

112TH CONGRESS
2D SESSION

S. 3329

To designate and expand wilderness areas in Olympic National Forest in the State of Washington, and to designate certain rivers in Olympic National Forest and Olympic National Park as wild and scenic rivers, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 21, 2012

Mrs. MURRAY introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To designate and expand wilderness areas in Olympic National Forest in the State of Washington, and to designate certain rivers in Olympic National Forest and Olympic National Park as wild and scenic rivers, 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 Olympics Wilder-
5 ness and Wild and Scenic Rivers Act of 2012”.

1 **SEC. 2. DESIGNATION OF OLYMPIC NATIONAL FOREST WIL-**
2 **DERNESS AREAS.**

3 (a) IN GENERAL.—In furtherance of the Wilderness
4 Act (16 U.S.C. 1131 et seq.), the following Federal land
5 in the Olympic National Forest in the State of Wash-
6 ington comprising approximately 126,554 acres, as gen-
7 erally depicted on the map entitled “Proposed Wild Olym-
8 pics Wilderness and Wild and Scenic Rivers Act” and
9 dated May 29, 2012 (referred to in this section as the
10 “map”), is designated as wilderness and as components
11 of the National Wilderness Preservation System:

12 (1) LOST CREEK WILDERNESS.—Certain Fed-
13 eral land managed by the Forest Service, comprising
14 approximately 7,159 acres, as generally depicted on
15 the map, which shall be known as the “Lost Creek
16 Wilderness”.

17 (2) RUGGED RIDGE WILDERNESS.—Certain
18 Federal land managed by the Forest Service, com-
19 prising approximately 5,956 acres, as generally de-
20 picted on the map, which shall be known as the
21 “Rugged Ridge Wilderness”.

22 (3) ALCKEE CREEK WILDERNESS.—Certain
23 Federal land managed by the Forest Service, com-
24 prising approximately 1,787 acres, as generally de-
25 picted on the map, which shall be known as the
26 “Alckee Creek Wilderness”.

1 (4) GATES OF THE ELWHA WILDERNESS.—Cer-
2 tain Federal land managed by the Forest Service,
3 comprising approximately 5,669 acres, as generally
4 depicted on the map, which shall be known as the
5 “Gates of the Elwha Wilderness”.

6 (5) BUCKHORN WILDERNESS ADDITIONS.—Cer-
7 tain Federal land managed by the Forest Service,
8 comprising approximately 21,965 acres, as generally
9 depicted on the map, is incorporated in, and shall be
10 managed as part of, the “Buckhorn Wilderness”, as
11 designated by section 3 of the Washington State
12 Wilderness Act of 1984 (16 U.S.C. 1132 note; Pub-
13 lic Law 98–339).

14 (6) GREEN MOUNTAIN WILDERNESS.—Certain
15 Federal land managed by the Forest Service, com-
16 prising approximately 4,790 acres, as generally de-
17 picted on the map, which shall be known as the
18 “Green Mountain Wilderness”.

19 (7) THE BROTHERS WILDERNESS ADDITIONS.—
20 Certain land managed by the Forest Service, com-
21 prising approximately 8,625 acres, as generally de-
22 picted on the map, is incorporated in, and shall be
23 managed as part of, the “The Brothers Wilderness”,
24 as designated by section 3 of the Washington State

1 Wilderness Act of 1984 (16 U.S.C. 1132 note; Pub-
2 lic Law 98–339).

3 (8) MOUNT SKOKOMISH WILDERNESS ADDI-
4 TIONS.—Certain land managed by the Forest Serv-
5 ice, comprising approximately 8,933 acres, as gen-
6 erally depicted on the map, is incorporated in, and
7 shall be managed as part of, the “Mount Skokomish
8 Wilderness”, as designated by section 3 of the
9 Washington State Wilderness Act of 1984 (16
10 U.S.C. 1132 note; Public Law 98–339).

11 (9) WONDER MOUNTAIN WILDERNESS ADDI-
12 TIONS.—Certain land managed by the Forest Serv-
13 ice, comprising approximately 26,517 acres, as gen-
14 erally depicted on the map, is incorporated in, and
15 shall be managed as part of, the “Wonder Mountain
16 Wilderness”, as designated by section 3 of the
17 Washington State Wilderness Act of 1984 (16
18 U.S.C. 1132 note; Public Law 98–339).

19 (10) MOONLIGHT DOME WILDERNESS.—Certain
20 Federal land managed by the Forest Service, com-
21 prising approximately 9,117 acres, as generally de-
22 picted on the map, which shall be known as the
23 “Moonlight Dome Wilderness”.

