

EAGLE POST 24

EAGLE POST - The newsletter of **Friends of Eagles Nest Wilderness**, apprising you of important activities in and around Eagles Nest, Holy Cross, and Ptarmigan Peak Wilderness Areas.

With this issue, we mark two years of our monthly newsletter. We welcome your feedback, including suggestions for future issues. More than anything, we would welcome your involvement in FENW.

Dear *|FNAME|*,



Kerry Donovan

Greetings!

March 2018: Colorado Senator Kerry Donovan writes about her famous grandfather, **Bill Mounsey** - *the father of Eagles Nest Wilderness*

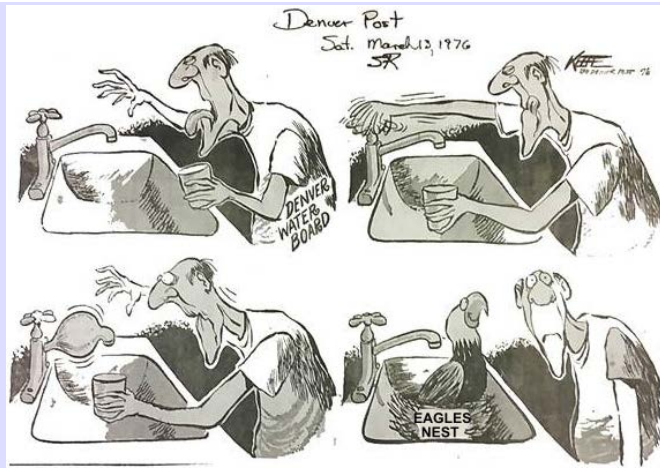


Bill Mounsey

INTRODUCTION: A lot of people worked for more than a decade in the 1960s and 70s to create Eagles Nest Wilderness, led in Congress by Senator Floyd Haskell and Representative Jim Johnson. But probably no one knew the terrain better, or could advocate more persuasively, more eloquently, or more passionately than *Bill Mounsey* ([1918 - 2012](#)), the subject of this month's newsletter. Read what he fought for, on our behalf.

It was a long haul struggle.

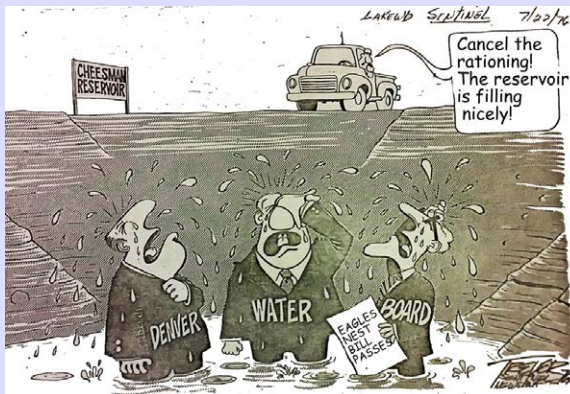
- First, CDOT wanted to punch I-70 up South Willow Creek and tunnel under Red-Buffalo Pass. That idea was squelched by Secretary of Agriculture Orville Freeman.
- Next, The Forest Service and President Nixon's administration pressed for a "Wilderness on the rocks" - mostly above tree line. This option lived a long life, right up to the days before final approval in 1976.
- Finally, the Denver Water Board (DWB) proposed an audacious plan to tap every creek in the Gores, and take the water to Denver. The Denver Post



editorialized vigorously on their behalf, but, as Maryann Gaug writes in her popular [book](#), "A court-appointed water referee ... ruled that the DWB had neither claims nor rights to the water." The DWB, however, kept on [fighting](#) to the end.

With overwhelming public support, President Ford [signed the bill](#) on July 10, 1976, although some cabinet members urged him to veto it.

Bill Mounsey testified at numerous hearings about wilderness areas. He was a co-



founder and President of the Colorado Open Space Council and its Wilderness Workshop (now Conservation Colorado), and supervised study teams on Eagles Nest and other Wilderness Areas, as well as hiking over (and eventually drawing) most of their proposed boundaries. Not surprisingly, he was recognized in Federal Court as an expert witness on wilderness

matters.

Take a look at some of [Bill's letters](#) from 1973 to get a near-first hand sense of the magnitude of the battle.

All this would seem to be enough for just about any person, but Bill Mounsey was so much more, as only someone like a grandchild can relate. Read Kerry Donovan's recollections below.

My Grandfather, Bill Mounsey

by Senator Kerry Donovan

It is hard to know where to start talking about my grandfather, William Bird Mounsey. His life is marked by one campfire story after another. He was Teddy Roosevelt Jr.'s Courier, was awarded a bronze star; worked in a missile silo; messed

around with the Monkey Wrench Gang; and went to Panama during the revolution, to name just a few stories.

But, I remember his writing. From my earliest memory of him, his handwriting is present. He was often jotting down a note about a bird we saw, or writing down a map coordinate.

Sometimes, I'd find him sitting, head in hand, at his desk sculpting his latest letter. He had handwriting that was elegant and sailed across pages and pages of yellow lined legal paper with a grace earned at a time when handwriting carried the weight of our communications. He thought about things deeply, wrote about them repeatedly, and used a thesaurus with skill. This resulted in ideas that were difficult to challenge, but I was always grateful that he invited me to learn how he arrived to them.

What I cherish most about those invitations was that he entertained working through basic queries, such as, "What caused Mesa Verde to be abandoned?" and, "Why do we have time?" He, being a man of the outdoors,



would often prompt me to ask him why we care about wilderness — complicated questions to ask for someone who was not yet old enough to even drive. I wonder now how he, an Army Major, patiently let a twelve year old debate and challenge his lifetime of thought and experience.

On a drive back from The Maze, after seeking the right angle to watch the Spring Equinox fall upon the canyon stone, I found myself riding shotgun in a Jeep with him. Under the cover of a desert-dark night, he began to recount the horrors of war. Although he had trained at Camp Hale, he had fought in World War 2 in the Pacific theater— now recognized as the site of some of the harshest fighting conditions of the war. Just this once, he spoke of watching the bullet he fired from his foxhole travel through another human.

He recounted hiding behind trees and listening for the breath of an enemy before he jumped out with a clenched knife. The enemy's recurring tactic of bringing an American soldier who had been captured within earshot of their camp at dawn coincided with the crows of the island roosters. He spoke of finding an empty tin can while on patrol, knowing that the enemy had camped there the night before, and what these memories meant to him decades later. He told me that it was difficult to separate a rooster's crow from the audible suffering of his fellow soldiers, and his helplessness to save their lives. Rusty cans in a field became equated with years of killing. He stopped talking, and we crossed back into Colorado.



He never spoke of these war experiences again.



Years later, we were discussing Wilderness, and he began to discuss another previously untouched topic. In the woods and the defined boundaries of wilderness, he knew what to expect. It was safe space for him. He knew the sounds of the wild, and could label each one a bird or beast. He knew the streams came from pure sources. What most people described as wild and untamed to him was familiar and comfortable. Wilderness came with a set of definitions and parameters that allowed him to let his guard down. He knew he would only find people on foot – enjoying a tranquil trail constructed by hooves. He

would wake-up to finches - not a rooster.

