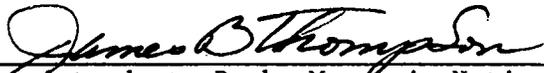


U.S. DEPARTMENT OF THE INTERIOR

FINAL LAND PROTECTION PLAN
Rocky Mountain National Park, Colorado

Prepared
and
Recommended
by



Superintendent, Rocky Mountain National Park

12/14/84
Date



Acting Regional Director, Rocky Mountain Region

3/19/85
Date

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SUMMARY
 LAND PROTECTION PLAN
 Rocky Mountain National Park
 (as of 4/30/84)

1.	Current Ownership		
	Federal (NPS Jurisdiction)	264,202.81 acres	
	State and Local Governments	121.57 acres	
	Private Ownership	904.42 acres	
2.	Number of Tracts Remaining to be Protected	87 parcels	
3.	Methods of Protection or Exclusion Proposed		
	Fee Acquisition--NPS	801.27 acres	(82.0%)
	Less-than-fee Acquisition	38.86 acres	(3.9%)
	Cooperative Agreement	(0.86)acres	()
	Adequately Protected	1.57 acres	(0.2%)
	Exclude from Park	130.64 acres	(13.4%)
	Exchange	4.53 acres	(0.5%)
4.	Statutory Acreage Ceiling	None	
5.	Funding Status		
	Authorized Acquisition Ceiling	None	
	Authorized to Date	\$2,423,740	
	Appropriated to Date	\$2,411,556	
	Unappropriated Balance	\$ 12,184	
6.	Top Priorities		
	Water Right Easements	(102.63)acres	
	Visitor Access/Development	156.59 acres	
	Significant Resources	163.31 acres	
	Aesthetics	526.33 acres	
7.	Special Considerations	None	

I. INTRODUCTION

When Rocky Mountain National Park was established in 1915, its 229,062 acres of land included more than 11,000 acres of private lands. These properties consisted of patented lands, based upon Homestead, Timber and Stone, and Pre-emption entries, plus a number of reservoirs, irrigation ditches, and mineral claims. Then as a result of subsequent boundary changes over the last 65 years, another 2,000 acres of private lands became incorporated within the park. Acquisition was based upon policies established since inception of the National Park Service.

In May of 1982 the Department of the Interior published in the Federal Register a policy statement for the "Use of the Federal Portion of the Land and Water Conservation Fund". This new policy applies to the National Park Service and, among other things, requires that all Land Acquisition Plans be updated and revised to (1) change the name to "Land Protection Plan"; (2) more specifically identify the lands which need to be in Federal ownership to achieve management purposes and public objectives; (3) use, to the maximum extent possible, cost effective alternatives to direct Federal purchase and, when acquisition is necessary, acquire only the minimum interest needed to meet management objectives; (4) cooperate with landowners, other Federal, State and local governments and the private sector to manage land for public uses or protect it for resource conservation; and (5) assure that the plans for land acquisition and resource use or protection consider the attendant sociocultural impacts and that the most outstanding areas are adequately managed.

On January 3, 1983, the National Park Service published in the Federal Register its own "Land Protection Policy". This notice withdrew the previous "Land Acquisition Policy" and set in motion the procedures which, in accordance with the new Departmental Policy, will eventually produce an approved Land Protection Plan for each area of the National Park System having non-Federal land within its boundaries. The final interpretive rule for instructions in the preparation of land protection plans was published in the Federal Register on May 11, 1983.

The major issues to be addressed by the Land Protection Plan are identification of the means necessary to provide sufficient resource protection, to provide for public use, and to establish priorities for protection. However, the Land Protection Plan should not be interpreted as an offer to purchase land or interests in land. It will generally serve as a guide in subsequent activities. It is subject to availability of funds and other constraints and does not diminish the rights of any non-Federal landowner.

II. PURPOSE OF PARK AND RESOURCES TO BE PROTECTED

A. THE PARK'S PURPOSE

Rocky Mountain National Park was established to protect a mountainscape which was being misused and abused. The alpine tundra, glacial-carved mountains and the accompanying elk and bighorn form the most significant part of the park. Ninety-three percent of the park is managed as wilderness and proposed for wilderness designation. Because of this significance, the park received international recognition (October 21, 1976) as a Biosphere Reserve, a part of the United Nations program on "Man and the Biosphere."

B. RESOURCE DESCRIPTION AND USE

The park is divided into five management categories consisting of the Historic, Development, and Natural Zones. The Natural Zone is subdivided into the Outstanding Natural Feature, Natural Environment, and Research Natural Area Subzones.

1. Natural Zone

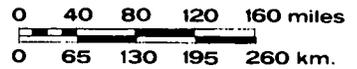
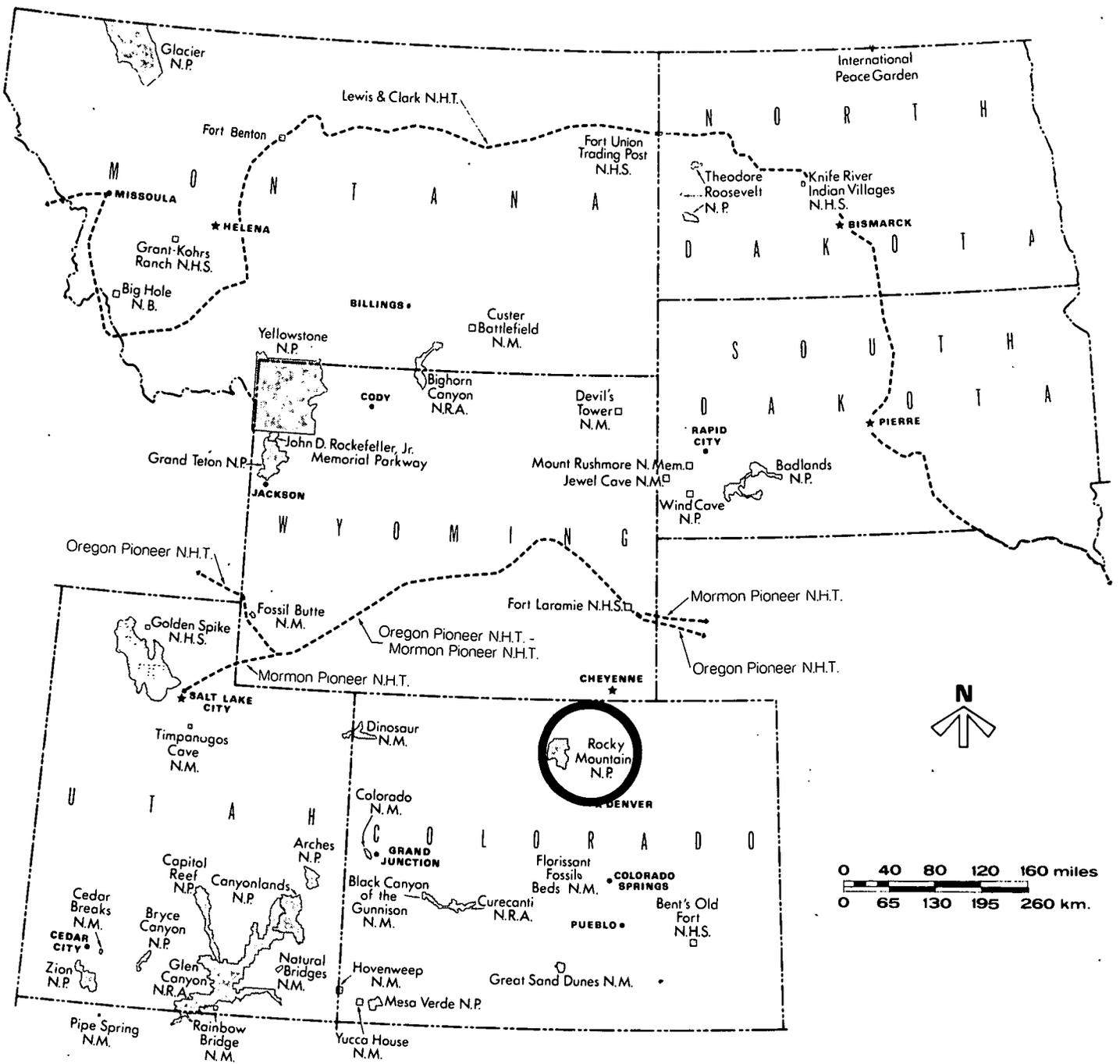
a. Outstanding Natural Feature Subzone

Included within this subzone is the spectacular highcountry of the park, containing a glaciated mountainscape and the magnificent alpine tundra--the essence of Rocky Mountain National Park. This area, primarily above 11,000 feet, comprises about one-third of the park, or 88,000 acres. It is also the undisturbed habitat for bighorn, a symbol of the highcountry. Research has documented the fragile character of the tundra, and high priority must be given to the protection of this significant resource.

The narrow two-lane 1930's-constructed Trail Ridge Road winds from the lower valleys at 8,000 feet to its highest point of 12,183 feet. Visitor use facilities along the route include two paved trails, scattered parking pull-offs, and a visitor center/store complex at Fall River Pass. Sensitivity of the ecosystem mandates regimentation and channelization of visitor use through paved trails, fenced-off areas, and a tundra boardwalk. Numerous restoration sites along the road corridor evidence past visitor impact from previous years. To protect the resource remote from the road, overnight camping is restricted to below treeline. The Eureka Ditch water right owned by the City of Loveland is located within this subzone.

b. Natural Environment Subzone

This area consists of the mountainscape below treeline, providing a scenic foreground for the splendor of the highcountry. Acreage is estimated at 148,775 acres. Much of the subzone is within the recommended wilderness area. It is here that most of the overnight



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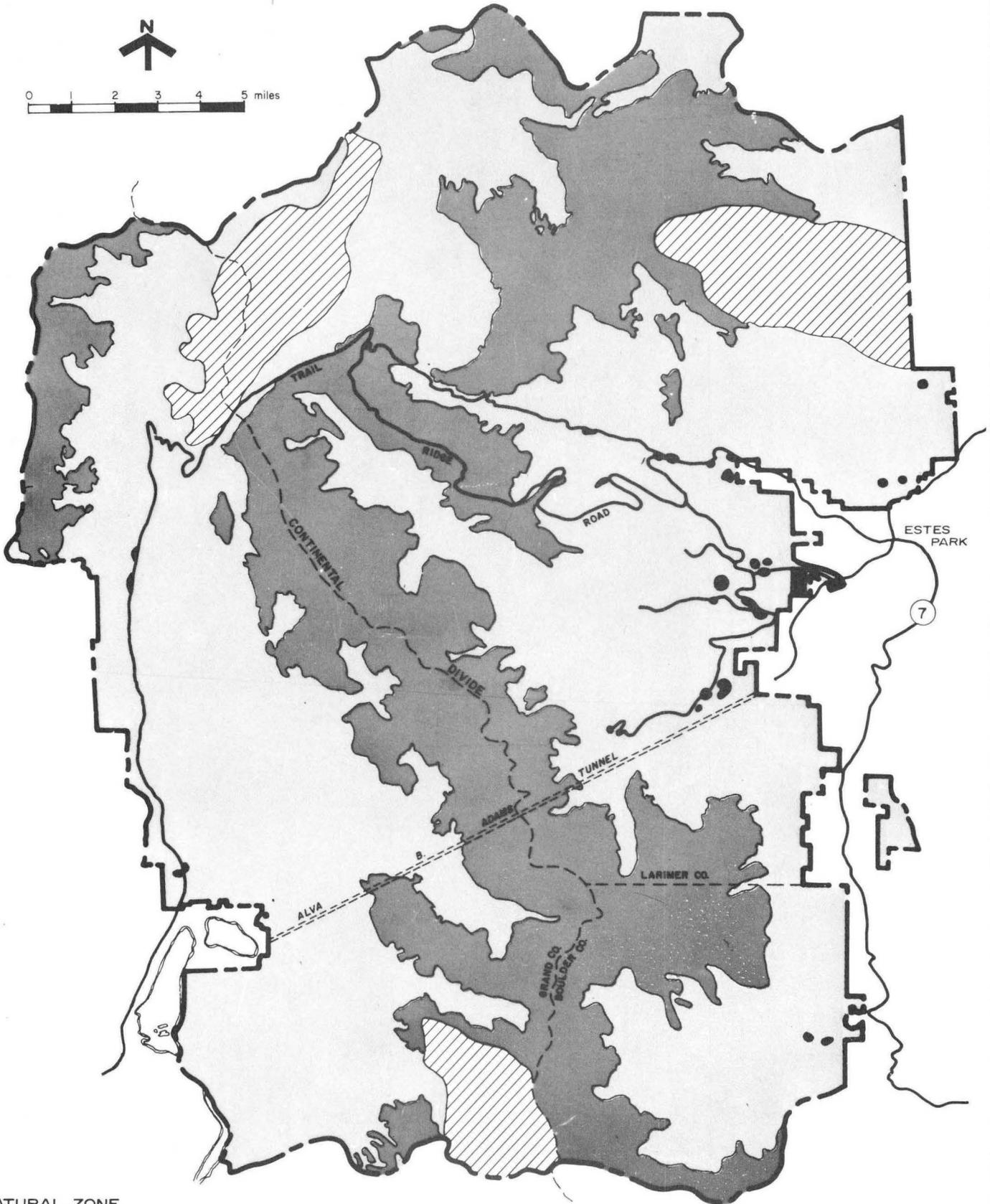
- Locations of Major Cities
- ★ Locations of State Capitals
- ▭ State Boundary Lines
- ▭ National Park Service Areas
- National Park Service Historical Trails

ROCKY MOUNTAIN REGION

National Park Service
 United States Department of the Interior



0 1 2 3 4 5 miles



NATURAL ZONE

-  outstanding natural feature subzone
-  natural environment subzone
-  research natural area subzone

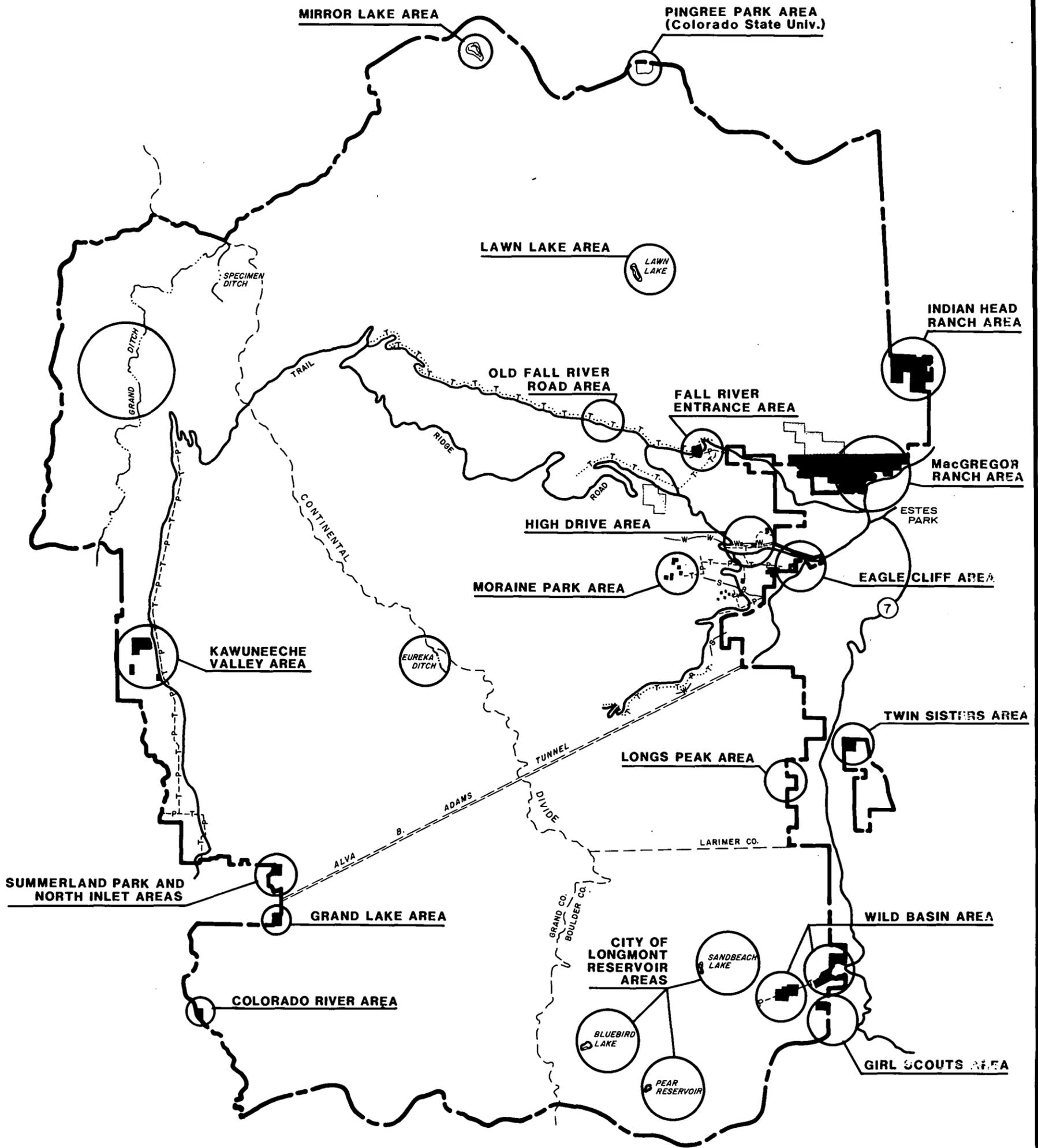
DEVELOPMENT ZONE



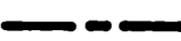
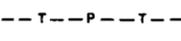
-  park boundary
-  road

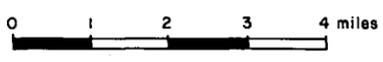
Sheet 1 of 2
Existing Land Management & Use
 Rocky Mountain National Park
 Boulder, Grand, & Larimer Counties Colorado
 United States Department of the Interior National Park Service

121 | 80,059A
 May '82 | RMRO



Legend

-  private land
-  grazing rights
-  life tenancy land
-  park boundary
-  road
-  power/telephone line (aerial)
-  power/telephone line (buried)
-  water line
-  sewer line



**Non Federal Ownerships - By Areas
Identified in the Land Protection Plan - 1983**

Rocky Mountain National Park
Boulder, Grand, & Larimer Counties Colorado
United States Department of the Interior - National Park Service

121 | 80,076
3-85 | RMPD

camping occurs, either in crosscountry zones or at designated campsites. This area also includes the remaining park road system, access routes to water rights, campgrounds, entrance stations, information kiosks, picnic areas, trailhead parking areas, and reservoirs.

The backcountry is essentially managed as wilderness, while the remaining area, known as the frontcountry, is managed as the primary visitor use area. The Wild Basin reservoirs, Lawn Lake (reservoir), Mirror Lake water right, the Grand River Ditch, and Specimen Ditch are all located within this subzone. Some scattered parcels of non-Federal property are also located within this subzone.

c. Research Natural Areas

Three areas, all within the wilderness recommendation, have been established within this category--Specimen Mountain (9,056 acres), West Creek (9,043 acres), and Paradise Park (5,760 acres). In these areas totaling almost 24,000 acres, only day use activities are authorized, with overnight stays and horse use prohibited. They are a part of a worldwide system of natural areas for scientific and educational purposes which has been established by the International Biological Program. Natural processes are allowed to predominate and act as important baselines against which man-caused changes elsewhere can be measured. Only foot traffic is allowed. Since the research natural areas are recommended for inclusion in the wilderness proposal, permanent structures or facilities will not be permitted. No non-Federal properties are located within this subzone.

2. Historic Zone

Eight sites accepted to the National Register for Historic Places and four sites proposed for the Register, totaling 1,416 acres, are included within the historic zone. Accepted sites include the Grand River Ditch, Moraine Park Lodge, North Inlet Shelter Cabin, William Allen White Cabins, Lulu City, Shadow Mountain Lookout, Leiffer Cabin and the Holzwarth Historic Districts. Proposed sites include Dutchtown, Old Fall River Road Historic District, Ute Trail, and the Utility Area Historic District. Management direction will include protection, maintenance and restoration, and interpretation. The State Historic Preservation Officer is consulted on the acquisition of any properties 50 years of age or older to determine the eligibility for inclusion on the National Register of Historic Places. The Lynn property, located in Moraine Park, is considered historic and is recommended for historical perpetuation through a Memorandum of Agreement. All of the remaining private properties have been photographed but not surveyed for historical resources.

3. Development Zone

This zone includes 768 acres of lands where non-historic park development and intensive use substantially alter the natural environment. Classified as developed zones are the entire Utility

Area complex, five major campgrounds, two liveries, Grand Lake Entrance complex, Fall River Pass complex, Wild Basin Ranger Station and residence, Fall River Entrance complex, Bear Lake complex, Hidden Valley Winter Use Area, Hollowell Park Picnic Area, and Beaver Meadows Entrance Station. These areas will be managed as needed for administrative and recreational purposes. Most of the non-Federal properties are located within this zone.

The non-Federal lands pose no concerns with either Federal- or State-listed or candidate rare, endangered, or threatened plant and animal species. In addition, none of the non-Federal lands pose any concern for the park's cultural resources.

C. EXTERNAL INFLUENCES

Rocky Mountain National Park has a boundary approximately 124 miles in length. Forest Service lands border more than 77 miles (62%) of the park, private lands almost 46 miles (37%), and State lands slightly more than one mile (1%). Among the possibilities for aesthetic degradation of these contiguous lands are logging, land developments, and urban encroachments. Those of lesser significance are grazing, forest disease/pest infestations, and wildland fires. Perhaps the two greatest threats are subdivision developments in open meadows contiguous with the park, primarily in Larimer County, and Forest Service logging of the eastern slopes of the Never Summer Mountains visible from Kawuneeche Valley and Trail Ridge Road.

The greatest potential for land development exists in Larimer County where 71.6% of the private lands bordering the park exists. Coupled with this data is the fact that much of this land is open meadow with a scattered ponderosa pine forest. Much of the open space in the Estes Valley area is being developed with numerous subdivisions and, lately, condominium developments. Urban encroachment is basically concentrated near Estes Park and the Town of Grand Lake. Commercial strip development has occurred along the Estes Park approaches (U.S. 34 and 36) to the park, and along the U.S. Highway 34 approach on the west side.

The present management program is primarily administrative, since the park has no jurisdictional authority on lands exterior to the park boundary. Administrative actions consist of park input to Forest Service Land Use Plans, County Comprehensive Master Plans, County Open Space and Recreation Plans, Subdivision hearings, County Zoning Variance hearings, Planning Commission meetings, and similar opportunities. The present plan consists of developing a close liaison with the County Planning Commissions, Town and City Planning Commissions, Boards of County Commissioners, Forest Service, State Forest Service, Colorado Division of Wildlife, and other agencies or organizations whose actions could affect the park.

D. ACQUISITION DIRECTIVES OR CONSTRAINTS

1. Policy Implementation

Land acquisition in all areas of the National Park System is executed in accordance with the provisions of applicable legislation, including Public Law 91-646, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. This latter-cited statute requires fair and equitable treatment of owners from whom property is acquired and provides many benefits to both owners and tenants.

2. Legislative Background

Legal Basis for Acquisition--The Act of January 26, 1915 (38 Stat. 798) specified that Rocky Mountain National Park was "...hereby reserved and withdrawn from settlement, occupancy, or disposal under the laws of the United States and said area is dedicated and set apart as a public park for the benefit and enjoyment of the people of the United States...with regulations being primarily aimed at the freest use of the said park for recreational purposes by the public and for the preservation of the natural condition and scenic beauties thereof." The Act also specified that the rights of any claimant, locator, or entryman to the full use and enjoyment of his land would not be affected, and that no lands held in private, municipal, or State ownership would be affected by or subject to the provisions of the Act. No specific mention was made on the acquisition of non-Federal inholdings.

The Act of January 26, 1915 was amended on June 9, 1926 (44 Stat. 714) to include the provisions of the Act of August 25, 1916 establishing the National Park Service and all applicable Acts supplementing or amending the Acts establishing the park and the National Park Service. Therefore the Act of August 8, 1953, as amended (16 USC §1c(b)), provides that the provisions of the Inholding Acquisition Act, 16 USC §452a, are applicable to all areas of the National Park System. Furthermore, the Act of February 14, 1917, which added certain lands to Rocky Mountain National Park, authorized Secretarial acceptance of donated lands.

The authority for acquiring privately owned lands within the park is also referred to in the Act of August 31, 1954, 68 Stat. 1037, as amended, 16 USC §452a. The Act authorizes the Secretary to accept donations of money and match those funds, using the aggregated amounts to purchase inholdings within the existing boundaries of any National Park.

Condemnation is considered to be a sovereign power of the Federal Government. The authority of the United States of America to spend public money for the acquisition of privately owned land for park purposes through the process of condemnation (eminent domain) has been considered by the courts as constitutional since 1896. See United States v. Gettysburg Electric Railroad Company, 160 U.S. 668 (1896).

The Act of August 1, 1888, 40 USC §257 gives the Secretary authority to condemn realty where he is authorized to acquire it for public uses, whenever he deems it necessary or advantageous to do so. The Secretary has authority to acquire inholdings within Rocky Mountain National Park by virtue of the Act of August 31, 1954, 68 Stat. 1037, 16 USC 452a and by subsequent appropriation acts. It has been established by the courts that 40 USC §257 together with only an appropriation for the purpose by Congress satisfies the question of the Secretary's condemnation authority.

Additional authorities have been considered in developing alternative protection methods for Rocky Mountain National Park. The Land and Water Conservation Fund Act, as amended, provides for purchase and sell-back or lease-back of property, under certain conditions. In addition, provisions in the Internal Revenue Code encourage donations of land or interests in land for conservation purposes by allowing deductions from taxable income for qualifying contributions.

III. NON-FEDERAL OWNERSHIP - LANDS AND WATERS

A. CURRENT OWNERSHIP

	<u>Parcels</u>	<u>Acres</u>
1. <u>Undeveloped Land</u>	29	535.60
2. <u>Developed Land</u>		
a. Homes and Cabin Sites	49	159.48
b. Ranch Properties	2	229.00
c. Commercial Developments	6	51.22
d. Water Development	1	1.57
e. Existing Dams (Easements)	5	(102.63)
(1) City of Longmont; Pear, Sandbeach and Bluebird Dams (declared unsafe for water storage by State of Colorado).		
(2) Farmers Ditch Supply Co., Loveland; Lawn Lake Dam (breached during the July 1982 dam failure).		
(3) Town of Estes Park; Cascade Lake Dam (demolished by the Lawn Lake flood of July 1982).		
e. Irrigation Ditches		
(1) Water Supply & Storage Co., Fort Collins; Grand River Ditch and Specimen Ditch.		
(2) City of Loveland; Eureka Ditch.		
(3) Mitchell Ditch (Tonahutu Creek)		
(4) Harbison Ditch (Grand Lake Entrance; NPS owns portion)		
(5) Black Canyon Ditch (MacGregor Ranch)		
(6) Dannels Ditch (Girl Scouts of America)		
(7) Griffith Ditch (Eagle Cliff/Hdqtrs.)		
f. Water Pipelines		
(1) Black Canyon Pipeline (Town of Estes Park)		
(2) Hondius-Cascade Lake Pipeline (Town of Estes Park)		

(3) Tritch Pipeline (N. Deer Mountain)

(4) Dice Water System (Eagle Cliff)

(5) YMCA Water System (East Portal)

g. Water Rights (Impoundment)

(1) Mirror Lake (Mirror Lake Partners)

B. COMPATIBLE USE

Compatible uses of land are those actions specified below that do not appreciably alter the status quo of a specific parcel. Compatible activities include the following:

1. Normal maintenance and upkeep of private property.
2. Minor modifications to existing structures and small outbuildings as long as there is no marked increase in the elevation or the floor space of the original structure. Approval of the modifications would be contingent on receipt of a building permit from the county in which the development is located.
3. Repairs and reconstruction to comply with safety or sanitation codes.
4. Replacement of roofing or siding.
5. Shoring up structures threatened by subsidence or erosion of soil.
6. Repair or replacement of utility lines.
7. Ranching operations considered part of the historic scene.
8. Normal maintenance and upkeep of reservoirs, dam structures, and water ditches.

Structures may be razed and replaced so long as the new structure is essentially the same size both as to floor space and elevations, is designed to serve the same purpose as its predecessor, and occupies essentially the same site. Internal or external renovation or remodeling of an existing structure is acceptable, provided the structure will continue to be used for the same purposes as before. The Park Superintendent should be notified of any of the above changes. When the present owners anticipate a change in ownership, other than within the immediate family, they should notify the park so that an offer to purchase can be made if funds are available.

In Appendix "A", the Priority Listing of All Non-Federal Ownerships in Rocky Mountain National Park, the short-term protection recommendation is listed as "No Action." The intent of this "No Action" option is to

take no action as long as the owners continue present compatible use and do not elect to sell voluntarily. It should be emphasized that the owner can retain the property "long term" as long as his use remains compatible. This right would also continue for any subsequent owner. The National Park Service, however, needs to develop a program which would encourage landowners to continue compatible uses. Each interested landowner would be contacted on a regular basis, perhaps annually, to discuss mutual plans or proposed changes. Since some landowners prefer to minimize their contacts with the National Park Service, a mutually acceptable system of contact would have to be developed.

C. INCOMPATIBLE USE

An analysis of the Resource Protection Study, Section V, indicates that most of the ownership uses are compatible. As a result the short term protection recommendation is listed as "no action" as long as use remains compatible. The Service will take action to acquire any tract where proposed use or development could cause significant or irreparable damage to the park resources or is incompatible with park values. The following are examples of incompatible uses:

1. On presently unimproved land--

Subdivision, including splits in ownership or sell-offs of any portions of the land; construction or development of any kind; timbering, strip mining, initiation of new uses affecting park resources, or intensification of current uses that adversely affect visitor use or park resources.

2. On presently developed land--

a. Major alterations to existing structures or new construction having one or more of these characteristics:

--New separate residences or new residences physically linked to the existing structure.

--Increased damage to resources, scenery, or the historic scene.

--Replacement of a major structure with one that is substantially different in size, location or purpose from its predecessor.

--Impairment of historical integrity of an identified historic structure.

b. Expansion of existing uses to a point where they cause significant and irreparable damage to the scenic, cultural or natural resources of the area.

3. On any private lands within the park boundary--
 - a. Conversion of non-commercial property to commercial uses.
 - b. Clear and significant or irreparable damage to natural, scientific, or cultural resources, including topographic changes or disruptions of natural drainage patterns, or disturbance of natural vegetation or wildlife.
 - c. Creation of hazards that endanger the safety of park visitors.
 - d. Major increase in commercial use or traffic at access or crossing points on main park roads, resulting in hazardous conditions.

Notice will be given the owner when a state of incompatibility occurs. If the landowner persists in the identified incompatible use, the Service will initiate a request for acquisition.

D. EXISTING AUTHORITIES AFFECTING PROTECTION ALTERNATIVES

1. Jurisdiction

Ninety-eight percent of the park is managed under exclusive jurisdiction, with the remainder, the more recently added areas, being only proprietary. Operational jurisdiction on the approximately 1200-acre MacGregor Ranch was retained by the Trustees of the ranch. This was done so that hunting, under the control of the Trustees and the Colorado Department of Fish and Game, could continue. The National Park Service, however, does administer the trail corridors and park developments on the ranch to respond to visitor needs.

