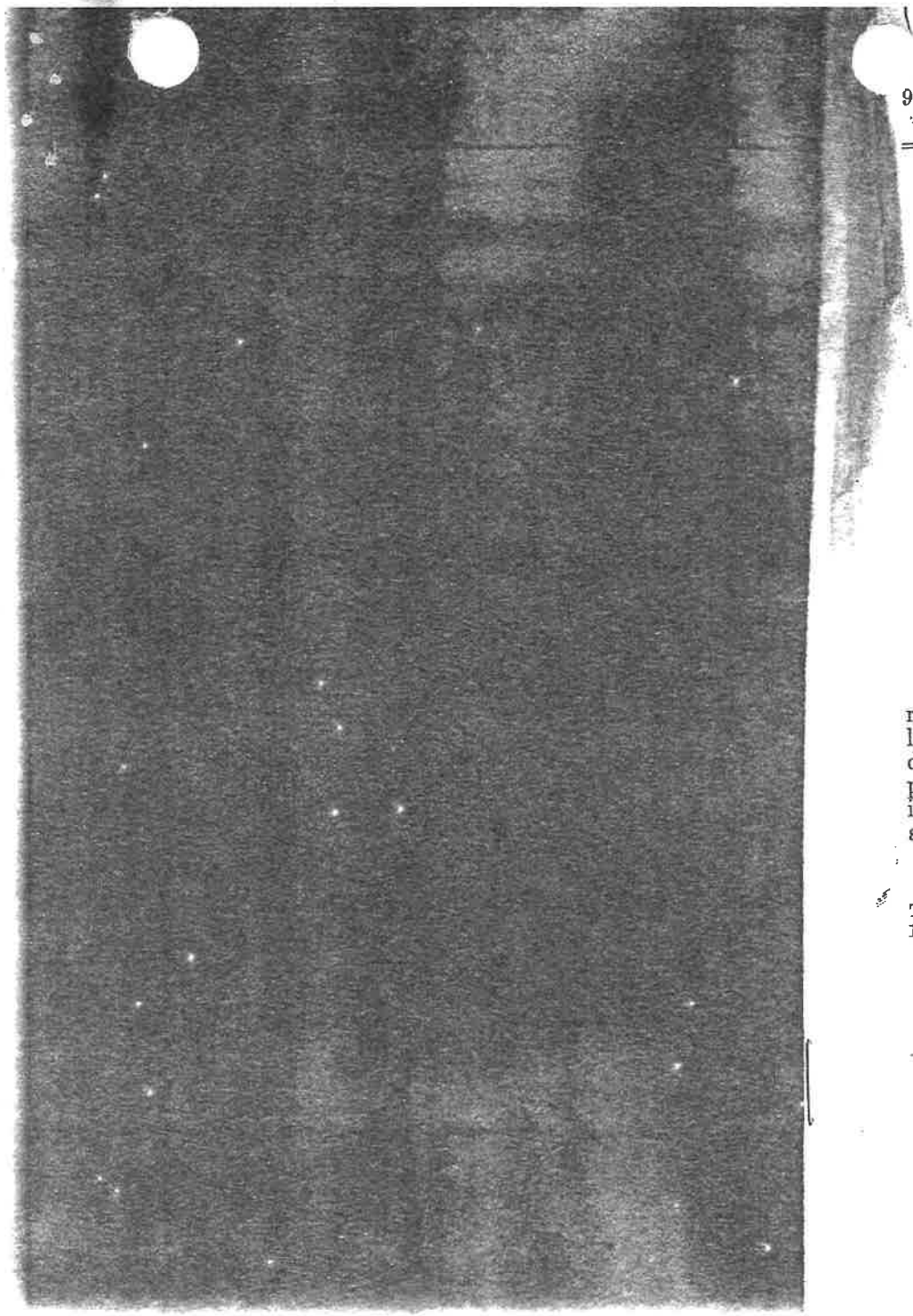

Calendar No. 449

95TH CONGRESS
1st Session

SENATE

H.R.
No. 95-490

ENDANGERED AMERICAN WILDERNESS ACT OF 1977

OCTOBER 11, 1977.—Ordered to be printed

Mr. CHURCH, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany H.R. 3454]

The Committee on Energy and Natural Resources, to which was referred the Act (H.R. 3454) to designate certain endangered public lands for preservation as wilderness, to provide for the study of additional endangered public lands for such designation, to further the purposes of the Wilderness Act of 1964, and for other purposes, 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 out all after the enacting clause and insert the following:

That this Act may be cited as the "Endangered American Wilderness Act of 1977".

STATEMENT OF FINDINGS AND POLICY

SECTION 1. (a) The Congress finds that—

(1) many areas of undeveloped national forest land possess and exhibit outstanding natural characteristics giving them high value as wilderness and will, if properly preserved, contribute as an enduring resource of wilderness for the benefit of the American people;

(2) certain of these undeveloped national forest lands meet all statutory criteria for suitability as wilderness as established by subsection 2(c) of the Wilderness Act (78 Stat. 890), but are not adequately protected and lack statutory designation pursuant to the Wilderness Act as units of the National Wilderness Preservation System;

(3) these and other undeveloped national forest lands exhibiting wilderness values are immediately threatened by pressures of a growing and more mobile population, large-scale industrial and economic growth, and development and uses inconsistent with the protection, maintenance, restoration, and enhancement of their wilderness character; and

(4) among such immediately threatened areas are lands not being adequately protected or fully studied for wilderness suitability by the agency responsible for their administration.

(b) Therefore, the Congress finds and declares that it is in the national interest that certain of these endangered areas be promptly designated as wilderness within the National Wilderness Preservation System, in order to preserve such areas as an enduring resource of wilderness which shall be managed to promote and perpetuate the wilderness character of the land and its specific multiple values for watershed preservation, wildlife habitat protection, scenic and historic preservation, scientific research and educational use, primitive recreation, solitude, physical and mental challenge, and inspiration for the benefit of all of the American people of present and future generations.

DESIGNATION OF WILDERNESS AREAS

SEC. 2. In furtherance of the purpose of the Wilderness Act, the following lands (hereinafter referred to as "wilderness areas"), as generally depicted on maps appropriately referenced, dated October 1977, are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System—

(a) certain lands in the Coronado National Forest, Arizona, which comprise about fifty-six thousand four hundred and thirty acres, are generally depicted on a map entitled "Pusch Ridge Wilderness Area—Proposed", and shall be known as the Pusch Ridge Wilderness;

(b) certain lands in the Inyo and Sequoia National Forests, California, which comprise about three hundred and thirty-three thousand one hundred acres, are generally depicted on a map entitled "Golden Trout Wilderness Area—Proposed", and shall be known as the Golden Trout Wilderness;

(c) certain lands in and adjacent to the Los Padres National Forest, California, which comprise about twenty-one thousand two hundred and fifty acres, are generally depicted on a map entitled "Santa Lucia Wilderness Area—Proposed", and shall be known as the Santa Lucia Wilderness: *Provided*, That the tract identified on said map as "Wilderness Reserve" is designated as wilderness, subject only to the removal of the existing and temporary nonconforming improvement, at which time the Secretary of Agriculture (hereinafter referred to as the "Secretary") is directed to publish notice thereof in the Federal Register. Pending such notice, and subject only to the maintenance of the existing nonconforming improvement, said tract shall be managed as wilderness in accordance with section 5 of this Act. In order to guarantee the continued viability of the Santa Lucia watershed and to insure the continued health and safety of the communities serviced by such watershed, the management plan for the Santa Lucia area to be prepared following designation as wilderness will authorize the Forest Service to take whatever appropriate actions are necessary for fire prevention and watershed protection including but not limited to acceptable fire presuppression and fire suppression measures and techniques. Any special provisions contained in the management plan for the Santa Lucia Wilderness area will be incorporated in the planning for the Los Padres National Forest: *Provided*, That the Forest Service is authorized to continue fire presuppression, fire suppression measures and techniques, and watershed maintenance pending completion of the management plan for the Santa Lucia area;

(d) certain lands in the Los Padres National Forest, California, which comprise about sixty-one thousand acres, are generally depicted on a map entitled "Ventana Wilderness Additions—Proposed", and which are hereby incorporated in, and shall be deemed to be a part of, the Ventana Wilderness as designated by Public Law 91–58. In order to guarantee the continued viability of the Ventana watershed and to insure the continued health and safety of the communities serviced by such watershed, the management plan for the Ventana area to be prepared following designation as wilderness will authorize the Forest Service to take whatever appropriate actions are necessary for fire prevention and watershed protection including but not limited to acceptable fire presuppression and fire suppression measures and techniques. Any special provisions contained in the management plan for the Ventana Wilderness area will be incorporated in the planning for the Los Padres National Forest;

(e) certain lands in the White River National Forest, Colorado, which

be known as the Hunter-Fryingpan Wilderness: *Provided*, That no right, or claim of right, to the diversion and use of the waters of Hunter Creek, the Fryingpan or Roaring Fork Rivers, or any tributaries of said creeks or rivers, by the Fryingpan-Arkansas Project, Public Law 87–590, Eighty-seventh Congress, and the reauthorization thereof by Public Law 93–493, Ninety-third Congress, under the laws of the State of Colorado, shall be prejudiced, expanded, diminished, altered, or affected by this Act: *Provided further*, That nothing in this Act shall be construed to expand, abate, impair, impede, or interfere with the construction, maintenance, or repair of said Fryingpan-Arkansas Project facilities, nor the operation thereof, pursuant to the Operating Principles, House Document Numbered 130, Eighty-seventh Congress, and pursuant to the water laws of the State of Colorado;

(f) certain lands in the Cibola National Forest, New Mexico, which comprise about thirty-seven thousand acres, are generally depicted on a map entitled "Manzano Mountain Wilderness Area—Proposed", and shall be known as the Manzano Mountain Wilderness;

(g) certain lands in the Cibola National Forest, New Mexico, which comprise about thirty thousand nine hundred and thirty acres, are generally depicted on a map entitled "Sandia Mountain Wilderness Area (North and South Units)—Proposed", and shall be known as the Sandia Mountain Wilderness;

(h) certain lands in the Santa Fe and Carson National Forests, New Mexico, which comprise approximately fifty thousand three hundred acres, are generally depicted on a map entitled "Chama River Canyon Wilderness Area", and shall be known as the Chama River Canyon Wilderness; and

(i) certain lands in the Wasatch and Uinta National Forests, Utah, which comprise about twenty-nine thousand five hundred and sixty-seven acres, are generally depicted on a map entitled "Lone Peak Wilderness Area—Proposed", and shall be known as the Lone Peak Wilderness: *Provided*, That the Forest Service is directed to utilize whatever sanitary facilities are necessary (including but not limited to vault toilets, which may require service by helicopter) to insure the continued health and safety of the communities serviced by the Lone Peak watershed; furthermore, nothing in this Act shall be construed to limit motorized access and road maintenance by local municipalities for those minimum maintenance activities necessary to guarantee the continued viability of whatsoever watershed facilities currently exist, or which may be necessary in the future to prevent the degradation of the water supply in the Lone Peak area.

OREGON OMNIBUS WILDERNESS ACT OF 1977

SEC. 3. In furtherance of the purposes of this Act and the Wilderness Act, the following lands (hereinafter referred to as "wilderness areas") as generally depicted on maps appropriately referenced, dated October 1977, are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System—

(a) certain lands in the Siskiyou National Forest, Oregon, which comprise about eighty-two thousand, four hundred acres, are generally depicted on a map entitled "Kalmiopsis Wilderness Additions—Proposed", and which are hereby incorporated in and shall be deemed to be a part of the Kalmiopsis Wilderness as designated by Public Law 88–577;

(b) certain lands in the Umatilla National Forest, Oregon and Washington, which comprise about one hundred and eighty-five thousand acres, are generally depicted on a map entitled "Wenaha-Tucannon Wilderness—Proposed", and shall be known as the Wenaha-Tucannon Wilderness;

(c) certain lands in the Mount Hood National Forest, Oregon, which comprise about thirty-three thousand acres, are generally depicted on a map entitled "Mount Hood (Zigzag) Proposed Wilderness Additions", and which are hereby incorporated in, and shall be deemed to be a part of the Mount Hood Wilderness as designed by Public Law 88–577; and

(d) certain lands in the Willamette National Forest, Oregon, which comprise about forty-five thousand four hundred acres, are generally depicted on

GOSPEL-HUMP AREA

SEC. 4. (a)(1) In furtherance of the purposes of the Wilderness Act, certain lands in the Nezperce National Forest, Idaho, which comprise about two hundred and six thousand acres, as generally depicted under the category "Wilderness" on a map entitled "Gospel-Hump Planning Unit" and dated October 1977, are hereby designated as wilderness and therefore, as components of the National Wilderness Preservation System.

(2) Certain other contiguous roadless lands which comprise about ninety-two thousand acres, as generally depicted on said map as "Management Areas" shall be managed in accordance with the multipurpose resource development plan required by this section.

(3) Certain other contiguous roadless lands which comprise about forty-five thousand acres, as generally depicted on said map as "Development Areas" shall be immediately available for resource utilization under the existing applicable Forest Service land management plans.

(b)(1) Within ninety days after enactment of this Act, the Secretary shall appoint a seven-member Advisory Committee on the management of the Gospel-Hump Area (hereinafter referred to as the "Committee") who shall advise the Secretary as to the progress of the fish and game research program, and the multipurpose resource development plan required by this section, and who shall appraise the results of the research program and development plan on an ongoing basis.

(2) The Committee shall be comprised of two members of the timber industry who purchase timber from the Nezperce National Forest, two members from organizations who are actively engaged in seeking the preservation of wilderness lands, and three members from the general public who otherwise have a significant interest in the resources and management of the Gospel-Hump area.

(3) Committee members shall serve without pay except that while away from their homes or regular places of business in performance of services for the Committee, members of the Committee shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed under section 5703(b) of title 5 of the United States Code.

(4) The Secretary shall provide that the Committee shall meet as soon as practicable after all the members are appointed, but in no case later than one hundred and fifty days after the enactment of this Act. Subsequently, the committee shall meet every one hundred and eighty days, or as often as the Secretary deems necessary.

(5) The Committee shall terminate one hundred and fifty days after transmittal of the completed multipurpose resource development plan required under this section.

(c)(1) The Secretary shall cooperate with agencies and institutions of the State of Idaho, and with the Secretary of the Interior, in conducting a comprehensive fish and game research program within the Gospel-Hump Area and surrounding Federal lands in north-central Idaho. The Secretary shall assure that this research program includes detailed investigations concerning resident and anadromous fisheries resources (including water quality relationships) and the status, distribution, movements, and management of game populations, in order to provide findings and recommendations concerning integration of land management and development with the protection and enhancement of these fish and game resources.

(2) To carry out the comprehensive fish and game research program, the Secretary is authorized to make grants of funds to agencies and institutions of the State of Idaho and to provide the assistance of personnel from agencies under his jurisdiction.

(3) The Secretary shall assure that the comprehensive fish and game research program is scheduled and progressing on a timely basis so that findings and recommendations are fully integrated in preparation of the multipurpose resource development plan required by this section.

(d)(1) Within four years after enactment of this Act, the Secretary shall implement a multipurpose resource development plan for development of the [illegible] referenced in this section as "Management

528) and the Forest and Rangeland Renewable Resources Planning Act of 1974 (88 Stat. 476; 16 U.S.C. 1601) as amended, and shall conform in all respects to the provisions of the National Forest Management Act of 1976 (90 Stat. 2949; 16 U.S.C. 1600), including the regulations, guidelines, and standards promulgated pursuant to that Act. In preparing the multipurpose resource development plan, the Secretary shall take particular care to gather and integrate detailed field data on soil types and soil hazards, and to consider timber volumes, timber site classes, and productivity. The current findings and recommendations of the comprehensive fish and game research program and other available information shall be integrated into the preparation of the multipurpose resource development plan. The multipurpose resource development plan may be periodically revised to accommodate new information as it becomes available.

