96TH CONGRESS } HOUSE OF REPRESENTATIVES { REPORT
1st Session } { No. 96-617

DESIGNATING CERTAIN NATIONAL FOREST SYSTEM LANDS IN THE NATIONAL WILDERNESS PRESERVATION SYSTEM, AND FOR OTHER PURPOSES

NOVEMBER 14, 1979.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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

REPORT

[To accompany H.R. 5487]

[Including cost estimate of the Congressional Budget Office]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 5487) to designate certain national forest system lands in the State of Colorado for inclusion in the national wilderness preservation system, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Page 1, beginning on line 3, strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. (a) In furtherance of the purposes of the Wilderness Act of September 3, 1964 (78 Stat. 890), the following National Forest lands in the States of Colorado and South Dakota, as generally depicted on maps appropriately referenced, dated October 1979, are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System:

(1) certain lands in the Arapahoe-Roosevelt National Forest, Colorado, which comprise approximately fourteen thousand nine hundred acres, are generally depicted on a map entitled "Never Summer Wilderness Proposal", and shall be known as the Never Summer Wilderness;

(2) certain lands in the Arapahoe-Roosevelt National Forest, Colorado, which comprise approximately fifty-nine thousand four hundred and ninety acres, are generally depicted on a map entitled "Comanche Peak Wilderness Proposal", and shall be known as the Comanche Peak Wilderness;

(3) certain lands in the Arapahoe-Roosevelt and Pike National Forests, Colorado, which comprise approximately seventy-four thousand acres, are generally depicted on a map entitled "Mount Evans Wilderness Proposal", and shall be known as the Mount Evans Wilderness;

(4) certain lands in the Arapahoe-Roosevelt National Forest, Colorado, which comprise approximately nine thousand four hundred acres, are gen-

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erally depicted on a map entitled "Cache La Poudre Wilderness Proposal", and shall be known as the Cache La Poudre Wilderness;

(5) certain lands in the Arapahoe-Roosevelt National Forest, Colorado, which comprise approximately nine thousand nine hundred acres, are generally depicted on a map entitled "Neota Wilderness Proposal", and shall be known as the Neota Wilderness;

(6) certain lands in the San Isabel and White River National Forests, Colorado, which comprise approximately one hundred one thousand four hundred and thirty-two acres, are generally depicted on a map entitled "Holy Cross Wilderness Proposal", and shall be known as the Holy Cross Wilderness: *Provided*, That no right, or right of claim of right, to the diversion and use of existing conditional water rights for the Homestake Water Development project by the cities of Aurora and Colorado Springs, shall be prejudiced, expanded, diminished, altered, or affected by this Act. Nothing in this Act shall be construed to expand, abate, impair, impede, or interfere with the construction, maintenance or repair of said project, nor the operation thereof, or any exchange or modification of the same agreed to by the cities and the United States, acting through any appropriate agency thereof;

(7) certain lands in the Gunnison, San Isabel, and White River National Forests, Colorado, which comprise approximately one hundred fifty-five thousand acres, are generally depicted on a map entitled "Elk Mountain-Collegiate Wilderness Proposal", and shall be known as Elk Mountain-Collegiate Wilderness;

(8) certain lands in the Grand Mesa-Uncompahgre National Forest, Colorado, which comprise approximately sixty-seven thousand acres, are generally depicted on a map entitled "Raggeds Wilderness Proposal", and shall be known as the Raggeds Wilderness;

(9) certain lands in the San Juan and Uncompahgre National Forests, Colorado, which comprise approximately forty thousand acres, are generally depicted on a map entitled "Mount Wilson Primitive Area Proposal", and shall be known as the Lizard Head Wilderness;

(10) certain lands in the Uncompahgre National Forest, Colorado, which comprise approximately sixteen thousand two hundred acres, are generally depicted on a map entitled "Mount Sneffels Wilderness Proposal", and shall be known as Mount Sneffels Wilderness;

(11) certain lands in the Uncompahgre National Forest, Colorado, which comprise approximately one hundred thousand acres, are generally depicted on a map entitled "Big Blue-Courthouse Wilderness Proposal", and shall be known as the Big Blue Wilderness;

(12) certain lands in the Gunnison and White River National Forests, Colorado, which comprise approximately one hundred one thousand five hundred acres, are generally depicted on a map entitled "Maroon Bells-Snowmass Additions—Proposed", and which are hereby incorporated in and shall be deemed to be a part of the Maroon Bells-Snowmass Wilderness as designated by Public Law 88–577;

(13) certain lands in the Routt National Forest, Colorado, which comprise approximately sixty-eight thousand acres, are generally depicted on a map entitled "Mount Zirkel Wilderness Additions—Proposed", and which are hereby incorporated in and shall be deemed to be a part of the Mount Zirkel Wilderness as designated by Public Law 88–577; *Provided*, That the Secretary shall permit motorized access and the use of motorized equipment used for the periodic maintenance and repair of the Lookout Ditch and headgate;