Wilderness, and his commitment to it, was an intricate issue for him. He thought about it, wrote about it, and challenged it. The south boundary of the Eagles Nest Wilderness was meant to battle the new interstate and let people stare into the trees from their cars. This was deliberate. The logging roads were included so people could see them reclaimed by the slow advancement of the front line of the pines. Wilderness, a place removed from the hand of man, was a place to recover from man-made war.

Today, the idea that veterans can find solace and recovery in the outdoors and in the wilderness is an idea with strong support. At the time that he was fighting for the establishment of the Wilderness Act, and then drawing the boundaries of Eagles Nest, this was an idea well ahead of its time. But, Bill knew he was on to something. He survived because of it.

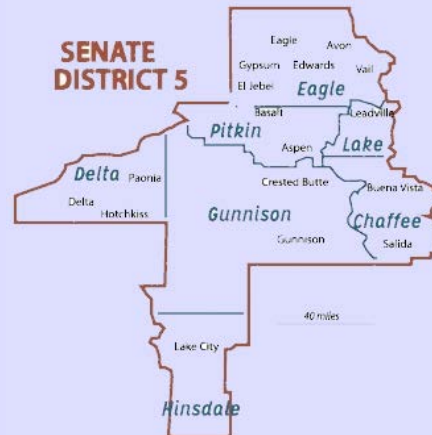
Wilderness is a quintessentially American idea. Public Lands are the embodiment of democracy - lands that belong to all regardless of where you came from, where you are, where you are going. And so, it is fitting, as we pass the 40th anniversary of the creation of Eagles Nest Wilderness (in 2016) and approach the 25th anniversary of FENW (in 2019) - that we continue to embrace the healing qualities of Wilderness that have existed far before our legal recognition and protection. And continue to

write about them.

About Kerry Donovan: A Colorado native, Kerry's roots go deep in Eagle County. Her parents were early arrivals in Vail, as was her grandfather, Bill Mounsey.

Kerry runs the family's Copper Bar ranch near Edwards. She raises Highland Cattle, produces vegetables for area restaurants, has a noisy flock of chickens, as well as horses and mules.

Kerry majored in anthropology at Notre Dame, then worked as a archeologist throughout the Rockies in cultural resource management, recently working for two local non-profits (Vail Valley Foundation and Minturn Community Fund). She served a term on the Vail Town Council, and in In 2015 was elected **Colorado State Senator**, representing District 5.



WE WANT YOU

CLICK to join FENW

Make a donation to FENW



Recent Newsletters ([ALL](#) newsletters)

- February: "[The Continental Divide Bill](#)" by Susie Kincade
- January: "[Meet FENW President Tim Drescher](#)" by Tim Drescher
- December: "[The Search for Powder](#)" by Joel Gratz
- November: "[The Cabin on Bighorn Creek](#)" by Andy

Make a difference!

Become a **Volunteer Wilderness Ranger** in 2018. [Details](#).

In 2017, more than 50 VWRs directly contacted more than 11,000 hikers. *Greet & teach!*

Volunteer - 2018 Trail projects:

- Gateways Trail Day – June 16 & 17
- National Trails Day – June 2
- East Vail Overnight – Aug
- Deluge Lake Trail with VOC – Sep
- Overnight registration box installation – TBD
- Lily Pad Lakes Plank Bridge Project – TBD
- Salt Lick Connector Trail with VOC – Aug 11-12
- Adopt-A-Trail on Deluge, potentially Bighorn – TBD
- FENW/Colorado Outward Bound, Piney Lake – Aug 2

Learn about trail work [here](#).

Join us! for our next

Planning Meeting

THURSDAY, March 8, 5:30 PM,
USFS Minturn & USFS Silverthorne
([MAP](#))

Details at www.fenw.org/

The 2018 FENW RETREAT

Looking ahead 1,2, and 5 years
Saturday, March 17, 1PM
Silverthorne

[Contact us](#) if you would like to participate or if you have suggestions or questions.

Walker

- October: "[Rename the Gore Range](#)" by Karn Stiegelmeier
 - September: "[The Battle for Our National Monuments](#)" by Julie Mach
 - August: "[Global Warming in the Gore Range](#)" by David Schimel
 - July: "[The Continental Divide Wilderness & Recreation Act](#)" by Josh Kuhn
 - June: "[The American Beaver: An Icon of the West](#)" by Elissa Slezak
 - May: "[Meet Wilderness Manager Mike Beach](#)" by Mike Beach
 - April: "[Future of Eagles Nest](#)" by April Phule
 - March: "[Managing High Use Areas in Wilderness](#)" by Kay Hopkins
-

CITY MARKET COMMUNITY REWARDS PROGRAM

Please [register](#) your City Market Value Card, linking it to FENW, which will send rebates to FENW without compromising your earned fuel points. Please note that each card holder may only sign up for one tax exempt organization. **THANKS!**



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We Ask This Question of Colorado's Congressional Delegation:

“Why do you want to saddle us with a \$680 million bill?”

To Colorado's Congressional Delegation:

In mid-May we said your actions would cost every water user in Denver and its surrounding Metro Area \$500 million over a 40-year period.

Our estimate was low — much too low.

A recently-completed independent engineering study (done by the engineering planning firm of Parsons Brinckerhoff, Quade & Douglas, Inc., of Denver) shows that the actual bill will be \$680 million!

And this is only the beginning.

Because who knows how much higher this \$680 million will climb out of sight under the unremitting pressures of inflation over the course of years?

And who will be stuck with this \$680 million pay-out?

The answer comes fast — practically all of us, including our children and their children.

We have sent you the results of our study. But so

far, we haven't had a response from you people in Washington.

We think we're entitled to the courtesy of an answer.

Isn't that what representative government is supposed to be all about?

Sincerely,

The Committee For Sensible Water Use

What This Fight Is All About.

The facts are clearly stated in the following excerpts from a recent Denver Post editorial:

“The public has seen numerous examples of legislation jammed through Congress without adequate study and Congressman Jim Johnson, R-Colo., now is defending yet another such bill... Johnson is author of a wilderness bill to set boundaries in the Gore Range west of Denver so

that Denver will have to pump its mountain water supply to the city...

“When you think about it, Johnson has performed a pretty remarkable feat, really — forcing Denver to pump water downhill from the mountains (underlining ours)....

“It is not done with mirrors but with wilderness boundaries. Johnson is also employing the passive support of most of the Colorado congressional delegation (underlining ours)....

“Instead of flowing by gravity into the Dillon Reservoir the water, as a result, will have to be pumped up several hundred feet into the reservoir...

“Johnson has shown an incredible lack of responsibility in not trying to figure out what the impact of this bill is going to be in the matter of pumping (underlining ours)....

“When the Water Board this week raised its estimate of pumping costs to \$680 million extra over 40 years, (underlining ours)... Johnson seemed insulted. He disputed the figure but gave no figure of his own.

“Just what will Denver water users (including the city and suburbs) have to pay because of the Johnson boundaries? ...

“Johnson doesn't seem to know at all.”

Gravity Costs Versus Pumping Costs.

