

The original documents are located in Box 33, folder “12/12/75 S267 Flat Tops Wilderness Colorado” of the White House Records Office: Legislation Case Files at the Gerald R. Ford Presidential Library.

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APPROVED

DEC 12 1975

ACTION

THE WHITE HOUSE

WASHINGTON

Last Day: December 13

December 11, 1975

*Statement
issued
12/13/75*

MEMORANDUM FOR THE PRESIDENT
FROM: JIM CANNON
SUBJECT: S. 267 - Flat Tops Wilderness, Colorado

Attached for your consideration is S. 267, sponsored by Senator Haskell, which designates approximately 235,230 acres within two National Forests 170 miles west of Denver, Colorado as the "Flat Tops Wilderness". As Wilderness, this area will be administered to retain its primitive, natural state.

The bill designates an area some 93,000 acres larger than proposed by President Johnson in 1968. These additional acres include areas where the evidence of man's activity is clearly apparent, contain several narrow and deep boundary indentations that will be difficult to define and manage, and contain important recreation and wildlife resources, much of which has not been surveyed for possible mineral resources.

While these concerns are serious, OMB and Agriculture believe that a veto probably could not be sustained and that failure to sustain a veto could weaken the Administration's position on other more objectionable wilderness proposals. Both OMB and Agriculture recommend approval of the bill and issuance of a signing statement reflecting these concerns.

Additional background information on the enrolled bill is provided in OMB's enrolled bill report at Tab A.

In addition to OMB and Agriculture, Max Friedersdorf, Counsel's Office (Lazarus) and I recommend approval of the enrolled bill and issuance of the attached signing statement which has been cleared by Paul Theis.

*TO ARCHIVES
12/15*



RECOMMENDATION

That you sign S. 267 at Tab C.

That you approve the signing statement at Tab B.

Approve REY

Disapprove _____



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

DEC 8 1975

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 267 - Flat Tops Wilderness,
Colorado
Sponsor - Sen. Haskell (D) Colorado

Last Day for Action

December 13, 1975 - Saturday

Purpose

Designates the Flat Tops Wilderness in Colorado comprising an area of approximately 235,230 acres.

Agency Recommendations

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

Discussion

Under the Wilderness Act, Agriculture and Interior are required to make recommendations to the President for additions to the National Wilderness Preservation System, and the President is required to submit these, along with his own recommendations, to the Congress. To qualify for wilderness designation, an area must generally be undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions.

This bill would establish the Flat Tops Wilderness comprising an area of about 235,230 acres within the White River

and Routt National Forests which are located approximately 170 miles west of Denver, Colorado. The core of the proposed wilderness is an abrupt, irregular border of lava rock which forms a broad plateau, known as the "Flat Tops." Also included would be a number of drainage basins adjacent to, but below, the primary "Flat Tops" area. Erosion has created river canyons and lake beds on the plateau itself, and sheer volcanic escarpments sharply delineate its perimeter -- wildlife, timber and grasslands predominate throughout the area. The enrolled bill would require that the Flat Tops Wilderness be administered under the provisions of the Wilderness Act which means its primitive, natural state would be retained.

This wilderness proposal was originally recommended and transmitted to Congress under the Johnson Administration as an area of about 142,000 acres (essentially the "Flat Tops" plateau). Notwithstanding continued and strong Executive Branch objections to Congress, the enrolled bill would designate an area some 93,000 acres larger than that recommended by the President. The additional area, almost entirely Federally owned, comprises the drainage basins adjacent to the "Flat Tops" plateau, and it contains significant evidence of man's activity, including several reservoirs, rough roads, and two private sites containing primitive cabins (210 acres in total).

In reporting on S. 267, the Senate Interior Committee made only brief reference to the issue of non-conforming uses when it spoke to the question of the cabins and roads within the area:

"These inholdings do virtually no damage to wilderness values of the proposed wilderness. The developments on these areas are primitive log-construction type and blend into the surroundings quite well."

* * * * *

"... an old jeep road which went part way up the Meadows has been closed off by the Forest Service and is rapidly disappearing."

With respect to non-conforming uses in designated wilderness areas, it should be noted that this Administration has made wilderness proposals, for areas under Department of the Interior administration (parks, wildlife refuges, and game ranges), which include non-conforming uses that are similar to those opposed by Agriculture. This difference is largely a reflection of the varying program and land management roles that characterize the Forest Service versus the Interior agencies.

However, in its enrolled bill letter, Agriculture expresses serious concern over the Congressional approach taken for this wilderness area:

"We have strongly and consistently urged the Congress not to designate areas as wilderness where the evidence of man's activity is clearly apparent. We have also urged the Congress to more carefully consider resource trade-offs between wilderness values and other resource values and uses. Unfortunately, our recommendations have been largely unaccepted in the case of Flat Tops.

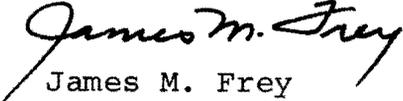
We are increasingly concerned with the somewhat cursory attention given by the Congress to Administration recommendations regarding wilderness within the National Forest System. We seriously disagree with S. 267, as enacted, and we have definitely considered recommending that the President not approve the enactment. However, an acceptable rationale for a veto would be extremely difficult to develop, because many of our concerns regarding boundary locations are viewed by the Congress as judgmental and because resource trade-offs in the Flat Tops area primarily involve features and opportunities that are difficult to quantify, such as those related to wildlife habitat and dispersed recreation. There are no major timber, mineral or other commodity resource considerations that could be used to support a veto. Furthermore, the legislative history of the Flat Tops proposal during this Congress, as well as the 92nd and 93rd Congresses, indicates that a veto could

probably not be sustained. Failure to sustain a veto on Flat Tops could weaken our position on other wilderness proposals about which we have even more serious concerns and objections."

Similarly, the Interior and Commerce enrolled bill letters note that the 93,000 acre area which Congress added to the Executive proposal should be subject to a complete minerals survey prior to wilderness designation.

We very much share the agencies' concerns as expressed above. With respect to Forest Service wilderness areas, Flat Tops is the third in a trend of Congressional enactments which have presented increasingly significant variances from the Executive proposals on the basis of the following criteria: (a) statutory definition of wilderness (inclusion of non-conforming areas); (b) acreage; and (c) resource trade-off questions such as recreation, timber, minerals and water development. In this regard, even more objectionable wilderness proposals are or will soon be developing in Congress.

However, we do not believe that adequate ground work has been laid in support of veto, and we agree with Agriculture's analysis that it would be difficult to sustain a veto of S. 267. Accordingly, we recommend approval of the enrolled bill. Furthermore, we recommend that you issue a signing statement which would cite your concerns over the apparent trend of Congressional deviation from Executive wilderness proposals as discussed above -- a proposed signing statement along these lines is being drafted by Agriculture, and will be forwarded as soon as it is available.


James M. Frey
Assistant Director for
Legislative Reference

Enclosures



THE UNDER SECRETARY OF COMMERCE
Washington, D.C. 20230

DEC 5 1975

Honorable James T. Lynn
Director, Office of Management
and Budget
Washington, D. C. 20503

Attention: Assistant Director for Legislative Reference

Dear Mr. Lynn:

This is in reply to your request for the views of this Department concerning S. 267, an enrolled enactment

"To designate the Flat Tops Wilderness, Routt and White River National Forests, in the State of Colorado."

S. 267 would designate as the Flat Tops Wilderness an area of approximately 235,230 acres situated in the Routt and White River National Forests in the State of Colorado. The Secretary of Agriculture would administer the area in accordance with the provisions of the Wilderness Act.

This Department has no objection to approval by the President of S. 267. However, we do have the following concern regarding the bill.

We understand that there has been no comprehensive mineral survey conducted with respect to the area to be designated as wilderness. The Department of Commerce has consistently urged that if the United States is to maintain a strong domestic minerals position, large areas of the public domain should not be withdrawn from exploration and development without a thorough assessment of the mineral potential of the area. In this case approximately 235,230 acres of land, mostly with unknown mineral potential, will be withdrawn from mineral exploration or entry as a result of enactment of S. 267.

Enactment of this legislation will not involve the expenditure of any funds by this Department.

Sincerely,

A handwritten signature in cursive script, reading "James A. Baker, III". The signature is written in dark ink and is positioned below the word "Sincerely,".

James A. Baker, III



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

DEC 8 1975

Dear Mr. Lynn:

This responds to your request for the views on the enrolled bill S. 267, "To designate the Flat Tops Wilderness, Routt and White River National Forests, in the State of Colorado."

We defer in our views as to the merits of the enrolled bill to the Department of Agriculture.

Enrolled bill S. 267 would designate as the Flat Tops Wilderness approximately 235,230 acres in the Routt and White River National Forests, Colorado, depicted on a map entitled "Flat Tops Wilderness - Proposed" and dated May 1975. The wilderness area would be administered by the Secretary of Agriculture. The previous classification of the Flat Tops Primitive Area would be abolished.

While we defer to the Department of Agriculture as to the wilderness value of these lands, we would point out that the Bureau of Mines and the U.S. Geological Survey have not made a mineral study of at least 90,000 acres of the area proposed for wilderness designation by enrolled bill S. 267. A 1965 study by these two agencies was limited primarily to the original primitive area and small peripheral additions. Subsequent to the 1965 study, the President, in March 1968, proposed legislation to the Congress designating approximately 142,230 acres as the Flat Tops Wilderness. We believe that before these additional 90,000 acres are included in the wilderness system more definite information should be obtained regarding the resource potential of the area. We would further note that the Congress expressed its desire that when wilderness legislation pertaining to primitive areas is considered, Congress should have the benefit of professional technical advice as to the presence or absence of minerals in each area. (Conference Committee, House Report No. 1829, 88th Cong. 2nd Sess.).

