Public Law 98-550
98th Congress

An Act

To designate certain national forest system lands in the State of Wyoming for inclusion in the National Wilderness Preservation System, to release other forest lands for multiple use management, to withdraw designated wilderness areas in Wyoming from minerals activity, and for other purposes.

Oct. 30, 1984
[S. 543]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

The Wyoming Wilderness Act of 1984.
National Wilderness Preservation System.
National Forest System.

TITLE I—SHORT TITLE, FINDINGS AND PURPOSES

SHORT TITLE

SEC. 101. This Act may be cited as "The Wyoming Wilderness Act of 1984".

DECLARATION OF FINDINGS AND PURPOSES

SEC. 102. (a) The Congress finds that—

(1) certain areas of undeveloped national forest lands in the State of Wyoming possess outstanding natural characteristics giving them high values as wilderness and will, if properly preserved, be an enduring resource of wilderness for the benefit of the American people;

(2) review and evaluation of roadless and undeveloped lands in the National Forest System of Wyoming have identified those areas which, on the basis of their landform, ecosystem, associated wildlife, and location, will help to fulfill the National Forest System's share of a quality National Wilderness Preservation System; and

(3) review and evaluation of roadless and undeveloped lands in the National Forest System in Wyoming have also identified those areas which should be specially managed, deserve further study, or which should be available for multiple uses other than wilderness, subject to the Forest Service's land management planning process and the provisions of this Act.

(b) The purposes of this Act are to—

(1) designate certain National Forest System lands in Wyoming for inclusion in the National Wilderness Preservation System in order to preserve the wilderness character of the land and to protect watersheds and wildlife habitat, preserve scenic and historic resources, and promote scientific research, primitive recreation, solitude, physical and mental challenge, and inspiration for the benefit of all of the American people; and

(2) insure that certain National Forest System lands in the State of Wyoming be made available for uses other than wilderness in accordance with applicable national forest laws and planning procedures and the provisions of this Act.

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TITLE II—ADDITIONS TO THE NATIONAL WILDERNESS PRESERVATION SYSTEM

16 USC 1131 note.

SEC. 201. (a) In furtherance of the purposes of the Wilderness Act (78 Stat. 890), the following National Forest System lands in the State of Wyoming, as generally depicted on maps appropriately referenced herein, are hereby designated as wilderness, and, therefore, as components of the National Wilderness Preservation System:

16 USC 1132 note.

(1) certain lands in the Bighorn National Forest, which comprise approximately one hundred ninety-five thousand five hundred acres as generally depicted on a map entitled "Cloud Peak Wilderness Area—Proposed", dated September 1984, and which shall be known as the Cloud Peak Wilderness;

16 USC 1132 note.

(2) certain lands in the Shoshone National Forest, which comprise approximately one hundred and one thousand nine hundred and ninety-one acres, as generally depicted on a map entitled "Popo Agie Wilderness Area—Proposed", dated September 1982, and which shall be known as the Popo Agie Wilderness;

16 USC 1132 note.

(3) subject to valid existing rights and reasonable access to exercise such rights, certain lands in the Bridger-Teton National Forest, which comprise approximately two hundred eighty-seven thousand acres, as generally depicted on a map entitled "Gros Ventre Wilderness Area—Proposed", dated September 1984, and which shall be known as the Gros Ventre Wilderness;

16 USC 1132 note.

(4) certain lands in the Bridger-Teton National Forest, which comprise approximately fourteen thousand acres, as generally depicted on a map entitled, "Winegar Hole Wilderness Area—Proposed", dated September 1984, and which shall be known as the Winegar Hole Wilderness;

16 USC 1132 note.

(5) certain lands in the Targhee National Forest which comprise approximately one hundred sixteen thousand five hundred and thirty-five acres as generally depicted on a map entitled, "Jedediah Smith Wilderness Area—Proposed", dated September 1984, and which shall be known as the Jedediah Smith Wilderness;

16 USC 1132 note.

(6) subject to section 201(c) of this Act, certain lands in the Medicine Bow National Forest which comprise approximately thirty-one thousand three hundred acres as generally depicted on a map entitled, "Huston Park Wilderness Area—Proposed", dated September 1984, and which shall be known as the Huston Park Wilderness;

16 USC 1132 note.

(7) subject to section 201(c) of this Act, certain lands in the Medicine Bow National Forest which comprise approximately ten thousand four hundred acres as generally depicted on a map entitled, "Encampment River Wilderness Area—Proposed", dated September 1984, and which shall be known as the Encampment River Wilderness;

