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8/10/19/76

APPROVED
OCT 19 1976

THE WHITE HOUSE
WASHINGTON

ACTION

Last Day: October 19

October 17, 1976

MEMORANDUM FOR THE PRESIDENT
FROM: JIM CANNON *Ted Guern*
SUBJECT: S. 1026 - Omnibus Wilderness Designations

*Posted
10/20/76*

*Archives
10/20/76*

Attached for your consideration is S. 1026, sponsored by Senator Jackson.

The enrolled bill would designate as components of the National Wilderness Preservation System:

- 16 areas within the Interior/National Wildlife Refuge System comprising approximately 155,156 acres located in 11 States;
- Three areas within the Agriculture/National Forest System comprising approximately 232,415 acres in three States.

In addition, the enrolled bill would designate eight wilderness study areas encompassing approximately 587,364 acres of national forest lands in three States for possible future designation as wilderness areas.

A detailed explanation of the provisions of the enrolled bill is provided in OMB's enrolled bill report at Tab A.

Agency Recommendations

The Department of the Interior recommends approval of the enrolled bill. Of the 16 wilderness areas which would be established in national wildlife refuges, 10 are identical to Executive Branch recommendations, while the remaining six areas would be expanded from the Administration's original proposals, comprising 45,000 acres, to a total of 61,000 acres. Interior has reviewed the additional acreage and has no objection to its inclusion.

The Department of Agriculture recommends disapproval of the enrolled bill because:

- Of the three national forest areas which S. 1026 would designate as wilderness, only one of them has been adequately studied. (the Fitzpatrick Wilderness)



- One of the two "instant" wildernesses, the Kaiser Wilderness in the Sierra National Forest, has been reviewed for wilderness values and the Department has determined that the 22,500-acre Kaiser area should be managed for a broader range of resource uses--including timber harvesting--than would be possible under wilderness designation.
- The hodgepodge of wilderness study areas created and the time deadline for studies, would disrupt and delay the systematic efforts of the Department to complete studies of 274 areas totaling 12.3 million acres now under review for wilderness potential as a result of the Department's comprehensive survey of roadless areas in the national forests.

OMB recommends approval of the enrolled bill. They also point out that you should be aware of a provision in a National Park System omnibus enrolled bill, H.R. 13160, which would remove the so-called "Whiskey Mountain" wilderness area from the Fitzpatrick Wilderness that would be designated under S. 1026. OMB states:

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 "Although the Congressional intent with respect to these two conflicting provisions is unclear, the effect of the provision in H.R. 13160, if that enrolled bill is signed after S. 1026, would be to eliminate at least part of the objectionable wilderness designation in S. 1026. In this regard, if you decide to approve both bills, Agriculture strongly recommends that S. 1026 be approved at least one day before you approve H.R. 13160."

Staff Recommendations

Max Friedersdorf, Counsel's Office (Lazarus) and I recommend approval of S. 1026.

Recommendation

That you sign S. 1026 at Tab B.



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

OCT 13 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 1026 - Omnibus wilderness
designations
Sponsor - Sen. Jackson (D) Washington

Last Day for Action

October 19, 1976 - Tuesday

Purpose

Designates 19 wilderness areas encompassing some 387,571 acres in 13 States and establishes eight wilderness study areas encompassing approximately 587,364 acres in three of these States.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval
Council on Environmental Quality	Approval
Department of Defense	No objection
Federal Power Commission	No objection
Department of Commerce	No objection
Department of Transportation	No objection
Department of Agriculture	Disapproval (Memorandum of Disapproval attached)

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.

S. 1026 would designate as components of the National Wilderness Preservation System: (a) 16 areas within the Interior/National Wildlife Refuge System comprising approximately 155,156 acres located in 11 States; and (b) three areas within the Agriculture/National Forest System comprising approximately 232,415 acres in three States. Each of these wilderness areas would be administered under the provisions of the Wilderness Act, which means its primitive, natural condition would be preserved.

In addition, the bill would designate eight wilderness study areas encompassing approximately 587,364 acres of national forest lands in three States for possible future designation as wilderness areas. The bill specifies that the first of these studies would have to be completed within 19 months, with three other studies scheduled for completion at the end of 2 years and the remaining four studies to be completed in 5 years.

Of the 19 areas encompassing 387,571 acres which S. 1026 would designate as wilderness, 17 are related to specific Administration proposals to designate 321,691 acres as wilderness. Attached to this memorandum is a list of the areas and location of lands which would be affected by S. 1026.

In its enrolled bill letter, the Department of Agriculture urges your disapproval of S. 1026. Agriculture's primary concern is that of the three national forest areas which S. 1026 would designate as wilderness, only one of them (the proposed Fitzpatrick Wilderness in the Shoshone National Forest) has been adequately studied. Agriculture is fundamentally opposed to the "instant" wilderness designation of the other two areas without a prior wilderness study, minerals survey, and public involvement as prescribed in the Wilderness Act of 1964. Agriculture also points out that one of these two "instant" wildernesses which S. 1026 would create, the proposed Kaiser Wilderness in the Sierra National Forest, has been reviewed

for wilderness values and the Department has determined that the 22,500-acre Kaiser area should be managed for a broader range of resource uses -- including timber harvesting -- than would be possible under wilderness designation.

Furthermore, Agriculture's letter expresses substantial concern with the piecemeal approach to designating wilderness study areas which S. 1026 would effect. Agriculture states that the hodgepodge of wilderness study areas which S. 1026 would establish, and the time deadline for studies, would disrupt and delay the systematic efforts of the Department to complete studies of 274 areas totaling 12.3 million acres now under review for wilderness potential as a result of the Department's comprehensive survey of roadless areas in the national forests.

The Department of the Interior, taking the opposite view in its attached enrolled bill letter, recommends that you approve S. 1026. Interior points out that all 16 wilderness areas which would be established in national wildlife refuges were recommended by the Administration. Ten of these areas are identical to Executive Branch recommendations, while the remaining six areas would be expanded from the Administration's original proposals, comprising 45,000 acres, to a total of approximately 61,000 acres. Interior notes that it has reviewed the additional acreage in each refuge and has no opposition to the inclusion of these areas in wilderness status. Finally, Interior notes that it is aware of Agriculture's concerns regarding the instant wildernesses, and then concludes that:

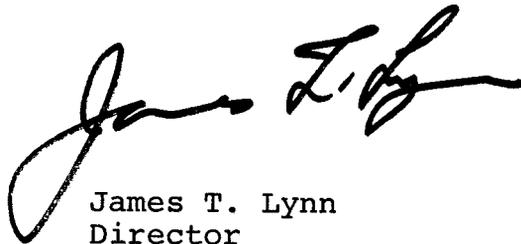
"... While we agree that Congressional action establishing wilderness areas without having mineral surveys is an unfortunate precedent, we do not believe that it is an adequate basis for vetoing this enrolled bill."

Conclusion

While we share Agriculture's basic concerns with respect to the "instant" wilderness designation of Forest Service lands and the requirement for additional wilderness studies, on balance, we join Interior in recommending approval.

On a relative basis, the proportion of additional wilderness acreage that the enrolled bill would add to the Executive Branch recommendations is significantly less than the wilderness additions that Congress has made to four bills which you have approved since November of last year. In addition, while the requirement to study eight national forest areas for their wilderness potential will present the Forest Service with certain administrative problems, we do not anticipate this provision as having a major impact on Forest Service activities.

Finally, if you decide to approve S. 1026 as we are recommending, you should be aware of a provision in a National Park System omnibus wilderness enrolled bill, H.R. 13160, which would remove the so-called "Whiskey Mountain" wilderness area (6,497 acres) from the Fitzpatrick Wilderness that would be designated under S. 1026. Although the congressional intent with respect to these two conflicting provisions is unclear, the effect of the provision in H.R. 13160, if that enrolled bill is signed after S. 1026, would be to eliminate at least part of the objectionable wilderness designation in S. 1026. In this regard, if you decide to approve both bills, Agriculture strongly recommends that S. 1026 be approved at least one day before you approve H.R. 13160. We expect to forward H.R. 13160 to the White House, with a recommendation for approval, by October 14, 1976.



James T. Lynn
Director

Enclosures

Interior: National Wildlife Refuge Designated Wilderness Areas

<u>State</u>	<u>Wilderness</u>	<u>Acreage Enacted</u>	<u>Acreage Proposed</u>
Alaska	Simenof	25,141	25,141
Arkansas	Big Lake	2,600	1,118
Florida	Chassahowitzka	23,360	16,900
Florida	J.N. "Ding" Darling	2,825	2,735
Florida	Lake Woodruff	1,146	1,146
Illinois	Crab Orchard	4,050	4,050
Louisiana	Lacassine	3,300	2,854
Minnesota	Agassiz	4,000	4,000
Minnesota	Tamarac	2,138	2,138
Missouri	Mingo	8,000	1,700
Montana	Red Rock Lakes	32,350	32,350
Montana	Medicine Lake	11,366	11,366
Montana	UL Bend	20,890	19,693
Nebraska	Fort Niobara	4,635	4,635
North Carolina	Swanquarter	9,000	9,000
Washington	San Juan	355	355
	Subtotal	155,156	139,181

Agriculture: National Forest Designated Wilderness Areas

<u>State</u>	<u>Wilderness</u>	<u>Acreage Enacted</u>	<u>Acreage Proposed</u>
California	Kaiser	22,500	None
Missouri	Hercules-Glades	12,315	None
Wyoming	Fitzpatrick	197,600	182,510
	Subtotal	232,415	182,510

<u>State</u>	<u>Wilderness Study Area</u>	<u>Acreage Enacted</u>	<u>Study Time</u>
California	Sheep Mountain	52,000	2 Years
California	Snow Mountain	37,000	2 Years
Missouri	Bell Mountain	8,530	5 Years
Missouri	Paddy Creek	6,888	5 Years
Missouri	Piney Creek	8,430	5 Years
Missouri	Rockpile Mountain	4,170	5 Years
Montana	Great Bear	393,000	19 Months
Montana	Elkhorn	77,346	2 Years
	Subtotal	587,364	



THE SECRETARY OF TRANSPORTATION

WASHINGTON, D.C. 20590

OCT 5 1976

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

Dear Mr. Lynn:

This is in response to your request for this Department's comments on enrolled bill S. 1026,

"To designate certain lands as wilderness, and for other purposes."

This enrolled bill would designate as wilderness, in accordance with appropriate sections of the Wilderness Act (78 Stat. 892) certain lands located in 16 National Wildlife Refuges and two National Forests. It also directs that studies pursuant to the Wilderness Act be undertaken for eight additional areas located within National Forests. The Secretaries of Agriculture and of the Interior have responsibility for implementation of the enrolled bill.

In commenting on draft proposals to designate certain of these areas as wilderness, the Department of Transportation noted that within this Department the U. S. Coast Guard has authority and responsibility under Titles 14 and 33, U.S. Code, to establish, operate, and maintain aids to navigation and vessel traffic control systems to ensure the safe conduct of maritime commerce and to protect life and property on or near the navigable waters of the United States. We also noted that the Federal Aviation Administration has similar responsibility with respect to air commerce. We requested that certain language be added to the proposed legislation to assure that there would be no conflict between the wilderness proposals and the responsibilities of this Department. The proposed language would have provided as follows:

"Nothing in this Act shall be construed to diminish the authority of the Coast Guard, pursuant to 14 U.S.C. 2 and 81 and Title I of the Ports and Waterways Safety Act of 1972 (33 U.S.C. 1221), or of the Federal Aviation Administration, to use the area designated wilderness by this Act for navigational aid and maritime and aviation safety purposes. In the case of such use involving unmanned devices, the consent of the Secretary of the Interior to the use shall not be required."

The requested additional language has not been inserted in the enrolled bill. However, the Department believes that it has sufficient authority under existing statutes to maintain necessary aids to air and maritime commerce. Further, the Secretaries of Agriculture and of the Interior have cooperated fully with our efforts to maintain such facilities in the past and the conflicts which are theoretically possible have not arisen in practice. Nonetheless, we would continue to request that in future legislative proposals establishing wilderness areas, the above cited language be included.

In view of the significant impact of the bill on the Departments of Agriculture and of the Interior, we defer to their recommendations concerning approval or disapproval. With respect to the bill's described effect on this Department's programs, we have no objection to the signing of this bill by the President.

Sincerely,


William T. Coleman, Jr.



**GENERAL COUNSEL OF THE
UNITED STATES DEPARTMENT OF COMMERCE**
Washington, D.C. 20230

OCT 6 1976

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. 1026, an enrolled enactment

"To designate certain lands as wilderness."

S. 1026 would designate some 19 areas in 13 states as components of the National Wilderness Preservation System in accordance with the Wilderness Act of 1964 (16 U.S.C. 1131, et. seq.). Approximately 155,000 acres would be designated as wilderness from the National Wildlife Refuge System, in accordance with section 3(c) of the Act, and approximately 232,000 acres would be designated as wilderness from within the National Forest System, in accordance with section 3(b) of the Act. In addition, some 587,000 acres would be designated, from the National Forest System, as proposed wilderness study areas.

The Department of Commerce interposes no objection to approval by the President of S. 1026.

Enactment of this legislation would not involve any additional expenditure of funds by this Department.

Sincerely,

A handwritten signature in dark ink, appearing to read "J. T. Smith".

General Counsel



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

OCT 6 1976

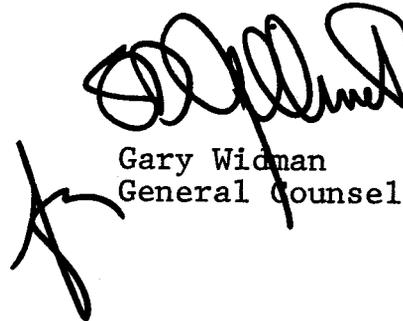
MEMORANDUM FOR JAMES M. FREY
OFFICE OF MANAGEMENT AND BUDGET

ATTN: MS. RAMSEY

SUBJECT: Enrolled Bill, S. 1026, "Designation of Wilderness
Areas within the National Wildlife Refuge System."

S. 1026 establishes 16 new wilderness areas within the National Wildlife Refuge System and three new wilderness areas within the National Forest System. Additionally, eight areas are designated as study areas within the National Forest System. Of the 27 areas covered by the bill there are only two where potential resource conflicts exist. In one of those areas, the Kaiser area in Sierra National Forest, California, a compromise was reached which excluded an area with a pending timber sale from the wilderness boundaries.

In view of the fact that the bill largely parallels the Administration wilderness proposals, the Council on Environmental Quality strongly recommends that the President sign this bill into law.



Gary Widman
General Counsel



GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE

WASHINGTON, D. C. 20301

6 October 1976

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

Dear Mr. Lynn:

Reference is made to your request to the Secretary of Defense for the views of the Department of Defense with respect to S. 1026, 94th Congress, an enrolled bill, "To designate certain lands as wilderness."

The bill as enacted would (1) designate 16 National Wildlife Refuges as wilderness under the National Wilderness Preservation System; (2) re-designate 3 units of the National Forest System as components of the National Wilderness Preservation System; and (3) require the Secretary of Agriculture to study the feasibility of establishing 8 other units of the National Forest System as additions to the National Wilderness Preservation System.

The Department of the Army has noted that certain of the newly-designated wilderness areas could affect Congressionally-authorized activities of the Army Corps of Engineers. The primary Corps activities are on-going or potentially active in or near Lacassine National Wildlife Refuge, Louisiana; Swannquarter National Wildlife Refuge, North Carolina; Big Lake National Wildlife Refuge, Arkansas; and UL Bend National Wildlife Refuge, Montana. The Department of the Army assumes that the designation of all the wilderness areas subject to this enrolled enactment will not interfere with these Congressionally-authorized activities.

The Department of Defense interposes no objection to the signing of this bill by the President.

Sincerely,

A handwritten signature in cursive script, reading "Richard A. Wiley", is written over the typed name.

Richard A. Wiley



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

October 7, 1976

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

Dear Mr. Lynn:

As requested by your office, here is our report on S. 1026, an enrolled enactment "To designate certain lands as wilderness."

The Department of Agriculture recommends that the President not approve the enactment.

Section 1 of S. 1026 would designate 16 wildernesses, totaling 155,156 acres within National Wildlife Refuges administered by the Secretary of the Interior. Section 2 would designate three wildernesses, totaling 232,415 acres within the National Forest System. Section 3(b) would designate eight wilderness study areas, totaling 587,364 acres within the National Forest System.

S. 1026 contains both acceptable and unacceptable provisions. Our comments about each of the affected National Forest areas are summarized in the enclosed supplemental statement. Apart from the issues surrounding individual areas, however, we believe S. 1026 contains two features that threaten the integrity of the Wilderness System and the ability of the National Forest System to provide multiple products and services for everyone.

First, we are fundamentally opposed to the "instant" designation of wilderness without a wilderness study, a minerals survey, and public involvement, as would occur under sections 2(b)(1) and 2(b)(2) of S. 1026. Wilderness is a long-term (probably permanent) land allocation that should be made only with the best available resource information and with adequate opportunities for public comment and for the comments to be carefully considered. Although certain National Forest areas became "instant" wilderness with enactment of the 1964 Wilderness Act, those areas were administratively designated for wilderness-type management long before passage of the 1964 Act. We firmly believe the public review procedures in the Wilderness Act and the National Environmental Policy Act should be followed before any National Forest areas are proposed for wilderness designation. Problems that arose in the administration of certain "instant" wildernesses designated by the 1975 Eastern Wilderness Act (P.L. 93-622) clearly demonstrate that the public, the executive branch, and the Congress are ill served when wildernesses are

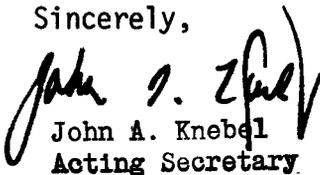
designated without complete resource information and without recorded public involvement at the local and State levels. In one case (Bristol Cliffs Wilderness, Vermont) local residents successfully forced the passage of remedial legislation to alter the wilderness boundaries less than a year and a half after enactment of the 1975 Eastern Wilderness Act.

Second, the designation of National Forest wilderness study areas in section 3 of S. 1026 represents an undesirable piecemeal approach that lacks an overall view of its consequences. Our 1973 selection of 274 National Forest wilderness study areas, totaling 12.3 million acres, resulted from a comprehensive inventory and review of National Forest roadless areas. We are in the process of studying each of these areas and making recommendations to the Congress. The study process includes a minerals survey and public hearings on each area. In addition, other wilderness study areas are being identified as we complete new land management plans throughout the National Forest System. We believe the wilderness study areas selected through the roadless area review and through land management planning are the most likely candidates for addition to the Wilderness System, and most importantly, they are selected in a multiple use management context that takes into account other resource potential and public needs. In our opinion, section 3 contains a hodgepodge of wilderness study areas that reflects pressures during the closing days of the 94th Congress more than reasoned land management decisionmaking.

As mentioned earlier, S. 1026 would affect both the National Wildlife Refuge System (section 1) and the National Forest System (sections 2 and 3). We recognize that section 1 of S. 1026 contains several Administration wilderness proposals. However, we believe the problems outlined in this letter and the accompanying supplemental statement with regard to the National Forest System are so serious as to merit the President withholding his approval of S. 1026. Section 1 could be reenacted as a separate act early in the 95th Congress, and the Administration would have another opportunity to seek any desirable perfecting amendments. In the meantime, the wilderness characteristics of the areas proposed by the Administration for wilderness designation would continue to be protected.

A draft Presidential message is enclosed for your consideration.

Sincerely,



John A. Knebel
Acting Secretary

Enclosures

USDA SUPPLEMENTAL STATEMENT
ON THE ENROLLED ENACTMENT S. 1026

Section 2 of S. 1026 would designate three National Forest areas, totaling 232,415 acres, as wilderness. Section 3(b) would designate eight National Forest areas, totaling 587,364 acres, for wilderness study.

NATIONAL FOREST AREAS DESIGNATED AS WILDERNESS

Fitzpatrick (Glacier) Wilderness, Wyoming

Section 2(a) of S. 1026 would designate about 197,600 acres in the Shoshone National Forest as the Fitzpatrick Wilderness. Tom Fitzpatrick was a noted mountainman, fur trader, guide, and partner of Jim Bridger after whom the nearby Bridger wilderness is named. We would have no objection to memorializing Tom Fitzpatrick by designating our proposed wilderness as the Fitzpatrick Wilderness.

The Fitzpatrick Wilderness would include the 182,510 acres proposed by the Administration for designation as the Glacier Wilderness as well as 15,090 acres of contiguous land on the north. Designation of the additional areas would include lands not suitable for wilderness designation and weaken manageability of the wilderness boundary.

Most importantly, designation of the 6,500-acre Whiskey Mountain area would preempt the use of motorized vehicles for the removal of bighorn sheep. The Whiskey Mountain area is a major wintering area for the largest herd of bighorn sheep in the contiguous 48 States, and the sheep population has grown to the point that the area cannot indefinitely support the herd at its present size. The bighorn sheep trapping and restocking program, conducted on nearby areas by the Forest Service and the Wyoming Game and Fish Commission, should be extended to include the Whiskey Mountain area. This will not be possible if the President approves S. 1026.

Kaiser Wilderness, California

Section 2(b)(1) of S. 1026 would designate about 22,500 acres in the Sierra National Forest as wilderness. Planned timber sales and other management activities in the Kaiser area have been debated and delayed for many years. We have reviewed the wilderness values and other resource values of the Kaiser area; we have obtained public input on management alternatives; and we have concluded that the area should be managed for a broader range of resource uses than would be possible under wilderness designation.

We estimate that about \$500,000 has been spent for timber inventories, for timber sale preparation, and for the development and processing of two environmental statements on planned timber sales within the Kaiser area. Although the Aspen-Horsethief timber sale area would not be designated as wilderness, the Home Camp and Line Creek timber sale areas would be so designated. Thus, the planned initial harvest of 23.4 million board feet from the Aspen-Horsethief area would continue to be available, but the planned initial harvest of 62 million board feet from the Home Camp and Line Creek areas would not be available.

Repeated deferrals of timber sales in the Kaiser area have made it necessary in recent years to harvest timber from other more available and more accessible areas in order to maintain the Sierra National Forest timber harvesting program at a planned level of about 150 million board feet. In fiscal year 1976, the Forest Service again made all possible program adjustments, and 123 million board feet were sold. It will not be possible, in the short run, to maintain the Forest's current annual harvest level if the President approves S. 1026.

Delays in proceeding with planned management activities and pressures for wilderness designation in the Kaiser area have come primarily from some residents of the adjacent Huntington Lake area. Many of these people reside on National Forest land under Forest Service permits. They tend to view the Kaiser area in a personal, possessory way, and despite numerous Forest Service assurances and requirements to protect scenic and recreational values, many Huntington Lake residents are adamantly opposed to any timber harvesting in the Kaiser area.

Almost one-quarter of the Sierra National Forest is already designated as wilderness, and about 2.3 million acres of Federal land within the Sierra Nevada of central California are within the National Wilderness Preservation System or the National Park System.

Although the planned timber sales in the Kaiser area have been the subject of much review and discussion, a formal wilderness study and a minerals survey have not been conducted. Therefore, designation of a Kaiser Wilderness at this time would occur without the benefit of complete resource information.

Hercules-Glades Wilderness, Missouri

Section 2(b)(2) of S. 1026 would designate about 12,315 acres in the Mark Twain National Forest as wilderness, although no study has been conducted to determine the area's suitability or unsuitability for preservation as wilderness. The Department of the Interior has not conducted a minerals survey. No public hearings have been held in the vicinity of the affected land, and no wilderness proposal has been reviewed by the public and governmental agencies. Problems that arose

in the administration of certain "instant" wildernesses designated by the Eastern Wilderness Act (P.L. 93-622) clearly demonstrate it is unwise to bypass the review procedures in section 3(d) of the 1964 Wilderness Act. Lacking complete resource information and recorded public involvement at the local and State levels, administrative problems are likely as local people become aware of the full impact of wilderness designation, if the President approves S. 1026.

NATIONAL FOREST AREAS DESIGNATED FOR WILDERNESS STUDY

Sheep Mountain, California

Section 3(b)(1) of S. 1026 would designate about 52,000 acres in the Angeles and San Bernardino National Forests for wilderness study. The President's recommendation to the Congress would be required within 2 years of enactment. The area includes the 31,680-acre Sheep Mountain Wilderness Study Area selected during the Forest Service roadless area review (RARE) in 1973. We believe the National Forest land management planning process now underway in the Sheep Mountain area should continue without the congressional designation of a 52,000-acre wilderness study area.

Snow Mountain, California

Section 3(b)(2) of S. 1026 would designate about 37,000 acres in the Mendocino National Forest for wilderness study. The President's recommendation to the Congress would be required within 2 years of enactment. The Forest Service examined the wilderness values and other resource values of the Snow Mountain area during two previous studies, and we have concluded that the area should be managed to serve a broader range of resource uses than would be possible under wilderness designation. Much of the area would continue to be managed as an undeveloped, unroaded scenic area without S. 1026. If the President approves S. 1026, an unnecessary and possibly unproductive third study would be required.

Bell Mountain, Paddy Creek, Piney Creek and Rockpile Mountain, Missouri

Sections 3(b)(3), 3(b)(4), 3(b)(5), and 3(b)(6) of S. 1026 would respectively designate an 8,530-acre Bell Mountain Wilderness Study Area, a 6,888-acre Paddy Creek Wilderness Study Area, an 8,430-acre Piney Creek Wilderness Study Area, and a 4,170-acre Rockpile Mountain Wilderness Study Area, all within the Mark Twain National Forest. Although we recommended some minor boundary adjustments, we have no serious objections to the designation of these four areas for wilderness study. However, we do object to three features of S. 1026 that are inconsistent with the Eastern Wilderness Act (P.L. 93-622) which applies to National Forest areas east of the 100th meridian, including those in Missouri.

1. Section 4(d) of the Eastern Wilderness Act clarifies the authority of the Secretary of Agriculture to carry out multiple-use sustained-yield programs within areas not designated for wilderness study. However, section 3(c) of S. 1026 clouds the status of areas adjacent to the study areas which the enactment would designate.

2. Section 4(d) of the Eastern Wilderness Act established 10 years as the standard eastern wilderness study period. Sections 3(b)(3), 3(b)(4), 3(b)(5), and 3(b)(6) of S. 1026 would require that the studies be completed in 5 years.

3. Section 7 of the Eastern Wilderness Act authorizes the transfer of Federal lands within eastern wilderness study areas to the Secretary of Agriculture. S. 1026 does not contain this useful provision.

We believe the Eastern Wilderness Act established useful principles and procedures that should be applied to all wilderness study areas within the eastern National Forests. Despite our recommendations, S. 1026 contains provisions which are inconsistent with the Eastern Wilderness Act.

Great Bear, Montana

Section 3(b)(7) of S. 1026 would designate about 393,000 acres in the Flathead and Lewis and Clark National Forests for wilderness study. We believe this study designation would largely duplicate completed and planned administrative actions, because 367,700 acres of the Great Bear area was selected for wilderness study in 1973 during the Forest Service roadless area review (RARE). Originally, the Great Bear legislation included 20,000 acres of land under the Blackfeet Treaty Rights Agreement of 1895. We recommended exclusion of the treaty area to avoid possible conflicts between provisions of the treaty and protection of existing wilderness characteristics during the study. S. 1026 would not include the treaty area. Although the 19-month study period is only slightly more than half of the 3-year period we would prefer, it is an improvement over the 1-year period that would have been provided in the Senate act (S. 392).

Elkhorn Mountain, Montana

Section 3(b)(8) of S. 1026 would designate about 77,436 acres within the Deer Lodge and Helena National Forests for wilderness study. The President's recommendation to the Congress would be required within 2 years of enactment. The Elkhorn area was inventoried during the 1972-73 Forest Service roadless area review, but it was not selected

for wilderness study. About two-thirds of the S. 1026 Elkhorn Wilderness Study Area is within the Elkhorn Planning Unit for which we filed a final environmental statement and management plan on June 16, 1976. The plan has not been implemented, because it is the subject of an administrative appeal.

The Elkhorn wilderness study was added to S. 1026 on the House floor. Although Congressman Melcher held a hearing on the Elkhorn Unit Plan in Helena, Montana, on September 6, the specific wilderness study proposal embodied in S. 1026 was not the subject of hearings in the House. The Elkhorn study was one of ten studies included in S. 393 ("The Montana Wilderness Study Act of 1976") as passed by the Senate on August 23, 1976.

Section 3(b)(8) represents an undesirable piecemeal approach to the selection of wilderness study areas without full consideration of resource information and consequences. Furthermore, there is no immediate need to designate the Elkhorn Wilderness Study Area, because we have already assured Congressman Melcher that we will not take any action that would affect existing wilderness characteristics for at least 90 days after the beginning of the 95th Congress. This will give the Congress ample time to judge the priority of the Elkhorn issue and to make a considered judgment.

SUMMARY OF NATIONAL FOREST AREAS DESIGNATED BY S. 1026

<u>S. 1026 Section</u>	<u>Area</u>	<u>National Forest(s)</u>	<u>State</u>	<u>Acreage</u>	<u>Type of Designation</u>
2(a)	Fitzpatrick	Shoshone	Wyoming	197,600	Wilderness
2(b)(1)	Kaiser	Sierra	California	22,500	Wilderness
2(b)(2)	Hercules-Glades	Mark Twain	Missouri	12,315	Wilderness
3(b)(1)	Sheep Mtn.	Angeles and San Bernardino	California	52,000	Wilderness Study (2 yrs)
3(b)(2)	Snow Mtn.	Mendocino	California	37,000	Wilderness Study (2 yrs)
3(b)(3)	Bell Mtn.	Mark Twain	Missouri	8,530	Wilderness Study (5 yrs)
3(b)(4)	Paddy Creek	Mark Twain	Missouri	6,888	Wilderness Study (5 yrs)
3(b)(5)	Piney Creek	Mark Twain	Missouri	8,430	Wilderness Study (5 yrs)
3(b)(6)	Rockpile Mtn.	Mark Twain	Missouri	4,170	Wilderness Study (5 yrs)
3(b)(7)	Great Bear	Flathead and Lewis and Clark	Montana	393,000	Wilderness Study (19 mos)
3(b)(8)	Elkhorn Mtn.	Deerlodge and Helena	Montana	77,346	Wilderness Study (2 yrs)
Total area designated as wilderness				232,415	acres
Total area designated for wilderness study.				587,364	acres

FEDERAL POWER COMMISSION
WASHINGTON, D.C. 20426

S. 1026 - 94th Congress
Enrolled Bill

OCT 8 1976

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 letter is in response to Mr. Frey's S. 1026, Enrolled Bill request of October 4, 1976, requesting the Commission's comments on the bill which designates nineteen specific wilderness areas within the National Wildlife Refuge System, and delineates eight other areas as Wilderness Study Areas.

Previously, the Federal Power Commission staff has reviewed seventeen of the areas proposed for designation to determine the effects of the recommended actions on matters affecting the Commission's responsibilities. Such responsibilities relate to the development of hydroelectric power and assurance of the reliability and adequacy of electric service under the Federal Power Act, and the construction and operation of natural gas pipelines under the Natural Gas Act. A current review by Commission staff indicates no substantial changes in our previous recommendations respecting these seventeen areas.

However, no previous review has been made of the Simeonof, Alaska area or the Kaiser, California area, but we are not presently aware of any hydroelectric or natural gas interests involved. Due to the forty-eight hour deadline and the inadequacy of information, it is impossible to make a precise determination of the impact of these two proposals at this time.