24 (11) SOUTH QUINULT RIDGE WILDERNESS.—
25 Certain Federal land managed by the Forest Serv-

1 ice, comprising approximately 10,887 acres, as gen-
2 erally depicted on the map, which shall be known as
3 the “South Quinault Ridge Wilderness”.

4 (12) COLONEL BOB WILDERNESS ADDITIONS.—
5 Certain Federal land managed by the Forest Serv-
6 ice, comprising approximately 353 acres, as gen-
7 erally depicted on the map, is incorporated in, and
8 shall be managed as part of, the “Colonel Bob Wil-
9 derness”, as designated by section 3 of the Wash-
10 ington State Wilderness Act of 1984 (16 U.S.C.
11 1132 note; Public Law 98–339).

12 (13) SAM’S RIVER WILDERNESS.—Certain Fed-
13 eral land managed by the Forest Service, comprising
14 approximately 13,418 acres, as generally depicted on
15 the map, which shall be known as the “Sam’s River
16 Wilderness”.

17 (14) CANOE CREEK WILDERNESS.—Certain
18 Federal land managed by the Forest Service, com-
19 prising approximately 1,378 acres, as generally de-
20 picted on the map, which shall be known as the
21 “Canoe Creek Wilderness”.

22 (b) ADMINISTRATION.—

23 (1) MANAGEMENT.—Subject to valid existing
24 rights, the land designated as wilderness by sub-
25 section (a) shall be administered by the Secretary of

1 Agriculture (referred to in this section as the “Sec-
2 retary”), in accordance with the Wilderness Act (16
3 U.S.C. 1131 et seq.), except that any reference in
4 that Act to the effective date of that Act shall be
5 considered to be a reference to the date of enact-
6 ment of this Act.

7 (2) MAP AND DESCRIPTION.—

8 (A) IN GENERAL.—As soon as practicable
9 after the date of enactment of this Act, the Sec-
10 retary shall file a map and a legal description
11 of the land designated as wilderness by sub-
12 section (a) with—

13 (i) the Committee on Natural Re-
14 sources of the House of Representatives;
15 and

16 (ii) the Committee on Energy and
17 Natural Resources of the Senate.

18 (B) EFFECT.—Each map and legal de-
19 scription filed under subparagraph (A) shall
20 have the same force and effect as if included in
21 this Act, except that the Secretary may correct
22 minor errors in the map and legal description.

23 (C) PUBLIC AVAILABILITY.—Each map
24 and legal description filed under subparagraph
25 (A) shall be filed and made available for public

1 inspection in the appropriate office of the For-
2 est Service.

3 (c) POTENTIAL WILDERNESS.—

4 (1) IN GENERAL.—In furtherance of the pur-
5 poses of the Wilderness Act (16 U.S.C. 1131 et
6 seq.), certain Federal land managed by the Forest
7 Service, comprising approximately 5,346 acres as
8 identified as “Potential Wilderness” on the map, is
9 designated as potential wilderness.

10 (2) DESIGNATION AS WILDERNESS.—On the
11 date on which the Secretary publishes in the Federal
12 Register notice that any nonconforming uses in the
13 potential wilderness designated by paragraph (1)
14 have terminated, the potential wilderness shall be—

15 (A) designated as wilderness and as a com-
16 ponent of the National Wilderness Preservation
17 System; and

18 (B) incorporated into the adjacent wilder-
19 ness area.

20 (d) TREATY RIGHTS.—Nothing in this Act alters,
21 modifies, diminishes, or extinguishes the treaty rights of
22 any Indian tribe with hunting, fishing, and gathering
23 rights in the Olympic National Forest protected by a trea-
24 ty.

1 **SEC. 3. WILD AND SCENIC RIVER DESIGNATIONS.**

2 (a) IN GENERAL.—Section 3(a) of the Wild and Sce-
3 nic Rivers Act (16 U.S.C. 1274(a)) is amended by adding
4 at the end the following:

5 “(208) ELWHA RIVER, WASHINGTON.—The ap-
6 proximately 29.0-mile segment of the Elwha River
7 and tributaries from the source to Cat Creek, to be
8 administered by the Secretary of the Interior as a
9 wild river.

10 “(209) DUNGENESS RIVER, WASHINGTON.—
11 The segment of the Dungeness River from the head-
12 waters to the State of Washington Department of
13 Natural Resources land in T. 29 N., R. 4 W., sec.
14 12, to be administered by the Secretary of Agri-
15 culture, except that portions of the river within the
16 boundaries of Olympic National Park shall be ad-
17 ministered by the Secretary of the Interior, including
18 the following segments of the mainstem and major
19 tributary the Gray Wolf River, in the following class-
20 es:

21 “(A) The approximately 5.8-mile segment
22 from the headwaters to the 2860 Bridge, as a
23 wild river.

