

106TH CONGRESS  
1ST SESSION

# H. R. 3035

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

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 7, 1999

Mr. HANSEN introduced the following bill; which was referred to the  
Committee on Resources

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## A BILL

To designate certain 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; TABLE OF CONTENTS.**

4       (a) SHORT TITLE.—This Act may be cited as the  
5       “Utah National Parks and Public Lands Wilderness Act”.

6       (b) TABLE OF CONTENTS.—The table of contents of  
7       this Act is as follows:

Sec. 1. Short title; table of contents.

### TITLE I—WILDERNESS AREAS IN UTAH NATIONAL PARK SYSTEM LANDS

Sec. 101. Findings.

Sec. 102. Designation of wilderness areas.

Sec. 103. Administration.  
 Sec. 104. Water rights.  
 Sec. 105. Adjacent management.  
 Sec. 106. Overflights.  
 Sec. 107. Authorization of appropriations.

## TITLE II—PUBLIC LAND WILDERNESS

Sec. 201. Designation of wilderness.  
 Sec. 202. Administration of wilderness areas.  
 Sec. 203. Wilderness release.  
 Sec. 204. Adjacent management.  
 Sec. 205. Withdrawal.  
 Sec. 206. Authorization of appropriations.

# 1 **TITLE I—WILDERNESS AREAS IN** 2 **UTAH NATIONAL PARK SYS-** 3 **TEM LANDS**

## 4 **SEC. 101. FINDINGS.**

5       The Congress finds that the National Parks of Utah  
 6 contain unique and spectacular natural resources. These  
 7 areas contain priceless habitat for numerous species of  
 8 wildlife, thousands of acres of pristine lands that remain  
 9 in their natural state. Continued preservation of these  
 10 areas would benefit both Utah and all of the United States  
 11 by ensuring the protection of ecologically diverse habitat  
 12 and by conserving valuable resources for primitive recre-  
 13 ation.

## 14 **SEC. 102. DESIGNATION OF WILDERNESS AREAS.**

15       (a) ARCHES NATIONAL PARK.—In furtherance of the  
 16 purposes of the Wilderness Act (16 U.S.C. 1131 et seq.),  
 17 certain Federal lands within Arches National Park in the  
 18 State of Utah, totaling approximately 63,591 acres as gen-  
 19 erally depicted on the map entitled “Arches National Park

1 Wilderness Plan”, dated \_\_\_\_, are hereby designated as  
2 wilderness and therefore as components of the National  
3 Wilderness Preservation System. The lands shall be known  
4 as the Arches National Park Wilderness.

5 (b) BRYCE CANYON NATIONAL PARK.—In further-  
6 ance of the purposes of the Wilderness Act (16 U.S.C.  
7 1131 et seq.), certain Federal lands within Bryce Canyon  
8 National Park in the State of Utah, totaling approxi-  
9 mately 24,159 acres as generally depicted on the map enti-  
10 tled “Bryce Canyon National Park Wilderness Plan”,  
11 dated \_\_\_\_, are hereby designated as wilderness and  
12 therefore components of the National Wilderness Preser-  
13 vation System. The lands shall be known as the Bryce  
14 Canyon National Park Wilderness.

15 (c) CANYONLANDS NATIONAL PARK.—In furtherance  
16 of the purposes of the Wilderness Act (16 U.S.C. 1131  
17 et seq.), certain Federal lands within Canyonlands Na-  
18 tional Park in the State of Utah, totaling approximately  
19 308,492 acres as generally depicted on the map entitled  
20 “Canyonlands National Park Wilderness Plan”, dated  
21 \_\_\_\_, are hereby designated as wilderness and therefore  
22 as components of the National Wilderness Preservation  
23 System. The lands shall be known as the Canyonlands Na-  
24 tional Park Wilderness.