With regard to the development of hydroelectric power and the adequacy of electric service, it was previously noted that the Fort Niobrara, Nebraska proposal may affect possible development of a small hydroelectric project of 5,400 kilowatts. The Commission reiterates this concern at this time.

In the area of the production and distribution of natural gas, the staff reports no objection to the designation as wilderness of the areas described.

Wilderness Area	Size of Wilderness Area in Acres		Summary of Power Concerns from Previous Review	Summary of Natural Gas Concerns from Previous Review
	S. 1026	Previously Proposed		
Simeonof	25,141	-	-	-
Big Lake	2,600	1,818	None	None
Chassahowitzka	23,360	16,900	None	None
J. N. "Ding"				
Darling	2,825	2,735	None	None
Lake Woodruff	1,146	1,106	None	None
Crab Orchard	4,050	4,050	None	None
Lacassine	3,300	3,296	None	None
Agassiz	4,000	4,000	None	None
Tamarac	2,138	2,138	None	None
Mingo	8,000	1,700	None	None
Red Rock Lakes	32,350	32,350	None	None
Medicine Lake	11,366	11,366	None	None
UL Bend	20,890	20,890	None	None
Fort Niobrara	4,635	4,635	Potential Hydro	None
Swanquarter	9,000	9,000	None	None
San Juan				
(Islands)	355	355	None	None
Fitzpatrick				
(Glacier)	197,600	190,720	None	None
Kaiser	22,500	-	-	-
Hercules-Glades	12,315	16,400	None	None

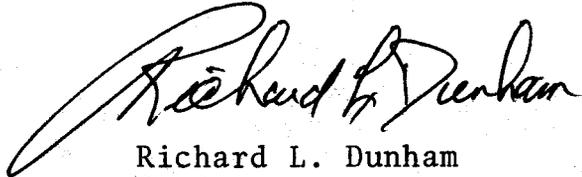
Honorable James T. Lynn

- 3 -

At this time, the Federal Power Commission has no objection to the eight areas designated as Wilderness Study Areas, presuming that the Commission will be given the opportunity to review the completed wilderness studies.

The Commission offers no objection to approval of the enrolled bill.

Sincerely yours,

A handwritten signature in cursive script that reads "Richard L. Dunham". The signature is written in dark ink and is positioned above the typed name and title.

Richard L. Dunham
Chairman





United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

OCT 8 - 1976

Dear Mr. Lynn:

This responds to your request for the views of this Department on S. 1026, "To designate certain lands as wilderness."

We recommend that the President approve the bill.

S. 1026 would designate the following lands within the National Wildlife Refuge System as components of the National Wilderness Preservation System in accordance with subsection 3(c) of the Wilderness Act:

- (1) Simeonof National Wildlife Refuge, Alaska - approximately 25,141 acres;
- (2) Big Lake National Wildlife Refuge, Arkansas - approximately 2,600 acres;
- (3) Chassahowitzka National Wildlife Refuge, Florida - approximately 23,360 acres;
- (4) J.N. "Ding" Darling National Wildlife Refuge, Florida - approximately 2,825 acres;
- (5) Lake Woodruff National Wildlife Refuge, Florida - approximately 1,146 acres;
- (6) Crab Orchard National Wildlife Refuge, Illinois - approximately 4,050 acres;
- (7) Lacassine National Wildlife Refuge, Louisiana - approximately 3,300 acres;
- (8) Agassiz National Wildlife Refuge, Minnesota - approximately 4,000 acres;
- (9) Tamarac National Wildlife Refuge, Minnesota - approximately 2,138 acres;
- (10) Mingo National Wildlife Refuge, Missouri - approximately 8,000 acres;



(11) Red Rocks Lakes National Wildlife Refuge, Montana - approximately 32,350 acres;

(12) Medicine Lake National Wildlife Refuge, Montana - approximately 11,366 acres;

(13) UL Bend National Wildlife Refuge, Montana - approximately 20,890 acres;

(14) Fort Niobrara National Wildlife Refuge, Nebraska - approximately 4,635 acres;

(15) Swanquarter National Wildlife Refuge, North Carolina - approximately 9,000 acres;

(16) San Juan Islands National Wildlife Refuge, Washington - approximately 355 acres.

Section 2 of S. 1026 would designate certain lands within the National Forest System as wilderness and also designate certain lands within the System as wilderness study areas.

This Department is aware of the concern which the Department of Agriculture has expressed regarding the wilderness designations within Forest Service lands. We defer to the views of the Department of Agriculture as to the advisability of that section of the enrolled bill. We would also note that this Department expressed concern to the Congress about the bypassing of mineral surveys which are normally conducted before including an area in the Wilderness System. While we agree that Congressional action establishing wilderness areas without having mineral surveys is an unfortunate precedent, we do not believe that it is an adequate basis for vetoing this enrolled bill. However, we urge that the President acknowledge these concerns in any signing statement on enrolled bill S. 1026.

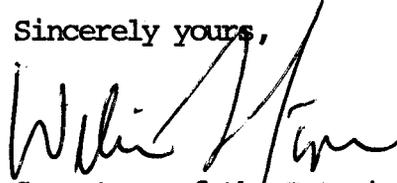
With the exception of six of these 16 areas where the Congress has decided to include more acreage in wilderness than this Department recommended, S. 1026 is in basic accord with the recommendations of this Department's reports as transmitted to the Congress on these wildlife refuge areas. These increases in acreages are as follows:

(1) Big Lake Refuge - increase from 1,118 to 2,600 acres; (2) Chassahowitzka Refuge - increase from 16,900 to 23,360 acres; (3) J.N. Darling Refuge - increase from 2,735 to 2,825 acres; (4) Lacassine Refuge - increase from 2,854 to 3,300 acres; (5) Mingo Refuge - increase from 1,700 to 8,000 acres; and (6) UL Bend Refuge - increase from 19,693 (and 1,197 of potential addition once land exchanges could be made) to 20,890 acres. The largest addition made to any of these areas was in the Mingo Refuge where the Congress included

all of a large lake in wilderness and two parcels of land south of this lake where water management techniques practiced by the Fish and Wildlife Service make it questionable whether this area meets wilderness criteria.

This Department has reviewed this additional acreage in each refuge and has no objection to the inclusion of this new acreage in wilderness. Accordingly, we recommend that the President sign the enrolled bill.

Sincerely yours,

A handwritten signature in black ink, appearing to read "William P. Tamm". The signature is written in a cursive style with a large, sweeping initial "W".

Acting Secretary of the Interior

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

THE WHITE HOUSE
WASHINGTON

11.13.76

TO. Tom Jones

For Your Information: _____

For Appropriate Handling: _____

for your files.

RDL
Robert D. Linder

THE WHITE HOUSE
WASHINGTON

Bob Linder

Would there be any reason that
this could not be done. Jim
Connor would like you to arrange.

Trudy Fry
10/12/76

THE WHITE HOUSE

WASHINGTON

October 11, 1976

MEMORANDUM FOR: JIM CONNOR
THRU: MAX FRIEDERSDORF *mc. G*
FROM: BOB WOLTHUIS *RKW*
SUBJECT: S.1026 - HR 13160 *10/20*

Attached is a letter from Senator Clifford Hansen (R-Wyo.) wherein he strongly requests that the President sign S. 1026 before he signs HR 13160. As Senator Hansen points out if they were to be signed in reverse order, an amendment he offered to HR 13160 might be negated. I note from our record that S. 1026 has been received and has a signing deadline of 10/19/76. I believe that HR 13160 has a deadline after that. We strongly support Senator Hansen's request.

THE WHITE HOUSE
WASHINGTON

October 11, 1976

MEMORANDUM FOR:

JIM CONNOR

THRU:

MAX FRIEDERSDORF *Mr. G*

FROM:

BOB WOLTHUIS *RKW*

SUBJECT:

S.1026 - HR 13160 *10/20*

Attached is a letter from Senator Clifford Hansen (R-Wyo.) wherein he strongly requests that the President sign S. 1026 before he signs HR 13160. As Senator Hansen points out if they were to be signed in reverse order, an amendment he offered to HR 13160 might be negated. I note from our record that S. 1026 has been received and has a signing deadline of 10/19/76. I believe that HR 13160 has a deadline after that. We strongly support Senator Hansen's request.

October 7, 1976

Dear Senator:

Thank you for your letter of October 6, 1976, requesting that the President sign S.1026 prior to taking action on H.R.13160.

I have referred your letter to the appropriate White House staff office and you may be certain that your request will be given very careful attention.

With best wishes,

Sincerely,

**Joseph S. Jenckes V
Special Assistant
for Legislative Affairs**

**The Honorable Clifford P. Hansen
United States Senate
Washington, D. C. 20510**

**bcc:w/incoming to Bob Wolthuis for further action please
JSJ:pd**

HENRY M. JACKSON, WASH., CHAIRMAN

FRANK CHURCH, IDAHO
LEE METCALF, MONT.
J. BENNETT JOHNSTON, LA.
JAMES ABUREZK, S. DAK.
FLOYD K. HASKELL, COLO.
JOHN GLENN, OHIO
RICHARD STONE, FLA.
DALE BUMPERS, ARK.

PAUL J. FANNIN, ARIZ.
CLIFFORD P. HANSEN, WYO.
MARK O. HATFIELD, OREG.
JAMES A. MCCLURE, IDAHO
DEWEY F. BARTLETT, OKLA.

United States Senate

COMMITTEE ON
INTERIOR AND INSULAR AFFAIRS
WASHINGTON, D.C. 20510

GRENVILLE GARSIDE, SPECIAL COUNSEL AND STAFF DIRECTOR
WILLIAM J. VAN NESS, CHIEF COUNSEL

October 6, 1976

Mr. Joe Jenckes
Congressional Liaison Office
The White House
Washington, D.C.

Dear Joe:

I respectfully ask that the President consider signing the following bills in sequence as shown for the following reasons.

S. 1026, an omnibus wilderness bill establishes the Fitzpatrick Wilderness in Wyoming among others. It passed the Senate unamended (i.e. a proposed amendment of mine failed).

I was successful in amending H.R. 13160, another omnibus wilderness bill which deletes a certain portion of the Fitzpatrick Wilderness established in S. 1026. If perchance H.R. 13160 were to be signed before S. 1026, my amendment may well be negated.

I therefore request that the President sign S. 1026 first and sign H.R. 13160 after. Your usual efficient care and concern is always appreciated.

Kind personal regards,

Sincerely,



Clifford P. Hansen
U. S. S.

CPH:tbw

(DRAFT STATEMENT OF THE PRESIDENT REGARDING S. 1026)

I regret that I must withhold my approval of S. 1026 "To designate certain lands as wilderness."

The Departments of Agriculture and the Interior worked closely with the 94th Congress on numerous wilderness issues. The views of the administration regarding the areas that would be affected by S. 1026 were well known to the Congress. Unfortunately, the Congress sent me a last minute omnibus bill that contains a mixture of recommended provisions, acceptable provisions, and unacceptable provisions. Faced with a difficult choice, I believe the long term disadvantages of approving the unacceptable provisions outweigh the short term disadvantages of not approving the recommended and acceptable provisions.

I especially regret that S. 1026 contains features that would reduce the quality of the Wilderness System and lessen the ability of the National Forest System to provide multiple products and services for everyone.

S. 1026 would designate the Kaiser Wilderness, California, and the Hercules-Glades Wilderness, Missouri, without wilderness studies, without minerals surveys, and without public comments on specific wilderness proposals. While I firmly support the preservation of wilderness, I also recognize that wilderness designations are long term (probably permanent) land allocations that should be made only with the best available resource information and with adequate opportunities for public comment and for the comments to be carefully considered.

I continue to believe that the Eastern Wilderness Act (P.L. 93-622) is a needed and effective law. However, experience gained in the administration of certain "instant" wildernesses designated by that Act demonstrates that the public review procedures in the Wilderness Act and the National Environmental Policy Act should be followed whenever possible before areas are

proposed for wilderness designation. I do not believe the long term public interest would be served by designating the Kaiser and Hercules-Glades Wildernesses without complete resource information and without recorded public comments at the local and State levels.

The designation of National Forest wilderness study areas in S. 1026 represents an undesirable piecemeal approach that lacks an overall view of its consequences. In my judgment, S. 1026 contains a hodgepodge of wilderness study areas that reflects pressures during the closing days of the 94th Congress more than reasoned land management decisionmaking. S. 1026 does not adequately take into account studies that have already been completed and studies now underway or planned pursuant to congressional and administrative direction.

With congressional cooperation, the administration proposals embodied in S. 1026 can be quickly reenacted and approved early next year. In the meantime, the wilderness characteristics of the areas proposed by the administration for wilderness designation will continue to be protected.

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: October 15

Time: noon

FOR ACTION: George Humphreys *GH* cc (for information): Jack Marsh
 Paul Leach *PL* Ed Schmults
 Max Friedersdorf *MF* Steve McConahey
 Bobbie Kilberg *BK*
 Robert Hartmann *RH*

FROM THE STAFF SECRETARY

DUE: Date: October 16 Time: noon

SUBJECT:

S.1026-Omnibus wilderness designations

ACTION REQUESTED:

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

THE WHITE HOUSE

Rec'd 10/15/76 - 1:15 pm ap

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: October 15

Time: noon

FOR ACTION: George Humphreys
Paul Leach
Max Friedersdorf
Bobbie Kilberg
Robert Hartmann

cc (for information): Jack Marsh
Ed Schmults
Steve McConahey

FROM THE STAFF SECRETARY

DUE: Date: October 16

Time: noon

SUBJECT:

S.1026-Omnibus wilderness designations

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

please return to judy johnston, ground floor west wing

10/15 Copy sent for researching.

10/15 Researched copy returned. nm

*Recommendation
with my edited*
JR

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 M. Cannon
For the President

(DRAFT STATEMENT OF THE PRESIDENT REGARDING S. 1026)

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proposed for wilderness designation. I do not believe the long term public interest would be served by designating the Kaiser and Hercules-Glades Wildernesses without complete resource information and without recorded public comments at the local and State levels.

The designation of National Forest wilderness study areas in S. 1026 represents an undesirable piecemeal approach that lacks an overall view of its consequences. In my judgment, S. 1026 contains a hodgepodge of wilderness study areas that reflects ^{time} pressure ~~rather~~ during the closing days of the 94th Congress ~~rather~~ than reasoned land management decisionmaking. S. 1026 does not adequately take into account studies that have already been completed and studies now underway or planned pursuant to congressional and administrative direction.

With congressional cooperation, the administration proposals embodied in S. 1026 can be quickly reenacted and approved early next year. In the meantime, the wilderness characteristics of the areas proposed by the administration for wilderness designation will continue to be protected.

(DRAFT STATEMENT OF THE PRESIDENT REGARDING S. 1026)

oh/jil

I regret that I must withhold my approval of S. 1026 "To designate certain lands as wilderness." *oh*

The Departments of Agriculture and the Interior worked closely with the 94th Congress on numerous wilderness issues. The views of the administration regarding the areas that would be affected by S. 1026 were well known to the Congress. Unfortunately, the Congress sent me a last minute omnibus bill that contains a mixture of recommended provisions, acceptable provisions, and unacceptable provisions. Faced with a difficult choice, I believe the long term disadvantages of approving the unacceptable provisions outweigh the short term disadvantages of not approving the recommended and acceptable provisions. *oh*

I especially regret that S. 1026 contains features that would reduce the quality of the Wilderness System and lessen the ability of the National Forest System to provide multiple products and services for everyone. *oh*

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I continue to believe that the Eastern Wilderness Act (P.L. 93-622) is a needed and effective law. However, experience gained in the administration of certain "instant" wildernesses designated by that Act demonstrates that the public review procedures in the Wilderness Act and the National Environmental Policy Act should be followed whenever possible before areas are

*Dep. of Agric.
Attached
John
Knebel
backup*

*Attached
backup*

*Attached
backup
1975*

proposed for wilderness designation. I do not believe the long term public interest would be served by designating the Kaiser and Hercules-Glades Wildernesses without complete resource information and without recorded public comments at the local and State levels.

The designation of National Forest wilderness study areas in S. 1026 represents an undesirable piecemeal approach that lacks an overall view of its consequences. In my judgment, S. 1026 contains a hodgepodge of wilderness study areas that reflects pressures during the closing days of the 94th Congress more than reasoned land management decisionmaking. S. 1026 does not adequately take into account studies that have already been completed and studies now underway or planned pursuant to congressional and administrative direction.

With congressional cooperation, the administration proposals embodied in S. 1026 can be quickly reenacted and approved early next year. In the meantime, the wilderness characteristics of the areas proposed by the administration for wilderness designation will continue to be protected.

THE WHITE HOUSE

Rec'd 10/15/76- 1:15 pm ap

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: October 15

Time: noon

FOR ACTION: George Humphreys
Paul Leach
Max Friedersdorf
Bobbie Kilberg
Robert Hartmann

cc (for information): Jack Marsh
Ed Schmults
Steve McConahey

39 1/2 pgs
to 10/15 2:35
GAM

Handwritten signature

FROM THE STAFF SECRETARY

DUE: Date: October 16

Time: noon

to DJ S
10/15 3:35
GAM

SUBJECT:

S.1026-Omnibus wilderness designations

ACTION REQUESTED:

___ For Necessary Action

___ For Your Recommendations

___ Prepare Agenda and Brief

___ Draft Reply

For Your Comments

___ Draft Remarks

REMARKS:

please return to judy johnston, ground floor west wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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

James M. Cannon
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: October 15

Time: 200pm

FOR ACTION:

George Humphreys
Max Friedersdorf
Bobbie Kilberg

cc (for information):

Jack Marsh
Ed Schmults
Steve McConahey

FROM THE STAFF SECRETARY

DUE: Date: October 18

Time: 200pm

SUBJECT:

H.R.13160-Omnibus Wilderness Designations

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

please return to judy johnston, ground floor west wing

I received approval

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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K. R. COLE, JR.
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: October 15

Time: noon

FOR ACTION: George Humphreys
Paul Leach
Max Friedersdorf
Bobbie Kilberg
Robert Hartmann

cc (for information): Jack Marsh
Ed Schmults
Steve McConahey

FROM THE STAFF SECRETARY

DUE: Date: October 16

Time: noon

SUBJECT:

S.1026-Omnibus wilderness designations

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

please return to judy johnston, ground floor west wing

No objection -- Ken Lazarus 10/15/76

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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James M. Cannon
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: October 15

Time: noon

FOR ACTION: George Humphreys
Paul Leach
Max Friedersdorf
Bobbie Kilberg
Robert Hartmann

cc (for information): Jack Marsh
Ed Schmults
Steve McConahey

W.B.

FROM THE STAFF SECRETARY

DUE: Date: October 16

Time: noon

SUBJECT:

S.1026-Omnibus wilderness designations

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

please return to judy johnston, ground floor west wing

SIGN

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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James M. Cannon
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: October 15

Time: noon

FOR ACTION: George Humphreys
Paul Leach
Max Friedersdorf
Bobbie Kilberg
Robert Hartmann

cc (for information): Jack Marsh
Ed Schmults
Steve McConahey

FROM THE STAFF SECRETARY

DUE: Date: October 16

Time: noon

SUBJECT:

S.1026-Omnibus wilderness designations

ACTION REQUESTED:

___ For Necessary Action

___ For Your Recommendations

___ Prepare Agenda and Brief

___ Draft Reply

For Your Comments

___ Draft Remarks

REMARKS:

please return to judy johnston, ground floor west wing

I recommend approval

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 M. Cannon
For the President

DESIGNATING CERTAIN LANDS AS WILDERNESS

JULY 15, 1976.—Ordered to be printed

Filed under authority of the order of the Senate of July 1, 1976

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

REPORT

[To accompany S. 1026]

The Committee on Interior and Insular Affairs, to which was referred the bill S. 1026 to designate certain lands in the Chassahowitzka National Wildlife Refuge, Citrus County, Fla., as wilderness having considered the same, reports favorably thereon with an amendment to the text and to the title and recommends that the bill as amended do pass.

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

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

(1) certain lands in the Simeonof National Wildlife Refuge, Alaska, which comprise approximately twenty-five thousand one hundred and forty acres, are depicted on a map entitled "Simeonof Wilderness—Proposed" and dated January 1971, and shall be known as the Simeonof Wilderness;

(2) certain lands in the Big Lake National Wildlife Refuge, Arkansas, which comprise approximately two thousand six hundred acres, are depicted on a map entitled "Proposed Big Lake Wilderness" and dated June 1976, and shall be known as the Big Lake Wilderness;

(3) certain lands in Chassahowitzka National Wildlife Refuge, Florida, which comprise approximately twenty-three thousand three hundred and sixty acres, are depicted on a map entitled "Proposed Chassahowitzka Wilderness" and dated June 1976, and shall be known as the Chassahowitzka Wilderness;

(4) certain lands in the J. N. "Ding" Darling National Wildlife Refuge, Florida, which comprise approximately two thousand eight hundred and twenty-five acres, are depicted on a map entitled "Proposed J. N. 'Ding' Darling Wilderness" and dated June 1976, and shall be known as the J. N. "Ding" Darling Wilderness;

(5) certain lands in the Lake Woodruff National Wildlife Refuge, Florida, which comprise approximately one thousand one hundred and forty-six acres, are depicted on a map entitled "Proposed Lake Woodruff Wilder-

ness" and dated June 1976, and shall be known as the Lake Woodruff Wilderness.

(6) certain lands in the Crab Orchard National Wildlife Refuge, Illinois, which comprise approximately four thousand and fifty acres, are depicted on a map entitled "Crab Orchard Wilderness Proposal" and dated January 1973, and shall be known as the Crab Orchard Wilderness;

(7) certain lands in the Lacassine National Wildlife Refuge, Louisiana, which comprise approximately two thousand eight hundred and fifty-four acres, are depicted on a map entitled "Lacassine Wilderness Proposal" and dated January 1974, and shall be known as the Lacassine Wilderness;

(8) certain lands in Agassiz National Wildlife Refuge, Minnesota, which comprise approximately four thousand acres, are depicted on a map entitled "Agassiz Wilderness Proposal" and dated November 1973, and shall be known as the Agassiz Wilderness;

(9) certain lands in the Tamarac National Wildlife Refuge, Minnesota, which comprise approximately two thousand one hundred and thirty-eight acres, are depicted on a map entitled "Tamarac Wilderness Proposal" and dated January 1973, and shall be known as the Tamarac Wilderness.

(10) certain lands in the Mingo National Wildlife Refuge, Missouri, which comprise approximately seven thousand acres, are depicted on a map entitled "Proposed Mingo Wilderness" and dated June 1976, and shall be known as the Mingo Wilderness;

(11) certain lands in the Fort Niobrara National Wildlife Refuge, Nebraska, which comprise approximately four thousand six hundred and thirty-five acres, are depicted on a map entitled "Fort Niobrara Wilderness Proposal" and dated November 1973, and shall be known as the Fort Niobrara Wilderness;

(12) certain lands in the Swanquarter National Wildlife Refuge, North Carolina, which comprise approximately nine thousand acres; are depicted on a map entitled "Swanquarter Wilderness Proposal" and dated December 1973, and shall be known as the Swanquarter Wilderness;

(13) certain lands in the Medicine Lake National Wildlife Refuge, Montana, which comprise approximately eleven thousand three hundred and sixty-six acres, are depicted on a map entitled "Medicine Lake Wilderness Proposal" and dated November 1973, and shall be known as the Medicine Lake Wilderness;

(14) certain lands in the Red Rock Lakes National Wildlife Refuge, Montana, which comprise approximately thirty-two thousand three hundred and fifty acres, are depicted on a map entitled "Red Rock Lakes Wilderness Proposal" and dated January 1974, and shall be known as the Red Rock Lakes Wilderness;

(15) certain lands in the UL Bend National Wildlife Refuge, Montana, which comprise approximately twenty thousand eight hundred and ninety acres, and are depicted on a map entitled "Proposed UL Bend Wilderness" and dated June 1976, and shall be known as UL Bend Wilderness;

(16) certain lands in the Oregon Islands National Wildlife Refuge, Oregon, which comprise approximately four hundred and fifty-four acres, are depicted on a map entitled "Proposed Oregon Islands Wilderness" and dated June 1976, and shall be known as Oregon Islands Wilderness; and

(17) certain lands in the San Juan Islands National Wildlife Refuge, Washington, which comprise approximately three hundred and fifty-three acres, are depicted on a map entitled "Proposed San Juan Islands Wilderness" and dated June 1976, and shall be known as the San Juan Islands Wilderness.

(b) (1) As soon as practicable after this Act takes effect, maps of the areas designated as wilderness pursuant to subsection (a) of this section (hereinafter referred to as "wilderness areas") and legal descriptions of their boundaries shall be filed with the Committees on Interior and Insular Affairs of the United States Senate and House of Representatives, and such maps and descriptions shall have the same force and effect as if included in this Act: *Provided, however*, That corrections of clerical and typographical errors in such maps and descriptions may be made by the Secretary of the Interior.

(2) The maps and descriptions of boundaries of the wilderness areas shall be on file and available for public inspection in the offices of the United States Fish and Wildlife Service, Department of the Interior.

SEC. 2. The wilderness areas shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act

governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

2. Amend the title so as to read: "A bill to designate certain lands as wilderness."

PURPOSE

The Wilderness Act of September 3, 1964 (Public Law 88-577), requires the Secretary of the Interior to review within 10 years of the act's effective date every roadless area of 5,000 contiguous acres or more (or any area of less than 5,000 acres which is of sufficient size to make its preservation and use in an unimpaired condition practicable), and every roadless island regardless of size, within the National Wildlife Refuge System. The Secretary is then directed to submit his recommendations to the President, who, in turn, is to advise the Congress of his recommendations regarding these areas and islands. These areas and islands can be added to the National Wilderness Preservation System and enjoy the protection afforded components of that system by the Wilderness Act only upon enactment of legislation by the Congress.

S. 1026, as amended, would designate as wilderness portions of seventeen National Wildlife Refuges in twelve states. For each of these areas, the above-outlined procedures have been followed. In each instance, the proposed wilderness areas have received favorable consideration by the Department of the Interior and been recommended by the President. Although the Committee made boundary alterations in 5 of the 17 areas, the changes are relatively minor.

The National Wildlife Refuge lands proposed for wilderness designation in S. 1026, as amended, total approximately 154,200 acres; however, the units vary in size from 32,350 acres to 353 acres. Physical conditions, including climate, location, topography, and geology vary extensively. In short, most of the areas have little in common except one very distinctive characteristic: Each is an undeveloped tract of land—primarily all of which is in Federal ownership—which has retained its natural character in the absence of permanent improvements and human habitation. Each can be managed and protected to preserve its natural conditions for the use and enjoyment of present and future generations. Each presents outstanding opportunities for recreation, solitude and scientific study.

LOCATION, DESCRIPTION AND ATTRIBUTES OF THE AREA

A brief description of each area to be designated as wilderness by S. 1026, as amended, follows:

1. Section 1(a)(1) Simeonof Wilderness, Alaska

The Simeonof Wilderness to be designated by S. 1026 contains approximately 25,140 acres of emerged and submerged lands within the Simeonof National Wildlife Refuge, Alaska. The refuge consists of 10,853 acres of emerged lands on Simeonof Island and adjacent Murie Islets, and 14,418 acres of surrounding submerged lands and tidal water. It is situated in the easternmost part of the Shumagin Island group in the Gulf of Alaska about 65 miles southeast of the fishing settlement of Sand Point.

Simeonof Island is approximately six miles long and nearly as wide. It is almost divided in two, but remains connected by a sand spit at the head of Simeonof Harbor. This harbor, nearly two miles long, offers excellent protection from the many storms which violently lash the beaches around the perimeter of the island. The climate is maritime with cloudy, cool summers and relatively mild winters.

The welfare of the sea otter population in and around the Shumagin Island group is a first priority management consideration. The 300 to 500 sea otter estimated to use the refuge often haul-out onto the Murie Islets and are occasionally seen inside Simeonof Harbor. From 300 to 1,000 hair seals use the shorelines. Indications are that this is a rearing area for this species.

Other mammals include the Arctic fox and ground squirrel. River otter occasionally use the island and sea lions and hump-backed and little piked whales pass through surrounding waters.

Grazing of domestic livestock in the refuge was authorized by the establishing order and placed under the administration of the Bureau of Land Management. The order stipulated that grazing use would be limited to one grazing lessee at any one time, and that it was to be compatible with refuge purposes. The current grazing lease was issued January 1, 1961, for a 20-year period. Most grazing is confined to beach fringes, with little use occurring more than one-half mile inland. Thus, grazing pressure is concentrated on the perimeter of the island. This limited grazing activity will not be significantly affected by wilderness designation.

2. Section 1(a)(2) Big Lake Wilderness, Ark.

S. 1026, as amended, would establish a 2,600 acre wilderness in the Big Lake National Wildlife Refuge in northeast Arkansas. The refuge contains approximately 11,000 acres and was established primarily to provide migration habitat for ducks and geese using the Mississippi Flyway.

Big Lake was formed from a series of earth tremors known as the New Madrid Earthquake which occurred in 1811 and 1812. Originally, the lake was held back by a natural dam or levee; however, as the Mississippi River and other streams overflowed they began to cut a natural levee. During the early 1930's Big Lake began to dry up each summer. A man-made structure was placed at the lower end of the Lake which now holds water throughout the year.

In addition to the waterfowl which utilize the refuge throughout the year, herons and egrets are numerous during the summer months. Terns, gulls, snipe and woodcock are present at various times of the year and over 200 species of birds have been recorded on the refuge. Raccoon, muskrat, beaver and mink are abundant on the refuge, and deer, opossum, skunk, red and gray fox are also common.

In addition to the 1,818 acres recommended by the Department of the Interior, the Committee received testimony at the March 11, 1976, hearing urging the inclusion of an additional 800 acres to the south of the Administration's proposal. This area possesses excellent wilderness qualities and contains some of the most impressive forests found in the Refuge. Consequently, the Committee agreed to this 800 acre addition making the total wilderness proposal for Big Lake approximately 2,600 acres.

3. Section 1(a)(3). Chassahowitzka Wilderness, Fla.

Located on the west coast of central Florida about 70 miles north of the population center of Tampa-Clearwater-St. Petersburg, Chassahowitzka is a unique combination of ecosystems of shallow water and salt marshes of the Gulf of Mexico, estuarine land-water complexes created by the clear springs and waters of Chassahowitzka and Homosassa Rivers, tree islands, and hardwood swamps. The Refuge is a diverse and highly productive habitat for many marine organisms, finfish and shellfish; large populations of waterfowl, shorebirds, songbirds; many mammals and reptiles; and numerous plant communities, including large beds of submerged aquatics. These submerged aquatics are significant, vital factors in providing outstanding feeding grounds for thousands of waterfowl and for nurturing the great variety and numbers of fin and shell fish. Therefore, the Committee felt it very important that these submerged, federally owned bottom lands be included in the wilderness.

The administration proposal, as introduced called for wilderness designation for approximately 16,000 acres. On March 9, 1976, Senator Chiles, for himself, and Senator Stone, introduced S. 3104—a bill to designate a 23,360 acre Chassahowitzka wilderness. The Committee agreed to enlarge the wilderness boundary to include this additional 7,360 acres of marsh and islands located to the south of the administration's proposal.

