

Proposed by PD - 1-6-84
(Reflecting mines, cattle, utility release language)

SRP10338

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A BILL

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Arizona Wilderness Act of 1984".

TITLE I-SHORT TITLE, FINDINGS AND PURPOSES

Short Title

Sec. 101. This Act may be cited as the Arizona 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 Arizona possess outstanding natural characteristics giving them high values as wilderness and will, if properly preserved, contribute as 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

1 of Arizona have identified those areas which,
2 on the basis of their landform, ecosystem,
3 associated wildlife, and location, will help to
4 fulfill the national forest system's share of
5 a quality National Wilderness Preservation System;
6 and

7 (3) review and evaluation of roadless and
8 undeveloped lands in the national forest system
9 in Arizona also have identified those areas which
10 should be available for multiple uses other than
11 wilderness, subject to the Forest Service's land
12 management planning process and the provisions
13 of the Rangeland Renewable Resources Planning
14 Act of 1974, as amended.

15 (b) The purposes of this Act are to (1) designate
16 certain national forest system lands in Arizona
17 for inclusion in the National Wilderness
18 Preservation System in order to preserve the
19 wilderness character of the land and to protect
20 watersheds and wildlife habitat, preserve scenic
21 and historic resources, and promote scientific
22 research, primitive recreation, solitude, physical
23 and mental challenge, and inspiration for the
24 benefit of all of the American people;

25 (2) withdraw, subject to valid existing rights,
26 National Wilderness Preservation System lands

1 in the State of Arizona, including those so
2 designated by this Act, from operation of the
3 general mining and mineral leasing laws in order
4 to protect the physical characteristics and
5 wilderness values which motivated the Congress
6 to include these lands within the System;

7 (3) require appropriate inventory to assess
8 and document the minerals potential of National
9 Wilderness Preservation System lands in the State
10 of Arizona in order to enhance the data base;
11 and

12 (4) insure that certain national forest system
13 lands in the State of Arizona be made available
14 for uses other than wilderness in accordance with
15 applicable national forest laws and planning
16 procedures and section 301 of this Act.

17 The lands referred to in paragraph (4) may be managed for
18 a wide variety of uses, depending on their unique
19 characteristics, including but not limited to fish and wildlife
20 protection and management, developed and undeveloped recreation,
21 scenic enjoyment, preservation of natural characteristics,
22 range management, timber harvesting, watershed and vegetation
23 management, energy and minerals exploration and development,
24 and other uses.

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1 Forest, which comprise approximately 9,890 acres
2 as generally depicted on a map titled "Wet Beaver
3 Wilderness Area Proposal", numbered 3-045 and
4 dated January 20, 1984, and which shall be known
5 as the Wet Beaver Wilderness.

6 (4) Certain lands in the Coconino National
7 Forest, which comprise approximately 5,880 acres
8 as generally depicted on a map titled "Lower
9 Jacks Canyon and Jacks Canyon Wilderness Area
10 Proposals," numbered 3-043 and 3-040,
11 respectively, and dated January 20, 1984, and
12 which shall be known as the Jacks Canyon
13 Wilderness.

14 (5) Certain lands in the Coconino National
15 Forest, which comprise approximately 9,840 acres
16 as generally depicted on a map titled "Strawberry
17 Crater South and Strawberry Crater North
18 Wilderness Area Proposals," numbered 3-048 and
19 3059, respectively, and dated January 20, 1984,
20 and which shall be known as the Strawberry Crater
21 Wilderness.

22 (6) Certain lands in the Coconino National
23 Forest, which comprise approximately 32,870
24 acres as generally depicted on a map titled
25 "Rattlesnake Wilderness Area Proposal", numbered
26 3-054 and dated January 20, 1984, and which

1 shall be known as the Rattlesnake Wilderness.

2 (7) Certain lands in the Coconino National
3 Forest, which comprise approximately 43,000
4 acres as generally depicted on a map titled
5 "Red Rock-Secret Mountain Wilderness Area
6 Proposal", numbered 3-053 and dated January
7 20, 1984, and which shall be known as the Red
8 Rock-Secret Mountain Wilderness.