24 “(B) The approximately 2.1-mile segment
25 from the 2860 Bridge to Silver Creek, as a sce-
26 nic river.

1 “(C) The approximately 2.7-mile segment
2 from Silver Creek to Sleepy Hollow Creek, as a
3 wild river.

4 “(D) The approximately 6.3-mile segment
5 from Sleepy Hollow Creek to the Olympic Na-
6 tional Forest boundary, as a scenic river.

7 “(E) The approximately 1.9-mile segment
8 from the National Forest boundary to the State
9 of Washington Department of Natural Re-
10 sources land in T. 29 N., R. 4 W., sec. 12, as
11 a recreational river.

12 “(F) The approximately 16.1-mile segment
13 of the Gray Wolf River from the headwaters to
14 the 2870 Bridge, as a wild river.

15 “(G) The approximately 1.1-mile segment
16 of the Gray Wolf River from the 2870 Bridge
17 to the confluence with the Dungeness River, as
18 a scenic river.

19 “(210) BIG QUILCENE RIVER, WASHINGTON.—
20 The segment of the Big Quilcene River from the
21 headwaters to the City of Port Townsend water in-
22 take facility, to be administered by the Secretary of
23 Agriculture, in the following classes:

1 “(A) The approximately 4.4-mile segment
2 from the headwaters to the Buckhorn Wilder-
3 ness boundary, as a wild river.

4 “(B) The approximately 5.3-mile segment
5 from the Buckhorn Wilderness boundary to the
6 City of Port Townsend water intake facility, as
7 a scenic river.

8 “(C) Section 7(a), with respect to the li-
9 censing of dams, water conduits, reservoirs,
10 powerhouses, transmission lines, or other
11 project works, shall apply to the approximately
12 5-mile segment from the City of Port Townsend
13 water intake facility to the Olympic National
14 Forest boundary.

15 “(211) DOSEWALLIPS RIVER, WASHINGTON.—
16 The segment of the Dosewallips River from the
17 headwaters to the private land in T. 26 N., R. 3 W.,
18 sec. 15, to be administered by the Secretary of Agri-
19 culture, except that portions of the river within the
20 boundaries of Olympic National Park shall by ad-
21 ministered by the Secretary of the Interior, in the
22 following classes:

23 “(A) The approximately 12.9-mile segment
24 from the headwaters to Station Creek, as a wild
25 river.

1 “(B) The approximately 6.8-mile segment
2 from Station Creek to the private land in T. 26
3 N., R. 3 W., sec. 15, as a scenic river.

4 “(212) DUCKABUSH RIVER, WASHINGTON.—
5 The segment of the Duckabush River from the head-
6 waters to the private land in T. 25 N., R. 3 W., sec.
7 1, to be administered by the Secretary of Agri-
8 culture, except that portions of the river within the
9 boundaries of Olympic National Park shall by ad-
10 ministered by the Secretary of the Interior, in the
11 following classes:

12 “(A) The approximately 19.0-mile segment
13 from the headwaters to the Brothers Wilderness
14 boundary, as a wild river.

15 “(B) The approximately 1.9-mile segment
16 from the Brothers Wilderness boundary to the
17 private land in T. 25 N., R. 3 W., sec. 1, as
18 a scenic river.

19 “(213) HAMMA HAMMA RIVER, WASHINGTON.—
20 The segment of the Hamma Hamma River from the
21 headwaters to the eastern edge of the NW¹/₄ sec. 21,
22 T. 24 N., R. 3 W., to be administered by the Sec-
23 retary of Agriculture, in the following classes:

1 “(A) The approximately 3.1-mile segment
2 from the headwaters to the Mt. Skokomish Wil-
3 derness boundary, as a wild river.

4 “(B) The approximately 5.8-mile segment
5 from the Mt. Skokomish wilderness boundary to
6 Lena Creek, as a scenic river.

7 “(C) The approximately 6.8-mile segment
8 from Lena Creek to the eastern edge of the
9 NW¹/₄ sec. 21, T. 24 N., R. 3 W., as a rec-
10 reational river.

11 “(214) SOUTH FORK SKOKOMISH RIVER, WASH-
12 INGTON.—The segment of the South Fork
13 Skokomish River from the headwaters to the Olym-
14 pic National Forest boundary to be administered by
15 the Secretary of Agriculture, in the following classes:

16 “(A) The approximately 6.7-mile segment
17 from the headwaters to Rule Creek, as a wild
18 river.