(3) In preparing the multipurpose resource development plan, the Secretary shall assure adequate public involvement, and he shall make full use of the recommendations of the Advisory Committee established by this section.

(4) One year after the date of enactment of this Act and every year thereafter, the Secretary shall review the multipurpose resource development plan being prepared in accordance with this section to determine which lands, if any, might be scheduled for development prior to the completion of the final multipurpose resource development plan.

(5) The Secretary shall publish a notice of the completion of the multipurpose resource development plan or a portion thereof in the Federal Register and shall transmit it to the President and to the Senate and House of Representatives. The completed multipurpose resource development plan or relevant portions thereof shall be implemented by the Secretary no earlier than ninety days and no later than one hundred and fifty calendar days from the date of such transmittal.

(e)(1) The Secretary shall prepare a wilderness management plan for the Gospel-Hump Wilderness, taking into account the findings of the comprehensive fish and game research program. In preparing this wilderness management plan, the Secretary shall consider the possible impacts of over-snow motorized vehicle use on the single Bear Grass Ridge Trail between Square Mountain and Hump Lake and may, by secretarial order, allow such use under controlled and regulated conditions: *Provided*, That such use may be allowed only upon a written finding by the Secretary that (A) resident and migratory wildlife will not be adversely affected by such use; (B) wilderness values and water quality will not be unduly degraded, directly, or indirectly, by such use; (C) due consideration will be given to conflicts with nonmechanized wilderness use; and (D) adequate provision is made for effective control of such use on a consistent and practical basis.

(2) If the Secretary allows the use of over-snow motorized vehicles on the single Bear Grass Ridge Trial under the terms and conditions of subsection (e)(1) of this section, then two years after the effective date of the secretarial order, he shall submit to the Senate and House of Representatives, a report on the effects of this use on (A) resident and migratory wildlife; (B) wilderness values; (C) water quality; (D) other nonmechanized uses of the Gospel-Hump Wilderness; and (E) on such other matters as he deems relevant.

(f) Within thirty days after the date of enactment of this Act, the Secretary shall include the timber resources on the land identified on the map referenced in this section as "Development Areas" and "Management Areas" within the annual allowable timber harvest level for the Nezperce National Forest.

(g) Nothing in this Act shall prevent within the Gospel-Hump Wilderness Area any activity, including prospecting, for the purpose of gathering information about mineral or other resources, if such activity is carried on in a manner compatible with the preservation of the wilderness environment. Furthermore, in accordance with such program as the Secretary of the Interior shall develop and conduct in consultation with the Secretary, the Gospel-Hump Wilderness Area shall be surveyed on a planned, recurring basis consistent with the concept of wilderness preservation by the Geological Survey and the Bureau of Mines to determine the mineral values, if any, that may be present, and the results of such surveys shall be made available to the public and submitted to the President and the Congress.

terms the n id and judicious manner and methods to achieve the purposes of this Act. unts appropriated to carry out this Act shall be expended in accordance with the Budget Reform and Impoundment Control Act of 1974 (88 Stat. 297).

ADMINISTRATION OF WILDERNESS AREAS

SEC. 5. Subject to valid existing rights, each wilderness area designated by this Act shall be administered by the Secretary in accordance with the provisions of the Wilderness Act: *Provided*, 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: *Provided further*, That with respect to the Gospel-Hump Wilderness Area designated by section 4(a)(1) of this Act, all references under section 4(d)(3) of the Wilderness Act of 1964 to December 31, 1983, shall be deemed to be December 31, 1988, and any reference to January 1, 1984, shall be deemed to be January 1, 1989: *Provided, however*, That all activities resulting from the exercise of valid existing mineral rights on patented or unpatented mining claims within the Gospel-Hump Wilderness Area shall be subject to regulations prescribed by the Secretary as he deems necessary or desirable for the preservation and management of this area.

FILING OF MAPS AND DESCRIPTIONS

SEC. 6. As soon as practicable after enactment of this Act, a map and a legal description of each wilderness area shall be filed with the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and each such map and description shall have the same force and effect as if included in this Act: *Provided*, That correction of clerical and typographical errors in each such legal description and map may be made. Each such map and legal description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, Department of Agriculture.

2. Amend the title so as to read:

An Act to designate certain endangered public lands for preservation as wilderness, and for other purposes.

PURPOSE

H.R. 3454, as amended, would designate approximately 1,251,377 acres of national forest land located in eight States as wilderness.

BACKGROUND AND NEED

In 1964, Congress enacted the Wilderness Act after more than 8 years of careful consideration. That law created the National Wilderness Preservation System, to be comprised of Federal land areas preserved by decision of Congress as wilderness. The lands involved are Federal lands, in several categories, but all are to be managed under a common policy: to perpetuate the natural character of the land and its ecological community of life, in order to secure for all Americans the significant benefits and values which wilderness gives to our lives and our culture.

Since passage of the Wilderness Act in 1964, the Secretary of Agriculture has completed the mandated review of all areas classified as "primitive" within the National Forest System and made recommendations to Congress as to their suitability for inclusion in the National Wilderness Preservation System. This mandated review did not specifically require the Secretary of Agriculture to undertake a prompt review of the remaining 56 million acres of roadless and

undeveloped lands in the National Forest System (called "de facto" wilderness areas) which were not officially class as "primitive" in 1964.

"De facto wilderness" is that portion of the public domain which has remained roadless and undeveloped through no special protection or program, but merely because it has not been developed. And because it has no special protection, it is this category of land which is most in danger of losing its wilderness character before it can be given thorough review and consideration. It was not until 1972 that the Forest Service initiated a Roadless Area Review and Evaluation (RARE) of these lands to determine which areas, if any, merited further wilderness study. Of the 1,449 roadless areas, comprising some 56 million acres, identified during the 1972 RARE process, only 274 were ultimately targeted by the Forest Service for further study as to their potential for inclusion in the Wilderness System. Some 1,175 roadless areas containing over 44 million acres of "de facto" wilderness, plus hundreds of square miles of additional roadless lands overlooked by the Forest Service, were not considered for potential wilderness designation. While no group or interest is suggesting that all 56 million acres of "de facto" wilderness (plus those acres overlooked by the Forest Service) be added to the Wilderness System, the proposed wilderness areas in H.R. 3454, as amended, reflect a strong feeling on the part of many people that the Forest Service has inadequately considered the wilderness values of these areas.

Several problems have been recognized in connection with this process to date. In some cases, a single large tract of land with wilderness potential has been arbitrarily subdivided by the Forest Service into a number of separated units. Subdivided in this way, the overall wilderness qualities of the total area are never properly considered in the land use planning process.

In other cases, some call attention to the failure of a Forest Service land use plan to focus on one particular roadless area. A number of separate areas are lumped together, and the public is presented an artificially extreme choice: Preserve all the roadless areas, or none of them. Few people favor either extreme, yet the Forest Service planning process has, in some instances, polarized opinion, and created unnecessary problems and delays. It is the purpose of the Endangered American Wilderness Act to bring this whole problem into better focus, and to expedite at least a part of the decisions to be made.

a. Wilderness management

During the committee hearings and markup of the Endangered American Wilderness Act, there was considerable discussion regarding the broad question of wilderness management on national forest lands. These discussions took place both in the context of Forest Service management of existing statutorily designated wilderness areas as well as Forest Service selection criteria for administratively designated wilderness study areas during the RARE process. Generally, the committee believes that the so-called "purity" concept of wilderness long adhered to by the Forest Service, is unnecessarily restrictive and should be abandoned. The committee feels that the Wilderness Act of 1964 provides considerable flexibility for the land management agency and urges the Forest Service to administer the Act in that spirit.

In some instances, the strictest interpretations of the Wilderness Act has led to the formulation of criteria which have clearly prejudiced the potential recommendation of an area for further wilderness consideration. In others, it has led to public opposition to wilderness proposals based on erroneous interpretations of what is or is not permissible in wilderness areas under provisions of the 1964 Wilderness Act.

The committee believes it is important to strongly emphasize these key points regarding the interpretation of the Wilderness Act, as there has been continuing confusion. For example, during committee hearings on wilderness legislation in 1972, Senator Church (who served as the floor manager of the 1964 Wilderness Act) clearly enunciated the fundamental thrust of the Act's provisions governing the management of facilities and installations:

> The issue is not whether necessary management facilities and activities are prohibited; they are not—the test is whether they are in fact necessary.

Citing subsection 4(c) of the Act, Senator Church noted that:

> This provision allows for necessary minimum sanitation facilities in order to protect the wilderness and public health. It allows for various fire protection necessities, such as fire towers, helispots and fire rings in primitive camps. It allows for the development of protected potable water supplies. All of these elements of management activity are permissible within designated wilderness, if kept to the minimum "necessary to meet minimum requirements for the administration of the area."

In its report on the Mt. Jefferson Wilderness established in 1968, the committee made specific reference to certain installations at Marion Lake. In recognizing that some of the existing installations would be phased out, that Report may have contributed to some misunderstanding. To assure clarity on these issues, the committee wishes to reemphasize that hand water pumps, rustic fire rings, and sanitary facilities (including privies, pit or vault toilets) may be provided and maintained in wilderness areas—including the Mt. Jefferson Wilderness. The test simply rests on the question of whether such installations are "necessary" and "minimum" for the proper administration of the area, for the protection of the public, or as a management tool for the protection of the wilderness area.

The committee was pleased to receive testimony from Assistant Secretary Rupert Cutler, during the hearings on the Endangered American Wilderness Act, indicating that the Department is well aware of the committee's position regarding the so-called "purity" issue and that the Administration supports a less stringent interpretation of the Wilderness Act. The committee feels that Secretary Cutler's memorandum to the Chief of the Forest Service, dated August 11, 1977, setting forth some "clarification" of the Department's wilderness management policy represents a very positive first step in this regard. The committee looks forward to working closely with the new Administration in resolving many of the problems that have arisen in

recent years in connection with the management of national forest wilderness areas and interpretation of the 1964 Wilderness Act.

b. RARE II

The Forest Service, recognizing many of the problems inherent in the first roadless area review, has initiated a new roadless area review and evaluation (RARE II) which will take another complete look at the national forest "de facto" wilderness areas in light of the new administration policy with regard to wilderness management generally and the "purity" doctrine in particular. The committee joins the House Interior and Insular Affairs Committee in strongly urging that the RARE II program be completed in a timely but thorough fashion so that lands which are determined not to have characteristics meriting wilderness designation or wilderness study can be effectively and efficiently used for other public purposes including possible multiple-use management and extractive uses, thereby ending a wilderness "limbo" and uncertainty surrounding the management of millions of acres of national forest lands.

In this context, the committee, like the House Interior and Insular Affairs Committee, deleted, without prejudice, several areas from the Senate version of the Endangered American Wilderness Act which were originally included in the bill for wilderness study designation. The committee feels that any area deleted from the Endangered American Wilderness Act during the legislative process should be carefully examined by the Forest Service during the RARE II process. Those areas originally included in the Senate version of the Endangered American Wilderness Act for wilderness study are: Goose Creek and La Garita, Colorado; McGregor-Thompson, Mt. Henry, and Welcome Creek, Montana; Galiuro Additions, Arizona; West Chicagof-Yakobi, Alaska. Two additional areas originally included in the Senate version of the bill for instant wilderness designation—the Wild Rogue and Middle Santiam in the State of Oregon—were also deleted, without prejudice, from the Senate version of the Endangered Area Wilderness Act during full committee markup. If not added to the bill later in the legislative process, these two areas should also receive careful attention during RARE II.

Legislative History

S. 1180 was introduced by Senator Church on March 30, 1977. A field hearing was conducted in Grangeville, Idaho, with respect to the Gospel-Hump Area on August 24, 1977. The Subcommittee on Parks and Recreation conducted hearings on S. 1180 in Washington, D.C., on September 19 and 20, 1977.

The House Committee on Interior and Insular Affairs favorably reported H.R. 3454 to the House on July 27, 1977. It subsequently passed the House on September 12, 1977, by a vote of 380–18.

Committee Recommendation and Tabulation of Votes

The Senate Committee on Energy and Natural Resources, in open business session on October 13, 1977, by unanimous vote of a quorum

present recommends that the Senate pass H.R. 3454, if amended as described herein.

Committee Amendments

The committee voted to favorably report H.R. 3454 after agreeing to an amendment in the nature of a substitute. This substitute amendment, offered by Senator Church in the form of a committee print bill, incorporated many provisions of the House-passed bill; provisions of the Senate version of the legislation, S. 1180, introduced earlier this year by Senator Church; and provisions of several bills and printed amendments to S. 1180 introduced by various Senators.

Set forth below is a summary of the committee amendments to the House-passed version of H.R. 3454:

1. The findings section of H.R. 3454 was amended to delete references to wilderness study areas as neither bill recommends the designation of such areas;

2. Four areas included in the House-passed version of H. 3454 were not included in the version of the bill reported by the committee. These areas are: (1) Galiuro Additions, Ariz.; (2) Wild Rogue, Oreg.; (3) Welcome Creek, Mont.; and (4) Savage Run, Wyo.;

3. Acreage differences between the House-passed version and the committees reported bill occur with regard to five areas: (1) Golden Trout, Calif.; (2) Ventana Additions, Calif.; (3) Kalmiopsis Additions, Oreg.; (4) Wenaha-Tucannon, Oreg. and Wash.; and (5) Hunter-Fryingpan, Colo. (See section-by-section analysis in this report for the committee's reasons for these additions/deletions.);

4. H.R. 3454, as ordered reported, is identical to the House-passed version of the legislation with respect to seven of the proposed wilderness areas. These areas are: (1) Pusch Ridge, Ariz.; (2) Manzano Mountain, N. Mex.; (3) Sandia Mountain, N. Mex.; (4) Chama River Canyon, N. Mex.; (5) Santa Lucia, Calif.; (6) French Pete Additions, Oreg.: and (7) Lone Peak, Utah; and

(5) The committee agreed to add two areas to H.R. 3454, as reported, which were not included in the House-passed bill. These areas are: (1) Zig Zag (Mt. Hood Additions), Oreg.; and (2) Gospel-Hump, Idaho.

Section-by-Section Analysis

Section 1.—Findings and policy

This section sets out congressional findings relating to the need to add lands to the National Wilderness Preservation System. These findings are: (1) that many undeveloped public lands have outstanding natural characteristics and are capable of providing an enduring resource of wilderness for future Americans; (2) that certain of these lands may be of wilderness caliber but lack formal statutory protection; (3) that many of these lands are threatened by pressures of a growing and mobile population and in some instances by plans for development and uses in conflict with existing wilderness qualities; and (4) that these threatened lands are not being adequately protected

On the basis of these findings, Congress has determined that these lands need formal statutory protection to preserve their wilderness values.

Section 2.—Designation of wilderness area

Section 2 designates the following areas as wilderness and therefore as components of the National Wilderness Preservation System.

(*a*) *Pusch Ridge Wilderness, Ariz.*—This 56,430 acre wilderness is located in the Coronado National Forest. The area provides a scenic backdrop for the city of Tucson, and its close proximity to the city provides an opportunity to preserve an outstanding primitive recreation experience for the residents of this rapidly growing area. The committee agreed to the several deletions made by the House to exclude an existing archery range and to provide land for the development of four trailheads for the purpose of improved access to the wilderness.

