

105TH CONGRESS  
1ST SESSION

# S. 773

To designate certain Federal lands in the State of Utah as wilderness,  
and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 21, 1997

Mr. DURBIN (for himself, Mr. TORRICELLI, Ms. MOSELEY-BRAUN, Mrs. MURRAY, Mr. FEINGOLD, Mr. KENNEDY, Mr. KERRY, Mrs. BOXER, and Mr. REED) 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 designate certain Federal lands in the State of Utah  
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 “America’s Red Rock  
5       Wilderness Act of 1997”.

6       **SEC. 2. GENERAL PROVISIONS.**

7       (a) DEFINITION OF SECRETARY.—In this Act, the  
8       term “Secretary” means the Secretary of the Interior.

1 (b) NAME.—Each wilderness area named in a table  
2 contained in title I shall—

3 (1) consist of the land referenced in the table,  
4 as generally depicted on the map entitled “Utah  
5 BLM Wilderness Proposed by H.R. 1500, 102d  
6 Congress”; and

7 (2) be known by the name given to it in the  
8 table.

9 (c) MAP AND DESCRIPTION.—

10 (1) IN GENERAL.—As soon as practicable after  
11 the date of enactment of this Act, the Secretary  
12 shall file a map and a legal description of each wil-  
13 derness area designated by this Act with the Com-  
14 mittee on Resources of the House of Representatives  
15 and with the Committee on Energy and Natural Re-  
16 sources of the Senate.

17 (2) FORCE OF LAW.—A map and legal descrip-  
18 tion filed under paragraph (1) shall have the same  
19 force and effect as if included in this Act, except  
20 that the Secretary may correct clerical and typo-  
21 graphical errors in the map and legal description.

22 (3) PUBLIC AVAILABILITY.—Each map and  
23 legal description filed under paragraph (1) shall be  
24 filed and made available for public inspection in the

1 Office of the Director of the Bureau of Land Man-  
2 agement, Department of the Interior.

3 **TITLE I—DESIGNATION OF**  
4 **WILDERNESS**

5 **SEC. 101. GREAT BASIN WILDERNESS AREAS.**

6 (a) FINDINGS.—Congress finds that the Great Basin  
7 region of western Utah is comprised of starkly beautiful  
8 mountain ranges that rise as islands from the desert floor.  
9 Some, like the Wah Wah Mountains, are arid and austere,  
10 with massive cliff faces and leathery slopes speckled with  
11 pinyon and juniper. Others, like the Deep Creek and  
12 Stansbury Mountains, are high enough to draw moisture  
13 from passing clouds and support ecosystems found no-  
14 where else on earth. From bristlecone pine, the world's  
15 oldest living thing, to newly flowered mountain meadows,  
16 these islands of nature support remarkable biological di-  
17 versity and provide opportunities to experience the colossal  
18 silence of the Great Basin.

19 (b) DESIGNATION.—To protect and manage so as to  
20 preserve the natural conditions of the Great Basin wilder-  
21 ness areas in western Utah in accordance with the Wilder-  
22 ness Act (16 U.S.C. 1131 et seq.), the following lands in  
23 the State of Utah are designated as wilderness and as  
24 components of the National Wilderness Preservation Sys-  
25 tem:

<b>Name of Wilderness Area</b>	<b>Approximate Acreage</b>
Cedar Mountains Wilderness .....	62,100
Conger Mountain Wilderness .....	20,400
Deep Creek Mountains Wilderness .....	90,200
Dugway Mountains Wilderness .....	23,100
Fish Springs Range Wilderness .....	55,200
Granite Peak Wilderness .....	16,000
House Range Wilderness .....	139,400
King Top Wilderness .....	78,800
Little Goose Creek Wilderness .....	1,300
Newfoundland Mountains Wilderness .....	23,300
Rockwell Wilderness .....	13,400
Silver Island Mountains Wilderness .....	27,200
Stansbury Mountains Wilderness .....	22,500
Wah Wah Mountains Wilderness .....	109,700
White Rock Range Wilderness .....	3,900

