

To: Voting Members, Inland Empire Section

From: Wilderness Study Committee

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SOCIETY OF FORESTRY  
UNIVERSITY OF IDAHO  
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Gentlemen:

At our Section's annual banquet meeting in Spokane on January 17, a motion was passed requesting Chairman Weyermann to appoint a committee to study and report on past and pending wilderness legislation, and to conduct a poll of our members regarding their views on the subject. The totaled results of this balloting are to be mailed to members of appropriate Congressional Committees.

This motion followed a discussion which concluded with the agreement that we as professional foresters should make our views known concerning national land management problems. The question was raised as to whether such action could be sanctioned in view of an earlier agreement of our Section that we not pass resolutions taking definite stands on political or policy issues. After considerable discussion, the concensus was reached that such a poll would be an expression of totaled individual opinion and that no resolution would be passed without the specific majority approval of our membership.

During the banquet that evening our guest of honor and speaker, George Garratt, President of the Society of American Foresters, lauded our decision to express our professional opinion. He said that unless professional foresters speak up, we may lose out to pressure groups of lay conservationists. He further said, in effect, that as a profession, we can no longer afford to have public and private foresters set apart with regard to the policy of whether to express or not express our opinion; that we need to achieve greater professional solidarity wherein the prejudices of emotions, partisan politics, and job affiliations are minimized through better mutual understanding brought about by open-forum discussions. You will recall this has been our Section's policy, particularly in regard to the wilderness issue. The 1957 fall field meeting at Fenn Ranger Station centered on the wilderness problem, with an excellent panel discussion by public and private foresters and including Howard Zahniser, Executive Secretary of the Wilderness Society.

Enclosed you will find these items:

1. Status of wilderness legislation, and a reference list.
2. A copy of Senate Bill 4028.
3. Articles discussing both sides of the wilderness issue.
4. A brief on the National Outdoor Recreation Resources Review Commission.
5. A ballot consisting of five questions.

Please study this material, mark your ballot and return by March 2. We have no idea yet as to when action on wilderness legislation will be taken by the 86th Congress, but we should forward the results of our poll by an early date.

Respectfully yours,

*Royce Cox*

Wilderness Study Committee

Alva Blackerby

Ray Boyd

Royce Cox, Chairman

FEB 10 1959



S.A.F. Inland Empire Sec.  
Ballot on Wilderness Legislation  
March 2, 1959

- |    |           |          |                  |
|----|-----------|----------|------------------|
| 1. | Yes _____ | No _____ | No Opinion _____ |
| 2. | Yes _____ | No _____ | No Opinion _____ |
| 3. | Yes _____ | No _____ | No Opinion _____ |
| 4. | Yes _____ | No _____ | No Opinion _____ |
| 5. | Yes _____ | No _____ | No Opinion _____ |

S.A.F. - Inland Empire Section

Ballot on Wilderness Legislation

1. Are you in favor of the passage now of any bill essentially the same as S.4028?

Yes \_\_\_\_\_ No \_\_\_\_\_ No Opinion \_\_\_\_\_

2. Do you approve of a National Wilderness Preservation Council composed of the Secretaries of Interior, Agriculture, Smithsonian Institution, and three citizen members whose qualifications need only be "informed regarding, and interested in, the preservation of wilderness," as outlined in Sec. 4 (a) of S.4028?

Yes \_\_\_\_\_ No \_\_\_\_\_ No Opinion \_\_\_\_\_

3. Are you in favor of the Congress passing a bill which would place large responsibility in Congress and the President in the designation and policy of administration of wilderness areas?

Yes \_\_\_\_\_ No \_\_\_\_\_ No Opinion \_\_\_\_\_

4. Are you in favor of the passage of a Wilderness Bill that simply recognizes wildernesses as one of the multiple uses of federal lands, defines their prerequisites, and authorizes the federal agencies to create them from lands under their jurisdiction after public hearings and to administer them?

Yes \_\_\_\_\_ No \_\_\_\_\_ No Opinion \_\_\_\_\_

5. Are you in favor of postponing consideration of any Wilderness Bill until the recently appointed Outdoor Recreation Resources Review Commission has made its report in 1961?

Yes \_\_\_\_\_ No \_\_\_\_\_ No Opinion \_\_\_\_\_

Mark your opinion on the postcard herein provided and return by  
March 2, 1959.



