

The original documents are located in Box 21, folder “1975/01/03 HR12884 Omnibus Wilderness Designations” of the White House Records Office: Legislation Case Files at the Gerald R. Ford Presidential Library.

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APPROVED
JAN 3-1975

THE WHITE HOUSE

ACTION

WASHINGTON

Last Day: January 4

January 2, 1975

POSTED 1/4/75
TO ARCHIVES 1/6/75

MEMORANDUM FOR THE PRESIDENT
FROM: KEN COLE
SUBJECT: Enrolled Bill H.R. 12884
Omnibus Wilderness Designations

Attached for your consideration is H.R. 12884, sponsored by Representative Melcher and 24 others, which establishes seventeen wilderness areas in thirteen states comprising approximately 720,556 acres. A list of the proposed designated wilderness areas is at Tab A.

While most of the wilderness proposals are very similar to the Nixon Administration's original proposal, there are three variations, two of which are relatively insignificant. In the third, the Weminuche Wilderness, the Congress increased the proposal by over 58,000 acres. The Department of Agriculture states that this increase will result in some administrative problems but finds it manageable and thus recommends approval.

OMB recommends approval and provides additional background information in its enrolled bill report (Tab B).

Interior, Agriculture, Friedersdorf (Loen) and Areeda recommend approval.

RECOMMENDATION

That you sign H.R. 12884 (Tab C).





EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

DEC 31 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 12884 - Omnibus wilderness
designations
Sponsor - Rep. Melcher (D) Montana and 24 others

Last Day for Action

January 4, 1975 - Saturday

Purpose

Establishes seventeen wilderness areas in 13 States
comprising approximately 720,556 acres.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval
Department of Agriculture	Approval
Department of the Army	No objection
Department of Transportation	No objection (Informally)
Department of Commerce	No objection (Informally)
Council on Environmental Quality	No objection
Federal Energy Administration	No position (Informally)
Federal Power Commission	No position (Informally)

Discussion

Under the Wilderness Act, Agriculture and Interior are required to make recommendations to the President for additions to the National Wilderness Preservation System, and the President is required to submit these, along with his own recommendations, to the Congress. To qualify for wilderness designation, an area must generally be undeveloped



Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions.

H.R. 12884 would designate as components of the National Wilderness Preservation System: (a) thirteen areas within the Interior/National Wildlife Refuge System comprising 116,056 acres located in 10 States; and, (b) four areas within the Agriculture/National Forest System comprising 604,500 acres located in 3 other States (the attachment lists each area). In addition, the bill would require the area commonly called the Cherry Creek exclusion of the Stanislaus National Forest in California to be reviewed as to its suitability or nonsuitability for preservation as wilderness. Each of the wilderness areas would be administered under the provisions of the Wilderness Act which means its primitive, natural state would be retained.

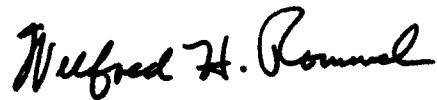
The wilderness proposals for each of these areas originated from recommendations made by the Nixon Administration to the Congress. Each of the Interior areas is very similar in substance to the Administration's original proposals. With respect to Agriculture's areas, there are some variations from the Administration's proposals in three out of four of the wildernesses. Two of these are relatively insignificant while in the case of the third, the Weminuche Wilderness, the Congress increased the original Administration proposal from 346,800 acres to 405,032 acres including the addition of an area of known mineralization.

In its views letter on the enrolled bill, Agriculture notes that if the mineralized portion of the Weminuche Wilderness is developed in the future -- mining is currently allowed in National Forest Wildernesses -- it would create significant problems in administering the area for its wilderness values. However, on balance the Department concludes:

"Although three of the four National Forest Wildernesses contained in the enactment contain some additional acreage beyond the Administration's proposal and the



inclusion of these additional lands will result in some administrative problems, we generally find the boundaries manageable. The inclusion of these additional areas will not have a major impact on existing resource uses. We recommend that the President approve the enactment."

A handwritten signature in black ink, reading "Wilfred H. Rommel". The signature is written in a cursive style with a large, prominent initial "W".

Assistant Director for
Legislative Reference

Enclosures

DESIGNATED WILDERNESS AREAS

INTERIOR

<u>National Wildlife Refuge</u>	<u>Wilderness Area (acres)</u>	<u>State</u>
1. Chamisso	Chamisso (455)	Alaska
2. Key Deer, Great White Heron, and Key West	Florida Keys (4,740)	Florida
3. St. Marks	St. Marks (17,746)	Florida
4. Blackbeard Island	Blackbeard Island (3,000)	Georgia
5. Wolf Island	Wolf Island (5,126)	Georgia
6. Breton	Breton (5,000)	Louisiana
7. Moosehorn	Moosehorn (4,719)	Maine
8. Brigantine	Brigantine (6,603)	New Jersey
9. Bosque del Apache	Bosque del Apache (30,850)	New Mexico
10. Chase Lake	Chase Lake (4,155)	North Dakota
11. Lostwood	Lostwood (5,577)	North Dakota
12. West Sister Island	West Sister Island (85)	Ohio
13. Cape Romain	Cape Romain (28,000)	South Carolina
	SUBTOTAL (116,056)	

AGRICULTURE

<u>National Forest</u>	<u>Wilderness Area (acres)</u>	<u>State</u>
1. Cleveland	Aqua Tibia (16,971)	California
2. Stanislaus	Emigrant (106,910)	California
3. Rio Grande and San Juan	Weminuche (405,031)	Colorado
4. Flathead	Mission Mountains (75,588)	Montana
	SUBTOTAL (604,500)	

Interior and Agriculture TOTAL (720,556)



FEDERAL POWER COMMISSION
WASHINGTON, D.C. 20426

DEC 30 1974

Enrolled Bill, H.R. 12884 - 93d Congress
An Act to designate certain lands as wilderness

Honorable Roy L. Ash
Director, Office of Management and Budget
Executive Office of the President
Washington, D. C. 20503

Attention: Ms. Mohr
Legislative Reference Division
Room 7201, New Executive Office Building

Dear Mr. Ash:

This is in response to Mr. Rommel's request of December 23, 1974, for this Commission's views on H.R. 12884, an enrolled bill, "To designate certain lands as wilderness."

Section 1 of the Bill, as enrolled, would designate thirteen new Wilderness Areas within the National Wildlife Refuge System. Section 2 of H.R. 12884 would designate four new Wilderness Areas within the National Forest System. Sections 3, 4 and 5 of the Bill encompass standard "Administrative Provisions". H.R. 12884, in its entirety, falls within the purview of the Wilderness Act.

The Commission has, in the past, provided views on a number of these Wilderness Areas as they were designated in draft legislation submitted to Congress by the Departments of Interior and Agriculture. Because of substantial changes in and additions of Wilderness Areas as designated in H.R. 12884, we cannot necessarily fully endorse these former views as to the status of potential and existing electrical power sources and natural gas reserves within the prescribed Wilderness Areas.

Four Wilderness Areas appear in the Enrolled Bill which have not previously been analyzed by this agency. They are: Chamisso, /sec. 1(a)/, Florida Keys, /sec. 1(b)/, Breton, /sec. 1(f)/, and West Sister Island, /sec. 1(l)/. Six of the designated Wilderness Areas are now larger in area than when commented upon by the Commission. They are: Wolf Island, /sec. 1(e)/, Moosehorn, /sec. 1(g)/, Brigantine, /sec. 1(h)/, Agua Tibia, /sec. 2(a)/, Weminuche, /sec. 2(c)/, and Mission Mountains, /sec. 2(d)/. In addition two Wilderness Areas are now smaller in acreage since our views were last advanced. They are: Bosque del Apache, /sec. 1(i)/, and Emigrant, /sec. 2(b)/.

Due to the urgency of your request, there is insufficient time to analyze the above mentioned changes and new designations in H.R. 12884 as enrolled. The Federal Power Commission does not possess or have ready access to the requisite research materials to provide definitive and meaningful comments within two days on all of these Wilderness Areas as they may affect potential and existing electrical power sources and natural gas reserves.

Sincerely,



John N. Nassikas
Chairman

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 945

Date: January 1, 1974

Time: 11:00 a.m.

FOR ACTION:

Mike Duval *oh.*
Phil Areeda *no obj*
Max Friedersdorf *sa*

cc (for information):

Warren Hendriks
Jerry Jones
Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date:

Thursday, January 2

Time:

noon

SUBJECT:

Enrolled Bill H.R. 12884 - Omnibus Wilderness designations

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing



PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 945

Date: January 1, 1975

Time: 11:00 a.m.

FOR ACTION:

Mike Duval
Phil Areeda
Max Friedersdorf

cc (for information):

Warren Hendriks
Jerry Jones
Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date: Thursday, January 2

Time: noon

SUBJECT:

Enrolled Bill H.R. 12884 - Omnibus Wilderness designations

ACTION REQUESTED:

- | | |
|---|---|
| <input type="checkbox"/> For Necessary Action | <input type="checkbox"/> For Your Recommendations |
| <input type="checkbox"/> Prepare Agenda and Brief | <input type="checkbox"/> Draft Reply |
| <input type="checkbox"/> For Your Comments | <input type="checkbox"/> Draft Remarks |

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

OK Mike Duval

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks
For the President

THE WHITE HOUSE

WASHINGTON

1/2/75

MEMORANDUM FOR:

WARREN HENDRIKS

FROM:

MAX L. FRIEDERSDORF VL

SUBJECT:

Action Memorandum - Log No. 945
Enrolled Bill H. R. 12884 - Omnibus
Wilderness designations

The Office of Legislative Affairs concurs with the Agencies
that the enrolled bill should be signed.

Attachments

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 945

Date: January 1, 1975

Time: 11:00 a.m.

FOR ACTION:

Mike Duval
Phil Areeda
Max Friedersdorf

cc (for information):

Warren Hendriks
Jerry Jones
Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date:

Thursday, January 2

Time:

noon

SUBJECT:

Enrolled Bill H.R. 12884 - Omnibus Wilderness designations

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

No objection

P. Areeda

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks
For the President



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

DEC 27 1974

Dear Mr. Ash:

This responds to your request for our views on enrolled bill H.R. 12884, "To designate certain lands a wilderness."

We recommend that the President approve the enrolled bill. However, with regard to sections 2 and 3 of H.R. 12884 we defer to the views of the Department of Agriculture.

As enrolled, H.R. 12884 designates 17 new components of the National Wilderness Preservation System in accordance with the Wilderness Act of 1964 (78 Stat. 890, 891, 892). Section 1 of the bill designates 13 wilderness areas in the National Wildlife Refuge System pursuant to Section 3(c) of the Wilderness Act. Section 1 would designate wilderness areas in national wildlife refuges in 10 States, and such wilderness areas would total about 130,000 acres.

Section 4 provides that as soon as practicable after this bill takes effect, a map and legal description of each wilderness area shall be filed with the Interior and Insular Affairs Committees of both the Senate and House of Representatives. Such description shall have the same force and effect as if included in this legislation.

Section 5 provides that wilderness areas designated by this legislation shall be administered in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness areas. Any reference to the effective date of that Act shall be deemed a reference to the effective date of this bill, and references in that Act to the Secretary of Agriculture shall be deemed to be a reference to the Secretary who has administrative jurisdiction over the area.

Section 2 of the bill designates 4 areas for inclusion in the National Wilderness System within the National Forest System, pursuant to section 3(b) of the Wilderness Act. Section 3 abolishes all primitive area classifications of areas designated wilderness by this bill, except as otherwise provided



Save Energy and You Serve America!

in this bill. We defer to the views of the Department of Agriculture on these two sections.

H.R. 12884 as enrolled consolidates into one proposal numerous wilderness bills which were pending before Congress. Eleven of the thirteen wilderness areas designated by section 1 of this bill were in these earlier bills. Each of these earlier eleven wilderness recommendations had been transmitted to the Congress by the President for inclusion in the National Wilderness Preservation System in Messages on April 28, 1971, February 8, 1972 and September 21, 1972, following study and favorable recommendations by this Department. These eleven recommendations as incorporated in enrolled bill H.R. 12884 are:

- (1) Chamisso Wilderness, in Chamisso National Wildlife Refuge, Alaska, 455 acres;
- (2) Florida Keys Wilderness, in parts of the National Key Deer Refuge, the Great White Heron National Wildlife Refuge and the Key West National Wildlife Refuge, Florida, 4,470 acres;
- (3) Saint Marks Wilderness, in the Saint Marks Wildlife Refuge, Florida, 17,746 acres;
- (4) Wolf Island Wilderness, in the Wolf Island National Wildlife Refuge, Georgia, 4,218 acres;
- (5) Breton Wilderness, in the Breton National Wildlife Refuge, Louisiana, 5,000 acres;
- (6) Moosehorn Wilderness (Baring Unit), in the Moosehorn National Wildlife Refuge, Maine, 4,598 acres;
- (7) Brigantine Wilderness, in the Brigantine National Wildlife Refuge, New Jersey, 6,603 acres;
- (8) Bosque del Apache Wilderness, in Bosque del Apache National Wildlife Refuge, New Mexico, 32,500 acres;
- (9) Chase Lake Wilderness, in the Chase Lake National Wildlife Refuge, North Dakota, 4,155 acres;
- (10) West Sister Island Wilderness, all of the West Sister Island National Wildlife Refuge, Ohio, 85 acres; and

(11) Cape Romain Wilderness, in the Cape Romain National Wildlife Refuge, South Carolina, 28,000 acres.

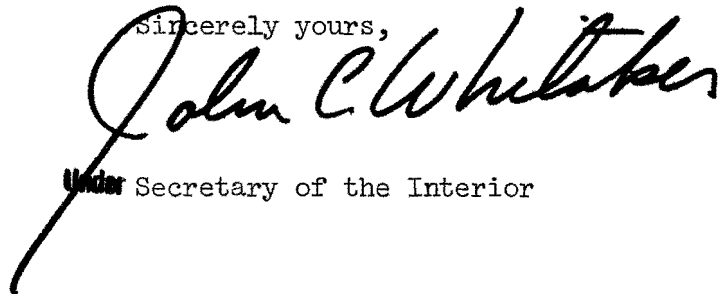
Two areas were not in H.R. 12884 as it first passed the House, but were later added by the Senate. These two areas were in H.R. 5422, one of the earlier bills pending before Congress. These two areas, now in section 1 of the enrolled bill, are:

(1) Blackbeard Island Wilderness, in the Blackbeard Island National Wildlife Refuge, Georgia, 3,000 acres; and

(2) Lostwood Wilderness, in the Lostwood National Wildlife Refuge, North Dakota, 4,155 acres.

Both of these areas had been part of Presidential Messages to Congress for inclusion in the National Wilderness Preservation System, following study and favorable recommendation by this Department.

Sincerely yours,

A large, stylized handwritten signature in black ink, reading "John C. Whitaker". The signature is written in a cursive style with a prominent loop at the beginning of the first name.

~~Under~~ Secretary of the Interior

Honorable Roy L. Ash
Director, Office of
Management and Budget
Washington, D. C. 20503



DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20250

December 24, 1974

Honorable Roy L. Ash
Director, Office of
Management and Budget

Dear Mr. Ash:

This is in response to the request of your office for a report on the enrolled enactment H.R. 12884, "To designate certain lands as wilderness."

The Department of Agriculture recommends that the President approve the enactment.

The enactment would designate thirteen areas within the National Wildlife Refuge System and four areas within the National Forest System as components of the National Wilderness Preservation System. The areas are to be administered in accordance with the provisions of the Wilderness Act.

The original proposals for each of these wildernesses resulted from the review procedures set forth in the Wilderness Act and the subsequent recommendations of the President to the Congress. The Administration's proposals were introduced in the House as H.R. 5422. We will defer to the Department of the Interior for an analysis of those areas to be designated within the National Wildlife Refuge System; however, we note that the designations which are contained in the enactment are very similar to those contained in H.R. 5422.

The four areas within the National Forest System that would be designated as wilderness are the Agua Tibia, Emigrant, Weminuche, and Mission Mountains.

The Administration's proposal for the Agua Tibia Wilderness contained approximately 11,900 acres. The area proposed in the enactment is for approximately 16,971 acres. The additional 5,071 acres are within the existing primitive area. We recommend exclusion of this additional acreage primarily because the areas involved are traversed by existing roads essential for fire emergencies and administration of the area. The Senate Committee in their report on the area recognized the difficulties of including these roads in the wilderness, but, based on the need for wilderness recreation opportunities in Southern California, voted to include the additional areas.

The Administration's proposal for the Emigrant Wilderness contained approximately 106,910 acres. The area in the enactment is identical to that in the Administration's proposal. The difference of 1,034 acres in the acreage is a technical difference in that the 106,910 acres includes 1,034 acres of private inholdings. This technical difference will not

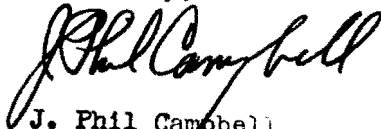
alter the status of the private lands. The enactment contains an additional provision that an area of 6,042 acres receive additional study in conjunction with an adjacent undeveloped area. In our study of the Emigrant Basin Primitive Area, we studied this area and recommended that it be excluded from the wilderness because of a 21-mile miner's road, numerous mining claims, and evidence of mineralization. We do not, however, strongly object to the provision requiring this additional study of the area.

The Administration's proposal for the Mission Mountains Wilderness contained approximately 73,200 acres. The area proposed in the enactment is for approximately 75,588 acres. Of the additional 2,388 acres, 2,018 acres are within the existing primitive area. These 2,018 acres were recommended for exclusion because timber harvest had occurred in the areas as part of an effort to control an insect epidemic. The House Committee recommended inclusion of these areas to simplify the wilderness boundary. The Senate Committee recommended the inclusion of an additional 370 acres which is along an access route to the wilderness and provides a view into the wilderness. The inclusion of these additional areas will not create serious administrative difficulties.

The most controversial area in the enactment is the Weminuche area. The Administration's proposal for the Weminuche Wilderness contained approximately 346,800 acres. The Senate passed a bill containing 433,745 acres. The enactment contains 405,032 acres. We strongly opposed the Senate proposal because it contained areas heavily impacted by man's use, contained areas of known mineralization, extended the wilderness beyond the boundary of the mineral examination area, and contained significant additional commercial forest lands. The House in their action considered both the Administration and the Senate proposals. The enactment represents a compromise between the various proposals and deletes from the Senate proposal many of the areas in which we expressed our major concerns. The enactment still contains an area of known mineralization. In the future if this area is developed for its mineral resource, it will create significant problems in administering the area for its wilderness values.

Although three of the four National Forest Wildernesses contained in the enactment contain some additional acreage beyond the Administration's proposal and the inclusion of these additional lands will result in some administrative problems, we generally find the boundaries manageable. The inclusion of these additional areas will not have a major impact on existing resource uses. We recommend that the President approve the enactment.

Sincerely,



J. Phil Campbell
Acting Secretary



DEPARTMENT OF THE ARMY

WASHINGTON, D.C. 20310

27 DEC 1974

Honorable Roy L. Ash
Director
Office of Management and Budget

Dear Mr. Ash:

The Secretary of Defense has delegated responsibility to the Department of the Army for reporting the views of the Department of Defense on enrolled enactment H.R. 12884, 93d Congress, "To designate certain lands as wilderness."

The Department of the Army, on behalf of the Department of Defense, has no objection to approval of the enrolled enactment.

The purpose of the Act is to designate 13 specific National Wildlife Refuge areas under the jurisdiction of the Department of the Interior and four specific areas within the National Forest System as components of the National Wilderness Preservation System. All of these areas have been transmitted to the Congress by the President with recommendations that they be favorably considered.

This report has been coordinated within the Department of Defense in accordance with procedures prescribed by the Secretary of Defense.

Sincerely,

A handwritten signature in cursive script that reads "Howard H. Callaway".

Howard H. Callaway
Secretary of the Army

EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
722 JACKSON PLACE, N. W.
WASHINGTON, D. C. 20006

DEC 23 1974

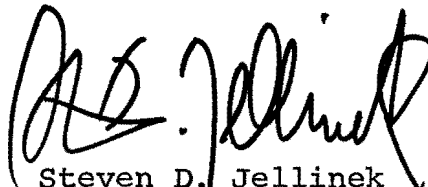
MEMORANDUM FOR W. H. ROMMEL
OFFICE OF MANAGEMENT AND BUDGET

ATTN: Mrs. Mohr

SUBJECT: Enrolled Bill, H.R. 12884, "An Act to designate
certain lands as wilderness."

This is in response to your request of December 23, for
our views on the subject enrolled bill.

The Council has no objection to the approval and enactment
of this bill.


Steven D. Jellinek
Staff Director



DESIGNATING CERTAIN LANDS AS WILDERNESS

APRIL 11, 1974.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

MR. HALEY, from the Committee on Interior and Insular Affairs, submitted the following

REPORT

[To accompany H.R. 12884]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 12884) to designate certain lands as wilderness, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE

H.R. 12884 designates as wilderness certain lands located within several National Wildlife Refuges and National Forests. These areas are located in twelve States and together they approximate 314,800 acres that will be added to the National Wilderness System.

H.R. 12884 consolidates into one proposal numerous wilderness bills pending before the Committee.

H.R. 12884 was introduced by Mr. Melcher, for himself and Mr. Haley, Mr. Hosmer, Mr. Bingham, Mr. Burton, Mr. Camp, Mr. Don H. Clausen, Mr. deLugo, Mr. Foley, Mr. Johnson of California, Mr. Jones of Oklahoma, Mr. Kastenmeier, Mr. Lujan, Mr. Meeds, Mrs. Mink, Mr. Roncalio of Wyoming, Mr. Runnels, Mr. Ruppe, Mr. Sebelius, Mr. Seiberling, Mr. Taylor of North Carolina, Mr. Towell of Nevada, Mr. Udall, Mr. Won Pat, and Mr. Young of Alaska. Identical bills, H.R. 12885, H.R. 12886, H.R. 12913 and H.R. 12995 were also introduced by Mr. Melcher and cosponsored by Mr. Badillo, Mr. Bell, Mr. Bennett, Mr. Brown of California, Mr. Byron, Mr. Corman, Mr. Dellmus, Mr. Duncan, Mr. Edwards of California, Mr. Fascell, Mr. Forsythe, Mr. Helstoski, Mr. Lent, Mr. Mathias of California, Mr. Minshall of Ohio, Mr. Pepper, Mr. Reese, Mr. Riegle, Mr. Rodino, Mr. Roe, Mr. Sandman, Mr. Studds, Mr. Walsh, Mr. Winn, Ms. Abzug, Ms. Burke of California, Mr. Chappell, Mr. Cohen, Mr. Ryan, Mr. Sisk, Mr. McCloskey, Mr. Moorhead of California, and Mr. Stark.

The Wilderness Act of September 3, 1964, (78 Stat. 890), directed the Secretary of Agriculture to review, within ten years, areas within the National Forest System to determine their suitability for preservation as wilderness. The Secretary of the Interior was similarly directed to review areas within national parks, national monuments, wildlife refuges and game ranges for the same purpose. Upon a finding favorable to wilderness designation, the respective Departments were directed to submit their recommendations to the President in order that he might advise the Congress of his recommendations regarding these areas. Any such recommendation of the President for designation of an area as wilderness becomes effective only if so provided by an act of Congress.

For each of the fifteen areas considered by the present legislation, the above outlined procedures were followed and in each instance, the proposed legislation has received favorable consideration by the respective Departments and has been recommended by the President. In addition, extensive hearings were also held by the Committee on each proposal and careful consideration was given to all views presented.

H.R. 12884 proposes wilderness designation for approximately 314,800 acres of land located in twelve States ranging from Alaska to Florida and from Maine to California. These fifteen areas are located in national wildlife refuges, and national forests throughout the twelve States. The size of the areas range from over 100,000 acres per unit down to 85 acres. Physical conditions, including climate, location, topography, and geology vary extensively. The areas have little in common except one very distinctive characteristic. Each is an undeveloped tract of Federal land retaining its natural character and influence without permanent improvements or human habitation. Each can be managed and protected to preserve its natural conditions for the use and enjoyment of present and future generations. Each presents outstanding opportunities for recreation and solitude as well as having significant values for scientific study.

