WILD AREAS ACT OF 1972

HEARINGS

BEFORE THE

SUBCOMMITTEE ON FORESTS

OF THE

COMMITTEE ON AGRICULTURE
HOUSE OF REPRESENTATIVES

NINETY-SECOND CONGRESS

SECOND SESSION

ON

H.R. 14392, H.R. 15611, H.R. 15651, and H.R. 15851

JULY 24 AND 25, 1972

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CONTENTS

Correspondence submitted to the subcommittee—Continued

WILD AREAS ACT OF 1972

MONDAY, JULY 24, 1972

HOUSE OF REPRESENTATIVES,
FORESTS SUBCOMMITTEE OF THE
COMMITTEE ON AGRICULTURE,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10:10 a.m., in room 1301, Longworth House Office Building, the Honorable Thomas S. Foley presiding.

Present: Representatives Foley, Vigorito, Burlison, Dow, Teague of California, Kyl, and Baker.

Also present: Mrs. Christine S. Gallagher, chief clerk, and Lacey C. Sharp, general counsel.

Mr. BURLISON. The Forests Subcommittee will come to order. In the absence of our subcommittee chairman, I will preside. He is on his way, will be here shortly.

(H.R. 14392, by Mr. Kyl, is identical to H.R. 15611 by Mr. Hansen of Idaho and H.R. 15651 by Mr. Hechler of West Virginia and similar to H.R. 15851 by Mr. Hechler of West Virginia. The text of H.R. 14392 and the departmental report follow:)

[H.R. 14392, 92d Cong., second sess.]

A BILL To establish a system of wild areas within the lands of the national forest system

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as "The National Forest Wild Areas Act of 1972".

STATEMENT OF FINDINGS AND ESTABLISHMENT OF A WILD AREA SYSTEM

SEC. 2. (a) Congress hereby finds that there is a need for a system of Federal lands in the Eastern United States which can provide present and future generations with primitive recreation opportunities in a spacious, scenic, natural, and wild setting removed from activities and highly developed works of man and similar to the experiences provided by the national wilderness preservation system; the national forest system represents a major federally owned land area in the Eastern United States; few areas of the national forest system located in the Eastern United States, which were acquired largely from private ownerships, meet the criteria set forth for wilderness by the Wilderness Act of 1964 (88 Stat. 577; 16 U.S.C. 1131) because of the past works of man; and that many such national forest areas have been restored or are in the process of restoration to a near natural condition and appear predominantly primitive and undisturbed in character.

(b) In accord with these findings there is hereby created a system of national forest wild areas designated by Congress, composed of federally owned land within the national forest system east of the one-hundreth meridian to be managed by the Secretary of Agriculture (hereinafter referred to as the "Secretary") as a part of the national forest system. Areas designated under this Act shall be known as wild areas and shall be administered to restore, maintain, and protect the natural, primitive and wild character of the area for

public use and enjoyment for recreation, scientific, and educational purposes by present and future generations of the American people. No area shall be designated a wild area except as provided for in this Act or a subsequent Act.

DEFINITION

SEC. 3. The term "wild area" as used in this Act is an area of outstanding beauty; is primarily primitive and natural in character although man and his works may have been present or are present and wherein the marks of man's activities are subject to restoration to the appearance of a primitive and natural condition; is large enough so that the primitive and natural values can be preserved; and the area provides outstanding opportunities for public use and enjoyment in a primitive type setting.

ESTABLISHMENT OF AREAS

SEC. 4. (a) The Secretary shall study and, from time to time, submit to the President areas recommended for inclusion in the wild area system which in his judgment meet the requirements of this Act and are suitable and desirable for "wild area" classification. The President shall advise the United States Senate and the House of Representatives of his recommendations with respect to the designation as a "wild area" or other classification of each area submitted. Each recommendation of the President for designation of an area as a "wild area" shall become effective only if so provided by an Act of Congress.

(b) Each proposal shall be accompanied by a report, including maps and illustrations, showing among other things the area included within the proposal; the characteristics which make the area a worthy addition to the system; the current status of landownership and use in the area; the reasonably foreseeable potential uses of the land and water which would be enhanced, foreclosed, or curtailed if the area were included in the wild area system.

(c) (1) Prior to submitting any recommendations to the President with respect to the suitability of any area for designation as a wild area the Secretary shall:

(A) give such public notice of the proposed action as he deems appropriate, including publication in the Federal Register and in a newspaper having general circulation in the area or areas in the vicinity of the affected land;

(B) hold a public hearing or hearings at a location or locations convenient to the area affected. The hearings shall be announced through such means as the Secretary deems appropriate, including notices in the Federal Register and in newspapers of general circulation in the area: *Provided*, That if the lands involved are located in more than one State, at least one hearing shall be held in each State in which a portion of the land lies;

(C) at least thirty days before the date of a hearing advise the Governor of each State and the governing board of each county or parish in which the lands are located, and Federal departments and agencies concerned, and invite such officials and Federal agencies to submit their views on the proposed action at the hearing or by no later than thirty days following the date of the hearing.

(2) Any views submitted to the Secretary under the provisions of (1) of this subsection with respect to any area shall be included with any recommendations to the President and to Congress with respect to such area.

(d) Any modification or adjustment of boundaries of any wild area shall be recommended by the Secretary after public notice of such proposal and public hearing or hearings as provided in subsection (c) of this section. The proposed modification or adjustment shall then be recommended with map and description thereof to the President. The President shall advise the United States Senate and the House of Representatives of his recommendations with respect to such modification or adjustment and such recommendations shall become effective only in the same manner as provided for in subsection (a) and (b) of this section.

ADMINISTRATION

SEC. 5. (a) The Secretary shall administer units of the wild area system in accord with the following provisions:

(1) Primitive, natural, and wild conditions will be restored, maintained, and protected to provide for public use and enjoyment for recreation, scientific, and educational purposes in a natural setting free from the activities and highly developed works of man, wherein natural attractions prevail in an atmosphere of spacious solitude.

(2) Public use shall be permitted consistent with the ability of the area to support such use and retain its primitive natural, and wild characteristics.

(3) Developments shall be of a rustic, primitive nature limited to those reasonably necessary for the health, safety and well-being of the visiting public and the protection of natural resources.

(4) Subject to existing private rights, the use of motorized equipment or aircraft shall be limited to the minimum necessary to meet administrative requirements of the Act, including measures required in emergencies involving the health and safety of persons using the area, and the control of fire, insects, and diseases, subject to such conditions as the Secretary deems desirable.

(5) Commercial timber harvesting shall not be permitted.

(6) Grazing domestic livestock shall be limited to riding stock where permitted.

(7) Commercial services shall be limited to those necessary to achieve the purposes of the Act: *Provided, however,* That the President may, within a specific area and in accordance with such regulations as he deems desirable, authorize uses such as the establishment and maintenance of reservoirs, water conservation works, power projects, transmission lines, and other facilities needed in the public interest, including road construction and maintenance essential to development and use thereof, upon his determination that such use or uses in the specific area will better serve the interests of the United States and the people thereof than will is denial.

(b) The Secretary shall prepare a management plan for each unit of the wild area system in accordance with the Act, utilizing a multidisciplinary approach and providing for appropriate public involvement.

ACQUISITION

SEC. 6. (a) Within areas of the wild area system, the Secretary may acquire by purchase with donated or appropriated funds, by gift, exchange, condemnation, or otherwise, such lands, waters, or interests therein as he determines necessary or desirable for the purpose of this Act. All lands acquired under provisions of this section shall become national forest lands.

(b) In exercising the exchange authority granted by subsection (a) of this section, the Secretary may accept title to non-Federal property for federally owned property located in the same State, of substantially equal value, or if not of substantially equal value, the value shall be equalized by the payment of money to the grantor or to the Secretary as the circumstances require.

(c) The head of any Federal department or agency having jurisdiction over any lands or interests in lands within the boundaries of any wild area is authorized to transfer to the Secretary jurisdiction over such lands for administration in accordance with provisions of this Act.

MINERALS

SEC. 7. Subject to existing valid claims, federally owned lands within units of the wild area system are hereby withdrawn from all forms of appropriation under the mining laws and from disposition under all laws pertaining to mineral leasing or disposition of mineral materials.

SEC. 8. The Secretary shall permit hunting, fishing, and trapping on the lands and waters under his jurisdiction within wild areas in accordance with applicable Federal and State laws; except that the Secretary may issue regulations designating zones where and establishing periods when no hunting, fishing, or trapping shall be permitted for reasons of public safety, administration, or public use and enjoyment. Except in emergencies, any regulations pursuant to this section shall be issued only after consultation with the wildlife agency of the State or States affected.

SEC. 9. The Secretary shall cooperate with the States and political subdivisions thereof in the administration of wild areas and in the administration and protection of lands within or adjacent to the wild area owned or controlled by the State or political subdivisions thereof. Nothing in this Act shall deprive any State or any political subdivision thereof of its right to exercise civil and criminal jurisdiction within the wild area, or of its right to tax persons, corporations, franchises, or other non-Federal property, including mineral or other interests, in or on lands or waters within the wild area.

SEC. 10. The Secretary is authorized to make such rules and regulations as he deems necessary to carry out the purposes of this Act.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., July 24, 1972.

HON. W. R. POAGE,
Chairman, Committee on Agriculture,
House of Representatives

DEAR MR. CHAIRMAN: As you asked, here is our report on H.R. 14392, H.R. 15611, H.R. 15651, and H.R. 15851, bills "To establish a system of wild areas within the lands of the national forest system."

These bills would create a System of National Forest Wild Areas as defined in the bills. The areas would be east of the 100th meridian and administered by the Secretary of Agriculture as part of the National Forest System. The bills would authorize and direct the Secretary of Agriculture to study and recommend to the President areas for inclusion in the System. Public involvement and hearings would be an integrated part of the area selection process. The areas would be administered to restore, maintain, and protect the natural, primitive, and wild character of the areas for public use and enjoyment for recreation, scientific, and educational purposes. Developments would be limited in number and would be of a rustic, primitive nature. Commercial timber harvesting and grazing would not be permitted. Management plans would be prepared for each area utilizing a multidisciplinary approach and providing for public involvement. Acquisition within areas of the Wild Area System would be by donation, purchase, exchange, condemnation or otherwise. Subject to existing valid claims, Federally-owned lands within units of the Wild Area System would be withdrawn from all forms of appropriation under mining laws and from disposition under all laws pertinent to mineral leasing or disposition. H.R. 15851 would require a wider hearing notification procedure than the other bills.

The demand for primitive recreation opportunities is rapidly increasing in the United States. There is also growing awareness that areas with characteristics suitable to provide a primitive recreation experience are limited. For nearly 50 years the Forest Service of this Department has been identifying and setting aside areas of wilderness character for management essentially in their natural state. The Wilderness Act of 1964 created a system comprised initially of 54 of these National Forest Areas and provided for review of 34 other areas as to their suitability for potential inclusion in the Wilderness System. Additionally, the Forest Service is in the process of identifying roadless areas within the National Forest System for future study as potential additions to the National Wilderness Preservation System.

Most of the established wilderness areas and those areas under review and study are in the West, and thus do not fully meet the needs of our citizens in the East. As we interpret the Wilderness Act, few areas in the East would meet the criteria for Wilderness as set forth in section 2 of the Act.

President Nixon, in his February 8, 1972, message on the environment, directed the Secretaries of Agriculture and the Interior to accelerate the identification of areas in the Eastern United States having wilderness potential. In response to the President's statement the Forest Service has sought the opinions of interested individuals and organizations on alternative ways to provide primitive and wild recreation areas in the Eastern United States. These alternatives include establishment of a National Forest Wild Areas System as would be provided by these bills, as well as other options. The Forest Service has held and will be holding 24 public listening sessions in 21 eastern States on the alternative mehods of establishing, identifying, and managing such areas in the Eastern United States. These meetings have been previously scheduled and are still being held. They will be completed before the end of July and we expect that a short period of time will be required to assess the opinions and suggestions brought forth at these listening sessions.

Although these bills would provide for a meritorious approach to meeting needs for primitive recreation in the Eastern United States, we are not in a position to make a recommendation regarding the bills at this time. As soon as we evaluate public views and reactions to this and other options we will present our recommendations to you. We therefore recommend that no action be taken on these bills at this time.

However, we would like to comment on one policy issue raised by these bills to aid your ultimate consideration of this legislation. Subsection 5(a)(7) of the bills would provide for Executive authorization of several types of developments and uses which are basically incompatible with the definition of "wild area" in

section 3 of the bills. Should any legislative or executive system of lands be established for purposes set forth in these bills, we believe the developments and uses listed in subsection 5(a)(7) should be foreclosed.

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

Sincerely,

J. PHIL CAMPBELL,
Under Secretary.

Mr. BURLISON. We call as our first witness, Mr. John McQuire, Chief of the Forest Service.

Mr. McGuire, we will be pleased to hear from you.

STATEMENT OF JOHN R. McGUIRE, CHIEF, FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE

Mr. McGUIRE. Thank you, Mr. Chairman. I have a very brief statement which I can shorten somewhat. I will try to do that, with your permission.

Mr. Chairman, members of the subcommittee, thank you for this opportunity to participate in your consideration of proposed legislation relative to management of some of the wildlands found in our eastern national forests.

These bills would create a system of wild areas of federally owned land within the national forests of the Eastern United States to provide primitive recreation opportunities for the people living in the East. Detailed provisions of this legislation are described in our legislative report on the bills.

For nearly 50 years the Forest Service has been identifying and setting aside areas of wilderness character for management essentially in their natural state.

The Wilderness Act of 1964 created a system comprised initially of 54 national forest areas and provided for review of 34 other areas as to their suitability for potential inclusion in the Wilderness System.

Additionally, the Forest Service is in the process of identifying roadless areas within the National Forest System for future study as potential additions to the National Wilderness Preservation System.

We realize that the demand for primitive recreation opportunities is rapidly increasing in the United States and that areas with characteristics suitable to provide a primitive recreation experience are limited.

Most of the established wilderness areas and those areas under review and study are in the West, and thus do not fully meet the needs of our citizens in the East. As we interpret the Wilderness Act, few areas in the East would meet the criteria for wilderness as set forth in section 2 of that act.

President Nixon, in his February 8, 1972, message on the environment, directed the Secretaries of Agriculture and the Interior to accelerate the identification of areas in the Eastern United States having wilderness potential. In response to the President's statement, the Forest Service has sought the opinions of interested individuals and organizations on alternative ways to provide primitive and wild recreation areas in the Eastern United States. These alternatives include establishment of a National Forest Wild Areas System as would be provided by the bills, as well as other options.

We have held and will be holding 24 public listening sessions in 21 eastern States on the alternative methods of establishing, identifying, and managing such areas in the Eastern United States. These previously scheduled meetings will be completed before the end of July and we expect that a short period of time will be required to assesss the opinions and suggestions brought forth at the listening sessions.

Although a system of wild areas would provide a meritorious approach to meeting needs for primitive recreation in the Eastern United States, we are not in a position to make a recommendation regarding this proposed legislation at this time. As soon as we evaluate public views and reactions to this and other options we will present our recommendations to you.

This completes my prepared statement. I will be glad to respond to any questions you may have.

Mr. BURLISON. Thank you, Mr. McGuire.

Does the gentleman from California wish to ask any questions?

Mr. TEAGUE of California. No, I have no questions, Mr. Chairman.

Mr. BURLISON. Mr. Dow?

Mr. Dow. I would wonder what is the use of our having these hearings if the Forest Service is not prepared to deal with this problem and if they still have returns to come in from these hearings and a report to make. Would it not be better if we wait until this data is available to us? I do not see how we can make a decision on these bills anyhow, without the report of the Forest Service.

Mr. BURLISON. I believe the gentleman from Iowa, Mr. Kyl, is the sponsor of the legislation.

Mr. Kyl, would you have any comments?

Mr. KYL. Would the Chief like to respond first of all? The question is directed to him in behalf of the Forest Service.

Mr. MCGUIRE. Mr. Chairman, it seems to me the hearings can still be useful. If the committee wishes, we would be glad to provide the committee with opinions which we have received from the general public and with our recommendation in the very near future.

Mr. Dow. Well, my answer to that was that I hope that the committee will not report this legislation out until we have had a final expression from the Forest Service.

Mr. TEAGUE of California. May I ask a question, Mr. Chairman?

Mr. BURLISON. Surely

Mr. TEAGUE of California. You say in the very near future, Mr. McGuire. Would that be within 2 months or less?

Mr. MCGUIRE. Yes, it will, perhaps within 6 weeks.

Mr. TEAGUE of California. Thank you.

Mr. BURLISON. The gentleman from Iowa?

Mr. KYL. The President earlier this year asked the Congress and the Departments to accelerate the establishment of wilderness areas in the Eastern part of the United States. It is my intention as the author of this bill to get this matter before us so that we can find the best possible way of preserving our areas of wildlands and possibly wilderness areas in the Eastern part of the United States. I think that would also be the goal of the gentleman from New York. I do not believe these hearings are premature in any respect. The ongoing listening sessions of the Department will be concluded by the end of July, and I think anything we can do of this nature is very useful; and

as compared with actions of some other committees who bring bills to the floor without any hearings at all, with very rapid action, I think we have to have the widest kind of input for a project of this nature, and these people are all here to testify to that today.

Mr. Dow. Will the gentleman yield?

Mr. BURLISON. Does the gentleman from Iowa yield?

Mr. KYL. Certainly.

Mr. Dow. I am not going to criticize anything that has happened. Somebody made the remark that the President urged us to go forward with legislation of this type. Now his own Department is here appearing on this issue, and they are not ready to make a recommendation. I do not see any reason why the Congress should drive themselves in this situation to meet the President's request when he, himself, is not prepared to give us a finding on it.

Mr. KYL. Well, perhaps the gentleman from Iowa was not explicit enough in his comment.

The President did not recommend this legislation. The President earlier this year asked the Congress and the Departments to speed up the process of establishing the wilderness areas of the East because these acquired lands include approximately 50 percent private holdings, because the Federal Government does not own the subsurface where it has the surface because of other problems, because these Eastern lands do mostly show some intrusion of man, we thought this might be helpful in establishing the kind of preservation system in the East which would be meaningful.

Now, the gentleman, I believe, recently voted in favor of an educational television bill when there is actually a commission which is studying that matter. That is fine. I do not see anything precedent breaking in trying to hold hearings to hear these people on this legislation. In effect, this becomes an additional listening session for the Department of Agriculture when they make their determinations.

Mr. Dow. Well, I am, myself, not going to object to the hearings. I raise the question about them. I think we should go ahead and have them, but I would just like to have it established for the record for the benefit of the gentleman from Iowa that I do not think that this committee ought to be taken by the scruff of the neck and rushed into a conclusive legislative proposal here until all the reports have been recorded, all the news is in. That is all I am trying to say, and I want to make that point so that we do not find ourselves in that position in a week or two.

Mr. KYL. Has the gentleman had anybody grab him by the scruff of the neck on this legislation?

Mr. Dow. I did not say anybody was taking anybody by the scruff of the neck. I just simply said that we do not want it to happen.

Mr. BURLISON. Has the gentleman from Iowa concluded?

Mr. KYL. Yes.

Mr. BURLISON. Chief McGuire, I notice that in the statement, you remarked that there are few areas in the East that meet the criteria of the Wilderness Act. Would you elaborate on that and give us the reasons and in what respect these areas would not qualify under the act?

Mr. MCGUIRE. Yes, sir.

The President directed that we identify areas having wilderness potential. We are in the process of doing this, and we have received sug-

gestions and we are aware of a fairly large number of areas, perhaps more than 40, perhaps 50 or 60 areas that have some characteristics of natural appearance and that are large enough to give a visitor what you might call a primitive recreation experience. However, our dilemma is that most of these areas, and there may be a few that come close to qualifying under the Wilderness Act, but most of these areas just simply, in our view, are not wilderness. They were acquired from private owners, they are old farms, they have evidence of man's occupancy: old fences, old roads, cemeteries, house foundations, and what have you. But they have grown up in trees or they have been planted in the past 40 or 50 years and now they appear quite natural, so people do think they should be called wilderness.

Now, we agree that most of these areas should be protected from disturbance in some fashion. The issue is how to protect them. The alternatives are numerous. For example, you could conceive of stretching the definition of wilderness under the act. Congress could do this, put them in, in any event. Congress could amend the Wilderness Act to allow for this. Congress could set up a new parallel system of wild areas, as these bills would provide, or Congress could treat them individually and simply write a prescription for their management in each individual case without umbrella legislation.

On the other side, there are administrative actions that could be taken. They could be set aside under regulations of the Secretary for Executive order of the President, or simply under the plans of the Forest Service and kept undisturbed in that fashion.

The reason we do not think they qualify is that they do not retain their wilderness character and are not substantially untrammeled by man. This is a matter of judgment, we admit. Others may disagree with us, but in our view, most of these areas simply do not qualify. I admit there may be a few marginal cases that we would want to recommend for your consideration for wilderness, but most of them have too many signs of disturbance. Yet they should be protected in some fashion, and I believe that is the issue before us.

Mr. FOLEY (presiding). Thank you very much, Mr. McGuire.

Any further questions of the Chief?

(No response.)

Mr. FOLEY. If not, we appreciate your appearance again before the subcommittee.

The next witness will be Mr. Alan Miller, Temple Industries, Inc., representing the Southern Forest Products Association and the National Forest Products Association.

STATEMENT OF ALAN MILLER, TEMPLE INDUSTRIES, INC., DIBOLL, TEX., ON BEHALF OF SOUTHERN FOREST PRODUCTS ASSOCIATION AND NATIONAL FOREST PRODUCTS ASSOCIATION

Mr. MILLER. Good morning, sir.

Mr. Chairman and members of the committee, I am Alan Miller of Temple Industries, Diboll, Tex. I am here today on behalf of the Southern Forest Products Association and the National Forest Products Association. NFPA is a federation of 23 regional, product, and species associations representing the solid wood products industry

from coast to coast. The SFPA is one of the larger members of NFPA and represents the wood products industry in the South.

I appreciate the opportunity to present the views of our industry on H.R. 14392 to establish a wild area system on national forest lands east of the 100th meridian. Our industry relies on three general sources of tree-growing lands for the raw material to provide the products needed by our society: (1) Commercial forest land owned by the public; (2) industry-owned lands, and (3) lands in non-industrial ownership. In the South alone, we last year produced 13 billion board feet of lumber, 4 billion square feet of plywood, and two-thirds of the Nation's pulp and paper supply. We have a special interest in any issue that would affect timber growing and land and resource use in this country.

At the outset, let me explain that if commercial timber harvesting will ultimately be prohibited on some areas of national forest lands east of the 100th meridian, it will make no difference at all, from an economic point of view, whether these areas are placed in an eastern wild area system, if they are established as wilderness areas, or if some other method were developed for "preserving" them. The question of classification will not matter much at that point, but as land managers, we are very concerned right now prior to the decision and have a great deal of interest in the proper and beneficial use of what is obviously becoming a limited land resource.

BACKGROUND OF WILD AREA PROPOSALS

Last fall at the Sierra Club-Wilderness Society Wilderness Conference in Washington, D.C., Forest Service Chief John McGuire stated that the Forest Service recognized "that there is a pressing need in the East and South for providing primitive outdoor recreation opportunities and maintaining wild land values in areas which do not meet the (Wilderness) Act's criteria for wilderness responsive to this need, we welcome discussion aimed at defining alternatives for meeting primitive recreation needs in the South and East * * *. We will solicit the broadest possible public participation in the process of creating and managing a system which would become a heritage of wild area values for future generations."

In his 1972 environmental message, President Nixon directed the Secretaries of Agriculture and the Interior to accelerate the identification of areas in the Eastern United States having wilderness potential. Subsequent of this directive, the Forest Service sought public opinion on ways to maintain national forest wild land values in the South and East. This public review is now in progress with local level "listening" sessions scheduled throughout the South and East. One suggestion that has emerged is the concept of an eastern wild area system. H.R. 14392 embodies this concept in the form of legislation.

MULTIPLE USE CONCEPT AND LAND USE PLANNING

We believe that the Multiple Use-Sustained Yield Act, which this committee helped shape in 1960, provides all authority and direction needed to assure maintenance of appropriate undeveloped national forest areas.

The reason that another system has been advanced is that some members of the public feel that additional guarantee by Congress is needed to assure that a particular area identified and popularly used by the public will be recognized and protected by the Forest Service.

This belief arises because of misunderstanding or misinterpretation of the Multiple Use Act and the abstract nature of national forest multiple use planning. In the past, the public has not been adequately informed on multiple land use planning in the national forest. There has not been any guarantee that the administering agency would not change a plan to meet a particular need with little or no public involvement.

This is a valid concern. However, since enactment of the National Environmental Policy Act, the Forest Service must file an environmental impact statement each time a management plan is changed every 5 years and the public has the opportunity for involvement in the decisionmaking process. If additional guarantee is needed, it should be accomplished by amendment of existing laws governing national forests. Just one example of the existing national forest program is the publication of a new plan booklet for the Ocala National Forest that is easily understood. Land use planning on the Ocala National Forest is an excellent example of how the Forest Service and professional land managers can plan for all multiple uses including establishment of special use or preserved areas, developed recreation, timber, watershed, and fish and wildlife within existing administrative policies.

INDUSTRY POSITION

Our industry, since early this spring, has been discussing problems of land use and resource allocation associated with the concept of establishing a wild areas system on Eastern national forest lands. Individually and in regional groups we have been involved in the Forest Service Eastern wilderness program. As of this date, we have established an overall industry task group and held four sessions to consider the role Eastern national forests should play in meeting future recreation and timber resource needs of our society. While we do not believe that the "system" concept is the most efficient approach to land use, the broader industry group has not yet fully developed a position on this issue. These hearings will be helpful in determining an acceptable and workable position on how the recreation needs of the Eastern public can best be met on national forest lands.

As land managers, we are very concerned and have a great deal of interest in the allocation of land and in multiple purpose and efficient use of a limited land resource base to meet the basic needs of the Eastern public.

We recognize that some segments of the Eastern public want assurance that additional land in the East will be specially set aside and given a special name such as "wilderness," "primitive," "Eastern wild," "forest preservation," or some other term to provide "wilderness recreacreation" or for "preservation use." Many areas of Federal State, or local forest lands in the Eastern United States have already been withdrawn from multiple purpose management for wilderness or "preservation use" under Federal legislative and administrative action or State and local laws and actions.

We are basically opposed to strict "preservation" of excessive amounts of land because this would deny fulfillment of recreational and other needs of the Eastern public. Strict preservation is not the most effective method of land use planning or management for the limited Eastern land base. However, it is recognized that areas of high scenic value exist that are of little or no value for recreation or for economic development. These areas should and will be withdrawn from multiple purpose management and designated in some manner for wilderness use in the future.

We believe that the multiple use concept, properly applied and adequately funded, can provide harmony between various uses. However, the general Eastern public does not understand either the "preservation use" or "multiple use" concepts for various reasons. When multiple use is properly explained and implemented, the public would, for the most part, reject the concept of "preservation" or "wilderness use" in the case of lands better suited and needed for other purposes.

NATIONAL LAND USE POLICY—INVENTORY AND CAPABILITY

Our industry as well as every other citizen of the United States is dependent on a fixed land base of about 2.2 billion acres (including Alaska). Pressures on this land continue to accelerate and more and more land is being demanded for various purposes.

Land east of the 100th meridian is a particularly valuable commodity, especially in and near metropolitan areas. Land is being converted from rural classifications to provide space for urban development, transportation systems and other rights of way. In addition, land that has heretofore been available for resource development is being converted by both public and private sectors to outdoor recreational use. For the most part, these changes in land use are accomplished without regard to the ability of the land to meet several, rather than only one, economic or social needs. Large tracts of "commercial forest land" a hundred miles or more from population centers have been taken out of commercial timber production and devoted to essentially primitive or low density recreational purposes. The resources on these lands are said to be "preserved" which implies being unchanged forever, because they are protected from road building, significant public entry, timber harvesting and other forest management practices. Under such "preservation" these forests are actually not preserved but are degenerating and dying from insects, disease and other natural forces, thus having a negative effect on recreation, wildlife and watershed values in the areas. The wood that could be produced from them for homes and other wood products is rotting and and increasing the probability of uncontrolled fire that could extend beyond the area's boundaries.

Federal, State and local governments have reserved more than 490 million acres for various recreational pursuits in the United States and of this more than 68 million acres is east of the 100th meridian. Private enterprise also provides developed campgrounds and other recreational opportunities on an estimated 30 million acres when and where they are economically or aesthetically justified. Much public land is devoted to undeveloped, low density recreational use. The Bureau of Outdoor Recreation indicates that in the United States, about 93 percent of this 490 million acres is in "primitive," "outstanding

natural" and "natural environment" categories (or about 58 million acres in the East) while most of the rest is considered "high density" and "general outdoor" acreage. Based on this data, it would seem that much of the public park acreage is already devoted to primitive recreational use. We do not need more.

Recognizing multiple purpose land use and land use allocation to be a critical problem, about 5 years ago this industry first supported a National Land Use Policy that would provide State, Federal and local governments with a national policy and plan to help guide them in making land use decisions. Several bills are presently pending before Congress that could, we believe, start this Nation in the right direction.

We are pleased to note that the basic starting point for land use planning is already underway—that is, a multiple-use inventory to establish basic national needs for water, timber, fish, wildlife, recreation and other resources. Such inventories should be reviewed by this committee prior to action on a new system of land classification.

The Forest Service has underway, as you know, of course, a thorough review of possible Eastern wild areas and is conducting local public hearings on the suitability and need for limiting multiple use management on some of these areas. I will be attending one of those hearings in Texas, tomorrow. Their findings should be considered by the committee.

The Forest Service is also in the process of updating a national survey and report published in 1964 on forest resources in the United States. This report should help to determine what the demand for forest products will be, what need there is for growing timber on commercial forest lands and what impact total withdrawal of significant portions of such lands would have on timber production for housing, general construction, pulp and paper products and other products derived from wood. This report is scheduled for publication in 1973 and the industry believes that the Congress, as well as other persons, should have the benefit of this valuable material prior to acting on legislation for a system of preserving lands that would preclude timber harvesting and most other uses.

The Bureau of Outdoor Recreation has, for the past several weeks, been conducting public forums throughout the country to find out what people believe are their needs and opportunities for outdoor recreation. The information derived from the sessions will be considered by the Department and the Bureau in preparing a nationwide outdoor recreation plan requested by Congress under public law. In developing this plan, Congress directed the Secretary of Interior to take into consideration the plans of the various Federal agencies, States and their political subdivisions and set forth the needs and demands of the public for outdoor recreation and the current foreseeable availability in the future of outdoor recreational resources to meet these needs. The plan is also to identify critical outdoor recreation problems, recommend solutions and recommend desirable actions to be taken at each level of Government and by private interests. The final plan is scheduled for publication in 1973.

I had the privilege of attending one of those sessions in Dallas 2 weeks ago. It might be of interest to the committee that particular concern was evidenced by those witnesses that there was not enough

support for what they chose to call miniparks in some of these areas. There was even some concern that we should reevaluate our total national park system with the idea of creating smaller parks in the areas near our urban centers in the South.

The forest products industry again believes that this is precisely the type of data that should be available to the Congress prior to withdrawing additional land from a resource base for a use that is of minor importance to a majority of the recreationists in America.

Last September the President appointed an Advisory Panel on Timber and the Environment. The panel is to study and make recommendations on matters such as the desirable level of timber harvest on Federal lands and methods of accomplishing the harvest while ensuring adequate protection for the environment; the costs and benefits of alternative forest management programs; citizen involvement on forestry programs; timber sale procedures and the possibilities of increasing timber productivity on non-Federal lands. Their recommendations are also part of the land use situation which should be considered by the committee.

SUMMARY

In summary, our industry does not believe that an eastern wild areas system is the best approach to land use planning. There is already sufficient administrative authority and adequate procedures to meet any demonstrated needs. Further, enaction of this legislation will be premature pending the availability of the several studies and reviews now underway. However, if your committee decides to take action on H.R. 14392, we have the following comments.

ISSUES IN H.R. 14392

H.R. 14392 raises several questions which ought to be considered and resolved prior to its enactment. These include:

1. How much of any one national forest should be included in a wild areas system?
2. How many wild areas should be established in the East—based on both suitability of land for this use and its need?
3. How much commercial forest land could ultimately be included in the system and what impact would it have on wood products availability and price?
4. To what extent would basic public needs for developed outdoor recreation be hampered by a wild areas system?
5. To what extent would native wildlife species be affected by elimination of timber management?
6. What effect would the elimination of commercial timber management have on the long-range maintenance of scenic values sought to be preserved?

The definition of wild area contained in Section 3 of the Act is highly subjective and embraces a substantial portion of eastern national forest lands; it would even embrace any well-managed forest land prior to the regeneration harvest.

The Forest Service's current review of roadless areas for possible inclusion in the wilderness system was based on far more specific criteria. Even so, that entire review procedure and some 40 to 50 million

acres of national forest lands, including an estimated 158 billion board feet of timber, are now tied up in the courts due to a suit brought by the Sierra Club and four co-plaintiffs. Such broad criteria as contained in section 3 could result in a similar lawsuit blocking access and development of eastern national forest lands.

Section 5 of the bill would prohibit commercial timber harvesting in wild areas even though commercial timber harvesting is one of the most effective means to control insects and diseases, which is an objective in the administration of wild areas.

H.R. 14392 is in many respects similar to the Wilderness Act. However, under the present bill, most all forms of development would be permitted except commercial timber harvesting. If this is the case, there would be very little difference between a wild area and a national recreation area.