Both the administration proposal and S. 3104 contained special management language to permit the continued use of motorboats, commercial fishing, and guiding activities within the navigable waters of the proposed wilderness. Though the waterbottoms are federally owned, the navigable waters are owned by the State of Florida. These navigable waters will not be included in wilderness and will still be under the jurisdiction of the State. Fishing, guiding, and boat use are traditional, well established uses that will not be prohibited by wilderness designation. In addition to the State's ownership of the navigable waters, the 1964 Wilderness Act specifically provides that "Within areas designated by this Act the use of aircraft or motorboats, where these uses have already become established, may be permitted to continue subject to such restrictions as the Secretary (of Interior) deems desirable" [section 4(d)(1)]. Therefore, management criteria for navigable waters is not a deterrent to wilderness qualification and designation for Chassahowitzka. Similarly, the committee felt that special management language in this regard was unnecessary and deleted it from the reported bill. (Correspondence from the Department of the Interior to Senator Stone regarding motor boat use in Chassahowitzka is included in "Executive Communications" below.)

4. Section 1(a)(4). J. N. "Ding" Darling Wilderness, Fla.

The J. N. "Ding" Darling National Wildlife Refuge was established on December 1, 1945, on lands leased from the State of Florida for refuge purposes. Since that time additional lands have been added to the refuge until today it encompasses 4,755 acres. The refuge is located on Sanibel Island in Lee County, Fla., about 20 miles southwest of Fort Myers.

Over 400 forms of seashells are found on the beach and within the refuge 268 species of birds have been identified, 35 species of reptiles, 10 species of amphibians, 20 or more species of mammals and 300 species of native plants. The refuge is endowed with a great variety of marsh and waterbirds ranging from great white herons, roseate spoonbills to the ever present brown pelicans, ibises, egrets, rails, and numerous shorebirds. The refuge holds a wealth of both migratory and resident songbirds and a fair population of marsh rabbits, raccoons and other small mammals.

In addition to the administration's proposal, on March 9, 1976, Senators Chiles and Stone introduced S. 3099—a bill to establish a 2,825 wilderness; approximately 90 acres larger than the President's recommendation. The two deletions proposed in the administration bill are: (1) a 150 foot buffer zone extending along the wildlife trail and Tarpon Bay; and (2) a 3.62 acre wild peninsula at the northern tip of the Refuge. The Committee concluded that neither of these areas should be excluded from the wilderness and agreed to the larger acreage contained in S. 3099.

5. *Section 1(a)(5). Lake Woodruff Wilderness, Fla.*

The Lake Woodruff National Wildlife Refuge is located in the western part of Volusia County in east central Florida along the famed St. Johns River. The refuge contains 18,417 acres of which 11,440 acres are marsh, 4,786 acres are timber, 1,206 acres of upland and 984 acres of streams, lakes, and other water areas.

Wildlife species of the area are fairly typical for wetland habitat of central Florida. Nearly 200 species of birds have been identified on Lake Woodruff Refuge. The threatened species that may be seen on the refuge include the endangered everglade kite, southern bald eagle, Florida sandhill crane, Florida panther and American alligator. The American osprey is a well established resident on the refuge. The greater sandhill crane is an occasional visitor and the red cockaded woodpecker should be a resident of the refuge when habitat for this species is favorable. The refuge hosts at least 21 species of ducks during the winter season and is a year-round home for Florida ducks and wood ducks. The white-tailed deer represents the only big game species found on the refuge.

In the administration's report on the Lake Woodruff wilderness proposal, the Department recommended that a 40 acre tract of private land located at the tip of Dexter Island be designated as "Potential Wilderness". Under this provision, the 40 acres would not be included in the wilderness at the time of enactment of this legislation but would become part of the wilderness only when acquired as part of the refuge and following publication of notice in the "Federal Register."

Rather than establish this "Potential Wilderness" category, the Committee felt that the wilderness values of the area could best be protected by designating this 40 acres as wilderness in accordance with the 1934 Act. Thus, the Department of the Interior will manage the 40 acre tract like any other private inholding within a wilderness area until such time as the tract can be acquired.

6. *Section 1(a)(6) Crab Orchard Wilderness, Ill.*

The 4,050 acre area recommended for wilderness designation on the Crab Orchard Refuge lies between Devils Lake and the south

boundary of the refuge. It includes the roughest terrain and is the most inaccessible and isolated area on the refuge. A county road running north and south through the proposal divides the area into two units. Since the road is a major access route to private lands south of the refuge, it is not included in the wilderness proposal. There are a few old farm roads within the proposal and cleared areas that were formerly crop fields. Although this area at one time felt the pressure of man's presence, for the last 25 years it has been kept in a natural state and the effects of the past for the most part have been healed. Continued wilderness management will eventually allow the area to revert to its pristine condition.

The refuge contains a variety of habitats including three large lakes and 61 smaller lakes and ponds. Crab Orchard Lake is the largest, comprising 6,910 acres, while Devils Kitchen and Littly Grassy contain 810 and 1,000 acres, respectively. More than 8,000 acres of agricultural lands are managed in the Refuge under share cropping agreements with neighboring farmers to provide food for wintering Canada Geese.

7. *Section 1(a)(7) Lacassine Wilderness, La.*

S. 1026, as amended, would designate an approximately 2,854 wilderness within the Lacassine National Wildlife Refuge. The area to be included in the national wilderness preservation system lies south of the American-Louisiana Pipeline Canal and west of Bayou Misere.

The refuge was established as the Lacassine Migratory Waterfowl Refuge on December 31, 1937. In the acquisition process former owners have reserved mineral rights on four tracts totalling 17,732 acres. The Federal Government purchased mineral rights on nine tracts totalling 13,392 acres. Generally, those lands on which the Federal Government purchased mineral rights are located on the southern half of the refuge. In addition, the Intra-Coastal Waterway transects the southern portion of the refuge as does the American-Louisiana Pipeline Canal.

The vegetative types occurring on the refuge are primarily water tolerant grasses, sedges and shrubs. Present land use is approximately as follows: agricultural lands, 600 acres; timber land, 5 acres; and the remaining approximately 31,000 acres are in marsh and water. The refuge is utilized heavily by the wintering waterfowl populations. Pintails, blue-winged teal, gadwalls, mallards, ring-necked ducks, green winged teal and widgeon are the most common migratory ducks. Mottled ducks, blue-winged teal and wood ducks nest on the refuge in small numbers. Fifty thousand blue and snow geese, 40,000 white fronted geese and small flocks of Canada geese rest on the refuge during the winter months. In addition, many wading birds nest on the refuge including roseate spoonbills, white faced ibises, snowy egrets, Louisiana and little blue herons and anhingas, black crown and yellow crown night herons.

8. *Section 1(a)(8) Agassiz Wilderness, Minn.*

The Agassiz National Wildlife Refuge was established on March 23, 1937, and presently comprises 61,487 acres and is located in eastern Marshall County in northwestern Minnesota. Formerly known as Mud Lake Refuge, it occupies a bay of prehistoric Lake Agassiz, for which the refuge was renamed in 1961. In the early 1900's attempts were made to drain the area now occupied by the refuge; however, quick run-off

through the ditches produced severe flooding and little additional land came into cultivation. Developments were commenced on the refuge in 1937 and water was again impounded. Presently 14 pools have been developed through the construction of dikes and water control structures. These pools encompass about 24,000 acres of water and marsh. The primary objective for the Agassiz Refuge is to provide optimum conditions for the production of waterfowl. An annual production of ducks now approaches nearly 12,000. The principle nesting species are mallards, blue-winged teal, gadwalls, shovelers, ring necks, redheads and ruddy ducks.

The 4,000 acres proposed for wilderness is in the northern portion of the refuge and retains its pristine condition. The area is a spruce-tamarac bog with two lakes, Kuriko and Whiskey, within the bog. The area is transacted by an old drainage ditch and spoil bank that is presently maintained as a four-wheel drive vehicle trail. Because of the very conspicuous nature of the ditch and spoil, it has been excluded from the wilderness proposal. There is, and has been, no management of the area and there are no plans to alter the habitat in the future. The proposed wilderness is currently used by environmental education groups and big game hunters, and these uses would not be affected by wilderness designation.

9. *Section 1(a)(9) Tamarac Wilderness, Minn.*

Tamarac National Wildlife Refuge is situated in the rolling timberlands of northwest Minnesota in Becker County, 18 miles northeast of Detroit Lakes. The 42,724 acre refuge is just a few miles east of the eastern edge of the tall grass prairie. The refuge lies among many lakes, wooded potholes, bogs and marshes which fill depressions left by receding glaciers. Within the refuge are 17,650 acres of wetland habitat consisting of 21 large lakes which lie wholly within the refuge and four other lakes, a part of which is contained within the refuge, 2,311 acres of potholes, 3,657 acres of shrub swamps, 2,120 acres of wooded swamp and 2,744 acres of bogs. About 26,000 acres of the refuge are timber. Much of it is second growth aspen and upland hardwoods with extensive areas of dense hazelbush understory. The primary tree species are trembling and big tooth aspen, jack pine and mixed hardwoods.

While much of the refuge is actively managed to meet refuge objectives, there are several areas that are preserved in a natural state. Three islands in Tamarac Lake totaling 65 acres and a 2,073 acre unit in the northwest corner of the refuge are qualified for wilderness designation and comprise the proposed 2,178 acre Tamarac Wilderness. The area in the northwest corner of the refuge has one of the few remanent stands of old growth white pine left in the area. The headwaters of the Egg River and Little Egg Lake are encompassed by the proposal. A nesting of bald eagle and several nesting osprey enhance the wilderness quality of the area.

10. *Section 1(a)(10) Mingo Wilderness, Mo.*

Mingo Refuge is in an ancient channel of the Mississippi River bounded on two sides by limestone bluffs and rolling hills. It was an almost unpenetrable jungle when first visited by explorers and trappers.

About 1900, loggers moved in and by 1930, all merchantable cypress, gum, and oak were gone. Land developers followed the logging trying

unsuccessfully to clear and drain. In 1944, in the center of the old swamp area the 21,464-acre Mingo National Wildlife Refuge was established. Since then, that area has been recovering from previous misuses under extensive management and protection. Some trees on the refuge are now the largest of their species in Missouri. The refuge is a significant wood duck production area, a goose wintering area, and a goose and duck migration area. Resident wildlife have prospered including white-tailed deer and the rather rare swamp rabbit. Some farming and grazing are done for wildlife improvement with other local benefits.

S. 1026, as amended, would designate approximately 7,000 acres as wilderness. At the Subcommittee hearing on March 9, 1976, Congressman Bill Burlison and Senator Thomas Eagleton of Missouri testified in favor of an approximately 8,000-acre Mingo wilderness. The administration proposal called for wilderness designation for approximately 1,700 acres. The most prominent feature of this expanded wilderness proposal is Monopoly Lake. This lake contains a swamp ecosystem that is probably unique in the central United States. While the lake and swamp around it were subjected to intense exploitation and drainage during the early part of the century, the area has since reverted to its natural swampy condition with the mammals, birds, fish, and reptiles returning as indigenous inhabitants.

This regeneration has come about primarily because of the intensive management undertaken in recent years by the U.S. Fish and Wildlife Service. By regulating the water level in the lake, the Fish and Wildlife Service has been able to reintroduce the natural water regime essential to the native swamp ecosystem of the region. By regulating water levels, the Service is able to recreate the natural drain and fill patterns of Monopoly Lake which were destroyed by dam construction and other developments in the rivers and waterways outside the refuge.

The Committee felt that the periodic regulation of water levels by removing earthen plugs from outside of the wilderness area, is, in this instance, compatible with wilderness designation. By regulating the level of Monopoly Lake, the Fish and Wildlife Service is not managing an artificial regime but a natural one—one which is crucial to the swampy forest of this area and the fish and wildlife sustained by it. Wilderness designation for the Monopoly Lake area will help forestall recurring pressures for construction of roads, powerlines and pipelines which could be damaging to the lake's fragile swamp ecosystem.

However, the Committee agreed not to include approximately 1,000 acres in the southwestern portion of the refuge in the wilderness. This area has had timber selectively cut from it within the past 20 years. In 1963-65 approximately 2,000,000 board feet were cut from the area. More recently, the area was part of a Timber Stand Improvement Program conducted in the late sixties. In addition, there are fenced fields in the unit, a diked moist soil area, vehicle trails and some public-use facilities.

11. *Section 1(a)(14) Fort Niobrara Wilderness, Nebr.*

The Fort Niobrara National Wildlife Refuge was established in 1912 by Executive Order No. 1461. The primary goal of the refuge was

to preserve and protect the bison which at that time were in danger of extinction. Early in 1912, Mr. J. W. Gilbert offered six bison, seventeen elk, and two white-tailed deer to the Federal government for preservation with the understanding they would remain in Nebraska. There were no Federal funds available for fencing the refuge at the time and the citizens of Valentine, Nebraska, generously offered to assist in construction of a fence around 213 acres of pasture. In 1936, six Texas long-horn cattle were transferred to the refuge from the Wichita Mountain Refuge in Oklahoma. Since the first introductions, active herds of bison, elk and long-horns have been maintained on the refuge. The bison, truly a symbol of American heritage, has been successfully managed and a herd of approximately 225 is maintained on the refuge.

Recreational opportunities at Fort Niobrara are almost exclusively oriented to wildlife in the wildlands of the area. In 1972 over 63,000 visitors came to the refuge. Most visitors come to see the bison, elk, and Texas long-horn in their native environment. The headquarters exhibition pasture provides an excellent opportunity to see a few of each of the animals. Popular spring and early summer activities include canoeing and floating the Niobrara River which remains in a natural state.

The area recommended for wilderness designation in S. 1026, as amended, is located on the north portion of the refuge and includes approximately 4,635 acres in a single unit.

12. Section 1 (a) (11) Swanquarter Wilderness, N.C.

The Swanquarter National Wildlife Refuge was established under the authority of the Migratory Bird Conservation Act. The refuge was activated June 23, 1932, when 15,500 acres were purchased. In 1935 an additional 27,000 acres of water adjacent to the refuge were closed to hunting by Presidential Proclamation. Since that time acquisition has been completed.

Swanquarter was named for a small town of Swanquarter, N.C., where large concentrations of whistling swans wintered during the early colonial period. The refuge consists primarily of marsh islands including Great Island, Swanquarter Island, Judith Island, and Marsh Island. Other refuge lands extend in the bay from the mainland and include both marsh and woodlands. The predominant vegetation of the marsh is needle grass with varying sized meadows of salt meadow cord grass and salt grasses. The successive hurricanes of 1950 killed nearly 1,600 acres of refuge timber as a result of salt intrusion. The salt content of the soil has prevented adequate regeneration of forest species and these areas now resemble marsh more than woodland.

About 90 percent of the forest present on the refuge is loblolly pine. There are small areas of bald cypress and mixed hardwood stands, black gum, sweet gum, maple, and associated species. There is an estimated 85 acre area east of Juniper Island that contains an old stand of tall, large diameter cypress trees that may qualify as a virgin stand. The Swanquarter Refuge is noted for several items: (1) concentration of redhead and canvasback ducks and (2) it is probably the most northerly area where alligators are found. In addition, more than 200 different species of birds have been recorded in the refuge area. Osprey nesting is prevalent and the endangered bald eagle has nested in the area until recently. Both the eagle and the peregrine falcon are winter

visitors. In addition to the array of birds, the refuge contains populations of deer, black bear, squirrel, rabbit, bobcat, raccoon, opossum, otter, and other small mammals.

S. 1026, as amended, would designate three tracts representing approximately 9,000 acres of the refuge as wilderness.

13. Section 1 (a) (12) Medicine Lake Wilderness, Mont.

S. 1026, as amended, would designate approximately 11,366 acres of the Medicine Lake National Wildlife Refuge, Mont., as wilderness.

The proposed wilderness will consist of two units—Medicine Lake at about 9,100 acres, and Sandhills at about 2,200 acres. The Medicine Lake unit includes the entire lake and all islands within the lake area. The Sandhill unit is a grassland-shrub complex. The lake itself is located in one of the prehistoric beds of the Missouri River. The balance of the 31,457-acre refuge is not suitable for wilderness status, since it is intensively managed and developed for waterfowl habitat.

The proposed Medicine Lake Wilderness is situated in the central waterfowl flyway on the edge of the great prairie pothole duck production area. Ducks, geese, swans, sandhill cranes, and endangered whooping cranes use the area as they move to and from their northern breeding grounds. Over three-fourths of all wild ducks hatched in the conterminous states originally came from this prairie pothole region.

In addition, Medicine Lake has been well known for the large number of colonial nesting birds. White pelicans, double-crested cormorants, ringbill and California gulls nest on the islands and points of the lake. Sharptail grouse, ringnecked pheasants, and gray partridges are year-round resident upland game species. White-tailed deer, mule deer, and antelope are the big game species found on the refuge.

14. Section 1 (a) (13) Red Rock Lakes Wilderness, Mont.

The Red Rock Lakes National Wildlife Refuge contains 40,300 acres of which 32,350 would be added to the National Wilderness Preservation System if S. 1026, as amended, is enacted. The proposed wilderness consists of four units including Upper and Lower Red Rock Lakes and contiguous marshes.

This Refuge has played a significant role in restoring trumpeter swan populations from near extinction. It is crucial that the undeveloped and undisturbed marshlands of the Refuge be protected from man-made intrusions. These waters are also habitat for the grayling which is a threatened species. In addition to migratory waterfowl, the Refuge is home to peregrine and prairie falcons, bald eagles, moose, elk, deer, and antelope.

In the spectacular mountains which adjoin the Refuge on the south, the Bureau of Land Management last year administratively designated the Centennial Mountains Primitive Area. The Red Rock Lakes Wilderness and the Primitive Area would complement each other, and wildlife as well as watershed and wilderness would be enhanced.

15. Section 1 (a) (15) U.L. Bend Wilderness, Mont.

Located in north-central Montana, the 46,264-acre U.L. Bend National Wildlife Refuge was formed from the remnants of the wildlands which were inundated by Fort Peck Reservoir. The refuge takes its name from a hairpin turn in the Missouri River which creates a large peninsula. Elevations vary from 2250 feet to 2700 feet above sea level. Along the river, rugged ridges and coolies characterize

the shoreline which is commonly referred to as "Missouri River Breaks".

The northern boundary is bordered by public domain and private lands. Fort Peck Reservoir surrounds the southern part of the area. As indicated by their journals, Lewis and Clark were the first known white men to observe what is now called U.L. Bend. At that time, the area was the unconfined home of the bison and the Indian. Fascinating evidence of Indian teepee rings, artifacts, and buffalo jumps are still found in the area.

Today, the refuge provides important habitat for elk, mule deer, whitetail deer, antelope, bobcat, badger, sage grouse, sharp-tailed grouse, golden eagle, bald eagle, prairie falcon, osprey, and burrowing owl. Canada geese and a wide variety of ducks nest on the refuge or are found there. The refuge may represent one of the last habitats of the endangered black-footed ferret and associated vanishing prairie dog.

S. 1026 would designate two units within the refuge as wilderness: Mickey Butte at 17,909 acres and Beauchamp at 1,784 acres. No disqualifying improvements exist in these units and no developments are planned. Flat to rolling grassland, broken by rugged ridges and coulees, characterizes the units. This measure would give wilderness protection to a part of the important wild Missouri River Breaks ecosystems not now represented in the National Wilderness Preservation System. It would also assure the retention of undisturbed habitat for such wilderness species as the elk, and others, like the black-footed ferret, on the edge of extinction. No designated wilderness area now exists in all of north-central Montana.

There are State school lands of approximately 1,200 acres within the wilderness proposal. At the present time negotiations are underway to exchange these State school lands for lands outside the refuge. This 1,200 acres is currently used for domestic livestock grazing—a use which is compatible with wilderness designation, consistent with the area's wildlife management objectives.

The Committee noted that wilderness designation for this part of the refuge will not affect the operation or maintenance of the Fort Peck Reservoir. Wilderness status will not impede the work of Coast Guard and Corps of Engineers with regard to navigation and regulation of water levels in the reservoir.

16. Section 1(a)(16) Oregon Islands Wilderness, Oreg.

In 1970 the Congress added a single island of the Oregon Islands National Wildlife Refuge and the Three Arch Rocks National Wildlife Refuge along the Oregon Coast to the National Wilderness Preservation System by enactment of Public Law 91-504. Since then, by PLO 4395 of April 1, 1968, 28 additional islands, islets, rocks and reefs containing 346 acres have been added to the Oregon Islands National Wildlife Refuge and studied for their wilderness potential. Additionally, the wilderness study by the Fish and Wildlife Service included two more reefs (Blanco and Rogue River) and 26 more rocks, islands and islets containing 113 acres not now in refuge status. Blanco and Rogue River reefs, however, are currently administered as sanctuaries for sea lions by the Service under Executive Order 4364 of September 1, 1931. Blanco Reef is subject to a Coast Guard withdrawal in 1867 for lighthouse purposes. The Coast Guard has no present or foreseeable plans for navigational aids on these reefs.

S. 1026, as amended, would designate the 28 additional islands now in the Oregon Islands National Wildlife Refuge as wilderness. In addition, 27 of the 28 additional Federal Islands, currently administered by the Bureau of Land Management, including Blanco and Rogue Reefs would be similarly designated. These 28 islands and reefs are currently in the process of being added to the refuge system by PLO action initiated in March of 1973.

The rugged rocks, islands and reefs of this 55 island proposal vary greatly. Many are over 100 feet high; many frequently are awash by the surf. Some are bare rock; others support a modest cover of low-growing vegetation. They have remained undeveloped because of their small size (up to 20 acres), Federal ownership and generally inhospitable character. They extend 307 miles from Tillamook Head to Twin Rocks and are within a half mile of the Oregon Coast in most places.

Eleven species of colonial seabirds nest on the islands, and some colonies, particularly of Leach's Petrel, are truly spectacular. Seven additional species use the islands during migration, as well as shorebirds, waterfowl and some land associated birds. Northern sea lions haul out on the islands each spring.

The islands have never had much human use because of difficult access and generally rough terrain. No man-made structures exist on any islands of the proposal. Like refuge use, wilderness use will be primarily from the outside looking in—from the mainland. Many thousands of people will continue to drive the coastal highway and many will continue to observe and photograph the fascinating and abundant bird and mammal life.

17. Section 1(a)(17) San Juan Islands Wilderness, Wash.

Public Land Order 5515 issued August 27, 1975 consolidated four national wildlife refuges (San Juan, Matia Island, Jones Island and Smith Island) into a single San Juan Islands National Wildlife Refuge. In addition, the Public Land Order added some 58 islands, which up until that time had been part of the public domain, to the refuge. At the present time there are 68 islands within the refuge. Of these 64 are recommended for wilderness status under the provisions of S. 1026, as amended. In addition to the 64 islands of the refuge, S. 1026, as amended, would also designate 16 islands in Federal ownership presently administered by the Bureau of Land Management as wilderness. The refuge boundary on all areas coincides with mean high tide. The State of Washington controls adjacent submerged lands.

The islands are located in the San Juan Archipelago which is thought to be a submerged extension of the Olympic Mountains. About 200 islands are found in Washington State within San Juan, Island, Skagit, and Whatcom Counties. With the exception of Matia Island, which has a mixed evergreen deciduous stand of trees, the islands are covered with sparse, low growing vegetation. A small freshwater pond is found on Matia Island.

The San Juan Island Refuge was established to protect nesting sea birds, the predominant species being the glaucous-winged gull. Other nesting birds are Brandt's and pelagic cormorants, tufted puffins, pigeon guillemots, Cassin's and rhinoceros auklets, black oystercatchers and killdeer. An estimated 200 species of birds visit the islands each year. Harbor seals, porpoises, whales, and pelagic mammals are common in surrounding waters and black brant have historically used the kelp beds of the San Juans for winter feeding.

COMMITTEE AMENDMENT

During markup, the Committee incorporated the seventeen individual Administration measures into an omnibus bill retaining the bill number of the first administration proposal introduced—S. 1026. The Committee also adopted the larger acreage figures for two Florida areas as contained in S. 3401 and S. 3099 introduced by Senator Chiles. Additional minor alterations to the seventeen Administration proposals are discussed in the "Location, Description and Attributes" section of this report.

LEGISLATIVE HISTORY

On March 7, 1975, Senator Haskell introduced, on behalf of Senators Jackson and Fannin (by request), forty-two wildlife refuge wilderness proposals. These measures were submitted to Congress by the President pursuant to a provision of the Wilderness Act of 1964 which requires that—within the decade—the Secretary of the Interior study all roadless areas in the wildlife refuges to determine their suitability as wilderness. Other relevant bills to designate individual wildlife refuge wilderness areas introduced this Congress include: S. 3099, introduced by Senator Chiles on March 9, 1976, (J.N. "Ding" Darling Wilderness, Florida) and S. 3041, also introduced by Senator Chiles on March 9, 1976, (Chassahowitzka Wilderness, Florida).

On March 11, 1976, the Subcommittee on the Environment and Land Resources conducted a hearing on seventeen of the Administration proposals and both of the Florida measures listed above.

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. 1026, as amended, be enacted.

COMMITTEE RECOMMENDATIONS AND TABULATION OF VOTES

The Senate Committee on Interior and Insular Affairs, in open business session on June 23, 1976, by unanimous vote of a quorum present, recommended that the Senate pass S. 1026, if amended as described herein. Pursuant to section 133(b) of the Legislative Reorganization Act of 1946, as amended, the following is a tabulation of votes of the Committee during consideration of S. 1026.

The bill was ordered favorably reported to the Senate on a roll call vote. The vote was as follows:

YEAS—8

NAYS—0

Jackson
Church
Metcalf
Johnston
Abourezk
Haskell
Stone
Bumpers

EXECUTIVE COMMUNICATIONS

The reports of the Federal agencies to the Committee concerning S. 1026, as amended, are set forth in full as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., March 10, 1976.

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

DEAR MR. CHAIRMAN: This responds to the request of your Committee for the views of this Department on the following national wildlife refuge wilderness bills:

S. 1026—Chassahowitzka, Florida	S. 1060—Medicine Lake, Montana
S. 1054—J. N. Ding Darling, Florida	S. 1038—Red Rock Lakes, Montana
S. 1058—Lake Woodruff, Florida	S. 1067—UL Bend, Montana
S. 1046—Agassiz, Minnesota	S. 1037—Oregon Islands, Oregon
S. 1042—Tamarac, Minnesota	S. 1039—San Juan Islands and Matia Islands, Washington.
S. 1055—Ft. Niobrara, Nebraska	S. 1041—Simeonof, Alaska
S. 1051—Big Lake, Arkansas	S. 1066—Swanquarter, North Carolina
S. 1027—Crab Orchard, Illinois	
S. 1057—Lacassine, Louisiana	
S. 1035—Mingo, Missouri	

We recommend the enactment of all these bills, if they are amended as herein described.

All of these proposed wilderness area bills with a few minor exceptions are basically identical to the recommendations of the President made to the Congress during its 93d Session. However, since submission to the Congress a number of events have occurred necessitating minor amendments to some of the proposals as herein described.

S. 1046 (Agassiz), S. 1037 (Oregon Islands), S. 1041 (Simeonof), S. 1038 (Red Rock Lakes), S. 1035 (Mingo), S. 1027 (Crab Orchard), S. 1026 (Chassahowitzka), S. 1042 (Tamarac) and S. 1039 (San Juan) make reference to the Bureau of Sport Fisheries and Wildlife. Public Law 93-271 (1974) abolished the Bureau and established the U.S. Fish and Wildlife Service with identical responsibilities. For this reason reference in the above cited eight bills to the Bureau of Sport Fisheries and Wildlife should be struck wherever it appears and "U.S. Fish and Wildlife Service" inserted in lieu thereof.

Four of the bills, S. 1037 (Oregon Islands), S. 1041 (Simeonof), S. 1035 (Mingo) and S. 1026 (Chassahowitzka), contain no provision for withdrawal of the area designated as wilderness from mineral and mining laws. While the Wilderness Act of 1964 (16 U.S.C. 1131-1136) implies that areas designated as wilderness are closed to mining and mineral utilization, we suggest, for uniformity, that withdrawal language be contained in all the bills. Therefore, in the above referenced four bills a new section should be added as follows:

Section --- Subject to all valid rights existing on the date of enactment of this Act, lands designated as wilderness by this Act are hereby withdrawn from all forms of appropriation under the

mining laws and from disposition under all laws pertaining to mineral leasing and all amendments thereto.

Since our recommendation on wilderness for Matia Islands and San Juan National Wildlife Refuge, we have consolidated four small refuges into one by Public Land Order 5515, August 27, 1975. By this same Order, 58 additional islands were added to the redesignated San Juan Islands National Wildlife Refuge. To conform S. 1039 to these changes the following modifications are needed:

Bill title.—Strike “the Matia Island and”, insert “Islands” before “National”, strike “and” before “Skagit”, and insert “and Whatcom” before “Counties”.

Page 1, line 5.—Strike “Matia Island and” before “San Juan”, insert “Islands” before “National”.

Page 1, lines 6 and 7.—Strike “one hundred and sixty eight” and insert in lieu thereof “two hundred and eighty five”.

Page 1, line 9.—Insert “Revised March 1976” before “) are”.

The Fish and Wildlife Service is presently in the process of filing an application with the Bureau of Land Management for an additional 16 islands to be added to the San Juan Islands National Wildlife Refuge. All islands in this group warrant wilderness designation. Upon becoming part of the refuge, they should be designated wilderness. We therefore recommend the following amendment to S. 1039 to designate these islands as potential wilderness until the application is approved:

Page 1, line 10 and page 2, lines 1 and 2: Strike all after the period on page 1, line 10, through the period ending the sentence on page 2 line 2, and insert in lieu thereof “Sixteen islands which comprise about seventy acres, designated on such revised maps dated March 1976, as ‘Potential Wilderness Additions’, are, effective upon publication in the *Federal Register* of a notice by the Secretary of the Interior that the islands have been added to the refuge and all uses thereon prohibited by the Wilderness Act have ceased, hereby designated as wilderness.”

S. 1067, the bill providing for designation of wilderness on the UL Bend National Wildlife Refuge, also requires provision for potential wilderness designation. We suggest that S. 1067 be amended as follows:

Page 1, line 9: Insert before “The” the following new sentence: “lands which comprise about 1,200 acres, designated on such maps as ‘Potential Wilderness Additions’, are, effective upon publication in the *Federal Register* of a notice by the Secretary of the Interior that such lands have been made part of the National Wildlife Refuge System and that all uses thereon prohibited by the Wilderness Act have ceased, hereby designated as wilderness.”

Public Law 91-504 designated 21 acres of Oregon Islands National Wildlife Refuge as wilderness and the 17 acre Three Arch Rocks as wilderness. We propose that the existing Three Arch Rocks and Oregon Islands wilderness areas be consolidated into one wilderness area with enactment of S. 1037, and that these two areas be combined with the new areas added by S. 1037 and the entire area be designated the Oregon Islands Wilderness. In order to accomplish this redesignation, the following new section is proposed:

“SEC. 4. The Oregon Islands Wilderness and Three Arch Rocks Wilderness designated by Public Law 91-504 (84 Stat. 1104) are hereby added to the wilderness area designated by this Act and the total 492 acre area shall be known as the ‘Oregon Islands Wilderness’.”

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

Sincerely yours,

JOHN H. KYL,
Assistant Secretary of the Interior.

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF MANAGEMENT AND BUDGET,
Washington, D.C., March 16, 1976.