Sincerely yours,

Rayster C. Hughes

Assistant Secretary of the Interior

Honorable James T. Lynn
Director
Office of Management and Budget
Washington, D.C. 20503



DEPARTMENT OF THE ARMY
WASHINGTON, D.C. 20310

5 DEC 1975

Honorable James T. Lynn
Director, Office of Management and Budget

Dear Mr. Lynn:

The Secretary of Defense has delegated responsibility to the Department of the Army for reporting the views of the Department of Defense on enrolled enactment S. 267, 94th Congress, "To designate the Flat Tops Wilderness, Routt and White River National Forests, in the State of Colorado."

The Department of the Army on behalf of the Department of Defense defers to the views of the Department of Agriculture on the enrolled enactment.

This Act would designate an area of approximately 235,000 acres, previously classified as the Flat Tops Primitive Area in accordance with subsection 3(b) of the Wilderness Act (78 Stat. 891), as "Flat Tops Wilderness." The designated area is within and a part of the Routt and White River National Forests, in the State of Colorado and would be administered by the Secretary of Agriculture.

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

Sincerely,


Martin R. Hoffmann
Secretary of the Army





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

December 5, 1975

Honorable James T. Lynn
Director
Office of Management and Budget

Dear Mr. Lynn:

In reply to the request of your office, the following report is submitted on the enrolled enactment S. 267, "To designate the Flat Tops Wilderness, Routt and White River National Forests, in the State of Colorado."

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

S. 267 would designate about 235,230 acres within the Routt and White River National Forests, Colorado, as the Flat Tops Wilderness. The designated area would be administered by the Secretary of Agriculture under the provisions of the Wilderness Act. The previous classification of the Flat Tops Primitive Area would be abolished.

The President submitted his recommendation to the Congress for a 142,000-acre Flat Tops Wilderness on March 29, 1968. That recommendation resulted from our study of the Flat Tops Primitive Area and adjacent areas pursuant to the Wilderness Act (78 Stat. 890; 16 U.S.C. 1131-1136). The Senate passed Flat Tops Wilderness bills in 1972 and 1973 that would have designated 202,000 acres and 237,500 acres, respectively.

S. 267 as enacted would designate an area more than 93,000 acres larger than that recommended by the President. The additional area contains significant evidence of man's activity, including constructed reservoirs, partially constructed four-wheel drive roads, and private lands with several cabins and other improvements. There are also major forest, water, recreation, wildlife, and forage resource values that would be partially or completely foregone if the additional areas are designated as wilderness.

S. 267 as enacted would exclude some of the serious nonconforming features that would have been included by S. 267 as introduced. However, these exclusions would cause several narrow and deep boundary indentations that would be difficult to define and manage, and they would reduce any wilderness qualities possessed by nearby areas included in the wilderness.

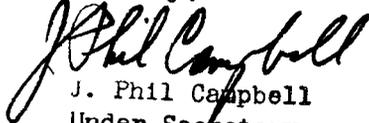
Honorable James T. Lynn

2.

We have strongly and consistently urged the Congress not to designate areas as wilderness where the evidence of man's activity is clearly apparent. We have also urged the Congress to more carefully consider resource trade-offs between wilderness values and other resource values and uses. Unfortunately, our recommendations have been largely unaccepted in the case of Flat Tops.

We are increasingly concerned with the somewhat cursory attention given by the Congress to Administration recommendations regarding wilderness within the National Forest System. We seriously disagree with S. 267 as enacted, and we have definitely considered recommending that the President not approve the enactment. However, an acceptable rationale for a veto would be extremely difficult to develop, because many of our concerns regarding boundary locations are viewed by the Congress as judgmental and because resource trade-offs in the Flat Tops area primarily involve features and opportunities that are difficult to quantify, such as those related to wildlife habitat and dispersed recreation. There are no major timber, mineral, or other commodity resource considerations that could be used to support a veto. Furthermore, the legislative history of the Flat Tops proposal during this Congress, as well as the 92nd and 93rd Congresses, indicates that a veto could probably not be sustained. Failure to sustain a veto on Flat Tops could weaken our position on other wilderness proposals about which we have even more serious concerns and objections.

Sincerely,


J. Phil Campbell
Under Secretary

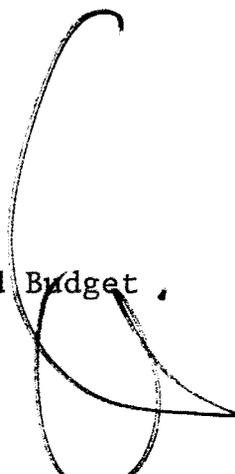
FEDERAL ENERGY ADMINISTRATION
WASHINGTON, D.C. 20461

December 5, 1975

MEMORANDUM FOR: James M. Frey
Assistant Director for
Legislative Reference
Office of Management and Budget .

FROM: Eric J. Fygi
Deputy General Counsel

SUBJECT: Enrolled Bill - S. 267



This is in response to your request for the views of the Federal Energy Administration on S. 267, "To designate the Flat Tops Wilderness, Routt and White River National Forests, in the State of Colorado."

The FEA has no objection to the enactment of S. 267 into law.

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

DEC 3 1975

MEMORANDUM FOR JAMES M. FREY
OFFICE OF MANAGEMENT AND BUDGET

ATTN: Ms. Ramsey

SUBJECT: S.267 Enrolled - To designate the Flat Top
Wilderness, Routt and White River National
Forests in the State of Colorado

The Council recommends that the President sign the
above enrolled bill.


Gary Widman
General Counsel



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET

DATE: 12-11-75

TO: Bob Linder

FROM: Frey

Attached for the appropriate
enrolled bill files are: FPC views
letter on S. 267, and the facsimile
on H.R. 10481.

To Mr. H. Recarde
12-11-75

FEDERAL POWER COMMISSION
WASHINGTON, D.C. 20426

DEC 10 1975

ENROLLED BILL, S. 267 - 94th Congress
To designate Flat Tops Wilderness

Honorable James T. Lynn
Director, Office of Management and Budget
Executive Office of the President
Washington, D. C. 20503

Attention: Miss Martha Ramsey
Legislative Reference Division
Room 7201, New Executive Office Building

Dear Mr. Lynn:

This is in response to Mr. Frey's request of December 2, 1975, for the Commission's views on S. 267, an Enrolled Bill, "To designate the Flat Tops Wilderness, Routt and White River National Forests, in the State of Colorado."

S. 267 would designate 235,230 acres in the Upper Colorado River Basin in northwestern Colorado as a wilderness area, to be administered by the Secretary of Agriculture under the Wilderness Act of 1964, 78 Stat. 890. Under that Act, future mineral and water resource development would require Presidential authorization and must be carried out in accordance with regulations of the Forest Service as the agency primarily responsible for administration of such area.

The Federal Power Commission has previously reviewed the proposed Flat Tops Wilderness area from the standpoint of this agency's electric power and natural gas responsibilities. In commenting on an earlier proposal by letter dated November 10, 1966, to the Secretary of Agriculture, the Commission pointed out that there was a potential for development of hydroelectric power within the proposed wilderness under an application for license for FPC Project No. 2289. Since that time, however, the Commission has dismissed the application for license for Project No. 2289. Subsequently, the Commission issued a



Honorable James T. Lynn

- 2 -

Preliminary Permit for Project No. 2647 which would have some facilities in common with those proposed for Project No. 2289. The Preliminary Permit has recently expired. The latter project, consisting of the Rio Blanco, South Fork, and Blair Mountain developments would develop 36,000 kilowatts of conventional capacity and 525,000 kilowatts of pumped storage capacity and a water supply for the oil shale industry.

The Upper Bear Wallow hydroelectric site is also within the subject wilderness boundary. The site, which could be developed to provide 48,000 kilowatts of capacity is listed in unpublished reconnaissance appraisal data of the Bureau of Reclamation and is not under active consideration at this time.

Our current review indicates that there are no existing, or currently known plans to construct, hydroelectric projects, steam-electric plants, or bulk power transmission lines within the proposed wilderness boundary. Our review further discloses that there are presently no natural gas pipelines in the area and no production or likely future production of natural gas in such area. The Commission accordingly offers no objection to approval of the Enrolled Bill, S. 267.

Sincerely yours,



Richard L. Dunham
Chairman



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

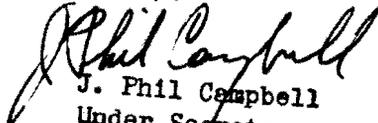
December 10, 1975

Honorable James T. Lynn
Director, Office of Management
and Budget

Dear Mr. Lynn:

In response to the request of your office, the enclosed signing statement has been prepared for the enrolled enactment S. 267, "To designate the Flat Tops Wilderness, Routt and White River National Forests, in the State of Colorado."

Sincerely,


J. Phil Campbell
Under Secretary

TO THE CONGRESS:

I am signing today S. 267 which designates a 235,230-acre Flat Tops Wilderness within the Routt and White River National Forests of Colorado. This area is 93,230 acres larger than the 142,000-acre wilderness proposed by President Johnson on March 29, 1968.

The Congress and the Executive Branch have worked together during the past 11 years to significantly augment the National Wilderness Preservation System established by the Wilderness Act of 1964. The System, now including more than 12 million acres, shows that much progress has been made in securing for all Americans the benefits of an enduring resource of wilderness. Last December, I proposed 37 new additions which, if accepted by the Congress, would add about 9 million acres to the Wilderness System.

While I am signing S. 267, the Flat Tops Wilderness illustrates four concerns which I have regarding the designation of wilderness within the National Forest System.