One doesn't have to be an engineer to know that it's much cheaper to deliver water by bringing it downhill, rather than pumping it uphill.

Apparently this elementary fact hasn't made an impression on our Colorado congressional delegation.

Congresspersons Pat Schroeder, D-Denver, and Tim Wirth, D-2nd District, are supporting a U.S. Senate bill (introduced by Senator Floyd Haskell, D-Colo.) — a so-called “compromise” that would still require us to pump the water uphill.

The initial cost of this Schroeder-Wirth supported Senate bill: a mere \$368 million extra!

(Added note: Under the \$680 million Johnson bill, the electricity needed to power the pumping stations will cost an added \$2.9 million annually, enough power to serve a city of 250,000. The Schroeder-Wirth supported Haskell bill will cost an added \$1,000,000 a year in utility costs.)

Why are they trying to force us water users throughout the entire Metro Area to pay the astronomical costs in building unneeded, wasteful pumping stations that will consume short-in-supply electric power, plus saddling us with additional millions each year in utility bills that also must come out of our pockets?

Why are they against the much less expensive,

common sense plan to deliver this water by simply letting it flow downhill through buried pipes?

Could it be they don't care how much and how long we pay, as long as they satisfy the demands of the politically-powerful “no growth” advocates?

(A Challenge: We are willing to debate this critical water-economics issue with the Colorado Congressional Delegation in a public forum at any time and at any place!)

What Is Their Motive?

We believe Schroeder-Wirth-Johnson-Haskell want to make it so expensive that the Water Board simply couldn't afford to deliver the water lawfully

owns from the Eagles Nest area.

We further believe this is an attempt on their part to restrict the inevitable orderly growth of the Eastern Slope.

What they conveniently forget is that:

Without water, jobs dry up.

Without water, our Metro Area stagnates.

Without water, the economy of our entire region suffers.

Without water, we have no future.

A SPECIAL THANK YOU!

Thanks to the hundreds who responded to our May advertisement, asking that their names be added to our Committee. And an additional “thank you” for the many, many generous contributions — the vast majority received in \$2, \$5, and \$10 checks — to help us in this crucial fight!

Let's stop them before it's too late!

- Count me in. I want to join in the fight against this raid on our pocketbooks.
- Add my name to your committee
 - Send me more information
 - Enclosed is my check to the Committee For Sensible Water Use (CFSWU)* to help stop this wasteful Washington spending legislation.

Name _____

Address _____

(Zip) _____

Phone _____

COUDON AND CHECKS SHOULD BE MADE TO:

COMMITTEE FOR SENSIBLE WATER USE

Room 100

301 University Boulevard

Denver, Colorado 80202

PH: (303) 395-0265

*Checks can be made out to “CFSWU”

Committee for Sensible Water Use.

CO-CHAIRMEN:
Leonard Campbell, Denver; Robert J. Flynn, Arapahoe County
Maurice James J. Mahay, Larimer; Mervyn Anthony E. Mahay, Thornton

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Richard L. Geylthanger, Thornton

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State Sen. Robert E. Johnson, Golden

Harold E. Moore, Denver

John O. Dea, Denver

C. W. Nelson, Lakewood

Pete Smyth, Arapahoe County

Denise L. Sutton, Denver

Thank you!

(The Committee for Sensible Water Use is an independent, nonprofit, nonpartisan, Metro Area organization dedicated to preventing and deterring the water waste of Eastern Slope residents.)

7/12/76

APPROVED
JUL 12 1976

ACTION

THE WHITE HOUSE

WASHINGTON

Last Day: July 12

July 10, 1976

MEMORANDUM FOR THE PRESIDENT
FROM: JIM CANNON
SUBJECT: S. 268 - Eagles Nest Wilderness, Colorado

Attached for your consideration is S. 268, which would establish the Eagles Nest Wilderness comprising 133,910 acres in Colorado.

BACKGROUND

Under the previous Administration, an Eagles Nest Wilderness was proposed for an 87,775 acre area. The current bill increases that area by 46,000.

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

The Department of Agriculture opposes the bill because the additional acreage does not conform to Wilderness characteristics. OMB concurs with Agriculture, and feels that a veto of S. 268, along with H.R. 7992 - is called for on the merits as well as on the grounds that the Administration must take a stand for its own proposals.

The Congress approved this bill overwhelmingly (388-13 in the House and unanimous voice vote in the Senate). Governor Lamm supports the bill, as did his predecessors John Love and John Vanderhoff. The bill was sponsored by Representative Jim Johnson and Senator Haskell and is considered to be a popular bill in Colorado. Some opposition to the bill centers around concern for taking over a planned reservoir site for the Denver water supply (see Jack Marsh's memorandum to you at Tab B)

RECOMMENDATIONS

Agriculture, OMB, and Max Friedersdorf recommend disapproval of S. 268. Max feels, however, that a veto is unsustainable.

Jack Marsh, Counsel's Office (Lazarus) and I recommend approval of S. 268. As you are considering major initiatives

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7/12/76

Archives
7/13/76



in the parks and open space areas, it would appear inconsistent to announce an unprecedented veto on a wilderness bill.

DECISION

Sign S. 268 at Tab C.
(Marsh, Counsel's Office, Cannon)

Approve 9/27 Disapprove _____

Disapprove S. 268.
(Agriculture, OMB, Max Friedersdorf)

Approve _____ Disapprove _____

OMB has prepared a combined veto message in the event that you veto both S. 268 and H.R. 7992, the Alpine Lakes Management Act of 1976. (Tab D). The message has been approved by Doug Smith.

OMB is presently preparing separate veto messages should you decide to veto only one of these two bills. These messages will be submitted for your consideration Monday.

THE WHITE HOUSE

WASHINGTON

July 9, 1976

MEMORANDUM FOR: THE PRESIDENT

FROM: JACK MARSH 

Former Congressman Byron Rogers, who represented a Colorado District, called to urge that you veto S. 268, a wilderness bill in Colorado.

He states that the Department of Agriculture had approved a 87,000 acre wilderness proposal, but the bill before you contains in excess of 130,000 acres.

Rogers says this causes a problem because it interferes with certain State and county water rights. He further advises there is substantial county leadership against this enlarged bill and that communications from local government officials have either been received by the White House or will be received shortly.

From the way Rogers talked, apparently the opposition centers on the substantial increase of the wilderness area.

cc: Dick Cheney
Max Friedersdorf
Jim Lynn
Jim Connor



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

July 2, 1976

Mr. James T. Lynn, Director
Office of Management and Budget
Executive Office Building
Washington, D.C. 20503

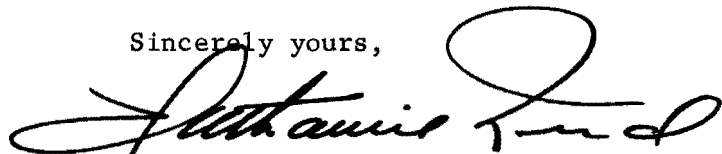
Dear Mr. Lynn:

This responds to your request for our views on the enrolled bill S. 268, "To designate the Eagles Nest Wilderness, Arapaho and White River National Forests, in the State of Colorado."