The designation of these fifteen areas as wilderness will preserve them from the encroachment of our modern mechanized and motorized society. To the maximum extent possible, the usual commercialization will be prohibited. Except in certain specific tracts and in certain emergencies, the use of motor vehicles, motorized equipment, motor boats, or the landing of aircraft will be prohibited and permanent structures or installations will not be permitted. Minor exceptions to this latter provision are permitted if existing structures have scientific or historical value or if they are needed for health or safety reasons. Certain other activities, each authorized by the Wilderness Act, such as hunting, fishing, grazing of livestock, and mineral development, where now authorized and permitted within these areas, may continue. These permitted activities must be conducted, however, in a manner consistent with the overall purpose of the wilderness concept and they will be subject to certain statutory restrictions imposed by the Wilderness Act as well as by subsequent regulations issued by the two Departments administering the land. The primary objective

will be to preserve these tracts of land in an unspoiled and natural condition with evidence of mans work substantially unnoticeable.

During the consideration of these areas for wilderness designation, testimony disclosed that some were not entirely free of manmade improvements and in others, certain existing uses were not entirely consistent with a strict concept of wilderness. In most instances, these problems had been recognized by the two Departments, and they had recommended the exclusion of land immediately surrounding such structures or improvements. Also, in a few situations where improvements now exist, the Committee was assured by the departmental witnesses that these were scheduled for removal upon designation of the area as wilderness. This removal does not, of course, apply to those structures or improvements that have historical, scientific or safety values. Also, in a few locations, certain long established and existing uses, such as the use of motor boats, was recognized and approved by the Committee, under carefully controlled conditions, as necessary and acceptable, for the use, safety and enjoyment of these areas.

The Committee approves and accepts the position generally put forward by the two Departments regarding minimizing manmade intrusions in wilderness areas and wishes to emphasize its own conviction that these areas must be kept free of commercialization, and other evidences of man's presence to the fullest degree practicable. In order to maintain this wilderness concept, the Committee found it necessary to recommend the exclusion of certain areas containing improvements or nonconforming uses, to close certain roads extending through proposed wilderness areas, and otherwise to modify some of the areas proposed for wilderness designation by the two Departments. However, in general, the actions of the Committee closely parallel the recommendations submitted by the land managing agencies. The Committee also carefully considered numerous proposals to substantially enlarge many of the wilderness areas but with the exception of one, the Mission Mountain proposal in Montana, the Committee did not enlarge the areas beyond the Administration's recommendation. The Committee recognizes that many of these recommendations for enlargement have substantial merit and intends to review some of these proposed enlargements at a future date to more fully determine their suitability for wilderness designation.

Each of the fifteen areas has been examined or reported on by the U.S. Geological Survey or the Bureau of Mines for its mineral value. It is indicated there is very little probability of substantial economic mineral development. A brief description of each area recommended for designation as wilderness follows:

NATIONAL WILDLIFE REFUGE AREAS

1. Section 1. (a) *Chamisso Wilderness, Alaska*

This proposal was transmitted to Congress by the President on April 28, 1971 and is contained in House Document 92-102, Part 9.

The proposal recommends 455 acres within the Chamisso National Wildlife Refuge for designation as wilderness. This acreage consists of two islands, Chamisso (435 acres), Puffin (10 acres) and some

small rocky islets which together comprise the 455 acres. All are located in Kotzebue Sound 65 miles south of Kotzebue, Alaska.

The refuge was established in 1912 as a preserve and breeding ground for native birds and marine colony nesting birds. Harbor seals and some other mammals also use the island.

The islands are made up of sandstone, shale, and granite with a thin layer of top soil. Vegetation includes low shrubs such as cranberry, crowberry, lichens and low willows.

There is some egg collecting by natives. If this activity is prohibited, it will not be pursuant to the Wilderness Act, but under other existing authority. No development or physical manipulation of the vegetation or habitat has occurred or is planned. Wilderness designation will not, therefore, interfere with wildlife management. The area has little recreation value at present.

2. Section 1. (b) Florida Keys Wilderness, Florida

This proposal was transmitted to Congress by the President on April 28, 1971 and is contained in House Document 92-102, Part 7.

The Florida Keys proposal includes parts of the National Key Deer Refuge (established in 1954), the Great White Heron National Wildlife Refuge (established in 1938), and the Key West National Wildlife Refuge (established in 1908). All are in Monroe County, Florida. Of the total of 6,380 acres of federal land in the refuges, there has been recommended for wilderness designation approximately 4,470 acres scattered throughout about thirty keys. There is no privately held land within the area recommended for wilderness.

While ownership extends only to mean high tide, the State of Florida has dedicated a large portion of State-owned land and water bottom as a wildlife sanctuary.

The islands are low, mangrove covered keys that are the home of numerous wildlife species.

3. Section 1. (c) Chassahowitzka Wilderness, Florida

This proposal was transmitted to Congress by the President on September 21, 1972 and is contained in House Document 92-357, Part 10.

The 30,514 acres of Chassahowitzka National Wildlife Refuge is located in Citrus and Hernando Counties, Florida. The 16,060 acres recommended for wilderness designation by the Committee is all in Citrus County.

The refuge was established in 1943 under the authority of the Migratory Bird Conservation Act. It is a significant watering area for ducks and coots. Annual public use on the refuge approaches 30,000 persons.

Refuge management practices would remain unchanged under wilderness designation.

The Administration proposal recommended 16,900 acres as suitable for wilderness. None of the refuge lands in Hernando County were recommended for wilderness inclusion by the Department of Interior due to inholdings and mineral and timber reservations.

During its consideration of this proposal, the Committee concluded that an 840 acre tract of land along the northern edge should be excluded due to private inholdings, a concession area, and other man-

made improvements and non-conforming uses. The elimination of this area upgrades the quality of the proposal and brings the 16,060 acres into conformity with the wilderness concept that the Committee wishes to preserve for the use and enjoyment of future generations. Certain established uses within the navigable waters, such as the use of motor boats, commercial fishing and guiding activities which are compatible with refuge objectives and not inconsistent with wilderness designation will be permitted to continue subject to such restrictions as deemed necessary by the Secretary of the Interior.

4. Section 1. (d) Saint Marks Wilderness, Florida

This proposal was transmitted to Congress by the President on February 8, 1972 and is contained in House Document 92-248, Part 7.

The St. Marks National Wildlife Refuge is located twenty miles south of Tallahassee, Florida in Taylor, Jefferson and Wakulla Counties. It was established in 1931 and consists of approximately 64,000 acres of federally owned lands. An additional 31,500 acres owned by the State of Florida is not under consideration.

The area recommended for wilderness consists of:

1. Thom Island—1,250 acres.
2. The peninsula between the East and St. Marks Rivers—3,630 acres.
3. A research natural area on the borders of St. Marks River—1,066 acres.
4. The southern portion of the refuge from the St. Marks Lighthouse east to the eastern boundary of the refuge—11,800 acres.

Total area recommended for wilderness designation is 17,746 acres. The area consists primarily of saltmarsh interspersed with small islands. There is some cut over timber land on Thom Island. There are no known developments within the proposal. There are no minerals of known commercial value. Public use approaches 140,000 visitors a year.

5. Section 1. (e) Wolf Island Wilderness, Georgia

This proposal was transmitted to Congress by the President on February 8, 1972 and is contained in House Document 92-248, Part 4.

The Wolf Island National Wildlife Refuge was established by Executive Order 5316, dated April 3, 1930. The original tract contained 538 acres located on the northwest side of Wolf Island, situated on a tract formerly held by the Coast Guard for lighthouse purposes. The Coast Guard has subsequently relinquished its use of the area. An additional 3,630 acres were acquired from the Nature Conservancy in 1971, bringing the total acreage to 4,168 acres currently owned and administered by the Department of the Interior.

The primary purpose of the refuge is to preserve a segment of coast marsh and estuary in a natural condition for use by migratory birds, loggerhead sea turtles and marine fish.

The area is located in the Atlantic at the entrance to Altamaha Sound ten miles offshore from Dorien, Georgia. The area proposed for wilderness designation includes all of Egg Island (580 acres), Little Egg Island (10 acres), and 3,628 acres of federally owned lands on Wolf Island.

No privately owned land was included within the area recommended for wilderness designation.

This proposal provides a wilderness area of 4,218 acres of unspoiled natural salt marshes that will be preserved for the enjoyment of future generations.

6. *Section 1. (f) Breton Wilderness, Louisiana*

This proposal was transmitted to Congress by the President on April 28, 1971 and is contained in House Document 92-102, Part 6.

Breton National Wildlife Refuge is a crescent-shaped chain of barrier islands twelve miles offshore from the Mississippi Delta. It was established in 1904 and consists of the two Breton Islands and the Chandeleur Islands above high tide. Total acreage in the refuge now is about 4,500 acres above high tide. Prior to 1969, it was more than 9,000 acres. However, the Department is recommending approximately 5,000 acres for wilderness designation. This difference in acreage is due, in part, to storm action and in part to inaccurate surveys.

The area consists of mangroves and natural beaches which are important to wildlife. It serves as a breeding ground for many species of birds, especially terns, gulls and herons. Its miles of natural sand beaches are necessary as breeding ground for sea turtles.

The area is valuable for oil and gas and a 143.5 acre oil and gas lease is outstanding. It covers land on the north tip of South Breton Island which was washed away by Hurricane Camille. The remaining 86 acres of North Breton Island, which are also under lease, are excluded from wilderness designation. Any future oil and gas exploration will be made by directional drilling from off-refuge sites.

There is an operating lighthouse on the northern most island of the Chandeleur Chain.

Two pipelines cross Chandeleur Islands. They are underground. As these lines are in place, maintenance and repair is not in conflict with the Wilderness Act. A representative of the oil and gas lessee appeared at the hearings and generally opposed wilderness designation for Breton Island if such designation would interfere with oil and gas development. However, this opposition appeared to have been removed with the arrangement for the exclusion of the area in North Breton Island and exclusion of the other oil and gas leased areas from wilderness. The Department further assured the Committee the pipeline could be repaired and maintained without interference with wilderness values.

There is no disagreement as to the acreage to be included except for inaccuracies of present surveys and allowance for future accretion. The Department of the Interior recommended 5,000 rather than a smaller acreage in previous proposals. The Committee approves and recommends acceptance of the larger 5,000 acre area for wilderness designation.

7. *Section 1. (g) Moosehorn Wilderness (Baring Unit), Maine*

This proposal was transmitted to Congress by the President on January 3, 1972 and is contained in House Document 92-248, Part 8.

The 22,700 acre Moosehorn National Wildlife Refuge lies in north-eastern Maine, in Washington County. It consists of two separate units, the 6,700 Edmunds Unit to the south and the 16,000 Baring

Unit on the north. In 1970, Congress established a 2,800 acre wilderness area in the Edmunds Unit (Public Law 91-504). The present proposal would establish a 4,598 acre wilderness area in the Baring Unit.

The refuge was established in 1937.

There are no known valuable minerals. About 46,000 people visited the refuge in 1970.

There are certain old logging trails and ten miles of maintenance trails within the area. The logging trails will revert to walking trails. All motorized travel will be stopped. This will eliminate the use of cars and snowmobiles on about eight miles of refuge roads or trails now open to such use.

The Department of the Interior wished to maintain and continue to use a north-south headquarters road that generally bisects the proposed wilderness area. This would have substantially detracted from the wilderness value of the entire area as it would have permitted motorized vehicles to traverse the heart of the wilderness. The Committee disagreed with the position taken by the Department and concluded that this road should be closed and so reported the bill. It should be noted that the road closure does not deny access as other roads outside and adjacent to the wilderness boundaries are still available for public use.

8. *Section 1. (h) Brigantine Wilderness, New Jersey*

This proposal was transmitted to Congress by the President on September 21, 1972, and is contained in House Document 92-357, Part 15.

The Brigantine National Wildlife Refuge was established in 1939. It is located along the Atlantic coast of New Jersey some ten miles north of Atlantic City.

The proposed wilderness area included Little Beach Island, Egg, Salt, Pullen, Edler, and some twelve other unnamed islands totaling 4,250 acres of salt marsh. The refuge contains 19,399 acres.

The area is used as a nesting, migration, and wintering area for water fowl, marsh and song birds.

Two tracts of land on Little Beach Island containing twenty-two small buildings on eleven acres were recommended for exclusion by the Department. The Committee approved of this position. It also recognized that this excluded area, as well as others, may need further consideration and subsequent legislation for inclusion as wilderness at some future time.

There will be no change in public use. Small boats will still be permitted use of the area below mean high tide.

9. *Section 1. (i) Bosque Del Apache Wilderness, New Mexico*

This proposal was transmitted to Congress by the President on February 8, 1972, and is contained in House Document 92-248, Part 6.

The Bosque del Apache National Wildlife Refuge was established in 1936 as a feeding area for migratory birds and upland wildlife. It is located about 13 miles south of Socorro, New Mexico and consists of about 57,000 acres.

The present proposal recommends that 32,500 acres of the existing 57,000 acre refuge be designated as wilderness.

There are three separate units in the wilderness proposal, i.e., the Chupadera—5,000 acres; Indian Well—5,000 acres; and the Little San Pasqual—22,500 acres. The remaining 24,000 acres of the refuge would remain under present management practices.

Within the proposed Little San Pasqual Unit, there is an existing buried pipeline owned and operated by Chevron Oil Company. The operation of the line will continue. The Committee was assured by the Department of the Interior that the company could continue to enter the wilderness area for the necessary observation, maintenance or repair of the line. The Committee agrees with this position.

10. Section 1. (j) Chase Lake Wilderness, North Dakota

This proposal was transmitted to Congress by the President on September 21, 1972 and is contained in House Document 92-357, Part 14.

The Chase Lake National Wildlife Refuge was established in 1908 as a breeding ground for native birds. It is located generally between Jamestown and Bismarck, North Dakota.

The refuge consists of 4,385 acres of prairie and water. It is used by ducks and geese but primarily by the world's largest flock of white pelicans.

There is no grazing or other economic use permitted.

The Department of the Interior recommended, and the Committee approved, that 4,155 acres of the refuge be designated as wilderness. The remaining 230 acres were excluded due to the presence of a 90-foot high power transmission line.

11. Section 1. (k) West Sister Wilderness, Ohio

This proposal was transmitted to Congress by the President on April 28, 1971 and is contained in House Document 92-102, Part 8.

The West Sister National Wildlife Refuge was established in 1938 as a refuge and breeding ground for migratory birds. It is an 85-acre island in Lake Erie about eight miles from the south shore of the lake and fifteen miles east of Toledo.

There is a lighthouse on the southwest point of the island erected in 1848 that is of historic value. As it is an existing facility, no special legislative provision appears necessary for its maintenance and preservation.

12. Section 1. (l) Cape Romain Wilderness, South Carolina

This proposal was transmitted to Congress by the President on February 8, 1972 and is contained in House Document 92-248, Part 1.

The Cape Romain National Wildlife Refuge was established in 1930. It is located in Charleston County, South Carolina and consists of 34,196 acres. The refuge is used by ducks and shore birds.

The area recommended for wilderness designation consists of 28,000 acres of marsh, 16 miles of beach, and four barrier islands. There are two non-operative lighthouses on Lighthouse Island and a wooden dock and dike on Cape Island. Pleasure boating and limited commercial fishing are presently conducted within the area. This activity will continue. The two lighthouses are not in use and have historical significance. They will not be removed.

NATIONAL FOREST AREAS

13. Section 2. (a) Agua Tibia Wilderness, California

This proposal was transmitted to Congress by the President on February 8, 1972 and is contained in House Document 92-248, Part 19.

The Agua Tibia Primitive Area was established April 21, 1931 by the Chief of the Forest Service under the authority of Regulation L-20. It contains 26,760 acres including 507 acres of private land. The area lies entirely within the Cleveland National Forest on the northern tip of the Palamar Mountain Range. It is located about 50 miles north of San Diego, and 75 miles southeast of Los Angeles.

The area proposed for wilderness designation consists of 11,920 acres of the primitive area. It is all federally owned. The area has escaped development notwithstanding its proximity to large population centers. It is a roadless tract cut by many deep canyons containing only intermittent streams. The canyon slopes are covered with chaparral and other brush types, while the ridge tops and peaks support conifers. The area is not heavily used because of annual summer fires and lack of access. There are some deer and other small game but no fishing due to lack of water.

There is no commercial timber, no commercial minerals, grazing or plans for water development.

The Forest Service recommended the deletion of 6 acres within the primitive area from wilderness designation that total about 14,840 acres, including the 507 acres of private land. The Committee carefully considered the areas to be excluded and the reasons therefore. While recognizing that some of the excluded areas may, at some future date, qualify for wilderness designation, it was the Committee's considered opinion that these areas do not qualify at this time. The Committee therefore approved the recommendation of the Forest Service and deleted these six areas from wilderness designation.

14. Section 2. (b) Emigrant Wilderness, California

This proposal was transmitted to Congress by the President on February 8, 1972 and is contained in House Document 92-248, Part 14.

The proposed Emigrant wilderness is located on the west slope of the Sierra Nevada mountains about 185 miles east of San Francisco and 130 miles south of Reno. Its southern boundary abuts Yosemite Park. It is located in the Stanislaus National Forest.

The proposal encompasses a total of 106,800 acres of National Forest and private lands. This includes 90,598 acres of the Emigrant Basin Primitive Area, 15,278 acres of adjacent National Forest land and 1,023 acres of private land.

The area proposed is suitable for wilderness designation. It has superb mountain scenery and opportunity for solitude and primitive recreation.

There are 54 million board feet of commercial timber, but it has not been counted in the allowable cut. Four grazing allotments cover about 5,200 acres, and this grazing will continue. Water production is important and this will not be curtailed. Certain small weirs and flow dams are present, but are essentially unnoticeable. Two thousand acres

in the northern area have been withdrawn for power purposes. No other reservoir projects have been proposed and no other conflicts are foreseen. About 380 acres withdrawn for Relief Reservoir will be excluded from wilderness designation.

With the exception of a strip along the easterly side of the proposal, mineral potential is not significant. This 6,000 acre mineralized area is proposed for exclusion by the Forest Service. There are 40 or more patented and unpatented mining claims in this excluded area, as well as a 21-mile unimproved road. There has been some small production of tungsten in the past. No leasable or energy minerals are known to exist.

Within the area recommended for wilderness designation, there are drift fences (5 miles) which will be maintained, but several cabins and barns will be removed within ten years. Two snow cabins will be retained. The weirs and small dams will likewise be retained.

The Forest Service has recommended five areas of adjacent National Forest land for addition to the Emigrant wilderness proposal. These areas approximate 15,278 acres. There appears to be no disagreement as to their inclusion.

In addition, Forest Service has recommended exclusion of two areas.

Exclusion 1 contains 380 acres. Within it are located the Relief dam and reservoir, a dam tender's cabin and other permanent improvements and mechanical operations needed for the operation of the dam and reservoir. There is no disagreement regarding the exclusion of this area.

Exclusion 2 contains 6,042 acres. This is the mineralized area previously mentioned. The U.S. Geological Survey, Bureau of Mines, as well as the Forest Service, recommends its exclusion. In addition to the forty mining claims, there is a 21-mile miners road leading to a mill on a patented claim.

The Committee carefully considered the advisability of including this 6,000 acre strip. It decided against inclusion due to the presence of the road, the patented and unpatented mining claims and the possible conflict between future mineral prospecting and mineral exploration work with the concept of wilderness.

15. Section 2. (c) *Mission Mountain Wilderness, Montana*

This proposal was transmitted to Congress by the President on February 8, 1972 and is contained in House Document 92-248, Part 18.

This proposal as submitted by the Forest Service recommends the designation of 73,207 acres as wilderness which includes 71,927 acres of the Mission Mountain Primitive Area as well as 1,280 additional acres of National Forest land. The Forest Service also recommends deletion of 2,018 acres now classified primitive within the Mission Mountain Primitive Area.

The proposed Mission Mountain Wilderness is part of the Flathead National Forest in northwestern Montana. It is located about 65 miles south of Kalispell and 85 miles north of Missoula.

The Mission Range is an outstanding scenic area of America and well qualifies as wilderness.

There is no commercial grazing within the proposed wilderness. Estimated volume of saw timber is about 101 million board feet. It is important for water production but there are no water storage facilities, present or planned, within the area. There are no minerals of commercial value.

The issue is not whether the area should be designated wilderness but whether certain areas recommended for exclusion by the Forest Service should be deleted and whether some additional areas should be added. Specifically, the Committee, after careful consideration of all factors, decided that Areas 1 through 6 (2,018 acres) which were recommended for deletion by the Forest Service should be included in the Committee's wilderness recommendation. The Forest Service recommended deletion of Areas 1 through 6 due to a bark beetle infestation and the resultant logging roads made in an attempt to control the beetles. The Committee considered these factors but concluded that the exclusion of these 6 acres would be more disruptive to management of the area than their inclusion notwithstanding the evidence of some non-conforming past uses. Their inclusion simplifies the exterior boundary and prevents long narrow intrusions from occurring within the wilderness area. The Committee agreed with the recommendation of the Forest Service for the additions of Areas A and B (1,280 acres).

As recommended by the Committee, the Mission Mountain Wilderness area would comprise a total of 75,200 acres. This modest increase is due to the addition of the 2,018 acres within the six areas added by the Committee.

COMMITTEE AMENDMENTS

There were no Committee amendments to H.R. 12884.

COST

No additional Federal expenditures are involved in the enactment of H.R. 12884.

COMMITTEE RECOMMENDATIONS

The Committee on Interior and Insular Affairs recommends enactment of H.R. 12884. The bill was unanimously ordered reported by voice vote.

DEPARTMENTAL RECOMMENDATIONS

The favorable recommendations of the Departments of Agriculture and Interior, as transmitted by the President, are contained in various House Documents previously cited. In addition, other favorable reports of the two Departments were subsequently issued and follow:

Department of Agriculture Report to Chairman Haley, dated March 15, 1973.

Department of the Interior Report to Chairman Haley, dated March 14, 1973.

Department of the Interior Report to Chairman Haley, dated March 28, 1973.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., March 15, 1973.

HON. JAMES A. HALEY,
Chairman, Committee on Interior and Insular Affairs, House of Representatives.

DEAR MR. CHAIRMAN: As you asked, here is our report on H.R. 5422, a bill to designate certain lands as wilderness.

Insofar as H.R. 5422 affects the responsibilities of the Department of Agriculture, we strongly recommend that the bill be enacted. We defer to the Department of the Interior regarding recommendations on those areas to be designated by the bill within the National Wildlife Refuge System.

The Wilderness Act of 1964 (78 Stat. 890) established the National Wilderness Preservation System. Subsection 3(b) of the Wilderness Act directed the Secretary of Agriculture to review the areas then classified as National Forest Primitive Areas, within ten years, as to their suitability or unsuitability for preservation as wilderness. The Act provided that the Secretary is to report his findings to the President, and the President is to submit his recommendations to the Congress.

The eleven national forests wilderness proposals included in H.R. 5422 resulted from a review of the corresponding Primitive Areas in accordance with the review procedures set forth by the Wilderness Act. The Secretary of Agriculture submitted a report of his findings on each of the areas to the President. The President submitted his recommendation to the Congress on March 29, 1968 for the Flat Tops and Spanish Peaks proposals, on January 17, 1969 for the High Uintas proposal, and on February 8, 1972 on Blue Range, Agua Tibia, Emigrant, Eagles Nest Weminuche, Mission Mountains, Aldo Leopold and Glacier proposals. These recommendations are embodied in their entirety in H. R. 5422.

We feel that each of the areas proposed for wilderness designation meets the definition of wilderness as contained in subsection 3(c) of the Wilderness Act. Each area is unique and will make its own contribution to the National Wilderness Preservation System. The specific characteristics and attributes of each area are fully discussed in Secretary's reports which accompanied the President's recommendations to Congress.