1       (d) CAPITOL REEF NATIONAL PARK.—In further-  
2   ance of the purposes of the Wilderness Act (16 U.S.C.  
3   1131 et seq.), certain Federal lands within the Capitol  
4   Reef National Park in the State of Utah, totaling approxi-  
5   mately 162,637 acres as generally depicted on the map  
6   entitled “Capitol Reef National Park Wilderness Plan”,  
7   dated \_\_\_\_, are hereby designated as wilderness and  
8   therefore as components of the National Wilderness Pres-  
9   ervation system. The lands shall be known as the Capitol  
10  Reef National Park Wilderness.

11       (e) CEDAR BREAKS NATIONAL MONUMENT.—In fur-  
12  therance of the purposes of the Wilderness Act (16 U.S.C.  
13  1131 et seq.), certain Federal lands within the Cedar  
14  Breaks National Monument in the State of Utah, totaling  
15  approximately 4,818 acres as generally depicted on the  
16  map entitled “Cedar Breaks National Monument Wilder-  
17  ness Plan”, dated \_\_\_\_, are hereby designated as wilder-  
18  ness and therefore as components of the National Wilder-  
19  ness Preservation System. The lands shall be known as  
20  the Cedar Breaks National Monument Wilderness.

21       (f) DINOSAUR NATIONAL MONUMENT.—In further-  
22  ance of the purposes of the Wilderness Act (16 U.S.C.  
23  1131 et seq.), certain Federal lands within Dinosaur Na-  
24  tional Monument in the State of Utah, totaling approxi-  
25  mately 37,277 acres as generally depicted on the map enti-

1 tled “Dinosaur National Monument Wilderness Plan”,  
2 dated \_\_\_\_\_, are hereby designated as wilderness and  
3 therefore as components of the National Wilderness Pres-  
4 ervation System. The lands shall be known as the Dino-  
5 saur National Monument Wilderness.

6 (g) GLEN CANYON NATIONAL RECREATION  
7 AREAS.—In furtherance of the purposes of the Wilderness  
8 Act (16 U.S.C. 1131 et seq.), certain Federal lands within  
9 the Glen Canyon National Recreation Area in the State  
10 of Utah, totaling approximately 590,905 acres as gen-  
11 erally depicted on the map entitled “Glen Canyon National  
12 Recreation Area Wilderness Plan”, dated \_\_\_\_\_, are hereby  
13 designated as wilderness and therefore as components of  
14 the National Wilderness Preservation System. The lands  
15 shall be known as the Glen Canyon National Recreation  
16 Area Wilderness.

17 (h) ZION NATIONAL PARK.—In furtherance of the  
18 purposes of the Wilderness Act (16 U.S.C. 1131 et seq.),  
19 certain Federal lands within Zion National Park in the  
20 State of Utah, totaling approximately 138,421 acres as  
21 generally depicted on the map entitled “Zion National  
22 Park Wilderness Plan”, dated \_\_\_\_\_, are hereby designated  
23 as wilderness and therefore as components of the National  
24 Wilderness Preservation System. The lands shall be known  
25 as the Zion National Park Wilderness.

1 **SEC. 103. ADMINISTRATION.**

2 (a) WILDERNESS AREA ADMINISTRATION.—Subject  
3 to valid existing rights, each area designated as wilderness  
4 by this title shall be administered by the Secretary of the  
5 Interior (in this title referred to as the “Secretary”) in  
6 accordance with the management plan of the unit of the  
7 National Park System in which the area is located and  
8 with the provisions of the Wilderness Act governing areas  
9 designated by that Act as wilderness, except that any ref-  
10 erence in such provision to the effective date shall be  
11 deemed to be a reference to the date of the enactment  
12 of this Act.

13 (b) MAP AND DESCRIPTION.—As soon as practicable  
14 after enactment of this Act, the Secretary shall file a map  
15 and a legal description of each wilderness area designated  
16 by this title with the Committee on Resources of the  
17 House of Representatives and with the Committee on En-  
18 ergy and Natural Resources of the Senate. Each map and  
19 description shall have the same force and effect as if in-  
20 cluded in this title, except that correction of clerical and  
21 typographical errors in a map or legal description may be  
22 made. Each map and legal description shall be on file and  
23 available for public inspection in the Office of the Director  
24 of the National Park Service, Department of the Interior.