IN THE SENATE OF THE UNITED STATES

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a), in order to secure for the American people of present and future generations the benefits of an enduring resource of wilderness, there is hereby established a National Wilderness Preservation System. As hereinafter provided, this System shall be composed of federally owned or controlled areas in the United States and its Territories and possessions, retaining their primeval environment and influence and being managed for purposes consistent with their continued preservation as wilderness, which areas shall serve the public purposes of recreational, scenic, scientific, educational, conservation, and historical use and enjoyment by the people in such manner as will leave them unimpaired for future use and enjoyment as wilderness.

(b) The Congress recognizes that an increasing population, accompanied by expanding settlement and growing mechanization, is destined to occupy and modify all areas within the United States, its Territories, and possessions except those that are designated for preservation and protection in their natural condition. The preservation of such designated areas of wilderness is recognized as a desirable policy of the Government of the United States of America for the health, welfare, knowledge, and happiness of its citizens of present and future generations, particularly for those uses of such areas that facilitate recreation and the preservation or restoration of health.

(c) It is accordingly declared to be the policy of Congress (1) to secure the dedication of an adequate system of areas of wilderness to serve the recreational, scenic, scientific, educational, conservation, and historical needs of the people, and (2) to provide for the protection of these areas and for the gathering and dissemination of information regarding their use and enjoyment as wilderness. Pursuant to this policy the Congress gives sanction to the continued preservation as wilderness of those areas federally owned or controlled that are within national parks, national forests, national wildlife refuges, or other public lands, and that have so far retained under their Federal administration the principal attributes of their primeval character. It is pursuant to this policy and sanction that the National Wilderness Preservation System is established. Within the units of this System designated for inclusion by this Act, and in those that may later be designated in accordance with its provisions, the preservation of wilderness shall be paramount.



(d) In establishing thus a National Wilderness Preservation System to include units within the national forests, it is further declared to be the policy of Congress to administer the national forests with the general objectives of multiple use and sustained yield, and in order to carry out this policy the Secretary of Agriculture is accordingly directed to administer the national forests on a multiple use basis so that the resources thereof will be used and developed to produce a sustained yield of products and services, including the establishment and maintenance of wilderness areas, for the benefit of all the people of this and future generations. The purposes of this Act are further declared to be within and supplemental to but not in interference with the purposes for which national forests are established as set forth in the Act of June 4, 1897 (30 Stat. 34, 35; U.S.C. 475,551).

(e) A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain. For the purposes of this Act, the term "wilderness" shall include the areas provided for in section 2 of this Act and such other areas as shall be designated for inclusion in the National Wilderness Preservation System in accordance with the provisions of this Act.

#### NATIONAL WILDERNESS PRESERVATION SYSTEM

Sec. 2. The National Wilderness Preservation System (hereafter referred to in this Act as the Wilderness System) shall comprise (subject to existing private rights, if any) the federally owned or controlled areas of land and water provided for in this section and the related airspace reservations.

#### NATIONAL FOREST AREAS

(a) The Wilderness System shall include the areas within the national forests classified on June 1, 1958, by the Department of Agriculture or the Forest Service as wilderness, wild, primitive, or roadless: Provided, That the Wilderness System shall not include any primitive area which the Secretary of Agriculture shall determine to be not predominantly of wilderness value, and each primitive area included in the Wilderness System shall be subject to such boundary modification as the Secretary shall determine to be needed to exclude any portions not predominantly of wilderness value or to add any adjacent national forest lands predominantly of wilderness value. Determinations regarding national forest areas classified as primitive shall be made within ten years after the date of this Act, and any such area regarding which such determinations have not been made shall, with the exception of any roads, motor trails, structures or other installations then existing, automatically then become a part of the Wilderness System.



Additional areas for inclusion in the Wilderness System may be designated within national forests by the Secretary of Agriculture, after not less than ninety days public notice and the holding of a public hearing, if there is a demand for such a hearing, and such designations shall take effect as provided in subsection (f) below. The publication of a notice of a proposal to add any national forest area or part thereof to the Wilderness System shall segregate the public lands involved from any or all appropriations under the public-land laws to the extent deemed necessary by the Secretary of Agriculture.

#### NATIONAL PARK SYSTEM AREAS

(b) At the times and in the manner hereinafter provided for, the Wilderness System shall include each park and monument in the National Park System on June 1, 1958, embracing a continuous area of five thousand acres or more without roads, and such additional units of the National Park System as the Secretary of the Interior shall designate.