(14) certain lands in the Arapahoe-Roosevelt National Forest, Colorado, which comprise approximately forty-eight thousand nine hundred and thirty acres, are generally depicted on a map entitled "Mount Rawah Wilderness Additions—Proposed", and which are hereby incorporated in and shall be deemed to be a part of the Rawah Wilderness as designated by Public Law 88–577: *Provided*, That the Secretary shall permit motorized access and the use of motorized equipment used for the periodic maintenance and repair of the McGuire Water Transmission Line ditch;

(15) certain lands in the Rio Grande and San Juan National Forests, Colorado, which comprise approximately sixty-six thousand acres, are generally depicted on a map entitled "Weminuche Wilderness Additions—Proposed", and which are hereby incorporated in and shall be deemed to be a part of the Weminuche Wilderness as designated by Public Law 93–632;

(16) certain lands in the San Isabel and White River National Forest, Colorado, which comprise approximately twenty-six thousand acres, and are generally depicted on a map entitled "Hunter-Fryingpan Wilderness Additions—Proposed", and which are hereby incorporated in and shall be deemed to be a part of the Hunter-Fryingpan Wilderness as designated by Public Law 95–237;

(17) certain lands in the Grand Mesa-Uncompahgre National Forest, Colorado, which comprise approximately one hundred and thirty thousand acres, and are generally depicted on a map entitled "West Elk Wilderness Additions—Proposed", and which are hereby incorporated in and shall be deemed to be a part of West Elk Wilderness as designated by Public Law 88–577;

(18) certain lands in the San Juan National Forest, Colorado, which comprise approximately one hundred thirty thousand acres, and are generally depicted on a map entitled "South San Juan Wilderness—Proposed", and which shall be known as the South San Juan Wilderness;

(19) certain lands in the Rio Grande and Gunnison National Forests, Colorado, which comprise approximately sixty thousand acres, and are generally depicted on a map entitled "La Garita Additions—Proposed", and which are hereby incorporated in and shall be deemed to be a part of the La Garita Wilderness as designated by Public Law 88–577: *Provided*, That the area depicted on such map as the "Wheeler Geologic Special Study Area" and comprising approximately eleven thousand acres, shall be jointly evaluated and studied by the Secretary of Interior and Secretary of Agriculture as provided in section 2 of this Act.

(20) certain lands in the Black Hills National Forest, South Dakota, which comprise approximately ten thousand seven hundred acres, and are generally depicted on a map entitled "Harney Peak Wilderness—Proposed", and shall be known as the Harney Peak Wilderness; provided that the provisions of the Act establishing the Custer State Park Sanctuary (41 Stat. 986) and the later named Norbeck Wildlife Preserve (63 Stat. 708) shall also apply to the Harney Peak Wilderness to the extent they are not inconsistent with the provisions of the Wilderness Act;

(b) The previous classification of the Wilson Mountains Primitive Area and the Uncompahgre Primitive Area are hereby abolished.

SEC. 2. Within twelve months of the date of enactment of this Act, the Secretary of the Interior and the Secretary of Agriculture shall undertake and complete a comprehensive report studying and evaluating the "Wheeler Geologic Special Study Area", and shall submit such report along with their recommendations to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate. Such report shall fully evaluate the following, including, but not limited to:

(a) the natural, historical, cultural, scenic, economic, educational, scientific, and geologic values of the special study area;

(b) the management and protection of fragile geologic resources within the area;

(c) possible land management options or designations including national park, monument, or national recreation area designation, addition to the wilderness system, special administrative designations, and management under the general laws and regulations applicable to the National Forest System;

(d) the effect of possible land management options on State and local economies, including timber harvest, tourism, grazing, mineral and other commercial activities;

(e) the suitability and desirability of permanent or temporary road or other mechanized access to the Special Study Area, with special attention to access by the elderly and handicapped.

SEC. 3. As soon as practicable after this Act takes effect, the Secretary of Agriculture shall file maps and legal descriptions of each wilderness area designated by this Act with the Committee on Energy and Natural Resources, United States Senate, and the Committee on Interior and Insular Affairs, House of Representatives, and each such map and legal 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 descriptions and maps may be made. Each such map and legal description shall be on file and available for public inspection in the office of the Chief of the Forest Service, Department of Agriculture.

ADMINISTRATION OF WILDERNESS

SEC. 4. Subject to valid existing rights, each wilderness area designated by this Act shall be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act of 1964 governing areas designated by that

Act as wilderness areas except that with respect to any area designated in this Act, any reference in such provisions to the effective date of the Wilderness Act of 1964 shall be deemed to be a reference to the effective date of this Act.

