

111TH CONGRESS
2D SESSION

H. R. 5009

To designate certain lands in the Wasatch Mountains of Salt Lake County,
Utah, as wilderness, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 13, 2010

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

A BILL

To designate certain lands in the Wasatch Mountains of
Salt Lake County, 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 “Wasatch Wilderness
5 and Watershed Protection Act of 2010”.

6 **SEC. 2. DESIGNATION OF WILDERNESS, UINTA-WASATCH-**
7 **CACHE NATIONAL FORESTS, UTAH.**

8 (a) DESIGNATION.—In furtherance of the purposes of
9 the Wilderness Act (16 U.S.C. 1131 et seq.), the following
10 Federal lands within the Uinta-Wasatch-Cache National

1 Forests in Salt Lake County, Utah, are designated as wil-
2 derness and as either a new component of the National
3 Wilderness Preservation System or as an addition to an
4 existing component of the National Wilderness Preserva-
5 tion System:

6 (1) Certain lands in the vicinity of the Lone
7 Peak Wilderness comprising approximately 4,627
8 acres, as generally depicted on the map titled
9 “Wasatch Mountains Wilderness and Watershed
10 Protection” and dated January 29, 2010 (in this
11 subsection referred to as the “map”), which shall be
12 added to and administered as part of the Lone Peak
13 Wilderness designated by section 2(I) of Public Law
14 95–237 (92 Stat. 42).

15 (2) Certain lands in the vicinity of the Mount
16 Olympus Wilderness comprising approximately 813
17 acres, as generally depicted on the map, which shall
18 be added to and administered as part of the Mount
19 Olympus Wilderness designated by section 102(a)(3)
20 of Public Law 98–428 (98 Stat. 1658).

21 (3) Certain lands comprising approximately
22 2,342 acres, as generally depicted on the map, which
23 shall be known as the “Bear Trap Wilderness”.

24 (4) Certain lands comprising approximately
25 7,759 acres, as generally depicted on the map, which

1 shall be known as the “Wayne Owens Grandeur
2 Peak/Mount Aire Wilderness”.

3 (b) MAP AND DESCRIPTION.—

4 (1) FILING AND AVAILABILITY.—As soon as
5 practicable after the date of the enactment of this
6 Act, the Secretary of Agriculture, acting through the
7 Chief of the Forest Service, shall file with the Com-
8 mittee on Natural Resources of the House of Rep-
9 resentatives and the Committee on Energy and Nat-
10 ural Resources of the Senate a map and legal de-
11 scription of each wilderness area designated or ex-
12 panded by paragraphs (1) through (4) of subsection
13 (a). The maps and legal descriptions shall be on file
14 and available for public inspection in the office of
15 the Chief of the Forest Service.

16 (2) FORCE OF LAW.—The maps and legal de-
17 scriptions filed under paragraph (1) and (2) shall
18 have the same force and effect as if included in this
19 Act, except that the Secretary of Agriculture may
20 correct clerical and typographical errors in the maps
21 and legal descriptions.

22 **SEC. 3. HELISKIING SPECIAL MANAGEMENT AREA, UINTA-**
23 **WASATCH-CACHE NATIONAL FORESTS, UTAH.**

24 (a) DESIGNATION.—Certain Federal lands contig-
25 uous to the existing Mount Olympus, Twin Peaks, and

1 Lone Peak Wilderness Areas, and the Wayne Owens
2 Grandeur Peak/Mount Aire Wilderness Area enacted by
3 this legislation in the Uinta-Wasatch-Cache National For-
4 est comprising approximately 10,479 acres, as generally
5 depicted on a map titled “Wasatch Mountains Wilderness
6 and Watershed Protection” and dated January 29, 2010,
7 are hereby designated as the “Heliskiing Special Manage-
8 ment Area”.

9 (b) MAPS AND DESCRIPTIONS.—

10 (1) FILING AND AVAILABILITY.—As soon as
11 practicable after the date of the enactment of this
12 Act, the Secretary of Agriculture, acting through the
13 Chief of the Forest Service, shall file with the Com-
14 mittee on Natural Resources of the House of Rep-
15 resentatives and the Committee on Energy and Nat-
16 ural Resources of the Senate a map and legal de-
17 scription of the Heliskiing Special Management
18 Area. The map and legal description shall be on file
19 and available for public inspection in the office of
20 the Chief of the Forest Service.

21 (2) FORCE OF LAW.—The maps and legal de-
22 scriptions filed under paragraph (1) shall have the
23 same force and effect as if included in this Act, ex-
24 cept that the Secretary of Agriculture may correct

1 typographical errors in the maps and legal descrip-
2 tions.

3 (c) MANAGEMENT.—

4 (1) IN GENERAL.—The Secretary of Agriculture
5 shall manage activities within the Heliskiing Special
6 Management Area to maintain the area’s presently
7 existing wilderness character and potential for inclu-
8 sion in the National Wilderness Preservation Sys-
9 tem.