16 USC 1132 note.

(8) subject to section 201(c) of this Act, certain lands in the Medicine Bow and Routt National Forests of Wyoming and Colorado, which comprise approximately twenty-three thousand acres as generally depicted on a map entitled, "Platte River Wilderness Area—Proposed", dated September 1984, and which shall be known as the Platte River Wilderness;

(9) certain lands in the Bridger-Teton National Forest, which comprise approximately twenty-eight thousand one hundred and fifty-six acres as generally depicted on a map entitled, "Corridor Addition to the Teton Wilderness Area—Proposed", dated September 1982, and which are hereby incorporated in and which shall be deemed a part of the Teton Wilderness as designated by Public Law 88-577;

16 USC 1131 note.

(10) certain lands in the Bridger-Teton National Forest which comprise approximately thirty-six thousand acres as generally depicted on maps entitled, "Silver Creek Addition to the Bridger Wilderness—Proposed", and "Newfork Lake Addition to the Bridger Wilderness—Proposed", dated September 1984, and which are hereby incorporated in and which shall be deemed a part of the Bridger Wilderness as designated by Public Law 88-577;

(11) certain lands in the Shoshone National Forest, which comprise approximately six thousand four hundred and ninety-seven acres, as generally depicted on a map entitled, "Glacier Addition to the Fitzpatrick Wilderness—Area Proposed", dated September 1982, which are hereby incorporated in and which shall be deemed a part of the Fitzpatrick Wilderness as designated by Public Law 94-557 and Public Law 94-567: *Provided*, That within the area referred to in this subparagraph, occasional motorized access for administrative purposes and related activities as determined necessary by the Secretary for habitat management, trapping, transporting and proper management of the area's bighorn sheep population may be allowed;

16 USC 1132 note.

(12) certain lands in the Shoshone National Forest, which comprise approximately ten thousand acres, as generally depicted on a map entitled, "South Fork Addition to the Washakie Wilderness—Proposed", dated September 1984, and which are hereby incorporated in and which shall be deemed a part of the Washakie Wilderness as designated by Public Law 92-476; and

16 USC 1132 note.

(13) certain lands in the Shoshone National Forest, which comprise approximately twenty-three thousand seven hundred and fifty acres, as generally depicted on a map entitled, "High Lakes Addition to the Absaroka-Beartooth Wilderness—Proposed", dated September 1984, and which are hereby incorporated in and which shall be deemed a part of the Absaroka-Beartooth Wilderness as designated by Public Law 95-249.

16 USC 1132 note.

(b) The previous classification of each of the following is hereby abolished: the Cloud Peak Primitive Area, the Popo Agie Primitive Area, and the Glacier Primitive Area.

(c) The designation and continued existence of the Huston Park, Encampment River, Platte River and Savage Run Wildernesses shall not, under any Federal law, in any way impair or affect any present or future water rights for, and shall not prevent, impair, or in any way affect construction, operation or maintenance of, the Stage II or Stage III water development projects as presently defined in Wyoming Statutes, section 41-2-204(a) (iii) and (iv) (1984 Cum. Supp.), (Wyoming Laws 1979, ch. 126, sec. 1), or any subsequent modification thereof, including the water rights required therefor, to the extent that such modification provides for the diversion and transportation of water in the Little Snake River Basin for storage or use in said basin or in Wyoming east of the Continental Divide. No term or condition shall be imposed on any permit, license, right-

of-way or other authorization for said projects on the basis of any present or future wilderness characteristics, wilderness designations, or wilderness studies or evaluations of lands in the Medicine Bow National Forest or in Natrona, Sweetwater, or Carbon Counties in Wyoming.

LEGAL DESCRIPTION AND WILDERNESS BOUNDARIES

SEC. 202. As soon as particable after the enactment of this Act, a map and a legal description of each area described in titles II and III shall be filed with the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and each such map and description shall have the same force and effect as if included in this Act, except that correction of clerical and typographical errors in each such legal description and map may be made. Each such map and legal description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, Department of Agriculture.

Public availability.

APPLICATION OF THE WILDERNESS ACT OF 1964

SEC. 203. Subject to valid existing rights, each wilderness area designated by this Act shall be administered by the Secretary in accordance with the provisions of this Act and the Wilderness Act, except that any reference in the provisions of the Wilderness Act to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act.

Effective date.