First, the Administration has strongly and consistently urged the Congress not to designate National Forest areas as wilderness where the evidence of man's activity is clearly apparent. The Flat Tops Wilderness unfortunately includes some constructed reservoirs, partially constructed roads, and private lands with cabins and other improvements. I believe these features detract from the Flat Tops Wilderness and from other National Forest units of the Wilderness System.

Second, Administration proposals for National Forest wildernesses follow careful on the ground study and are designed to assure that the proposed boundary would, to the maximum extent possible, be along recognizable

natural features and be located to facilitate protection of the wilderness. I am somewhat concerned that the Flat Tops Wilderness boundary, in contrast to the Administration's proposed boundary, contains several narrow and deep boundary indentations that will be difficult to define and manage. These indentations will also reduce any wilderness qualities possessed by nearby areas included in the wilderness.

Third, this Administration and every other Administration since 1964 have urged the Congress to more carefully consider trade-offs between wilderness values and other resource values and uses. These trade-offs are particularly important within the National Forest System where wilderness is but one of several very important resources that must be managed for the benefits of all Americans. The Flat Tops Wilderness contains important forest, water, recreation, wildlife, and forage resource values that will now be partially or completely foregone. While many of these values within the Flat Tops area are difficult to quantify, they are nonetheless important. I am also concerned that a mineral survey has not been conducted within much of the 93,000-acre area which the Congress added to the Administration's Flat Tops Wilderness proposal. However, in light of known mineral resources within the general Flat Tops area, I have decided not to insist that additional mineral studies be undertaken.

Fourth, I am becoming increasingly concerned as the Congress appears to be tending toward agreeing to major additions not recommended by the Administration. Including Flat Tops, the last eight National Forest wildernesses designated in the West contain about 185,000 acres more

than were recommended by the Administration. Several National Forest wilderness proposals now being considered by the Congress would include acreages significantly larger than those proposed by the Administration. In some cases, the additional areas would more than double the acreage we proposed.

I am hopeful that the Congress will work more closely with the Executive Branch regarding proposed National Forest additions to the Wilderness System. More careful consideration must be given to these proposals if we are to maintain a high-quality Wilderness System while protecting many other important management opportunities for the National Forest System.

THE WHITE HOUSE

WASHINGTON

December 11, 1975

MEMORANDUM FOR: JIM CAVANAUGH
FROM: MAX L. FRIEDERSDORF *M.L.F.*
SUBJECT: Signing Statement for Flat Tops Wilderness,
Colorado S. 267

The Office of Legislative Affairs concurs with the agencies
that the signing statement be issued.

Attachments

Date: December 9

Time: 400pm

FOR ACTION: Paul Leach
 George Humphreys
 Max Friedersdorf
 Ken Lazarus
 Paul Theis

cc (for information):
 Jack Marsh
 Jim Cavanaugh

FROM THE STAFF SECRETARY

DUE: Date: December 10

Time: 500pm

SUBJECT:

- Signing Statement for Flat Tops Wilderness, Colorado
S. 267

ACTION REQUESTED:

 For Necessary Action For Your Recommendations Prepare Agenda and Brief Draft Reply For Your Comments Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

No objection

Dudley Chapman *ilc*

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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

2002-12-09
 10:00 AM

Date: December 9

Time: 400pm

FOR ACTION: Paul Leach
 George Humphreys
 Max Friedersdorf
 Ken Lazarus
 Paul Theis

cc (for information):
 Jack Marsh
 Jim Cavanaugh

FROM THE STAFF SECRETARY

DUE: Date: December 10

Time: 500pm

SUBJECT:

- Signing Statement for Flat Tops Wilderness, Colorado
S. 267

ACTION REQUESTED:

 For Necessary Action For Your Recommendations Prepare Agenda and Brief Draft Reply For Your Comments Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

 December 10, 1975

TO: JUDY JOHNSTON

FROM: GEORGE W. HUMPHREYS

I have no objections.

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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

U.S. GOVERNMENT
 PRINTING OFFICE

12-10
 2p.

THE WHITE HOUSE

WASHINGTON

December 10, 1975

MEMORANDUM FOR: JIM CAVANAUGH
FROM: MAX L. FRIEDERSDORF *M.L.*
SUBJECT: S. 267 - Flat Tops Wilderness, Colorado

The Office of Legislative Affairs concurs with the agencies
that the subject bill be signed.

Attachments

Date: December 8

Time: 400pm

FOR ACTION: Paul Leach
 George Humphreys
 Max Friedersdorf
 Ken Lazarus

cc (for information): Jack Marsh
 Jim Cavanaugh

FROM THE STAFF SECRETARY

DUE: Date: December 10

Time: noon

SUBJECT:

S. 267 - Flat Tops Wilderness, Colorado

ACTION REQUESTED:

 For Necessary Action For Your Recommendations Prepare Agenda and Brief Draft Reply For Your Comments Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

No objection. -- Ken Lazarus 12/9/75

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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

James H. [unclear]
 of the [unclear]

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 2246

Date: December 8

Time: 400pm

FOR ACTION: Paul Leach *ok*
George Humphreys *ok*
Max Friedersdorf *ok*
Ken Lazarus *ok*

cc (for information): Jack Marsh=
Jim Cavanaggh

FROM THE STAFF SECRETARY

DUE: Date: December 10

Time: noon

SUBJECT:
S. 267 - Flat Tops Wilderness, Colorado

ACTION REQUESTED:

- For Necessary Action
- For Your Recommendations
- Prepare Agenda and Brief
- Draft Reply
- For Your Comments
- Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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

K. R. COLE, JR.
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: December 9

Time: 400pm

FOR ACTION: Paul Leach *ok*
George Humphreys *ok*
Max Friedersdorf *ok*
Ken Lazarus *ok*
Paul Theis *ok*

cc (for information):

Jack Marsh
Jim Cavanaugh

FROM THE STAFF SECRETARY

DUE: Date: December 10

Time: 500pm

SUBJECT:

S. 267 - Signing Statement for Flat Tops Wilderness, Colorado
S. 267

ACTION REQUESTED:

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

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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

K. R. COLE, JR.
For the President

STATEMENT BY THE PRESIDENT

I have today approved S. 267, which designates a 235,230-acre Flat Tops Wilderness within the Routt and White River National Forests of Colorado.

The Congress and the executive branch have worked together during the past 11 years to augment the National Wilderness Preservation System established by the Wilderness Act of 1964. The System, now including more than 12 million acres, shows that much progress has been made in securing for all Americans the benefit of an enduring resource of wilderness. Last year, in two separate messages, I proposed a total of 52 new additions which, if accepted by the Congress, would add about 15 million acres to the Wilderness System.

Although I have signed S. 267, it should be noted that the bill designates an area some 93,000 acres larger than the approximately 142,000-acre wilderness proposed by President Johnson in 1968. Furthermore, it illustrates three concerns of mine regarding the designation of wilderness within the National Forest System.

First, the Administration has strongly and consistently urged the Congress not to designate National Forest areas as wilderness where the evidence of man's activity is clearly apparent. The Flat Tops Wilderness, nevertheless, includes some constructed reservoirs, partially constructed roads, and private lands with cabins and other improvements.

Second, Administration proposals for National Forest wildernesses follow careful study and are designed to assure that the proposed boundaries would, to the maximum extent possible, follow recognizable natural features and be located to facilitate protection of the wilderness. The

Flat Tops Wilderness boundaries, in contrast to the Administration's proposal, contain several narrow and deep boundary indentations that will be difficult to define and manage.

Third, this Administration and every other Administration since 1964 have urged the Congress to consider carefully trade-offs between wilderness values and other resource values and uses. These trade-offs are particularly important within the National Forest System where wilderness is but one of several very important resources that must be managed for the benefits of all Americans. The Flat Tops Wilderness contains important forest, water, recreation, wildlife, and forage resource values that will now be partially or completely foregone. Moreover, a mineral survey has not been conducted within much of the area which the Congress added to the Administration's Flat Tops Wilderness proposal. However, because mineral resources within the general Flat Tops area are believed to be minimal, I have decided not to insist that additional mineral studies be undertaken.

I am hopeful the Congress will work more closely with the executive branch regarding proposed additions to the Wilderness System. Several National Forest Wilderness proposals now being considered by the Congress would include acreages significantly larger than those proposed by the Administration. In some cases, the additional areas would more than double the acreage we proposed. More careful consideration must be given to these proposals if we are to maintain a high-quality Wilderness System while protecting many other important management opportunities for these lands.



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

DEC 8 1975

To
J. Conaway
12-8-75
31.m.

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 267 - Flat Tops Wilderness,
Colorado
Sponsor - Sen. Haskell (D) Colorado

Last Day for Action

December 13, 1975 - Saturday

Purpose

Designates the Flat Tops Wilderness in Colorado comprising an area of approximately 235,230 acres.

Agency Recommendations

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

Discussion

Under the Wilderness Act, Agriculture and Interior are required to make recommendations to the President for additions to the National Wilderness Preservation System, and the President is required to submit these, along with his own recommendations, to the Congress. To qualify for wilderness designation, an area must generally be undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions.

This bill would establish the Flat Tops Wilderness comprising an area of about 235,230 acres within the White River

and Routt National Forests which are located approximately 170 miles west of Denver, Colorado. The core of the proposed wilderness is an abrupt, irregular border of lava rock which forms a broad plateau, known as the "Flat Tops." Also included would be a number of drainage basins adjacent to, but below, the primary "Flat Tops" area. Erosion has created river canyons and lake beds on the plateau itself, and sheer volcanic escarpments sharply delineate its perimeter -- wildlife, timber and grasslands predominate throughout the area. The enrolled bill would require that the Flat Tops Wilderness be administered under the provisions of the Wilderness Act which means its primitive, natural state would be retained.