**1 SEC. 102. ZION AND MOJAVE DESERT WILDERNESS AREAS.**

2 (a) FINDINGS.—Congress finds that Zion National  
3 Park’s renowned landscape of soaring cliff walls, forested  
4 plateaus, and deep narrow gorges extends beyond the  
5 boundaries of the park onto surrounding public lands  
6 managed by the Secretary through the Bureau of Land  
7 Management. From the pink sand dunes of Moquith  
8 Mountain to the golden pools of Beaver Dam Wash, the  
9 Zion and Mojave Desert wilderness areas encompass 3  
10 major provinces of the Southwest—the sculpted canyon  
11 country of the Colorado Plateau, the Mojave Desert, and  
12 portions of the Great Basin—a rich mosaic of biological,  
13 archaeological, and scenic diversity. One of the last re-  
14 maining populations of threatened desert tortoise is found  
15 within this wilderness.

16 (b) DESIGNATION.—To protect and manage so as to  
17 preserve the natural conditions of the Zion and Mojave

1 Desert wilderness areas of Utah in accordance with the  
 2 Wilderness Act (16 U.S.C. 1131 et seq.), the following  
 3 lands in the State of Utah are designated as wilderness  
 4 and as components of the National Wilderness Preserva-  
 5 tion System:

<b>Name of Wilderness Area</b>	<b>Approximate Acreage</b>
Beaver Dam Slopes Wilderness:	
Beaver Dam Wash .....	24,900
Joshua Tree .....	13,500
Cottonwood Canyon Wilderness .....	11,500
Cougar Creek-Docs Pass Wilderness .....	29,400
Upper Kanab Creek Wilderness .....	42,200
Moquith Mountain Wilderness .....	26,500
Red Mountain Wilderness .....	18,500
Zion Wilderness:	
Beartrap Canyon .....	40
Black Ridge .....	21,800
Canaan Mountain .....	52,100
Deep Creek .....	7,100
Goose Creek .....	89
LaVerkin Creek .....	567
Orderville Canyon .....	6,500
North Fork Virgin River .....	1,040
Parunuweap Canyon .....	37,700
Red Butte .....	804
Spring Canyon .....	4,400
Taylor Creek Canyon .....	35
The Watchman .....	600

6 **SEC. 103. GRAND STAIRCASE AND KAIPAROWITS PLATEAU**  
 7 **WILDERNESS AREAS.**

8 (a) GRAND STAIRCASE.—

9 (1) FINDINGS.—Congress finds that the area  
 10 known as the Grand Staircase rises more than 6,000  
 11 feet in a series of great cliffs and plateaus from the  
 12 depths of the Grand Canyon to the forested rim of  
 13 Bryce Canyon. It spans 6 major life zones, from the  
 14 lower Sonoran Desert to alpine forest, and encom-

1 passes geologic formations that display  
 2 3,000,000,000 years of earth history. Wildlands,  
 3 managed by the Secretary through the Bureau of  
 4 Land Management, line the intricate canyon system  
 5 of the Paria River and form a vital wilderness cor-  
 6 ridor connection to the deserts and forests of these  
 7 national parks. Each of the lands described in para-  
 8 graph (2) is located within the Grand Staircase-  
 9 Escalante National Monument.