Section 6 authorizes the acquisition, including condemnation, of private lands. Very little private land in this country is idle and not already involved in detailed economic plans. Cash alone is insufficient replacement for land taken by condemnation. This is especially true when productive forest land which is the basis for industrial development is taken from the private landowner. Public agencies requiring private forest land for public projects should be required to provide for the replacement of such lands in kind by offering in exchange similar and suitable publicly owned lands of equivalent value.

That concludes my testimony, Mr. Chairman.

Mr. FOLEY. Thank you very much, Mr. Miller.

Any questions?

Mr. KYL. I would just like to make a statement.

Mr. Miller, I am prompted to make one clarification just in case you had any doubt about the author's intent. It is the author's intent that these areas should be, as soon as possible, in the same kind of a preservation status as the wilderness areas. So if you have any questions about that insofar as your criticism is concerned, I want you to know that that is the intent of the author.

Mr. MILLER. I appreciate your comment, Mr. Kyl.

Mr. FOLEY. Thank you again, Mr. Miller.

The next witness will be Mr. A. L. White, vice president of the Southeastern Lumber Manufacturers Association.

Mr. White?

STATEMENT OF ALFRED L. WHITE, VICE PRESIDENT, SOUTHEASTERN LUMBER MANUFACTURERS ASSOCIATION, ACCOMPANIED BY K. G. CLEMENS, FIELD MANAGER, AND H. ROBERT HALPER, COUNSEL

Mr. WHITE. Mr. Chairman and members of the subcommittee, my name is Alfred L. White. I am a lumber manufacturer from Troy, S.C., and I appear here today as vice president of the Southeastern Lumber Manufacturers Association. Appearing with me is K. G. Clemens, field manager, from SLMA's College Park, Ga., headquarters.

The association was formed in 1962 to provide a common voice for independent lumber manufacturers in the Southeast. In this short time it has grown to its present membership of more than 180 pro-

ducers operating in Georgia, Alabama, Florida, North Carolina, and South Carolina.

During this same period of time, SLMA has participated in a number of significant congressional hearings concerning and affecting the forest industries, our Nation's forests, timber and lumber prices, and the general survival of the small lumber manufacturer. Congress, over the years, has expressed its concern over the survival of the independent lumber manufacturer and his dedicated much attention to the impact of various policies on small businessmen in the forest products industry. In turn, SLMA's participation in various hearings has often focused on the critical question of timber supply, and of the access of small mills to such supply as a condition to their survival. In recent years, SLMA has been a leading industry voice in identifying reasons for the wholesale disappearance of thousands of lumber producers—and has urged the establishment of meaningful set-aside policies; noted the great dependence of small business on public timber; and discussed the key relationships between log exports and timber supply, among other problems.

We appear here today because of our general concern over the policies affecting the national forests in the Southeast, and its particular concern about the proposed legislation that will further intensify the pressures on the available supply of timber. Most of SLMA's members are producers without their own source of timber supply. A large number of them purchase substantial portions of their annual raw material requirements from the national forests of the Southeast. While it is safe to predict that all lumber manufacturers, large and small, oppose either administrative or legislative attempts to reduce the annual allowable cut from these national forests, the smaller producers are perhaps more adversely affected if proposals such as H.R. 14392 are enacted and further reduce the available supply of timber.

These hearings represent the second significant activity of the week affecting the lumber industry. Only a few days ago, the Cost of Living Council reimposed controls on exempt members of the lumber industry because of the concern over increasing lumber prices. The Forest Service was simultaneously directed to step-up its timber sales so as to reduce the pressure on log supply that contributes to the inflationary costs of timber and lumber. Assuming the correctness of those executive actions the objective of H.R. 14392, appears to be diametrically opposed to that sought to be accomplished by the administration. The enactment of such a bill would aggravate the unabated problem of timber supply crisis for years to come.

The price movements of both timber and lumber that lead to the Council's action merely mirror the basic interplay between supply and demand. Higher and higher stumpage prices reflect a strong demand for forest products, operating on a more restricted supply of timber. The vigor demonstrated by the forest products industry today, can disappear quickly unless adequate provisions are made for securing necessary timber supply. Yet, no single force is more important on the supply side of the equation than the national forests.

Mr. Chairman, the emotionalism prompted by debates as to the proper use of our national forests is well known to this committee, and to the Congress as a whole. Each attempt at legislation affecting

forest policy results in highly predictable responses from preservationists and conservationists on the one hand and industry members on the other hand. Yet, it is clear that in every proposal offered by members of the forest products industry affecting timber management and supply, and forest policy, there is an underlying recognition of the importance of the multiple-use concept that Congress has written into law, and the basic need for conservation. Unfortunately, few preservationist advocates are willing to recognize the important and essential role our Nation's forests play in providing the vital raw materials to supply our housing and other consumer needs. The proposals which are the subject of hearings today point this up. They represent, in our opinion, an unwise attempt to single out one goal without recognition of the impact it has on the timber harvesting, popular recreation, or other needs that should be satisfied by our forest policy.

SLMA does not believe that a case can be made out for the passage of a wild areas act, as I will discuss in a minute. To be most charitable, however, it is clear that a case has not yet been made out and that these hearings are at best premature for a number of reasons. Any further consideration of legislation that will direct additional land to be withdrawn from proper timber management should await the results of the pending Forest Service investigations of particular forest areas, and its assessment of comments it receives concerning proper management of those areas. Further consideration of H.R. 14392, should be delayed until an exhaustive statistical analysis of the relevant facts has been made, and convincing evidence has been offered that there is a need for further withdrawal of lands for the purposes contemplated. More significantly, these proposals should not be considered in a vacuum; they should be part of a comprehensive reappraisal of every aspect of land use in our national forests so that no decision is made on additional "wilderness" areas unless it takes into consideration the particular housing needs of the country; the adequacy of alternative timber resources; the short term supply and demand factors, the price levels of timber and lumber; the merits of our current log export policies; and the consequences of our anticipated reliance on alternative materials. It is also clear that as long as the present economic climate of controls is in effect, it is an inappropriate time to consider legislation which can have such a substantial impact on the lumber prices which are under control. In short, Congress should consider the subject of the matter outlined by the Public Land Law Review Commission and come to grips with the conflicting demands once and for all.

But SLMA is concerned not just that these proposals are premature. It opposes these proposals, because a case cannot be made out for them. This is special interest legislation of the most blatant kind. In the name of conservation, proponents are attempting to lock up in perpetuity enormous areas of our Nation's forests that will not be used at all, or that will be used by an isolated and privileged few. At the same time, these areas would be removed from the possibility of development and astute timber management that all experts agree is promotive of accelerated regeneration of the forests and of wildlife, and is essential to prevent the wasting of one of our most precious assets. The fact that advocates of this legislation are free from the sometimes unwholesome label of "commercialism" and are presumably

acting under the fashionable umbrella of ecology is no reason for disregarding the fact that this is special legislation.

Let us examine closely the adverse consequences which are likely to result from this legislation. A major criticism of the proposed bill is its adverse economic impact. Detrimental economic effects would be felt by the area concerned, commercial industry, consumers, the Federal Government, and the national and local economy. These results all stem from the prohibition against timber harvesting and management.

1. IMPACT ON THE FOREST AREAS AND WILDLIFE

The areas selected as wild areas would be injured because of the absence of the proper timber management conducive to forest growth and wildlife. No one disputes that preservation principles inhibit the net growth of forests. The growth rate in commercial industry forests far exceeds that of unmanaged forests. The trees in an unmanaged forest become overmature and beneficial to no one. Infestations and natural disasters are uncontrollable, and result in wasting of timber resources. Furthermore, it is beyond dispute that proper timber management permits the sunlight essential to forest floor vegetation, and creates a healthy climate for wildlife. Conversely, a preservationist approach results in the disappearance of game and other wildlife.

2. THERE WOULD BE AN ADVERSE IMPACT ON THE FOREST PRODUCTS INDUSTRY

A major commercial industry, vital to the Nation and local communities, would be severely restricted. Some 1.6 million people are employed in lumber and wood products manufacturing, or about 8.3 percent of all manufacturing jobs. Locking up wilderness and primitive areas deters investment planning and modernization by lumber and wood products companies and results in short range planning by communities dependent upon timber. To the small manufacturer, it can even result in plant closing. Moreover, additional withdrawal of timber areas increases the concern over the country's need to continue meeting the increased level of consumption of wood products without a substantial rise in price. These effects would be just as prevalent in any other industry deprived of its raw material resource.

3. THERE WOULD BE AN ADVERSE IMPACT ON CONSUMERS

The action of the Cost of Living Council this week points up the need to consider the consumers' interest in this problem. The great majority of our population want quality homes and furniture, in preference to a trip into wilderness. Yet, their demands as consumers could outstrip the shrinking timber supply that supports these demands if more timberlands are removed from production. Furthermore, housing and consumer products made from national forest timber are used every day, in sharp contrast to the occasional use made of wild areas. Without proper timber management, by the turn of the century, timber supply problems could be critical. The proposed act aggravates the problem. For example, the Forest Service is considering establishing one 40,000 acre wild area that is capable of producing 1,650,000 board feet of timber per year, or enough lumber to build

140 homes. In 10 years, the combined cut would create shelter for 1,400 families, an alternative which appears more meaningful than the peace and solitude of a few who might enjoy access to an area which has no roads and no mechanical conveniences.

4. THE ADVERSE IMPACT ON FEDERAL GOVERNMENT

The Federal Government, which owns 142 million acres of the Nation's total 759 million acres of forest land, suffers a loss in revenue when lands are withdrawn to the detriment of all taxpayers who must pay higher taxes and higher prices for the necessities of life. Injury and waste also occurs on the Government-owned lands, as shown earlier, which remain wilderness areas. These adverse effects upon the Federal Government are felt by the national economy, which suffers an inflationary rise in price due to a shortage of a needed natural resource—wood.

5. THE ADVERSE IMPACT ON LOCAL AREAS

Finally, many regions are dependent upon income from the proper use of the natural resources of these areas. The already battered Appalachian economy would further suffer should its people be unable to utilize all available resources. The possible loss of the 25 percent payments from Forest Service timber sales in lieu of property taxes would also be felt. Any attempt to continue these payments in the absence of timber sales would represent a charge on the taxpaying public as a whole to subsidize the creation of wild areas.

On the other hand, proponents of this legislation have not drawn clear and convincing evidence of the need for additional wild areas. However, it is clear that an almost insignificant few take advantage of these areas now considered to be wilderness or primitive. The present wild areas equal in size the States of New Hampshire, Massachusetts, Connecticut, and Rhode Island; yet, Forest Service estimates indicate that they are used by less than 1 percent of the Nation's population. Moreover, Forest Service records indicate that very few of the total number of visitors to our forests—less than 4 percent—utilize the wilderness or primitive areas. The ordeals of wilderness areas deter most of the visitors seeking recreation. The overwhelming majority of the public needs, wants, and utilizes accessible outdoor recreation areas, not wild areas.

Advocates of the proposed bill may claim that present wilderness areas are inaccessible to the major population centers of the East. However, the experience in the Great Smoky Mountain National Park—one of the largest wilderness areas in existence, covering 586,616 acres—confirms that the public wants developed recreational areas, and not wilderness. National Park Service officials have advised that only a minute percentage of the 7 million visitors to that park last year wandered away from trails, camping areas, and other developed sites.

Great conservationists such as Gifford Pinchot and Theodore Roosevelt advocated the management of our national resources so as to provide the greatest good to the greatest number. Locking up large areas does not meet that conservation goal, and does violence to the spirit of the Multiple Use Act in failing to "best meet the needs of the

American people." The preservationist approach looks to substitute materials such as aluminum, steel or plastics. Yet, it disregards the fact that these are produced from nonrenewable resources, and create pollution problems not caused in lumber production.

Those who advocate this legislation praise the peace and solitude of a wilderness area. Yet, how many can doubt that this feeling can be achieved in the midst of a managed 80-year-old timber stand as well as in a wild area. The major difference is that the managed stand will be used beneficially by man, while the wild stand will be harvested wastefully by nature.

Our association is not opposed to the dedication of lands to wild area use in appropriate circumstances. We believe, however, that the proposed legislation contains definitions that are extensive enough to embrace most national forest land in the South. Pressures will continue from preservationists to withdraw all such lands from timber management. Yet, this legislation is unnecessary in view of the administrative attention the Forest Service is paying to these matters, and the practical economies which make timber harvesting impractical in many areas.

We think that the Forest Service is doing a real good job. It may follow some practices that at times may seem a little bit rough, that we have to waterbar some areas that we have to go in to keep erosion down. If it rains too much, we have to stay out. We can't log at that time. When it rains a lot, we have to go back and fill ruts, if it has made some. So we feel the Forest Service has done a good job in managing the land.

Thus, SLMA believes that wild areas will be ever present, but should be confined to those tracts in which there is no other probable use of the forests.

In closing, I want to commend the Congress for introducing legislation such as S. 3105, H.R. 13809, and H.R. 8817. While such legislation, if passed and properly implemented, could increase the availability of timber stumpage, it will be many years before the beneficial impact would be felt. Yet, the demand for timber products is now. The homebuyer and the furniture buyer do not want to wait. Therefore, we urge this committee not to further aggravate the pressing timber supply problems by recommending passage of a wild areas bill.

Thank you.

Mr. FOLEY. Thank you, Mr. White.

Any questions?

Mr. TEAGUE of California. I have one.

Mr. White, on page 8, near the bottom, you say the Forest Service is considering establishing one 40,000-acre wild area that is capable of producing 1,600,000 board feet of timber per year, or enough lumber to build 140 homes.

I do not know anything about the lumber industry, but that does not seem to me like very many homes. Are those statistics correct—140 homes out of 40,000 acres of even not the best timber?

Mr. WHITE. It would probably take about 10,000 feet of lumber.

Mr. CLEMENS. That is right, they average only 10,000 or 12,000 feet.

Mr. TEAGUE of California. I just wanted to make sure you did not make a mistake in your statistics.

Thank you.

Mr. FOLEY. Any questions, Mr. Kyl?

Mr. KYL. Thank you, Mr. Chairman.

You brought in this matter of lumber supply and prices. Do you have any statistics for us comparing the amount of timber cut in the United States from November of last year to the present as compared with the same period in recent years?

Mr. WHITE. The amount of allowable timber cut?

Mr. KYL. The amount of timber actually cut in the United States from all sources; in other words, the available supply of lumber from the past November until the present time, for instance.

Mr. WHITE. I do not have the figures.

Mr. KYL. Do you have any figures which would show the comparative export figures, not only of logs but also of clears and the dimension of lumber for that period as compared to the previous years?

I tell you why I am asking the question, sir. I unfortunately do not have the sheets with me, but I have figures on the prices of certain types of dimension lumber from November last year up to the present month, with a very great escalation of the price. What I have been trying to find out is what is the cause of that escalation in price which, in one case, for instance, went from $90 to $163 from November to the present time.

Mr. WHITE. Well, one thing, I think it goes back a few years to the fact that a lot of mills have gone out of business for several reasons, and the lack of adequate stumpage in some cases has been a factor in that. And now, when the housing boom starts, the law of supply and demand, I suppose, is what is working there.

Mr. KYL. In other words, these other companies did not pick up the production of the smaller companies that went out of the business? Is that what you are saying?

Mr. WHITE. Well, no, sir, not in all cases.

Mr. KYL. Turning to another factor, is it your opinion that enactment of this bill would cut the available supply of timber for harvest in the Eastern United States? Is that what you are trying to say in your testimony?

Mr. WHITE. Yes, if it does what it says, if no timber is allowed to be cut on it. I do not see how——

Mr. KYL. You also say we ought to await the results of these Forest Service listening sessions around the country. Will you be willing to accept the decisions which are based on the premises developed from those hearings?

Mr. WHITE. I would like to help make the decision and hope it will come out to where I can support it.

Mr. KYL. Really what you are saying honestly is you are a little afraid of what they might say, but you hope we will delay the passage of the bill at least until that time so there is a chance that they might come up with a negative report, is that correct?

Mr. WHITE. That would seem pretty good. That is what I want.

I would hope I have what is considered what is a pretty good audience here today. I am vice president, but before the week is out, I hope to be president of the association, so I do not want too bad a report to go back to my people.

Mr. KYL. The interesting thing about these hearings and the testimony that we have had and will have over in the Senate is that I get

placed in an unusual—not an unusual position but an interesting one. The timber people say I am an emotional environmentalist and we have one environmentalist that says I have sold out to the timber companies, which makes me think the bill is even better than I thought it was when I produced it.

Mr. WHITE. You mean nobody likes it?

I didn't mean that.

Mr. KYL. Well, since you have said it, that is not the case at all. But I would like to say, you are right, too, when you say there is a possibility that we are going to reduce the cutting in some of these eastern areas, because that is my intent. I do not want to hide that from anybody. It is my intent to preserve these areas as genuine wild areas.

Mr. WHITE. I thought so. That is one reason for my being up here.

Mr. KYL. I just do not want you to have any misunderstanding of it.

One final point. You say the administration now has the authority to do this thing we want to do. Do you approve of the Forest Service decision which has already been made and implemented to withdraw from timbering these areas which they think would classify as wild areas in the East?

Mr. WHITE. Yes, as long as that is decided in the public hearings which we have attended.

Mr. KYL. They have already taken this action. They have withdrawn from timbering a lot of acres in the East. They have already done that.

Mr. WHITE. In some cases, but I do not know—I am not familiar with the particular areas to know whether I think it should have been withdrawn or not.

Mr. KYL. Well, again, to be very honest about it, and I appreciate your frankness here, you are human like I am and everyone else. We like the administrative authority if it goes in our favor, but if it goes the other way, we would just rather that they did not have this authority. Is that not about right?

Mr. WHITE. Well, I do not know, we are getting kind of frank here.

Mr. KYL. I am not trying to put you on the spot.

Mr. WHITE. On this other thing you asked about, the Forest Service, can't they change their regulations on that particular land you asked me about?

Mr. KYL. Could they change something?

Mr. WHITE. Yes, if they deemed it necessary.

Mr. KYL. I suppose they could, but if we enact legislation which sets those areas aside for preservation, then it would not be up to the administration. In other words, what we are trying to do is give greater statutory protection in these areas than we now have.

I am not criticizing the Forest Service. They are doing what the law tells them they must do in regard to the multiple-use—sustained yield—watershed protection. They have a mandate from the Congress. But we want to give greater statutory protection to vast areas of the Eastern States which we think ought to be saved as natural wild areas.

Mr. WHITE. May I ask you something, please?

Mr. KYL. Yes, of course.

Mr. WHITE. Do you backpack?

Mr. KYL. I don't backpack now. I don't have time to do much walking except get from the apartment and back. But I do love the outdoors, I do like hiking when I get the opportunity. I think my answer to your question is "yes," that is an avocation which I devoutly wish could be mine.

Mr. WHITE. I am certainly in favor of more recreation areas. I have camped some with my wife and family, but of course, maybe it is modern camping. She won't stop unless we can find an electricity and water hookup. So I do not backpack. But I do like the recreational areas and I wish we had more. We are getting more. In South Carolina, more are being developed each year and being used extensively. But we do not feel that—what we do feel is there is a possibility that too much land will be put in wilderness areas to be used by too few people because it is inaccessible by vehicle.

Mr. KYL. Thank you, Mr. Chairman.

Mr. FOLEY. Mr. Dow?

Mr. DOW. No.

Mr. FOLEY. Mr. Baker?

Mr. BAKER. One short question.

I believe, Mr. White, in previous hearings, I asked a witness in the lumber-timber industry about the percentage of private lands which supply timber and Federal lands, and I believe the answer which I got is that ample private lands exist in the South to accommodate the needs of the lumber industry. Do you agree with that statement? Is that statement correct?

Mr. WHITE. Well, I do not know about that gentleman's statement, but I depend on the Forest Service for about 40 percent of mine, if that is the question you are asking.

Mr. BAKER. Then I will ask, do you consider that this is a Federal responsibility, to furnish to the lumber industry this natural resource which, to me, is comparable to metals and energy sources—coal and other prime ingredients?

Mr. WHITE. I feel, and in my area particularly, I can speak for it, but I feel this way generally, the amount of land that the Forest Service, the State government, the Corps of Engineers, the amount of land that they have, if this were withdrawn, it would be disastrous, and I do think it is wrong, I certainly do. Too much land is owned in my part of South Carolina.

Mr. BAKER. Then, do you consider that a very positive setaside should be developed and arrived at? So often, I find the lumber industry wants to go to the easiest location, which is going to be the most suitable for recreational purposes, because it is the easiest to get to. Would you be willing to work in some of these more isolated areas and leave available the more suitable recreational areas so far as the industry approach is concerned?

Mr. WHITE. Yes, sir; I would. But there again, you come to the point of how much acreage in certain areas. I have seen some of them when there is entirely too much acreage and too fine timber growing to not take care of it with fire breaks. I mean it needs to be supervised.

Mr. BAKER. Well, I am trying to shape up for my own thinking the philosophical questions of really, what the purpose of the national forests actually is. I am not an outdoors man. I do not back pack. I do not even go camping and what not because I just like sheets better

than I do roughing it. But this is a personal preference of mine. I want to be in a position to provide some facilities for a broad segment of our people, which I believe is mobile and very much interested in this type of recreation. I have to think about the other side too. I have many foresters and many persons in the timber industry who point up the need for this material for housing and wood products and so forth.

Mr. WHITE. Well, I certainly would not want it harvested in a manner which would foul up these recreation areas.

Mr. BAKER. I thank the gentleman.

Thank you, Mr. Chairman.

Mr. FOLEY. Any questions, Mr. Dow?

Mr. DOW. No, Mr. Chairman, thank you.

Mr. FOLEY. Thank you very much, Mr. White. We appreciate your appearance here today and your testimony.

Mr. WHITE. Thank you, I am glad to be here.

Mr. FOLEY. Off the record for a moment.

(Off-the-record discussion.)

Mr. FOLEY. The next witness will be Mr. George Langford of Morgantown, W. Va., on behalf of the West Virginia Highlands Conservancy.

STATEMENT OF GEORGE LANGFORD, CARY, N.C., REPRESENTING THE WEST VIRGINIA HIGHLANDS CONSERVANCY, MORGANTOWN, W. VA.

Mr. LANGFORD. I am a member of the West Virginia Highlands Conservancy and past chairman of its Wilderness Preservation Committee. I have been authorized to present the following resolution on wilderness prepared at a meeting of the Board of Directors on July 8, 1972:

Whereas, the U.S. Forest Service has not advanced any wilderness proposals in eastern national forests for consideration by the Congress; and

Whereas, the U.S. Forest Service takes the position that no eastern national forest contains an area which qualifies under the Wilderness Act of 1964 even though Congress created three eastern national forest areas with the passage of the Act in 1964 (Great Gulf Wilderness in New Hampshire, Linville Gorge and Shining Rock Wilderness Areas in North Carolina); and

Whereas, other Federal Agencies such as the National Park Service and the U.S. Bureau of Sport Fisheries and Wildlife are advancing eastern wilderness proposals for consideration by the Congress, some of which have already been approved by the Congress (portions of Moosehorn, Monomoy Island and Great Swamp National Wildlife Refuges); and

Whereas, the National Park Service has proposed 73,280 acres of wilderness for the 193,000 acre Shenandoah National Park in Virginia, such park having the same history of land use and abuse as nearby George Washington and Jefferson National Forests which are said by the Forest Service to contain none whatsoever even though the two forests contain nearly two million acres; and

Whereas the Shenandoah proposal has already been heard (May 5, 1972) by the Public Lands Subcommittee of the Senate Interior and Insular Affairs Committee, on which occasion Subcommittee Chairman Senator Frank Church specifically criticized the anti-wilderness stance of the Forest Service with respect to eastern national forests and cited the Congressional intent that the Wilderness Act serve eastern U.S.A. as well as the west and that its provisions were so drawn as to permit the inclusion of eastern areas; and

Whereas there is great public support for wilderness areas in eastern national forests as evidenced by the strong citizen efforts to secure the filing and passage of wilderness bills by the Congress even though unsupported in such efforts by the U.S. Forest Service; and

Whereas, the Forest Service, in its effort to defeat public support for wilderness and avoid the application of the Wilderness Act to eastern national forests, is now advancing and supporting new legislation to establish a second competing and confusing system of wild areas to be heard and judged by House and Senate Agriculture Committees; and

Whereas wilderness proposals are heard and judged by House and Senate Interior and Insular Affairs Committees, both committees having greatly different orientations and outlooks; and

Whereas the Wilderness Act of 1964 *has not* been tried and found wanting with respect to eastern wilderness areas, and in veiw of all the foregoing circumstances;

The West Virginia Highlands Conservancy unequivocally supports the use of the Wilderness Act for the protection of eastern national forest wilderness areas and denies support for new legislation which would create a separate and confusing and inadequate system of protection for such areas, and directs that a copy of this resolution be forwarded to all members of the West Virginia Congressional delegation and to the Senate Agriculture Committee which will hold public hearings in Washington, D.C. on July 20, 21, 1972 on wild areas legislation, Bill No. S. 3699 et al:

In so doing, the West Virginia Highlands Conservancy wishes to make clear the fact that it supports the concept of protection for areas which cannot qualify under the Wilderness Act but notes that the Congress has not yet had an opporunity, because of Forest Service opposition, to judge any eastern national forest wilderness proposal.

Here also are the wilderness proposals prepared by members of my committee, and approved by the board of directors, for Dolly Sods (10,215 acres), Otter Creek (20,000 acres), and the Cranberry Backcountry (36,300 acres), all located in the Monongahela National Forest.[1]

I urge you to study these proposals, for they document the suitability of such areas for inclusion in the National Wilderness Preservation System under the terms of the Wilderness Act of 1964, and they also demonstrate the need to continue to prevent destructive road construction, logging, and—coal—mining in these irreplaceable wild lands.

These areas are among eleven listed in Senator Jackson's Omnibus Eastern Wilderness Bill, S. 3972), which I believe to be the best vehicle for their protection.

In spite of the cooperation and assistance of individuals from within the Forest Service in preparing citizens' wilderness proposals, the "administration"—whoever that may be—of the Forest Service has invariably insisted that the mere existence or history of human intrusions, without regard to degree, precludes their recommendation to protect any eastern wild lands under the Wilderness Act.

I do not like to belabor the point, but the Forest Service as an administrative body has had an abysmal record, in failing to preserve and even in wilfully destroying de facto wilderness.[2] This attitude has not changed, as the following examples attest:

The Forest Service in North Carolina recently prepared a Special Study, Joyce Kilmer-Slickrock Area, Management Alternatives[3] and held public hearings May 10, 1972. In spite of being the most objective

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[1] All three proposals can be obtained from the West Virginia Highlands Conservancy, 1412 Western Avenue, Morgantown, W. Va. 26505, and may also be found in the files of the committee.

[2] Documented by at least 27 contributors to the public record of Senator Church's hearings on "Management Practices on Public Lands," held Apr. 5–7, 1971, before the Subcommittee on Public Lands, Committee on Interior and Insular Affairs, U.S. Senate, at Washington, D.C.

[3] Obtainable from Mr. Gaylord Yost, assistant supervisor, planning, national forests in North Carolina, P.O. Box 2750, Asheville, N.C. 28802.

Forest Service study of de facto wilderness to date, the study has several flaws, the most serious of which follow. Five of the seven alternate routes for a proposed transmountain road are arbitrarily excluded from consideration—even the route for which construction funds were originally authorized by Congress.[4] The only two remaining alternates are equally destructive; either would bisect the Joyce Kilmer-Slickrock wilderness proposed by citizens [4] and by Senator Jackson, S. 3972. It is also flawed by inaccurate use of the wording and misquotation of the Wilderness Act. You can at least begin to make your own judgment as to the degree of past human intrusion here.

In West Virginia, the Forest Service recently released a "Summary (Draft) Management Plan for the Meadow Creek Unit," [5] on which a listening session had been held August 14, 1971. This report contains no mention of the fact that a part of the unit was managed in the past as a pioneer study area—which is an administrative method of protecting primitive-type areas at the district ranger level. Instead, a timber sale and access road are planned to provide wildlife, that is, game, habitat. My own suggestion, that the pioneer study area be enlarged, was dismissed on the grounds that the area does not qualify—how's that for inconsistency of management direction?

Clearly, preservation of uncut, unroaded, and especially, unmanaged forests is abhorrent to the Forest Service.

You have before you a bill, S. 3699; H.R. 14392, which intends to set up a system of wild areas in the national forests—purchased under the Weeks Act—in the East. Since this bill was prepared under the encouragement of, and has been publicized by, the Forest Service, I must question the manner in which it will be used and abused by the Forest Service. That agency has been conducting listening sessions all over the East in an effort to elicit criteria for choice and management of wildlands. They already know their domain better than we do—where is their list or inventory of lands which can be considered wild? Lists of criteria can be used to exclude land from consideration; lists of specific places can better be used to include them.

I believe that the Wilderness Act is superior in its definition and management of wilderness—even here in the East. The Wilderness Act affords superior protection against mismanagement, because it places the needs of wild animals, wild lands, and wild plants above the needs of human beings; the need for human solitude is subordinated to the well-being of the wilderness. The Wilderness Act excludes all forms of logging and roadbuilding. The Wilderness Act is a management directive in which the definition of wilderness describes the kinds of lands that can be practicably managed as wilderness. Agencies of Government serve only to carry out that management, not to determine the areas to be so managed. That is up to Congress and the people. The agencies can only recommend. When professionals recommend negatively and arbitrarily, for reasons not a part of the Wilderness Act, they exceed their authority.

Every one of the 11 areas in Senator Jackson's omnibus wilderness bill has been proposed by citizens' groups over the objections and obstructions of the Forest Service. I know of no recommendations for

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[4] *A Joyce Kilmer-Slickrock White Paper* obtainable from Carl A. Reiche, coordinator, Save-Joyce-Kilmer League, 932 Obispo Avenue, Coral Gables, Fla. 33134.

[5] Obtainable from the supervisor, Monongahelia National Forest, Box 1231, Elkins, W. Va. 26241.

wilderness status in the East by the Forest Service since before the passage of the Wilderness Act. The Congress and other administrative agencies of Government have already established the extension of wilderness—the range of kinds and qualities of land to be protected as wilderness. The Forest Service need only follow those examples. When the Forest Service claims that lands proposed as wilderness do not so qualify and refuse to admit a favorable comparison with lands already in the National Wilderness Preservation System, they insult and are contemptuous of Congress, whose Members are my chosen representatives in Government.

You will hear pleas for more timber and less wilderness, for more trails for all-terrain vehicles and less wilderness; for more coal and less wilderness; these are the strongest arguments for the preservation of wilderness. There are so few wild places left that eradication of them will help the above lobbies but little.

You will hear pleas that the local economies are dependent on the timber industry—these also are innocent pleas for more wilderness as the climax of a recreational and environmental resource to prevent the continued colonization of rural America, especially of Appalachia, by exploitive industries.

Technology in the hands of men is the greatest enemy of land, and of wilderness in particular. Our capacity to destroy, even inadvertently, is growing even larger. Copper axes replaced stone axes and were replaced by steel axes. Crosscut saws were replaced by chain saws, and we may soon have water jets and giant scissors; horses were replaced by bulldozers which are being replaced by rubber-tired skidders. The original logging of these de facto wildernesses was done by railroad methods, which had far less extensive effects than today's combination of roads and machines. Each "improvement" in technology increases the productivity of a man's labor; improvements in our knowledge of the applications of these technologies are offset by expediences in their application. Hence, we are ever more destructive and cannot "afford" the precautions which prevent passing hidden costs onto our neighbors and onto coming generations. These are arguments for the preservation of wilderness and for laws to discipline land users, land managers, and land consumers.

I recommend that you support citizens' proposals for wilderness in the East, through the use of the Wilderness Act.

I recommend that you require a list of the affected areas to be submitted by the Forest Service and by citizens' groups; choose from among these the ones that fit the size requirements and the extension of wilderness already established by Congress. The remaining areas should be preserved also—examine the list for adequate representation of types of forest, soil, climate, habitat, and so on. Be sure that these areas are well distributed; then protect them from us—we are their enemy, but we need them; our children need them.

I am attaching a series of pertinent letters which I have written to Forest Service officials; please retain them in your files, for they elaborate on several of the points I have made above. Thank you, Mr. Chairman.

Mr. FOLEY. Thank you very much, Mr. Langford. Any questions of Mr. Langford?

Mr. Dow. I have a question, Mr. Chairman, if I may.

Mr. FOLEY. Mr. Dow.

Mr. Dow. In reference to the resolution Mr. Langford offered by the West Virginia Highlands Conservancy, they say, "Whereas the Wilderness Act of 1964 has been tried and found wanting with respect to Eastern wilderness areas"—well, I do not understand too much about the Wilderness Act, but what is it about the Wilderness Act that has been tried and found wanting with respect to Eastern wilderness areas?

Mr. LANGFORD. I think a negative has been left out there somewhere.

Mr. Dow. That is on page 4, the very last sheet of your exhibit, in the middle.

Mr. LANGFORD. It says, "Whereas the Wilderness Act of 1964 has not been tried and found wanting."

Mr. Dow. Did I leave out the word "not"?

Mr. LANGFORD. Yes; you did.

Mr. Dow. I apologize. I meant to read it just the way it is.

Mr. LANGFORD. Would you like me to explain the way it has not been tried?

Mr. Dow. Yes; I would.

Mr. LANGFORD. For example, the Forest Service has not yet put forth a single example in the sense of a proposal or even a rejection, have made rejections out of hand. For example, it is usually stated, as you have heard from Mr. McGuire this morning, for example, that there are old foundations, old farms and inholdings and roads and so on. These, except in one case, have not been documented in any quantitative fashion. It has been used qualitatively in the same sense that the Forest Service has said that there is no wilderness in Jefferson and George Washington National Forests, in spite of the fact that the Park Service, which has administrative power over a very similar forest, has said that one-third of the area should be wilderness. In that sense, then, the Forest Service has not given the Wilderness Act a chance. I think these proposals prepared by the West Virginia Highlands Conservancy provide an alternative viewpoint, and I think a more objective viewpoint, because we are not concerned entirely with timber production.