GRAZING IN NATIONAL FOREST WILDERNESS

SEC. 5. The Secretary of Agriculture is directed to review all policies, practices and regulations of the Department of Agriculture regarding livestock grazing in national forest wilderness areas in order to ensure that such policies, practices and regulations fully conform with and implement the intent of Congress regarding grazing in such areas, as such intent is expressed in the Wilderness Act and this Act.

Amend the title so as to read:

A bill to designate certain National Forest System lands in the States of Colorado and South Dakota for inclusion in the National Wilderness Preservation System, and for other purposes.

PURPOSES

H.R. 5487 [1] would add 19 areas in Colorado totaling approximately 1.3 million acres, and the 10,700 acre Harney Peak roadless area in South Dakota, to the National Wilderness Preservation System.

BACKGROUND AND NEED

H.R. 5487 is the product of the Committee's consideration of the 1974 Administration recommendations for wilderness in and adjacent to the Wilson Mountains and Uncompahgre Primitive Areas, plus a review of many of the President's RARE II wilderness recommendations in the states of Colorado and South Dakota. Although the President's RARE II proposals provided the catalyst for the consideration of these areas in an "omnibus" fashion, the Committee notes that many of the new wilderness areas and additions to existing wilderness in the bill represent longstanding wilderness proposals, some of which have been reviewed by the Committee, and deferred without prejudice in preceding Congresses. Thus, the Committee feels H.R. 5487 is a long overdue response to a backlog of several major Colorado wilderness proposals which are in need of Congressional decisionmaking. As is noted hereinafter, all these lands possess characteristics which make them highly desirable for addition to the National Wilderness Preservation System. Not only do opportunities for primitive recreation and wildlife habitat protection abound in these areas, but perhaps more importantly, their natural production of invaluable supplies of high quality water provide a compelling reason for preserving them in their natural state.

As reported by the Committee, H.R. 5487 would add the following areas to the wilderness system:

1. Never Summer Wilderness: The 14,900 acre Never Summer Wilderness proposal straddles the Continental Divide and is contiguous to the northwest boundary of Rocky Mountain National Park and the Colorado State Forest. Its name is derived from its overall high elevation and the famous Never Summer Mountain range. Resource conflicts are virtually non-existent in the area proposed for wilderness, and wilderness would assist in protecting wildlife and watershed

[1] H.R. 5487 was introduced by Representatives Johnson and Kogovsek of Colorado. In addition H.R. 5301, designating the Harney Peak Wilderness in South Dakota was introduced by Representative Abdnor.

values. In the vicinity of Baker Gulich, the proposed wilderness boundary is set back at least 300 horizontal feet from the south side of the Grand Ditch so as to preclude any possible interference with the continued operation, maintenance, or possible future enhancement of the ditch.

2. Comanche Peak Wilderness: The 54,490 acre area recommended for wilderness lies directly north of Rocky Mountain National Park and within an easy drive of the Denver metropolitan area. It contains numerous small lakes and important wildlife habitat and is characterized by a great diversity of terrain. Elevation ranges from 7,500 to 12,700 feet.

3. Mount Evans Wilderness: Mount Evans is a very well known Front Range landmark visible from Denver, and the Mount Evans area, together with the existing Indian Peaks Wilderness, will provide the closest wilderness opportunity to this fast growing area. The 74,000 acre proposed wilderness contains some 30 lakes and is highly popular for primitive recreation. Access to the wilderness will be facilitated by the Mount Evans Highway corridor which penetrates several miles into the proposed wilderness. The area harbors one of Colorado's largest herds of bighorn sheep, and wilderness will insure that their habitat remains in its primeval state.

4. Cache La Poudre Wilderness: The area is partially bisected by the spectacular canyon of the Little South Fork of the Cache La Poudre River. On the north, it borders the main stem of the Cache La Poudre River and another significant canyon. Due to its relatively low elevation and dry climate, the area contains important winter range for deer. Scenic qualities of the entire area are outstanding, and primitive recreation use promises to increase dramatically as the nearby community of Fort Collins expands.

5. Neota Wilderness: Like the proposed Never Summer Wilderness, this 9,900 acre area lies adjacent to Rocky Mountain National Park and the Colorado State Forest. Elevations range between 10,000 and 11,800 feet. About 30 percent of the proposed wilderness is alpine tundra and bare rocks, with the remainder being spruce-fir forest and numerous wet meadows.