(*b*) *Golden Trout Wilderness, Calif.*—The 333,100 acre Golden Trout Wilderness is located in the Sequoia and Inyo National Forests adjacent to the southern boundary of Sequoia National Park. It is a relatively gentle landscape in contrast to the more rugged glaciated terrain of the Sierra Nevada to the north. The Golden Trout Wilderness is within a three hour drive of the Los Angeles metropolitan area, and is popular for hiking, horseback riding, hunting and fishing.

The name derives from the fact that this is the homeland of the golden trout, perhaps the most beautiful of all trout. The golden trout was designated as the California State fish in 1947. Its habitat consists of the small streams connecting open meadows throughout much of the proposed wilderness.

The committee heard testimony supporting a wide range of proposals for this area ranging from no wilderness at all proposed by Senator Hayakawa to the 416,800 acre wilderness supported by Senator Alan Cranston and the State of California. Although the House Interior Subcommittee on Indian Affairs and Public Lands recommended a wilderness essentially identical to this larger proposal, the House Interior and Insular Affairs Committee, and the House itself, adopted a 179,625 acre Golden Trout proposal.

Much of the controversy over the boundaries of this proposed wilderness focuses on the golden trout, and in particular the subspecies known as the Little Kern golden trout which is found throughout the drainage of the Little Kern River. On September 1, 1977, the U.S. Fish and Wildlife Service proposed to add the Little Kern golden trout to the list of threatened species and to designate much of the disputed area as critical habitat because "forestry management plans now under consideration call for logging activities in a large portion of the drainage basin in which the trout occurs. This would result in an alteration of existing water quality by increasing temperature and siltation which would seriously threaten the survival of the Little Kern golden trout." Hybridization with non-native species and over fishing have also contributed to the decline in numbers and size of the golden trout in other areas outside the proposal into which roads have been constructed.

The committee recognizes that there are timber values throughout much of the 333,100 acres recommended for wilderness designation. However, since the current timber management plan (TMP) for the

ccurately assess the precise impact of wilderness designation on the mount of timber which will actually no longer be available to local nills. Given the fact that the affected mills are currently operating t an installed mill capacity equal to or in excess of what the forest an now produce using an outdated TMP, it may well be that some dverse timber-related economic impact will occur in the area regardless of wilderness designation once the new TMP is released later this ear.

Similarly, should, as the Department of the Interior recommends, a rge portion of the lower Little Kern drainage be designated as Critial Habitat pursuant to the provisions of the Endangered Species Act f 1973, all Federal departments and agencies would be required to nsure that actions authorized, funded, or carried out by them do not esult in the destruction or modification of this habitat. Such action, ven without wilderness designation, may well require the Forest Servce to carefully reassess the amount of timber actually available for arvest in this area.

To promote increased timber production, the Congress has been increasing funds for intensive forestry practices in the National Forsts which should reduce the pressure to cut timber in remote and xpensive to reach roadless areas. Intensive forestry methods should be ncouraged which will increase the yield on lands already committed o timber harvesting. In addition, other areas containing lands which re more accessible, less expensive to harvest, and have high quality imber should be surveyed in an effort to determine which of them can est be utilized and managed to produce forest products which will erve the long-term public interest. Such intensive management should esult in the creation of many new jobs by virtue of increased tree lanting, precommercial and commercial thinning, and other labor ntensive employment.

At the request of the Stateof California, the committee made minor djustments in the wilderness boundary in the Horseshoe Meadows rea so that the right-of-way for the county road providing access to he area plus 320 acres consisting of the NW ¼, Section 14, and the E ¼, Section 15, T.17S., R.35E. will be excluded from the wilderess, in order to provide for parking, day use, a backpacking staging rea and to provide a site for relocating a pack station. The exclusion f a larger area in the Horseshoe Meadow Area to allow for the contruction of a large campground as originally proposed by the Forest ervice was not agreed to by the committee.

The committee concluded that continued operation of the Golden rout Camp located on Forest Service lands within the proposed vilderness is consistent with the provisions of the Wilderness Act and n appropriate use of this area. This primitive camp facility, consisting of a half dozen log cabins, a corral, plus a number of tent platforms, is used in the summer by the Thatcher School, the Audubon Society, and by disadvantaged children receiving conservation education. Access is only by foot or horseback. The committee feels that the Forest Service should continue to renew the permit for this important facility.

(*c*) *Santa Lucia Wilderness, Calif.*—Located in the Los Padres Na-

the 21,250 Santa Lucia Wilderness will provide a high quality wilderness experience for area residents. In addition to outstanding scenic values, the area contains the only known stand of knobcone pine between Monterey and the San Bernardino Mountains and one of the most expensive stands of bigcone pine in existence.

The proposed Santa Lucia Wilderness is traversed by a 115-kilovolt electric transmission line. This facility is operated under a 50-year easement from the Forest Service which expires in 2001. The "Wilderness Reserve" provision of H.R. 3454, as amended, recognizes the existence of this transmission line and the need for continuing maintenance of the transmission line, while providing for the automatic inclusion of the "reserve to the wilderness if the transmission line is ever removed. The committee directs that maintenance of the line be conducted in a manner consistent with past practices. The committee wishes to make clear that the FAA site, the CDF electronic site, and the Forest Service lookout located near the proposed boundary are not included within the wilderness.

Due to the extreme hazard of forest fires in the Los Padres National Forest, the committee adopted the special management language for the Santa Lucia and Ventana Wilderness areas approved by the House authorizing the Forest Service "to take whatever appropriate actions are necessary for fire prevention and watershed protection included but not limited to acceptable fire pre-suppression and fire suppression measures and techniques". The uses authorized by such special management language should not be construed by any agency or judicial authority as being precluded in other wilderness areas, but should be considered as a direction and reaffirmation of congressional policy. (See "Wilderness Management" section of this report.)

(*d*) *Ventana Wilderness Additions, Calif.*—These four additions (totaling 61,000 acres) to the existing 95,152-acre Ventana Wilderness will round out the wilderness potential in California's famed Big Sur region. The Cone Peak addition (largest of the four additions) gives permanent protection to a ridge and series of mountains which rise out of the Pacific Ocean and afford a spectacular view of both ocean and rugged interior mountains of California. The entire area is easily accessible from many boundary roads, has a good trail system, and is very popular for hiking and camping.

The committee excluded 75 acres including the summit of Junipero Serra Peak plus a corridor for an access road in order to allow for the possible future construction of an astronomical observatory on this site. An additional exclusion of 5 acres was approved in order to permit vehicular access over a route of one-half to one mile long to the property of Dr. Gerald Petkus who is in the process of establishing a modest facility for treating and sheltering injured wildlife.

(*e*) *Hunter-Fryingpan Wilderness, Colo.*—The 80,000-acre proposed wilderness area includes the 67,000 acres approved in the House-passed version as well as a 13,000-acre addition in the "Deadman Gulch" and "Spruce Creek" areas. It is the committee's understanding that this 80,000-acre proposed wilderness corresponds to an area which the Forest Service, pursuant to their unit planning process, will recommend for wilderness study later this year. The committee also agreed to adopt

that the designation of this area as wilderness is not intended to prejudice, alter or affect in any way any rights, or claims of right, to the diversion and use of waters from Hunter Creek on the Fryingpan and Roaring Fork Rivers and/or, in any way, to interfere with the construction, maintenance or repair of the Fryingpan-Arkansas water project.

The committee recognizes that, at the present time, there is litigation concerning the Fryingpan-Arkansas project. This litigation includes challenges relating to the National Environmental Policy Act of 1969 and protests in Water court in Colorado. The language in this bill does not address the issues involved in such litigation.

(*f*) *Manzano Mountain Wilderness, N. Mex.*—This 37,000-acre wilderness is located along the west slope of the Manzano Mountains about 27 miles southeast of Albuquerque in the Cibola National Forest. The area was selected for further wilderness study during the Forest Service's 1972 RARE review, and the Forest Service now feels enough is known about it to recommend immediate wilderness designation. Like the Sandia Mountain area directly to the North, the Manzano Mountain Wilderness will provide the residents of, and visitors to, the Albuquerque area with a pristine wilderness experience in close proximity to the city.

(*g*) *Sandia Mountain Wilderness, N. Mex.*—The Sandia Mountains, located directly above the city of Albuquerque, are its scenic backdrop, prime recreation area, and partial source of underground water. Recreational use is on the increase and includes hiking, climbing, backpacking, cross-country skiing, snowshoeing and bowhunting. The committee feels that this 30,930-acre area, along with the Lone Peak proposal near Salt Lake City, will constitute an especially important addition to the Wilderness System in that it is so readily accessible to the residents and visitors of a large metropolitan area. The "sights and sounds" of nearby Albuquerque, formerly considered a bar to wilderness designation by the Forest Service, should, on the contrary, heighten the public's awareness and appreciation of the areas' outstanding wilderness values.

The committee agreed to adopt the several minor deletion and/or additions approved in the House-passed bill, the net effect of which is a 236-acre addition to the Sandia Wilderness, as introduced. During markup, the committee considered adding 6,578 acres of contiguous privately owned land (known as the Elena Gallegos grant lands) to the proposed Sandia Wilderness. Although the committee agreed that the tract might be an excellent candidate for wilderness designation some time in the future, it felt that such a decision would be premature as there is currently legislation pending in Congress, to add this tract to the Cibola National Forest.

(*h*) *Chama River Canyon Wilderness, N. Mex.*—The Chama River is one of New Mexico's most popular rivers for wilderness boating, and was designated as a New Mexico Scenic and Pastoral River in 1977. The 50,300 acre area to be protected by the wilderness designation in H.R. 3454, as amended, is dominated by sandstone cliffs, bowls, and amphitheaters.

The committee recommendation, which corresponds with that of the House-passed version, deletes 150 acres in the very northern portion of

the proposal, and 50 acres in the Gallina, to insure continued access to private lands not entirely surrounded by the wilderness but nevertheless dependent on the wilderness lands in the original proposal for access. The committee-recommended boundary like that of the House, removes 400 acres covered under an existing timber sale contract.

Correspondence from the Forest Service indicates that there are no timber sales—existing, planned, or past—within the present wilderness boundaries of H.R. 3454, as amended. However, the committee heard conflicting testimony to the effect that the exterior boundaries of some timber sales may, in fact, lie within the proposal. The committee did not adjust the boundaries of the wilderness on the basis of these allegations pending receipt of additional information. If adjustments are deemed desirable, the committee agreed that this could be accomplished prior to final enactment.

(*i*) *Lone Peak Wilderness, Utah.*—Like the Sandia Mountains wilderness, this spectacular 29,567 acre wilderness in the Wasatch Mountains forms the scenic backdrop for a major metropolitan area, in this case, Salt Lake City, Utah. The area is within a 90-minute ride of 80 percent of Utah's population.

In addition to being extremely popular for hiking, hunting, climbing, fishing, alpine ski touring, cross-countri skiing, and other recreational uses, the area supplies 25 percent of the water needs of Salt Lake City. Access to the area is easy from all sides and is enhanced by the existence of several high altitude jeep trails lying outside the wilderness boundaries. The Snowbird Corp. ski tram also provides high altitude access.

The committee agreed to adopt the boundaries approved by the House in their version of the Endangered American Wilderness Act. The committee specifically included special management language to insure that vault toilets or other sanitary facilities (which may require service by helicopter) could be placed in the wilderness area, and that motorized access and road maintenance necessary for access to existing or future watershed facilities, would be permitted. As already indicated, the uses authorized by this special management language should not be construed by any agency or judicial authority as being precluded in other wilderness areas, but should be considered as a direction and reaffirmation of congressional policy.

Section 3.—Oregon Omnibus Wilderness Act

On June 20, 1977, the Senate passed S. 658, the Oregon Omnibus Wilderness Act. As passed the Senate, the bill would designate three areas entirely within the State of Oregon as wilderness. These are: (1) The Kalmiopsis Additions (82,400 acres); (2) the Mt. Hood Additions (33,000 acres); and (3) the Boulder Creek Wilderness (19,200 acres). A fourth area, the Hidden Wilderness study area would be designated for wilderness study. Finally, S. 658 would designate an 185,000 acre area in Oregon and Washington, the Wenaha-Tucannon, as wilderness.

In considering the Endangered American Wilderness Act, the committee agreed to incorporate three of these areas into H.R. 3454, as amended: (1) the Kalmiopsis Additions; (2) the Mt. Hood Additions; and (3) the Wenaha-Tucannon Wilderness. The committee also agreed

lesignation—the French Pete Creek Additions to the Three Sisters Vilderness (45,400 acres).

In consolidating these two bills in order to provide a single, consistnt vehicle for a number of proposed Oregon wilderness areas and to xpedite final action, two areas included in S. 658 were not added to .R. 3454, as amended. These areas are the proposed Hidden Wilderess Study area and the proposed Boulder Creek wilderness area. 'or both these areas, the committee agreed to direct the Forest Service o conduct a complete wilderness study following the established study rocedures set forth in the 1964 Wilderness Act. The areas to be studed in both instances are designated by maps referenced and reprinted n the Senate report acompanying S. 658, Senate Report No. 95–329.)f course, should the Forest Service, during its RARE II process, dentify roadless lands contiguous to the areas generally depicted on hese maps, such lands should be similarly reviewed. It is the intent f the committee that these studies be completed and the President's ecommendations transmitted to Congress within 2 years from the date f enactment of this Act so that the Congress will have an opportunity o act expeditiously on these areas. Management of the areas during he study period is to conform with the provisions of S. 658, as passed he Senate.

ection 4.—Gospel-Hump Area.[1]

Section 4(a)(1) designates by map reference the "Gospel-Hump Vilderness," comprising about 206,000 acres, on the Nezperce National 'orest in the State of Idaho. The proposed Gospel-Hump Wilderness vill be a component of the National Wilderness Preservation System.

Section 4(a)(2) identifies, also by map reference, three tracts totalng 92,000 acres and denoted as "management areas", which will be nanaged in accordance with the multipurpose resource development lan defined later in section 4.

Section 4(a)(3) identifies, also by map reference, several tracts otaling 45,000 acres and denoted as "development areas", which shall e available for immediate resource utilization in accordance with xisting applicable Forest Service land management plans. The phrase 'existing applicable" is intended to make reference to the currently ffective land management plans, but is not to be construed as in any ay limiting or prejudicing the on-going planning functions of the 'orest Service and the changes and or revisions which all such plans ormally undergo in conformance with the laws governing the adinistration and management of the national forests.

Section (4)(b) provides for a seven-member Advisory Committee n management of the Gospel-Hump Area.

Section 4(b)(1) requires that the Secretary appoint the Advisory 'ommittee within 90 days after enactment of the Act. The Advisory 'ommittee is to advise the Secretary as to the progress of the fish and ame research program, and the multipurpose resource development lan called for elsewhere in this section and shall appraise the results of the research program and the development plan on an ongoing asis.

[1] A more detailed explanation of the Gospel-Hump area is found at the end of the Section-

Section 4(b)(2) requires that two of the members of the Advisory Committee be persons from the timber industry who purchase timber from the Nezperce National Forest; that two members be from organizations actively engaged in seeking the preservation of wilderness land; and that three members be from the general public who otherwise have a significant interest in the resources and management of the Gospel-Hump Area.

Section 4(b)(3) provides for allowance of travel expenses, including per diem in lieu of subsistence, for the members of the Advisory Committee while away from their homes or regular places of business in performance of services for the Committee. The allowance for these expenses is to be provided in the same manner as for persons employed intermittently in the Government service as governed by section 5703 (b) of title 5 of the United States Code.