25 (c) MAINTENANCE OF ACTIVITIES.—Nothing in this  
26 title shall be construed in any way to terminate or other-

1 wise affect the exercise of any valid right or privilege exist-  
2 ing as of the date of enactment of this Act. In the exercise  
3 of such rights or privileges, traditional access shall be al-  
4 lowed where necessary or historically employed on existing  
5 routes.

6 (d) LIVESTOCK.—Within the wilderness areas des-  
7 ignated under section 102, the grazing of livestock, where  
8 established prior to the date of enactment of this Act, shall  
9 be permitted to continue subject to such reasonable regu-  
10 lations, policies, and practices as the Secretary deems nec-  
11 essary, as long as such regulations, policies, and practices  
12 fully conform with and implement the intent of Congress  
13 regarding grazing in such areas as such intent is expressed  
14 in the Wilderness Act, section 101(f) of Public Law 101–  
15 628, and House Report 101–405, Appendix A.

16 (e) INCORPORATION OF ACQUIRED LANDS AND IN-  
17 TERESTS.—Any lands or interest in lands within the  
18 boundaries of an area designated as wilderness by this  
19 title that is acquired by the United States after the date  
20 of the enactment of this Act shall be added to and admin-  
21 istered as part of the wilderness area within which the  
22 acquired lands or interest in lands are located.

23 **SEC. 104. WATER RIGHTS.**

24 Nothing in this title, nor any action taken pursuant  
25 thereto, shall constitute either an expressed or implied res-

1 ervation of water. Nothing in this title shall affect any  
2 valid existing water right, including any federal reserved  
3 water right, in effect on the date of enactment or any  
4 water right hereinafter approved pursuant to the laws of  
5 the State of Utah, and nothing in this section shall con-  
6 stitute a precedent for any other wilderness designation  
7 legislation Congress may enact in the future.

8 **SEC. 105. ADJACENT MANAGEMENT.**

9       The Congress does not intend for the designation of  
10 wilderness areas in the State of Utah pursuant to this title  
11 to lead to the creation of protective perimeters or buffer  
12 zones around any such wilderness area. The fact that non-  
13 wilderness activities or uses can be seen or heard from  
14 areas within a wilderness shall not preclude such activities  
15 or uses up to the boundary of the wilderness area.

16 **SEC. 106. OVERFLIGHTS.**

17       Nothing in this title shall be construed to restrict or  
18 preclude overflights, including low-level overflights, over  
19 the areas designated as wilderness by this title, including  
20 military overflights that can be seen or heard within the  
21 wilderness areas. Nothing in this title shall be construed  
22 to restrict or preclude the designation or creation of new  
23 units of special use airspace or the establishment of mili-  
24 tary flight training routes over the wilderness areas.



1 **SEC. 107. AUTHORIZATION OF APPROPRIATIONS.**

2       There is authorized to be appropriated such sums as  
3 may be necessary to carry out this title.

4                   **TITLE II—PUBLIC LAND**  
5                   **WILDERNESS**

6 **SEC. 201. DESIGNATION OF WILDERNESS.**

7       (a) DESIGNATION.—In furtherance of the purposes of  
8 the Wilderness Act (16 U.S.C. 1131 et seq.), the following  
9 public lands are hereby designated as wilderness and  
10 therefore, as components of the National Wilderness Pres-  
11 ervation System:

12           (1) Certain Federal and non-Federal lands in  
13 Millard County, Utah, which comprise approximately  
14 25,609 acres, as generally depicted on a map enti-  
15 tled “Barn Hills Wilderness” and dated \_\_\_\_, and  
16 which shall be known as the Barn Hills Wilderness.

17           (2) Certain Federal and non-Federal lands in  
18 Washington County, Utah, which comprise approxi-  
19 mately 30 acres, as generally depicted on a map en-  
20 titled “Beartrap Canyon Wilderness” and dated  
21 \_\_\_\_, and which shall be known as the Beartrap  
22 Canyon Wilderness.

23           (3) Certain Federal and non-Federal lands in  
24 Washington County, Utah, which comprise approxi-  
25 mately 21,812 acres, as generally depicted on a map  
26 entitled “Black Ridge Wilderness” and dated \_\_\_\_,

1 and which shall be known as the Black Ridge Wil-  
2 derness.