This wilderness proposal was originally recommended and transmitted to Congress under the Johnson Administration as an area of about 142,000 acres (essentially the "Flat Tops" plateau). Notwithstanding continued and strong Executive Branch objections to Congress, the enrolled bill would designate an area some 93,000 acres larger than that recommended by the President. The additional area, almost entirely Federally owned, comprises the drainage basins adjacent to the "Flat Tops" plateau, and it contains significant evidence of man's activity, including several reservoirs, rough roads, and two private sites containing primitive cabins (210 acres in total).

In reporting on S. 267, the Senate Interior Committee made only brief reference to the issue of non-conforming uses when it spoke to the question of the cabins and roads within the area:

"These inholdings do virtually no damage to wilderness values of the proposed wilderness. The developments on these areas are primitive log-construction type and blend into the surroundings quite well."

* * * * *

"... an old jeep road which went part way up the Meadows has been closed off by the Forest Service and is rapidly disappearing."

With respect to non-conforming uses in designated wilderness areas, it should be noted that this Administration has made wilderness proposals, for areas under Department of the Interior administration (parks, wildlife refuges, and game ranges), which include non-conforming uses that are similar to those opposed by Agriculture. This difference is largely a reflection of the varying program and land management roles that characterize the Forest Service versus the Interior agencies.

However, in its enrolled bill letter, Agriculture expresses serious concern over the Congressional approach taken for this wilderness area:

"We have strongly and consistently urged the Congress not to designate areas as wilderness where the evidence of man's activity is clearly apparent. We have also urged the Congress to more carefully consider resource trade-offs between wilderness values and other resource values and uses. Unfortunately, our recommendations have been largely unaccepted in the case of Flat Tops.

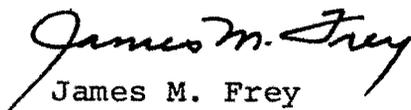
We are increasingly concerned with the somewhat cursory attention given by the Congress to Administration recommendations regarding wilderness within the National Forest System. We seriously disagree with S. 267, as enacted, and we have definitely considered recommending that the President not approve the enactment. However, an acceptable rationale for a veto would be extremely difficult to develop, because many of our concerns regarding boundary locations are viewed by the Congress as judgmental and because resource trade-offs in the Flat Tops area primarily involve features and opportunities that are difficult to quantify, such as those related to wildlife habitat and dispersed recreation. There are no major timber, mineral or other commodity resource considerations that could be used to support a veto. Furthermore, the legislative history of the Flat Tops proposal during this Congress, as well as the 92nd and 93rd Congresses, indicates that a veto could

probably not be sustained. Failure to sustain a veto on Flat Tops could weaken our position on other wilderness proposals about which we have even more serious concerns and objections."

Similarly, the Interior and Commerce enrolled bill letters note that the 93,000 acre area which Congress added to the Executive proposal should be subject to a complete minerals survey prior to wilderness designation.

We very much share the agencies' concerns as expressed above. With respect to Forest Service wilderness areas, Flat Tops is the third in a trend of Congressional enactments which have presented increasingly significant variances from the Executive proposals on the basis of the following criteria: (a) statutory definition of wilderness (inclusion of non-conforming areas); (b) acreage; and (c) resource trade-off questions such as recreation, timber, minerals and water development. In this regard, even more objectionable wilderness proposals are or will soon be developing in Congress.

However, we do not believe that adequate ground work has been laid in support of veto, and we agree with Agriculture's analysis that it would be difficult to sustain a veto of S. 267. Accordingly, we recommend approval of the enrolled bill. Furthermore, we recommend that you issue a signing statement which would cite your concerns over the apparent trend of Congressional deviation from Executive wilderness proposals as discussed above -- a proposed signing statement along these lines is being drafted by Agriculture, and will be forwarded as soon as it is available.



James M. Frey
Assistant Director for
Legislative Reference

Enclosures



OFFICE OF MANAGEMENT AND BUDGET

Date: 12-9-75

TO : Robert D. Linder

FROM: James M. Frey
Assistant Director for
Legislative Reference

In our enrolled bill memorandum on S. 267, we indicated we would be forwarding a draft signing statement. Attached is the statement, which is a revision of one provided us informally by the Agriculture Dept.

STATEMENT BY THE PRESIDENT

I have today approved S. 267 which designates a 235,230-acre Flat Tops Wilderness within the Routt and White River National Forests of Colorado.

The Congress and the Executive Branch have worked together during the past 11 years to augment the National Wilderness Preservation System established by the Wilderness Act of 1964. The System, now including more than 12 million acres, shows that much progress has been made in securing for all Americans the benefit of an enduring resource of wilderness. Last year in two separate messages, I proposed a total of 52 new additions which, if accepted by the Congress, would add about 15 million acres to the Wilderness System.

Although I have signed S. 267, it should be noted that the bill designates an area some 93,000 acres larger than the 142,000-acre wilderness proposed by President Johnson in 1968. Furthermore, it illustrates three concerns that I have regarding the designation of wilderness within the National Forest System.

First, the Administration has strongly and consistently urged the Congress not to designate National Forest areas as wilderness where the evidence of man's activity is clearly apparent. The Flat Tops Wilderness nevertheless includes some constructed reservoirs, partially constructed roads, and private lands with cabins and other improvements.

Second, Administration proposals for National Forest wildernesses follow careful study and are designed to

assure that the proposed boundaries would, to the maximum extent possible, follow recognizable natural features and be located to facilitate protection of the wilderness. The Flat Tops Wilderness boundaries, in contrast to the Administration's proposal, contain several narrow and deep boundary indentations that will be difficult to define and manage.

Third, this Administration and every other Administration since 1964 have urged the Congress to consider carefully trade-offs between wilderness values and other resource values and uses. These trade-offs are particularly important within the National Forest System where wilderness is but one of several very important resources that must be managed for the benefits of all Americans. The Flat Tops Wilderness contains important forest, water, recreation, wildlife, and forage resource values that will now be partially or completely foregone. Moreover, a mineral survey has not been conducted within much of the area which the Congress added to the Administration's Flat Tops Wilderness proposal. However, because mineral resources within the general Flat Tops area are believed to be minimal, I have decided not to insist that additional mineral studies be undertaken.

I am hopeful that the Congress will work more closely with the Executive Branch regarding proposed additions to the Wilderness System. Several National Forest wilderness proposals now being considered by the Congress would include acreages significantly larger than those proposed by the Administration. In some cases, the additional

areas would more than double the acreage we proposed. More careful consideration must be given to these proposals if we are to maintain a high-quality Wilderness System while protecting many other important management opportunities for these lands.

Date: December 8

Time: 400pm

FOR ACTION: Paul Leach
George Humphreys
Max Friedersdorf
Ken Lazarus

cc (for information): Jack Marsh
Jim Cavanaugh

FROM THE STAFF SECRETARY

DUE: Date: December 10

Time: noon

SUBJECT:
S. 267 - Flat Tops Wilderness, Colorado

ACTION REQUESTED:

- For Necessary Action
- For Your Recommendations
- Prepare Agenda and Brief
- Draft Reply
- For Your Comments
- Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

*12/15/75
approved - Mr. G. Humphreys*

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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

Stamp: RECEIVED BY THE SECRETARY

12-9



OFFICE OF MANAGEMENT AND BUDGET

Date: 12-9-75

TO : Robert D. Linder

FROM: James M. Frey
Assistant Director for
Legislative Reference

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I have today approved S. 267 which designates a 235,230-acre Flat Tops Wilderness within the Routt and White River National Forests of Colorado.

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Although I have signed S. 267, it should be noted that the bill designates an area some 93,000 acres larger than the 142,000-acre wilderness proposed by President Johnson in 1968. Furthermore, it illustrates three concerns that I have regarding the designation of wilderness within the National Forest System.

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areas would more than double the acreage we proposed. More careful consideration must be given to these proposals if we are to maintain a high-quality Wilderness System while protecting many other important management opportunities for these lands.

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: December 9

Time: 400pm

FOR ACTION: Paul Leach
George Humphreys
Max Friedersdorf
Ken Lazarus
Paul Theis

cc (for information): Jack Marsh
Jim Cavanaugh

FROM THE STAFF SECRETARY

DUE: Date: December 10

Time: 500pm

SUBJECT:

- Signing Statement for Flat Tops Wilderness, Colorado
S. 267

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

Mitchell 3184
Don Gable 4586
Wes Saraki 3707
Don Powerick 4993

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PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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

James H. Cavanaugh
For the President

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Ron Peterson
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DESIGNATING THE FLAT TOPS WILDERNESS, ROUTT
AND WHITE RIVER NATIONAL FORESTS IN THE
STATE OF COLORADO

NOVEMBER 25, 1975.—Committed the Committee on the Whole House on the
State of the Union and ordered to be printed

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

REPORT

[To accompany S. 267]

The Committee on Interior and Insular Affairs, to whom was referred the bill (S. 267) to designate the Flat Tops Wilderness, Routt and White River National Forests, in the State of Colorado, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE

S. 267¹ would designate the Flat Tops Wilderness, Routt and White River National Forests, Colorado, as a unit of the National Wilderness Preservation System, with the Forest Service administering the area pursuant to the management provisions of the Wilderness Act of 1964.

HISTORY

The Flat Tops Primitive Area was established administratively by the Chief, U.S. Forest Service, in 1932. The Wilderness Act (78 Stat. 890) directed the Secretary of Agriculture to study all primitive areas to determine suitability or nonsuitability as wilderness. These studies were completed in 1964 and the President submitted his recommendations to the Congress on March 29, 1968.

During the 93rd Congress, the Subcommittee on Public Lands held public hearings on November 8, 1973, and September 19, 1974, on the Flat Tops in conjunction with the Weminuche and Eagles Nest Wilderness proposals, also in the State of Colorado.

