2) FLOAT PLANE ACCESS.—As provided by  
18 section 4(d)(1) of the Wilderness Act (16 U.S.C.  
19 1133(d)(1)), the use of floatplanes on Lake Isabel in  
20 the Wild Sky Wilderness, where such use was estab-  
21 lished before the date of enactment of this Act, shall  
22 be permitted to continue subject to such reasonable  
23 restrictions as the Secretary of Agriculture deter-  
24 mines desirable.

25 (g) LAND ACQUISITION AUTHORITY.—

1           (1) IN GENERAL.—The Secretary of Agriculture  
2           may acquire lands and interests therein in the Wild  
3           Sky Wilderness by purchase, donation, or exchange.  
4           The Secretary shall give priority consideration to the  
5           acquisition of those lands identified as Priority Ac-  
6           quisition Lands on the map described in subsection  
7           (a).

8           (2) APPRAISAL.—Valuation of private lands  
9           shall be determined without reference to any restric-  
10          tions on access or use that arise out of designation  
11          of the Wild Sky Wilderness.

12          (3) BOUNDARY ADJUSTMENT.—The boundaries  
13          of the Mt. Baker-Snoqualmie National Forests and  
14          the Wild Sky Wilderness shall be adjusted to reflect  
15          any land acquisitions or exchanges conducted under  
16          this subsection.

17 **SEC. 4. LAND EXCHANGES, CHELAN COUNTY PUBLIC UTIL-**  
18 **ITY DISTRICT, WASHINGTON.**

19          (a) LAND EXCHANGES REQUIRED.—In accordance  
20          with this section, the Secretary of Agriculture shall carry  
21          out a land exchange with the Chelan County Public Utility  
22          District in the State of Washington to exchange lands and  
23          interests in lands, as generally depicted on the map enti-  
24          tled “Chelan County Public Utility District Exchange”  
25          and dated May 22, 2002.



1           (b) ACCEPTANCE OF LANDS.—If, within 90 days  
2 after the date of enactment of this Act, the Chelan County  
3 Public Utility District offers to the Secretary of Agri-  
4 culture approximately 371.8 acres of lands held by the  
5 Utility District in the Mt. Baker-Snoqualmie National  
6 Forests in the State of Washington, the Secretary shall  
7 accept such lands if the title is acceptable to the Secretary  
8 and there is no hazardous material on such lands, which  
9 is objectionable to the Secretary.

10           (c) CONVEYANCE OF EASEMENT.—Upon acceptance  
11 of title by the Secretary of Agriculture under subsection  
12 (b), the Secretary shall convey to the Chelan County Pub-  
13 lic Utility District a permanent easement, including heli-  
14 copter access, consistent with such levels as used as of  
15 the date of enactment of this Act, to maintain an existing  
16 snowtel site on 1.82 acres of Federal land in the  
17 Wenatchee National Forest in the State of Washington.

18           (d) REVERSION.—As a condition on the conveyance  
19 under subsection (c), the Chelan County Public Utility  
20 District shall notify the Secretary of Agriculture if the  
21 Utility District determines that there is no longer a need  
22 to maintain a snowtel site on the lands subject to the ease-  
23 ment conveyed under subsection (c) to monitor the snow  
24 pack for calculating expected runoff into the Lake Chelan  
25 hydroelectric project and the hydroelectric projects in the

1 Columbia River Basin. Upon receipt of such notice, the  
2 easement shall be extinguished and all rights conveyed  
3 under such subsection shall revert to the United States.

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