9 (8) Certain lands in the Coconino National
10 Forest, which comprise approximately 14,090
11 acres as generally depicted on a map titled
12 "Fossil Springs Wilderness Area Proposal",
13 numbered 3-046 and dated January 20, 1984, and
14 which shall be known as the Fossil Springs
15 Wilderness.

16 (9) Certain lands in the Prescott National
17 Forest, which comprise approximately 9,770 acres
18 as generally depicted on a map titled Juniper
19 Mesa Wilderness Area Proposal", numbered 3-080
20 and dated January 20, 1984, and which shall
21 be known as the Juniper Mesa Wilderness.

22 (10) Certain lands in the Prescott National
23 Forest, which comprise approximately 8,580 acres
24 as generally depicted on a map titled "Granite
25 Mountain Wilderness Area Proposal", numbered
26 3-084 and dated January 20, 1984, and which

1 shall be known as the Granite Mountain Wilderness.

2 (11) Certain lands in the Prescott National
3 Forest, which comprise approximately 5,610 acres
4 as generally depicted on a map titled "Apache
5 Creek Wilderness Area Proposal", numbered 3-081
6 and dated January 20, 1984, and which shall
7 be known as the Apache Creek Wilderness.

8 (12) Certain lands in the Prescott National
9 Forest, which comprise approximately 8,040 acres
10 as generally depicted on a map titled "Connell
11 Mountains Wilderness Proposal", numbered 3-082
12 and dated January 20, 1984, and which shall
13 be known as the Connell Mountains Wilderness.

14 (13) Certain lands in the Tonto and Coconino
15 National Forests, which comprise approximately
16 35,000 acres as generally depicted on a map
17 titled "Mazatzal Wilderness Addition Wilderness
18 Area Proposal", numbered 3-016 and dated January
19 20, 1984, and which shall be known as the Mazatzal
20 Wilderness.

21 (14) Certain lands in the Apache National
22 Forest, which comprise approximately 110,000
23 acres as generally depicted on a map titled
24 "Blue Range Primitive Area Wilderness Proposal",
25 numbered NF3900 and dated January 20, 1984,
26 201(a)84, and which shall be known as the Blue

1 Range Wilderness.

2 (15) Certain lands in the Apache National
3 Forest, which comprise approximately 1,090 acres
4 as generally depicted on a map titled "Blue
5 Range Primitive Area Wilderness Proposal",
6 numbered P3-169 and dated January 20, 1984,
7 and which shall be known as the Blue Range
8 Wilderness.

9 (16) Certain lands in the Apache National
10 Forest, which comprise approximately 8,500 acres
11 as generally depicted on a map titled "Escudilla
12 Mountain Wilderness Area Proposal", numbered
13 3-128 and dated January 20, 1984, and which
14 shall be known as the Escudilla Mountain
15 Wilderness.

16 (17) Certain lands in the Apache National
17 Forest, which comprise approximately 13,100
18 acres as generally depicted on a map titled
19 "Centerfire Wilderness Area Proposal", numbered
20 3-130 and dated January 20, 1984, and which
21 shall be known as the Centerfire Wilderness.

22 (18) Certain lands in the Apache National
23 Forest, which comprise approximately 7,150 acres
24 as generally depicted on a map titled "Bear
25 Wallow Wilderness Area Proposal", numbered 3-131
26 and dated January 20, 1984, and which shall

1 be known as the Bear Wallow Wilderness.

2 (19) Certain lands in the Coronado National
3 Forest, which comprise approximately 30,150
4 acres as generally depicted on a map titled
5 "Chiricahua Additions Wilderness Area Proposal",
6 numbered 3-109 and dated January 20, 1984, and
7 which shall be known as the Chiricahua Wilderness.

8 (20) Certain lands in the Coronado National
9 Forest, which comprise approximately 27,160
10 acres as generally depicted on a map titled
11 "Santa Teresa Wilderness Area Proposal", numbered
12 3-121 and dated January 20, 1984, and which
13 shall be known as the Santa Teresa Wilderness.

14 (21) Certain lands in the Coronado National
15 Forest, which comprise approximately 43,360
16 acres as generally depicted on a map titled
17 Rincon Mountains Wilderness Area Proposal",
18 numbered A3-126 and dated January 20, 1984,
19 and which shall be known as the Rincon Mountains
20 Wilderness.

