

**DESIGNATING THE ABSAROKA-BEARTOOTH WILDERNESS, CUSTER AND GALLATIN NATIONAL FORESTS, IN THE STATE OF MONTANA**

MARCH 6, 1978.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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

**REPORT**

[Including cost estimate of the Congressional Budget Office]

[To accompany S. 1671]

The Committee on Interior and Insular Affairs, to whom was referred the bill (S. 1671) to designate the Absaroka-Beartooth Wilderness, Custer and Gallatin National Forests, in the State of Montana, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

**PURPOSE**

S. 1671 would designate approximately 904,500 acres of the Cluster and Gallatin National Forests in Montana as the Absaroka-Beartooth Wilderness.

**BACKGROUND AND NEED**

The proposed Absaroka-Beartooth Wilderness is located in the Custer and Gallatin National Forests of southern Montana and is an integral part of the Yellowstone ecosystem. Over 30 miles along the southern boundary of the proposed wilderness border on Yellowstone National Park and, as such, the wilderness will provide protection for major watersheds flowing south into the park and important wildlife migration routes to and from the park. Inclusion of the 904,500-acre Absaroka-Beartooth area in the national wilderness preservation system, along with possible future wilderness designation for the nearby Hyalite-Porcupine-Buffalo and Taylor-Hilgard Wilderness Study Areas (which passed the 95th Congress in 1977—House Report 95-620) will go a long way toward insuring that the Yellowstone ecosystem is preserved in its natural state for future generations of

Americans to enjoy. The Yellowstone ecosystem contains some of the finest and most diverse wildlife habitat in North America; and has been described as the best sport fishing area in the entire continent.

The proposed Absaroka-Beartooth Wilderness itself would consolidate the existing Absaroka and Beartooth Primitive Areas, and is a land of rugged valleys and peaks dotted by several hundred jewel-like lakes. The steep Absaroka mountain range on the west contrasts sharply with the unique high tundra Beartooth Plateau in the east. The area contains the oldest known rocks found to date in the world, several spectacular waterfalls, Granite Peak (Montana's highest at 12,799 feet) and important habitat for grizzly bear and the Northern Rocky Mountain wolf.

The North Absaroka roadless area, which comprises the northwestern portion of the proposed wilderness, was the only area in the Nation to receive a perfect 200 wilderness quality rating during the Forest Service's 1972 roadless area review. In addition, three road corridors which penetrate the area, plus numerous fringing roads, will insure that the Absaroka-Beartooth Wilderness is accessible to the public from all directions and differing elevations. In the summer months, the Beartooth Highway, which skirts the southeastern portion of the area provides vehicular access right up to the area boundary and spectacular views into the very heart of the wilderness.

Timber values in the proposal are largely confined to drainages which flow south into Yellowstone Park and currently comprise the Absaroka Primitive Area. In the view of many people timber harvest could not be accomplished without unacceptable impacts on adjacent Yellowstone Park lands, and declassification of the existing Absaroka Primitive Area, which has enjoyed protection as one of the Nation's outstanding wild areas since 1932. Further, average timber harvest levels on the Custer and Gallatin National Forests in recent years are far below the annual potential yield for the two forests, and clearly show that the timber values of the Absaroka-Beartooth Wilderness proposal are not needed to sustain the forest products industry. For these reasons, the committee feels the impacts of wilderness classification on the timber industry will be minimal.

Although the area does contain significant mineral values, several areas containing active mining claims were excluded from the original wilderness proposal by the Senate Committee on Energy and Natural Resources. In addition, the committee recommended deletion of an area containing mining claims above the west fork of the Stillwater River to exclude the bulk of mining claims held by the Anaconda Co. and others. This deletion eliminates most known mineral provinces from the wilderness (including over 99 percent of the so-called Stillwater complex), and should insure that wilderness and potential mineralized areas do not overlap.