¹ A similar measure (H.R. 3864) was introduced by Representative Johnson of Colorado and two omnibus proposals (H.R. 3507 by Representatives Steiger of Arizona, Byron, Sebelius and Skubitz and H.R. 5893 by Representative Udall) included provisions creating the Flat Tops Wilderness in Colorado.

In this Congress, the Subcommittee held a field hearing in Glenwood Springs, Colorado, on April 3, 1975, followed by a public hearing on April 17, 1975, in Washington, D.C.

RESOURCES

The following information was obtained from hearing records, statements and agency reports and is generally applicable to the Flat Tops Wilderness and adjacent lands.

1. *Grazing*

There are cattle and sheep grazing allotments within the Flat Tops area. Previous existing livestock grazing is allowed to continue by the Wilderness Act (Sec. 4(d)(4)(2)).

2. *Timber*

Islands of timber surrounded by grassland is the typical vegetative pattern of the Flat Tops plateau. North facing slopes and most canyons are timbered. The Flat Tops area and vicinity were hit by an epidemic of spruce bark beetle in the 1940's. The epidemic covered a total of 260,000 acres, including 68,000 acres of almost solid Engelmann spruce stands in the Flat Tops Wilderness. A forest of dead snags with a new growth undercover of spruce and subalpine fir typifies this area.

The allowable annual timber cut, as presently determined, would not be reduced in the Routt and White River National Forests by including the Flat Tops area in the National Wilderness Preservation System.

3. *Minerals*

The U.S. Geological Survey and Bureau of Mines conducted field investigations and issued a report on the mineral potential of the area. There is no history of mining or mineral leasing activities. There are not mineral patents or known recorded mining claims. No mineral deposits, including coal, are known to occur in the area. Oil and gas potential appeared to be slight.

4. *Wildlife*

Numerous upland and big game wildlife species inhabit the area, the most prominent being elk and mule deer. According to the Colorado Game, Fish and Parks Department, large herds of elk, a wilderness habitat species, and mule deer, utilize the Flat Tops plateau in the summer and the lower reaches of the area in the winter. The Flat Tops and vicinity are one of the most popular big game hunting areas in Colorado.

5. *Water*

The Flat Tops Wilderness is one of the largest contributors of water in the Colorado River Basin. According to the Forest Service, the greatest public value of the Flat Tops resources, other than the wilderness resource, is water yield. Quality, quantity and continuous flow of water are of major economic benefit to downstream lands and users, and high-quality water yields would be maintained by retention of a natural vegetative succession which wilderness designation would

assure. The area yields an average of 1.5 acre feet of water per acre per year.

PUBLIC EXPRESSION

The public hearings produced overwhelming sentiment for adding the Primitive Area to the Wilderness System with a majority of the testimony favoring a wilderness area larger than the existing Primitive Area. Boundary differences ranged in size from 142,000 acres to 237,500 acres.

Concern was expressed by the Colorado River Water District and other parties about enlargement of the wilderness area to include the "Meadows," a basin on the South Fork River, and a potential water development site. However, a proposed hydroelectric project on the South Fork River has been modified to omit the Meadows area. Another water development proposal, planned to provide water for a future potential oil shale manufacturing process, has also been investigated in this same location. A viable alternative to this proposal in the Meadows site is to develop the water resources where the South Fork of the White River leaves the proposed wilderness, according to the Colorado Water Conservation Board, Colorado River Water Conservation District and other expert witnesses.

A Flat Tops Wilderness area, embracing about 235,230 acres, assures preservation of those natural conditions necessary to assure a continuous unimpeded flow of high quality water for domestic stock, irrigation and industrial uses outside the wilderness. This value transcends other public values usually associated with wilderness designation, including recreational values.

COST AND BUDGET ACT COMPLIANCE

Enactment of this legislation would have no Federal budget impact since the lands involved are already administered by the U.S. Forest Service.

OVERSIGHT STATEMENT

Pursuant to Rule X, clause 2(b)(1), the Subcommittee on Public Lands continues to exercise oversight responsibilities in connection with National Forest wilderness. No recommendations were submitted to the Committee pursuant to Rule X, clause 2(b)(2).

INFLATIONARY IMPACT

Since these lands are currently managed in large measure as a primitive area, future uses will not change appreciably and any impact upon inflation would be negligible.

COMMITTEE RECOMMENDATION

The Committee on Interior and Insular Affairs reported, by voice vote, S. 267, with no amendments and it now recommends its approval by the House.

DEPARTMENTAL REPORTS

The negative report from the Department of Agriculture, dated October 30, 1975, relevant to S. 267 follows:

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., October 30, 1975.

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

DEAR MR. CHAIRMAN: As you requested, here is our report on S. 267, an Act "To designate the Flat Tops Wilderness, Routt and White River National Forests, in the State of Colorado."

The Department of Agriculture recommends that S. 267 not be enacted unless amended to designate a Flat Tops Wilderness containing approximately 142,000 acres as generally depicted on a map entitled "Flat Tops Wilderness—Proposed," dated April 24, 1976. This recommendation totally reflects the President's recommendation for a 142,000-acre Flat Tops Wilderness which was transmitted to the Congress on March 29, 1968, and which is now contained in its entirety in section 2(b) of H.R. 3507. The President's recommendation resulted from our study of the Flat Tops Primitive Area in accordance with the provisions of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1131-1136).

S. 267 would designate a 235,230-acre Flat Tops Wilderness within portions of the Routt and White River National Forests in the State of Colorado. It would abolish the previous classification of the Flat Tops Primitive Area.

The area that would be designated as wilderness by S. 267 contains major additions not recommended by the President. The study report which accompanied the President's recommendation describes and evaluates those areas not recommended for inclusion in the proposed wilderness. This evaluation included consideration of the areas which would be designated as wilderness by S. 267. These additional areas were not included in our proposal, because they were judged not suitable for wilderness designation, because management for other resource values was judged to be of greater importance, or because a well-defined natural boundary could not be established.

S. 267 as passed by the Senate would exclude some of the serious nonconforming features that would have been included by S. 267 as introduced. However, the remaining additional areas which would be designated as wilderness by S. 267 contain significant evidence of man's activity including constructed reservoirs, partially constructed four-wheel drive roads, and private lands with several cabins and other improvements. There are also major forest, water, recreation, wildlife, and forage resource values which would be partially or completely forgone if the additional areas were designated as wilderness.

We strongly urge the Congress not to designate areas as wilderness where the evidence of man's activity is clearly apparent. We also urge the Congress to carefully consider the resource trade-offs between wilderness values and other resource values and uses within the

additional areas which would be designated as wilderness by S. 267. We believe public needs can be better met through the planned development and wider use of these additional areas than through management as wilderness.

Additional details of our concerns and recommendations are contained in the attached supplemental statement.

The Office of Management and Budget advises that there is no objection to the presentation of this report and that enactment of S. 267, unless amended as suggested herein, would not be consistent with the Administration's objectives.

Sincerely,

ROBERT W. LONG,
Assistant Secretary.

Enclosure.

USDA SUPPLEMENTAL STATEMENT FLAT TOPS WILDERNESS PROPOSAL
S. 267

The area contained in S. 267 for designation as the Flat Tops Wilderness includes approximately 235,230 acres. The Administration's proposal, contained in section 2(b) of H.R. 3507, includes approximately 142,000 acres.

The areas added by S. 267 include private lands and improvements, primitive roads, water storage and supply facilities, and lands with high forest and range resource values. We do not recommend that any of the additional areas be designated as wilderness, and we are particularly concerned about the designation of three major areas.

First, the proposed additions in the South Fork of the White River (Areas G-1 and S), including approximately 21,000 acres, contain important potential water impoundment sites as well as several nonconforming features, including 6½ miles of primitive road and 195 acres of private land on which several cabins are located. These two areas also contain about 5,600 acres of commercial forest land. While portions of these areas are suitable for wilderness, we did not include them within our proposal because they are needed for other resource uses, because they contain several nonconforming features, and because they are outside the main "Flat Tops" area.

Second, the proposed additions in the headwaters of the North Fork of the White River (Areas T and N), including approximately 36,000 acres, contain about 25,000 acres of commercial forest land, and management for the development and use of this forest resource is desirable. The area north of Trappers Lake receives moderate snowmobile use which would be foregone if the area is designated as wilderness. There are water supply systems requiring access and maintenance and other evidence of man's activity within the proposed additions. Areas T and N are outside what we consider to be a natural boundary for the Flat Tops Wilderness.

Third, the proposed additions on the east side of the Administration's proposal (Areas O and P), including approximately 40,000 acres, contain about 10,000 acres of commercial forest land and about 14,000 acres of rangeland proposed for intensive management. Wilderness designation would preclude full development and use of these

resource values. These areas also contain irrigation dams which require machine maintenance. Primitive roads serve these dams. We did not include these areas in our proposal because of the need to manage them for other resource uses and because of the evidence of man's activity.

We are also concerned about other proposed additions. These concerns and our recommendations are discussed on pages 19 to 23 of our report, "A Proposal—Flat Tops Wilderness, White River and Routt National Forests, Colorado," which the President transmitted to the Congress on March 29, 1968.

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DESIGNATING THE FLAT TOPS WILDERNESS, ROUTT
AND WHITE RIVER NATIONAL FORESTS, IN THE
STATE OF COLORADO

JUNE 3, 1975.—Ordered to be printed

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

REPORT

[To accompany S. 267]

The Committee on Interior and Insular Affairs, to which was referred the bill (S. 267) to designate the Flat Tops Wilderness, Routt and White River National Forests, in the State of Colorado, having considered the same, reports favorably thereon, with amendments, and recommends that the bill, as amended, do pass.