19 “(B) The approximately 8.3-mile segment
20 from Rule Creek to LeBar Creek, as a scenic
21 river.

22 “(C) The approximately 4.0-mile segment
23 from LeBar Creek to upper end of gorge in the
24 NW¹/₄ sec. 21, T. 22 N., R. 5 W., as a rec-
25 reational river.

1 “(D) The approximately 6.0-mile segment
 2 from the upper end of the gorge to the Olympic
 3 National Forest boundary, as a scenic river.

4 “(215) MIDDLE FORK SATSOP RIVER, WASH-
 5 INGTON.—The approximately 7.9-mile segment of
 6 the Middle Fork Satsop River from the headwaters
 7 to the Olympic National Forest boundary, to be ad-
 8 ministered by the Secretary of Agriculture, as a sce-
 9 nic river.

10 “(216) WEST FORK SATSOP RIVER, WASH-
 11 INGTON.—The approximately 8.2-mile segment of
 12 the West Fork Satsop River from the headwaters to
 13 the Olympic National Forest boundary, to be admin-
 14 istered by the Secretary of Agriculture, as a scenic
 15 river.

16 “(217) WYNOOCHEE RIVER, WASHINGTON.—
 17 The segment of the Wynoochee River from the head-
 18 waters to Clark Creek to be administered by the
 19 Secretary of Agriculture, except that portions of the
 20 river within the boundaries of Olympic National
 21 Park shall by administered by the Secretary of the
 22 Interior, in the following classes:

23 “(A) The approximately 1.7-mile segment
 24 from the headwaters to the boundary of the
 25 Wonder Mountain Wilderness, as a wild river.

1 “(B) The approximately 8.2-mile segment
 2 from the boundary of the Wonder Mountain
 3 Wilderness to the head of Wynoochee Reservoir,
 4 as a recreational river.

5 “(218) EAST FORK HUMPTULIPS RIVER, WASH-
 6 INGTON.—The segment of the East Fork
 7 Humptulips River from the headwaters to the Olym-
 8 pic National Forest boundary to be administered by
 9 the Secretary of Agriculture, in the following classes:

10 “(A) The approximately 7.4-mile segment
 11 from the headwaters to the Moonlight Dome
 12 wilderness boundary, as a wild river.

13 “(B) The approximately 10.3-mile segment
 14 from the Moonlight Dome wilderness boundary
 15 to the Olympic National Forest boundary, as a
 16 scenic river.

17 “(219) WEST FORK HUMPTULIPS RIVER, WASH-
 18 INGTON.—The approximately 21.4-mile segment of
 19 the West Fork Humptulips River from the source to
 20 the Olympic National Forest Boundary, to be ad-
 21 ministered by the Secretary of Agriculture, as a sce-
 22 nic river.

23 “(220) QUINAULT RIVER, WASHINGTON.—The
 24 segment of the Quinault River from the headwaters
 25 to private land in T. 24 N., R. 8 W., sec. 33, to be

1 administered by the Secretary of the Interior, in the
2 following classes:

3 “(A) The approximately 16.5-mile segment
4 from the headwaters to Graves Creek, as a wild
5 river.

6 “(B) The approximately 6.7-mile segment
7 from Graves Creek to Cannings Creek, as a sce-
8 nic river.

9 “(C) The approximately 1.0-mile segment
10 from Cannings Creek to private land in T. 24
11 N., R. 8 W., sec. 33, as a recreational river.

12 “(221) QUEETS RIVER, WASHINGTON.—The
13 segment of the Queets River from the headwaters to
14 the Olympic National Park boundary to be adminis-
15 tered by the Secretary of the Interior, except that
16 portions of the river outside the boundaries of Olym-
17 pic National Park shall be administered by the Sec-
18 retary of Agriculture, including the following seg-
19 ments of the mainstem and certain tributaries in the
20 following classes:

21 “(A) The approximately 28.6-mile segment
22 of the Queets River from the headwaters to the
23 confluence with Sams River, as a wild river.

24 “(B) The approximately 16.0-mile segment
25 of the Queets River from the confluence with

1 Sams River to the Olympic National Park
2 boundary, as a scenic river.

3 “(C) The approximately 15.7-mile segment
4 of the Sams River from the headwaters to the
5 confluence with the Queets River, as a scenic
6 river.

7 “(D) The approximately 17.7-mile segment
8 of Matheny Creek from the headwaters to the
9 confluence with the Queets River, as a scenic
10 river.