Mr. Dow. You think that the Wilderness Act is a pretty good act and could be employed to accomplish some of the purposes that we desire here in the way of preserving our Eastern forests. Is that correct?

Mr. LANGFORD. It is correct with one exception, and that has been corrected by Senator Jackson's bill for the 11 Eastern wildernesses. That is that the Wilderness Act is deficient in the protection of areas for mining, and in the East where the lands were acquired by the Forest Service and in which the original owners either retained the mineral rights or sold them to another party, the mining situation is far different, because the minerals are much more common.

Coal, for example, is not the only source of coal in the States; for example, in West Virginia. It is only a small fraction of that coal. It is simply that the Wilderness Act does not provide for acquisition of minerals where that is probably a necessity to preserve the areas unless the Government is willing to subsidize the mining of that coal

or other minerals like that, to prevent irreversible damage to these areas by the mining.

But they are either going to be mined or they are going to be preserved. It is very difficult to do both.

Mr. Dow. How does the Wilderness Act apply? Does it apply specifically in areas, or may it be invoked by the Forest Service at will? Is there any automatic application of the Wilderness Act, or does it come on when some Government authority designates the inclusion of an area under the act?

In other words, I am curious about when does it happen and when does it not happen?

Mr. LANGFORD. The Forest Service is not required specifically by the Wilderness Act to study all its lands for possible inclusion in the wilderness system. However, citizens have made such proposals, and they have been supported by their Members of Congress and Representatives. Also, the Wilderness Act, I think, does not contain criteria for choices of wilderness so much as it is a managing directive to decide how these areas are to be managed.

Mr. KYL. Will the gentleman yield?

Mr. Dow. Could I ask one more question, then I will be happy to yield?

Mr. KYL. Yes.

Mr. Dow. When you say "these areas," who determines "these areas"?

Mr. LANGFORD. Congress.

Mr. Dow. In other words, Congress by affirmation declares what comes under the Wilderness Act. Is that correct?

Mr. LANGFORD. You have the authority over the Forest Service to do so, of course.

Mr. Dow. Well, I am a little puzzled about this whole thing, because here we are suggesting legislation that relates to the establishment of certain wilderness provisions in reference to eastern areas. I am curious, how is the Wilderness Act applied? Who says areas come under the Wilderness Act? Does the Forest Service do it on instruction of Congress, or does Congress do it? How do you get the lands to enjoy the benefits or the protections of the Wilderness Act?

Mr. KYL. Will the gentleman yield now?

Mr. Dow. Yes, if you will help me with my question.

Mr. KYL. The answer is simply that the Congress establishes the wilderness areas.

Mr. Dow. It is not done by the Forest Service?

Mr. KYL. The Congress establishes the wilderness areas.

Mr. TEAGUE of California. And the Committee on Interior and Insular Affairs has jurisdiction over the subject, not this committee, the establishment of individual areas.

Mr. Dow. I thank you gentlemen for your helpfulness.

Then I take it that the legislation we are considering today envisages the addition of lands that have not been designated by Congress for the use of the Wilderness Act, it is a provision that applies to other lands, other than those of the Wilderness Act designation?

Mr. FOLEY. That is correct. And I think the gentleman from Iowa and the other sponsors intend that the legislation should create wild areas to be managed in similar fashion as the wilderness areas but not specifically to be included in the wilderness system.

Mr. Dow. I thank you all for your help.

Mr. FOLEY. Mr. Kyl?

Mr. KYL. You have mentioned the fact that there are so few wild areas. You mentioned Senator Jackson's bill for a set-aside of 2,000 across in 11 units. Would you be satisfied with that amount of wilderness in the United States?

Mr. LANGFORD. No.

Mr. KYL. Thank you.

Mr. FOLEY. We thank you very much. We appreciate your testimony and responses to questions of the subcommittee.

The Chair is going to note that it is very unlikely we will conclude with the scheduled list of witnesses this morning. In the hope that we can at least accommodate those who have come from outside the city, the Chair, without objection, is going to put off until tomorrow, if it is possible for these witnesses to testify tomorrow, the testimony of Mr. Peter Borelli, eastern representative for the Sierra Club, and Mr. George Alderson, legislative director of the Friends of the Earth. We still hope today to reach the testimony of Mr. Royce, and other people from outside the city.

The next witness is Prof. Carl Holcomb, College of Agriculture, Division of Forestry and Wildlife Sciences, Virginia Polytechnic Institute, Blacksburg, Va.

STATEMENT OF CARL J. HOLCOMB, PROFESSOR OF FORESTRY, COLLEGE OF AGRICULTURE, DIVISION OF FORESTRY AND WILDLIFE SCIENCES, VIRGINIA POLYTECHNIC INSTITUTE

Mr. HOLCOMB. Mr. Chairman, members of the Forests Subcommittee, I shall try to paraphrase part of this in the interest of economy of time.

My name is Carl Holcomb and I live in Blacksburg, Va. By profession I am a forester. My work has involved many years of experience throughout the Lake States and in the central Appalachians in forest inventory and forest management. I am presently employed as a professor of forestry at Virginia Polytechnic Institute and State University. I represent only myself and am here today concerned with the consideration of H.R. 14392 to areas in the eastern national forests.

My study of the Wilderness Act does not reveal any language which eliminates wilderness east of the 100th meridian. In fact, each of the agencies with Wilderness Act responsibilities has found areas which they have classified as wilderness, and each agency has areas either being managed under the Wilderness Act or legislation pending to add land to the system. It would seem strange that under such circumstances there are no additional areas in the 23-plus million acres of eastern national forests which are suitable for Wilderness Acts status. As a matter of fact, there are bills now pending in the Congress recommending wilderness status for several areas within eastern national forests.

I have spent many long months cruising timber in the Lake States, Mr. Chairman, a substantial portion of it in virgin timber in which no one could deny was not of wilderness caliber. I have also cruised timber in West Virginia and probably have been in as many out-of-the-way places in that State as anyone. I can say with conviction that

for ruggedness, difficulty of travel, and from the standpoint of heavy timber growth, this central Appalachian country is in a class by itself here in the East.

It is a matter of record that the Appalachian States reached their peak in lumber production in the early part of the present century, as is also true of some other Appalachian States, and that by the late 1920's very little original growth timber was left. From that time on, nature has made a valiant effort to erase the evidence of man's activity, and in many cases is making a successful effort. The size of the timber and old logging roads are the only major evidences on the landscape that man has been around. Fortunately, in the original lumbering, we did not have the heavy equipment, requiring the big, broad roads that we now require for timbering. And 40 to 60 years of nature's efforts have reclaimed this logged-over land sufficiently so that the sister agencies of the Forest Service believe—and the Congress does also—that each has areas of wilderness character.

In the establishment by Congress of the Wilderness Preservation System, there is no evidence that Eastern areas were to be exempted from the systems—the contrary is true. There is no evidence that only "virgin" territory was to be considered—the contrary is true. Only the Congress has the authority to decide whether or not these Eastern national forests have areas suitable for wilderness status.

The only voice raised against the idea of establishing wilderness areas—incorporated into the National Wilderness Preservation System—is the Forest Service, USDA. It flies into the face of the Congress, the act itself, and a multitude of people who have tramped over and studied specific areas in the Eastern national forests and who are much more intimately acquainted with many of the remote areas than the Forest Service administrators themselves.

There are several disadvantages to two systems of classification for the same types of areas. First of all, it means that all except an infinitesimal percentage of the public land in the East may be denied wilderness status. Secondly, it means that in any attempt to classify land into either system, a great deal of controversy by four committees of the Congress will be involved in deciding into which system a particular area will be placed. In the meantime, the opinions and feelings of many groups with diverse ideas will keep areas from getting into either system. Further, the pressure for lumber and other products and uses of the forests—national forests—will eliminate many of the areas which should be incorporated into either system.

With particular respect to the bill here under consideration, it follows in many respects the wording of the Wilderness Act itself and in the very beginning admits to the restoration of lands to the effect "that many such national forest areas have been restored to a near natural condition and appear predominantly primitive and undisturbed in character" (lines 9–12, p. 2). On the other hand the bill provides for development "reasonably necessary for the health, safety, and well-being of the visiting public and the protection of natural resources" (lines 14–16, p. 6). Does this mean eventually flush toilets, walled-up springs, manicured trails, et cetera? Does the use of motorized equipment mean one day a system of roads necessary to carry out measures to protect the health and safety of persons using the area? The language of the bill intimates that "wild areas" may become fairly sophisticated recreational areas.

The bill also states that commercial timber harvesting shall not be permitted. What kind of harvesting will it be? Does this mean that timber cutting for management of game in general and deer in particular is expected? And if it is, will the timber be left to rot or will it be salvaged? Here I would also like to say that too many times we equate game management and wildlife management. Now, there is a group of people, and rightfully so, and perhaps I am one of them at times, who thinks in terms of game management—in other words, such things as grouse, quail, deer, turkey, and the like of that.

But I think a large segment of the American public is just as much interested in wildlife management. This would cover a host of animals that had no use as far as game is concerned, as far as hunting is concerned. And I think that, always, we should think in terms of the entire public and think in terms of wildlife management rather than game management. If we do this, then I do not think that some of these areas are going to need the kind of management that we have for game.

For example, each stage in plant succession has its own particular kind of wildlife, and I see no reason why we should interrupt a particular stage in succession or maintain a particular stage in succession so that we can have just one kind of game for a limited number of people.

Is it too much to expect that the areas cleared for deer management will not destroy the primitive or wilderness character of the land. In short, the language of the bill will allow succeeding Forest Service administrators, if not the incumbents, to do almost anything they feel a need to do in the way of management for recreation with only "commercial" timber harvesting forbidden.

If I may digress here again for just a brief moment, and this has to do with the growth of timber, the volume of timber, the need of national forests, timber forestry, and I do not deny it, but I think to put it in the proper perspective—and I have studied the forest survey statistics, and it is a very interesting thing to find that the total annual growth of timber in the eastern United States is equal to the total volume of all of the timber in the national forests in the East.

In other words, if we were to clear-cut the national forests of the East in 1 year, we would only have 1 year's growth of the rest of the timber in the United States. And I submit that we ought to be managing this other timber much better, and if we did it, we could save a little bit of this land for wilderness use, a use which is greater than just recreation.

Mr. Chairman, members of the committee, the Congress in its wisdom, after 8 years of agonizing, controversy, and hard work, passed the Wilderness Act. It has been used by each of the specified agencies and areas approved by the Congress. I do not believe that one agency should fly in the face of a system that it has so far not given the Congress an opportunity to test it east of the Rockies before recommending an alternate system for itself. A few months is too short a time for consideration and passage of the bill, when it took so long for the wilderness bill to become law. And I am sure this bill is no less controversial.

It took 8 years of intense effort to forge the Wilderness Act. Let's give it a chance to work before altering it.

I thank you.

Mr. FOLEY. Thank you very much, Professor Holcomb.

Any questions of Professor Holcomb?
Mr. KYL. Mr. Chairman.
Mr. FOLEY. Mr. Kyl.
Mr. KYL. Mr. Holcomb, your statement says:

> It would seem strange that under such circumstances, there are no additional areas in the 23 plus million acres of eastern national forests which are suitable for Wilderness Act status.

As the author of the bill, I would agree that there are areas in the East which ought to be in wilderness. This bill is not intended as a substitute for wilderness. That area that is wilderness should be declared wilderness and should be administered under the terms of the wilderness system.

It is also my projection that if we are to get the quantity of land in the East that we need under the circumstances in these required forests, then we are going to need some kind of system. I do not worry about controversy in committee, because every time we have a bill requiring a part of a recreation area and we review the classification for that area—sometimes a recreation area, sometimes wilderness, sometimes something else—we have that argument anyway.

Just a little bit further, with regard to the flush toilets, walled-up springs, and so on, again, the intent of this act is to take those areas which are wild in character but which show considerable intrusion—and most of them do—and to do some things which would even help them revert to a status so that they might ultimately be included in a wilderness system. There is no intent whatsoever of setting aside a wilderness system or finding a substitute for it. In fact, in many cases, I am certain in the eastern part of this country, we can help get lands back to a status that can qualify.

Then in regard to some of the shortcomings of this bill, you point out that it took 8 years to get this wilderness bill enacted. I would be the first to acknowledge that we need some amendments on this bill. The wilderness bill which became law and which is now viewed as a kind of ideal piece of legislation only resembles slightly those original proposals. But we have the answer to Mr. Dow's original question this morning, brought up in your conversation: The fact that you have to start on these things, you have to contemplate what your needs are going to be. We do not intend to rush anything through, but we have to get started with the kind of thought that you people put into this in view of the situation so we have a basis of comparison before we move into this area.

I think insofar as I am concerned, I know the worries you express here are certainly not worries of substance so far as the author of the bill is concerned, because the goal is to put more areas into preservation and to do it in the wisest manner possible.

Mr. HOLCOMB. Yes, I agree, Mr. Kyl, that we do need large areas and we certainly would need areas over and above those areas which will qualify as wilderness. I think that the fear that many of us have is that if we have the two laws on the books before there has been any effort made—and there really has been no effort so far made, no real effort, made to get areas into the wilderness system—in other words, let's take those areas that are capable of being wilderness and put them in the wilderness system. Then we are more than happy to have your wild areas, much more happy.

Mr. KYL. I will take this one 30 seconds additional, sir, to tell you that I, too, have a great concern on this business of wilderness. I want to keep a very pure wilderness concept for this reason—when we, as a matter of policy, put into the wilderness system areas which are not really good wilderness areas, then, as a matter of human nature, we make it possible for the Congress to violate those areas which are now in wilderness.

I think, for instance, of this Gila River Reservoir. If we have continued drought in the Southwest, we are going to get another proposal to build a reservoir on the Gila River that is going to back water into the wilderness area. If we take into the wilderness system, say, a dozen areas that have things of this kind, we have a real problem. I am worried about that.

Mr. HOLCOMB. I am not quite so much worried to this extent: The Congress, both Houses, passed the Wilderness Act after a lot of discussion and a lot of work; before any area in the future gets into the wilderness system, it is going to go through that same trial of fire.

So in that sense, I am really not worried, because I respect the good judgment of the Congress, as I am sure you do.

Mr. KYL. You realize that all these areas in the East could have been put into the wilderness area system by Congress?

Mr. HOLCOMB. The ones in a bill under consideration?

Mr. KYL. Well, we have had all kinds of proposals that we could have passed. I think you and some of these others place a little too much criticism on the Forest Service. We have in several instances not followed the advice of the Forest Service and we can do it any time we want to.

Thank you.

Mr. HOLCOMB. Yes, sir. Thank you.

Mr. FOLEY. Thank you, Professor Holcomb. We appreciate your testimony.

The next witness will be W. S. Bromley, executive vice president of the American Pulpwood Association, New York City.

STATEMENT OF W. S. BROMLEY, EXECUTIVE VICE PRESIDENT, AMERICAN PULPWOOD ASSOCIATION

Mr. BROMLEY. Mr. Chairman, I am W. S. Bromley, executive vice president of the American Pulpwood Association.

I think the record does not show I have been a practicing forester for 40 years, started out as a State ranger in Ohio, spent 5 years with the Forest Service, and just to establish the fact, I have backpacked, I have been a camper. My wife and I have seven children. We have camped most of the National Forests in the East, going from New York City down to Florida, back through the Smoky Mountains, up through the Blue Ridge Trail, in three tents and two cars or one stationwagon, one camper trailer, up through New England, to the Lake States and back, usually 2 or 3 week trips. With that many children and that much equipment, believe me, I know something about camping and what the camping facilities are. We did some hiking from our camp sites. So do not think as a family, we are unsympathetic to the need for primitive and camping areas on the national forests. We have seen many. We want more.

The American Pulpwood Association is a national trade association of pulpwood producers, dealers, and consumers of pulpwood and others directly concerned with growing and harvesting pulpwood the principal raw material used in the manufacture of pulp, paper and paper board and other products. This industry needs close to 70,000,000 cords of pulpwood annually to supply these products to the consumers of America. This is about one third of all wood harvested from our forests each year. We are growing more pulpwood than we harvest each year now. If we were to get all that wood from Alaska those forests would keep the pulp mills running for only 7 or 8 years.

We are told by economists that the American public will demand 50 to 100 percent more pulp and paper and chemicals derived from wood products by the year 2000.

This background of our great need for more and more wood is given to explain our concern over the withdrawal of any significant area of commercial forest land from production under plans of multiple use and forest management. Our public forests contain one-third of this area now but supply only one-fifth of our requirements for pulpwood. These forests and the national forests in particular must supply a greater share of our needs in the future. We think this can be done if these forests are managed intensively on a multiple use basis.

We think such rational management can and should also provide for primitive forest recreation of a wilderness type within eastern national forests and administered by the U.S. Forest Service providing:

1. Any definition of these areas should state that,

> They shall be restricted primarily to swampy, very rocky sites and to steep mountainous terrain which is more likely to be subject to erosion and watershed damage if subjected to heavy cutting or excessive road building.

This terrain is still suitably wild today because of its character and inaccessibility.

2. Reasonably level forest land, easily accessible to markets should be retained in timber production and in forms of recreation and other land uses compatible with multiple uses of the forest—and certainly not for a single, wild or primitive form of use.

3. The several Eastern States which already have vast areas of forest lands dedicated to a primitive or wilderness type of use such as New York's Adirondack preserve, certainly do not need to set aside additional lands of this type in the adjacent or nearby national forests—unless they meet the first qualification noted above.

4. Any designation of "primitive forest" or "wild areas" in eastern national forests should not exceed 10 percent of the federally owned commercial forest land within the boundary of any individual national forest nor should it exceed 3 percent of the total Federal commercial forest land in national forests east of the 100th meridian.

5. All designations of such areas should be subject to periodic review, say every 10 years or less, to see if the use of these lands by the public warrants their continued classification and withdrawal from timber production, and further withdrawal of support of local communities due to the failure of these lands to produce income to county and State governments in lieu of taxes.

We feel that the need for a wilderness or primitive forest experience type of hiking, camping, or other uses of such areas is of low priority compared to the following programs which are sorely needed to meet the needs of our eastern users of national and other forests, such as:

1. Our Government agencies acquiring accessible open space, greenbelt, picnic and camping areas closer to our centers of population where the need is greatest—instead of continuing to buy commercial forest lands on areas most remote from these urban centers.

2. Developing adequate access to, and facilities for, camping, hiking, overland skiing and the like in the vast areas of public forests remote from urban centers which still have inadequate facilities or are undeveloped. To this end it would be particularly helpful if the appropriated moneys from the Land and Water Conservation Fund could be authorized by Congress to be used for developing access and facilities for recreation areas—and not limited strictly to acquisition in national forests, as they are now.

3. Congress and our Government agencies would do well to recognize and stimulate the recreational use of private forest lands managed on a multiple-use policy. Many industrial companies are already active in this field. Non-industrial small forest landowners would be helped in this direction by the passage of a Forestry Incentives bill (such as S. 3105 and H.R. 12873) at this session of Congress.

In our opinion none of the areas already established or being considered as wilderness on eastern national forests qualify even under the Wilderness Act. We feel that Congress should be asked to redesignate them as "Wild Areas" or "'Primitive Forest Areas" and place them under administration of the U.S. Forest Service where they were before.

The designation of wilderness areas under the Wilderness Act on any national forest lands in the East is a violation of the Weeks law under which most eastern national forests were established. This law clearly states that these lands were necessary to the regulation of the flow of navigable streams or for the production of timber. Wilderness areas as such do not have sufficient access roads and trails to permit adequate fire protection, to keep them safe from severe flood conditions—and certainly do not contribute to production of timber.

It is the position of the American Pulpwood Association that no areas east of the 100th meridian qualify as wilderness in national forests. We would not oppose the establishment of such wilderness areas on the existing eastern Federal lands of the National Wildlife Refuge System and the National Park Service if such action has the support of the National Wildlife Foundation, the Izaak Walton League and similar wildlife groups of the National Resources Council.

East of the 100th meridian no areas of wilderness exist in the sense that they are defined in the ORRRC (Outdoor Recreation Resources Review Commission) study report No. 3. It says there should be an,

> Area of public or Indian land available for over-night recreation use within the contiguous U.S., (1) at least 100,000 acres in extent, (2) containing no roads usable by the public (3) * * * etc.

The definition of "wilderness" in the Wilderness Act is by itself an obvious lowering of the standards of wilderness as defined in the ORRRC report.

We feel that most of the objectives of S. 3699 and H.R. 14392 would be gained more rapidly and more effectively in the long run if these areas were established by authority of the Secretary of Agriculture and administered by the U.S. Forest Service. We would still want regulations of the Secretary to clearly define the classification and procedures to include the foregoing recommendations of this state-

ment. It is our sincere belief that this committee should recommend administrative action be given a fair trial for at least 10 years. At the end of that period we would find that the Forest Service had accomplished what this legislation proposes. If this were not the case Congress might then see fit to apply legislative action as needed.

The Forest Service after numerous public hearings and study of the need for wild areas in eastern national forests, already has 20 to 30 specific sites in mind for designation. These areas of unusual scenic and primitive conditions were in most cases cut and logged over one or two generations ago. Under Forest Service multiple use administration and protection they have become priceless replicas of restored wilderness in the minds of some people who forget that they might not be such fine examples of eastern wild areas if it had not been for the long term planning and integrity of the Forest Service.

We can see no reasons or justification for withdrawing such areas from its administration by designating them as "wilderness" under the Wilderness Act. Nor do we see any great need for setting them up in another system as proposed by this legislation (S. 3699 and H.R. 14392).

In fact we feel that all withdrawals of commercial forest land from multiple use management for a single use such as wilderness preservation for a small segment of our public represents a reduction of the potential ability of our national forests to serve the great majority of the public which prefers other forms of forest recreation, and consumes the forest products grown under multiple use management.

Nevertheless we urge this committee to recommend that the Secretary of Agriculture carry out the general objectives of this proposed legislation, with the qualifications we have outlined in this statement. We urge also that legislative action be taken to restore the so-called wilderness areas taken from eastern national forests and restore them to the administration of the Forest Service as wild areas.

We feel that legislative steps should also be taken to prevent any further withdrawals of areas from eastern national forests under the Wilderness Act. With the establishment of wild areas on eastern national forests by administrative action the special interests of the few easterners concerned with primitive and wilderness type of forest recreation should be adequately fulfilled and protected. In this way the ability of these forests to serve the more important needs of the public for other forms of forest recreation and for timber products shall be served and the forest resources concerned shall be protected and improved.

So I would close, Mr. Chairman, by saying that we feel the purposes of this legislation may be accomplished by administrative action of the U.S. Forest Service, reinforced by regulations of the Secretary of Agriculture. We would much rather be objective on this legislation, which basically we agree with. We, however, wish they would be accomplished through the administrative course of action.

Mr. FOLEY. Thank you, Mr. Bromley.

Any questions?

Mr. Kyl?

Mr. KYL. Are you suggesting in your last comment, sir, that if the Forest Service set aside 20 million acres of land in the Wilderness System, you would support that?

Mr. BROMLEY. No, sir; because I would not expect that type of action. We have some idea of the type of areas that they have in mind for setting aside. From our point of view, we think their judgment is quite good. Our concern in setting areas of too large a size is that we do not think the Forest Service would take such action. We really rely on the Forest Service. If they do not have too much political or emotional pressure put on them, we feel their judgment will be sound and we would not expect excessively large areas to be set aside.

Mr. KYL. Thank you, Mr. Chairman.

Mr. FOLEY. Thank you, Mr. Bromley.

If there are no further questions, we again appreciate your appearance.

Mr. BROMLEY. Thank you.

Mr. FOLEY. Mr. John Soest, Williamsburg, Va., in behalf of the Virginia Wilderness Committee.

STATEMENT OF JOHN SOEST IN BEHALF OF THE VIRGINIA WILDERNESS COMMITTEE AND CONSERVATION COUNCIL OF VIRGINIA

Mr. SOEST. I would like to thank you for this opportunity today to come and speak to you about the views of our committee on this resolution.

I am wearing two hats today. I will first present the statement from the Virginia Wilderness Committee, then one from the Conservation Council, who asked me to bring this statement along with me.

The Virginia Wilderness Committee is an organization with over 500 members in Virginia, devoted to the preservation of the wild and natural areas of our State.

We have recently developed a position paper on the protection of National Forest lands through the use of legislative action. I would now like to read that into the record.

The eastern National forests, like most of the land in the United States, have at some previous time felt the impact of man's activities. Around this fact centers a heated controversy over the definition of wilderness. Proponents of a puristic definition hold that no land is suitable for wilderness designation if its ecology has ever been altered, even temporarily, by man.

In contrast, many Virginians and other easterners recognize that certain units of the eastern National forests have recovered from previous abuse, or are rapidly attaining an "old growth" character, and satisfy the criteria for wilderness set down in the Wilderness Act of 1964.

The Virginia Wilderness Committee agrees with the latter position. We maintain that the U.S. Forest Service should acknowledge the existence of such eastern wilderness, and should recognize their responsibility to commit these lands to the protection available under the Wilderness Act of 1964.

Protection of these wilderness areas in eastern National forests is an immediate necessity for several reasons. First, certain current practices of the U.S. Forest Service, such as intensive management for recreation and for timber production, and stand rotation, conflict with the natural reemergence of wilderness character that is in progress

in the areas in question. Second, although most U.S. Forest Service management policies are commendable, they have not always been so; and they will continue to change in response to shifting economic and political pressures. Such a variable administrative policy cannot guarantee the permanent protection required for a long-term resource like wilderness. Third, legislation can pose a threat to wilderness—legislation like the Timber Supply Act; or like the Kyl bill, which is apparently well-meaning, but which permits development within wilderness areas.

The unyielding attitude of the U.S. Forest Service, in ignoring the reality of eastern wilderness, is subject to criticism on several grounds. First, the demand by easterners for a wilderness experience is obvious, from their active use of existing or proposed eastern wilderness areas, and from their strong support for wilderness designation at public hearings. Second, the U.S. Forest Service has no legal or moral right to judge the suitability of eastern National forest lands for Wilderness Act designation. Such judgment is reserved for all the citizens of this country, through the Congress. Nor is it for the professional land and forest managers to decide the esthetics of the people of this country. Given these facts, the U.S. Forest Service has no basis for their insistence on the absence of suitable wilderness in eastern National forests, since they have never submitted an eastern National forest wilderness proposal to Congress for a judgment.

Virginians recognize areas of wilderness character in Virginia's National forests. The Virginia Wilderness Committee will work actively to achieve Wilderness Area designation for these areas under the Wilderness Act of 1964. This committee maintains that any special management measures that may be required for eastern Wilderness Areas are fully provided for in the Wilderness Act of 1964. We therefore strongly oppose the creation of a separate, second-rate wilderness or wild areas system for the East.

Virginia Wilderness Committee members have special interest in several areas in Virginia's National forests. We have taken field trips to these areas, and have made statements at the appropriate Forest Service unit management hearings that have been held to date. We have found land of wilderness character, suitable for Wilderness Area designation, in the following locations (list not necessarily complete):

George Washington National Forest:

Laurel Forks unit.

St. Mary's River/Big Levels.

Little River area.

Ramsey's Draft.

Thomas Jefferson National Forest:

Potts Mountain/Mountain Lake Scenic Area.

Mt. Rogers National Recreation Area, portions of the Garden Mountain Tract, and northeast portion of the Cave Mountain Unit.

We hope that the U.S. Forest Service will assist us in obtaining Wilderness Area designations for appropriate areas, and that they will provide interim administrative protection for these areas until congressional review has been completed.

In summary, our committee feels that H.R. 14392 will hinder our efforts to protect wilderness values in Virginia. What would help is

the cooperation and open-mindedness of all concerned; the U.S. Forest Service, the Congress, and the citizens alike. After all, what we all want is adequate protection for the many splendid areas of wilderness potential in Virginia and throughout the East. That protection is already available through the Wilderness Act of 1964. Please help us to use it.

That completes my statement for the Virginia Wilderness Committee. I will be glad to go ahead with the next resolution and have questions after, as you like.

Mr. FOLEY. Fine. Proceed.

Mr. SOEST. The second statement is from the Conservation Council of Virginia. As their wilderness chairman, I was asked to bring this before you today.

The Conservation Council of Virginia is a coordinating council of 47 member organizations representing nearly 200,000 individual members throughout Virginia.

At the last meeting on July 16, 1972, in Blacksburg, the board of directors passed a resolution concerning H.R. 14392. I have been asked to present that resolution today:

Whereas the expressed will of the Congress is to provide the eastern United States with units of the National Wilderness Preservation System designated under the Wilderness Act of 1964; and

Whereas such units have already been established in the East within the National Forests and National Wildlife Refuge systems, and proposals are well advanced for units within the National Park System, including our own Shenandoah National Park; and

Whereas H.R. 14392 and S. 3699 propose a parallel but significantly weakened concept of wilderness conservation in circumvention of the Wilderness Act of 1964; Therefore be it

Resolved, That the Conservation Council of Virginia opposes the creation of a separate statutory system of wild areas in the National Forests, and hereby calls upon the Forest Service to recognize and to inventory the potential Wilderness Areas in the East and to prepare wilderness proposals for submission to the Congress in order to fulfill the letter and the spirit of the Wilderness Act of 1964; and be it further

Resolved, That copies of this resolution be transmitted to the Chief, U.S. Forest Service, to the supervisors of the George Washington and Thomas Jefferson National Forests, to Senators Byrd and Spong, to the Virginia congressional delegation, and to the appropriate subcommittees of the Senate and House Agriculture Committees holding public hearings on July 20 and 21, and July 24, respectively.

Passed unanimously by members of the board present and voting.

In all fairness, there were four abstentions. They are listed here: The Virginia Division, Izaak Walton League of America; League of Women Voters of Virginia; Northern Virginia Conservation Council, one at-large delegate.

I would like to thank you for the opportunity to present these resolutions today.

Mr. KYL. The Virginia Wilderness Committee position paper says "The U.S. Forest Service has no legal or moral right to judge the suitablility of eastern National Forest lands for Wilderness Act designation."

Now, you can argue with the decisions they have made, but the Wilderness Act itself gives the Forest Service the mandate to review these areas for wilderness. Is that not true?

Mr. SOEST. To review these areas and present them to Congress for a decision on their suitability. Of course, there was no mandate in the eastern part of the United States for such a review.

Mr. KYL. But as a matter of fact, they do have a legal basis for the actions that they have taken? The decision you may not agree with, but the procedure was established by law, is that not correct?

Mr. SOEST. I believe that insofar as the western part of the United States, that is correct.

Mr. KYL. I think that statement is just a little too broad.

Thank you, Mr. Chairman.

Mr. FOLEY. Any other questions of Mr. Soest?

(No response.)

Mr. FOLEY. If not, we thank you for your appearance.

The next witnesses is Mr. Thomas Foti, Chester Street, Little Rock, Ark., representing the Arkansas Ecology Center.

STATEMENT OF THOMAS FOTI, LITTLE ROCK, ARK., IN BEHALF OF THE ARKANSAS ECOLOGY CENTER

Mr. FOTI. My name is Thomas Foti. I am speaking as a member of the staff of the Arkansas Ecology Center located in Little Rock, a member of the Jefferson Wildlife Association in Pine Bluff, chairman of the Delta Chapter of the Ozark Society in Pine Bluff, and a member of the Ozark Society, with 10 chapters located in the States of Arkansas, Missouri, Oklahoma, and Louisiana. Although I am representing all of these organizations today, they may each submit additional information for the record of this hearing.

We oppose the legislation being discussed today because we believe it is based upon an incorrect premise (that there are few wilderness areas in the East), that it will compete with and contradict the Wilderness Act of 1964 rather than complement it, and that its net effect will be to reduce our primitive recreation opportunities rather than increase them. We realize that the Forest Service is of the opinion that there are few or no areas in the East which qualify as wilderness under the definition contained in the Wilderness Act of 1964, and we grant them the right to their opinion. However, it is the opinion of Congress which is final and binding. Yet the Forest Service refuses to submit wilderness proposals to Congress to determine what its opinion is. Instead, it has encouraged the submission of legislation of this type, based on its own untested opinion.

While we applaud the concept of providing statutory protection to areas which aren't quite wild enough for wilderness designation, and though we are especially interested in the idea of providing protection and management to restore the wilderness quality to areas which have been altered by man, we have come to the conclusion that this wildlands act would not accomplish these goals. It would provide only marginal protection at best. It would still allow development as long as it was considered rustic, it would allow any form of timber management as long as it could be rationalized on noncommercial grounds, it would allow the President far too much discretionary authority; in short, it would declare an area "wild" and at the same time condone the destruction of whatever wildness the area possesses.

We are disappointed that this act would not require the Secretary of Agriculture to do more than submit an unspecified number of areas "from time to time."

We are unalterably opposed to the element of competition between congressional committees introduced by this bill, and to the confusion it will cause. We are afraid that the hassle that will be initiated by any sort of wild area or wilderness proposal will result in complete inaction.

Though we oppose this bill as written, we recognize that it raises valid questions. We want statutory protection for areas which cannot qualify for wilderness designation. We want stautory protection for areas which will allow them to regain their wilderness character. We want primitive recreation areas as well as wilderness areas. We oppose this bill because we believe it would not accomplish these desirable goals.