3 (4) Certain Federal and non-Federal lands in  
4 Beaver County, Utah, which comprise approximately  
5 58,425 acres, as generally depicted on a map enti-  
6 tled “Central Wah Wah Mountains Wilderness” and  
7 dated \_\_\_\_, and which shall be known as the Cen-  
8 tral Wah Wah Mountains Wilderness.

9 (5) Certain Federal and non-Federal lands in  
10 Washington County, Utah, which comprise approxi-  
11 mately 52,348 acres, as generally depicted on a map  
12 entitled “Central Wah Wah Mountains Wilderness”  
13 and dated \_\_\_\_, and which shall be known as the  
14 Central Wah Wah Mountains Wilderness.

15 (6) Certain Federal and non-Federal lands in  
16 Tooele County, Utah, which comprise approximately  
17 60,922 acres, as generally depicted on a map enti-  
18 tled “Cedar Mountains Wilderness” and dated \_\_\_\_,  
19 and which shall be known as the Cedar Mountains  
20 Wilderness.

21 (7) Certain Federal and non-Federal lands in  
22 Washington County, Utah, which comprise approxi-  
23 mately 11,195 acres, as generally depicted on a map  
24 entitled “Cottonwood Canyon Wilderness” and dated

1       \_\_\_\_\_, and which shall be known as the Cottonwood  
2       Canyon Wilderness.

3           (8) Certain Federal and non-Federal lands in  
4       Washington County, Utah, which comprise approxi-  
5       mately 10,357 acres, as generally depicted on a map  
6       entitled “Cougar Canyon Wilderness” and dated  
7       \_\_\_\_\_, and which shall be known as the Cougar Can-  
8       yon Wilderness.

9           (9) Certain Federal and non-Federal lands in  
10      Tooele County, Utah, which comprise approximately  
11      61,201 acres, as generally depicted on a map enti-  
12      tled “Crater Island Wilderness” and dated \_\_\_\_\_,  
13      and which shall be known as the Crater Island Wil-  
14      derness.

15          (10) Certain Federal and non-Federal lands in  
16      Washington County, Utah, which comprise approxi-  
17      mately 7,015 acres, as generally depicted on a map  
18      entitled “Deep Creek Wilderness” and dated \_\_\_\_\_,  
19      and which shall be known as the Deep Creek Wilder-  
20      ness.

21          (11) Certain Federal and non-Federal lands in  
22      Tooele County and Juab County, Utah, which com-  
23      prise approximately 102,577 acres, as generally de-  
24      picted on a map entitled “Deep Creek Wilderness”

1 and dated \_\_\_\_, and which shall be known as the  
2 Deep Creek Wilderness.

3 (12) Certain Federal and non-Federal lands in  
4 Juab County, Utah, which comprise approximately  
5 62,192 acres, as generally depicted on a map enti-  
6 tled “Fish Spring Wilderness” and dated \_\_\_\_, and  
7 which shall be known as the Fish Spring Wilderness.

8 (13) Certain Federal and non-Federal lands in  
9 Washington County, Utah, which comprise approxi-  
10 mately 99 acres, as generally depicted on a map en-  
11 titled “Goose Creek Canyon Wilderness” and dated  
12 \_\_\_\_, and which shall be known as the Goose Creek  
13 Canyon Wilderness.

14 (14) Certain Federal and non-Federal lands in  
15 Millard County, Utah, which comprise approximately  
16 18,248 acres, as generally depicted on a map enti-  
17 tled “Granite Peak Wilderness” and dated \_\_\_\_,  
18 and which shall be known as the Granite Peak Wil-  
19 derness.

20 (15) Certain Federal and non-Federal lands in  
21 Millard County, Utah, which comprise approximately  
22 28,908 acres, as generally depicted on a map enti-  
23 tled “Howell Peak Wilderness” and dated \_\_\_\_, and  
24 which shall be known as the Howell Peak Wilder-  
25 ness.

