

## ABSAROKA-BEARTOOTH WILDERNESS

JANUARY 31, (legislative day, JANUARY 30), 1978.—Ordered to be printed

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

### REPORT

[To accompany S. 1671]

The Committee on Energy and Natural Resources, to which 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 with amendments and recommends that the bill, as amended, do pass.

The amendments are as follows:

1. On page 1, lines 7 and 8, strike "date June 1977," and insert in lieu thereof "dated January 1978."
2. On page 2, line 2, strike "thirteen thousand five hundred" and insert in lieu thereof "and seven thousand two hundred".

#### PURPOSE

S. 1671, as amended, would designate approximately 907,200 acres within the Custer and Gallatin National Forests in the State of Montana as wilderness.

#### BACKGROUND AND NEED

The Absaroka-Beartooth Wilderness, located in the Custer and Gallatin National Forests of southern Montana comprises a major part of the remaining wild country in the Absaroka Range and the Beartooth Plateau. The proposed wilderness is a land of jewel-like lakes, clear cold streams and picturesque waterfalls. It is an area of glaciated timbered valleys and rugged summits. Granite Peak, at 12,799 feet in elevation on the Beartooth Plateau, is the highest point in Montana. The entire roadless tract is a major quality watershed for the Yellowstone River, one of America's finest blue-ribbon trout streams. With steep slopes and unstable soils, much of the area is easily disturbed by the works of man and is slow to heal.

Several years ago, the Forest Service identified the Absaroka and Beartooth Primitive Areas lying north and east of Yellowstone National Park. These two areas totaled some 64,000 and 230,000 acres respectively. After holding public hearings in 1974, the Forest Service formally proposed that the areas be unified and expanded into an Absaroka-Beartooth Wilderness Area of 542,000 acres. S. 1671, as introduced, expanded the acreage to approximately 913,500, by including the North Absaroka Range and several smaller adjoining fringe areas.

#### LEGISLATIVE HISTORY

S. 1671 was introduced by Senator Metcalf on June 10, 1977. On August 10, the Subcommittee on Parks and Recreation, jointly with the House Interior Subcommittee on Indian Affairs and Public Lands, held a field hearing on this proposal in Billings, Montana.

A hearing before the Subcommittee on Parks and Recreation was held in Washington on September 23, 1977. The administration has recommended that the legislation be enacted with several boundary modifications. Included in their proposal is the 41,800 High Lakes area in Wyoming which is not included in S. 1671 as ordered reported.

#### COMMITTEE RECOMMENDATION AND TABULATION OF VOTES

The Senate Committee on Energy and Natural Resources, in open business session on January 25, 1978, by unanimous vote of a quorum present recommends that the Senate pass S. 1671, if amended as described herein.

#### COMMITTEE AMENDMENTS

1. The first amendment adopted by the committee would change the map reference date.

2. The second amendment agreed to by the committee would change the total acreage figure of the proposed wilderness to reflect five deletions from and one addition to S. 1671, as introduced.

The following deletions were made:

(a) *North Fork of Deep Creek* (50 acres).—This exclusion would allow construction of trailhead facilities to reduce public use conflicts on adjacent private lands.

(b) *Independence Peak* (800 acres).—This exclusion leaves out all of the patented mining claims in the Independence Peak area plus adjacent areas thus allowing high elevation off-road-vehicle access to the edge of the wilderness.

(c) *Goose Lake Drainage* (150 acres).—This exclusion designed to place the boundary on more identifiable terrain features allows four-wheel drive access to within one-fourth mile of the lake while still protecting the fragile lake basin.

(d) *Kersey Lake* (1,400 acres).—This exclusion leaves out a 160-acre subdivision on the north shore of Kersey Lake as well as adjacent lands suitable for snowmobiling.

(e) *Timberline-Basin Creek* (4,500 acres).—This exclusion follows the recommendation of the administration while still protecting the

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The following addition was made:

*Woodbine Falls* (600 acres).—This addition will protect the spectacular Woodbine Falls, the longest waterfall in the northern Rockies and one of only three major falls in the entire wilderness proposal.

#### COST AND BUDGETARY CONSIDERATIONS

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. 1671, as amended, be enacted. S. 1671, as reported, does not authorize the expenditure of any funds.