Our two national forests in Arkansas, the Quachita National Forest and the Ozark—St. Francis National Forest, occupy over 10 percent of the area of our State. They possess very high environmental quality and diversity and are sincerely and wisely managed. Yet we believe that their recreational and ecological diversity would be assured through the designation as wilderness of up to 18 acres which Arkansas conservationists are now evaluating. We believe the Forest Service should immediately provide complete administrative protection to these areas and allow the Congress to judge their wilderness quality. We believe that other areas of outstanding recreational, scientific, and geological values, given administrative protection, would, in time, recover their wilderness character and would qualify for inclusion in the wilderness system. We believe that other areas, either through administrative action or under legislation somewhat similar to that proposed here, should be developed as primitive recreation areas and to appeal to as broad a spectrum of interests as possible. These ideas are being proposed in detail at a public meeting sponsored by the Forest Service being held at this time in Arkansas.

In summary, though we oppose this bill, we support the concept of primitive recreation area. We simply want to be sure these areas exist along with, not instead of, wilderness areas.

Mr. FOLEY. Thank you very much, Mr. Foti. We are very happy to have your statement. Mr. Kyl has a brief question.

Mr. KYL. Will you prepare some amendments to this legislation which would help to meet your goals?

Mr. FOTI. You mean would I submit this for the record of the hearing?

Mr. KYL. Yes; or to me.

Mr. FOTI. Yes, sir; I would.

Mr. KYL. Thank you, Mr. Chairman.

Mr. FOLEY. Any other questions?

(No response.)

Mr. FOLEY. If not, we thank you very much. We thank all the witnesses for their attendance today. The committee meeting tomorrow will commence with the testimony of Mr. Peter Borelli, eastern representative for the Sierra Club, followed by the testimony of Mr. George Alderson, legislative director of the Friends of the Earth.

The subcommittee will stand adjourned until tomorrow morning at 10 o'clock.

(Whereupon, at 12:05 p.m., the subcommittee was adjourned until Tuesday, July 25, 1972, at 10 a.m.)

WILD AREAS ACT OF 1972

TUESDAY, JULY 25, 1972

HOUSE OF REPRESENTATIVES,
FORESTS SUBCOMMITTEE OF THE
COMMITTEE ON AGRICULTURE,
Washington, D.C.

The subcommittee met, pursuant to recess, at 10:10 a.m., in room 1301, Longworth House Office Building, the Honorable Thomas S. Foley presiding.

Present: Representatives Foley, Burlison, Dow, Teague of California, and Kyl.

Also present: Mrs. Christine S. Gallagher, chief clerk, and Lacey C. Sharp, general counsel.

Mr. FOLEY. The Subcommittee on Forests will come to order.

The subcommittee meets today for further consideration of H.R. 14392 by Mr. Kyl, of Iowa; H.R. 15611 by Mr. Hansen, of Idaho; H.R. 15651 by Mr. Hechler, of West Virginia; and H.R. 15851 also by Mr. Hechler.

The first witness scheduled for this morning is Mr. Peter Borrelli, eastern representative for the Sierra Club, Washington, D.C.

STATEMENT OF PETER BORRELLI, EASTERN REPRESENTATIVE, SIERRA CLUB

Mr. BORRELLI. Thank you, Mr. Chairman. It is the position of the Sierra Club that H.R. 14392 should not be given favorable consideration by this committee. For reasons I shall outline below we do not believe that this bill adequately meets the broad range or needs for our national forests in the East. The introduction of this legislation at this time also conflicts with other efforts to arrive at a balanced plan for these forests. Not only are several bills on eastern wilderness areas pending before the Congress, but the Forest Service has begun a comprehensive planning program in recent months that may soon result in both administrative actions within the Forest Service and recommendations to Congress. The Sierra Club has, by the way, participated in these public hearings and discussions with the Forest Service in both regions 8 and 9 in an effort to identify land units deserving special protection.

SUMMARY AND CONCLUSIONS

It is our position that there is an urgent need to provide a broad range of outdoor recreation opportunities in the East where our population density is the greatest and our land use problems are the most acute. This means bringing mass outdoor recreation closer to the peo-

ple in our urban centers. A system of national recreation areas such as the Gateway National Recreation area is an important step in the right direction.

There is an equally important need to provide primitive recreation opportunities in the East while at the same time making a concerted effort to preserve and protect the few remaining wild forest lands that we have. There are areas in the eastern national forests which, although they have had transitory incursions by man, have restored themselves to a quality of natural values such that many people can enjoy a variety of outdoor experiences in them. These natural values are represented by areas that qualify well as backcountry recreation areas, natural and scenic areas, wild areas and wilderness areas.

The concept of a wild area is not so far removed from that of a wilderness area: the main difference being embodied in the degree to which the imprint of the hand of man is present and the degree to which the natural forces of the earth are in balance and control, and self-perpetuating. The concept of a wild area can also be restorative in its objectives in that the management direction for wild areas could be prescriptive as well as protective. The management of a wild area could lead to the development of a backcountry area, a wild area managed as such, and even to a wilderness area in time.

There are many areas in or adjacent to our eastern national forests that should be studied for their wild land values, and we have outlined some criteria for identification of such areas. There are also areas in our eastern national forests that should be studied for their potential inclusion in the national wilderness preservation system. A partial list of such areas include the following:

	Acres
1. Dolly Sods, Monongahela, N.F	10,000
2. Outer Creek, Monongahela, N.F	20,000
3. Cranberry Backcountry, N.F	6,700
4. Ramsey's Draft, George Washington, N.F	6,700
5. Laurel Fork, George Washington, N.F	17,000
6. Joyce Kilmer Memorial Forest, Slickrock Creek, Citico Creek, Nantahala, N.F. and Cherokee, N.F	32,000
7. Cohutta Mountains, Chattahoochee, N.F	62,000
8. Sipsey Gorges, Bankhead, N.F	12,000
9. Bradwell Bay, Apalachicola, N.F	22,000
10. Caney Creek, Ouachita, N.F	18,000
11. Upper Buffalo River, Ozark, N.F	6,000
12. Whites Creek, Mark Twain, N.F	16,000
13. Lye Brook Backwoods Area, Green Mountain, N.F	-----
14. Kilkenny Area, White Mountain, N.F	-----
15. Mt. Caribou-Speckled Mountain Area, White Mountain, N.F	-----
16. Northern Presidential Range, Mountain Area, White Mountain, N.F	-----

Many of these areas could already be wilderness, or well on their way to wilderness designation, but for one thing. That is the opposition by the U.S. Forest Service. The Forest Service has been generally opposed to wilderness designation in the East. Its reason in our view is a narrow agency interpretation of the Wilderness Act. That interpretation is inconsistent with that given the Wilderness Act by other Federal agencies. It is also inconsistent with the legislative history and intent of the law—so much so, in fact, that Senators Jackson and Church, both major architects of that monumental legislation; have introduced an omnibus wilderness bill containing many of the areas I have identified above.

The balance that we advocate is not an unreasonable one. We do not believe that the whole Piedmont region or the Appalachian chain should become one giant wilderness. We know that most of the national forest land will eventually be logged, but we feel that at least 10 percent of our forest land heritage should be set aside through a variety of methods of land classification. These would include wilderness classification as well as a variety of administrative classifications including wild areas, scenic areas, natural and scientific study areas.

We advocate administrative designation of these other land classifications, because the concept of a wild area classification, for example, should be transitional in itself and provide for periodic review of the options for ultimate classification. There is an inherent danger in creating competing systems of classification through legislative means—specifically wilderness areas versus wild areas. The presently proposed eastern wild areas bills do just this without appreciably adding to the administrative tools already available to the U.S. Forest Service. We cannot, therefore, support these eastern wild areas bills when there are already adequate tools to deal with the management of these areas.

We would be more favorably disposed toward a wild areas proposal had there previously been a reasonable approach to the eastern wilderness that we know exists. There is very little sense for the Congress to be considering another statutory classification when the Forest Service has not yet utilized the statutory mechanisms available to it.

ALTERNATIVES FOR SELECTION AND MANAGEMENT OF NATIONAL FOREST WILD AREAS

A. Wilderness and wild areas defined

There is no doubt that the "hand of man" has altered, in some degree, a substantial portion of the land in the Eastern United States. These historical alterations have not always been permanent in the more remote and wilder hinterlands of the Eastern United States, since the healing process of natural reforestation has returned the quality of the ecosystems in many of these areas to a wilderness state.

Wilderness, as defined by Webster is: "A tract or region uncultivated and uninhabited by human beings; a quality or state of being wild; wildness". The dictionary does not reference the historical influence on a wilderness area in the definition. Rather, it defines wilderness in terms of the present state or quality of the characteristics of an area. The 1964 Wilderness Act defines wilderness as follows:

> A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least 5,000 acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

Again, this definition refers principally to the quality of the present state of an area and allows flexibility for dealing with history. It does not rule out areas with the past superficial influence of man, but

does rule out areas where topographical influence has been permanent to the extent that it is irrevocable.

It seems clear then that the test of any definition of wilderness refers to the quality of any area in its present natural state. Even without "the hand of man," the face of the earth will continue to be altered, second by second and century by century, by the sun, rain, wind, and fire. Hence all ecosystems are in a naturally dynamic state of change. Wilderness then is defined by the degree to which a state of natural quality and self-perpetuation exists today or has been restored to a particular ecosystem or set of ecosystems. The forces of nature, in concert and in balance, determine the set of naturally dynamic circumstances called wilderness. Given a long enough time frame, the terms "primeval" and "pristine" take on questionable meanings since they imply a static point of reference.

Man can destroy wilderness by acts that irrevocably alter the natural character of the land, but where a wilderness area has only had transitory incursions into it and has regenerated a wilderness quality after those incursions, it is incorrect to administratively decree that these areas are not wilderness. The very fact that these areas have naturally repaired themselves is conclusive testimony to the wilderness character and quality of the natural forces that exist in these areas.

The crux of the matter is that the U.S. Forest Service's apparent refutation of the wilderness character of areas in the eastern United States prevents the protection of these areas under the Wilderness Act of 1964. This would allow further incursions, many of which would be permanent and irrevocable alterations of the wilderness character of these eastern areas. Similarly, most of the presently proposed "eastern wild areas" legislation does not deal adequately with its intended purposes and in fact appears to refute the existence of wilderness in the East as well.

There are, however, areas in the East that do qualify as wilderness under the 1964 Wilderness Act. There are also areas in the East that should be given some form of an "eastern wild areas" protection since they do not presently qualify as wilderness under the 1964 Wilderness Act, yet they have natural values that should be protected.

The hastily drafted legislative proposals called eastern wild areas bills are not the answer and do not have the support of the conservation community as a whole. While we have advocated the concept of "eastern wild areas" legislation for areas not otherwise protected, we feel now somewhat misquoted and misrepresented, and it would be a mistake to presume that we will support such legislative measures. Most of what is presented in these legislative proposals is already within the scope of the U.S. Forest Service to perform administratively and needs no additional legislation to sanction it. The major requirement is U.S. Forest Service initiative to use its administrative tools to protect wild areas.

The primary difference between a "wilderness" area and a "wild" area is then one of degree in the quality of the natural ecosystems of an area. With proper protection, many "wild" areas could return to "wilderness" in time, as some have. While the criteria for the identification of wilderness areas is spelled out in the Wilderness Act of 1964, no such definition exists for the concept of "eastern wild areas," although most of the same principles of identification should apply. The

major difference then is that "eastern wild areas" have not been legislatively or administratively defined; hence the criteria for identification of these areas can be less restrictive than that of wilderness, with the possibility of these wild areas eventually reverting to wilderness.

We recommend the following criteria for identification of all wild areas, with the stated position that identification of wilderness is a more restrictive definition of most of the same criteria.

B. Criteria for identification of wild areas

1. *Land ownership.*—At this stage of study, desirable areas which now happen to be in private ownership should not be excluded from consideration. Provision should be made for the acquisition of any areas of be finally designated as wilderness under the Wilderness Act or designated as wild under any subsequent act including surface and subsurface rights.

2. *Evidence of man and his activities.*—Areas should be selected where man's activities were not so great that they have completely destroyed all natural values and ecosystems, and there is a demonstrated probability that the evidence of man's activity can be and will be removed or reduced to an insignificant amount. Specifically:

(*a*) Roads and trails should be of minimal influence and not of permanent structure.

(*b*) Cemeteries should be small and/or ancient.

(*c*) Water impoundments should be excluded below the dam as well as for a narrow access and management corridor.

(*d*) Gas and powerline rights-of-way should be excluded where actively used, but included where abandoned.

(*e*) Buildings, where in use, should be excluded, except for those temporary structures used in primitive camping situations.

(*f*) Active grazing areas in small, compatible and isolated pockets should not be excluded.

(*g*) Where reforestation is in progress, the past influences of logging should be no bar to inclusion.

(*h*) Evidence of reforestation should be no bar to inclusion as well.

(*i*) All mechanized recreation sites should be excluded.

(*j*) Railroads, where in use, should be excluded by corridor.

(*k*) Mines and quaries, where in use, should be excluded by exception.

(*l*) Wildlife habitat improvement areas are compatible provided they have not resulted or will not result in single species ranges.

3. *Size.*—The minimum size of these areas should not be spelled out in numbers of acres, but rather within a conceptual framework of their intended purpose such as:

(*a*) The area shall be at least large enough to encompass sufficient natural values to provide a wilderness or wild area experience.

(*b*) Or (in the words of the Wilderness Act), the area shall be "of sufficient size as to make practicable its preservation and use in an unimpaired condition."

4. *Natural or esthetic values.*—The scarcity of wilderness areas in the East in itself makes them regionally significant areas that require special protection. Wildness alone is a sufficient criterion for inclusion, and the area need not include any special esthetic values. All areas to be considered should include the natural values of an ecosystem

that has the capability of self-perpetuation and regeneration when protected from further incursions by man.

C. Principles of identification and management

The overriding principle in selecting criteria for identification and direction for management of wild areas is the identification of the natural elements of those areas which give them the capability to sustain and regenerate themselves. Those natural elements must be protected in a manner that regenerates and sustains the yield of the natural wilderness values of those areas. The above recommended criteria for identification are based on this principle. The direction for management of wilderness in the national wilderness preservation system is clearly spelled out in the Department of the Interior and Department of Agriculture regulations for these areas and tends to be protective in nature. By contrast, the direction for management of wild areas must not only be equally as protective to allow the natural processes to work, but it must also be prescriptive in nature where necessary to aid these natural processes in restoring wilderness value to a wild area.

D. Direction for management of wild areas

1. *Removal of evidences of man's activities and restoration of the site.*—Where possible, assisting the forces of nature to reduce evidences of man's activities would probably be desirable, although there well might be exceptions, and each area should be judged on its own merits.

2. *Presence of utilities.*—Maintenance procedures for all utilities should be compatible with the values of the wild area. Very small and inconsequential personal types of utilities should be held static or phased out if possible. No additions should be permitted.

3. *Use of motorized equipment.*—Use of motorized equipment or aircraft should not be permitted except for emergency and off season administrative uses that are justified on their merits.

4. *Timber management activities.*—Timber harvest, reforestation, or timber stand improvement activities should not be allowed unless it can be demonstrated through public review of the planning process that these activities would improve or enhance the ability of a wild area to regenerate the wilderness character of that area on a case-by-case basis.

5. *Landownership.*—Judgment and flexibility are required here, especially in the initial stages of management of a wild area and always in terms of available funds. To begin with, a diverse pattern of acquiring rights, allowing private ownership of rights and the use of easements and zoning restrictions should be acceptable so long as it does not conflict with the objectives and use of the area. The initial direction taken depends on the flexibility needed to manage the protection of the natural values. The ultimate objective should be to purchase all rights to the area to fully guarantee its lasting protection. With limited funds available, the application of these funds to acquire various rights should be in a manner to maximize protection.

6. *Extraction of nonrenewable resources.*—The removal of any nonrenewable resources should be prohibited unless needed due to a na-

tional emergency declared by the President, but examined and upheld by the public hearing process. Even in an emergency situation the wild land values and wilderness values should be saved if possible.

7. *Wildlife management.*—Wildlife management should strive to allow the restoration of a natural balance of wildlife species that manages itself, rather than wildlife management that manipulates the quantities of a particular species. This should include special wildlife habitat management to protect rare and endangered species, as well as allowing the reestablishment of native species, habitats, and predators. Wildlife management should be an integral part of the overall management plan of the area and determined by the public review process.

8. *Grazing.*—Commercial grazing of livestock should not be permitted in New England national forests. The use of riding stock in national forests should be managed so as to prevent the destruction of natural habitat of wild animals by overgrazing, and to prevent the deterioration of water quality and trail standards.

9. *Fire control.*—All fires within the area should be controlled after they have started by management techniques instituted as a function of the specific requirements of controlling a particular fire rather than by preconceived and previously instituted techniques such as firebreak systems, controlled burning, etc. The planning and executing of fire control should minimize the impact of man and equipment on the natural features of the surrounding area.

10. *Insect and disease control.*—Epidemic populations should be controlled under those circumstances which would upset the natural balance of an area. Control methods should be narrow spectrum and should stress the use of biological controls rather than the use of hard pesticides.

11. *New manmade developments.*—Developments, where necessary, should be of a strictly primitive nature and designed primarily for the protection of the natural resources of an area.

12. *People management.*—Management of wild areas should provide for the protection of the natural resources from the pressures of overuse by people and conflicting outdoor recreational uses. Although not mentioned as an area to consider for management direction by the U.S. Forest Service, people management is certainly a critical element. Specific methods and procedures must be sought to educate the wild area/wilderness user for the practice of a responsible use ethic. Further, specific management techniques must be sought to limit use beyond the people-carrying capacity of the habitat. Such methods would include permit and/or reservation systems to limit actual numbers of users as well as the duration of stay.

13. *Classification process.*—Application of the criteria for identification and direction for management of wild areas, as a continuing classification process, should include the following:

(*a*) Initial identification and study of those areas to be considered for wild area classification, resulting proposals, public review, and administrative and/or legislative action.

(*b*) Periodic public review of administratively classified areas, previously designated, to consider the current management and status of individual areas to determine if a higher classification is indicated.

OBJECTIVES

While it follows that to develop criteria for identification and direction for management of wild areas will in fact provide a basis for outlining a wild area system, the objectives for having wild areas should be examined. Basically, a wild area is an area that does not presently qualify as wilderness under the 1964 wilderness act, but with the proper management and protection could in time qualify as wilderness. It is our stated position that an "eastern wild area" system should be an administratively transitional form of management of a wild area that allows that area to revert, and where necessary be restored, to wilderness. The above criteria for identification and direction for management of wild areas are put forth with that objective in mind, and with the further long-term objective of adding these areas, where appropriate, to the national wilderness preservation system.

On behalf of the Sierra Club I thank you for the opportunity of presenting this statement.

Mr. FOLEY. Thank you very much, Mr. Borrelli.

At this time, I recognize the gentleman from California for questions.

Mr. TEAGUE. No questions.

Mr. FOLEY. Mr. Kyl.

Mr. KYL. Mr. Chairman, thank you.

Sir, in your testimony on page 4, are you familiar with the creation of the New Jersey Swamp Wilderness?

Mr. BORRELLI. Yes, I am, sir, I was very active in that campaign.

Mr. KYL. You did not argue at that time, did you, that there was already protection that could be administratively contained and, therefore, there was no necessity of wilderness, did you?

Mr. BORRELLI. No, we did not, sir.

Mr. KYL. What you were saying was that you needed a statutory protection of the area, is that right?

Mr. BORELLI. Yes, sir.

Mr. KYL. Then, I wonder why you say on page 4, we already have adequate tools to deal with the management of these areas, which are also fragile areas which need some kind of high degree of protection.

Mr. BORRELLI. I think the situation in the Great Swamp in New Jersey varied for a number of reasons.

We are talking, when we talk about wild areas in our national forests, about relatively large tracts of land, very often adjacent, contiguous with, or surrounded by other federally-owned lands, other Forest Service-managed lands. In the case of the Great Swamp, we had literally an oasis in the middle of a major metropolitan area, if you will, though the metropolitan area did not reach the boundaries of the swamp. This was an area of ecological uniqueness and fragility that we felt could not be protected in any other manner than the most strict and protective statutory mechanism that was available to us. With development on the borders of the swamp, incursions on the aquifer leading and feeding into the swamp, overuse by people visiting it, as well-intentioned that they might be, the swamp was experiencing a very high degree of use and abuse of use. So we went the wilderness route for this reason. We did not feel that there were other agencies of Government or other administrative or statutory means of protecting this area than wilderness.

Mr. KYL. Of course, one of the prime motivations for including that area in wilderness was the idea that the neighbors did not want to have a jet airport out there.

Mr. BORRELLI. There was that involved in it as well.

Mr. KYL. Yes.

On page 2, I think you summarized the purpose of this legislation very beautifully in the paragraph beginning with the concept of a wild area.

Mr. BORRELLI. As you know, Mr. Kyl, the Sierra Club is not unalterably opposed to scenic alternate systems of land classification in the east. We are well aware that even the Wilderness Act will, in the long run, not serve the interests of citizens of the east as adequately as it has in the west, if for no other reason than the fact that there is very little wilderness in the east. We can recognize that. We realize that there is a need for providing primitive recreation and for protecting and preserving large tracts of land in the east that cannot be done with many of the statutory mechanisms available to us today.

We recognize this need. We encourage the Forest Service to take the kinds of actions that would lead to that system of land classification. But frankly, we are very skeptical that the intent of the Forest Service would be to set aside these areas in a broad and comprehensive system of land, protected land management, when today, there has not yet been one area designated or proposed for study or review under a piece of legislation which this Congress gave many years of consideration to, many years of deliberation, and finally, an overwhelming amount of support. The legislative history is as clear to the Forest Service as it is to you, as it is to me.

Architects of that legislation, both in the House and on the Senate side, have said over and over again that the bill was never intended to draw a line down the middle of the country at the hundredth meridian. But the Forest Service has not been exercising its administrative discretion in a manner consistent with the intent of that law, as we can see by the performance of other Federal agencies in the east. The Bureau of Sport Fisheries and Wildlife has been, I think, most open to public recommendation of areas, it has been very cooperative with the Congress on both the House and the Senate side, and it has within its own bureaucracy been very receptive to designating areas within the wildlife refuges to Atlantic Coast as wilderness. There have been occasional squabbles as to how much acreage is right and where the boundaries go, but there definitely has been progress in that area.

The National Park Service also has taken some rather bold steps in this direction. It is only the Forest Service that has not moved.

Mr. KYL. One final comment. I repeat again, when you are criticizing the Forest Service, remember that the committees of the House and the Senate can change that at any time that the majority of the committees decide that they want to change it.

Thank you, Mr. Chairman.

Mr. FOLEY. Mr. Burlison, any questions?

Mr. BURLISON. No, thank you.

Mr. FOLEY. Thank you very much, Mr. Borrelli. I think all of us prefer more time for the questioning period; however, in view of the

many witnesses we must proceed as rapidly as possible in order to conclude the hearings today.

Mr. BORRELLI. I understand.

Mr. FOLEY. We certainly appreciate your appearance and your testimony.

As I understand it, without belaboring it, you do not object to the concept of increasing protection for areas that might be useful for primitive recreation enjoyment and so on. Your concern is that the present Wilderness Act has not, in your view, been properly implemented by the Forest Service in the eastern part of the United States?

Mr. BORRELLI. Yes, sir.

Mr. FOLEY. If that were done, do I understand that you might be more receptive to proposals such as the one involved in this legislation?

Mr. BORRELLI. Yes, sir. As you will see in my appended remarks, we do feel that there is an important need here. We have sought in cooperation with the Forest Service to identify such areas on specific national forests. We do feel that—early in my remarks, not to belabor the point, but I referred to a figure of one-tenth of our national forests, acreage of our national forests.

We have 23 million acres of national forest land here in the East. We are talking in very rough figures about setting aside anywhere in the neighborhood of 2 to 2.3 million acres in a system, in a rather comprehensive system, of land classification. Some of that land would be wilderness, some of that land could be set aside administratively or statutorily as wild areas, some of that land could be set aside as national recreation areas, scientific study areas. We do not feel that that, one, is an improper balance or, two, is a system that does not reflect a broad range of alternatives.

Mr. FOLEY. I just want to make a comment which is not intended to be offensive to the Forest Service. However, it has been my experience in the western half of the United States that if it is true the Forest Service has been very particularistic about the requirements to establish a national forest area, they have also, in my judgment, been very particularistic about enforcing the management of those wilderness areas that have come under their jurisdiction. This has caused some mixed views among the various conservation organizations in the West.

The Forest Service has been very rigid, for example, about not permitting any motorized equipment to enter wilderness areas, even those operated by the Forest Service that would fall under the normal exceptions in the management of the act. Having been a party on one occasion to an attempt to obtain the use of helicopters in wilderness areas under heavy snow in order to permit the removal of some existing structures that were used for snow, I found the Forest Service to be absolutely rigid about it. Now, whatever their motive was, they refused to allow any motorized equipment in, including their own. The only thing they said they would be willing to do was to use it to save life in a primitive area.

Mr. BORRELLI. In fairness, as I mentioned in my testimony, the Forest Service is right now going through what I consider to be a rather ambitious step in what might be called open planning, conducting some 24 listening sessions throughout the East, listening to the public, listening to recreational users, listening to the preservationists, listening to the commercial users. Hopefully, out of this, they will be able to ar-

rive at a package of administrative actions and congressional recommendations.

I somehow feel that this one rather isolated mechanism, namely, the wild areas legislative package, is premature—premature for this committee to be considering, though it is certainly within your purview. But I think the jury is out and a great body of information is yet to be unearthed.

Mr. FOLEY. And among other things, you think the subcommittee should await the opportunity to examine those recommendations?

Mr. BORRELLI. I certainly believe so.

Mr. KYL. May I ask a question for just 1 second?

Mr. FOLEY. Surely.

Mr. KYL. Would the gentleman admit that these hearings already have done more to place this issue before the Congress the issue of establishing wilderness areas in the East, and then to go beyond that, where areas do not— qualify for wilderness, to get a second stage which might ultimately become wilderness—than anything that has happened so far?

Mr. BORRELLI. No, sir. I believe they have obscured the matter, frankly.

Mr. KYL. You think these hearings have obscured the matter?

Mr. BORRELLI. I believe this committee and the Committees on the Interior on the House and the Senate side could have made a more constructive move in this direction, as you indicated, in instructing the Forest Service to comply with the President's request and to comply with the intent of Congress by speeding up its designation of areas under legislation already passed by this Congress.

Mr. KYL. Do you not think that these hearings might do that job that you are suggesting should be done?

Mr. BORRELLI. It is conceivable they might do it. I would question the dispatch with which that will come about.

Mr. KYL. How long ago were the Senate bills to establish these 11 areas in eastern States introduced?

Mr. BORRELLI. Several weeks ago.

Mr. KYL. Is any action contemplated on those in the Senate?

Mr. BORRELLI. I am not sure. The Senate committee has not released a schedule of its upcoming hearings. There are, however, other bills pending before the Congress. There have been three areas—the Dolly Sods, Cranberry Backcountry, Otter Creek areas—those have been in the congressional hopper for over a year. There is a bill now in on the Joyce Kilmer Area. Basically, Congress has not been moving on these eastern wilderness areas.

Mr. FOLEY. Mr. Dow, do you have any questions?

Mr. DOW. Yes, thank you, Mr. Chairman.

I do have a question or two, Mr. Borrelli. I have been reading through your testimony. On page 4, I notice that you say that some of the forests, in the first paragraph, that the forest land heritage should be set aside and this would include wilderness classification as well as a variety of administrative classifications, including wild areas, scenic areas, natural and scientific study areas.

Now, in listening to the testimony yesterday, I had a feeling that the people like yourself, whom I regard in the environmental camp, had been favorable to the single classification under the Wilderness

Act and that they did not favor other classifications which are represented in the bill introduced by Mr. Kyl. Now I have the feeling from reading this that you are leaning to the philosophy of having other supplemental classifications, and, therefore, I should think you would favor the Kyl bill.

Mr. BORRELLI. No, sir; the distinction is between statutory classification and administrative protection. We feel that the Forest Service has within its guidelines and regulations and statutory history ample administrative discretion to set aside areas in all sorts of administratively designated categories. We feel quite strongly, as have many other spokesmen for conservation organizations, that at this time, it would be premature to pursue a second statutory mechanism for land classification. We believe that until the Wilderness Act is properly complied with and given basically a fair shake here in the East, we would feel that a wild areas bill would, in effect, only trade one law for the other.

There is no doubt in our mind that if a wild area bill were passed at this time, we would see virtually no Eastern wilderness areas proposed by the Forest Service or passed by the Congress. We do, however, have a broader view and see that that there is a need here in the East to set aside additional acreages for many purposes.

We would be dishonest to ourselves and we would be dishonest to the people who look to us for leadership in the environmental movement if we did not recognize the fact that wilderness and wilderness alone is not the only objective when it comes to open space preservation and protection.

Mr. Dow. Do you think that the Forest Service now has the authority to set up these classifications by administrative action?

Mr. BORRELLI. Yes; I do. In fact, we have been told by the Forest Service, and if I am not incorrect, Mr. McGuire implied as much in his testimony, that many of the areas presently being considered for wild areas have already been given administrative protection; that is, the Forest Service intends not to give any timber sales or commercial leases on these lands. How long that administrative protection can be maintained, I think, depends a great deal upon the committees of Congress that oversee the Forest Service. They do, I admit, need some backing. We do not feel at this time that a statutory backing is called for, but I think they do need some support. They are concerned as to how long this administrative protection can be maintained.

Mr. Dow. Do you think they are doing a good job now of setting aside forest lands for various classifications?

Mr. BORRELLI. They have been very delinquent in the East.

Mr. Dow. Do you think that their judgment about this is as reliable as designation by Congress of categories of forest land?

Mr. BORRELLI. I believe that their judgment with respect to the Wilderness Act, for example, may not be as good as that of this and other congressional committees. I do not feel that the Forest Service has adequately interpreted the congressional history and intent of the Wilderness Act; nor has there been within the executive branches of Government a consistent policy with regard to wilderness. Basically, there are three different agencies administering wilderness now with three different interpretations.

Mr. Dow. Well, you are advocating that these classifications be set up and promoted by the Forest Service, but on the other hand, you point to the fact that they have been negligent or delinquent or backward or heedless, apparently. How are we going to build a fire under them to assure that they will take a proper initiative in this situation?

Mr. Borrelli. Well, I think that there are probably several alternatives, many that I cannot think of and many more that I am sure this committee has in mind. Certainly, passage of some of the wilderness bills that are pending before Congress would, by act of precedence if nothing else, spell out in very clear language to the Forest Service what interpretation should be given to the Wilderness Act. That, I would feel, is the responsibility and obligation and leadership of some of our eastern delegations on this matter. I think once we have cleared the air on that score, we can sit down with the Forest Service and begin to hammer out some of the additional mechanisms that are required to do the job that has to be done.

Mr. Dow. In other words, you do not support the bill that we are discussing here, but you do discuss other bills that would carry out the classification that you think is more appropriate?

Mr. Borrelli. We definitely foresee at some later date the need for alternate classifications for land in our national forests. We do not believe, however, that the legislation proposed satisfied that need, nor do we feel that the legislation proposed at this time satisfied that need. So you have both the matter of timing and the matter of content of the legislation.

Mr. Dow. What should we do to satisfy the need? What can we do to get this show on the road?

Mr. Borrelli. I believe we can get the show on the road by pressing the Forest Service to the wilderness issue. As I have indicated, and as a great many other spokesmen for conservation organizations have indicated—and it is a common theme throughout the listening sessions that have been held to date—that the credibility of the Forest Service here in the East and elsewhere, but I speak for here in the East, on this matter is greatly questioned. People are reluctant to sit down in an open planning atmosphere, though I am a grand advocate of open planning. We have found throughout the East that our people are reluctant to sit down in a cooperative and open-spirited manner with the Forest Service when their credibility along these lines is in such question.

I believe that some action on their part, perhaps stimulated by the committees of Congress, would clear the air and we could begin to move ahead in an ambitious program. I think an ambitious program is required and I think the Congressman from Iowa should be credited for recognizing this need at this time. An amibitious program is needed, but I think that we would have to line up our administrators and we have to get our program clearly spelled out before advancing on any one front.

Mr. Dow. Well, who is going to spell out our program? I feel a vacuum here, and just expressions by Congress are not going to achieve much with the Forest Service. There is only one voice that Congress can use and that is the voice of legislation. But I do not feel any sense of comprehensive attempts in that line, only a couple or three bills

that do not seem to satisfy anybody because they are not comprehensive. Now, how are we going to get something comprehensive in the pipeline and get it out as legislation that will accomplish the purposes that we would like to see?

Mr. BORRELLI. Well, I believe, sir, that the eastern omnibus wilderness bill is a rather comprehensive one. It recognizes the existence of 11 wilderness areas in some eight different Eastern States. I think that this would be, from a purely political standpoint, a very attractive package for our eastern delegation. It would clear the air in the sense that it would spell out to the Forest Service by legislative means that there is, in fact, wilderness here in the East, and it would have the precedent-setting attribute of not only designating those areas, but by virtue of designating those areas, spelling out the criteria by which the Forest Service is to proceed in the future.

Mr. DOW. I do not know if that bill will be handled in this committee or some other, but, certainly, I will take a look at it.

Mr. BORRELLI. Thank you.

Mr. DOW. Thank you, Mr. Chairman.

Mr. FOLEY. Thank you, Mr. Dow.

Mr. Borrelli, again we thank you very much for your appearance this morning.

The next witness is Mr. George Alderson, legislative director of the Friends of the Earth, Washington, D.C.

Mr. Alderson.

STATEMENT OF GEORGE ALDERSON, LEGISLATIVE DIRECTOR, FRIENDS OF THE EARTH

Mr. ALDERSON. Thank you, Mr. Chairman.