1           (16) Certain Federal and non-Federal lands in  
2     Box Elder County, Utah, which comprise approxi-  
3     mately 37,333 acres, as generally depicted on a map  
4     entitled “Pilot Range Wilderness” and dated \_\_\_\_,  
5     and which shall be known as the Pilot Range Wil-  
6     derness.

7           (17) Certain Federal and non-Federal lands in  
8     Millard County, Utah, which comprise approximately  
9     95,303 acres, as generally depicted on a map enti-  
10    tled “King Top Wilderness” and dated \_\_\_\_, and  
11    which shall be known as the King Top Wilderness.

12          (18) Certain Federal and non-Federal lands in  
13    Washington County, Utah, which comprise approxi-  
14    mately 423 acres, as generally depicted on a map  
15    entitled “La Verkin Creek Wilderness” and dated  
16    \_\_\_\_, and which shall be known as the La Verkin  
17    Creek Wilderness.

18          (19) Certain Federal and non-Federal lands in  
19    Millard County, Utah, which comprise approximately  
20    63,561 acres, as generally depicted on a map enti-  
21    tled “North Wah Wah Mountains Wilderness” and  
22    dated \_\_\_\_, and which shall be known as the North  
23    Wah Wah Mountains Wilderness.

24          (20) Certain Federal and non-Federal lands in  
25    Millard County, Utah, which comprise approximately

1       69,912 acres, as generally depicted on a map enti-  
2       tled “Notch Peak Wilderness” and dated \_\_\_\_, and  
3       which shall be known as the Notch Peak Wilderness.

4           (21) Certain Federal and non-Federal lands in  
5       Juab County, Utah, which comprise approximately  
6       44,081 acres, as generally depicted on a map enti-  
7       tled “Painted Rock Wilderness” and dated \_\_\_\_,  
8       and which shall be known as the Painted Rock Wil-  
9       derness.

10          (22) Certain Federal and non-Federal lands in  
11       Washington County, Utah, which comprise approxi-  
12       mately 20,968 acres, as generally depicted on a map  
13       entitled “Wilderness” and dated \_\_\_\_, and which  
14       shall be known as the Red Mountain Wilderness.

15          (23) Certain Federal and non-Federal lands in  
16       Juab County, Utah, which comprise approximately  
17       32,193 acres, as generally depicted on a map enti-  
18       tled “Red Top Wilderness” and dated \_\_\_\_, and  
19       which shall be known as the Red Top Wilderness.

20          (24) Certain Federal and non-Federal lands in  
21       Washington County, Utah, which comprise approxi-  
22       mately 847 acres, as generally depicted on a map  
23       entitled “Red Butte Wilderness” and dated \_\_\_\_,  
24       and which shall be known as the Red Butte Wilder-  
25       ness.

1           (25) Certain Federal and non-Federal lands in  
2     Washington County, Utah, which comprise approxi-  
3     mately 18,599 acres, as generally depicted on a map  
4     entitled “Scarecrow Peak Wilderness” and dated  
5     \_\_\_\_, and which shall be known as the Scarecrow  
6     Peak Wilderness.

7           (26) Certain Federal and non-Federal lands in  
8     Box Elder County and Tooele County, Utah, which  
9     comprise approximately 35,302 acres, as generally  
10    depicted on a map entitled “Silver Island Mountains  
11    Wilderness” and dated \_\_\_\_, and which shall be  
12    known as the Silver Island Mountains Wilderness.

13          (27) Certain Federal and non-Federal lands in  
14    Iron County, Utah, which comprise approximately  
15    4,168 acres, as generally depicted on a map entitled  
16    “Spring Creek Canyon Wilderness” and dated \_\_\_\_,  
17    and which shall be known as the Spring Creek Can-  
18    yon Wilderness.

19          (28) Certain Federal and non-Federal lands in  
20    Iron County, Utah, which comprise approximately  
21    46,077 acres, as generally depicted on a map enti-  
22    tled “Steamboat Mountain Wilderness” and dated  
23    \_\_\_\_, and which shall be known as the Steamboat  
24    Mountain Wilderness.