6. Holy Cross Wilderness: This 101,432-acre proposed wilderness is a central component of the high country which separates the rapidly growing communities around Aspen and Vail, and is a wilderness proposal of longstanding nature. It had one of the highest wilderness quality scores nationwide in RARE I. The area is dominated by the 13,670 Mount of the Holy Cross, and contains numerous other peaks over 12,000 feet. Indeed, much of the proposed wilderness lies above timberline. In addition to its wildlife and watershed values, the wilderness area will accommodate the growing demand for primitive recreation experiences which is being generated in the Aspen/Vail area. The bill reported by the Committee contains language to assure that the wilderness designation will not interfere with, enhance, or diminish, possible future construction, operation and maintenance of the so-called Homestake Water Development Project. According to information and plans supplied to the Committee, the proposed activities and structures associated with the portion of the project that would lie within the Holy Cross Wilderness will largely be located underground, and, as such,

the Committee determined that the project, as planned, would not be incompatible with wilderness designation.

7. Elk Mountain-Collegiate Wilderness: The Collegiate Mountains area has 10 peaks in excess of 14,000 feet and comprises the core of some of the most rugged (and highest) terrain in the Rocky Mountains. As a result, primitive recreation use is heavier than on any other RARE II inventory area in Colorado. The bulk of this high country lies within the Committee's 155,000 acre wilderness proposal. However, the Committee deleted approximately 38,000 acres from the President's wilderness recommendation to exclude lands which appear to be highly favorable for mineral development. The largest deletion lies in the Winfield/La Plata area where recent mining exploration activities show the possibility of significant deposits of molybdenum, silver, gold, lead and copper. Blocks of patented mining claims in the headwaters of Lincoln Gulch and the South Fork of Lake Creek were likewise deleted. The Committee also excised a corridor to allow for continued motorized access in the Tellurium Creek drainage, and dropped some 260 acres in the vicinity of Gold Hill to exclude the Goodwin-Greene Cabin and permit motorized access thereto.

8. Raggeds Wilderness: This spectacular "backbone" of mountains rises sharply from the surrounding countryside and is extremely rugged in nature. Unique geological features include the Dark Canyon of Anthracite Creek and the Dyke in the Ruby Range. The Committee amended the President's proposal to include some 6,500 acres in the Oh-Be-Joyful Creek drainage. This drainage is highly scenic, and comprises the secondary watershed for the Town of Crested Butte. It also adds diversity to the wilderness by virtue of its inclusion of numerous lakes. The Committee deleted some 500 acres in the northwest corner of the Raggeds to allow for frequent motorized access and other intensive management activities associated with grazing activities. Total recommended wilderness: 67,000 acres.

9. Lizard Head, Mount Sneffels, and Big Blue Wildernesses: These three separate wilderness proposals of 40,000, 16,200, and 100,000 acres, respectively, comprise what many feel is the most scenic and spectacular area in the entire State of Colorado, and is sometimes called the "Switzerland of America". The area's outstanding beauty and wild nature has been officially recognized since 1932 when the Wilson Mountains and Uncompahgre Primitive Areas were established by administrative regulation. In accordance with section 3(b) of the Wilderness Act, the wilderness character of the two primitive areas was reviewed, and a wilderness recommendation on five separate tracts was forwarded to Congress in 1974. The RARE II process resulted in further wilderness recommendations on lands continguous to three of the five tracts.

The Committee reviewed the Administration's recommendations and determined that the 16,200-acre Mount Sneffels proposal was adequate to protect the highly scenic country north of Telluride. To the southwest, the Committee proposes a 40,000-acre Lizard Head Wilderness to link up the Administration's Mount Wilson and Dolores Peak recommendations and include the headwaters of the Dolores River plus the landmark Lizard Head and Wilson Meadows. These additional lands largely lie within the existing Wilson Mountains Primitive Area and

have important wildlife values as well as superlative wilderness qualities. The Committee therefore determined that wilderness should replace the current primitive area designation.

Similarly, the Committee recommends a 100,000-acre Big Blue Wilderness to join the Administration's Big Blue and Courthouse Mountain proposals. The Committee additions include the heart of the eastern unit of the Uncompahgre Primitive Area and such outstanding natural features as Matterhorn Peak, Wetterhorn Peak, Precipice Peak, Dunsinane Peak, Cow Creek and portions of the West, Middle and East Forks of the Cimarron River. The Committee feels the addition of these lands is vital to the overall integrity of any Big Blue Wilderness, and especially notes their outstanding scenic and watershed values. At the same time, the Committee recognizes that the public currently relies on motorized access to certain key areas, and therefore amended the bill to exclude lands in the vicinity of Nellie Creek and to excise two road corridors which extend part of the way up the Middle and West Fork Cimarron River drainages. Another boundary adjustment was made on the extreme western end of the area near Baldy Peak to exclude about 1,500 acres which are used by grazing permittees for frequent motorized access and intensive management activities associated with livestock grazing. The bill abolishes the Uncompahgre and Wilson Mountain Primitive Area designations for those residual Primitive Area lands lying outside the boundaries of the three proposed wildernesses. Most of these remaining lands are so interspersed with patented mining claims that their management as wilderness would prove infeasible.