Throughout the committee's consideration of the Absaroka-Beartooth wilderness, committee members were mindful of the importance of this area to our late friend, and former colleague, Senator Lee

ains some of the America; and has entire continent. elf would consoli-e Areas, and is a hundred jewel-like ne west contrasts atean in the east. date in the world, atana's highest at and the Northern

prises the north-e only area in the rating during the lition, three road ringing roads, will accessible to the

In the summer the southeastern it up to the area of the wilderness. ined to drainages ntly comprise the ple timber harvest pacts on adjacent existing Absaroka ie of the Nation's ge timber harvest ts in recent years orests, and clearly rtooth Wilderness acts industry. For wilderness classifi-

ral values, several if from the original nergy and Natural led deletion of an x of the Stillwater the Anaconda Co. mineral provinces the so-called Still- less and potential he Absaroka-Bear- of the importance ague, Senator Lee

Metcalf. It was Senator Metcalf who introduced S. 1671, and was its unerring supporter and champion. It is with the deepest sense of respect and affection that the committee recommends the creation of a unified Absaroka-Beartooth Wilderness as proposed in S. 1671.

#### LEGISLATIVE HISTORY

The Absaroka-Beartooth Wilderness legislation was originally introduced in the House of Representatives by Mr. Udall as section 2(a)(6) of H.R. 1907. The Subcommittee on Indian Affairs and Public Lands held a joint hearing with the Senate Subcommittee on Parks and Recreation on the Absaroka-Beartooth Wilderness in Billings, Mont., on August 10, 1977. A subsequent hearing was held in Washington, D.C., on October 6, 1977.

On February 7, 1978, the Subcommittee on Indian Affairs and Public Lands considered the proposal and recommended it in the same form as that ultimately approved by the Senate on February 17. Accordingly, the bill recommended by the Committee on Interior and Insular Affairs (S. 1671):

(1) Deletes approximately 46,500 acres of land in the Shoshone National Forest, Wyo., which are contiguous to the Montana proposal. This area, known as the Wyoming High Lakes will be considered by the committee in separate legislation later this year.

(2) Deletes 50 acres in the North Fork of Deep Creek to allow construction of trailhead facilities to reduce public use conflicts on adjacent private lands.

(3) Deletes 800 acres in the vicinity of Independence Peak to leave out all patented mining claims plus adjacent areas to allow high elevation off road vehicle access to the edge of the wilderness.

(4) Excludes 150 acres in the Goose Lake drainage to place the boundary on more identifiable terrain features and permit four-wheel-drive access to within one-fourth mile of the lake while still protecting the fragile lake basin.

(5) Deletes 1,400 acres around Kersey Lake to exclude a 160 acre subdivision on the North Shore of Kersey Lake as well as adjacent lands suitable for snowmobiling.

(6) Deletes 4,500 acres in Timberline-Basin Creek area following the administration's recommendations but still protecting the actual streambottoms of the west fork of Rock Creek and the Lake Fork.

(7) Adds 600 acres along the Stillwater River to protect spectacular Woodbine Falls, the longest waterfalls in the northern Rockies.

In addition, the bill eliminates most of the active mining claims above the west fork of the Stillwater River. Under this legislation, the river bottom up to approximately the 7,000-foot contour line remains in the wilderness.

100-1-1

COST AND BUDGET ACT COMPLIANCE  
S. 1671, as amended, entails no additional costs and authorizes no appropriations. Since the bill merely classifies as wilderness certain Federal lands, the budget implications are minimal. The report of the Congressional Budget Office is printed below:

CONGRESSIONAL BUDGET OFFICE,  
U.S. CONGRESS,  
Washington, D.C., February 23, 1978.  
Hon. MORRIS K. UDALL,  
Chairman, Committee on Interior and Insular Affairs, U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Pursuant to section 403 of the Congressional Budget Act of 1974, the Congressional Budget Office has reviewed S. 1671, a bill to designate the Absaroka-Beartooth Wilderness, Custer and Gallatin National Forests, in the State of Montana, as ordered reported by the House Committee on Interior and Insular Affairs, February 22, 1978.

Based on this review, it appears that no additional cost to the Government would be incurred as a result of enactment of this bill. One possible cost could stem from the potential loss of timber receipts, since 6.5 million board feet of timber will be removed from the timber base of the Custer and Gallatin National Forests as a result of the Absaroka-Beartooth Wilderness designation. However, no loss of receipts is likely to occur in the near future, for two reasons. First, no receipts are currently collected from timber sale on the land involved, nor are any expected in the next few years. Second, the timber harvest for the entire forest is not presently constrained by the estimated annual potential yield in this forest. Receipts would be lost if, at some future date, the rate of harvesting approaches the maximum yield. Under such circumstances, the total revenue loss would be about \$300,000 (at 1978 timber values).

