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[\*E312]

HON. SCOTT McINNIS

of colorado

in the house of representatives

Tuesday, March 2, 1999

Mr. McINNIS. Mr. Speaker, today I am introducing a bill to give permanent protection as wilderness to the heart of the Spanish Peaks area in Colorado.

The bill is cosponsored by several of my colleagues from Colorado, including Mr. Schaffer, whose district includes the portion of the Spanish Peaks within Las Animas county. I am also pleased to be joined by Mr. Hefley, Mr. Tancredo, and Mr. Mark Udall of Colorado. I greatly appreciate their assistance and support.

Today, across the Capitol, Senator Allard is introducing an identical companion bill. I would like to extend my appreciation to the Senator for his active support of this worthwhile legislation.

Finally, I would offer a note of appreciation and thanks to the former Members of Congress whose efforts made today's legislation possible. First, approximately 20 years ago, Senator William Armstrong of Colorado began this worthwhile process by proposing wilderness in Colorado, and in 1986 Senator Armstrong proposed protected status and management for the Spanish Peaks. His efforts set in place the foundation upon which today's bill is built. Second, I would like to thank the former Congressman from the Second District, Mr. Skaggs. Together, he and I introduced this legislation in the 105th Congress, which passed the House but due to time constraints did not pass the Senate. The efforts by both of these individual legislators helped make this bill possible.

The mountains known as the Spanish Peaks are two volcanic peaks in Las Animas and Huerfano Counties whose Native American name is Wayatoya. The eastern peak rises to 12,683 feet above sea level, while the summit of the western peak reaches 13,626 feet.

The two served as landmarks not only for Native Americans but also for some of Colorado's other early settlers and for travelers along the trail between Bent's Old Fort on the Arkansas River and Taos, New Mexico.

With this history, it's not surprising that the Spanish Peaks portion of the San Isabel National Forest was included in 1977 on the National Registry of Natural Landmarks. The Spanish Peaks area has outstanding scenic, geologic, and wilderness values, including a spectacular system of over 250 free standing dikes and ramps of volcanic materials radiating from the peaks. The State of Colorado has designated the Spanish Peaks as a natural area, and they are a popular destination for hikers seeking an opportunity to enjoy an unmatched vista of southeastern Colorado's mountains and plains.

The Forest Service reviewed the Spanish Peaks area for possible wilderness designation as part of its second roadless area review and evaluation--known as RARE II--and in 1979 recommended designation as wilderness of 19,570 acres. Concerns about private land inholdings in the area prompted Congress, in the Colorado Wilderness Act of 1980, to instead provide for its continued management as a wilderness study area.

A decade later, the Colorado Wilderness Act of 1993 included provisions for long-term management of all the other wilderness study areas in our State's national forests, but meanwhile questions about the land-ownership pattern in the Spanish Peaks area had prompted the Forest Service to change its mind about designating it as wilderness. That, in turn, led to inclusion in the 1993 wilderness bill of a requirement for its continued management of that area as a wilderness study area for 3 years--until August 13, 1996. The 1993 bill also required the Forest Service to report to Congress concerning the extent of non-Federal holdings in the likelihood of acquisition of those holdings by the United States with the owner's consent.

The required report was submitted in 1995. It indicated that within the wilderness study area, there were about 825 acres where the United States owned neither the surface nor the mineral rights, and about 440 acres more where the United States owned the surface but not the minerals. Since then, through voluntary sales, the United States has acquired most of the inholdings. Today only 166 acres of inholdings remain, and the Forest Service is in the process of or making efforts to acquire 134 of those acres. So the way is now clear for Congress to finish the job of protecting this outstanding area by designating it as part of the National Wilderness Preservation System.

The bill I am introducing today would designate as wilderness about 18,000 acres of the San Isabel National Forest, including both of the Spanish Peaks as well as the slopes below and between them. This includes most of the lands originally recommended for wilderness by the Forest Service, but with boundary revision that will exclude some private lands. I would like to note that Senator Allard and I have made significant efforts to address local concerns about the wilderness designation, including: (1) adjusting the boundary slightly to exclude certain lands that are likely to have the capacity for mineral production; and (2) excluding from the wilderness a road that locals use for access to the beauty of the Spanish Peaks.

The lands covered by this bill are not only striking for their beauty and value but also for recreation. They fully merit the protection that will come from their designation as wilderness. The bill itself is very simple. It would just add the Spanish Peaks area to the list of areas designated as wilderness by the Colorado Wilderness Act of 1993. As a result, all the provisions of the act--including the provisions related to water--would apply to the Spanish Peaks area just as they do to the other areas on that list. Like all the areas now on that list, the Spanish Peaks area covered by this bill is a headwaters area, which for all practical purposes eliminates the possibility of water conflicts. There are no water diversions within the area.

Mr. Speaker, enactment of this Spanish Peaks bill will not be the last step in protecting the Federal lands in Colorado. As this bill demonstrates, when an area is appropriate for wilderness designation and when all the outstanding issues have been satisfactorily addressed, the Colorado delegation will respond with appropriate legislation. I would also note that other protection short of the absolute wilderness designation may be appropriate in certain cases, and I would encourage Coloradans, the counties, local users and interests who would be impacted to consider this possibility when discussing how to best utilize public lands within Colorado.

I will continue to work to achieve appropriate levels of protection for the pristine and beautiful areas within Colorado. Mr. Speaker, I close by urging the Congress to act without delay to pass this important measure for the Spanish Peaks area of Colorado.