2. Zoning

In addition to the guidance or controls defined as compatible or incompatible acts, property owners are responsible for complying with whatever State or local zoning or development controls are in effect. A State law commonly referred to as Senate Bill 35 (passed the Colorado legislature May 5, 1972) states that division of single tracts of land into parcels smaller than 35 acres each in size constitute a subdivision and was therefore required to go through a detailed subdivision process. Boulder County's proposed Comprehensive Plan states (1.03) that Boulder County Land Use Regulations shall be developed to establish a maximum land use density in the Forestry Zone that shall not exceed one (1) dwelling unit per thirty-five (35) acres.

The Superintendent encourages property owners to discuss proposed changes in ownership or structural improvements to the property with him/her.

In an area of exclusive jurisdiction the County and State have no authority to zone. However, any land use regulations established in Rocky Mountain National Park by the Superintendent should be drafted to higher standards than surrounding county zoning if the purposes of the park are to be achieved.

E. CURRENT STATUS ACQUISITION/PROTECTION PROGRAM

When Rocky Mountain National Park was established in 1915, its 229,062 acres of land contained more than 11,000 acres of private lands. Those parcels consisted of patented lands, based upon various land laws, plus a number of reservoirs, irrigation ditches, and mineral claims. Then as a result of subsequent boundary changes, another 2,000 acres of private lands became incorporated within the park.

A summary of the acquisition methods utilized since the park was established and the amount of acreage involved is as follows:

	<u>Acquisitions</u>
Withdrawal	249,186.93 acres
Exchange	419.08 acres
Transfer	5,502.85 acres
Donation	198.34 acres
Purchase-fee	13,184.10 acres
Condemnation (complaint)	5.49 acres
Rights-of-way	3.78 acres
Declaration of Taking	585.24 acres
Conservation Easement	1,221.05 acres
Total	270,306.86 acres
	<u>Dispositions</u>
Disposal/exchange	37.60 acres
Disposal/other (P.L. 96-560)	6,066.45 acres
Total	6,104.05 acres

The present acreage within the park boundaries now totals 265,192.86 acres.

As of April 1984, private and public non-Federal lands totaled 975.30 acres, involving 87 individual parcels (see Appendix A). On December 22, 1980, the boundaries of Rocky Mountain National Park were revised to exclude two parcels totaling 96 acres of private and municipal properties under two ownerships, and include an additional 1,792 acres, involving 10 owners and 10 parcels of private lands. The key areas include Kawuneeche Valley, Fall River, Moraine Park, Wild Basin, MacGregor Ranch and Indian Head Ranch.

Comprehensive data is unavailable on the number of inholder structures acquired by the National Park Service since the park was established in 1915. A partial history of acquisition, however, is available from records kept since the mid-1950's. According to these records, 358 structures were acquired and 187 razed since 1959; some of these structures were constructed by the Park Service. It can be assumed that several hundred additional structures were acquired and razed between 1915 and 1959. At present a total of 103 inholder acquired structures remain within the park:

Permanent residence	7*
Seasonal residence	70
Life Estate/Occupancy	13
Historical structures	13

Most of the historical structures are included on the National Register of Historic Places.

*#281 - Moved from original location into Headquarters Housing Area
 #458 - " " " " " " " " " "
 #605 - " " " " " West Side Hdq. Housing Area
 #668 - Located in approved DCP Housing Area, Headquarters
 #680 - " " " " " " " " "
 #714 - " " " " " " " " "
 #717 - " " " " " " " " "

F. SOCIOCULTURAL IMPACTS

The private properties that remain in Rocky Mountain National Park consist primarily of summer cottages, plus three commercial developments, several year-round residences proposed for exclusion, three ranch properties, and five reservoir sites. Much of the private land has been retained within a family, and some parcels even subdivided to allow additional family development. Many of the cabins have either been expanded, improved, or rebuilt; some, however, have retained their historic weathered appearance.

A total of 975.30 acres (of non-Federal lands) have been evaluated for various protection alternatives. Among the methods of protection are 801.27 acres for fee simple acquisition; 4.53 acres for exchange or transfer; 130.64 acres for exclusion, and 38.86 acres for Conservation Easements. Another category evaluated was the 102.63 acres of easements for water developments.

Most of the property, 229.00 acres or 23.4%, involved ranch properties. One of the ranches was included within the park by Public Law

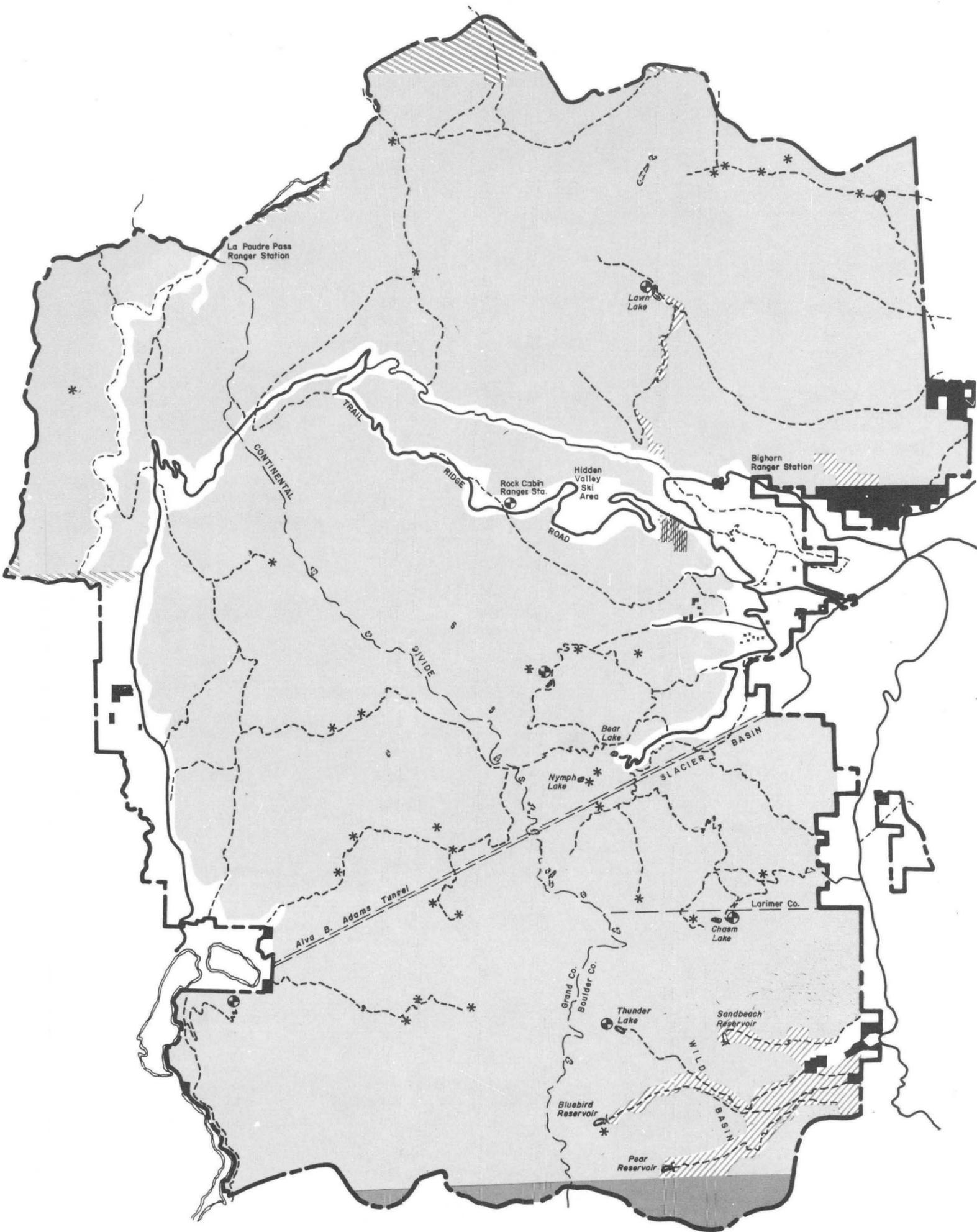
96-560; the remaining ranch property only includes a 9.0-acre portion of a larger ranch located outside of the park. It was included when the park was established in 1915. Negotiations for a Conservation Easement for the MacGregor Ranch, 1221.05 acres, were completed on October 1, 1983. Included within this transaction were 11.52 acres of fee simple acquisition proposed for park developments. The Indian Head Ranch, a 220-acre guest ranch, was included within the park by the owners who at that time were interested in selling their property to the park.

Only four commercial properties, two summer motel operations, one cabin operation and one propane gas storage area, are located within the park. Two of the properties, the Machin Cottages, 8.22 acres, and Graves Gas storage yard, 1.51 acres, are recommended for exclusion from the park. Cascade Cottages, 24.30 acres, and the Wild Basin cabins, 17.19 acres, however, are recommended for fee simple acquisition.

The remaining non-Federal lands include 535.60 acres of undeveloped property and 50 improved properties, 176.67 acres, primarily with summer cabins. Several year-round residences in the Headquarters-Eagle Cliff area are recommended for exclusion from the park. The Land Protection Plan recommends fee simple acquisition of 39 cabins totaling 135.60 acres. Since most of these landowners are not interested in selling their property to the park, the Land Protection Plan recommends that no action be taken as long as the owners continue their present compatible use. The effect of this management recommendation should pose minimal impact on the landowner. The primary impact would be on the owners of unimproved property, since development would be considered an incompatible act, and immediate acquisition would be sought. Acquisition of the cabins would pose a social impact rather than an economic impact, since all of the improvements are "second home" vacation cabins.

The last category considered in the Land Protection Plan is the water right. Among the water rights proposed for acquisition or relocation are the three reservoirs owned by the City of Longmont (Bluebird, Pear and Sandbeach); the breached Lawn Lake reservoir owned by the Farmers Irrigation Ditch and Reservoir Company of Loveland; the breached Cascade Dam owned by the Town of Estes Park; the proposed Mirror Lake reservoir owned by the Mirror Lake Associates; the Eureka Ditch owned by the City of Loveland, and the Grand River Ditch owned by the Water Supply and Storage Company of Fort Collins. Except for the Grand River Ditch for which no foreseeable action is proposed, all of the involved parties are interested in negotiating with the park to either relocate their impoundment rights outside of the park, to exchange their water rights, or to sell them outright. Acquisition, therefore, would not pose a hardship upon the interested parties.

In summary, the overall impact of the Land Protection Plan recommendations should be minimal and primarily social. The primary impact will be on those landowners who propose to develop their unimproved properties, since the Land Protection Plan considers this action as an incompatible use.



LEGEND

- park boundary
- road
- - - trail

- * primitive campsite-sanitary control point
- ☉ glacier
- ⊕ fire lookout-ranger cabin

WILDERNESS

- non-Federal land
- ▨ life tenancy land
- wilderness area
- recommended wilderness area
- ▨ potential wilderness addition
- ▨ to be assessed for potential wilderness addition
- without wilderness potential

Wilderness Map

Rocky Mountain National Park
Boulder, Larimer, and Grand Counties Colorado
United States Department of the Interior-National Park Service



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IV. PROTECTION ALTERNATIVES

The Act establishing the park and various subsequent acts relating to land acquisition authorized the Secretary "to acquire lands and interests in such lands by donation, purchase with donated or appropriated funds, or by exchange." -

Several alternatives were considered for protecting land to carry out the purposes of the park. The most appropriate for use of Rocky Mountain National Park and those deemed to be most cost effective are:

- No action as long as owner continues present compatible use and does not elect to sell voluntarily;
- Cooperative agreements, with owners maintaining title to the land;
- Acquisition of less-than-fee interest (easements);
- Acquisition of fee simple title;
- Land use regulations;
- Exchange;
- Donation.

Several of these alternatives are discussed in the "Resource Protection Study", V. Discussion in this section therefore is limited to those not covered in the Resource Protection Study and to definition of terms and additional data as needed to clarify each alternative means. Historically, up to the last decade, the intent has been to acquire privately owned lands within the park in fee. The acquisition of an easement on the MacGregor Ranch has been a notable recent departure from this policy.

A monitoring system would need to be developed for less than fee acquisition protection methods to assure compliance with the less than fee condition. Protection methods would be reviewed and landowners consulted at regular intervals. The agreement would provide authority for the National Park Service to enter the property to verify compliance or to manage lands.

A. COOPERATIVE AGREEMENTS

Cooperative agreements may provide for exchange of services and financial assistance. Cooperative agreements are flexible and may include provisions for access, interpretive services, maintenance and restoration of structures, development of necessary facilities, and other functions. Such agreements may be applied where there is to be a continued operating relationship between the parties.

A cooperative agreement is proposed for the Lynn property, 0.86 acres (04-125), adjacent to the William Allen White property which is listed on the National Register of Historic Places. This property forms part of the historic scene east of the Bear Lake Road. The memorandum of agreement would allow preservation of the historical integrity of the building; it would also allow the National Park Service historic architects access for documentation.

The Secretary is authorized to enter into cooperative agreements with owners of properties to allow public access, construction or rehabilitation of roads, trails, and other facilities on real property not in Federal ownership, and may maintain and operate programs in connection therewith as he deems appropriate. In addition, cooperative agreements on privately owned land may be used as an interim protection measure when funds are unavailable for acquisition.

B. EASEMENTS

The National Park Service recognizes that it is not necessary to own a fee simple interest in all land in order to assure its protection and appropriate use. Therefore, scenic and/or restrictive easements may be acquired where public and private land uses are currently compatible with park purposes, but permanent assurances of such uses may be necessary.

Easements constitute an interest in land in the form of a property right and follow the land so as to be binding upon subsequent owners. An additional advantage of acquiring an easement on private property is that the property remains on the tax rolls. Easements can place development and use restrictions on the land to assure that private uses will remain compatible with the preservation and public use of the park. Right-of-way easements are included in this category. The right-of-way easement may provide public or administrative uses of private property for specific purposes without acquiring fee title to the property. The acquisition of rights-of-way is generally for roads, trails, and utility corridors needed for park use and development.

In 1983, a Conservation Easement was concluded on the MacGregor Ranch. The natural and historic scene associated with the ranch, 1221.05 acres, is an example where present use is compatible with the objectives of the park and it is desirable that such use continue. There, ranch operations are a continuation of the historic scene. Therefore, all that is needed is assurance that it will not be replaced by some incompatible use (see Appendix C, Memorandum of Agreement). Conservation Easements are also proposed for the Stonecliff Association property, 0.06 acres (04-150), and the Kemp property, 38.80 acres (03-126). An easement on the Stonecliff Association spring development would allow continuance of the water right, but would preclude any obtrusive facility development. It is located adjacent to Glacier Creek, a popular fishing stream. The easement on the Kemp property would prevent adverse development along the North Inlet Trail corridor. Both the Kemp property and the Johnstone property were included within the park by Public Law 96-560 to provide improved access for the park visitor. These two easements would also provide authority for the National Park Service to enter the property to monitor compliance. The total acreage proposed for Conservation Easements is 38.86 acres.

C. FEE ACQUISITION

A fee simple interest will be acquired where natural or historic resources require permanent protection; where land is needed for visitor use development; where existing and potential land uses adversely intrude upon the scene, and/or where it is necessary to consolidate the land base for effective resource management and visitor use. Fee simple title transfers all rights of ownership, in this case, to the Federal Government, and therefore provides maximum resource protection and provides for visitor use development. In addition, fee simple title is required where it is necessary to remove structures and other improvements from the park.

The majority of parcels would be acquired by this protection alternative. Emphasis would be given to those parcels or water rights which are located in the Outstanding Natural Feature Subzone or the Natural Environment Subzone. A total of 801.27 acres or 82.0% of the non-Federal inholdings is proposed for fee simple acquisition. Thirty-nine of the parcels have summer cabins located on them; most of these parcels are either located in scenic areas or heavy visitor use areas in Wild Basin, Moraine Park, or Fall River.

D. EXCHANGE

Federal properties identified for exchange must be in the same state as the park (Colorado). The properties considered must be of equal value or provision made for a cash payment to equalize the exchange. The only parcel proposed for exchange is a 4.53 acre parcel in Wild Basin; the owner requested consideration for this option.

E. DONATIONS

Owners of privately owned land within the park may donate land or interests in land to the park. There may be tax advantages, but landowners should consult with their tax adviser. If the donors wish they can make the donation either outright or with a reservation of use and occupancy for life or a term up to 25 years. Over the years 37 parcels totaling 198.34 acres have been donated to the park; 3 parcels, totaling 3.78 acres were donated as right-of-way easements.

F. OTHER OPTIONS

Owners may continue to own property and to make minor improvements to existing structures limited to uses or activities defined in III.B. as compatible with the purposes of the park.

Or, they may freely sell on the open market or transfer or will the property to their heirs. The Superintendent would appreciate being notified if the owner plans to put the property on the open market so that an offer to purchase can be made if funds are available.

G. ACQUISITION METHODS AND ASSISTANCE

1. Relocation Assistance

Public Law 91-646, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, entitles landowners, tenants and others to certain payments, provided they are displaced by a Federal land acquisition program. The entitlements include housing differential, moving expenses, and other incidental expenses involved in selling a property and/or in relocating. Any person lawfully occupying a dwelling must be given at least a 90-day notice in writing, after the date of closing and the owner has received payment for the property, of the date by which the property shall be vacated.

There are specific limits to the amount of relocation payments. These payments are in addition to the purchase price of the property and are not taxable under Federal taxes. Public Law 91-646 describes the entitlements and prerequisites required to establish eligibility. Relocation advisory services will be provided to all persons displaced from the park by the acquisition of their property. In order to be eligible for a housing cost differential, a displaced person must purchase and occupy a replacement dwelling no later than one year from the date of move or final payment for the property, or from the date of move from the Government-acquired dwelling, whichever is later. Application for benefits must be filed within 18 months from the date of move from the Government-acquired dwelling or the date of receipt of final payment for that property, whichever is later.

However, should the landowners elect to sell and retain use and occupancy of the premises, one of the conditions of such reservation is that the owner waives replacement housing benefits under Sections 203, 204, 205 and 206 of P.L. 91-646.

2. Emergencies

As described in II.D.2., Legal Basis for Acquisition, p. 9, properties may be acquired where the proposed use could significantly or irreparably damage park resources or would be incompatible with park values, regardless of priority, and if no other effective means of preventing damage is available. In these instances, the National Park Service will immediately attempt to acquire and pay just compensation for such land or interest in land. If this fails, authority will be requested for the filing of a Declaration of Taking in order to prevent resource damage.

3. Hardship

The Congressional Record of June 4, 1981 describes hardship cases as follows:

Hardship cases will ordinarily dictate the use of the LWCF for land acquisition in those instances where failure to proceed

with acquisition would result in the loss of a significant and unreasonable amount of financial outlay by the proposed seller, or unreasonable deprivation resulting from financial hardship associated with the seller's reasonable expectations regarding the acquisition. Hardship as defined here would be similar to notions associated with zoning status defining grounds for variances, and would generally mean actions that are unduly oppressive, arbitrary, or confiscatory.

As in all cases, the National Park Service shall attempt to reach a negotiated settlement for the property. Should there be a disagreement as to the fair market value of the property, after good faith negotiations have reached an impasse, the Park Service may proceed with condemnation action so that the acquisition can be completed and the amount of just compensation set by the Court.

V. RESOURCE PROTECTION STUDY

ANALYSIS OF REMAINING NON-FEDERAL LANDS:

The non-Federal lands, including water rights, are scattered throughout the park in twenty-two geographical clusters. Most of these are located east of the Continental Divide, and all except the water rights and one small parcel are accessible by road. There are no land parcels which exist deep within the interior of the park, and several are contiguous with the park boundary.

An analysis of the non-Federal lands reveals that they can be separated into several general categories--intruding, either on the attractiveness of the park's entrances or on the natural scene in a major use area; affecting wildlife or vegetation management; impeding visitor access; negating potential visitor use developments; and adding to the park's maintenance costs. Some parcels involve one or more of these categories. Since the water rights involve different issues, they were considered separately.

Reservoir Easements and Water Rights--The master plan for the park recommends that, if the opportunity ever occurs, all manmade storage reservoirs within the park should be eliminated and the "point of taking" moved outside of the park. Five reservoir easements plus several irrigation or diversion ditches qualify for this consideration.

Three of these reservoirs--Pear, Sandbeach and Bluebird--are located in the Wild Basin section of the park. All three have been determined to be in unsatisfactory condition. The City of Longmont is willing to sell their impoundment rights if the purchase can be successfully negotiated.

The Lawn Lake dam, located on the Roaring River drainage, failed on July 15, 1982. The flooding was brief but of unprecedented severity; flood damages were estimated at \$30,000,000. The flooding also swept away the Town of Estes Park's Cascade Lake diversion dam on Fall River. Although a legal determination has been made that the Town of Estes Park can reconstruct the diversion dam, the Town has expressed interest in selling its interests to the park.

Activities for the proposed Mirror Lake dam near the northern boundary of the park have been limited to survey work relative to a determination of reasonable diligence. An application for use of public domain land, however, was never approved.

Concern for the five reservoir sites relates to adverse effect of fluctuating unnatural water levels, artificial earth-rock and concrete dam structures, and public safety. The Mirror Lake drainage is a pristine, high elevation (11,000') glacially carved cirque, a popular visitor destination area.

for 25
go to p. 41

Discontinued

several old structures, subsequent to an historic preservation evaluation. Acquire in fee simple the remaining properties.

Option D--Obtain a Memorandum of Agreement with selected owners to develop an appearance harmonious with the rustic and natural scene.

Option E--Acquire in fee simple only those improved properties which are highly visible; utilize life estates or right of occupancy options as applicable. Defer acquisition of any interest in the remaining properties as long as existing use does not intensify or change to an incompatible or adverse use.

Recommendation: Option A/C. The short-term option for improved properties is to take no action as long as the owner continues present compatible use and does not elect to sell voluntarily. The long-term option would be to eventually acquire in fee simple all of the parcels west of the Bear Lake Road. It should be emphasized that the owner can retain the property "long-term" as long as use remains compatible. This right would continue for any subsequent owner. Priority for acquisition will be those most visible. The Lynn property adjacent to the William Allen White property (National Register of Historic Places) forms part of the historic scene east of the road. It is recommended as a short-term option to pursue a Memorandum of Agreement to preserve the historical integrity of the building exterior. Long term, however, it is recommended that the parcel be acquired in fee simple to place the entire historic complex under Federal ownership. Most of the remaining properties, however, intrude upon the natural setting under the various categories (see Option Summary, page 50).

6. Headquarters-Eagle Cliff

Description: Like the Moraine Park area, this area was excluded from the original Park Act due to the extensive development of private lands. The area was subsequently included, then excluded, but finally included through Presidential Proclamation on January 11, 1932. Additional lands, including an approach road corridor, were added in 1949. An additional 320 acres were added in 1956. Since the area was densely settled with cabins, some debate developed on whether it should be added to the park. Since the park was established, 91 parcels of land totaling 422.74 acres have been acquired in the Headquarters/Eagle Cliff area, including the approach road corridor. Eleven parcels totaling 20.90 acres remain in the area immediately to the south and southeast of the Headquarters complex. All of the properties are improved. Cabins are located on six parcels totaling 11.12 acres; one motel complex is scattered on three parcels totaling 8.22 acres; a propane gas storage site is situated on a 1.5 acre parcel almost contiguous with the park boundary; and a small spring development is on a tiny .06-acre lot adjacent to Glacier Creek. The Eagle Cliff Development Plan, June 13, 1973, recommended this area for park employee residential and maintenance facility development. The plan also recommended that all of the remaining non-Federal lands be eventually acquired.

5. Moraine Park

Description: Moraine Park is a lovely open meadow area bounded by two forested glacial moraines. As a result of its outstanding scenic setting, the area was densely settled early in the history of the park. Most of the land suitable for human use, including every meadow, was privately owned. Included were hotels, lodges, camps, and even a golf course. Moraine Park was not included within the original Park Act. Even after being included, it was again deleted from the park in 1926. An Act approved by Congress on June 21, 1930, again added Moraine Park to the park by Presidential Proclamation. Twenty-four parcels totaling 26.86 acres are still under private ownership; only four of the properties are unimproved. Since the park was established, 42 parcels totaling 1,517.22 acres have been acquired, or 98.3% of the total amount of private property within the Moraine Park area.

Protection Issues: Moraine Park is a primary visitor use area, as well as a primary elk and deer winter range. Since the establishment of the park, private land has been acquired to restore the natural scene, to develop visitor use facilities, and to restore primary wildlife habitat. A campground has been developed, trails constructed, a concession livery provided, picnic facilities provided, and an old lodge converted to a visitor center. An intensive restoration/rehabilitation program has returned much of the acquired parcels to a natural scene--old cabin sites, lodge sites, and abandoned road corridors are slowly becoming overgrown. Miles upon miles of barbed wire fencing have been removed, and only a few weathered posts remain as evidence of past grazing activities.

The few remaining cabins still intrude upon the panoramic natural scene of the entire valley. In one location, a trail was routed over a steep ridge to avoid cabin developments at its base. Due to the development, water and road systems have to be maintained; in 1982 an access bridge had to be reconstructed to provide safe access for the cabin developments south of the Big Thompson River. Several landowners provide salt and food for the wildlife, which tends to concentrate them unnaturally. In addition a telephone/electrical transmission line is required to serve the area; periodic clearing is required to maintain the right-of-way.

Protection Options:

Option A--Acquire all of the properties in fee simple; utilize life estate or right of occupancy options as applicable.

Option B--Encourage donations of the undeveloped properties.

Option C--Obtain a Memorandum of Agreement with the owner to preserve the historical integrity of the exterior of

Option C--Donate the property to the park. The present owners inquired about this possibility.

Option D--Acquire the property in fee simple.

Recommendation: Option A. Since the parcel contains no significant park resources and is essentially too steep for development, it is recommended that it be excluded from the park. Past development proposals have received stringent review from the various planning commissions, and the possibility of obtrusive development is minimal.

4. Johnstone Property

Description: An approximately 40-acre parcel, including two separate tracts, was added to the park by Public Law 96-560, December 22, 1980. The Osgood property, an unimproved parcel of 19.85 acres on the Storm Pass Trail, was donated to the park in 1979. The boundary was changed to incorporate this donation on August 6, 1979 through publication of a notice in the Federal Register. The 40-acre parcel originally was jointly owned by Osgood and Johnstone. The Johnstones wanted their property included in the park and were willing to sell it to the Federal Government.

Protection Issues: The 1979 Boundary Study recommended inclusion of the entire 40-acre parcel within the park to improve visitor access for the Storm Pass Trail. Inclusion of this portion of the trail within the park will allow expenditure of Federal funds for maintenance. The present trail corridor lacks adequate drainage and is heavily eroded; the portion of the Storm Pass Trail on this parcel, however, is minor. Most of the trail is on the donated Osgood property.

Protection Options: The 1979 Boundary Study recommended inclusion of the 40-acre parcel within the park; during the study, the donated Osgood property was included within the park by a separate action. At one time the owners considered donating the parcel, but decided to either sell it fee simple, or use the option of a conservation easement.

Option A--Acquire the remaining property in fee simple.

Option B--Acquire a Conservation Easement over the entire tract to preclude development; and a right-of-way easement for the Storm Pass Trail.

Option C--Exclude the property. Surveys have indicated that only a minor section of the Storm Pass Trail is on the parcel.

Recommendation: Option C. The short-term option would be to take no action; the long-term option, however, would be to delete the parcel from the park.

Protection Options:

Option A--Acquire parcel in fee simple with a reservation in the sale agreement for continuance of the present camp use.

Option B--Obtain a Conservation Easement precluding development. Allow continuance of present use.

Option C--Exclude the parcel from the park. During the 1979 Boundary Study, the Girl Scout organization requested exclusion from the park. No significant park resources would be involved.

Option D--Exchange the parcel with another parcel of Federal land outside of the present park boundary but within the State of Colorado.

Recommendation: Option C. Since the parcel contains no significant park resources and is essentially inaccessible to the park visitor, it is recommended that the parcel be excluded from the park. This recommendation would be consistent with the owner's request for exclusion.

3. Twin Sisters

Description: This property consists of an unimproved 38.2-acre parcel on the steep northwest portion of Twin Sisters. The property within the park is a portion of a 100-acre parcel extending to Highway 7. The 1979 Boundary Study recommended transfer of Twin Sisters to the Forest Service; the Public Law 96-560 deleted this recommendation. No significant park resources are contained in this parcel.

Protection Issues: An undated subdivision plat in park files proposes subdividing the portion within the park into six lots. The entire subdivision appears to be about 320 acres with 82 lots. Due to the steepness of the property within the park, however, it would be impractical to develop the area. The present owners have considered a reapportionment of their property relative to the 35-acre requirement for subdivision development; the park property would not be developed. Several development proposals within the Tahosa Valley area have been disapproved by the Larimer County Planning Commission. It is doubtful that a subdivision such as proposed on the plat would be approved.

Protection Options:

Option A--Delete the parcel from the park. It has no significant resource values for park protection.

Option B--Obtain a Conservation Easement to preclude the possibility of development, even though a remote possibility.

Protection Options: Several options were presented in the July 1979 Rocky Mountain National Park Boundary Study; the study recommended inclusion of all private and municipal properties within the park.

Option A--Acquire in fee simple all parcels, including the Copeland Lake reservoir site; contingent on the recommendations of the proposed Wild Basin Development Concept Plan.

Option B--Acquire in fee simple all private parcels; exclude the remaining portion of the reservoir site (43 acres) from the park.

Option C--Exclude the property to the north of the reservoir site; includes two parcels of private property (50.17 acres).

Option D--Exclude all private property from the park. Same as Option B, plus the two parcels of private property south of the reservoir site. This option would only retain the two 80-acre parcels of Forest Service land added to the park.

Recommendation: Option A. The situation at this location is similar to that within the interior of Wild Basin. The recommended short-term option on improved property is to take no action as long as the owners continue present compatible use and do not elect to sell voluntarily. The long-term option would be contingent on the proposed Development Concept Plan for the area. Action on acquisition should be deferred until a DCP for the Wild Basin Area is completed. When the DCP is completed, the "Priority of Acquisition" should be reassessed.

2. Girl Scouts of America Property

Description: This parcel involves 40 acres of undeveloped property, primarily an open meadow area utilized for outdoor education and other Scouting activities. The property inside the park was a portion of a large ranch just outside of the park. The original owner did not want to sell the portion of his ranch inside the park to the Government, since he felt it would be detrimental to the overall sale value of the ranch. The Girl Scouts of America purchased the entire 200-acre ranch in 1960.

Protection Issues: Several minor trespasses and misunderstandings have arisen over the years, since neither the Girl Scout organization nor the park knew where the exact boundaries were located. According to the files, minor development is planned for the park portion of the Girl Scout Camp. The area is inaccessible for the general park visitor; the trails in the area are primarily used by the camp. In addition, the parcel contains no significant park resources. If the entire ranch is sold by the Girl Scout organization, it is possible that it could be subdivided. The land immediately south of the ranch is the Triple Creek Subdivision. The predominant zoning category for the mountains of Boulder County is the Forestry (F) Zoning District. Boulder County, however, is currently discouraging residential subdivision development.

Option B--The non-Federal properties would be allowed to remain but would be acquired in fee simple when the opportunity arises. Life estates or reservations of use and occupancy would be granted as appropriate.

