

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 152

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

JANUARY 25, 2005

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 2005”.

1 **SEC. 2. ADDITIONS TO THE NATIONAL WILDERNESS PRES-**  
2 **ERVATION SYSTEM.**

3 (a) ADDITIONS.—The following Federal lands in the  
4 State of Washington are hereby designated as wilderness  
5 and, therefore, as components of the National Wilderness  
6 Preservation System: certain lands which comprise ap-  
7 proximately 106,000 acres, as generally depicted on a map  
8 entitled “Wild Sky Wilderness Proposal”, “Map #1”, and  
9 dated January 7, 2003, which shall be known as the Wild  
10 Sky Wilderness.

11 (b) MAPS AND LEGAL DESCRIPTIONS.—As soon as  
12 practicable after the date of enactment of this Act, the  
13 Secretary of Agriculture shall file a map and a legal de-  
14 scription for the wilderness area designated under this Act  
15 with the Committee on Energy and Natural Resources of  
16 the United States Senate and the Committee on Resources  
17 of the United States House of Representatives. The map  
18 and description shall have the same force and effect as  
19 if included in this Act, except that the Secretary of Agri-  
20 culture may correct clerical and typographical errors in  
21 the legal description and map. The map and legal descrip-  
22 tion shall be on file and available for public inspection in  
23 the office of the Chief of the Forest Service, Department  
24 of Agriculture.

25 **SEC. 3. ADMINISTRATION PROVISIONS.**

26 (a) IN GENERAL.—

1           (1) Subject to valid existing rights, lands des-  
2           ignated as wilderness by this Act shall be managed  
3           by the Secretary of Agriculture in accordance with  
4           the Wilderness Act (16 U.S.C. 1131 et seq.) and  
5           this Act, except that, with respect to any wilderness  
6           areas designated by this Act, any reference in the  
7           Wilderness Act to the effective date of the Wilder-  
8           ness Act shall be deemed to be a reference to the  
9           date of enactment of this Act.

10           (2) To fulfill the purposes of this Act and the  
11           Wilderness Act and to achieve administrative effi-  
12           ciencies, the Secretary of Agriculture may manage  
13           the area designated by this Act as a comprehensive  
14           part of the larger complex of adjacent and nearby  
15           wilderness areas.

16           (b) NEW TRAILS.—

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

20                   (A) a system of hiking and equestrian  
21                   trails within the wilderness designated by this  
22                   Act in a manner consistent with the Wilderness  
23                   Act, Public Law 88–577 (16 U.S.C. 1131 et  
24                   seq.); and

1 (B) a system of trails adjacent to or to  
2 provide access to the wilderness designated by  
3 this Act.

4 (2) Within two years after the date of enact-  
5 ment of this Act, the Secretary of Agriculture shall  
6 complete a report on the implementation of the trail  
7 plan required under this Act. This report shall in-  
8 clude the identification of priority trail for develop-  
9 ment.

10 (c) REPEATER SITE.—Within the Wild Sky Wilder-  
11 ness, the Secretary of Agriculture is authorized to use heli-  
12 copter access to construct and maintain a joint Forest  
13 Service and Snohomish County telecommunications re-  
14 peater site, in compliance with a Forest Service approved  
15 communications site plan, for the purposes of improving  
16 communications for safety, health, and emergency serv-  
17 ices.

18 (d) FLOAT PLANE ACCESS.—As provided by section  
19 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the  
20 use of floatplanes on Lake Isabel, where such use has al-  
21 ready become established, shall be permitted to continue  
22 subject to such reasonable restrictions as the Secretary of  
23 Agriculture determines to be desirable.

24 (e) EVERGREEN MOUNTAIN LOOKOUT.—The des-  
25 ignation under this Act shall not preclude the operation

1 and maintenance of the existing Evergreen Mountain  
2 Lookout in the same manner and degree in which the op-  
3 eration and maintenance of such lookout was occurring  
4 as of the date of enactment of this Act.

5 **SEC. 4. AUTHORIZATION FOR LAND ACQUISITION.**

6 (a) IN GENERAL.—The Secretary of Agriculture is  
7 authorized to acquire lands and interests therein, by pur-  
8 chase, donation, or exchange, and shall give priority con-  
9 sideration to those lands identified as “Priority Acquisi-  
10 tion Lands” on the map described in section 2(a)(1). The  
11 boundaries of the Mt. Baker-Snoqualmie National Forest  
12 and the Wild Sky Wilderness shall be adjusted to encom-  
13 pass any lands acquired pursuant to this section.

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

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

22 **SEC. 5. LAND EXCHANGES.**

23 The Secretary of Agriculture shall exchange lands  
24 and interests in lands, as generally depicted on a map enti-  
25 tled Chelan County Public Utility District Exchange and

1 dated May 22, 2002, with the Chelan County Public Util-  
2 ity District in accordance with the following provisions:

3 (1) If the Chelan County Public Utility District,  
4 within ninety days after the date of enactment of  
5 this Act, offers to the Secretary of Agriculture ap-  
6 proximately 371.8 acres within the Mt. Baker-  
7 Snoqualmie National Forest in the State of Wash-  
8 ington, the Secretary shall accept such lands.

9 (2) Upon acceptance of title by the Secretary of  
10 Agriculture to such lands and interests therein, the  
11 Secretary of Agriculture shall convey to the Chelan  
12 County Public Utility District a permanent ease-  
13 ment, including helicopter access, consistent with  
14 such levels as used as of date of enactment, to main-  
15 tain an existing telemetry site to monitor snow pack  
16 on 1.82 acres on the Wenatchee National Forest in  
17 the State of Washington.

18 (3) The exchange directed by this Act shall be  
19 consummated if Chelan County Public Utility Dis-  
20 trict conveys title acceptable to the Secretary and  
21 provided there is no hazardous material on the site,  
22 which is objectionable to the Secretary.

23 (4) In the event Chelan County Public Utility  
24 District determines there is no longer a need to  
25 maintain a telemetry site to monitor the snow pack

1       for calculating expected runoff into the Lake Chelan  
2       hydroelectric project and the hydroelectric projects  
3       in the Columbia River Basin, the Secretary shall be  
4       notified in writing and the easement shall be extin-  
5       guished and all rights conveyed by this exchange  
6       shall revert to the United States.

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