10 (2) PROHIBITIONS.—

11 (A) PERMANENT ROADS.—Permanent
12 roads may not be established in the Heliskiing
13 Special Management Area.

14 (B) TEMPORARY ROADS AND VEHICLES.—
15 Except as necessary to meet the minimum re-
16 quirements for the administration of the
17 Heliskiing Special Management Area and to
18 protect public health and safety—

19 (i) the use of motorized or mechanized
20 vehicles, except as described in paragraph
21 (3), is prohibited in the Heliskiing Special
22 Management Area; and

23 (ii) the establishment of temporary
24 roads is prohibited in the Heliskiing Spe-
25 cial Management Area.

1 (3) ALLOWABLE ACTIVITIES.—The Secretary of
2 Agriculture may allow Heliskiing, that have been au-
3 thorized on the Federal lands included within the
4 Heliskiing Special Management Area as of the date
5 of the enactment of this Act to continue within the
6 area designated as the Heliskiing Special Manage-
7 ment Area. The designation of the Heliskiing Special
8 Management Area shall not impact future permit
9 processes relating to such activities.

10 (4) APPLICABLE LAW.—Any uses of the Fed-
11 eral lands included within the Heliskiing Special
12 Management Area, including activities described in
13 paragraph (3), shall be carried out in accordance
14 with applicable law.

15 (d) EVENTUAL DESIGNATION AS WASATCH MOUN-
16 TAIN WILDERNESS.—

17 (1) DESIGNATION FOR WILDERNESS.—The
18 Federal lands included within the Heliskiing Special
19 Management Area shall be designated as wilderness
20 and as a new component of the National Wilderness
21 Preservation System on the date on which the Sec-
22 retary of Agriculture publishes in the Federal Reg-
23 ister notice that all commercial helicopter-assisted
24 skiing or snowboarding activities on the lands has
25 been terminated.

1 (2) RENAMING.—Upon its designation as wil-
2 derness under paragraph (1), the Heliskiing Special
3 Management Area shall be known and redesignated
4 as the “Wasatch Mountain Wilderness”.

5 **SEC. 4. ADMINISTRATIVE PROVISIONS.**

6 (a) COVERED LAND DEFINED.—In this section, the
7 term “covered land” means—

8 (1) the wilderness areas designated or expanded
9 by sections 2 and 3; and

10 (2) the Heliskiing Special Management Area
11 designated by section 3.

12 (b) ADMINISTRATION GENERALLY.—Subject to valid
13 rights in existence on the date of the enactment of this
14 Act, land designated as wilderness by section 2 or 3 shall
15 be administered by the Secretary of Agriculture in accord-
16 ance with—

17 (1) the Wilderness Act (16 U.S.C. 1131 et
18 seq.); and

19 (2) this Act.

20 (c) TREATMENT OF EFFECTIVE DATE OF WILDER-
21 NESS ACT.—

22 (1) IN GENERAL.—With respect to land des-
23 ignated as wilderness by section 2, any reference in
24 the Wilderness Act (16 U.S.C. 1131 et seq.) to the
25 effective date of the Wilderness Act shall be deemed

1 to be a reference to the date of the enactment of this
2 Act.

3 (2) WASATCH MOUNTAIN WILDERNESS.—With
4 respect to the Wasatch Mountain Wilderness des-
5 ignated by section 3, any reference in the Wilderness
6 Act to the effective date of the Wilderness Act shall
7 be deemed to be a reference to the date of the Fed-
8 eral Register notice referred to in section 3(d)(1).

9 (d) FISH AND WILDLIFE.—Nothing in this Act shall
10 affect the jurisdiction or responsibility of the State of
11 Utah with respect to wildlife and fish.

12 (e) NO BUFFER ZONES.—

13 (1) IN GENERAL.—Nothing in this Act shall
14 create a protective perimeter or buffer zone around
15 covered land.

16 (2) ACTIVITIES OUTSIDE WILDERNESS.—The
17 fact that a nonwilderness activity or use can be seen
18 or heard from within covered land shall not preclude
19 the conduct of the activity or use outside the bound-
20 ary of the covered land.

21 (f) WITHDRAWAL.—Subject to valid rights in exist-
22 ence on the date of the enactment of this Act, covered
23 land is withdrawn from all forms of—

24 (1) entry, appropriation, or disposal under pub-
25 lic land laws;

1 (2) location, entry, and patent under mining
2 laws; and

3 (3) disposition under all laws pertaining to min-
4 eral and geothermal leasing or mineral materials.

5 (g) ACQUIRED LAND.—Any land or interest in land
6 located inside the boundaries of covered land that is ac-
7 quired by the United States after the date of the enact-
8 ment of this Act shall become part of the relevant wilder-
9 ness or special management area and shall be managed
10 in accordance with this Act and other applicable law.