Environmental statements relating to the proposed wilderness areas have been prepared pursuant to section 102(2)(c) of the National Environmental Policy Act (83 Stat. 852).

The lands proposed for designation as wilderness which are under the jurisdiction of the Secretary of Agriculture are presently being administered as a part of the National Forest System; consequently, no new budget authority or additional appropriations would be required as a result of enactment of the proposed legislation.

The Office of Management and Budget advises that there is no objection to the presentation of this report and that enactment of legislation to designate the national forest wilderness areas included in H.R. 5422 would be consistent with the Administration's objectives.

Sincerely,

J. PHIL CAMPBELL,
Under Secretary.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., March 14, 1974.

HON. JAMES A. HALEY,
Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request for the views of this Department on H.R. 5422, a bill to designate certain lands as wilderness. In accordance with your request, we will confine our comments in this report to the following portions only of H.R. 5422:

1. Section 2(g)—The Mission Mountains Primitive Area, within the Flathead National Forest, Montana.
2. Section 2(h)—The Spanish Peaks Primitive Area, within Gallatin National Forest, Montana.
3. Section 2(k)—The Glacier Primitive Area, within the Shoshone National Forest, Wyoming.

We recommend that these three areas be enacted into the National Wilderness Preservation System.

The Mission Mountains and Glacier Primitive areas were recommended for wilderness designation by the President on February 8, 1972, while Spanish Peaks was transmitted to Congress on March 29, 1968. We feel that these areas have significant wilderness value. For example, we favor the designation of Mission Mountains as wilderness because it would afford protection to habitat badly needed by both the mountain goat and the grizzly bear.

The Bureau of Mines and Geological Survey have completed mineral surveys of all three of the areas proposed for wilderness designation. The results have been published in the Geological Survey wilderness series bulletin. The studies disclosed that these three areas contain no mineralization of significant economic importance or possibilities for future development.

The Office of Management and Budget has advised that the presentation of this report is consistent with the Administration's objectives.

Sincerely yours,

NATHANIEL REED,
Assistant Secretary of the Interior.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., March 28, 1973.

HON. JAMES A. HALEY,
Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request for the views of this Department on H.R. 5422, H.R. 5474 and H.R. 4687, bills to designate certain lands as wilderness. In accordance with your request, we will confine our comments in this report to H.R. 5422 and the provisions included in section 1 (e), (f), (g), (h), (i), (j), (k), (l), (m), (o), (p), (q), and (t). H.R. 5474 has identical provisions to those reported in H.R. 5422, and regarding H.R. 4687, our com-

ments will incorporate section 1 (l), (m), (n), (o), and (p) which are covered in identical provisions of H.R. 5422.

We strongly recommend that these thirteen areas be enacted into the National Wilderness Preservation System, if amended as suggested herein.

H.R. 5422 would designate as wilderness, in accordance with section 3(c) of the Wilderness Act of 1964, thirteen areas of federally owned land administered by the Bureau of Sport Fisheries and Wildlife of this Department. These lands are among those recommended by the President to the Congress for inclusion in the National Wilderness Preservation System in Messages on April 28, 1971, February 8, 1972 and September 21, 1972, following study and favorable recommendations by this Department. The addition of these lands in eight states would add approximately 440,000 acres, almost all of which are located east of the 100° meridian, to the wilderness system.

We recommend that section 1(i) be amended in order to facilitate the regulation of power watercraft within the proposed Okefenokee Wilderness area. This can be accomplished by changing on page 4, line 17, the semi-colon to a colon and inserting the following language:

“Provided, That within the wilderness designated by this Act, subject to such restrictions as the Secretary of the Interior deems necessary for public safety and to protect flora and fauna of the wilderness, (1) the use of powered watercraft, propelled by outboard motors of ten or less horsepower, will be permitted, (2) watercraft trails consisting of approximately one hundred twenty miles as delineated on the attached map will be maintained. Access to watercraft trails in the wilderness area will be provided from the Suwannee River Sill, Steven Foster State Park, Kings Landing, and Suwannee Recreation Area (Camp Cornelia).”

We also recommend that section 1(j) be amended to add fifty acres to the proposed Wolf Island Wilderness resulting from a recalculation of the Administration's proposal. This can be done by deleting on page 4, line 20 the words “one hundred and sixty-eight” and inserting in lieu thereof “two hundred and eighteen”.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

NATHANIEL REED,
Assistant Secretary of the Interior.

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DESIGNATED WILDERNESS AREAS

INTERIOR

<u>National Wildlife Refuge</u>	<u>Wilderness Area (acres)</u>	<u>State</u>
1. Chamisso	Chamisso (455)	Alaska
2. Key Deer, Great White Heron, and Key West	Florida Keys (4,740)	Florida
3. St. Marks	St. Marks (17,746)	Florida
4. Blackbeard Island	Blackbeard Island (3,000)	Georgia
5. Wolf Island	Wolf Island (5,126)	Georgia
6. Breton	Breton (5,000)	Louisiana
7. Moosehorn	Moosehorn (4,719)	Maine
8. Brigantine	Brigantine (6,603)	New Jersey
9. Bosque del Apache	Bosque del Apache (30,850)	New Mexico
10. Chase Lake	Chase Lake (4,155)	North Dakota
11. Lostwood	Lostwood (5,577)	North Dakota
12. West Sister Island	West Sister Island (85)	Ohio
13. Cape Romain	Cape Romain (28,000)	South Carolina
	SUBTOTAL (116,056)	

AGRICULTURE

<u>National Forest</u>	<u>Wilderness Area (acres)</u>	<u>State</u>
1. Cleveland	Aqua Tibia (16,971)	California
2. Stanislaus	Emigrant (106,910)	California
3. Rio Grande and San Juan	Weminuche (405,031)	Colorado
4. Flathead	Mission Mountains (75,588)	Montana
	SUBTOTAL (604,500)	

Interior and Agriculture TOTAL (720,556)



To: M. Handrick
12-31-74
Room



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

DEC 31 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 12884 - Omnibus wilderness designations
Sponsor - Rep. Melcher (D) Montana and 24 others

Last Day for Action

January 4, 1975 - Saturday

Purpose

Establishes seventeen wilderness areas in 13 States comprising approximately 720,556 acres.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval
Department of Agriculture	Approval
Department of the Army	No objection
Department of Transportation	No objection (Informally)
Department of Commerce	No objection (Informally)
Council on Environmental Quality	No objection
Federal Energy Administration	No position (Informally)
Federal Power Commission	No position (Informally)

Discussion

Under the Wilderness Act, Agriculture and Interior are required to make recommendations to the President for additions to the National Wilderness Preservation System, and the President is required to submit these, along with his own recommendations, to the Congress. To qualify for wilderness designation, an area must generally be undeveloped

DESIGNATING CERTAIN NATIONAL FOREST WILDERNESS AREAS IN CALIFORNIA, COLORADO, AND MONTANA

JULY 30, 1974.—Ordered to be printed

Mr. HASKELL, from the Committee on Interior and Insular Affairs, submitted the following

REPORT

[To accompany H.R. 12884]

The Committee on Interior and Insular Affairs, to which was referred the Act (H.R. 12884) to designate certain lands as wilderness having considered the same, reports favorably thereon with amendments and recommends that the Act, as amended, do pass.

The amendments are as follows:

1. Strike all after the enacting clause and insert in lieu thereof the following language:

That in accordance with subsection 3(b) of the Wilderness Act (78 Stat. 891) the following areas are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System:

(1) The area in the Cleveland National Forest in California classified as the Agua Tibia Primitive Area, with deletions therefrom, which area comprises approximately sixteen thousand nine hundred and seventy-one acres, is generally depicted on a map entitled "Agua Tibia Wilderness—Proposed", dated July 1974, and shall be known as the Agua Tibia Wilderness. The previous classification of the Agua Tibia Primitive Area is hereby abolished.

(2) The area in the Stanislaus National Forest in California classified as the Emigrant Basin Primitive Area, with additions thereto and deletions therefrom, which area comprises approximately one hundred and six thousand nine hundred and ten acres, is generally depicted on a map entitled "Emigrant Wilderness—Proposed, 1970" on file in the Office of the Chief, Forest Service, Department of Agriculture, and shall be known as the Emigrant Wilderness. The area commonly called the Cherry Creek exclusion, depicted on such map as Exclusion 2 and comprising approximately six thousand and forty-two acres, shall, in accordance with the provisions of subsection 3(d) of the Wilderness Act, be reviewed by the Secretary of Agriculture as to its suitability or nonsuitability for preservation as wilderness in conjunction with his review of the potential addition to the Hoover Wilderness in Toiyabe National Forest. The recommendations of the President to the Congress on the potential addition to the Hoover Wilderness shall be ac-

compared by the President's recommendations on the Cherry Creek exclusion. The previous classification of the Emigrant Basin Primitive Area is hereby abolished with the exception of said Exclusion 2.

(3) The area in the Routt and White River National Forests in Colorado classified as the Flat Tops Primitive Area, with additions thereto and deletions therefrom, which area comprises approximately two hundred and thirty-seven thousand five hundred acres, is generally depicted on a map entitled "Flat Tops Wilderness—Proposed", dated October 1973, and shall be known as the Flat Tops Wilderness. The previous classification of the Flat Tops Primitive Area is hereby abolished.

(4) The area in the Arapaho and White River National Forests in Colorado classified as the Gore Range—Eagles Nest Primitive Area, with additions thereto and deletions therefrom, which area comprises approximately one hundred and twenty-eight thousand three hundred and seventy-four acres, is depicted on a map entitled "Eagles Nest Wilderness—Proposed", dated October 1973, and shall be known as the Eagles Nest Wilderness. The previous classification of the Gore Range—Eagles Nest Primitive Area is hereby abolished.

(5) The area in the Rio Grande and San Juan National Forests in Colorado classified as the San Juan and Upper Rio Grande Primitive Areas, with additions thereto and deletions therefrom, which area comprises approximately four hundred and thirty-three thousand seven hundred and forty-five acres, is designated on the map entitled "Weminuche Wilderness—Proposed", dated February 1974, and shall be known as the Weminuche Wilderness. The previous classification of the San Juan and Upper Rio Grande Primitive Areas is hereby abolished.

(6) The area in the Flathead National Forest in Montana classified as the Mission Mountains Primitive Area, with an addition thereto, which area comprises approximately seventy-five thousand five hundred and eighty-eight acres, is depicted on a map entitled "Mission Mountains Wilderness Area—Proposed", dated July 1974, and shall be known as the Mission Mountains Wilderness Area. The previous classification of the Mission Mountains Primitive Area is hereby abolished.

SEC. 2. (a) As soon as practicable after this Act takes effect, the Secretary of Agriculture shall file a map and legal description of each area designated as wilderness by this Act with the Interior and Insular Affairs Committees of the United States Senate and House of Representatives, and each such map and description shall have the same force and effect as if included in this Act; Provided, however, That correction of clerical and typographical errors in each such description and map may be made.

(b) Each such map and description shall be on file and available for public inspection in the office of the Chief, Forest Service, United States Department of Agriculture.

SEC. 3. The areas designated as wilderness by this Act shall be administered by the Secretary of Agriculture in accordance with the applicable provisions of the Wilderness Act (78 Stat. 890) governing areas designated as wilderness by that Act, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act.

2. Amend the title so as to read: "An Act to designate certain national forest wilderness areas in the States of California, Colorado, and Montana."

I. PURPOSE

H.R. 12884, as amended, would designate six wilderness areas totalling approximately 999,088 acres in national forests in the States of California, Colorado, and Montana. The new components of the National Wilderness Preservation System would be:

- (1) the Agua Tibia Wilderness, comprising approximately 16,971 acres, in the Cleveland National Forest, California;
- (2) the Emigrant Wilderness, comprising approximately 106,910 acres, in the Stanislaus National Forest, California;
- (3) the Flat Tops Wilderness, comprising approximately 237,500 acres, in the Routt and White River National Forests, Colorado;

(4) the Eagles Nest Wilderness, comprising approximately 128,374 acres, in the Arapaho and White River National Forests, Colorado;

(5) the Weminuche Wilderness, comprising approximately 433,745 acres, in the Rio Grande and San Juan National Forests, Colorado; and

(6) the Mission Mountains Wilderness, comprising approximately 75,588 acres in the Flathead National Forest, Montana.

The two California and one Montana wilderness areas are contained in H.R. 12884, as referred to the Committee; the Administration proposal, S. 601; and S. 110 and S. 111, bills introduced by Senators Cranston and Tunney. The Montana area would be designated by both H.R. 12884, as referred to the Committee, and S. 601. The three areas to be designated by H.R. 12884, as ordered reported, are larger than the same areas proposed by the Administration (in S. 601) or the House of Representatives (in H.R. 12884, as referred to the Committee).

The three Colorado areas were also proposed by the Administration. Two of them—Eagles Nest and Weminuche—are contained in S. 601. In addition, Senators Haskell and Dominick have authorized alternative proposals—S. 702 (Flat Tops), S. 1863 (Weminuche), and S. 1864 (Eagles Nest)—which provide for significantly larger areas than those proposed in S. 601. Earlier this Congress, the Committee reported S. 702, S. 1863, and S. 1864, as amended with additions and deletions of acreage, and the Senate passed the measures unanimously. The Colorado wilderness areas to be designated in H.R. 12884, as ordered reported, are identical to those contained in S. 702, S. 1863, and S. 1864, as they passed the Senate.

(For a detailed description of each area and the legislative history of each proposal see section II below.)

II. DESCRIPTION OF THE AREAS AND LEGISLATIVE HISTORY OF THE PROPOSALS

A. AGUA TIBIA WILDERNESS, CALIFORNIA

1. General

The proposed 16,971 acre Agua Tibia Wilderness is situated within the boundaries of the Cleveland National Forest in Riverside and San Diego Counties, California, approximately 50 miles north of San Diego and 75 miles southeast of Los Angeles.

The area is located on the slopes of the Palomar Mountain Range and cut by deep canyons containing intermittent streams. The canyon slopes are covered with a fragile soil supporting a vegetative cover of dense chaparral, while the ridge tops and peaks are capped with stands of conifers. Elevations range from 1,400 feet in the canyon bottoms to the 5,077-foot Eagle Crag Peak. Summer temperatures may exceed 100° F. in the canyons and on the slopes, but are a moderate 70–80° F. at upper elevations. Winter temperatures usually dip below freezing and snow falls occasionally on the upper slopes. Although fire danger necessitates annual summer closings of the area, in striking contrast to most wilderness areas, Agua Tibia is available for use in the cool months of winter and spring.

2. Acreage, Inholdings, and Committee Amendments

The Agua Tibia Wilderness Area to be designated by H.R. 12884, as ordered reported, contains 16,971 acres. This is approximately 5,051 acres more than the Forest Service proposal contained in S. 601 and the House proposal contained in H.R. 12884, as referred to the Committee, and 561 acres more than the proposal by Senators Cranston and Tunney in S. 110. There are no inholdings in the proposed wilderness.

The acreage added by the Committee to the Forest Service's proposed wilderness area is on the north and east of the area and is depicted as exclusions 1 and 3 on the map on page 11 of the Forest Service Proposal submitted to Congress by the President on February 8, 1972 (U.S. Department of Agriculture, Forest Service, "A Proposal: Agua Tibia Wilderness, Cleveland National Forest, California, October 1971). The Forest Service deleted exclusions 1 and 3 from their proposal for two basic reasons: the areas contained inholdings with some development and dirt roads required for the purpose of fire-fighting.

The Committee excluded the private lands when, prior to adding the exclusions to the proposed Agua Tibia Wilderness, it deleted 200 of the 790 acres in exclusion 3 and 150 of the 4,611 acres in exclusion 1.

The fire-roads presented the Committee with a more difficult problem. Forest Service representatives in discussions with Committee staff suggested that the fire road in exclusion 3 is not as critical as that in exclusion 1. In fact the road will be closed and allowed to revert to its natural state. However, continued maintenance and use of the Crosley road in exclusion 1 is regarded as necessary. (The Palomar Divide Road System in exclusion 1 may be closed.) The Committee normally would, in such a case, exclude the area from wilderness. The Committee, however, recognizes the unique combination of circumstances in southern California—the region's critical need for wilderness recreation opportunities and the potentially significant fire hazard which wilderness areas in that region would entail. To insure such opportunities without undue risk to human safety, the Committee voted to include exclusion 1. The Committee believes that the Forest Service can maintain the roads for strictly fire control purposes under section 4(d)(1) of the Wilderness Act (78 Stat. 890); but the Committee wishes to emphasize that such "non-conforming use" is due to the unique circumstances of the region and is not to be regarded as "precedent" for permitting similar roads in other wilderness areas.

3. Recreation and Wildlife Values

The Forest Service proposal contained the following description of the recreation and wildlife values of the proposed wilderness:

In this area one can enjoy a typical Southern California Wilderness experience while studying the chaparral species of the slopes and the water loving plants of the canyon bottoms. Some slopes have not burned in over 100 years and thus the species of brush have grown to the size of small trees forming an "elfin forest." The small pools of water in the canyon bottoms become warm in summer months and thus the name "Agua Tibia," "warm water" in Spanish. . .

The hiker, traversing a trail up a canyon bottom and thence through dense brush, is rewarded with contrasting scenes. Tiger lilies grow in moist areas and redshank on the dry,

steep slopes. He can experience solitude with only a soaring hawk overhead. To hike these hot, dry slopes is quite challenging. Upon reaching ridge-top openings, one can view broad sweep panoramas of Southern California . . .

This typical Southern California mountain cut by many deep canyons, covered by a chaparral and capped by a conifer forest, offers some recreational opportunities. Riding and hiking the prepared trails are possible despite the rugged terrain. Observing and photographing birds, wildlife and scenery, and camping overnight in the deep canyons or high timbered benches can provide a Wilderness experience relatively close to expanding population centers.

The wide variety of plant and animal life affords good opportunity for scientific and educational study of some undisturbed biotic communities. . . .

The wildlife population is generally typical of Southern California forests. The dense chaparral does not produce a varied or abundant wildlife population. Southern mule deer and mountain lion are the only big game animals found in the area. The small game animals found in the area are the western gray squirrel, brush rabbit, desert cottontail and blacktailed jack rabbit. Non-game animals include raccoon, opossum, bobcat, ringtailed cat, flying squirrel, gray fox, coyote, weasel, skunk, and badger. Birds frequenting the area include California valley and mountain quail, band-tailed pigeon, mourning dove, sparrow hawk, Coopers hawk, red-tailed hawk, ferruginous rough-dogged hawk, golden eagle, and numerous song birds. The Pacific rattlesnake is a common occupant of the area as are several kinds of lizards. . . .

There is practically no hunting in the area because of the dense growth. With only intermittent streams, there is no fishing.

Clause 4(d)(8) of the Wilderness Act of 1964 provides assurance that designation of any national forest area as wilderness will not affect State jurisdiction over wildlife and fish in that area.

4. Other Natural Resources

Below is a discussion of the renewable and nonrenewable natural resources of economic value within the proposed wilderness:

i. Timber

Conifers (including Coulter pine, big cone Douglas fir, incense cedar, and white fir) in medium density stands occur on the high ridge tops and upper north-facing slopes. However, none of the land within the proposed wilderness supports timber of commercial value and none of the timber volumes in the Agua Tibia Primitive Area have been included in the calculations for the allowable annual cut of the Cleveland National Forest.

ii. Minerals

The U.S. Geological Survey and the U.S. Bureau of Mines have examined the proposed area and found it to be generally devoid of

economically important mineral deposits. The report (Geological Survey Bulletin 1319-A, p. A1) bears the following conclusion:

No economic mineral deposits were found during the reconnaissance study of the primitive area. Analyses of more than 100 samples of stream sediments and bedrock collected in and adjacent to the area did not indicate the presence of geochemical anomalies commonly associated with economic mineral deposits. Magnetic anomalies detected by an aeromagnetic survey are believed to be related to gabbroic bedrock and not to economic deposits of magnetic minerals. No prospect pits or mines were seen, nor did a search of legal records reveal the existence of past or present mining claims in the primitive area.

There are no mining claims or oil and gas leases in the area.

iii. Forage

The proposed wilderness area does not contain a valuable forage resource. There are no grazing permits and none are contemplated. The area has not been grazed for years.

iv. Water

The Forest Service proposal contains the information that the area contains no withdrawals for water storage, power production, or flood control, and no withdrawals are proposed.

5. Administrative and Legislative History

The Agua Tibia Primitive Area was established April 21, 1931 by the Chief of the Forest Service pursuant to Regulation L-20. The area had a total of 35,116 acres, including 8,502 acres of the Mission Indian Withdrawal and 507 acres of non-Federal land. This area was recalculated later from more accurate and current planimetric maps and found to be 26,760 acres including 570 acres of private land.

On February 8, 1972 the President proposed to Congress an 11,900 acre Agua Tibia Wilderness Area. This proposal is contained in S. 601, a bill to designate certain areas as wilderness, which was introduced by Senators Jackson and Fannin (by request) for the Administration on January 29, 1973.

Senators Cranston and Tunney introduced an alternative proposal—S. 110—on January 4, 1973. S. 110 called for a wilderness of 16,410 acres.

The Subcommittee on Public Lands held a hearing on S. 110 and S. 601 on March 19, 1974.

On May 6, 1974, the House of Representatives passed and sent to the Senate H.R. 12884, which would designate an Agua Tibia Wilderness identical to that proposed by the Forest Service in S. 601.

On July 15, 1974, in open markup, the Committee on Interior and Insular Affairs unanimously agreed to amend H.R. 12884 to provide for a 16,971 acre Agua Tibia Wilderness and to order the amended measure reported to the Senate.

B. EMIGRANT WILDERNESS, CALIFORNIA

1. General

The proposed 106,910 acre Emigrant Wilderness is situated within the Stanislaus National Forest in Tuolumne County, California, approximately 185 road miles east of San Francisco and 130 miles south of Reno, Nevada.

The area is located along the west slope of the Sierra Nevada Mountains and includes portions of the headwaters of the Stanislaus and Tuolumne Rivers. Rugged mountains and glaciated ridges and valleys dominate the area. Elevations range from 5,200 feet on the west to the 11,500-foot Leavitt Peak along the Sierra Crest. There are eight peaks over 10,000 feet in height. Well scattered over these massive outcroppings of granite are more than 100 lakes in picturesque settings bordered by meadows and small groves of pine and fir trees. These lakes drain into the Stanislaus River and Tuolumne River by way of Cherry Creek.

2. Acreage, Inholdings, and Committee Amendments

The Emigrant Wilderness Area to be designated by H.R. 12884, as ordered reported, contains 106,910 acres. The area is identical to the area proposed by the Forest Service in S. 601 and the area to be designated by the House in H.R. 12884, as referred to the Committee.

The proposed area includes 15,278 acres of additions to, and 6,422 acres of deletions from, the Emigrant Basin Primitive Area. Private inholdings constitute 1,034 acres of the 106,910 acre wilderness proposal.

The Committee gave careful consideration to the 6,021 acre area marked Exclusion "2" on the map on page 14 of the Forest Service proposal (U.S. Department of Agriculture, Forest Service, "A Proposal: Emigrant Wilderness, Stanislaus National Forest, California," September 1971). The Forest Service argued against wilderness status for this area because it is mineralized, contains 40 mining claims, has a 21 mile miner's road, and includes a number of other improvements. On the other hand, environmental groups favor the area's inclusion in the Emigrant Wilderness. They argue that the Wilderness Act recognizes mining in the wilderness (section 4(d)(2) and (3)) and that the road will revert to natural conditions once mining activities terminate. However, the strongest point made by those favoring wilderness status of the area concerned the management of the larger region. The proposed wilderness and exclusion 2 are bounded on the south by Yosemite National Park and on the east by Toiyabe National Forest. Eight miles to the east in the Toiyabe National Forest is the Hoover Wilderness. The area in those intervening eight miles (the so-called Hoover Wilderness Extension) is being studied for its potential as wilderness. Should the Hoover Wilderness Extension study be favorable and the area designated as wilderness, exclusion 2 would remain as a multiple-use zone virtually surrounded by three large, protected land masses—two wilderness areas and a park.