I am George Alderson, legislative director of Friends of the Earth, a national organization of 26,000 members, committed to the preservation, restoration, and rational use of the earth. We appreciate this opportunity to present our views on this bill, particularly because our members and leaders have long been involved in the movement to protect our remaining wildlands. The president of Friends of the Earth, David Brower, was the original proponent of the scenic resources review, which was enacted as the Outdoor Recreation Resources Review Commission, and Mr. Brower was also one of the principal leaders supporting the inspired leadership of the Wilderness Society in the 8-year effort for enactment of the Wilderness Act of 1964. It is from this background of concern and action that we testify here today on this new measure.

Friends of the Earth commends the intentions of Congressmen Kyl, Hansen, and Hechler, who cosponsored the wild area bill. However, this is an antiwilderness bill, which would undermine the Wilderness Act of 1964. In the East, Midwest and South, citizen conservation groups have proposed numerous areas within the national forests for addition to the National Wilderness Preservation System, which was set up by the Wilderness Act. The Forest Service has turned a cold shoulder to all these proposals, claiming that nothing except western areas is qualified for wilderness status. Friends of the Earth views this as regional discrimination, and it is totally unjustified.

The Kyl bill would confirm this unwise Forest Service decision, and forever prevent these excellent areas from receiving the full protection of the Wilderness Act. This ill-advised action would extend into almost every State in these three great regions of our Nation. Eleven areas in nine States are already before the Congress in another bill, S. 3792, which is pending in the Senate Interior Committee. Additional proposed wilderness areas are almost ready for introduction in Congress, touching several other States as well. Passage of the Kyl bill would effectively kill the chances of these many national forest wildlands becoming part of the Wilderness Act of 1964. This is because it would sanction the unfounded criteria adopted by the Forest Service as guidelines for identifying potential wilderness areas.

This bill is not needed. Neither of the other Federal agencies that have wilderness areas has adopted such antiwilderness criteria in the Eastern States. For example, the National Park Service has proposed major wilderness areas in Shenandoah and Great Smoky Mountains National Parks. The Fish and Wildlife Service has several eastern wilderness areas already established by act of Congress, which are now in the wilderness system. Even the Forest Service has its three eastern wilderness areas—Great Gulf, in New Hampshire, Linville Gorge and Shining Rock, both in North Carolina. The Shining Rock Wilderness was established by the Forest Service shortly before the Wilderness Act passed; like many of the areas now proposed, it had a history of manmade disturbance, but it had recovered through the steady regeneration process of nature. We hope the Forest Service will return to the policy that made Shining Rock Wilderness possible, and approve the other eastern wilderness proposals.

There are several ways in which the Kyl bill is weaker than the Wilderness Act. The definitions and purposes are much less clear than those of the Wilderness Act. The provision in section 4(b) for reports to the President requires the agency to identify in its report the uses to be foreclosed or curtailed. The bill contains no ban on either permanent or temporary roads. The bill also contains no ban on new structures or installations; and section 5(a)(3) is so broad as to permit a multitude of developments which would not be compatible with protection of the wildland resource. This bill also lacks anything like section 4(b) of the Wilderness Act, requiring that other uses of the area be carried on only in ways that are compatible with the objectives of the Wilderness Act. This bill also lacks any authority for the Government to accept gifts of adjacent lands for addition to the area.

One of the most significant weaknesses of H.R. 14392 is in the area of mineral development. Although it terminates new mineral entry immediately, this bill fails to provide the Secretary with specific authority to regulate ingress and egress to claims, it contains no requirement that mined lands be restored, and it is unclear with respect to the conditions under which existing valid claims could be patented. The Wilderness Act, in contract, is very specific and very detailed on these points, and it gives the Secretary authority to impose rigorous stipulations on the miners.

Finally, the Kyl bill requires no annual report on the wild areas system, and it contains no provisions for conversion of wild areas to wilderness areas, even though proponents of this bill have said that this conversion is one of their objectives.

These weaknesses strongly militate against adoption of the approach set forth in the Kyl bill. Friends of the Earth supports an excellent alternative bill, S. 3792, which is now before the Senate Interior Committee, co-sponsored by Senators Jackson, Buckley, Church, Hartke and Nelson. We would urge the congressmen who cosponsored the wild areas bill to introduce S. 3792 in the House. All the wilderness proposals in it are made after thorough study of testimony by citizens' groups relying on studies which have been completed and have grown out of continued cooperation with the Forest Service. The Jackson-Buckley bill shows the lack of any need for the wild areas bill. S. 3792 would give full wilderness protection to 11 Eastern areas, and we look forward to similar legislation dealing with additional areas, for which proposals are being developed right now.

Concerning the lack of initiative by Congress that Mr. Kyl cited as absolving the Forest Service of blame, I would only point out that the House Interior Committee has still only considered one of the defacto wilderness proposals on the national forests. As I believe Mr. Kyl knows, the Interior Committee has a substantial tradition of going along with the Agency's views in cases of new area designations. The consideration of the Lincoln-Scapegoat Area in Montana gives us new hope that this obstacle can be surmounted. But the resistance of the Forest Service on these Eastern wilderness proposals is still a major obstacle no matter how we look at it.

We have urged Mr. Kyl to introduce the Jackson bill, which would be a good start for action in the House. We would certainly commend that for all the members of this committee.

Mr. FOLEY. Thank you very much, Mr. Alderson. If you do not have a pressing engagement, in order to try to reach the full list of witnesses today, the Chair, without objection, would like to take the witnesses in groups of three. If you could please remain for a few moments at the witness table, and perhaps yield the microphone, we will call the next witness.

Mr. ALDERSON. Certainly.

Mr. FOLEY. Then after we have heard three witnesses, we will proceed with questions by the committee.

The next witness is Mr. W. E. Towell, vice president of the American Forestry Association, Washington, D.C.

STATEMENT OF WILLIAM E. TOWELL, EXECUTIVE VICE PRESIDENT, THE AMERICAN FORESTRY ASSOCIATION

Mr. TOWELL. Good morning, Mr. Chairman, members of the committee. I am William E. Towell, executive vice president of the American Forestry Association, one of the Nation's oldest and largest citizen conservation organizations, with a concern for all public lands and resources. We have a great interest in both wilderness and wild areas and have through our magazine American Forests devoted considerable attention to the subject of an Eastern wild areas system. For the benefit of the committee, I wish to submit for your files reprints of three recent articles pertaining to wilderness and wild areas: (1) An article by Joseph W. Penfold in our April 1972 issue of American Forests entitled "Wilderness East—A Dilemma;" (2) an article in June 1972, by Richard J. Costley, former Deputy Chief of the U.S.

Forest Service, and currently professor at the University of Massachusetts, entitled "An Enduring Resource;" and, finally, an article this month entitled "Wilderness East?—No," by Mr. Fred C. Simmons, retired executive secretary of the Northeastern Loggers Association. The American Forestry Association does not necessarily endorse the opinions of these gentlemen, but we do think it a valuable public service to print differing viewpoints on this subject.

We are pleased to note, also, that the distinguished chairman of this committee, Senator Talmadge, and conservation's long-time friend on the minority side, Senator Aiken, have coauthored another Eastern wild areas piece that will appear in the September issue of American Forests entitled "On Regaining Paradise."

Basically, Mr. Chairman, our position is one in support of some type of Eastern wild area classification but not under the Wilderness Act of 1964. The national forests in the East contain very few if any lands that would qualify as true wilderenss and to classify them as wilderness would only weaken the whole system. It is true that nature has great recuperative powers and eventually can heal most of the imprint of man's use and development, but the concept of true wilderness rules out acceptance of the interior quality of "modified" or "restored" wild lands. Let's preserve and manage such areas, but let's call them something else. If we accept roads, commercial timber cutting, buildings, dams, and other developments in new areas under the wilderness system, then we have lost our strongest argument for keeping them out of the real wilderness. Above all else wilderness should denote quality and virginity in our natural system. This does not mean that eligible wilderness areas do not exist in the East, but most of the lands we should consider for natural preservation and recreational use would not qualify.

We endorse the creation of an Eastern system of wild areas as proposed in S. 3699 and H.R. 14392. It would be in the public interest to designate some new classificaton system whereby primitive-type, restored wild lands could be set aside and preserved. One thing that concerns us about this legislation, however, is that it might be too restrictive as written and thereby destroy flexibility that would be desirable in an Eastern wild areas system. We might be repeating a mistake of the Wilderness Act itself in locking ourselves into inflexible criteria. Why not merely recognize a need for eastern wild lands and authorize a system with a minimum of qualifying criteria? The Forest Service could be directed to study eligible areas and recommend each according to its highest potential and greatest public need. On one such area the principal function might be recreation, on another wildlife, on still another it could be preservation of geological features, or it might be a nature preserve to safeguard unusual vegetative conditions or to arrest ecological succession. But, we should strive for flexibility. Under either the present Wilderness Act or the Eastern wild areas system as proposed by S. 3699, each area must be approved by the Congress anyway. Why not leave the purposes and objectives of each to be spelled out in its specific authorizing legislation? Each is different so why not recognize these differences and approve them according to specific needs and their potentialities?

I will now comment on certain provisions of S. 3699 (H.R. 14392), where I think improvements can be made or which raise questions in my mind.

Section 2(b) limits wild area for consideration to those lands within the national forest system. Why establish restrictive ownership criteria? Other suitable areas might be found within the national refuge system or on State-owned lands. Even within the national forests boundaries there are large areas of privately owned land which are not actually part of the national forest system. Wild areas should not be limited to existing Federal lands.

Section 3, limits "wild areas" to areas of "outstanding beauty" along with other qualifying criteria. Beauty itself might not always be the correct basis for consideration. Unusual ecosystems, geological formations, or endangered plant species might be important enough to preserve without possessing outstanding beauty.

Section 4(2), directs the Secretary to study, from time to time, areas which might be included in the system. It has no time limitation or goal for completion. Even though it should be a continuing operation, perhaps some more specific time schedule should be suggested.

Section 5(a)(5), correctly excludes commercial timber harvest, but it should not prohibit sale of forest products removed for management purposes. It might be desirable to clean up or salvage wind-thrown trees, or to create and maintain forest openings for wildlife or to arrest a disease or inspect epidemic through cutting. Such management practices should be permitted, where necessary, but there should be no prohibition against sale of valuable products harvested.

Section 5(a)(7), gives the President broad powers to authorize dams, power projects, transmission lines, and even roads in Eastern wild areas. This might be the small hole in the dike that could destroy the whole system. These decisions might better be left to the Congress where they are subject to public review. Give the Secretary necessary management authority but preserve the integrity of wild areas like we do wilderness areas.

Section 7, withdraws all forms of future appropriation under the mining laws but excludes existing valid claims. Shouldn't some time limitation be established on existing claims? Either they should be acquired outright, through condemnation if necessary, or given a time limit for which they remain valid. One major advantage of an Eastern wild areas system over wilderness classification would be the condemnation authority to eliminate adverse holdings. Let's use it.

Section 8, provides for public hunting and fishing under certain administrative restrictions, which is good, but the States should be made equal partners in regulations pertaining to wildlife use rather than mere consultants.

The greatest weakness in S. 3699 (H.R. 14392), is the lack of any funding authorization. It will require money to buy private inholdings and subsurface mineral rights in Eastern wild areas. The land and water conservation fund already is taxed to the limit. It would be a mistake to add this load to an already deficient source of money. If the system is worth having it is worth paying for out of general revenue appropriations.

In the interest of time, I will say very little about S. 3224 and S. 3225, because both are inferior to S. 3699 (H.R. 14392). The former would establish both a Sipsey wilderness and a Sipsey national recreation area in the Bankhead National Forest in Alabama. It would be an unwieldly, unworkable combination, hardly worthy of our first venture

into Eastern wild lands preservation. The Sipsey area itself certainly is a desirable one for wild areas recognition and perhaps should be the first one to be recognized under a new Eastern system.

S. 3225, establishes a Southeastern wild areas system with a Sipsey wild area as a prototype. The legislation is too limited geographically and contains several serious provisions, such as authorization for commercial services and right of access across wild areas, but fails to specify power of condemnation and provides no funds for either acquisition or administration.

As I sat through the two previous witnesses here this morning and the Senate hearings last week, I seemed to detect a tremendous amount of argument and persuasion as to why the Wilderness Act should be implemented here in the East. And I have jotted down—this is not in my prepared statement—some of the arguments why I think the Wilderness Act does not apply here in the East, aside from the virginity of wildland reason. For what they might be worth, here are six reasons why I feel it is not applicable for the situation we are discussing.

First of all, the Wilderness Act limits our consideration to existing public lands. Here in the East, our public lands are highly intermingled with private ownership. If we are to put together a viable system, the consideration must be given also to privately owned lands.

Second, the Wilderness Act provides no condemnation authority; and if we are to deal with this private land question, we feel that there is going to be a strong need for power of condemnation to make the units complete.

Third, the Wilderness Act offers no protection against mining. Here in the Eastern forests, at least a third of all of our public ownership does not include the subsurface mineral rights. This would be a very strong detriment to a system designed under this wilderness classification.

Fourth, the Wilderness Act offers no protection against grazing. This may not be too important, but it does provide that where grazing is in existence, it may continue in the wilderness.

Fifth, the Wilderness Act prohibits development of essential facilities, and it seems inconceivable to us that you can have any kind of use or public service from these areas in the East without being able to develop minimum facilities—at least of toilets and campsites and minimum facilities for public use.

And finally, the sixth reason is that the Wilderness Act, although it may not be actually a statutory limitation, generally is limited to consideration of areas of 5,000 acres or more in size. As we see the Eastern wildlands needs, they might be small areas—50 acres, 500 acres, 2,000—something other than 5,000 acres or less.

For what they may be worth, these are some reasons why we feel some new system of Eastern wildlands is preferable to attempting to extend the Wilderness Act here to the East.

Thank you, Mr. Chairman, for this opportunity to testify. I hope that something I have said may be of some help to you and your committee in this important consideration.

Mr. FOLEY. Thank you very much, Mr. Towell. We appreciate your statement. Your recommendation is very helpful to us, as the committee always finds it useful to have specific proposals to consider.

If you could please remain at the witness table for a few minutes, then we will call one more witness.

Mr. TOWELL. Surely.

Mr. FOLEY. The next witness is Mr. David Saylor of Washington, D.C. Mr. Saylor?

STATEMENT OF DAVID J. SAYLOR, WASHINGTON, D.C.

Mr. SAYLOR. Mr. Chairman, honorable members of this subcommittee, I come before you as a private citizen and a lover of the wilderness. I come to you as a young men who has been fortunate enough in his few years to taste the fruit of wilderness in many spots—from the Na Pali coast on the island of Kauai, Hawaii—to the Yukon border of Alaska—to the Grand Tetons of Wyoming—to the Dolly Sods region of West Virginia—and, yes, even to the once-logged hills of Pennsylvania, where I grew up. I speak, I hope, not just for the young but for all who personally know and cherish the wilderness as did the poet who wrote of it:

> It's the beauty that
> Thrills me with wonder;
> It's the stillness that
> Fills me with peace.[1]

I speak also for tomorrow's children. We owe them parcels of true wilderness conveniently located throughout the Nation, west and east—oases where they can seek refreshment from the concrete and computer world that is their inheritance.

It is, then, as a lover and user of wilderness, concerned with tomorrow as much as today, that I come to state my opposition to House bill 14392, the eastern wild areas bill. However well intentioned its supporters—and I know they are well intentioned—and however admirable some of its objectives, this bill should be set aside. Instead, Congress should reaffirm its commitment to the national wilderness preservation system established in 1964. Congress should pass Senate bill 3792, the Jackson-Buckley bill, which would include in the national wilderness preservation system 11 wilderness area in nine Eastern States.[2]

In addition, at least six other areas in the national forests of the East are deserving of membership in the national wilderness preservation system.[3]

And I am willing to predict that other portions of the eastern national forests, not to mention the national parks and wildlife refuges,

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[1] Robert W. Service, "The Spell of the Yukon."

[2] (*a*) Caney Creek Wilderness, Ouachita National Forest, Ark.;
(*b*) Upper Buffalo Wilderness, Ozark National Forest, Ark.;
(*c*) Irish Wilderness, Mark Twain National Forest, Mo.;
(*d*) Sipsey Wilderness, Bankhead National Forest, Ala.;
(*e*) Cohutta Wilderness, Chattahoochee and Cherokee National Forests, Ga. and Tenn.;
(*f*) Joyce Kilmer-Slick Rock Wilderness, Nantahala and Cherokee National Forests, N.C. and Tenn.;
(*g*) Cranberry Wilderness, Monongahela National Forest, W. Va.;
(*h*) Otter Creek Wilderness, Monongahela National Forest, W. Va.;
(*i*) Dolly Sods Wilderness, Monongahela National Forest, W. Va.;
(*j*) Laurel Fork Wilderness, George Washington National Forest, Va. and W. Va.; and
(*k*) Bradwell Bay Wilderness, Apalachicola National Forest, Fla.

[3] (*a*) Life Brook Wilderness, Green Mountain National Forest, Vt.;
(*b*) Caribou-Speckled Mountain Wilderness, White Mountain National Forest, Maine;
(*c*) Sandwich-Chicora-Osceola Wilderness, White Mountain National Forest, N.H.;
(*d*) Dry River-Rocky Branch Wilderness, White Mountain National Forest, N.H.;
(*e*) Wild River Wilderness, White Mountain National Forest, N.H.; and
(*f*) Kilkenny Wilderness, White Mountain National Forest, N.H.

are qualified for inclusion in the national wilderness preservation system.

Those who support the eastern wild areas bill, H.R. 14392, assume that no national forest land east of the 100th meridian can meet the definition of "wilderness" set out in the Wilderness Act of 1964. These people misconceive the broad intent of that Wilderness Act. They read it far too narrowly. They seize upon words like "roadless," "untrammeled," and "primeval," but neglect words like "primarily," "substantially," and "generally" which give the Wilderness Act its intended flexibility. They confuse prohibitions against future incursions with prerequisites for present inclusions. In short, they have engaged in a misguided, overly literal interpretation of the Wilderness Act. As the great Judge Learned Hand once cautioned:

> There is no more likely way to misapprehend the meaning of language—be it in a constitution, a statute, a will, or a contract—than to read the words literally, forgetting the object which the document as a whole is meant to secure.[4]

Let us turn to the Wilderness Act. What does it say? The first sentence of section 2(c) conceives of wilderness as an "area * * * untrammeled by man."[5] Some have argued that this means "untrammeled by man in the past." I prefer to interpret it as "untrammeled by man in the future"—an ideal to be striven for rather than an inflexible prerequisite for an area's admission into the wilderness system. The second sentence of section 2(c) bears out my view. A wilderness is defined as a place which "generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable * * *." It does not say that a candidate for wilderness status must "in fact have been affected totally by nature with absolutely no discoverable trace of man." Absolute purity, complete virginity, are not required. Later in the act, section 3(b), the President is empowered to recommend inclusion into the wilderness system of forest lands contiguous to primitive areas if those lands are "predominantly of wilderness value." Moreover, the act sets no limit on size.

The fact is that some areas in the East, though they have been logged, roaded, or once built upon, can and do qualify for addition to the National Wilderness Preservation System. They should be added to that system and given the first-class protection which that system guarantees, even if they lack the primeval grandeur of some of our Alaska wilderness, for instance. President Nixon acknowledged this in his environmental protection message, submitted to Congress on February 8, 1972. He specifically recommended three Eastern sites as wilderness areas. But he stressed that "a greater effort can still be made to see that wilderness recreation values are preserved to the maximum extent possible, in the regions where most of our people lieve."[6]

He directed the Secretaries of Agriculture and Interior "to accelerate the identification of areas in the Eastern United States having wilderness potential." That process is not yet completed.

It is clear to me, and apparently to some of the others who have testified before you, that prior logging, road use, and the like do not

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[4] *Central Hanover Bank & Trust Co.* v. *Commissioner of Internal Revenue*, 159 F. 2d 167, 169 (2d Cir. 1947).
[5] J. W. Penfold in American Forests (April 1972), at p. 24.
[6] U.S. Code Cong. and Adm. News (1972), at 615.

disqualify an area. Congress included several such areas in the first wave of admissions to the wilderness system. Ranch buildings, corrals, and roads once lay within the Bob Marshall Wilderness of Montana. Oregon's Three Sisters Wilderness has an old dirt road leading to a pumice deposit. A wagon road went through part of Idaho and Montana's Selway-Bitterroot Wilderness. The Shining Rock Wilderness in North Carolina had been logged, burned, and roaded. Boundary Waters Canoe Area in Minnesota had been extensively logged, roaded, and dammed. I have personally inspected several abandoned prospector's and elk hunter's cabins, not to mention two modern ranger cabins, two steel bridges, and a short road still in use in the Teton Wilderness of Wyoming. All these areas, despite prior incursions by man, came into the wilderness system in 1964.

In 1968 Congress added Pasayten Wilderness in Washington, despite an old dirt road that was within the boundaries of that wilderness. In the same year, it brought in the Great Swamp Wilderness in New Jersey, which contains a once-paved public road. In 1969, Congress brought in the Seney Wilderness in Michigan, despite the fact that that had been logged over in the past. Also California's Desolation Wilderness had two reservoirs and an access road. Out in Colorado, District Judge Doyle has ruled,[7] with the 10th Circuit Court of Appeals affirming him.[8] that a few abandoned cabins, temporary corrals, an access road, and a somewhat overgrown "bark beetle" control road, do not disqualify the East Meadow Creek Area from inclusion in a proposed Eagles Nest Wilderness Area.

As long as there are lands within the Eastern United States which qualify for the National Wilderness Preservation System, passage of a "Wild Areas" bill, like No. 14392, would be premature and unwise. Candidates for first-class protection should receive that protection. Competing systems will open the way for commercial interests to force compromises resulting in second-class protection for first-class areas.

H.R. 14392 is really a recreation area bill, not a wilderness bill. Section 5(a)(7) permits the President to construct reservoirs, power projects, transmission lines, "and other facilities needed in the public interest, including road construction and maintenance essential to development and use thereof * * *." Section 5(a)(3) permits "Developments * * * of a rustic, primitive nature * * * for * * * the visiting public * * * ." That sounds to me like log cabins, lodges, and privies, and who knows what else. Timber will be cleared for such purposes and parking lots laid. These are not the marks of a wilderness bill. They invite the "permanent improvements" which the Wilderness Act of 1964 sought to avoid. No doubt we need more recreation areas in the East, but potential and de facto wilderness areas should not be sacrificed in the process. Other lands are available for recreation development. De facto wilderness, even though it contains some of man's remnants, should be taken immediately into the wilderness system. Those potential wilderness lands which are still recovering from scars left by man could be given interim administrative protection by the Forest Service or by order of the President until such time

[7] *Parker* v. *United States*, 309 F. Supp. 593 (D. Colo. 1970).
[8] *Parker* v. *United States*, 448 F. 2d 793 (10th Cir. 1971).

as the wilderness is restored. Were a potential wilderness exposed to the "improvements" permitted by the Wild Areas bill, its inclusion in the National Wilderness Preservation System would be lost for several generations, if not forever.

One final criticism of H.R. 14392. It seems to create an unnecessary jurisdictional conflict between House committees. This can only serve to bottle up needed wilderness legislation. One committee should handle all wilderness proposals. If separate bills propose an area for both "wilderness" and "wild area" treatment, is the "wilderness" proposal to go to the Interior Committee and the "wild area" bill to Agriculture? If both are to be considered and compared in one committee, who could say with any assurance which House committee has jurisdiction over the subject matter which predominates in the two pieces of proposed legislation? With all respect, I suggest that the committee conducting review under the wilderness act of 1964 is the proper forum for all wilderness and wild area proposals.

Though H.R. 14392 has other defects which prior witnesses have discussed, the chief ones are, in summary, these: H.R. 14392 erroneously assumes that no area in the East can possibly qualify as wilderness under the 1964 wilderness act. It creates a grave risk that de facto and potential wilderness areas in the East will receive second-class protection as thinly disguised "wild areas." And it opens up a Pandora's Box of jurisdictional problems which will confound conservationists and bottle up needed wilderness legislation for years.

Thank you very much.

Mr. FOLEY. Thank you, Mr. Saylor.

The Chair will now invite questions for Mr. Alderson, Mr. Towell, and Mr. Saylor.

Mr. Teague?

Mr. TEAGUE of California. I have no questions.

Mr. FOLEY. Mr. Burlison?

Mr. BURLISON. Mr. Alderson, I note in your statement and the statements of others that it seems to be your view that the Forest Service has been over-restrictive in the application of the wilderness law to eastern areas. You at the same time seem to be in opposition to this legislation because it is not restrictive enough, it is not as restrictive as the wilderness legislation. Do you see any inconsistency in these positions?

You are not the only one who has seemed to present these, at least in my view, conflicting positions.

Mr. ALDERSON. Well, Mr. Burlison, I will be glad to explain that.

As I see it, we have to consider two sets of criteria in the case of wilderness. One is the criteria that you use in judging whether an area is qualified to be put into the national wilderness preservation system. Once the area is in, then you have to apply the criteria for that case, that will keep out developments. In most cases, in the western wilderness as well as in eastern wilderness, in areas that are being proposed as wilderness, there are many things that have happened in the past that we would not want to happen in the future. As Mr. Saylor's statement documented, there are many areas in the wilderness system already that have had mining in them and various kinds of things. In the Washakie Wilderness, which is just about to be enacted, there was some logging in there to a minor extent, and in

the House Interior Committee, they dealt with that question in detail. I imagine you were in on that discussion.

But we have to recognize these incursions of the past and try to prevent that kind of thing from happening in the future. So I do not see it as an inconsistency. It is a question of accepting reality in dealing with the wilderness resource that we have.

Mr. BURLISON. Well, do you agree, or is it your position that the Forest Service has gone beyond the requirements of the wilderness law in denying the wilderness designation to some areas in the East?

Mr. ALDERSON. Yes; that is our view.

Mr. BURLISON. Well, it seems to me that many other witnesses preceding you have taken the same position. But I have not heard anyone suggest any motivation for that. Do you have a suggestion as to what the motives of the Forest Service might be in refusing to follow the law?

Mr. ALDERSON. Well, we have to recognize that the Forest Service originally opposed the Wilderness Act, too. I think that like any Government agency, the Forest Service probably desires to keep its hands as free as possible of legislative restrictions, to preserve their own discretion, and manage things as they see fit. That is probably the basic reason that I would attribute it to.

Mr. BURLISON. Thank you very much.

Mr. ALDERSON. Mr. Burlison, on this particular criterion problem of the facilities that are acceptable in wilderness, I would like to submit—I think it would be helpful for the record—a memorandum from the Assistant Secretary of the Interior, Nathaniel Reed, dated June 24, which was a directive to the National Park Service and the Bureau of Sport Fisheries and Wildlife on the criteria they were to apply to their wilderness proposals. In that, he indicated that pit privies and various other things that were essential facilities in the wilderness were acceptable. He also listed other specific types of things that would be acceptable.

Mr. BURLISON. Mr. Chairman, I urge unanimous consent that it be made part of the file.

Mr. FOLEY. Is there any objection to receiving the memorandum of Assistant Secretary Nathaniel Reed for the file?

(No response.)

Mr. FOLEY. Hearing no objection, it is so ordered.

Mr. ALDERSON. I will have to submit that when I get back to my office. I do not have one with me.

(The memorandum referred to will be found in the files of the subcommittee.)

Mr. FOLEY. Mr. Kyl?

Mr. KYL. On page 3, Mr. Saylor, you discuss, and Mr. Alderson discussed—I think I would have a hard time proving to the Sierra Club and the Wilderness Society the sincerity, which I have in trying to preserve the wilderness concept. You say:

> These people misconceive the broad intent of the Wilderness Act. They read it far too narrowly. They seize upon words like "roadless," "untrammeled," and "primeval," but neglect words like "primarily," "substantially," and "generally" which give the Wilderness Act its intended flexibility.

The legislative history of that bill will not show that you are correct in the first instance, but I have to point out again the concern I have. If the words "substantially" and "primarily" and "generally" have

any meaning in one part of that bill, they are going to have the same meaning in any other part of that bill. And before very long, you people are going to have to be up here fighting the building of a dam in the wilderness area or a road in the wilderness area and the argument will be made that it is permissible because the Act says "substantially" and "generally" and "primarily." And that bothers me a very great deal. If we are trying to keep an area genuinely pristine in character, you cannot make an exception on one hand and say this is not a precedent for something else, because once you have done it, it is a precedent. I think that is where the biggest difference is among us here.

Now, Mr. Alderson, do you believe in the philosophy of dominant use in the management of lands?

Mr. ALDERSON. No, sir.

Mr. KYL. Then how can you come here and advocate the dominant use of wilderness?

Mr. ALDERSON. Wilderness is recognized as one of the multiple uses that is acceptable on national forest lands.

Mr. KYL. Is timbering?

Mr. ALDERSON. Yes.

Mr. KYL. And it is all right to have a dominant wilderness classification but not a dominant timbering classification?

Mr. ALDERSON. Wilderness has been recognized by Congress as one of these things that you can set aside for the purposes that it serves. It is not a single use by any means. Watershed values are protected in an excellent fashion by wilderness and you have grazing in the wilderness, you have outdoor recreation. It is no exclusive use.

Mr. KYL. Can you name a more exclusive use of lands that are managed in the public domain?

Mr. ALDERSON. Yes; I think clear-cutting is a far more exclusive use, because it wrecks the watershed value, as well as the forest.

Hurlon C. Ray of EPA's Water Quality Office, in the Northwest region, testified at the Senate Interior Committee's hearings in the spring of 1971. He testified that in areas where they have measured the sediment runoff from the clear-cuts, they found that it increased up to 7,000 times in the areas that were drained from a clear-cut compared to the sediment run-off before the cut. That is just an example.

Mr. KYL. I am not going to get into that clear-cut business. We have experimental areas set up where adjacent and similar areas are now being tested for runoff and for erosion, siltation, and things of that kind, where we have accurate measurements that deny this. I think the answer is that it is sometimes yes and sometimes no and you cannot make any general statements because of the different kinds of lands that are involved.

Although it is not entirely pertinent to this business, it does relate to this philosophy we were just talking about and I wanted to get your attitude on that.

Thank you, Mr. Chairman.

Mr. FOLEY. Mr. Dow.

Mr. DOW. Just one question for clarification.

Mr. Borrelli, in his testimony, said that he advocated the eastern omnibus wilderness bill, and I think some of you other gentlemen—perhaps Mr. Alderson and Mr. Saylor—have spoken of legislation in

the Senate—I guess that is the Jackson-Buckley bill—which would set aside a number of eastern areas under the wilderness bill. Is their bill, this Buckley-Jackson bill, the same as the eastern omnibus wilderness bill that Mr. Borelli speaks of?

Mr. SAYLOR. I believe it is, sir.

Mr. DOW. I just wanted to know that for a fact. I appreciate that. Thank you, Mr. Chairman.

Mr. FOLEY. Thank you very much.

Mr. Towell, I gather from your statement that while this committee does not have any jurisdiction over the so-called Jackson-Buckley bill, you would not recommend approval of that legislation?

Mr. TOWELL. I would not say that at this moment, Mr. Chairman, because I have not studied that bill thoroughly enough. In my written statement before this committee, I did indicate that there might be some areas in the East that are deserving of true wilderness clarification, but they would be few and far between. They would need something to supplement it. So I would not say I am opposed to that bill at this time, but frankly, I do not think that the Wilderness Act can take care of our eastern wilderness land needs.

Mr. FOLEY. Thank you.

Gentlemen, we thank you all very much for your appearances and testimony and for the very helpful specific proposals included in your recommendations to the subcommittee.

The next witness will be Mr. A. T. Wright, conservation consultant, Alexandria, Va.

STATEMENT OF A. T. WRIGHT, CONSERVATION CONSULTANT, ALEXANDRIA, VA.

Mr. WRIGHT. Mr. Chairman and members of the subcommittee, my name is A. T. Wright of 213 Commonwealth Avenue, Alexandria, Va. I am a conservation consultant heavily involved in environmental issues and measures. Much of my work is concerned with public interest aspects of the management practices and policies of Federal agencies with respect to national forests, parks, and wildlife refuges.

I am, therefore, greatly concerned about the impact of H.R. 14392 described as the National Forest Wild Areas Act of 1972. I am here to oppose the creation, at this time, of a separate system of eastern wild areas which would become confused with and compete with the National Wilderness Preservation System established by the Wilderness Act of 1964. My reasons are as follows:

1. The U.S. Forest Service states that the eastern national forests contain no areas whatsoever which qualify for entry into the wilderness system. The scope of this sweeping position is indicated by the fact that the southern region of the Service contains 33 national forests in 13 States comprising 11.9 million acres. The eastern region contains 17 national forests in 12 States comprising 11 million acres. Thus in almost 23 million acres of national forest land in the East, it is alleged that none of it qualifies as wilderness. This is an unwise assertion on the face of it and is the result of a puristic approach to wilderness which is unwarranted by the Wilderness Act or the congressional intention behind its passage. It is my observation that those interests which are unfriendly toward the Wilderness Act or hold it

in low esteem are reluctant to admit it. Instead they hide it by taking the purist route and claim that none of it qualifies.

2. The Forest Service presumes to take this position even though the Congress has had no opportunity whatsoever to consider the addition of a portion of any eastern national forest to the wilderness system. None has been presented to the Congress by the Service and apparently none will unless the Service changes its tactics. The Service thus far has substituted its judgment for that of the Congress.