10. Maroon Bells-Snowmass Additions: This 101,500 acre addition to the existing Maroon Bells-Snowmass Wilderness is a logical addition to one of Colorado's most popular wilderness areas. The wilderness additions will protect critical sheep habitat, as well as help disperse heavy primitive recreation use over a wider area. The additions contain several prominent peaks including the solitary Mount Sopris and the 14,265 foot Castle Peak, one of Colorado's highest. The Committee amended the bill to exclude some 1,500 acres near the Lead King Basin. This area shows a high potential for lead, zinc, copper and silver. The Committee also rectified an error contained in the bill as introduced so that a portion of Virginia Basin is excluded from wilderness, as recommended by the President. At the suggestion of the Rocky Mountain Biological Laboratory, approximately 400 acres were added to the wilderness in the vicinity of Mount Belleview in order to protect a zone where extremely rare plant species have been identified. The area concerned lies directly across the valley from the current Gothic Natural Area, and the Committee believes wilderness is the best option to insure the land is permanently protected for ongoing scientific research and educational purposes.

11. Mount Zirkel Wilderness Additions: The 68,000 acres of proposed additions lie to the west, east, and north of the existing Mount Zirkel Wilderness, and represent an outstanding opportunity to add to the diversity of the wilderness. The eastside additions tied for the highest RARE II wilderness quality rating in the entire state, and add key lower elevation terrain and wildlife habitat. Resource conflicts are minimal, especially when compared to the area's wilderness and nu-

merous scenic attractions such as Rainbow Lakes, Farwell Mountain and Done Peak. The Committee deleted some 1,500 acres from the bill as introduced in the vicinity of Burn Creek to allow for frequent motorized access and intensive management activities associated with livestock grazing.

12. Mount Rawah Wilderness Additions: These 49,930 acres of lower elevation additions complement the higher elevation peaks of the existing Mount Rawah Wilderness. Being within a two-hour drive of Denver, the area receives heavy primitive recreation use, and the wilderness additions should promote the wilderness experience by adding diversity to the unit. Numerous wildlife species are found in the area including bighorn sheep, bear and elk. Where the eastern boundary of the Mount Rawah addition is paralleled by the Rawah and Skyline ditches, the boundary has been set back a distance of at least 300 horizontal feet from the ditches so as to preclude any possible interference with the continued operation, maintenance, or possible future enhancement of the ditches.

13. Weminuche Wilderness Additions: These wilderness additions generally round out the boundaries of the existing wilderness. The largest addition is the so-called Goose Creek area which was deleted without prejudice from the Endangered American Wilderness Act (Public Law 95–237 in the 95th Congress. Goose Creek contains key elk calving grounds and winter range and important cutthroat trout fisheries in all the major streams. The boundary proposed by the President and the Committee excludes most of the commercial timber and mineralization in the area.

14. Hunter-Fryingpan Wilderness Additions: Sometimes known as the "Mt. Massive" area after 14.421 foot Mount Massive (the second highest mountain in the state, this proposed wilderness addition lies just east of the Continental Divide. It contains several high lakes which are stocked for fishing, and is readily accessible from the nearby Independence Pass road. Due to the overall high elevation, commercial timber values and other resource conflicts are almost nil.

15. West Elk Wilderness Additions: As its name implies, this approximate 130,000-acre addition to the West Elk Wilderness is a haven for elk and contains key calving grounds and winter range. The additions are important to the state's hunting and guiding industry, which, when combined with other forms of backcountry recreation, significantly contribute to the economies of Gunnison and Crested Butte. The Committee deleted approximately 5,000 from the bill, as introduced, in the vicinity of Curecanti Creek in order to accommodate frequent motorized access and other management activities associated with livestock grazing. Approximately 3,000 acres were added on the north flanks of Mount Gunnison. This mountain (terrain) has a vertical drop of nearly 6,000 feet and represents a highly diverse transition of life forms and ecosystems for such a relatively small area. The Committee also added some 1,500 acres on the east side of the existing wilderness which were inadvertently deleted from the bill as introduced.

16. South San Juan Wilderness: The core of this 130,000 wilderness proposal is generally conceded to be perhaps the wildest area remaining in the State of Colorado, and is the location of a recent confirmed

grizzly bear sighting. The proposed wilderness contains the headwaters of the Conejos River, which is currently under study for addition to the National Wild and Scenic River System, as well as portions of the headwaters of the San Juan and Blanco Rivers. Most major timbered areas have been excluded from the bill, and mineral potential appears low. The Committee modified the President's proposed boundary on the east side to place the wilderness at the edge of the wild and scenic river study corridor. Other minor adjustments were made to provide for more manageable boundaries, and to include Duck Lake, several other scenic lakes and a waterfall below Dipping Lakes, within the wilderness.