Not later than ten years after the date of this Act, or within two years after the unit has been added to the Wilderness System, whichever is later, and ninety days after giving public notice in accordance with section 4 of the Administrative Procedure Act of 1946 (60 Stat. 238; 5 U.S.C. 1003) the Secretary of the Interior shall designate within each unit of the National Park System included in the Wilderness System such area or areas as he shall determine to be required for roads, motor trails, buildings, accommodations for visitors, and administrative installations. Each such unit shall become a part of the Wilderness System when the designation of such area or areas has been made. Should the Secretary fail to make such a designation within the time limits specified, each such unit, with the exception of roads, motor trails, buildings, accommodations for visitors, and administrative installations then in existence, shall automatically then become a part of the Wilderness System.

No designation of an area for roads, motor trails, buildings, accommodations for visitors, or administrative installations shall modify or affect the application to that area of the provisions of the Act approved August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes" (39 Stat. 535, as amended; 16 U.S.C. 1 and the following). The accommodations and installations in such designated areas shall be incident to the conservation and use and enjoyment of the scenery and the natural and historical objects and flora and fauna of the park or monument in its natural condition. Further, the inclusion of any National Park System area within the Wilderness System pursuant to this Act shall in no manner lower the standards evolved for the use and preservation of such National Park System areas in accordance with the Act of August 25, 1916 (39 Stat. 535, as



amended; 16 U.S.C., 1952 edition, sec. 1 and the following), the statutory authority under which the area was created, or any other Act of Congress which might pertain to or affect such National Park System area.

#### NATIONAL WILDLIFE REFUGES AND RANGES

(c) The Wilderness System shall include such wildlife refuges and game ranges, or portions thereof, as the Secretary of the Interior shall designate. Within five years after the date of this Act the Secretary shall survey the refuges and ranges under his jurisdiction on June 1, 1958, and designate for inclusion in the Wilderness System those refuges and ranges, or portions thereof, that he determines to be appropriate. Further, the Secretary shall survey any refuges or ranges added to his jurisdiction after June 1, 1958, to determine if they are, or contain areas that are, suitable for inclusion in the Wilderness System, and shall make such determination and so designate the appropriate refuge, range, or portion thereof, within two years after the refuge or range is added to his jurisdiction.

Within two years after the designation of any refuge or range in its entirety, and ninety days after giving public notice in accordance with section 4, Administrative Procedure Act of 1946 (60 Stat. 238; 5 U.S.C. 1003) the Secretary of the Interior shall designate within such refuge or range such area or areas as he shall determine to be required for roads and buildings and other installations for administration and protection of wildlife. Should the Secretary fail to make such designation within the time limit specified, the refuge or range, with the exception of any road, building, or other installation for administration and protection then existing, shall automatically then become a part of the Wilderness System.

#### THE INDIANS' WILDERNESS

(d) The Wilderness System shall include such areas of tribal land or Indian reservations as the Secretary of the Interior may designate as appropriate for inclusion after consultation with the several tribes or bands, through their tribal councils or other duly constituted authorities. Such designation shall not change title to the land or the tribe's beneficial interest in the land.

The Secretary of the Interior is authorized to make any addition, modification, or elimination recommended by any tribe or band with regard to any area of its tribal land. Unless the Congress shall otherwise provide, the termination of Federal trusteeship over a tribe or tribes shall remove from the Wilderness System any included tribal lands so affected.



Nothing in this Act shall in any respect abrogate any treaty with any band or tribe of Indians, or in any way modify or otherwise affect the Indians' hunting and fishing rights or privileges.

#### OTHER UNITS

(e) The Wilderness System shall also include such units as may be designated within any federally owned or controlled area of land and/or water by the official or officials authorized to determine the use of the lands and waters involved, including any area or areas acquired by gift or bequest by any agency of the Federal Government for preservation as wilderness. Addition to or modification or elimination of such units shall be in accordance with regulations that shall be established in conformity with the purposes of this Act by the official or officials authorized to determine the use of the land and waters involved, including, but not limited to, provisions for segregating any public lands involved from any or all forms of appropriation under the public-land laws pending addition of such units to the Wilderness System, and shall take effect as provided in subsection (f) below. Such regulations with regard to any privately owned area given or bequeathed to a Federal agency for preservation as wilderness shall be in accordance with such agreements as shall be made at the time of such gift or bequest.