Section 4(b)(4) states that the Secretary shall insure that the Advisory Committee meets as soon as practicable after all the members are appointed, but not later than 150 days after the enactment of the act. Subsequent meetings must be held every 180 days, or as often as the Secretary deems necessary.

Section 4(b)(5) directs that the Advisory Committee shall terminate 150 days after the transmittal of the completed multipurpose resource development plan prepared pursuant to this section.

Section 4(c) provides for the preparation of a comprehensive fish and game research program for the Gospel-Hump Area and surrounding Federal lands in north-central Idaho.

Section 4(c)(1) directs the Secretary to cooperate with agencies and institutions of the State of Idaho and with the Secretary of the Interior in conducting the comprehensive fish and game research program. The committee recognized the need—long expressed by Idaho's Department of Fish and Game—for such a detailed study as a prerequisite to intelligent land allocation and resource management decisions in this overall area. A cooperative program, utilizing expertise and resources of the Department of Agriculture, the Fish and Wildlife Service of the Department of the Interior, the Idaho Department of Fish and Game, and the resource specialists from such institutions as the University of Idaho, will best insure a comprehensive and thoroughly detailed program. The Secretary is directed to insure that this research program includes detailed investigations concerning resident and anadromous fisheries resources (including water quality relationships) and the status, distribution, movements, and management of game populations, in order to provide findings and recommendations concerning integration of land management and development with the protection and enhancement of these fish and game resources.

Section 4(c)(2) authorizes the Secretary, for the purpose of carrying out the research program, to make grants of funds to agencies and institutions of the State of Idaho and to provide the assistance of personnel from agencies under his jurisdiction. The committee intends that personnel from appropriate agencies under the jurisdiction of the Secretary of the Interior will also be made available to assist in this cooperative program.

Section 4(c)(3) directs the Secretary to insure that the research program is completed in a timely fashion so that its [illegible]

ose resource development plan required by subsection 4(d). Simi-
rly, the findings of this research program should assist in the prepa-
tion of the wilderness management plan required in section 4(e).

Section 4(d) requires the Secretary of Agriculture to develop within
years a multipurpose resource development plan laying out the loca-
on and manner of developments—such as road construction and
gging—within the so-called "management areas" of the Gospel-
lump area. The plan must comply with provisions of relevant laws
overning the management of the national forests, including the Mul-
ple Use-Sustained Yield Act, the Forest and Rangeland Renewable
esources Planning Act, and the National Forest Management Act,
nd the regulations, guidelines, and standards promulgated under
ach of those acts. It is intended that this plan will require the Forest
ervice to gather detailed field data on soil types and soil hazards, and
nformation on timber volumes, timber site classes, and productivity.
indings and recommendations coming from the comprehensive fish
nd game research program as well as other available fish and wildlife
ata are also to be used in the development of this management plan.
t is further intended that this is not to be a static plan, but it is to be
vised from time to time to incorporate any new data that might be
vailable.

The preparation of this multipurpose resource development plan is
o be done within full view of all interested parties, with open partici-
ation by the public sector, and should give careful consideration to
he ideas and recommendations of the Advisory Committee.

The plan is to be reviewed each year during its preparation in order
o determine what kind of developments might be scheduled in a par-
icular area before the completion of the final plan. Notice of comple-
ion of the plan (or portions of the plan) is to be published in the
'ederal Register, and the plan (or relevant portion) is to be trans-
nitted to both houses of Congress for a 90-day review period. The
lan (or portion) can be implemented after this review.

Section 4(e) requires the Secretary to prepare a wilderness manage-
ent plan for the Gospel-Hump Wilderness, incorporating into the
lan findings of the fish and game research program. In preparing the
vilderness management plan, the Secretary must consider the possible
mpacts of allowing over-snow motorized vehicles to use the trail (No.
313) between Square Mountain and Hump Lake which traverses the
vilderness. He may then issue an order, if he desires, allowing such
se under certain conditions. However, before doing so, he must issue
written finding that resident and migratory wildlife in the area
would not be adversely affected by such use, that wilderness values
nd water quality would not be unduly degraded, that due considera-
ion is given to other, nonmechanized use of the wilderness, and that
dequate provision is made for effective control of this over-snow
ehicle use. If the Secretary decides to allow this over-snow travel
along this one trial, he is required to report to Congress after 2 years
on the effects of such travel on the area's wildlife, the wilderness
values of the area, local water quality, other nonmechanized uses, and
other relevant matters.

Section 4(f) requires the timber resources within both the manage-
[illegible] in the calculation of the

annual allowable timber cut for the Nezperce National [illegible]st within
30 days after the bill's enactment, thus acknowledging that the timber
resources in those areas are to be harvested eventually.

Section 4(g) is a reiteration of the language of the Wilderness Act
relating to mining and mineral location. It is included here to restate
the intent of the committee that some mining activities can occur in
the Gospel-Hump Wilderness Area. The section also requires a de-
tailed, recurring study of the mineral potential of this area by the
Geological Survey and the Bureau of Mines, acknowledging the poten-
tial mineralization of the area.

Section 4(h) authorizes appropriations for the fish and game re-
search program, and the multipurpose resource development plan.
Although for budgetary reasons the language limits this authorization
until after October 1, 1978, the committee fully expects the Depart-
ments of the Interior and Agriculture to seek the reprograming
of funds at an earlier time, under their normal reprograming pro-
cedures, so that both these priority programs might begin as rapidly
as possible.

Section 5.—Administration of wilderness areas

This section provides that, subject to valid existing rights, wilder-
ness areas designated by this Act are to be managed in accordance with
the provisions of the Wilderness Act of 1964. However, in the case of
the proposed Gospel-Hump wilderness area, the Committee agreed to
extend the deadline for location of mining claims contained in the
Wilderness Act for a 5-year period. This provision has the effect of
allowing mineral claims to be located within the proposed Gospel-
Hump wilderness until December 31, 1988. The amendment also
makes January 1, 1989, the date at which the minerals in the Gospel-
Hump area would no longer be available for appropriation under
the mining laws. The effective date of such withdrawal from appro-
priations under the terms of the Wilderness Act is January 1, 1984
The committee also agreed to adopt language identical to that con-
tained in Public Law 94–429, the so-called "Mining in the Parks Act",
providing that activities resulting from the exercise of valid existing
mineral rights on patented or unpatented mining claims within the
proposed Gospel-Hump Wilderness shall be subject to regulations pre-
scribed by the Secretary as he deems necessary for the preservation
and management of the area.

Section 6.—Filing of maps and descriptions

This section contains language common to all wilderness legislation
requiring the filing of accurate maps and descriptions of wilderness
areas in the bill with the House Committee on Interior and Insular
Affairs and the Senate Energy and Natural Resources Committee.

Explanation of the Gospel-Hump Area

H.R. 3454, as amended, includes provisions (section 4) relating to
the Gospel-Hump area in north-central Idaho. The committee ap-
proved the basic concept of the Gospel-Hump amendment originally
introduced by Senator Church (Senate amendment No. 826 to S. 1180),
after making several significant changes. Because of the unusual back-

round and c. .nstances surrounding this section of the bill, a more etailed explanation is in order.

ackground

During the first roadless area review program in 1972–73, the Forest ervice inventoried as roadless a large area of land lying between the outh Fork of the Clearwater River and the river breaks on the south ide of the main Salmon River. Altogether, this area comprised more han 450,000 acres in an unbroken tract of roadless land which is, in urn, contiguous to additional roadless land to the east. However, the orest Service chose to sub-divide this single roadless tract into eight istinct, separately named "roadless areas," which were separately valuated in all later proceedings. None of these fragments were elected by the Chief of the Forest Service for further, more detailed ilderness study.

Subsequently, new land use planning efforts were initiated for this egion, by both the Nezperce and Payette National Forests. Here gain, the Forest Service chose to sub-divide the overall area among ine separate "planning units," each of which was subject to separate ndividual land use planning.

As this piecemeal process of inventory and planning proceeded, for vhat is widely regarded as a single contiguous tract of roadless land, he process became the subject of increasing criticism. This criticism ame not only from the public, but from Idaho's Department of Fish nd Game, from the Department of the Interior, and from other ex- ert agencies. Clearly, they argued, fragmented analysis and piece- neal decisions could not lead to fair consideration to the overall values of the total area. Despite this criticism, the Forest Service proceeded with its piecemeal approach.

Ultimately, Idaho conservation groups, including the Idaho Environmental Council and the local chapter of the Sierra Club, brought a formal administrative appeal, asking the higher officials of the Forest Service to judge whether this piecemeal approach complied with the existing standards and regulations governing Forest Service land use planning. These appeals included the Warren unit plan, the Rainy Day unit plan, and the Mill Creek unit plan. Though brought by conservation groups, the appeals had the continuing support of the Idaho Department of Fish and Game and its professional resource managers. A large number of civic and business groups in the local town of Grangeville, Idaho, formally intervened in the appeals, seeking to defend the Forest Service approach.

As a result of the appeal process, some development activities within the overall roadless area were held up by the Chief, pending his decision. Notable among these was a large proposed timber sale in the northwest corner of the area, the Honker sale. Thus, the appeal, while quite legitimately contesting the legal adequacy of the locally-prepared land use plans, had the effect of raising the level of uncertainty about land allocations.

In March of 1977, the Chief of the Forest Service issued a detailed ruling on the combined Rainy Day unit plan and Mill Creek unit plan appeals (having previously overturned the Warren unit plan). In his ruling, the Chief agreed with the appellants and found that the piecemeal planning process did not comply with the established minimum standards for land use planning on the Nati- Forests. He therefore overturned the unsatisfactory plans and red the planning process revised so as to take into account the tota- ntiguous roadless area. Because he reached his decision on this procedural point, the Chief did not rule in detail on the substantive allegations which the conservation groups and fish and game experts had raised about inadequate resource data for the Gospel-Hump region.

In his March 8, 1977, decision, the Chief said:

> The Nezperce National Forest planning effort involved a division of the forest into several planning units. Several of these units are comprised in whole or in part by inventoried roadless areas. In the planning process, the wilderness suitability of each of these roadless areas was considered in and of itself and compared by quality ranking to adjacent roadless areas. In the case of Mill Creek, the unit ranking was compared to the total contiguous roadless area north of the Salmon River. However, the total contiguous roadless area was never considered either for its wilderness study suitability as a single entity, nor was consideration given the effects of adding or subtracting various roadless components from the whole.
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> * * * * * * *
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> Section 8262 of the Forest Service Manual provides in part that wilderness consideration for all adjacent federally owned roadless areas should be made in the unit plan. Our policy further directs the consideration and analysis of the interrelationships between such contiguous roadless areas. To properly comply with this policy in the Nezperce National Forest requires consideration of the entire contiguous roadless areas as a whole without regard to the boundaries of individual planning units or inventoried roadless areas. Due to the large composite of roadless areas in the Nezperce National Forest, the present planning approach there does not now adequately provide for the consideration of the wilderness potential of the total area.

It is important to note that the Chief's decision in these appeals did not deal with the legal question of whether the plans complied with the environmental impact statement requirements of section 102(2)(C) of the National Environmental Policy Act of 1969 (Public Law 91–190). Indeed, that issue was not directly raised in the appeals. Rather, the Chief simply concluded that the piecemeal planning approach and the quality of planning work did not fulfill the standards and policies for National Forest planning which have been established in the Forest Service Manual and in other regulations and directives. In other words, the Chief found, through the appeals, that these particular plans did not measure up to the standards he had set.

In accordance with the Chief's order, the Forest Service has begun a revised planning procedure for the overall Gospel-Hump area. However, while this new process may lay to rest the issue of piecemeal planning, various individuals feel it is organized on so rapid a timetable as to raise serious doubts about the likelihood that the final

roduct wil e acceptable to all interested parties. The Idaho Department ish and Game, for example, has consistently maintained that basic land allocations for the sensitive portions of the Gospel-Hump area should not be made prior to completion of a detailed fish and wildlife research program. According to their best estimates, that program will require four years to complete. Yet, the revised planning process now underway includes no such comprehensive wildlife and fisheries research program even in light of the Forest Management Act of 1976. Similarly, conservation groups in Idaho have challenged the adequacy of the basic soils data and timber productivity data presently available for some of these lands. Here again, these groups feel the new planning process is operating on so accelerated a schedule that improved data is not being developed. The Committee believes, therefore, that there is a very real prospect that these issues would arise again in further appeals or in judicial review.

The issues mentioned above raises legitimate concerns. Regardless of the eventual outcome, the interim result would be more delay and uncertainty, while issues over the adequacy of the new plan and the data underlying it are being argued. In the meantime, timber sales within the roadless area would remain frozen, thus placing the economy of the region—which is directly linked to a steady timber supply from the National Forests— in a great deal of jeopardy.

The negotiations

Against this background, concerned civic leaders of the Grangeville area sought a more constructive solution. They appealed to Senator Church to determine whether some more expeditious resolution of the basic land allocation issue for the Gospel-Hump area could be worked out. As a result, Senator Church convened a meeting in April, in Grangeville, between selected representatives of Idaho conservation groups and the designated representatives of the Natural Resources Task Force of the Grangeville Chamber of Commerce. Knowledgeable officials of the Forest Service and the Idaho Department of Fish and Game attended to provide expert assistance, as did professional resource specialists from the faculty of the University of Idaho.

What ensued was a genuine dialog between groups which are often too hastily cast as opponents in the process of allocating the usage of Federal lands. At that first meeting, and in five subsequent day-long sessions, these groups found much in common—for example, a deep interest in protecting the native fish and wildlife of the region and their essential habitat. They found much that could be agreed upon in terms of the interests of both groups—for example, the desirability of both preserving important wildlands and assuring the economic health and stability of the local sawmills and the towns which those mills support. Each group started from a fixed position, but as communication increased, understanding grew. Accommodation began to appear. A basic formula for a possible compromise agreement was outlined, limited to the lands north of the main Salmon River. Preliminary lines were drawn on maps by each group, discussed in detail, and then shifted and relocated by compromise and consensus. For instance, the size of the proposed wilderness area went through a considerable evolution, and its size was ultimately reduced considerably from the area originally sought by the conservation groups. Similarly, the keen interest of the local civic and business leaders in the welfare of wildlife h found expression in their agreement that further resource da ould be gathered, and that a comprehensive fish and wildlife research program should be required, as the State agency sought. The Idaho Department of Fish and Game, while believing that the wilderness ultimately worked out was too small, gave its strong endorsement. All parties involved agreed it would be more productive, and lead to better land management, to proceed immediately with research to gather additional and more sophisticated fish and wildlife, soils, and timber productivity data, rather than risk prolonged delays while fighting over whether existing data is sufficient.

Finally, after many day long meetings, and literally months of hard work, the groups reached a basic compromise, consisting of the framework and tentative wording for legislation and a detailed boundary map showing the manner in which the negotiators proposed to allocate the land within the Gospel-Hump roadless area. Under the terms of the compromise, the most heavily forested portions of the region would be allocated for timber harvest and development, some 123,000 acres were included by the negotiators in this category, with 45,000 acres to be made available immediately for timber sale (including most of the delayed Honker sale), while the remainder of the land to be developed would first be subject to the detailed, site specific data inventories mentioned above. The rest of the Gospel-Hump area consisting mostly of the high alpine areas and breaks of the Salmon River would be classified as wilderness under the terms of the Wilderness Act of 1964, as the Gospel-Hump Wilderness Area. Thus, some of the most spectacular wildlands of northern Idaho would be statutorily protected for the future in their natural state, and other contiguous, productive timber lands would be made available for multiple-purpose development, thereby helping to assure a steady supply of logs for local sawmills.

