"No additional areas of the public lands of the United States should be withdrawn from use by the general public through establishment of wilderness areas until after further study. In management of the people's property, first things should be placed first, and action should be taken to attain full use of the public lands for production of water, food, timber, minerals, recreation, and other benefits which can be derived from a multiple use of such lands." (Resolution adopted by the National Reclamation Association at Houston, Texas on November 21, 1958.)

COLORADO WATER CONGRESS NEWSLETTER

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Two philosophers stopped by a remote mountain stream. One spoke: "Ah, Wilderness! You wild, beautiful virgin. Let me protect you from those who would exploit your beauty. Come with me to a far away place where your untouched beauty will be preserved forever for people like me who truly appreciate you."

"Wait", said the other philosopher. "Do not take Wilderness away. I can't go to that far away place. Neither can my friends. I love the beauty of Wilderness . . . but in a different way. Is not beauty where you find it? I see the beauty of Wilderness in her water, in her timber, in her oil, in her minerals . . . in food on the table, in security for my family and in security for my nation."

Many know the first philosopher as the great protector of our dwindling wilderness lands . . . the roadless, uninhabited and beautiful backwoods country of our nation . . . the priceless heritage for millions of future Americans who will inhabit concrete jungles and smog-filled city canyons. Others know him as an exponent of emotion and fantasy.

Many know the second philosopher as a spokesman for facts and reality who believes that the real definition of conservation is wise use. Others know him as the spokesman for economic interests who have dollar signs for eyes.

On one side: Isaak Walton League, Audubon Society, Wilderness Society, Sierra Club, outdoor clubs, mountaineer clubs, wildlife federations, sportsmen's councils, college scientists, high school conservation clubs.
On the other side: National Reclamation Association, National Cattlemen's Association, Mountain States Association, National Assn. of Soil Conservation Districts, chambers of commerce, the oil and gas industry, the tourist industry, organized water interests . . . plus much of western state officialdom.

On both sides: The federal government.

One side wants to establish a vast wilderness preservation system that would exclude all uses except scenic enjoyment and scientific study. How? Through federal legislation known as the Wilderness Bill.

The other side wants to leave things as they are . . . under control of the U. S. Forest Service. The chief of the Forest Service has the authority to designate wilderness areas on national forest lands by executive order. He also has the authority to withdraw lands from a wilderness designation and open them to development. Wilderness-type areas already include about 14 million acres in national forests, or 8 percent of their total area.

The Forest Service, under the Department of Agriculture, is utilization minded. It views a forest as a crop to be harvested on a carefully planned basis. It is aware of the practical difficulty of protecting roadless areas from fire and disease. Consequently, it opposes the Wilderness Bill. The Department of Agriculture has made strong objections to certain features of the Wilderness Bill.

The Interior Department is in an awkward position. One of its agencies, the Geological Survey, encourages thousands of geologists to seek new sources of oil and gas in the wilderness areas of the West. Interior's western water development agency, the Bureau of Reclamation, would be seriously handicapped by the proposed wilderness legislation. Interior's National Park Service has an excellent record of wilderness preservation. But—Interior also includes one of the prime movers behind the proposed wilderness legislation: The Fish and Wildlife Service.

Where does the Secretary of Interior stand on the Wilderness Bill? He's reported to be for the bill. However, Interior's official reports have included strong objections to certain provisions of the proposed wilderness legislation.
The Wilderness Bill has deep roots. It did not develop overnight from a philosophical discussion into a major national issue, pitting strong interest groups against each other in a battle for big stakes. Proponents look back with satisfaction upon many years of dedicated participation in a conservation crusade. Opponents note that this is the latest move in a continuing series of carefully planned steps to lay the dead hand of bureaucracy upon all public lands of the United States.

* * *

To understand the current move for wilderness legislation, take a long look backward at what has happened. A federal statute, enacted in 1934 and amended in 1940, gave the U. S. Fish and Wildlife Service an opportunity to make such uses of water impounded by the Bureau of Reclamation as were not inconsistent with the primary use of water and the constitutional rights of the states. It put first things first.

But not for long! In 1946, another step was taken. The statute was changed so that whenever the waters of any stream or other body of water are authorized to be impounded, diverted, or otherwise controlled for any purpose whatever by any department or agency of the United States, or by any public or private agency under federal permit, then such department or agency shall first consult with the Fish and Wildlife Service and the state game and fish agency with a view to preventing loss of, and damage to, wildlife resources.