#### ADDITIONS, MODIFICATIONS, AND ELIMINATIONS

(f) Any proposed addition to, modification of, or elimination from any area of wilderness established in accordance with this Act, and any proposed addition or elimination of any unit to or from the Wilderness System, shall be made only after not less than ninety days' public notice and the holding of a public hearing, if there is a demand for such a hearing, and shall be reported with map and description to Congress by the Secretary of Agriculture, the Secretary of the Interior, or other official or officials having jurisdiction over the lands involved and shall take effect upon the expiration of the first period of one hundred and twenty calendar days of continuous session of Congress following the date on which the report is received by Congress, but only if during this period there has not been passed by Congress a concurrent resolution opposing such proposed addition, modification, or elimination. A copy of each such report submitted to Congress shall at the same time be forwarded with map and description to the secretary of the National Wilderness Preservation Council. Within any unit of the Wilderness System the acquisition of any privately owned lands is hereby authorized, and such sums as the Congress may approve for such acquisition are hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated.



## USE OF THE WILDERNESS

Sec. 3. (a) Nothing in this Act shall be interpreted as interfering with the purposes stated in the establishment of any national park or monument, national forest, national wildlife refuge, Indian reservation, or other Federal land area involved, except that any agency administering any area within the Wilderness System shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes as also to preserve its wilderness character. The Wilderness System shall be devoted to the public purposes of recreational, educational, scenic, scientific, conservation, and historical use. All such use shall be in harmony, both in kind and degree, with the wilderness environment and with its preservation, and the areas within the Wilderness System shall be so managed as to protect and preserve the soil and the vegetation thereon beneficial to wildlife.

Copies of regulations, permits, designations, or determinations established or issued in connection with the administration of any unit or units of the Wilderness System and copies of any subsequent amendments thereto shall be forwarded to the secretary of the National Wilderness Preservation Council by the Secretary of Agriculture, the Secretary of the Interior, or such other official or officials as shall establish or issue them. The Council shall maintain a public file of such copies, but shall have no administrative jurisdiction over any unit in the wilderness System nor over any agency that does have such jurisdiction.

(b) Except as specially provided in this section, and subject to existing private rights (if any), no portion of any area constituting a unit of the Wilderness System shall be used for any form of commercial enterprise not contemplated in the purposes of this Act. Within such areas, except as otherwise provided in this section and in section 2 of this Act, there shall be no permanent road; nor shall there be any use of motor vehicles, motorized equipment, or motorboats, or landing of aircraft, nor any other mechanical transport or delivery of persons or supplies, nor any temporary road, nor any structure or installation, in excess of the minimum required for the administration of the area for the purposes of this Act.

### SPECIAL PROVISIONS

(c) The following special provisions are hereby made:

(1) Within national forest areas included in the Wilderness System grazing of domestic livestock and the use of aircraft or motorboats where these practices have already become well established may be permitted to continue subject to such restrictions as the Secretary of Agriculture deems desirable.



(2) Within national forest areas included in the Wilderness System the President may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting, mining, the establishment or maintenance of reservoirs and water-conservation works, and such measures as may be found necessary in control of insects and diseases, including the road construction found essential to such mining and reservoir construction, upon his determination that such use in the specific area will better serve the interests of the United States and the people thereof than will its denial.

(3) Other provisions of this Act to the contrary notwithstanding, the management of the Superior, Little Indian Sioux, and Caribou Roadless areas in the Superior National Forest, Minnesota, shall be in accordance with regulations established by the Secretary of Agriculture in accordance with the general purpose of maintaining, without unnecessary restrictions on other uses, including that of timber, the primitive character of the roadless areas, particularly in the vicinity of lakes, streams, and portages: Provided, That nothing in this Act shall preclude the continuance within these roadless areas of any already established use of motorboats. Nothing in this Act shall modify the restrictions and provisions of the Shipstead-Nolan Act, Public Law 539, Seventy-first Congress, second session, July 10, 1930, and the Humphrey-Thye-Blatnik-Andresen Act, Public Law 607, Eighty-fourth Congress, second session, June 22, 1956, as applying to the Superior National Forest, or the regulations of the Secretary of Agriculture. Modifications of roadless areas within the Superior National Forest shall be accomplished in the same manner as provided in section 2 (a) and (f).

(4) Any existing use or form of appropriation authorized or provided for in the Executive order of legislation establishing any national wildlife refuge or range existing on the date of approval of this Act may be continued under such authorization or provision.