We defer to the views of the Department of Agriculture as to the advisability of the President approving the enrolled bill.

S. 268 would designate approximately 128,084 acres of the Arapaho and White River National Forests in north central Colorado as the Eagles Nest Wilderness. Since this Department has not previously been requested by the Congress to report on S. 268 and since the designated wilderness area is located entirely on Forest Service land and will be managed by the Forest Service, we defer to the views of the Department of Agriculture on the question of whether the President should approve the enrolled bill.

Sincerely yours,


Assistant Secretary of the Interior



THE WHITE HOUSE

WASHINGTON

July 9, 1976

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cc: Dick Cheney
✓ Max Friedersdorf
Jim Lynn
Jim Connor

DESIGNATING THE EAGLES NEST WILDERNESS, ARAP-
AHO AND WHITE RIVER NATIONAL FORESTS, STATE
OF COLORADO

JUNE 28, 1976.—Ordered to be printed

Mr. MELCHER, from the committee of conference,
submitted the following

CONFERENCE REPORT

[To accompany S. 268]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 268) to designate the Eagles Nest Wilderness, Arapaho and White River National Forests, in the State of Colorado, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with amendments as follows:

(1) On page 1, line 6, strike out "May 1973" and insert in lieu thereof "June 1976".

(2) On page 1, lines 11 and 12, strike out "one hundred and thirty six thousand seven hundred and fifty" and insert in lieu thereof "one hundred thirty-three thousand nine hundred ten".

(3) On page 2, lines 2 and 3, strike out "Interior and Insular Affairs Committees" and insert in lieu thereof "Committees on Interior and Insular Affairs".

(4) On page 2, line 4, between "such" and "description" insert "map and".

(5) On page 2, line 7, strike out "legal description and map" and insert in lieu thereof "map and description".

And the House agree to the same.

JOHN MELCHER,
PHILLIP BURTON,
LLOYD MEEDS,
GOODLOE E. BYRON,
JIM SANTINI,
PAUL E. TSONGAS,
JAMES WEAVER,
SAM STEIGER,
DON H. CLAUSEN,
JAMES P. JOHNSON,

Managers on the Part of the House.

HENRY M. JACKSON,
LEE METCALF,
FLOYD HASKELL,
JAMES ABOUREZK,
MARK O. HATFIELD,
JAMES A. McCLURE,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE CONFERENCE COMMITTEE

The managers on the part of the Senate and the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 268) to designate the Eagles Nest Wilderness, Arapaho and White River National Forests, in the State of Colorado, submit the following joint statement to the Senate and to the House in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

The House amendment to the text of the bill struck out all of the Senate bill after the enacting clause and inserted a substitute text.

The Senate recedes from its disagreement to the amendment of the House with amendments thereto.

The differences between the Senate bill, the House amendment, and the amendments to the House amendment agreed to by the conference committee, are discussed below.

THE WILDERNESS

All three proposals—the Senate bill, the House amendment, and the amendments to the House amendment agreed to by the conferees (the "conference committees amendments")—would designate as a component of the National Wilderness Preservation System the Eagles Nest Wilderness in the Arapaho and White River National Forests in the State of Colorado.

This area was first set aside as the Gore Range-Eagles Nest Primitive Area by administrative action on June 19, 1932. Subsection 3(b) of the Wilderness Act of 1964 (78 Stat. 890, 891) directed the Secretary of Agriculture to study all primitive areas to determine their suitability to be components of the National Wilderness Preservation System established by that Act. The study of the Gore Range-Eagles Nest Primitive Area was completed in 1971 and, on February 8, 1972, the President submitted to the Congress an 87,755 acre Eagles Nest Wilderness proposal.

Both the Senate bill and the House amendment would abolish the classification of the Gore River-Eagles Nest Primitive Area and establish a wilderness larger than that proposed to the Congress in 1972: the Senate bill's proposed wilderness contains 130,080 acres;¹ whereas the House amendment would designate a 136,750 acre wilderness. The 6,670 acre difference between the Senate bill and House amendment results from boundary differences in eleven areas.

¹This and all other figures concerning the Senate bill and House amendment are updated figures which were supplied to the conference committee by the Forest Service. The figures contained in Senate report (94-172) will differ from these corrected figures. Any acreage figures, however, are only estimated. Therefore in the conference committee amendments, as in all wilderness legislation, legal force is given only to the map and the legal description of the wilderness area prepared by the Forest Service after enactment.

The conference committee amendments provide for the designation of a 133,910 acre wilderness. Of the eleven areas in which the boundaries of the wildernesses to be designated by the Senate bill and the House amendment differ, the conference committee chose to adopt the boundary proposed by the Senate bill in nine areas and the boundary proposed by the House amendment in two areas. The conferees also agreed not to insert in the conference amendments a management provision included in the Senate bill but absent from the House amendment. The conferees' actions are discussed below.

RESOLUTION OF BOUNDARY DIFFERENCES

The eleven areas in which the Senate bill and the House amendment propose differing wilderness boundaries are set out below, together with a description of the action taken in each case by the conferees and the reason therefor.

1. *Cataract Lake*

The House amendment to the Senate bill would add 160 acres on the northeastern shore of Cataract Lake on the northern boundary of the proposed wilderness. The conferees agreed to maintain the Senate bill's boundary. This boundary would exclude from the wilderness the following non-conforming uses associated with a Forest Service campground: two cabins valued at \$60,000, a single lane dirt road with drainage structures, an 18 car parking lot, two residences, a primitive toilet, a horse unloading ramp, a boat ramp, and 6 unit campground which includes a water system constructed at a cost of \$135,000. The lake would remain in the wilderness so as to exclude motor boat use and limit access to most of the shoreline to non-motorized means.

2. *Black Lake*

The House amendment to the Senate bill added 570 acres around Black Lake on the northeastern boundary of the proposed wilderness. The conferees agreed to maintain the Senate bill's boundary. This boundary would exclude from the wilderness approximately 520 acres of private land involving significant developments, including a resort, outbuildings and cabins, a boat dock, and a road of sedan standard.

3. *Slate Creek*

The House amendment to the Senate bill would add 170 acres along Slate Creek on the eastern boundary of the proposed wilderness. The conferees agreed to maintain the Senate bill's boundary. This boundary would exclude from the wilderness approximately 162 acres of private land and a road.

4. *Harrigan and Boulder Creeks*

The House amendment to the Senate bill would delete 450 acres in the area of Harrigan and Boulder Creeks along the eastern boundary of the proposed wilderness. The conferees accepted the House amendment's boundary which is drawn on topographical features and not section lines and, therefor, would be more manageable.

5. *South Rock Creek*

The House amendment to the Senate bill would add 85 acres in the area of South Rock Creek on the edge of the eastern boundary of the proposed wilderness. The conferees agreed to maintain the Senate bill's boundary. This boundary would exclude from the wilderness a collection ditch for irrigation purposes. According to the Forest Service, this ditch is under permit to the Maryland Creek Ranch, has been reconstructed within the last seven years, and requires periodic maintenance with a bulldozer and backhoe.