Set forth below is the cost estimate prepared by the Congressional Budget Office on S. 1671 as reported by the Committee on Energy and Natural Resources:

CONGRESSIONAL BUDGET OFFICE,  
U.S. CONGRESS,  
*Washington, D.C., January 30, 1978.*

HON. HENRY M. JACKSON,  
*Chairman, Committee on Energy and Natural Resources,  
U.S. Senate, 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 Senate Committee on Energy and Natural Resources, January 25, 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 or the private property, and there are no plans to make these purchases at the current time.

This estimate supersedes the previous CBO estimate, dated January 26, 1978.

Sincerely,

ALICE M. RIVLIN, *Director.*

## REGULATORY IMPACT EVALUATION

S. 1671 is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and business. S. 1671 would designate 907,200 acres as wilderness in the State of Montana. No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy. Little, if any, additional paperwork would result from the enactment of S. 1671.

## EXECUTIVE COMMUNICATIONS

The pertinent legislative reports and communications received by the committee from the Department of Agriculture setting forth Executive agency recommendations relating to S. 1671 are set forth below:

DEPARTMENT OF AGRICULTURE,  
OFFICE OF THE SECRETARY,  
Washington, D.C., Oct. 28, 1977.

HON. HENRY M. JACKSON  
*Chairman, Committee on Energy and Natural Resources, U.S. Senate,  
Washington, D.C.*

DEAR MR. CHAIRMAN: As you requested, here is the report of the Department of Agriculture on S. 1671, a bill to designate the Absaroka-Beartooth Wilderness, Custer and Gallatin National Forests, in the State of Montana.

The Department of Agriculture recommends that S. 1671 be enacted with the boundary modifications suggested herein.

S. 1671 would designate as wilderness an area of approximately 913,500 acres in Montana to be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act (78 Stat. 890, 16 U.S.C. 1131).

S. 1671 encompasses an earlier administration recommendation for a Beartooth Wilderness of 542,437 acres transmitted to the Congress December 4, 1974. That proposal resulted from a Forest Service study of the Absaroka and the Beartooth Primitive Area in accordance with section 3(b) of the Wilderness Act (78 Stat. 891, 16 U.S.C. 1132), and contained 289,400 acres in the two primitive areas plus 253,037 acres of contiguous lands. The western most portion of the wilderness proposal in S. 1671 also includes a large, roadless and undeveloped area for which detailed minerals and other resource data were not available when the primitive areas were studied. Since then, a geological and minerals survey conducted by the U.S. Geological Survey and U.S. Bureau of Mines has been completed for the entire area proposed in S. 1671. Based on this and other resource information that has become available since 1974, we are in a position to fulfill President Carter's commitment, as stated in his May 23 Environmental Message, to recommend an enlarged proposal for a Beartooth Wilderness in Montana and Wyoming.

Specifically, we recommend a Beartooth Wilderness totaling 886,500 acres and consisting of most of the area proposed in S. 1671 plus the adjacent 41,800-acre High Lakes area in Wyoming. We believe certain areas should be deleted from the S. 1671 proposal in order to pro-

vide 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 and adjustments amounting to about 68,787 acres, and the additions in Wyoming are described in the enclosed supplemental statement. A map will be provided to the committee.

We recommend the area be named the Beartooth Wilderness to avoid confusion with the nearby North Absaroka Wilderness which lies to the south in Wyoming.

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

Sincerely,

JOHN C. WHITE,  
*Acting Secretary.*

Enclosure.

S. 1671, SUPPLEMENTAL STATEMENT SUMMARY OF  
USDA RECOMMENDATIONS

S. 1671—Proposed Absaroka-Beartooth Wilderness, 913,500 acres.

USDA—Proposed Beartooth Wilderness, 886,500 acres.

The Department of Agriculture strongly recommends the major portion of the area proposed in S. 1671 for wilderness designation. Resource values, with the exception of known or potential minerals, are small in relation to the wilderness values. A few trails constructed through solid rock or on steep hillsides by switchback, and some domestic sheep trailing damage are the only obvious marks of man. Most of the area offers outstanding opportunities for solitude and recreation. The rougher Beartooths require more physical stamina and mountaineering ability while the more gentle Absarokas require less mountaineering ability but are more interesting with respect to vegetative types and big game (grizzly, elk, deer, moose, sheep, and goats). Geologically, visitors can observe glacial activity and areas varying from Precambrian granite to those of volcanic origin. The alpine Tundra, a system of miniature shrubs and forbs with some plants over 200 years old, is one of several unusual ecosystems in the Beartooths. Landscapes vary from the high peaks and high plateaus, high lakes and basins, to the deep canyons and the more gentle midlopes, each with its own peculiar plant and animal associations.