17. La Garita Wilderness Additions: Like the Goose Creek additions to the Weminuche Wilderness, 217,000 acres of La Garita additions were eliminated without prejudice from the Endangered American Wilderness Act (Public Law 95–237) in the 95th Congress. H.R. 5487 proposes that 60,000 acres of this area be added to the wilderness, and that another 11,000 acres in and around the Wheeler Geologic Area be evaluated by the Forest Service and Park Service to determine the most suitable future management for this sensitive resource. The bulk of the wilderness additions proposed in the bill are contained in the RARE II "Mineral Mountain" (02215) unit which tied with the Mount Zirkel additions for the highest wilderness quality rating in the state. In addition, the area has a sizable herd of bighorn sheep and provides a key elk habitat. The Committee notes that water diversion facilities exist within a portion of the proposed wilderness additions, and it is the Committee's intention that wilderness designation not interfere with necessary operation, maintenance or repair of such facilities.

18. Harney Peak Wilderness: The 10,700 acre proposed Harney Peak wilderness lies adjacent to Mt. Rushmore National Monument and includes some of the highest elevation country east of the Rocky Mountains, ranging from 4,050 to 7,242 feet. Rolling hills, two mountain lakes, granite walls, and stands of Ponderosa Pine are primary attractions, and provide habitat for numerous wildlife species. The proposed wilderness lies within the existing Norbeck Wildlife Preserve, and the Committee included language in the bill to insure that the provisions of the legislation establishing the Wildlife Preserve will remain in force in the wilderness area to the extent they are not inconsistent with the Wilderness Act.

WATER FACILITIES

Within the wilderness areas designated by H.R. 5487, the Committee has identified several cases where water transmission facilities such as ditches, impoundments, headgates, etc., would lie inside the actual boundaries of the wilderness. In past reports, the Committee has made clear Congress' intention that the operation, maintenance and repair of such facilities (including occasional motorized access where necessary) is permissible in wilderness, and that ample precedent exists in other wilderness areas (including the operation of hydroelectric facilities in the Desolation Wilderness as established by Public Law 91–82 and watershed management facilities in the Lone Peak Wilderness as designated by Public Law 95–237) for the continuation of activities

necessary to the operation, maintenance and repair of such facilities. Water facilities associated with livestock use are also addressed in great depth in the "Grazing and Wilderness" section of this report.

At the request of local citizens, the Committee added special management language to the bill covering access to, and maintenance of, the McGuire ditch in the Rawah Additions and the Lookout ditch and headgate in the Mount Zirkel Additions. In so doing, it is the Committee's intention that the uses authorized by such special management language not be construed by any agency or judicial authority as being precluded in other wilderness areas, but should instead be considered as a direction and reaffirmation of congressional policy on this subject.

GRAZING IN NATIONAL FOREST WILDERNESS AREAS

Section 4(d)(4)(2) of the Wilderness Act states: "the grazing of livestock, where established prior to the effective date of this Act, shall be permitted to continue subject to such reasonable regulations as are deemed necessary by the Secretary of Agriculture."

The legislative history of this language is very clear in its intent that livestock grazing, and activities and the necessary facilities to support a livestock grazing program, will be permitted to continue in National Forest wilderness areas, when such grazing was established prior to classification of an area as wilderness.

Including those areas established in the Wilderness Act of 1964, Congress has designated some 188 areas, covering lands administered by the Forest Service, Fish and Wildlife Service, National Park Service and Bureau of Land Management as components of the National Wilderness Preservation System. A number of these areas contain active grazing programs, which are conducted pursuant to existing authorities. In all such cases, when enacting legislation classifying an area as wilderness, it has been the intent of the Congress, based on solid evidence developed by testimony at public hearings, that the practical language of the Wilderness Act would apply to grazing within wilderness areas administered by all Federal agencies, not just the Forest Service. In fact, special language appears in all wilderness legislation, the intent of which is to assure that the applicable provisions of the Wilderness Act, including Section 4(d)(4)(2), will apply to all wilderness areas, regardless of agency jurisdiction.

Further, during the 95th Congress, Congressional committees became increasingly disturbed that, despite the language of section 4(d)(4)(2) of the Wilderness Act and despite a history of nearly 15 years in addressing and providing guidance to the wilderness management agencies for development of wilderness management policies, National Forest administrative regulations and policies were acting to discourage grazing in wilderness, or unduly restricting on-the-ground activities necessary for proper grazing management. To address this problem, two House Committee on Interior and Insular Affairs Reports (95–620 and 95–1321) specifically provided guidance as to how section 4(d)(4)(2) of the Wilderness Act should be interpreted. This guidance appeared in these reports as follows:

> Section 4(d)(4) of the Wilderness Act states that grazing in wilderness areas, if established prior to designation of the area as wilderness, "shall be permitted to continue subject to such reasonable regulations as are deemed necessary by the Secretary of Agriculture". To clarify any lingering doubts, the committee wishes to stress that this language means that there shall be no curtailment of grazing permits or privileges in an area simply because it is designated as wilderness. As stated in the Forest Service regulations (36 CFR 293.7), grazing in wilderness areas ordinarily will be controlled "under the general regulations governing grazing of livestock on National Forests * * *". This includes the establishment of normal range allotments and allotment management plans. Furthermore, wilderness designation should not prevent the maintenance of existing fences or other livestock management improvements, nor the construction and maintenance of new fences or improvements which are consistent with allotment management plans and/or which are necessary for the protection of the range.