The Committee shares the concern expressed by the environmentalist groups that this would present potentially significant management problems. The Committee, however, differs with these groups on the

best manner in which to meet these problems. The Committee believes that the management situation can best be addressed not by designation of exclusion 2 as wilderness at this point but by study of the exclusion together with the study of the Hoover Wilderness Extension.

The management problems would be fundamentally different depending on whether the Extension study proves to be negative and the Congress ultimately concurs in that judgment or whether the report is favorable and wilderness status is ultimately granted to the Extension.

The Committee, therefore, voted to mandate study of exclusion 2 as part of the Hoover Wilderness Extension Study. Language in H.R. 12884, as ordered reported, would require the President to report to Congress on exclusion 2 at the time he reports on the Extension. To insure continued protection of exclusion 2 during the study, the Primitive Area Classification would not be removed from that area.

3. Recreation and Wildlife Values

The Forest Service proposal contains the following description of the recreation and wildlife values of the proposed wilderness:

Emigrant Basin has been a name familiar to numerous people for many decades. They know it for its alpine meadows dotting the granite-strewn landscape. The alpine growth entices the naturalist while the glaciated and weathered rock formations are a "laboratory" for the geologist.

Numerous peaks over 10,000 feet are a challenge to the hiker and offer fine views of wilderness landscape along the backbone of the Sierra Nevada to the photographer. High elevation lakes, stocked with trout, offer real challenges to fishermen.

The area is vast and is accessible via trail or crosscountry where one can realize solitude in primitive natural settings.

Within this area of 100,000 acres are several manmade developments. There are two well-hidden snow cabins, seven well-distributed snow-measuring courses, and several cabins and barns for managing livestock. Except for the inconspicuous snow cabins and snow courses, the other structures will be removed within 10 years after the area is classified as Wilderness. In addition, there are a number of small, inconspicuous flow-maintenance dams and weirs made of natural rock and covered with moss and lichens. They are substantially unnoticeable.

A true wilderness experience can be enjoyed on a single day's hike into the Blue Canyon area or on a two-week pack trip to some of the more remote lakes or peaks in the interior. . . .

This distinctive area is characteristic of the untrammelled portions of central California's Sierras. It offers fine trout fishing, good hunting, wonderful scenery, and peace and quiet for those seeking solitude. Here Wilderness hiking, riding and camping are at their best. . . .

The proposed Wilderness has a summer population of California black-tailed deer and mule deer, but much of the area is too open and rocky to be a good deer habitat. There are also a few black bear and mountain lion in the area. Wolverine, a rare and totally protected animal in California,

have been noted along the Yosemite boundary adjacent to Huckleberry Lake.

Early day settlers transplanted fish to some of the lakes in these basins before 1900. The Forest Service, and later the California Department of Fish and Game, have carried on an active fish planting program. As a result, there is good fishing for rainbow, eastern brook, golden, and German brown trout.

A wide variety of small game animals are found in the area. They include the cottontail, white-tailed jack, and snowshoe rabbit, the western gray squirrel, and the chickaree. The furbearers which make this area their home are raccoon, ring-tail cat, pine marten, fisher, weasel, mink, bobcat, muskrat and beaver. Bird species include the Sierra grouse, mountain quail, mallard, pintail, and ruddy duck. Also frequenting the area are golden eagle, red crossbill, Cassin's finch, Clark nutcracker, copper, sharpshinned and red-tailed hawk; pine grosbeak, cliff swallow, western wood pewee, olive sided flycatcher, mountain blue bird, turkey vulture, robin, Brewer black-bird, rosy finch, greentail towhee, and Sierra junco.

Clause 4(d)(8) of the Wilderness Act of 1964 provides assurance that designation of any national forest area as wilderness will not affect state jurisdiction over wildlife and fish in that area.

4. Other Values

Below is a discussion of the renewable natural resources of economic value within the proposed wilderness:

i. Timber

Roughly 28 percent of the proposed wilderness supports a timber growth of scattered, medium to light stands of alpine-type conifers in lake basins and on slopes. Only one percent or 1,200 acres are of commercial forest value. Of the total 60 million board feet, 54 million are of commercial value.

No timber in the Emigrant Basin Primitive Area is included in the calculation of the allowable annual cut of the Stanislaus National Forest. Should H.R. 12884, as ordered reported, be enacted the Forest's allowable annual cut would be reduced by 221,000 board feet annually or 0.016 percent.

ii. Minerals

The U.S. Geological Survey and the U.S. Bureau of Mines surveyed the area and found that, with the exception of exclusion 2 (the area excluded from the Emigrant Wilderness to be designated by H.R. 12884, as ordered reported), there were no lands having significant mineralization. The report (Geological Survey Bulletin 1261-G) states: "The overall mineral resources potential of the primitive area is considered minimal. . . . No Federal leasable mineral or mineral fuel reserve lands are included in the primitive area."

iii. Forage

As of 1971, ten cattle and horse allotments were all or partly within the proposed wilderness area. Only four allotments with 233 cattle and

55 horses, for 833 animal months, were being used. There are 5,175 acres of useable range.

Continued grazing is permitted by section 4(d)(4)(2) of the Wilderness Act.

iv. Water

The hearings of the Subcommittee on Public Lands on the proposed Emigrant Wilderness disclosed no proposals for major water projects which would be precluded by wilderness designation.

5. Administrative and Legislative History

The Emigrant Basin Primitive Area was established April 21, 1931 by order of the Chief of the Forest Service under the authority of Regulation L-20. The area set aside at that time was 98,043 acres, including 1,055 acres of non-Federal land.

On February 8, 1972, the President submitted to Congress his proposal to designate a 106,899-acre Emigrant Wilderness. This proposal was embodied in S. 601, introduced on January 29, 1973, by Senators Jackson and Fannin (by request) for the Administration.

Senators Cranston and Tunney introduced an alternative proposal on January 4, 1973. S. 111 calls for a 113,000 acre wilderness area.

The Subcommittee on Public Lands held a hearing on S. 601 on March 19, 1974.

On May 6, 1974, the House of Representatives passed and sent to the Senate H.R. 12884, which would designate an Agua Tibia Wilderness identical to that proposed by the Forest Service in S. 601.

On July 15, 1974, in open markup, the Committee on Interior and Insular Affairs unanimously agreed to amend H.R. 12884 to provide for an identical wilderness area but also to mandate a study of the 6,021 acre Exclusion "2" as part of the study of the proposed Hoover Wilderness Extension.

C. FLAT TOPS WILDERNESS, COLORADO

1. General

The proposed 237,500-acre Flat Tops Wilderness is situated within the boundaries of the White River and Routt National Forests in Eagle, Garfield, and Rio Blanco Counties in northwest Colorado. It is located on the White River Plateau, approximately 20 miles north of Glenwood Springs, 30 miles west of Steamboat Springs, 170 miles west of Denver, and 140 miles northeast of Grand Junction. East-West access is provided from Interstate Highway 70 on the south and U.S. Highway 40 on the north. State Highways 13 and 789 on the west and State Highway 131 on the east provide North-South access.

The dominant feature of the proposed wilderness area is the White River Plateau, a flattened dome composed of geologic strata capped with lava. The formation reaches its greatest prominence on top of the "Chinese Wall" and at the "Devil's Causeway" divide between the East Fork of the Williams Fork River and the North Fork of the White River. This great lava cap and sub-strata have eroded to form river canyons and lake beds on the plateau itself. The plateau's perimeter is sharply delineated by sheer volcanic escarpments. Portions of the proposed boundary follow along these cliffs, cutting across at various points to include intruding valleys which shelter scenic lakes, streams, and spruce forests.

The core of the proposed wilderness is this high elevation plateau, named the "Flat Tops." It offers a variety of wilderness characteristics in a commanding panorama of naturally wild vastness. The outstanding vistas and beauty of the area are born from the violent contrasts, yet gentle harmony of rolling lands, steep cliffs, fossil rocks, mountain peaks, open parks of grasslands and alpine flowers, forests wildlife, and water. It features exquisite scenery, outstanding opportunities for solitude, and virtually no evidence of man's intrusion. The North and South Forks of the White River, the East Fork of the Williams Fork River, the Bear-Yampa River, Derby Creek, and Sweetwater Creek (all tributaries of the Colorado River) originate in the proposed wilderness. Distinctive features of the plateau include Trappers Lake, a grand, serene body of water, and an extensive silver forest of beetle-killed Engelmann spruce. This forest, now being reclaimed by a rapidly rising understory of young spruce and fir, provides a natural laboratory for an ecological study on a massive scale.

Below the nearly 2-mile high Flat Tops plateau lies country which is perhaps even more beautiful and spectacular. The lower country provides a wilderness experience to the less hardy hiker. In addition, the milder weather of the lower reaches insures access to wilderness over a much longer period. The area surrounding the Flat Tops also contains numerous back-country fishing lakes and critically important winter range for the large elk herds which summer on the plateau. Finally, it contains watersheds important to a number of neighboring communities.

The most spectacular feature below the Flat Tops, but within the proposed area, is the South Fork of the White River. The last twelve miles of the twenty miles of the South Fork in the proposed wilderness lie within the South Fork Canyon, a magnificent glacial gorge rimmed with Leadville Limestone and quartzite. The South Fork and its tributaries in the southeast of the South Fork Canyon form a wild and scenic river of extraordinary beauty which provides good boating, canoeing, and kayaking opportunities and shelters the vanishing cut-throat trout and Rocky Mountain white fish.

The proposed wilderness extends through the Montane, Subalpine, and Alpine life zones. Descriptions of the climate and soils of the area may be found on page 6 of the Forest Service's Flat Top Wilderness proposal, reprinted in House Document No. 90-292, Part 10 (page 760).

2. Acreage and Inholdings

The area of the wilderness as proposed by H.R. 12884, as ordered reported, contains 237,500 acres. This is approximately 115,500 acres more than the Forest Service proposal, 35,500 acres more than the area proposed in S. 1441 which passed the Senate during the 92d Congress, and 24,800 acres more than S. 702, as introduced. The acreage is identical to that contained in the Flat Tops Wilderness proposed in S. 702 as passed by the Senate earlier this Congress. (See paragraph 6. "Administrative and Legislative History" below for a more complete description of the earlier proposals.)

At the urging of many citizens, organizations, and State officials, including former Governor John Love, both the bill as introduced and the bill as amended by the Committee contain a number of additions to the Forest Service proposal and the legislation which passed the

Senate in 1972. These spokesmen forcefully argued that valuable acreage, possessing significant wilderness values and characteristics important to the management of the area as wilderness, was absent from the earlier, more modest proposals.

S. 1441, the 1972 bill as reported by the Committee and passed the Senate, added approximately 60,000 acres to the Forest Service's proposal. The additional acreage on the north, east and south of the core area proposed by the Forest Service (areas N, P, R, S, T, and 3 on the map on page 14 of the Forest Service Proposal) was added to provide a less rigorous wilderness experience for a greater portion of the year on milder topographies off the Flat Tops plateau. In addition, these areas contained the important watershed, wildlife, and fishery values discussed below.

In S. 702, as introduced, a 10,700-acre area was added to the southeast corner of the proposed wilderness. This area contains the twelve miles of the South Fork of the White River within the South Fork Canyon.

The 24,800 acres added by the Committee amendments to S. 702, as introduced, are discussed in "5. Committee Amendments" below.

There are approximately 195 acres of inholdings in the wilderness area proposed by H.R. 12884, as ordered reported. These inholdings are located on two cleared areas at the lower end of the South Fork Canyon near the South Fork Campground. One of the areas, totaling 90 acres, has no structures on it. The other area of 105 acres, subdivided into eight parts and held by seven different owners, contains several relatively primitive summer cabins. The Forest Service has estimated the total value of these inholdings to be \$195,000.

These inholdings do virtually no damage to the wilderness values of the proposed wilderness. The one area contains no readily discernible signs of man. The development on the other area is of primitive log-construction type and blends into the surroundings quite well. Furthermore, there is no vehicular access to the areas. The present access is by the Forest Service foot and horse trail which runs the entire length of the South Fork Canyon.

The Wilderness Act of 1964 prohibited use of the Forest Service's condemnation authority in wilderness areas. Thus, if H.R. 12884, as ordered reported, is enacted, inholdings would remain private property unless purchase by the Forest Service were successfully negotiated.

3. Recreation and Wildlife Values

The proposed Flat Tops Wilderness contains some of the best country in Colorado suitable for primitive and unconfined recreation. The massive Flat Tops plateau provides excellent high country for experienced wilderness travelers. The lower reaches of the proposed wilderness provide both rugged river canyons for the experienced and gentler topographies for the less hardy seekers of wilderness. Opportunities for scientific study, informal outdoor education, and primitive recreation—including camping, hiking, mountain climbing, riding, back-packing, canoeing, kayaking, nature study, and enjoyment of the natural environment—are present throughout the area.

The area has elk, mule deer, and black bear. Occasionally a bighorn sheep may be encountered. The major part of the famous White River big-game herd of several thousand elk and deer uses the Flat Tops during the summer and the lower reaches (including the South

Fork Canyon) during the winter. The size of this herd is limited by the amount of winter range available outside of the proposed wilderness. There is some competition for forage between cattle, sheep, recreation stock, elk, and deer in localized areas. (For additional comments see "iii. Forage" below.)

Blue grouse, ruffed grouse, white-tailed ptarmigan, and snowshoe rabbits are the principal small game species in the area. Furbearers include bobcat, coyote, badger, fox, beaver, marten, mink, and weasel. Other native mammals include mountain lions, marmots, ground squirrels, pine squirrels, pika, chipmunks, gophers and porcupines. Other birds are migratory waterfowl, eagles, hawks, crows, ravens, jays, Clark's nutcrackers, and numerous smaller birds which are found seasonally in the Montane and Alpine areas of the Central Rocky Mountains. The fifty or more lakes within the area have good or excellent fisheries, and the many miles of fishing streams contain numerous cutthroat trout and whitefish.

The importance of wilderness to wildlife is best described in a statement made by the Director of the Colorado Game, Fish and Parks Department at the 1966 public hearing on the Forest Service proposal (reprinted in the Appendix to the record of the June 11, 1973 field hearing in Denver on S. 702, S. 1863, and S. 1864, published by the Interior Committee):

The magnificent, resourceful elk, the abundant, big-eared mule deer, the beautifully colored cutthroat, the voracious brown trout, and the jumping rainbow trout are the major species attracting sportsmen, both resident and nonresident, to our [Colorado's] hunting fields and fishing waters.

But these species, along with our other game animals, birds, and fish, find themselves in trouble today for the habitat of these species is disappearing at an alarming rate. Deer and elk range is passing from existence because of the constructive genius of man. Fishing waters are diminishing as man broadens his horizons in the field of hydro-electric power production, transmission systems for domestic water supply, and huge water impoundments with their unproductive, fluctuating shore lines. By the early 1900's the elk were nearly exterminated in Colorado by unrestricted hunting. It was estimated that in 1903 . . . there were but 1,000 elk left in our state. In the 1930's, the U.S. Forest Service began establishing the wilderness, wild and primitive areas that now exist here. From that date on, the elk herds staged a comeback until today we permit hunters to take over 10,000 elk a year without hurting the population or its reproductive capacity.

Ecologically speaking, American elk is classified as a wilderness species, which means that wilderness is essential to the survival of this species in the wild state. Our records indicate that most of the elk harvested are reared in these remote, restricted areas. It is apparent that isolation, coupled with good food conditions, has materially contributed to the high productivity of the Colorado elk herds.

The White River elk herd, one of the largest in the State, summers in the present Flat Tops Primitive Area. There is no

doubt but that the primitive area has been a major contributing factor to the well being of this large herd.

Clause 4(d)(8) of the Wilderness Act of 1964 provides assurance that designation of any national forest area as wilderness will not affect State jurisdiction over wildlife and fish in that area.

4. Other Natural Resources

Below is a discussion of the renewable and nonrenewable natural resources of economic value within the proposed wilderness:

i. Timber

Islands of timber surrounded by grassland comprise the typical vegetative pattern on the Flat Tops plateau. Approximately 40 percent of the plateau is grassland. Grass or brush cover the south slopes around the steeper perimeters of the area. Other exposures and most of the canyons are timbered.

The principal species are Englemann spruce, most of which is dead, victim of the spruce bark beetle, and fir, which is appearing as a rapidly growing undercover. Numerous aspen stands are found in the valleys and canyons.

There are approximately 548,563 thousand board feet of timber in the proposed wilderness. This figure, however, is somewhat misleading, as discussed in the following passages from pages 10 and 11 of the 1967 Forest Service Proposal (reprinted in House Document No. 90-292, Part 10, pages 765-766):

An epidemic of spruce bark beetle, a devastating western insect, hit the spruce forests of Colorado in the early 1940's. It covered 260,000 acres and ravaged more than 68,000 acres of almost solid Englemann spruce stands in the proposed Wilderness on the Flat Tops. Salvage of the tremendous volume of dead spruce in areas outside of the Primitive Area proved economically unattractive even in relatively accessible areas.

Twenty-five years later, the spruce bark beetle epidemic is memorialized in a silver forest of dead snags. Under the lifeless, graying skeletons, a new forest of spruce and sub-alpine fir is revegetating the ravaged area. Thus, one of the values in the proposed Wilderness is that it provides an opportunity to study the natural ecological processes that follow an uncontrolled bark beetle epidemic.

Many thousand cords of dead, deteriorated spruce timber until a few years ago were suitable for pulpwood. It has now lost its economic value. A quarter million cords of live Englemann spruce and other timber species are widely scattered in islands and stringers among the dead spruce. Although much of it is merchantable size, it is not now operable because of cost factors.

Acreage figures relating to timber sites and volumes of predominantly dead material might convey a misleading impression as to timber values. Most of the 72,775 acres of spruce types are located on the table lands. Site quality is poor, with mature tree height averaging two or three merchantable log lengths. Timber which occurs as islands or

patches in grasslands has difficulty in reproducing itself. Even outside any Wilderness, it is doubtful that these spruce stands would contribute any significant amount of longterm managed timber yield.

Timber within the Primitive Area has never been included in the inventory upon which the allowable cut for the working circle is based. Timber in the proposed additions consists primarily of dead spruce stands. Site quality in the proposed additions is somewhat higher than most of the present primitive area, since the additions are generally below the escarpments in the better timber-growing sites.

The allowable annual timber cut, as presently determined, would not be reduced on the Routt and White River National Forests.

Although they refer to the original primitive area and the wilderness area proposed by the Forest Service, except for the obviously larger numbers involved, these passages are partially applicable as well to the wilderness area proposed in H.R. 12884, as ordered reported.

ii. Minerals

The proposed wilderness area enjoys no history of mining or mineral leasing activities. There are no mineral patents or known recorded mining claims. Potential for oil and gas production appears slight.

During the summer of 1965, the U.S. Geological Survey and the Bureau of Mines, Department of the Interior, conducted field investigations to evaluate the mineral potential of the primitive area. They could neither find nor learn of any mineral deposits of commercial importance. The combined report of the two bureaus is published as Geological Survey Bulletin 1230-C, "Mineral Resources of the Flat Tops Primitive Area, Colorado." The following summary is contained in that bulletin:

The Flat Tops primitive area is in northwest Colorado, in Garfield, Eagle, and Rio Blanco Counties. For purposes of this report, it is divided into two parts (1) the South Fork area, drained by the South Fork of the White River, and (2) the Pyramid area, in the northern part of the primitive area, where Pyramid Peak is a prominent landmark.

Rocks in the Flat Tops range in age from Precambrian to Quaternary. The South Fork area is part of a large structural dome of Precambrian crystalline rocks with a relatively thin cover of Paleozoic sedimentary rocks. It is capped by extensive basalt flows that form a broad, fairly level plateau. Remnants of basalt flows form high peaks and steep ridges in the Pyramid area.

The primitive area is about 50 miles northwest of the belt of mineral deposits that has produced most of the mineral wealth of Colorado. No prospects were located or worked in the primitive area during the early period of prospecting. The "Dade prospect" was staked in 1940, near the southern border. It contains iron and lead sulfides, but the vein is not considered large or rich enough to be worth mining. A so-called gold prospect was investigated by the Bureau of

Mines but was found to be only an area of iron-stained and barren basalt.

Basalt of the kind forming the extensive caprock of the area is generally barren of mineral deposits in Colorado. In contrast, the Leadville Limestone, which lies below the basalt over a wide area, is an especially favorable host rock for mineral deposits in Colorado. Consequently, sampling was concentrated at the periphery of the basalt caprock, and hundreds of stream and soil samples were collected in the canyons and gullies that contain the Leadville and other sedimentary rocks in the search of concentrations of valuable minerals. These samples were analyzed by chemical and spectrographic methods that permitted detection of minute amounts of metals. A few localities were found to contain metallic concentrations somewhat higher than the low values that are common for the area. These anomalous areas were thoroughly investigated but no mineral deposits were discovered. No evidence of uranium has been found in the area.

Although it is theoretically possible that oil and gas could be present in the sedimentary rocks of the area, no structural or stratigraphic traps were identified. Hence, the presence of commercial quantities of oil and gas seems highly improbable.

The Mesaverde Formation, which contains coal in nearby localities, is not present within the boundary of the primitive area. There are no prospects for coal in the area.

Gypsum occurs in the southeastern part of the primitive area, beneath the thick basalt cap and under heavy accumulations of slide rock. It is, however, abundantly available in easily accessible deposits outside the area; hence the gypsum within the boundaries is of doubtful economic value.

No mineral deposits of commercial importance are known within the Flat Tops primitive area.

iii. Forage

Since 1911, portions of the proposed wilderness have been grazed during the summer season by domestic livestock. Both cattle and sheep allotments are located within the area's boundaries. In addition, the area provides forage for saddle horses and pack stock used by recreationists. This last use is non-commercial and requires no permit nor payment of fees.

As continued grazing is allowed by the Wilderness Act of 1964, the use of forage will be largely unaffected by enactment of H.R. 12884. However, language in the Forest Service Proposal (p. 10 of the Proposal or p. 764 of House Document No. 90-292, Part 10) describes a problem of competition between livestock and wildlife over the forage resource and the management required to alleviate that problem:

With increased recreation use, conflicts could develop between domestic stock, recreation stock, and big game. Some sites in waterfront and trailside zones, campsites, alpine-flower meadows, snowbank slopes, and sites especially suitable for scientific and educational purposes should

receive special attention. Management of forage will be in accordance with range management plans based on range analysis and actual use data.

iv. Water

The Forest Service Proposal (page 9 or page 763 of House Document No. 90-292, Part 10) contains the following statement:

The greatest public value of any of the resources, other than the wilderness resource, within the proposed Wilderness is the water yield from the drainages under consideration. Quality, quantity, and continuous flow of water are of major economic value to the dependent downstream lands and users. A basic objective of watershed management is to maintain sufficient vegetative cover to assure soil stability and proper hydrological functioning of the watershed. Wilderness management meets this objective.

High-quality water yields will be maintained by the retention of a natural vegetative succession.

The average annual precipitation of 30 to 40 inches yields between 10 and 20 inches of usable water annually. This is an average of about 1.5 acre-feet water per acre.

Given the value of the water resource, the Committee devoted the greatest portion of the time spent in considering the proposed Flat Tops Wilderness to water-related questions. These questions centered on the use of the water of the South Fork of the White River.

S. 702, as introduced, was similar to S. 1441, which passed the Senate in the 92d Congress. The greatest difference between S. 1441 and S. 702, as introduced, is that the latter contains a 10,716 acre addition to the proposed wilderness area. The addition, situated in the southwest of the proposed wilderness, has as its principal feature the twelve mile portion of the South Fork of the White River which begins at Budge's South Fork Resort and flows west to the South Fork Campground. On July 30, 1973, in open mark-up on S. 702, the Subcommittee on Public Lands added approximately 12,000 acres to the south of this portion of the South Fork so as to put the entire drainage, including Wagonwheel and Patterson Creeks, in the wilderness.