16 USC 1131 note.

TITLE III—WILDERNESS STUDY AREAS

SEC. 301. (a) In furtherance of the purposes of the Wilderness Act, the Secretary of Agriculture shall, upon revision of the initial land management plans for the Bridger-Teton, Targhee, and Shoshone National Forests required by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, review the following lands as to their suitability for preservation as wilderness:

16 USC 1600 note.

(1) certain lands in the Bridger-Teton and Targhee National Forests of Wyoming, which comprise approximately one hundred and thirty-five thousand eight hundred and forty acres, as generally depicted on a map entitled "Palisades Wilderness Study Area—Proposed", dated September 1984, and which shall be known as the Palisades Wilderness Study Area;

(2) certain lands in the Bridger-Teton National Forest, which comprise approximately thirty thousand acres, as generally depicted on a map entitled "Shoal Creek Wilderness Study Area—Proposed", dated September 1984, and which shall be known as the Shoal Creek Wilderness Study Area; and

(3) certain lands in the Shoshone National Forest of Wyoming, which comprise approximately fourteen thousand seven hundred acres, as generally depicted on a map entitled "High Lakes Wilderness Study Area—Proposed", dated September 1984, and which shall be known as the High Lakes Wilderness Study Area.

Reports.

(b) Subsequent to such review the Secretary shall submit his reports and findings to the President and the President shall submit

his recommendations to the Congress within three years of the date of receipt of the Secretary's report.

(c) Subject to valid existing rights and reasonable access to exercise such rights, until Congress determines otherwise, the Palisades, High Lakes and Shoal Creek Wilderness Study Areas shall be administered by the Secretary of Agriculture so as to maintain their presently existing wilderness character and potential for inclusion in the National Wilderness Preservation System: *Provided,* That—

Petroleum and petroleum products.

(1) with respect to oil and gas exploration and development activities, the Palisades Wilderness Study Area shall be administered under reasonable conditions to protect the environment according to the laws and regulations generally applicable to nonwilderness lands within the National Forest System;

(2) subject to valid existing rights, the Palisades Wilderness Study Area as designated by this Act is hereby withdrawn from all forms of appropriation under the mining laws;

(3) the provisions of section 308 of the Interior Department Appropriations Act for fiscal year 1984 (Public Law 98-146) or similar provisions which may hereafter be enacted concerning oil and gas leasing, exploration and development in further planning or wilderness study areas shall not apply to the Palisades Wilderness Study Area; and

97 Stat. 951.

(4) within the Palisades, High Lakes and Shoal Creek Wilderness Study Areas, snowmobiling shall continue to be allowed in the same manner and degree as was occurring prior to the date of enactment of this Act.

TITLE IV—RELEASE OF LANDS FOR MULTIPLE USE MANAGEMENT

ADMINISTRATIVE AND CONGRESSIONAL REVIEW OF ROADLESS AREAS

Conservation.

SEC. 401. (a) The Congress finds that—

(1) the Department of Agriculture has completed the second roadless area review and evaluation program (RARE II); and

(2) the Congress has made its own review and examination of national forest roadless areas in Wyoming and the environmental impacts associated with alternative allocations of such areas.

(b) On the basis of such review, the Congress hereby determines and directs that—

(1) without passing on the question of the legal and factual sufficiency of the RARE II final environmental statement (dated January 1979) with respect to national forest lands in States other than Wyoming, such statement shall not be subject to judicial review with respect to National Forest System lands in the State of Wyoming;

(2) with respect to the national forest lands in the State of Wyoming which were reviewed by the Department of Agriculture in the second roadless area review and evaluation (RARE II) and those lands referred to in subsection (d) except those lands remaining in wilderness study upon enactment of this Act and subject to section 301, that review and evaluation or reference shall be deemed for the purposes of the initial land management plans required for such lands by the Forest and Rangeland Renewable Resources Planning Act of 1976 (Public Law 94-588) to be an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preserva-

16 USC 1600 note.

tion System and the Department of Agriculture shall not be required to review the wilderness option prior to the revisions of the plans, but shall review the wilderness option when the plans are revised, which revisions will ordinarily occur on a ten-year cycle, or at least every fifteen years, unless, prior to such time, the Secretary finds that conditions in a unit have significantly changed;

(3) areas in the State of Wyoming reviewed in such final environmental statement or referred to in subsection (d) and not designated wilderness or wilderness study upon enactment of this Act shall be managed for multiple use in accordance with land management plans pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 as amended by the National Forest Management Act of 1976: *Provided,* That such areas need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of the initial land management plans;

16 USC 1604.

(4) in the event that revised land management plans in the State of Wyoming are implemented pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 as amended by the National Forest Management Act of 1976, and other applicable law, areas not recommended for wilderness designation need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of such plans and areas recommended for wilderness designation shall be managed for the purpose of protecting their suitability for wilderness designation as may be required by the Forest and Rangeland Renewable Resources Planning Act of 1974 as amended by the National Forest Management Act of 1976, and other applicable law; and

(5) unless expressly authorized by Congress, the Department of Agriculture shall not conduct any further statewide roadless area review and evaluation of National Forest System lands in the State of Wyoming for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.