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

DEAR MR. CHAIRMAN: This is in response to your requests for the views of the Office of Management and Budget on bills which would designate wilderness areas on the following national wildlife refuges:

- S. 1026—Chassahowitzka, Florida
- S. 1027—Crab Orchard, Illinois
- S. 1035—Mingo, Missouri
- S. 1037—Oregon Islands, Oregon
- S. 1038—Red Rock Lakes, Montana
- S. 1039—San Juan Islands and Matia Islands, Washington
- S. 1041—Simeonof, Alaska
- S. 1042—Tamarac, Minnesota
- S. 1046—Agassiz, Minnesota
- S. 1051—Big Lake, Arkansas
- S. 1054—J. N. Ding Darling, Florida
- S. 1055—Ft. Niobrara, Nebraska
- S. 1057—Lacassine, Louisiana
- S. 1058—Lake Woodruff, Florida
- S. 1060—Medicine Lake, Montana
- S. 1066—Swanquarter, North Carolina
- S. 1067—UL Bend, Montana

The Office of Management and Budget concurs in the views of the Department of the Interior in its report on these bills and, accordingly: (a) we recommend the enactment of S. 1051, S. 1054, S. 1055, S. 1057, S. 1058, S. 1060, and S. 1066; and, (b) we recommend the enactment of the remaining bills cited above if amended as suggested by the Department.

Sincerely yours,

JAMES M. FREY,
Assistant Director for Legislative Reference.

U.S. DEPARTMENT OF THE INTERIOR,
FISH AND WILDLIFE SERVICE,
Washington, D.C., May 14, 1976.

HON. RICHARD (DICK) STONE,
U.S. Senate, Washington, D.C.

DEAR SENATOR STONE: This responds to your April 22 letter concerning continuance of motorboating and other activities if a wilderness area is designated on Chassahowitzka National Wildlife Refuge.

The administration’s recommendation for wilderness designation on Chassahowitzka Refuge is contained in S. 1026. Section 4 for that bill

would permit continuance of motorboating, commercial fishing, and guiding activities providing they are compatible with refuge objectives and subject to reasonable regulation. The basic purpose for recommending such language is that it would be clearly understood that such activities were recognized by Congress, and could be continued after the wilderness designation.

If the Senate Interior Committee feels that this language is inappropriate in the legislation, we hope the Committee will express its feelings on this subject in its report. This would provide us with clear guidance as to the intent of Congress in future management of the area.

We appreciate your interest in this matter, and hope that this information is helpful. If we may be of further assistance, please call on us.

Sincerely yours,

WALTER R. McALLESTER,
Acting Associate Director.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, the Committee states that no changes in existing law would be made by S. 1026, as ordered reported.

○

DESIGNATING CERTAIN LANDS AS WILDERNESS

JULY 15, 1976.—Ordered to be printed
Filed under authority of the order of the Senate of July 1, 1976

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

R E P O R T

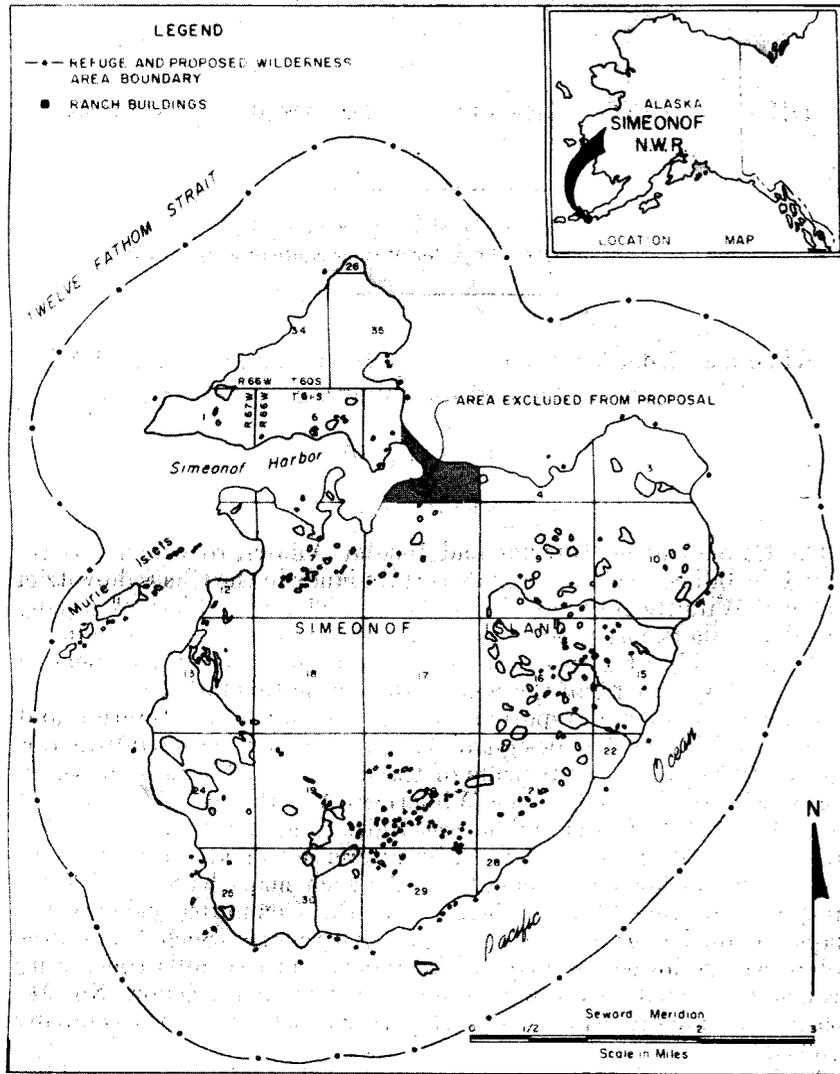
[To accompany S. 1026]

The Committee on Interior and Insular Affairs, to which was referred the bill S. 1026 to designate certain lands in the Chassahowitzka National Wildlife Refuge, Citrus County, Fla., as wilderness having considered the same, reports favorably thereon with an amendment to the text and to the title and recommends that the bill as amended do pass. This is part 2 of the Senate Report on this bill.

S. 1026, as ordered reported by the Committee on Interior and Insular Affairs, would designate 17 areas in national wildlife refuges in 12 States as components of the national wilderness preservation system established by the Wilderness Act of 1964 (78 Stat. 892, 16 U.S.C. 1132). Under wilderness legislation, the areas to be designated as wilderness are defined by reference to maps in the possession of the authorizing committees. As such maps have legal force upon the enactment of the legislation, the Committee believes the maps should be printed in the legislative reports. Such Committee policy was followed recently in the reports on two bills concerning proposed national forest wildernesses in Montana (Report No. 94-569, to accompany S. 392, and Report No. 94-1027, to accompany S. 393).

As the boundaries of five proposed national wildlife refuge wilderness areas were changed by the Committee during the markup of S. 1026, the referenced maps had to be altered. Unfortunately, these boundary adjustments necessitated reproduction of new maps which were not available for inclusion in the report at the time it was filed. The maps referred to in section 1 of S. 1026 are set forth in this report.

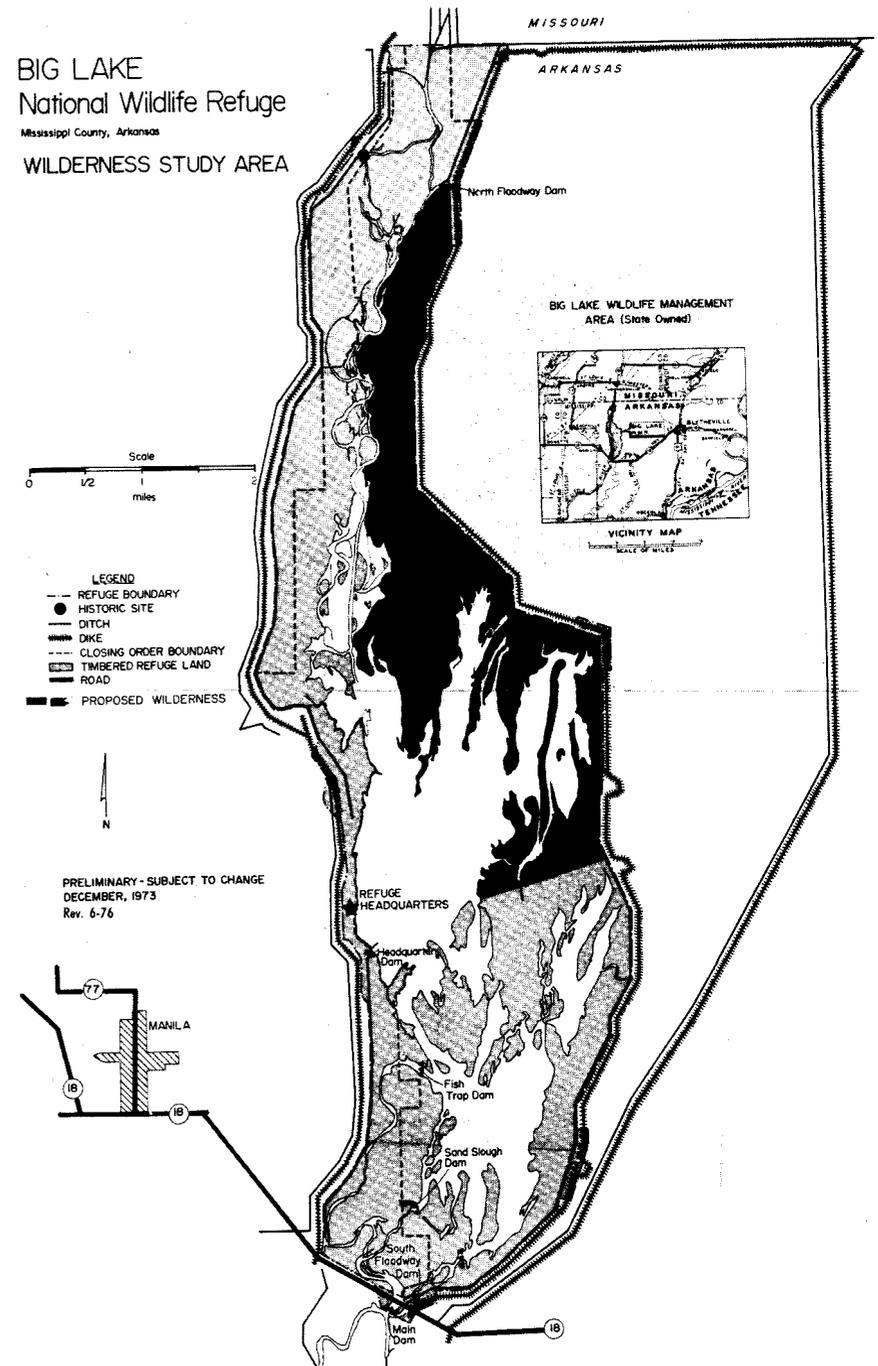
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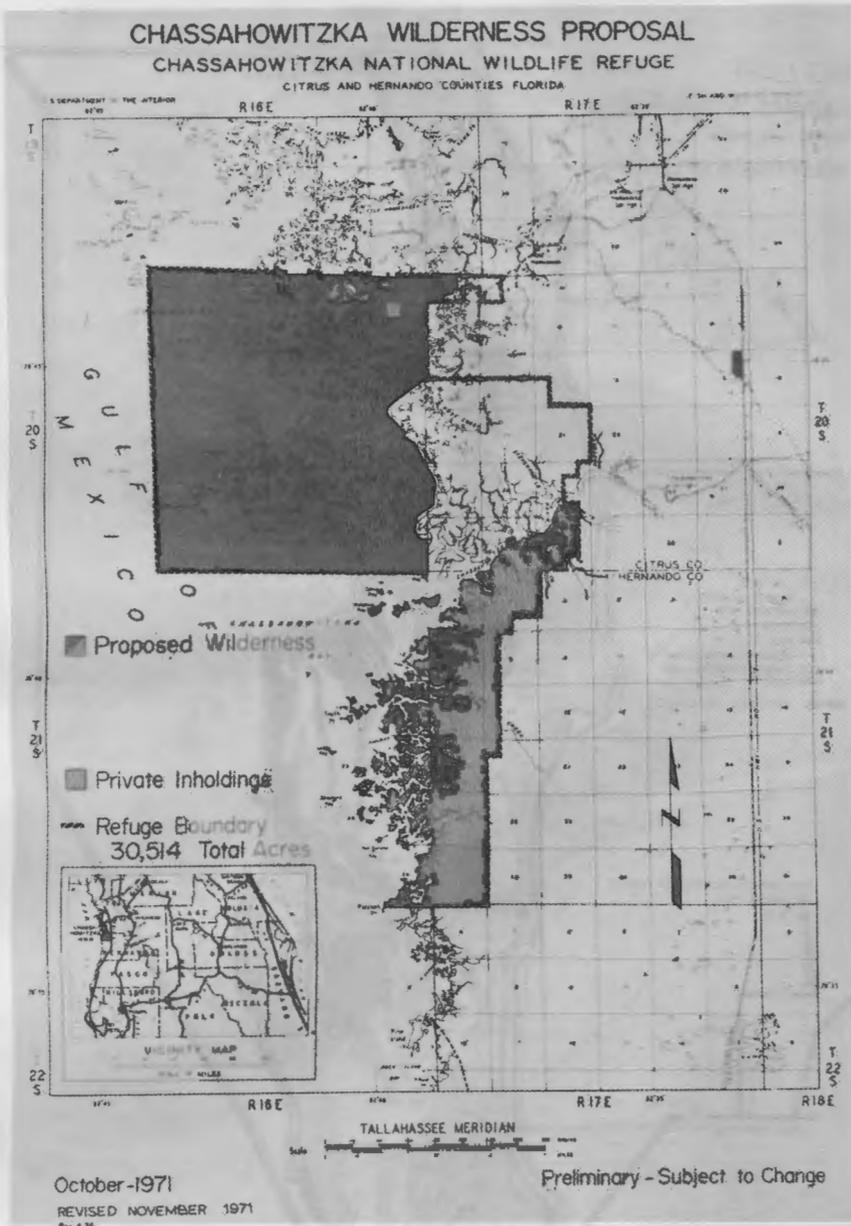


PRELIMINARY-Subject to Change

NOVEMBER 1969

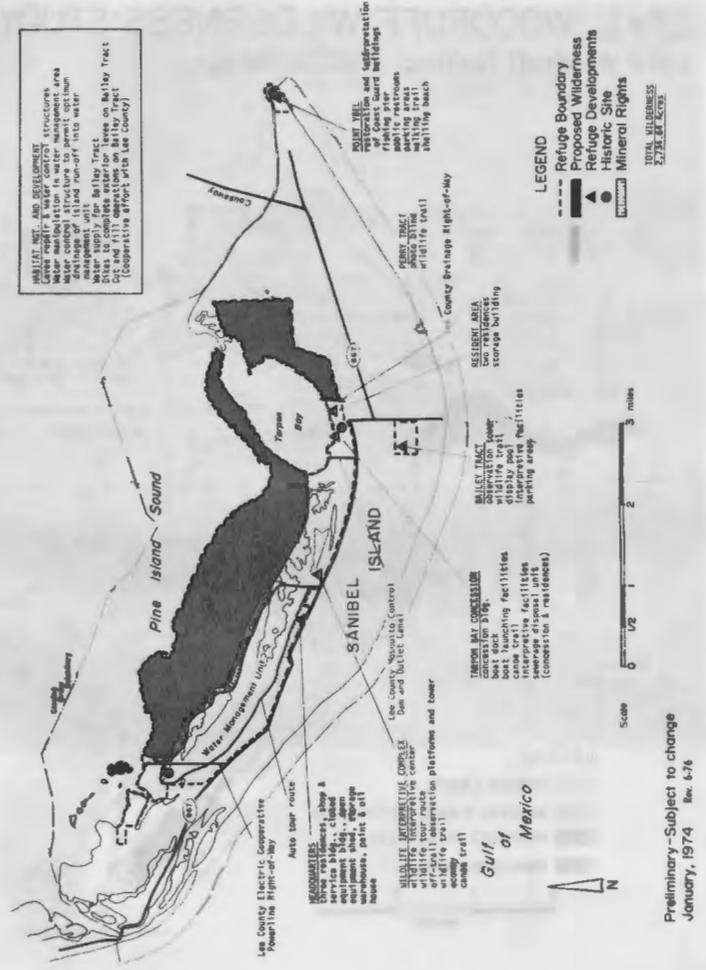
BIG LAKE National Wildlife Refuge Mississippi County, Arkansas WILDERNESS STUDY AREA





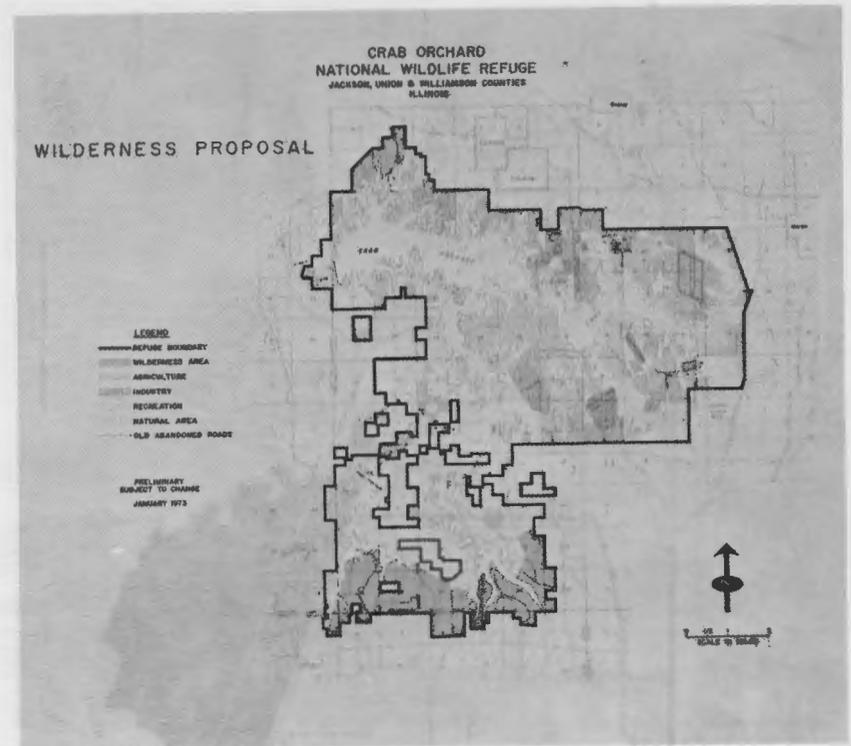
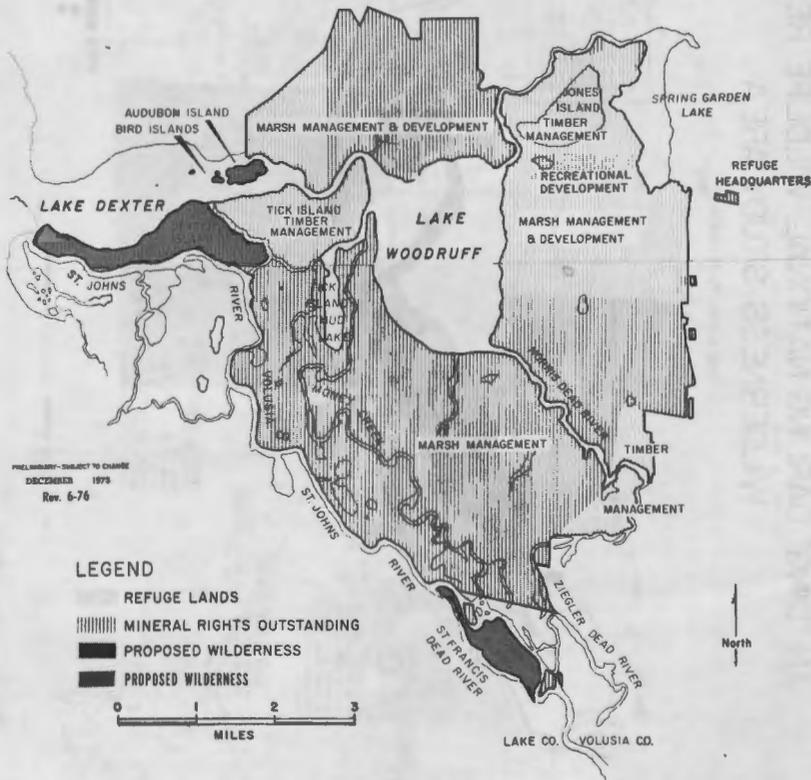
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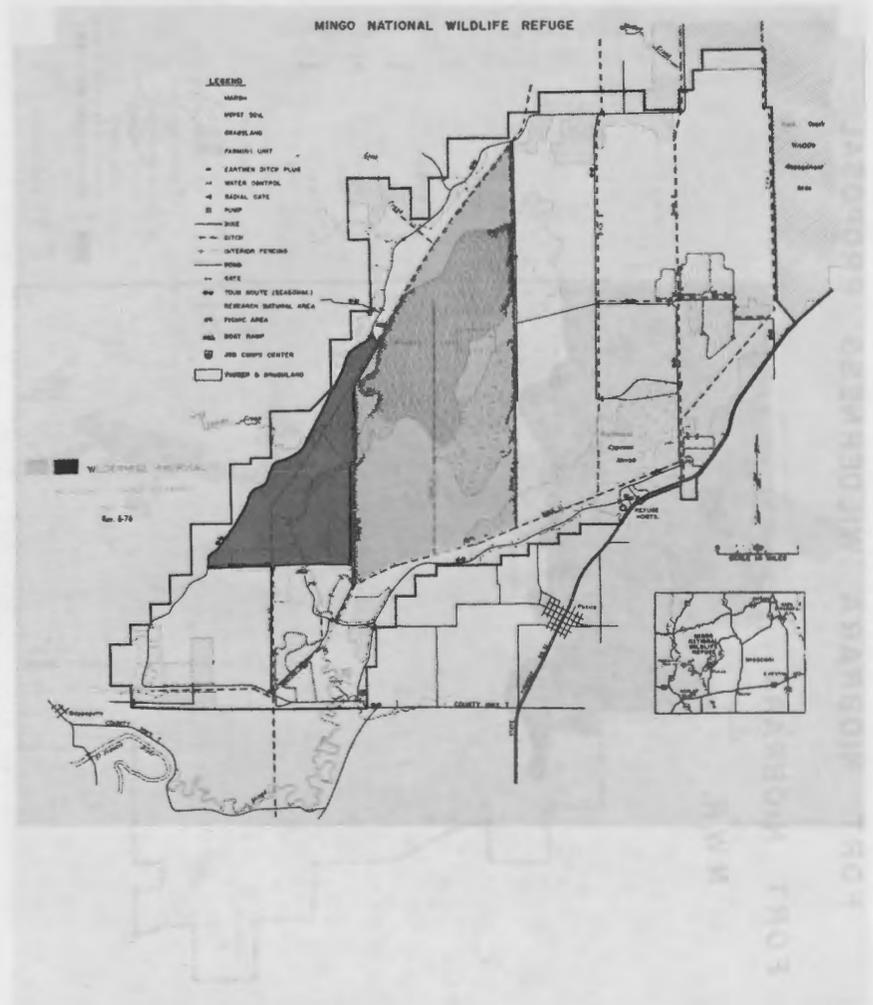
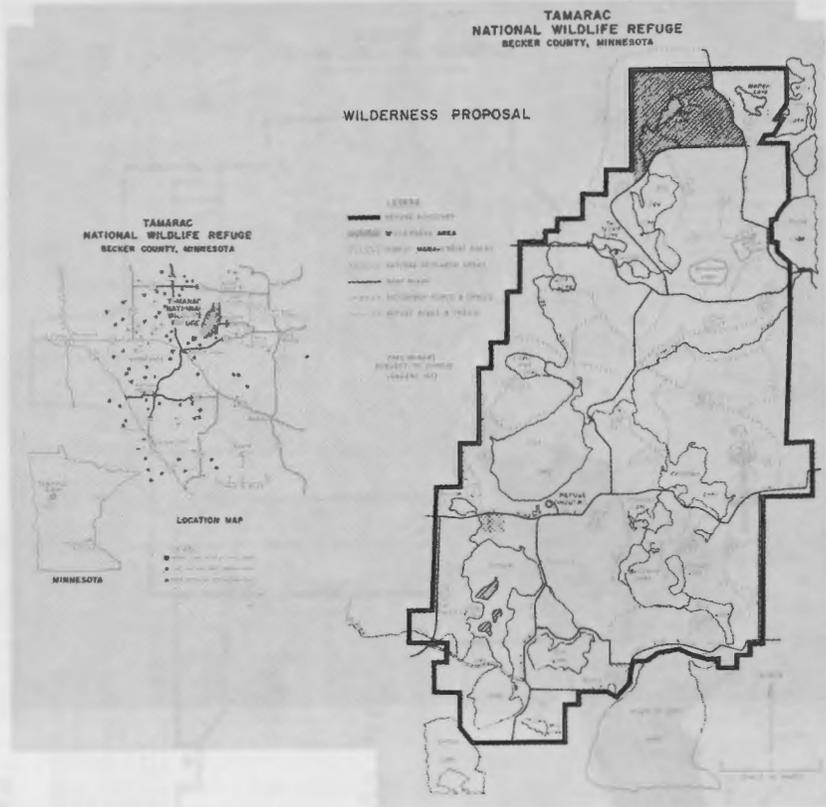
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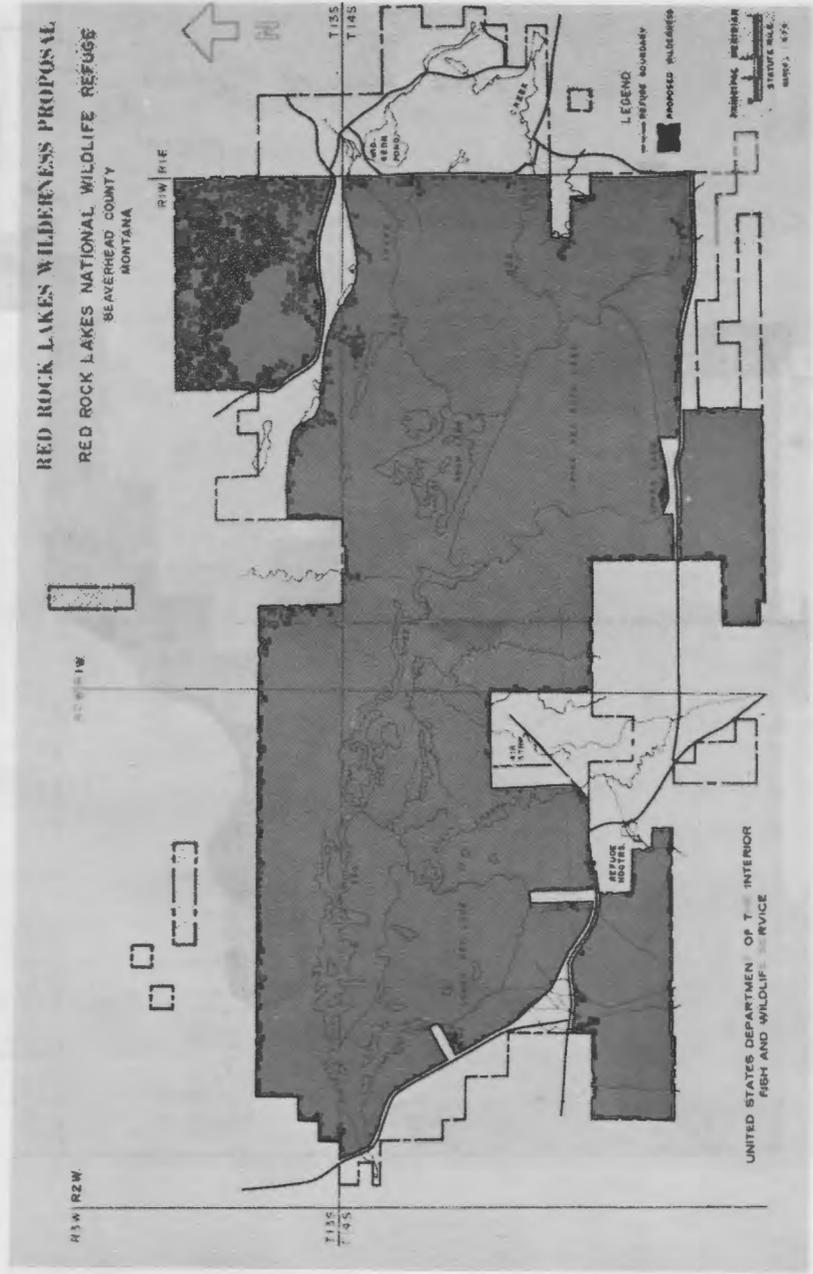


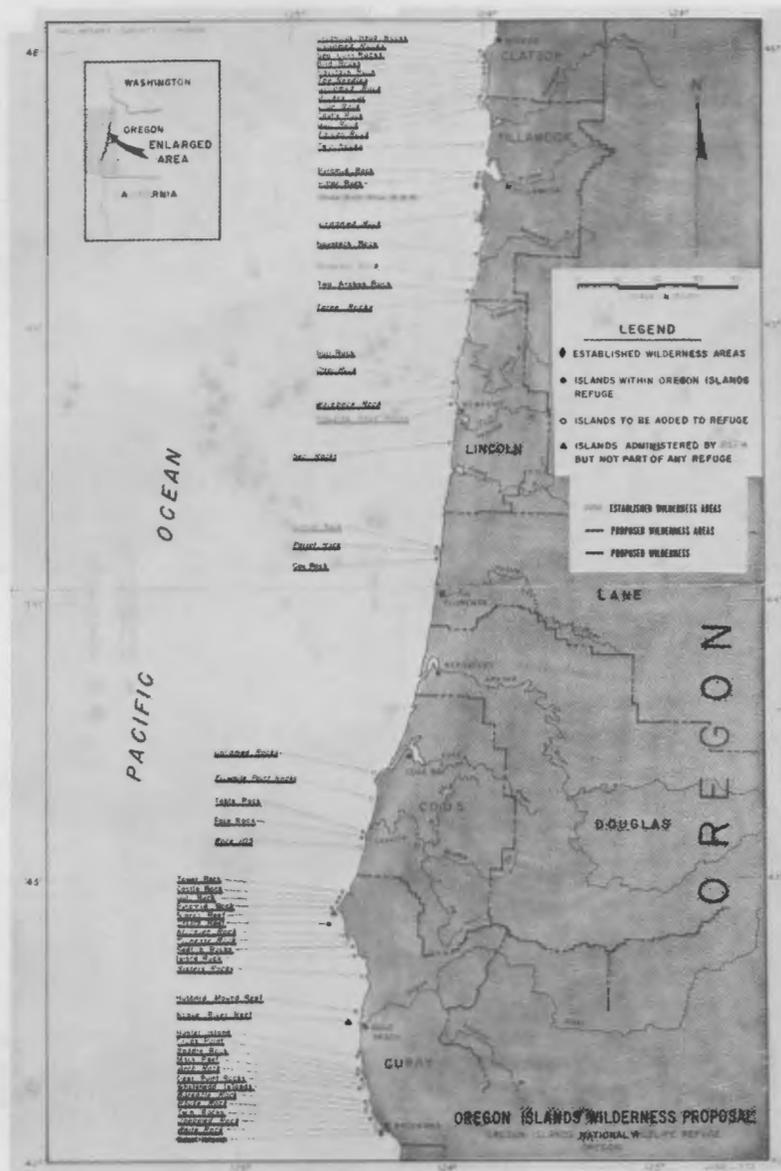
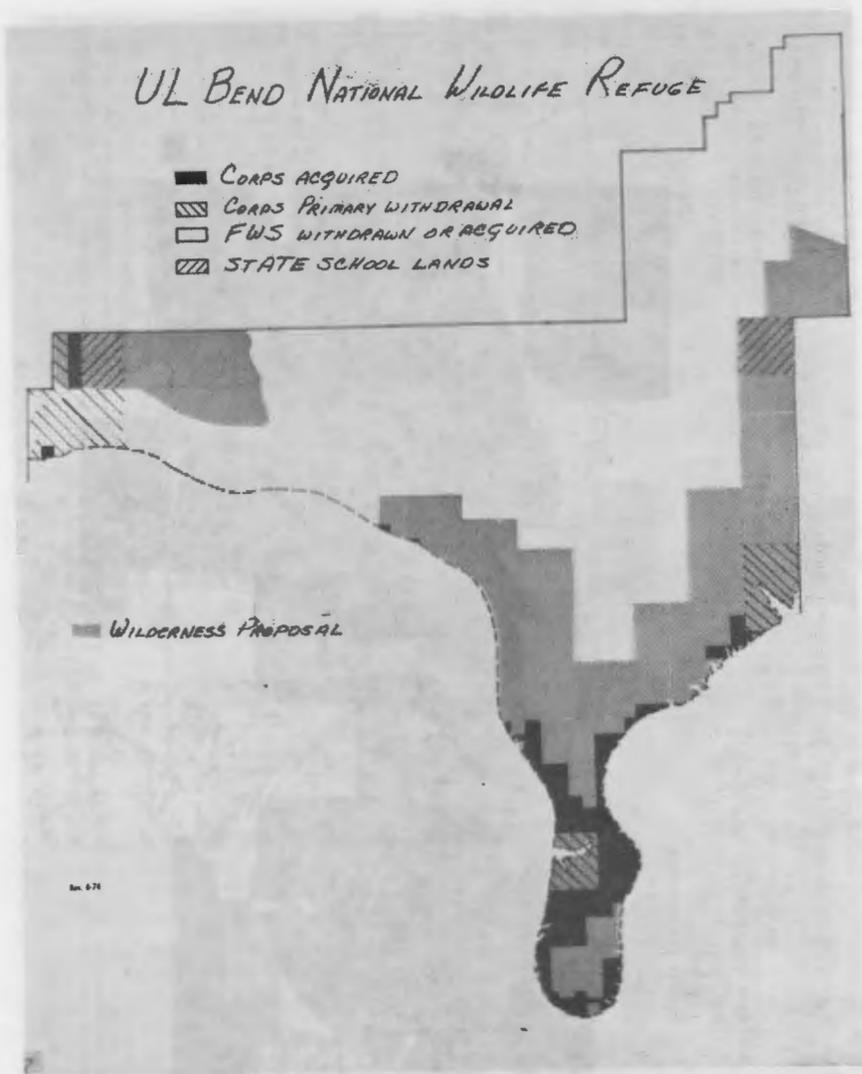
LAKE WOODRUFF WILDERNESS STUDY AREA