Both S. 702, as introduced and S. 1441 deleted a portion of the South Fork following an old jeep road and a buffer area of 200 acres around the road directly above Budge's Resort. This area is located in the basin known as the "Meadows". In its mark-up of S. 702, the Subcommittee deleted additional acreage (approximately 2,000 acres) sufficient to remove the entire Meadows from the proposed wilderness. Thus, under the bill, as reported by the Subcommittee last July, the South Fork would have begun in the proposed wilderness and flowed out of it at the Meadows, back in again at Budge's and out for the final time at the Campground. A preliminary permit issued by the Federal Power Commission to the Colorado River Water Conservation District and the interest of the Rocky Mountain Power Company concerning the Meadows indicated to the Subcommittee that the area is an excellent potential site for a hydroelectric project.

Shortly thereafter, however, the Subcommittee learned that one proposal of the Rocky Mountain Power Company, holder of the conditional rights to much of the water of the South Fork of the White River and several of its tributaries (Wagon Wheel, Patterson and Lost Solar Creeks) which lie within the proposed wilderness, would be to withdraw that water from the wilderness and use it to replace other water diverted from the Williams Fork River (another tributary of the Colorado which lies to the Northeast of the South Fork) for use for municipal and agricultural purposes on the Eastern slope. This diversion could have had adverse effects on the wilderness quality of the remaining area proposed for wilderness in S. 702, as reported by the Subcommittee.

In a letter to the staff director dated August 2, 1973, Senator Haskell, the Chairman of the Subcommittee and one of the sponsors of S. 702, requested that staff counsel make a trip to Colorado to further investigate the various proposals for water projects in the Meadows and South Fork area. The trip was made during the week of August 13, 1973. Transcripts of water cases were read, the proponents of the various projects and numerous State and local officials were interviewed, and the area in dispute was visited.

On the basis of additional information available to the Committee and of the report of the staff visit, the following conclusions could be reached:

(A) Rocky Mountain Power Company (RMPC) does plan to divert water from the Meadows and South Fork area to the Colorado River to replace other Western slope water to be diverted to the Eastern slope. Applications for rights to water of the Blue and Williams Fork Rivers and the cases related thereto on file in the Glenwood Springs courthouse fully document the RMPC plan: (1) to divert up to 144,000 acre feet from the Blue and Williams Fork Rivers through the Adams and Moffat tunnels to sell for municipal or irrigation use on the Eastern slope; and (2) to replace that water with a diversion of water from the South Fork and Meadows areas (by means of 100,000 and 133,000 acre feet reservoirs in the respective areas and diversions from neighboring creeks) to the Colorado River above the gauging station at Dotsero. Several figures are given for the amount to be diverted from the South Fork and Meadow area, but 110,000 acre feet and 100,000 acre feet are repeated most often.

It appears that the diversion proposal was developed by RMPC to maintain "due diligence" on the Flat Tops water rights (collectively known as the Sweetwater Project) when no buyer could be found for the power to be generated in the hydroelectric facility originally proposed for the site by RMPC. However, the court transcripts clearly establish that, over the last three years, RMPC has made vigorous, but apparently unsuccessful, representations to numerous potential water buyers on the eastern slope, including the five northern cities, the Central Water Conservancy District, and Colorado Springs.

(B) The RMPC has conditional rights to the waters of Sweetwater, Lost Solar, Wagonwheel, and Patterson Creeks and the South Fork of the White River involved in the Sweetwater Project. However, its rights to the waters of the Williams Fork and Blue Rivers which it proposes to divert to the East slope are contested by the Colorado River Water Conservation District (CRWCD). The RMPC has defended its claim to these rights all the way through the Colorado courts to the State Supreme Court.

Although RMPC does possess conditional rights on the Sweetwater Project (appropriation date 1957, for 100,000 acre feet), the CRWCD has also filed for rights to a similar hydroelectric project known as the Flat Tops Project (appropriation date 1961, for 131,000 acre feet). The Flat Tops Project also calls for two reservoirs, one at the Meadows and the other in the South Fork Canyon (capacities of 131,000 acre feet and 85,000 acre feet respectively compared to the 133,000 acre feet and 100,000 acre feet capacities of the Sweetwater Project's two proposed reservoirs located in the same places).

In 1967, the FPC dismissed a license application of RMPC. An application by the CRWCD for an FPC permit was approved in 1972 and the FPC order issuing the permit denied a motion by RMPC, intervenor, to dismiss the CRWCD's application. The permit provides for the investigation of the feasibility of the Flat Tops Project, which involves 13,500 kilowatts of base load and 525,000 kilowatts of pump storage and approximately 85,000 acre feet per year for the shale oil industry.

(C) Both the South Fork of the White River and the Meadows area possess wilderness characteristics. The South Fork is a beautiful, narrow, and rugged river canyon. The trail along the floor of the canyon from Budge's Resort to the South Fork Campground provides spectacular scenery and a primitive recreational experience concomitant with the wilderness concept. Toward the end of the valley there are two meadows in private hands. One meadow is undeveloped. The other is subdivided and has a number of crude log cabins. These cabins are accessible only by trail and constitute only a minor intrusion. (See discussion under "2. Acreage and Inholdings".) The Meadows is a long graceful meadow virtually surrounded by forested escarpments which reach up to the Flat Tops plateau. An old jeep road which went part way up the Meadows has been closed off by the Forest Service and is rapidly disappearing.

(D) The overwhelming sentiment is to include the South Fork and the Meadows in the proposed wilderness. Public officials in particular support the larger wilderness. Both Colorado Senators are sponsors of the legislation and favor the additions. John Love, while Governor of the State and before his appointment as advisor to the President on energy policy, endorsed wilderness status for the Meadows, the South Fork, and the watershed to the south. In a statement submitted to the Committee, Mr. Love, speaking as Governor, said:

The State of Colorado supports and urges passage of S. 702, sponsored by Senators Peter H. Dominick and Floyd K. Haskell, designating a Flat Tops Wilderness Area of approximately 212,716 acres within the White River and Routt National Forests. I respectfully request, however, that several additions to the area be carefully considered for possible inclusion in this Bill. There appears to be widely based support within the State for these inclusions and I concur that they would constitute worthwhile additions to this Wilderness Area.

These additions include portions of Areas O and S, U.S. Forest Service Map "B" of Flat Tops Wilderness dated April 24, 1967, known as the Trout Creek-Mandall Creek and Patterson Creek-Wagonwheel Creek areas, respectively.

Additionally, we would urge that portions of the South Fork of White River drainage commonly known as The Meadows be included within the wilderness area boundary. . . .

In previous testimony on this proposed wilderness area I had asked that all or portions of the South Fork of the White River, designated as Area G-1 on U.S. Forest Service Map B, be excluded from wilderness classification because of the potential this river offers for water developments that might be needed for the future development of energy resources in Colorado. I am now convinced that provisions contained in the Wilderness Act of 1964 provide ample safeguards for development of water resources within designated wilderness areas should such developments be in the public interest. Accordingly, it is my opinion that the public interest can best be served by including all those portions of the South Fork in Area G-1 and the Meadows within the Flat Tops Wilderness Area.

In addition, letters from the Executive Director of the Colorado Department of Natural Resources, the Director of the Department's Division of Wildlife, and the Director of the Colorado Water Conservation Board contain strong statements in favor of including the areas in the proposed wilderness.

(E) To exclude the South Fork would be to delete a valuable portion of the wilderness and to exclude the Meadows would risk substantial damage to the wilderness values of a large portion of the proposed Flat Tops Wilderness area. In a letter to Senator Haskell of September 6, 1973, Mr. T. W. Ten Eyck, Executive Director of the Colorado Department of Natural Resources, stated that the RMPC water diversion project "will have a disastrous effect on the South Fork fishery and would, in my opinion, do irreparable harm to the wilderness area downstream from the Meadows on the South Fork. As you know, Governor Love had earlier (subsequent to your hearings in Denver this summer) supported the inclusion of the entire southwest area in the wilderness as well as the Meadows area."

Furthermore, in a letter attached to Mr. Ten Eyck's letter, Jack R. Grieb, Director of the Division of Wildlife of the State Department of Natural Resources, summed up the detrimental effects to the proposed wilderness, as follows:

If this proposal ever becomes a reality and the amount of water diverted from the South Fork ever approaches 144,000 acre-feet annually, we are in real trouble. According to the best information we have available (Water Resource Data for Colorado, 1971, prepared by U.S. Department of Interior), the flow of the South Fork near the confluence of Peltier Creek has averaged 191,300 acre-feet over a 17-year period. A diversion of 144,000 from the headwaters of the South Fork (in the Meadows area) would, therefore, deplete the annual flow of the South Fork by 75 percent in an average year. In drier years, such a diversion would exceed the flow of the river. Furthermore, a diversion of 144,000 acre-feet would leave much of the South Fork dry between the Meadows and downstream tributaries, many which may also have to be tapped to satisfy the needs of the proposed project.

The net effect of the proposed project would be the nearly complete destruction of the excellent trout fishery which presently exists in the South Fork of the White River.

The Colorado Water Conservation Board staff report, sent to Senator Haskell with accompanying letter by Felix Sparks, Director, on August 2, 1973, concurred in the judgment of the two State officials. The report concluded: "The staff also believes that the exclusion of the Meadows area from the proposed wilderness boundaries is wholly incompatible with the wilderness designation for the upper and lower reaches of the South Fork."

Finally, Edward J. Currier, engineer for the CRWCD, prepared a hydrologic study of the Meadows area on a monthly basis for a period 1952 through 1971. As noted earlier, RMPC is proposing a minimum diversion of 110,000 acre feet per year from that area. However, CRWCD figures show that the RMPC facilities operating at 100% efficiency (no bypass at collection points) would provide an average annual flow of only about 96,000 acre feet. In 1968, 1969, and 1970, there would not have been enough water to divert 96,000 acre feet. RMPC has indicated an intent to allow a minimum downstream release, and, although no legal stipulation requiring this exists, it is likely a minimum 30 cfs bypass would be required by the Colorado Division of Wildlife. Such a downstream release would reduce annual acreage diversions to about 70,000 acre feet. According to Currier: "Depletion of the South Fork by 70,000 acre feet would reduce flows in the seven mile reach of stream above Lost Solar Creek by as much as 70% on an annual average and 85% during the snowmelt season. In the 15 mile reach between Lost Solar Creek and Buford, average annual flows would be reduced by about 40%". The staff of the Colorado Water Conservation Board concurred in the judgment that the area would simply not yield the amount of water RMPC is proposing to divert from it. The staff stated that the average annual supply of the area is only about 70,000 to 100,000 acre feet.

Spokesmen for RMPC dispute the judgments as to the potential effects of the proposed diversion. Among other things, they state that the project would take only the spring runoff, and senior appropriators downstream and likely establishment of minimum flow requirements by the State would further reduce the amount of water diverted.

It is certainly true that without a full-fledged hydrologic study by the Bureau of Reclamation all statistics concerning the RMPC project, the alternative CRWCD project, and the water flow in the area must be considered questionable. However, if RMPC's position were to prove correct, the size of the project would be so reduced as to diminish its value in any tradeoff with the wilderness values of the area.

Furthermore, the spring runoff, itself, is of critical importance to the wilderness or environmental values of the area. For example, the natural fishery of the South Fork is dependent on the runoff. The flushing of the river accomplished by the runoff is necessary to fish spawning and the flooding which occurs during runoff provides isolated pools of water important to propagation of the insect population which serves as a fish food source.

(F) The use of the water for oil shale, perhaps its most important proposed commercial use, can be made without constructing the Meadows facility or any other facilities along the South Fork of the

White River within the wilderness. The staff of the Colorado Water Conservation Board, the CRWCD, and a number of knowledgeable witnesses at the hearings all maintain that water for oil shale can be obtained from beyond the South Fork Campground where the South Fork of the White River flows out of the proposed wilderness area.

In open mark-up on September 28, 1973, the Committee, taking into consideration the Meadows' critical importance to the proposed wilderness, the overwhelming support for its addition to the wilderness, and the availability of South Fork water for oil shale (which appears to be its most valuable use) beyond the wilderness area, adopted unanimously by voice vote an amendment offered by Senator Haskell to include the 2,200 acre Meadows basin in the proposed wilderness. This vote was reaffirmed by the unanimous Committee vote to add the Flat Tops Wilderness area contained in S. 702, as passed the Senate, to H.R. 12884.

5. *Committee Amendments*

The wilderness area proposed by H.R. 12884, as ordered reported, is identical to the area contained in S. 702, as passed the Senate earlier this Congress. The Committee amendments occurred during the mark-up of S. 702. In summary, the Committee amended S. 702, as introduced, to add approximately 24,800 acres to the proposed wilderness.

An area of 15,500 acres (marked "O" on the Forest Service map B) was added on the northeast and east of the wilderness area. The northeastern and eastern boundary proposed by the Forest Service and maintained in S. 702, as introduced, followed the escarpments of the Flat Tops plateau. This high elevation precludes most visitors from enjoying a wilderness experience from two popular access points—Sheriff and Stillwater Reservoirs—until late in the summer. The addition, which includes Trout and Mandall Creeks and the Mandall Lakes, would afford opportunities to visit wilderness during a much longer period. Further, this addition would also preserve the pristine setting for Orno Peak and the sheer, volcanic escarpment, including the Devil's Causeway, where this geological feature reaches its greatest prominence. In addition, wilderness status for the area above the head of Stillwater Reservoir would provide a magnificent, undisturbed scenic background for the vehicle recreationists using the reservoir. The area also has excellent high-country lake fishing and supplies summer forage for numerous deer and elk. Finally, it is of particular importance as a watershed for the town of Oak Creek.

The Committee also made a net addition of 200 acres in the Meadows basin. The Forest Service proposal, S. 1441, and S. 702, as introduced, all excluded 200 acres surrounding an old road which ran up the Meadows from south to north. (See below "6. Administrative and Legislative History.") In the mark-up of S. 702 by the Subcommittee on Public Lands the remainder of the Meadows, totalling 2,000 acres, was deleted. The full Committee, however, added the entire basin of 2,200 acres to the wilderness. (For a discussion of the Subcommittee and Committee actions in relation to the *entire* Meadows basin see "iv. Water" above.) The 200 acres were added because the Committee learned from staff counsel who visited the site that the road has been closed by the Forest Service and is rapidly converting to wilderness.

To the southwest of the meadows, an area of 9,100 acres was added. This area (marked "S" on the Forest Service Map B) lies directly south of the twelve-mile stretch of the South Fork of the White River lying within the South Fork Canyon. This area includes Patterson and Wagonwheel Creeks. By placing it, together with the Meadows, in the wilderness, the Committee has insured protection of virtually the entire watershed of the South Fork. In addition, this area contains several important back-country fishing lakes which, according to the statement of former Colorado Governor John Love (reprinted in the appendix of the report of the Denver field hearings on S. 702, published by the Interior Committee), "need wilderness protection to preserve quality fishing." Even more important is the protection wilderness would afford to the large number of elk which summer in the area. Again, according to Governor Love: "Further encroachment on this area by roads and off-road vehicular traffic could easily destroy the usefulness of this area for elk."

The Forest Service expressed concern over several roads (particularly 6½ miles of road in the Patterson and Wagonwheel Creeks' area) and other development within the additions. However, when Committee staff compared the original map with the Forest Service rendition of it, a number of discrepancies were discovered. The lines of the original map (now incorporated in the October 1973 map on file with the Forest Service) were drawn so as to remove most of the roads and other development from the wilderness. (For example, none of the above-mentioned 6½ miles of road were within the original map's boundaries.)

6. *Administrative and Legislative History*

The Flat Tops Primitive Area was established on March 5, 1932 by the Chief of the Forest Service pursuant to Regulation L-20. The area was said to contain 117,800 acres; however, later use of advanced mapping techniques required a revision of the acreage to a more accurate figure of 102,124 acres.

Subsection 3(b) of the Wilderness Act (78 Stat. 890) directed the Secretary of Agriculture to study all primitive areas to determine whether they should be included in the National Wilderness Preservation System established by that Act. The study of the Flat Tops Primitive Area was completed in 1967 and the report supporting the designation of a 142,230 acre wilderness area was approved by the Secretary of Agriculture and transmitted to the President on August 11, 1967. On March 29, 1968, the Flat Tops Wilderness proposal, together with 25 other wilderness measures, was submitted to the Congress by the President. (The relevant documents are printed in House Document No. 90-292. Part 10 contains the documents relating to the proposed Flat Tops Wilderness.)

On April 1, 1971 Senators Allott and Dominick introduced S. 1441, the Administration bill to establish the Flat Tops Wilderness. On September 28, 1972 the full committee ordered reported S. 1441, as amended. The amended bill added approximately 60,000 acres to the proposed wilderness, giving it a total acreage of 202,000 acres. The measure passed the Senate on October 10, 1972, but the House Interior Committee failed to act on it or comparable legislation in the 92d Congress.

On February 1, 1973, Senator Dominick (for himself and Mr. Haskell) introduced S. 702. In this bill, the 10,700-acre area surrounding the twelve miles of the South Fork of the White River between Budge's South Fork Resort and the South Fork campground (area G-1 on Forest Service Map B) was added to the wilderness proposed in S. 1441, as passed the Senate. Thus the Flat Tops Wilderness proposed in S. 702, as introduced, totaled 212,700 acres.

The Public Lands Subcommittee, chaired by the Subcommittee Chairman, Senator Haskell, held a field hearing on S. 702, S. 1863 (to establish the Weminuche Wilderness in Colorado), and S. 1864 (to establish the Eagles Nest Wilderness in Colorado) in Denver, Colorado, on June 11, 1973.

In open mark-up on July 30, 1973, the Subcommittee added 8,100 acres to the immediate South of the South Fork of the White River between Budge's Resort and the Campground in order to include several important tributaries of the South Fork. Also added were 15,500 acres on the northeast and east of the wilderness area so as to include the more moderate terrain off the Flat Tops plateau, including Trout and Mandall Creeks and the Mandall Lakes. In addition, the Subcommittee excluded the entire Meadows basin, the site of competing proposals for water resources projects.

On the basis of additional information available to the Committee and the report on a field investigation by staff counsel, the full Committee, in open mark-up on September 28, 1973, amended the Subcommittee-reported measure to place the entire Meadows basin of 2,200 acres in the wilderness.

S. 702, as amended and ordered reported by the Committee, called for establishment of a Flat Tops Wilderness totaling 237,500 acres.

On October 30, 1973, the Senate unanimously passed S. 702, as reported on October 26, 1973.

In open mark-up session on July 15, 1974, the Committee agreed to a motion by Senator Floyd K. Haskell, Chairman of the Subcommittee on Public Lands, to add S. 702, as passed the Senate, to H.R. 12884. During the same session, the Committee, by unanimous voice vote, ordered reported H.R. 12884, as amended.

D. EAGLES NEST WILDERNESS, COLORADO

1. General

The proposed 128,374 acre Eagles Nest Wilderness is situated within the boundaries of the Arapahoe and White River National Forests in Eagle and Summit Counties in north central Colorado. It lies astride the Gore range approximately 60 miles west of Denver, 50 miles east of Glenwood Springs, and directly north and east of Vail. Its boundaries are accessible from Interstate Highway 70, U.S. Highway 6, U.S. Highway 40, State Highway 9 and graded forest roads. In short, a population of over 2,500,000 people has access to the area within 200 miles drive by automobile.

Embodied in the proposed Eagles Nest Wilderness are wilderness characteristics and values of great significance. Evidence of man's intrusion into the area are few. Within the boundaries of the proposed wilderness are areas of virgin forest, cascading streams, deep clear lakes, and abundant wildlife. Dominating the wilderness is the Gore Range, one of the more rugged mountain ranges of Colorado. There are seventeen peaks over 13,000 feet—the highest being Mount

Powell at 13,354 feet—and more than thirty over 12,000 feet. Numerous knife-edge ridges from 12,000 to 13,000 feet in elevation break up the proposed wilderness into deep, narrow valleys. Gentler topographies of meadows, river valleys, timber stands, and rocky slopes are included in the proposed wilderness area to the West, East, and South of the main range. Headwaters of the Piney River and many tributaries of the Eagle River and Blue River are included within the proposed boundary. All of these rivers are tributaries of the Colorado River. Numerous named and unnamed lakes are dispersed throughout the area. Montane, Subalpine and Alpine vegetative life zones are included within the area. Descriptions of the climate and soils may be found on page 5 of the Forest Service's Eagle Nest Wilderness Proposal, reprinted in House Document No. 92-248, Part 17.

2. Acreage, Inholdings, and Committee Amendments

The area of the wilderness to be designated in H.R. 12884, as ordered reported, contains 128,374 acres. This is approximately 40,000 acres more than the Forest Service proposal and 4,500 acres less than the area which comprised the wilderness as proposed in S. 1864, as introduced. The acreage is identical to that contained in the Eagles Nest Wilderness proposed in S. 1864, as passed the Senate earlier this Congress.

At the urging of the many citizens and organizations and State officials, including former Governor John Love, the bill as introduced contained a number of additions to the Forest Service proposal. These spokesmen forcefully argued that valuable acreage, possessing significant wilderness values and characteristics important to the management of the area as wilderness, was absent from the modest Forest Service proposal. Deletions from the bill as introduced were made to remove non-essential areas containing non-conforming uses or possessing value for water resource projects.

The two major additions made by S. 1864, as introduced, to the Forest Service proposal were as follows:

A strip of land along the east side (Areas 1, 2, 3, 13, B-1, C-1, D-1, D-2 on Map B, page 47 of the Forest Service Proposal) contains approximately 28,000 acres. This addition was made to place within the proposed wilderness the Gore Range trail, the only route by which access can be gained to almost 75% of the eastern portion of the wilderness. Furthermore, the additional acreage provides a more varied wilderness experience. The Forest Service proposed wilderness area was limited to a single type of wilderness experience: the so-called "wilderness on the rocks." The additional area provides camping and hiking areas on gentler terrain off the barren sides of the Gore range mountains.

On the west side, an important addition is the 8,100 acre Meadow Creek area (L-1 on map B, page 47 of the Forest Service proposal). This area was the subject of court battles between the Forest Service and environmentalists over prospective timber harvesting. The harvest was stopped by a 1969 Federal court injunction. In addition, the area houses a large elk herd which may be critical to maintenance of a viable elk population in the area.

The Committee amended S. 1864 so as to delete 4,310 acres. The largest deletion was 3,280 acres on the west side near Vail. This deletion, together with two smaller deletions around Maryland Creek and near Frisco on the east side, were made to maintain the possibility

of the eventual use of areas adjacent to the wilderness for water resource projects. These areas and the reasons for these deletions are discussed below under "iii. Water" in "4. Other Natural Resources".

Two significant inholdings on the east side which contained developments inappropriate to wilderness were deleted. Black Lake is surrounded by inholdings which contain extensive developments, including buildings and a road. The deletion follows the boundary between the inholding and national forest land. The Boss Mine includes the patented area and an access road on national forest land. The mine is discussed below in "ii. Minerals" in "4. Other Natural Resources".

There are approximately 792 acres of inholdings within the proposed wilderness. These inholdings are largely vacant land with either no vehicular access or vehicular access across other private land outside the wilderness (thus providing no public access).

The Forest Service expressed concern over several roads and a transmission line. However, when Committee staff compared the original map with the Forest Service rendition of it, a number of discrepancies were discovered. The lines of the original map (now incorporated in the October 1973 map on file with the Forest Service) were drawn so as to remove most of the roads and the transmission line.

The Wilderness Act of 1964 prohibited use of the Forest Service's condemnation authority in wilderness areas. Thus, if H.R. 12284, as ordered reported, is enacted, inholdings would remain private property unless purchase by the Forest Service were successfully negotiated.