11 “(222) HOH RIVER, WASHINGTON.—The seg-
12 ment of the Hoh River and the major tributary
13 South Fork Hoh from the headwaters to Olympic
14 National Park boundary, to be administered by the
15 Secretary of the Interior, in the following classes:

16 “(A) The approximately 20.7-mile segment
17 of the Hoh River from the headwaters to Jack-
18 son Creek, as a wild river.

19 “(B) The approximately 6.0-mile segment
20 of the Hoh River from Jackson Creek to the
21 Olympic National Park boundary, as a scenic
22 river.

23 “(C) The approximately 13.8-mile segment
24 of the South Fork Hoh River from the head-

1 waters to the National Park boundary, as a
2 wild river.

3 “(D) The approximately 4.6-mile segment
4 of the South Fork Hoh River from the National
5 Park boundary to the Washington State De-
6 partment of Natural Resources boundary in T.
7 27 N., R. 10 W., sec. 29, as a recreational
8 river.

9 “(223) BOGACHIEL RIVER, WASHINGTON.—The
10 approximately 25.6-mile segment of the Bogachiel
11 River from the source to the Olympic National Park
12 boundary, to be administered by the Secretary of the
13 Interior, as a wild river.

14 “(224) SOUTH FORK CALAWAH RIVER, WASH-
15 INGTON.—The segment of the South Fork Calawah
16 River and the major tributary Sitkum River from
17 the headwaters to Hyas Creek to be administered by
18 the Secretary of Agriculture, except those portions
19 of the river within the boundaries of Olympic Na-
20 tional Park shall by administered by the Secretary
21 of the Interior, including the following segments in
22 the following classes:

23 “(A) The approximately 15.7-mile segment
24 of the South Fork Calawah River from the
25 headwaters to the Sitkum River, as a wild river.

1 “(B) The approximately 0.9-mile segment
2 of the South Fork Calawah River from the
3 Sitkum River to Hyas Creek, as a scenic river.

4 “(C) The approximately 1.6-mile segment
5 of the Sitkum River from the source to the
6 Rugged Ridge Wilderness boundary, as a wild
7 river.

8 “(D) The approximately 11.9-mile segment
9 of the Sitkum River from the Rugged Ridge
10 Wilderness boundary to the confluence with the
11 South Fork Calawah, as a scenic river.

12 “(225) SOL DUC RIVER, WASHINGTON.—The
13 segment of the Sol Duc River from the headwaters
14 to the Olympic National Park boundary, including
15 the following segments of the mainstem and certain
16 tributaries in the following classes:

17 “(A) The approximately 7.0-mile segment
18 of the Sol Duc River from the headwaters to
19 the end of Sol Duc Hot Springs Road, as a wild
20 river.

21 “(B) The approximately 10.8-mile segment
22 of the Sol Duc River from the end of Sol Duc
23 Hot Springs Road to the Olympic National
24 Park boundary, as a scenic river.

1 “(C) The approximately 13.8-mile segment
 2 of the North Fork Sol Duc River from the
 3 headwaters to the Olympic Hot Springs Road
 4 bridge, as a wild river.

5 “(D) The approximately 0.2-mile segment
 6 of the North Fork Sol Duc River from the
 7 Olympic Hot Springs Road bridge to the con-
 8 fluence with the Sol Duc River, as a scenic
 9 river.

10 “(E) The approximately 8.0-mile segment
 11 of the South Fork Sol Duc River from the
 12 headwaters to the confluence with the Sol Duc
 13 River, as a scenic river.

14 “(226) LYRE RIVER, WASHINGTON.—The ap-
 15 proximately 0.2-mile segment of the Lyre River from
 16 Crescent Lake to the Olympic National Park bound-
 17 ary, to be administered by the Secretary of the Inte-
 18 rior as a scenic river.”.

19 (b) EFFECT.—The amendment made by subsection
 20 (a) does not affect valid existing water rights.

21 **SEC. 4. EXISTING RIGHTS AND WITHDRAWAL.**

22 (a) IN GENERAL.—In accordance with section 12(b)
 23 of the Wild and Scenic Rivers Act (16 U.S.C. 1283(b)),
 24 nothing in this Act or the amendment made by section

1 3(a) affects or abrogates existing rights, privileges, or con-
2 tracts held by private parties.

3 (b) WITHDRAWAL.—Subject to valid existing rights,
4 the Federal land within the boundaries of the river seg-
5 ments designated by this Act and the amendment made
6 by section 3(a) is withdrawn from all forms of—

7 (1) entry, appropriation, or disposal under the
8 public land laws;

9 (2) location, entry, and patent under the mining
10 laws; and

11 (3) disposition under all laws relating to min-
12 eral and geothermal leasing or mineral materials.

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