Committee revision of the compromise

This compromise agreement between the private parties was not the end of the process. Rather, it simply provided a carefully worked-out starting point. The committee subjected the proposal to thorough public hearings, including a full day hearing in Grangeville open to all local citizens. A number of alternatives were suggested and considered. Senator Church gave the proposal further wide circulation and received additional comment. All the testimony an comments have been carefully weighed by the committee. The reported bill, for Gospel-Hump, uses the basic framework of the compromise agreement but departs from it in several significant respects, in response to the testimony and comments received:

(1) The committee felt that the compromise gave inadequate direction pertaining to minerals, and therefore added a detailed directive in subsection 4(f) reemphasizing the provisions of the Wilderness Act regarding prospecting, as well as that Act's mandate for "planned, recurring" mineral surveys to be conducted by the Federal Government's expert mineral agencies, the Geological Survey and the Bureau of Mines. In addition, section 5 of the bill was amended to allow a 5-year extension of the wilderness mining and mineral location "phaseout" provisions of the 1964 Wilderness Act only for the Gospel-Hump Wilderness.

(2) The committee made a number of changes in the boundaries proposed by the negotiators. These changes included refinements that were suggested by the Forest Service. In response to testimony received during the hearings, the committee deleted some significant lands from the southeast corner of the proposed wilderness, placing these lands instead in the management category to receive more detailed study.

(3) the committee agreed to language that would allow for possible future snowmobile travel along the trail (No. 313) from Square Mountain to Hump Lake, but only if the Secretary of Agriculture determined that such travel would not adversely affect wildlife in the area, unduly degrade the quality of the wilderness or the watershed, could be controlled on a consistent and practical basis, and gave due consideration to conflicts with non-mechanized winter use of the wilderness. If the Secretary decided to allow such travel, he would be required to report to Congress on the effects of such over-snow travel 2 years after these limited activities were commenced.

Boundary changes made by the committee

Generally, the committee has found the boundary lines developed by the negotiating process to be desirable. While a final map will be drawn by the Forest Service, as the bill requires, the committee notes that the boundary has been drawn with unusual precision on a series of topographic sheet maps agreed to by the groups involved. It is this very detailed map, with the changes made by the committee, which is referenced as the official boundary map in the text of the bill.

Prior to ordering H.R. 3454 reported, the committee asked the Forest Service to suggest any refinements of the proposed wilderness boundary it felt would be desirable. In all, the Forest Service suggested 18 changes, some quite minor. Upon examination, it was determined that a number of the Forest Service refinements were already incorporated in the more detailed maps originally prepared by the compromise negotiators. This included refinements at Halls Gulch, Marten Hill, and Big Creek.

In the vicinity of the patented mining lands at Humptown and Concord, the refinements suggested by the Forest Service would have resulted in including parts of some private, patented lands in the wilderness. It was agreed as a part of the compromise that none of these patented lands would be included. Hence, these refinements were not accepted.

The Forest Service proposed to exclude a large area in the vicinity of the Slate Lakes and Little Round Top, but the committee found the original compromise line in this area entirely defensible, and the exclusion was not adopted. Finally, the Forest Service proposed to add to the wilderness lands adjacent to Square Mountain and Anchor Meadows. In this area, the larger exclusion was agreed to in the compromise to permit motorized use and hunting camps, so this addition to the wilderness was not adopted by the committee.

In addition, on the basis of testimony received during the Grangeville and Washington, D.C. hearings, the committee has excluded a significant area from the southeast corner of the proposed Gospel-Hump Wilderness. This land lies along the Salmon River, east of the drainage of Crooked Creek and west of the road from J Mountain to Mackay Bar on the river. The revised boundary is d along a prominent ridge parallel to, but including within the wilderness for protection, Forest Service trail No. 214. This line also excludes from the wilderness certain timber stands around the top of Jersey Mountain, and is located along a consistent contour of elevation to avoid Crooked Creek itself.

After a review of the resources of this excluded land the committee included it in the land management category which will be subject to more detailed resource data gathering and management planning. With the possible exception of some timber operations near the top of Jersey Mountain (which would only be undertaken if consistent with the management plan and with sound principles of multiple use-sustained yield forestry), the committee does not intend or expect that there will be any development within the excluded area west of the Mackay Bar Road. This land is of particular concern due to fragile soils, steep slopes, susceptibility of waters to degradation by silting, and prime wildlife values, notably for the resident bighorn sheep.

The committee has recently been made aware of a study conducted for the Forest Service in 1976 by the College of Forestry, Wildlife, and Range Sciences of the University of Idaho about the bighorn sheep populations of this area.[1] That study shows that between 75 and 100 sheep roam the area, using winter range on the break lands and summer range in the timber west and southwest of Jersey Mountain. Thus, the committee urges the Forest Service to carefully weigh the habitat needs of these bighorn sheep in developing the management plan for the area.

Other concerns raised by the committee

As a fundamental part of the compromise agreement which led to the Gospel-Hump proposal, all parties recognized the importance of maintaining access into the proposed Gospel-Hump Wilderness Area. Traditionally, local citizens and other users of this area have enjoyed access to the high country through three established roads: the Gospel Peak-Square Mountain Road on the west, the Wild Horse Lake Road on the East, and the Sourdough Peak Road on the north. Each of these three roads offers both recreational advantages for motorists and roadside picnickers and campers, and important trail-heads for hiking and horseback parties entering the wilderness. During the winter months, these roads have been used by snowmobiles and cross-country skiers.

It is the intent of the parties to the Gospel-Hump agreement, and the intent of this committee, that these three established access roads remain open for their traditional uses. Accordingly, the boundaries of the Gospel-Hump Wilderness have been carefully drawn to exclude these roads and associated road-side recreation sites. Therefore, the continued maintenance of these three roads is to be specifically provided for in the land management plans and wilderness management plan to be developed by the Forest Service.

Furthermore, the committee directs the Forest Service to establish snowmobile corridors on these access roads, to mark those corridors so

[1] Lauer, J. L., Reconnaissance Study Survey of Bighorn Sheep Population and Habits—Red River Ranger District, Nez Perce National Forest, Idaho. Under a cooperative agreement between the Nez Perce National Forest and the College of Forestry, Wildlife, and Range Sciences, University of Idaho, June 1976.

as to pro ife winter access to this area by snowmobiles, and to designate ppropriate signs along these roads the boundaries of the Gospel-Hump Wilderness. This will assure winter access to this area by those who desire it, while at the same time protecting the wilderness area itself from unauthorized motorized vehicle use.

During the markup of the Endangered American Wilderness Act, the committee accepted an amendment offered by Senator McClure which would allow possible future use of the Bear Grass Ridge Trail (U.S.F.S. Trail No. 313) in the proposed Gospel-Hump Wilderness by a limited number of over-snow motorized vehicles. This trail presently is traversed by a small number of hearty individuals, who drive into the Square Mountain or Hump Lake areas and then cross the proposed wilderness. Although there was a good deal of discussion among committee members about this proposal, on balance it was decided to direct the Secretary of Agriculture during the preparation of his wilderness management plan and after the completion of the fish and game research program to consider the impacts, costs and benefits of this special snowmobile use. After that consideration, the Secretary could, if he so desired, allow over-snow travel on this single route, if he found that such travel: (1) would not adversely affect the migratory or resident wildlife of the area; (2) would not unduly degrade the Wilderness or the water quality of the area; (3) would not unduly conflict with nonmechanized uses of this area; and (4) could be controlled by the Forest Service on a consistent and practical basis. If such special use of this area were allowed by the Secretary, he would be required after two years of such use to report to Congress on the effects of such over-snow travel activities. This reporting procedure will give the House and Senate the opportunity to review this special use of the Gospel-Hump Wilderness, if the Secretary allows it, before the use becomes totally established.

Recognizing that a portion of the Gospel-Hump roadless area had a history of mining, some existing patented mining claims, and potential mineralization, a portion of the roadless area in the vicinty of Buffalo Hump Mountain was specifically excluded from the terms of the agreement. The parties to the Gospel-Hump agreement felt that this area should be managed by the Forest Service in a manner which would allow these mining claims to be developed if this proves commercially feasible. The committee concurs with this decision.

The committee also feels that additional information on the mineral potential of the Gospel-Hump Wilderness area would be useful to the Forest Service in drawing up their wilderness management plan. Therefore, specific language was included in the bill to assure that a detailed periodic mineral survey be conducted by the Bureau of Mines and the Geological Survey within the wilderness area.

During the markup of the bill, Senator McClure offered an amendment, which was accepted by the committee, to extend, by 5 years, the deadline for location of mining claims contained in the Wilderness Act, insofar as those provisions would relate to the Gospel-Hump Wilderness. This provision has the effect of allowing mining claims to be located within the proposed wilderness until December 31, 1988. The amendment also makes January 1, 1989, the date at which the minerals in the Gospel-Hump area would no longer be available for

appropriation under the mining laws. The effective f such withdrawal from appropriation under the terms of the rness Act is currently January 1, 1984. The McClure amendment was accepted by the committee to give prospectors additional time to assess the mineral potential of the area.

The southern boundary of the proposed Gospel-Hump Wilderness and other contiguous areas in this bill lie on the main stem of the Salmon River. The committee recognizes that the ultimate classification of these lands is related very directly to the ultimate classification of the Salmon River as a component of the Wild and Scenic Rivers System. If the main Salmon is eventually designated a component of the Wild and Scenic Rivers System, then the committee expects a management corridor to be drawn on either side of the river. The committee further expects this corridor to be managed under the regulations promulgated by the Forest Service pursuant to the Wild and Scenic Rivers Act, and not by the regulations promulgated by the Forst Service pursuant to the Wilderness Act of 1964.

The committee also accepted a change suggested by Senator Hatfield to section 4(a)(3) of the bill to assure that the resources in the so-called "development areas" would, upon enactment, be made immediately available for development under the then existing applicable Forest Service land use plan. The economic life-blood of Idaho County, like many other areas of the west, is the flow of timber from the national forests. For the past several years, the predictability of the flow has been seriously impaired. A principal source of this impairment has been the widespread and increasing uncertainty as to how the roadless areas in and around Idaho County would be managed. By accepting the Hatfield amendment, the Committee wanted to make it clear, beyond a shadow of a doubt, that the terms of this legislation require the Secretary to implement the existing applicable land management plan developed by the Forest Service for those portions of the Gospel-Hump area referenced as "development areas". This means that further administrative appeals of the land use plans for the area will be avoided, and scheduled timber sales can, and are expected by the committee, to be sold.

Similarly, the committee expects the Forest Service to cease all further study it might contemplate undertaking with regard to the suitability and desirability of congressional designation of the lands within the "development" and "management" areas as components of the National Wilderness Preservation System.

Cost and Budgetary Considerations

In accordance with subsection (a) of section 255 of the Legislative Reorganization Act, the following is a statement of estimated costs which would be incurred in the implementation of H.R. 3454, as ordered reported:

Because H.R. 3454 changes only the management classification for these lands already in the national forest system, little direct budgetary impact is anticipated as a result of the enactment of the legislation. During the consideration of H.R. 3454, the committee agreed to a technical amendment to ensure that no funds would be authorized pursuant to this legislation prior to October 1, 1978.

Set forth l is a cost estimate of H.R. 3454, as amended, pre-
ared by the .gressional Budget Office. However, the committee,
fter reviewing this cost estimate has very serious doubts about its
curacy. Specifically, the committee questions the validity of the
orest Service data used to calculate the "loss of revenue from timber
les" figure. For example, the figure supplied by the Forest Service
r the Gospel-Hump area in Idaho indicates that some 25.6 million
oard-feet of timber per year would be lost from the rolls of the
orking forest if H.R. 3454 were enacted. In reality, 23.4 million
oard-feet of this 25.6 million board foot figure is classified under
e Forest Service's "marginal" classification. This means that because
exeremely steep slopes, fragile soil conditions, possible adverse
fects on fish and wildlife populations, and other factors, most of
is 23.4 million board-feet per year would never be harvested even
der the best present local circumstances. Thus, the committee feels
at the loss of revenue calculation made by the Congressional Budget
ffice may be substantially larger than the actual effects of placing
e areas contained in H.R. 3454, as amended, within the Wilderness
stem.

CONGRESSIONAL BUDGET OFFICE—COST ESTIMATE

OCTOBER 6, 1977.

1. Bill number: Not yet assigned.
2. Bill title: Endangered American Wilderness Act of 1977.
3. Bill status: Possible substitute for S. 1180, to be introduced by
nator Church.
4. Purpose of bill. The bill designates 14 areas as new wilderness
as additions to existing wilderness lands. One additional area is
signated as the Santa Lucia Wilderness Reserve. In order to protect
atersheds that serve municipalities, fire suppression measures are to
ntinue in the Santa Lucia Wilderness Area and Ventana Wilderness
ddition. Sanitary facilities are to be installed in the Lone Peak
ilderness Area to protect municipal watersheds.
Management Areas of the Gospel-Hump are to be administered in
cordance with a land management plan (LMP), while Development
reas of the Gospel-Hump are to be immediately open for resource
ilization.
A seven-member committee, representing various interests in the
ospel-Hump region, will oversee the development and administra-
on of the LMP and a study of fish and wildlife resources in the re-
on. The committee is to meet within 150 days of enactment of this
ll, and will cease to function within 150 days of transmittal of the
MP. Committee members will be reimbursed for travel and per diem
hen attending meetings. Meetings are to be held at least every 180
ays.
The bill also authorizes the Secretary of Agriculture to make grants
the State of Idaho to help carry out the fish and wildlife studies.
he bill authorizes appropriations for these grants.
5. Cost estimate: The following table presents the estimated costs of
his bill for fiscal years 1978 through 1982:

[By fiscal years, in thousands of dollars]

	1978	1979	1980	1981	1982
Loss of revenue from timber sales	11,401	12,323	13,332	14,404	15,552
Lone Peak sanitary facilities	10	3	3	3	3
Advisory committee	(1)	1	1	1	1
Grants to the State of Idaho	129	129	129	129	
Savings in payments to local governments	−2,850	−3,081	−3,333	−3,601	−3,888
Total costs	8,690	9,375	10,132	10,936	11,668

1 Less than $500.

Note: The savings in payments to local governments falls within budget function 850; all other costs fall within budget function 300.

6. Basis for estimate: Of the 14 designated wilderness areas, 8 are considered to have commercial timber acreage. The potential annual yield from these areas is currently included in the U.S. Forest Service's calculation of annual allowable harvests. As a result of this bill, these areas would be designated as wilderness, and annual allowable harvest and timber receipts to the government will be decreased.

Timber values vary widely over the forests included in the bill, mainly due to timber type and location. The following table shows average stumpage prices for timber, as well as the potential annual yield for each area:

Wilderness area	Potential annual yield (thousands of board feet)	Value (dollars per thousand board feet)
Golden Trout	26,300	48
Hunter-Fryingpan	600	33
Chama River Canyon	1,900	71
Kalmiopsis Addition	13,900	130
Wenaha-Tucannon	16,500	35
Zigzag	12,100	202
French Pete Creek	24,000	202
Gospel-Hump	25,600	12

It was assumed that the bill would be enacted before the 1978 timber harvest season, and that costs would begin in fiscal year 1978. Current timber values were inflated by the CBO estimate of cost increases for residential structures to obtain stumpage values for 1979 through 1982. Annual allowable harvests were multiplied by the estimated values to obtain revenue losses.