Lake Woodruff National Wildlife Refuge

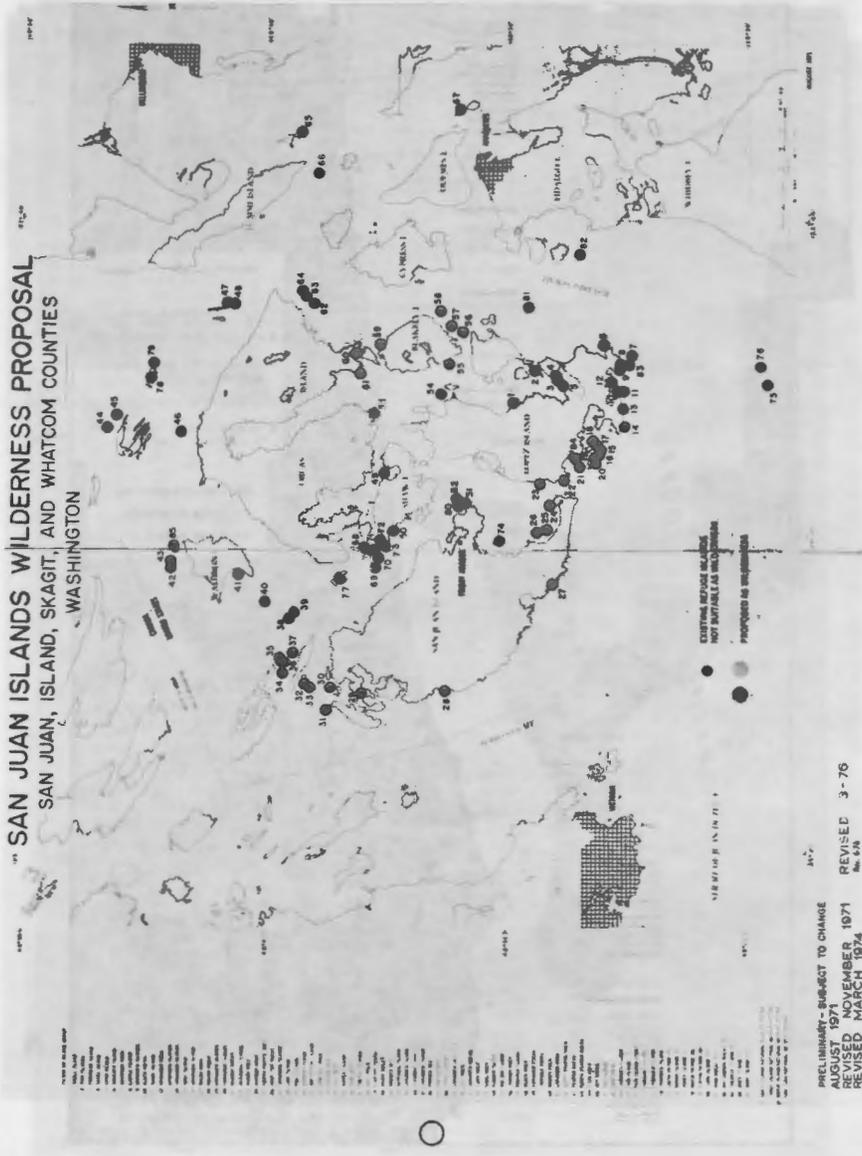








SAN JUAN ISLANDS WILDERNESS PROPOSAL
SAN JUAN, ISLAND, SKAGIT, AND WHATCOM COUNTIES
WASHINGTON



PRELIMINARY - SUBJECT TO CHANGE
 AUGUST 1971
 REVISED NOVEMBER 1971
 REVISED MARCH 1974

3-76

DESIGNATING CERTAIN LANDS AS WILDERNESS

SEPTEMBER 15, 1976.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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

REPORT

[To accompany H.R. 15446]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 15446) to designate certain lands as wilderness, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Page 11, line 14, strike out "fifteen" and insert in lieu thereof "nineteen".

H.R. 15446 designates as wilderness about 123,246 acres in several National Wildlife Refuges and about 300,115 acres in several National Forests. H.R. 15446 also designates several wilderness study areas in National Forests. These areas are located in 15 states and together total about 423,361 acres designated as wilderness and approximately 510,018 acres as designated wilderness study areas.

H.R. 15446 and H.R. 15447 (an identical bill) introduced by Mr. Melcher and others, are the result of consideration of all or parts of the following bills: H.R. 2905, Mr. Lujan; H.R. 2906, Mr. Lujan; H.R. 2975, Mr. Burlison of Missouri; H.R. 3030, Mr. Lloyd of California and others; H.R. 3507, Mr. Steiger of Arizona and others; H.R. 3508, Mr. Steiger of Arizona and others; H.R. 3656, Mr. Krebs; H.R. 5563, Mr. Chappell; H.R. 5568, Mr. Clausen of California; H.R. 5589, Mr. Johnson of California and others; H.R. 5893, Mr. Udall; H.R. 7788, Mr. Krebs and others; H.R. 7819, Mr. Krebs and others; H.R. 9265, Mr. Roncalio; H.R. 10618, Mr. Lloyd of California; H.R. 11143, Mr. Lloyd of California and others; H.R. 12458, Mr. Bafalis; H.R. 12821, Mr. Symington; H.R. 14524, Mr. Udall and others; H.R. 14530, Mr. Symington and others; H.R. 14779, Mr. Alexander; S. 74; S. 75; S. 392; S. 1026; and S. 1391.

BACKGROUND AND NEED

The Wilderness Act of September 3, 1964, (78 Stat. 890), designated 54 wilderness units containing about 9.3 million acres, all in the National Forest System, as the nucleus of the National Wilderness Preservation System. Section 3(b) of that Act directed the Secretary of Agriculture to review, within ten years, certain areas within the National Forest System to determine suitability or nonsuitability for preservation as wilderness. The Secretary of the Interior was also directed by Sec. 3(c) to review certain areas in the National Park and National Wildlife Refuge Systems for the same purpose. The two Departments were required to submit their recommendations to the President who, after appropriate review, was directed to submit his recommendations as to wilderness suitability or nonsuitability of each such area to the Congress. A recommendation of the President for designation as wilderness becomes effective only if provided by Act of Congress.

The Wilderness Act was the first land conservation measure requiring public input into Federal land management decision making. In addition to the administrative review process outlined above, Sec. 3(d) required public notice, public hearings, and review by state and local agencies and governmental institutions, prior to development of agency recommendations to the President. The Act affects neither the President's authority to make recommendations to the Congress nor the authority of Congress to enact legislation absent an agency recommendation.

Since enactment of the Wilderness Act, the Committee on Interior and Insular Affairs has added seventy-one wilderness units totalling about 4.1 million acres in the National Wildlife Refuge and National Forest Systems. H.R. 15446 would add five more wilderness units in the National Forest System (about 300,115 acres) and fifteen wilderness units in the National Wildlife Refuge System (about 123,246 acres) to the National Wilderness Preservation System. Seven wilderness study areas in National Forests containing about 500,018 acres also are designated. Studies will be made of these potential wilderness units and recommendations forwarded to Congress for consideration within a maximum time period specified for each wilderness study area.

Placement of these new wilderness units, located in fifteen states, does not change agency jurisdiction or administration. Also, designation as wilderness is within and supplemental to the primary purposes for which each National Forest or National Wildlife Refuge was established and is administered which means that although wilderness areas will be managed in accordance with the applicable provisions of the Wilderness Act, existing laws guiding administration of National Forest and National Wildlife Refuges are not changed by wilderness designation. For example, National Wildlife Refuge Systems areas are closed to public recreation use until opened. Thus, wilderness designation does not automatically open a wildlife refuge to public use and furthermore, when opened for public use such use remains limited to those kinds of activities which the agency has been granted by law to permit; namely, wildlife oriented recreation, not necessarily wilderness oriented types of recreation.

Although the wilderness areas and wilderness study areas in H.R. 15446 are widespread throughout the country and differ markedly in size, ecological diversity and uses, each has the common characteristic of being wild, undeveloped Federally administered land capable of being managed in an untrammelled, wilderness condition.

SECTION-BY-SECTION ANALYSIS

Section 1 is the designation of wilderness areas in the National Wildlife Refuge System as follows:

Sec. 1(a). Simeonoff Wilderness, Alaska

Simeonof Wilderness contains 25,140 acres within the Simeonof National Wildlife Refuge, Alaska. Established by Public Land Order in 1958 as a refuge for the preservation and propagation of sea otter and other native wildlife and situated in the eastern most part of the Shumagin Island group in the Gulf of Alaska, Simeonof National Wildlife Refuge embraces about 25,271 acres of emerged lands on Simeonof Island and adjacent Murie Islets and 14,418 acres of surrounding submerged land and tidal water. Simeonof Island, about six miles long and almost as wide, is almost divided in two, but remains connected by a sandspit at the head of Simeonof Harbor. This harbor, nearly two miles long, affords excellent protection from the many violent storms that occur in the area. Climate is maritime with cloudy, cool summers and relatively mild winters.

Grazing of domestic livestock was authorized by the establishing order, under the administration of the Bureau of Land Management. The order stipulated that grazing use would be limited to one grazing lessee at any one time, and that it was to be compatible with wildlife refuge purposes. This limited grazing activity, compatible with the primary management objective of the refuge, will not be affected by wilderness designation. The Wilderness Act specifically provides that previously established livestock grazing may continue in a wilderness area.

On October 30, 1958, Public Land Order 1749 withdrew the public lands, tidelands and adjacent waters from all appropriation under the public land laws and reserved the Simeonof National Wildlife Refuge. In a legal opinion dated November 13, 1970, the Associate Solicitor of the Department of the Interior found that all the tidelands and submerged lands within the boundary of PLO 1749 remained Federal lands at the time of admission of Alaska to statehood. The finding was based on section 6(e) of the Alaska Statehood Act which, after providing for the transfer of certain fish and wildlife activities to the State of Alaska, states: "Provided, That such transfer shall not include lands withdrawn or otherwise set apart as refuges or reservations for the protection of wildlife nor facilities utilized in connection therewith, or in connection with general research activities relating to fisheries or wildlife."

While Alaska natives do not presently utilize Simeonof National Wildlife Refuge for hunting, fishing or other subsistence purposes, wilderness status would not change these activities nor prevent future such uses in the event that in the future they should be permitted. The Wilderness Act (Sec. 4 (a)) is specific in its intent that wilderness

designation is supplementary to the purposes for which an area is administered. Thus, if in the future the Secretary of the Interior should find that hunting and fishing activities by Alaska natives, or anyone else, would be desirable, wilderness designation would not prevent opening the area to such activities since laws governing administration of the wildlife refuge remain paramount.

The Alaska Native Claims Settlement Act provides that certain villages located within a national wildlife refuge may select a limited amount of acreage from that wildlife refuge; such lands to be replaced elsewhere in the State. There is no native village on Simeonof Island and no lands have been withdrawn for possible selection by Alaska Native groups. Thus, there is no conflict with land selections by Alaska natives contemplated in other islands in the Shumagin Island group.

Sec. 2(b). Big Lake Wilderness, Ark.

Big Lake Wilderness contains about 2,600 acres within the 11,038 acre Big Lake National Wildlife Refuge, located in Mississippi County, Arkansas, in the extreme northeastern part of the state. The wildlife refuge is situated about 20 miles west of the Mississippi River and was established by Executive Order, August 1915, as the Big Lake Reservation primarily to provide waterfowl migration habitat in the Mississippi Valley.

The Big Lake Wilderness lies along the northeast side of the wildlife refuge and is largely a virgin stand of cypress and forested swamp. It is thought that the cypress invaded the area as a result of changes that occurred during the New Madrid Earthquake. The area is maintained in its natural state at the present time, and there are no plans for future management. In addition to the 1,818 acres recommended by the Department of the Interior, the Committee received testimony at the hearing on July 29, 1976, urging inclusion of about 800 acres to the south of the administration's proposal. The area contains some of the most impressive forest swampland in the wildlife refuge. The Department of the Interior witness appearing before the Subcommittee on Public Lands stated that, while there may be opportunities for improving fishing in the extension, there were no specific plans to do so, feasibility studies had not been conducted, and the Department did not oppose inclusion of this area as wilderness.

Sec. 1(c). Chassahowitzka Wilderness, Fla.

Chassahowitzka Wilderness contains approximately 23,360 acres within the 30,514 acre Chassahowitzka National Wildlife Refuge, Citrus and Hernando Counties, Florida. Located four miles south of Homosassa Springs, the wildlife refuge was established in 1943 under the authority of the Migratory Bird Conservation Act. Lands have been acquired since that time from private landowners and, in one part of the wildlife refuge, submerged bottom lands were purchased from the State of Florida. Land acquisition is not yet complete, within the boundary of the area designated as wilderness. As lands are acquired they will be included automatically in the wilderness and the acreage adjusted accordingly. The State of Florida owns and controls uses on the navigable waters in the wildlife refuge.

Although bottom lands in a portion of the wilderness are Federally owned, the water column and surface throughout the wildlife refuge

are owned by the State of Florida. These navigable waters are not included in the wilderness and will still be under the jurisdiction of the State. Wilderness designation does not change existing fishing, guiding and boat uses, since such uses not only are traditional, well established uses, but the navigable waters on which they take place are not within the wilderness or wildlife refuge. Further, even if the waters were not controlled by the State of Florida, the Wilderness Act and Sec. 6 of H.R. 15446 specifically provide that the use of aircraft and motor boats, where these uses have already become established, may be permitted to continue subject to such restrictions as the Secretary of the Interior deems desirable. Thus, current uses, including water access to and use of private lands not yet acquired for wildlife refuge purposes, will not be denied by wilderness establishment.

Sec. 1(d). J. N. "Ding" Darling Wilderness, Fla.

J. N. "Ding" Darling Wilderness contains about 2,825 acres within the 4,755-acre J. N. "Ding" Darling National Wildlife Refuge, located in Lee County, Florida, about 20 miles southwest of Fort Myers. Included in the wilderness are two deletions totalling about 90 acres which were proposed by the Administration: (1) a 3.62-acre-wide peninsula at the northern tip of the area; and (2) a 150-acre zone extending along a small dike used as a wildlife viewing trail and Tarpon Bay on the edge of the wilderness.

Sec. 1(e). Lake Woodruff Wilderness, Fla.

Lake Woodruff Wilderness contains about 1,146 acres within the 18,417-acre Lake Woodruff National Wildlife Refuge, Volusia County, east-central Florida. The wildlife refuge contains 11,440 acres of marsh, 4,786 acres of timber, 1,206 acres of upland, and 984 acres of streams, lakes and other water areas. The wildlife refuge lies wholly within the flood plain of the St. John's River, which is the largest river entirely in the State of Florida and is one of the few large, northerly flowing rivers in the United States.

The Migratory Bird Conservation Act provided the authority for establishing the wildlife refuge, and the Migratory Bird Hunting Stamp Act (the so-called "Duck Stamp Act") provided the funds for acquiring the lands. Acquisition, which is not complete and entirely from private owners, was initiated in 1961. The wilderness consists of six islands—Dexter Island, Audulsen Island, Bird Islands (3) and St. Francis Island—located within the external boundaries of the wildlife refuge. There is a 40-acre inholding on Dexter Island which the U.S. Fish and Wildlife Service is in process of acquiring and which will become wilderness automatically upon being acquired. Meanwhile, this tract will be administered like any other inholding within a wilderness area and the applicable provisions of the Wilderness Act relative to access and continued use will apply.

Approximately 90 percent of the public use on the wildlife refuge is for fishing. In addition to fishing, the area offers opportunity for environmental education, nature study, wildlife watching, photographing, and other wildlife oriented activities. Wilderness designation would not change or modify existing public uses, nor expand the types of recreation permitted under existing law governing recreational uses in National Wildlife Refuges.

Sec. 1(f). Crab Orchard Wilderness, Ill.

Crab Orchard Wilderness encompasses approximately 4,050 acres within the 42,970 acre Crab Orchard National Wildlife Refuge, Union County, Illinois, located about 50 miles north of the confluence of the Mississippi and Ohio Rivers. The wildlife refuge contains a variety of habitats including three large lakes and 61 smaller lakes and ponds. Crab Orchard Lake is the largest, comprising 6,910 acres, while Devils Kitchen and Little Grassy contain 810 and 1,000 acres, respectively.

The 4,050-acre area wilderness lies between Devils Kitchen Lake and the south boundary. It includes the roughest terrain and is the most inaccessible and isolated area on the wildlife refuge. A county road running north and south through the proposal divides the area into two units. Since the road is an access route to private lands south of the refuge, it is not included in the wilderness.

Sec. 1(g). Lacassine Wilderness, La.

Lacassine Wilderness contains approximately 3,300 acres in the 31,776-acre Lacassine National Wildlife Refuge located in Cameron Parish, Southwestern Louisiana, about 25 miles from the Gulf of Mexico. Lacassine National Wildlife Refuge was established by Executive Order in December 1937 under the authority of the Migratory Bird Conservation Act. Monies for acquiring lands from private ownership stemmed from various sources. Former owners reserved the mineral rights on over 17,000 acres; however, none of these lands are situated within the wilderness. The Intercoastal Waterway transects the southern portion of the wildlife refuge. Corps of Engineers dredging activities which involve easements for deposition of spoil can be accommodated on areas outside the wilderness. The wilderness area is located south of the canal, which isolates the area from the remainder of the wildlife refuge.

Because of the limited access, public use remains relatively low with about 11,000 annual visitation recorded. Most visitors use the wildlife refuge for fishing and waterfowl hunting purposes. Use of motorboats for fishing and transportation to waterfowl hunting locations are traditional uses in the wilderness portion of the wildlife refuge. Such use occurs in navigable waters technically not in the wilderness. Further, the Wilderness Act (Sec. 4(d)(1)) recognizes that previously existing motorboat use may continue and Sec. 6 of H.R. 15446 adopts this specific provision. Hunting and fishing activities are not precluded by wilderness designation.

Sec. 1(h). Agassiz Wilderness, Minn.

Agassiz Wilderness consists of about 4,000 acres within the 61,487-acre Agassiz National Wildlife Refuge located in extreme northwestern Minnesota, about 40 miles from the Canadian border. The Red River of the North, forming the North Dakota-Minnesota boundary, is about 50 miles to the west. The terrain is extremely flat, the bottom of what was once a vast lake during the close of the last glacial period. Formerly known as Mud Lake Refuge, the area occupies a small bay of prehistoric Lake Agassiz, for which it was renamed in 1961. The wildlife refuge is situated within a transition zone between what was originally tall grass prairie and Minnesota's "coniferous forest" along

the eastern edge of the famous prairie pothole country of North America. This ecological location is in an area of several habitat types which are attractive to a great variety of wildlife species.

The wilderness area is in the northern portion of Agassiz National Wildlife Refuge consisting principally of a spruce-tamarac bog habitat type with two lakes, Kuriko and Whiskey, within the bog. There is, and has been, no past development or management in the wilderness. The wilderness is currently used by environmental education groups and big game hunters, and these uses would not be affected by wilderness designation.

Sec. 1(i). Tamarac Wilderness, Minn.

Tamarac Wilderness contains 2,138 acres within the 42,485-acre Tamarac National Wildlife Refuge, Minnesota. Situated in the rolling timberlands of northwest Minnesota in Becker County, 18 miles northeast of Detroit Lakes, Tamarac National Wildlife Refuge is just a few miles east of the eastern edge of the tall grass prairie. The wildlife refuge lies among many lakes, wooded potholes, bogs and marshes which fill depressions left by receding glaciers. Within the wildlife refuge are 17,650 acres of wetland habitat consisting of 21 large lakes which lie wholly within the refuge and four other lakes, a part of which is contained within the refuge, 2,311 acres of potholes, 3,657 acres of shrub swamps, 2,120 acres of wooded swamp and 2,744 acres of bogs. About 26,000 acres of the refuge are timber. Much of it is second growth aspen and upland hardwoods with extensive areas of dense hazelbrush understory. The primary tree species are trembling and big tooth aspen, jack pine and mixed hardwoods. Terrain is characterized by successive ridges and lakes with elevations ranging from 1,440 to 1,600 feet above mean sea level.

While much of the wildlife refuge is actively managed to meet wildlife objectives, there are several units which are preserved in a natural state. Among these are three islands in Tamarac Lake totalling 65 acres and a 2,073-acre unit in the northwest corner of the refuge determined to be qualified for wilderness designation. The area in the northwest corner of the refuge has one of the few remanent stands of old growth white pine left in the area. The headwaters of the Egg River, a tributary of the Red River of the North, and Little Egg Lake are encompassed by the wilderness. Nesting bald eagles, a wildlife species requiring seclusion during the breeding period, and several nesting osprey enhance the wilderness quality of the area.

Sec. 1(j). Mingo Wilderness, Mo.

Mingo Wilderness encompasses about 8,000 acres within the 21,646-acre Mingo National Wildlife Refuge, Stoddard and Wayne Counties, Missouri. Located on the edge of the Ozark Mountains in Southeast Missouri near the town of Puxico, Mingo National Wildlife Refuge was established in 1944 under the authority of the Migratory Bird Conservation Act. Lands and waters within the wildlife refuge have been acquired from private landowners with income from the sale of "Duck Stamps" as the source of land acquisition funds.

The most prominent feature of the Mingo Wilderness is Monopoly Lake, which contains a swamp ecosystem that is unique in the central United States. While Monopoly Lake and the swamp of which it is

an integral part were subjected to exploitation and drainage schemes in the early part of this century, the area has since reverted to its natural swamp condition and wildlife habitat and populations restored. Regeneration of the swamp has occurred primarily because of the careful and expert management by the U.S. Fish and Wildlife Service, applying scientific habitat management principles in the highest sense. By carefully regulating water levels in the lake, the agency has been able to recreate the natural water regime which existed prior to exploitation and which is essential to continuance of the natural swamp ecosystem. An area within the wilderness, located in the southwest part of the wildlife refuge contains two of the five research natural areas in the wilderness. While oak timber was selectively cut in this area in the 1960s, the harvest was small, the cut substantially unnoticeable and the site is now indistinguishable from the adjacent area recommended by the U.S. Fish and Wildlife Service. Evidence received at hearings indicates that the area contains no fenced fields, no moist soil areas, vehicle trails or public use facilities. All of these works are located outside the boundary of the wilderness.

Sec. 1(k). Red Rock Lakes Wilderness, Mont.

Red Rock Lakes Wilderness consists of approximately 32,350 acres within the 40,300 acre Red Rock Lakes National Wildlife Refuge, Beaverhead County, Montana. The wildlife refuge was established by Executive Order in 1935. A majority of the wildlife refuge was acquired from private landowners under authority of the Migratory Bird Conservation Act and Migratory Bird Hunting Stamp Act.

The Red Rock Lakes National Wildlife Refuge is located about 6,000 feet above sea level in the small Centennial Valley, a few miles north of the Continental Divide. The valley is encircled by mountains of the Centennial and Gravelly Ranges. Two large, shallow lakes, Upper and Lower Red Rock Lakes, and their extensive marshes and meadows enhance scenic and wildlife qualities. Hunting and fishing are popular activities. Waterfowl hunting is permitted on lower Red Rock Lake and moose and antelope hunting is also permitted. Wilderness designation would not change these public uses. Previously existing motorboat use for public safety purposes would not be precluded by wilderness designation. Eighteen livestock permittees are licensed to graze about 15,000 AUM's on the wildlife within and without the wilderness. Grazing is a permitted activity in wilderness areas and will be continued.

Sec. 1(l). Fort Niobrara Wilderness, Nebr.

Fort Niobrara Wilderness contains approximately 4,635 acres within the 19,123 acre Fort Niobrara National Wildlife Refuge, Cherry County, Nebraska. Formerly a part of a military reservation established in 1879, the wildlife refuge was created in 1912 by Executive Order. It is situated in north-central Nebraska, eight miles south of the South Dakota line and is managed primarily to support herds of American bison, elk and Texas longhorn cattle.

The Niobrara River divides the wildlife refuge into two well defined units. The area north of the river is high bench land. Six deep canyons divide the bench land diagonally from northwest to southeast. The wilderness area encompasses this area and the Fort Niobrara River

running through it. A 200 acre natural ponderosa pine area is in the wilderness. This wilderness area serves as a winter pasture for buffalo. Occasionally, wildlife occurs in this section of the wildlife refuge and will be controlled using mechanized equipment when required, an activity permitted by the Wilderness Act. Wilderness designation does not change an existing cooperative agreement with the Valentine Rural Fire Protection District. There would be no change in public use of the area as a result of wilderness designation. In addition, there will be no change in receipts received by Cherry County pursuant to the Refuge Revenue Sharing Act, which is 25 percent of the net receipts from the surplus animal disposal program, presently amounting to between \$5,000 and \$10,000 annually.

Sec. 1(m). Swanquarter Wilderness, N.C.

Swanquarter Wilderness contains about 9,000 acres within the 42,583-acre Swanquarter National Wildlife Refuge, North Carolina. The wildlife refuge was established under the authority of the Migratory Bird Conservation Act and was activated in June 1932 when 15,000 acres were purchased from private landowners. In 1953 an additional 27,000 acres of water adjacent to the refuge were closed to hunting by Presidential proclamation. Since that time acquisition has been completed. Nearly 100,000 visitors visit Swanquarter National Wildlife Refuge each year. Most come to fish, and a large number, approximately 48,000 come to observe wildlife. Wilderness designation of a portion of the wildlife refuge does not, in and by itself, change present public use nor authorize certain uses not now permitted.

Sec. 1(n). Oregon Islands Wilderness (Addition), Oreg.

In 1970 the Congress included the Oregon Islands National Wildlife Refuge (one island containing 21 acres) off the Oregon Coast to the National Wilderness Preservation System by enactment of Public Law 91-504. Since then, by Public Land Order, 28 more islands, islets, rocks and reefs containing 346 acres, have been added to the single island Oregon Islands National Wildlife Refuge and two more reefs (Blanco and Rogue River) and 26 more rocks, islands and islets containing 113 acres have been proposed for wildlife refuge status. All have been studied for wilderness suitability and public hearings held. The latter group are in process of being added to the wildlife refuge by Secretarial order and will be included in the wilderness when the transfer process has been completed.

The rugged rocks, islands and reefs of this 55 island wilderness vary greatly. Many are over 100 feet high; many frequently are awash by the surf. Some are bare rock; others support a modest cover of low growing vegetation. They have remained undeveloped because of their small size (up to 20 acres), Federal ownership, and generally inhospitable character. They extend from near Tillamook Head to Twin Rocks and are within a half mile of the Oregon Coast in most places.

Sec. 1(o). San Juan Islands Wilderness, Wash.

San Juan Islands Wilderness contains 355 acres within the 648 acre San Juan National Wildlife Refuge, Washington. The islands are located in the San Juan Archipelago which is believed to be a submerged extension of the Olympic Mountains.

Public Land Order 5515 issued August 27, 1975, consolidated four national wildlife refuges (San Juan, Matia Island, Jones Island and Smith Island) into a single San Juan Islands National Wildlife Refuge. It also added some 58 islands, which up until that time had been a part of the public domain, to the wildlife refuge. In a more recent action, Public Land Order 5594 added 16 more islands to the wildlife refuge. A total of about 200 islands are found in San Juan, Skaquit and Whatcom Counties in the State of Washington, and at the present time 84 such islands are in the San Juan Island National Wildlife Refuge. Eighty of these islands are within the wilderness. The boundary of all wildlife refuge islands—and the wilderness—coincides with mean high tide. The State of Washington controls adjacent submerged lands. With the exception of Matia Island, which has a mixed evergreen-deciduous stand of trees, the islands are covered with sparse, low growing vegetation. A small freshwater pond is found on Matia Island.

Section 2 is the designation of wilderness areas within the National Forest System as follows:

Sec. 2(a). Fitzpatrick Wilderness, Wyo.

Fitzpatrick Wilderness, formerly the Glacier Primitive Area, is a part of the Shoshone National Forest in the State of Wyoming. Located in western Wyoming, east of the Continental Divide in the Wind River Range, Fitzpatrick Wilderness contains approximately 200,000 acres. The topography of the wilderness is very rough with high jagged peaks, deep precipitous canyons, and large alpine plateau covered with rock. Gannet Peak, the highest mountain in Wyoming, rising to 13,804 feet in elevation, lies within the wilderness as well as seven other peaks exceeding 13,000 feet in elevation. Active glaciers dominate the higher elevations of the Wind River Range in the wilderness. Headwaters of a number of creeks, all tributaries of the Wind River, including Bull Lake, Dinwoody, Dry, Torrey and Jakey's Fork Creeks are within the wilderness.

The U.S. Geological Survey and Bureau of Mines, Department of the Interior, conducted a field investigation of the area and published a combined report (Geological Survey bulletin 1319-F, Mineral Resources, Glacier Primitive Area, Wyoming) concerning minerals in the wilderness. The study disclosed no mineral deposits that can be mined economically, and found that none of several mineralized localities appear to have possibilities for future development. A small portion of the wilderness, some 11,200 acres of suitable forage land, is utilized for grazing purposes. Five cattle and horse range allotments and one sheep allotment are wholly or partially within the wilderness. Carrying capacity is minimal. Previously existing livestock grazing may continue in a designated wilderness area.