Despite the language of these two reports, RARE II hearings and field inspection trips in the 96th Congress have revealed that National Forest administrative policies on grazing in wilderness are subject to varying interpretations in the field, and are fraught with pronouncements that simply are not in accordance with section 4(d)(4)(2) of the Wilderness Act. This has led to demands on the part of grazing permittees that section 4(d)(4)(2) of the Wilderness Act be amended to clarify the intentions of Congress. However, because of the great diversity of conditions under which grazing uses (including different classes of livestock) is managed on the public lands, the Committee feels that the original broad language of the Wilderness Act is best left unchanged. Any attempts to draft specific statutory language covering grazing in the entire wilderness system (presently administered by four separate agencies in two different Departments) might prove to be unduly rigid in a specific area, and deprive the land management agencies of flexible opportunities to manage grazing in a creative and realistic site specific fashion. Therefore, the Committee declined to amend section 4(d)(4)(2) of the Wilderness Act, opting instead for a reaffirmation of the 4(d)(4)(2) of the Wilderness language in section 5 of H.R. 5487 and for the following nationwide guidelines and specific statements of legislative policy. It is the intention of the Committee that these guidelines and policies be considered in the overall context of the purposes and direction of the Wilderness Act of 1964 and this Act, and that they be promptly, fully, and diligently implemented and made available to Forest Service personnel at all levels and to all holders of permits for grazing in National Forest Wilderness areas:

1. There shall be no curtailments of grazing in wilderness areas simply because an area is, or has been designated as wilderness, nor should wilderness designations be used as an excuse by administrators to slowly "phase out" grazing. Any adjustments in the numbers of livestock permitted to graze in wilderness areas should be made as a result of revisions in the normal grazing and land management planning and policy setting process, giving consideration to legal mandates, range condition, and the protection of the range resource from deterioration.

It is anticipated that the numbers of livestock permitted to graze in wilderness would remain at the approximate levels existing at the

time an area enters the wilderness system. If land management plans reveal conclusively that increased livestock numbers or animal unit months (AUMs) could be made available with no adverse impact on wilderness values such as plant communities, primitive recreation, and wildlife populations or habitat, some increases in AUMs may be permissible. This is not to imply, however, that wilderness lends itself to AUM or livestock increases and construction of substantial new facilities that might be appropriate for intensive grazing management in non-wilderness areas.

2. The maintenance of supporting facilities, existing in an area prior to its classification as wilderness (including fences, line cabins, water wells and lines, stock tanks, etc.), is permissible in wilderness. Where practical alternatives do not exist, maintenance or other activities may be accomplished through the occasional use of motorized equipment. This may include, for example, the use of backhoes to maintain stock ponds, pickup trucks for major fence repairs, or specialized equipment to repair stock watering facilities. Such occasional use of motorized equipment should be expressly authorized in the grazing permits for the area involved. The use of motorized equipment should be based on a rule of practical necessity and reasonableness. For example, motorized equipment need not be allowed for the placement of small quantities of salt or other activities where such activities can reasonably and practically be accomplished on horseback or foot. On the other hand, it may be appropriate to permit the occasional use of motorized equipment to haul large quantities of salt to distribution points. Moreoever, under the rule of reasonableness, occasional use of motorized equipment should be permitted where practical alternatives are not available and such use would not have a significant adverse impact on the natural environment. Such motorized equipment uses will normally only be permitted in those portions of a wilderness area where they had occurred prior to the area's designation as wilderness or are established by prior agreement.

3. The replacement or reconstruction of deteriorated facilities or improvements should not be required to be accomplished using "natural materials", unless the material and labor costs of using natural materials are such that their use would not impose unreasonable additional costs on grazing permittees.

4. The construction of new improvements or replacement of deteriorated facilities in wilderness is permissible if in accordance with these guidelines and management plans governing the area involved. However, the construction of new improvements should be primarily for the purpose of resource protection and the more effective management of these resources rather than to accommodate increased numbers of livestock.

5. The use of motorized equipment for emergency purposes such as rescuing sick animals or the placement of feed in emergency situations is also permissible. This privilege is to be exercised only in true emergencies, and should not be abused by permittees.