The amendments are as follows:

1. Page 1, line 4, strike "of September 3, 1964".
2. Page 1, lines 7 and 8, strike "October 1973" and insert in lieu thereof "May 1975".
3. Page 2, line 2, strike "thirty-seven thousand five hundred" and insert in lieu thereof "thirty-five thousand two hundred and thirty".

I. PURPOSE

S. 267, as amended, would designate a 235,230-acre Flat Tops Wilderness in the Routt and White River National Forests, State of Colorado.

II. DESCRIPTION OF THE WILDERNESS AREA

1. General

The proposed 235,230-acre Flat Tops Wilderness is situated within the boundaries of the White River and Routt National Forests in Eagle, Garfield, and Rio Blanco Counties in northwest Colorado. It is located on the White River Plateau, approximately 20 miles north of Glenwood Springs, 30 miles west of Steamboat Springs, 170 miles west of Denver, and 140 miles northeast of Grand Junction. East-West access is provided from Interstate Highway 70 on the south and

U.S. Highway 40 on the north. State Highways 13 and 789 on the west and State Highway 131 on the east provide North-South access.

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

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

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

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

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

2. Acreage and Inholdings

The area of the wilderness as proposed by S. 267, as ordered reported, contains 235,230 acres. This is approximately 93,000 acres more than the Forest Service proposal, 33,230 acres more than the area proposed in S. 1441 which passed the Senate during the 92d Congress, and 2,270 acres less than the area proposed in S. 702 and H.R. 12884 which passed the Senate during the 93d Congress. (See section III "Administrative and Legislative History" below for a more complete description of the earlier proposals.)

There are approximately 210 acres of inholdings in the wilderness area proposed by S. 267, as ordered reported. These inholdings are located on two cleared areas at the lower end of the South Fork Canyon near the South Fork Campground. One of the areas, totaling 90 acres has one primitive cabin on it. The other area of 120 acres, subdivided into eight parts and held by seven different owners, contains several relatively primitive cabins. The Forest Service has estimated the total value of these inholdings at approximately \$195,000.

These inholdings do virtually no damage to the wilderness values of the proposed wilderness. The developments on these areas are primitive log-construction type and blend into the surroundings quite well. Furthermore, there is no vehicular access to the areas. The present access is by the Forest Service foot and horse trail which runs the entire length of the South Fork Canyon.

The Wilderness Act of 1964 prohibited use of the Forest Service's condemnation authority in wilderness areas. Thus, if S. 267, as ordered reported, is enacted, inholdings would remain private property unless purchase by the Forest Service were successfully negotiated.

3. Recreation and Wildlife Values

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

The area has elk, mule deer, and black bear. Occasionally a bighorn sheep may be encountered. The major part of the famous White River big-game herd of several thousand elk and deer uses the Flat Tops during the summer and lower reaches (including the South Fork Canyon) during the winter. The size of this herd is limited by the amount of winter range available outside of the proposed wilderness. There is some competition for forage between cattle, sheep, recreation stock, elk, and deer in localized areas. (For additional comments see "iii. Forage" below.)

Blue grouse, ruffed grouse, white-tailed ptarmigan, and snowshoe rabbits are the principal small game species in the area. Furbearers include bobcat, coyote, badger, fox, beaver, marten, mink, and weasel. Other native mammals include mountain lions, marmots, ground

squirrels, pine squirrels, pika, chipmunks, gophers and porcupines. Other birds are migratory waterfowl, eagles, hawks, crows, ravens, jays, Clark's nutcrackers, and numerous small birds which are found seasonally in the Montane and Alpine areas of the Central Rocky Mountains. The fifty or more lakes within the area have good or excellent fisheries, and the many miles of fishing streams contain numerous cutthroat trout and whitefish.

The importance of wilderness to wildlife is best described in a statement made by the Director of the Colorado Game, Fish and Parks Department at the 1966 public hearing on the Forest Service proposal (reprinted in the Appendix to the record of the June 11, 1973 field hearing in Denver on S. 702, S. 1863, and S. 1864, published by the Interior Committee during the 93d Congress):

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

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

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

The White River elk herd, one of the largest in the State, summers in the present Flat Tops Primitive Area. There is no doubt but that the primitive area has been a major contributing factor to the well being of this large herd.

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

4. Other Natural Resources

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

i. Timber

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

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

There are approximately 548,500 thousand board feet of timber in the proposed wilderness. This figure, however, is somewhat misleading, as discussed in the following passages from pages 10 and 11 of the 1967 Forest Service Proposal (reprinted in House Document No. 90-292, Part 10, pages 765-766):

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

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

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

Acreage figures relating to timber sites and volumes of predominantly dead material might convey a misleading impression as to timber values. Most of the 72,775 acres of spruce types are located on the table lands. Site quality is poor, with mature tree height averaging two or three merchantable log lengths. Timber which occurs as islands or patches in grasslands has difficulty in reproducing itself. Even outside any Wilderness, it is doubtful that these spruce stands would contribute any significant amount of long-term managed timber yield.

Timber within the Primitive Area has never been included in the inventory upon which the allowable cut for the working circle is based. Timber in the proposed additions consists primarily of dead spruce stands. Site quality in the pro-

posed additions is somewhat higher than most of the present primitive area, since the additions are generally below the escarpments in the better timber-growing sites.

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

Although they refer to the original primitive area and the wilderness area proposed by the Forest Service, except for the obviously larger numbers involved, these passages are applicable as well to the wilderness area proposed in S. 267, as ordered reported.

ii. Minerals

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

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

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

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

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

Basalt of the kind forming the extensive caprock of the area is generally barren of mineral deposits in Colorado. In contrast, the Leadville Limestone, which lies below the basalt over a wide area, is an especially favorable host

rock for mineral deposits in Colorado. Consequently, sampling was concentrated at the periphery of the basalt caprock, and hundreds of stream and soil samples were collected in the canyons and gullies that contain the Leadville and other sedimentary rocks in the search of concentrations of valuable minerals. These samples were analyzed by chemical and spectrographic methods that permitted detection of minute amounts of metals. A few localities were found to contain metallic concentrations somewhat higher than the low values that are common for the area. These anomalous areas were thoroughly investigated but no mineral deposits were discovered. No evidence of uranium has been found in the area.

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

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

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

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

iii. Forage

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

As continued grazing is allowed by the Wilderness Act of 1964, the use of forage will be largely unaffected by enactment of S. 267. However, language in the Forest Service Proposal (p. 10 of the Proposal or p. 764 of House Document No. 90-292, Part 10) describes a problem of competition between livestock and wildlife over the forage resource and the management required to alleviate that problem:

With increased recreation use, conflicts could develop between domestic stock, recreation stock, and big game. Some sites in waterfront and trailsides zones, campsites, alpine-flower meadows, snowbank slopes, and sites especially suitable for scientific and educational purposes should receive special attention. Management of forage will be in accordance with range management plans based on range analysis and actual use data.

iv. Water

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

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

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

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

Given the value of the water resource, the Committee devoted the greatest portion of the time spent in considering the proposed Flat Tops Wilderness during the last three Congresses to water-related questions. These questions centered on the use of the water of the South Fork of the White River in two areas: the South Fork Canyon and the Meadows.

S. 702, the Flat Tops Wilderness bill introduced in the 93rd Congress, was similar to S. 1441 from the 92nd Congress, the first Flat Tops Wilderness bill to be considered by the Committee and be passed by the Senate. The greatest difference between S. 1441 and S. 702, as introduced, was that the latter incorporated the South Fork Canyon in the proposed wilderness. This 10,716 acre addition, situated in the southwest of the proposed wilderness, has as its principal feature the twelve-mile portion of the South Fork of the White River which begins at Budge's South Fork Resort and flows west to the South Fork Campground. On July 30, 1973, in open mark-up on S. 702, the Subcommittee on Public Lands added approximately 12,000 acres to the south of this portion of the South Fork so as to put the entire drainage, including Wagonwheel and Patterson Creeks, in the wilderness. S. 702, as amended, and H.R. 12884 which incorporated S. 702, as amended, both passed the Senate in the 93rd Congress.

S. 267, as introduced, was identical to S. 702, as amended, and S. 267, as ordered reported, affects the southwestern portion, including the South Fork Canyon, of the proposed wilderness only to the extent of making minor boundary changes for wilderness management purposes.

Both S. 702, as introduced and S. 1441 deleted a portion of the South Fork following an old jeep road and a buffer area of 200 acres around the road directly above Budge's Resort. This area is located in the basin known as the "Meadows". In its July 30, 1973, markup of S. 702, the Subcommittee on Public Lands deleted additional acreage (approximately 2,000 acres) sufficient to remove the entire Meadows from the proposed wilderness. Thus, under S. 702, as reported by the Subcommittee last Congress, the South Fork would have begun in

the proposed wilderness and flowed out of it at the Meadows, back in again at Budge's and out for the final time at the Campground. A preliminary permit issued by the Federal Power Commission to the Colorado River Water Conservation District and the interest of the Rocky Mountain Power Company concerning the Meadows indicated to the Subcommittee that the area is an excellent potential site for a hydroelectric project.

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

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

On the basis of additional information available to the Committee and of the report of the staff visit, certain conclusions were reached prior to Committee markup of S. 702 in October 1973. These conclusions, which have not been altered by testimony at the two hearings on S. 267 held this year by the Subcommittee on the Environment and Land Resources, were:

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

It appears that the diversion proposal was developed by RMPC to maintain "due diligence" on the Flat Tops water rights (collectively known as the Sweetwater Project) when no buyer could be found for the power to be generated in the hydroelectric facility originally

proposed for the site by RMPC. However, the court transcripts clearly establish that, over the last three years, RMPC has made vigorous, but apparently unsuccessful, representations to numerous potential water buyers on the eastern slope, including the five northern cities, the Central Water Conservancy District, and Colorado Springs.