Recommendation: Option B. The non-Federal lands are in a heavy visitor use corridor and are potential development areas. The recommended short-term option is to take no action as long as the owners continue present compatible use and do not elect to sell voluntarily. The long-term option would be contingent on the proposed Development Concept Plan for the area. One owner is interested in exchanging his undeveloped property for a parcel outside of the park; the National Park Service supports this option. Action on acquisition should be deferred until a Development Concept Plan (DCP) for the Wild Basin Area is undertaken. When the DCP is completed, the "Priority for Acquisition" should be reassessed.

Wild Basin (Exterior)--

Description: This area was added to the park by Public Law 96-560, December 22, 1980. Included within the addition were 160 acres of Forest Service land, 77 acres of City of Longmont land, and 78.82 acres of private land, including 17.19 acres of commercial cabin development. The City of Longmont property is contiguous with another 43 acres within the park; the City acquired a conditional decree for the storage of 1,420 acre-feet of water in 1915. The present Copeland Lake dam, contained within the larger reservoir site, was constructed in 1916, but stores only 75 acre-feet of water at present. The Public Law recommended acquisition of the private land by donation or purchase with donated or appropriated funds, but allowed the City of Longmont the option of excluding their property from the park. They requested exclusion on May 11, 1981.

Protection Issues: The purpose of this alternative was to reduce congestion around an entrance to the park through improved vehicle and trail access. The present situation provides a totally confusing and inadequate access to the park. A Development Concept Plan is proposed for the area to determine if any development is needed and what that development should be; the plan should be completed by 1986. Most of the private land surrounding the reservoir site (78.82 acres) was under one ownership during the study. Since then the parcel has been divided into two parcels and a portion (2 acres) sold to another property owner. The City of Longmont notified the Secretary to exclude their property from the park, but no boundary revision was published in the Federal Register according to park files. The possibility exists for development of the 1,420-acre-foot reservoir, plus subdivision of the surrounding property. The result would virtually eliminate the possibility of improved access to the park and destroy a large willow marsh which provides habitat for beaver and many bird species. Boulder County identified the area of special interest due to the unique willow carr habitat. Development of the reservoir has been highly controversial with the local community.

Recommendation: Option C. If the opportunity to acquire the Grand River Ditch system becomes available, the National Park Service should acquire the right-of-way. Until that opportunity becomes available, however, the operation of the ditch should be monitored in accordance with ROMO-N-16, Grand River Ditch Management to assure that no resource damage occurs to adjacent park lands.

B. NON-FEDERAL LANDS

1. Wild Basin

The Wild Basin area has three basic groupings of non-Federal lands: (1) The interior portion has seven parcels totaling 68.29 acres; (2) the mouth of Wild Basin has six parcels totaling 198.82 acres; and (3) an area to the south contiguous with the boundary has one parcel belonging to the Girl Scouts totaling 40 acres. Since each presents a distinct situation, they will be discussed separately:

Wild Basin (Interior)--

Description: Wild Basin was first settled in 1898 when a patent for 120 acres was issued to James S. Jenks through a Denver Timber & Stone cash entry. In 1921, Mr. Harold G. Slusser purchased 80 acres, and subsequently sold 40 acres to William W. Hall. The park acquired its present terminus parking area and ranger station in 1950. The Deer Haven Lodge was acquired in 1966, and a large segment of undeveloped land east of the lodge in 1967. The remaining private lands are located in the heart of Wild Basin; four cabins are scattered about the area.

Protection Issues: Options for visitor use development have been limited by the strategic location of this remaining private property. In 1941, however, the Master Plan for the park addressed development of a campground on the private land. A subsequent planning effort in 1971 recognized the infeasibility of developing or designing around private land. Acquisition of the property south of N. St. Vrain Creek was recommended for development of a nature trail. The plan recommended relocating the campground and trailhead parking, and the realignment of private road access. A new Development Concept Plan, scheduled for completion by 1986, is now being proposed. In 1964 one parcel (16.01 acres) was subdivided into four smaller parcels, thus compounding the private ownership situation in Wild Basin.

Protection Options:

Option A--The non-Federal properties would be allowed to remain if use remains compatible with park purposes. The cabins are rustic and well kept and blend in harmoniously with the mixed conifer forest.

Option B--Pursue negotiations with the City of Loveland to purchase their water right and allow the water to flow naturally on the West Slope.

Recommendation: Option B. The recommended short-term option would be to purchase the water rights with the City of Loveland and to allow the water to flow naturally on the West Slope. The present situation provides an opportunity to minimize additional disturbance by eliminating maintenance activities.

6. Colorado River Drainage

Description: The Grand River Ditch diverts water from the Never Summer Mountains, while a branch of the ditch, Specimen Ditch, extends along the west side of Specimen Mountain, diverting water from Specimen Creek. Construction was started on September 1, 1890. The right-of-way easement for the ditches was granted in 1907 under provisions of the Act of 1891, when the land was under the jurisdiction of the Forest Service. Operated by the Water Supply and Storage Company of Fort Collins, Colorado, the ditches are entitled to divert 524.6 cubic feet of water per second under a water right established in the Colorado District Court in 1906. The water diverted from the Colorado River drainage system is used for irrigation purposes in the vicinity of Fort Collins.

Protection Issues: Over a period of years, park lands adjacent to the right-of-way have sustained extensive damage from the spilling of large quantities of water into unnatural drainages, and from slippage of unstable slopes above and below the ditch. The scarring and erosion result in an aesthetic impact as viewed from Trail Ridge Road. The facility was placed on the National Register of Historic Places on September 29, 1976; actions that affect it should go through the Section 106, 1966 National Historic Preservation Act, review process.

Protection Options:

Option A--Allow the ditch to continue; it is a legal water right. Monitor the operation to minimize resource problems. The owners are not interested in selling the right.

Option B--If the opportunity arises, acquire the right-of-way, and restore the site to a natural condition. It is recognized that the structure is on the National Register of Historic Places, and also that restoration of natural conditions would be exceedingly difficult and expensive.

Option C--If the opportunity arises, acquire the right-of-way, and allow the streams to flow naturally into the Colorado River drainage. Interpret the abandoned facility as a historic structure, but allow it to deteriorate.

Option B--Possible action by the owners against the United States based upon some allegation of rights.

Option C--Acquire the conditional water rights. Include the area now identified as a Potential Wilderness Addition within designated wilderness.

Recommendation: Option C. Since the conditional water right does not include an easement for use of public domain, the only reasonable alternative is to acquire the water right. It is recommended as a short-term option in order to clear the threat to this lovely high elevation cirque. Since the thrust of the park master plan is to relocate existing water storage rights ("point of taking") outside of the park, it would be unreasonable to allow construction of an entirely new reservoir within the park.

As long as the water right exists in private ownership, there will be a potential threat that an easement may be granted and a reservoir or diversion structure constructed. Such action would forever alter pristine wilderness. The only alternative that will guarantee protection for future years is the acquisition or exchange of the water right.

5. Continental Divide

Description: The Eureka Ditch, located on the Continental Divide, is a 4,500-ft. long diversion ditch which diverts water from the West Slope to the East Slope. The water right owned by the City of Loveland was approved on August 20, 1903; the City claims 94.6 acre-feet/year based upon a 20-year average dating from 1940-1968. During preliminary negotiations, the City of Loveland offered to sell the water rights to the National Park Service. The options of exchange for surplus Federal water rights, or to allow the water to be transported through the Adams Tunnel, were not considered viable by the city.

Protection Issues: The Eureka Ditch is located in the heart of the wilderness within Rocky Mountain National Park. It is the only alien water right or inholding located within the Outstanding Natural Feature subzone. The City of Loveland proposes to clean out the dike and to reconstruct the weir facility which is currently in a state of disrepair. The ditch and water measuring devices are considered an intrusion upon the natural scene; the area is above treeline within the tundra ecosystem.

Protection Options:

Option A--Allow the ditch to be cleaned out and the weir to be reconstructed. Abandon the effort to acquire the water right, accepting the visual intrusion upon the natural scene and the unnatural diversion of water.

construction is in the same location, the dam the same size, and the dam is used for diversion and not storage.

The greatest protection issue revolves around continued stream flow sufficient to maintain the necessary aquatic habitat and the intrusion of a manmade structure located on a natural flowing stream and in a natural setting. The Town's water diversion rights exceed the stream flows during much of the year. If plans for a new diversion structure are exercised, portions of the Fall River in the park, particularly near Aspen-glen Campground, may be dry for major portions of the year.

Protection Options:

Option A--Allow the reconstruction of the diversion system.

Option B--Acquire the Town's rights to divert water for hydropower purposes.

Recommendation: Option B. As the dam no longer exists, there is an opportunity to eliminate it entirely from the boundaries of the park.

4. Mirror Lake Drainage

Description: The Mirror Lake drainage was partially included when the park was established in 1915, later excluded because of the water right in 1926, but again included in 1980 when the park boundaries were revised. The water rights for 822.9 acre feet were filed in 1925; an application for use of public domain land, however, was never approved. A Conditional Decree awarded by the Court on December 30, 1971 was supported by a determination of reasonable diligence in 1978 and 1982. Activities relative to the reservoir have been limited to survey work; the drainage is entirely natural and uninfluenced by any construction activities.

Protection Issues: The Mirror Lake drainage is a pristine, high elevation (11,000') glacially carved cirque, a popular visitor destination area. The 1981 Wilderness recommendation proposed a 25-acre Potential Wilderness Addition to include the Mirror Lake water rights. This Wilderness category would allow the area to be included within designated wilderness once the water rights are acquired. The primary issue is the potential disturbance of reservoir construction in a pristine wilderness area.

Protection Options:

Option A--Allow reservoirs to be constructed.

Park. The reservoir easement, filed in 1903, provided for use of 42.6 acres of public domain. Due to the dam failure, the impoundment was returned to a natural lake level with vast exposures of barren reservoir bottom land.

Protection Issues: When functional, the Lawn Lake Reservoir had an adverse effect upon the landscape because of fluctuating water levels and an artificial earth-rock dam structure. As a result of the impoundment easement and access corridor, 500 acres were excluded from the park's wilderness recommendation. If the dam were reconstructed, additional disturbance would occur in the area.

Protection Options:

Option A--Allow the reservoir to be reconstructed; abandon the master plan concept of relocating the "point of taking" outside of the park.

Option B--Acquire the reservoir easement. Relocate the storage outside of the park and consider restoration of the site.

Recommendation: Option B. The recommended short-term option is to acquire the impoundment rights within the park. Since the dam is breached and the reservoir bottom land is being invaded with plant life, it would be opportune to acquire the rights as soon as possible. Some stabilization of the outlet may be required to minimize further drainage.

3. Fall River Drainage

Description: This drainage contained the Cascade Dam diversion structure located within the park, immediately upstream from Aspenglen Campground. It served the Town of Estes Park's small hydroelectric plant located outside the park boundaries. The Lawn Lake Dam failure of July 15, 1982 resulted in failure of the Cascade Dam, completely destroying the intake facilities and sections of the diversion pipeline and the hydroplant, as well as Aspenglen Campground.

Protection Issues: Discussions with the Town have developed to a point where the Town would be receptive to the purchase of their diversion rights within the park and have agreed to an appraisal of the value of those rights.

Pursuant to the park's master plan recommendation to eliminate all manmade impoundments within the park as the opportunity arose, the park expressed its interest in acquiring the diversion rights as early as December 9, 1982. Subsequent examination of the Town's rights revealed that the Town has the right to reconstruct Cascade Dam as long as such

A. RESERVOIR EASEMENTS AND WATER RIGHTS

The 1976 master plan recommends that, if the opportunity ever occurs, all manmade storage reservoirs within the park should be eliminated and the "point of taking" moved outside of the park. Five reservoir easements or water rights qualify for this consideration. Diversion ditches, located on the Continental Divide, the Never Summer Mountains, and Specimen Mountain also merit consideration for acquisition.

1. Wild Basin Drainage

Description: The Wild Basin drainage has three reservoir easements which are owned by the City of Longmont--Sandbeach Lake (18.54 acres), Pear Reservoir (24.43 acres), and Bluebird Lake (17.06 acres). Subsequent to the Lawn Lake dam failure on July 15, 1982, the Bureau of Reclamation examined the dams and determined that all three are in unsatisfactory condition. As a result, the State Engineer's Office required that the dams be breached or repaired.

Protection Issues; The reservoirs cause an adverse intrusive effect upon the natural scene due to unnatural water levels and dam facilities. About 4,400 acres were excluded from the park's Wilderness recommendation as a result of the impoundment easements and the access corridors. Without eventual relocation of the storage rights outside of the park, the developments and fluctuating water levels would continue to detract from the surrounding wilderness and would continue to have an adverse effect on the criteria and isolation.

Protection Options:

Option A--Allow the reservoirs to be reconstructed; abandon the master plan concept of relocating the "point of taking" outside of the park.

Option B--Acquire the impoundment rights from the City of Longmont; breach the existing dams and consider restoration of the sites.

Recommendation: Option B. The recommended short-term option would be to acquire the impoundment rights within the park. This time frame is mandated by the State Engineer's Office to breach the dams or to repair them to a safe condition.

2. Roaring River Drainage

Description: This drainage includes the breached Lawn Lake dam. On July 15, 1982, the dam failed, sending an estimated flow of 8,000 cfs down the Roaring River, Fall River and the Town of Estes

ACQUISITION OPTIONS AND RECOMMENDATIONS:

The National Park Service will protect lands within Rocky Mountain National Park for the following purposes:

1. Respond to legislative requirements.
2. To prevent alteration of natural conditions, threats to park resources or human safety, or development of undeveloped property.
3. Restore natural lake levels and stream flows.
4. Improve or ensure access and use sites.
5. Preserve significant natural or cultural resources.
6. Restore natural conditions to developed lands.
7. Preserve natural conditions on undeveloped lands.
8. To delete lands which do not possess resource values or potential National Park Service development sites.

No authority presently exists to delete lands from the park boundaries, except the authority under the Act of September 28, 1976, 90 Stat. 1317, 16 U.S.C. 4601-9, to make minor boundary changes with respect to boundaries established after January 1, 1965. This would be applicable only as to boundary revisions effected by the Act of December 22, 1980, 94 Stat. 3271, 16 U.S.C. 192b-9, and by any subsequent acts that may be enacted revising the boundaries of the park. Congressional action would be required to either grant the Secretary of the Interior that authority or an Act of Congress specifically excluding such properties in the majority of the park.

The recommendations include a "short term" and "long term" option which relates to the immediacy of the action. In those situations where the existing use does not threaten park resources, it is not necessary to acquire the property immediately. As long as the use of the land remains compatible, the owner can retain the property, pass it to his heirs, or to a subsequent landowner. Examples of this "long range" option include purposes 5, 6 and 7. In other circumstances when the existing use or right could have an adverse effect on park resources or visitor use, it is then recommended that the property or right be acquired as soon as possible. Examples of this "short term" option include purposes 2, 3 and 4. Purpose 1 is listed as "short term" since most legislative action specifies a date for accomplishment. Properties available for acquisition would move up in priority; under the opportunity purchase program, undeveloped properties would be acquired when and if funds or other means of acquisition were available. In contrast, in some circumstances those properties contiguous with the park boundary may be recommended for exclusion if they do not possess significant natural resources or potential National Park Service development sites.

This cluster of parcels involves several categories--removal of aesthetic intrusions, enhanced wildlife habitat and reduced maintenance costs. The parcels are included here, since acquisition would allow obliteration of significant secondary road sections.

Potential Park Development--The Wild Basin area provides the potential for visitor facility development, including improved access and reduced congestion. One cluster of non-Federal properties (198.82 acres) is located at the entrance to the drainage; a second cluster (68.29 acres) is located in the interior of the drainage adjacent to the present road terminus. A Development Concept Plan, scheduled for completion by the end of 1986, is proposed for the area to determine the feasibility of acquiring the property for proposed visitor use facility development. A 1971 study recognized the infeasibility of developing or designing a development around private land.

Aesthetics - Primary Visitor Use Areas--Rocky Mountain National Park was established in 1915 to protect a marvelous mountainscape of alpine tundra, glacial-carved mountains, and park-like meadows. When the land was first developed in the late 1800's and the early 1900's, those parcels with outstanding vistas were first settled. Most of these parcels have since been acquired and the landscape returned to its natural condition.

Some non-Federal land clusters, however, still exist in strategic locations, resulting in visual intrusions upon the natural scene. The most important area remaining is that within Moraine Park which provides excellent vistas of Longs Peak and the surrounding snowcapped peaks. The parcels most visible along the South Lateral Moraine are ranked high in priority for fee simple acquisition. Other summer cabin developments, however, are scattered throughout the park, disturbing the natural scene within the High Drive area, the Fall River Entrance area, and along the Old Fall River Road. All of the described areas are within the primary visitor use corridors identified in the 1976 master plan. Elimination of these summer use developments would do much to enhance the quality of the visitor experience on the park's road network.

Wildlife and Vegetation Management: No known critical habitat is located on the non-Federal parcels within the park. Acquisition of more than 14,000 acres since the park was established and elimination of lodges, motels, liveries, hayfields, pastures, cabins and a golf course has done much to reestablish the native ecosystem for the wildlife and reduced the need to manage population numbers in the park. Elimination of numerous summer cabins over the years has also decreased the artificial feeding of wildlife. Provision of salt and food for wildlife tended to concentrate them unnaturally.

Public Law 96-560, which recommended acquisition of the MacGregor Ranch, identified the need to maintain critical elk winter range and migration routes. In the Kawuneeche Valley the acquisition of the seven remaining properties will remove the need to manipulate beaver populations and their habitat. Habitat for the beaver and river otter will be therefore enhanced. No other acquisitions are recommended primarily for wildlife habitat or any special interest plant populations.

Discontinued

Kawuneeche Valley Fee simple Most of Kawuneeche Valley has been returned to a natural scene. Miles of fencing have been removed; numerous cabins razed. Of the original 1,600 acres, only 74.47 acres remain non-Federal. Acquisition of the remaining 7 parcels would complete the program.

VISITOR ACCESS PROBLEM AREAS

<u>Location</u>	<u>Method of Acquisition</u>	<u>Protection Issue</u>
<u>Wild Basin (Exterior)</u>	Fee simple	Reduce congestion around an entrance to the park through improved vehicle and trail access. Present situation involves existing cabins, a small reservoir, a municipal campground, a potential subdivision development.
<u>Indian Head Ranch</u>	Fee simple	Public Law 96-560, December 22, 1980, recommended acquisition to ensure public access to park and forest lands. The ranch trailhead is considered critical.
<u>Grand Lake Area</u>	Fee simple.	Parcel includes a scenic waterfall and would allow development of a safer route for present visitor use.
<u>Summerland Park</u>	Fee simple	A cabin site almost straddles the North Inlet Trail; a 1-1/2-mile road provides access to the cabin and a trail connection for the visitor. Acquisition would allow removal of the cabin and access road.
<u>Colorado River Area</u>	Fee simple	A portion of the Double A Bar Ranch straddles the Colorado River. The property is posted to exclude fishermen and hikers. Acquisition would allow removal of a cabin and assure unrestricted visitor use of the river corridor.

Among the irrigation and diversion ditches are the Grand River Ditch, Eureka Ditch, Mitchell Ditch (abandoned), Harbison Ditch, Dannels Ditch, and the Griffith Ditch. Only the Eureka Ditch, located on the Continental Divide is currently being considered for acquisition. The 4,500-ft. long ditch diverts water from the west slope into the Big Thompson drainage on the east slope, and is of concern since it is located in the alpine tundra, the park's most unique and fragile ecosystem. The Grand River Ditch is of concern since it forms a significant visual scar on the flanks of the Never Summer Mountains. Since all of the ditches create unnatural stream flows, they would be acquired and the sites restored as the opportunities become available.

Visitor Access--Quite a few parcels relate to enhanced visitor access to various park features. Improvement of visitor access can be accomplished through fee simple acquisition for parking developments and through trail rights-of-way combined in some situations with Conservation Easements to preclude adverse developments. Each situation will need to be negotiated with the involved landowner. The problem areas are summarized on page 26.

Continued Maintenance Costs--In some locations within the park, the Government is responsible for road and bridge maintenance. In 1982 and 1983, the park had to reconstruct several bridges which were determined to be inadequate by the Federal Highway Administration. In Kawuneeche Valley, two roads cross the Colorado River and lesser drainages within the valley; beaver activity often causes flooding problems relative to bridges and roads. Maintaining reasonable access has become a primary resource problem for management. When all of the private properties are acquired, then all of the structures and facilities, including power and telephone lines, can be removed and the ecosystem returned to its natural condition.

<u>Location</u>	<u>Method of Acquisition</u>	<u>Protection Issue</u>
<u>Moraine Park (South)</u>	Fee simple	A secondary road and bridge serve the cluster of cabins south of the Big Thompson River. All of the cabins are an intrusion upon the natural scene. Acquisition would allow removal of the facilities and road. The bridge would be retained for a horse crossing.
<u>High Drive Area</u>	Fee simple	The service road and buildings detract from the Beaver Meadows Entrance Approach. Once all of the non-Federal lands are acquired, the area can be returned to a natural scene.

Protection Issues: All of the critical property has been acquired in the Eagle Cliff section of the park. The remaining properties are of minor significance for acquisition, since no key park development sites, important park resources, or visitor use areas are involved. Some properties were simply included as a result of the rectangular system of cadastral surveys.

Option A--Consider excluding unimportant properties that are contiguous with the park boundary. An irregular boundary would result.

Option B--Allow the private properties to remain; defer acquisition of any interest as long as existing use does not intensify or change to an adverse or incompatible use.

Option C--Acquire in fee simple only those properties which are proposed for employee residential development in the Eagle Cliff DCP. Utilize life estate or right of occupancy options.

Acquire a Conservation Easement on the spring development to maintain the water development, but preclude other development.

Option D--Exclude the spring development from the park; an awkward boundary would result.

Recommendation: Option A. Those parcels not critical to the proposals within the Headquarters-Eagle Cliff Development Concept Plan (DCP) are recommended for exclusion. A Conservation Easement is recommended for the spring development to preclude adverse development. It is acknowledged that an irregular boundary will result from the exclusions.

7. High Drive

Description: This lightly settled area was not included within Rocky Mountain National Park until 1917. It was deleted in 1926 but included again in 1932. The purpose of the 1926 Act was to eliminate extensive private inholdings along the park's east boundary; the 1932 Presidential Proclamation, however, added back some of the private lands for additional winter range for deer and elk, and for administrative developments. Fourteen parcels of land totaling 2,063.12 acres have been acquired adjacent to High Drive; one parcel--1,762 acres from High Drive to the Fall River Entrance area. This area is important elk and deer winter range. The dead-end dirt road parallels the Beaver Meadows entrance road a mile beyond the park boundary. Three private properties, all improved, remain.

Protection Issues: The High Drive area within the park detracts from the Beaver Meadows Entrance approach to Rocky Mountain National Park. The long-range proposal is that, once all of the non-Federal lands are acquired, the structures, access road and utility

lines can be removed; the area can be returned to a natural scene and maintenance costs reduced. A portion of the dead-end dirt road has already been obliterated. The proposal is long range, since a life estate is involved.

Protection Options: Since the long-range goal is to enhance the entrance to the park, only one option is presented for consideration.

Option A--Acquire in fee simple. Utilize life estates or right of occupancy clause as applicable.

Recommendation: Option A. This option would complete acquisition of all private parcels accessible by High Drive, allowing removal of the developments and the access road itself. The recommended short-term option is to take no action as long as the owners continue present compatible use and do not elect to sell voluntarily.

8. Fall River Entrance

Description: This is another area that was not included in the original Park Act. It was added in 1917, deleted in 1926, and again added in 1932. Private lands were again a major issue. In addition to the expanded boundary, a road right-of-way was donated for Highway 34 outside of the park. The area was lightly settled, with most of the ownerships in large parcels. One parcel, 1,762 acres, ranged from the Fall River area down to Park Headquarters near the Beaver Meadows Entrance. Excluding the large parcel, eleven parcels of private land totaling 542.79 acres were acquired. Seven parcels totaling 53.51 acres of private land remain, including a commercial cabin complex (Cascade Cottages). Two parcels, 15.20 acres and .25 acres, remain undeveloped. One 11.61-acre improved parcel with two cabins is contiguous with the park boundary; it does not involve important park resources nor any visitor use potential.

Protection Issues: Five of the parcels are located adjacent to a heavily used park campground. Two properties, one unimproved and one an old commercial development containing 16 cabins, straddle the Fall River Entrance road; they are both owned by one individual. The undeveloped parcel (15.20 acres) north of the highway contained an abandoned dump utilized by the cabin development for quite a number of years. As a result of a visitor complaint, the park received permission from the landowner to have a youth program clean up and restore the area.

The owner had an offer from a campground developer but refused to sell his property. Numerous offers have also been received for portions of the unimproved property for cabin development. In past years the owner was willing to sell to the park. The possibility exists for the entire parcel to be acquired by a commercial developer, since the location is an ideal site. The present development consists of old, weathered buildings dating back to the early '40s.

Protection Options:

Option A--Acquire in fee simple all private parcels; this would include the cabin complex. Once acquired, the commercial development would be razed.

Option B--Acquire a Conservation Easement precluding development on the large unimproved parcel (15.20 acres).

Option C--Defer acquisition of any interest in the remaining improved properties as long as existing use does not intensify or change to an adverse or incompatible use.

Option D--Acquire in fee simple the small undeveloped parcel (0.25 acre) to preclude development.

Option E--Exclude the 11.61-acre parcel from the park; a slight boundary irregularity will occur.

Recommendation: Option A/E. Acquisition in fee simple is the preferred option since the area is within a heavy visitor use area. In general the recommended short-term option for improved properties is to take no action as long as the owners continue present compatible use and do not elect to sell voluntarily. The Winters property is recommended for exclusion, since it does not contain significant park resources.

9. Old Fall River Road

Description: This single parcel (2.20 acres) on the Old Fall River Road has a small cabin visible from the road. Since the park was established, five parcels of land totaling 535.53 acres have been acquired along the Old Fall River Road.

Protection Issues: The cabin is visible from the road and is the only cabin along the entire road. It is an intrusion upon the natural scene along a highly popular visitor use area. Camper trailers are often allowed to park in the driveway, encouraging other visitors to park their vehicles overnight on the road.

Protection Options:

Option A--Acquire in fee simple with the options of right of occupancy or life estate, whichever is applicable.

Option B--As a short-range solution, defer acquisition of any interest as long as existing use does not intensify or change to an adverse or incompatible use.

Recommendation: Option A. The long-term option of acquisition in fee simple is the preferred alternative since the development is within a primary visitor use area. All other properties have

been acquired and the buildings razed. The recommended short-term option is to take no action as long as the owner continues present compatible use and does not elect to sell voluntarily.

10. MacGregor Ranch Complex

Description: The historic MacGregor Ranch (1,221.05 acres), a 40-acre parcel of undeveloped land, and 120 acres of undeveloped Bureau of Land Management (BLM) land were included within the park by Public Law 96-560, December 22, 1980. Since that time the Bureau of Land Management has transferred their parcel to the park, and a Conservation Easement was successfully negotiated with the MacGregor Board of Trustees for the ranch property. The only property not acquired is the 40-acre parcel; the owner was willing to have the parcel within the park and is willing to sell it to the National Park Service. The Town of Estes Park water development (1.57 acres) remains as municipal property north of the ranch within the old park boundary.

Protection Issues: The entire area is very important for elk, deer and bighorn sheep range. Its strategic position lies across a major elk migration route of the park. Any further disturbance to this migration route directly impinges on the management of the elk population. Acquisition of the final 40-acre parcel would enhance wildlife management in the area. The Town of Estes Park property does not result in any management problems at the current level of operation; it may be feasible at some future date, however, that the Town of Estes Park may not need the water development due to acquisition of a significant amount of water from the Windy Gap development.

Protection Options:

Option A--Delete the 40-acre parcel from the park; do not take the opportunity to maximize the amount of deer, elk and bighorn range presently available.

Option B--Acquire the 40-acre parcel in fee simple; maximize the amount of wildlife range.

Option C--Defer acquisition of any interest in the Town of Estes Park water development as long as existing use does not intensify or change to an adverse or incompatible use. Acquire the property, however, if the Town wishes to sell it.

Recommendation: Option B/C. The "short-term" recommendation is no action as long as use remains compatible. The "long-term" recommendation, however, is to acquire the 40-acre parcel in fee simple and, if the Town of Estes Park is willing, to acquire their water development parcel in Black Canyon.

11. Indian Head Ranch Area

Description: This area was added by Public Law 96-560, December 22, 1980. Included were the 220-acre Indian Head Ranch, a 60-acre parcel of undeveloped land, and 80 acres of Forest Service land. The 1979 Boundary Study had recommended inclusion of the area to ensure public access to park and forest lands. The ranch trailhead is considered critical. The 60-acre parcel was included since it provides access to the ranch, was contiguous with the existing park boundary, and the owner was willing to include it within the park. In 1982 the Division of Wildlife leased the ranch property to allow public elk hunting.

Protection Issues: The ranch is located at a strategic location to provide access to the north boundary, Cow Creek and Black Canyon Trails. A portion of the original ranch (477 acres) inside the park was acquired in 1965, with a reservation for grazing rights until 1974. The ranch property outside of the park (480 acres) was sold to a development company who intended to exchange it with the Forest Service for Forest Service property in the White River National Forest near a proposed ski development. When the exchange was refused by the Forest Service, the property was offered to the park in 1972. The ranch was sold twice after the park was unable to acquire it. The possibility exists for extensive development which would preclude use by the public, and which could also adversely affect prime elk and bighorn sheep winter range and disturb migration routes.

Protection Options:

Option A--Acquire the ranch and unimproved property in fee simple. Convert the facility to Summer Seminar use under direction of the Rocky Mountain Nature Association, or a research center for park-related problems.

Option B--Acquire a Conservation Easement on both properties to preclude adverse development; acquire in fee simple land for a parking facility on the ranch property. This situation is somewhat similar to the MacGregor Ranch protection issue.

Option C--Exclude the 60-acre parcel from the park; this property is not critical for park development or public access.

Recommendation: Option A. The preferred alternative is acquisition in fee simple since this option would provide a facility for summer seminars as well as providing visitor access. Acquisition of both properties in fee simple is recommended as a short-term option.

12. Kawuneeche Valley

Description: The park's Master Plan recommended acquisition of the upper portion of Kawuneeche Valley. The plan identified Kawuneeche Valley as an integral part of the Colorado River headwaters

area, as a prime elk habitat, and as a lovely marsh landscape as viewed from Trail Ridge Road. On October 26, 1974, Congress authorized the addition of 1,556 acres of the Valley within the park. The Nature Conservancy acquired the Holzwarth portion of the Valley (633.74 acres) and sold it back to the Government upon Congressional approval of the boundary revision. Except for a single improved 1.40-acre parcel, all of the original Kawuneeche Valley area within the old boundary, east of the Colorado River, had been acquired by the park--twenty-eight parcels totaling 1,600.52 acres. On the new portion, seven parcels totaling 74.47 acres remain as non-Federal properties; five parcels are undeveloped. The Government owns one-third interest in a 37.72-acre parcel; the Rocky Mountain Nature Association has purchased the remaining non-Federal interest in this undeveloped property. A successful public contribution campaign has been launched to help offset their costs. Eleven parcels, totaling 1,486 acres, have been acquired. Six right-of-occupancy options and one life estate were utilized to acquire some of the parcels.