6. *Maryland Creek*

The House amendment to the Senate bill would add 640 acres in the area of Maryland Creek on the eastern boundary of the proposed wilderness. The conferees agreed to maintain the Senate bill's boundary. This boundary would exclude from the wilderness land at an elevation which would permit the Board of Water Commissioners of the City and County of Denver (the "Denver Water Board") to construct approximately half of the 40 mile gravity flow conduit it had originally proposed for its East Gore Collection System. This System would, if constructed, divert 70,000 acre feet of water produced in the wilderness into Dillon Reservoir. From the Reservoir the water would be transported under the Continental Divide through the Roberts Tunnel for municipal use by Denver and other front range municipalities. The gravity flow conduit is the facility through which the water would flow from the diversion points to Dillon. Under the House amendment, the Water Board would have to interrupt the gravity flow system and construct pumping facilities to transport the East Gore Collection System water from the northern boundary to the southern boundary of the Maryland Creek area. The conference committee amendments would permit the construction and operation of an uninterrupted conduit in this area.

7. *Ryan Gulch*

The House amendment to the Senate bill would add 470 acres in the Ryan Gulch area on the eastern boundary of the proposed wilderness. The conferees agreed to maintain the Senate bill's boundary. The reason is set forth in 8. below.

8. *Lilly Pad Lake*

The House amendment to the Senate bill would add 175 acres in the area around Lilly Pad Lake on the eastern boundary of the proposed wilderness. The conferees agreed to maintain the Senate bill's boundary. This boundary and the Senate bill's boundary in the Ryan Gulch area were originally requested by officials of Summit County. These boundaries would draw the wilderness back from populated areas of private land. They would permit the establishment of a more manageable boundary from the standpoints of both protecting the wilderness and providing proper public services (e.g. police and fire protection) to the residential property.

9. Frisco area

The House amendment to the Senate bill would add 30 acres to the proposed wilderness on the eastern boundary thereof near the town of Frisco. The conferees agreed to maintain the Senate bill's boundary. This boundary would exclude from the wilderness the site of the eastern portal of the eight mile Vail tunnel which the Denver Water Board proposes to construct under the wilderness as part of the Eagle-Piney Collection System. This System, if constructed, would collect 100,000 acre feet of water from the Eagle River and Piney River drainages (70,000 acre feet of which is produced in the wilderness) to the west and south of the wilderness and transport the water through the Vail tunnel under the wilderness to the Dillon Reservoir on the eastern side of the wilderness. The Denver Water Board has also designed a second 100,000 acre foot collection system—the Eagle-Colorado—which would also use the Vail tunnel. The total of 200,000 acre feet would then be transported in the same manner and for the same purpose as contemplated for the water of the East Gore Collection System as described in 6. above.

10. Corral Creek

The House amendment to the Senate bill would add 510 acres in the Corral Creek area on the southwestern boundary of the proposed wilderness. The conferees agreed to maintain the Senate boundary. This boundary would exclude from the wilderness an area which was timbered in the late 1940's and early 1950's. Several other areas in the southern portion of the proposed wilderness also were timbered; however, most of the cuts were made in the 1920's and early 1930's using horsepower which minimized the impact on the areas. These areas are reverting to their natural state and already do possess the requisite wilderness characteristics. The conferees agreed that the wilderness values of the Corral Creek area were diminished not only by the more recent timber cutting but also by the area's proximity to, and potential sight and sound intrusion of, Inter-state 70 which runs parallel to, and less than a mile west of, the House amendment's boundary.

11. Booth, Pitkin, Bighorn, and Main Gore Creeks

The House amendment to the Senate bill would add 3590 acres in the drainages of Booth, Pitkin, Bighorn, and Main Gore Creeks on the western boundary of the proposed wilderness. The conferees chose the House amendment's boundary with one small change. This change would exclude from the wilderness approximately 30 acres along Booth Creek. On this site, the Vail Water and Sanitation District owns and operates, under Forest Service permit, a 2.5 million gallon per day raw water treatment plant and a 1.5 million gallon treated water reservoir.

The remaining 3560 acres which would be made part of the wilderness by the conference committee amendments contain the diversion points for an annual volume of 28,000 acre feet, or 28%, of the water to be collected by the Eagle-Piney Collection System and the site of the western portal to the Vail tunnel. The conferees recognized that

inclusion of this area would require the re-establishment of proposed diversion points downstream from their existing sites, a redesigning of the Eagle-Piney Collection System, and a potential increase in construction and operating costs due to, among other things, the necessity of substituting higher cost pumping facilities for the planned gravity-flow facilities. The conferees were mindful, however, of the truly significant wilderness values of this area. In particular, the Colorado Division of Wildlife has testified that the area provides critical wildlife habitat; most importantly, it serves as a winter range and lambing area for the Gore Range bighorn sheep herd.

THE MANAGEMENT PROVISION

The Senate bill contains a management provision (section 4) which is absent from the House amendment. This provision addresses the issue of the authority of the Secretary of Agriculture to authorize, subject to whatever regulations he believes to be necessary, the construction and operation of the Vail tunnel under the wilderness. The purpose of the provision is to insure that the Senate bill could not be construed as altering the Secretary's authority under the Wilderness Act; in short, it was to maintain neutrality as to the scope of that authority. The history of this issue is discussed in the Senate report (report No. 94-172). The Senate conferees agreed not to include the provision in the conference committee amendments with the understanding that the joint explanatory statement make it clear it is not the intent of the conferees in omitting this provision to either enlarge or diminish the authority of the Secretary to permit the construction and operation of the tunnel.

CONFERENCE COMMITTEE AMENDMENTS

The specific conference committee amendments to the House amendment to the Senate bill are as follows:

1. The map reference in the House amendment is changed so as to reflect the conferees' decision to follow the Senate bill's boundary in nine areas, and the House amendments' boundary in two areas, where the boundaries of the Senate bill and the House amendment differ. The map reference change is made by altering the date of the map from May 1973 to June 1976.

2. As a result of the decisions on boundaries, the conference committee amendments would establish a wilderness the area of which would be 2,840 acres less than the 136,750-acre wilderness to be designated by the House amendment and 3,110 acres more than the 130,800-acre wilderness to be designated by the Senate bill. Accordingly, the acreage given in the House amendment must be altered by deleting the figure of 136,750 and inserting the figure of 133,910.

3. The conference committee amendments include a technical change to provide the proper title of the committees of Congress with which the wilderness map and legal description are to be filed by the Secretary of Agriculture after enactment of the legislation.

4. and 5. Two other technical changes agreed to by the conferees and included in the conference committee amendment would make the references to the wilderness map and legal description identical to those in the Senate bill. The House amendment has an inadvertent omission of one such reference.

JOHN MELCHER,
 PHILLIP BURTON,
 LLOYD MEEDS,
 GOODLOE E. BYRON,
 JIM SANTINI,
 PAUL E. TSONGAS,
 JAMES WEAVER,
 SAM STEIGER,
 DON H. CLAUSEN,
 JAMES P. JOHNSON,

Managers on the Part of the House.

HENRY M. JACKSON,
 LEE METCALF,
 FLOYD HASKELL,
 JAMES ABOUREZK,
 MARK O. HATFIELD,
 JAMES A. McCLURE,

Managers on the Part of the Senate.