(5) Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

#### NATIONAL WILDERNESS PRESERVATION COUNCIL

Sec. 4 (a) The National Wilderness Preservation Council is hereby created, to consist ex officio of the Secretary of the Interior, the Secretary of Agriculture, the Secretary of the Smithsonian Institution, and also three citizen members to be appointed by the President by and with the advice and consent of the Senate. The citizen members shall be persons known to be informed regarding, and interested in the preservation of, wilderness; one of them shall be appointed initially for a term of two years, one for a term of four years, and one for a term of six years. After the



expiration of these initial terms, each citizen member shall be appointed for a six-year term. The President shall designate from among the citizen members a chairman, who shall serve for a two-year term. The Secretary of the Smithsonian Institution shall be ex officio the secretary of the Council and, subject to the Council, shall maintain its headquarters.

(b) The Council shall serve as the repository for, and shall maintain available for public inspection, such maps and official papers regarding the Wilderness System as may be filed with it. The Council shall serve as a nonexclusive clearinghouse for exchange of information among the agencies administering areas within the Wilderness System. The Council shall make, sponsor, and coordinate surveys of wilderness needs and conditions and gather and disseminate information, including maps, for the information of the public regarding use and preservation of the areas of wilderness within the Wilderness System, including information and maps regarding State and other non-Federal areas. The Council is directed to consult with, advise, and invoke the aid of appropriate officers of the United States Government and to assist in obtaining cooperation in wilderness preservation and use among Federal and State agencies and private agencies and organizations concerned therewith. The Council, through its Chairman, shall annually present to Congress, not later than the tenth day of January, a report on the operations of the Council during the preceding fiscal year and on the status of the Wilderness System at the close of that fiscal year, including an annotated list of the areas included showing their size, location, and administering agency, and shall make such recommendations to Congress as the Council shall deem advisable.

(c) The Council shall meet annually and at such times between annual meetings as the Council shall determine, or upon call of the Chairman or any three members. Members of the Council shall serve as such without compensation but shall receive transportation expenses and in addition a per diem payment to be fixed by the Council, not to exceed \$50 a day, as reimbursement for expenditures in connection with attending any meeting of the Council. A sum sufficient to pay the necessary expenses of the Council, including printing and binding, not to exceed an annual expenditure of \$100,000, is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated. Disbursements from such appropriations shall be made by the Secretary of the Smithsonian Institution. The Secretary of the Smithsonian Institution in behalf of the Council is authorized to accept private gifts and benefactions to be used to further the purposes of this Act, and such gifts and benefactions shall be deductible from income for Federal tax purposes and shall be exempt from Federal estate tax.

Sec. 5. This Act shall be known as the "National Wilderness Preservation Act".



Brief on the  
National Outdoor Recreation Resources Review Commission  
Prepared by Wilderness Study Committee, 1/27/58

The Commission was authorized by Public Law 85-470 by the 85th Congress in 1958. Purpose of the Commission is to study trends in population, leisure, transportation, etc. and to determine the amount, kind, quality and location of present and potential outdoor recreation facilities, to determine future needs, and to set goals for development for the years 1976 and 2000. The Commission is to report to the President and to Congress by September 1, 1961; it also is to recommend policies, programs and legislation to meet the goals. The study will embrace both public and private lands. A federal cost limit of \$2,500,000 has been set. The intent of the study is to provide a basis for orderly planning of all outdoor recreational development.

The Commission consists of eight Congressional members and seven citizen members. In addition an advisory council to the Commission is to be composed of liaison officers from each federal agency involved in outdoor recreation, together with 25 members appointed by the Commission. The 25 are required to be representative of the major geographical areas and citizen interests.

Congressional members appointed in 1958 were: Senators Anderson (New Mexico); Barrett (Wyoming); Neuberger (Oregon); Watkins (Utah); and Representatives Pfof (Idaho); Rhodes (Arizona); Saylor (Penn.); and Ullman (Oregon). (A few of these were displaced by the 1958 elections. We have no information as to successors.)

Citizen members are: Laurance S. Rockefeller, Chairman of the Commission and founder of the Conservation Foundation; Dr. S. T. Dana, of Ann Arbor, Michigan, director of AFA's current land ownership studies and a life member of AFA; Bernard L. Orell, of Tacoma, Washington, vice president of the Weyerhaeuser Timber Company and an honorary vice president of AFA; Joseph W. Penfold, Washington, D.C., national conservation director of the Izaak Walton League; M. Frederik Smith, of Short Hills, N.J., vice president of the Prudential Life Insurance Company; and Chester S. Wilson, of Stillwater, Minn., former Minnesota Conservation Commissioner, well-known conservation and water attorney, and a member of AFA.