3. Recreation and Wildlife Values

The proposed Eagles Nest Wilderness contains some of the most inaccessible country in Colorado for a primitive and unconfined type of recreation. It can be crossed by trail only at its northern and southern ends. Along the eastern side is the Gore range trail which is the only route by which access can be gained to almost 75% of the eastern portion of the wilderness. In between these trails lie thousands of acres of spectacular mountain country available to the experienced wilderness traveler. The lower reaches of the proposed wilderness on the east, west, and south are accessible to the less hardy by forest trail. Opportunities for primitive recreation, scientific study, and informal outdoor education—including camping, hiking, mountain climbing, riding, back-packing, nature study, and enjoyment of the natural environment—are present throughout the area.

Elk deer, Rocky Mountain goat, bighorn sheep, black bear, mountain lion, bobcat, and coyote inhabit the area. The population of each of these species is low to moderate. In particular, elk and deer numbers are controlled by the limited availability of the critical mountain range which is outside of the proposed area and includes a significant amount of private land subject to development.

The smaller mammals include snowshoe hare, pine squirrel, beaver, badger, marten, weasel, mink, fox, skunk, porcupine, chipmunk, pika, marmot, and field mice. Ptarmigan, blue grouse, golden eagle, and many species of songbird are present. Lastly, the many lakes and streams provide brook, native, and rainbow trout.

Clause 4(d)(8) of the Wilderness Act of 1964 provides assurance that designation of any national forest area as wilderness will not affect state jurisdiction over wildlife and fish in that area.

4. Other Natural Resources

Below is a discussion of the renewable and nonrenewable natural resources of economic value within the proposed wilderness:

i. Timber

The timber types within the proposed wilderness are aspen, lodgepole pine, Engleman spruce, and subalpine fir. Sites vary from poor on the steep rocky hillsides and glacial moraines, to good in the narrow, moist valleys.

The proposed wilderness area contains a total of approximately 374,671 thousand board feet of timber. H.R. 12884, as ordered reported, adds about 172,938 thousand board feet to the 201,733 thousand board feet contained in the core area which the Forest Service proposed for wilderness designation. Of the 13,500 acres of the Forest Service proposal covered with mature timber, a little less than 5,000 acres are operable under present logging methods. This means that approximately 56,000 thousand of the total of 201,733 thousand board feet are capable of being harvested. Thus under allowable cut procedures, a maximum of 560 thousand board feet annual production would be deleted by the Forest Service proposal. Much of the remaining timber cannot be harvested now or in the foreseeable future because of dispersion in small, isolated patches or on steep, rocky terrain. A significant portion of the 172,938 thousand board feet added by H.R. 12884, as ordered reported, comes from the Meadow Creek area where a Federal court injunction stopped a timber sale. Therefore, presumably a larger percentage of timber added by H.R. 12884, as ordered reported, could be harvested. (If all of the added timber were harvestable, under allowable cut procedures, an additional 173 thousand board feet annual production could be obtained from the area were it not designated as wilderness.)

ii. Minerals

No mineral production is known from the 360 acres of patented land contained in the proposed wilderness. Also, no current mining claim location activity is known inside the proposed wilderness area. There are no oil and gas leases within or adjacent to the proposed wilderness area.

The mineral potential evaluation (based on a field investigation of the area from 1967 to 1969) of the United States Geological Survey and the Bureau of Mines found no known ore deposits, and no geologic evidence to indicate a likelihood of hidden deposits, within the primitive area. The same was true of the adjacent areas now within the wilderness area designated by H.R. 12884, as ordered reported. Furthermore, the evaluation found no potential for coal, oil or gas and no—or very little—potential for nonmetallic minerals. The evaluation is published as Geological Survey Bulletin 1319-C, "Mineral Resources of the Gore Range-Eagles Nest Primitive Area and Vicinity, Summit and Eagle Counties, Colorado."

Boss Mine, deleted by Committee amendment during markup of S. 1864 (which passed the Senate earlier this Congress and which contains a wilderness area identical to that in H.R. 12884; as ordered reported) has produced about \$238,000 worth of silver-lead ore, most of which was extracted prior to 1900.

Under the Wilderness Act of 1964 patented land within the proposed Eagles Nest Wilderness would continue to be subject to mining. Prospecting and the operation of unpatented mining claims would be allowed under regulations of the Secretary of Agriculture until December 31, 1983. Subject to valid rights then existing, effective January 1, 1984, the minerals would be withdrawn from all forms of appropriation.

iii. Forage

Portions of the proposed wilderness have been grazed during the summer season by domestic livestock since prior to 1900. Several cattle, horse, and sheep range allotments lie wholly or partially within the proposed area. As continued grazing is allowed by the Wilderness Act of 1964, the use of forage will be largely unaffected by enactment of H.R. 12884, as ordered reported.

iv. Water

The Forest Service Proposal (reprinted in House Document No. 92-248, Part 17) contained the following statement:

The greatest public value of any of the resources, other than wilderness resources, within the proposed wilderness is the water yield from the drainages under consideration. The quantity and quality of the water from this area has an effect on the economic well-being of individuals for many miles downstream. The area has long been under consideration as a domestic water source for the metropolitan Denver area.

The boundaries of the area proposed for wilderness designation by S. 1864, as reported by the Committee and passed by the Senate, and H.R. 12884, as ordered reported, are the product of numerous discussions between the Denver Water Board, Senators Haskell and Dominick, and Committee staff. The Committee believes that the boundaries of the proposed wilderness preserve the principal wilderness values while allowing the Water Board to obtain much, perhaps virtually all, of the water it had expected in the projects it has proposed.

The Water Board plans to divert much of the water flow in the wilderness across the divide to Denver through the two systems discussed below.

One system—the Eagle Piney—would be situated along the west side of the wilderness. Although portions of the system as originally proposed lie within the wilderness boundaries, the Water Board has informed the Committee that it still can obtain no less than 96,000 acre feet and perhaps all of the 100,000 acre feet of water projected for that system. One deletion in the area proposed by S. 1864 was made by the Committee to allow a 60,000 acre foot diversion from the Booth, Pitkin, Bighorn, and Gore Creeks above Vail. Another 16,000 to 20,000 acre feet can be obtained from the Meadow Creek area. Originally the Water Board asked for major deletions from this area also. Now, the Board has determined that it will likely be able to obtain most of the water from below rather than within the wilderness. The Water Board did request a major deletion above Piney Lake to allow construction and operation of a Piney Lake reservoir.

Discussions among representatives of the Water Board, Senator Haskell, and Committee staff revealed that Piney Lake is not necessary to obtain the 16,000–20,000 acre feet of water from the area. To not construct and use the reservoir could result in a net additional cost to the system of approximately \$10 million (plus \$18 million for larger pipe along the system, minus \$8 million saved by not constructing the dam). The remaining 20,000 acre feet would come from an area miles to the south of the proposed wilderness and would be unaffected by H.R. 12884, as ordered reported.

The East Gore system would involve 100,000 acre feet transported by a gravity flow canal along and within the East side of the area proposed by H.R. 12884, as ordered reported. The eastern boundary of the area would exclude portions of the canal. However, the Water Board gave strong indications that it can obtain much, perhaps most, of this water outside of the boundaries of the proposed wilderness when it requested that the Committee consider a minor deletion from S. 1864, as introduced, to allow an extension of the canal and reduce the amount of pumping necessary to receive the water. (This deletion was made. See above "2. Acreage, Inholdings, and Committee Amendments.")

Another purpose of the 3,280-acre deletion above Vail and the reason for a very small deletion on the eastern edge of the proposed wilderness near the town of Frisco were to provide an opportunity, should the Denver voters pass the bond issue, for construction of a tunnel under the wilderness to transfer the water collected in the Eagle-Piney system to the Dillon reservoir. (An additional facility on the South Platte may be necessary to complete the transfer because of limited storage capacity in the Dillon Reservoir.)

The deletions would allow construction and operation of the tunnel if, among other things, an environmental impact statement is carefully prepared pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969 (83 Stat. 852) and clear evidence is supplied and full assurance is provided that the tunnel can be constructed and operated without any permanent surface disturbance to, or any permanent damage to the wilderness values of, the proposed wilderness.

John Love, while Governor of Colorado, submitted a statement to the Public Lands Subcommittee for incorporation in the record of the hearing on S. 1864 held in Denver, Colo., on June 11, 1973. In support of the boundaries of the area proposed in S. 1864, Governor Love stated: "In my judgment, provisions contained in the Wilderness Act of 1964 provide ample protection to the Denver Water Board and other water developers should it become necessary to develop the water resources within this proposed wilderness area." The Governor was referring to clause 4(d)(4)(1) of the Act which provides that the President may authorize a water resource project within a wilderness area when he determines that the project "will better serve the interests of the United States and the people thereof than its denial".

5. Administrative and Legislative History

The Gore Range-Eagles Nest Primitive Area was established on June 19, 1932. The size of the area was more than doubled in 1933 to include approximately 79,700 acres. On December 3, 1941, more than 18,000 acres were deleted from the primitive area to accommodate the construction of the U.S. Highway 6 over Vail Pass.

Subsection 3(b) of the Wilderness Act of 1964 (78 Stat. 890) directed the Secretary of Agriculture to study all primitive areas to determine whether they should be included in the Natural Wilderness Preservation System established by that Act. In addition, it specifically directed the Secretary to review the possibility of constructing Interstate 70 through the South Willow and Main Gore Creek drainages. On May 17, 1968, Secretary of Agriculture Orville L. Freeman made the decision that the route for Interstate Highway 70 via Red Buffalo Pass through the southern tip of the primitive area would not be in the public interest since there was no showing that there were no other reasonable alternatives.

The study of the primitive area was completed in 1971 and the report supporting the designation of an 87,755 acre wilderness area was transmitted to the President on January 18, 1972. On February 8, 1972, the Eagles Nest Wilderness proposal, and proposals for 17 other additions to the National Wilderness Preservation System were transmitted to the Congress by the President. (The relevant documents are printed in House Document No. 92-248. Part 17 contains the documents relating to the proposed Eagles Nest Wilderness.)

On May 22, 1973, Senator Haskell, on behalf of himself and Senator Dominick, introduced S. 1864 which proposed the creation of an 132,684-acre Eagles Nest Wilderness. (The bill contained an erroneous acreage figure of 125,000 acres.) The measure was referred to the Committee on Interior and Insular Affairs. A field hearing was held by the Subcommittee on Public Lands on June 11, 1973, in Denver. On July 30, 1973, S. 1864 was reported by the subcommittee to the full committee. The full committee ordered the measure, as amended, reported on October 2, 1973. The amendment written partially in subcommittee and partially in full committee resulted in a reduction in size of the proposed wilderness.

On October 11, 1973, the Senate unanimously passed S. 1864, as reported on October 10, 1973.

In open mark-up session on July 15, 1974, the Committee agreed to a motion by Senator Floyd K. Haskell, Chairman of the Subcommittee on Public Lands, to add S. 1864, as passed the Senate, to H.R. 12884. During the same session, the Committee, by unanimous voice vote, ordered reported H.R. 12884, as amended.

E. WEMINUCHE WILDERNESS, COLORADO

1. General

The proposed 433,745-acre Weminuche Wilderness is situated within the boundaries of the Rio Grande and San Juan National Forests in Hinsdale, La Plata, Mineral, and San Juan Counties in southwest Colorado. It is approximately 25 miles northeast of the town of Durango and 40 miles west of the town of Monte Vista. A population of over 2,000,000 people has access to the area within 250 miles drive by automobile.

As noted in the Department of Agriculture's Proposal for a Weminuche Wilderness, "The proposed area embodies all of the characteristics of a wilderness" (p. 3, reprinted in H. Doc. No. 92-248, pt. 16).

The area is characterized by spectacular, rugged mountain peaks and lofty ridges separated by precipitous canyons or deep, narrow valleys which have been carved by clear, rushing mountain streams

and rivers. From many vistas within the area, the panorama of natural landscape connotes solitude emanating from a natural environment. The clear, placid lakes and fast moving streams, together with the tranquil alpine meadows and rugged mountains, all blend to fashion a primeval retreat from the fast pace of modern living.

In some areas within the proposed wilderness Precambrian rocks were overlain by Paleozoic and Mesozoic sedimentary rocks. These were in turn overlain with volcanic extrusive rocks which were subsequently eroded by glaciers or other natural forces to form the present day topography.

The Continental Divide bisects the area from east to west. The existing Continental Divide Trail makes available to the wilderness visitor a vast array of jagged peaks, rugged valleys, alpine meadows, clear mountain streams, and placid lakes. The lower elevations feature a changing pattern of forested slopes viewed from precipitous canyons or sharp valleys which wind through sections of spectacular rock outcrops and serene parks of grass, shrubs, and mountain flowers.

The Needle Mountains have the most rugged peaks in the area. Mt. Aoleus, Sunlight and Windom Peaks are over 14,000 feet in elevation. There are numerous other peaks over 13,000 feet in elevation.

The Rio Grande Pyramid, 13,830 feet, resembling the pyramids of Egypt, and the Window through a sheer, vertical wall, are landmarks that can be seen for great distances.

Emerald Lake, the second largest natural lake in Colorado in a primitive environment, was formed by a massive landslide. Over forty other named lakes and scores of unnamed lakes are dispersed through the area. Headwaters of the Los Pinos River, Piedra River, West Fork San Juan River and tributaries of the Animas and Rio Grande Rivers are included within the proposed boundary.

The Montane, Subalpine, and Alpine vegetative life zones are included within the area.

Summer temperatures rarely exceed a maximum of 80 degrees. Winter minimums may reach 30 to 40 degrees below zero. Summer temperatures prevail only from late June to early September. The growing season averages less than 60 days and there are practically no extended frost-free periods in much of the higher country.

Average annual precipitation is between 25 and 50 inches and occurs chiefly in the form of snow. High-intensity rain showers occur in localized areas during the summer. Hail and sleet are common at higher elevations during these storms.

Soils range from shallow to deep. Those on colluvial footslopes are dark, deep, and fertile; whereas, those on steep mountain slopes are light-colored, shallow, and range from soils of low fertility derived from shales and sandstones to moderately fertile soils developed from limestones. All of these soils are highly susceptible to erosion when the vegetative cover is disturbed.

Above timberline are many barren, rocky, mountain peaks. On the smoother areas, rock-studded, shallow alpine turf soils and deep poorly-drained alpine meadow soils developed from rhyolites, andesites, and laterites occur. These soils are well supplied with plant nutrients but are of low productivity because of a short, cold growing season.

Conifer forests cover approximately 50 percent of the area, the remainder of the area is covered predominantly by grass and water, with a small percentage of the land under other tree and brush species.

The propose area would be named after the Weminuche Indians, a sub-tribe of the Ute Indians. The Weminuche Indian is the earliest recorded visitor to this region. Historical records show that the name may also be correctly spelled as "Wiminuche," but due to the locally accepted spelling of many geographic features in the area the name Weminuche is used.

2. Acreage, Inholdings, and Committee Amendments

The wilderness as proposed by H.R. 12884, as ordered reported, contains 433,745 acres. This is approximately 86,912 acres more than the Forest Service proposal for a Weminuche Wilderness contained in S. 601. The acreage is identical to that contained in the Weminuche Wilderness proposed in S. 1863, as passed the Senate earlier this Congress (see paragraph 5 "Administrative and Legislative History").

At the urging of the many citizens, and organizations, and State officials, the bill as introduced contained a number of additions to the Forest Service proposal. These spokesmen forcefully argued that valuable acreage, possessing significant wilderness values and characteristics important to the management of the area as wilderness, was absent from the modest Forest Service proposal. H.R. 12884, as ordered reported, like S. 1863, as passed the Senate, preserves that additional acreage in the wilderness. Both bills also contain a further minor addition.

Of the additional acreage in H.R. 12884, as ordered reported, over that of the Forest Service proposal, the largest amount—29,000 acres—lies within the Chicago Basin on the west side of the wilderness area. The Chicago Basin provides an almost limitless variety of excellent wilderness experience. The scenery is superb, and game and fish are plentiful. The Basin serves as a major access point to the higher altitudes in the wilderness. Its less rugged topography also provides the opportunity for more moderate wilderness recreation for the less experienced.

On the Eastern side, the inclusion of the areas denoted as C-1, C-2, D-1, and D-2 on the map on file with the Department of Agriculture resulted in a net addition of 53,000 acres.

On the South is a 667 acre addition (denoted as area 6) made by the Committee. The Forest Service had originally opposed inclusion of this area because it planned to develop a campground on the site. The Service has, however, since developed a campground further south in Poison Park.

There are approximately 1,795 acres of inholdings in the wilderness area proposed by H.R. 12884, as ordered reported. The total estimated value of these inholdings is \$673,000.

Over three-quarters of the acreage of the inholdings is situated in the Chicago Basin. These inholdings are mostly patents obtained prior to 1928. Their value is not great because they were obtained as gold and silver patents during the prospecting and hand sorting days. (See below in "ii. Minerals" under "4. Other Natural Resources" for further discussion of mineral values in the wilderness.)

Not included in the inholdings statistics is the 2,800-acre Durango Reservoir grant in the Chicago Basin. Forest Service personnel state that use of that grant is not contrary to wilderness status as the area

is to serve as a natural watershed. There are no water resource projects contemplated for the grant area.

The inholdings do virtually no damage to the wilderness values of the proposed wilderness. Few have developments upon them and, in a number that do, the developments are already receding back into the landscape. Access is largely limited to foot and horse trail.

The Wilderness Act of 1964 prohibited use of the Forest Service's condemnation authority in wilderness areas. Thus, if H.R. 12884, as ordered reported, were enacted, inholdings would remain private property unless purchase by the Forest Service were successfully negotiated.

3. Recreation and Wildlife Values

The proposed Weiminuche Wilderness contains some of the best country in Colorado suitable for primitive and unconfined outdoor recreation. Opportunities exist for camping, hiking, mountain climbing, riding, back-packing, scientific study, and the enjoyment of unique environments. Hundreds of miles of trail provide access to recreation opportunities; however, there are thousands of acres of country without trails for the more adventuresome traveler. The numerous lakes and streams provide many opportunities for fishing. Moderate elk, deer, and bear populations are dispersed through the area for excellent hunting.

Recreation use in the area has been increasing rapidly. It is estimated that 15% of the recreational use comes during the hunting season (October and November). The remaining 85% of the wilderness use is during the snow-free months. Approximately 62% of the wilderness use is by horseback and 38% by foot travel.

The majority of recreationists who use the area are from the Colorado-New Mexico area; however, a large percent of the people who use the more than twenty commercial outfitters and packers in the vicinity are from other States. A population of over 2,000,000 people have access to the area within 250 miles drive by automobile.

In the smaller area proposed by the Forest Service, a total of 86 potential campsites, varying in size from two acres to forty-seven acres, have been found suitable for undeveloped camps and inventoried in the National Forest Recreation Survey.

The area is ecologically stable and will be able to stand considerable human and other use without deterioration of vegetation or soils.

Many species of wildlife inhabit the proposed wilderness. Elk, deer, black bear, bighorn sheep, coyote, bobcat, and mountain lion are residents of the area. Smaller mammals include snowshoe rabbit, cottontail rabbit, pine squirrel, Abert squirrel, beaver, badger, marten, weasel, mink, fox, skunk, chipmunk, pika, marmot, and field mice. There are many species of birds including the ptarmigan, the blue grouse, and the golden eagle. Finally, the many lakes and streams provide Cutthroat, rainbow, and brook trout from pan-size to over 18 inches in length.

Clause 4(d)(8) of the Wilderness Act of 1964 provides assurance that designation of any national forest area as wilderness will not affect state jurisdiction over wildlife and fish in that area.

4. Other Natural Resources

Below is a discussion of the renewable and nonrenewable resources of economic value within the proposed wilderness:

i. Timber

Eagles Nest is the only one of the three Colorado wilderness proposals contained in H.R. 12884, as ordered reported, which possesses a timber resource which could be regarded as significant.

The total board footage in the proposed wilderness is 2,695,111,000. Although the total acreage of the proposed wilderness area in H.R. 12884, as ordered reported, is over a quarter greater than that in the Forest Service proposal, the board footage is only a fifth greater. Most of the additional timber involved is located along the Eastern side in the 53,000 acre area of C-1, C-2, D-1, and D-2. The timber types within the proposed wilderness are aspen, Douglas-white fir, Ponderosa pine, and Engelmann spruce-subalpine fir.

The timber figures given above, are somewhat misleading. First, of the about 141,931 acres of the Forest Service proposal which are covered with mature timber types, only about 26,600 acres would be operable under current logging methods. Thus, of the estimated 2,232,385 thousand board feet in the area of the Forest Service proposal, only an estimated 404,173 thousand board feet would be capable of harvesting. (No comparable figures concerning "operable" acreage and its timber are available for the additions, totalling 462,726 thousand board feet, contained in H.R. 12884, as ordered reported.)

Secondly, the total timber resource must be viewed in relation to the allowable cut requirements. Thus, of the 404,173 thousand board feet available for harvesting, the annual allowable cut would be about 4,041 thousand board feet.

Thirdly, timber harvest potential not only within the boundary of the proposed Weminuche Wilderness area, but in the whole section of National Forest is very marginal. Virtually all of the areas within the proposed wilderness of concern to timber interests are above 10,000 feet in elevation. Logging off high altitude timber results in exposure of unstable, sloping soils to erosion and lengthens the time necessary for regrowth (some 200 years). The Forest recognized this in its statement in its own wilderness proposal: "The timber production potential at lower elevations is moderate, but is relatively poor at higher elevations because of shallow, rocky soils, steep terrain, and a short growing season. Timber cover is also essential for compatible wilderness purposes such as watershed, wildlife, recreation, and aesthetics." (P. 3, reprinted in H. Doc. No. 92-248, pt. 16.)

ii. Minerals

The area enjoys a modest history of mineral development. It contains 1,475 acres of patented land,¹ most of which is situated in the Chicago Basin.

¹ See the following table.

PATENTED LAND NOT WITHIN CHICAGO BASIN AREA

Location and mineral survey number	Section	Acres	Date patented
Township 38, north, range 7, west:			
427	1, 2	9.042	1882
432	2	1.755	1882
431	2	10.33	1884
20132	2	10.148	1924
14379	2	20.662	1916
2609	2, 11	10.33	1890
2607	2, 11	9.80	1890
2622	11	10.33	1890
18973	2, 11	28.97	1911
13886	11	17.528	1902
2610	11, 14	10.33	1890
1326	1	10.33	1884
1809	1	10.33	1886
955	1	10.33	1884
2225	12	10.33	1889
2235	12	9.57	1889
2222	12	6.86	1889
Township 38, north, range 6, west:			
2228	6	10.33	1890
2086	6(7)	10.33	1890
2664	6(1)	19.77	1890

PATENTED LAND WITHIN CHICAGO BASIN AREA

Township 39, north, range 7, west:			
4520	26, 35, 36	24.805	1890
1611	36	8.04	1889
1610	36	7.748	1885
1531	36	10.33	1885
15239	35	17.063	1903
14420	35, 36	55.015	1928
15240	26, 27, 34, 35	51.655	1904
1866	33, 34, 35	156.540	1889
18305	33, 32	10.232	1909
19258	34	8.403	1912
4519	26, 35	7.429	1890
18304	32, 33	20.514	1909
Township 38, north, range 7, west:			
1613	2 (35)	9.150	1889
14476B	5	4.983	1903
17469	5, 8	25.000	
5619	3	10.33	1893
432	2	5.265	1882
14379	2	2.066	1916
427	1, 2	1.291	1882
Township 39, north, range 6, west:			
1770	31	10.33	1889
1771	31 (36)	10.20	1889
1776	31	10.31	1889
1765	31	10.33	1889
1763	31	10.20	1889

As the list in footnote number 1 shows, most of this land was patented in the last century. The last patent to be staked was in 1928. These patents possess little apparent value as they were obtained for gold and silver in the days of prospecting and hand sorting. Their lack of value is demonstrated by the fact that although four times the acreage of inholdings in the Forest Service proposal has been added to the proposed wilderness by H.R. 12884, as ordered reported, the value of this additional acreage is less than the value of the inholdings within the original Forest Service proposal. None of the patents are being worked.