By law, 25 percent of the revenue from National Forests must be returned to local governments for roads and schools. By reducing projected timber receipts, this bill also reduces projected outlays to local governments from the National Forest Fund.

The fire protection provisions of the bill are not likely to result in additional costs to the government because the Forest Service is already protecting the designated areas.

The sanitary facilities required for Lone Peak are estimated to cost $10,000 for installation in fiscal year 1978, and $2,500 to $3,000 to maintain in succeeding fiscal years.

The advisor ...mittee was assumed to meet once in fiscal year 78, and twice in each of the succeeding fiscal years. A travel and per m rate of $50 per person for the fiscal year 1978 meeting was med. This rate was inflated by CBO's projection of the GNP de- or to obtain cost per person per meeting in succeeding years.

Estimates of the cost of the study grants were obtained from the iversity of Idaho, through the U.S. Forest Service. Of the $516,000 al, about $127,000 is for fisheries, and the remainder for wildlife.

. Estimate comparison: None.

. Previous CBO estimate: On August 1, 1977, an estimate was pre- ed for H.R. 3454, as ordered reported by the House Committee on erior and Insular Affairs. H.R. 3454, the companion bill to S. 1180, tained a somewhat different selection of wilderness areas, no ad- ory committee, and no provision for grants to the State of Idaho. vings in payments to local governments were not included in the estimate.

. Estimate prepared by: Marilyn K. Moore.

0. Estimate approved by:

C. G. NUCKOLS
(For James L. Blum,
Assistant Director for Budget Analysis).

REGULATORY IMPACT EVALUATION

This bill is not a regulatory measure in the sense of imposing Gov- ment-established standards or significant economic responsibilities private individuals and business. H.R. 3454 would designate ap- ximately 1,251,377 acres of land in eight western states as wilder- s. No personal information would be collected in administering the gram. Therefore, there would be no impact on personal privacy. tle, if any, additional paperwork would result from the enactment H.R. 3454.

EXECUTIVE COMMUNICATIONS

The committee requested a report from the Department of Agricul- e on the Senate version of the Endangered American Wilderness t, S. 1180, on September 19, 1977. At the time of submission of this port, the committee has not yet received an official administration port on S 1180.

Set forth below is the administration's report on H.R. 3454:

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., June 10, 1977.

on. MORRIS K. UDALL,
hairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: As you requested, here is our report of H.R. 54, a bill entitled "Endangered American Wilderness Act of 1977."

The Department of Agriculture recommends that H.R. 3454 be acted with the amendments suggested herein. We recommend that areas be designated as wilderness and five areas be designated for

H.R. 3454 would designate as wilderness 14 areas within ...tional Forest System, totaling 1,382,940 acres and located in eig... ...Western States. It would also designate eight National Forest areas, totaling 604,930 acres in six Western States as wilderness study areas.

This Department, through Forest Service administration of the National Forest System (NFS), has been in the forefront of wilderness preservation since the Gila Wilderness was administratively designated in 1924 by the Forest Service for wildland management. The Organic Administration Act of 1897, the Multiple-Use Sustained Yield Act of 1960, the Wilderness Act of 1964, and the National Forest Management Act of 1976 provide direction to manage NFS lands for their multiple resources, including wilderness.

Consistent with this direction, this Department has supported expansion of the Wilderness System. More than 87 percent of the 14.4 million acres currently in the System are on National Forest lands. Forest Service studies of primitive areas led to proposals for 17 NFS wildernesses, totaling 3.2 million acres which are now before Congress. New studies of 31 additional National Forest areas comprising 1.6 million acres, as mandated in recent enactments, also are underway.

In addition, we intend to begin another intensive review of the roadless and undeveloped lands in the National Forest System. These undeveloped lands will be categorized into three types—(1) those suitable for immediate wilderness designation, (2) those requiring more study to facilitate an executive branch recommendation and congressional consideration and (3) those remaining areas for which no further wilderness consideration will be given and which should be released for uses other than wilderness. Careful attention will be given to review and development of criteria to guide assessment of the relative wilderness and nonwilderness use values. We expect this review will take about a year to accomplish. It will include substantial public involvement.

Through this review we will be able to expedite completion of the Wilderness System on National Forest System lands, and help alleviate the industry and other user group concerns about the lands available to provide for timber supply as well as other nonwilderness uses. We also expect to review existing procedures applicable to carrying out wilderness studies with the objective of streamlining these procedures consistent with providing the executive branch and the Congress appropriate information on each study area. The Department of Agriculture will, in these ways, support the administration's initiative for expansion and improvement of the National Wilderness Preservation System, as expressed in the President's environmental message of May 23.

For each area included in H.R. 3454, we have reviewed the proposed boundaries, the location relative to other Federal lands, and the past and present land uses. We also reviewed the status of planning and study, the resource values, nonconforming features, and the importance of each area for community and regional development. Overall, we recommend that 16 of the areas, totaling 914,510 acres be designated as wilderness, and five areas, totaling 945,500 acres be designated for study of wilderness suitability.

Of the 16 recommended for immediate wilderness designation, we believe that seven (Ventana Additions, Manzano Mountain, Middle

Santiam, [illegible]ch Pete addition to Three Sisters Wilderness, McGregor-Thompson, Mount Henry, and Welcome Creek) should be designated based on the boundaries proposed in H.R. 3454. For the remaining nine (Pusch Ridge, Golden Trout, Santa Lucia, Sandia Mountain, Lone Peak, Wenaha-Tucannon, Galiuro Additions, Chama River Canyon, and Savage Run), we recommend some boundary adjustments. These adjustments are described in our supplemental statement. Appropriate maps will be provided to the committee.

In addition, with regard to the Santa Lucia area, the boundary of the Los Padres National Forest should be extended to include sections 7, 8, 17, and 18, T. 31 S., R. 15 E, Mount Diablo Meridian, and all Federal lands within these sections transferred to and made a part of the Los Padres National Forest. Federal lands in these sections are now administered by the Bureau of Land Management. The proposed National Forest boundary extension and transfer of lands would permit administration of the entire Santa Lucia wilderness by one agency.

We recommend wilderness study for five areas (West Chichagof-Yakobi Island, Goose Creek, Wild Rogue, LaGarita, and Kalmiopsis). The studies are needed on these areas to determine more fully the energy, timber, and recreation values. We believe a study period of 5 years will be adequate to acquire sufficient information to make a recommendation on these areas. The Wild Rogue area contains lands administered by both the Secretary of Agriculture and the Secretary of the Interior; therefore, the authorization for study should be directed to both Secretaries for a joint study.

The Wilderness Act, in section 5(c) (78 Stat. 896; 16 U.S.C. 1134 (c)), provides authority to the Secretary of Agriculture "to acquire privately owned land within the perimeter of any area designated by this Act as wilderness if (1) the owner concurs in such acquisition or (2) the acquisition is specifically authorized by Congress." We agree that private lands within a wilderness normally should be acquired based on the consent of the owner; however, there may be circumstances when protection of the wilderness resource indicate a higher public interest, and acquisition of land without the consent of the owner might be appropriate. We therefore recommend that section 5(c) be revised to read:

"(c) Within all wildernesses designated pursuant to this Act, the Secretary of Agriculture may acquire by purchase with donated or appropriated funds, by exchange, condemnation, or otherwise, such lands, waters, or interests therein as he determines necessary or desirable for the purposes of this Act. All lands acquired under the provisions of this subsection shall become national forest lands and a part of the Wilderness System."

To facilitate the minor adjustments for trailheads and other administrative facilities, we recommended insertion in section 5 of the bill (page 10, line 10), after the word "Representatives," the following: "such map and legal description may include minor adjustments for administrative facilities,". This will permit adjustments in the final boundary determination that are appropriate and practical for administration and use of the area.

We believe Section 6 of H.R. 3454 is unnecessarily restrictive and recommend it be replaced by the following statement which is similar to that used in Public Law 94–557 (90 Stat. 2633).

> Subject to existing private rights, the wilderness study areas designated by this Act shall, until Congress determines otherwise, be administered by the Secretary of Agriculture so as to maintain their presently existing wilderness character and potential for inclusion in the National Wilderness Preservation System, except that such management requirement shall not extend beyond a perior of four years from the date of submission to the Congress of the President's recommendation concerning the particular study area. Already established uses may be permitted to continue, subject to such restrictions as the Secretary of Agriculture deems desirable, in the manner and degree in which the same was being conducted on the date of enactment of this Act.

We estimate the cost to this Department of accomplishing the wilderness studies to be approximately $3 per acre, or a total of $3 million for the five recommended wilderness studies.

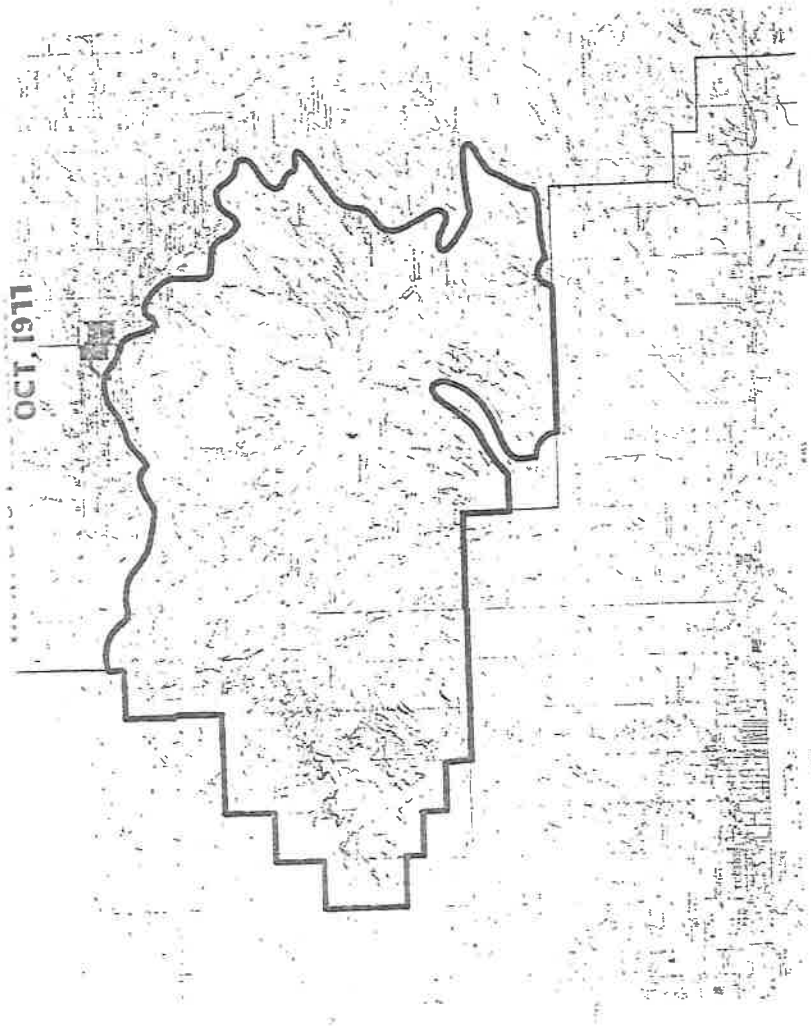
The Office of Management and Budget advises that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

JOHN C. WHITE,
Acting Secretary.

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 the bill H.R. 3454, as reported.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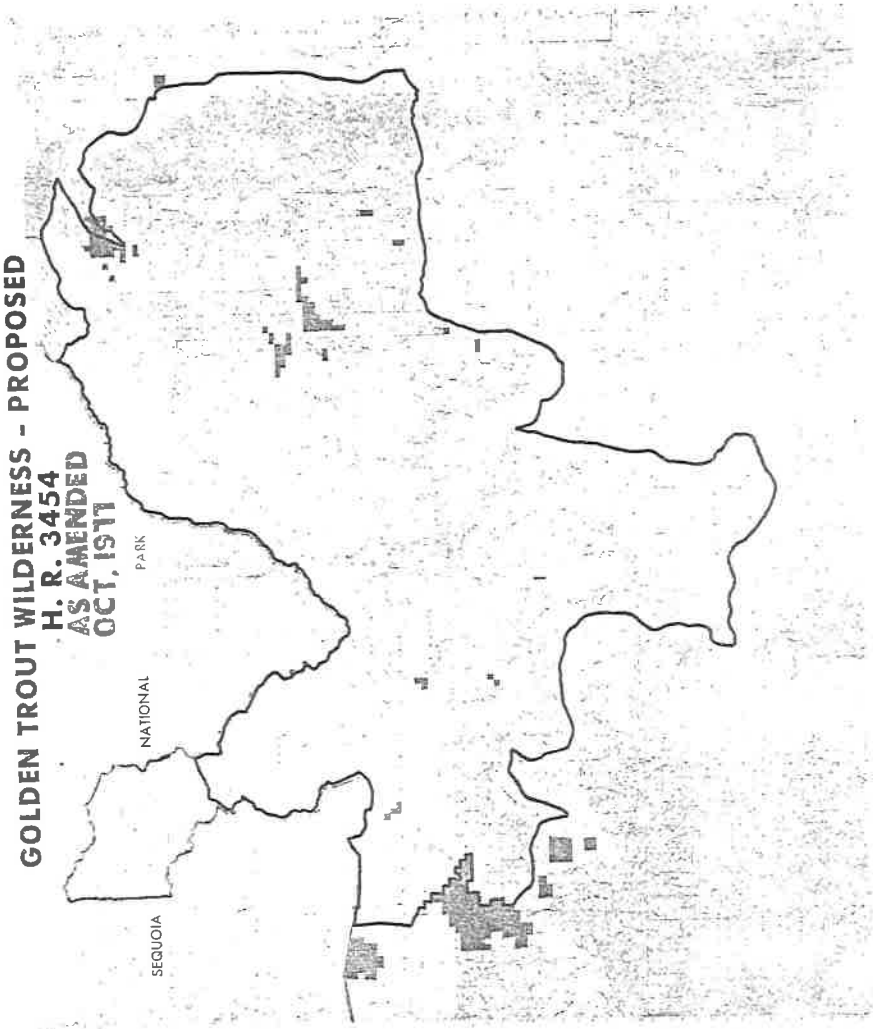
GOLDEN TROUT WILDERNESS - PROPOSED
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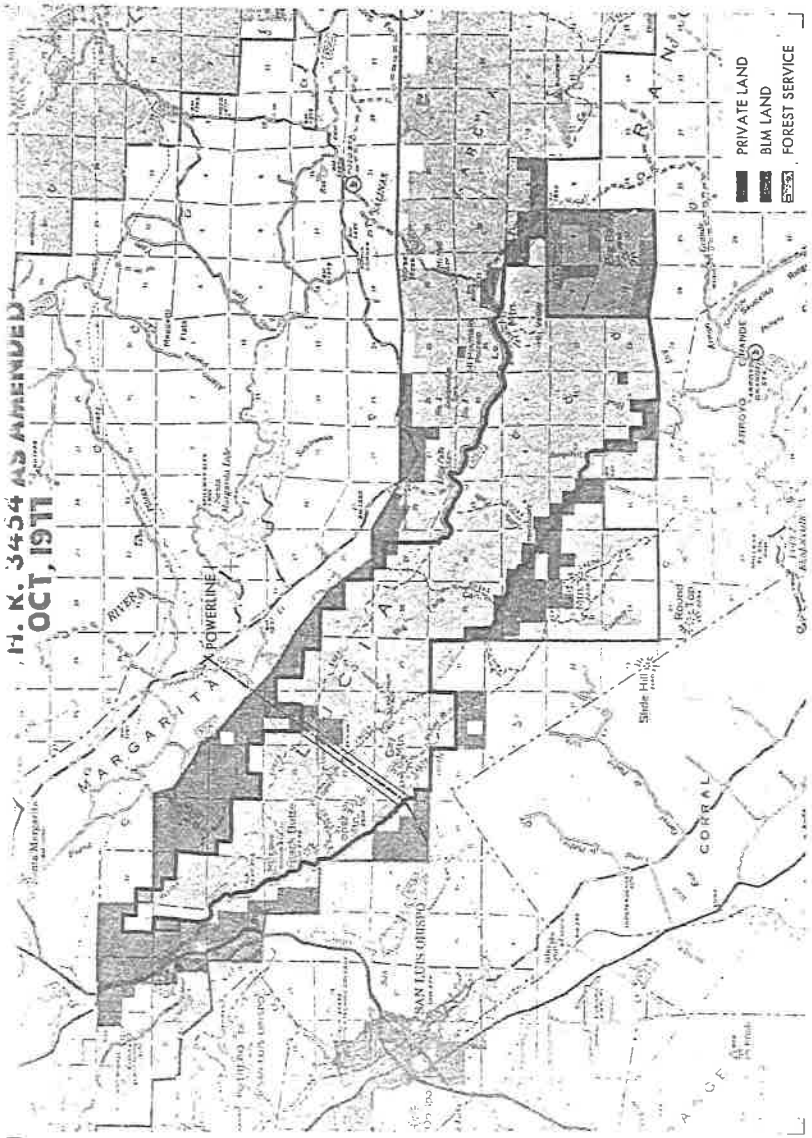