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

Although RMPC does possess conditional rights on the Sweetwater Project (appropriation date 1957, for 100,000 acre feet), the CRWCD has also filed for rights to a similar hydroelectric project known as the Flat Tops Project (appropriation date 1961, for 131,000 acre feet). The Flat Tops Project also calls for two reservoirs, one at the Meadows and the other in the South Fork Canyon (capacities of 131,000 acre feet and 85,000 acre feet respectively compared to the 133,000 acre feet and 100,000 acre feet capacities of the Sweetwater Project's two proposed reservoirs located in the same places). The Flat Tops Project has been modified as a result of the CRWCD's work under the Federal Power Commission permit discussed below to omit the Meadows Reservoir and include only the South Fork Reservoir at the western end of the canyon.

In 1967, the FPC dismissed a license application of RMPC. An application by the CRWCD for an FPC preliminary permit was approved in 1972 and the FPC order issuing the permit denied a motion by RMPC, intervenor, to dismiss the CRWCD's application. The permit (FPC No. 2647) provides for the investigation of the feasibility of the Flat Tops Project, which involves 13,500 kilowatts of base load and 525,000 kilowatts of pump storage and approximately 85,000 acre feet per year for the shale oil industry.

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

(D) The overwhelming sentiment is to include the South Fork and the Meadows in the proposed wilderness. Public officials in particular support the larger wilderness. Both Colorado Senators, Members of the Colorado delegation in the House of Representatives, Governor Richard Lamm and his two most recent predecessors—Governors John Vanderhoof and John Love, favor these additions. Similar testi-

mony has been received from Mr. Sam Caudell, Commissioner of the First District, Colorado Wildlife Division; and Mr. Lee Woolsey, Executive Director of the Northwest Council of Governments which represents 6 counties and 22 municipalities most directly affected by the legislature.

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

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

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

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

At the field hearing of the Subcommittee on the Environment and Land Resources in Glenwood Springs, Colorado, on April 3, 1975, Mr. Sam Caudill, Commissioner of the First District, testified on behalf of the Colorado Division of Wildlife, reiterating the position of its Director 2 years ago.

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

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

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

It is certainly true that without a full-fledged hydrologic study by the Bureau of Reclamation all statistics concerning the RMPC project, the alternative CRWCD project, and the water flow in the area must be considered questionable. However, even were RMPC's position concerning the amount of water which would remain available to the South Fork be proven correct, the size of the Sweetwater Project would be so reduced as to diminish its value in any trade-off with the wilderness values of the area.

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

(F) The use of the water for oil shale, perhaps its most important proposed commercial use, can be made without constructing the Meadows facility or any other facilities along the South Fork of the White River within the wilderness. The staff of the Colorado Water Conservation Board, the CRWCD, and a number of knowledgeable witnesses at the hearings in the 93d Congress all maintain that water for oil shale can be obtained (albeit perhaps at increased cost) from beyond the South Fork Campground where the South Fork of the White River flows out of the proposed wilderness area.

In open mark-up on September 28, 1973, the Committee, taking into consideration the Meadows' critical importance to the proposed wilderness, the overwhelming support for its addition to the wilderness, and the availability of South Fork water for oil shale (which appears to be its most valuable use) beyond the wilderness area, adopted unanimously by voice vote an amendment offered by Senator Haskell to include the 2,200 acre Meadows basin in the proposed wilderness. This vote was reaffirmed by the unanimous Committee vote to add the Flat Tops Wilderness area contained in S. 702, as passed the Senate, to H.R. 12884, which also passed the Senate in the 93d Congress. The Committee, in ordering reported S. 267 on May 14, 1975, has once again voted in favor of retaining both the Meadows and the South Fork Canyon in the Wilderness.

III. ADMINISTRATIVE AND LEGISLATIVE HISTORY

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

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

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

93rd Congress On February 1, 1973, Senator Dominick (for himself and Mr. Haskell), introduced S. 702. In this bill, the 10,700-acre area surrounding the twelve miles of the South Fork of the White River between Budge's South Fork Resort and the South Fork campground (area G-1 on Forest Service Map B) was added to the wilderness proposed in S. 1441, as passed the Senate. Thus the Flat Tops Wilderness proposed in S. 702, as introduced, totaled 212,700 acres.

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

S. 702 was amended and reported by the Committee by unanimous voice vote in open mark-up on September 23, 1973, and was passed by the Senate on October 26, 1973. In open mark-up session on July 15, 1974, the Committee by unanimous voice vote agreed to a motion by Senator Floyd K. Haskell, Chairman of the Subcommittee on Public Lands, to add S. 702, as passed the Senate, to H.R. 12884, and ordered H.R. 12884, as amended, reported favorably to the Senate. The Senate, on August 1, 1974, passed H.R. 12884. The House failed to act on S. 702 or the Flat Tops provisions of H.R. 12884 in the 93rd Congress.

The Committee amendment to S. 702 added approximately 24,800 acres to the wilderness area proposed in S. 702, as introduced, bringing the total area of the proposed wilderness to 237,500 acres. The principal areas added were as follows:

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

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

Finally, the Committee added approximately 12,000 acres to the immediate South of the South Fork of the White River between Budge's Resort and the Campground in order to include several important tributaries of the South Fork. (See discussion in "iv. Water" above.)

94th Congress. S. 267, identical to S. 702, as passed the Senate last Congress, was introduced by Senator Haskell on January 21, 1975. The Subcommittee on the Environment and Land Resources held two hearings on S. 267 and S. 268 (the Eagles Nest Wilderness bill): February 26, 1975, in Washington, D.C., and April 3, 1975, in Glenwood Springs, Colo. The Committee, in open markup on May 14, 1975,

amended S. 267 and ordered it reported favorably to the Senate. The amendments made additions totalling 1,180 acres, and deletions totalling 3,450 acres, to the wilderness area proposed in S. 267, as introduced. The net reduction is 2,270 acres, making the size of the proposed Flat Tops Wilderness in S. 267, as amended, approximately 235,230 acres. The additions and reductions were made to exclude non-conforming uses or to provide for more manageable boundaries. The changes are as follows:

1. Crater Lake, 40 acre exclusion. This eliminates (i) a four inch soil pipeline which supports the fisheries resource in Crater Lake, and (ii) a road, bulldozer constructed in places, which was built in 1966 to put in the pipeline and which is now listed on the Forest Transportation System as a trail. Both the road and the pipeline stretch from Crater Lake east to Sand Creek.

2. Stillwater Reservoir, 50 acre addition and 750 acre exclusion. This provides for a more manageable boundary.

3. Dome Peak, 500 acre exclusion. This provides for a more manageable boundary. The Forest Service suggested that a cow camp is located inside the boundary of S. 267, as introduced, near the North Fork of Derby Creek directly below the boundary change made at Dome Peak. Since hearing testimony disclosed that the Stump Park cow camp is situated outside the boundary no alteration was made.

4. Mackinaw Lake—Emerald Lake—Crescent Lake, 1000 acre exclusion. This is to eliminate non-conforming uses: (i) Crescent Lake has an earthfill dam constructed in 1940 by bulldozer. The dam is 13 feet high, 425 feet long and 10 feet wide at the top and has 237 acre feet of storage capacity. The Forest Service has stated that the dam requires annual maintenance by a bulldozer and periodic maintenance by a drag line. (ii) Mackinaw Lake has a dam constructed in 1940 by bulldozer. It is 15 feet high, 290 feet long and 10 feet wide at the top and has 187 acre feet of storage capacity. The Forest Service believes maintenance needs to be similar to those of Crescent Lake. (iii) There is a four-wheel drive vehicle road to Crescent and Mackinaw Lakes, maintained in places by bulldozer, which is used to gain access to the lakes for annual machine maintenance of the dams. (iv) The headgate of the Lime Basin ditch complex which furnishes irrigation to the Derby drainage area is within the excluded area. Annual maintenance of those facilities also requires machine maintenance, according to the Forest Service.

5. Sweetwater Creek, 280 acre addition and 400 acre exclusion. This eliminates the irrigation and domestic water supply ditches, built prior to 1940, which are under permit to the Sweetwater Resort. The Forest Service has stated that these ditches require machine maintenance.

6. Dry Buck Creek, 100 acre addition and 220 acre exclusion. This provides a more manageable boundary.

7. Elk Lake-Bison Lake, 350 acre addition and 140 acre exclusion. This provides a more manageable boundary.

8. Marvine Creek, 120 acre addition and 200 acre exclusion. This provides a more manageable boundary.

9. Wild Cow Creek, 160 acre addition and 150 acre exclusion. This provides a more manageable boundary.

10. Trappers Lake, 120 acre addition and 50 acre exclusion. This provides a more manageable boundary.

IV. COMMITTEE RECOMMENDATION

The Committee on Interior and Insular Affairs, in open markup on July 15, 1974, by voice vote with a quorum present, unanimously recommended the enactment of S. 267, as amended.

V. TABULATION OF VOTES CAST IN COMMITTEE

Pursuant to subsection (b) of section 133 of the Legislative Reorganization Act of 1946, as amended, the following is a tabulation of votes of the Committee on Interior and Insular Affairs during consideration of S. 267:

During the Committee's consideration of S. 267, the Committee, a quorum being present, cast unanimous voice votes to adopt amendments to the bill and to order the bill, as amended, be reported favorably. The votes were cast in open mark-up session and, because the votes were previously announced by the Committee in accord with the provisions of section 133 (b), it is not necessary that they be tabulated in the Committee report.