The Wilderness Act specifically reserves to the Congress the right and obligation to decide what is or what is not wilderness. Until the Congress specifically accepts or rejects the inclusion of portions of eastern national forests into the wilderness system, I submit that there is no basis for the Service's position. Moreover, there is every reason to believe that the Congress would approve a number of such areas, perhaps as many as a score of them. I further submit that the passage of H.R. 14392 would place the Congress in an untenable position with the American public. Such an action would be widely interpreted and understood to be congressional agreement with the Forest Service that no areas in eastern national forests qualify as wilderness. This is unthinkable because it is untrue. The end result of this legislation, if passed, is that the use of the Wilderness Act with respect to eastern national forests, will have been nullified. The American people, particularly those in the East, will have been effectively denied the use of a wilderness resource bearing the protection of the Wilderness Act against usages and development which are detrimental to the public's need for a few areas totally unmanaged and undeveloped.

3. While the proponents of H.R. 14392 will claim that the bill will permit areas which do not qualify as wilderness to regenerate to a condition where they do qualify, it seems abundantly clear that the degree of management latitude left to the Forest Service in this bill is such that it is unlikely that any so-called wild area will ever achieve a condition where the Service would admit that it did qualify and propose it to the Congress. This is what it is all about. The Service wishes to manage eastern national forests without restrictions of the Wilderness Act and it requires no great perception to see that wild areas would rarely, if ever, be promoted to wilderness. And, as stated above, if this legislation is passed the application of the Wilderness Act will be made almost impossible, thus thwarting the will of the Congress and the American people by reason of the Service's inaccurate and misleading interpretation of that act.

4. I would also bring to the committee's attention that the Forest Service's course of conduct is a far cry from that of the National Park Service and the U.S. Bureau of Sport Fisheries and Wildlife although all three operate under the same Wilderness Act. For example, in nearby Virginia, in Shenandoah National Park, the Park Service proposes 73,000 acres of wilderness in a mere 193,000 acre park. A short distance away, in the George Washington and Jefferson National Forests, totaling close to 2-million acres, the Forest Service says there isn't any. The significant point is that the park and the two forests all have basically the same history of land use and abuse. Large portions of all three have been allowed to regenerate naturally to the extent that the forests are maturing, wildlife is abundant, the watersheds are clean and clear, and wilderness conditions prevail.

5. There is strong support among eastern people for wilderness areas. In the past, West Virginians and Alabamans secured the filing of wilderness bills for the Monongahela and Bankhead National Forests in both Houses of Congress despite Forest Service opposition. Similar efforts are underway in Arkansas, Georgia, Tennessee, North Carolina, Florida, Missouri, and Virginia. Eastern people are determined not to be denied wilderness by the Forest Service and other interests unfriendly or indifferent to the Wilderness Act. The new legislative route here under consideration is unnecessary and, moreover, inadequate to meet eastern needs. It offers little or nothing to the American people. In fact, it offers only confusion and uncertainty about which way to go. In the face of Forest Service and other opposition to the use of the Wilderness Act, citizen conservationists and organizations will be forced to seek the greatly inferior protection of H.R. 14392. Thus, the Service will have effectively nullified the Wilderness Act.

I closing, I wish to state that there is a need to protect areas which really don't qualify as wilderness. The regenerative forces of nature must be allowed to work effectively toward restoration. The way to do this is for the Forest Service to grant strong administrative protection until ecological recovery has been achieved for entry into the wilderness system.

Thank you for the opportunity to appear here today.

Mr. FOLEY. Thank you very much, Mr. Wright. If you could please remain at the witness table, we will call two more witnesses, then open the matter to questions.

The next witness is Mr. Ernest M. Dickerman, director of field services, eastern region of the Wilderness Society.

Mr. Dickerman.

STATEMENT OF ERNEST M. DICKERMAN, DIRECTOR OF FIELD SERVICES, EASTERN REGION, THE WILDERNESS SOCIETY

Mr. DICKERMAN. Mr. Chairman, members of the committee, my name is Ernest M. Dickerman, director of field services, eastern region, for the Wilderness Society. The Wilderness Society is a national conservation organization of some 75,000 members primarily concerned with the preservation and beneficial use of the wilderness and other natural areas of the country.

We appreciate the opportunity provided by this committee to appear today to express our views on the pending legislation to establish a new system for the protection of undeveloped lands on the national forests lying east of the 100th meridian. We further appreciate the desire of the sponsors of this bill to seek to extend statutory protection to wild areas on the national forests which may appear, according to some sources, not to qualify for the protection offered by the Wilderness Act of 1964 This is a highly laudable objective.

The Wilderness Society has had opportunity to examine this bill carefully, to compare it with the Wilderness Act, to review the application of the Wilderness Act by the Congress to wild areas, and in consequence of these studies to arrive at an assessment of the benefits to be gained and to be lost if the proposed bill were to be enacted into law.

The pending bill would establish a new and separate wild areas system on the eastern national forests. It would undertake to prohibit the commercial use or removal of the natural resources therein. It would result in the congressionally designated areas being administered primarily for outdoor recreation purposes. As far as they go, there is little to quarrel with about these objectives. But the protection provided to assure that nature shall be dominant and that the natural conditions shall uninterruptedly continue, unimpaired by the works of man, is distinctly less than that provided by the Wilderness Act.

The Wilderness Law of 1964 is clearly stronger in the protection which it offers to preserving natural conditions. Thus, while the pending bill would prohibit commercial logging, it would allow timber removal under the guise of recreational purposes, wildlife openings, vista clearings and similar noncommercial purposes. This conflicts with the concept of preserving wilderness from future alterations by the works of man. In contrast, the Wilderness Act prohibits all cutting of timber.

The bill would permit the construction of "rustic, primitive" developments, for, among other reasons, the "well-being of the visiting public." These are vague terms which do not suggest any clearly defined limits. In any event, they could result in new construction being erected within areas that should be maintained as wilderness.

The bill's prohibition on mining appears attractive but would be ineffectual. The problem of mining on the eastern national forests lies not in the mining and mineral laws but in the fact that the mineral rights were retained by private owners who sold the land to the Federal Government. Only purchase of these private rights by the Government can eliminate the mining threat.

We expresssed the opinion above that the pending bill is designed primarily to serve outdoor recreation purposes. The Wilderness Society certainly is in favor of additional opportunities for outdoor recreation on public lands, whether Federal, State or municipal. There is very definitely a place for national recreation areas or similar recreation reservations established by Federal statute. However, where the preservation of wildness and its environment uninterfered with by man is the goal, the Wilderness Act is far better designed to do the job. Going beyond a recreation concept, the wilderness law acknowledges the wisdom in man's refraining from changing every acre on this planet for his own short-term ends; acknowledges that man can learn important truths of life from studying the ways of nature uninterfered with an uninterrupted by man; and acknowledges that man in wilderness can find again the stability and the harmony of spirit so difficult for most of us to know even momentarily in the midst of today's crowded, speeding civilization.

What makes it appear that a second and different system is needed in order to protect the wild lands on our eastern national forests? In our view it arises because the U.S. Forest Service has taken it upon itself to deny that the act of Congress known as the Wilderness Law can be properly applied to the eastern national forest.

The Forest Service has made up its own interpretation of the Wilderness Law's definition of wilderness and publicly declared that no area which has ever been logged, had roads in it, or contained any works of man can qualify for placement within the National Wilderness

Preservation System. If one were to accept this interpretation, one might well suggest that a new statutory system is needed if we are going to preserve the choice wild areas on our eastern national forests.

But this interpretation of the definition of wilderness contained in the Wilderness Act—an interpretation unique to the Forest Service—is contrary to the reading and application of that definition by the Congress of the United States, by the President, by the Department of Interior, the National Park Service, the Bureau of Sport Fisheries and Wildlife, and by most citizen conservation organizations (local and national). The Congress has repeatedly placed in the National Wilderness Preservation System by legislative enactment areas which have been logged, roaded or contained the works of man. And the President and the Department of Interior agencies have repeatedly recommended to the Congress for addition to that system areas which at some time in their past have been logged, roaded, or contained works of man.

The act defines wilderness broadly, and principally in subjective terms. The concept of "virgin" or of never having been touched by man is nowhere present either in the definition or elsewhere in the law. On this point the controlling clause in the definition—which clause the Congress has consistently applied—says that an area of wilderness is one which "generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable." This clause was deliberately written into the definition in order that areas which have been affected by man's activities, yet which merit receiving the protection of the Wilderness Act, shall qualify therefor. The history of our eastern national forests and other eastern wild lands was well known to the framers of the act. They took care to frame a definition which would include such wild lands, whether found in the east or the west without geographical distinction. What is needed is that the U.S. Forest Service shall apply the Wilderness Act under the same interpretation used by the Congress and the President. Then there will be no point to proposing a new statutory system of protection.

Appended to this statement is a partial list of areas which the Congress has placed in the National Wilderness Preservation System despite recognized past histories of some degree of logging, roading, or works of man. We would further point out that the Wilderness Law contains just one definition of wilderness; and that single definition is applied by Congress to all candidate wilderness areas without regard to east or west or to agency jurisdiction. And finally we would call attention to the fact that three areas on eastern national forests (one in New Hampshire and two in North Carolina) were placed in the National Wilderness Preservation System by passage of the act on September 3, 1964. These areas were already in the Forest Service's own administrative wilderness system preceding passage of the Wilderness Act and each had some history of logging or roading or works of man. Particularly the Shining Rock Wilderness on the Pisgah National Forest in North Carolina had been extensively logged, roaded, and lived on by the mountaineers, but it had so far recovered its natural qualities through the restorative processes of nature (and thanks to the protection afforded by the Forest Service) that it was put into the National Wilderness Preservation System by the Congress when it passed the Wilderness Act.

It is worth pointing out that under the wilderness law it is the Congress and only the Congress who has the authority to decide whether an area shall be placed or not placed within the national wilderness preservation system. For the Forest Service to presume to make a blanket judgment of exclusion for all potential wilderness areas on the eastern national forests is to presume to preempt to itself the power of the Congress. Under the provisions of the Wilderness Act the authority of the Forest Service with respect to possible additions to the wilderness system is limited to laying the Service's recommendations before the Congress in order that the latter may make the decision—not to attempt to deny to the Congress, the Congress exclusive right of decision.

As a practical matter, two separate legislative systems could lead to little more than confusion and stalemate. Whenever a candidate area were brought before the Congress, the discussion would not be on the merits of the proposed area but would become an argument as to which statute the area should be considered under. The situation would be further confounded because the two statutes would be administered by two different committees of the Congress, Agriculture on the one hand and Interior on the other, resulting in jurisdictional disputes.

It may be that there are some potential wilderness areas on eastern national forests deserving protection but not yet sufficiently restored by nature to qualify under the Wilderness Act. The Wilderness Society is strongly in favor of giving protection to such areas as and when each may be identified. In our view the proper way to preserve such areas would be through interim administrative protection by agency or Executive order. This would allow time to remove any incompatible structures and for the area to naturally recover; whereupon in due course it could be considered for placement in the national wilderness preservation system under the terms of the Wilderness Act.

There seems to be an impression in some circles that the bill here being considered would create new authority for the acquisition of lands to the national forests in the East. There also seems to be some impression that enactment of this bill could facilitate the placement in the national wilderness preservation system of areas on the other lands outside of the national forest system. We see no basis for such impressions. This bill as written limits, under section 2(b), its application to federally owned land within the national forest system located east of the 100th meridian. The bill contains no authority for the acquisition of new lands lying outside of areas within the proposed wild areas system. Nor does it even mention the Wilderness Act and its national wilderness preservation system, much less the placement of any lands therein. It is strictly a special national forests bill, limited to eastern national forests.

In conclusion, we believe that the members of this committee are truly concerned to preserve America's wilderness for the benefit of the people consistent with the policy stated in the Wilderness Act under section 2(a): "It is hereby declared to be the policy of the Congress to secure for the American people of present and future generations the benefits of an enduring resource of wilderness." To promote the effective application of such policy, we urge the honorable members of the committee to reject this bill.

Thank you, Mr. Chairman.

A PARTIAL LIST OF AREAS PLACED IN THE NATIONAL WILDERNESS PRESERVATION SYSTEM BY THE CONGRESS WHICH HAVE AT SOME TIME BEEN LOGGED, ROADED OR CONTAINED THE WORKS OF MAN, JULY 20, 1972

Areas have been placed in the National Wilderness Preservation System by the Congress which contained old roads, buildings and other structures and which had at one time been logged. In the examples listed below it is indicated within the parentheses whether the area is National Forest, Park or Wildlife Refuge, the state in which located, and the year placed in the NWP System.

Bob Marshall Wilderness (N.F., Montana, Sept. 3, 1964).—Old Danaher Ranch lay within this Wilderness. Originally consisted of usual ranch buildings, corrals, etc. Buildings have all disappeared or been torn down deliberately.

Three Sisters Wilderness (N.F., Oregon, Sept. 3, 1964).—Old dirt road leading into site of pumice deposit; still exists, visible as it winds thru the forest.

Pasayten Wilderness (N.F., Washington, 1968).—Old dirt road at least five miles long, may be as much as ten miles long, still exists in Horseshoe Basin, the two wheel tracks readily visible. A large cabin still stands at a location called Spanish Camp. Used intermittently as a patrol cabin or for other administrative purposes.

Selway-Bitteroot Wilderness (N.F., Idaho-Montana, Sept. 3, 1964). Old wagon road in Fred Burr Canyon, 10 miles northwest of Hamilton.

Desolation Wilderness (N.F., California, 1969).—Two reservoirs, one built way back in 1865 and the other in 1958. Inclusion of them was hotly contested in the Congress. On the floor of the House of Representatives an amendment to the Interior Committee bill was passed to include both reservoirs; subsequently the Senate concurred. The low-standard access road to the 1958 dam was still visible in 1969. Note: The Forest Service recommended inclusion of both dams in the wilderness, taking the position in the case of the newer 1958 dam that it was essential to Sacramento's water supply and that it could have been approved for construction under Sec. 4(d)(4)(1) which permits the President to authorize water resource structures within the Wilderness System, if the Act had been in effect at that time.

Great Swamp Wilderness (N.W.Refuge, New Jersey, 1968).—An old public road, originally paved, tho by 1968 badly worn and full of chuck holes. This old road intersected the proposed wilderness, dividing it in two parts. At the request of the House Interior Committee, the county agreed to officially close the road and did so; whereupon the Committee wrote a bill for a single, undivided wilderness, including the closed road, and the Congress passed the bill.

Seney Wilderness (N.W.Refuge, Michigan, 1969).—Was logged in earlier times, before being placed by Congress in the NWP System.

Shining Rock Wilderness (N.F., North Carolina, Sept. 3, 1964).—This area in the course of its history had been logged and burned, and had unpaved roads in it. It was established under the Forest Service's own administrative regulations as a wilderness just a couple of months before passage of the Wilderness Act and at a time when the definition of wilderness to be written into the Wilderness Bill was known.

Boundary Waters Canoe Area (N.F., Minnesota, Sept. 3, 1964).—This area had been subject to extensive logging; and as of Sept. 3, 1964 contained old dirt roads and also deteriorated small wooden dams to hold back spring freshets for the logging drives.

Mr. FOLEY. Thank you, Mr. Dickerman. If you could please remain at the witness table with Mr. Wright, we will call one more witness before beginning questions.

The next witness will be Mr. William Woodworth, Falls Church, Va., representing the Northern Virginia Wilderness Committee.

STATEMENT OF WILLIAM WOODWORTH, NORTHERN VIRGINIA WILDERNESS COMMITTEE

Mr. WOODWORTH. Mr. Chairman, distinguished members of the committee, my name is William Woodworth, and I would like to thank you very much for the opportunity to testify here on behalf of the Wilderness Committee of Northern Virginia.

We of the Wilderness Committee of Northern Virginia oppose the concept of Wild Areas East, as proposed by the U.S. Forest Service, and therefore oppose the bill before you, H.R. 14392, with all due respect to Mr. Kyl.

In our view, the undeveloped areas in the national forests east of the 100th meridian, like those west of the meridian, can and should be protected under the Wilderness Act of 1964. The definition of wilderness in that act easily provides enough flexibility to include such areas.

There is no need to create another bureaucratic superstructure for the administration of wild areas, as is provided in H.R. 14392, when the Secretary of Agriculture has already been empowered by the act of 1964 to propose areas to Congress for protection as wilderness. Moreover, the act of 1964 provides more complete protection than H.R. 14392 would, even if enacted.

The act of 1964 defines a wilderness as an area substantially free of human intrusion. It recognizes that no area can be ascertained to have been totally free of intrusion.

The concept of "purity" of a piece of land as a qualification for continued protection is a curious throwback to the Calvinistic concept of good and evil. We agree to preserve a piece of land if it has not been violated, but once violated it is cast out.

The concept of rehabilitation and post factum protection, long applied successfully to people, should now be extended to the management of land and the animal and vegetable life it supports.

The areas that would be affected by H.R. 14392, if protected from further interference by man, will revert to wilderness in a very short time. The natural recovery of extensive areas of the Blue Ridge country in Shenandoah National Park, where conditions are comparable to many areas within the "eastern" national forests, is a significant example.

In view of these considerations, we urge that the bill H.R. 14392 be tabled and that the Forest Service discharge its responsibilities in this matter through the Wilderness Act of 1964.

Thank you very much for this opportunity to make our views known to you.

Mr. FOLEY. Thank you very much, Mr. Woodworth.

I think we might take one more witness if he is in the room. Mr. Joel M. Pickelner, 16th Street, Washington, D.C., conservation counsel, National Wildlife Federation, had a conflict with another committee and had to leave. I see he has not returned. If he is not able to return prior to the conclusion of the hearing, his statement, without objection, will be included in its entirety in the record.

Are there any questions for Mr. Wright, Mr. Dickerman, Mr. Woodworth?

Mr. Kyl.

Mr. KYL. First of all, Mr. Wright, page 2, paragraph 2, "the Forest Service presumes to take this position even though the Congress has had no opportunity whatsoever to consider the addition of a portion of any eastern national forest into the wilderness system."

That statement is not correct. The Congress has had the opportunity for 10 years and, at the present time, has a number of specific opportunities pending.

In the last part of your statement, you say, on page 4, "The way to do this is for the Forest Service to grant strong administrative protection until ecological recovery has been achieved for entry into the wilderness system."

Would you say also that this is true of those lands which you specifically would like to include in wilderness? Would you be satisfied with that?

Mr. WRIGHT. Would you repeat the question?

Mr. KYL. Would you be satisfied with strong administrative control over those areas that you would like to include in the wilderness system?

Mr. WRIGHT. I would for the present, yes sir, until the committees will hear eastern national forests wilderness proposals and advance them to the Congress for an actual vote; then I say that we could go along with the situation where the Forest Service is really giving honest, strong, administrative protection to some of these proposed wilderness areas. I think the Forest Service can be brought to do this once it gets over its hangup with respect to the Wilderness Act and will openly and courageously support the citizens in their effort to get eastern wilderness.

Mr. KYL. Let me restate the question. You say when the Forest Service brings these matters to the Congress. These matters are pending in Congress. The Congress has an opportunity to act. But you say here, the way to do this is for the Forest Service to grant strong administrative protection until ecological recovery has been achieved for entry into the wilderness system.

Now, would you be satisfied with that kind of administrative protection on all of these areas in the East that might, by any standard, possibly qualify as wilderness areas as well as wild areas?

Mr. WRIGHT. I would for an interim period, Mr. Kyl. I certainly would not agree to that as a permanent situation. Let's talk about a specific area such as exists over in Monongahela National Forest. In the Otter Creek area, for example, in the Dolly Sods and the Cranberry back country, it is 2½ years since the citizens over there, in the face of Forest Service opposition, got their Congressmen and their Senators to introduce wilderness bills. These wilderness bills have not moved because of Forest Service opposition. But in the meantime, because of the fact that wilderness bills have been filed, I believe this has acted as a brake on the U.S. Forest Service. At the same time, they have been moving ahead with efforts to get some form of pioneer zone classification established in these areas, using the Forest Service's own system.

Mr. KYL. Is there any timbering going on in those areas now?

Mr. WRIGHT. There is in Cranberry. In the Otter Creek area, the conservationists over there got a court injunction to stop any road-building or timber harvesting and mining in Otter Creek. That injunction is still in effect.

But core drilling has now been permitted by the court.

Mr. KYL. Now, let me get this clear from the three of you because of statements that you make. Do you think that all lands in the eastern part of the United States in the forests that could be called wild also classify as wilderness?

Mr. WRIGHT. There is considerable chance.

Mr. KYL. Would all of them?

Mr. WRIGHT. I don't know about that, sir. There is no way I could know about all such areas. I do believe that those areas that have already been advanced for wilderness designation by citizens groups which represent them in the actual filing of wilderness bills are and should be considered as wilderness but could wind up as wild areas if new legislation is passed. I can see situations where the same area is being pushed perhaps by citizens groups, working with the Interior Committees, as wilderness, while the very same area is perhaps being advanced by the Forest Service and perhaps other interests as wild areas.

Mr. KYL. If the Senate and the House committees considered these areas now being proposed as wilderness and the congressional committees say, no, these do not qualify as wilderness, would you be satisfied then with the——

Mr. WRIGHT. I am not sure I would be prepared to accept the committee's view on it.

Mr. KYL. You say the Congress ought to make the decision and the matter is before Congress. Suppose the committee turns it down, then what? Are you satisfied then?

Mr. WRIGHT. Well, yes, I believe I would be. If we had some guidance and direction from the Congress through either action of the committees or action on the floor of the House and the Senate, then I believe we can go another route. There is a germ of a good idea in protecting areas that really do not qualify for wilderness.

But my point is, if this kind of legislation is passed prior to the exercise of the Wilderness Act, which the Forest Service up to now has been unalterably opposed to, then we will never use the Wilderness Act in the Eastern national forests.

Mr. KYL. Ernie, in your statement on page 2, you say the bill would permit the construction of rustic, primitive developments for, among other reasons, the "well-being of the visiting public." A moment ago, we had a statement accepted for the files, made by Secretary Reed, to the effect that on Interior lands, it would be all right to build bathroom facilities; for instance, toilet facilities.

Mr. DICKERMAN. The Wilderness Society's position has long been that putting up ordinary wooden WPA privies in a point where there is heavy use is certainly permissible under the Wilderness Act. This concerns the normal public health and safety. To go ahead and build, like you find in a Park Service campground, complete sanitary facilities, obviously, no. It is very limited situation there so that you concentrate the service and control it. That is one thing. To go beyond that and get into mechanical operations and the rest of it, certainly not.

It is similar to the situation of fire prevention. It's reasonable that the administering agency should provide a fire ring of natural materials to contain the fire. But you certainly do not go in there and build a great big barbecue like some people put in their backyards. Within the limits necessary to protect the wilderness as a Wilderness Act provides, a limited amount of simple, primitive construction may be permissible.

Could I comment on your interesting question a minute ago to Mr. Wright and apparently addressed to all three of us?

Mr. KYL. Of course.

Mr. DICKERMAN. I think that one of the reasons that we are having some difficulty here in discussing the Kyl bill is because nobody really has an adequate idea of the extent or number of areas on the Eastern national forests which might qualify for wilderness designation under the Wilderness Act. In consequence, to come up with a specific answer, it is virtually impossible at this stage of the game.

On the other hand, there is this very strong and controlling feeling on the part of the wilderness advocates that we do have a significant number, whatever the number may be, of areas on Eastern national forests that should be placed in the National Wilderness Preservation System. That has been the goal and the motivation of many of us ever since we have had the Wilderness Act. And we do not like to see the specter raised of a weaker and second, different, and competing system before the objective that all of us have had before us so long. To put Eastern national forest areas in the wilderness system, is, to a substantial degree, accomplished.

We feel that a new proposal confuses the issue, will divert energies, and will result in areas not being placed in the National Wilderness System. Once we get it clearly established that there are areas in the East, in national forests, that can go into the system, and that the Congress has begun to put those areas in, that the Forest Service is actively and genuinely cooperating with the citizens to bring these eastern national forest wilderness proposals before the Congress, then I think we can properly consider, do we have other areas that clearly do not meet the standards of the Wilderness Act but which would have some statutory protection, that then we should consider such legislation.

It is not that the Kyl proposal is basically bad, because it is not basically bad. Its intention is good; its objective is good. But it would cause more trouble, more confusion, more loss of wilderness at this time than many of us feel it could possibly gain in other benefits.

Mr. KYL. Suppose the Forest Service were to bring to the Interior Committee a report like this, saying here is area A, which has been proposed in this bill for wilderness inclusion, this is the exact situation that exists there, you make the decision on whether it should be wilderness or not. Is that a sufficient report from the Forest Service?

Mr. DICKERMAN. I think that such a report that came up, accompanied, of course, by the usual citizen input after the public hearings and so on, would be perfectly fine and legitimate. The House Interior Committee, of which you are an honorable member, has repeatedly seen this occur, where the agency proposed some limited area for statutory protection under the Wilderness Act, the citizens said it should be larger in extent. Then the committees have taken the proposals under consideration, and the committee has made its decision. That is perfectly fine and good, yes.

Mr. KYL. How long would it take you to get a complete list of all the areas in the Eastern States that you think might qualify as wilderness?

Mr. DICKERMAN. I do not know, and I would hesitate to set any time limit on that. We know that increasing numbers of citizens in various States are now intensively looking at wilderness proposals. There are at least a half a dozen known ones in the New England States, which are now being studied by citizens groups. In the State of Arkansas

alone, which has only two national forests, but they add up to close to 3 million acres, citizens groups have begun to examine a list of some 17 or 18 possible areas.

Now, at this stage of the game, nobody knows how many of those 18 in the end will be recommended by the citizens. But it does indicate the possible numbers, the range and the diversity that is there, and perhaps indicates to some degree the extent of the problem and the time and effort that is going to be involved.

Mr. KYL. One further question, and I address this to you, Ernie, because you have lived with this thing for a long time very ably. Could you not write into this proposal of mine the kind of restrictions that you would like to see which would, in fact, create a protection which is equal to wilderness and at the same time, not disturb the purity of wilderness areas which are genuinely wilderness in character, no need for reversion and so on?

Mr. DICKERMAN. We doubt whether it is wise or desirable to attempt to do that until it is clearly established that Eastern national forest areas which have been logged, roaded, or contain the works of man qualify under the Wilderness Act. As long as the Forest Service is maintaining that position and is not cooperating with citizen groups, it is opposing the mission of the Wilderness Act in the East, we do feel that it is undesirable to have any other bill. I realize that is not a direct answer to your question.

Mr. KYL. Even if the protection afforded by this act were equal to that of the Wilderness Act?

Mr. DICKERMAN. There is also this question of conflicting committee jurisdiction and we know what can happen in any area, whether it is the Congress or other groups, where you are arguing who has the power, who is going to do the job. We would be very reluctant to see two different systems.

Mr. KYL. If you could get the same degree of protection in this system, knowing that you were going to get then a large acreage of land included under an ultimate protection system in the East, with the same degree of protection?

Mr. DICKERMAN. At some future time, we are certainly interested in seeing areas which have not yet restored themselves to where they qualify under the Wilderness Act given statutory protection, yes. But the emphasis is on at some future time and not given the circumstances and conditions which prevail today.

Mr. KYL. That is all.

Mr. FOLEY. Mr. Dow?

Mr. DOW. I have only one question, Mr. Chairman, and any one of the witnesses may answer it if they choose.

I fail to see any distinction between East and West in this country, because I do not think labeling areas East and West is any criterion of their standing for wilderness designation. However, I have noticed that in our testimony, we have crept into use of a term called the 100th meridian as if there were something sacred. I judge that the Forest Service has some kind of an inhibition when they get to the 100th meridian. I am wondering, is the 100th meridian something that was written into the Wilderness Act of 1964, or does it first appear in this bill, H.R. 14392, which is before us today? I think it is a

kind of psychological hazard that has been set up here to confuse us, and I would like to have some of you gentlemen comment on that.

Mr. WRIGHT. Mr. Kyl is responsible for the 100th meridian, I believe. Is that not right, Congressman?

Mr. KYL. Would the gentleman like to have me respond?

Mr. DOW. Yes, indeed.

Mr. KYL. It is not an arbitrary figure. The States west of that point, with the exception of the State of Texas, which is southwest and came into the Union as a republic rather than a territory, but in those Western States, vast amounts of land were reserved to the Federal Government, and the forests there are carved out of the public domain. They were never in any other ownership. In the East, the forests are largely acquired lands, lands purchased by the Government or received by donation after there was some intrusion. That is the only reason for that language.

In the areas west of that, almost all the land is owned by the Federal Government. There are only a few in holdings. Sometimes the State has a little in holding. In the west, over half of the land within the exterior boundaries of given national forests is privately owned. Because those private owners who sold the land to the Government retained mineral rights, the Federal Government owns very little of the subsurface rights. It is not the arbitrary 100th meridian, it is the circumstance of the way the States entered the Union and the way the national forests were created that causes the difference.

Mr. DOW. Would not the gentleman agree that those legal episodes or the circumstances by which the land was acquired really have nothing to do with the quality of the land or its eligibility for treatment as wilderness?

Mr. KYL. No; I could not concur with that at all, because you see, the areas in the east which were privately owned were subject to a great deal more development than those in the west. As a matter of fact, there is even a great difference in the quantities of lands. There are 11 States west of that point that we speak of which each have more public land acreage than do all of the States combined east of that land.

Mr. DOW. In other words, the gentleman would say that Mother Nature applied her hand to these lands pretty much according to the guidance of the early legal history and not according to what I would call the laws of nature itself?

Mr. KYL. Well, as a matter of fact, in the history of the country in its early days, the tree, like the Indian, was an enemy to the advancing westward civilization. Many acreages were sold off for a few cents, some were given away, and millions of acres were burned to destroy the trees because they were enemies to the westward migration, to farming and so forth.

Mr. DOW. I thank the gentleman.

Mr. FOLEY. The committee wishes to thank all the witnesses for their contributions, which have been very helpful to the subcommittee.

I note that Mr. Pickelner has returned to the committee room. We are happy to hear from him now, Mr. Joel Pickelner, conservation counsel for the National Wildlife Federation.

STATEMENT OF JOEL M. PICKELNER, CONSERVATION COUNSEL, NATIONAL WILDLIFE FEDERATION

Mr. PICKELNER. Mr. Chairman, my name is Joel M. Pickelner, conservation counsel for the National Wildlife Federation which has its national headquarters at 1412 16th Street NW., here in Washington, D.C.

Ours is a private organization which seeks to attain conservation goals through educational means. Affiliates of the National Wildlife Federation are located in all 50 States, Puerto Rico, Guam, and the Virgin Islands. These affiliates, in turn, are made up of local groups and individuals who, when combined with associate members and other supporters of the National Wildlife Federation, number an estimated 3 million persons.

Mr. Chairman, the National Wildlife Federation greatly appreciates the invitation to testify today on H.R. 14392, a bill to establish wild areas within the lands of the national forest system.

The need expressed in H.R. 14392 for setting aside areas of wilderness potential in the national forest system east of the 100th meridian is commendable, and we feel that this should have been done long before. The Eastern United States with its heavy concentrations of population is entitled to and needs areas within a reasonable distance from the large urban centers where the wilderness type of experience may be enjoyed. The fact that there are few wilderness areas in the eastern part of the country, places an unfair burden on those searching for a wilderness experience.

As acknowledged in H.R. 14392, the national forest system represents a major federally owned land area in the Eastern United States. There are more than 23,500,000 acres in the eastern and southern regions of the national forest system—regions east of the 100th meridian, the area covered by this bill.

Of this, only 773,605 acres have been designated as wilderness. The major portion of this wilderness is made up of the 747,128 acres which form the Boundary Waters Canoe Area in Minnesota. In the 36 national forests east of the Mississippi River, only 26,477 acres of wilderness have been designated. This includes two areas in the Pisgah National Forest in North Carolina totaling 20,925 acres, and the Great Gulf Wilderness in the White Mountain National Forest, N.H., with 5,552 acres.

These areas were designated as part of the National Wilderness System as of the passage of the Wilderness Act in 1964. Since the passage of the act, no wilderness has been designated in the Eastern United States by the Forest Service.

Certainly there are more of these 23½ million acres that have the potential for wilderness and that can provide the valued wilderness experience. Since its passage, Congress has interpreted the Wilderness Act to include areas of varying size and areas including the works of man. As examples of this, the Great Swamp Wilderness Area in New Jersey which has previous roads going through it, or the Desolation Wilderness in California, which has two manmade reservoirs within its boundaries. If the national park system and the Bureau of

Sport Fisheries and Wildlife could find areas within their eastern lands which meet the wilderness criteria, it seems unbelievable that National Forest Service can find nothing in its 23½ million acres which qualify.

Since the Forest Service has been dragging its feet we feel that the need for legislation such as H.R. 14392 is premature and would be largely precluded if the Forest Service would take administrative action to set aside some of the eastern de facto wilderness to study in depth the possible future inclusion of such areas in the wilderness system. Their backwoods areas, scenic areas, et cetera, should be considered for wilderness value and action should be taken.

For these reasons we feel that it would be unwise to set up another structure for designating wilderness potential areas when one is already established. We feel that it would only lead to confusion as to how to designate areas when there are two to choose from. It could also lead to a delay in the decisionmaking process when deciding on which system is best for a specified area.

Actually, Mr. Chairman, we see no need to establish a separate "wild" category of lands as called for in this bill. The Wilderness Act is sufficiently broad in scope to include areas of second-growth timber or old roads, et cetera, as well as those which are virgin and untouched. There are some areas now in the wilderness system which have been previously cut over, logged over, and grazed.

We are not in favor of downgrading the high standards established by the national wilderness system. We stand for the highest type of qualifications for wilderness areas and would hope to bring areas in the East up to this standard rather than having the standards of western wilderness areas degraded to permit inclusion of areas of questionable value.