21 (22) Certain lands in the Coronado National
22 Forest which comprise approximately 5,080 acres
23 as generally depicted on a map titled "Whitmire
24 Canyon Wilderness Area Proposal", numbered 3-110
25 and dated January 20, 1984, and which shall
26 be known as the Whitmire Canyon Wilderness.

1 (23) Certain lands in the Coronado National
2 Forest, which comprise approximately 55,090
3 acres as generally depicted on a map titled
4 "Mt. Graham Wilderness Area Proposal", numbered
5 3-123 and dated January 20, 1984, and which
6 shall be known as the Mt. Graham Wilderness.
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8 Legal Description and Wilderness Boundaries

9 Sec. 202. As soon as practicable after the enactment
10 of this Act, a map at a scale of one-half inch equals
11 one mile and a legal description of each wilderness
12 area designated under section 201 shall be filed with
13 the Committee on Energy and Natural Resources of the
14 United States Senate and the Committee on Interior and
15 Insular Affairs of the House of Representatives, and
16 each such map and description shall have the same force
17 and effect as if included in this Act, except that
18 correction of clerical and typographical errors in each
19 such legal description and map may be made. Each such
20 map and legal description shall be on file and available
21 for public inspection in the Office of the Chief of
22 the Forest Service, Department of Agriculture, in the
23 Office of the Regional Forester for the Southwest Region
24 and in the Office of the Forest Supervisor for each
25 national forest containing a wilderness area designated
26 by this Act.

1 **Application of the Wilderness Act of 1964**

2 Sec. 203. Subject to valid existing rights, each
3 wilderness area designated by this Act shall be
4 administered by the Secretary in accordance with the
5 provisions of this Act and the Wilderness Act, except
6 that any reference in the provisions of the Wilderness
7 Act to the effective date of the Wilderness Act shall
8 be deemed to be a reference to the effective date of
9 this Act.

10 **TITLE III-RELEASE OF LANDS FOR MULTIPLE**

11 **USE MANAGEMENT**

12 **Administrative and Congressional Review and Release of**
13 **Roadless Areas**

14 Sec. 301. The Congress hereby determines and directs
15 that (1) Lands in the State of Arizona managed by
16 the Forest Service not designated as wilderness by this
17 Act have been adequately studied for wilderness in the
18 RARE II Final Environmental Impact Statement (dated
19 January, 1979) and such statement shall not be subject
20 to judicial review with respect to national forest system
21 lands in the State of Arizona;

22 (2) Such studies shall constitute an adequate
23 consideration of the suitability of national forest
24 system lands in the State of Arizona for inclusion in
25 the National Wilderness Preservation System and the
26 Department of Agriculture shall not review the wilderness

1 option for such land prior to revision of the initial
2 plans required for such lands by the Forest and Rangeland
3 Renewable Resources Planning Act of 1974 as amended
4 by the National Forest Management Act of 1976 and in
5 no event prior to January 1, 1998;

6 (3) Such lands shall not be managed for the purpose
7 of protecting their suitability for wilderness designation
8 pending revision of the initial plans and in no event
9 prior to January 1, 1998;

10 **TITLE IV-WITHDRAWAL OF DESIGNATED WILDERNESS**

11 **AREAS FROM OPERATION OF THE MINING**

12 **AND MINERAL LEASING LAWS**

13 **Withdrawal of Designated Wilderness Areas from**
14 **Mining and Minerals Activity**

15 Sec. 401. Notwithstanding any other provision of
16 law, and subject to valid existing rights, lands within
17 the national forest system in Arizona which have
18 previously been designated by Act of Congress for
19 inclusion in the National Wilderness Preservation System,
20 and lands which are so designated by this Act, are hereby
21 withdrawn from all forms of appropriation under the
22 mining laws and from disposition under all laws pertaining
23 to mineral and geothermal leasing and all amendments
24 thereto. In the case of the lands referred to in the
25 preceding sentence, for purposes of applying the
26 provisions of section 4(d)(3) of the Wilderness Act,

1 the date of enactment of this Act shall be substituted
2 for the December 31, 1983, and the January 1, 1984,
3 dates referred to in such provisions.