10 (2) DESIGNATION.—To protect and manage so  
 11 as to preserve the natural conditions of the wilder-  
 12 ness area known as the Grand Staircase in accord-  
 13 ance with the Wilderness Act (16 U.S.C. 1131 et  
 14 seq.), the following lands in the State of Utah are  
 15 designated as wilderness and as components of the  
 16 National Wilderness Preservation System:

<b>Name of Wilderness Area</b>	<b>Approximate Acreage</b>
Grand Staircase Wilderness:	
Box Canyon .....	2,300
Cocksecomb .....	10,300
East of Bryce .....	900
Mud Spring Canyon .....	55,100
Paria-Hackberry .....	158,700
Squaw and Willis Creek .....	22,300
The Blues-Table Cliff .....	18,700

17 (b) KAIPAROWITS PLATEAU.—

18 (1) FINDINGS.—Congress finds that east of the  
 19 Paria River lies the Kaiparowits Plateau, 1 of the  
 20 most rugged and isolated wilderness regions in the  
 21 United States, a lonely, windswept land of harsh

1 beauty, distant vistas, and a remarkable variety of  
 2 plant and animal species. Ancient forests, abundant  
 3 big game animals, and 22 species of raptors thrive  
 4 undisturbed on its grassland mesa tops. Each of the  
 5 lands described in paragraph (2) is located within  
 6 the Grand Staircase-Escalante National Monument.

7 (2) DESIGNATION.—To protect and manage so  
 8 as to preserve the Kaiparowits Plateau in accord-  
 9 ance with the Wilderness Act (16 U.S.C. 1131 et  
 10 seq.), the following lands in the State of Utah are  
 11 designated as wilderness and as components of the  
 12 National Wilderness Preservation System:

Name of Wilderness Area	Approximate Acreage
Kaiparowits Wilderness:	
Burning Hills .....	68,400
Carcass Canyon .....	72,600
Cave Point .....	4,800
Fiftymile Bench .....	11,100
Fiftymile Mountain .....	173,900
Horse Spring Canyon .....	27,900
Nipple Bench .....	31,600
Squaw Canyon .....	11,200
Wahweap-Paradise Canyon .....	228,000
Warm Creek .....	21,000

13 **SEC. 104. ESCALANTE CANYONS WILDERNESS AREAS.**

14 (a) FINDINGS.—Congress finds that enchanting glens  
 15 and coves carved in massive sandstone cliffs, spring-wa-  
 16 tered hanging gardens, and the silence of ancient Anasazi  
 17 ruins are exemplary of the unique features that entice  
 18 hikers, campers, and sightseers from around the world to  
 19 Escalante Canyon. This wilderness links the spruce fir for-

ests of the 11,000 foot Aquarius Plateau with winding slickrock canyons that flow into Lake Powell. It protects critical habitat for deer, elk, and wild bighorn sheep, as well as the scenic integrity of one of Utah's most popular natural areas. Each of the lands described in subsection (b) (other than Dogwater Creek, Long Canyon, and Notom Bench) is located within the Grand Staircase-Escalante National Monument.

(b) DESIGNATION.—To protect and manage so as to preserve the Escalante Canyon wilderness areas in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following lands in the State of Utah are designated as wilderness and as components of the National Wilderness Preservation System:

<b>Name of Wilderness Area</b>	<b>Approximate Acreage</b>
Colt Mesa .....	23,500
Dogwater Creek .....	3,500
Fortymile Gulch .....	640
Fremont Gorge .....	19,400
Hurricane Wash .....	4,300
Long Canyon .....	16,400
North Escalante Canyons .....	144,000
Notom Bench .....	8,400
Phipps-Death Hollow .....	43,500
Scorpion .....	38,100
Steep Creek .....	34,400
Studhorse Peaks .....	9,500

**SEC. 105. HENRY MOUNTAINS WILDERNESS AREAS.**

(a) FINDINGS.—Congress finds that the last mountain range to be discovered and named by early explorers in the contiguous United States, the Henry Mountains, still retains its wild and mysterious character. Fluted bad-



lands adorn the flanks of 11,000 foot Mount Ellen and Mount Pennell, containing islands of critical habitat for mule deer and the largest herd of free-roaming buffalo in the Nation. Despite their relative accessibility, the Henry Mountains remain 1 of the wildest, least-known ranges in the United States.