The present bill, I am sure you have noticed, has precipitated mixed reactions from conservation groups and individuals. It would seem unwise to act hastily on this when it appears that not enough input has been possible for adequate consideration. The present system has and can work and there should be no delay on the part of the Forest Service in designating wilderness potential areas and initiating an in-depth study for inclusion under the wilderness system.

Thank you for the invitation and opportunity of making these remarks.

Mr. Dow (presiding). Thank you, Mr. Pickelner, our plan is to call the remaining witnesses at the end, if time allows, we will be happy to question you a little bit.

Is Mr. Van de Velde here?

Mr. Van de Velde, we are happy to welcome you here. I see your address is Linean Avenue. That is a very famous name in natural sciences, in natural studies. I am sure you will live up to that standard.

STATEMENT OF LOUIS R. VAN DE VELDE OF THE DISTRICT OF COLUMBIA WILDERNESS COMMITTEE

Mr. VAN DE VELDE. Mr. Chairman, thank you very much. I am not sure—you are speaking of the Swedish biologist, I believe. I am not sure much of that has rubbed off on me, but I will try.

I appreciate the opportunity to appear. I appear essentially as a private citizen. However, I do at the moment represent the District of Columbia Wilderness Committee. My statement is very brief, and with your permission, I will read it.

On behalf of the over 200 members of the District of Columbia Wilderness Committee, I wish to thank you for this opportunity to appear with respect to H.R. 14392. In addition to being a member of the D.C. Wilderness Committee, I am a member of the American Forestry Association and numerous other environmentally oriented groups. I have been a member of the organizations I named for 10 years and more. I am an active user of our wild areas—hiking, climbing, camping and trail riding.

The D.C. Wilderness Committee is grateful for your concern for eastern wilderness areas. It is important to provide, as one part of the wide spectrum of facilities needed, areas preserved in the wilderness state for the enjoyment of the people of the heavily populated eastern seaboard.

Although we share your concern for the areas, we do not feel that the proposed legislation is necessary or useful. In fact, we believe that it can cause a disservice to the preservation of wilderness. It is our understanding that the legislation stems from the idea that the Wilderness Act of 1964 cannot be applied to the East because there are no areas that qualify under that act. It is our contention that this is not correct; that there are areas in the East that quality. To give two examples, I can name the Dolly Sods and Otter Creek areas of the Monongahela National Forest. One disadvantage in being a late witness is that nothing you say has any originality, but I will forge ahead.

Mr. Dow. Sometimes the early witnesses do not have, either, Mr. van de Velde, so do not worry about it.

Mr. Kyl. Present company excepted, of course.

Mr. van de Velde. Members of the D.C. Wilderness Committee have hiked and camped in wild and primitive areas in the West and in the East. It is true that the Monongahela National Forest areas mentioned are mostly second-growth timber now. However, Mr. William Painter of our committee who has hiked and camped in these areas writes in phrases from the 1964 Wilderness Act that while there he definitely felt he was only a visitor in an area where the earth and its community are untrammeled by man.

These areas certainly appear to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable. The opportunities for solitude abound. In addition to the two areas named, there are others in the East that could qualify as wilderness—in the Shenandoah National Forest, in North Carolina, for example.

If I may digress at this point, I think Mr. Kyl's general thrust has been elementarily logical and I think that we as witnesses can be extremely illogical if we try to insist that every small wild spot in the East does qualify. The tremendous development that over the last 200 years has gone on, the lumbering, the logging, the mining, et cetera, do disqualify some parts of it.

Some mention was made of New England. I am intimately familiar with New England and except for perhaps a small corner of New

Hampshire and parts of Maine, it is impossible to talk of wilderness, as fine and lovely as that area is, because there is hardly a place in New England where you cannot hear the sound of an automobile. We can distort the wilderness concept if we try to force it into areas where it just simply makes very little sense.

So while we are saying that there are areas in the East, we are pushing this—at least I am not pushing this—to the point where we lose any logical support.

Some people feel that the Wilderness Act is a purity law and that only areas which have never been significantly affected by man's actions, and are still in a totally virgin state, should be included. The phrases from the act quoted above do not reflect such to have been the intent of the Congress. Note that the law does not stipulate that an area should have been affected only by the forces of nature; nor does it say that the imprint of man's work on the area must be totally indiscernable.

It is true that in the East we have not been fortunate enough to have retained many areas of virgin forest. Trained biologists will notice that areas like Dolly Sods and Otter Creek are mostly second growth, though old second growth. Also in Otter Creek, the trained eye can pick out patterns of old railroad grades in a few spots. These are subtle factors in these areas now after the years. Their presence does not destroy the feeling of being in an area affected primarily by the forces of nature.

If the Wilderness Act had called for total purity, shouldn't trails have been forbidden in wilderness areas since they are evidence of man's presence? No one has suggested this extreme measure as necessary for the management of wilderness. Yet, some people have said that factors far more subtle than the presence of trails should disqualify an area from the wilderness system.

Although we agree that legal protection for valuable, irreplaceable natural areas that do not qualify as wilderness is needed; yet we believe that at this time, since there are qualifying wilderness areas in the East the need is to qualify those areas. In the time remaining under the 1964 act all the areas that can qualify should be qualified, East and West. We are concerned lest the currently proposed legislation serve as a distraction. We must use first the existing Wilderness Act as the proven and effective tool that will protect our unique natural areas. We must not now become involved in the complications of creating an entirely new system of protection.

Thank you, Mr. Chairman.

Mr. FOLEY (presiding). Thank you, Mr. van de Velde.

The next witness is Mr. Howard Bennett, executive vice president of the Appalachian Hardwood Manufacturers, Inc., Cincinnati, Ohio.

STATEMENT OF HOWARD BENNETT, EXECUTIVE VICE PRESIDENT, APPALACHIAN HARDWOOD MANUFACTURERS, INC.

Mr. BENNETT. Thank you, Mr. Chairman, and members of the committee.

I am H. D. Bennett, executive vice president of Appalachian Hardwood Manufacturers, Inc. We are a trade association of Appalachian hardwood lumber manufacturers, consumers and landowners. Our

purpose in being is to promote the use of Appalachian hardwoods in things with which man can surround himself to make a more enjoyable life. We also promote good conservation practices in the realm of multiple use on the forestlands of the mountains. My remarks for the most part will be confined to this area. In this area are some 38 million acres of forestland, 3.7 million acres of national forests, and 700,000 acres of national parks.

This area lying in the mountains between Maryland and Georgia provides, on an assured continuing basis, the finest in hardwoods to the wood-using industries of the country. It is the source of the major rivers of the East, and the playground for millions from the teeming cities surrounding the area who, during the season, transfer the crowded atmosphere of the cities into the teeming campgrounds, aerial tramways, ghost towns, scenic railroads, other recreational opportunities, and highways of the mountains.

I am a professional forester, a logger, a camper, a hiker, a hunter, and a fisherman, and I have been around the mountains in the East for the past 40 years engaged in all of these activities in varying degrees of intensity.

For the past 35 years we have been a camping family. We have camped from the seashore to the Rocky Mountains. We have seen great changes take place from little use to overuse. We have seen one thing, however, that has changed little. Along the main highways and near the big cities campgrounds are full to overflowing. Back in the country we find limited use. In many areas even closeby campgrounds are full only on weekends. Of course there are some exceptions, but not enough to change the rule. In planning any recreational developments we must consider locations where people will use them.

During the past 40 years that I have been in the mountains as part of my job and as a recreational pastime, I have walked the Appalachian Trail in North Carolina, Virginia, Pennsylvania, and New Hampshire. In traveling through New Hampshire we stayed at the huts, where in those days for $3 one could get dinner, a night's lodging, and breakfast, and be on his way. We have walked the trail through woods, through rhododendron tunnels, through fields, over old logging roads which made the trail possible, past logging operations that we stopped to view with interest, past clear cuts that made the beauty of the surrounding scenery available and enjoyed it all. Today, however, we are told that we did not enjoy it at all, and cannot enjoy it in the future unless all evidence of man is obliterated from our surroundings. This type of thinking is not in the best interests of overall forest management, or is it in the best interests of the vast majority of people who use our forests.

When people go into the forests in pursuit of recreational activities today, the main thing that 99 percent of them want to find is people. This is why we find the facilities along the main highways full to overflowing. This is why we find 50 people around an eight-bed Adirondack shelter along the Appalachian Trail, even though a couple of miles away on a side trail one can find complete solitude. Also, when we speak of protecting timber, wildlife, water, et cetera, we must also consider protecting people, as hoodlums ravage the campsites on many occasions.

In a recent trip through the national parks and national forests of the mountains when I visited campgrounds and other uses we found confirmation of the experiences we have had over the years. On the national parks, where the primary purpose is supposed to be recreation, we see facilities being withdrawn from use—Chimney Rock and Round Bottom on the Smoky Mountain Park. Why these areas have been withdrawn from use is immaterial. The fact remains that on an area where recreation is supposed to be the dominant use people are being denied the experience. The reason for severe overuse is that facilities are limited causing many people to operate in relatively small areas.

We see on the national parks only 5 percent of the area with anything in the way of development. The parks should be fully developed for use including wilderness, before de facto commercial forestland falls into wilderness on the national forests. Four such areas can be readily identified on the Smoky Mountain and Shenandoah National Parks. The national parks were originally established for recreational activities, and also to hold from disturbance identifiable areas. The national forests were established for protection of our water, resources, and the development and management of the timber resources, including commercial harvest.

Whenever we set aside a wilderness area we remove from use what 99 percent of people usually want to find when they go into the forest. Ninety-nine percent of the visits to the forests are made to the fringes of the forest.

In our society today we see two forces working to gain control of the management of our natural resources. On the one hand we have the preservationists, who believe in single or limited use. On the other the conservationists, who believe in multiple use. In each group we have sincere, dedicated people who have highly polarized points of view. One of the most important jobs we have in our society today is that of unpolarizing the thinking of those who would manage these resources.

When we look over our forests today we see that, where the conservationists are, represented by the professional foresters, the lumbermen, the game managers, we have about 80 percent more timber in quality material of desirable species standing in sawtimber size trees in our mountain forests. We have 100-percent increase in game harvest and we have recreational developments compatible with these activities. When the preservationists have influenced the management of our forests we have about half as much timber, very little game, and very little development in the realm of needed recreational facilities.

About 25 years ago we came to the end of an era in this country—that time in which the city people and those who were just starting to move into suburbia were staying home. Suddenly they took to the road and the camping trailers, tents, boats and all kinds of recreational equipment came into the best seller list. However, well over 90 percent of these people moved on the fringes of the forest and demanded facilities that gave them the comforts of home. We must realize that these people are able to be there only because somewhere someone cut a tree, or mined some coal or iron, or brought in an oil well.

Only through the development of our natural resources do we create wealth for the society in which we live. In all other activities we merely exchange wealth from one segment of the society to another.

We have an element in our society today who is endeavoring to project into minds of those who will listen, that timber cutting is somehow something evil, when it is a well established fact that timber cutting improves the forests, improves the game habitat and is completely compatible with recreational activities. We have been at many campgrounds where sawmills were nearby and logging was going on in the surrounding hills, and log trucks coming over the roads near the campgrounds.

We found very few people who objected to this activity and none objected to it who understood its importance to the economy of the area and to the general welfare of the overall forest development. Timber management insures the improvement of the timber stand and assures a future supply. Timber management improves game habitat and assures ever-increasing flocks and herds in an atmosphere of survival and improved hunting conditions. Timber management, including commercial harvest, is completely compatible with recreational activities.

In 1960 we saw the enactment of the Multiple Use Act. This act merely legalized what was already being done on the national forests as a policy. It required that equal consideration be given to the multiple use activities of forest management including timber, water, wildlife, recreation, grazing, and wilderness. Nowhere in the act, however, do we find a requirement for equal application in the act we find this statement:

> The purposes of this act are declared to be supplemental to, but not in derogation of, the purposes for which the national forests were established as set forth in the act of June 4, 1897.

In 1964 the Wilderness Preservation Systems Act was passed, designed to protect areas having wilderness identity. It has become pretty well established that this act was designed to establish as wilderness areas that already had wilderness identity, not to create wilderness areas in the East from de facto commercial forest land. Merely because a tract of land has been quietly growing trees for the past 50–75 years is no reason why it should lose its identity as timber land. Setting aside wilderness areas in the East under the terms of the Wilderness Act could set a very bad precedent.

Today we have for consideration "Wilderness East," a new concept, because generally the lands of the East do not meet the spirit or the letter of the 1964 Wilderness Act. With the assurances by leaders in Congress that wilderness would not disrupt the economy of the area, and with the changing of the original bill from a negative to a positive enactment of wilderness identity, industry supported the Wilderness Systems Preservation Act.

In the eastern wilderness concept we should find the same assurance. In the East we can support wilderness areas on such a basis in two ways. One, we can set aside wilderness areas on the national parks, and two, we can set aside wilderness areas on the national forests on a rotation basis just like timberland. We should remember, however, that such areas should be provided on an identity need basis.

A typical area we see proposed for "Wilderness east" in the Appalachian hardwood region is a 5,000- to 20,000-acre hollow, an old logging road or the remnants of an old logging railroad running along the creek, 50–75-year-old timber in the hollow and the remnants of a

virgin stand of timber on the upper slopes and ridges. This is, in fact, de facto commercial forest land—typical of our eastern forests. Merely because an area has been quietly growing trees for the past 50–75 years is no reason why it would lose its identity as de facto commercial forest land. In our experience, we find that local people are opposed to the establishment of wilderness areas within the areas in which they are involved.

While we have no objection to wilderness as such, we should first put them on the national parks instead of the national forests, where much more adaptable areas prevail and where recreation is supposed to be the dominant use.

In the establishment of Wilderness East areas on the national forests they should be put on a rotation basis similar to timber or other uses. This way we will see wilderness prevail along with the multiple use concept on the forests. We should also remember that very important to Eastern counties in the zone of influence of the national forests is the 25-percent fund that goes to the schools from forest receipts. This should not be disturbed.

Also, an item of major importance is that we need complete coordination between Government agencies involved. In the 750 million acres, an area equal to all of the States of the Mississippi River plus five on the west bank, already owned by the Federal Government, we should need no more land. In the Appalachian hardwood region with over 700,000 acres already in wilderness and wilderness-type land it should be sufficient. With our travel facilities what they are today location is a minor importance to those who want the experience. It has been estimated that over one-half of the people of the United States live within a day's drive of the Appalachian hardwood region.

Professional foresters at work in the woods recognize today the multiple use aspects of forest management. They also recognize that the American home should no more be denied the warmth, character and interest found in being surrounded by the beauty of wood, than should the hiker and recreationists be denied the beauty of the mountains.

The question arises how much and where? Timber cutting is not a destructive force in our forests, it is a positive building force for all phases of forest development. It seems apparent today that recreational use can be a major destructive force to our forests unless more diversified use with a wider range of opportunity is made available. Wilderness East, as proposed on the national forests, is not the answer.

Thank you, Mr. Chairman.

Mr. FOLEY. Thank you very much, Mr. Bennett.

The final witness this morning is Mr. Edward T. Walters, of Nimrod Hall, Va.

Mr. Walters, I am sorry to inform all the witnesses that we are on a quorum call. Unfortunately, it came early today. So any excerpting you can do from your statement would be helpful. The entire statement will be included in the record.

STATEMENT OF EDWARD T. WALTERS, OF NIMROD HALL, VA.

Mr. WALTERS. Mr. Chairman, my name is Edward T. Walters. I am a farmer and a resident of Bath County in the western part of the State of Virginia. George Washington National Forest is my

neighbor on two sides. In fact, in the county in which I live, over 60 percent of the area is constituted by the national forest.

I fear that the month of July is not the best time for a farmer to prepare written statements, so therefore, mine is oral, but I did have a few views that I would like to share with you. Some of those views are at variance with those you have heard today.

I know that today there is a dispute between those who consider themselves conservationists and those who consider themselves preservationists. As a farmer and as a director of the local soil and water conservation district in my area, I believe that I can see both sides and really consider myself to be both. I believe there is room and need for both philosophies today. There are areas that should be conserved and resources should be wisely utilized, managed, and harvested for the benefit of mankind. But I also believe rather devoutly that there are other areas that should be preserved, left intact where nature reigns and man is only transient.

What I consider to be the most significant thing today about these discussions, in my view, is the problem of a definite resolution, followed by action to preserve the numerous areas within the national forests in the East. Whether that action be taken under the proposed legislation, H.R. 14392, or under the provisions of Public Law 88–577, the Wilderness Act, that action will be taken. That action is needed and that action is needed now before it is too late. It is for that reason, the problem is of definitive action being taken to set aside and preserve certain of our national forest lands in their present wild states, that I am pleased to see these hearings convened and being conducted today.

Having said this, I must also mention that I do have some reservation and I am somewhat puzzled by the apparent unwillingness of the Forest Service to use the Wilderness Act itself to protect for future generations the untrammeled beauty of many of the areas that would be included under this proposed legislation. This, I know, is also a matter of some controversy, as reflected by the views of the gentlemen here today.

I myself have often chided our local Forest Service rangers about their rather puristic view of what can and can't be considered wilderness area. Forest rangers have all been loyal to the views and stands of their hiarchy and have stood by the official decision or official policy. But despite that, I have noted a rather uniform stand on the part of the Forest Service rangers themselves as individuals, that there are these areas in the East that should be preserved one way or the other.

While far from being an expert myself, I do believe that there are parcels of our national forests that could qualify as having been faked primarily by the forces of nature rather than by man and for incorporation within the national wilderness preservation system. It is this desire and spirit that I have seen reflected by the individual Forest Service officials that I assume has been in large part the genesis for these hearings today. But having looked at this proposed bill and the Wilderness Act itself, it would seem that there might be some confusion and some bureaucratic overlapping of these two separate pieces of legislation. Such confusion could be damaging.

I also have the impression that the provisions of H.R. 14392 are not as strict and are more flexible than those of the Wilderness Act. Some-

times, of course, flexibility is a virtue. In this case, I am not so sure what reflexibility in, psychological bias on the part of U.S. Government Administrators to administer and to manage things. The door is certainly left ajar for various types of development—reservoirs, power projects, and road construction—that are alien to my idea of what a wilderness area or a wild area should be.

These, then, Mr. Chairman, are the few points that I wish to make today. One, that we should preserve our wilderness areas on the east coast by whatever legislative or administrative actions are deemed necessary, but at the same time, I believe that we should take a close look at the Wilderness Act itself to see if a better job could not be done under the existing law of the land.

Thank you very much.

Mr. FOLEY. Thank you very much, Mr. Walters.

The Chair wishes again to apologize, as the pending quorum call makes it necessary for the members of the subcommittee to go to the floor and consequently miss the opportunity I know they would want to have to question the final witnesses. It merely remains for me to thank all the witnesses who have appeared in these 2 days. I think the testimony has been excellent, the form has been specific in many cases, which I think is always valuable. I also believe a wide range of policy problems has been raised for the subcommittee to consider along with the problems that are before the Interior Committee which is also involved in consideration of the questions of wilderness. Coming as I do from an area that has wilderness, it seems to me there are major decisions of policy that have been raised during the consideration of the Wilderness Act. I would certainly think, as a Westerner, that we have to give strong consideration to the establishment of wilderness areas in the Eastern part of the United States. But there are also some difficulties that have arisen in terms of administrative designation of lands.

One that concerns me greatly but which has not been mentioned in these hearings is the problem that arises when an area with high values, not subject to timber cutting, is placed in administrative reserve in forests set aside for wild and primitive classification, often reducing dramatically the allowable cut in other areas of the forest which can continue without the administrative designation. This seems to force the local timber industry and its employees and others interested in it to oppose administrative classification. It seems to me that this is a problem which we should be addressing ourselves to in order to allow properly administered designation areas that for all intents and purposes probably will always remain in primitive state.

I think the witnesses today amply pointed out the possibility of placing in two competing legislative programs two jurisdictional responsibilities but there seems to be a thread of concern throughout all the testimony that we should be doing something to provide more wilderness and wild area designations in the populated eastern areas of the United States. Accordingly, I want to thank all the witnesses who have testified, and especially for the patience that many have exhibited in waiting through 2 days to allow all the witnesses to testify.

Without objection the Chair will receive for the record a statement by Chris Colt of Trout Unlimited.

(The above referred to statement and other statements and letters subsequently submitted to the subcommittee, follow:)

STATEMENT OF CHRIS COLT, ASSOCIATE WASHINGTON DIRECTOR AND SOUTHEAST REGIONAL DIRECTOR, TROUT UNLIMITED, WASHINGTON, D.C.

Mr. Chairman, my name is Chris Colt of Trout Unlimited, Washington office. Trout Unlimited is a national nonprofit organization of 15,000 trout, salmon, and steelhead fishermen; with the national organization composed of 150 chapters in 35 States.

We welcome the opportunity to testify regarding House bill 14392. Trout Unlimited feels that the proposed bill before this committee could, if passed, only serve to undercut the 1964 Wilderness Act which is one of the better tools for the preservation of wilderness areas in the United States. Because it would also operate outside of the 1964 Wilderness Act, H.R. 14392 poses as serious and fundamental threat to the integrity and spirit of the Wilderness Act itself.

The problem, we feel, is that this would further enhance by implication, the policy judgment that no area in the East can possibly qualify as wilderness under the Wilderness Act. The passing of a new, complicated and dangerously competitive system under the designation of eastern wild areas would only cloud the definition of the 1964 Wilderness Act. Such new legislation, as is before this subcommittee, is not needed. The appearance of need is occasioned only by the interpretation of the Forest Service in its definition of wilderness. H.R. 14392 would raise Agriculture and Interior Committee jurisdictional disputes over a dozen eastern proposals now before Congress seeking classification under the Wilderness Act. We see no need for a second competing system for wilderness protection.

Although H.R. 14392 proposes to be a wild areas bill it addresses itself more toward recreational values and enhancement of such than it does to true wilderness classification as does the Wilderness Act. Trout Unlimited in its endeavor to protect, preserve, and enhance this Nation's cold water fisheries is concerned with that section of the proposed bill dealing with the barring of commercial timber harvesting. This section of the bill does not in any way compliment the Wilderness Act which already prohibits any removal of timber within designated wilderness areas. H.R. 14392 would allow logging for recreational purposes. These would include wild life openings, vista clearings and similar noncommercial logging activities. This is in direct conflict, and only one example which detracts greatly from the concept of the Wilderness Act.

Trout Unlimited members deal basically with the protection, preservation and enhancement of the cold water fisheries beginning at the very headwaters of this Nation's streams and rivers. We are most fearful that any timber cutting by the Forest Service without proper safeguards would damage trout waters through siltation, loss of streamside cover, and spawning bed losses, thus further depleting the supply of native and wild trout streams. To reiterate our point, the 1964 Wilderness Act prohibits timber cutting of any nature. The overall detraction of H.R. 14392 from the 1964 Wilderness Act and the dangerous precedent it would set moves Trout Unlimited to oppose any further consideration of H.R. 14392.

Thank you, Mr. Chairman.

STATEMENT OF DANIEL A. POOLE, PRESIDENT, WILDLIFE MANAGEMENT INSTITUTE, WASHINGTON, D.C.

Mr. Chairman, I am Daniel A. Poole, president of the Wildlife Management Institute, with headquarters in Washington, D.C. The Institute is one of the older national conservation organizations, and its program has been devoted to the restoration and improved management of renewable natural resources in the public interest for more than sixty years.

Our staff has considered the several alternative courses of action that have been put forward regarding a procedure for identifying, classifying and managing outstanding natural areas on eastern national forests. There is no question of the urgency and desirability of this, and for several reasons, we have concluded that the approach recommended in H.R. 14392 generally is the most preferable of the alternatives.

There is need for designating Wild Areas on eastern national forests. Such authority would help correct the imbalance of the present situation which finds most national forest acres marked for "special handling" in sections of the country where fewest people live. We also believe that a "system" approach is preferable in that it would facilitate standardization of policies and management objectives. It is doubted that program uniformity could be attained if similar kinds of areas were to be authorized on an individual basis.

By in large, eastern national forest lands are unlike those in the West. Land surface ownership is not as well blocked and half or more of the mineral rights are not owned by the Federal Government. Although some of the lands that may be affected by this bill have not been disturbed, most show evidence of man's past use. In our staff's opinion, a good part of the wild or natural areas that should be included in the proposed Wild Areas System are not wilderness in the terms that prompted our endorsement of the Wilderness Act of 1964 and subsequent support of its implementation.

On the other hand, we seen no reason to exclude from wilderness designation under the 1964 Act those eastern national forest areas that qualify for such classification. One of the first actions of the Forest Service under legislation of this kind should be to sort out the areas that appear to qualify for wilderness classification under the 1964 Act. Also, as natural restoration progresses, some of the areas initially designated as Wild under the terms of H.R. 14392 later might qualify for wilderness designation.

In some ways, H.R. 14392 appears stronger than the 1964 Wilderness Act, particularly with its withdrawal of lands from mining and mineral leasing, elimination of livestock grazing, and the granting of authority to condemn lands, waters, or other interests in furtherance of the purposes of the Wild Areas System. We are aware that some people suggest that the ban on mineral development is inadequate. But as a practical matter we cannot conceive of the federal government buying out all valid claims. Even that was not done under the Wilderness Act, nor was mineral development prohibited until after a period of years. Further, we are not concerned that enactment of this bill would bring two more congressional committees into wilderness-wild areas matters. The organization of Congress is not inflexible.

The bill also is stronger than the Wilderness Act in still another way. It recognizes the necessity to permit public use "consistent with the ability of the area to support such use and retain its primitive, natural, and wild characteristics." Regulation of public use is among the most pressing problems confronting administrators of wilderness, national parks, wildlife refuges, and public recreation areas. The administrator of a Wild Area will be given a strong management directive by the retention of this language in H.R. 14392.

Our questions about the bill pertain mostly to Section 5, particularly paragraph (a), subparagraphs (3), (4), and (5), and paragraph (b).

We are concerned about the interpretation that ultimately may be placed on the word "reasonably" in subparagraph (3). Rather than authorizing developments "reasonably necessary" for public health, safety and well-being, we believe that development should be consistent with the policy objectives outlined in Section 2(a).

On national forest lands in the East the retention of natural clearings and the creation of clearings have a very prominent role in wildlife management. Some important game species, such as deer, wild turkey, quail and grouse, are benefitted by clearings, as are many species of birds, mammals, and other equally interesting wildlife. The annual life cycle needs of such animals, in one season or another, are closely linked with clearings. The forces listed in paragraph (a)(4)—fire, insects, and disease—are natural clearing makers. In the absence of logging, these are the forces that aid nature in recycling itself.

We hope that the administrative agency is not so aggressive in its efforts to control these forces that their beneficial effect in creating or maintaining clearings is greatly reduced. At certain times and locations, in fact, the best management of a Wild Area in terms of its ecology may be to let these natural forces proceed without interference. In fact, only in recent years has the National Park Service come to realize the role and importance of fire in maintaining abundance and diversity of national park flora and fauna.

Secondly, paragraph (a)(5) stipulates that "commercial" timber harvesting shall not be permitted. We find this acceptable in that we do not support continuous timbering as a management option in Wild Areas.

On the other hand, deliberate felling of trees is one way to make clearings. Along with or as a substitute for fire, insects, or disease, it also is a way to renew and create a diversity of vegetative cover that favors wildlife and plant species. At some times and places it may be desirable to remove some trees in order to encourage growth of preferred plant species. By preferred, I mean plants suited to the specific site, not those having superior economic value.

We strongly urge, therefore, that the prohibition against "commercial" timbering not exclude planned cutting or mowing that may be necessary to maintain natural clearings or to deliberately create clearings in areas where such action

will be beneficial to wildlife or the enhancement of plant cover. We would want such cutting done without further road construction and disruption of the soil surface and stream valleys.

I mention these points to underscore our thought that Sec. 5, paragraph (b), while of the utmost necessity, can be improved either by the insertion of language in the bill or by explanation in the committee report. As the bill stipulates, we believe it is greatly desirable that "The Secretary prepare a management plan for each unit of the wild area system in accordance with the act, utilizing a multidisciplinary approach and providing for appropriate public involvement."

We believe that it should be made clear that the Forest Service's management plan should include as much of the surrounding national forest and other land outside the Wild Area as will in all probability be affected by or influenced by the Wild Area. As has been found in the West with Wilderness Areas, for example, recreationists are attracted to areas designated for special handling. Authority should be granted so provision can be made for their visits, including access across general national forest lands. At concentration points, overnight campgrounds, sanitary facilities, and water must be provided at appropriate sites outside the small Wild areas *per se*, both to protect the health and safety of the visiting public and to prevent impairment of lands adjacent to and within the Wild Areas. Therefore, in some, if not in all cases, a larger area of national forest must be placed under a management plan which is supportive of the designated Wild Area.

Commercial uses can be accommodated and services provided on these peripheral or buffer lands, but their use must be supportive of, and certainly not contradictory to, the higher purposes of the contiguous Wild Areas. Unless this management objective is made clear, we are apprehensive that merely designating key areas as wild or wilderness mainly will hasten their impairment from excessive visitation and harmful use.

We are hopeful that the committee will be able to move this proposal.

STATEMENT OF THOMAS E. DUSTIN, EXECUTIVE SECRETARY, INDIANA DIVISION, IZAAK WALTON LEAGUE OF AMERICA, HUNTERTOWN, IND.

Honorable Sirs, this statement is for the record of hearings on H.R. 14392, a bill to establish a system of eastern wild lands. For background, the Indiana Izaak Walton League includes nearly 6,000 members affiliated in 52 chapters throughout Indiana. We are a state unit of Izaak Walton League of America, and as such have directly participated in the pre-enactment work leading to passage of the 1964 Wilderness Act, and have consistently filed views in support of all wilderness area proposals that have come to our attention.

I attach for the record a copy of the resolution dealing with this subject which was adopted by the 50th annual convention of the national Izaak Walton League July 21 in Chicago. I am the principal author of this resolution. The salient points of this resolution, which is now the national policy of the League, are: 1) We support S. 3792, by Senator Jackson et al, to include 11 designated eastern areas in the National Wilderness Preservation System under the 1964 Act, and recognize the stated areas as of wilderness quality; 2) We urge additional areas of the nation be included in S. 3792 for designation under the 1964 Act; 3) We recognize that important principles are included in the Aiken-Kyl bills, but as you will note in the statement provided separately by the League's Joseph Penfold, we do not feel that the bill as written is responsive to those principles; 4) We do not feel that the nation should be balkanized into eastern and western regions, and call for legislation to restore "additional primitive Federal lands throughout the Nation" to wilderness quality.

Beyond this, many of us are deeply concerned over the divided jurisdiction which H.R. 14392 would create between the Interior and Agriculture legislative functions of the Congress. To the Indiana Izaak Walton League, this promises confusion, delays, endless semantic squabbling, and arbitrary and groundless division of the country.

We do recognize that there is a legislative gap, and that additional policy is needed in restoration and preservation of outstanding potential wilderness areas; but question whether the Aiken-Kyl proposals fill that need. The Izaak Walton League in the past has supported the Ecological Research and Surveys bills proposed by Senator Nelson, the principles of which may come closer to the need than H.R. 14392. We do not need a competitive or partially duplicative

law parallel to the 1964 Wilderness Act, and which contains the perils we see in H.R. 14392 as written. We in the Indiana Division also feel that the Wilderness Act has greater breadth than that specified by the Forest Service, and can be applied to the east as well as the west, as, indeed, Senator Jackson and his co-sponsors also apparently contend.

Additionally, the Forest Service has great latitude in executive authority, and should use that authority forthwith to identify and set aside de facto wilderness areas and areas capable of wilderness restoration, and should do so forthwith on a nationwide basis. If that is done—and there is no reason it can't be done—then greater deliberative time will produce better concepts than we presently observe in H.R. 14392. It should be kept in mind that the original Wilderness Act took nearly a decade to formulate, and it is far from perfect. It is difficult or impossible to conceive how sound supplemental legislation could be enacted in scarcely three months.

EASTERN WILDERNESS

The Izaak Walton League of America has been a consistent supporter of the principles of wilderness preservation and of the restoration of primitive lands. There are areas of Federal Lands throughout America which should be so preserved and restored, and which in the absence of early legislative action may be lost or irretrievably impaired. There has been introduced in the United States Senate a measure, S. 3792, which would preserve 11 significant areas qualified for wilderness preservation in the Eastern region of the Nation, and several members of Congress have commendably considered important principles in the Aiken-Kyl measure for the protection and restoration of certain lands in the urbanized eastern States.

The Izaak Walton League of America assembled in Convention at Chicago, Illinois, July 19–21, 1972, hereby expresses its full support for S. 3792 and urges that the bill include additional areas of the Nation. Furthermore, the League urges that National Legislation be enacted to preserve and restore additional primitive federal lands throughout the Nation which one day may qualify for full wilderness designation and that such legislation include provisions prohibiting all forms of encroachment including impoundments, utility installations, roads, all forms of timbering and mineral exploration and extraction.

Adopted July 21, 1972, by the Izaak Walton League of America.

STATEMENT OF J. WALTER MYERS, JR., EXECUTIVE VICE PRESIDENT, FOREST FARMERS ASSOCIATION

Mr. Chairman and members of the Committee, my name is J. Walter Myers, Jr. and I am Executive Vice President of the Forest Farmers Association, which is headquartered in Atlanta, Georgia. Forest Farmers Association is an organization of timberland owners, and primarily small, nonindustrial private owners—in 15 southern states. This statement is to present the views of the Forest Farmers Association of H.R. 14392, the National Forest Wild Areas Act of 1972.

The Forest Farmers Association generally favors the concepts and goals of H.R. 14392, as it seeks to protect outstanding wild, scenic and primitive recreation areas on the eastern National Forests.