During the last few years the Forest Service with the aid of the Land and Water Conservation Fund has aggressively pursued the acquisition of old mining patents. Approximately 47 percent of the original patents had been acquired by 1972. All patents except exceedingly steep and remote ones are earmarked for acquisition.

Geological Survey Bulletin 1261-F states that there are 196 patented claims within and adjacent to the San Juan Primitive Area, and that the value of ores mined has been about \$257,000. This averages about \$1,300 per patented claim.

The bulletin further states that about 78% of that total value was produced in the late 1800's from the Beartown district alone. Much of that district is excluded from H.R. 12884, as ordered reported, by the Bear Creek indentation in the northwest boundary.

In addition to the Beartown district, three other areas are described in the bulletin as having evidences of mineral deposits of commercial or near-commercial value:

Trout Creek-Middle Fork Piedra—native sulfur. About four miles along one side of Trout Creek are included in S. 1863; otherwise there is no difference between S. 1863 and the Forest Service proposal in this area.

Whitehead Gulch—small veins and sporadic deposits. Approximately two miles along the south side of Whitehead Gulch are included in H.R. 12884, as ordered reported; otherwise there is no difference between the proposals in this area.

Needle Mountains—disseminated molybdenite and metalliferous veins. This district, which is within the boundary of H.R. 12884, as ordered reported, and excluded in the Forest Service proposal, includes the Chicago Basin area. Presently, there is one activity in the Basin relating to mining: American Minerals, Inc. of Broomfield has staked or reactivated thirty-one claims adjacent to the Whiton Placer to be prospected for molybdenite. In addition, the mineral rights to the lands once occupied by the Plowboy (954) and Cabin Home (951) patents have been acquired by American Minerals. (Of course, control of the surface remains with the Forest Service.) American Minerals has been conducting exploratory core drilling under strict Forest Service regulations. The rig was flown in by helicopter and the ore is being removed by pack string. Drilling began last summer and was closed down with the first snow. No conclusive findings have yet been announced. (The age and limited value of existing patented claims in Chicago Basin other than those of American Minerals was discussed above.)

The Committee was also made aware of the numerous other values—values which are concomitant with wilderness status—of the Chicago Basin. Its importance as a route of access to the high country and

as an area in which the less experienced can enjoy wilderness has already been discussed. Other values are reflected in the position taken by the Colorado Game, Fish, and Parks Commission:

We further recommend . . . (Chicago Basin-Johnson Creek) be included in the Wilderness . . . Needle Creek provides an almost limitless variety of extremely high quality wilderness experience. The scenery is spectacular, the fishing excellent and the hunting good. Needle Creek is the western access to the heavily traveled route from Vallecito Reservoir and is very important economically to guides and outfitters living in this area.

Chicago Basin is a very important calving ground for elk in this area. It also supports a fair deer population and ptarmigan and blue grouse.

The only Rocky Mountain goats in southwestern Colorado were observed in Chicago Basin this year having migrated from their transplant site 24 miles away. These animals require the type of habitat found in Chicago Basin and will not tolerate invasion by man. If this herd is to prosper it is imperative that the Chicago Basin-Johnson Creek area be included in the Wilderness. (Forest Service proposal, pp. 102-103, reprinted in H. Doc. 92-248, pt. 16.)

The aforementioned Geological Survey Bulletin 1261-F evaluating the mineral resources of the area is the result of field mineral investigations by the Geological Survey and the Bureau of Mines. The summary of this study is as follows:

A mineral survey was made by the U.S. Geological Survey and the U.S. Bureau of Mines of the adjoining San Juan and Upper Rio Grande Primitive Areas, southwestern Colorado, and of adjacent areas proposed for inclusion in the National Wilderness Preservation System. The combined area covers about 500 square miles of rugged terrain in the San Juan Mountains and is described in that report as the San Juan Primitive Area. Investigations of the primitive area were made by the U.S. Geological Survey during 1965-68, and those by the U.S. Bureau of Mines were made during 1967-68. Although little mineral production has been recorded from the primitive areas, the area borders several highly productive mining districts, and minable mineral deposits probably exist within parts of the primitive area as well.

One hundred ninety-six patented claims and about 425 located claims are within or adjacent to the San Juan Primitive Area. Most of the patented claims are in the Needle Mountains mining district in the southwestern part of the primitive area, whereas most of the located claims are in a narrow belt peripheral to the primitive area. Gold, silver, copper, lead, zinc, uranium, and sulfur ores valued at about \$257,000 have been mined from within or near the San Juan Primitive Area, and the Beartown (Bear Creek) mining district along the northwest margin of the primitive area is credited with about 78 percent of this total.

Geologically, the San Juan Primitive Area is divisible into two parts that contrast strongly in age, rock types,

structures, and conditions of origin. The western part of the area is underlain by Precambrian metamorphic rocks, which are intruded by granitic rocks. Most of the remainder of the area is covered by volcanic rocks of middle Tertiary age. Sedimentary rocks of Paleozoic and Mesozoic ages are exposed along the south margin of the area and extend under the volcanic rocks in the eastern part of the area.

In appraising the mineral-resource potential of the primitive area, special attention was given to all the mining districts and to the geologic environments most likely to have mineral deposits associated with them. All areas of hydrothermally altered rocks in the volcanic field, and in Precambrian rocks near volcanic or intrusive centers, were examined and sampled, as were possible fossil gold placers, black slates, and iron-formation in Precambrian rocks. Sedimentary rocks underlying the volcanic cover in the eastern half of the area contain potential oil and gas-bearing reservoir rocks, and the possibilities of such occurrences were assessed. Foot traverses aggregating more than 1,000 in length were made in the area, and samples were taken of all rocks that appeared possibly mineralized and of stream sediments along all streams. These samples were analyzed by spectrographic and chemical methods to determine metal content, and the analytical data are presented in the report. Areas found to be anomalously high in metal content were further investigated.

Within and near the primitive area, evidence of mineral deposits of commercial or near-commercial value was found in four areas.

1. The Needle Mountains mining district, in the southwestern part of the primitive area, contains disseminated molybdenite in a hypabyssal intrusive plug, and the surrounding rock is cut by numerous metalliferous veins, some of which have economic potential.

2. Whitehead Gulch, in the northwestern part of the primitive area, contains many small veins and sporadic deposits, some of which are of commercial grade.

3. The Beartown mining district, along the north margin of the primitive area, contains a number of gold-telluride veins that yielded high-grade ore in the late 1800's. Exploration targets still exist, and, with improved access, the district could again become productive.

4. The Trout Creek-Middle Fork Piedra area, in and adjacent to the northeastern part of the primitive area, contains deposits of native sulfur in highly altered volcanic rocks.

Of the four areas, only the Needle Mountains mining district contains appreciable acreage within the primitive area. The mineral potential of the four areas could be determined only with extensive exploration, which would be beyond the scope of this investigation.

Elsewhere in and near the primitive areas, small bodies of lead-zinc ore occur in Cave Basin near Runlett Park along the south margin of the area, and a small amount of uranium ore has been produced west of the Animas River near the west

margin of the primitive area. In the past, a few other localities yielded small quantities of high-grade ore, which was packed out on horses and mules. None of these deposits appears to be large enough to have economic potential.

No indications were seen elsewhere in the primitive area that point toward economic or subeconomic mineral resources in a near-surface environment. The possibility of deep metallic mineralization near some of the volcanic centers cannot be eliminated, however, and oil and gas conceivably could exist in hidden traps in the sedimentary rocks beneath volcanic cover. (Steven, T. A., et al, *Mineral Resources of the San Juan Primitive Area, Colorado*, Geological Survey Bulletin 1261-F, 1969, pp. F1-F2.)

iii. Water

Water yield of the area is estimated at a minimum of 517,000 acre-feet in an average year. There are a number of water diversion ditches and small reservoirs within the boundaries of the proposed wilderness. No plans for additional water resource projects are known at this time.

Only one water project, the so-called Weminuche Transmountain Ditch, was the subject of discussion during Committee consideration of S. 1863. This ditch, built under permit in 1935, diverts waters from the Rincon and La Vaca Rivers at the Weminuche Pass into the Weminuche Creek. These waters, which otherwise would flow south down the Los Pinos River into the Vallecito Reservoir, flow through the one and one-half mile ditch and Weminuche Creek into the Rio Grande Reservoir, which is located on the north of the proposed wilderness. In the spring, the water runs at 40 second feet and is used for farming purposes in the San Luis Valley.

The Ditch does not require intensive maintenance. In fact, it has been maintained only three times since 1935 (in 1950, 1963 and 1970). The users of the water from the Ditch would like to maintain the Ditch by use of heavy equipment, as was done in 1950 and 1963. However, the Forest Service (the Ditch also lies within the Service's proposed wilderness area) maintains that maintenance by mechanized equipment is unnecessary. In fact, after passage of the Wilderness Act, the Forest Service denied a request for a permit to maintain it by heavy equipment. The denial was made not by the regional office but by the Chief Forester. Instead, the Forest Service maintained the Ditch in 1970 by primitive means and charged the costs to the water users. Thus, the Forest Service established that the Ditch could be maintained by other than mechanized means. Furthermore, to allow mechanized equipment to enter the Wilderness on a regular basis would be to permanently bifurcate the area, if the procedures used in 1950 and 1963 maintenance efforts were followed. In those two instances the equipment, which came from Bayfield, Colorado, entered the central portion of the area from the south and proceeded north to the Ditch, which is located near the northern boundary of the area, again in the central portion. Whether another route which would not cut the area in two could be found is a matter of dispute.

The Forest Service recommended that no exception for mechanized equipment be made. Whether or not the areas were designated as

wilderness, the Forest Service, as a matter of policy decided by the Chief Forester, would continue to deny requests for permits to employ mechanized equipment and would, instead, continue to maintain the Ditch by primitive means, charging the costs to the water users.

The Committee agreed that no exception to general wilderness policy concerning mechanized equipment should be made in the case of the Weminuche Ditch.

(See "2. Acreage, Inholdings, and Committee Amendments" for a discussion of the Durango Water Reservoir grant.)

iv. Forage

Portions of the proposed wilderness have been grazed continuously since 1878. Several Cattle, Horse, and Sheep Range Allotments lie wholly or partially within the area. In addition, forage is used by the pack and saddle stock of individual recreationists and commercial packers and outfitters. Of course, the deer, elk, and bighorn sheep populations of the area also graze there.

As continued grazing is allowed by the Wilderness Act of 1964, the use of forage will be largely unaffected by enactment of H.R. 12884, as ordered reported.

5. Administrative and legislative history

The Upper Rio Grande Primitive Area was established on March 5, 1932, and contained 56,600 acres, all National Forest lands. The San Juan Primitive Area was established October 1, 1932, and contained 238,080 acres of National Forest land and 1,920 acres of privately-owned lands for a total of 240,000 gross acres. Both areas were established under the authority of Secretary of Agriculture Regulation L-20 and together totaled 296,600 gross acres. Advanced mapping techniques and planimeter methods, plus changes in the private land status by land acquisitions, have revised the gross acreage to 285,413 acres, containing 284,685 acres National Forest land and 788 acres privately-owned land.

Subsection 3(b) of the Wilderness Act of 1964 (78 Stat. 890) directed the Secretary of Agriculture to study all primitive areas to determine whether they should be included in the National Wilderness Preservation System established by that Act. The study of the Upper Rio Grande and San Juan Primitive Areas was completed in 1971 and the report supporting the designation of a 346,833-acre wilderness area was approved by the Secretary of Agriculture and transmitted to the President on August 12, 1971. On February 8, 1972, the Weminuche Wilderness proposal, together with 18 other wilderness measures, was submitted to the Congress by the President.

The Administration-proposed Weminuche Wilderness was incorporated in S. 601, introduced by Senators Jackson and Fannin (by request) on January 29, 1973.

On May 22, 1973, Senator Haskell introduced, for himself and Senator Dominick, S. 1863, a bill to designate a Weminuche Wilderness considerably larger than that proposed by the Administration. A field hearing on S. 1863 was held in Denver on June 11, 1973 by the Subcommittee on Public Lands.

The Subcommittee on Public Lands, in open mark-up on July 30, 1973, by unanimous voice vote, ordered reported to the full Committee S. 1863, amended to add the 667-acre area 6 to the proposed wilderness.

The Committee on Interior and Insular Affairs, by voice vote in open mark-up on January 28, 1974, ordered S. 1863, as amended, reported favorably to the Senate. The Weminuche Wilderness, which S. 1863, as amended, would designate, contains 433,745 acres, of which 431,950 acres are national forest land and 1,795 acres are inholdings.

On February 7, 1974, the Senate unanimously passed S. 1863, as reported on February 6, 1974.

In open mark-up session on July 15, 1974, the Committee agreed to a motion by Senator Floyd K. Haskell, Chairman of the Subcommittee on Public Lands, to add S. 1863, as passed the Senate, to H.R. 12884. During the same session, the Committee, by unanimous voice vote, ordered reported H.R. 12884, as amended.

F. MISSION MOUNTAINS WILDERNESS, MONTANA

1. General

The proposed 75,588-acre Mission Mountains Wilderness is situated in the Flathead National Forest in Lake and Missoula Counties, 65 miles south of Kalispell and 85 miles north of Missouli, Montana.

The proposed wilderness is located in the Mission Mountain Range, and includes glaciated crests, snow-capped peaks, permanent glaciers and snow fields, alpine lakes, clear streams, and waterfalls. The topography is severe, featuring vertical cliffs, knife-edged ridges, cirques, and talus slopes.

2. Acreage, Inholdings, and Committee Amendments

The Mission Mountains Wilderness area proposed in H.R. 12884, as ordered reported, contains 75,588 acres.

The wilderness proposed by the Administration in S. 601 has a total acreage of 73,207. The area proposed by the House in H.R. 12884, as referred to the Committee, has a total acreage of 75,200 acres.

The approximately 2,000 acres added to the Administration proposal by H.R. 12884, as referred to the Committee, include all six exclusions shown on the map in Appendix A of the Forest Service Proposal (U.S. Department of Agriculture, Forest Service, "A Proposal: Mission Mountains Wilderness, Flathead National Forest, Montana", May 1971). The Forest Service excluded these areas because of clearcutting which occurred in those areas in 1954 and 1955. The purpose of the timber cutting was to control an Englemann spruce bark beetle epidemic. The House Interior Committee, in the report on H.R. 12884 (Report No. 93-989, p. 11), stated its reason for adding the six exclusions to the proposed wilderness: "The Committee . . . concluded that the exclusion of these 6 areas would be more disruptive to management of the area than their inclusion notwithstanding the evidence of some non-conforming past uses. Their inclusion simplifies the exterior boundary and prevents long narrow intrusions from occurring within the wilderness area."

The Senate Committee on Interior and Insular Affairs concurs in this judgment. A quick view of the map is all that is required to determine that to exclude the six areas would be to provide difficult wilderness management problems. Their exclusion would, in several cases, leave thin, deep wedges in the wilderness area.

In Committee markup, Senator Metcalf offered an amendment to add 370 acres in the Glacier Creek area on the eastern border of the Primitive Area (a portion of the 640 acre "Area E" on the map in the Forest Service Proposal). This area—an extensive, timbered mountainside—provides spectacular views into the wilderness and lies across the main trail to Glacier and Turquoise Lakes well within the wilderness. The Forest Service opposes wilderness status for "Area E" principally because of roads and timber harvesting on the north and south sides. The amendment, however, by calling for the addition of an area of only 370 acres, eliminates the roads and harvested lands. These roads and lands lie below ridge line, and, thus, out of the line of sight from the 370 acre addition.

Thus the acreage of the wilderness area proposed by H.R. 12884, as ordered reported, includes the 73,207 acres of the Administration-proposed wilderness, 2,018 acres of the Mission Mountains Primitive Area excluded from the Administration proposal, and 370 acres outside of the Primitive Area. There are no private inholdings in the proposed wilderness.

3. Recreation and Wildlife Values

The Forest Service Proposal contains the following description of the recreation and wildlife values of the proposed wilderness:

The wilderness resource of the area is truly outstanding. The forest-covered lower hills, the subalpine cirques and lakes, and the craggy mountain peaks offer abundant opportunities for primitive and unconfined recreation, for solitude and challenge. It generally meets all the criteria set forth in the Wilderness Act. Man's hand has been very light on the area, except at a few of the lakes near the eastern boundary. Except for recreation there has been no resource use development or management. The area offers great opportunities for scientific and educational study now and in the future. It is well known for its scenic quality.

The area has a primitive environment of natural rugged beauty and remoteness in which visitors can experience solitude, self-reliance, and serenity. Man can completely isolate himself from civilization in this area.

Numerous lakes, some of which provide good fishing for cutthroat, brook, or golden trout add to the area's recreation attractiveness.

The varied wildlife is one of the area's main attractions.

The Mission Mountains, particularly the southern portion, is habitat for grizzly bear.

Other large game animals include Rocky Mountain goat, elk, mule deer, white-tail deer, black bear, and occasional moose. Upland game birds include ptarmigan, Franklin, ruffed, and blue grouse.

Animals of special visitor interest that live in the area include mountain lion, bobcat, lynx, coyote, beaver, badger, fox, weasel, marten, mink, whistling marmots, and wolverines.

Other native small mammals include Columbian ground squirrels, pine squirrels, pocket gophers, porcupines, and snowshoe rabbits.

Conspicuous birds, characteristic of the Mission Mountains, are golden eagles, black ravens, Clark's nutcracker, owls, hawks, hummingbirds, and pileated woodpecker. The varied thrush can often be heard in the spruce forest but seldom seen.

Lakes and streams in the Mission Mountains contain cutthroat, Dolly Varden, whitefish, rainbow, brook, and golden trout.

Clause 4(d)(8) of the Wilderness Act of 1964 provides assurance that designation of any national forest area as wilderness will not affect state jurisdiction over wildlife and fish in that area.

4. Other Resource Values

Below is a discussion of the renewable and nonrenewable natural resources of economic value within the proposed wilderness:

i. Timber

The Forest Service Proposal contains, on pages 6 and 7, a description of the timber resource:

About 10,700 acres of the proposed Wilderness (14 percent of the area) supports stands of trees which are economically operable at this time. Estimated volume of sawtimber on these lands is 101,136,000 board feet. In addition, they contain a volume of 6,173,000 cubic feet of material suitable for poles, pulp, and other wood products.

Forty-three percent of the above volume of wood is Englemann spruce; 18 percent is subalpine fir, grand fir, Western red cedar, hemlock; 16 percent Douglas-fir; 12 percent lodgepole and whitebark pine; 8 percent Western larch; and 3 percent ponderosa pine, white pine, and hard woods. The lands where these wood products occur lie along the edge of the proposed eastern boundary and extend up the creek bottoms.

Wilderness classification would mean the 10,700 acres supporting commercial sawtimber would not be available for harvest. Under management this acreage could produce a sustained yield of 3 million board feet each year in perpetuity.

ii. Minerals

The U.S. Geological Survey and U.S. Bureau of Mines conducted a mineral survey of the proposed wilderness (reported in Geological Survey Bulletin 1261-D). The survey revealed a widespread irregular distribution of minor amounts of copper and lead insufficient in amount to form large low-grade ore deposits and insufficiently concentrated to form local high-grade ore deposits. No mineral deposits were known in the area before investigation and none were discovered. Furthermore, no nonmetallic mineral deposits of commercial interest were found. Four mining claims may be within the proposed wilderness, but were not found during the survey.

iii. Forage

No commercial grazing is permitted in the area. As there is little or no suitable range, there is no demand for such grazing.

iv. Water

The hearing of the Subcommittee on Public Lands on the proposed Mission Mountains Wilderness did not disclose any significant proposals for water resource projects which would be precluded by the designation of the area as wilderness.

5. *Administrative and Legislative History*

The Mission Mountains Primitive Area was established October 31, 1931, by the Chief Forester under authority of Regulation L-20. The area contained about 67,000 acres which included about 18,500 acres of Northern Pacific Railway Company lands. In 1939, 8,500 acres were added to the northern part of the Primitive Area of which about 3,500 acres belonged to the Northern Pacific Company. Subsequently, the Forest Service has acquired all of the Northern Pacific land.

On February 8, 1972, the President submitted his proposal for a 73,207 Mission Mountains Wilderness Area. This proposal is embodied in S. 601 introduced by Senators Jackson and Fannin (by request) for the Administration on January 29, 1973.

The Subcommittee on Public Lands held a hearing on S. 601 on March 19, 1974.

On May 6, 1974, the House of Representatives passed and sent to the Senate H.R. 12884, which would designate a Mission Mountains Wilderness of 75,200 acres.

On July 15, 1974, in open markup, the Committee on Interior and Insular Affairs unanimously agreed to amend H.R. 12884 to provide for a 75,588-acre wilderness area and to order the amended measure reported to the Senate.

III. COMMITTEE RECOMMENDATION

The Committee on Interior and Insular Affairs, in open markup on July 15, 1974, by voice vote, unanimously recommended the enactment of H.R. 12884, as ordered reported.

IV. TABULATION OF VOTES CAST IN COMMITTEE

Pursuant to subsection (b) of section 133 of the Legislative Reorganization Act of 1946, as amended, the following is a tabulation of votes of the Committee on Interior and Insular Affairs during consideration of H.R. 12884.

1. During the Committee's consideration of H.R. 12844, several voice votes were taken on amendments. The votes were cast in open markup session and, because the votes were previously announced by the Committee in accord with the provisions of section 133(b), it is not necessary that they be tabulated in the committee report.

2. H.R. 12884, as amended, was ordered reported favorably to the Senate on a unanimous voice vote.

V. COST

In accordance with subsection (a) of section 252 of the Legislative Reorganization Act of 1970, the Committee notes that no additional budgetary expenditures would be involved should H.R. 12884, as ordered reported, be enacted.

VI. EXECUTIVE COMMUNICATIONS

The reports of and communications from Federal agencies relevant to H.R. 12884, as ordered reported, are set forth below:

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., March 15, 1974.

HON. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate.

DEAR MR. CHAIRMAN: As you asked, here is our report on S. 601, a bill "To designate certain areas in the United States as wilderness areas."

The Department of Agriculture strongly recommends that S. 601 be enacted.

The Wilderness Act of 1964 (78 Stat. 890) established the National Wilderness Preservation System. Subsection 3(b) of the Wilderness Act directed the Secretary of Agriculture to review the areas then classified as National Forest Primitive Areas, within ten years, as to their suitability or unsuitability for preservation as wilderness. The Act provided that the Secretary is to report his findings to the President, and the President is to submit his recommendations to the Congress.

The eight National Forest wilderness proposals included in S. 601 resulted from a review of the corresponding Primitive Areas in accordance with the review procedures set forth by the Wilderness Act. The Secretary of Agriculture submitted a report of his findings on each of the areas to the President. The President submitted his recommendations to the Congress on February 8, 1972, on the following wilderness proposals: Glacier, Agua Tibia, Eagles Nest, Emigrant, Weminuche, Mission Mountains, Aldo Leopold, and Blue Range. These recommendations are embodied in their entirety in S. 601.

We feel that each of the areas proposed for wilderness designation meets the definition of wilderness as contained in subsection 2(c) of the Wilderness Act. Each area is unique and will make its own contribution to the National Wilderness Preservation System. The specific characteristics and attributes of each area are fully discussed in the Secretary's reports which accompanied the President's recommendations to Congress. In addition, on September 6, 1973, we offered our views on S. 1863 and S. 1864 as reported to the full Committee by the Subcommittee on Public Lands. These bills relate to the designation of the Weminuche and Eagles Nest Wildernesses.

We offer technical corrections on page 4, line 21 and on page 5, line 6, where the bill language refers to the "Aldo Leopold" Primitive Area. The correct reference is the "Black Range" Primitive Area.

Environmental statements relating to the proposed wilderness areas have been prepared pursuant to section 102(2)(c) of the National Environmental Policy Act (83 Stat. 852).

The lands proposed for designation as wilderness are presently being administered as a part of the National Forest System; consequently, no new budget authority or additional appropriations would be required as a result of the enactment of the proposed legislation.

The Office of Management and Budget advises that there is no objection to the presentation of this report and that enactment of legislation to designate the National Forest wilderness areas included in S. 601 would be consistent with the Administration's objectives.