4 **TITLE V-ASSESSMENT OF MINERALS,**

5 **PROHIBITION ON DRILLING**

6 **Minerals Assessment Activity**

7 Sec. 501(a) Subject to subsection 501(b) of this
8 Act, and in furtherance of section 4(d)(2) of the
9 Wilderness Act and the policies of the National Materials
10 and Minerals Policy, Research and Development Act (94
11 Stat. 2305), the Secretary of the Interior shall continue
12 to assess the minerals potential of National Wilderness
13 Preservation System lands within the State of Arizona
14 in order to expand the data base with respect to the
15 minerals potential of such lands.

16 (b) Notwithstanding any other provision of law and
17 subject to valid existing rights, exploratory drilling
18 within the boundaries of any congressionally designated
19 unit of the National Wilderness Preservation System
20 in the State of Arizona for the purpose of assessing
21 oil and gas potential is hereby prohibited.

22 **State Water Allocation Authority**

23 Sec. 601(a) As provided in section 4(d)(7) of the
24 Wilderness Act, nothing in this Act shall constitute
25 an express or implied claim or denial on the part of
26 the Federal Government as to exemption from Arizona

1 water laws.

2 (b) As provided in section 4(d)(8) of the Wilderness
3 Act, nothing in this Act shall be construed as affecting
4 the jurisdiction or responsibilities of the State of
5 Arizona with respect to wildlife and fish in the national
6 forests in Arizona.

7 Prohibition on Buffer Zones

8 Sec. 602. Congress does not intend that designation
9 of wilderness areas in the State of Arizona lead to
10 the creation of protective perimeters or buffer zones
11 around each wilderness area. The fact that nonwilderness
12 activities or uses can be seen or heard from areas within
13 the wilderness shall not, of itself, preclude such
14 activities or uses up to the boundary of the wilderness
15 area.

16 Transportation and Utility Corridors

17 Sec. 603. Within 180 days after the date of enactment
18 of this Act, the Secretaries of Agriculture and Interior
19 shall designate transportation and utility corridors
20 upon lands subject to their respective jurisdictions
21 in the State of Arizona, in accordance with the provisions
22 of Section 503 of the Federal Land Policy and Management
23 Act of 1976 (43 U.S.C. 1763). In so doing, the
24 Secretaries shall consider existing and proposed
25 transportation and utility rights of way and facilities
26 in the State. Corridors designated by the Secretaries

1 shall be of such width as the Secretaries shall deem
2 appropriate; provided, however, that they shall be no
3 more than one mile, no less than one-quarter mile in
4 width; and further, provided, that lands thus designated
5 as transportation and utility corridors shall not be
6 further studied for eligibility as wilderness nor shall
7 they be managed for the purpose of protecting their
8 suitability for wilderness designation. The designation
9 of corridors pursuant to this subsection shall not
10 preclude the designation of additional corridors at
11 a later date under Section 503 of the Federal Land Policy
12 and Management Act of 1976.

13 **Grazing in Wilderness Areas**

14 Sec. 604. The grazing of livestock including the
15 use of motorized equipment for the maintenance of range
16 improvements and for grazing and range management
17 activities, where established prior to the date of this
18 Act, shall be permitted to continue subject to such
19 reasonable regulations as are deemed necessary by the
20 Secretary of Agriculture. The Secretary is directed
21 to review all policies, practices, and regulations of
22 the Department of Agriculture regarding livestock grazing
23 in national forest wilderness areas in Arizona in order
24 to ensure that such policies, practices, and regulations
25 fully conform with and implement the intent of Congress
26 regarding grazing in such areas, as such intent is

1 expressed in the Wilderness Act. The Secretary shall
2 give particular attention to changes needed in such
3 policies, practices and regulations to assure that
4 maintenance of range improvements and grazing and range
5 management activities in forest wilderness areas in Arizona
6 are permitted on a timely basis.

7 **Management of Concentrated Use**

8 Sec. 605. The Secretary of Agriculture shall manage
9 entry points and areas in national forest wilderness
10 areas in Arizona receiving concentrated public use so
11 as to avoid unreasonable interference with other
12 authorized activities in such areas.

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