○

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 the Eagles Nest Wilderness, Arapaho and White River National Forests, in the State of Colorado.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with subsection 3(b) of the Wilderness Act (78 Stat. 891; 16 U.S.C. 1132(b)), the area classified as the Gore Range-Eagles Nest Primitive Area, with the proposed additions thereto and deletions therefrom, as generally depicted on a map entitled "Eagles Nest Wilderness—Proposed", dated June 1976, which is on file and available for public inspection in the office of the Chief, Forest Service, Department of Agriculture, is hereby designated as the "Eagles Nest Wilderness" within and as part of the Arapaho and White River National Forests comprising an area of approximately one hundred thirty-three thousand nine hundred ten acres.

SEC. 2. As soon as practicable after this Act takes effect, the Secretary of Agriculture shall file a map and a legal description of the Eagles Nest Wilderness with the Committees on Interior and Insular Affairs 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 map and description may be made.

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

SEC. 4. The previous classification of the Gore Range-Eagles Nest Primitive Area is hereby abolished.

Speaker of the House of Representatives.

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

FOUR LETTERS written by Bill Mounsey in 1973 and '74, at the height of the battle in Congress over passage of the Eagles Nest Wilderness bill. Some of their most important contents are summarized below. The actual letters follow the summary.

Letter 1. 9/19/73 - To Senate Committee (pp 2-3): Mounsey extolls the virtues of the area. Regarding the Piney Meadows, he describes the relative easy access "for use by beginners. These meadows are unusual, virtually unique, ... including river, lake, fishing wildlife, many excellent campsites, routes into higher country, and a sense of remoteness with easy access.... They are the epitome of the gentle wilderness." He goes on to describe the wildlife, the avalanche-free winter opportunities, and the superb habitat.

Letter 2. 10/10/73 - To The Denver Post (pp 4-6): The Denver Post favored the "on the rocks" boundaries - 87K acres, essentially all above timberline, so that the Denver Water Board would have easy access to all of the streams in the Gore Range. Mounsey argues that Denver could still get the water with the more generous boundary (130K acres).

Letter 3. 11/8/73: To the House Committee (pp 7-9): Mounsey argues for the larger boundary: "The area that has traditionally been used as wilderness, and is so used today, is considerably larger [than 87K acres]. It included the wooded slopes.. and the wild valleys that serve as access routes to the rocky, rugged interior." The Forest Service, he says, is too stringent in determining wilderness quality lands. "From the hundreds of people I have led through the Eagles Nest Wilderness, I get a different feeling.... The wilderness visitor does not worry about old wagon roads, rotting left from horsepowered logging operations of seventy-five years ago, and other vestiges of man's past use."

Letter 4. 7/25/74 - House committee letter (pp 10-12): Mounsey is furious that the Forest Service has been so cavalier in drawing the proposed boundaries. There were "no aerial photographs, topographical maps, or other visual or documentary information available to the Regional Office to substantiate the Forest Service documentation on the maps or in the written comments. I was told that the Forest Service had done the best that it could..."

"To me, it is almost unbelievable that the U.S. Forest Service which has had this land under its administration for three-quarters of a century, and has studied this land for possible wilderness designation for at least ten years, would either know so little about the land, or be so careless as to inadvertently submit to members of Congress inaccurate maps and statements which ultimately will affect Congressional decisions." He then said he was headed out himself to examine the most important areas. "I deplore the necessity of a private citizen having to use his own time and finances to correct errors made by and agency that often represents itself as the final authority on all forest and wilderness matters."

September 19, 1973

C-11

Steven P. Quarles, Special Counsel
Senate Committee on Interior and
Insular Affairs
3106 New Senate Office Building
Washington, D.C. 20510

Dear Steve:

Following your call last week, I talked to a number of people who know Piney Lake and the upstream meadows well. All feelings expressed are emphatic for the retention of this area for wilderness use and inclusion in the proposed Eagles Nest Wilderness.

The superb scenic qualities of the natural area are mentioned most often. This feeling applies not only to the view as seen from Piney Lake and while walking, horseback riding or camping in the meadows, but also to the view as seen from the ridges on both sides and from the high country at the bend of the valley where the green meadows, and often the lake, are frequently in view from the popular climbing routes to Mt. Powell and from the trail up the Piney River.

The proposed reservoir would scenically affect some 3,800 acres. To be able to permanently stabilize the wilderness qualities at a cost of about \$2,600 per acre does not seem excessive.

Most people emphasized the opportunities provided by the Piney River meadows for use by beginners, families with small children and older visitors who all seek a gentle wilderness experience. These meadows are unusual, virtually unique, in Colorado wilderness in including river, lake, fishing, wildlife, many excellent campsites, routes into higher country, and a sense of remoteness with easy access from a road, all in an extensive, spectacular area. They are the epitome of the gentle wilderness.

Many other qualities of the area are recognized. The willow growth along the river ~~meadows~~ ^{meadows} above the lake harbor a varied bird population of significant size. Resident waterfowl suffer from habitat loss throughout this part of the Colorado mountains-- at the Copper Mountain Ski Area development, for example. Secluded natural wetlands are the last refuge and breeding areas for these threatened species.

Mr. Steven Quarles
Page 2

September 19, 1973

Whitecrowned sparrow nesting sites are so limited in Colorado that a special small refuge has been established for them on the east side of the Eagles Nest area. Observed nesting activity in the Piney River meadows indicates greater use of this area than of the east slope area.

Brook trout fishing in the meadows and beaver ponds provides excellent sport, especially for youngsters gaining the experience necessary for success in more demanding waters.

The beaver population utilizes the willow and aspen for food and dam building with the result that significant quantities of water are held throughout the summer and fall helping to maintain the natural level of Piney Lake and providing habitat for waterfowl and fish.

In winter, the avalanche-free meadows and side-ridge trails are increasingly in use for wilderness ski touring--a use that would be impaired and degraded by a reservoir.

I'm enclosing nine slides with an explanation of them that I believe may indicate much better than the above summary what people see in the Piney River meadows. Please use them, safeguard them, and return them to me when you are finished.

Cordially,

William B. Mounsey
Wilderness Consultant

Enclosures

Route 4, Box 642
Evergreen, CO 80439

October 10, 1973

The Editor
Denver Post
650 15th Street
Denver, Colorado

Dear Sir:

It is unfortunate that the Denver Post, with excellent writers on its staff who are very knowledgeable of the facts involved in the Eagles Nest Wilderness issue, would prepare and print the misleading editorial which appeared in Perspective, Sunday, October 7. Editorials are expressions of opinion, and the critical reader expects at least some degree of bias to be evident. However, the public does deserve a high degree of accuracy from the press.

The concept of a legally established Wilderness System did not win easy approval. It evolved over a period of at least thirty-five years. Approval of individual Wilderness Areas does not come easily. Flat Tops Wilderness proposals are still hanging fire six years after the initial hearing. The current Eagles Nest proposals follow the formal Forest Service hearing by three years. The hard and important questions have been asked and answered many times.