The world's largest bighorn sheep herd ranges, in the summer months, are located throughout the Whiskey Mountain area, Jakey's Fork area and areas south of the Simpson-Marion Lake Basin. The bulk of the important bighorn sheep habitat contained in these areas was not recommended by the Forest Service for designation as wilderness. Yet, the natural pristine nature of the habitat in these areas is the singular factor required by bighorn sheep for survival. The welfare of the bighorn sheep is a primary management consideration throughout the northern portion of the Fitzpatrick Wilderness. The

principal factor in continued herd growth and viability is the preservation of a natural condition which wilderness designation insures. The Forest Service proposed to declassify the Whiskey Mountain portion of the Glacier Primitive Area so that a cooperative bighorn trapping program now conducted on several sites outside the area could be expanded if determined to be necessary in the future to include another site within the area. Yet, in the event that the herd reduction program, through trapping and transplanting, should have to be expanded beyond its existing capability, the Wilderness Act provides ample flexibility for managers to initiate and carry out such a temporary program. Section 4(a) provides that wilderness designation is to be supplemental to the purposes for which National Forests are established and administered. The primary purpose for which the Whiskey Mountain unit is administered is preservation of bighorn sheep habitat and, in cooperation with the Wyoming Game and Fish Department, regulation of herd size. Therefore, the Forest Service not only is charged with the responsibility of continuing to preserve the habitat of the bighorns by wilderness designation, but is permitted by section 4(c) to utilize motorized vehicles temporarily if found to be the "minimum necessary" to accomplish that purpose. Section 4(c) does not state categorically that vehicles cannot ever be used in a wilderness because of the disclaimer (*underlined*) ". . . except as necessary to meet minimum requirements for the administration of the area for the purposes of this Act. . . . There shall be no . . . use of motor vehicles. . . ." Of course, temporary use of a vehicle to transport bighorns which have been trapped in a temporary enclosure must be conducted in a fashion so as to meet the management requirements of section 4(b) which charge the agency with preserving the wilderness character of the area.

The Committee agreed with the Forest Service recommendation to declassify areas 1 and 2 from Primitive Area status in order to provide space for a trail head facility and to draw wilderness boundaries on features more easily identifiable to the public.

Tom Fitzpatrick was a noted mountainman, fur trader, guide to early settlers, Indian benefactor and contemporary of Jim Bridger after whom the Bridger Wilderness, adjacent to the Glacier Primitive Area, was named.

Sec. 2(b)(1). Kaiser Wilderness, Calif.

Kaiser Wilderness is within the Sierra National Forest in the State of California. Located beyond the north shore of Huntington Lake on the west slope of the Sierra Nevada, in Fresno County, about 65 miles northeast of Fresno, the area contains about 22,500 acres. The Wilderness area includes both a virtually treeless crest, dominated by 10,300 foot Kaiser Peak, and a virgin forest around the crest beginning at about the 5,000 elevation level. The forested area contains mixed conifers and black oak. At a slightly higher elevation in the forested zone is a climax forest of white and red fir with scattered clumps of sugar pine, western white pine, Jeffery pine and Ponderosa pine. Many of the fir species are hundred of years in age. The Kaiser Wilderness provides a natural scenic backdrop to Huntington Lake, a popular recreation area, especially for sailing and other water

sports. The area in the vicinity of the lake and the wilderness is a popular recreation area used extensively by family groups and organizations.

The Kaiser area was reviewed during the 1972-73 Forest Service Study of National Forest roadless areas containing 5,000 acres or more. As a result of the Roadless Area Review Evaluation (RARE) program, a limited number of wilderness study areas, mainly in western National Forests, were selected for future study and review as candidates for inclusion in the National Wilderness Preservation System. The Kaiser roadless area was not selected for further wilderness review.

The primary controversy surrounding wilderness designation for the Kaiser Roadless Area involves the impact of timber harvesting on the area. The Forest Service estimates that there are about 530 million board feet of timber, largely old growth, within the area which could sustain an annual harvest of about 5 million board feet. In the short term, the most recent Forest Service estimates indicate that it plans to offer three timber sales totaling 85 million board feet. As reported by the Committee the Aspen-Horsethief timber sale area and a portion of the Homecamp sale area were deleted from the Kaiser proposal and about two-fifths of the timber volume area was restored to multiple use management. Wilderness designation does not appear to pose a serious threat to the Forest Service's timber sale program in the Sierra National Forest. The amount of timber involved—approximately 3.5 million board feet annually over the long term—represents only about 2 percent of the total annual allowable cut for the entire Sierra National Forest. In the short term, the local mills now have about 300 million board feet of timber currently under contract. This represents an inventory equivalent to about two years of sale volume for the Forest. Also, the Forest Service has identified approximately 3.7 billion board feet of timber on the Sierra National Forest which comprises the present five-year planned timber sale program. This timber is located on approximately 122,000 acres in 54 individual sales areas and could provide ample timber for substitute sales, without compromising proper sale planning and the overall timber sale program on the Sierra National Forest.

Sec. 2(b)(2). Hercules-Glades Wilderness, Mo.

Hercules-Glades Wilderness, containing 12,325 acres within the Mark Twain National Forest, is located in Taney County, Missouri, about 60 miles southeast of Springfield.

The general topography of the Hercules-Glades Wilderness is a system of east-west ridges rising up to 600 feet above adjacent valleys. Highest elevation is 1,382 feet. The area is characterized by forest growth of oak and hickory interspersed by large open glades supporting a tall grass prairie community of plants. The glades occur on both hilltop balds and sloping hillsides. Hercules-Glades Wilderness is a unique combination of open grassy balds, forested knobs, diverse vegetation and accompanying animal associations. Many small springs and seeps are found in the area providing a good flow of high quality of water.

The Wilderness contains no private lands within its boundaries. Forest resources within the Hercules-Glades Wilderness are minimal,

totaling only 50,000 board feet, mostly eastern red cedar. There are no private mineral rights in the area and no known mineral resources of commercial value. Although often valuable from a resource evaluation standpoint, the Wilderness Act does not require official mineral surveys prior to admission of an area into the Wilderness System.

Sec. 2(b)(3). Manzano Mountain Wilderness, N. Mex.

Manzano Mountain Wilderness, a part of the Cibola National Forest, New Mexico, is located along the west slope of the Manzano Mountains about 27 miles southeast of Albuquerque.

Timber within the area encompassed by the wilderness is of low to moderate quality and much of it is on steep, inaccessible slopes. Forest Service Timber Management plans do not call for the harvest of any trees in the wilderness area. Timber harvest does occur on the eastern slope of the Manzano Mountains but not within the wilderness. Mineral resources are likewise small. There is no known mineral potential, no active mining and no prospecting activity within the wilderness area.

The Manzano Wilderness was identified and reviewed by the Forest Service in its Roadless Area Review and Evaluation program (RARE) and selected as a new wilderness study area. The area received widespread public scrutiny and substantial public support during the RARE process and the later Manzano Mountain land use planning program during which the area has been studied in some detail. The wilderness is virtually identical to the area selected by the Forest Service for wilderness review.

Sec. 2(b)(4). Sandia Mountain Wilderness, N. Mex.

Sandia Mountain Wilderness, within the Cibola National Forest, New Mexico, consists of two units along the western face of the rugged Sandia Mountains, overlooking the City of Albuquerque. The north Sandia Peak unit contains about 14,500 acres and the south Sandia Peak unit contains about 16,200 acres.

The most striking feature of Sandia Wilderness is the great escarpment of jagged granite, topped with limestone rimrock running the length of the western crest. Rising abruptly, and almost vertically, the crest of the Sandia Mountains is some 4,000 feet higher in elevation than the desert foothills running north and south along the bottom of the escarpment. The eastern part of the Sandia Mountains, not within the wilderness, inclines more gently, is more moist than its dry, brown, western counterpart and contains dense, green aspen and fir forests. Due to ruggedness of the terrain, and limited forest resources in the wilderness, timber harvest is not permitted nor has it occurred in the past.

The Forest Service has excluded grazing in the past to protect the fragile nature of soils and vegetation and plans to continue to exclude it. There are no known mineral resources in the area and no current activities. Prospecting has yielded no mineralization. Portions of the area have been withdrawn from mineral entry to protect many small springs which contribute, along with rain and snow runoff, to the underground water table on which the City of Albuquerque depends.

The Sandia Wilderness was identified and reviewed by the Forest Service during its Roadless Area Review and Evaluation (RARE)

program in 1972-73. Neither of the two roadless areas with the wilderness area was selected for further wilderness study, despite strong public sentiment urging such classification. Later, after the roadless area review, the Forest Service prepared a land use plan for Sandia Mountain and once again public sentiment was strong for wilderness classification. In response, the Forest Service selected a small, 7,500-acre wilderness study area, and rejected the remainder, but announced plans to manage the Sandias essentially as wilderness through administratively designating the mountains as a "scenic area", primarily for primitive recreation and preservation of scenic qualities. However, one of the stated purposes of the RARE program was "to locate some new wilderness areas that are close to concentrations of people so more people can directly enjoy the benefits" (page 25, final environmental statement, Roadless and Undeveloped Areas, U.S. Forest Service, October 1971). The Sandia Wilderness meets this objective, since every citizen of Albuquerque "enjoys" the Sandia Mountains every single day; not in an on-site recreational way, but in the view the wilderness provides for everyone.

Section 3 designated seven wilderness study areas in National Forests to be reviewed by the U.S. Forest Service and subsequently referred back to the Congress, with Presidential recommendations, in accord with a specified time period, which is the maximum time permitted to complete reviews. The Committee expects that the President will submit his recommendations on the western areas in a shorter time period than that specified. The agency is required to follow the review process of the Wilderness Act, *i.e.*, public notice, public hearings, and review by state and other agencies on the results of field reviews. The Forest Service reports to the President its recommendations and the President, in turn, submits his recommendations to the Congress. The areas included in the bill are as follows:

Sec. 3(b)(1). Sheep Mountain Wilderness Study Area, Calif.

The Sheep Mountain Wilderness Study Area is located in the Angeles and San Bernardino National Forests in the State of California. Situated within an hour's drive of the Greater Los Angeles area and, thus, 10 million people, the 52,000-acre wilderness study area has long been noted for its wilderness qualities and wildlife resources dependent on those qualities for survival in an ever increasing artificial world. In addition to its wilderness values, the Sheep Mountain area is important as habitat of the Nelson bighorn sheep, now considered vulnerable to extinction. Approximately 150 of these wilderness animals are dependent on the natural environment within the boundaries of the Sheep Mountain Wilderness Study area. The wilderness study area boundaries closely correspond to the boundaries of the present range of the bighorn sheep.

The Sheep Mountain area was reviewed during the 1972-73 Forest Service study of National Forest roadless areas containing 5,000 acres or more. As a result of the Roadless Area Review Evaluation (RARE) program a limited number of wilderness study area, mainly in western National Forests, were selected for future study and review as candidates for inclusion in the National Wilderness Preservation System. A 31,680-acre Sheep Mountain area was selected as

a future wilderness study area by the Forest Service. The acreage of the area selected by the Forest Service does not encompass the entire range of the bighorn sheep herd.

Sec. 3(b)(2). Snow Mountain Wilderness Study Area, Calif.

The Snow Mountain Wilderness Study Area is situated within the Mendocino National Forest, in the State of California. Located in the Northern Coast Range west of Willows, California, and about 120 miles north of San Francisco, the 37,000-acre wilderness study area is the last remaining roadless area in the Mendocino National Forest. The Wilderness study area includes all of Snow Mountain, the Middle Fork of the Stoney Creek Watershed and much of St. John Mountain. Snow Mountain is the southern most high peak in the North Coast Range, reaching an elevation of 7,056 feet above sea level.

Straddling the summit of the Coast Range, the Snow Mountain Wilderness Study Area contains valuable watersheds and water produced in the area flows eastward into the Sacramento River Basin and to the Eel River Basin on the West. The center of the wilderness study area is Snow Mountain itself, a relatively flat topped mountain. Upper elevations contain pure stands of red fir interspersed with natural openings which are mostly barren, consisting of bare rock and erosion pavement. Mid elevation slopes of the mountain are steep and covered with oak brush on the south and west, with stands of mixed conifers on the north and east. Ponderosa pine is the predominant species in general forest zone. Several rare and unusual plant species are present and wildlife is abundant. The Middle fork of Stoney Creek is a fine trout stream with a good sustained summer flow.

In 1974, Commander Industries logged approximately 600 acres in the northwestern portion of the proposed wilderness study area—the Crockett Peak unit—pursuant to a contract awarded in June 1970. Prior to the logging of the Crockett Peak unit the Forest Service and the California Attorney General's Office agreed to a settlement out of court which precluded the cutting of an adjacent 2,230-acre area known as the Pocket portion of the Crockett Peak unit. Under the conditions of the settlement, the Forest Service allowed the timber sale contract to expire on the uncut Pocket portion and agreed not to renew or extend the contract. The boundaries of the Snow Mountain Wilderness Study Area include the Crockett Peak unit, despite the fact that it has been selectively logged and a timber road built into it. The Forest Service impressed upon Commander Industries the great public concern over the logging of this area, and as a result, the company exercised great care in its selective cutting in this unit and in the disposal of the slash. As this area is not highly disturbed and therefore may revert rather quickly to a natural condition, it is worthy of wilderness study. The amount of harvestable timber in the wilderness study area is not large and is estimated to be 2 million board feet or about 2 percent of the total allowable cut in the Mendocino National Forest.

Sec. 3(b)(3). Bell Mountain Wilderness Study Area, Mo.

The Bell Mountain Wilderness Study Area includes about 8,530 acres within the Mark Twain National Forest in Iron County, a few

miles south of Belleview, Missouri. Bell Mountain is a long, loafshaped igneous knob that stretches for several miles on a generally north-south axis. It is a massive landscape feature and landmark of the St. Francis Mountains, one of the oldest mountain ranges on the North American continent. This range includes the highest elevations and most ancient rocks in Missouri.

The Bell Mountain Wilderness Study Area is basically vegetated with a combination of oak-hickory and oak-pine forests typical of much of the St. Francis region. Rock, open "barrens" cover the eastern crest of the mountain as well as extensive swales across the upper slopes. In general tree growth on the barrens is limited to a few scrubby specimens of post oak, blackjack oak, black hickory, or an occasional winged elm. All of the upper watershed of Joe's Creek, a clear, tumbling stream, is included in the wilderness study area.

Sec. 3(b)(4). Paddy Creek Wilderness Study Area, Mo.

The Paddy Creek Wilderness Study Area, consisting of about 6,888 acres in the Mark Twain National Forest, is located near Roby, Missouri. The study area boundary lies within the rough, timberland country of Texas County. While the area is relatively small, it is rich in geological formations including numerous small caves, waterfalls, small seeps, springs, erosion created valleys and hollows, and unusual rock formations arising out of dolomite bluffs and sandstone canyons. The Big and Little Paddy Creeks add further beauty to the area with their clear, high quality water. The plant life and fauna of the area are also extensive, containing thick oak-hickory woods, picturesque stands of shortleaf pines, and varied wildlife species.

Since the 19th Century the general Paddy Creek area's high quality forests have provided a productive timber source. Robust hardwood and pine forest has returned to the area within the wilderness study area. The area contains established trails, grazing and hunting. The clear, high quality waters of Big and Little Creeks, together with the historical, geological and biological values encompassed by the Paddy Creek Wilderness Study Area, form the basis for the need to further study its wilderness potential.

Sec. 3(b)(5). Piney Creek Wilderness Study Area, Mo.

The Piney Creek Wilderness Study Area is located in Mark Twain National Forest, Missouri. Situated a few miles north of Shell Knob in Barry and Stone Counties, the wilderness study area includes about 8,430 acres and virtually the entire watershed of one of the few undisturbed free-flowing streams left in southwestern Missouri. Piney Creek flows for about five miles through the wilderness study area before finally emptying into the Table Rock impoundment of what was once the James River.

The basic forest type in the Piney Creek watershed is oak-hickory and oak-pine. Not far from the western edge of the eastern deciduous forest, the wilderness study area reflects a marginal character in the overall prevalence of post oak and blackjack oak. Sycamore, walnut and sugar maple may be found in the deeper hollows.

Hiking is a popular recreational pursuit of the Piney Creek Wilderness Study Area and hunting, particularly turkey hunting, is a seasonal activity enjoyed by many seeking remote hunting areas inaccessible to vehicles.

Sec. 3(b)(6). Rockpile Mountain Wilderness Study Area, Mo.

The Rockpile Wilderness Study Area, within the Mark Twain National Forest, is located in Madison County, southeastern Missouri. Containing 4,170 acres, the wilderness study area centers around a heavily wooded igneous knob, Rockpile Mountain, that rises up just east of the St. Francis River, namesake stream for the old mountain region. The wilderness study area consists essentially of the major portion of Rockpile Mountain plus a trail-topped connecting ridge leading from nearby Little Grass Mountain. The forest is composed mainly of oaks, hickories and shortleaf pine. In one tiny protected ravine a hardwood community has developed, apparently escaping past harvest because of its inaccessibility. This small site offers a glimpse of the original Ozark Forests.

The Rockpile Mountain Wilderness Study Area is a combination of recreational, archaeological, geological and botanical features, all of which have a bearing on ultimate boundary locations.

Sec. 3(b)(7). Great Bear Wilderness Study Area, Mont.

The Great Bear Wilderness Study Area consists of about 393,000 acres in the Flathead and Lewis and Clark National Forests, Montana. The wilderness study area is mountainous and supports a wide variety of wildlife populations, both game and nongame. The mountains, valleys, and streams of the proposed wilderness are unexcelled for hiking, hunting, backpacking, horseback trips, fishing, ski touring, whitewater boating, photography, and other outdoor activities. The Great Bear Wilderness Study Area consists entirely of public lands.

The Great Bear Wilderness Study Area provides habitat for two species of dwindling wilderness wildlife—the grizzly bear and the west slope cutthroat trout. The steep mountainous terrain of the headwaters of the Middle Fork of the Flathead shelter one of the last free-roaming grizzly bear populations in the contiguous United States. Grizzlies are true wilderness animals and require a wilderness condition for survival. The grizzly faces extinction mainly because man has steadily modified its habitat through settlement and development activities. The Great Bear Wilderness Study Area provides a vital wilderness habitat link between Glacier National Park on the north and the Bob Marshall Wilderness on the south.

The general area encompassed by the Great Bear Wilderness Study Area was reviewed during a 1972-73 Forest Service study to determine wilderness qualifications of National Forest System roadless areas containing 5,000 acres or more. As a result of the Roadless Area Review Evaluation (RARE) program a limited number of wilderness study areas, mainly in western National Forests, were selected for future study and review as candidates for inclusion in the National Wilderness Preservation System. Among those roadless areas selected for wilderness study are two such areas—the Middle Fork Continental Divide containing about 302,700 acres and the Rocky Mountain Face Continental Divide containing about 62,100 acres—both within the boundaries of the Great Bear Wilderness Study Area and encompassing about 95 percent of the total area. The U.S. Geological Survey and the Bureau of Mines have completed field work on a mineral survey of the two Forest Service Wilderness Study Areas and were engaged in field work the summer of 1976 on the remaining acreage within the

Great Bear Wilderness Study Area. The wilderness character and potential of virtually all of the study area has been determined administratively, and field mineral surveys have been completed on the bulk of the area with the remainder scheduled for completion soon.

As reported by the Senate, the wilderness study area contained about 378,000 acres, including about 20,000 acres located within the Blackfeet Treaty Rights Agreement of 1895. The Agreement allows the tribe to cut and remove timber for houses, fences, and other purposes. This 20,000 acres has been removed from the wilderness study area. In addition, the Senate-passed study area does not include the roadless lands which the Forest Service itself selected for wilderness study. In order to be consistent and avoid confusion, these areas, scattered here and there along the Senate-passed boundary, have been included in the study area. With these two adjustments, the Great Bear area now contains about 393,000 acres.

Section 3(c) contains directives which are intended to guide reviews of designated wilderness study areas as related to boundaries. This subsection assures that the President retains the Wilderness Act option (section 3(b)) to add contiguous lands "predominately of wilderness value" to designated wilderness study area boundaries as recommended by the agency. It provides the Secretary of Agriculture and the President with the means of enlarging boundaries of designated wilderness study areas based on information gained during the course of field studies, public hearings, citizen input, and analysis. Further, the language herein is intended to assure that qualified lands and waters contiguous to the minimum boundary of each wilderness study area designated by this Act will be fully and completely explored and when qualified, recommended by the agency itself. In summary, the Committee expects that the language of section 3(b) of the Wilderness Act relating to preservation of options of the President to enlarge and ultimately the Congress to expand and designate certain boundaries recommended by the agency is not impaired. This principle in law not only has been affirmed by the courts, but also by the Congress in enacting previous legislation establishing wilderness areas in the National Forests.

Section 3(d) This subsection provides direction for interim management of designated wilderness study areas from the date of enactment through Congressional reviews. Existing private rights are protected and the Secretary of Agriculture is required to maintain the existing wilderness character and potential of a wilderness study area until Congress has had an opportunity to review and act on the recommendations of the President. The interim management provision would last for eight years after the President transmits his recommendations on a specific wilderness study, at which time, in the event that the Congress has not acted on a proposal, the Secretary would have the option of continuing such management.

The Secretary of Agriculture also has the option of allowing certain already established non-conforming public uses to continue, subject to such restrictions as he deems desirable, such uses not to exceed the manner and degree of such uses on the date of enactment. Such non-conforming public uses vary with each individual designated wilderness study area. It is the responsibility of the Secretary to establish

policies and promulgate regulations for each wilderness study area in order to control these uses so as to maintain the wilderness character of each study area and preserve its potential for inclusion in the National Wilderness Preservation System. The term "manner and degree" means not only types of uses, but implementation of controls to restrict such uses to time, place and area where already occurring. The Secretary is charged with the responsibility of maintaining the wilderness character of each wilderness study area and non-conforming activities should not be permitted when the study area's potential for inclusion in the Wilderness System is being impaired. For example, off-road vehicles use in the Snow Mountain Wilderness Study Area will be regulated so that such use is confined to an existing temporary road while at the same time regulating numbers, including complete closure if need be, so that a permanent road or trail is not created through such use and the area's existing wilderness character and potential changed.

Designation of a wilderness study area does not change existing law under which National Forests are administered, or change already established mining, mineral leasing or grazing activities, in the manner and degree in which same is being conducted on date of enactment.

ADMINISTRATIVE PROVISIONS

Section 4 reclassifies the Glacier Primitive Area as "The Fitzpatrick Wilderness."

Section 5 contains "standard" language in all wilderness legislation providing that a map and legal description of each wilderness area and each wilderness study area will be transmitted as soon as practicable to Committees on Interior and Insular Affairs of the House of Representatives and Senate.

Section 6 contains additional "standard" language incorporating applicable provisions of the Wilderness Act to administration and management of wilderness areas established by this Act.

The intent of this section is to assure that wilderness areas are managed by the same standards, while recognizing that inclusion of an area in the National Wilderness Preservation System does not change existing laws by which the Secretary of Agriculture administers the National Forest System or the Secretary of the Interior administers National Wildlife Refuges. Wilderness is an ecological condition and management is directed toward maintaining natural values. While section 4 provides guidance for management of wilderness areas, it recognizes that agency missions differ in scope, purpose and laws and regulations by which each agency administers the lands under its jurisdiction. As examples, if the mining and mineral leasing laws do not apply to an area prior to inclusion in the Wilderness System, they will not apply afterwards, since wilderness designation does not change the situation; laws, rules, regulations and practices by which lands are acquired by the Secretary of the Interior remain unchanged; if an area was closed to public recreational uses prior to wilderness designation, or if a specific type of recreation were permitted or restricted by law or regulation, designation as wilderness does not amend that law or regulation; certain previously established uses such as grazing,

motorboats or aircraft, may continue in wilderness areas, subject to Secretarial restrictions as in the past; and fires, insect and diseases may be controlled, using whatever measures the Secretaries of Agriculture or of the Interior deem necessary to protect the wilderness resource, public safety, private property and the public welfare.

COST

H.R. 15446, as reported, entails no additional costs and authorizes no appropriations.

BUDGET ACT COMPLIANCE

Since H.R. 15446 merely classifies as wilderness certain lands in existing National Forests and National Wildlife Refuges, and provides reviews of other potential wilderness areas, the budget implications are minimal.

INFLATIONARY IMPACT

Pursuant to Rule XI, Clause 2(1)(4) of the House of Representatives, the Committee believes that enactment of H.R. 15446 would have virtually no inflationary impact on the national economy. Since there are no additional funds involved and wilderness classification is intended to continue existing management, inflationary impact is negligible.

OVERSIGHT STATEMENT

In accordance with the Committee's jurisdiction and responsibilities in reviewing and reporting legislation on wilderness matters, the Subcommittee on Public Lands held extensive hearings on all the areas reported in H.R. 15446 paying particular attention to National Forest and National Wildlife Refuge Wilderness programs. No recommendations were received by the Committee pursuant to Rule X, Clause 2(b)(2).

COMMITTEE RECOMMENDATIONS

On September 9, 1976, the Committee on Interior and Insular Affairs, meeting in open session, reported H.R. 15446, as amended, by voice vote, and recommends that the bill as amended be enacted.

DEPARTMENTAL REPORTS

The reports of the Department of Agriculture and the Department of the Interior on the individual bills from which provisions were included in H.R. 15446 are as follows:

U.S. DEPARTMENT OF AGRICULTURE,
FOREST SERVICE,
Washington, D.C., September 8, 1976.

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

DEAR MR. CHAIRMAN: On August 31, the Subcommittee on Public Lands reported an omnibus wilderness bill in the form of a subcommittee print. The bill would designate five National Forest areas as

wilderness and seven National Forest areas for wilderness study. We have several concerns about the Subcommittee action which are summarized herein.

NATIONAL FOREST AREAS DESIGNATED AS WILDERNESS

Fitzpatrick (Glacier) Wilderness, Wyo.

The Subcommittee bill would designate about 196,000 acres in the Shoshone National Forest as wilderness, even though the Subcommittee agreed to exclude about 4,500 acres in the Moon Lake area that would have been designated as wilderness by H.R. 9265 and section 2(a)(7) of H.R. 5893. Thus, the Subcommittee bill would designate an area containing about 13,490 acres more than the 182,510-acre area proposed by the Administration for designation as the Glacier Wilderness. Although we agree that the Moon Lakes area should be excluded, we continue to oppose the designation of the remaining additional areas outside the Administration proposed boundary. Designation of the additional areas would include lands not suitable for wilderness designation, preempt an on-going bighorn sheep restocking program, and weaken manageability of the wilderness boundary.

Hercules—Glades Wilderness, Mo.

The Subcommittee bill would designate about 12,325 acres in the Mark Twain National Forest as wilderness, although no study has been conducted to determine the area's suitability or nonsuitability for preservation as wilderness. The Department of the Interior has not conducted a minerals survey. The proposal has not been formally reviewed by the public and government agencies.

Manzano Mountain Wilderness, N.Mex.

The Subcommittee bill would designate about 37,000 acres in the Cibola National Forest as wilderness. The area coincides with the Manzano Mountain Wilderness Study Area selected during the Forest Service roadless area review (RARE). Instant designation of the Manzano area would preempt our planned wilderness study. A minerals survey has not been conducted, and the public involvement procedures outlined in the Wilderness Act have not been followed.

Sandia Mountain Wilderness, N. Mex.

The Subcommittee bill would designate about 30,700 acres in the Cibola National Forest as wilderness. We believe the recently completed Sandia Mountain Land Use Plan, including a 7,500-acre wilderness study area and a 14,600-acre scenic area, provides an appropriate mix of land uses considering land features, resource capabilities, and public needs. Again, the Subcommittee wilderness designation would occur without the benefit of a wilderness study and a minerals survey.

Kaiser Wilderness, Calif.

The Subcommittee bill would designate about 23,000 acres in the Sierra National Forest as wilderness. We have reviewed the wilderness values and other resource values of the Kaiser area; we have obtained public input on management alternatives; and we have con-

cluded that the area should be managed for a broader range of resource uses than would be possible under wilderness designation. Although the Subcommittee bill would exclude the planned Aspen-Horsethief timber sale area, the bill would designate the planned Home Camp and Line Creek timber sale areas as wilderness. All of the planned timber sales have been the subject of intensive public involvement, including that generated by two environmental statements. We urge the Committee to neither designate as wilderness nor require a wilderness study of any portion of the Kaiser area. In our judgment, the planned timber sales and other management activities that have been debated and delayed for many years should now be allowed to proceed. If the Committee is intent, however, on taking action with respect to the Kaiser area designation of a study area would be more acceptable than would an instant wilderness designation. We would oppose any so-called compromise that involves the instant designation of wilderness in the Kaiser area.

NATIONAL FOREST AREAS DESIGNATED FOR WILDERNESS STUDY

Sheep Mountain, Calif.

The Subcommittee bill would designate about 52,000 acres in the Angeles and San Bernardino National Forests for wilderness study. The area includes the 31,680-acre Sheep Mountain Wilderness Study Area selected during the Forest Service roadless area review (RARE). We believe the National Forest land management planning process now underway in the Sheep Mountain area should continue without the congressional designation of a 52,000-acre wilderness study area.

Snow Mountain, Calif.

The Subcommittee bill would designate about 37,000 acres in the Mendocino National Forest for wilderness study. We have examined the wilderness values and other resource values of the Snow Mountain area during two previous studies, and we have concluded that the area should be managed to serve a broader range of resource uses than would be possible under wilderness designation. We urge the Committee not to require a third study of the Snow Mountain area.

Bell Mountain, Paddy Creek, Piney Creek, and Rockpile Mountain, Mo.

We wish to bring to the Committee's attention that the recently enacted Eastern Wilderness Act (so-called) P.L. 93-622, contemplated that future wildernesses and wilderness study areas within eastern National Forests would be designated pursuant to that Act in recognition of the acquired lands status of such National Forests. Four eastern National Forest areas in Missouri (Bell Mountain, Paddy Creek, Piney Creek, and Rockpile Mountain) would be designated as wilderness study areas by the Subcommittee bill. However, the bill is not drafted in a manner which relates those areas to P.L. 93-622. Consequently, several well-considered provisions of P.L. 93-622 which are applicable to the 17 eastern areas designated for study by that Act would not be applicable to the Missouri areas. These include:

1. provisions clarifying the Secretary of Agriculture's authority to carry out programs in accordance with the Multiple Use-Sustained Yield Act of 1960 within areas not designated for study (section 4 (d));

2. provisions establishing a standard 10-year period of review (section 4 (d));

3. provisions requiring that maps and legal descriptions of eastern wilderness study areas also be filed with the Committee on Agriculture (section 5);

4. provisions terminating wilderness study area management requirements after the expiration of the third succeeding Congress from the date of the President's submission of recommendations concerning designation of wilderness (section 6(a)); and

5. provisions authorizing the transfer of Federal lands within wilderness study areas to the jurisdiction of the Secretary of Agriculture (section 7).

We are unaware of any reasons why the designation of additional eastern wilderness study areas should so soon avoid the framework established for such areas by P.L. 93-622.

Great Bear, Mont.