The Department of Agriculture recommends the following modifications in S. 1671:

DELETIONS

1. *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.

2. *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.

3. *East Hellroaring Lakes*.—(About 3,600 acres.) The area contains five small lakes within 1 or 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 Bear-tooth 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.

4. *Glacier Lake*.—This proposed exclusion of approximately 860 acres has a 12-foot concrete dam, about 150 feet long, used for irrigation purposes.

5. *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.

6. *Upper Boulder River*.—(About 10,800 acres.) This excludes private land in the Independence Park area and 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 for hikers and horsemen. This excluded area contains the Boulder (Independence) mining district with patented claims in the Independence Park area which have high potential for gold, silver, and lead.

These exclusions plus other minor boundary adjustments made to take advantage of the terrain (see map) total about 68,787 acres.

#### ADDITION

We recommend the addition to the area proposed in S. 1671, of a 41,800-acre tract in northern Wyoming known as the Wyoming High Lakes. This High Lakes country has outstanding wilderness qualities. Minerals, wildlife, and range values are relatively minor. The landscape is essentially the same as the Beartooth area in Montana; it does not stop at the State line. The Beartooth highway from Billings and Red Lodge to Yellowstone National Park passes along the southern edge of this High Lakes country and provides excellent access to it.

#### RECOGNITION OF SPECIAL VALUES

In some parts of the overall area, certain other nonwilderness values also may be important. In the Sixmile-Cedar-Bassett Creek drainages, for example, vegetative manipulation to improve browse and habitat may be necessary to accommodate the native elk herd and those that migrate from the Yellowstone National Park area. If the State of Montana considered such activity to be necessary and wished to exclude these drainages from the proposed wilderness, the Department of Agriculture would have no objection.

In the Lower Boulder River-Hawley areas, there are moderate potentials for discovery of uranium and molybdenum resources and a