The area also includes approximately 275 mining claims and 2 parcels of privately owned land. The Government is not obligated by law to purchase the claims on the private property, and there are no plans to make these purchases at the current time.

Sincerely,

ALICE M. RIVLIN, Director.

INFLATIONARY IMPACT

Pursuant to rule X, clause 2(1)(4) of the Rules of the House of Representatives, the committee believes that enactment of S. 1671, as amended, would have virtually no inflationary impact on the national economy.

OVERSIGHT STATEMENT

In accordance with the committee's jurisdiction and responsibilities in reviewing and reporting legislation on wilderness matters, the Committee on Interior and Insular Affairs would have oversight responsibilities over any action of the Secretary taken to comply with the mandate of the legislation. No recommendations were submitted to the committee pursuant to rule X, clause 2(b)(2).

COMMITTEE RECOMMENDATION

On February 22, 1978, the Committee on Interior and Insular Affairs ordered reported S. 1671, as amended by the Senate, by voice vote.

DEPARTMENTAL REPORT

The Department of Agriculture reported by letter dated February 28, 1978, that it recommended enactment of the Absaroka-Beartooth proposal, contained in H.R. 1907, with boundary adjustments. The report in its entirety follows:

DEPARTMENT OF AGRICULTURE,  
OFFICE OF THE SECRETARY,  
Washington, D.C., February 28, 1978.

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

DEAR MR. CHAIRMAN: The Department of Agriculture wishes to report on section 2(a)(6) of H.R. 1907, a bill to designate 39 wildernesses within the National Wildlife Refuges and 14 wildernesses or wilderness additions within the National Forests. Section 2(a)(6) would designate as wilderness 960,000 acres in the Custer and Gallatin National Forests, Mont., and Shoshone National Forest, Wyo., classified as the Absaroka and Beartooth Primitive Areas.

The administration recommends that section 2(a)(6) of H.R. 1907 be enacted with the boundary modifications proposed herein.

This reflects and is consistent with the testimony presented by the Department of Agriculture to your Subcommittee on Indian Affairs and Public Lands, October 6, 1977, and to the Senate Subcommittee on Parks and Recreation in its September 23, 1977, hearing on S. 1671.

The Absaroka and Beartooth Primitive Areas were studied previously for wilderness suitability in accordance with section 3(b) of the Wilderness Act (78 Stat. 891, 16 U.S.C. 1132). As a result, the administration recommended to the Congress on December 4, 1974, a Beartooth Wilderness of 542,437 acres. Subsequent completion of a geological and minerals survey by the U.S. Geological Survey and U.S. Bureau of Mines has provided minerals information that enables us, now, to support a larger wilderness designation.

Specifically, we recommend a Beartooth Wilderness totaling 886,500 acres consisting of most of the area proposed in section 2(a)(6) of H.R. 1907. We believe certain areas should be deleted from the H.R. 1907 proposal in order to provide better access into the wilderness and to exclude private lands and nonwilderness uses. We also propose various boundary adjustments to better fit the boundary to the terrain. These deletions total about 50,000 acres and boundary adjustments total 23,500 acres. They are described in the enclosed supplemental statement and map.

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,

BOB BERGLAND, Secretary.

Enclosures.

H.R. 1907 (section 2(a), (6)), summary sheet for Beartooth Wilderness

	Acres
H.R. 1907 (section 2(6)) (Montana and Wyoming)	960,000
Administration recommendation (S. 1671) (Montana only)	886,500
Absaroka Primitive Area	64,000
Beartooth Primitive Area	234,000

Total 294,000

**L. Resource values**

**Wilderness.**—Outstanding values. Has a variety of ecosystems, topographic features, opportunities for primitive and unconfined recreation, scenic values, research potentials, et cetera. Beartooth portion offers greater mountaineering challenges, contains Montana's highest peak—Granite Peak (12,799 feet), unpredictable weather, true glaciers, and alpine tundra. Absaroka portion is more easily traversed, more extensively forested, and has fewer lakes and larger big game populations.