Protection Issues: Most of Kawuneeche Valley has been returned to a natural condition. Miles of barbed wire fencing have been removed and numerous cabins and lodges razed. At present 3,086.52 acres have been acquired, or 97.6% of the Kawuneeche Valley within the park. Except for one property directly accessible from Trail Ridge Road, five parcels (under two ownerships) are accessible by gravel roads which meander westerly across the open meadows. Both roads cross the Colorado River and lesser drainages within the Valley; beaver activity often causes flooding problems relative to the bridges and roads. Maintaining reasonable access has become a primary resource problem for management. The beaver ponds also provide habitat for the reintroduced river otter. The Natural Resources Management Plan discusses this problem. The long-range goal for Kawuneeche is to return it to its natural state, with some selected historic structures retained for their cultural significance. Most roads would be obliterated, bridges removed, structures razed, and telephone/transmission lines eliminated. Access to Forest Service lands to the west would be provided by NPS-owned roads to Bowen and Baker Gulches.

Protection Options:

Option A--Acquire in fee simple all seven parcels; on improved properties allow the options of life estate and right of occupancy.

Option B--Defer acquisition of any interest in the improved property adjacent to Trail Ridge Road as long as existing use does not intensify or change to an adverse or incompatible use. The remaining properties would be acquired in fee simple.

Option C--Acquire in fee simple all unimproved property; obtain all of the remaining interest in the unimproved property in which the Government now has one-third interest.

Recommendation: Option A. Acquisition of all unimproved properties is recommended for a long-term option. On improved properties it is recommended to take no action as long as the owners continue present compatible use and do not elect to sell voluntarily. The long-term option, however, is to eventually acquire the property in fee simple. It should be emphasized, however, that the owner can retain the property "long term" as long as use remains compatible. Acquisition in fee simple of the remaining properties would allow the removal of roads, buildings, and utility lines presently bisecting the valley.

13. Grand Lake Area

Description: Public Law 96-560, December 22, 1980, included three parcels of land within the park, approximately 120 acres of isolated BLM land; 38.50 acres, including Adams Falls; and 38.80 acres adjacent to North Inlet. The 38.50-acre parcel included a scenic waterfall lying just outside the existing park boundary, a small portion of the East Inlet Trail, and a scenic foreground for the proposed wilderness area of the park. The owners had no objection to inclusion of the area within the park and are willing to sell it to the National Park Service.

The 38.80-acre parcel would allow a buffer from potential development. At one time it was recommended to construct a trail across the property and a parking area on the newly acquired BLM land. It was decided, however, to improve the existing parking area near the Tonahutu River.

Protection Issues: The two parcels of private land were included within the park to provide better access to the East Inlet Trail, to include a scenic waterfall within the park, and to preclude development adjacent to the waterfall. The National Park Service is also concerned about potential development adjacent to the North Inlet Trail. The owners of the Adams Falls property are concerned about potential liability claims from persons injured as visitors seek to view the falls. They do not have any immediate plans to develop the area and would seek assurance from the park that no development such as a campground would degrade the present environment. Current zoning is Forestry and Open, except a narrow strip on the extreme western edge which is zoned Residential.

Protection Options:

Option A--Acquire both properties in fee simple.

Option B--Acquire in fee simple the entire waterfall parcel; obtain a Conservation Easement on the North Inlet parcel.

Option C--Obtain a Conservation Easement on both properties to preclude development. Acquire in fee simple the area around the waterfall.

Option D--Exclude both parcels from the park except for a narrow strip to include the waterfall and its access within the park.

Recommendation: Option B. The short-term option would be to acquire the waterfall property in fee simple and to acquire a Conservation Easement for the North Inlet parcel. This option more clearly carries out the intent of Congress in the boundary revision, Public Law 96-560, December 22, 1980.

14. Summerland Park

Description: The Summerland Park Subdivision was recorded in 1923 with 1,950 - 25' x 100' lots; only 43 lots were ever sold. The site involves large open marshy areas and inaccessible building sites. As a result the subdivision eventually became defunct. Two lots remain in private ownership, one developed and one undeveloped.

Protection Issues: The cabin site almost straddles the North Inlet Trail; a 1-1/2 mile rough dirt road provides access. The development is an intrusion within a primary visitor use corridor. A family-type backcountry site is located a short distance from the cabin. Due to the small size of the lot, the present development, including parking, occupies all of the property. The long range goal for Summerland Park would entail removal of the cabin and elimination of the 1-1/2 mile access road.

Protection Options:

Option A--Acquire the cabin in fee simple, with right of occupancy or life estate. At one time the Government had signed a contract to acquire this property, but decided to relinquish it for personal reasons of the owner. Acquire the unimproved property in fee simple.

Option B--Exchange the property for a similar but less obtrusively located property relative to visitor use. Acquire the unimproved property in fee simple.

Option C--Defer acquisition of any interest in both properties as long as existing use does not intensify or change to an adverse or incompatible use.

Recommendation: Option A. The recommended short-term option is to take no action as long as the owners continue present use and do not elect to sell voluntarily. Fee simple acquisition of both properties is recommended as a long-term option since the cabin is within a primary visitor use trail corridor and the undeveloped parcel is within a wetland ecosystem.

15. Colorado River Area

Description: A major portion of the Redwood Fisher Ranch within the park (170 acres) was acquired in fee simple in 1939. Only a 9-acre parcel, containing an access road bridge and a cabin isolated east of the Colorado River remain within Rocky Mountain National Park. The remainder of the Double A Bar Ranch is within the Arapaho National Recreation Area west of the Colorado River. The owner was interested in having this parcel excluded from the park, and was willing to exchange it for some of his property in the Arapaho NRA. The owner is interested in negotiating a sale or an exchange with the Forest Service which manages the Arapaho NRA, and with the National Park Service which is interested in the isolated tract. The owner is not interested in dividing the ranch for sale.

Protection Issues: The parcel is located strategically on the East Shore Trail between Shadow Mountain and Lake Granby. Numerous visitors fish along the Colorado River from the outlet of Shadow Mountain Lake. The private property on both sides of the river is posted, but numerous trespass incidents arise, some of a serious nature. The property on the east side of the river is fenced, and the visitor must detour around the private parcel 600' to the east and a 1,000' to the south and back to the river again.

Protection Options:

Option A--Acquire a right-of-way easement for fishermen and hikers.

Option B--Acquire the property in fee simple; coordinate with the Forest Service for acquisition of the entire ranch.

Option C--Defer acquisition of any interest as long as existing use does not intensify or change to an adverse or incompatible use.

Option D--Exchange the property with a similar property outside of the present park boundary; the owner has stated an interest in this option.

Recommendation: Option B. The recommended short-term option is to take no action as long as the owner continues present use and does not elect to sell voluntarily. The preferred long-term option is acquisition in fee simple, since this alternative would allow removal of the development and assure visitor use of the Colorado River.

PROTECTION ISSUES SUMMARY SHEET (EXCLUDING WATER RIGHTS)

<u>Inholder Area</u>	<u>Access</u>	<u>Continued Maintenance Costs</u>	<u>Potential Park Development</u>	<u>Primary Visitor Use Area</u>	<u>Interference with Wildlife or Vegetation Management</u>	<u>Aesthetics</u>
Wild Basin (Interior)			X			
Wild Basin (Exterior)	X			X	X	X
Girl Scouts of America					X	
Twin Sisters						
Johnstone Property	X					
Moraine Park	X	X		X	X	X
Headquarters - Eagle Cliff			X			X
High Drive Area		X		X	X	X
Fall River Entrance Area				X		X
Old Fall River Road				X		X
MacGregor Ranch	X		X		X	
Indian Head Ranch	X				X	
Pingree Park					X	
Kawuneeche Valley	X	X			X	X
Grand Lake Area	X			X		
Summerland Park	X	X		X		X
Colorado River Area	X			X	X	

VI. APPENDICES

A. PROTECTION CATEGORIES OF ALL NON-FEDERAL OWNERSHIPS IN ROCKY MOUNTAIN NATIONAL PARK

All of the Non-Federal properties within Rocky Mountain National Park are listed in numerical order, listing Tract Number, Owner, Location, Acreage, Development Status, Protection Recommendations and Protection Category. The Protection Category is based upon the purposes of the National Park Service to protect lands within Rocky Mountain National Park. These purposes are:

1. To respond to legislative requirements.
2. To prevent alteration of natural conditions, threats to park resources or human safety, or development of undeveloped property.
3. To restore natural lake levels and stream flows.
4. To improve or ensure access and use sites.
5. To preserve significant natural or cultural resources.
6. To restore natural conditions to developed lands.
7. To preserve natural conditions on undeveloped lands.
8. To delete lands which do not possess resource values or potential NPS development sites.

The "short term" and "long term" recommendations are based upon the above listing. Purposes one through four are listed as "short term" recommendations, while purposes five through eight are listed as "long term" recommendations. These descriptions relate to the immediacy of the action. In those situations where existing use does not threaten park resources, it is not necessary to acquire the property immediately. Available parcels, however, would move up in priority.

- B. Maps showing individual tracts by area: arranged in numerical order.
- C. Sample Conservation Easement
- D. ACT ESTABLISHING ROCKY MOUNTAIN NATIONAL PARK, Amendments and Proclamations - chronologically

Since establishment, Rocky Mountain National Park boundaries have been changed frequently. This appendix material includes all of the legislative changes since January 26, 1915.

- E. Photographs of selected parcels
- F. Environmental Assessment
- G. FONSI
- H. Record of Response

PROTECTION CATEGORY LISTING OF ALL NON-FEDERAL OWNERSHIPS IN ROCKY MOUNTAIN NATIONAL PARK
(As of April 30, 1984)

TRACT NUMBER	OWNER	LOCATION	ACREAGE	DEVELOPMENT STATUS	PROTECTION RECOMMENDATIONS		PROTECTION CATEGORY
					SHORT-TERM	LONG-TERM	
01-104	O'Brien	Kawuneeche	1.40	Developed	No Action	Fee Simple Acq.	6
01-139	Gubbins	Kawuneeche	22.70	Developed	No Action	Fee Simple Acq.	6
01-142	Johnson	Kawuneeche	3.89	Undeveloped	No Action	Fee Simple Acq.	7
01-143	Johnson	Kawuneeche	4.01	Undeveloped	No Action	Fee Simple Acq.	7
01-144	Johnson	Kawuneeche	3.89	Developed	No Action	Fee Simple Acq.	6
01-150	Nature Assoc.	Kawuneeche	0.38	Undeveloped	No Action	Fee Simple Acq.	7
01-153	Nature Assoc.	Kawuneeche	1.14	Developed	No Action	Fee Simple Acq.	6
01-155	Nature Assoc.	Kawuneeche	37.72	Undeveloped	No Action	Fee Simple Acq.	7
01-160	McLaren	Kawuneeche	0.74	Undeveloped	Fee Simple Acq.	Same	5
01-161	Nelson	Kawuneeche	0.86	Undeveloped	Fee Simple Acq.	Same	5
01-162	Nelson	Kawuneeche	0.43	Undeveloped	Fee Simple Acq.	Same	5
01-163	Nelson	Kawuneeche	2.78	Undeveloped	Fee Simple Acq.	Same	5
02-102	Spalsbury	Old Fall River	2.20	Developed	No Action	Fee Simple Acq.	6
02-105	Smith	Aspenglen	0.37	Developed	No Action	Fee Simple Acq.	6
02-106	Oliver	Aspenglen	1.03	Developed	No Action	Fee Simple Acq.	6
02-108	Davis	Hondius Park	24.30	Developed	No Action	Fee Simple Acq.	6
02-110	Davis	Hondius Park	15.20	Undeveloped	No Action	Fee Simple Acq.	7
02-111	McCreless	High Drive	11.95	Developed	No Action	Fee Simple Acq.	6
02-116	Helfers	High Drive	0.87	Developed	No Action	Fee Simple Acq.	6
02-117	Smith	High Drive	6.23	Developed	No Action	Fee Simple Acq.	6
02-166	Alldritt	Hondius Park	0.75	Developed	No Action	Fee Simple Acq.	6
02-167	McKnight	Hondius Park	0.25	Undeveloped	No Action	Fee Simple Acq.	7
02-169	Winters	Fish Hatchery	11.61	Developed	No Action	Delete	8
02-177	Estes Park	Black Canyon	1.57	Water Plant	No Action	No Action	3
02-182	Unknown	High Drive	0.48	Roadway	Fee Simple Acq.	Same	4
02-183	Estes Park	Hondius Park	-	Developed	Fee Simple Acq.	Same	3

PROTECTION CATEGORY LISTING OF ALL NON-FEDERAL OWNERSHIPS IN ROCKY MOUNTAIN NATIONAL PARK
(As of April 30, 1984)

TRACT NUMBER	OWNER	LOCATION	ACREAGE	DEVELOPMENT STATUS	PROTECTION RECOMMENDATIONS		PROTECTION CATEGORY
					SHORT-TERM	LONG-TERM	
03-101	Fisher	Colorado River	9.00	Developed	No Action	Fee Simple Acq.	4
03-102	Grubb	Summerland Park	0.06	Undeveloped	No Action	Fee Simple Acq.	7
03-103	Bruffet	Summerland Park	0.06	Developed	No Action	Fee Simple Acq.	6
03-125	Shenkin	Adams Falls	38.50	Undeveloped	Fee Simple Acq.	Same	5
03-126	Kemp	North Inlet	38.80	Undeveloped	Conservation Easmt.	Same	7
04-101	Graves	Eagle Cliff	1.51	Developed	No Action	Delete	8
04-104	Rivers	Eagle Cliff	2.48	Developed	No Action	Delete	8
04-105	Harrison	Eagle Cliff	3.13	Developed	No Action	Delete	8
04-108	Robinson	Eagle Cliff	1.88	Developed	No Action	Delete	8
04-110	Machin	Eagle Cliff	1.30	Developed	No Action	Delete	8
04-119	Machin	Eagle Cliff	1.50	Developed	No Action	Delete	8
04-122	Briber	Eagle Cliff	1.77	Developed	No Action	Delete	8
04-123	Holland	Eagle Cliff	1.62	Developed	No Action	Delete	8
04-125	Lynn	Moraine Park	0.86	Developed	Memo. Agreement	Fee Simple Acq.	6
04-128	Melvin	Moraine Park	2.04	Developed	No Action	Fee Simple Acq.	6
04-129	Stein	Moraine Park	1.09	Developed	No Action	Fee Simple Acq.	6
04-130	Stockover	Moraine Park	0.33	Developed	No Action	Fee Simple Acq.	6
04-131	Stockover	Moraine Park	0.84	Developed	No Action	Fee Simple Acq.	6
04-132	Bell	Moraine Park	0.94	Developed	No Action	Fee Simple Acq.	6
04-133	Busch	Moraine Park	0.50	Developed	No Action	Fee Simple Acq.	6
04-134	Taylor	Moraine Park	0.50	Developed	No Action	Fee Simple Acq.	6
04-135	Melvin	Moraine Park	1.25	Undeveloped	No Action	Fee Simple Acq.	7
04-136	Gerstman	Moraine Park	1.12	Developed	No Action	Fee Simple Acq.	6
04-137	Johnson	Moraine Park	0.50	Developed	No Action	Fee Simple Acq.	6
04-139	Morin	Moraine Park	1.75	Developed	No Action	Fee Simple Acq.	6

PROTECTION CATEGORY LISTING OF ALL NON-FEDERAL OWNERSHIPS IN ROCKY MOUNTAIN NATIONAL PARK
(As of April 30, 1984)

TRACT NUMBER	OWNER	LOCATION	ACREAGE	DEVELOPMENT STATUS	PROTECTION RECOMMENDATIONS		PROTECTION CATEGORY
					SHORT-TERM	LONG-TERM	
04-150	Stonecliff Assn.	Glacier Creek	0.06	Water Line	Conservation Easm.	Same	3
04-151	Rusk	Moraine Park	1.00	Developed	No Action	Fee Simple Acq.	6
04-153	Miller	Moraine Park	1.50	Developed	No Action	Fee Simple Acq.	6
04-154	Wuth	Moraine Park	.97	Developed	No Action	Fee Simple Acq.	6
04-155	Osborne	Moraine Park	0.23	Developed	No Action	Fee Simple Acq.	6
04-157	Mericle	Moraine Park	1.48	Undeveloped	No Action	Fee Simple Acq.	7
04-159	Nelson	Emerald Mtn.	0.37	Undeveloped	No Action	Delete	8
04-160	Bandurski	Moraine Park	0.96	Undeveloped	No Action	Fee Simple Acq.	7
04-162	Hines	Moraine Park	3.35	Developed	No Action	Fee Simple Acq.	6
04-165	Waters	Eagle Cliff	0.24	Undeveloped	No Action	Fee Simple Acq.	7
04-169	Knaus/Forsyth	Moraine Park	0.19	Developed	No Action	Fee Simple Acq.	6
04-171	Machin	Eagle Cliff	5.42	Developed	No Action	Delete	8
04-172	Stewart	Moraine Park	0.52	Developed	No Action	Fee Simple Acq.	6
04-173	Sohrwide	Moraine Park	0.48	Developed	No Action	Fee Simple Acq.	6
04-175	Hatchette	Moraine Park	1.36	Developed	No Action	Fee Simple Acq.	6
04-179	McColloch	Moraine Park	1.53	Developed	No Action	Fee Simple Acq.	6
04-180	Kliewer	Moraine Park	0.50	Undeveloped	No Action	Fee Simple Acq.	7
05-101	Burgan	Twin Sisters	38.20	Undeveloped	No Action	Delete	8
05-102	Longmont	Wild Basin	43.00	Reservoir Site(portion)	Fee Simple Acq.	Same	5
05-103	Girl Scouts	Allenspark	40.00	Undeveloped	No Action	Delete	8
05-104	Butler	Wild Basin	12.50	Developed	No Action	Fee Simple Acq.	4*
05-106	Butler	Wild Basin	27.50	Developed	No Action	Fee Simple Acq.	4*
05-107	Hall	Wild Basin	12.50	Developed	No Action	Fee Simple Acq.	4*
05-116	McCarty	Wild Basin	4.53	Undeveloped	Exchange	Same	4*

*Recommendations and Protection Category contingent to recommendations of the Wild Basin Development Concept Plan.

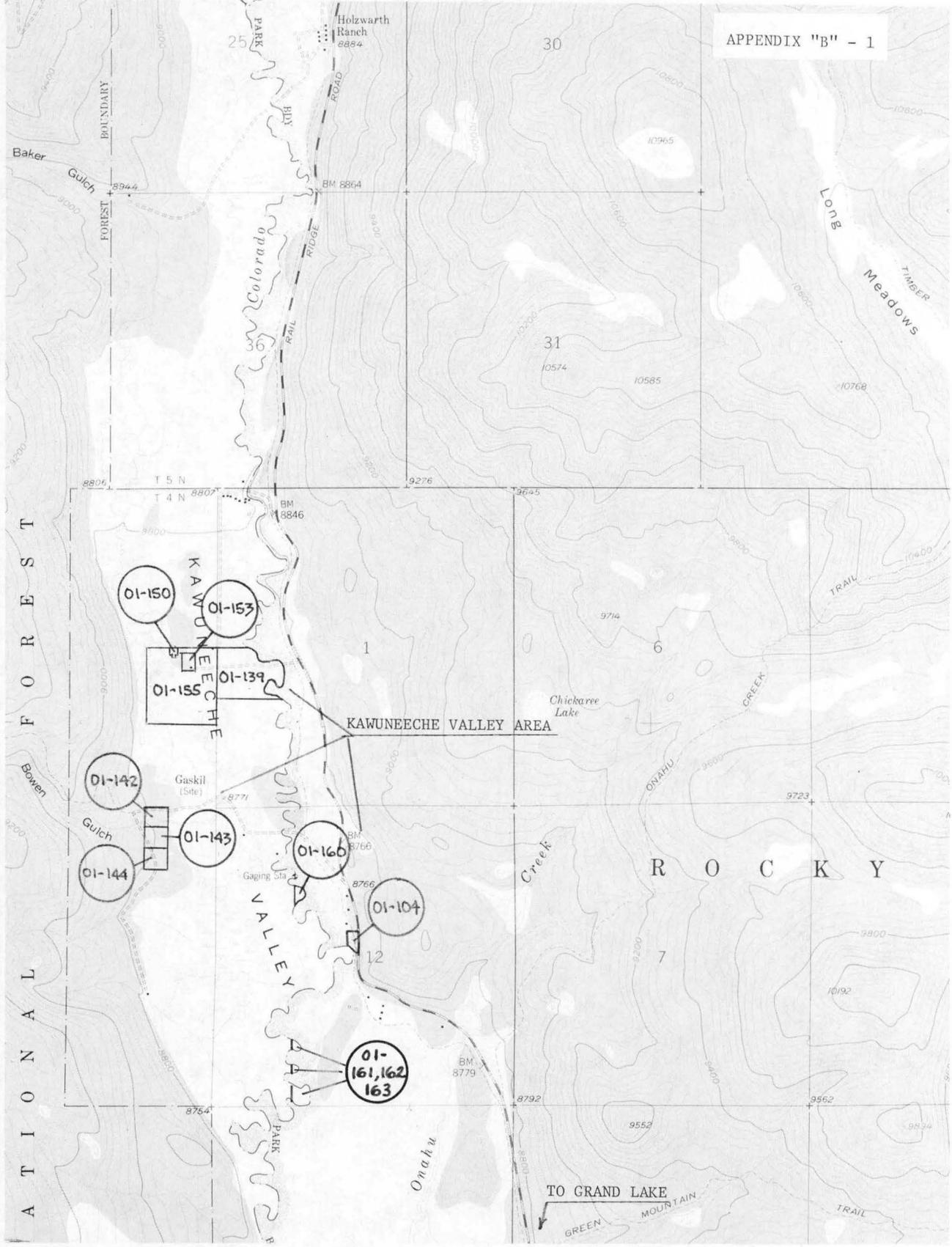
PROTECTION CATEGORY LISTING OF ALL NON-FEDERAL OWNERSHIPS IN ROCKY MOUNTAIN NATIONAL PARK
(As of April 30, 1984)

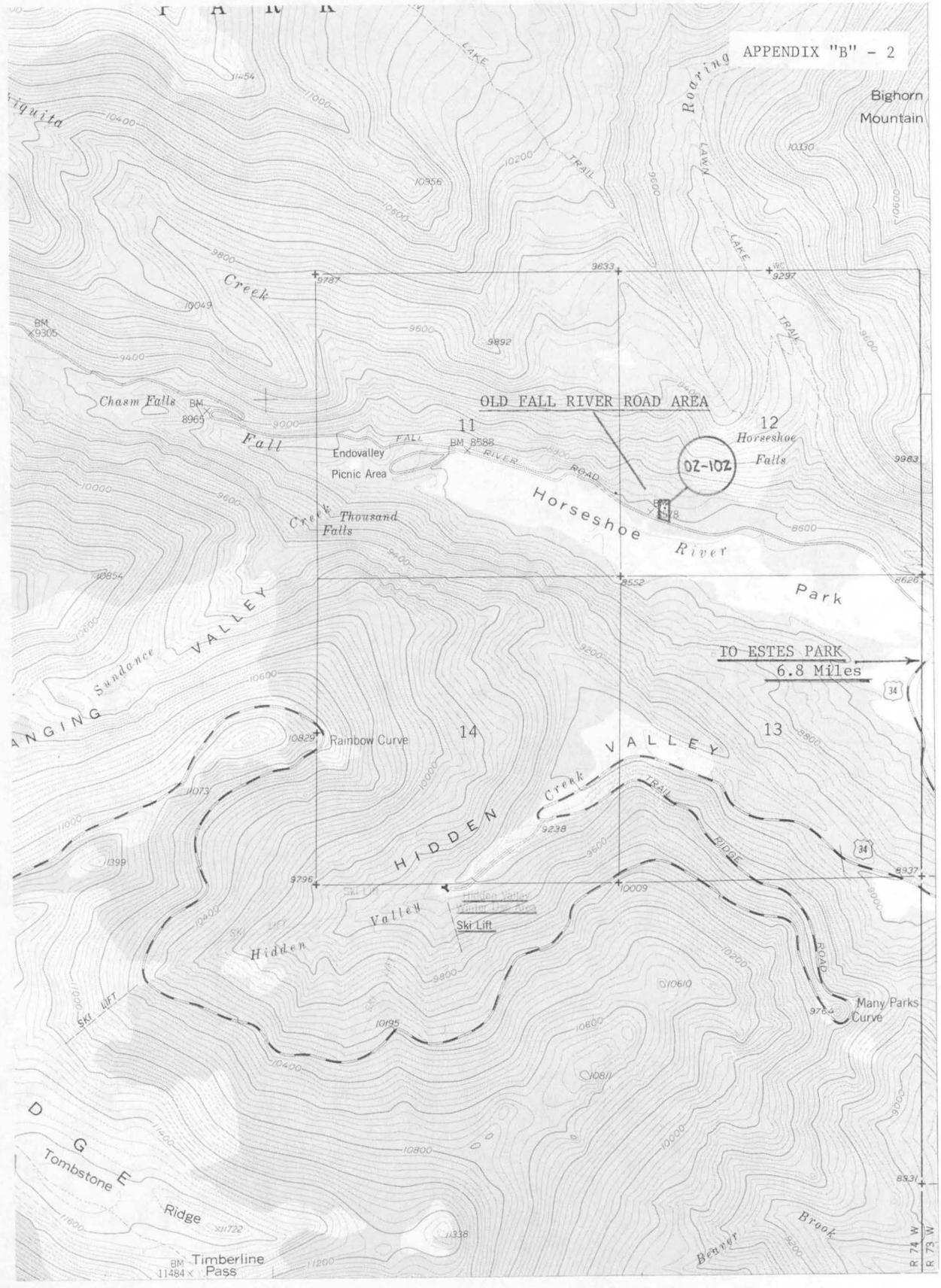
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					SHORT-TERM	LONG-TERM	
05-117	Russell	Wild Basin	2.27	Developed	No Action	Fee Simple Acq.	4*
05-118	Russell/Hall	Wild Basin	3.32	Developed	No Action	Fee Simple Acq.	4*
05-119	Russell	Wild Basin	5.67	Undeveloped	No Action	Fee Simple Acq.	4*
05-120	Longmont	Sandbeach Lake	(18.54)	Reservoir	Acq. of Easement	Same	2 & 3
05-121	Hinrichs	Longs Peak	19.85	Undeveloped	No Action	Delete	8
05-122	Good	Wild Basin	17.19	Developed	No Action	Fee Simple Acq.	4*
05-___	Ballinger	Wild Basin	(4.50) within 05-122	Developed	No Action	Fee Simple Acq.	4*
05-123	Hotz	Wild Basin	32.98	Undeveloped	No Action	Fee Simple Acq.	4*
05-124	Longmont	Wild Basin	77.00	Reservoir Site(portion)	Fee Simple Acq.	Same	5
05-125	Harms	Wild Basin	2.70	Developed	No Action	Fee Simple Acq.	4*
05-126	Cunningham	Wild Basin	25.95	Undeveloped	No Action	Fee Simple Acq.	4*
06-120	Harris	Indian Head Ranch	60.00	Undeveloped	No Action	Fee Simple Acq.	7
06-121	Katona	Indian Head Ranch	220.00	Developed	No Action	Fee Simple Acq.	6
06-124	Mirror Lk Assoc.	Mirror Lake	0.00	Water Right	Acq. of Water Right	Same	3
06-125	Farm.Irrig.Ditch	Lawn Lake	(42.60)	Reservoir	Acq. of Easement	Same	2 & 3
07-128	Longmont	Pear Reservoir	(24.43)	Reservoir	Acq. of Easement	Same	2 & 3
07-129	Longmont	Bluebird Lake	(17.06)	Reservoir	Acq. of Easement	Same	2 & 3
07-142	Loveland	Eureka Ditch	0.00	Diversion Ditch	Acq. of Water Right	Same	3
_____	Supply & Storage Co.	Grand River	0.00	Diversion Ditch	No Action	Acq. of Easement	3

*Recommendations and Protection Category contingent to recommendations of the Wild Basin Development Concept Plan.