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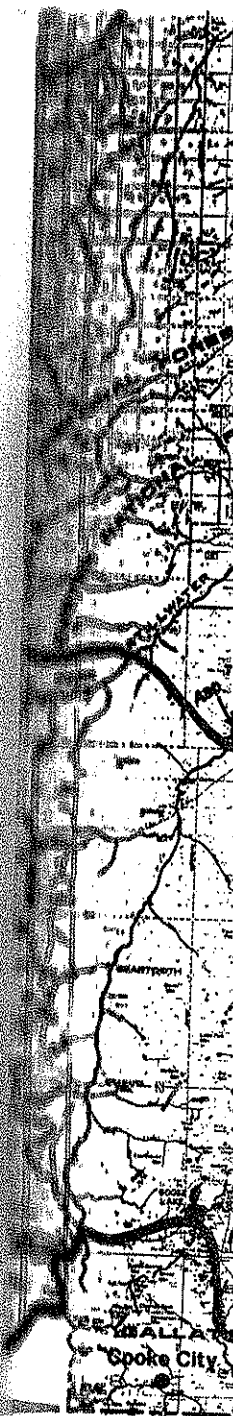
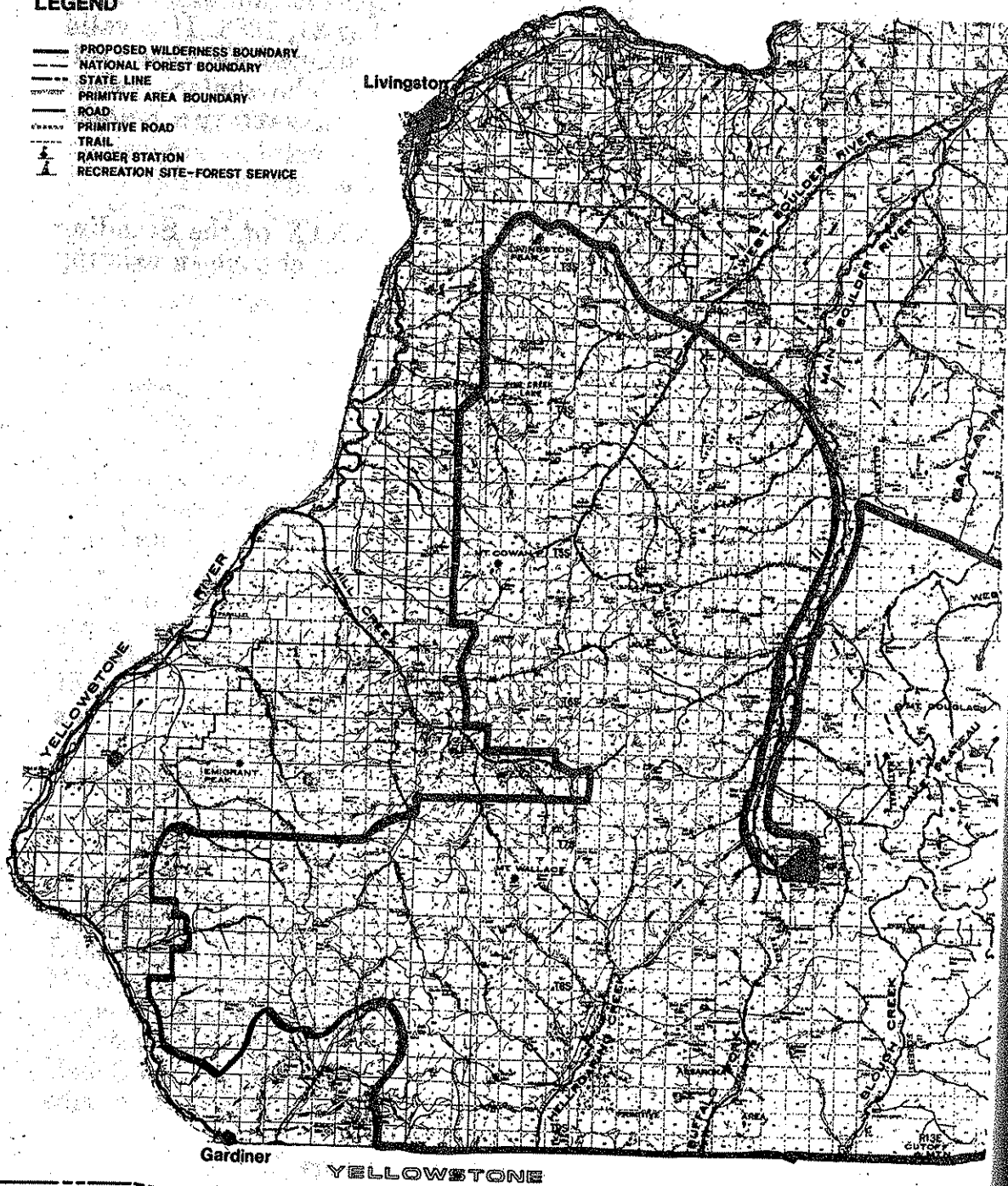
high potential for gold vein deposits. Under provisions of the Wilder- ness Act of 1964, however, the location, development, and exploration for these minerals may continue until December 31, 1983. If a valid claim is located, mining would be allowed to continue after that (ref- erence Wilderness Act of 1964, sec. 4(d)(3)). The surface values affected by such activities would be protected by Secretary's Regula- tions.

#### CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, the Committee notes that no change in existing law are made by the bill S. 1671 as reported.

LEGEND

- PROPOSED WILDERNESS BOUNDARY
- NATIONAL FOREST BOUNDARY
- STATE LINE
- PRIMITIVE AREA BOUNDARY
- ROAD
- PRIMITIVE ROAD
- TRAIL
- ⊙ RANGER STATION
- ⊙ RECREATION SITE-FOREST SERVICE



S.1671 BOUNDARY APPROVED BY SENATOR METCALF  
JANUARY, 1978 (913,200 ACRES)

DELETIONS

- W1 - NORTH PARK DEEP CREEK (90 ACRES)
- W2 - NORTH BEARHOLE BLIND-PROPOSED MINING CLAIMS (200 ACRES)
- W3 - GOOSE LAKE TEEP ROAD (160 ACRES)
- W4 - KASSY LAKE AREA (1000 ACRES)
- W5 - TURTLE CREEK (1500 ACRES)

ADDITION

- WOODSME FALLS (1000 ACRES)

PARK

**ABSAROKA BEARTOOTH WILDERNESS**

Montana · Wyoming MONTANA WILDERNESS ASSOCIATION & Cooperating Organizations

PROPOSED



DECEMBER 5, 1976