11 **SEC. 5. LAND EXCHANGE, UINTA-WASATCH-CACHE NA-**
12 **TIONAL FOREST.**

13 (a) DESCRIPTION OF LAND EXCHANGE.—The Sec-
14 retary of Agriculture shall expedite a land exchange be-
15 tween Snowbird Corp and the Secretary involving land
16 owned by Snowbird Corp in the Flagstaff White Pine and
17 Red Pine areas of Little and Big Cottonwood Canyons of
18 the Uinta-Wasatch-Cache National Forest and National
19 Forest System land located in the American Fork Twins.
20 It is the intent of Congress that the land exchange be com-
21 pleted not later than one year after the date of the enact-
22 ment of this Act. It is the intent of Congress that the
23 Secretary, acting through the Chief of the Forest Service
24 and the Uinta-Wasatch-Cache National Forest, and in ac-
25 cordance with applicable law, expeditiously facilitates the

1 land exchange process contemplated in the subsection (a)
2 and Snowbird's associated expansion process to ensure the
3 continued outdoor recreational opportunities for the pub-
4 lic.

5 (b) MANAGEMENT OF ACQUIRED LAND.—The land
6 acquired by the Secretary of Agriculture in the land ex-
7 change described in subsection (a) shall be included in the
8 Uinta-Wasatch-Cache National Forest and managed by
9 the Secretary so as to maintain the land's existing wilder-
10 ness character and potential for inclusion in the National
11 Wilderness Preservation System. The Red Pine/White
12 Pine Area land acquired by the Secretary of Agriculture
13 in the land exchange described in subsection (a) shall be
14 included in the Uinta-Wasatch National Forest and man-
15 aged by the Secretary so as to maintain the land's existing
16 wilderness character and for inclusion in the National Wil-
17 derness Preservation System.

18 (c) PRIVATE PROPERTY.—The Lands acquired by
19 Snowbird Corp in the land exchange described in sub-
20 section (a) shall become Snowbird's private property.
21 These lands are adjacent to other areas currently used by
22 Snowbird for ski resort operations, either owned or man-
23 aged under a special use permit issued by the Uinta-
24 Wasatch-Cache National Forest. It is anticipated that
25 Snowbird will expand its ski resort operations into these

1 acquired lands, to include chairlifts, tramway facilities, or
2 both.

3 (d) PROHIBITIONS.—The following are prohibited on
4 the land acquired by the Secretary of Agriculture in the
5 land exchange described in subsection (a):

6 (1) Permanent roads.

7 (2) Except as necessary to meet the minimum
8 requirements for the administration of the land and
9 to protect public health and safety—

10 (A) the use of motorized or mechanized ve-
11 hicles, except as described in subsection (e); and

12 (B) the establishment of temporary roads.

13 (3) Ski resort expansion including chairlift con-
14 struction and operation.

15 (e) AVALANCHE CONTROL DEVICES.—The Secretary
16 of Agriculture may allow GAZEX, or similar avalanche
17 control devices within the acquired Flagstaff Area land,
18 to facilitate avalanche control to be installed and main-
19 tained on the land acquired by the Secretary of Agri-
20 culture in the land exchange described in subsection (a)
21 for the sole purpose of protecting public health and prop-
22 erty.

23 (f) WITHDRAWAL.—Subject to valid existing rights,
24 the land acquired by the Secretary of Agriculture in the

1 land exchange described in subsection (a) is withdrawn
2 from—

3 (1) all forms of entry, appropriation, or disposal
4 under the public land laws;

5 (2) location, entry, and patent under the mining
6 laws; and

7 (3) disposition under all laws relating to min-
8 eral and energy leasing.

9 **SEC. 6. WATERSHED MANAGEMENT.**

10 Subject to such reasonable regulations as are consid-
11 ered by the Secretary of Agriculture, nothing in this Act
12 shall be construed to limit motorized access, road mainte-
13 nance, and “necessary vegetation management” by the
14 “Forest Service and local government entities with water-
15 shed management responsibilities” on the land designated
16 as wilderness by section 2 or 3 and the Heliskiing Special
17 Management Area designated by section 3 for those min-
18 imum maintenance activities that may be necessary—

19 (1) to guarantee the continued viability of wa-
20 tershed facilities currently in existence on the date
21 of enactment of this Act;

22 (2) in the future to prevent the degradation of
23 the water supply on such lands or special manage-
24 ment area;

1 (3) to guarantee the continued viability of wa-
2 tershed facilities and existing water infrastructure,
3 especially the continued maintenance of White Pine
4 Reservoir; or

5 (4) in the future to conduct vegetation manage-
6 ment activities to prevent degradation of the water
7 supply mainly due to widespread fire, disease, and
8 insect infestations.

○