1           (29) Certain Federal and non-Federal lands in  
2       Millard County, Utah, which comprise approximately  
3       93,537 acres, as generally depicted on a map enti-  
4       tled “Swasey Mountain Wilderness” and dated \_\_\_\_\_,  
5       and which shall be known as the Swasey Mountain  
6       Wilderness.

7           (30) Certain Federal and non-Federal lands in  
8       Washington County, Utah, which comprise approxi-  
9       mately 14 acres, as generally depicted on a map en-  
10      titled “Taylor Creek Canyon Wilderness” and dated  
11      \_\_\_\_\_, and which shall be known as the Taylor Can-  
12      yon Wilderness.

13          (31) Certain Federal and non-Federal lands in  
14      Washington County, Utah, which comprise approxi-  
15      mately 605 acres, as generally depicted on a map  
16      entitled “The Watchman Wilderness” and dated  
17      \_\_\_\_\_, and which shall be known as the Watchman  
18      Wilderness.

19      (b) MAP AND DESCRIPTION.—As soon as practicable  
20   after the date of the enactment of this Act, the Secretary  
21   of the Interior (in this title referred to as the “Secretary”)  
22   shall file a map and legal description of the area des-  
23   ignated as wilderness by subsection (b) with the Com-  
24   mittee on Resources of the House of Representatives and  
25   the Committee on Energy and Natural Resources of the



1 Senate. Such map and description shall have the same  
2 force and effect as if included in this title, except that  
3 the Secretary may correct clerical and typographical er-  
4 rors in such map and legal descriptions. The map and  
5 legal description shall be on file and available for public  
6 inspection in the office of the Director of the Bureau of  
7 Land Management, and the office of the State Director  
8 of the Bureau of Land Management in the State of Utah,  
9 Department of the Interior.

10 **SEC. 202. ADMINISTRATION OF WILDERNESS AREAS.**

11 (a) IN GENERAL.—Subject to valid existing rights  
12 and this title, each wilderness area designated under this  
13 title shall be administered by the Secretary in accordance  
14 with the provisions of the Wilderness Act, except that any  
15 reference in such provisions to the effective date of the  
16 Wilderness Act (or any similar reference) shall be deemed  
17 to be a reference to the effective date of this title.

18 (b) INCORPORATION OF ACQUIRED LANDS AND IN-  
19 TERESTS.—Any lands or interest in lands within the  
20 boundaries of an area designated as wilderness by this  
21 title that is acquired by the United States after the date  
22 of the enactment of this Act shall be added to and admin-  
23 istered as part of the wilderness area within which the  
24 acquired lands or interest in lands are located.

1       (c) STATE FISH AND WILDLIFE.—As provided in sec-  
2 tion 4(d)(7) of the Wilderness Act, nothing in this title  
3 shall be construed as affecting the jurisdiction or respon-  
4 sibilities of the State of Utah with respect to wildlife and  
5 fish on the public lands located in that State.

6       (d) LAND ACQUISITION BY PURCHASE FOR EX-  
7 CHANGE.—The Secretary shall offer to acquire from non-  
8 governmental entities lands and interest in lands located  
9 within or adjacent to areas designated as wilderness by  
10 this title. Lands may be acquired under this subsection  
11 by exchange, donation, or purchase from willing sellers.

12       (e) WILDLIFE MANAGEMENT.—In furtherance of the  
13 purposes and principles of the Wilderness Act, manage-  
14 ment activities to maintain or restore fish and wildlife pop-  
15 ulations and the habitats to support such populations may  
16 be carried out within wilderness areas where consistent  
17 with relevant wilderness management plans, in accordance  
18 with appropriate policies and guidelines such as those set  
19 forth in appendix B of the Report of the Committee on  
20 Interior and Insular Affairs to accompany H.R. 2570 of  
21 the One Hundred First Congress (H. Rept. 101–405).

22       (f) NATIONAL DEFENSE LANDS.—

23               (1) FINDINGS.—The Congress finds that:

24                       (A) The testing and development of mili-  
25               tary weapons systems and the training of mili-

1           tary forces are critical to ensuring the national  
2           security of the United States.