The Subcommittee bill would designate about 378,000 acres in the Flathead and Lewis and Clark National Forests for wilderness study. We believe this study designation would largely duplicate completed and planned administrative actions, because most of the Great Bear area was selected for wilderness study during the Forest Service roadless area review (RARE). However, we would have no objection to the designation if amendments were made to (1) exclude about 20,000 acres under the Blackfeet Treaty Rights Agreement of 1895 from the study area, and (2) provide 3 years (rather than 1 year) for completion of the study.

Details regarding each of the National Forest areas affected by the subcommittee bill are contained in Departmental reports and testimony.

Sincerely,

JOHN R. MCGUIRE,
Chief.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., August 31, 1976.

In Reply Refer To: FWS/RF.

HON. JOHN MELCHER,
*Chairman, Subcommittee on Public Lands, Interior and Insular
Affairs Committee, House of Representatives, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in response to the request of your Committee staff for information regarding fire control, revenue sharing and recreation should the proposed wilderness legislation on the Fort Niobrara National Wildlife Refuge be enacted.

Fire control

The Fish and Wildlife Service has a cooperative agreement with the Valentine Rural Fire Protection District in which the Service agrees to assist the District in fire control both on and off the refuge. Equipment located at Fort Niobrara Refuge includes one 1,000 gallon pumper tanker, one 300 gallon Bean pumper system, one 110 gallon pumper unit and a 200 gallon pumper unit, all mounted on four-wheeled drive vehicles. In addition, backup firefighting units are located at Valentine Refuge which consist of one 1,000 gallon pumper tanker, two 300 gallon Bean sprayers and two 100 gallon pumper units, all mounted on motorized vehicles. Under the agreement, the Fire Protection District has agreed to assist the Service in fire control on the refuge including the proposed wilderness area.

We recognize that wildfires pose a very real threat to the public's health and safety and to adjacent private lands. We assure the Committee that all available resources will be used to control wildfires should they occur within the wilderness area.

Revenue sharing

Funds returned to Cherry County from the Fort Niobrara Refuge are determined under provisions of the Refuge Revenue Sharing Act (16 U.S.C. 715s). In essence, the funds returned are based on either three-fourths of one percent of the adjusted cost of the acquired lands or twenty-five percent of the net receipts from the acquired lands (whichever is greater), and twenty-five percent of the net receipts from lands withdrawn from the public domain. In recent years refuge receipts on Fort Niobrara Refuge have been generated as a result of the sale of surplus buffalo and longhorn cattle.

While the exact dollar amount may vary depending on the value and the number of animals sold or fluctuations in the adjusted value of the land, wilderness establishment will not, in any way, influence the amount of money returned to Cherry County.

Recreation

The majority of the area proposed for wilderness designation has not been available to the general public for recreational purposes.

The Niobrara River is currently used by boaters who float through the refuge, and this use will not be affected by wilderness designation.

We have recently initiated guided horse tours through the proposed wilderness area. Depending on the demand for these tours in the future, they may be increased. We also plan to permit day use of the area by hikers.

In summary, rather than restricting uses of the area by the public, we feel that opportunities for use will expand with wilderness designation.

We are pleased to supply you with this information. If we can be of any further assistance, please let us know.

Sincerely yours,

NATHANIEL P. REED,
Assistant Secretary for Fish
and Wildlife and Parks.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., July 21, 1976.

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

DEAR MR. CHAIRMAN: This responds to the request of your Committee for our views on the following national wildlife refuge wilderness bills:

- H.R. 3507, Simeonof, Alaska, Section 1(a).
- H.R. 3507, Chassahowitzka, Section 1(b).
- H.R. 3508, Lake Woodruff, Florida, Section 1(a)(10).
- H.R. 3508, J. N. "Ding" Darling, Florida, Section 1(a)(9).
- H.R. 3508, Crab Orchard, Illinois, Section 1(a)(12).
- H.R. 3508, Agassiz, Minnesota, Section 1(a)(15).
- H.R. 3508, Tamarac, Minnesota, Section 1(a)(16).
- H.R. 3508, Oregon Islands, Oregon, Section 1(a)(32).
- H.R. 5893, Agassiz, Minnesota, Section 1(a)(1).
- H.R. 5893, Chassahowitzka, Section 1(a)(12).
- H.R. 5893, Crab Orchard, Illinois, Section 1(a)(14).
- H.R. 5893, J. N. "Ding" Darling, Florida, Section 1(a)(23).
- H.R. 5893, Lake Woodruff, Florida, Section 1(a)(27).
- H.R. 5893, Oregon Islands, Oregon, Section 1(a)(36).
- H.R. 5893, Simeonof, Alaska, Section 1(a)(44).
- H.R. 5893, Tamarac, Minnesota, Section 1(a)(47).
- H.R. 5563, Lake Woodruff (whole bill).
- H.R. 12583, J. N. "Ding" Darling, Florida (whole bill).

This Department makes the following recommendations on these bills:

Agassiz National Wildlife Refuge, Marshall County, Minn.

The Administration recommendation to establish a 4,000 acre wilderness area on Agassiz was submitted to Congress on June 17, 1974 (H. Doc. 93-403, part 4). The Administration's proposal is contained in H.R. 3508 (Sec. 1(a)(15) and Sec. 1(b) and (c)). H.R. 5893 (Sec. 1(a)(1)) also designates approximately 4,000 acres in Agassiz as wilderness, but differs from the Administration's proposal in that it does not contain language withdrawing the area from disposition under the mining laws. Even though the mining laws are not applicable to this area, withdrawal language was included in the Administration proposal to clarify that refuge wilderness areas would not be subject to the mining and mineral leasing provisions of the Wilderness Act applicable to national forests lands. Therefore, we recommend enactment of the appropriate sections in H.R. 3508 in lieu the section in H.R. 5893.

Chassahowitzka National Wildlife Refuge, Citrus and Hernando Counties, Fla.

H.R. 3507 (Sec. 1(b)) designates approximately 16,900 acres of the Chassahowitzka National Wildlife Refuge as wilderness and provides that established uses (motorboats, commercial fishing and guiding) within the navigable waters of the wilderness area which are compati-

ble with the primary refuge objectives and subject to Secretarial restrictions shall not be prohibited by wilderness designation. H.R. 5893 (Sec. 1(a)(12)) establishes a 23,360 acre wilderness. H.R. 3507 conforms to the Administration's proposal of September 14, 1972 (H. Doc. 92-357, part 10), and therefore we recommend its enactment in lieu of H.R. 5893, but with a modification to allow for potential wilderness additions.

The Chassahowitzka wilderness proposal of September 1972 does not address private inholdings within the proposed wilderness area and the refuge acquisition boundary. Later proposals such as on Lake Woodruff (Florida) National Wildlife Refuge do provide for automatic addition of private inholdings once acquired and non-conforming uses are terminated. Approximately 300 acres of privately owned lands are contained within the Chassahowitzka wilderness proposal. Some 60 acres of these inholdings have been acquired since the proposal was submitted to the Congress. We recommend the acreage of the wilderness be changed in H.R. 3507 to 16,960 acres in order to include the 60 acres of inholdings recently acquired and that provision be made in the bill to identify the remaining 240 acres of private inholdings as "potential wilderness additions."

Crab Orchard National Wildlife Refuge, Jackson, Union and Williamson Counties, Ill.

The Administration's proposal to designate some 4,050 acres of Crab Orchard Refuge as wilderness was submitted to Congress on June 5, 1974 (H. Doc. 93-319, part 5), and is contained in H.R. 3508 (Sec. 1(a)(12) and Sec. 1(b) and (c)). The provision for wilderness designation on Crab Orchard in H.R. 5893 (Sec. 1(a)(14) and Sec. 1(b), (c) and (d)) is compatible with the Administration's proposal and therefore we have no objection to enactment of appropriate sections of either of the bills.

J. N. "Ding" Darling National Wildlife Refuge, Lee County, Fla.

A 2,735 acre wilderness is proposed for the J. N. "Ding" Darling National Wildlife Refuge on Sanibel Island, Florida, in section 1(a)(9) of H.R. 3508 and in the Administration's proposal to Congress of June 25, 1974 (H. Doc. 93-403, part 20). H.R. 5893 (Sec. 1(a)(23)) and H.R. 12458 would establish a slightly larger wilderness (2,825 acres). H.R. 5893 does not withdraw the area from mining laws as do the other bills and the Administration's proposal. We recommend enactment of appropriate sections of H.R. 3508 since it is the only bill in complete conformance with the Administration's proposal.

Lake Woodruff National Wildlife Refuge, Lake and Volusia Counties, Fla.

Section 1(a)(10) of H.R. 3508 and H.R. 5563 designate 1,106 acres as wilderness in the Lake Woodruff Refuge and provide for inclusion of "potential wilderness additions." H.R. 5893 (Sec. 1(a)(27)) provides for designation of 8,606 acres of the refuge as wilderness and does not withdraw the acreage from mining laws. H.R. 5563 and H.R. 3508 are in conformance with the Administration's proposal of July 1, 1974 (H. Doc. 93-403, part 28). Therefore, we recommend enactment of either of those two bills and not H.R. 5893.

Oregon Islands National Wildlife Refuge, Clatsop, Tillamook, Lincoln, Lane, Coos and Curry Counties, Oreg.

On November 27, 1973, the Administration's proposal for wilderness designation of 346 acres in Oregon Islands National Wildlife Refuge was submitted to Congress (H. Doc. 93-194, part 8). The proposal called for an additional 108 acres to be made part of the wilderness once added to the refuge and provides for continued maintenance of Coast Guard navigational aids. H.R. 3508 (Sec. 1(a)(32)) is identical to the Administration's proposal. H.R. 5893 (Sec. 1(a)(36)) does not provide for continued maintenance of navigational aids by the Coast Guard. We recommend enactment of H.R. 3508 but suggest that in order to clarify wilderness and refuge nomenclature the bill be modified to direct the existing Oregon Islands Wilderness (P.L. 91-504; 21 acres) and Three Arch Rocks Wilderness (P.L. 91-504; 17 acres) be redesignated as the Oregon Islands Wilderness and consolidated with wilderness areas designated in H.R. 3508.

In order to accomplish this redesignation, the following new sentence should be added before the semicolon ending paragraph 36 of section 1(a): "The Oregon Islands Wilderness and Three Arch Rocks Wilderness designated by Public Law 91-504 (84 Stat. 1104) are hereby added to the wilderness area designated by this Act and the total 492 acre area shall be known as the 'Oregon Islands Wilderness.'"

Simeonof National Wildlife Refuge, Third Judicial District, Alaska

H.R. 3507 (Sec. 1(a)) designates 25,140 acres of Simeonof National Wildlife Refuge as wilderness. H.R. 5893 (Sec. 1(a)(44)) designated 25,271 acres as wilderness. We recommend enactment of H.R. 3507 as it conforms to the Administration's proposal (H. Doc. 92-102, part 1).

Tamarac National Wildlife Refuge, Becker County, Minn.

H.R. 3508 (Sec. 1(a)(16)) conforms to the Administration's proposal (H. Doc. 93-319, part 12) to designate 2,138 acres in Tamarac Refuge as wilderness, and therefore we recommend its enactment. H.R. 5893 (Sec. 1(a)(47)) also designates 2,138 acres in Tamarac as wilderness but does not withdraw the area from mining laws.

In summary we recommend enactment of the following:

Agassiz—H.R. 3508 (Sec. 1(a)(15)).

Chassahowitzka—H.R. 3507 (Sec. 1(b)) with an amendment to change acreage and to provide for potential wilderness additions.

Crab Orchard—H.R. 3508 (Sec. 1(a)(12)) or H.R. 5893 (Sec. 1(a)(14)).

J. N. "Ding" Darling—H.R. 3508 (Sec. 1(a)(9)).

Lake Woodruff—H.R. 3508 (Sec. 1(a)(10)) or H.R. 5563.

Oregon Islands—H.R. 3508 (Sec. 1(a)(32)) with an amendment to redesignate and consolidate the existing Oregon Islands Wilderness and Three Arch Rocks Wilderness with the new Oregon Islands Wilderness.

Simeonof—H.R. 3507 (Sec. 1(a)).

Tamarac—H.R. 3508 (Sec. 1(a)(16)).

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

Sincerely yours,

JOHN KYL,
Assistant Secretary of the Interior.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., June 25, 1976.

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

DEAR MR. CHAIRMAN: This responds to the request of your Committee for the views of this Department on H.R. 2975, a bill "To designate certain lands in the Mingo National Wildlife Refuge, Wayne and Stoddard Counties, Missouri, as wilderness."

We recommend against the enactment of H.R. 2975 and recommend that the enclosed draft bill be enacted in lieu thereof.

H.R. 2975 would designate 8,000 acres of the Mingo National Wildlife Refuge as wilderness.

The Mingo National Wildlife Refuge, located near Puxico, Missouri, was established in 1944 by approval of the Migratory Bird Conservation Commission as a migration and wintering refuge for Canada geese, mallards, wood ducks, waterfowl in general, and other native wildlife. Most of the refuge lies in an ancient channel of the Mississippi River whose steep sides are formed by Gasconade limestone bluffs. In addition to migratory waterfowl, wildlife found in the refuge includes white-tailed deer, wild turkeys, such endangered or threatened species as the peregrine falcon, the osprey and the bald eagle, and a variety of poisonous snakes.

Section 3(c) of the Wilderness Act (approved September 3, 1964; 78 Stat. 890, 892; 16 U.S.C. 1132(c)), directs the Secretary of the Interior to review roadless areas of 5,000 acres or more in the national parks, monuments, other units of the National Park System, wildlife refuges, and game ranges and report to the President his recommendation as to the suitability of each such area for preservation as wilderness. The Act further directs the President to advise the President of the Senate and the Speaker of the House of Representatives of his recommendation with respect to the designation of each such area as wilderness. A recommendation of the President for designation as wilderness shall become effective only if so provided by an Act of Congress.

In a November, 1973, message to the Congress, the President recommended that 1,700 acres of the refuge be designated as wilderness. The enclosed draft bill is identical to that proposal. This proposal has been incorporated in H.R. 3508 as section 1(a) (19). The additional 6,300 proposed for wilderness designation in H.R. 2975 encompasses lands and waters which must be actively managed if this refuge is to meet the objectives for which it was established. Because of the need for active management on this acreage, we cannot support the designation of this additional acreage as wilderness.

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

Sincerely yours,

NATHANIEL REED,
Assistant Secretary of the Interior.

Enclosure.

A BILL To designate certain lands in the Mingo National Wildlife Refuge, Wayne and Stoddard Counties, Missouri, as wilderness

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 3(c) of the Wilderness Act of September 3, 1964 (78 Stat. 890, 892; 16 U.S.C. 1132(c)), certain lands in the Mingo National Wildlife Refuge, Missouri, which comprise about 1,700 acres and which are depicted on a map entitled "Mingo Wilderness—Proposed" and dated March 1972, are hereby designated as wilderness. The map shall be on file and available for public inspection in the offices of the Bureau of Sport Fisheries and Wildlife, Department of the Interior.

SEC. 2. As soon as practicable after this Act takes effect, a map of the wilderness area and a description of its boundaries shall be filed with the Interior and Insular Affairs Committees of the United States Senate and 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 description and map may be made.

SEC. 3. The wilderness area designated by this Act shall be known as the "Mingo Wilderness" and shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, and any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., September 17, 1976.

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

DEAR MR. CHAIRMAN: We would like to offer our views on H.R. 3507, a bill "To designate certain lands as wilderness."

Insofar as it affects the responsibilities of the Department of Agriculture, we strongly recommend that H.R. 3507 be enacted. We defer to the Department of the Interior regarding section 1 of the bill which would designate as wilderness certain areas within the National Wildlife Refuge System.

The Wilderness Act of 1964 (78 Stat. 890) established the National Wilderness Preservation System. Subsection 3(b) of the Act directed the Secretary of Agriculture to review, within ten years, each national forest area then classified as "primitive", as to its suitability or non-suitability for preservation as wilderness. The Act provides that the Secretary is to report his findings to the President, and the President is to submit his recommendations to the Congress.

The six national forest wilderness proposals included in H.R. 3507, totaling 988,350 acres, resulted from a review of the corresponding primitive areas in accordance with the review procedures set forth by the Wilderness Act. The Secretary of Agriculture submitted a report of his findings on each of the areas to the President. The President submitted his recommendations to the Congress on March 29, 1968,

for the Flat Tops and Spanish Peaks proposals, on January 17, 1969, for the High Uintas proposal, and on February 8, 1972, for the Eagles Nest, Aldo Leopold, and Glacier proposals. These recommendations are embodied in their entirety in H.R. 3507.

We believe each of the national forest areas proposed for wilderness designation by H.R. 3507 meets the definition of wilderness contained in subsection 2(c) of the Wilderness Act. Each area will make its own unique contribution to the National Wilderness Preservation System. The specific features of each area are fully discussed in our reports which accompanied the President's recommendation to Congress.

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

The national forest areas proposed for wilderness designation by H.R. 3507 are under the jurisdiction of the Secretary of Agriculture and are being administered as parts of the National Forest System. Consequently, no new budget authority nor additional appropriations would be required by enactment of the proposed legislation.

We note an error in line 22 of section 2(d) of H.R. 3507 in that "Black Range" should be substituted for "Aldo Leopold". We regret that the draft bill which we provided with our proposal also contained this error. There is no Aldo Leopold Primitive Area. Rather, the Black Range Primitive Area is the basic unit which, with certain additions and deletions, would form the Aldo Leopold Wilderness.

The Office of Management and Budget advises that there is no objection to the presentation of this report and that enactment of legislation to designate the national forest wilderness areas included in H.R. 3507 would be consistent with the Administration's objectives.

Sincerely,

RICHARD A. ASHWORTH,
Deputy Under Secretary.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., July 28, 1976.

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

DEAR MR. CHAIRMAN: This responds to your request for the views of this Department on H.R. 3507, H.R. 3508, H.R. 5893 and H.R. 14779 designating certain areas of the National Wildlife Refuge System as units of the National Wilderness Preservation System. This report complements our report of July 21, 1976 to the Committee concerning certain other areas covered by these bills.

We have no objection to enactment of appropriate sections of either H.R. 3508 or H.R. 5893 with regard to Big Lake, Fort Niobrara, Swanquarter and Red Rock Lakes National Wildlife Refuge wilderness proposals. With regard to Lacassine, H.R. 5893 is unacceptable as it designates a larger acreage than proposed by the Administration and contained in H.R. 3508 (5,300 acres rather than 2,854). In addition, the name of the refuge is misspelled.

H.R. 14779 would designate 2,600 acres of Big Lake as wilderness. We recommend against enactment of this increased acreage.

H.R. 3507 (Sec. 1(e)) designates some 355 acres of lands in Matia Island and San Juan National Wildlife Refuges as wilderness and provides for continued maintenance of navigational aids by the Coast Guard. H.R. 5893 (Sec. 1(a)(41)) does not provide any exception for navigation. The Administration's recommendation was sent to Congress on April 29, 1971 (H. Doc. 92-248, part 10), and is reflected in H.R. 3507. However, since that time several administrative actions have taken place requiring modification in the proposal and bill language.

On August 27, 1975, Public Land Order 5515 consolidated four national wildlife refuges (San Juan, Matia Island, Jones Island and Smith Island) into a single San Juan Islands National Wildlife Refuge and added some 58 islands in public domain to the refuge. In addition, 16 islands in public domain were made a part of the refuge on July 22, 1976. These 16 islands are qualified for wilderness. Therefore, we suggest that section 1(e) of H.R. 3507 be amended by striking all before the proviso and inserting in lieu thereof the following:

(e) certain lands within the San Juan Islands National Wildlife Refuge which comprise about 355 acres and which are depicted on a map entitled "San Juan Islands Wilderness Proposal" and dated August 1971, (revised) March 1976, are hereby designated as wilderness;

H.R. 5893 does not contain provision for the Coast Guard to maintain or establish navigational aids if needed. Therefore, we recommend against enactment of the appropriate sections in H.R. 5893 relating to the San Juan Islands wilderness.

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

Sincerely yours,

JOHN KYL,
Assistant Secretary of the Interior.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., September 17, 1975.

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

DEAR MR. CHAIRMAN: We would like to offer our views on H.R. 3508, a bill "To designate certain lands as wilderness, and for other purposes."

Insofar as it affects the responsibilities of the Department of Agriculture, we strongly recommend that H.R. 3508 be enacted. We defer to the Department of the Interior regarding section 1 of the bill which would designate as wilderness certain areas within the National Wildlife Refuge System.

The Wilderness Act of 1964 (78 Stat. 890) established the National Wilderness Preservation System. Subsection 3(b) of the Act directed the Secretary of Agriculture to review, within ten years, each national forest area then classified as "primitive", as to its suitability or non-suitability for preservation as wilderness. The Act provides that the

Secretary is to report his findings to the President, and the President is to submit his recommendations to the Congress.

The eight national forest wilderness proposals included in H.R. 3508, totalling 2,412,262 acres, would designate 12 new wilderness areas and make an addition to one existing wilderness area. These proposals resulted from a review of the corresponding primitive areas in accordance with the procedures set forth by the Wilderness Act, and they complete the 10-year primitive area review process required by the Act. The Secretary of Agriculture submitted a report of his findings on each of the areas to the President. The President submitted his recommendations on these proposals to the Congress on December 4, 1974, and his recommendations are embodied in their entirety in section 2 of H.R. 3508.

We believe each of the national forest areas proposed for wilderness designation by H.R. 3508 meets the definition of wilderness contained in section 2(c) of the Wilderness Act. Each area will make its now unique contribution to the National Wilderness Preservation System. The specific features of each area are fully discussed in our reports which accompanied the President's recommendations to Congress.

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

The national forest areas proposed for wilderness designation by H.R. 3508 are under the jurisdiction of the Secretary of Agriculture and are being administered as parts of the National Forest System. Consequently, no new budget authority nor additional appropriations would be required by enactment of the proposed legislation.

We note a typographical omission in line 15 of section 2(a)(6) of H.R. 3508 where "Klamath," should be inserted before "Shasta-". Also, in line 22 of section 2(a)(7), the fifth word should be "Wildernesses" rather than "Wilderness".

The Office of Management and Budget advises that there is no objection to the presentation of this report and that enactment of legislation to designate the national forest wilderness areas included in H.R. 3508 would be consistent with the Administration's objectives.

Sincerely,

RICHARD A. ASHWORTH,
Deputy Under Secretary.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., June 25, 1976.

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 H.R. 10618, a bill "To study certain lands in the Angeles and San Bernardino National Forests, California, for possible inclusion in the National Wilderness Preservation System." We also wish to offer our views on S. 74, an act with the same title.

The Department of Agriculture recommends that neither H.R. 10618 nor S. 74 be enacted.

H.R. 10618 and S. 74 would direct the Secretary of Agriculture to review, as to their suitability or nonsuitability for preservation as wilderness, certain lands comprising about 52,000 acres in the Angeles and San Bernardino National Forests, California, which are generally depicted on a map entitled "Sheep Mountain Wilderness-Proposed", dated February 1974. The review would be conducted in accordance with the provisions of section 3(d) of the Wilderness Act (78 Stat. 890, 892). The Secretary would be required to conduct the review and report his findings to the President within two years from the date of enactment. During the review period and for a period of four years after the recommendations of the President were submitted to Congress, the Secretary would be required to manage the affected area in a manner to assure that its suitability for potential wilderness designation would not be impaired. H.R. 10618 would not authorize the appropriation of any funds to carry out the review, while S. 74 would authorize the appropriation of such amount as might be necessary.

The Sheep Mountain Area was reviewed during the 1972-73 Forest Service study of all National Forest roadless areas containing 5,000 acres or more. Nationwide, 1,449 National Forest roadless areas containing about 56 million acres were systematically evaluated. Of this number, 136 roadless areas totaling about 3 million acres are located in California. Each of the areas was rated as to its potential wilderness quality using criteria such as scenic quality, isolation, size, and variety of potential wilderness experience. The procedure also evaluated other resource values that would be foregone by wilderness designation. Major efforts were made to involve the public in the decisionmaking process at local, State, and national levels. From the inventory of 1,449 areas, 274 acres were selected as wilderness study areas. In California, the 31,680-acre Sheep Mountain Area is one of 22 areas totaling about 991,000 acres that was selected as a wilderness study area. The area that would be designated for study by H.R. 10618 and S. 74 includes the Sheep Mountain Wilderness Study Area and an additional 20,320 acres of contiguous land.

The Forest Service land-used planning process provides the basis and context for the study of National Forest areas. Public involvement is an important part of that process. Of the 52,000 acres proposed in H.R. 10618 and S. 74 for wilderness study, about 47,500 acres are within the San Gabriel Planning Unit of the Angeles National Forest, and about 4,500 acres along the northeast boundary are within the Cajon Planning Unit of the San Bernardino National Forest. Inventory data has been collected within the San Gabriel Planning Unit, and we expect to file a Draft Environmental Statement analyzing management alternatives in 1976. Inventory data collection within the Cajon Planning Unit will begin in 1977 with a Draft Environmental Statement on management alternatives to be filed late in 1978. On both units, final management plans and final environmental statements will not be developed until the public and agency review of the draft statements have been completed.

The Sheep Mountain Wilderness Study Area (and any additional acreage identified and selected for wilderness study during the land-use planning process) will be studied in detail to determine its suitability or nonsuitability for possible inclusion in the National Wilder-

ness Preservation System. Information on minerals within the Sheep Mountain Wilderness Study Area should be available from the U.S. Geological Survey and the U.S. Bureau of Mines by the end of 1976. Preliminary recommendations concerning wilderness designation will be presented to the public for additional evaluation and comment. Upon completion of the detailed study and review of the public response, we will recommend wilderness designation for any areas we believe should be added to the National System.

During the entire study process, the Sheep Mountain Wilderness Study Area will be managed so as to protect it from activities that would change the land characteristics in such a way as to disqualify the area from wilderness designation.

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

Sincerely,

JOHN A. KNEBEL,
Acting Secretary.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., July 2, 1976.

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

DEAR MR. CHAIRMAN: As you requested, here is the report of the Department of Agriculture on H.R. 12821, and H.R. 14530, similar bills relating to the designation of certain lands within the Mark Twain National Forest as wilderness study areas or wilderness.

H.R. 12821 and H.R. 14530 would direct the Secretary of Agriculture to review four areas within the Mark Twain National Forest as to their suitability or nonsuitability for preservation as wilderness. In addition, H.R. 14530 would designate a fifth area as wilderness.

The Department of Agriculture's position with respect to the five proposed areas is as follows: we recommend that the Bell Mountain and Rockpile Mountain areas be designated as wilderness study areas if their boundaries are modified as suggested herein. We recommend that the Hercules area be designated as a wilderness study area rather than as a wilderness area. We have no objection to the designation of the Piney Creek and Paddy Creek areas as wilderness study areas.

The Bell Mountain and Rockpile Mountain wilderness study area proposals contained in these bills are basically modifications of proposals recommended by this Department during the 93rd Congress. The principal difference between the present and the former proposals is that the boundaries have been revised to exclude almost all privately owned lands. This has resulted in "cog-wheel" shaped areas. Some of the boundary projections and indentations may impose significant constraints upon the study process, which will seek to locate boundaries that will, among other things, enhance solitude, be readily identifiable on the ground, and provide administrative unity.

We believe the boundaries of the Bell Mountain and Rockpile Mountain wilderness study areas should conform more closely to

topographic features. Accordingly, we recommend that the Committee adopt the boundaries depicted on new maps which will be provided by the Forest Service.

The Hercules wilderness area proposal contained in H.R. 14530 is also a modification of a proposal recommended by this Department during the 93rd Congress. The principal difference between the present and former proposal is that the boundary has been revised to exclude all privately owned lands. Because the excluded lands are located on the periphery of a consolidated block of National Forest lands, the boundaries proposed by H.R. 14530 appear reasonably suitable.

We have two recommendations concerning the proposed Hercules area. First, and most importantly, we recommend that it be designated as a wilderness study area rather than as an "instant" wilderness. The characteristics of the area have not been comprehensively reviewed nor have public hearings been held in the vicinity of affected land. Problems arising in the administration of certain "instant" wildernesses designated by P.L. 93-622 have led us to conclude that it is unwise to bypass the review procedures described in section 3(d) of the Wilderness Act. Second, we believe a few minor revisions should be made in the boundary for the purpose of including some National Forest lands that would become alienated if adjacent lands were eventually designated as wilderness. Accordingly, we recommend that the Committee adopt the boundary depicted on a new map which will be provided by the Forest Service.

The Piney Creek and Paddy Creek wilderness study area proposals, as contained in the bills, were not among the areas recommended by this Department during the 93rd Congress. We would prefer not to make recommendations as to whether they should or should not be designated as wilderness study areas, without having first evaluated those alternatives through the land use planning process. However, we have no strong objections to their being designated as wilderness study areas at this time.

Included as a supplement to this report are two recommended clarifying amendments.

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

Sincerely,

JOHN A. KNEBEL,
Acting Secretary.

SUPPLEMENT TO DEPARTMENT OF AGRICULTURE REPORT ON
H.R. 12821 AND H.R. 14530

Following are recommended clarifying amendments to H.R. 12821 and H.R. 14530.

The bills are drafted in a way that makes their substantive relationships to P.L. 93-622 and the Wilderness Act difficult to trace. P.L. 93-622 contemplates that future wildernesses and wilderness study areas within eastern National Forests will be designated pursuant to that Act. However, the designating provisions of these bills do not

refer to P.L. 93-622. Also, the areas to be reviewed are not designated as "wilderness study areas", a term that is essential for connecting them to provisions of P.L. 93-622 governing study area review procedures and administration. The bills also direct that areas designated for study shall be administered in accordance with "applicable" provisions of the Wilderness Act and P.L. 93-622. Because the bills do not clearly integrate the areas with either Act, and because both Acts contain similar provisions, it will be difficult to ascertain which provisions of the two Acts are "applicable". To avoid problems of interpretation we recommend that H.R. 12821 (for example) be amended as follows:

1. Delete lines 3-7 on page one and insert in lieu thereof the following:

That in furtherance of the purposes of the Act of January 3, 1975 (88 Stat. 2069), and the Wilderness Act (78 Stat. 890), the following areas, as generally depicted on maps appropriately referenced, dated _____ 1976, are hereby designated as wilderness study areas and shall be reviewed by the Secretary of Agriculture as to their suitability or unsuitability for preservation as wilderness in accordance with the provisions of subsections 4(a), (d) and (e) of the Act of January 3, 1975:

2. Revise section 2 to read as follows:

Sec. 2. The areas designated as wilderness study areas in section 1 shall be administered in accordance with the applicable provisions of the Act of January 3, 1975. (88 Stat. 2096).

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., December 2, 1975.

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

DEAR MR. CHAIRMAN: As you requested, here is our report on S. 1391, an Act "To study certain lands in the Mendocino National Forest, California, for possible inclusion in the National Wilderness Preservation System."

The Department of Agriculture recommends that S. 1391 not be enacted.

S. 1391 would direct the Secretary of Agriculture to review, as to their suitability or unsuitability for preservation as wilderness, certain lands comprising about 37,000 acres in the Mendocino National Forest, California, identified in the bill as the "Snow Mountain DeFacto Wilderness Area". The review would be conducted in accordance with the provisions of section 3(d) of the Wilderness Act (78 Stat. 890, 892). The Secretary would be required to conduct the review and report his findings to the President within two years from the date of enactment. During the review period and for a period of four years after the recommendations of the President are submitted to Congress, the Secretary would be required to manage the affected area in a manner to assure that its suitability for potential wilderness designation would not be impaired.

