

# Calendar No. 41

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

# S. 152

[Report No. 109–28]

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

MARCH 10, 2005

Reported by Mr. DOMENICI, with amendments

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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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Wild Sky Wilderness  
3 Act of 2005”.

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

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

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

1 the office of the Chief of the Forest Service, Department  
2 of Agriculture.

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

4 (a) IN GENERAL.—

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

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

20 (b) NEW TRAILS.—

21 (1) The Secretary of Agriculture shall consult  
22 with interested parties and shall establish a trail  
23 plan for Forest Service lands in order to ~~develop~~: *de-*  
24 *velop*—

1 (A) a system of hiking and equestrian  
 2 trails within the wilderness designated by this  
 3 Act in a manner consistent with the Wilderness  
 4 Act, ~~Public Law 88-577~~ (16 U.S.C. 1131 et  
 5 seq.); and

6 (B) a system of trails adjacent to or to  
 7 provide access to the wilderness designated by  
 8 this Act.

9 (2) Within two years after the date of enact-  
 10 ment of this Act, the Secretary of Agriculture shall  
 11 complete a report on the implementation of the trail  
 12 plan required under this Act. This report shall in-  
 13 clude the identification of priority ~~trail~~ *trails* for de-  
 14 velopment.

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

23 (d) FLOAT PLANE ACCESS.—As provided by section  
 24 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the  
 25 use of floatplanes on Lake Isabel, where such use has al-

1 ready become established, shall be permitted to continue  
2 subject to such reasonable restrictions as the Secretary of  
3 Agriculture determines to be desirable.

4 (e) EVERGREEN MOUNTAIN LOOKOUT.—The des-  
5 ignation under this Act shall not preclude the operation  
6 and maintenance of the existing Evergreen Mountain  
7 Lookout in the same manner and degree in which the op-  
8 eration and maintenance of such lookout was occurring  
9 as of the date of enactment of this Act.

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

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

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

23 (c) APPRAISAL.—Valuation of private lands shall be  
24 determined without reference to any restrictions on access

1 or use which arise out of designation as a wilderness area  
2 as a result of this Act.

3 **SEC. 5. LAND EXCHANGES.**

4 The Secretary of Agriculture shall exchange lands  
5 and interests in lands, as generally depicted on a ~~map enti-~~  
6 ~~led Chelan County Public Utility District Exchange and~~  
7 *map entitled "Chelan County Public Utility District Ex-*  
8 *change"* and dated May 22, 2002, with the Chelan County  
9 Public Utility District in accordance with the following  
10 provisions:

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

17 (2) Upon acceptance of title by the Secretary of  
18 Agriculture to such lands and interests therein, the  
19 Secretary of Agriculture shall convey to the Chelan  
20 County Public Utility District a permanent ease-  
21 ment, including helicopter access, consistent with  
22 such levels as used as of date of enactment, to main-  
23 tain an existing telemetry site to monitor snow pack  
24 on 1.82 acres on the Wenatchee National Forest in  
25 the State of Washington.

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

6           (4) In the event Chelan County Public Utility  
7 District determines there is no longer a need to  
8 maintain a telemetry site to monitor the snow pack  
9 for calculating expected runoff into the Lake Chelan  
10 hydroelectric project and the hydroelectric projects  
11 in the Columbia River Basin, the Secretary shall be  
12 notified in writing and the easement shall be extin-  
13 guished and all rights conveyed by this exchange  
14 shall revert to the United States.

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