VENTANA WILDERNESS ADDITIONS - PROPOSED
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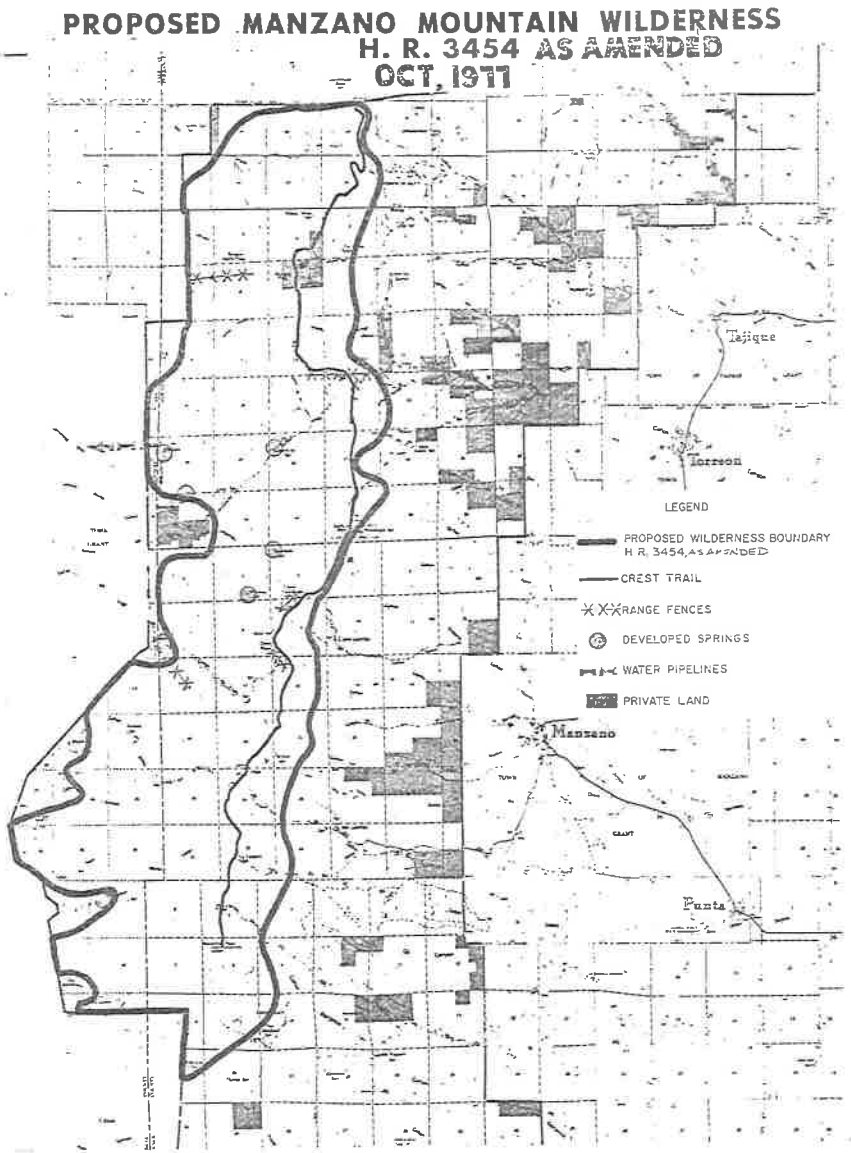
PROPOSED MANZANO MOUNTAIN WILDERNESS
H. R. 3454 AS AMENDED
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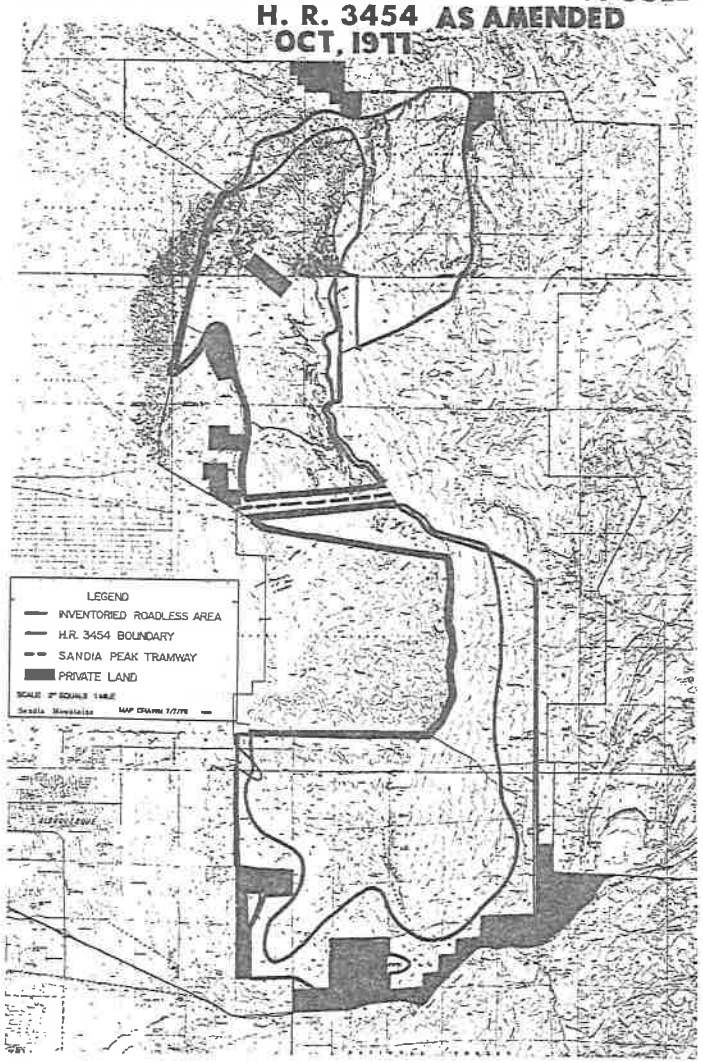
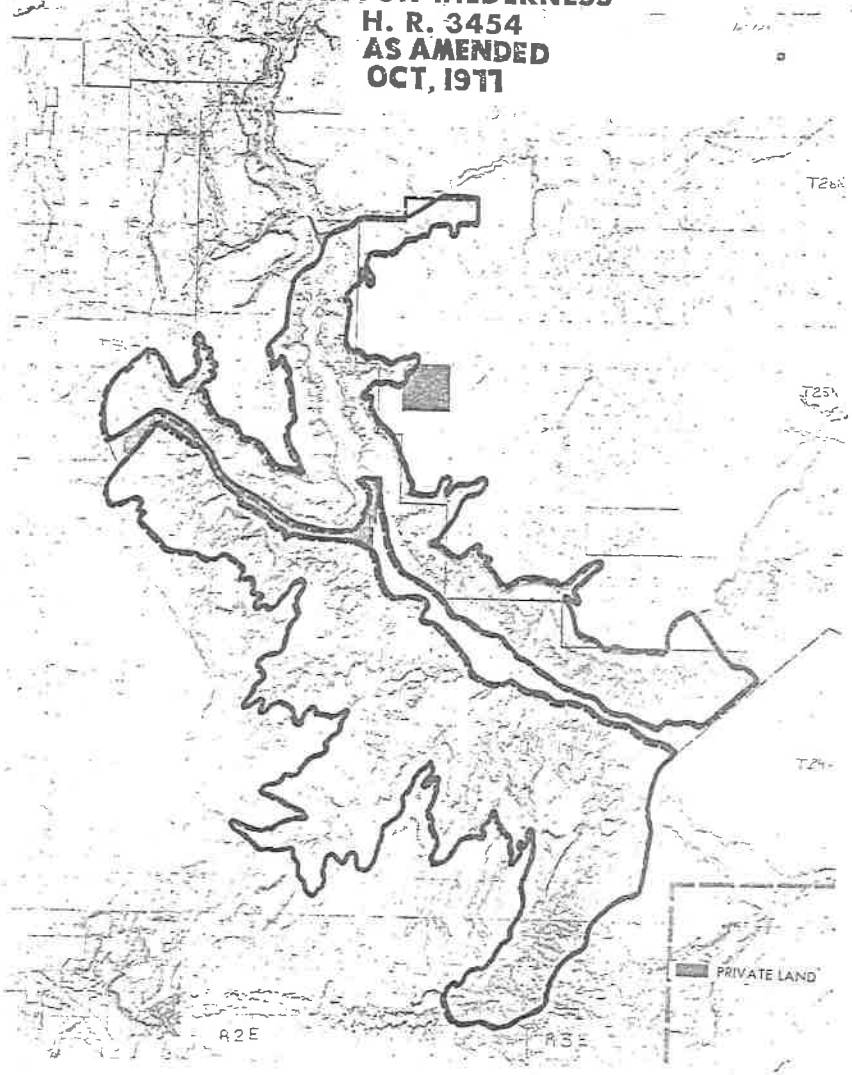
Tajique
Torreon
LEGEND
PROPOSED WILDERNESS BOUNDARY H R. 3454, AS AMENDED
CREST TRAIL
RANGE FENCES
DEVELOPED SPRINGS
WATER PIPELINES
PRIVATE LAND
Manzano
Punta