**Timber.**—Very little commercial forest land in the Beartooth portion, most timber values lie in the Absaroka area. Data are:

	H.R. 1907	USDA proposal
Commercial forest land (acres)	112,000	110,000
Standing volume (million board feet)	1,084	1,050
Annual potential yield (million board feet)	10	9.7
Volume within Absaroka Primitive Area (million board feet)	382	382

Commercial timber is not a key value in the Wyoming high lakes area.

**Minerals.**—Known and potential mineral values are a key resource in and near the proposed wilderness. USGS and BM have identified the following seven areas with high or moderate potential:

Area No.	Name	Potential	Minerals
4	Anderson Creek	Moderate	Copper
7	Hawley Mountain-W. Boulder	do	Uranium and molybdenum
8	Natural Bridge-Stillwater complex	High	Gold, copper, nickel, platinum, and chromium
9	Boulder (Independence)	do	Gold, silver, lead, copper, and iron
10	Horseshoe Mountain	Moderate	Gold
11	New World (Cooke City)	High	Gold and copper
12	Hellroaring Plateau	Moderate	Chromite

	H.R. 1907	USDA proposal
Mining claims		
Patented claims	26	15
Unpatented claims	443	264
(Hawley Mountain-W. Boulder)	202	202

**Recreation.**—The proposed wilderness offers excellent opportunities for primitive and unconfined recreational pursuits. The Beartooth portion offers a hiker's paradise and limited horse use due to terrain features. The Absaroka portion offers greater horse use opportunities

tooth Wilderness

	Acres
-----	960,000
-----	886,500
-----	(913,500)
-----	64,000
-----	234,000

294,000  
 ety of ecosystems,  
 ve and unconfined  
 cetera. Beartooth  
 contains Montana's  
 redictable weather,  
 tion is more easily  
 ter lakes and larger

in the Beartooth  
 area. Data are:

	USDA proposal
H.R. 1907	
112,000	110,000
1,084	1,050
10	9.7
382	382

Wyoming high lakes

s are a key resource  
 BM have identified  
 potential:

m and molybdenum,  
 copper, nickel, platinum, and  
 mium,  
 silver, lead, copper, and iron.

H.R. 1907	USDA proposal
26	15
443	264
202	202

ellent opportunities  
 uts. The Beartooth  
 e use due to terrain  
 se use opportunities

and is well suited for backpackers. Fishing is abundant in the Bear-tooth's many lakes. Scenic values offer much to the photographer. Wilderness visits in 1976 were: Absaroka 16,000; Beartooth 103,400; visitor days.

**Wildlife and Fish.**—Absaroka portion has elk, deer, moose, Bighorn sheep, mountain goat, black and grizzly bear, and occasional buffalo from the park. There are three major streams and five lakes with trout fisheries. The Beartooth portion has lesser numbers of big game animals. Fishing is mostly limited to over 134 lakes as most streams have cold temperatures.

**Water.**—There are 10 major drainages with an estimated average annual water yield of 2 million acre-feet. Quality is generally very high.

**Forage.**—The Absaroka portion has been grazed by sheep for many years and numbers are now greatly reduced from the peak years. The primitive area portion has not been grazed since the 1930's. There is abundant recreational livestock feed. Much of the Beartooth portion has limited forage near lakes and streams. Much of the area is above timberline and supports little vegetation. The tundra plateaus are no longer grazed by domestic livestock. There is some sheep grazing in the Wyoming high lakes area.

**Cultural.**—The historic and archeological values are found in the total area. There is evidence of early man's use at 10,000 feet elevation and dating back 9,000 years. More recent American native occupancy is known as well as early day trappers and mountain men.

2. Management considerations

**Structures.**—There are maintained trails and about nine or ten cabin sites.

**Landownership.**—416 acres of private land (Frenchys Meadows) in Slough Creek and a few potential mining claims.

3. Public reaction

There is general public support for the proposal. The Governor of Montana recently endorsed it. Support from Wyoming for that portion is unknown at the present; there was Wyoming opposition in 1974.