Sincerely,

J. PHIL CAMPBELL,
Under Secretary.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., March 21, 1974.

HON. HENRY M. JACKSON,
*Chairman, Committee on Interior and Insular Affairs,
U.S. Senate.*

DEAR MR. CHAIRMAN: As you requested, here is our report on S. 110, a bill "To designate certain lands in the Cleveland National Forest, California, as the 'Agua Tibia Wilderness' for inclusion in the National Wilderness Preservation System."

The Department of Agriculture recommends that S. 110 be enacted if amended to conform with the Administration's proposal as contained in S. 601.

S. 110 would designate as wilderness approximately 16,410 acres within the Cleveland National Forest, California. The area would be known as the "Agua Tibia Wilderness" and would be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act.

The Wilderness Act of 1964 (78 Stat. 890) established the National Wilderness Preservation System. Subsection 3(b) of the Wilderness Act directed the Secretary of Agriculture to review the areas then classified as National Forest Primitive Areas, within ten years, as to their suitability or nonsuitability for preservation as wilderness. The Act provided that the Secretary is to report his findings to the President, and the President is to submit his recommendations to the Congress.

The Agua Tibia Wilderness proposal included in S. 601 resulted from a review of the Agua Tibia Primitive Area in accordance with the review procedure set forth by the Wilderness Act. The Secretary of Agriculture submitted a report of his finding on the area to the President. The President submitted his recommendation to the Congress on February 8, 1972, on the Agua Tibia Wilderness proposal. That proposal recommended that approximately 11,900 acres of Federal land in the Agua Tibia Primitive Area be designated as wilderness.

S. 110 includes the entire area recommended by the President and includes approximately 4,500 additional acres. These additional lands were specifically reviewed during the primitive area study and are described in the Secretary's report which accompanied the President's recommendation to Congress. The areas are referred to in the report and comprise the major portion of exclusions 1 and 3. The portion of exclusion 1 contains approximately 3,900 acres. It contains two roads which are in place, and portions of these roads will continue to be needed to carry out essential fire protection and related administrative activities. The portion of exclusion 3 contains approximately 600 acres. It is divided into two parts by an existing road. The Forest

Service plans to close this road; however, its presence in the area has had a substantial impact on the land. These evidences of man's activity and the continuing need for the roads in exclusion 1 led to our determination not to recommend the inclusion of these lands in the wilderness. We strongly recommend that our 11,900 acre proposal be adopted.

S. 110 does not contain a provision to abolish the Agua Tibia Primitive Area classification. We recommend that this provision be included in legislation designating the wilderness.

An environmental statement for the Agua Tibia Wilderness Proposal has been prepared pursuant to section 102(2)(c) of the National Environmental Policy Act (83 Stat. 852).

The lands proposed for designation as the Agua Tibia Wilderness are presently being administered as part of the Cleveland National Forest. No new budget authority or additional appropriations would be required as a result of enactment of the proposed legislation.

The Office of Management and Budget advises that there is no objection to the presentation of this report and that enactment of legislation to designate the Agua Tibia Wilderness as recommended herein would be consistent with the Administration's objectives.

Sincerely,

ROBERT W. LONG,
Assistant Secretary for Conservation, Research and Education.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., March 21, 1974.

HON. HENRY M. JACKSON,
*Chairman, Committee on Interior and Insular Affairs,
U.S. Senate.*

DEAR MR. CHAIRMAN: As you requested, here is our report on S. 111, a bill "To designate certain lands in the Stanislaus National Forest, California, as the 'Emigrant Wilderness' for inclusion in the National Wilderness Preservation System."

The Department of Agriculture recommends that S. 111 be enacted if amended to conform with the Administration's proposal as contained in S. 601.

S. 111 would designate as wilderness approximately 113,000 acres within the Stanislaus National Forest, California. The area would be known as the "Emigrant Wilderness" and would be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act.

The Wilderness Act of 1964 (78 Stat. 890) established the National Wilderness Preservation System. Subsection 3(d) of the Wilderness Act directed the Secretary of Agriculture to review the areas then classified as National Forest Primitive Areas, within ten years, as to their suitability or nonsuitability for preservation as wilderness. The Act provided that the Secretary is to report his findings to the President, and the President is to submit his recommendations to the Congress.

The Emigrant Wilderness proposal included in S. 601 resulted from a review of the Emigrant Basin Primitive Area in accordance with the review procedure set forth by the Wilderness Act. The Secretary of Agriculture submitted a report of his finding on the area to the

President. The President submitted his recommendation to the Congress on February 8, 1972, on the Emigrant Wilderness proposal. That proposal recommended that approximately 105,900 acres of Federal land in the Emigrant Basin Primitive Area and contiguous areas be designated as wilderness.

S. 111 includes the entire area recommended by the President and approximately 6,000 additional acres. These additional lands were specifically reviewed during the primitive area study and are described in the Secretary's report which accompanied the President's recommendation to Congress. The area is referred to in the report as exclusion 2. Exclusion 2 is a mineralized area, as indicated by the U.S. Geological Survey report, and numerous mining claims are present. The area contains approximately 21 miles of constructed roads used primarily for mining purposes. An ore concentration plant is located on patented land within the area. These evidences of man's activity and the likelihood of mineral development led to our determination not to recommend this area for inclusion in the wilderness. We strongly recommend that our 105,900 acre proposal be adopted.

S. 111 does not contain a provision to abolish the Emigrant Basin Primitive Area classification. We recommend that this provision be included in legislation designating the wilderness.

An environmental statement for the Emigrant Wilderness Proposal has been prepared pursuant to section 102(2)(c) of the National Environmental Policy Act (83 Stat. 852).

The lands proposed for designation as the Emigrant Wilderness are presently being administered as part of the Stanislaus National Forest. No new budget authority or additional appropriations would be required as a result of enactment of the proposed legislation.

The Office of Management and Budget advises that there is no objection to the presentation of this report and that enactment of legislation to designate the Emigrant Wilderness as recommended herein would be consistent with the Administration's objectives.

Sincerely,

ROBERT W. LONG,

Assistant Secretary for Conservation, Research, and Education.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., September 6, 1973.

HON. HENRY M. JACKSON,
*Chairman, Committee on Interior and Insular Affairs, U.S. Senate,
Washington, D.C.*

DEAR MR. CHAIRMAN: We would like to offer our views on S. 702, S. 1863, and S. 1864 as reported to the full Committee by the Subcommittee on Public Lands. These bills would designate respectively the Flat Tops, Weminuche, and Eagles Nest Wildernesses in the State of Colorado. Each of these areas has been the subject of detailed Primitive Area study as specified in the Wilderness Act, and the Administration's recommendations have been transmitted to Congress.

The areas reported by the Subcommittee for designation as wilderness include major additions to the areas recommended by the Administration. These additional areas were not included in our recommendations because they were judged not suitable for wilderness designation and in some cases because management for other resource

values, which would not be compatible with wilderness designation, was judged to be of greater importance.

The details of our recommendations were submitted to the Congress by the President on March 29, 1968, for the proposed Flat Tops Wilderness and on February 8, 1972, for the proposed Eagles Nest Wilderness, and proposed Weminuche Wilderness. We testified on legislation dealing with the proposed Flat Tops Wilderness on May 5, 1972. In our proposals submitted to the Congress we evaluate and describe both those areas recommended for designation as Wilderness and adjacent areas not recommended for inclusion in the Wilderness. This evaluation included consideration of the proposed additions included in the Subcommittee report. In addition, we discuss major concerns regarding the proposed additions to each of the wilderness areas in the attached supplemental statement.

The additional areas included in the reported bills contain significant evidences of man's activity, including private lands with improvements, primitive and developed roads, water supply systems, and areas of current and past timber harvest activity. The inclusion of these areas would represent a lowering of the quality of the wilderness and would create major administrative problems in management of the three wilderness areas.

These additional areas also contain major forest, mineral, water, recreation, wildlife, and forage resource values in addition to wilderness which would be partially or completely foreclosed if the areas are designated as wilderness.

We strongly urge that the Committee not recommend for wilderness designation large areas where the evidences of man's activities are clearly apparent.

We also urge the reconsideration of the resource trade-offs between wilderness and other resource values and uses in the additional areas reported by the Subcommittee. We believe the record strongly supports a case that the public needs can be better met through development and wider use of these areas rather than by management as wilderness. We would welcome the opportunity to discuss with you the details of our concerns in each area.

The Office of Management and Budget advises that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

J. PHIL CAMPBELL,
Under Secretary.

Enclosure.

EAGLES NEST WILDERNESS PROPOSAL

The area reported by the Subcommittee in S. 1864 for designation as the Eagles Nest Wilderness contains approximately 125,000 acres. The Administration's proposal contains 87,755 acres.

The area reported by the Subcommittee contains areas with private land, developed roads, and evidences of the past harvest of forest products. Of major concern are the proposed additions along the east side (Areas 1, 2, 3, 13, B-1, B-2, C-1, D-1, and D-2) containing approximately 28,000 acres. This area contains major man-made features, including approximately 800 acres of private land with improvements, improved road access, water developments, and areas

where forest products have been harvested. We consider these lands not suitable for wilderness designation and already in use for other resource values. We urge that they not be designated as wilderness.

Another major concern is the proposed addition in the Meadow Creek Area (Area L-1). This area contains approximately 8,100 acres of which 320 acres is private land. The area also contains primitive roads and timber harvest areas. The area is valuable for its forest resource, broad range of recreation activities, and opportunities for major water development. Use and development of these resources would require continued evidence of man's activity. We recommend that this area not be designated as wilderness.

We also have concerns with other proposed additions. These concerns and our recommendations are discussed on pages 33 to 46 of our report, "A Proposal—Eagles Nest Wilderness-Arapaho and White River National Forests, Colorado," transmitted to the Congress February 8, 1972.

FLAT TOPS WILDERNESS PROPOSAL

The area reported by the Subcommittee in S. 702 for designation as the Flat Tops Wilderness contains approximately 245,000 acres. The Administration's proposal contains 142,230 acres.

The area reported by the Subcommittee contains areas with private land and improvements, primitive roads, and water storage and supply facilities. Of major concern are the proposed additions in the South Fork of the White River (Areas G-1 and S) containing approximately 20,000 acres. This area is needed for other resource uses. Portions of the area will potentially be needed to store water for use in the development of oil shale and for irrigation purposes. This area also contains 195 acres of private land and 6½ miles of primitive roads. We continue to recommend that this area not be included in the wilderness.

Another major concern is the proposed additions in the headwaters of the North Fork of the White River (Areas T and N) containing approximately 36,000 acres. These areas contain a high percentage of commercial forest land. Management for the development and use of the forest resource is considered as desirable. The proposed addition is outside of what we consider to be a natural boundary for the wilderness and contains water supply systems requiring access and maintenance and other evidences of man's activity. We recommend that this area not be included in the wilderness.

Of further concern is the proposed addition of approximately 42,000 acres on the east side of our proposal (Areas O and P). These lands contain 10,650 acres of commercial forest land and a 14,840 acre rangeland proposed for intensive management. Wilderness designation would preclude full development and use of these resource values. The area also contains irrigation dams on several lakes and irrigation ditch systems both of which require machine maintenance. Primitive roads exist which serve these lakes. Because of the evidences of man's activity and the needs for management of other resources, we do not recommend that these lands be included in the wilderness.

We also have concerns with other proposed additions. These concerns and our recommendations are discussed on pages 19 to 23

of our report, "A Proposal—Flat Tops Wilderness—White River and Routt National Forests, Colorado," transmitted to the Congress March 29, 1968.

WEMINUCHE WILDERNESS PROPOSAL

The area reported by the Subcommittee in S. 1863 for designation as the Weminuche Wilderness contains approximately 422,000 acres. The Administration's proposal contains 346,833 acres.

The area reported by the Subcommittee for designation as the Weminuche Wilderness contains patented mining claims and other evidences of man's activity. Of major concern is the proposed Chicago Basin addition (Areas J-1 and 7) which contains approximately 29,000 acres. Within this area are approximately 3,811 acres of private land consisting of numerous separate mining claims and a large reservoir grant to the city of Durango. We strongly urge that this area not be designated as wilderness because man's activity has heavily impacted the area and numerous private lands within the area with their associated need for access and likelihood of development would limit opportunities for management of the area as wilderness.

Another group of proposed additions (Areas C-1, C-2, D-1, and D-2) contain approximately 53,000 acres. A major difficulty in including these lands in wilderness is that they contain a substantial acreage of commercial forest land which is important in maintaining a stable timber industry in this part of Colorado. Another difficulty is that the inclusion of these lands would place the wilderness boundary along roads or along private land boundaries for approximately 23 miles and would include several dams and water ditches. Our proposed boundary in these areas is on topographic features generally well back from man-made features. This later boundary would facilitate management of the wilderness resource and exclude the water supply systems with their inherent requirements for access and maintenance. We strongly urge that the boundary be placed on the topographic features and not include these commercial forest lands.

We also have concerns with other proposed additions. These concerns and our recommendations are discussed on pages 29 to 37 of our report, "A Proposal—Weminuche Wilderness-Rio Grande and San Juan National Forests, Colorado," transmitted to the Congress February 8, 1972.

VII. CHANGES IN EXISTING LAW

In compliance with subsection (4) of Rule XXIX of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by H.R. 12884, as ordered reported.

Ninety-third Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the twenty-first day of January,
one thousand nine hundred and seventy-four*

An Act

To designate certain lands as wilderness.

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

DESIGNATION OF WILDERNESS AREAS WITHIN THE NATIONAL WILDLIFE REFUGE SYSTEM

SECTION 1. That in accordance with subsection (c) of section 3 of the Wilderness Act (78 Stat. 890, 892), the following lands are hereby designated as wilderness and, therefore, as components of the national wilderness preservation system:

(a) certain lands in the Chamisso National Wildlife Refuge, Alaska, which comprise approximately four hundred and fifty-five acres, which are depicted on a map entitled "Chamisso Wilderness Proposal", dated November 1969, and which shall be known as the Chamisso Wilderness;

(b) certain lands in the National Key Deer Refuge, Great White Heron National Wildlife Refuge, and the Key West National Wildlife Refuge, Florida, which comprise approximately four thousand seven hundred and forty acres, which are depicted on a map entitled "Florida Keys Wilderness—Proposed", dated August 1969, and which shall be known as the Florida Keys Wilderness;

(c) certain lands in the St. Marks Wildlife Refuge, Florida, which comprise approximately seventeen thousand seven hundred and forty-six acres, which are depicted on a map entitled "St. Marks Wilderness Proposal—Florida", dated September 1971, revised December 1971, and which shall be known as the St. Marks Wilderness;

(d) certain lands in the Blackbeard Island National Wildlife Refuge, Georgia, which comprise approximately three thousand acres, which are depicted on a map entitled "Blackbeard Island Wilderness—Proposed", dated December 1971, and which shall be known as the "Blackbeard Island Wilderness";

(e) certain lands in the Wolf Island National Wildlife Refuge, Georgia, which comprise approximately five thousand one hundred and twenty-six acres, which are depicted on a map entitled "Wolf Island Wilderness Proposal", dated March 1971, revised March 1973, further revised March 1974, and which shall be known as the Wolf Island Wilderness;

(f) certain lands in the Breton National Wildlife Refuge, Louisiana, which comprise approximately five thousand acres, which are depicted on a map entitled "Breton Wilderness—Proposed", dated December 1970, revised January 1974, and which shall be known as the Breton Wilderness;

(g) certain lands in the Moosehorn National Wildlife Refuge, Maine, which comprise approximately four thousand seven hundred and nineteen acres and which are depicted on a map entitled "Moosehorn Wilderness (Baring Unit)—Proposed", dated September 1971, revised December 1971, further revised September 1974, and which shall be known as the Moosehorn Wilderness (Baring Unit);

(h) certain lands in the Brigantine National Wildlife Refuge, New Jersey, which comprise approximately six thousand six

hundred and three acres, which are depicted on the map entitled "Brigantine Wilderness—Proposed", dated August 1971, revised September 1974, and which shall be known as the Brigantine Wilderness;

(i) certain lands in the Bosque del Apache National Wildlife Refuge, New Mexico, which comprise approximately thirty thousand eight hundred and fifty acres, which are depicted on a map entitled "Bosque del Apache Wilderness—Proposed", dated July 1971, revised September 1974, and which shall be known as Bosque del Apache Wilderness;

(j) certain lands in the Chase Lake National Wildlife Refuge, North Dakota, which comprise approximately four thousand one hundred and fifty-five acres, which are depicted on the map entitled "Chase Lake Wilderness—Proposed", dated September 1971, and which shall be known as the Chase Lake Wilderness;

(k) certain lands in the Lostwood National Wildlife Refuge, North Dakota, which comprise approximately five thousand five hundred and seventy-seven acres, which are depicted on a map entitled "Lostwood Wilderness Proposal", dated August 1971, and which shall be known as the Lostwood Wilderness;

(l) all lands in the West Sister Island National Wildlife Refuge, Ohio, which comprise approximately eighty-five acres, which are depicted on a map entitled "Proposed West Sister Island Wilderness", dated October 1969, and which shall be known as the West Sister Island Wilderness; and

(m) certain lands in the Cape Romain National Wildlife Refuge, South Carolina, which comprise approximately twenty-eight thousand acres, which are depicted on a map entitled "Cape Romain Wilderness Proposal", dated January 1971, and which shall be known as the Cape Romain Wilderness.

DESIGNATION OF WILDERNESS AREAS WITHIN THE NATIONAL FOREST SYSTEM

SEC. 2. In accordance with subsection 3(b) of the Wilderness Act (78 Stat. 891; 16 U.S.C. 1132) the following areas are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System:

(a) The area in the Cleveland National Forest in California classified as the Agua Tibia Primitive Area, with deletions therefrom, which area comprises approximately sixteen thousand nine hundred and seventy-one acres, is generally depicted on a map entitled "Agua Tibia Wilderness—Proposed", dated July 1974, and shall be known as the Agua Tibia Wilderness.

(b) The area in the Stanislaus National Forest in California classified as the Emigrant Basin Primitive Area, with additions thereto and deletions therefrom, which area comprises approximately one hundred and six thousand nine hundred and ten acres, is generally depicted on a map entitled "Emigrant Wilderness—Proposed, 1970" on file in the Office of the Chief, Forest Service, Department of Agriculture, and shall be known as the Emigrant Wilderness. The area commonly called the Cherry Creek exclusion, depicted on such map as Exclusion 2 and comprising approximately six thousand and forty-two acres, shall, in accordance with the provisions of subsection 3(d) of the Wilderness Act, be reviewed by the Secretary of Agriculture as to its suitability or nonsuitability for preservation as wilderness in conjunction with his review of the potential addition to the Hoover Wilderness in Toiyabe National Forest. The recommendations of the President

to the Congress on the potential addition to the Hoover Wilderness shall be accompanied by the President's recommendations on the Cherry Creek exclusion. The previous classification of the Emigrant Basin Primitive Area is hereby abolished with the exception of said Exclusion 2.

(c) The area classified as the San Juan and Upper Rio Grande Primitive Areas, with the proposed additions thereto and deletions therefrom, as generally depicted on a map entitled "Weminuche Wilderness—Proposed", dated December 1974, which is on file and available for public inspection in the office of the Chief, Forest Service, Department of Agriculture, is hereby designated as the Weminuche Wilderness within and as part of the Rio Grande and San Juan National Forests comprising an area of approximately four hundred five thousand thirty-one acres.

(d) The area in the Flathead National Forest in Montana classified as the Mission Mountains Primitive Area, with an addition thereto, which area comprises approximately seventy-five thousand five hundred and eighty-eight acres, is depicted on a map entitled "Mission Mountains Wilderness Area—Proposed", dated July 1974, and shall be known as the Mission Mountains Wilderness.

ADMINISTRATIVE PROVISIONS

SEC. 3. Except as otherwise provided in this Act, all primitive area classifications of areas herein designated wilderness are hereby abolished.

SEC. 4. As soon as practicable after this Act takes effect, a map and a legal description of each wilderness area shall be filed with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, and such description shall have the same force and effect as if included in this Act: *Provided, however,* That correction of clerical and typographical errors in such legal description and map may be made.

SEC. 5. Wilderness areas designated by this Act shall be administered in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and any references to the Secretary of Agriculture shall be deemed to be a reference to the Secretary who has administrative jurisdiction over the area.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*

December 24, 1974

Dear Mr. Director:

The following bills were received at the White House on December 24th:

S.J. Res. 40	✓ S. 3481 ✓	H.R. 8958 ✓	✓ H.R. 14600 ✓
S.J. Res. 133 ✓	✓ S. 3548 ✓	✓ H.R. 8981 ✓	✓ H.R. 14689 ✓
S.J. Res. 262 ✓	✓ S. 3934 ✓	✓ H.R. 9182 ✓	✓ H.R. 14718 ✓
✓ S. 251 ✓	✓ S. 3943 ✓	✓ H.R. 9199 ✓	✓ H.R. 15173 ✓
✓ S. 356 ✓	✓ S. 3976 ✓	✓ H.R. 9588 ✓	✓ H.R. 15223 ✓
✓ S. 521 ✓	✓ S. 4073 ✓	✓ H.R. 9654 ✓	✓ H.R. 15229 ✓
✓ S. 544 ✓	✓ S. 4206 ✓	✓ H.R. 10212 ✓	✓ H.R. 15322 ✓
✓ S. 663 ✓	✓ S.J. Res. 1178 ✓	✓ H.R. 10701 ✓	✓ H.R. 15977 ✓
✓ S. 754 ✓	✓ S.J. Res. 1180 ✓	✓ H.R. 10710 ✓	✓ H.R. 16045 ✓
✓ S. 1017 ✓	✓ H.R. 421 ✓	✓ H.R. 10827 ✓	✓ H.R. 16215 ✓
✓ S. 1083 ✓	✓ H.R. 1715 ✓	✓ H.R. 11144 ✓	✓ H.R. 16596 ✓
✓ S. 1296 ✓	✓ H.R. 1820 ✓	✓ H.R. 11273 ✓	✓ H.R. 16925 ✓
✓ S. 1418 ✓	✓ H.R. 2208 ✓	✓ H.R. 11796 ✓	✓ H.R. 17010 ✓
✓ S. 2149 ✓	✓ H.R. 2933 ✓	✓ H.R. 11802 ✓	✓ H.R. 17045 ✓
✓ S. 2446 ✓	✓ H.R. 3203 ✓	✓ H.R. 11847 ✓	✓ H.R. 17085 ✓
✓ S. 2807 ✓	✓ H.R. 3339 ✓	✓ H.R. 11897 ✓	✓ H.R. 17468 ✓
✓ S. 2854 ✓	✓ H.R. 5264 ✓	✓ H.R. 12044 ✓	✓ H.R. 17558 ✓
✓ S. 2888 ✓	✓ H.R. 5463 ✓	✓ H.R. 12113 ✓	✓ H.R. 17597 ✓
✓ S. 2994 ✓	✓ H.R. 5773 ✓	✓ H.R. 12427 ✓	✓ H.R. 17628 ✓
✓ S. 3022 ✓	✓ H.R. 7599 ✓	✓ H.R. 12884 ✓	✓ H.R. 17655 ✓
✓ S. 3289 ✓	✓ H.R. 7684 ✓	✓ H.R. 13022 ✓	
✓ S. 3358 ✓	✓ H.R. 7767 ✓	✓ H.R. 13296 ✓	
✓ S. 3359 ✓	✓ H.R. 8214 ✓	✓ H.R. 13869 ✓	
✓ S. 3394 ✓	✓ H.R. 8322 ✓	✓ H.R. 14449 ✓	
✓ S. 3433 ✓	✓ H.R. 8591 ✓	✓ H.R. 14461 ✓	

Please let the President have reports and recommendations as to the approval of these bills as soon as possible.

Sincerely,

Robert D. Linder
Chief Executive Clerk

The Honorable Roy L. Ash
Director
Office of Management and Budget
Washington, D. C.