SANDIA MOUNTAIN WILDERNESS - PROPOSED
H. R. 3454 AS AMENDED
OCT, 1977

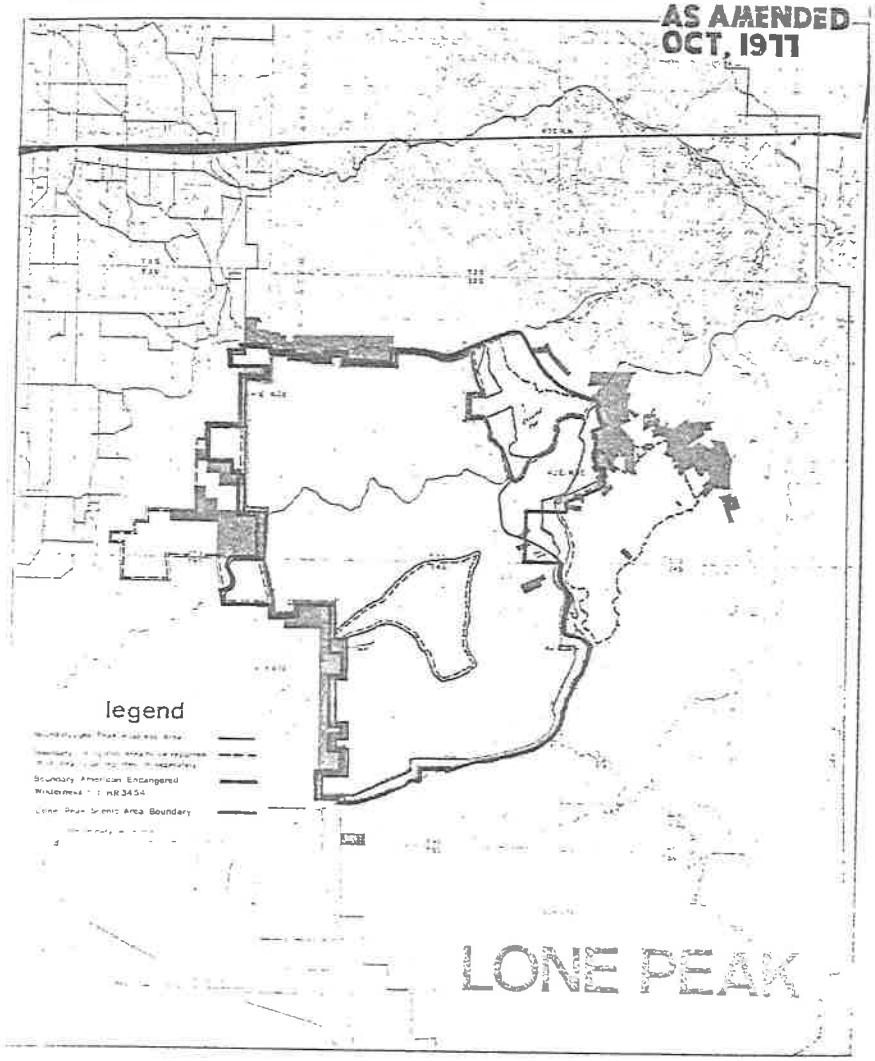


CHAMA RIVER CANYON WILDERNESS
H. R. 3454
AS AMENDED
OCT, 1977



LONE PEAK WILDERNESS - PROPOSED

H. R. 3454
AS AMENDED
OCT, 1977



KALMIOPSIS WILDERNESS ADDITIONS
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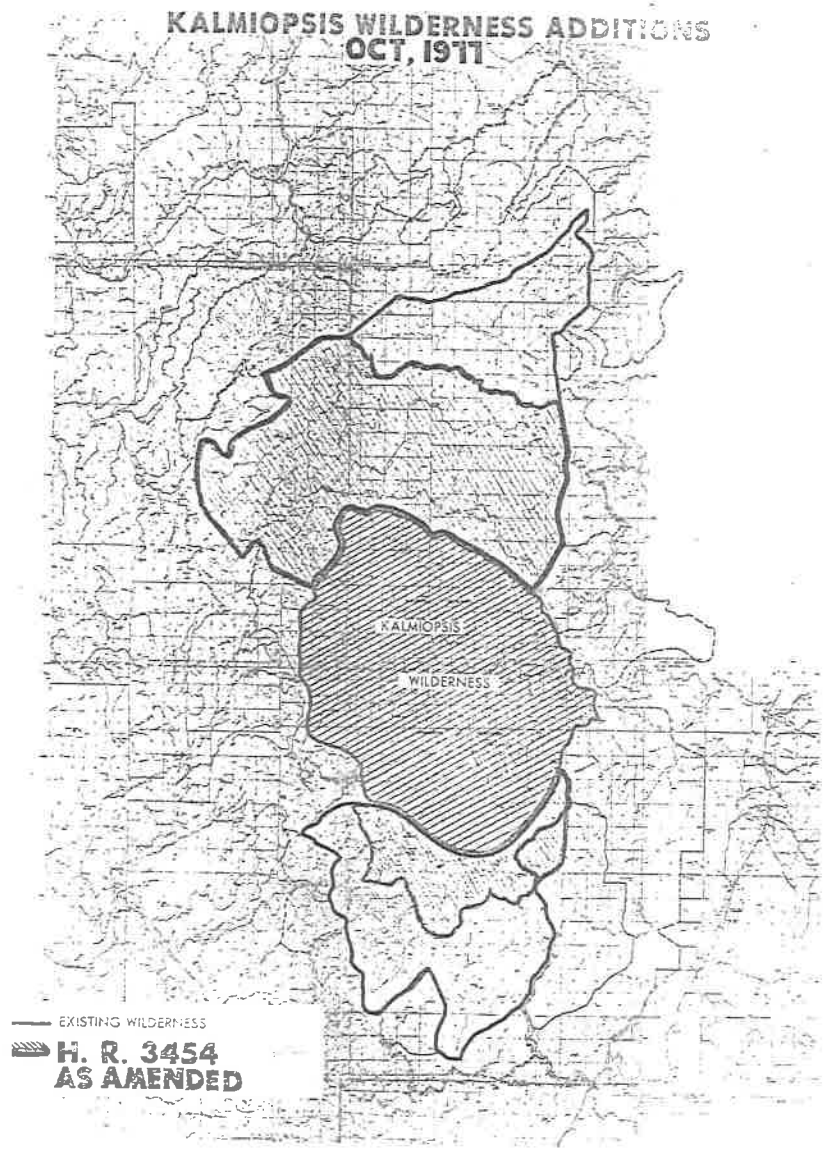
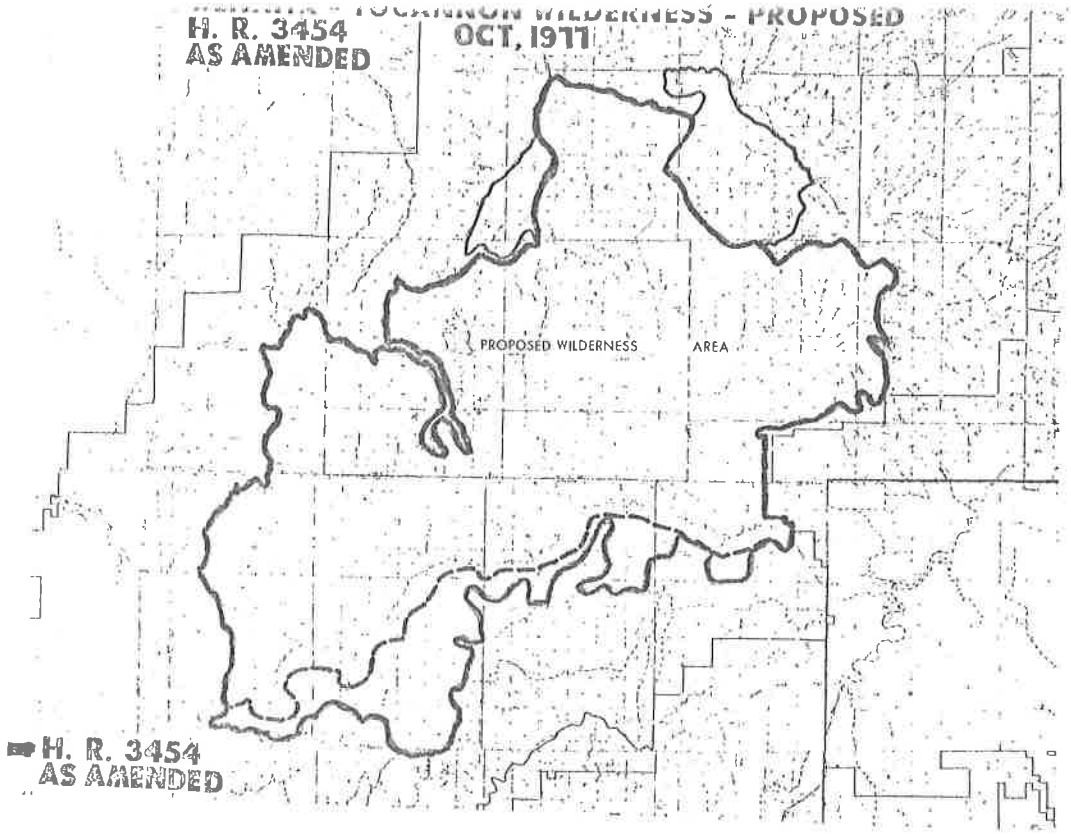
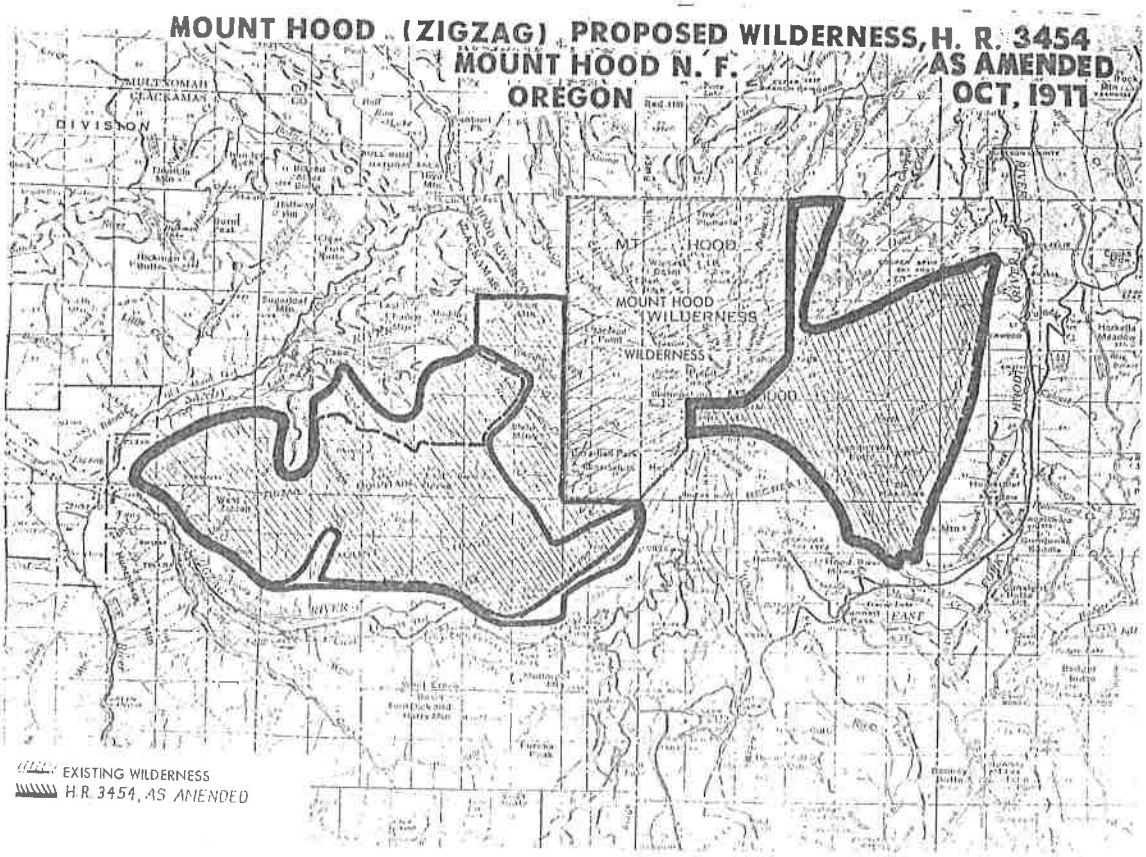
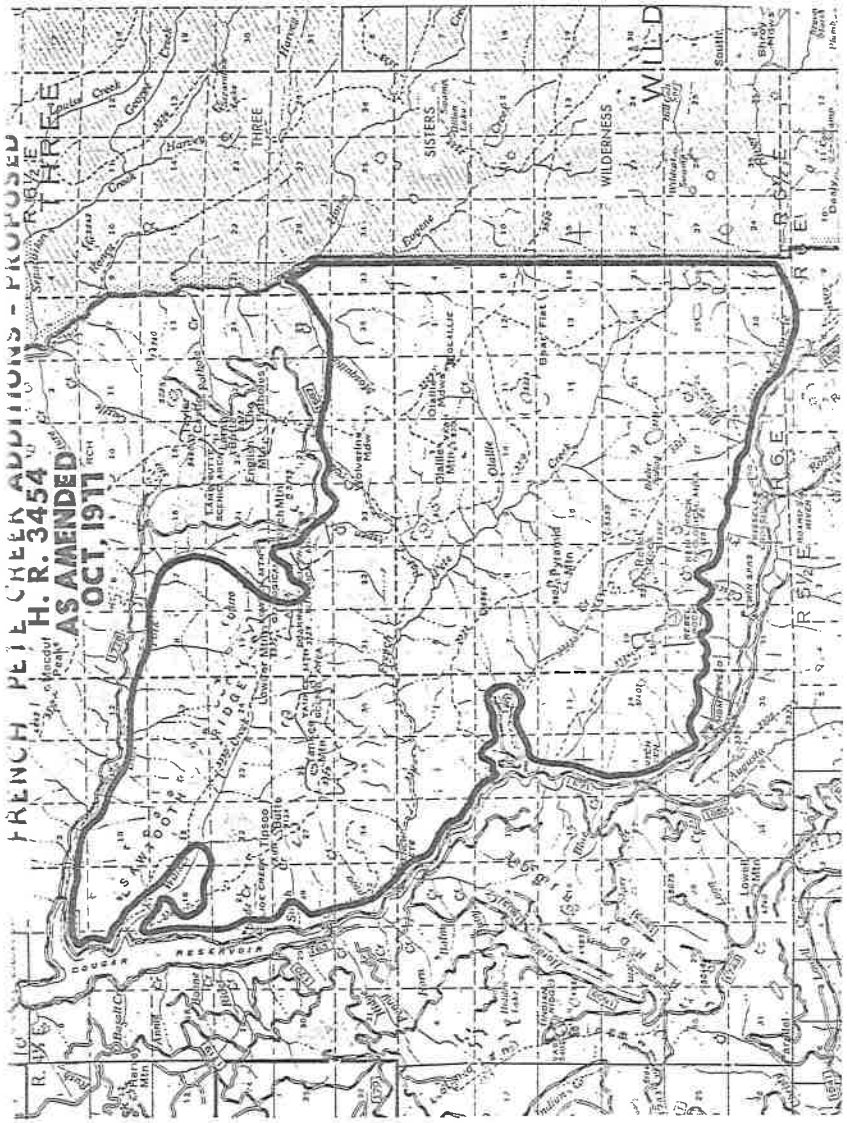
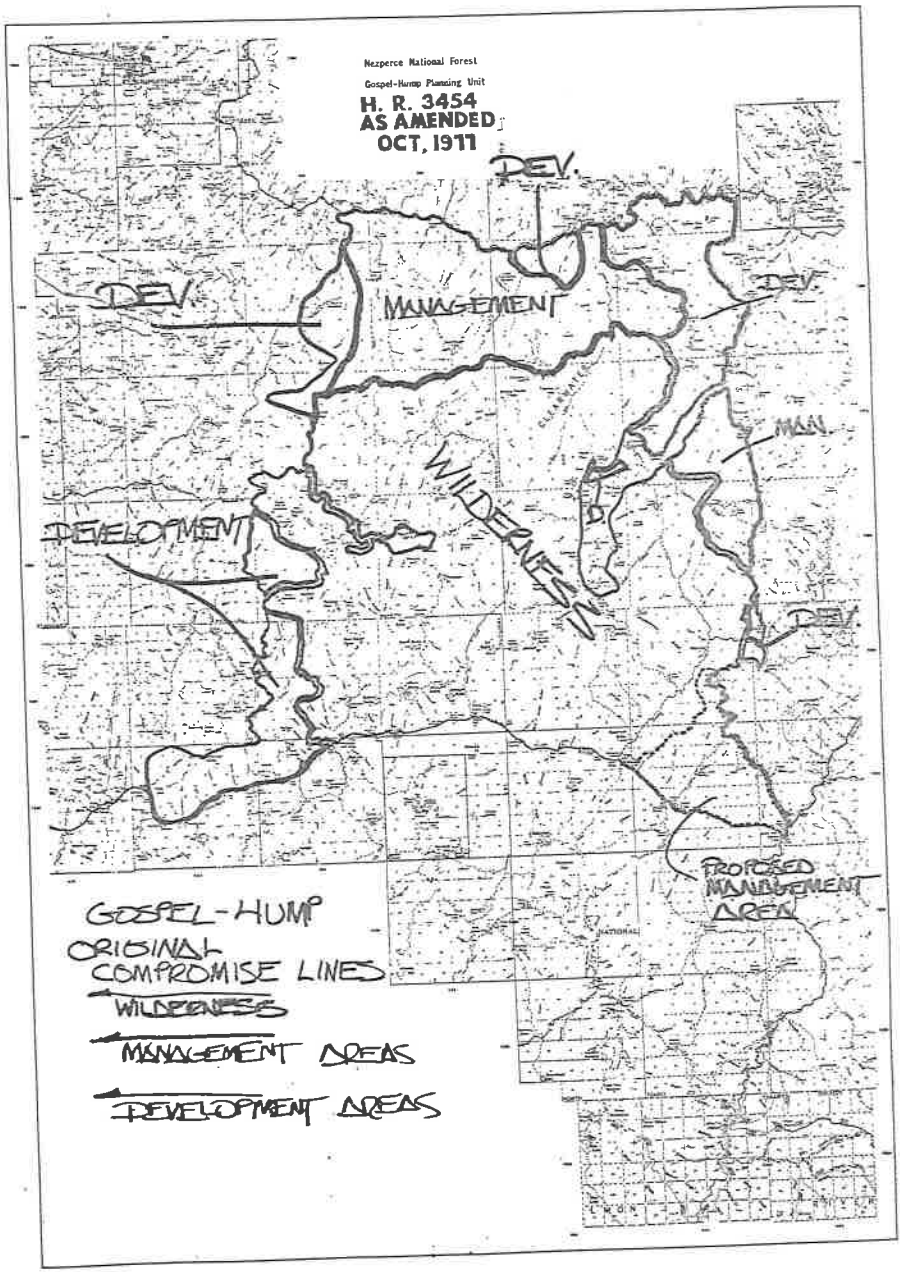



H. R. 3454
AS AMENDED
OCT, 1977
PROPOSED WILDERNESS AREA
H. R. 3454
AS AMENDED


MOUNT HOOD (ZIGZAG) PROPOSED WILDERNESS, H. R. 3454
MOUNT HOOD N. F.
OREGON
AS AMENDED
OCT, 1977
MULTNOMAH
CLACKAMAS
DIVISION
MT. HOOD
MOUNT HOOD WILDERNESS
WILDERNESS
EXISTING WILDERNESS
H.R. 3454, AS AMENDED


FRENCH PETE CREEK ADDITIONS - PROPOSED
H. R. 3454
AS AMENDED
OCT, 1977
THREE
SISTERS
WILDERNESS
WILD
DOUGLAS RESERVOIR


Nezperce National Forest
Gospel-Hump Planning Unit
H. R. 3454
AS AMENDED
OCT, 1977
DEV.
DEV.
MANAGEMENT
DEV.
MAN.
WILDERNESS
DEVELOPMENT
DEV.
PROPOSED MANAGEMENT AREA
GOSPEL-HUMP
ORIGINAL COMPROMISE LINES
WILDERNESS
MANAGEMENT AREAS
DEVELOPMENT AREAS