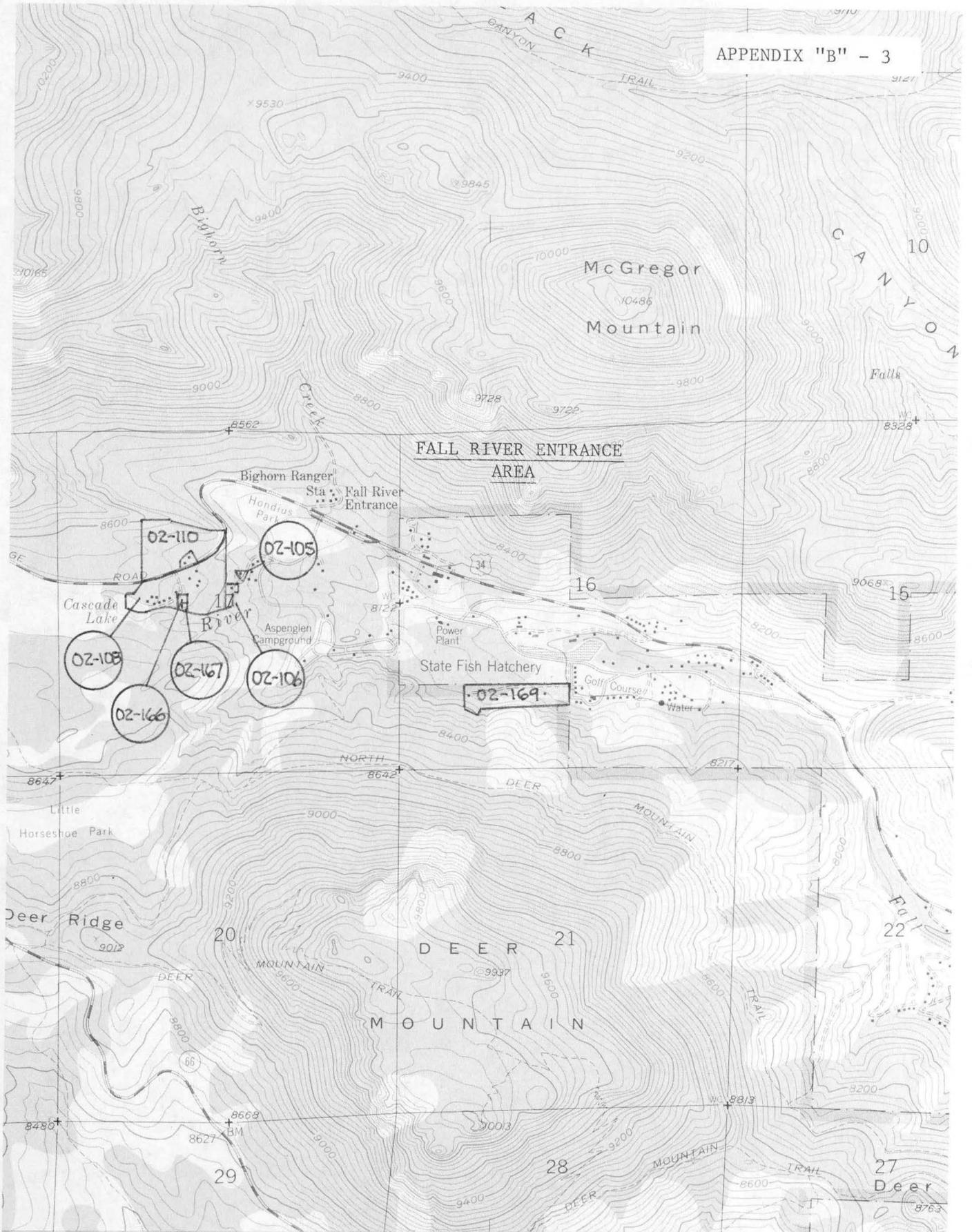
PROTECTION CATEGORY LISTING OF ALL NON-FEDERAL OWNERSHIPS IN ROCKY MOUNTAIN NATIONAL PARK
(As of April 30, 1984)

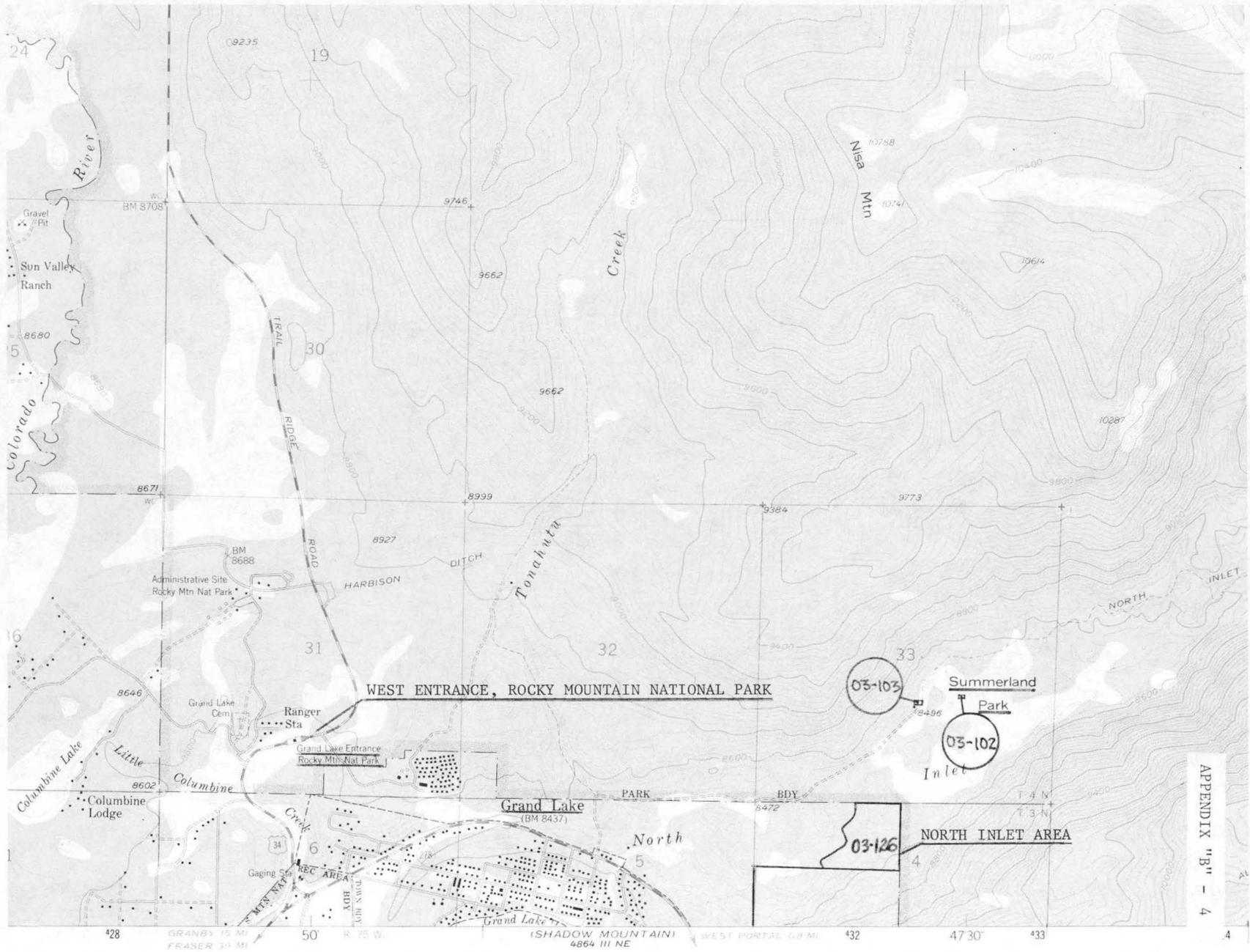
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					SHORT-TERM	LONG-TERM	
08-145	Unknown	Hdqtrs Interchange	0.78	Roadway	Fee Simple Acq.	Same	4
09-178	Unknown	Moraine Park	0.69	Roadway	Fee Simple Acq.	Same	4
10-108	Hondius	MacGregor Ranch	40.00	Undeveloped	No Action	Fee Simple Acq.	7



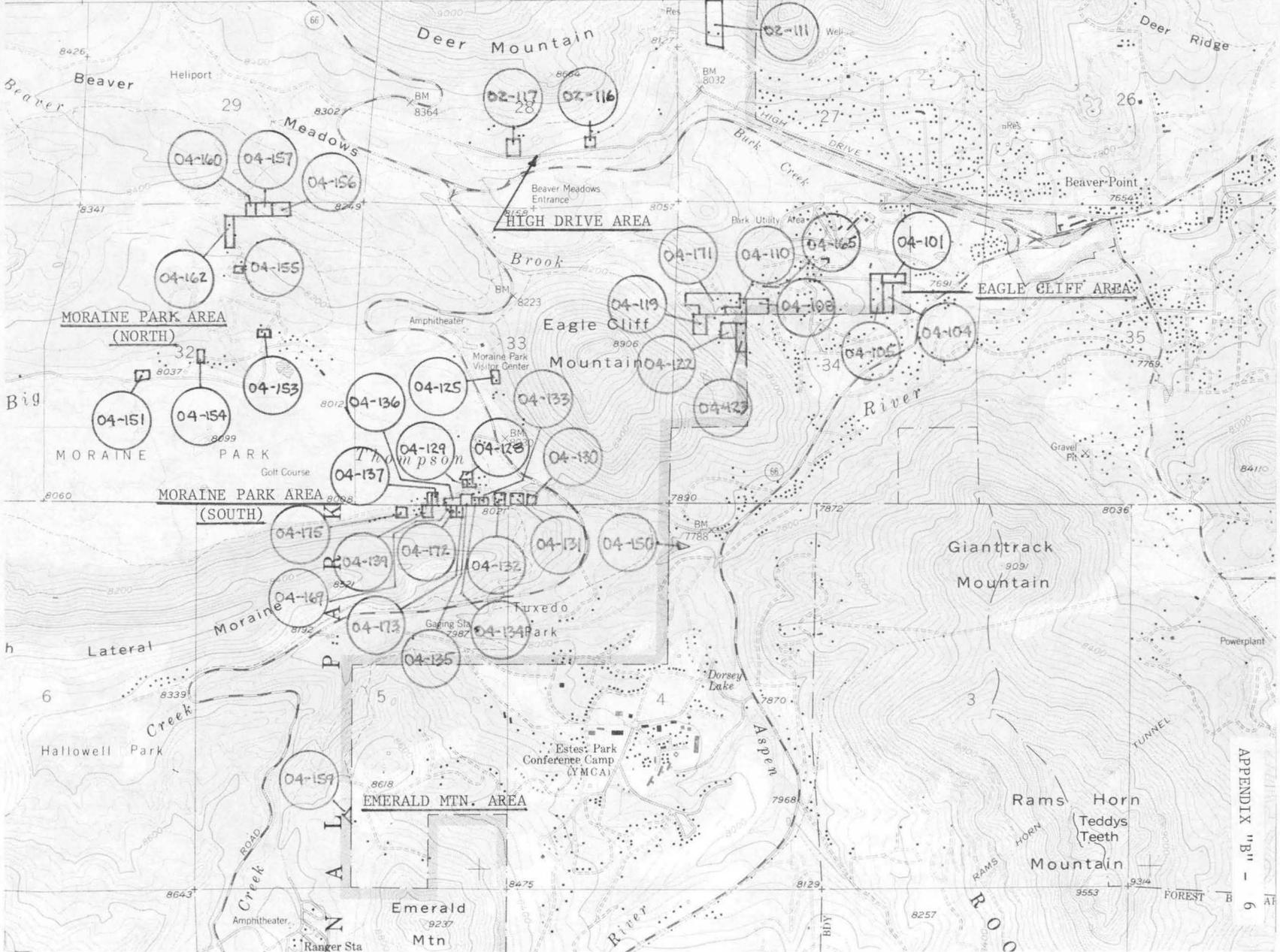


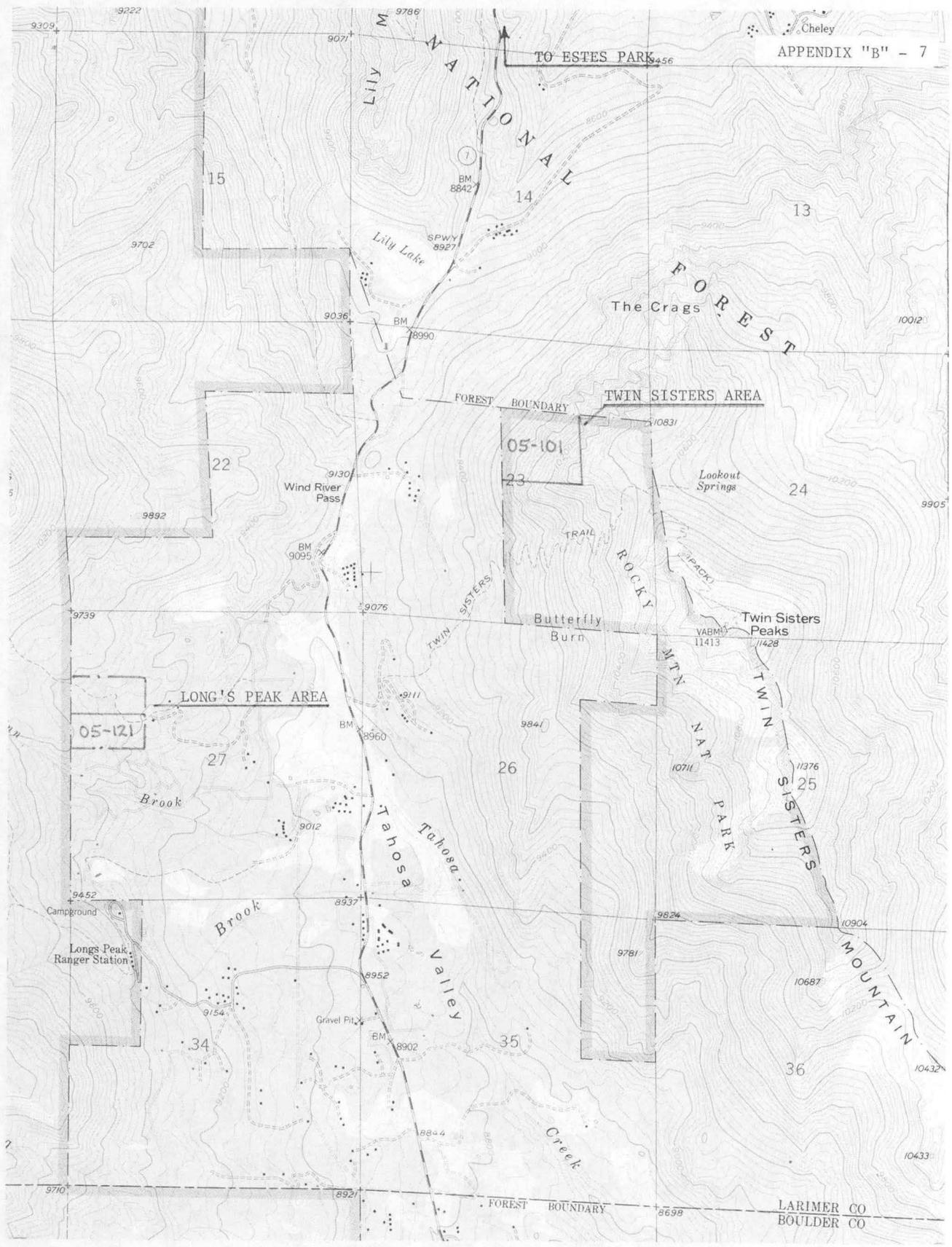
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APPENDIX "B" - 4





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05-101

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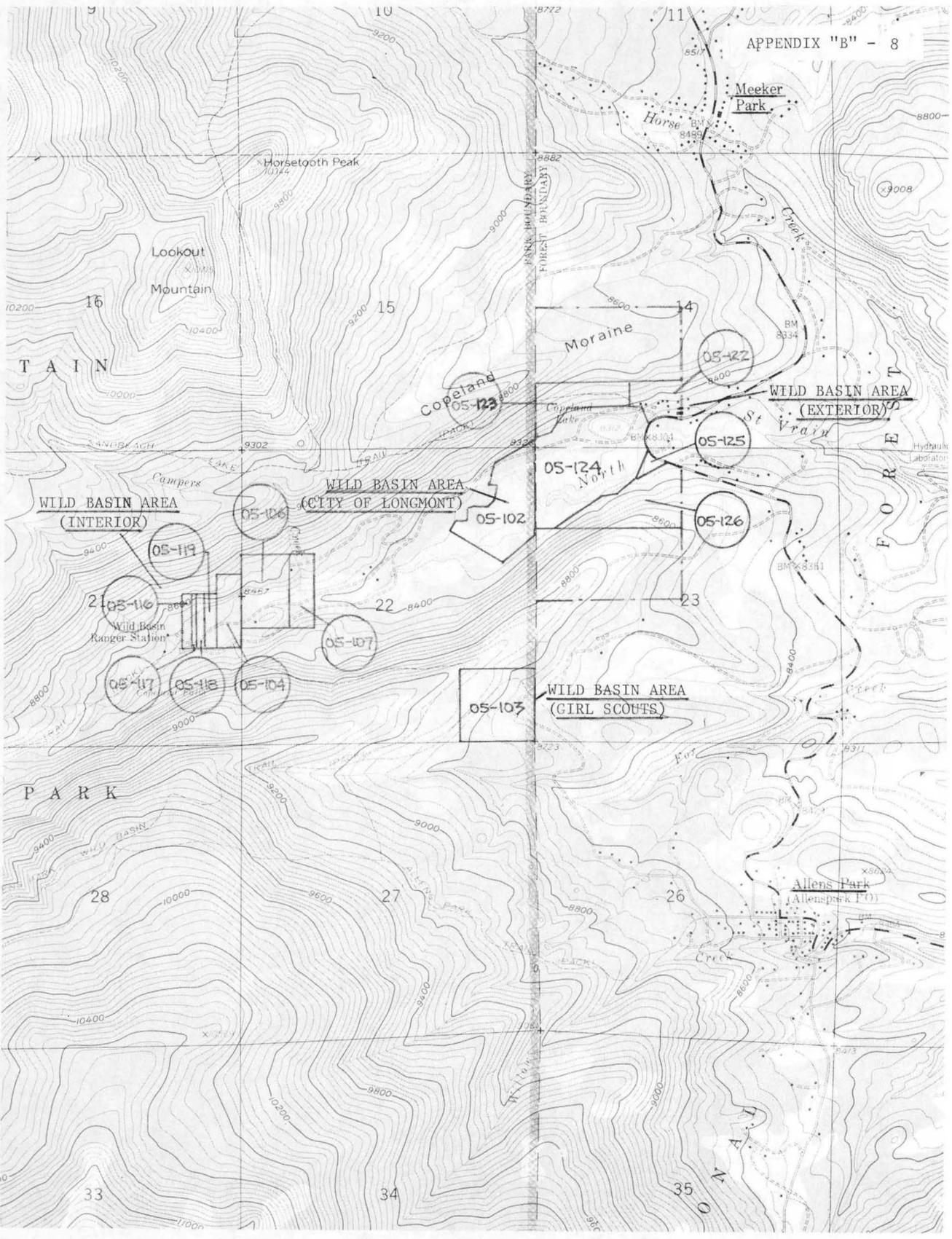
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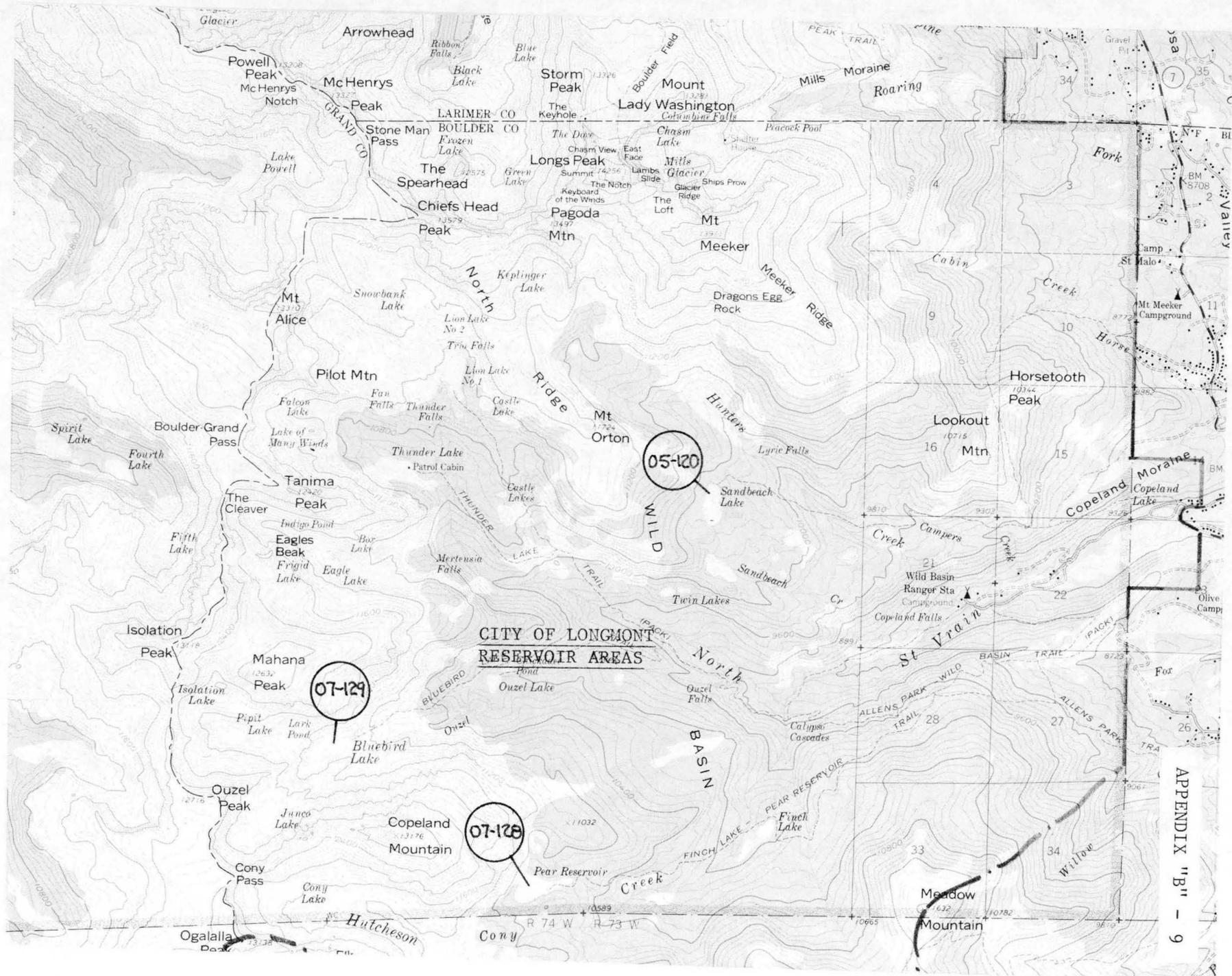
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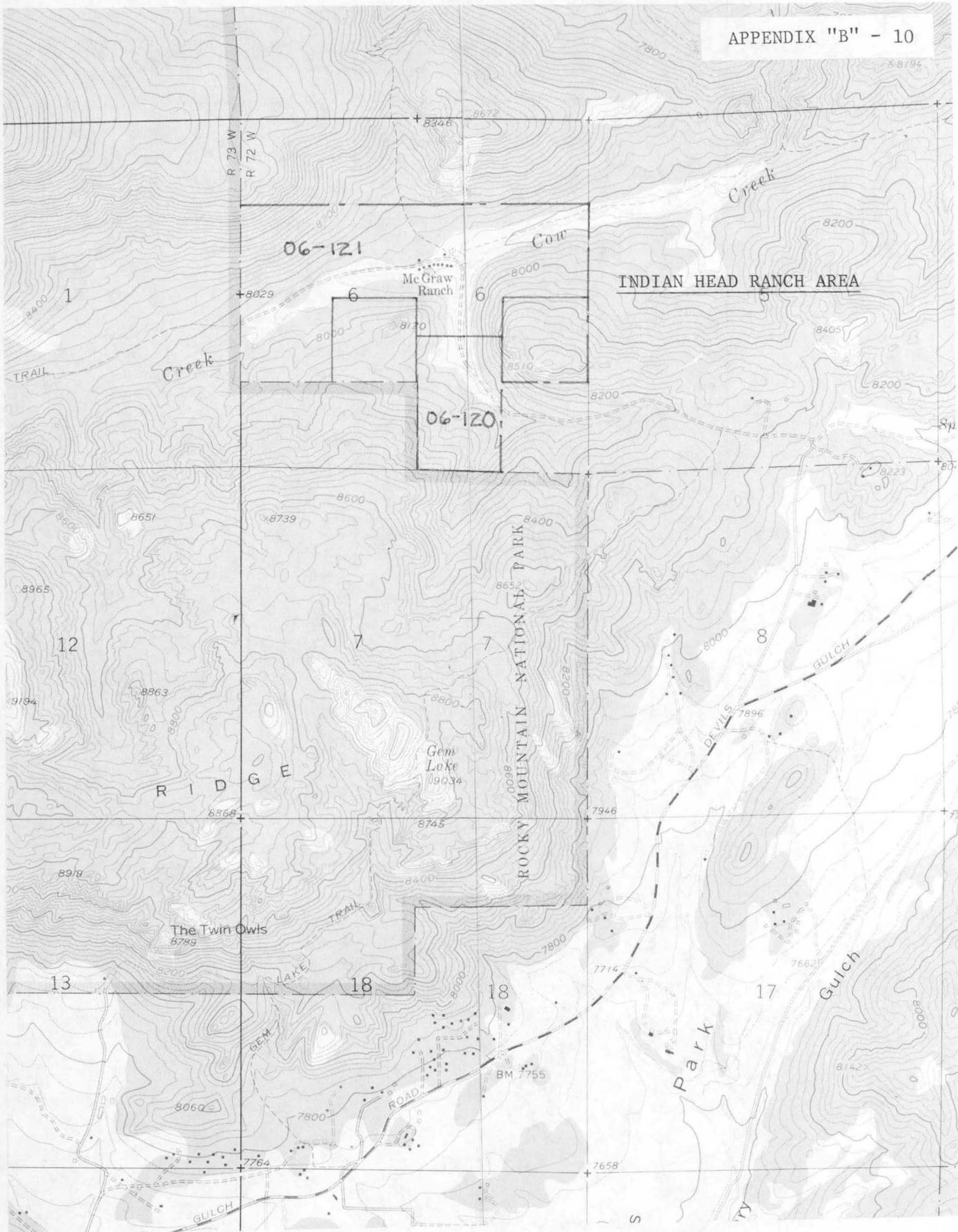
Longs Peak Ranger Station