The U. S. Forest Service recommendation for a small Eagles Nest Wilderness along the central spine of the Gore Range is based on the agency's concept of wilderness that poses no conflict with any other proposed uses, not on what wilderness users consider as wilderness. Environmentalists, to use the editorial term, take a broader view. They have included slopes and valleys now being used as wilderness, but have not gone into privately-owned lands as stated in the editorial. Only a few small, isolated private inholdings are included within the boundary of S. 1864 at this date, and this is clearly authorized in the Wilderness Act.

Conservationists have not drawn lines to prevent the Denver Water Board from developing whatever rights it may have. The suspicion that they did this is unfounded. No wilderness boundary would accomplish that end; water is not sealed within wilderness. It is free to flow naturally to downstream users who do not lose their water rights by the establishment

(on)

of wilderness, and who may dam and divert those waters under state law. The provision of the Wilderness Act that the President may authorize water developments within wilderness areas is one of the far-sighted aspects of the law. It is realistic that if it is in the public interest at some time in the future to intrude on the wilderness, then this may be authorized without resorting to the deliberate actions of Congress, and without declassifying the surrounding protected lands. The charge of geopolitics is unfounded. The example used, Gore Creek campground, is not within the conservationists' proposal, nor within the boundary of Senate Bill S. 1864.

The statement attributed to Senator Haskell, that the Denver Water Board could recover 93 per cent of the water with the proposed Eagles Nest Wilderness boundary may be in error. In fact, there is no reason why the Board cannot use 100% of the water to which it may have rights. Elimination of the Piney Reservoir does not prevent the Board from installing a larger aquaduct at its Piney Lake property to catch the spring run-off, or from diverting the water at a lower point on the streamflow. Neither does the proposed eastern wilderness boundary negate the Board's rights. It merely requires an adjustment of plans.

The argument that Congress would owe Denver \$42 million if the proposed boundary is established is specious. Equally fallacious would be an argument that if the Forest Service boundary, rather than the conservationists' boundary, is established, eliminating 38,000 acres of wilderness, with undeveloped land in the Dillon-Vail area selling for at least \$2,000 per acre, Denver will owe the people of the United States \$76 million.

The eastern boundary was arrived at earnestly after years of study and accepted enthusiastically at the public hearing three years ago. There has been no embroidering of new wilderness on old, rather there has already been compromise on the part of the conservationists. Thousands of acres of National Forest land presently used as wilderness are not included within the boundary. The boundary does, in places, coincide with the boundary of the public lands, not to bring wilderness to the edge of private property, but to protect the wilderness resource that now exists. The key to the boundary line which seems to the editorial writer to have no relationship to natural features, is the historic Gore Range Trail. This trail, which has evolved from game trails and Indian, miner and rancher use, follows the natural features of the terrain at the highest practical level for a continuous route. It is felt to be very important to all future wilderness use of the east side of the Gore Range that the trail remains a wilderness trail, protected by the Forest Service under the provisions of the Wilderness Act.

Eagles Nest Wilderness Bill Needs Close Look by House

Rep. William Armstrong, R-Colo., has promised a "long look" at problems posed by the Eagles Nest Wilderness bill. The measure, approved in Washington by the Senate Interior Committee, probably will pass the full Senate easily inasmuch as both Colorado senators, Peter Dominick and Floyd Haskell, favor it.

Because Dominick is a Republican and Haskell a Democrat, the Senate should not be misled into believing the legislation enjoys the full support of the people of Colorado.

There is satisfaction in Armstrong's plans for a more detailed examination when the measure arrives in the House. The Senate approach does raise serious questions, about both this particular Colorado project, and about the methods used to set up wilderness areas generally.

Wilderness appears to be one of those things which — so good in concept — tend to win approval too easily, before hard and important questions are asked. Armstrong, therefore, is correct in wanting to see more details.

Eagles Nest lies along the Gore Range west of the Dillon area. The U.S. Forest Service recommended that 87,000 acres be set aside for wilderness. It did so based on sound — and possibly conservative — theories. One of these was that wilderness should really be wilderness. The foresters felt that the central spine of the Gore Range could be identified as wilderness and protected as such.

Environmentalists went far beyond this. They reached down into privately-owned valleys, cut across the map with lines having no relation to natural landmarks and — in some cases — appear to be guilty of geopolitics.

The latter charge relates to an easily-arrived-at suspicion that some "wilderness," notably the Gore Creek campground area near Vail, was so designated to block Denver Water Board development of water rights in the Gore Range which are owned by the people of Denver. No future water supplies should be sealed into a wilderness area. This includes Denver, the Front Range or Western Slope water rights.

Who knows at this juncture what water sealed in a wilderness area might be required in the year 2000? Will it be for desperately needed oil shale to meet our energy needs? Will it be for the survival of agriculture? Will it be for the Denver area?

As to arguments the President is empowered to make future exemptions we just don't believe that is realistic. Once designated there will be overwhelming pressure to keep boundaries "as is."

The Senate bill has made some corrections in the 125,000-acre plan proposed by environmentalists. But not enough.

On the east side of the Gore Range, particularly, there is reason to question the Senate's wisdom. The borderline drawn in this large inclusion incorporates a number of private holdings. This means there will be a thin, often nonexistent,

zone of federal forest land between commercial lands and pure wilderness.

The Forest Service wanted to avoid this. We liken their approach to city zoning where areas of heavy commercial use are divided from totally residential areas by transitional zoning.

The environmental approach, by putting wilderness next to commercial areas, seems to invite the necessity of chain-link fencing to regulate wilderness use.

Senator Haskell was quoted as saying that Denver could recover 93 per cent of the water proposed for a Denver bond issue vote Nov 6 under boundaries approved for the Eagles Nest Wilderness area.

This is true as far as it goes. Elimination of the Piney Reservoir site would reduce the amount of Denver-owned water available through the bonds from approximately 100,000 acre feet to 93,000 acre feet, or 7 per cent.

But on the east edge of the wilderness, closer to Denver, the wilderness boundary would cut off from reasonable consideration some 35,000 acre feet—about half of the 70,000 acre feet which Denver is planning to divert later on. The boundary lines would change the point of diversion and thus likely would affect Denver's ownership; project plans also would lose economic feasibility.

No one would seriously argue that a city (such as Denver) could condemn the water owned by a ranch and then refuse to pay for it.

Yet that is what the wilderness bill supported by Haskell and Dominick does to Denver. About 42,000 acre feet of water—owned by Denver—will thus be "condemned" by being included in the wilderness. This is the 7,000 acre feet at Piney Reservoir and 35,000 acre feet on the wilderness area's east edge.

With good water rights selling for \$1,000 per acre foot, or more, will not Congress owe the people of Denver \$42 million if the wilderness boundaries are enacted?

That matter can ultimately be pursued in the courts but we would suggest that Haskell, Dominick and the rest of the Senate pursue the matter while it is still under their noses. Reduction of the wilderness boundaries would result in a reasonable compromise. Denver can take some losses, of course, but it should not have to lose water worth \$42 million.

We can understand the desire to save areas of remarkable beauty from being marred, as in the case of Piney Lake on the west side of the wilderness area. But we do question whether the east side boundaries were arrived at earnestly or whether enthusiasm carried the sponsors over the brink of good sense.