In 1969, the Forest Service completed an intensive study to determine the best mix of natural resource uses for the Snow Mountain Area. Wilderness designation was one of the land use alternatives considered. The public was asked to comment on the alternatives, and many people responded. After an analysis of resource data and public comment, we concluded that the Snow Mountain Area should serve a variety of purposes which would be unnecessarily limited by wilderness designation.

The Mendocino National Forest now has a plan which provides management direction for eight sub-units of the area according to their respective capabilities. Two of the sub-units, totaling 12,860 acres, have key attributes for primitive, dispersed recreation use, and they will be managed under the plan to maintain their scenic and primitive qualities. In three other sub-units, watershed and recreation considerations will predominate followed by timber management considerations. In the three remaining sub-units, the respective management priorities by sub-unit are timber management, wildlife, and scenery.

The Snow Mountain Area was again reviewed during the recent Forest Service study of all National Forest roadless areas containing 5,000 acres or more. Nationwide, 1,449 national forest roadless areas containing about 56 million acres were systematically evaluated. Of this number, 136 roadless areas totaling about 3 million acres are located in California. Each of the areas was rated as to its potential wilderness quality using criteria such as scenic quality, isolation, size, and variety of potential wilderness experience. The procedure also evaluated other resource values that would be foregone by wilderness designation.

In California, 22 roadless areas containing about 991,000 acres were selected as wilderness study areas. The Snow Mountain Area is not among those selected, because we determined that in comparison with all other inventoried roadless areas, the Snow Mountain Area has a low quality rating for wilderness purposes, and its designation as wilderness would be costly in terms of resource values foregone.

Existing or planned resource management activities in the Snow Mountain Area should not be curtailed pending the outcome of a third study. Such curtailments, which could last up to six years under the provisions of S. 1391, would adversely affect our ability to provide needed resource products and services from the Mendocino National Forest. Furthermore, a requirement to restudy the Snow Mountain Area could delay our review of other areas that demonstrate greater potential for wilderness designation and management.

In summary, we strongly urge the Congress not to require a third study of the Snow Mountain Area. We have examined the area's wilderness values and other resource values during two previous studies, and we have concluded that the Snow Mountain Area should be managed to serve a broader range of resource uses than would be possible under wilderness designation.

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

Sincerely,

RICHARD A. ASHWORTH,
Deputy Under Secretary.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., June 22, 1976.

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

DEAR MR. CHAIRMAN: AS you requested, here is our report on S. 392, an act "To study certain lands in the Flathead and Lewis and Clark National Forests, Montana, for possible inclusion in the National Wilderness Preservation System."

Although the Department of Agriculture believes that S. 392 would largely duplicate completed and planned administrative actions of the Department, we would have no objection to the enactment of S. 392 if it was amended as suggested herein.

S. 392 would direct the Secretary of Agriculture to review, as to their suitability or nonsuitability for preservation as wilderness, certain lands comprising about 378,000 acres and generally known as the Great Bear area in the Flathead and Lewis and Clark National Forests, Montana. The review would be conducted in accordance with the provisions of section 3(d) of the Wilderness Act (78 Stat. 890, 892). The Secretary would be required to complete the review and report his findings to the President, and the President would be required to submit his recommendations to the Congress within one year after enactment. During the one-year review period and for a period of four years after the recommendations of the President were submitted to Congress, the Secretary would be required to manage and protect the study area so as not to preclude its possible future designation as wilderness.

The Secretary of Agriculture would consult with the Secretary of the Interior on two matters during the review. First, the Secretaries would identify any potential utility corridors within or contiguous to the study area, review any adverse effects the corridors might have on the wilderness character of the area, and, if a determination of necessity was made, select a route and design which would minimize adverse effects. Second, the Secretaries would seek to permit the Blackfoot Tribe to obtain rights on land outside the study area to replace rights possessed by the Tribe within that portion of the study area under the Blackfoot Treaty Rights Agreement of 1895, or to otherwise release such land from said rights in a manner satisfactory to the Tribe.

Almost all of the area that would be studied under S. 392 was included in the 1972-73 Forest Service review of National Forest roadless areas containing 5,000 acres or more. In Montana, 36 roadless areas containing about 1.6 million acres were selected as Forest Service wilderness study areas. Two of the selected areas, Middle Fork Continental Divide (302,700 acres) and Rocky Mountain Face Continental Divide (65,000 acres), are substantially within the S. 392 study area. The enclosed supplemental statement summarizes the relationship between the acreage that would be designated for study by S. 392 and the acreage included in our roadless area review of the Great Bear area.

The S. 392 study area contains about 20,000 acres included in the Blackfoot Treaty Rights Agreement of 1895. The agreement allows

the Tribe to cut and remove timber for houses, fences, and other purposes. Permitted uses under the agreement would not be compatible with wilderness designation. In our opinion, the Blackfoot rights under the 1895 agreement would not be altered by S. 392 as now drafted, even though S. 392 would require the Secretary of Agriculture to protect the study area from activities that would preclude future wilderness designation. Efforts to agree upon substitute areas for the exercise of the Blackfoot rights or to release certain lands from those rights would greatly delay the wilderness study and a serious undesirable precedent could be established for the management of other National Forest System lands. We do not believe wilderness study legislation such as S. 392 provides either a suitable or workable basis for undertaking modifications in Indian treaties. The area affected by the Blackfoot agreement represents less than six percent of the total S. 392 study area, and we strongly recommend that it be excluded from the provisions of S. 392.

If the Blackfoot area was excluded, S. 392 would be largely unnecessary, in our judgment, because the two Forest Service wilderness study areas identified in the enclosure almost coincide with the remainder of the S. 392 study area. While we believe the two Forest Service wilderness study areas include the areas most likely to be found suitable for wilderness designation, we would not object to studying the somewhat larger area identified in S. 392, if the Blackfoot area was excluded. However, restricting the wilderness study to only one year would allow insufficient time for public participation, make it necessary for us to rely on incomplete data and broad assumptions as we developed our recommendations, and seriously impact other high priority National Forest projects as personnel and resources were diverted to the study.

The U.S. Geological Survey and the Bureau of Mines have completed field work on a mineral survey of the two Forest Service wilderness study areas. However, the S. 392 study area contains about 45,000 acres not covered by the current mineral survey. The Survey and the Bureau advise us that, because of the area's short field season and other priority work, they would need at least one year to develop a preliminary report on the additional 45,000 acres. The additional year would be needed for completion of the mineral report even if the Blackfoot area was excluded from the S. 392 study area.

Meanwhile, we would need at least two years to determine the area's suitability, availability, and manageability for wilderness designation. The requirements in S. 392 regarding utility corridors, while important, would complicate and lengthen the normal study process.

Meaningful public participation under the provisions of section 3(d) of the Wilderness Act (78 Stat. 890, 892) could occur only after the mineral survey is complete and after our resource data and preliminary recommendations are available. Upon completion of the detailed study and review of public response, we would recommend wilderness designation for any areas we believe should be added to the National System.

In keeping with national Forest Service policy, a complete study will be made of the wilderness study areas in the Great Bear vicinity

to determine their suitability or non-suitability for preservation as wilderness. During the entire study process, including the filing of environmental statements, we will protect the wilderness study areas from any activity that would change the land characteristics in such a way as to preclude wilderness designation. Our efforts to protect the wilderness study areas must, of course, be subject to valid existing rights.

Furthermore, the inventoried roadless areas not selected for wilderness study will also be managed to protect their wilderness characteristics until land management plans including environmental statements have been completed and wilderness values as well as other values have been considered.

Since we are already committed to the protection of wilderness study areas and other inventoried roadless areas, we see no need to require that the S. 392 wilderness study be completed in one year. Neither do we see a need for S. 392 to require protection of the area during a specified congressional review period which would follow after the President made his recommendation to the Congress.

In view of the above comments, we would have no objection to the enactment of S. 392 if it was amended to—

(1) Exclude any area affected by the Blackfeet Treaty Rights Agreement of 1895 from the study area as shown on the map cited in section 1;

(2) Strike "seventy-eight" in line 1 on page 2, and insert in lieu thereof "fifty-four";

(3) Strike "one year" in line 8 on page 2, and insert in lieu thereof "three-year";

(4) Strike the first sentence of section 2 which appears in lines 15 through 20 on page 2; and

(5) Strike section 4 in its entirety, and redesignate section 5 as section 4.

We estimate that this Department's share of the cost for a wilderness study of the Great Bear area would be about \$600,000 if we were required to accelerate the study process within one year, or about \$500,000 if three years were available for the study.

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

Sincerely,

JOHN A. KNEBEL,
Under Secretary.

Enclosure.

USDA SUPPLEMENTAL STATEMENT, PROPOSED GREAT BEAR WILDERNESS
STUDY, S. 392

The following table summarizes the relationship between the acreage that would be designated for wilderness study by S. 392 and the acreage included in the Forest Service roadless area review of the Great Bear area.

Forest Service inventoried roadless area	Forest Service wilderness study area	Fieldwork complete for mineral survey	Total acreage	Acreage included in S. 392 study area
Middle Fork Continental Divide.....	Yes.....	Yes.....	302,700	264,542
Rocky Mountain Face Continental Divide.....	Yes.....	Yes.....	65,000	63,688
Middle Fork.....	No.....	No.....	55,896	15,525
Badger Creek.....	No.....	No.....	72,326	17,881
Dupuyer Creek.....	No.....	No.....	10,865	3,824
Mount Werner.....	No.....	No.....	16,120	160
Noninventoried.....	No.....	No.....	8,000	8,000
Total.....			530,907	373,620

Our estimates indicate that the study area proposed by S. 392 would contain about 374,000 acres, rather than 378,000 acres as cited in the bill. If the Blackfeet area was excluded, the S. 392 study area would contain about 354,000 acres.

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

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

DEAR MR. CHAIRMAN: As you requested, here is the report of the Department of Agriculture on H.R. 3030, a bill "To designate certain lands in the Angeles and San Bernardino National Forests as the 'Sheep Mountain Wilderness'."

The Department of Agriculture recommends that H.R. 3030 not be enacted.

H.R. 3030 would designate as wilderness certain lands comprising about 52,000 acres in the Angeles and San Bernardino National Forests, California, which are generally depicted on a map entitled "Sheep Mountain Wilderness—Proposed", dated February 1974. The area would be known as the "Sheep Mountain Wilderness", and it would be administered in accordance with the provisions of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1131-1136).

The Sheep Mountain Area was reviewed during the recent Forest Service study of all national forest roadless areas containing 5,000 acres or more. Nationwide, 1,449 national forest roadless areas containing about 56 million acres were systematically evaluated. Of this number, 136 roadless areas totaling about 3 million acres are located in California. Each of the areas was rated as to its potential wilderness quality using criteria such as scenic quality, isolation, size, and variety of potential wilderness experience. The procedure also evaluated other resource values that would be foregone by wilderness designation. Major efforts were made to involve the public in the decision-making process at local, State, and national levels. From the inventory of 1,449 areas, 274 areas were selected as wilderness study areas. In California, the 31,680-acre Sheep Mountain Area is one of 22 areas totaling about 991,000 acres that was selected as a wilderness study

area. The area that would be designated as wilderness by H.R. 3030 includes the Sheep Mountain Wilderness Study Area and an additional 20,320 acres of contiguous land.

The Forest Service land-use planning process provides the basis and context for the study of national forest areas. Public involvement is an important part of that process. Of the 52,000 acres proposed in H.R. 3030 for wilderness designation, about 47,500 acres are within the San Gabriel Planning Unit of the Angeles National Forest, and about 4,500 acres along the northeast boundary are within the Cajon Planning Unit of the San Bernardino National Forest. Inventory data has been collected within the San Gabriel Planning Unit, and we expect to file a Draft Environmental Statement analyzing management alternatives early in 1976. Inventory data collection within the Cajon Planning Unit will begin in 1977 with a Draft Environmental Statement on management alternatives to be filed late in 1978. On both units, final management plans and final environmental statements will not be developed until the public and agency reviews of the draft statements have been completed.

In addition to the study of the planning units, the Sheep Mountain Wilderness Study Area will be studied in greater detail to determine its suitability or unsuitability for possible inclusion in the National Wilderness Preservation System. Contiguous lands will also be considered. Information on minerals within the Sheep Mountain Wilderness Study Area should be available from the U.S. Geological Survey and the U.S. Bureau of Mines by the end of 1976. Preliminary recommendations concerning wilderness designation will be presented to the public for additional evaluation and comment. Upon completion of the detailed study and review of the public response, we will recommend wilderness designation for any areas we believe should be added to the National System.

During the entire study process, the Sheep Mountain Wilderness Study Area will be managed so as to protect it from activities that would change the land characteristics in such a way as to disqualify the area from wilderness designation.

We strongly recommend that the Sheep Mountain Wilderness Study Area not be designated as wilderness without the completion of detailed studies of all resource values, including wilderness values. Based on the results of the studies now underway or to be undertaken, a more deliberate, orderly decision can be made as to the desirability of adding any specific area to the National Wilderness Preservation System.

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

Sincerely,

ROBERT W. LONG,
Assistant Secretary.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., October 21, 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 H.R. 3656, a bill "To study certain lands in the Sierra National Forest, California, for the possible inclusion in the National Wilderness Preservation System."

The Department of Agriculture recommends that H.R. 3656 not be enacted.

H.R. 3656 would direct the Secretary of Agriculture to review, as to their suitability or unsuitability for preservation as wilderness, certain lands comprising about 28,000 acres in the Sierra National Forest, California. The lands to be reviewed are generally depicted on a map entitled "Kaiser Wilderness Study Area", dated February 1974. The review would be conducted in accordance with section 3(d) of the Wilderness Act (78 Stat. 892; 16 U.S.C. 1132(d)). The Secretary would be required to report his findings to the President within two years from the date of enactment. During the review period and for a period of four years after the recommendations of the President are submitted to Congress, the Secretary would be required to manage and protect the resources of the affected lands in a manner to assure that their suitability for wilderness designation would not be impaired. Established uses of Federal lands outside the study area could not be terminated or phased out solely because such lands are contiguous to the study area.

The Kaiser Roadless Area was inventoried and reviewed during the recent Forest Service study of all National Forest roadless areas containing 5,000 acres or more. It is our understanding that the study area identified in H.R. 3656 is intended to include only the 25,400-acre inventoried Kaiser Roadless Area. While H.R. 3656 indicates the study area contains about 28,000 acres, we estimate that there are only 25,400 acres within the study boundary. Like many other inventoried roadless areas, the Kaiser Roadless Area is suitable for a broad range of commodity and noncommodity uses. The present and projected supply of goods and services from the National Forests is based on the assumption that many of the roadless areas will be at least partially developed. After an analysis of resource data and public comment, the Kaiser Roadless Area was not selected as a wilderness study area, because, in our judgment, it should be managed to provide a variety of resources and services.

Over the past several years, timber harvesting has been repeatedly delayed within portions of the inventoried Kaiser Roadless Area because of concerns expressed, particularly by residents of the Huntington Lake area, that timber harvesting would adversely affect the recreational and scenic values of lands north of Huntington Lake. We

have carefully evaluated the potential impacts of timber harvesting, considered management alternatives, and obtained public input in accordance with the National Environmental Policy Act of 1969 (83 Stat. 852; 42 U.S.C. 4321 et seq.). Our plan, as a result of that evaluation, is to proceed with timber harvesting within portions of the area. Specific measures will be taken to protect recreational, scenic, and environmental values during and after timber harvest.

We plan to offer three sales totaling about 99 million board feet from the Kaiser Roadless Area during the current fiscal year for processing through sawmills in Auberry, Madera, North Fork, Clovis, and Dinuba, California. Deferral of these sales would reduce the fiscal year 1976 timber sales program for the Sierra National Forest by about 65 percent (99 of 152 million board feet). Repeated deferrals of timber sales within the Kaiser Roadless Area and other roadless areas have made it necessary in recent years to harvest timber from other more available and more accessible areas, in order to maintain the Forest's timber harvesting program at planned levels. It will not be possible to maintain the Forest's fiscal year 1976 program at the level of 152 million board feet unless sales are made within the Kaiser Roadless Area.

In summary, we strongly urge the Congress not to enact H.R. 3656. We have reviewed the wilderness values and other resource values of the Kaiser Roadless Area; we have obtained public input on management alternatives; and we have concluded that the area should be managed for a broader range of resource uses than would be possibly under wilderness designation. A final management decision could be delayed for up to six years if H.R. 3656 were enacted. Meanwhile, our ability to provide multiple products and services from the Sierra National Forest would be seriously restricted, and there would be adverse effects on local employment and economic conditions.

Additional information concerning our planned management of the Kaiser Roadless Area is provided in the enclosed supplemental statement.

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

Sincerely,

J. PHIL CAMPBELL,
Under Secretary.

Enclosure.

USDA SUPPLEMENTAL STATEMENT, H.R. 3656, KAISER ROADLESS AREA,
SIERRA NATIONAL FOREST, CALIF.

Sierra National Forest plans indicate that the 25,400-acre inventoried Kaiser Roadless Area contains two primary management zones of about equal size. About 12,400 acres of crest zone along Kaiser Ridge should remain undeveloped, and we will continue to manage this zone so as to maintain its primitive and natural qualities. An area of about 13,000 acres within the general forest zone below Kaiser Ridge does not have outstanding wilderness attributes, but it does have other significant resources that we plan to manage for timber and other values. This 13,000-acre area also includes 800 acres along streams and trails

which will be managed for their recreational and scenic qualities as well as 160 acres of private land in three tracts.

There are about 530 million board feet of largely old growth, over-mature timber within the inventoried Kaiser Roadless Area. The general forest zone portion of the area has an excellent tree-growing capability, and it could produce a sustained annual yield of about 5 million board feet under management.

Our evaluation of proposed timber harvesting within portions of the inventoried Kaiser Roadless Area was done formally and publicly through two environmental statements prepared in accordance with the National Environmental Policy Act (83 Stat. 852; 42 U.S.C. 4321 et seq.). The final North Shore Huntington Lake Timber Sales Environmental Statement was made available to the Council on Environmental Quality and to the public on June 7, 1974. Likewise, the final Aspen-Horsethief Timber Sales Environmental Statement was made available on May 12, 1975. These documents were written in accordance with our policy to prepare environmental statements for proposed activities that would affect the wilderness character of any inventoried National Forest roadless area. Both statements considered several other management alternatives for portions of the Kaiser Roadless Area, including retention of wilderness character pending intensive wilderness studies. Significant changes in proposed management activities were made as a result of public input, and these changes are reflected in the final environmental statements.

As described in the environmental statement for the North Shore Huntington Lake portion, the initial harvest there will remove only defective, suppressed, and fallen trees that are merchantable. Subsequent harvests will use selection, thinning, and shelterwood methods. Clearcut methods, if used at all, will be limited to 5 acres, and they will be shaped in naturalistic patterns. All timber management activities will be carried out so as to retain the scenic continuity of the area facing Huntington Lake.

Within the Aspen-Horsethief portion, the initial harvest will primarily use the shelterwood method to obtain natural regeneration from residual seed trees on 14 small areas totaling about 1,000 acres. Subsequent harvests will apply the shelterwood method to unharvested areas, remove residual seed trees after young trees are established, and maintain optimum growing conditions through salvage logging and commercial thinning.

We recognize that the "need" for additional designated wilderness within any general region is a very subjective question. However, in the case of Kaiser Ridge, we believe it is important to point out that management options are already limited to favor wilderness and recreation on almost 2.3 million acres of Federal land within the Sierra Nevada of central California. To the north of Kaiser Ridge are Yosemite National Park (757,991 acres), the Minarets Wilderness (109,484 acres), and the San Joaquin Wilderness Study Areas (39,080 acres). To the east is the John Muir Wilderness (503,478 acres). To the south are the Sequoia and Kings Canyon National Parks (838,976 acres) and the proposed Monarch Wilderness (30,689 acres).

Ninety-fourth Congress of the United States of America

AT THE SECOND SESSION

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

An Act

To designate certain lands as wilderness.

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

DESIGNATION OF WILDERNESS AREAS WITHIN THE NATIONAL WILDLIFE REFUGE SYSTEM

SECTION 1. In accordance with subsection 3(c) of the Wilderness Act (78 Stat. 892), the following lands are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System:

(a) certain lands in the Simeonof National Wildlife Refuge, Alaska, which comprise approximately twenty-five thousand one hundred and forty-one acres, which are depicted on a map entitled "Simeonof Wilderness Proposal", dated January 1971, and which shall be known as the Simeonof Wilderness;

(b) certain lands in the Big Lake National Wildlife Refuge, Arkansas, which comprise approximately two thousand six hundred acres, which are depicted on a map entitled "Big Lake Wilderness Proposal", dated June 1976, and which shall be known as the Big Lake Wilderness;

(c) certain lands in the Chassahowitzka National Wildlife Refuge, Florida, which comprise approximately twenty-three thousand three hundred and sixty acres, which are depicted on a map entitled "Chassahowitzka Wilderness Proposal", dated March 1975, and which shall be known as the Chassahowitzka Wilderness;

(d) certain lands in the J. N. "Ding" Darling National Wildlife Refuge, Florida, which comprise approximately two thousand eight hundred and twenty-five acres, which are depicted on a map entitled "J. N. 'Ding' Darling Wilderness Proposal", dated March 1975, and which shall be known as the J. N. "Ding" Darling Wilderness;

(e) certain lands in the Lake Woodruff National Wildlife Refuge, Florida, which comprise approximately one thousand one hundred and forty-six acres, which are depicted on a map entitled "Lake Woodruff Wilderness Proposal", dated June 1976, and which shall be known as the Lake Woodruff Wilderness;

(f) certain lands in the Crab Orchard National Wildlife Refuge, Illinois, which comprise approximately four thousand and fifty acres, which are depicted on a map entitled "Crab Orchard Wilderness Proposal", dated January 1973, and which shall be known as the Crab Orchard Wilderness;

(g) certain lands in the Lacassine National Wildlife Refuge, Louisiana, which comprise approximately three thousand three hundred acres, which are depicted on a map entitled "Lacassine Wilderness Proposal", dated June 1976, and which shall be known as the Lacassine Wilderness;

(h) certain lands in the Agassiz National Wildlife Refuge, Minnesota, which comprise approximately four thousand acres,

which are depicted on a map entitled "Agassiz Wilderness Proposal", dated November 1973, and which shall be known as the Agassiz Wilderness;

(i) certain lands in the Tamarac National Wildlife Refuge, Minnesota, which comprise approximately two thousand one hundred and thirty-eight acres, which are depicted on a map entitled "Tamarac Wilderness Proposal", dated January 1973, and which shall be known as the Tamarac Wilderness;

(j) certain lands in the Mingo National Wildlife Refuge, Missouri, which comprise approximately eight thousand acres, which are depicted on a map entitled "Mingo Wilderness Proposal", dated March 1975, and which shall be known as the Mingo Wilderness;

(k) certain lands in the Red Rock Lakes National Wildlife Refuge, Montana, which comprise approximately thirty-two thousand three hundred and fifty acres, which are depicted on a map entitled "Red Rock Lakes Wilderness Proposal", dated January 1974, and which shall be known as the Red Rock Lakes Wilderness;

(l) certain lands in the Medicine Lake National Wildlife Refuge, Montana, which comprise approximately eleven thousand three hundred and sixty-six acres, which are depicted on a map entitled "Medicine Lake Wilderness Proposal", dated November 1973, and which shall be known as the Medicine Lake Wilderness;

(m) certain lands in the UL Bend National Wildlife Refuge, Montana, which comprise approximately twenty thousand eight hundred and ninety acres, which are depicted on a map entitled "UL Bend Wilderness Proposal", dated June 1976, and which shall be known as the UL Bend Wilderness;

(n) certain lands in the Fort Niobrara National Wildlife Refuge, Nebraska, which comprise approximately four thousand six hundred and thirty-five acres, which are depicted on a map entitled "Fort Niobrara Wilderness Proposal", dated November 1973, and which shall be known as the Fort Niobrara Wilderness;

(o) certain lands in the Swanquarter National Wildlife Refuge, North Carolina, which comprise approximately nine thousand acres, which are depicted on a map entitled "Swanquarter Wilderness Proposal", dated December 1973, and which shall be known as the Swanquarter Wilderness;

(p) certain lands in the San Juan Islands National Wildlife Refuge, Washington, which comprise approximately three hundred and fifty-five acres, which are depicted on a map entitled "San Juan Islands Wilderness Proposal", dated August 1971 (revised July 1976), and which shall be known as the San Juan Wilderness.

DESIGNATION OF WILDERNESS AREAS WITHIN THE NATIONAL
FOREST SYSTEM

SEC. 2. (a) In accordance with the subsection 3(b) of the Wilderness Act (78 Stat. 891), the area in the Shoshone National Forest in Wyoming classified as the Glacier Primitive Area, with the proposed additions thereto and deletions therefrom, comprising an area of approximately one hundred and ninety-seven thousand six hundred

acres as generally depicted on a map entitled "Glacier Wilderness Proposed", dated March 1975 (revised August 1976), is hereby designated as the "Fitzpatrick Wilderness" and, therefore, as a component of the National Wilderness Preservation System.

(b) In furtherance of the purposes of the Wilderness Act (78 Stat. 890), the following lands are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System:

(1) certain lands in the Sierra National Forest in California, which comprise about twenty-two thousand five hundred acres, as generally depicted on a map entitled "Kaiser Wilderness-Proposed", dated August 1976, and shall be known as Kaiser Wilderness;

(2) certain lands in the Mark Twain National Forest in Missouri, which comprise about twelve thousand three hundred and fifteen acres, as generally depicted on a map entitled "Hercules-Glades Wilderness, Proposed", dated March 1976, and shall be known as the Hercules-Glades Wilderness;

DESIGNATION OF WILDERNESS STUDY AREAS WITHIN THE
NATIONAL FOREST SYSTEM

SEC. 3. (a) In furtherance of the purposes of the Wilderness Act (78 Stat. 890) and in accordance with the provisions of subsection 3(d) of that Act (78 Stat. 892, 893), relating to public notice, public hearings, and review by State and other agencies, the Secretary of Agriculture shall review, as to its suitability or nonsuitability for preservation as wilderness, each wilderness study area designated by or pursuant to subsection (b) of this section and report his findings to the President. The President shall advise the United States Senate and the House of Representatives of his recommendations with respect to the designation as wilderness of each such area on which the review has been completed, together with a map thereof and a definition of its boundaries.

(b) Wilderness study areas to be reviewed pursuant to this section include—

(1) certain lands in the Angeles and San Bernardino National Forests in California, which comprise approximately fifty-two thousand acres, and which are generally depicted on a map entitled "Sheep Mountain Wilderness, Proposed", and dated February 1974. The Secretary shall complete his review and report his findings to the President and the President shall submit to the United States Senate and the House of Representatives his recommendations with respect to the designation of the Sheep Mountain Wilderness Study Area as wilderness not later than two years after the date of enactment of this Act;

(2) certain lands in the Mendocino National Forest in California, which comprise approximately thirty-seven thousand acres, and which are generally depicted on a map entitled "Snow Mountain Wilderness Proposed", and dated June 1971. The Secretary shall complete his review and report his findings to the President and the President shall submit to the United States Senate and the House of Representatives his recommendations with respect to the designation of the Snow Mountain Wilderness Study Area as wilderness not later than two years after the date of enactment of this Act;

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(3) certain lands in the Mark Twain National Forest in Missouri, which comprise approximately eight thousand five hundred and thirty acres, and which are generally depicted on a map entitled "Bell Mountain Wilderness Study Area", and dated March 1976. The Secretary shall complete his review and report his findings to the President and the President shall submit to the United States Senate and the House of Representatives his recommendations with respect to the designation of the Bell Mountain Wilderness Study Area as wilderness not later than five years after the date of enactment of this Act;

(4) certain lands in the Mark Twain National Forest in Missouri, which comprise approximately six thousand eight hundred and eighty-eight acres, and which are generally depicted on a map entitled "Paddy Creek Wilderness Study Area", and dated March 1976. The Secretary shall complete his review and report his findings to the President and the President shall submit to the United States Senate and the House of Representatives his recommendation with respect to the designation of the Paddy Creek Wilderness Study Area as wilderness not later than five years after the date of enactment of this Act;

(5) certain lands in the Mark Twain National Forest in Missouri, which comprise approximately eight thousand four hundred and thirty acres, and which are generally depicted on a map entitled "Piney Creek Wilderness Study Area", and dated March 1976. The Secretary shall complete his review and report his findings to the President and the President shall submit to the United States Senate and the House of Representatives his recommendation with respect to the designation of the Piney Creek Wilderness Study Area as wilderness not later than five years after the date of enactment of this Act;

(6) certain lands in the Mark Twain National Forest in Missouri, which comprise approximately four thousand one hundred and seventy acres, and which are generally depicted on a map entitled "Rockpile Mountain Wilderness Study Area", and dated March 1976. The Secretary shall complete his review and report his findings to the President and the President shall submit to the United States Senate and the House of Representatives his recommendation with respect to the designation of the Rockpile Mountain Wilderness Study Area as wilderness not later than five years after the date of enactment of this Act;

(7) certain lands in the Flathead and Lewis and Clark National Forests in Montana, which comprise approximately three hundred ninety-three thousand acres, and which are generally depicted on a map entitled "Great Bear Wilderness-Proposed", and dated November 1975 (revised August 1976). The Secretary shall complete his review and report his findings to the President and the President shall submit to the United States Senate and the House of Representatives his recommendation with respect to the designation of the Great Bear Wilderness Study Area as wilderness not later than nineteen months after the date of enactment of this Act; and in conducting his review, the Secretary of Agriculture, in consultation with the Secretary of the Interior, shall identify any potential utility corridors within or

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contiguous to the study area, review any adverse effects such corridors may have on the wilderness character of such area, determine whether any such corridor is necessary, and, if a determination of necessity is made, select a route and design which will minimize such effects. Nothing in this section shall be construed as prohibiting the siting of any such corridor within the boundaries of any area recommended by the President for wilderness preservation pursuant to this Act or designated as wilderness by the Congress and;

(8) certain lands in the Deer Lodge and Helena National Forests, in Montana, which comprise approximately seventy-seven thousand three hundred and forty-six acres and which are generally depicted on a map entitled "Elkhorn Wilderness Study Area" and dated April 1976. The Secretary shall complete his review and report his findings to the President and the President shall submit to the United States Senate and the House of Representatives his recommendation with respect to the designation of the Elkhorn Wilderness Study area as wilderness not later than two years after the date of enactment of this Act.

(c) Nothing herein contained shall limit the President in proposing, as part of his recommendations to Congress, the alteration of existing boundaries of any wilderness study area or recommending the addition to any such area of any contiguous area predominately of wilderness value. Any recommendation of the President to the effect that such area or portion thereof should be designated as "wilderness" shall become effective only if so provided by an Act of Congress.

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

ADMINISTRATIVE PROVISIONS

SEC. 4. Except as otherwise provided in this Act, all primitive area classifications of areas herein designated as wilderness are hereby abolished.

SEC. 5. As soon as practicable after this Act takes effect, a map of each wilderness study area and a map and a legal description of each wilderness area shall be filed with the Committees on Interior and Insular Affairs of the United States Senate and House of Representatives, and each such map and description shall have the same force and effect as if included in this Act: *Provided, however,* That correction of clerical and typographical errors in each such legal description and map may be made. Each such map and legal description shall be on file and available for public inspection in the Office of the Chief, Forest Service, Department of Agriculture.

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SEC. 6. Wilderness areas designated by this Act shall be administered in accordance with the applicable provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary who has administrative jurisdiction over the area.

Speaker of the House of Representatives.

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