FOREST BOUNDARY

LARIMER CO
BOULDER CO









MIRROR LAKE AREA

06-124

Mirror Lake

Comanc Peak

Cabin

Cascade

ROCKY MOUNTAIN NATIONAL PARK

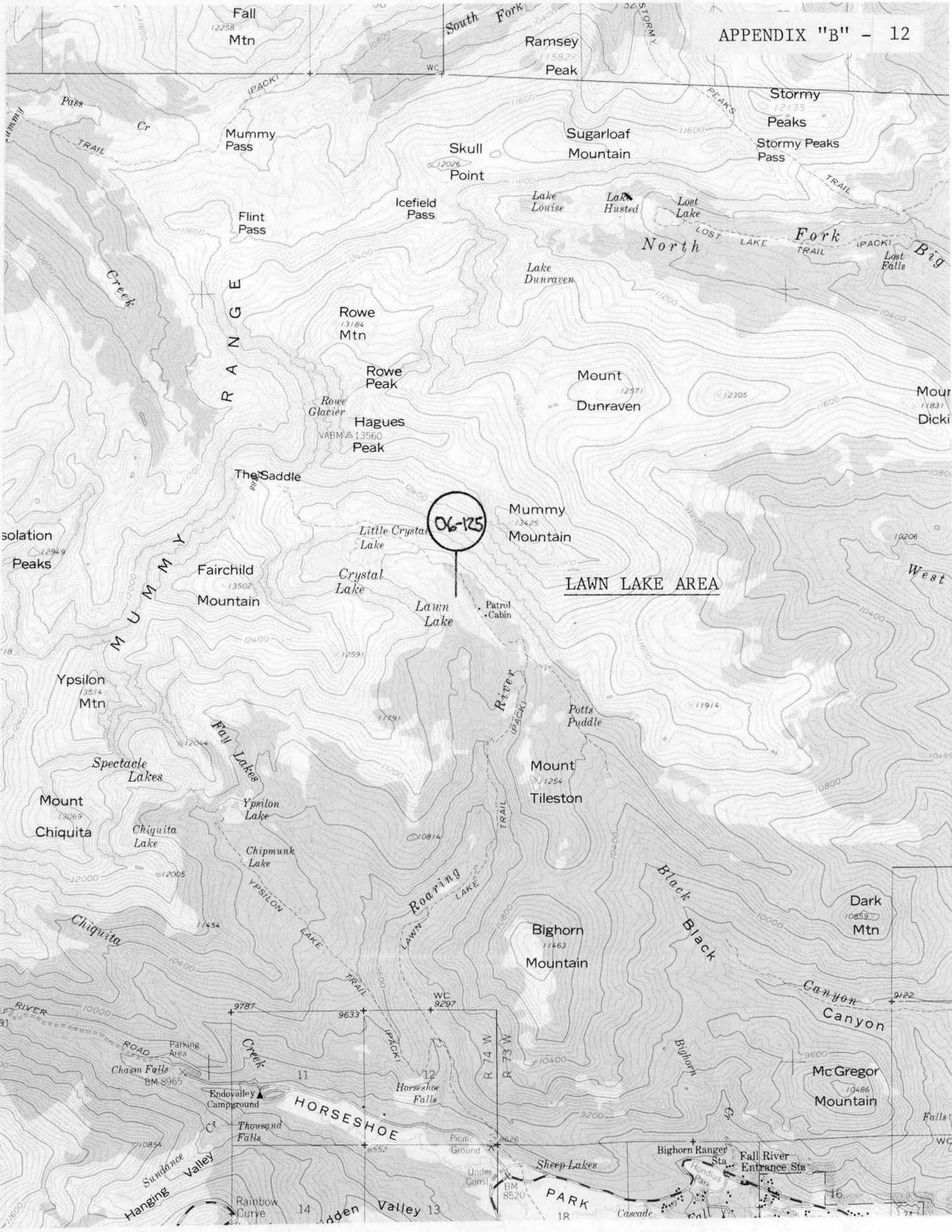
Mummy Pass

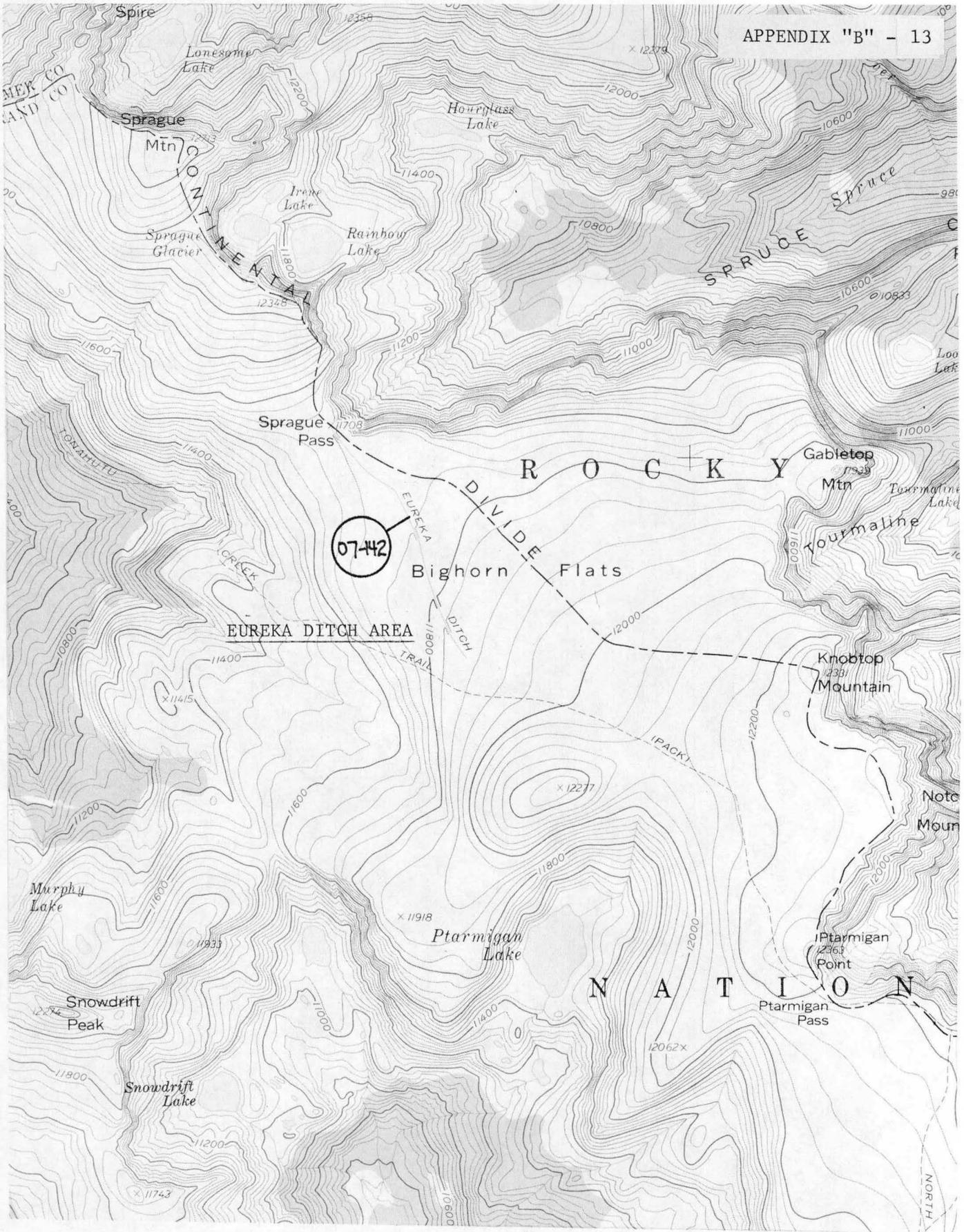
PASS

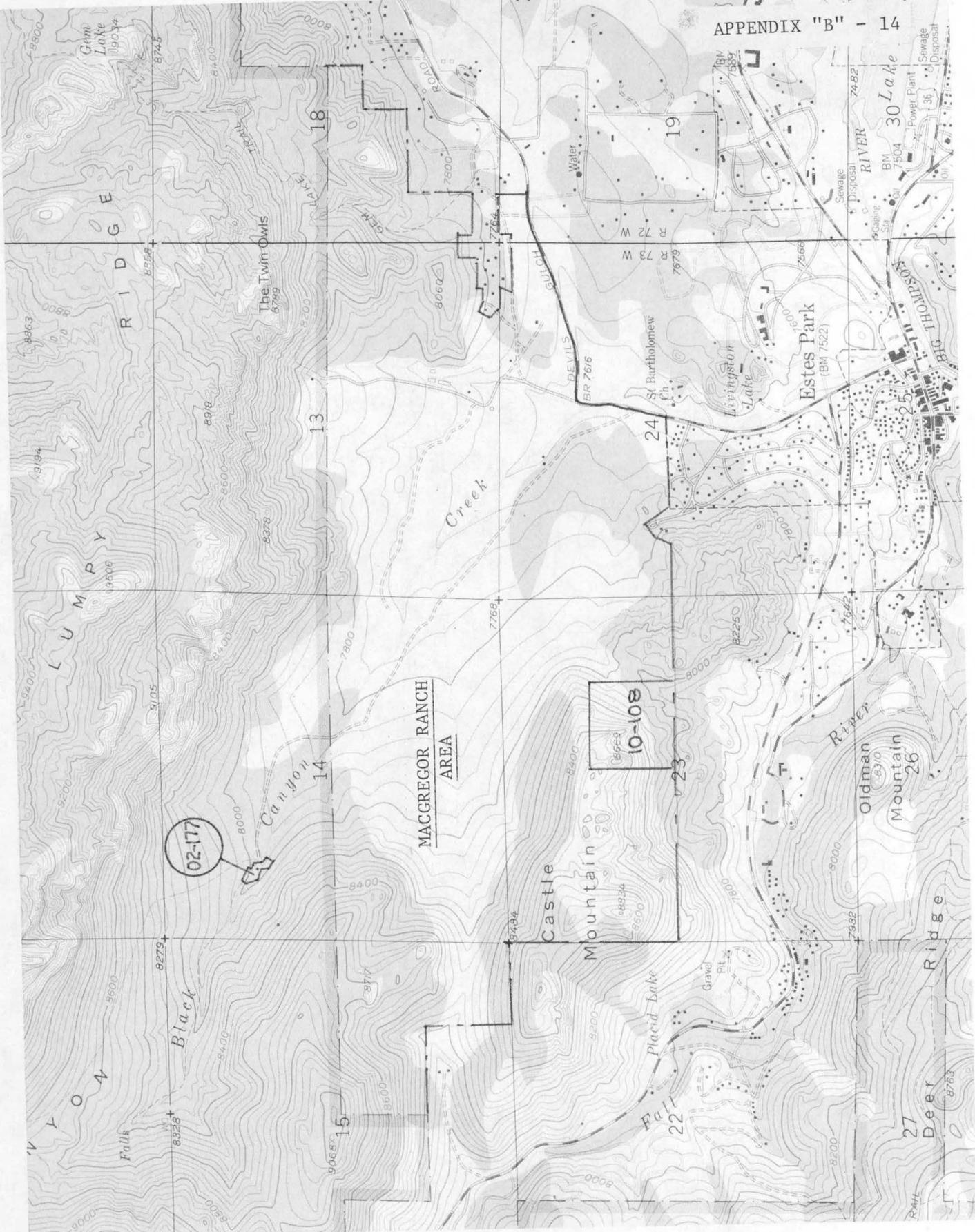
TRAIL

MUMMY

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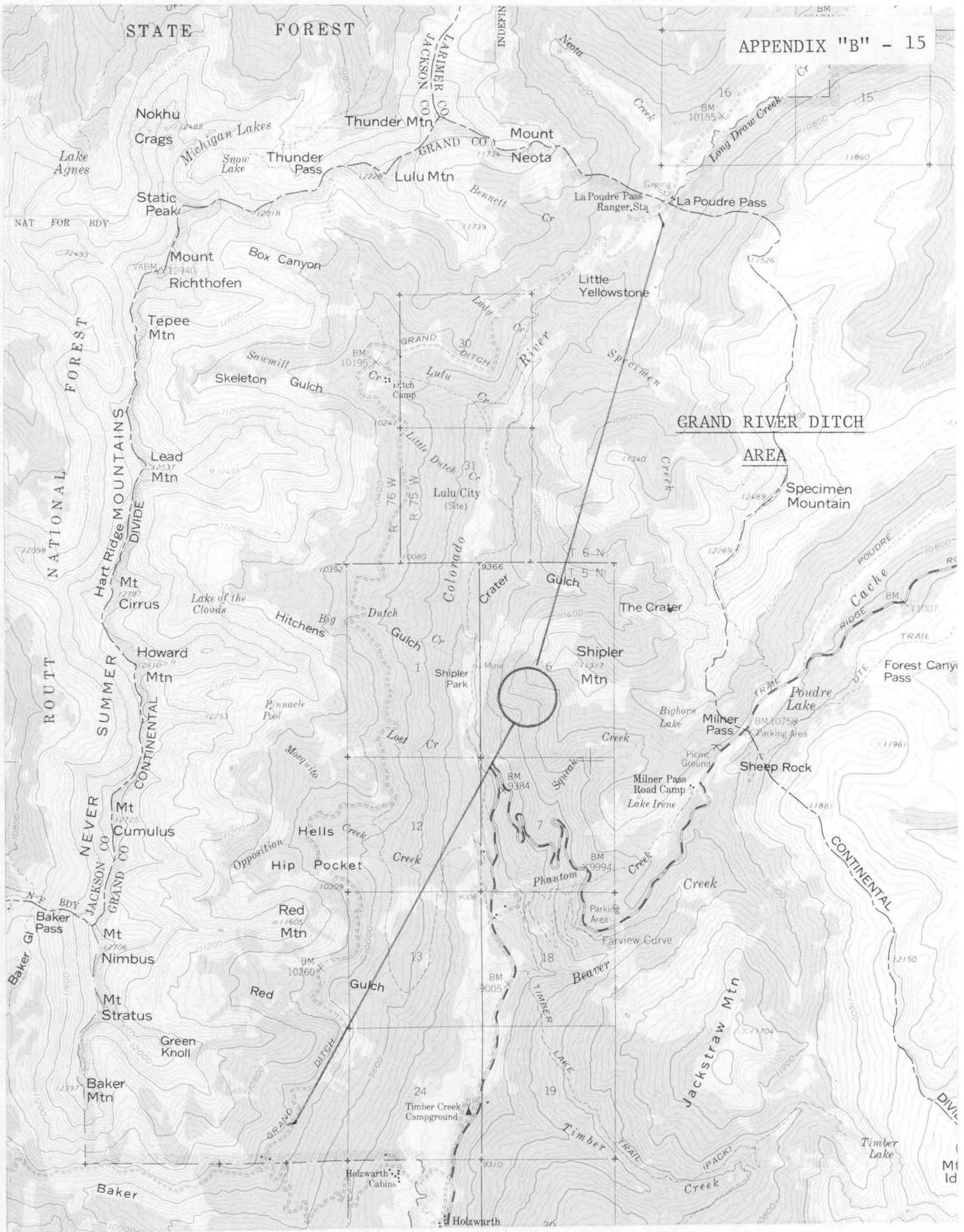




02-177

10-108

MACGREGOR RANCH AREA



SAMPLE

CONSERVATION EASEMENT TERMS AND CONDITIONS

THE RESTRICTIONS HEREBY IMPOSED ON THE LAND, THE ACTS WHICH THE GRANTOR PROMISES TO DO OR REFRAIN FROM DOING UPON THE LAND AND THE RIGHTS IN AND TO THE LAND GRANTED TO THE UNITED STATES OF AMERICA AND ITS ASSIGNS BY THE GRANTOR ARE AS FOLLOWS:

- (1) Unless otherwise stated herein, this easement shall not affect, without the grantor's consent, continuation of the existing use of the property as exercised prior to the acquisition of this easement.
- (2) This easement shall not be construed as granting the public any right to enter or use the land for any purpose.
- (3) Travels trailers, motor homes or mobile homes may not be permanently placed on or affixed to the land or used for temporary or permanent occupancy. Storage only of the owner's personal travel trailer, motor home or recreational vehicles and equipment will be permitted only in areas already developed with a residence and only with the prior written permission of the National Park Service.
- (4) No subdivision of the land or additional construction of dwellings or structures will be permitted on the land except construction of accessory buildings and facilities necessary to the use of existing structures will be allowed if approved in advance in writing by the National Park Service.
- (5) The grantor shall have the right to (A) perform all regular and ordinary maintenance to all existing structures, buildings, fences, grounds and access roads; (B) replace, for any reason, any existing structure with another of the same size and in the same location; and (C) to repair, or rebuild to no greater than former size, any existing buildings or structures which are damaged by fire, storm or other casualty.
- (6) The land shall not be used for any mining, quarrying, sand and gravel removal, industrial or commercial activity whatsoever, nor shall the grantor make or permit any change in the character, use or topography of the land which would alter the scenic character of the property, affect the scenic enjoyment of the property by the general public or cause permanent destruction of any significant conservation interest in the land, whether or not such interest is specifically mentioned in this easement.
- (7) No accumulation or dumping of trash or unsightly materials shall be permitted on the land and no signs, billboards or advertisements shall be displayed or placed upon the land, except that one sign, not greater than 24 inches by 30 inches in size, advertising the sale or lease of the land, may be displayed on appropriate occasions.
- (8) Cutting, trimming, destroying or removal of trees, grasses, brush, or shrubbery shall be permitted on the land, in accordance with sound environmental principles, only if such action is (A) necessary for the maintenance of existing routes of ingress and egress to or from the lands, (B) necessary to the maintenance of the existing yard area of an existing residence, (C) necessary for the protection and safety of existing dwellings and accessory buildings, or (D) necessary for the safety and well-being of authorized persons using or occupying the land. All additional activities of this type shall require the prior written approval of the National Park Service.
- (9) Gardens and other cultivated areas surrounding buildings and other structures and facilities may be maintained in a manner in keeping with their existing use; provided, however, that no pesticides shall be used, or other practices followed, which would significantly injure or destroy the relatively natural ecosystem now existing.

(10) The National Park Service, its agents, employees and assigns, shall have the right, upon reasonable notice, to enter upon and cross the land only to determine compliance with the terms of this easement. Reasonable verbal or written notice of intent to enter said lands shall be given by the National Park Service to the grantor and existing roads or other normally travelled routes shall be utilized wherever practicable except in instances of fire, police action, rescue action or other circumstances of an emergency or similar nature.

(11) The land shall not be used for public utility purposes other than as necessary in connection with a permitted use of this land as provided herein.

(12) The National Park Service may take any legal action necessary to have removed from the land any unauthorized signs, personal property, or structures, or to require compliance with any of the terms of the easement. Written notice of intent to take such action or require such compliance shall be sent to the grantor ten (10) days in advance by the National Park Service. Removal of items or required compliance with the terms of this easement under such notice shall be at the expense of the grantor.

(13) The National Park Service agrees to furnish written determinations within a reasonable period of time whenever the grantor submits a written request for approval of some action proposed to be taken under the terms of this easement.

(14) The grantor agrees that any future transfer, sale, leasing or conveyance of any interest in the land or any agreement for use of the land, whether verbal or written, shall include a reference indicating that the transaction is subject to the terms of this easement.

(15) In the event the United States should acquire the fee simple absolute ownership in and to said lands, including the improvements, at some future time, by any means whatsoever, it shall pay the then owner(s) of the estate _____ percent of the then fair market value of said lands only, undiminished in value by the then fair market value of the subject easement, said easement presently representing _____ percent of the present fair market value of the land. In addition thereto, the United States shall also pay the then owner(s) of the improvements, if any, the entire contributory fair market value of the improvements to the then fair market value of the fee simple absolute ownership.

(16) The terms and conditions of this easement shall run with the land, and bind the grantor and the United States of America, and assigns, in perpetuity.

NOTE: This is a sample easement only. Individual tract characteristics or specific resource protection needs may necessitate negotiating with the landowner to change, eliminate or add certain requirements and conditions. Such changes, if necessary, would be completed prior to the appraisal of the land.

An Act To establish the Rocky Mountain National Park in the State of Colorado, and for other purposes, approved January 26, 1915 (38 Stat. 798)

Rocky Mountain National Park, Colo., established.

Description.

(Amended by vol. 39, p. 916. See p. 155.)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the tract of land in the State of Colorado particularly described by and included within metes and bounds as follows, to wit: Beginning at the southeast corner of section thirty-four, township three north, range seventy-three west of the sixth principal meridian, Colorado, thence north along the section lines to the northeast corner of section three, said township; thence west to the northwest corner of said section; thence north along the section lines to the northeast corner of section sixteen, township four north, range seventy-three west; thence west to the northwest corner of said section; thence north to the northeast corner of section eight, said township; thence west along the section lines to the northwest corner of section seven, said township; thence north to the northeast corner of township four north, range seventy-four west; thence west along the first correction line north, to the southeast corner of section thirty-six, township five north, range seventy-four west; thence north along the range line to the northeast corner of the southeast quarter of the southeast quarter of section thirteen, said township; thence west to the northwest corner of the southeast quarter of the southeast quarter of section fourteen, said township; thence north to the northwest corner of the northeast quarter of the southeast quarter of section eleven, said township; thence east to the northeast corner of the northeast quarter of the southeast quarter of section twelve, said township; thence south along the range line to the southeast corner of said section; thence east along the section lines to the southeast corner of the southwest quarter of section ten, township five north, range seventy-three west; thence north to the northeast corner of the southwest quarter of said section; thence east to the southeast corner of the northeast quarter of said section; thence north to the northeast corner of said section; thence east to the southeast corner of the southwest quarter of the southwest quarter of section two, said township; thence north to the northeast corner of the southwest quarter of the southwest quarter of said section; thence east to the southeast corner of the northeast quarter of the southwest quarter, said section; thence north to the northeast corner of the northeast quarter of the southwest quarter of said section; thence east to the southeast corner of the northeast quarter of section one, said township; thence north along the range line to the northeast corner of section thirty-six, township seven

north, range seventy-three west; thence west along the section lines to the intersection with the west bank of the Big South Cache la Poudre River in township seven north, range seventy-five west; thence southeasterly along the west bank of said river to the mouth of a tributary of said river, probably in section one, township six north, range seventy-five west; said tributary heading at La Poudre Pass in section twenty, township six north, range seventy-five west; thence southwesterly along the west bank of said tributary to its head; thence across the continental divide to the headwaters of the North Fork of the Grand River, which also heads at La Poudre Pass; thence down the west bank of the North Fork of the Grand River to its intersection with the section line between sections twenty-nine and thirty, township six north, range seventy-five west; thence south along the section lines to the southeast corner of section eighteen, township five north, range seventy-five west; thence west along the section line to its intersection with the west bank of the North Fork of the Grand River; thence down the west bank of the North Fork of the Grand River to its intersection with the section line between sections twenty-five and thirty-six, township four north, range seventy-six west; thence east to the northeast corner of section thirty-six, said township; thence south along the range line to the southeast corner of said township; thence east along the township line to the northeast corner of the northwest quarter of section four, township three north, range seventy-five west; thence south to the southwest corner of the northeast quarter of section nine, said township; thence west along the quarter section line to its intersection with a creek in section seven, said township, this creek being an outlet of Grand Lake, and flowing into the North Fork of the Grand River; thence southerly along the said creek to its junction with the North Fork of the Grand River; thence southerly along the west bank of the North Fork of the Grand River to its intersection with the township line between townships two and three north; thence east along the township line to the southeast corner of section thirty-four, township three north, range seventy-three west of the sixth principal meridian, Colorado, the place of beginning, all of said above-described tract now being included within the boundaries of the counties of Grand, Boulder, and Larimer, in the State of Colorado, is hereby reserved and withdrawn from settlement, occupancy, or disposal under the laws of the United States, and said tract is dedicated and set apart as a public park for the benefit and enjoyment of the people of the United States, under the name

of the Rocky Mountain National Park: *Provided*, That the United States Reclamation Service may enter upon and utilize for flowage or other purposes any area within said park which may be necessary for the development and maintenance of a Government reclamation project. (U.S.C., title 16, sec. 191.)

SEC. 2. That nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States; whether for homestead, mineral, right of way, or any other purpose whatsoever, or shall affect the rights of any such claimant, locator, or entryman to the full use and enjoyment of his land. Whenever consistent with the primary purposes of the park the Act of February fifteenth, nineteen hundred and one, applicable to the location of rights of way in certain national parks and the national forests for irrigation and other purposes, shall be and remain applicable to the lands included within the park. The Secretary of the Interior may, in his discretion and upon such conditions as he may deem wise, grant easements or rights of way for steam, electric, or similar transportation upon or across the park. (U.S.C., title 16, sec. 193.)

SEC. 3. That no lands located within the park boundaries now held in private, municipal, or State ownership shall be affected by or subject to the provisions of this Act. (U.S.C., title 16, sec. 194.)

SEC. 4. That the said park shall be under the executive control of the Secretary of the Interior, and it shall be the duty of the said executive authority, as soon as practicable, to make and publish such reasonable rules and regulations, not inconsistent with the laws of the United States, as the said authority may deem necessary or proper for the care, protection, management, and improvement of the same, the said regulations being primarily aimed at the freest use of the said park for recreation purposes by the public and for the preservation of the natural conditions and scenic beauties thereof. The said authority may, in his discretion, execute leases to parcels of ground not exceeding twenty acres in extent in any one place to any person or company for not to exceed twenty years whenever such ground is necessary for the erection of establishments for the accommodation of visitors, may grant such other necessary privileges and concessions as he deems wise for the accommodation of visitors, and may likewise arrange for the removal of such mature or dead or down timber as he may deem necessary and advisable for the protection and improvement of the park. The regulations governing the park shall include provisions for the use of automobiles therein (U.S.C., title 16, sec. 195): *Provided*, That no appropriation for the maintenance, supervision or improvement of said park in excess of \$10,000 annually shall be made unless the same shall have first been expressly authorized by law. (Repealed by 40 Stat. 1270. See p. 155 below.)

Provided.
Reclamation
Service use
allowed.

Existing entries,
etc., not im-
paired.

Rights of way.
Vol. 33, p. 798.

(Last provision
repealed by 46
Stat. 1042. See
p. 168.)

Present owner-
ship not affected.

Regulation of
control, etc.

Leases for accom-
modations of
visitors etc.
(Amended by 29
Stat. 636, as
amended. See
pp. 9-12.)

Provided.
Limit on appro-
priations.

An Act To add certain lands to the Rocky Mountain National Park, Colorado, approved February 14, 1917 (39 Stat. 916)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assem-

bled, That the eastern boundary line of the Rocky Mountain National Park between the section corner common to sections two and three, township three north, and sections thirty-four and thirty-five, township four north, range seventy-three west, and the township corner common to townships five and six north, ranges seventy-two and seventy-three west, is hereby changed so as to read as follows:

"Beginning at a point on the present eastern boundary line of the Rocky Mountain National Park, Colorado, which is the northwest corner of section two and the northeast corner of section three, township three north, range seventy-three west of the sixth principal meridian, Colorado, running thence east along the township line to its intersection with the main hydrographic divide east of Cow Creek, between section thirty-one, township four north, and section six, township three north, range seventy-two west; thence northwesterly following along said hydrographic divide, passing over Twin Sisters, The Craggs, passing west of Lily Lake, and continuing along said hydrographic divide, now between Aspen Brook and Fish Creek and passing over Lily Mountain and Giant-track Mountain to a point which is the southeast corner of section thirty-four and the southwest corner of section thirty-five, township five north, range seventy-three west; thence north along the section lines between sections thirty-four and thirty-five, twenty-six and twenty-seven, twenty-two and twenty-three, fourteen and fifteen, to the quarter corner common to sections fourteen and fifteen, all in township five north, range seventy-three west; thence east along quarter-section line, through sections fourteen and thirteen, township five north, range seventy-three west and along the continuation of said quarter-section line through section eighteen to the quarter corner common to sections eighteen and seventeen, township five north, range seventy-two west; thence north along the section line between sections eighteen and seventeen, seven and eight, five and six, all in township five north, range seventy-two west, to that point which is the northeast corner of section six and the northwest corner of section five in said township and range; thence west along the township line to the township corner common to townships five and six north, ranges seventy-two and seventy-three west, which is on the present eastern boundary line of the Rocky Mountain National Park, Colorado."

Rocky Mountain
National Park,
Colo.
Boundaries
changed.
Vol. 33, p. 798,
amended. See
p. 162.

Description.

And the lands lying between the present existing eastern boundary and the eastern boundary as changed by this Act between said section corner common to sections two and three, township three north, and sections thirty-four and thirty-five, township four north, range seventy-three west, and said township corner common to townships five and six north, ranges seventy-two and seventy-three west, are hereby reserved and withdrawn from settlement, occupancy, or disposal under the laws of the United States, and said tracts are hereby made a part of and included in the Rocky Mountain National Park, and all the provisions of the Act to establish the Rocky Mountain National Park in the State of Colorado, and for other purposes, approved January twenty-sixth, nineteen hundred and fifteen, are hereby made applicable to and extended over the lands hereby added to the park. (U.S.C., title 16, sec. 192.)

Lands added to, withdrawn from settlement, etc.

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1918, and for other purposes," approved June 12, 1917 (40 Stat. 153)

The Secretary of the Interior is authorized to accept patented lands or rights of way over patented lands in the Rocky Mountain National Park that may be donated for park purposes. (U.S.C., title 16, sec. 195.)

Rocky Mountain National Park. Acceptance of donated lands, etc.

An Act To repeal the last proviso of section four of an Act to establish the Rocky Mountain National Park, in the State of Colorado, and for other purposes, approved January twenty-sixth, nineteen hundred and fifteen, approved March 1, 1918 (40 Stat. 1270)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last proviso of section four of an Act entitled "An Act to establish the Rocky Mountain National Park, in the State of Colorado, and for other purposes," approved January twenty-sixth, nineteen hundred and fifteen, which is in the words and figures following: "*Provided,* That no appropriation for the maintenance, supervision, or improvement of said park in excess of \$10,000 annually shall be made unless the same shall have first been expressly authorized by law," be, and the same is hereby, repealed. (U.S.C., title 16, sec. 195.)

Rocky Mountain National Park, Colo.

Vol. 38, p. 798, amended. See p. 162.

Limitation on appropriations for, repealed.

An Act To authorize the Secretary of the Interior to accept a certain tract of land donated as a site for an administration building for the Rocky Mountain National Park, approved September 18, 1922 (42 Stat. 847)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to accept a certain tract of land in the town of Estes Park, Colorado, described as lot five, Buena Vista Terrace, in the southeast quarter of the northwest quarter, section twenty-five, township five north, range seventy-three west of the sixth principal meridian, Larimer County, Colorado, donated by the Estes Park Woman's Club as a site for an administration building for the Rocky Mountain National Park.

Rocky Mountain National Park. Site for administration building in, accepted.

An Act To transfer certain lands of the United States from the Rocky Mountain National Park to the Colorado National Forest, Colorado, approved January 1, 1924 (43 Stat. 252)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That those portions of the following-described tracts now within the Rocky Mountain National Park be, and are hereby, transferred to the Colorado National Forest and shall hereafter be subject to all laws relating to the use and administration of the national forests: Section 10; northwest quarter of southeast quarter, southwest quarter of the northeast quarter, and the southwest quarter of section 11; northwest quarter of the northeast quarter, north half of the northwest quarter, and the southwest quarter of the northwest quarter of section 15; and the northeast quarter of section 16; township 6 north, range 75 west, sixth principal meridian

Colorado National Forest, Colo. Tracts transferred to, from Rocky Mountain National Park.

An Act To authorize the exchange of certain patented lands in the Rocky Mountain National Park for Government lands in the park, approved February 24, 1925 (43 Stat. 973)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the owner of the northeast quarter southeast quarter section 22; northwest quarter southwest quarter, east half southeast quarter section 23; and northeast quarter northeast quarter section 26, township 4 north, range 74 west, sixth principal meridian, Colorado, within the Rocky Mountain National Park, is hereby permitted and authorized to convey the fee-simple title thereto to the United States, and select in lieu thereof the south half southeast quarter, south half northeast quarter southeast quarter, south half southeast quarter southwest quarter, south half south half northwest quarter southeast quarter, south half north half southeast quarter southwest quarter, section 7, township 4 north, range 73 west, and the north half north half northwest quarter northeast quarter, north half north half northeast quarter northwest quarter, section 18, township 4 north, range 73 west of said meridian; and the Secretary of the Interior is hereby authorized and empowered to accept such conveyance and thereafter cause a patent for the lands so selected to be issued to such owner, reserving to the United States, however, such rights of way as may be needed for the construction and maintenance of roads in the park: *Provided*, That the lands so conveyed shall become and be a part of said park and be subject to all laws and regulations relating to other lands therein.

Rocky Mountain National Park, Colo. Exchange of lands of private owners and added to the park.

Proviso. Conveyed lands made part of park.

An Act To eliminate certain privately owned lands from the Rocky Mountain National Park and to transfer certain other lands from the Rocky Mountain National Park to the Colorado National Forest, Colorado, approved June 9, 1926 (44 Stat. 712)

Rocky Mountain National Park, Colo.

Boundaries modified.

North boundary.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That portions of the north and east boundary of the Rocky Mountain National Park are hereby revised as follows:

North boundary, beginning at the northwest corner of the northeast quarter of the northeast quarter of section 33, township 7 north, range 74 west, being a point on the present north boundary line of the Rocky Mountain National Park; thence southerly to the southwest corner of the northeast quarter of the northeast quarter of said section; thence westerly to the southeast corner of the northwest quarter of the northwest quarter of said section; thence northerly to the northeast corner of the northwest quarter of the northwest quarter of said section, being a point on the present north boundary line of the Rocky Mountain National Park and the end of the above-described change of said boundary; and

East boundary, beginning at the northeast corner of section 3, township 3 north, range 73 west of the sixth principal meridian, Colorado, being a point on the present east boundary line of Rocky Mountain National Park; thence westerly along the township line to the northwest corner of said section; thence northerly along section line to the southwest corner of the northwest quarter of section 34, township 4 north, range 73 west; thence easterly to the southeast corner of the southwest quarter of the northwest quarter of said section, thence northerly to the northeast corner of the northwest quarter of the northwest quarter of said section; thence westerly to the northwest corner of said section; thence northerly along section lines to the southwest corner of the northwest quarter of the southwest quarter of section 22, said township; thence easterly to the southeast corner of the northeast quarter of the southwest quarter of said section; thence northerly to the southwest corner of the northwest quarter of the northeast quarter of said section; thence easterly to the southeast corner of the northeast quarter of the northeast quarter of said section; thence northerly along section lines to the northeast corner of the southeast quarter of the southeast quarter of section 15, said township; thence westerly to the northwest corner of the southwest quarter of the southeast quarter of said section; thence northerly passing through the northeast corner of the northwest quarter of said section, to the northeast corner of the southeast quarter of the southwest quarter of section 10, said township; thence westerly to the northwest corner of the southeast quarter of the south-

west quarter of said section; thence northerly to the northeast corner of the northwest quarter of the southwest quarter of said section; thence westerly, passing through the northwest corner of the southwest quarter of said section, to the northwest corner of the northeast quarter of the southwest quarter of section 9, said township; thence southerly to the northeast corner of the southwest quarter of the southwest quarter of said section; thence westerly to the northwest corner of the southwest quarter of the southwest quarter of said section thence northerly along section lines to the northeast corner of the southeast quarter of the southeast quarter of section 5, said township; thence westerly to the northwest corner of the southeast quarter of the southeast quarter of said section; thence southerly to the southwest corner of the southeast quarter of the southeast quarter of said section; thence westerly along section line to the southeast corner of the southwest quarter of said section; thence northerly to the northeast corner of the southwest quarter of said section; thence westerly to the northwest corner of the southwest quarter of said section; thence northerly along section line to the northeast corner of section 6, said township; thence easterly along the first correction line north to the southeast corner of the southwest quarter of section 32, township 5 north, range 73 west; thence northerly to the northeast corner of the northwest quarter of said section; thence westerly along section line to the northwest corner of said section; thence northerly along section lines to the southwest corner of the northwest quarter of the southwest quarter of section 20, said township; thence easterly to the northwest corner of the southeast quarter of the southeast quarter of said section; thence southerly, passing through the southwest corner of the southeast quarter of the southeast quarter of said section, to the southwest corner of the northeast quarter of the northeast quarter of section 29, said township; thence easterly to the southeast corner of the northeast quarter of the northeast quarter of said section; thence southerly to the southwest corner of the northwest quarter of section 28, said township; thence easterly to the southeast corner of the southwest quarter of the northwest quarter of said section; thence northerly to the northeast corner of the southwest quarter of the northwest quarter of said section; thence easterly, passing through the southeast corner of the northeast quarter of the northeast quarter of said section, to the southeast corner of the northeast quarter of the northeast quarter of section 27, said township; thence northerly along section line to the northeast corner of said section; thence westerly along section line to the southeast corner of the southwest quarter of the southwest quarter of section 22, said township; thence northerly to the northeast corner

of the northwest quarter of the northwest quarter of said section; thence westerly along section lines to the southeast corner of the southwest quarter of section 16, said township; thence northerly to the northeast corner of the southeast quarter of the southwest quarter of said section; thence westerly to the northwest corner of the southwest quarter of the southwest quarter of said section; thence northerly along section line to the center line of the north branch of Fall River; thence northwesterly along the center line of the north branch of Fall River to the west line of the east half of the east half of section 17, said township; thence southerly to the northeast corner of the southwest quarter of the southeast quarter of said section; thence westerly to the northwest corner of the southwest quarter of the southeast quarter of said section; thence southerly to the southwest corner of the southeast quarter of said section; thence westerly along section line to the southeast corner of section 18, said township; thence northerly along section line to the northeast corner of said section; thence easterly along section line to the northwest corner of section 16, said township; thence southerly along section line to the southwest corner of the northwest quarter of the northwest quarter of said section; thence easterly to the northwest corner of the southwest quarter of the northeast quarter of said section; thence southerly to the southwest corner of the northeast quarter of said section; thence easterly, passing through the southeast corner of the northeast quarter of said section, to the northwest corner of the northeast quarter of the southwest quarter of section 15, said township; thence southerly to the southwest corner of the northeast quarter of the southwest quarter of said section; thence easterly to the southeast corner of the northeast quarter of the southwest quarter of said section; thence northerly to the southwest corner of the northeast quarter of said section; thence easterly on mid-section lines to the southeast corner of the northwest quarter of section 18, township 5 north, range 72 west; thence northerly to the southwest corner of the northwest quarter of the northeast quarter of said section; thence easterly to the southeast corner of the northeast quarter of the northeast quarter of said section; thence northerly along section lines to the northeast corner of section 7, said township; thence westerly along section line to the southeast corner of the southwest quarter of section 6, said township; thence northerly to the northeast corner of the southeast quarter of the southwest quarter of said section; thence westerly to the northwest corner of the southwest quarter of the southwest quarter of said section; thence northerly to the northwest corner of said

section, being a point on the present east boundary line of Rocky Mountain National Park and the end of the change of said boundary: *Provided, however,* That the following lands shall remain and be a part of the Rocky Mountain National Park: The northwest quarter of the northeast quarter and the east half of the northeast quarter of the northwest quarter of section 34, township 5 north, range 73 west; all of that portion of the following described lands located in township 4 north, range 73 west, lying west of the hydrographic divide that forms the eastern boundary of the watershed of Cow Creek and of Aspen Brook; the east half of the northeast quarter of section 35; the east half of the southeast quarter and the southeast quarter of the northeast quarter of section 26; section 24; section 25; the east half of section 23: *Provided further,* That those portions of the following-described lands that are hereby excluded from the Rocky Mountain National Park, are hereby transferred to and made a part of the Colorado National Forest, subject to all laws and regulations applicable to National Forests; the northwest quarter of the northeast quarter and northeast quarter of the northwest quarter, section 33, township 7 north, range 74 west; section 6, township 5 north, range 72 west; the southeast quarter of the southeast quarter of section 34, township 5 north, range 73 west; sections 3, 10, and 15, township 4 north, range 73 west. (U.S.C., 6th supp., title 16, sec. 192a.)