What does this mean? Wildlifers believe it means that if you don't comply with U. S. Fish and Wildlife Service requirements, you don't get a federal permit.

Another step was taken in 1958. Congress again amended the 1934 Act and called the whole ball of wax the Fish and Wildlife Coordination Act. Included: A statement that wildlife conservation shall receive equal consideration and be coordinated with other features of water resource development programs.

Whose water development programs? Everybody's, according to the Act . . . federal, state and public or private agencies and organizations.

Still another step has been urged by Dr. Ira N. Gabrielson, former director of the U. S. Fish and Wildlife Service and now director of the Wildlife Management Institute in Washington D. C. Gabrielson was retained to analyze the position of the Colorado Game
and Fish Department under Governor McNichols' new Department of Natural Resources.

**Gabrielson's recommendation:** Recognize recreation as a beneficial use of water under state law to rank equally with domestic, irrigation and power uses.

**What does he mean?** Diversion and storage for fish-propagation purposes have been recognized as a beneficial use by the Colorado Supreme Court. Diversion and storage for recreational use have been recognized by other Colorado Courts as a beneficial use.

He means the establishment of a priority for fish propagation for water flowing in a stream . . . water which is not to be diverted and used. In other words: A modified type of riparian system. **The riparian system** was abandoned in most of the arid West up to a century ago.

**The wildlifers' point of view:** The recreation equality principle has been recognized in the federal courts and the Coordination Act provides for it nationally. It's only a question of time before it is recognized at state levels—when the many people demanding recreation are organized well enough to give weight to their demands.

**Note the growth of influence in 25 years:** From the mildest intrusion into national development to the point where out-of-doors enthusiasts now propose to substitute national joy of the wilderness for national strength and prosperity as the federal government's land management criterion.

**Exaggeration?** Consider this practical example: A non-federal agency needs to obtain right-of-way through federal land for a certain water development in Colorado. But before it can obtain this right-of-way it is supposed to agree to **by-pass** specified flows of project water at diversion points. **How much?** Up to 30 second feet. **Why?** For fishing. It costs the water project developer $10,000 a second foot to get this water. The wildlifers contribute nothing.

**Question:** Are the federal statutes, which supposedly give rights-of-way for water development projects, now subjugated to fishing uses of minor value, while impairing the water supply needed for continued life by thousands of people?

**These efforts** to place fishing above agricultural and domestic water requirements are being contested, step by step, through progressively higher governmental authorities.
The outcome? It will probably become a major political and economic issue to be finally settled at the polls.

Last year, Congress passed a bill which established a National Outdoor Recreation Resources Review Commission. Its job: Inventory the recreational resources of the nation. Lay out a general plan for preserving and developing these recreational facilities. Congress authorized the expenditure of 2.5 million and told it to report by September 1961.

The commission consists of seven citizens appointed by the President plus eight members of Congress . . . four senators and four representatives. Chairman of the commission is Laurence Rockefeller, New York City financier.

Other citizen appointees: Bernard Orell of Washington, vice president of the Weyerhaeuser Lumber Corp; Katherine Lee of New Hampshire, a director of the American Forestry Association; Samuel T. Dana, forestry professor emeritus, University of Michigan; M. Frederik Smith of New Jersey, vice president of Prudential Life Insurance Co; Chester Wilson, Minnesota lawyer and former state conservation commissioner; and Joseph W. Penfold, former Wheat Ridge resident, now conservation director of the Isaak Walton League.

Senate appointees: Neuberger (D) of Oregon, Anderson (D) of New Mexico, Watkins (R) of Utah and Barrett (R) of Wyoming. Representatives: Rhodes (R) of Arizona, Saylor (R) of Pennsylvania, Ullman (D) of Oregon and Pfost (D) of Idaho.

Neuberger and Saylor are enthusiastic supporters of the Wilderness Bill. Watkins and Barrett opposed it. But they didn't return to Congress. Your Water Congress is urging the appointment of Colorado's Senator Gordon Allott to the commission. Allott is doing his best to bring this about.

An advisory council to the commission is expected to be appointed. Your Water Congress has recommended the appointment of Glenn Saunders to this council.

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With this historical background, consider the wildlifers' big step forward . . . the Wilderness Bill.