We do not doubt that the public strongly supports the wilderness concept. We must protect the areas we have. But that should not include embroidering "new" areas onto the fringes of legitimate wilderness. And this must not include locking water supplies away forever in wilderness areas.

STATEMENT CONCERNING THE PROPOSED
EAGLES NEST WILDERNESS AREA

BY William B. Mounsey, Route 4, Box 642
Evergreen, Colorado 80439

8 November 1973

Mr. Chairman and Members of the House Subcommittee on Public Lands:

I have been a professional guide and outfitter for backpack visitors in the Eagles Nest area for some ten years.

In 1964 and 1965 and 1966 I could practically guarantee to lead a group in that area for a full week and never see another human. For several years that has not been possible. This summer it was unusual to go a full day without encountering other visitors.

The Eagles Nest area is getting increasingly heavy use by visitors. A few parts of it have been over-used for a number of years, such as upper Cataract Lake and, the Willow Lakes regions. All commercial summertime guiding on the east side has been prohibited by the U.S. Forest Service for several years, but the visitors still increase.

The area that has traditionally been used as wilderness, and is so used today, is considerably larger than that area proposed for wilderness designation by the U. S. Forest Service and H. R. 5422. It includes the wooded slopes of both sides of the main Gore Range and the wild valleys that serve as access routes to the rocky, rugged interior.

To be able to satisfy the needs of just the wilderness recreationists, not considering for the moment the other uses of wilderness, without stringent regulation in the immediate future, we need to include these lands in the Wilderness System.

On the east side, the Gore Range Trail needs wilderness protection. It is the

main access route along that entire side and there is no practical alignment for a substitute trail at a higher elevation within the area of H.R. 5422. On the west side, the East Meadow Creek and Piney Lake Valley areas serve as access to the interior, and also disperse visitor use.

The main oppositions to the inclusion of areas outside the boundaries of H.R. 5422 has been from the U. S. Forest Service promoting its purity of experience concept, and from those who want to dam and divert the waters on both sides of the range.

From the hundreds of people I have led through the Eagles Nest Wilderness, I get a different feeling about the visitor's concept of quality of experience than the Forest Service has. The wilderness visitor seeks to meet nature on its own terms, without reliance on mechanical devices, and does not worry about old wagon roads, rotting stumps left from horse-powered logging operations of seventy-five years ago and other vestiges of man's past use.

The water resources of the Eagles Nest area are significant. Under wilderness classification this great watershed would be well-protected for all time. The conflict between preserving wilderness and using the wilderness water is only in where the diversions are made. High diversions destroy wilderness, degrade the least harmed parts of our environment, but are cheaper.

Trans mountain diversions below the wilderness cost more in dollars, but preserve a valuable segment of an unsullied environment. We recognize that it is more costly to restore quality than to prevent deteriorations of the environment in the first place. It would be wise to preserve the Eagles Nest Wilderness now and accept the added cost of water diversions outside the wilderness, rather than to put the burden of wilderness restoration on our grandchildren.

Our Representatives Jim Johnson and Bill Armstrong have introduced their own bills for the Eagles Nest Wilderness, H. R. 8843 and H. R. 8164. I believe that these bills are nearly identical to the Senate-passed S. 1864, but that the figure

of 125,000 acres was based on an early estimate and that the size is more correctly stated in S. 1864 as 128,374 acres, and I believe that H. R. 3343 and H. R. 8164 should be amended to indicate the revised acreage figure.

I urge that Chairman Melcher's bill, H. R. 5422 be amended to include in Section 2 (d) the boundary and acreage of S. 1864 that has already been passed in the Senate.

I would be happy to answer as best I can today or tomorrow any questions that the chairman or other members of the Subcommittee may have about specific units of the proposed Eagles Nest Wilderness.

Thank you for the opportunity to express my feelings.

Eagle Nest

Green Copy
Photocopy, etc

Rt. 4, Box 642
Evergreen, Colorado 80439
July 25, 1974

The Honorable John Melcher
House Office Building
Washington, D. C. 20515

Dear Mr. Melcher:

A few days ago, I saw the maps prepared in the U. S. Forest Service Rocky Mountain Region office, Denver, that indicate administrative problems envisioned by the U. S. Forest Service should Senate Bills S. 1864, S. 702, and S. 1863 for the proposed Eagles Nest, Flat Tops and Weminuche Wilderness Areas, respectively, be enacted. I understand that these maps were prepared at the request of members in Congress.

I am very disturbed that there are errors in the maps and the written comments that accompany the maps--errors that the Forest Service is using to justify boundary change recommendations. These misrepresentations of facts include mislocation of structures and incorrect statements about existing land uses and conditions.

Yesterday, I met with Dan Williams of the U. S. Forest Service Regional office, who was in charge of the preparation of these maps, and others. In discussing the problem, I found that there were no aerial photographs, topographical maps, or other visual or documentary information available in the Regional Office to substantiate the Forest Service documentation on the maps or in the written comments. I was told that the Forest Service had done the best that it could in a short time to prepare the maps. One mistake was attributed to clerical error, but I was told that to verify other errors, or possible errors, I should go to the Forest or District offices where more complete information was available.

To me, it is almost unbelievable that the U. S. Forest Service which has had this land under its administration for three-quarters of a century, and has studied this land for possible wilderness designation for at least ten years, would either know so little about the land, or be so careless as to inadvertently submit to members of Congress inaccurate maps and statements which ultimately will affect Congressional decisions.

Within the next few days, I shall personally investigate the most serious problem areas, both in the field and in the District and Forest offices, and report my specific findings to you and to the Regional office of the U. S. Forest Service. I will do this because of my great concern for these areas. I have been deeply involved in the formulation, presentation, and review of the citizen recommendation and in evaluation of the agency proposals for the Flat Tops, Eagles Nest, and Weminuche Wilderness Areas. I am personally familiar with much of the land surface concerned in these proposals, and I know more

Mr. John Melcher
Page Two

July 25, 1974

about many specific units than most of the Forest Service personnel involved. I have testified at numerous hearings about wilderness areas, and I have been recognized in Federal Court as an expert witness on wilderness matters. I was one of the Colorado citizens who helped establish the Colorado Open Space Council (COSC) and its Wilderness Workshop. I served for a number of years as Chairman of the Wilderness Workshop and President of COSC and supervised wilderness study teams on the Eagles Nest, Flat Tops, and Weminuche areas. I personally have been over most of the boundaries of the Eagles Nest and Flat Tops areas, as delineated in S. 1864, H. R. 8843, S. 702, and H. R. 6242.

However, I deplore the necessity of a private citizen having to use his own time and finances to correct errors made by an agency that often represents itself as the final authority on all forest and wilderness matters.

In summation, there are misrepresentations in these maps and the accompanying comments, and the U. S. Forest Service is leaving it to the citizens to correct these misrepresentations. Even worse, these misrepresentations are to be used by the Congress, undoubtedly by your own House Subcommittee on Public Lands, in determining House action on the aforementioned wilderness proposals.

I submit that the boundaries of these areas that would be established by the aforementioned bills are all justifiable and defensible--and should be adopted without any substantive change.

Sincerely,

William B. Mounsey