Proviso.
Lands remaining
in the park.

Lands excluded,
and transferred
to Colorado
National Forest.

SEC. 2. The Secretary of the Interior is hereby authorized in his discretion to permit, by license, lease, or other authorization, the use of the necessary land in the Rocky Mountain National Park for the maintenance and operation in its present height and capacity, of the Arbuckle Number 2 Reservoir. (U.S.C., 6th supp., title 16, sec. 196.)

Maintenance of
Arbuckle No. 2
Reservoir per-
mitted.

SEC. 3. That the provisions of the Act of January 26, 1915, entitled "An Act to establish the Rocky Mountain National Park in the State of Colorado, and for other purposes," and Act of August 25, 1916, entitled "An Act to establish a national-park service, and for other purposes," and all Acts supplementary to and amendatory of said Acts are made applicable to and extended over the lands hereby added to the park: *Provided,* That the provisions of the Act of June 10, 1920, entitled "An Act to create a Federal power commission; to provide for the improvement of navigation; the development of water power; the use of the public lands in relation thereto; and to repeal section 18 of the River and Harbor Appropriation Act, approved August 8, 1917, and for other purposes," shall not apply to or extend over such lands. (U.S.C., 6th supp., title 16, sec. 197.)

Provisions of
former acts
applicable.
Vol. 38, p. 798.
See p. 152.
Vol. 39, p. 535.
Sec. p. 9.

Proviso.
Water Power Act
not applicable.
Vol. 41, p. 1063.

Act of General Assembly of Colorado, approved February 19, 1929, ceding to the United States exclusive jurisdiction over the Rocky Mountain National Park in the State of Colorado (Session Laws of Colorado, 1929, p. 475)

Be it enacted by the General Assembly of the State of Colorado, Exclusive jurisdiction shall be, and the same is hereby ceded to the United States of America over and within all of the territory which is now included in that tract of land in the State of Colorado set aside and dedicated for park purposes by the United States, known as the Rocky Mountain National Park, saving, however, to the State of Colorado the right to serve civil or criminal process within the limits of the aforesaid park, in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed outside of said park, and saving further to the said State the right to tax persons and corporations, their franchises and property on the lands included in said tracts, and saving, also, to the persons residing in said park now or hereafter the right to vote at all elections held within the county or counties in which said tracts are situated; and saving to all persons residing within said park upon lands now privately owned within said park access to and from such lands, and all rights and privileges as citizens of the United States and saving to the people of Colorado all vested, appropriated and existing water rights and rights of way connected therewith, including all existing irrigation conduits and ditches: *Provided, however,* That jurisdiction shall not vest in the United States now or hereafter over any lands included within said park until the United States, through its proper officers, notifies the State of Colorado, through its Governor; that the United States assumes police jurisdiction over the respective tracts involved

An Act To accept the cession by the State of Colorado of exclusive jurisdiction over the lands embraced within the Rocky Mountain National Park, and for other purposes, approved March 2, 1929 (45 Stat. 1536)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the act of the Legislature of the State of Colorado, approved February 19, 1929, ceding to the United States exclusive jurisdiction over the territory embraced and included within the Rocky Mountain National Park, are hereby accepted, and sole and exclusive jurisdiction is hereby assumed by the United States over such territory, saving, however, to the State of Colorado the right to serve civil or criminal process within the limits of the aforesaid park in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed outside of said park; and saving further to the said State the right to tax persons

Rocky Mountain
National Park,
Colo.

Acceptance of
jurisdiction of
Colorado, over
territory in-
cluded in.
Rights reserved
to the State and
citizens thereof.

and corporations, their franchises and property on the lands included in said tract; and saving also to the persons residing in said park now or hereafter the right to vote at all elections held within the county or counties in which said tracts are situated; and saving to all persons residing within said park upon lands now privately owned within said park access to and from such lands, and all rights and privileges as citizens of the State of Colorado; and saving to the people of Colorado all vested, appropriated, and existing water rights and rights of way connected therewith, including all existing irrigation conduits and ditches. All the laws applicable to places under the sole and exclusive jurisdiction of the United States shall have force and effect in said park. All fugitives from justice taking refuge in said park shall be subject to the same laws as refugees from justice found in the State of Colorado. (U.S.C., 6th supp., title 16, sec. 198.)

Application of United States laws.

Extradition of criminals.

SEC. 2. That said park shall constitute a part of the United States judicial district for the State of Colorado, and the district court of the United States in and for said district shall have jurisdiction of all offenses committed within said boundaries. (U.S.C., 6th supp., title 16, sec. 198a.)

Assigned to Colorado judicial district.

SEC. 3. That if any offense shall be committed in the Rocky Mountain National Park, which offense is not prohibited or the punishment for which is not specifically provided for by any law of the United States, the offender shall be subject to the same punishment as the laws of the State of Colorado in force at the time of the commission or the offense may provide for a like offense in said State; and no subsequent repeal of any such law of the State of Colorado shall affect any prosecution for said offense committed within said park. (U.S.C., 6th supp., title 16, sec. 198b.)

Punishment of offenses against State laws.

SEC. 4. That all hunting or the killing, wounding, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of said park; nor shall any fish be taken out of the waters of the park in any other way than by hook and line, and then only at such seasons and in such times and manner as may be directed by the Secretary of the Interior. That the Secretary of the Interior shall make and publish such general rules and regulations as he may deem necessary and proper for the management and care of the park and for the protection of the property therein, especially for the preservation from injury or spoliation of all timber, natural curiosities, or wonderful objects within said park,

Hunting, fishing, etc., prohibitions.

Regulations, etc., to be prescribed.

and for the protection of the animals and birds in the park from capture or destruction, and to prevent their being frightened or driven from the park; and he shall make rules and regulations governing the taking of fish from the streams or lakes in the park. Possession within said park of the dead bodies, or any part thereof, of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this Act. Any person or persons, or stage or express company, or railway company, who knows or has reason to believe that they were taken or killed contrary to the provisions of this Act and who receives for transportation any of said animals, birds, or fish so killed, caught, or taken, or who shall violate any of the provisions of this Act or any rule or regulation that may be promulgated by the Secretary of the Interior with reference to the management and care of the park or for the protection of the property therein, for the preservation from injury or spoliation of timber, natural curiosities, or wonderful objects within said park, or for the protection of the animals, birds, or fish in the park, or who shall within said park commit any damage, injury, or spoliation to or upon any building, fence, hedge, gate, guidepost, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, natural curiosities, or other matter or thing growing or being thereon or situated therein, shall be deemed guilty of a misdemeanor and shall be subject to a fine of not more than \$500 or imprisonment not exceeding six months, or both, and be adjudged to pay all costs of the proceedings. (U.S.C., 6th supp., title 16, sec. 198c.)

Evidence of violations.

Punishment for violating specified provisions hereof, etc.

Penalty.

SEC. 5. That all guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons within said park limits when engaged in killing, trapping, ensnaring, or capturing such wild beasts, birds, or animals shall be forfeited to the United States and may be seized by the officers in said park and held pending the prosecution of any person or persons arrested under charge of violating the provisions of this Act, and upon conviction under this Act of such person or persons using said guns, traps, teams, horses, or other means of transportation, such forfeiture shall be adjudicated as a penalty in addition to the other punishment provided in this Act. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior. (U.S.C., 6th supp., title 16, sec. 198d.)

Forfeiture of guns, traps, etc., illegally used.

SEC. 6. That the United States District Court for the State of Colorado shall appoint a commissioner who shall reside in the park and who shall have jurisdiction to hear and act upon all complaints made of any violations of law or of the rules and regulations made by the Secretary of the Interior for the government of the park and for the protection of the animals, birds, and fish, and objects of interest therein, and for other purposes authorized by this Act.

Commissioner for Appointment, authority, etc.

Such commissioner shall have power, upon sworn information, to issue process in the name of the United States for the arrest of any person charged with the commission of any misdemeanor, or charged with a violation of the rules and regulations, or with a violation of any of the provisions of this Act prescribed for the government of said park and for the protection of animals, birds, and fish in said park, and to try the persons so charged, and, if found guilty, to impose punishment and to adjudge the forfeiture prescribed.

Judicial powers in violations of rules, etc.

In all cases of conviction an appeal shall lie from the judgment of said commissioner to the United States District Court for the State of Colorado, and the United States district court in said district shall prescribe the rules of procedure and practice for said commissioner in the trial of cases and for appeal to said United States district court. (U.S.C., 6th supp., title 16, sec. 198e.)

Appeals to district court.

SEC. 7. That such commissioner shall also have power to issue process as hereinbefore provided for the arrest of any person charged with the commission within said boundaries of any criminal offense not covered by the provisions of section 4 of this Act to hear the evidence introduced, and if he is of opinion that probable cause is shown for holding the person so charged for trial shall cause such person to be safely conveyed to a secure place of confinement within the jurisdiction of the United States District Court for the State of Colorado, and certify a transcript of the record of his proceedings and the testimony in the case to said court, which court shall have jurisdiction of the case: *Provided*, That the said commissioner shall grant bail in all cases bailable under the laws of the United States or of said State. (U.S.C., 6th supp., title 16, sec. 198f.)

Procedure in criminal cases.

Proviso. Bail allowed.

SEC. 8. That all process issued by the commissioner shall be directed to the marshal of the United States for the district of Colorado, but nothing herein contained shall be so construed as to prevent the arrest by any officer or employee of the Government or any person employed by the United States in the policing of said reservation within said boundaries without process of any person taken in the act of violating the law or this Act or the regulations prescribed by the said Secretary as aforesaid. (U.S.C., 6th supp., title 16, sec. 198g.)

Service of process.

Summary arrests.

SEC. 9. That the commissioner provided for in this Act shall be paid an annual salary as appropriated for by Congress, payable quarterly: *Provided*, That the said commissioner shall reside within the exterior boundaries of said Rocky Mountain National Park, at a place to be designated by the court making such appointment: *And provided further*, That all fees, costs, and expenses collected by the commissioner shall be disposed of as provided in section 11 of this Act. (U.S.C., 6th supp., title 16, sec. 198h.)

Pay of commissioner.

Proviso. Residence required.

Disposal of fees.

United States fees.

SEC. 10. That all fees, costs, and expenses arising in cases under this Act and properly chargeable to the United States shall be certified, approved, and paid as are like fees, costs, and expenses in the courts of the United States. (U.S.C., 6th supp., title 16, sec. 198i.)

Deposit of fines and costs.

SEC. 11. That all fines and costs imposed and collected shall be deposited by said commissioner of the United States, or the marshal of the United States collecting the same, with the clerk of the United States District Court for the State of Colorado. (U.S.C., 6th supp., title 16, sec. 198j.)

Acceptance of commission.

SEC. 12. That the Secretary of the Interior shall notify, in writing, the Governor of the State of Colorado of the passage and approval of this Act.

An Act To provide for the addition of certain lands to the Rocky Mountain National Park, in the State of Colorado, approved June 21, 1930 (46 Stat. 791)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized, upon the recommendation of the Secretary of the Interior, and with respect to lands located in a national forest upon the joint recommendation of the Secretaries of the Interior and of Agriculture, to add to the Rocky Mountain National Park, in the State of Colorado, by Executive proclamation any or all of the following-described lands, to wit:

Rocky Mountain National Park, Colo. Addition of lands to, authorized.

Sections 5 and 6, township 3 north, range 75 west. All of section 3 except the northeast quarter northeast quarter; all of section 4; north half, north half southeast quarter, southwest quarter southeast quarter section 5; north half, northwest quarter southwest quarter section 9; north half, northeast quarter southwest quarter, southeast quarter section 10; northeast quarter, north half southeast quarter section 15, in township 4 north, range 73 west.

Description.

North half, southwest quarter, northwest quarter southeast quarter section 17; south half southwest quarter, southwest quarter southeast quarter section 20; south half northeast quarter, southeast quarter northwest quarter, south half section 28; all of section 29 except northeast quarter northeast quarter; east half section 32; all of section 33; southwest quarter northeast quarter, northwest quarter northwest quarter, south half northwest quarter, southwest quarter, west half southeast quarter, southeast quarter southeast quarter section 34, in township 5 north, range 73 west.

All of sections 6, 7, and 18; that portion of section 19 lying outside of park boundary, in township 5 north, range 75 west.

All of sections 1, 2, 11, 12, 13, 14, 23, and 24; those portions of sections 3 and 10 lying east of the Continental Divide; that portion of section 15 lying east of the Continental Divide and on the eastern slope of Mount Nimbus; and that portion of section 22 lying on the eastern slope of Baker Mountain, in township 5 north, range 76 west.

All of sections 19, 30, and 31; that portion of section 20 lying outside of the park boundary and south of the boundary line between Larimer and Grand Counties; that part of sections 17 and 18 lying south of the boundary line between Larimer and Grand Counties and the Continental Divide and that part of section 29 lying outside the park boundary, in township 6 north, range 75 west.

All of sections 25, 26, 35, and 36; those portions of sections 13, 22, 23, 24, 27, and 34 lying east of the Continental Divide, in township 6 north, range 76 west; and all the lands added to said park pursuant hereto shall be, and are hereby, made subject to all laws, rules, and regulations applicable to and in force in the Rocky Mountain National Park. (U.S.C., 6th supp., title 16, sec. 192b.)

SEC. 2. That nothing herein contained shall affect any vested and accrued rights of ownership of lands or any valid existing claim, location, or entry existing under the land laws of the United States at the date of passage of this Act, whether for homestead, mineral, rights of way, or any other purposes whatsoever, or any water rights and/or rights of way connected therewith, including reservoirs, conduits, and ditches, as may be recognized by local customs, laws, and decisions of courts, or shall affect the right of any such owner, claimant, locator, or entryman to the full use and enjoyment of his land. (U.S.C., 6th supp., title 16, sec. 192c.)

Prior rights of ownership, etc., protected.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

[No. 1917—July 17, 1930—46 Stat. 3029]

WHEREAS Congress by act of June 21, 1930 (Public Law No. 404, 71st Cong.), entitled "An act to provide for the addition of certain lands to the Rocky Mountain National Park, in the State of Colorado," authorized the President of the United States, upon certain recommendations, to add to said park by Executive proclamation any or all of the lands described therein adjoining the present boundaries of said park, and

WHEREAS pursuant to and in accordance with the provisions of said act of Congress, the Secretaries of the Interior and of Agriculture have jointly recommended the addition to the park of certain of the lands described therein, and

WHEREAS it appears that the public interest would be promoted by including such lands within said park for preservation and administration as a part of the park,

NOW, THEREFORE, I, Herbert Hoover, President of the United States of America, do proclaim that the lands hereinafter described shall be, and are hereby, added to and included within the Rocky Mountain National Park, and as part of said park shall be, and are hereby, made subject to the provisions of the act of August 25, 1916 (39 Stat. 535), entitled "An act to establish a National Park Service, and for other purposes," and all acts supplementary thereto and amendatory thereof and all other laws and rules and regulations applicable to and extending over the said park:

SIXTH PRINCIPAL BASE AND MERIDIAN

All of sections 6, 7, and 18; that portion of section 19 lying outside of park boundary, in township 5 north, range 75 west.

All of sections 1, 2, 11, 12, 13, 14, 23, and 24; those portions of sections 3 and 10 lying east of the Continental Divide; that portion of section 15 lying east of the Continental Divide and on the eastern slope of Mount Nimbus; and that portion of section 22 lying on the eastern slope of Baker Mountain, in township 5 north, range 76 west.

All of sections 19, 30, and 31, that portion of section 20 lying outside of the park boundary and south of the boundary line between Larimer and Grand Counties; that part of sections 17 and 18 lying south of the boundary line between Larimer and Grand Counties and the Continental Divide; and that part of section 29 lying outside the park boundary in township 6 north, range 75 west.

All of sections 25, 26, 35, and 36; those portions of sections 13, 22, 23, 24, 27, and 34 lying east of the Continental Divide, in township 6 north, range 76 west.

Nothing herein shall affect any existing valid claim, location or entry on said lands made under the land laws of the United States whether for homestead, mineral, right of way, or any other purposes whatsoever, or

shall affect the right of any such claimant, locator, or entryman to the full use and enjoyment of his land.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 17th day of July, in the year of our Lord nineteen hundred and thirty, and of the independence [SEAL] of the United States of America the one hundred and fifty-fifth.
HERBERT HOOVER.

By the President:
H. L. STIMSON,
Secretary of State.

Excerpt from "An Act To provide for uniform administration of the national parks by the United States Department of the Interior, and for other purposes," approved January 26, 1931 (46 Stat. 1043)

SEC. 7. The provision of the Act of January 26, 1915 (38 Stat. 798), authorizing the Secretary of the Interior, in his discretion and upon such conditions as he may deem wise, to grant easements or rights of way for steam, electric, or similar transportation upon or across the lands within the Rocky Mountain National Park, is hereby repealed. (U.S.C., 6th Supp., title 16, sec. 193.)

Grants of rights of way within Rocky Mountain National Park, repealed.
Last provision of Vol. 38, p. 798, repealed.
See p. 152.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

[No. 1935—Jan. 11, 1932—47 Stat. 2498]

WHEREAS Congress by act of June 21, 1930 (46 Stat. 791-792), entitled "An Act To provide for the addition of certain lands to the Rocky Mountain National Park, in the State of Colorado," authorized the President of the United States, upon certain recommendations, to add to said park by Executive proclamation any or all of the lands described therein adjoining the present boundaries of said park; and

WHEREAS pursuant to and in accordance with the provisions of said act of Congress, the Secretary of the Interior has recommended the addition to the park of certain of the lands described therein; and

WHEREAS it appears that the public interest would be promoted by including such lands within said park for preservation and administration as a part of the park;

NOW, THEREFORE, I, Herbert Hoover, President of the United States of America, do proclaim that the lands hereinafter described shall be, and are hereby, added to and made a part of said park, and they are hereby made subject to the provisions of the act of August 25, 1916 (39 Stat. 535-536), entitled "An act to establish a National Park Service, and for other purposes," and all acts supplementary thereto and amendatory thereof and all other laws and rules and regulations applicable to and extending over the said park:

SIXTH PRINCIPAL MERIDIAN

T. 4 N., R. 73 W., sec. 4, all of that part of lot 2 lying between the Big Thompson River and the Glacier Creek, lots 3, 4, and 5;

sec. 5, lots 1, 2, 3, 4, 5, 6, and 8;

T. 5 N., R. 73 W., sec. 17, N. $\frac{1}{2}$, SW. $\frac{1}{4}$, NW. $\frac{1}{4}$ SE. $\frac{1}{4}$;

sec. 20, S. $\frac{1}{2}$ SW. $\frac{1}{4}$, SW. $\frac{1}{4}$ SE. $\frac{1}{4}$;

sec. 28, S. $\frac{1}{2}$, NE. $\frac{1}{4}$, SE. $\frac{1}{4}$ NW. $\frac{1}{4}$, S. $\frac{1}{2}$;

sec. 29, W. $\frac{1}{2}$, W. $\frac{1}{2}$ NE. $\frac{1}{4}$, SE. $\frac{1}{4}$ NE. $\frac{1}{4}$, SE. $\frac{1}{4}$;

sec. 32, E. $\frac{1}{2}$;

sec. 33, W. $\frac{1}{2}$, N. $\frac{1}{2}$ NE. $\frac{1}{4}$, SW. $\frac{1}{4}$ SE. $\frac{1}{4}$;

sec. 34, NW. $\frac{1}{4}$ NW. $\frac{1}{4}$;

containing approximately 3,075 acres.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 11th day of January, in the year of our Lord nineteen hundred and thirty-two, and of the Independence of the United States of America the one hundred and fifty-sixth.

HERBERT HOOVER.

By the President:
HENRY L. STIMSON,
Secretary of State.

A PROCLAMATION

[No. 2160—Mar. 5, 1936—49 Stat. 3 01]

WHEREAS the act of June 21, 1930, ch. 561, 46 Stat. 791, authorizes the President of the United States, upon the recommendation of the Secretary of the Interior, and with respect to lands located in a national forest upon the joint recommendation of the Secretaries of the Interior and of Agriculture, to add to the Rocky Mountain National Park, in the State of Colorado, by Executive proclamation, any or all of the lands described in the said act; and

WHEREAS the Secretary of the Interior has recommended the addition to the said park of certain of the lands described in the said act not within a national forest; and

WHEREAS it appears that the public interest would be promoted by including such lands within the said park for road purposes and administration as a part of the said park:

NOW, THEREFORE, I, Franklin D. Roosevelt, President of the United States of America, do proclaim that the lands hereinafter described shall be, and are hereby, added to and included within the Rocky Mountain National Park, in the State of Colorado, and as part of the said park such lands shall be, and are hereby, made subject to the provisions of the act entitled "An Act to establish a National Park Service, and for other purposes," approved August 25, 1916 (39 Stat. 535), and all acts supplementary thereto and amendatory thereof, and all other laws and rules and regulations applicable to the said park:

SIXTH PRINCIPAL BASE AND MERIDIAN

Beginning at a point S. 6°48' E. 557 feet from the northeast corner of Lot No. 3, Section 4, T. 4 N., R. 73 W.; thence southeasterly 50.2 feet along the center line of the Thompson River; thence easterly 473.4 feet on the true arc of a curve right with a radius equal to 1382.5 feet; thence S. 84°00' E. 267.9 feet; thence southeasterly 44.2 feet on the true arc of a curve left with radius equal to 527.5 feet; thence north 100.5 feet; thence northwesterly 35.8 feet on the true arc of a curve right with a radius equal to 427.5 feet; thence N. 84°00' W. 267.9 feet; thence westerly 507.6 feet on the true arc of a curve left with a radius equal to 1482.5 feet to the center line of the Thompson River; thence southeasterly 50.2 feet along the center line of the Thompson River to the point of beginning; all of said tract being located in Lot No. 2, Section 4, T. 4 N., R. 73 W., in Larimer County, Colorado.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 5th day of March, in the year of our Lord nineteen hundred and thirty-six and of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D. ROOSEVELT.

By the President:
CORDELL HULL,
The Secretary of State.

An Act To authorize an exchange of certain lands with William W. Kiskadden in connection with the Rocky Mountain National Park, Colorado, approved July 14, 1945 (59 Stat. 466)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon submission of satisfactory evidence of title the Secretary of the Interior is hereby authorized, in his discretion, to accept title on behalf of the United States to the following described land conveyed to William W. Kiskadden by warranty deed numbered 174403 from Mrs. Arah Chapman, recorded August 24, 1916, in book 339, page 231, records of Larimer County, Colorado: Beginning at the northeast corner of the southwest quarter of section 31, township 5 north, range 73 west, sixth principal meridian, Colorado; thence south four hundred and eighty feet; thence west two hundred feet; thence north 27 degrees 30 minutes west five hundred and forty-one feet; thence east four hundred and fifty feet to the place of beginning, containing approximately three and fifty-eight one-hundredths acres, and in exchange therefor to issue a patent for that portion of the northeast quarter of the southwest quarter and that portion of the southeast quarter of the northwest quarter of section 31, township 5 north, range 73 west, sixth principal meridian, Colorado, more particularly described as follows: Beginning at a point from whence the center quarter-section corner of section 31 bears south 79 degrees no minutes east, three hundred and sixty and nine-tenths feet; thence south four hundred and eighty feet to a point from whence the east quarter corner of section 31 bears north 79 degrees 22 minutes east, two thousand six hundred and seventy-three and six-tenths feet; thence west two hundred feet; thence north 27 degrees 30 minutes west, five hundred and forty-one feet; thence east four hundred and fifty feet to the point of beginning, containing approximately three and five-tenths acres: Provided, That the land conveyed to the United States, other than the land to be patented, shall, upon acceptance of title thereto, become a part of the Rocky Mountain National Park Colorado, and become subject to all laws and regulations applicable to said park. (16 U.S.C. § 192b-1.)

William W. Kiskadden. Exchange of lands.

APPENDIX "D"

An Act For the addition of certain lands to Rocky Mountain National Park, Colorado, and for other purposes, approved August 24, 1949 (53 Stat. 626)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described lands, comprising approximately one hundred and forty acres, are hereby added to Rocky Mountain National Park and shall be subject to all laws and regulations applicable to said park:

Rocky Mountain National Park, Colo. Additional lands.

SIXTH PRINCIPAL MERIDIAN

Township 5 north, range 73 west, section 27, southwest quarter northwest quarter, and west half southwest quarter; section 34, west half northeast quarter northwest quarter. (16 U.S.C. § 192b-2.)

SEC. 2. The Secretary of the Interior is authorized to acquire lands and interests in lands by donation or with donated funds, by purchase with Federal funds, or otherwise, in his discretion, for development of an appropriate eastern approach to the park, described as follows:

SIXTH PRINCIPAL MERIDIAN

Township 5 north, range 73 west; those parts of the following subdivisions lying south of the south boundary of the present Highdrive Road right-of-way: Section 27, east half southwest quarter, and south half southeast quarter; section 34, northeast quarter northeast quarter; section 35, west half northwest quarter northwest quarter; those parts of the following subdivisions lying north and west of the left bank of the Big Thompson River: Section 34, north half southeast quarter northeast quarter; section 35, southwest quarter northwest quarter comprising approximately one hundred and forty-five acres; and a strip of land, not to exceed an average of five hundred feet in width, generally paralleling the Thompson River for approximately one and six-tenths miles from near the center of section 25, township 5 north, range 73 west, to the one hundred and forty-five-acre tract described elsewhere in this section. (16 U.S.C. § 192b-3.)

SEC. 3. All property acquired pursuant to this Act shall become a part of the park, following acquisition of title thereto by the United States upon the issuance of an appropriate order or orders by the Secretary of the Interior setting forth the revised boundaries of the park, such order or orders to be effective immediately upon the expiration of thirty full calendar days after publication in the Federal Register. Lands so added to the park shall thereafter be subject to all laws and regulations applicable to the park. (16 U.S.C. § 192b-5.)

Issuance of orders.

SEC. 4. The Secretary of the Interior is authorized to acquire by purchase or otherwise such properties within the exterior boundaries of Rocky Mountain National Park as may be deemed by him to be necessary in connecting the eastern approach road with the existing Bear Lake and Trail Ridge roads, and in developing the present governmental residential, utility, and proposed administrative units. (16 U.S.C. § 192b-4.)

Acquisition of property.

An Act To authorize the Secretary of the Interior to exchange certain property in Rocky Mountain National Park, Colorado, and for other purposes, approved August 17, 1961 (75 Stat. 383)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to exchange in the manner and to the extent hereinafter provided land, interests in land, and improvements in Rocky Mountain National Park:

Rocky Mountain National Park, Colo.

(1) The Secretary may convey to the Colorado Transportation Company the possessory interest which the United States has in the Fall River Pass Building, but not the land upon which the building is situated, adjacent to the Trail Ridge Road in section 36, township 6 north, range 75 west: *Provided*, The United States shall reserve for a period of two years the right to use without charge the alpine exhibit room; and he may also convey to said company all right, title, and interest of the United States in and to the property known as Grand Lake Lodge, described in section 3 hereof as parcel A, including the land and any improvements thereon owned by the United States;

(2) In exchange for the foregoing, the Secretary is authorized to accept from the Colorado Transportation Company the land and interests therein located in Rocky Mountain National Park, described in section 3 as parcels C and D, together with such other privately owned land and interests in land within the park as he may designate;

(3) In exchange for the Government property conveyed pursuant to this Act the United States shall receive other property of approximately equal value and such differences as there may be in values shall be equalized by a payment of funds: *Provided*, That all procedures and rights authorized in this Act shall be in conformity with that agreement entered into under date of February 7, 1961, by and between the United States of America and the Colorado Transportation Company. (16 U.S.C. § 192b-6.)

SEC. 2. Upon consummation of the exchange the Secretary shall, by publishing notice in the Federal Register, revise the boundary of Rocky Mountain National Park so as to exclude from the park the land described in section 3 as combined parcels A and B. (16 U.S.C. § 192b-7.)

Publication
in F.R.

SEC. 3. The aforesaid parcels A, C, and D, and the combined parcels A and B are, subject to minor revisions or corrections of a technical nature, more particularly described as follows:

PARCEL A

Beginning at the southeast corner of section 31, township 4 north, range 75 west of the sixth principal meridian; thence north 800.0 feet along the east line of said section 31; thence west 1,000.0 feet; thence south 134.06 feet; thence west 329.75 feet; thence south 166.94 feet; thence west 1,078.60 feet; thence south 497.82 feet, more or less, to the south line of said section 31; thence east along the south line of said section 31 to the point of beginning, containing 35 acres more or less.

PARCEL C

Beginning at a point on the west line of section 32, township 4 north, range 75 west of the sixth principal meridian, 800 feet north of the southwest corner of said section 32; thence east 660.0 feet; thence north 520.0 feet; thence east 660.0 feet; thence north 1,325.94 feet; thence west to the west line of said section 32; thence south along said west line of said section 32 to the point of beginning, containing 48 acres, more or less.

PARCEL D

Beginning at a point 800.0 feet north and 660.0 feet east of the southwest corner of section 32, township 4 north, range 75 west of the sixth principal meridian; thence east 1,962.18 feet; thence north 520.0 feet; thence west 1,962.18 feet; thence south 520.0 feet to the point of beginning, containing 23.5 acres, more or less.

Beginning at the corner common to sections 31 and 32, township 4 north, range 75 west, and sections 5 and 6, township 3 north, range 75 west, sixth principal meridian; thence south 88 degrees 55 minutes east, 660.0 feet along the south section line of said section 32; thence north 800.0 feet; thence west 660.0 feet, more or less, to a point on the section line common to said sections 31 and 32; thence continuing west 1,000.0 feet; thence south 134.06 feet; thence west 329.75 feet; thence south 166.94 feet; thence west 1,078.6 feet; thence south 497.82 feet, more or less, to a point on the south section line of said section 31; thence south 89 degrees east 24 minutes east, 2,389.47 feet along the south section line of said section 31 to the point of beginning; the tract as described containing approximately 47 acres. (16 U.S.C. § 192b-8.)