The Wilderness Bill was first submitted to Congress in 1957 by 24 senators led by Neuberger of Idaho and Humphrey of Minnesota. It appeared as two separate but similar bills (S.1176 and H.500). In June 1958, a new Wilderness Bill (S.4028) was introduced.
The rewriting was supposed to have removed objections raised by the original bills. It didn't.

What did the new Wilderness Bill propose to do? It proposed to establish a National Wilderness Preservation System and a National Wilderness Preservation Council.

How big a system? 14 million acres immediately and up to 55 million acres of federal land later. How big is 55 million acres? It's bigger than Nebraska. It's bigger than Utah. It's 80 percent of the size of Colorado.

Where is this wilderness? Ninety percent of the land is located in the eleven western states. Included: Land in national forests, parks, monuments, Indian reservations, public domain, game refuges and ranges. Note: More than one-half of the total area of the eleven western states is under the control of the federal government. National forests account for 181 million acres. National parks: 25 million acres.

What type of land? Existing wilderness, wild, roadless or primitive areas and National Park areas of 5,000 acres of more which still retain their primitive characteristics, have unusual wild, scenic values and are roadless, or can be made roadless, and other units (including public lands) found to be primarily of wilderness value.

What would happen to the land? It would be preserved as wilderness, with mechanical transportation excluded, accessible only to packers and hikers. Resource use other than scenic enjoyment and scientific study of natural conditions would be prohibited.

Scenic enjoyment? Yes... if you are able to hike in or pack in. But remember this: Less than half of one percent of our population is hardy enough, or dedicated enough, or moneyed enough to get into the wilderness areas that have already been established.

What would happen to the resources? All development of timber, minerals, gas and oil, grazing and water would be permanently banned, except that under very urgent demand, it might be possible to obtain a presidential order to make an exception in specific cases.

How would they go about it? Determinations of primitive areas would be made within ten years after passage of the Wilderness Bill. Any such areas which had not been classified as either primitive or non-primitive by that time would automatically become a part of the wilderness system.
Who would designate the wilderness areas? The federal agency which has administrative control over the land. How? Original designations and subsequent changes in the wilderness system would be made by the federal agency 90 days after public hearing, if one is demanded. The designation or change would automatically become law after it had been before Congress for 120 days of continuous session, unless Congress specifically excepted the land in question from the wilderness system.

Who would administer the wilderness system? It would be administered by a National Wilderness Preservation Council made up of the Secretaries of Interior and Agriculture, the Secretary of the Smithsonian Institution and three wilderness-minded citizen members appointed by the President and confirmed by the Senate. One of the citizen members would be chairman.

How would they administer it? Opponents point out that this council gives the wilderness lobby official status at public expense . . . and creates a new and unnecessary layer of government.

Would they observe state water laws? The Wilderness Bill states that there is no expressed or implied claim or denial on the part of the federal government as to exemption from state water laws.

How would this affect Colorado? Over one-third of the total area of Colorado is federally owned. Colorado already has eleven areas, totaling 800,000 acres, which have been designated wilderness-type by the Forest Service. If the Wilderness Bill were passed, all federal land which was not specifically excepted by the responsible federal agency would automatically become wilderness area. Development of future grazing, mining, water and other resources . . . some of which we may not now be aware of . . . depends upon access to these public lands.

Hearings on the Wilderness Bill were held last November in Bend, Oregon—San Francisco—Salt Lake City—Albuquerque.

At Bend: 54 witnesses plus numerous letters and telegrams. Proponents appeared to score heavily in most of the press coverage.

At San Francisco: 67 witnesses, fairly evenly divided. Again, press reports seemed to indicate that the wildlifers' emotional appeal was stronger than payroll logic.
At Salt Lake City: 67 witnesses, with opponents leading two to one. Effective opponent: Governor Clyde of Utah. For the first time, two state game and fish department came out in strong support of the Wilderness Bill. You've guessed it ... Colorado was one of them. The other—Montana. The press overwhelmingly supported the opponents.

At Albuquerque: 44 witnesses. Opponents scored heavily. Note this: The Arizona Game and Fish Commission strongly opposed the bill. Donald Hamburg represented your Water Congress and presented a statement that Colorado was studying the proposed wilderness legislation and would make appropriate representations at a future time. Ira Kelly of Mancos testified against the bill on behalf of the Southwestern Livestock Assn.

Denver wildlifers testified at Albuquerque. The late Dr. Raymond Lanier of Littleton headed a four-man delegation which included Dr. Ernest Brunquist (Colorado Mountain Club), Ed Hilliard (Wildlife Federation) and George Kelly (Garden Clubs).