Our association, however, does wish to offer certain comments on H.R. 14392, and to offer alternative suggestions, as follows:

1. Our association feels that establishment of a formal system is not essential to accomplishment of the goals of this measure. Guidelines for areas to qualify as Wild Areas East should be developed by the U.S. Forest Service, with appropriate input from other interested public and private groups, with separate legislation introduced to cover each proposed area. This would be similar to the procedure for establishment of national recreational areas.

2. In view of the above, it is felt legislative action on H.R. 14392 and related measures should move in a deliberate manner, awaiting development of such guidelines and other upcoming actions. The latter include release of the U.S. Forest Service's updated report on the status of the Nation's forests in 1973; and completion of Forest Service hearings currently being held to secure public views on management of various scenic and recreation areas, such as the Cohutta Mountain areas on the Chattahoochee National Forest (Ga.). These actions are scheduled to be completed in 1973. Meanwhile, the U.S. Forest Serv-

ice assures our association virtually all areas on southern National Forests, which it is believed could qualify under the Wild Areas East proposals, are already being managed with primary consideration to their scenic and primitive recreational use. Furthermore, there will be no change in their management, certainly not while this legislation is under consideration. Actually, if any change is made it would be in the direction of greater protection for these areas. This would indicate that a delay in enacting appropriate legislation would not adversely affect lands likely to be considered for inclusion. Such a delay, while awaiting the developments and reports noted earlier, would, however, allow for further valuable input, and could result in better and more meaningful legislation.

3. The association feels strongly that all forests, including so-called wilderness areas—and particularly in the East, are living, dynamic and changing ecosystems. Furthermore, they are not self-perpetuating, as sometimes imagined. Therefore, any legislative proposals for establishing and managing these areas should be sufficiently flexible to allow for maintaining healthy, viable timber stands, and renewing wildlife populations. Unrealistically rigid management requirements—such as barring all timber removal—can only result, eventually, in predominately overmature and decadent timber stands, and an accompanying sharp decline in wildlife population.

The Forest Farmers Association appreciates the opportunity to submit this statement, outlining its views on H.R. 14392 and related legislation.

STATEMENT OF JAMES L. BOTTS, VICE PRESIDENT, SMOKEY MOUNTAINS HIKING CLUB, KNOXVILLE, TENN.

As I am sure you are aware, more than a dozen sound eastern wilderness proposals have been introduced in Congress and many more are being considered. It is our desire to give these areas strong statutory protection under the Wilderness Act of 1964. In opposition to this move to preserve our eastern wilderness the U.S. Forest Service seems to be trying to organize support for an alternate, weaker system for the protection of this eastern wilderness.

The Forest Service position seems to be based on the judgment that no area in the east can possibly qualify as wilderness under the Wilderness Act, because of the fact that these areas have generally been logged or roaded or contain the temporary works of man.

Our position is that this argument ignores the wording of the 1964 Wilderness Act, which intends to deal with practical applications rather than an ideal concept. The act was intended to apply in the east as well as in the west. The evidences of past activities of man have healed by the act of nature and can qualify as wilderness under the act.

This Forest Service interpretation has resulted in the introduction of bills, H.R. 14392 and S. 3699, now before the Agriculture Committees of the House and Senate. These bills are unnecessary and are a basic threat to the integrity of the Wilderness Act. Specifically we oppose these bills for the following reasons:

This legislation is unnecessary and has come about by the narrow interpretation, by the Forest Service, of the definition of wilderness. Wilderness should be preserved under the Wilderness Act, as has been requested by a dozen proposals now in Congress.

These wild lands bills would allow logging for recreational purposes, vista clearings, wildlife openings, etc. The Wilderness Act prohibits any timber removal and preserves the concept of protecting wilderness against any future works of man.

There are potential wilderness areas in our eastern national forests which need protection but do not qualify under the Wilderness Act. These areas should be preserved by an interim administrative protection which would allow them to be sufficiently restored by nature and then be considered later for transfer to the National Wilderness Preservation System.

This legislation is essentially recreation oriented and not wilderness. We need recreation areas and more should be established but not under the impression of preserving wilderness. Wilderness legislation should assume that nature will be dominant, and that man will not interfere with the process of nature.

We feel the need for other land-use classifications in our national forests. Primitive recreation areas of a scenic or research nature should be made available in these national forests, but until the Forest Service decides to use the

Wilderness Preservation System at its disposal we see no point in discussing any new land-use classifications.

STATEMENT OF COREY KEY, SOUTH CAROLINA FORESTRY ASSOCIATION, PRESENTED AT THE BAPTIST COLLEGE, CHARLESTON, S.C., JULY 20, 1972

Mr. Chairman, my name is Corey Key and I am a timberland owner from Lodge, South Carolina. It is my privilege to submit this statement in behalf of the South Carolina Forestry Association. Our Association has a broad membership base of 750 members, including landowners, foresters, forest industries, banks, industrial equipment suppliers and others who are interested in the forest resources of our state and nation.

The South Carolina Forestry Association supports the basic need for, and principles of, limited eastern wild areas on National Forest land. We believe there is a need for a systematic identification and management of primitive recreation opportunities in a spacious, scenic, natural and wild setting. We also believe that there are virtually no suitable candidate areas for true Wilderness classification east of the 100th meridian, hence the need for a separate method of identifying suitable wild areas compatible with the eastern forest resource.

Having established our support of the concept of eastern wild areas on national forest land, I would now like to submit our views on some of the pertinent criteria for designation and management of wild areas.

First, we believe that the selection and use of wild areas must be governed by the need to provide an outdoor opportunity to the whole public. We do not believe that the wild areas, in contract to the wilderness areas of the west, should be the exclusive preserve of those who can economically and physically gain access to them on foot. Total inaccessibility would preclude use of the wild areas by the very young, the elderly, and the economically deprived members of our society.

Wild areas should be selected on the basis of factors in addition to the mere existence of primitive conditions and remoteness. We concur that wild areas should generally be characterized by a primitive atmosphere and the absence of permanent human habitation. However, each wild area should reflect some outstanding natural or esthetic value, such as a significant flora, fauna, ecologic, geologic, archeologic, scientific or historic features.

With these thoughts in mind, we believe that management criteria should be sufficiently broad and flexible to permit management of each area in the manner most consistent with its use and purpose. For this reason, we do not wish to suggest specific criteria in such matters as access by motor vehicles, control of vegetation, natural versus artificial restoration of pre-human conditions, etc. As an example: experience has shown many people are willing to hike the four-mile trail to Ellicott's Rock in the mountainous country bordering the Chatooga River. However, we wonder how many people would walk so far through waist deep water to penetrate the interior of Wambaw Swamp on the South Carolina coast. We use this example only to suggest that the same alternatives and criteria would not necessarily optimize the administration and use of all areas, and a good measure of flexibility is needed. By the same token, some level of forest fire, insect and disease control, vegetation and wildlife management, and timber harvesting may enhance—or at least not detract from—some areas, while certain practices would be wholly incompatible with the preservation of others. Restrictions, per se, without sufficient reason for their adoption, are as illogical as a complete lack of controls or objectives.

We believe that wild areas should be on land that is 100% in national forest ownership and control. Therefore, appropriate acquisition procedures are necessary to obtain non-federal inholdings. We believe that any area considered for designation as a wild area should be substantially in national forest ownership to begin with, prior to acquisition of inholdings. However, we are reluctant to suggest a fixed percentage of national forest ownership as definition of "substantial" ownership. Likewise, we are reluctant to suggest fixed, arbitrary minimum and maximum acreages for eligibility standards. We believe the establishment of minimum acreage and federal ownership percentages as eligibility standards provides a temptation to include unnecessary commercial forest land within a proposed wild area simply to meet an artificial standard. It is our opinion that each area must stand on its own individual merits, using no more acreage than is necessary to realize its specific objectives.

In conclusion, we recognize the need for special treatment of *selected portions* of our national forests which demonstrate unique, primitive characteristics, as the Forest Service has done for many years. We prefer a multiple use aproach

for the majority of the national forest area, and we would vigorously oppose any broad-scale encroachment on multiple use woodlands.

We are fully aware of our Nation's critical needs for wood and fiber, now and in the future, and we are gravely concerned about the vast quantities of timber that currently dies and goes unused on federal lands. For this reason we believe the public need dictates provision for the salvage and utilization of over mature and insect or disease killed trees from any wild areas to be established in the east.

However, we do believe the concept of eastern wild areas offers an acceptable alternative to the western Wilderness approach, and it is far more practical for both the eastern forest conditions and the needs of our eastern citizens.

We hope the suggestions offered in this statement will be of some benefit to the Forest Service in its deliberations and study of criteria for wild land areas. Thank you.

GLENDALE, CALIF., *July 17, 1972.*

Hon. JOHN MCMILLAN,
Chairman, Subcommittee on Forests,
Agriculture Committee,
House of Representatives,
Washington, D.C.

DEAR SIR: Please include this letter in the hearing on H.R. 14392 (Kyl).

I oppose this bill. It is not needed and dangerously competes with the Wilderness Act of 1964.

There are areas in the east which deserve to be wilderness and must be protected until they can be evaluated or until nature heals over the imprint of man's intrusions to the point where they qualify for wilderness status.

Our eastern citizens deserve and need wilderness status areas. H.R. 14392's "wild area" designation does not insure wilderness. The bill does not protect an area from future alteration by the works of man. It does not cope with the threat of private mining rights, nor does it prevent timber removal. The Wilderness Act of 1964 is the only way for Congress to really protect genuine wilderness areas in the east.

Thank you for your consideration.

Sincerely,

MRS. MARY C. GOGUEN.

ORLANDO, FLA., *July 17, 1972.*

Congressman JOHN MCMILLAN,
Chairman, Subcommittee on Forests,
Committee on Agriculture,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN MCMILLAN: I would like to have my thoughts concerning H.R. 14392 entered in the hearing record on this bill. It appears to me that a bill such as H.R. 14392 duplicates protection of lands with the 1964 Wilderness Act.

I feel it would be better for the Forest Service to abandon its narrow interpretation of the definition of wilderness and preserve potential wilderness areas through interim administrative protection. This interim protection will allow these lands to recover from the scars of man and protect them from further destruction by man until they may be included in the National Wilderness Preservation System.

Thank you.

Sincerely,

MARY A. FREYER.

NEW YORK, N.Y., *July 17, 1972.*

Hon. JOHN MCMILLAN,
Chairman, Subcommittee on Forests,
House of Representatives,
Washington, D.C.

SIR: For your hearing record, I am a member of committees of the Appalachian Mountain Club, New York branch and many other outdoor groups. I have lectured on conservation and studied it for many years.

It took the urging of many voters to obtain, some years ago, the passage of the Wilderness Act. We value it highly because of our knowledge that it was good law thrashed out in heated debate.

Rather than do what the law requires, it now appears that the Forest Service has devised a means of ducking its responsibility under the law by concocting "wild areas" where the trees can be removed. As you know the Wilderness Society as well as many citizens groups oppose 14392 by reason of their serious evaluation and study.

They do not bring before your committee the numbers of slick lobbyists with expense accounts provided by the lumber and paper interests. Our concern is deeper than a merely monetary one.

Trees, especially in wilderness areas, produce oxygen for us to breathe. If we can't cut down on the auto fumes, let's save trees.

Sincerely,

RICHARD B. SICHEL.

PITTSBURGH, PA., *July 17, 1972.*

Hon. JOHN MCMILLAN,
Chairman, Subcommittee on Forests, Committee on Agriculture, House of Representatives, Washington, D.C.

DEAR REPRESENTATIVE MCMILLAN: I am writing concerning House Bill 14392 on eastern Wild Lands which is scheduled for hearings on July 24. In my view this is a pernicious and bad bill and not worthy of serious consideration. I hope the Subcommittee will not let it go further.

This bill is proposed by the U.S. Forest Service primarily in order to prevent the application of the Wilderness Act of 1964 to the East. It arises because the Forest Service insists on its own peculiar interpretation of the Act. While that Act defines wilderness as an area where human influence is "substantially unnoticeable," the Forest Service insists on its own definition requiring human influence to be "completely unnoticeable." As a result it rules out many areas which readily come under the definition of the Act. To those who have hiked in eastern National Forests there are many areas where the hiker's experience is one of human influence being "substantially unnoticeable."

The position of the Forest Service is doctrinaire to the extreme on this point, as witnessed by its recent report on the Joyce Kilmer-Slickrock Creek proposal in North Carolina. And it has resulted in a refusal to approve a considerable number of proposals for eastern wilderness, now over ten, which citizens groups have brought forward. Because of its interpretation of the Wilderness Act the Forest Service has now produced the new Wild Lands bill which, it claims, will make possible the protection of eastern Wild Lands. Such an alternative is completely unnecessary as the Act, as Senator Church has recently stated, clearly provides for such eastern areas. Moreover, it seems clear that the Wild Lands bill will provide for much less protection than the Wilderness Act does and degrade the quality of eastern natural areas.

I am convinced that the real reason for the Wild Lands bill is to prevent protection of eastern lands from commercial development, and to subvert the intent of the Wilderness Act. I hope that it will go no further than these hearings. It should not be approved.

Sincerely yours,

SAMUEL P. HAYS.

CHARLOTTESVILLE, VA., *July 18, 1972.*

Hon. JOHN MCMILLAN,
Chairman, Subcommittee on Forests, Committee on Agriculture, House of Representatives, Washington, D.C.

DEAR SIR: We are writing to express our opposition to H.R. 14392, a bill to introduce a new classification of "wild areas" in the eastern National Forests. This bill reflects a new and baseless contention on the part of the Forest Service that no eastern forest lands qualify as Wilderness under the terms of the Wilderness Act of 1964. But it is a matter of record that eastern forests have in the past so qualified, and we can personally attest that these by no means exhaust the number of areas whose wilderness character is in accord with both the letter and the spirit of the Wilderness Act.

The present legislation would commit the eastern forests irrevocably to near-total development and management, since even in the "wild areas," various manpulations would be permitted which are expressly forbidden by the Wilder-

ness Act. And the threat of mining would remain, because the bill fails to deal with the private ownership of mineral rights in many of the forests.

In short, we believe that H.R. 14392 would deny strong statutory protection to the de facto wilderness which most desperately need such protection—those in the eastern National Forests.

We would appreciate your inclusion of this letter in the hearing record on H.R. 14392.

Yours very truly,

ROBERT M. SIMMS
DONNA M. SIMMS
Mr. and Mrs. Robert M. Simms.

CLEARWATER, FLA, *July 18, 1972.*

Re H.R. 14392.

Congressman JOHN MCMILLAN,
Chairman, Subcommittee on Forests, Committee on Agriculture, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN MCMILLAN: There is to be a hearing on the above bill on July 24th. I wish to have my opposition to this bill included in the hearing record.

In the first place, such a bill is not needed. The Wilderness Act is the best means to preserve wilderness, and this bill is not essentially a wilderness bill. It is essentially a recreation area bill.

This bill does not protect these areas from mining exploitation. Mineral rights were retained by private owners when the land was sold to the government and the only way to obviate the mining threat is to purchase these private rights.

As far as timber harvesting is concerned, the Wilderness Act prohibits this anyway. This bill would allow logging for some non-commercial purposes, thereby threatening both de facto and potential wilderness areas. There are areas in eastern national forests which, given a little time for restoration by nature, could well qualify for wilderness designation under the Wilderness Act.

I hope this bill can be defeated and the integrity of the Wilderness Act preserved.

Yours very truly,

JEAN S. SMITH
Mrs. Jean S. Smith.

New York, July 18, 1972.

Representative JOHN MCMILLAN,
Chairman, Subcommittee on Forests, Committee on Agriculture, Washington, D.C.

DEAR REPRESENTATIVE MCMILLAN: Please add my name as one in opposition to H.R. 14392.

This legislation is unnecessary and uncalled for. There is no need to add confusion in the preservation of our wilderness.

The terms of the 1964 Wilderness Act are broad enough to embrace eastern forest, etc. which has been or is being reclaimed by nature. Those areas which have not yet fully recovered can be placed under interim protection pending their full recovery and subsequent incorporation in the National Wilderness Preservation System.

Please note that we are also equally opposed to H.R. 7211, which is hypocritical. This bill should either be split or tabled.

Please include this letter in the records of your July 24 Hearing.

Thank you very much.

Sincerely,

JOEL L. MEEKER.
EVA G. MEEKER.

CONSERVATION FEDERATION OF MISSOURI,
Jefferson City, Mo., July 19, 1972.

Hon. JOHN MCMILLAN,
Chairman, Subcommittee on Forests, Committee on Agriculture, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN MCMILLAN: The Conservation Federation of Missouri, the largest conservation organization in the state with over 24,000 members, does

not agree with the Forest Service position that no area in the United States east of the hundreth meridian can possibly qualify as wilderness under the Wilderness Act.

We in Missouri, in fact, do not have to look beyond our own state's borders to find Forest Service lands which meet the Wilderness Act's criteria when these criteria are properly interpreted.

This is not to say that we disagree entirely with the Forest Service concept of a "Wild Lands East" system. Certainly, the great majority of Forest Service lands do not qualify under the Wilderness Act and a program to more fully protect many of these lands which offer tremendous recreational opportunity for an outdoor-minded public is needed.

However, the Forest Service lands should first be studied under the stronger and more protective Wilderness Act before any consideration is given to those lands for protection under a new statutory classification or any alternative-to-wilderness proposal.

Both systems are needed, but the Wilderness Act is already in existence and it is workable. The eastern forests should first be studied to see if they qualify under this Act. The Forest Service should give interim administrative protection to all potential wilderness areas until these can be studied for wilderness suitability.

It should be recognized that any attempt to establish a second system at the same time would be foolhardy and would result in a legislative nightmare. It should also be noted that "convenience" of classification should not be a reason for the establishment of an alternative system.

When an eastern forest is found "not suitable" for wilderness status, it could remain under administrative protection to be studied for later inclusion in a classification proposed by the Forest Service which should allow for wildlife management development and development for multiple use recreation.

Therefore, the Conservation Federation of Missouri urges that House R. 14392 not be implemented until all eastern Forest Service lands have been considered under the Wilderness Act.

We would also like to go on record as publicly complimenting the Forest Service for the job they are now doing in Missouri. This agency is more in tune with and more receptive to the public's desires than at any time in the past. The new "funding" for a wildlife habitat plan for the Clark and Mark Twain Forests in Missouri is a milestone and certainly a step in the right direction and we in Missouri thank all of those who made this program a reality.

Sincerely yours,

ED STEGNER, *Executive Director.*

SOUTH CAROLINA STATE COMMISSION OF FORESTRY,
Columbia, S.C., July 21, 1972.

Senator JAMES O. EASTLAND,
Chairman, Subcommittee on Environment, Soil Conservation and Forestry, Committee on Agriculture, U.S. Senate, Washington, D.C.

DEAR SENATOR EASTLAND: It is my understanding that hearings were scheduled for July 20 and 21 on S–3699, a Bill introduced by Senator George Aiken of Vermont and Senator Herman Talmadge of Georgia to establish a system of wild areas within the lands of the national forest system in the East.

Attached is a statement to be presented at the July 21 listening session arranged by the Forest Service on the subject of wild lands to be held at Clemson University. Although this statement does not refer to specific provisions of S–3699, I thought you might be interested in the views of the South Carolina State Commission of Forestry on this subject, and you may want to make this statement a part of the hearing record on S–3699.

Very truly yours,

JOHN R. TILLER. *State Forester.*

STATEMENT OF WALTER T. AHEARN, ASSISTANT STATE FORESTER, SOUTH CAROLINA STATE COMMISSION OF FORESTRY, JULY 21, 1972

Mr. Chairman, my name is Walter T. Ahearn. I am from Columbia, South Carolina, where I am employed as Assistant State Forester for the South Carolina State Commission of Forestry. It is my privilege to submit this statement on

behalf of State Forester John Tiller and the staff of the South Carolina State Commission of Forestry.

In the words of legislation establishing the Forestry Commission in 1927, the concerns and responsibilities of this agency include "* * * the forest conditions in the State, with reference to the preservation of forests, the effect of the destruction of forests upon the general welfare of the State and other matters pertaining to the subject of forestry and tree growth * * *."

The South Carolina State Commission of Forestry supports the desirability and need to identify, establish, designate and manage specific areas of National Forest lands in South Carolina and the East to provide adequate areas where solitude, scenic beauty, plant and animal life, geological formations and other natural features may be preserved for the enjoyment of present and future generations.

In South Carolina and in most of the East there are practically no truly wilderness areas which meet the acreage and other criteria set forth in the Wilderness Act of 1964. Yet, the rapid and steady population increases in this part of our country, where half of our nation's people live, make it desirable or imperative to designate and provide areas where people may enjoy the equivalent of a "wilderness experience."

We have found that there is considerable confusion in the public's mind about the meanings of terms such as wilderness, wild, virgin timber, etc. Most people consider an area as wilderness, primitive, wild, or virgin if there is no obvious or obtrusive evidence of man's past or present activity. In the experience of our agency spanning a period of 33 years of operating the state park system of South Carolina from 1934 to 1967, we found that most people can enjoy the equivalent of a "wilderness experience" in areas that may be in second growth or even third growth timber, provided the area is attractive, quiet, and relatively remote. As a matter of fact, more people are willing and able to enjoy such areas than are willing or able to enjoy more remote areas that are more truly wild or wilderness in character. Extreme inaccessibility, remoteness and difficulty of access in effect prevent the use of truly wilderness areas by the majority of the population, and more particularly by the very young, the elderly, and by economically deprived segments of our society—or even by the average American family.

In our opinion the lack of strictly defined wilderness areas in South Carolina and the East need not be considered a drawback, but rather a challenge to identify, designate and manage a system of wild areas which can offer present and future populations opportunities to visit and enjoy the equivalent of a wilderness experience.

The Forest Service of the United States Department of Agriculture pioneered in the establishment of Wilderness Areas, and has designated Wilderness Areas, Scenic Areas, Natural Areas, Primitive Areas, and similar special-use areas throughout the National Forest System. This has given the professional land managers of this agency a wealth of invaluable experience in the establishment, protection, and management of such areas.

In recent years there has been increasing emphasis on utilizing a multi-disciplinary approach to encompass all pertinent and relevant expertise and knowledge in planning and managing National Forest lands. And with increasing provision for obtaining inputs from the public at large, and from representatives of a broad range of special interest groups, an even more effective mechanism has been developed to assure that varied viewpoints are considered and evaluated in making decisions affecting the development, management and use of National Forest lands. Continuation and refinement of this procedure can assure that these publicly owned areas provide the greatest good for the greatest number in the long run.

Therefore, we favor the identification, designation, and management of a program of wild lands on National Forests in the East through administrative action by the Forest Service. Such administrative action, guided by existing legislative, regulatory, and policy directives, and utilizing appropriate national, regional, state, and local inputs can provide for flexibility and adaptability to meet national, regional, state, and local needs, without the delays and other limitations that would be inherent in a system requiring action by the Congress and the President to designate or classify wild areas.

However, if the course of Congressional and Presidential action is to be followed, it is suggested that the criteria for identification, designation and management be made sufficiently broad and flexible to permit full, appropriate, and opti-

mum utilization of the specific qualities and limitations of individual areas, which may vary considerably from place to place and from time to time. Broad guidelines (rather than specific acreage criteria and the flat prohibition of certain specific practices, for example) would make possible the establishment of a larger number of wild areas, representative of different geological formations, land forms, water, vegetation, animal and scenic features in the National Forests of the East to serve more people than more restrictive specific acreage requirements would permit.

In many cases extensive acreages may not be required to provide the necessary qualities for public enjoyment. For example, a lowcountry cypress pond, with its associated plant and animal life, or a picturesque waterfall on a mountain stream may be adequately protected and made availble for public enjoyment by setting side a relatively small acreage, perhaps 50 or 100 acres, for example, to provide an appropriate setting and a buffer of protection.

Providing a number of relatively small wild areas, preferably adjacent to developed recreational areas or adjacent to roads and other means of public access can better serve more people than setting aside blocks thousands of acres in extent with no provision for public access except for the few hardy individuals who have the time or physical ability to wade through swamps or to hike or climb in rugged terrain where no trails exist. Merely setting aside large acreages as wild areas may not make these areas available for people to see and enjoy, and may in fact prevent people from seeing, using, and enjoying them.

Also, it must be remembered that wilderness and wild area values, important as they are, are not the only values of the National Forests that must be protected to assure their availability for use and enjoyment by present and future generations.

With a limited or dwindling land base to provide the growing quantity and variety of products, services and amenities that a growing population, with a rising sense of great and varied expectations is demanding, it is imperative that a proper balance be struck to assure that optimum use is made of the available resources to satisfy as fully as possible the many and varied demands that are being placed or our public lands.

We would point out, for example, that in the passion for preserving certain values or attributes of the National Forest, we must not lose sight of the fact that for many uses the application of the principle of multiple-use management, which was developed, refined, and applied by the Forest Service, can in most instances yield the optimum or maximum mix of total products, services and benefits—including provision of outdoor recreational opportunities in forested settings that, although not technically wilderness or wild by definition, can provide a wilderness type experience for most people.

For this reason, and for the reason that all projections of supplies and demands for the next 30 years indicate that our forests, including our National Forests, must supply an increasing volume of forest products to meet the needs and demands that lie in the years immediately ahead, we would urge serious and careful consideration before withdrawing extensive acreages of forest land in the East from its ability to produce a wide range of products and services, and dedicating such large areas to single uses.

In summary, the South Carolina State Commission of Forestry position is:

1. We support the need to identify, establish, and manage limited specific areas of National Forest lands in South Carolina and the East as Wild Areas.

2. We favor implementation of a Wild Areas program on the National Forests by Forest Service administrative action, guided by existing legislation and policies, with full provision for broad public inputs. However, if additional federal legislation is to be enacted, it is suggested that the criteria for identifying, designating and managing wild areas be made sufficiently broad and flexible to permit full and optimum utilization of the specific qualities and limitations of individual local areas.

3. We favor the identification, establishment and management of a large number of wild areas, each of relatively small acreage, to provide a large number of wild areas that are accessible for more people to enjoy rather than the establishment of fewer areas of extensive acreage whose use and enjoyment would be limited to a very few.

4. We urge continued implementation of Multiple-Use Management of the National Forests, with the reserved or single-use areas limited in acreage, so that these publicly-owned lands shall make their maximum, optimum contribution of goods, services, and amenities to the people of our state, region, and nation.

Thank you.

MARQUETTE, MICH., *August 1, 11972.*

Hon. JOHN MCMILLAN,
Chairman, Subcommittee on Forests,
Committee on Agriculture, House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: My name is Margaret M. Hanson, Consultant to the Northern Michigan Wilderness Coalition, an organization of 600 members and 19 affiliated groups throughout northern Michigan. In behalf of the Coalition, I present the following statement on the Eastern Wild Lands bill, HR 14392.

We oppose any Eastern Wild Lands bill. The 1964 Wilderness Act (National Wilderness Preservation System) is both adequate and appropriate for Forest Service lands east of the Rockies—as well as in the western United States. The 1964 Wilderness Act required 8 long years of hard work to become enacted and was meant for the entire U.S.—not just the west! An Eastern Wild Lands bill would simply delay designation of potential wilderness areas, as it would cause wrangling and confusion over proposals between the Agriculture committees under this bill and the Interior committee under the Wilderness Act.

There are some potential wilderness areas on our eastern national forests deserving protection but which have not reverted back to nature sufficiently to qualify under the 1964 Wilderness Act. In the meantime, the U.S. Forest Service can give these areas administrative protection until they recover enough to be considered for protection under the National Wilderness Preservation System. Forests recover far more rapidly in the eastern United States than in the west.

The 1964 Wilderness Act prohibits commercial timber harvesting, or *any* removal of timber. The Eastern Wild Lands bill would allow logging for "recreational purposes", wildlife, "better views", all of which is in conflict with preserving wilderness from future changes by man.

In our fast pace, highly mechanized society, it is our duty to protect what remnants of wilderness that we can for all present and future generations.

Thank you, Mr. Chairman, for the opportunity to present this written statement.

Sincerely yours,

MARGARET M. HANSON.

TROY, N.Y., *August 1, 1972.*

Congressman JOHN MCMILLAN,
Chairman, Subcommitee on Forests,
Committee on Agriculture,
House of Representatives,
Washington, D.C.

DEAR MR. MCMILLAN: Although unable to attend the hearing, the Albany Chapter of the Adirondack Mountain Club wishes to submit the following comments on H.R. 14392.

While our club's primary interest is the Adirondack Preserve of New York State which consists of state-owned and privately owned lands, we are also concerned with the preservation of wilderness areas generally.

We feel that this bill and the similar bill, S. 3699, are unnecessary and constitute a basic threat to the integrity of the 1964 Wilderness Act. The Forest Service position in favor of a weaker system for "protecting" eastern wild lands is based on their concept that *no* area in the East can possibly qualify as wilderness. This apparently results from their claim that eastern national forest lands have generally been logged or roaded. This "purity" argument ignores the language of the Wilderness Act which has a broad enough definition of wilderness to allow for "substantially unnoticeable" works of man. It is our understanding that this definition was made deliberately broad to make it clear that absolute purity is not required. If this narrow-view policy of the Forest Service is allowed to prevail it would minimize the number of areas that could otherwise be placed in the Wilderness System.

The bill's prohibition on mining would be ineffectual. The problem of mining in the eastern national forests lies in the fact that the mineral rights were retained by private owners who sold the land to the government. Probably only purchase of these private rights by the government can eliminate the mining threat.

Yours very truly,

DONALD M. GRAY,
Conservation Committee Chairman,
Albany Chapter, Adirondack Mountain Club.

FAIRBANKS ENVIRONMENTAL CENTER,
Fairbanks, Alaska, August 1, 1972.

Representative JOHN MCMILLIAN,
Chairman, Subcommitee on Forests,
Committee on Agriculture,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE MCMILLAN: This letter is in regard to the Congressional hearings scheduled to consider proposals regarding wild areas. These proposals are found in two very similar bills H.R. 14392 and S. 3699.

As President of the Fairbanks Environmental Center, I speak for many Alaskans. We are very much concerned with wildlands and would like to see both of the above bills defeated as we feel they are unnecessary and a basic threat to the integrity of the Wilderness Act.

The following are specific criticisms we have regarding H.R. 14392 and S. 3699.

1. Such new legislation is not needed. The appearance of need is occasioned only by the Forest Service's narrow interpretation of the definition of wilderness The way to preserve wilderness is the designate wilderness under the Wilderness Act.

2. The Eastern Wild Lands bills would place a great additional burden on citizen conservationists working to gain protection for wilderness areas. Designation of individual wild areas would involve the same detailed process now required for wilderness designation. The proposed bills would raise committee jurisdictional disputes over the proposals between the Agricultural committees under these bills and the Interior committees under the Wilderness Act. Such a second, competing system for wilderness protection would be self-defeating because of confusion and jurisdictional deadlocks between the committees.

3. There may be potential wilderness areas on eastern national forests deserving protection but not yet sufficiently restored by nature to qualify under the Wilderness Act. The proper way to preserve these areas would be through interim administrative protection—allowing them to recover and be considered later for wilderness status.

4. The bills' prohibition on mining appears attractive but would be ineffectual. The problem of mining on the eastern national forests lies not in the mining and mineral laws but in the fact that the mineral rights were retained by private owners who sold the land to the federal government. Only purchase of these private rights by the government can eliminate the mining threat.

5. While the bills bar commercial timber harvesting, the Wilderness Act already prohibits this. The Wilderness Act also prohibits any removal of timber. These Eastern Wild Lands bills would allow logging under the guise of "recreational purposes," wildlife openings, etc.

6. The bills are essentially recreation area bills, not wilderness bills. It is desirable to establish recreation areas, but without seeking to give the impression of preserving wilderness. The basic purpose of wilderness legislation is to assure that nature is dominant and that man does not directly interfere with the processes of nature.

Thank you for your consideration of the above points.

Kindly make this a part of the official hearing record.

Sincerely,

J. A. "JIM" HUNTER,
President, Fairbanks Environmental Center.

FRIENDS OF THE EARTH,
Fairbanks, Alaska, August 1, 1972.

Representative JOHN MCMILLAN,
Chairman, Subcommittee on Forests, Committee on Agriculture, House Office Building, Washington, D.C.

DEAR REPRESENTATIVE MCMILLAN: This letter concerns the Congressional hearings scheduled to consider proposals regarding wild areas. These proposals are found in two very similiar bills H.R. 14392 and S. 36999.

I represent the Friends of the Earth membership in Alaska which numbers about 200. We are very much concerned with the wilderness and would like to see both of the above bills defeated as we feel they are unnecessary and a basic threat to the integrity of the Wilderness Act. We strongly support the Wilderness

Society's bulletin regarding these two bills. The following are specific criticism we have regarding H.R. 14392 and S. 3699.

1. Such new legislation is not needed.
2. The Eastern Wild Lands bills would place a great additional burden on citizen conservationists working to gain protection for wilderness areas.
3. There may be potential wilderness areas on eastern national forests deserving protection but not yet sufficiently restored by nature to qualify under the Wilderness Act. These areas should be given interim administrative protection allowing them to recover and later be considered for wilderness status.
4. The bills' prohibition on mining appears attractive but would be ineffectual due to the fact that the mineral rights are owned privately.
5. While the bills bar commercial timber harvesting, the Wilderness Act already prohibits this.
6. The bills are essentially recreation area bills, not wilderness bills.

Kindly make this a part of the official hearing record.

Thank you for your consideration of the above ideas.

Sincerely,

JAMES E. KOWALSKY,
Arctic Regional Representative,
Friends of the Earth.

Mr. FOLEY. The subcommittee will stand adjourned to meet at the call of the Chair.

(Whereupon, at 12:20 p.m., the subcommittee was adjourned, subject to the call of the Chair.)

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