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, to authorize appropriations for additional costs of land acquisition for the National Park System, and for other purposes. (88 Stat. 1445) (P.L. 93-477)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—ACQUISITION CEILING INCREASES

SEC. 101. The limitations on appropriations for the acquisition of lands and interests therein within units of the National Park System contained in the following Acts are amended as follows:

* * * * *

(9) Rocky Mountain National Park, Colorado: For the acquisition of lands authorized in subsection 301(6) of this Act, there are authorized to be appropriated not more than \$2,423,740 and for development of such lands there are authorized to be appropriated not more than \$318,000.

* * * * *

TITLE III—BOUNDARY CHANGES

SEC. 301. The Secretary of Interior shall revise the boundaries of the following units of the National Park System:

* * * * *

(7) Rocky Mountain National Park, Colorado: To add approximately 1,556.21 acres.

* * * * *

Approved October 26, 1974.

SEC. 111. (a) The boundaries of Rocky Mountain National Park, the Roosevelt National Forest, and the Arapaho National Forest are revised as generally depicted on the map entitled "Boundary Adjustments, Rocky Mountain National Park", numbered 121-80,047, dated October 1, 1979, which shall be on file and available for public inspection in the Office of the Director, National Park Service, Department of the Interior, and the Office of the Chief, Forest Service, Department of Agriculture: *Provided*, That the area shown on such map as E-5 and known as the Twin Sisters area shall remain a part of the Rocky Mountain National Park. All lands added or transferred by this Act to Rocky Mountain National Park, Roosevelt National Forest, and Arapaho National Forest shall be subject to the laws and regulations applicable to the appropriate National Park or National Forest. Lands within the Indian Peaks Wilderness Area as designated by Public Law 95-450 (92 Stat. 1099) that are transferred by this Act to Rocky Mountain National Park shall remain in the National Wilderness Preservation System. Lands within the Rocky Mountain National Park that are adjacent to the Indian Peaks Wilderness and that are transferred by this Act to the Roosevelt National Forest shall be incorporated in and become part of the Indian Peaks Wilderness.

16 USC 192b-9.

16 USC 460j
note.

(b) The Secretary of the Interior, with respect to lands added or transferred by this Act to Rocky Mountain National Park, and the Secretary of Agriculture, with respect to lands added or transferred by this Act to Roosevelt and Arapaho National Forests, may acquire lands and interests in such lands, by donation, purchase with donated or appropriated funds, or by exchange. The Secretary of Agriculture, under the provisions of the Act of March 20, 1922 (42 Stat. 465), as amended, may accept on behalf of the United States title to any land in section 30, township 7 north, range 73 west, of the sixth principal meridian which lies within the boundary of Rocky Mountain National Park as revised by this Act, in exchange for which the Secretary of the Interior, notwithstanding section 8(a) of the Wild and Scenic Rivers Act (Public Law 90-542, 82 Stat. 906), is authorized to issue patent to lands lying within the Cache La Poudre Wild and Scenic River study corridor. Upon completion of the exchange, the Secretary of Agriculture shall transfer to the administrative jurisdiction by the Secretary of the Interior the portion of such land lying within the boundary of the Rocky Mountain National Park as revised by this Act.

16 USC 465, 466

16 USC 1279.

(c) The Federal lands within the administrative jurisdiction of the Bureau of Land Management and within the areas referred to as E-2 and GL-3 on the map referred to in subsection (a) shall be transferred to Rocky Mountain National Park without transfer of funds.

(d) If the city of Longmont, Colorado, notifies the Secretary of the Interior that lands within the area referred to as E-8 on the map referred to in subsection (a) of this section that are owned by such city are necessary for the development of a reservoir, the Secretary shall by publication of a revised boundary description in the Federal Register revise the boundary of Rocky Mountain National Park within such area to exclude the lands which are necessary for the development of the reservoir: *Provided*, That the authority of such Secretary to revise the boundary for this purpose shall expire on November 1, 1981; and the only lands which may be excluded are the approximately one hundred twenty-nine acres owned by such city.

(e) If after the completion of two complete fiscal years following the date of enactment of this Act the Secretary of the Interior has not purchased interests in the lands of approximately one thousand two hundred acres known as the Old McGregor Ranch located within the area referred to as E-2 on the map referred to in subsection (a), and the owner of such lands petitions the Secretary to exclude such lands from Rocky Mountain National Park, the Secretary shall by publication of a revised boundary description in the Federal Register return

the boundary of Rocky Mountain National Park in such area E-2 to the boundary as it existed before the enactment of this Act.

(f) The Secretary of the Interior shall convey, to the city of Grand Lake, Colorado, without compensation or consideration, the lands, not to exceed two acres, within the area referred to as GL-5 on the map referred to in subsection (a).

(g) The Secretary of the Interior may provide for the use of snowmobiles along the East Shore Trail of Shadow Mountain Lake if after study the Secretary determines such use will not result in any significant adverse impact upon wildlife.

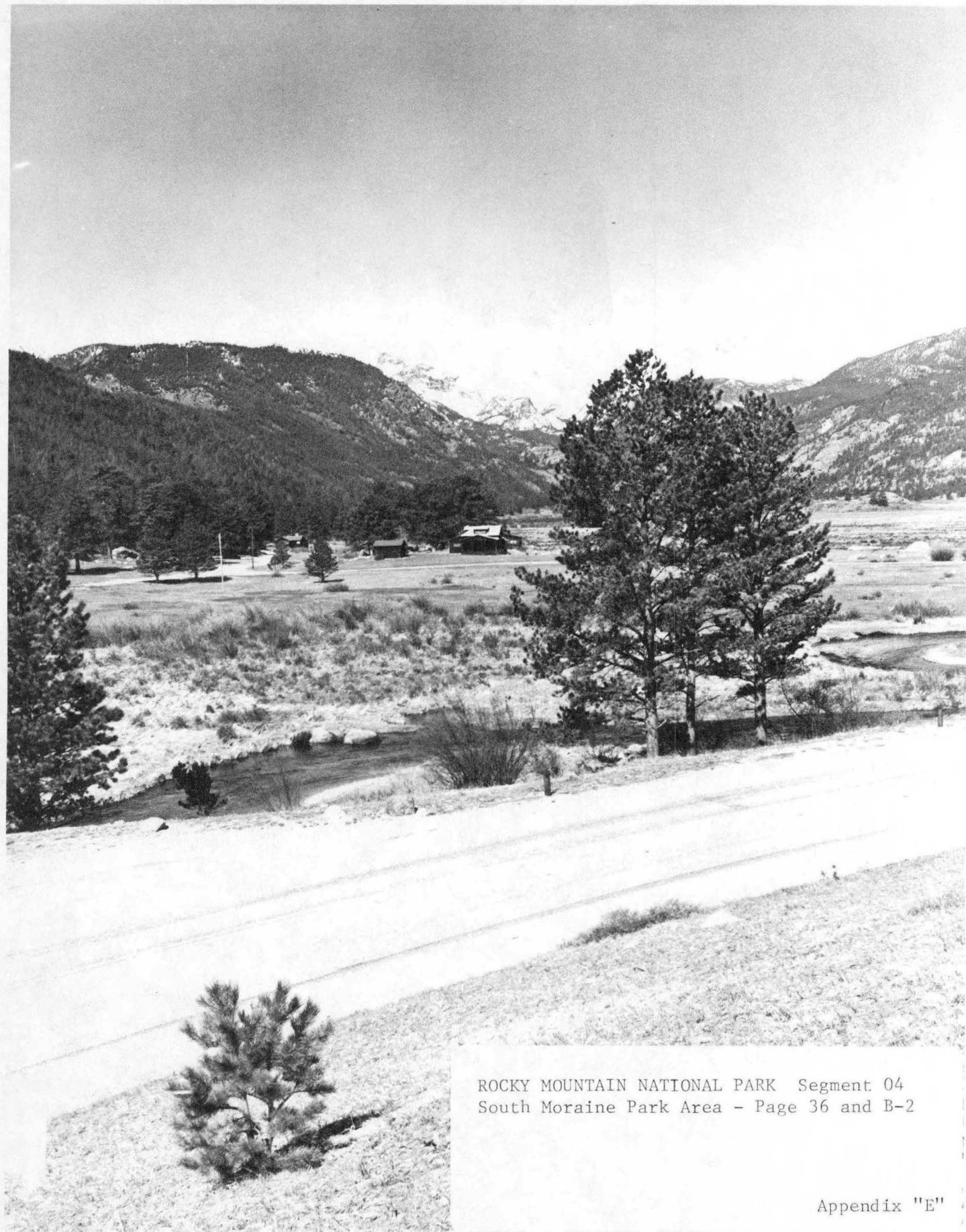


ROCKY MOUNTAIN NATIONAL PARK Segment 05
Wild Basin Area (Exterior) Copeland
Lake in Center - Page 32 and B-1



ROCKY MOUNTAIN NATIONAL PARK Segment 04
South Moraine Park Area - Page 36 and B-2

Appendix "E"



ROCKY MOUNTAIN NATIONAL PARK Segment 04
South Moraine Park Area - Page 36 and B-2

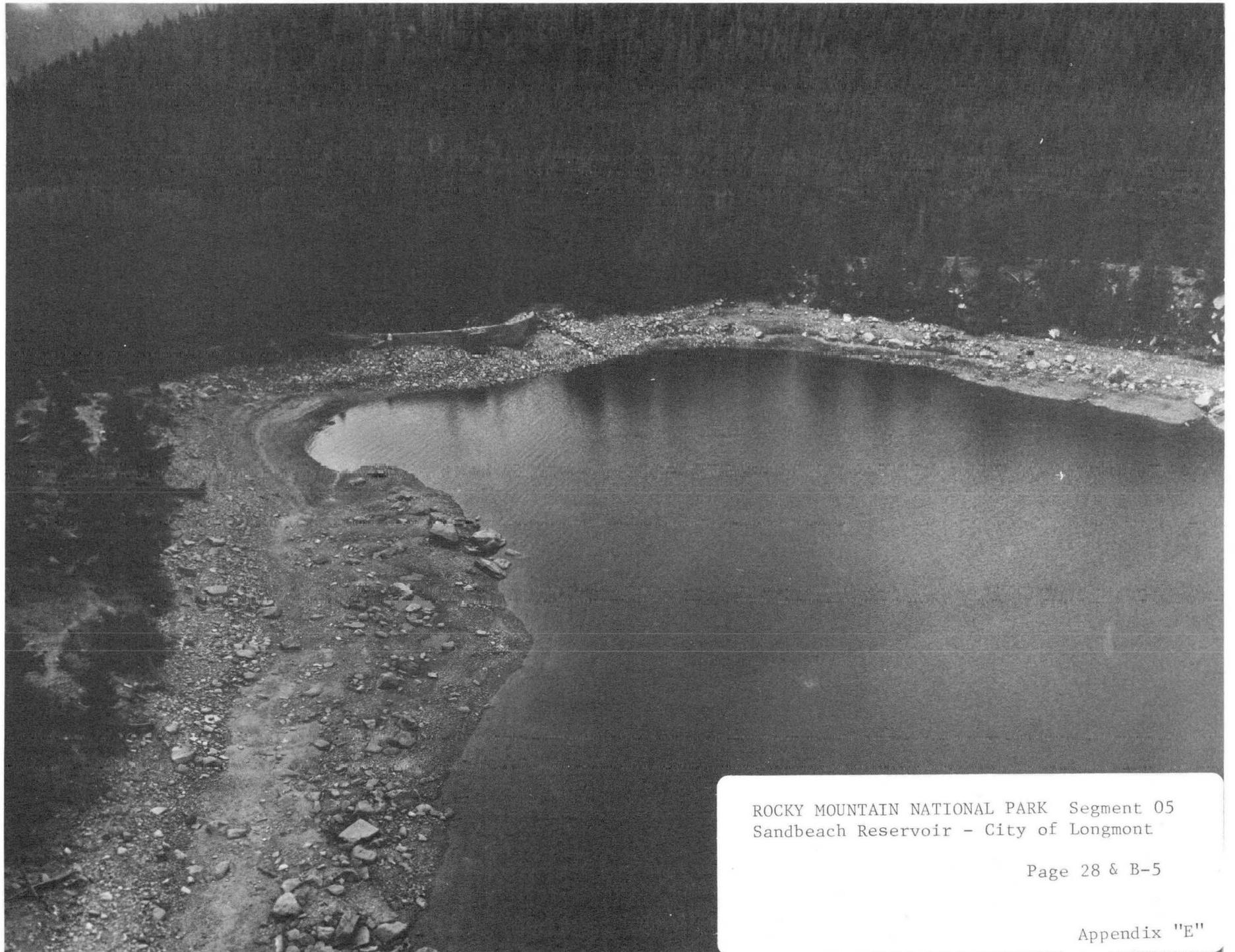


ROCKY MOUNTAIN NATIONAL PARK Segment 02
Aspenglen Campground/Cascade Lake Area
Show destruction by Lawn Lake Flood
Page 39-40 & B-3

Appendix "E"



ROCKY MOUNTAIN NATIONAL PARK Segment 03
Colorado River Area - Boundary is center of
river - Tract 03-101
Lies east (right) of river



ROCKY MOUNTAIN NATIONAL PARK Segment 05
Sandbeach Reservoir - City of Longmont

Page 28 & B-5

Appendix "E"



ROCKY MOUNTAIN NATIONAL PARK Segment 07
Bluebird Reservoir - City of Longmont

Page 28 and B-5

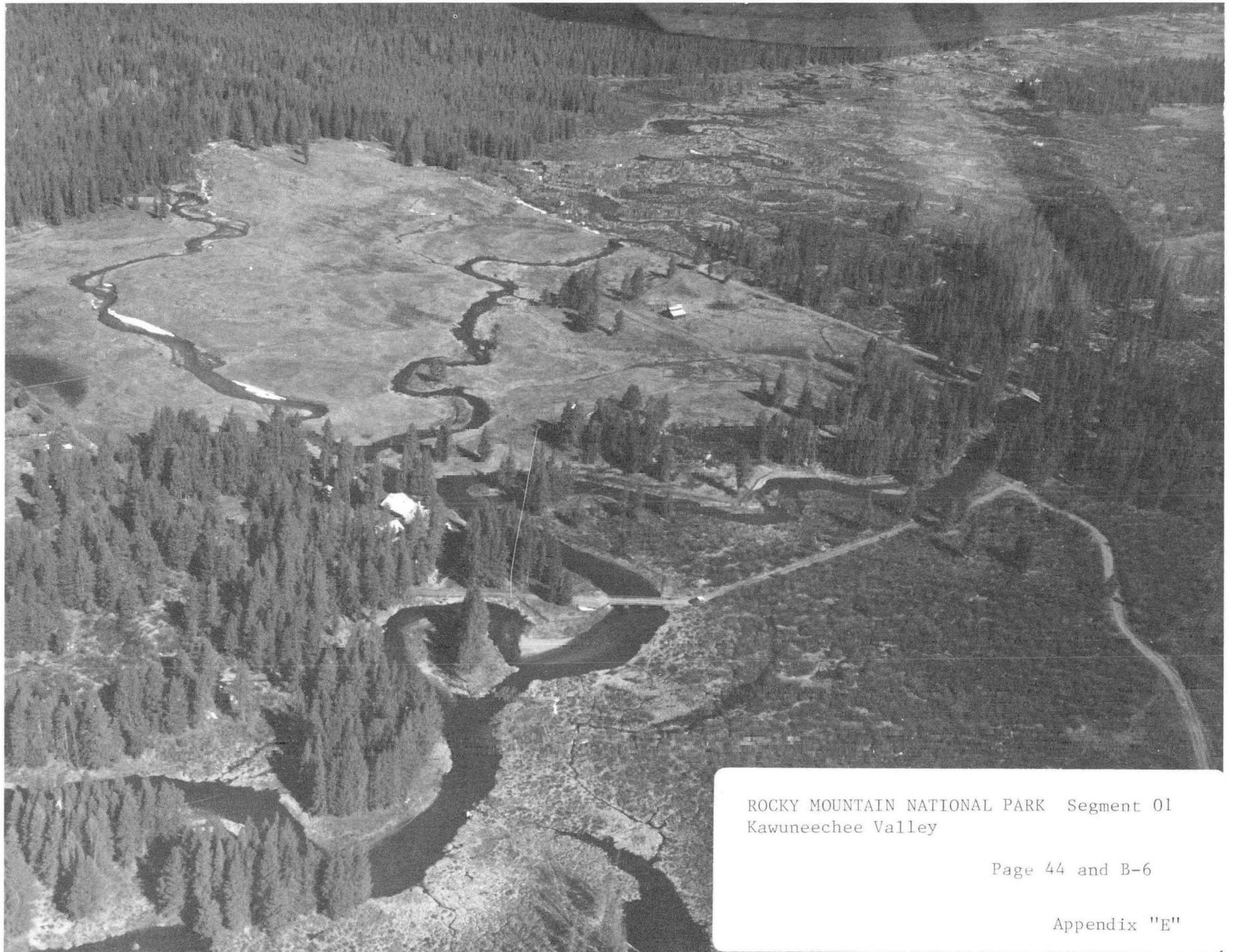
Appendix "E"



ROCKY MOUNTAIN NATIONAL PARK Segment 05
Pear Reservoir - City of Longmont

Page 28 and B-5

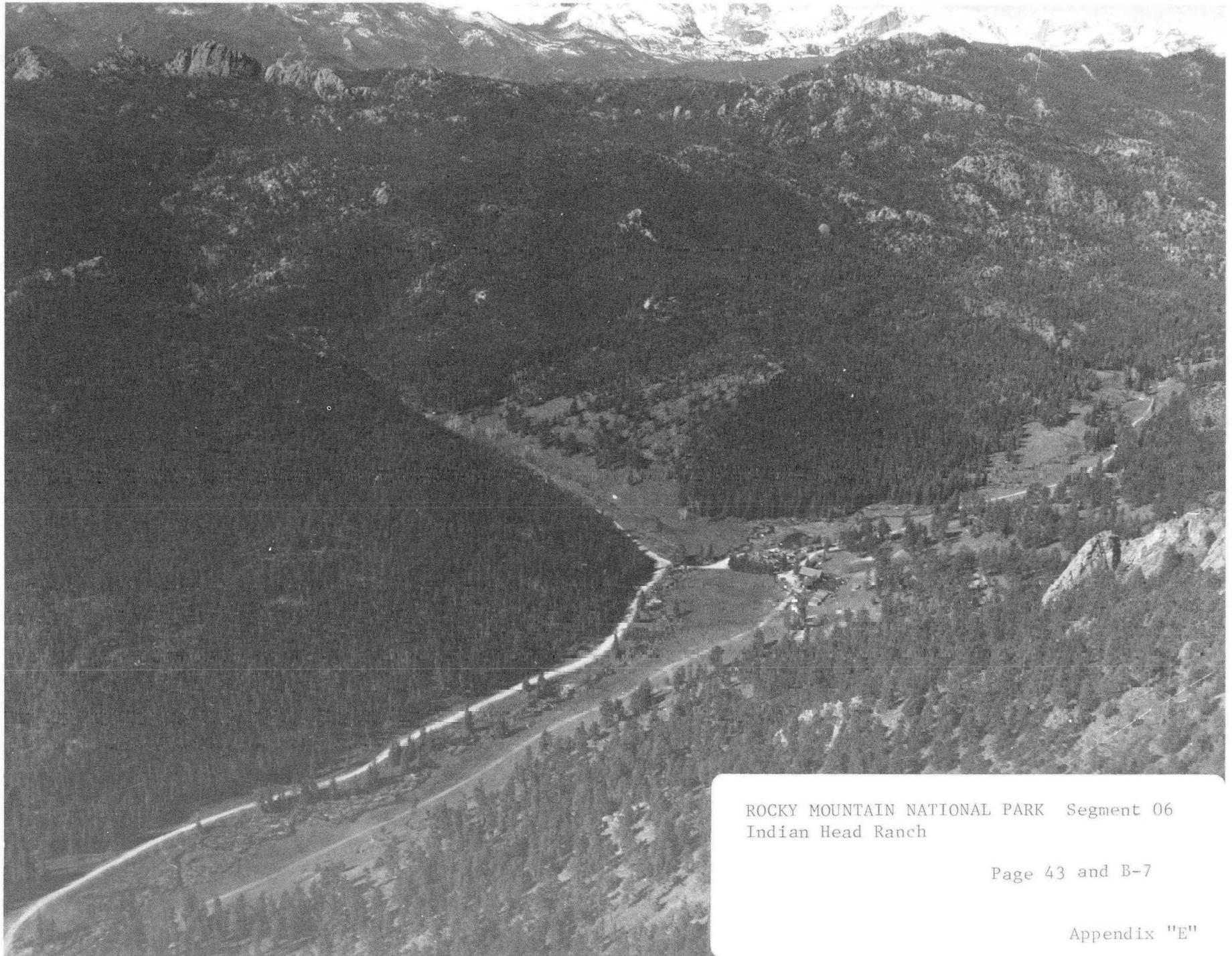
Appendix "E"



ROCKY MOUNTAIN NATIONAL PARK Segment 01
Kawuneechee Valley

Page 44 and B-6

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ROCKY MOUNTAIN NATIONAL PARK Segment 06
Indian Head Ranch

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ROCKY MOUNTAIN NATIONAL PARK Segment 10
MacGregor Ranch

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Appendix "E"

ENVIRONMENTAL ASSESSMENT
Land Protection Plan
Rocky Mountain National Park
Colorado

August, 1984

U.S. Department of the Interior
National Park Service

ENVIRONMENTAL ASSESSMENT
Land Protection Plan
Rocky Mountain National Park, Colorado

I. PURPOSE AND NEED

The purpose of this environmental assessment (EA) is to assess the environmental, visitor use and management impacts of a proposed plan to protect resources and achieve management purposes and public objectives for non-Federal properties within Rocky Mountain National Park. The EA is in accordance with the final interpretive rule for land protection plan contained in the Federal Register, Vol. 48, No. 92, May 11, 1983, which states "where NEPA compliance is required for a land protection plan, an environmental assessment will be prepared as a separate but attached document."

The land protection plan gives a general overview of the significance of the resources to be protected, and management direction for the park. The alpine tundra, glacial mountains, elk and bighorn sheep form the most significant aspects of Rocky Mountain National Park along with its wilderness characteristics. For management purposes, the park is divided into historic, development and natural zones, with the natural zone subdivided into subzones. Refer to the plan for a description of each of these zones and subzones.

Out of a total 265,228.80 acres in Rocky Mountain National Park, the proposed park protection plan identifies 92 parcels involving 976.87 acres of undeveloped and developed non-Federal lands, plus seven irrigation ditches, five water pipelines, and one water right impoundment.

II. ALTERNATIVES

The proposed park protection plan discusses six principal alternatives for protecting land to carry out the purposes of the park. These alternatives are (A) No action; (B) Cooperative agreements; (C) Acquisition of less-than-fee interest; (D) Acquisition of fee simple title; and (E) Exclusion from the park. For any of the less than fee options, a monitoring system would be necessary to assure compliance with the agreements. The proposed plan describes acquisition methods, including forms of assistance that may be available to sellers. Other alternatives, including regulation and donations, are discussed but with no specific proposals.

III. IMPACTS

A. No action alternative

With no action, offers to purchase private interests would not be made by the Federal government as long as compatible uses of the land did not appreciably alter the status quo of a specific parcel. Compatible activities are defined in the proposed land protection plan as generally encompassing normal maintenance, upkeep and operations without marked modifications of the

property. Under this alternative, where retaining compatible uses does not threaten park resources, it would not be necessary to acquire the property immediately. In these instances, continuation of private ownership could protect the lands for park purposes such as preserving significant natural or cultural resources; restoring material conditions to developed lands; or preserving natural conditions on undeveloped lands. This would be considered a "long-term" opinion. "No action" could also be used in a "short-term" situation where the private interests would be acquired until the opportunity arose when and if funds or other means of acquisition become available. Such situations for park purposes include responding to legislative requirements; preventing alteration of natural conditions, including undeveloped property; restoring natural lake levels and water flows; and improving or insuring access and use sites.

An appendix to the plan identifies 75 tracts as recommended for short-term "no action." Only one of those is also recommended for "no action" in the long-term to achieve the purpose of restoring natural lake levels and stream flows.

The plan points out that none of the non-Federal properties pose any concerns for listed or potential rare, threatened or endangered species, or for any of the park's cultural resources. The "no action" alternative would pose only minimal socioeconomic impacts upon landowners.

B. Cooperative agreement alternative.

Under this alternative, owners would retain title to the land, but would agree to provisions for Federal functions such as access, interpretive services, maintenance and restoration of structures, or development of necessary facilities. One parcel is proposed for this alternative in the "short-term" to allow for preservation of the historical scene adjacent to the William Allen White property, and access for historic documentation. Any restriction in the cooperative agreement would be a minimal socioeconomic impact for the landowner.

C. Acquisition of less-than-fee interest alternative.

Such interests would usually take the form of scenic and/or restrictive easements that would be binding on the landowner. Rights-of-way easements are included to protect corridors needed for park roads, trails and utilities. Conservation easements are proposed for two properties to preclude obtrusive development adjacent to Glacier Creek and the North Inlet Trail. Property owners would be precluded from activities incompatible with the provisions of these easements, which would be a socioeconomic impact.

D. Acquisition of fee simple title alternative.

This alternative would provide permanent, maximum protection of park resources and management flexibility. This alternative is proposed for ten parcels in the short-term and would be extended for use for 63 other tracts over the long-term. Sociological impacts for property owners could be greater than for previous options, depending upon the negotiation of terms for the purchase. Separate EA's have been or will be developed for the acquisition of the Bluebird, Pear and Sandbeach Dams in Wild Basin.

E. Exclusion from the park alternative

Fourteen tracts are proposed to be deleted from the park in the long term. These are lands which do not possess park resource values or potential park development sites. Once the lands were excluded from the park, they would not be subject to the direct concerns by the National Park Service as to incompatible uses.

CONSULTATION AND COORDINATION

The proposed land protection plan was afforded public review early in 1984. About 25 percent of those receiving the plan responded to it in writing. This EA covers the plan that addresses those responses.

The Rocky Mountain Regional Office, National Park Service assisted with the preparation of this EA.

FINDING OF NO SIGNIFICANT IMPACT
Land Protection Plan
Rocky Mountain National Park, Colorado

An environmental assessment together with the proposed land protection plan evaluated the consequences of various methods to protect park resources and achieve management objectives for non-Federal lands in Rocky Mountain National Park. The draft plan reflects comments received during a public review of the proposed plan, which had a 25.9 percent response. The primary issues of defining "short-term" and "long-term" options were clarified in the plan. The draft land protection plan that was presented to the public identified the Eureka Ditch water right as a potential for exchange. Since then, six other ditches and five water pipelines have been identified as non-Federal ownerships. Only one of these, the Grand River Ditch is proposed for eventual acquisition of its easement. No action is proposed for the other ditches and pipelines.

Since the plan had a low rate of response from the reviewing public and the principal issues are clarified in the plan, it is determined that implementing the various options on an opportunity basis will not be a major Federal action with a significant impact on the human environment. Therefore, an environmental impact statement will not be prepared for this plan.

Jack Neuhub
Regional Director

3/19/95
Date

RECORD OF RESPONSE
TO PUBLIC COMMENTS
REGARDING LAND PROTECTION PLAN

ROCKY MOUNTAIN NATIONAL PARK

The Land Protection Plan for Rocky Mountain National Park was prepared to identify non-Federal land or interests in land within the authorized boundaries, and to establish priorities for the protection and management of these lands or interests in these lands. Preparation of the plan was in response to the Department of Interior policy for the Federal Portion of the Land and Water Conservation Fund (47 FR 19787). Local, State and Federal agencies, organizations, and the public were invited to comment on the plan. During the review period twenty-five responses were received; four were from non-property owners, and twenty-one from property owners (25.9% of total). Based on these responses, the plan can be considered non-controversial. Some issues, however, such as "short term" and "long term" options had to be clarified since several inholders were concerned about their future rights.

All comments were taken into consideration, and some changes to the plan were made in an effort to finalize the plan. In some situations, the narrative was revised to clarify the priority system of acquisition. These changes include the following:

1. Page 1: Summary. Acreages updated to reflect acquisition of MacGregor Ranch Conservation Easement and revision of priority categories.
2. Page 5: Map changed to reflect addition of the Grand River Ditch and Eureka Ditch Areas and deletion of the Pingree Park Area.
3. Page 7: Clarification added under "Historic Zone" relative to coordination with the State Historic Preservation Officer.
4. Page 11: Acreages update to reflect changes.
5. Page 12: Statement added on approval of modifications contingent on obtaining a County building permit.
6. Page 13: Clarification added on "long term" option.
7. Page 15: Acreages updated to reflect changes.
8. Page 17: Additional commercial property included; acreages updated and Grand River Ditch added.
9. Page 20: Discussion updated to reflect acquisition of the MacGregor Ranch Conservation Easement.

10. Page 21: Acreages updated to reflect changes.
11. Page 24: Discussion expanded to include additional water rights.
12. Page 26: "Visitor Access Problem Areas: revised to reflect changes; addition of MacGregor Ranch Conservation Easement; deletion of Johnstone property; and deletion of proposed North Inlet Trail right-of-way.
13. Page 27: Discussion revised to reflect acquisition of MacGregor Ranch Conservation Easement and a new description of the Wild Basin Area.
14. Page 28: "Acquisition Options and Recommendations" revised to include a new priority listing and to clarify the "short term" and "long term" options.
15. Page 29: Discussion on Wild Basin dams revised to include information from the State Engineer's Office on a rehabilitation waiver for the dams, as a result of promising negotiations between the park and the City of Longmont for acquisition of the dams.
16. Page 30: Discussion revised under Mirror Lake to include the option of an exchange of water rights.
17. Page 31: The options for Eureka Ditch were revised, since the City of Loveland would prefer selling their water right rather than exchanging it.
18. Page 32: Colorado River Drainage was added to include the Grand River Ditch.
19. Page 33: Recommendation changed to reflect an owner's request for an exchange of property.
20. Page 34: Discussion of Wild Basin (Exterior) revised to reflect Boulder County's concern for a unique willow carr habitat. Recommendation changed to now retain the 43-acre portion of the reservoir site within the park.
21. Page 37: The Recommendation under the Johnstone Property was changed from acquisition of a Conservation Easement and a trail right-of-way to exclusion of the property.
22. Page 39: The "long term" option was clarified under the recommendation for Moraine Park.
23. Page 42: Discussion on the MacGregor Ranch complex revised to acknowledge acquisition of the Conservation Easement.
24. Page 42: Recommendation for the Davis property changed from fee simple as a short term option to a long term option.

25. Old Page 44: Pingree Park Area deleted since the Forest Service transferred this parcel to the National Park Service.
26. Page 45: Statement added under "Protection Issues" that access to Forest Service lands would be provided by NPS-owned roads to Bowen and Baker Gulches. Under the "Recommendation", the "long term" option was again clarified.
27. Page 46: The Grand Lake discussion was changed to delete consideration of a trail right-of-way for the North Inlet parcel and to correct acreages of both parcels described for this area.
28. Page 47: The recommendation for the unimproved parcel within Summerland Park was changed from "short term" to "long term" acquisition.
29. Page 50: The Appendices summary was revised to acknowledge a change in the purposes and priorities listing. Appendix A was revised to include a "Protection Category" and to exclude the previous numerical priority listing.

None of these changes will have a significant impact on the scope or content of the plan.