3           (B) The Utah Test and Training Range  
4           and Dugway Proving Ground are unique and ir-  
5           replaceable national assets at the core of the  
6           Department of Defense's test and training mis-  
7           sion.

8           (C) Some wilderness areas designated by  
9           this title lie in close proximity to lands with-  
10          drawn for military use and beneath special use  
11          airspace critical to the support of military test  
12          and training missions on the Utah Test and  
13          Training Range and Dugway Proving Ground.

14          (D) Continued unrestricted access to the  
15          special use airspace and lands which comprise  
16          the Utah Test and Training Range and  
17          Dugway Proving Ground is a national security  
18          priority and is not incompatible with the protec-  
19          tion and proper management of the natural, en-  
20          vironmental, cultural, and other resources of  
21          the Federal lands designated as wilderness  
22          under this title.

23          (2) OVERFLIGHTS.—(A) Nothing in this title,  
24          the Wilderness Act, or other land management laws  
25          generally applicable to the new units of the Wilder-

1       ness Preservation System designated by this title,  
2       shall restrict or preclude low-level overflights, low-  
3       level military overflights and operations of military  
4       aircraft, helicopters, unmanned aerial military over-  
5       flights or military overflights and operations that  
6       can be seen or heard within such units. This prohibi-  
7       tion shall preclude any restriction to altitude or air-  
8       speed, noise level, supersonic flight, route of flight,  
9       time of flight, seasonal usage, or numbers of flights  
10      of any military aircraft, helicopters, unmanned aerial  
11      vehicles, missiles, aerospace vehicles and other mili-  
12      tary weapons systems over such units. As used in  
13      this paragraph, the term “low level” includes any  
14      flight down to and including 10 feet above ground  
15      level.

16           (B) Nothing in this title, the Wilderness Act, or  
17      other land management laws generally applicable to  
18      the new units of the Wilderness Preservation System  
19      designated by this title, shall restrict or preclude the  
20      designation of new units of special use airspace, the  
21      expansion of existing units of special use airspace, or  
22      the use or establishment of military training routes  
23      over such new wilderness units.

24           (3) COMMUNICATIONS AND TRACKING SYS-  
25      TEMS.—Nothing in this title, the Wilderness Act, or

1 other land management laws generally applicable to  
2 the new units of the Wilderness Preservation System  
3 designated by this title, shall be construed to require  
4 the removal of existing communications, instrumen-  
5 tation or electronic tracking systems from areas des-  
6 ignated as new units of wilderness by this title, or  
7 to prevent any required maintenance of such sys-  
8 tems, or to prevent the installation of new commu-  
9 nication, instrumentation or other equipment nec-  
10 essary for effective testing and training to meet mili-  
11 tary requirements so long as the installation and  
12 maintenance of such systems does not require con-  
13 struction of any permanent roads.

14 (4) EMERGENCY ACCESS AND RESPONSE.—  
15 Nothing in this title, the Wilderness Act, or other  
16 land management laws generally applicable to the  
17 new units of the Wilderness Preservation System  
18 designated by this title, shall restrict or preclude  
19 timely access to any area necessary to respond to  
20 emergency situations. Immediate access, including  
21 access for emergency and rescue vehicles and equip-  
22 ment, shall not be restricted if human life or health  
23 may be in jeopardy. The Secretary of the Air Force  
24 and Secretary of the Interior shall enter into a for-  
25 mal memorandum of understanding within 90 days

1 after enactment of this Act formalizing procedures  
2 for access to new wilderness areas beneath the Utah  
3 Test and Training Range airspace which may be  
4 necessary to respond to emergency situations, to res-  
5 cue downed aircrew, to investigate accident loca-  
6 tions, to recover military aircraft or other weapons  
7 systems, and to restore accident locations. Military  
8 operations on the Dugway Proving Ground and with  
9 the Utah Test and Training Range shall not be lim-  
10 ited or restricted in any way pending completion of  
11 the memorandum of understanding.