(b) DESIGNATION.—To protect and manage so as to preserve the Henry Mountains in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following lands in the State of Utah are designated as wilderness and as components of the National Wilderness Preservation System:

<b>Name of Wilderness Area</b>	<b>Approximate Acreage</b>
Henry Mountains Wilderness:	
Bull Mountain .....	12,400
Bullfrog Creek .....	36,900
Mount Ellen-Blue Hills .....	116,900
Mount Hillers .....	18,600
Mount Pennell .....	141,200
Ragged Mountain .....	23,300

#### **SEC. 106. DIRTY DEVIL RIVER WILDERNESS AREAS.**

(a) FINDINGS.—Congress finds that the Dirty Devil River, once the fortress hideout of outlaw Butch Cassidy's Wild Bunch, has sculpted a maze of slickrock canyons through an imposing landscape of monoliths and inaccessible mesas. This isolated and remote area, long a barrier to civilization and would-be colonists, now beckons a different type of explorer, the modern recreationist, who

1 seeks to experience solitude and isolation amid spectacular  
2 beauty.

3 (b) DESIGNATION.—To protect and manage so as to  
4 preserve the Dirty Devil River wilderness areas in the  
5 State of Utah in accordance with the Wilderness Act (16  
6 U.S.C. 1131 et seq.), the following lands in the State of  
7 Utah are designated as wilderness and as components of  
8 the National Wilderness Preservation System:

<b>Name of Wilderness Area</b>	<b>Approximate Acreage</b>
Dirty Devil Wilderness:	
Dirty Devil-French Springs .....	175,300
Fiddler Butte .....	88,200

9 **SEC. 107. CEDAR MESA WILDERNESS AREAS.**

10 (a) FINDINGS.—Congress finds that more than a  
11 thousand years ago, the Anasazi Indian culture flourished  
12 in the slickrock canyons and on the pinyon-covered mesas  
13 of southeastern Utah. Evidence of the ancient presence of  
14 the Anasazi pervades the Cedar Mesa area where haunting  
15 cliff dwellings, rock art, and ceremonial kivas embellish  
16 sandstone overhangs and isolated benchlands. This area  
17 cries out for protection from the vandalism and theft of  
18 these unique cultural resources. The Cedar Mesa wilder-  
19 ness areas are created to protect both the Nation's archae-  
20 ological heritage and extraordinary wilderness scenic and  
21 ecological values.

22 (b) DESIGNATION.—To protect and manage so as to  
23 preserve the Cedar Mesa wilderness areas in accordance

1 with the Wilderness Act (16 U.S.C. 1131 et seq.), the fol-  
 2 lowing lands in the State of Utah are designated as wilder-  
 3 ness and as components of the National Wilderness Pres-  
 4 ervation System:

<b>Name of Wilderness Area</b>	<b>Approximate Acreage</b>
White Canyon Wilderness:	
Gravel and Long Canyon .....	35,000
Cheesebox Canyon .....	28,500
Harmony Flat .....	9,100
Fortknocker Canyon .....	12,400
San Juan-Anasazi Wilderness:	
Arch and Mule Canyon .....	15,300
Comb Ridge .....	15,000
Fish and Owl Creek .....	59,000
Grand Guleh .....	139,800
Nokai dome .....	93,400
Road Canyon .....	60,100
San Juan River .....	13,200
Squaw and Cross Canyons Wilderness:	
Squaw and Papoose Canyons .....	6,580
Cross Canyon .....	1,000
Dark Canyon Wilderness:	
Dark Canyon .....	126,500
Sheep Canyon .....	3,700
Glen Canyon Wilderness:	
Mancos Mesa .....	108,700
Little Rockies .....	60,000

## 5 **SEC. 108. CANYONLANDS WILDERNESS AREAS.**

6 (a) FINDINGS.—Congress finds that Arches National  
 7 Park and Canyonlands National Park safeguard only a  
 8 small portion of the extraordinary red-hued, cliff-walled  
 9 canyonland region of the Colorado Plateau. Canyons with  
 10 rushing perennial streams, natural arches, bridges, and  
 11 towers, and the gorges of the Green River, Colorado River,  
 12 and Dolores River lie on adjacent wildlands managed by  
 13 the Secretary through the Bureau of Land Management.  
 14 Designation of these wilderness areas achieves a wholeness

1 of protection for this erosional masterpiece of nature and  
 2 the rich pockets of wildlife found within its expanded  
 3 boundaries.