(c) As used in this section, and as provided in section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 as amended by the National Forest Management Act of 1976, the term "revision" shall not include an "amendment" to a plan.

(d) The provisions of this section shall also apply to:

(1) National Forest System roadless areas or portions thereof in the State of Wyoming identified by unit plans listed at the end of this subparagraph, which are not designated as wilderness by this Act:

National Forest	Unit Plan
Bridger-Teton	Union Pass
Bridger-Teton	Big Piney
Bridger-Teton	Spread Creek
Bridger-Teton	North Gros Ventre
Targhee	West Slope-Tetons
Targhee	Island Park
Medicine Bow	Huston Park
Medicine Bow	Savage Run
Shoshone	Beartooth Plateau

(2) that portion of the Beartooth-High Lakes Area not included in wilderness or wilderness study by this Act; and

(3) national forest roadless lands in the State of Wyoming which are less than five thousand acres in size.

(e) The provisions of this section shall not apply to the area referred to in section 5 of Public Law 92-476 (86 Stat. 792) and generally known as the Dunoir Special Management Unit, which shall continue to be managed pursuant to Public Law 92-476. 16 USC 1132 note.

TITLE V—MISCELLANEOUS PROVISIONS

GRAZING IN WILDERNESS AREAS

SEC. 501. The Secretary of Agriculture is directed to review all policies, practices, and regulations of the Department of Agriculture regarding livestock grazing in national forest wilderness areas in the State of Wyoming in order to insure that such policies, practices, and regulations fully conform with and implement the intent of Congress regarding grazing in such areas, as such intent is expressed in the Wilderness Act, as interpreted by Public Law 98-406. Animals. 16 USC 1131 note. *Ante*, p. 1485.

STATE WATER ALLOCATION AUTHORITY

SEC. 502. As provided in section 4(d)(6) of the Wilderness Act, except as provided in section 201(c) of this Act, nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from Wyoming water laws.

STATE FISH AND WILDLIFE AUTHORITY

SEC. 503. As provided in section 4(d)(7) of the Wilderness Act, nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the State of Wyoming with respect to wildlife and fish in the national forests in Wyoming. 16 USC 1133.

PROHIBITION ON BUFFER ZONES

SEC. 504. Congress does not intend that the designation of wilderness areas in the State of Wyoming lead to the creation of protective perimeters or buffer zones around each wilderness area. The fact that nonwilderness activities or uses can be seen or heard from within any wilderness area shall not, of itself, preclude such activities or uses up to the boundary of the wilderness area.

PROTECTION OF ARCHAEOLOGICAL RESOURCES

SEC. 505. (a) Within the areas described in sections 201 and 301, and within any previously-designated components of the National Wilderness Preservation System in the State of Wyoming, and in furtherance of the purposes of the Wilderness Act, section 6 of the National Forest Management Act, the Archaeological Resources and Protection Act, and the Historic Preservation Act, the Secretary shall cooperate with the Secretary of the Interior and with agencies and institutions of the State of Wyoming, in conducting a cultural resources management program. 16 USC 1604, 470aa note, 470 note.

(b) Such program shall have as its purpose the protection of archaeological sites and interpretation of such sites for the public benefit and knowledge, and compliance with all Federal and State

historic and cultural resource preservation statutes, regulations, guidelines, and standards, insofar as these activities are compatible with the purposes for which the affected lands were designated as wilderness or special management areas.

Provisions held invalid.

SEC. 506. If any provision of this Act or the application thereof is held invalid, the remainder of the Act and the application thereof shall not be affected thereby.

Approved October 30, 1984.

LEGISLATIVE HISTORY—S. 543:

SENATE REPORT No. 98-54 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD:
Vol. 129 (1983): Apr. 13, considered and passed Senate.
Vol. 130 (1984): Oct. 2, considered and passed House, amended.
Oct. 3, Senate concurred in House amendment.