Those opposing appear to be ORV users, mainly snowmobilers who want selected portions excluded and some that don't want the Boulder-Slough Creek corridor (potential road) options closed.

4. Boundary adjustments and exclusions proposed for 960,000 acres in H.R. 1907, section 2(a)(6)

The administration recommends that the following areas be deleted from the area proposed in H.R. 1907 in order to provide better access into the wilderness, to exclude private lands and nonwilderness uses, and to better fit the boundary to the terrain.

(1) **West Fork Stillwater River.**—(About 6,000 acres.) Active mining exploration in this portion of the Stillwater complex mineralized zone is underway. There are constructed roads and mining activities which are not compatible with the wilderness character of the larger area.

(2) **Red Lodge Creek Plateau.**—(About 5,000 acres.) The administration's proposal places the boundary along the breaks of the plateau for better boundary definition.

- (3) *Timberline-Basin Creek*.—(About 5,400 acres.) This area is to the south of the West Fork of Rock Creek on the east side of the proposed wilderness. The area receives recreational use by people from recreation residences, youth camps, and organization complexes located adjacent to the roaded West Fork of Rock Creek. The increasing use of nearby lakes and other attractions in this area will soon limit the opportunities for solitude and other wilderness values.
- (4) *Lake Fork*.—(About 1,080 acres.) The lower 2.5 miles of this highly scenic drainage has a one-way high standard trail system. It receives heavy use by hikers, trail cycles, and horse parties in summer and snowmobiles in winter. The area provides for recreational experience of a type not permitted in a wilderness.
- (5) *East Hellroaring Lakes*.—(About 3,600 acres.) The area contains five small lakes within 1 to 2 miles from a road providing access to Hellroaring Plateau. Horses and motorized vehicles will be precluded on designated hiker trails to the lakes. Present use, which will increase, is by families who wish to hike a short distance to fish and picnic at these high elevation lakes (10,000 feet). Most of the lakes in the Beartooth area will be within the proposed wilderness; these lakes will be available for use by nonwilderness visitors. The revised boundary takes advantage of the topography.
- (6) *Glacier Lake*.—This proposed exclusion of approximately 860 acres has a 12-foot concrete dam, about 150 feet long, used for irrigation purposes.
- (7) *Wyoming High Lakes*.—(About 4,700 acres.) The administration's proposal places the boundary on recognizable terrain features for better identification.
- (8) *Kersey Lake Area*.—(About 8,000 acres.) This area contains numerous lakes with easy trail access from the Beartooth Highway. Their popularity for fishing will soon limit the opportunities for solitude and other wilderness values.
- (9) *Goose Lake*.—About 1,900 acres are recommended for exclusion. This area is part of the New World (Cooke City) mining district and has a high potential for gold, copper, and other mineral values.
- (10) *Ash Mountain*.—(About 2,500 acres.) The administration's proposal places the boundary on recognizable topographic features for better identification.
- (11) *Davis Creek*.—(About 160 acres.) The proposed boundary is on the National Forest boundary in this area. The administration proposes two 80-acre exclusions on the north and south forks of Davis Creek for trailhead facilities within the Gallatin National Forest to reduce public use conflicts on adjacent private lands.
- (12) *Upper Boulder River*.—(About 10,800 acres.) Exclusion of this area from the wilderness facilitates better distribution of wilderness users by enabling motorized access to the divide between Boulder Creek and Slough Creek. This will be an important access point to the Beartooth Wilderness. This area also includes the Boulder (Independence) mining district with patented claims in the Independence Park area which have high potential for gold, silver, and lead.
- These exclusions total about 50,000 acres. Another 23,500 acres involve scattered, minor boundary changes for better boundary definition and management.

## TRAVEL

MARCH 7,

Mr.

The Com  
(H.R. 810)  
Code of 19  
without anPresent  
foundation  
ment or re  
ernment of  
ever, a limi  
to pay or r  
solely with  
existing ex  
foundation  
tion, or lak  
for certain  
tions as ap  
travel.Pres  
The Tax  
of 1954 a p  
acts betwee  
sons (refer  
series of ex  
manager v  
ing). Unde