Wilderness enthusiasts regard these four hearings as a delaying action by the bill's opponents which has backfired. They have re-introduced the Wilderness Bill in the 86th Congress and they are confident that it will pass.

Will it? Some government officials appear to be urging the bill's opponents to get into a mood to compromise. Your Water Congress Executive Director, John Barnard, Jr., recently returned from a fact-finding trip to Washington D. C. Barnard's opinion: The bill will probably not pass this session. When viewed sensibly, too much opposition is generated against the bill. No compromise is possible, as you can't compromise with unreasonable persons.

It's going to be a battle royal! The wildlifers have extensive, well-organized grass roots support. But lined up against them is the well-organized heavy artillery of those who believe in western development ... including all of the big guns of the western resource utilization groups. Support is anticipated from factually informed conservation and wildlife groups which realize that wilderness legislation will serve a pitifully few people.

The Colorado Water Conservation Board opposes the Wilderness Bill. But it withheld public statements in compliance with Governor McNichols' request for a unified state position on this controversial matter.
While the Governor was striving to develop a unified state policy on the proposed Wilderness legislation, the Colorado Game and Fish Department acted. It released a WE NEED THE WILDERNESS BILL editorial in the January-February 1959 issue of its official magazine, Colorado Outdoors. It summed up the matter by quoting remarks of Congressman John Saylor of Pennsylvania—bitter opponent of western reclamation and western development.

The state game and fish agency is in a unique position. It does not rely upon tax money. It demands autonomy because it is self-supporting, through sportsmen's license fees and federal funds derived from sales of sporting goods. By virtue of these earmarked funds, it has about 10 times as much money to spend as the Colorado Water Conservation Board.

The Governor, irked by this experience and by a similar experience on the Curecanti Dam issue two years ago, vows it won't happen again—not if he can get a Natural Resources Director to ride herd on his department heads. Question: Should an unpaid, appointed board in the executive department determine policy on federal legislation for the state, in opposition to the order of the elective head?

Wildlifers doubt that simply placing both agencies within the Natural Resources Dept. will change the thinking of either. They believe that the governor should recognize the fact that in endorsing the Wilderness Bill, the Game and Fish Department is trying to protect the interests of the people it serves . . . hunters and fishermen.

But as a matter of fact, the Wilderness Bill is diametrically opposed to the best interests of most hunters, fishermen and sportsmen.

Here's why: Do you like to hunt on weekends during deer season? In wilderness areas there are no roads, and expensive pack trips are usually not feasible for a two-day hunt.

Do you like to fish from a boat? Motorboats are not allowed in wilderness areas. Neither are dams, nor man-made lakes.

Do you like to ski? No ski-runs or trails can be built in wilderness areas.

Do you like to take your family out for a weekend in the mountains? Unless your children are accomplished horsemen, or are able to pack in, you'll not be able to take them very far into a wilderness area.
Opposition to the Wilderness Bill is developing among state conservation departments who can see basic conflicts with objectives of their conservation programs.

In Colorado, the position of Natural Resources Director has just been established by the Legislature. It is a cabinet-level job to be filled by the Governor from outside civil service. The director will coordinate all agencies concerned with land, water, minerals and wildlife. He will be more of a liaison man than an administrator in the usual sense. His name? Superman has been suggested.

The Governor's 62-man unpaid Committee on Natural Resources has worked many Saturdays during the past year to develop recommendations as to the proper scope and function of the Department of Natural Resources. It's another case of much unpaid time and effort by citizen volunteers.

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Your Water Congress congratulates the hard-working Water Committee of the League of Women Voters of Colorado. They have recently published an excellent background study entitled "Colorado's Water Resources". This 50-page report is an introduction to Colorado water problems. It is designed primarily for use by League members as they begin a two-year study of Colorado's water resources.

The league objective is expressed in this way... "It is hoped that the report will enable league members to see the outlines of Colorado's complex and difficult water problems, so that they can help to answer the most important question facing the state today:

What are Colorado's people doing through their government, and what might they do, to insure a supply of their most precious resource that will meet the demands of a rapidly growing population and a changing economy?"

Welcome aboard, League of Women Voters. We need your help!

You can obtain a copy of "Colorado's Water Resources" for only fifty cents from the League at 1545 Tremont Place, Denver 2. This price is possible because it's all volunteer, non-profit effort by a devoted group of league members.

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