4 (b) DESIGNATION.—To protect and manage so as to  
 5 preserve the Canyonlands wilderness areas near Arches  
 6 National Park and Canyonlands National Park in accord-  
 7 ance with the Wilderness Act (16 U.S.C. 1131 et seq.),  
 8 the following lands in the State of Utah are designated  
 9 as wilderness and as components of the National Wilder-  
 10 ness Preservation System:

<b>Name of Wilderness Area</b>	<b>Approximate Acreage</b>
Canyonlands Basin Wilderness:	
Bridger Jack Mesa .....	32,700
Butler Wash .....	28,300
Goose Neck .....	8,300
Harts Point .....	62,800
Indian Creek .....	27,000
Shafer Canyon .....	3,000
Labyrinth Wilderness:	
Labyrinth Canyon .....	120,000
Horseshoe Canyon .....	51,700
Arches-Lost Spring Wilderness .....	16,900
La Sal Canyons Wilderness:	
Beaver Creek .....	28,200
Fisher Towers .....	15,100
Granite Creek .....	5,100
Mary Jane Canyon .....	24,200
Mill Creek .....	15,700
Negro Bill Canyon .....	20,600
Seweump Mesa .....	600
Behind-The-Rocks Wilderness:	
Hunter Canyon .....	4,000
Goldbar Canyon .....	12,500
Hatch Wash .....	14,300
Behind-The-Rocks .....	20,300
Westwater Wilderness:	
Black Ridge .....	5,100
Westwater Canyon .....	32,500

1 **SEC. 109. SAN RAFAEL SWELL WILDERNESS AREAS.**

2 (a) FINDINGS.—Congress finds that the San Rafael  
 3 Swell towers above the desert like a wilderness castle,  
 4 ringed by thousand-foot ramparts of Navajo Sandstone.  
 5 Its highlands have been fractured by uplift and scooped  
 6 hollow by erosion over countless millennia, leaving a tre-  
 7 mendous basin punctuated by mesas, buttes, and canyons  
 8 and traversed by sediment-laden desert streams. Among  
 9 other places, the San Rafael wilderness offers exceptional  
 10 back country opportunities in the colorful Wild Horse  
 11 Badlands, the monoliths of North Caineville Mesa, the  
 12 rock towers of Cliff Wash, and the dark volcanic moun-  
 13 tains bordering Capitol Reef National Park. The moun-  
 14 tains within these wilderness areas are among Utah’s most  
 15 productive habitat for Desert Bighorn Sheep.

16 (b) DESIGNATION.—To protect and manage so as to  
 17 preserve the San Rafael Swell wilderness areas in accord-  
 18 ance with the Wilderness Act (16 U.S.C. 1131 et seq.),  
 19 the following lands in the State of Utah are designated  
 20 as wilderness and as components of the National Wilder-  
 21 ness Preservation System:

<b>Name of Wilderness Area</b>	<b>Approximate Acreage</b>
San Rafael Wilderness:	
Cedar Mountain .....	14,500
Devils Canyon .....	21,500
Hondu Country .....	18,900
Jones Bench .....	2,800
Limestone Cliffs .....	21,300
Mexican Mountain .....	102,600
Muddy Creek .....	246,300

Mussentuehit Badlands .....	23,000
Red Desert .....	36,800
San Rafael Reef .....	95,000
Sids Mountain .....	95,800
Upper Muddy Creek .....	17,000
Wild Horse Mesa .....	57,400