In summary, subject to the conditions and policies outlined in this report, the general rule of thumb on grazing management in wilderness should be that activities or facilities established prior to the date of an area's designation as wilderness should be allowed to remain in place and may be replaced when necessary for the permittee to properly administer the grazing program. Thus, if livestock grazing activities and facilities were established in an area at the time Congress determined that the area was suitable for wilderness and placed the specific area in the wilderness system, they should be allowed to continue. With respect to areas designated as wilderness prior to the date of this Act, these guidelines shall not be considered as a direction to reestablish uses where such uses have been discontinued.

SECTION-BY SECTION ANALYSIS

Section 1(a). Designates the following areas as wilderness or additions to existing wilderness:

	Acres
Never Summer Wilderness	9,900
Comanche Peak Wilderness	59,400
Mount Evans Wilderness	74,000
Cache La Poudre Wilderness	9,400
Neota Wilderness	9,900
Holy Cross Wilderness	101,432
Elk Mountain-Collegiate Wilderness	155,000
Raggeds Wilderness	67,000
Lizard Head Wilderness	40,000
Mount Sneffels Wilderness	16,200
Big Blue Wilderness	100,000
Maroon Bells-Snowmass Additions	101,500
Mount Zirkel Additions	68,000
Mount Rawah Additions	48,930
Weminuche Additions	66,000
Hunter-Fryingpan Additions	26,000
West Elk Additions	130,000
South San Juan Wilderness	130,000
La Garita Additions	60,000
Harney Peak Wilderness	10,700

Section 1(a)(19)—Also designates an 11,000 acre Wheeler Geologic Special Study Area.

Section 1(b)—Abolishes the existing classification of the Wilson Mountains and Uncompahgre Primitive Areas.

Section 2—Directs a one-year joint study of the Wheeler Geologic Special Study Area by the Forest Service and Park Service.

Sections 3 and 4—Contains the standard language of all wilderness bills pertaining to the filming of maps and descriptions and management of the wilderness areas designated by the bill.

Section 5—Mandates a review of Forest Service policies, practices and regulations on grazing in national forest wilderness in order to insure that they fully conform with and implement the intent of Congress regarding grazing in wilderness.

COST AND BUDGET COMPLIANCE

H.R. 12264 authorizes no appropriations and should have no impact on the Federal budget. The estimate of the Congressional Budget Office follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, D.C., November 13, 1979.

Hon. MORRIS K. UDALL,
Chairman, Committee on Interior and Insular Affairs, U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Pursuant to Section 403 of the Congressional Budget Act of 1974, the Congressional Budget Office has reviewed

H.R. 5487, a bill to designate certain National Forest System lands in the States of Colorado and South Dakota for inclusion in the National Wilderness Preservation System, and for other purposes, as ordered reported by the House Committee on Interior and Insular Affairs, November 7, 1979.

This bill adds approximately 1.3 million acres of National Forest lands to the National Wilderness Preservation System and directs the Secretary of Agriculture to prepare a comprehensive report studying and evaluating the Wheeler Geologic Special Study Area. The potential annual sales volume of the timber on the lands affected by this bill is approximately 19.6 million board feet, but less than a third of it is in areas where timber sales have been planned in the next five years. At an average price of $40 per thousand board feet, the loss in timber receipts to the federal government resulting from enactment of this legislation would be approximately $300,000 over the next five fiscal years. Based on historical costs of similar studies, it is estimated that the study mandated in this bill will cost approximately $100,000 during fiscal years 1980 and 1981.

Sincerely,

ROBERT D. REISCHAUER
(For Alice M. Rivlin, Director).

INFLATIONARY IMPACT

Pursuant to rule XI, clause 2(l)(4) of the Rules of the House of Representatives, the Committee believes that enactment of H.R. 5487, as amended, would have virtually no inflationary impact on the national economy.

LEGISLATIVE HISTORY AND OVERSIGHT STATEMENT

Several of the areas in the bill were discussed on March 8, 1979 during oversight hearings on RARE II conducted by the Public Lands Subcommittee. No recommendations were received by the Committee pursuant to the provisions of Rule X, clause 2(b)(2).

The Subcommittee viewed or visited each of the Colorado areas (either by air or on the ground) between August 3–7. Hearings on H.R. 5487 and H.R. 5301 (Harney Peak) were held in Washington, D.C., on October 18 and 19, 1979, during which 20 witnesses testified on the Colorado areas, and one Harney Peak. On November 2, the Subcommittee adopted an amendment in the nature of a substitute which combined the provisions of H.R. 5487 and H.R. 5301, and recommended the substitute to the Interior Committee by unanimous voice vote.

COMMITTEE RECOMMENDATION

On November 7, 1979, the Committee on Interior and Insular Affairs favorably reported H.R. 5487, as amended, by unanimous voice vote.

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