12 (5) CONTROL OR RESTRICTION OF PUBLIC AC-  
13 CESS.—When required by national security or public  
14 safety, public access to new units of the wilderness  
15 preservation system designated by this title may be  
16 controlled or restricted entirely. Such controls or re-  
17 strictions shall remain in force for the minimum du-  
18 ration necessary. The Secretary of the Air Force  
19 shall provide notice of such controls or restrictions  
20 to the Department of the Interior and shall enter  
21 into a formal memorandum of understanding within  
22 90 days after the enactment of this Act prescribing  
23 procedures for implementing such controls or restric-  
24 tions. Military operations on the Dugway Proving  
25 Ground and within the Utah Test and Training

1 Range shall not be limited or restricted in any way  
2 pending completion of the memorandum of under-  
3 standing.

4 (g) LIVESTOCK.—Within the wilderness areas des-  
5 ignated under section 201, the grazing of livestock, where  
6 established prior to the date of enactment of this Act, shall  
7 be permitted to continue subject to such reasonable regu-  
8 lations, policies, and practices as the Secretary deems nec-  
9 essary, as long as such regulations, policies, and practices  
10 fully conform with and implement the intent of Congress  
11 regarding grazing in such areas as such intent is expressed  
12 in the Wilderness Act, section 101(f) of Public Law 101–  
13 628, and House Report 101–405, Appendix A.

14 (h) WATER RIGHTS.—Congress finds that there are  
15 unique circumstances with respect to the water-related re-  
16 sources within the wilderness areas designated by this  
17 title. The Congress recognizes that there is little or no  
18 water or water-related resources in the areas which could  
19 be affected by Wilderness designations. For that reason,  
20 nothing in this title, nor any action taken pursuant there-  
21 to, shall constitute either an expressed or implied reserva-  
22 tion of water. Nothing in this title shall affect any valid  
23 existing water right, including any federal reserved water  
24 right, in effect on the date of enactment or any water right  
25 hereinafter approved pursuant to the laws of the State of

1 Utah, and nothing in this section shall constitute a prece-  
2 dent for any other wilderness designation legislation Con-  
3 gress may enact in the future.

4 **SEC. 203. WILDERNESS RELEASE.**

5       The Congress hereby finds and directs that lands in  
6 the Box Elder, Tooele, Juab, Millard, Beaver, Iron and  
7 Washington counties in the State of Utah, not designated  
8 as wilderness by this title have been adequately studied  
9 for wilderness designation pursuant to section 603(c) of  
10 the Federal Land Policy and Management Act of 1976,  
11 and are no longer subject to the requirement of section  
12 603(c) of the Federal Land Policy and Management Act  
13 of 1976 pertaining to the management of wilderness study  
14 areas in a manner that does not impair the suitability of  
15 such areas for preservation as wilderness. The Secretary  
16 shall not continue the plan amendment process initiated  
17 pursuant to Section 202 of the Federal Land Policy and  
18 Management Act and identified by Federal Register notice  
19 dated March 18, 1999, page 13439 within Box Elder,  
20 Tooele, Juab, Millard, Beaver, Iron and Washington coun-  
21 ties in the State of Utah.

22 **SEC. 204. ADJACENT MANAGEMENT.**

23       The Congress does not intend for the designation of  
24 wilderness areas in the State of Utah pursuant to this title  
25 to lead to the creation of protective perimeters or buffer



1 zones around any such wilderness area. The fact that non-  
2 wilderness activities or uses can be seen or heard from  
3 areas within a wilderness shall not, of itself, preclude such  
4 activities or uses up to the boundary of the wilderness  
5 area.

6 **SEC. 205. WITHDRAWAL.**

7       Subject to valid existing rights, the Federal lands  
8 designated as wilderness under this title are hereby with-  
9 drawn from all forms of entry, appropriation, or disposal  
10 under the public land laws; and from location, entry, and  
11 patent under the United States mining laws; and from dis-  
12 position under all laws pertaining to mineral and geo-  
13 thermal leasing, and mineral materials, and all amend-  
14 ments thereto.

15 **SEC. 206. AUTHORIZATION OF APPROPRIATIONS.**

16       There is authorized to be appropriated such sums as  
17 may be necessary to carry out this title.

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