1 **SEC. 110. BOOK CLIFFS AND UINTA BASIN WILDERNESS**

2 **AREAS.**

3 (a) FINDINGS.—Congress finds that the Book Cliffs  
4 and Uinta Basin wilderness areas offer a unique quality  
5 of wilderness big game hunting opportunities in verdant  
6 high-plateau forests, float trips of several days duration  
7 down the Green River in Desolation Canyon, and oppor-  
8 tunity for calm water canoe weekends on the White River.  
9 The long rampart of the Book Cliffs bounds the area on  
10 the south, while seldom-visited uplands, dissected by the  
11 rivers and streams, slope away to the north into the Uinta  
12 Basin. Bighorn sheep, elk, mule deer, bear, and cougar  
13 all flourish in the back country of the Book Cliffs.

14 (b) DESIGNATION.—To protect and manage so as to  
15 preserve the Book Cliffs wilderness areas in accordance  
16 with the Wilderness Act (16 U.S.C. 1131 et seq.), the fol-  
17 lowing lands in the State of Utah are designated as wilder-  
18 ness and as components of the National Wilderness Pres-  
19 ervation System:

<b>Name of Wilderness Area</b>	<b>Approximate Acreage</b>
Desolation Canyon Wilderness:	
Eastern Book Cliffs .....	154,600
Desolation Canyon .....	527,100
Turtle Canyon .....	36,900
White River Wilderness .....	9,700

## Greater Dinosaur Wilderness:

Bull Canyon .....	500
Diamond Breaks .....	7,800
Daniels Canyon .....	5,300
Moonshine Draw .....	3,500
Cold Springs Mountain .....	3,400
Wild Mountain .....	600

## **TITLE II—ADMINISTRATIVE PROVISIONS**

### **SEC. 201. ADMINISTRATION.**

Subject to valid rights in existence on the date of enactment of this Act, each wilderness area designated under this Act shall be administered by the Secretary in accordance with—

(1) section 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782); and

(2) the provisions of the Wilderness Act (16 U.S.C. 1131 et seq.) governing areas designated by that Act as wilderness.

### **SEC. 202. STATE SCHOOL TRUST LANDS WITHIN WILDER- NESS AREAS.**

(a) IN GENERAL.—Subject to subsection (b), if State-owned land is included in an area designated by this Act as wilderness, the Secretary shall offer to exchange land owned by the United States in the same State of approximately equal value.

(b) MINERAL INTERESTS.—The Secretary shall not transfer any mineral interests under subsection (a) unless

1 the State transfers to the Secretary any mineral interests  
2 in land designated by this Act as wilderness.

3 **SEC. 203. WATER.**

4 (a) RESERVATION.—

5 (1) IN GENERAL.— With respect to each wilder-  
6 ness area designated by this Act, Congress reserves  
7 a quantity of water sufficient for the wilderness  
8 area. The priority date of the reserved right shall be  
9 the date of enactment of this Act.

10 (2) PROTECTION OF RIGHTS.—The Secretary,  
11 and other officers of the United States, shall take  
12 any steps necessary to protect the rights reserved by  
13 paragraph (1), including the filing of a claim for the  
14 quantification of the rights in any present or future  
15 appropriate stream adjudication in the courts of the  
16 State of Utah in which the United States is or may  
17 be joined and that is conducted in accordance with  
18 section 208 of the Department of Justice Appropria-  
19 tion Act, 1953 (66 Stat. 560, chapter 651).

20 (b) PRIOR RIGHTS NOT AFFECTED.—Nothing in this  
21 Act relinquishes or reduces any water rights reserved or  
22 appropriated by the United States in the State of Utah  
23 on or before the date of enactment of this Act.

24 (c) RULE OF CONSTRUCTION.—The Federal water  
25 rights reserved by this Act are specific to the wilderness



1 areas located in the State of Utah designated by this Act.  
2 Nothing in this Act related to reserved Federal water  
3 rights shall establish a precedent with regard to any future  
4 designation of water rights or affect the interpretation of  
5 any other Act or any designation made under any other  
6 Act.