VI. Cost

In accordance with subsection (a) of section 252 of the Legislative Reorganization Act of 1970, the Committee notes that no additional budgetary expenditures would be involved should S. 267, as ordered reported, be enacted.

VII. EXECUTIVE COMMUNICATIONS

The reports of Federal agencies relevant to S. 267, as ordered reported, are set forth below:

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., February 25, 1975.

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

DEAR MR. CHAIRMAN: As you requested, here is our report on S. 267, a bill to designate the Flat Tops Wilderness, Routt and White River National Forests, in the State of Colorado.

The Department of Agriculture recommends that S. 267 be enacted if amended to designate a 142,230-acre Flat Tops Wilderness as generally depicted on a map entitled "Flat Tops Wilderness—Proposed," dated April 24, 1967. This recommendation results from a study of the Flat Tops Primitive Area in accordance with the provisions of the Wilderness Act. The President transmitted his recommendation for a 142,230-acre Flat Tops Wilderness to the Congress on March 29, 1968.

S. 267 would designate a 237,500-acre Flat Tops Wilderness within portions of the Routt and White River National Forests in the State of Colorado. It would abolish the previous classification of the Flat Tops Primitive Area.

The area that would be designated as wilderness by S. 267 contains major additions to the area recommended by the President. The study report which accompanied the President's recommendation describes and evaluates those areas not recommended for inclusion in the proposed wilderness. This evaluation included consideration of the areas which would be designated as wilderness by S. 267. These additional areas, included in S. 267 but not included in our proposal, were not included because they were judged not suitable for wilderness designation, because management for other resource values was judged to be of greater importance, or because a well-defined natural boundary could not be established.

The additional areas included in S. 267 contain significant evidence of man's activity including constructed reservoirs and irrigation ditches, partially constructed four-wheel drive roads, and private lands with several cabins and other improvements.

These additional areas also contain major forest, water, recreation, wildlife, and forage resource values which would be partially or completely foregone if the additional areas were designated as wilderness.

We strongly urge the Congress not to designate as wilderness areas where the evidence of man's activity is clearly apparent. We also urge the Congress to carefully consider the resource trade-offs between wilderness values and other resource values and uses within the additional areas which would be designated as wilderness by S. 267. We believe public needs can be better met through the planned development and wider use of these additional areas than through management as wilderness.

Additional details of our concerns and recommendations are contained in the attached supplemental statement.

The Office of Management and Budget advises that there is no objection to the presentation of this report and that enactment of S. 267, if amended as suggested herein, would be consistent with the Administration's objectives.

Sincerely,

J. PHIL CAMPBELL,
Under Secretary.

Enclosure.

USDA SUPPLEMENTAL STATEMENT, FLAT TOPS WILDERNESS PROPOSAL, S. 267

The area contained in S. 267 for designation as the Flat Tops Wilderness includes approximately 237,500 acres. The Administration's proposal includes approximately 142,230 acres.

The areas added by S. 267 include private lands and improvements, primitive roads, water storage and supply facilities, and lands with high forest and range resource values. We do not recommend that any of the additional areas be designated as wilderness, and we are particularly concerned about the designation of three major areas contained in S. 267.

First, the proposed additions in the South Fork of the White River (Areas G-1 and S), including approximately 21,000 acres, contain

important potential water impoundment sites as well as several nonconforming features, including 6½ miles of primitive road and 195 acres of private land on which several cabins are located. These two areas also contain about 5,600 acres of commercial forest land. While portions of these areas are suitable for wilderness, we did not include them within our proposal because they are needed for other resource uses, because they contain several nonconforming features, and because they are outside the main "Flat Tops" area.

Second, the proposed additions in the headwaters of the North Fork of the White River (Areas T and N), including approximately 36,000 acres, contain about 25,000 acres of commercial forest land, and management for the development and use of this forest resource is desirable. The area north of Trappers Lake receives moderate snowmobile use which would be foregone if the area is designated as wilderness. There are water supply systems requiring access and maintenance and other evidences of man's activity within the proposed additions. Areas T and N are outside what we consider to be a natural boundary for the Flat Tops Wilderness.

Third, the proposed additions on the east side of the Administration's proposal (Areas O and P), including approximately 42,000 acres, contain 10,650 acres of commercial forest land and 14,840 acres of rangeland proposed for intensive management. Wilderness designation would preclude full development and use of these resource values. These areas also contain irrigation dams on several lakes and irrigation ditch systems both of which require machine maintenance. Primitive roads serve these lakes. We did not include these areas in our proposal because of the need to manage them for other resource uses and because of the evidence of man's activity.

We are also concerned about other proposed additions. These concerns and our recommendations are discussed on pages 19 to 23 of our report, "A Proposal—Flat Tops Wilderness, White River and Routt National Forests, Colorado," which the President transmitted to the Congress on March 29, 1968.

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF MANAGEMENT AND BUDGET,
Washington, D.C., February 25, 1975.

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

DEAR MR. CHAIRMAN: This is in response to your requests of February 14, 1975 for the views of the Office of Management and Budget on:

1. S. 267, a bill to designate the Flat Tops Wilderness, Routt and White River National Forests, in the State of Colorado; and,
2. S. 268, a bill to designate the Eagles Nest Wilderness, Arapaho, and White River National Forests, in the State of Colorado.

The Office of Management and Budget concurs in the views of the Department of Agriculture in its reports on S. 267 and S. 268, in which the Department strongly recommends that the bills be amended to conform with Wilderness recommendations made concerning these

two areas by Presidents Johnson and Nixon, respectively. If amended as suggested by Agriculture, enactment of these bills would be consistent with the Administration's objectives.

Sincerely,

JAMES F. C. HYDE, JR.,

Acting Assistant Director for Legislative Reference.

VIII. 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 S. 267, as ordered reported.

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Ninety-fourth Congress of the United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Tuesday, the fourteenth day of January,
one thousand nine hundred and seventy-five*

An Act

To designate the Flat Tops Wilderness, Routt and White River National Forests,
in the State of Colorado.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with subsection 3(b) of the Wilderness Act (78 Stat. 891), the area classified as the Flat Tops Primitive Area, with the proposed additions thereto and deletions therefrom, as generally depicted on a map entitled "Flat Tops Wilderness—Proposed", dated May 1975, which is on file and available for public inspection in the office of the Chief, Forest Service, Department of Agriculture, is hereby designated as the "Flat Tops Wilderness" within and as part of the Routt and White River National Forest, comprising an area of approximately two hundred and thirty-five thousand two hundred and thirty acres.

SEC. 2. As soon as practicable after this Act takes effect, the Secretary of Agriculture shall file a map and a legal description of the Flat Tops Wilderness with the Interior and Insular Affairs Committee of the United States Senate and the House of Representatives, and such map and description shall have the same force and effect as if included in this Act: *Provided, however,* That correction of clerical and typographical errors in such map and description may be made.

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

SEC. 4. The previous classification of the Flat Tops Primitive Area is hereby abolished.

Speaker of the House of Representatives.

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

December 13, 1975

Office of the White House Press Secretary

THE WHITE HOUSE

STATEMENT BY THE PRESIDENT

I have approved S. 267, which designates a 235,230-acre Flat Tops Wilderness within the Routt and White River National Forests of Colorado.

The Congress and the executive branch have worked together during the past 11 years to augment the National Wilderness Preservation System established by the Wilderness Act of 1964. The System, now including more than 12 million acres, shows that much progress has been made in securing for all Americans the benefit of an enduring resource of wilderness. Last year, in two separate messages, I proposed a total of 52 new additions which, if accepted by the Congress, would add about 15 million acres to the Wilderness System.

Although I have signed S. 267, it should be noted that the bill designates an area some 93,000 acres larger than the approximately 142,000-acre wilderness proposed by President Johnson in 1968. Furthermore, it illustrates three concerns of mine regarding the designation of wilderness within the National Forest System.

First, the Administration has strongly and consistently urged the Congress not to designate National Forest areas as wilderness where the evidence of man's activity is clearly apparent. The Flat Tops Wilderness, nevertheless, includes some constructed reservoirs, partially constructed roads, and private lands with cabins and other improvements.

Second, Administration proposals for National Forest wildernesses follow careful study and are designed to assure that the proposed boundaries would, to the maximum extent possible, follow recognizable natural features and be located to facilitate protection of the wilderness. The Flat Tops Wilderness boundaries, in contrast to the Administration's proposal, contain several narrow and deep boundary indentations that will be difficult to define and manage.

Third, this Administration and every other Administration since 1964 have urged the Congress to consider carefully trade-offs between wilderness values and other resource values and uses. These trade-offs are particularly important within the National Forest System where wilderness is but one of several very important resources that must be managed for the benefits of all Americans. The Flat Tops Wilderness contains important forest, water, recreation, wildlife, and forage resource values that will now be partially or completely foregone. Moreover, a mineral survey has not been conducted within much of the area which the Congress added to the Administration's Flat Tops Wilderness proposal. However, because mineral resources within the general Flat Tops area are believed to be minimal, I have decided not to insist that additional mineral studies be undertaken.

more

I am hopeful the Congress will work more closely with the executive branch regarding proposed additions to the Wilderness System. Several National Forest Wilderness proposals now being considered by the Congress would include acreages significantly larger than those proposed by the Administration. In some cases, the additional areas would more than double the acreage we proposed. More careful consideration must be given to these proposals if we are to maintain a high-quality Wilderness System while protecting many other important management opportunities for these lands.

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December 2, 1975

Dear Mr. Director:

The following bills were received at the White House on December 2nd:

S. 267 ✓
S. 1245 ✓
H.R. 6692 ✓
H.R. 10027 ✓

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

Sincerely,

Robert D. Linder
Chief Executive Clerk

The Honorable James T. Lynn
Director
Office of Management and Budget
Washington, D. C.