

THE WILDERNESS ACT IN CALIFORNIA

By RICHARD M. STEWART

“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.”

This concept, after several years of controversy throughout the nation, was given statutory support by the passage in the 88th Congress of Senate Bill 4 and its approval by the President on September 3, 1964 as Public Law 88-577.

Wilderness means different things to different individuals, and, as was made so abundantly evident during the many debates on the many wilderness bills, is very difficult to describe objectively. The mere description of an area—its scenic wonders, its forests, its solitude—is not enough. Its recognition almost requires a certain state of mind, involving a quality of experiences in and reactions to its special environment.

The very geologic factors and processes—mountain building through folding, faulting, igneous intrusion and volcanic eruptions—that have contributed to the formation of many of those areas seemingly best suited to the wilderness concept also are responsible for controversy. These same geologic processes have a direct bearing upon the formation of mineral deposits, and much of the controversy over the conditions for the

establishment of a wilderness system revolved around the effects that would be felt by the mineral industry in its search for and exploitation of the new deposits of mineral resources needed for this nation's expanding economy.

The law goes on to define “An area of wilderness” as

... an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

The intent of the Act as given in the statement of policy is:

In order to assure that an increasing population, accompanied by expanding settlement and growing mechanization, does not occupy and modify all areas within the United States and its possessions, leaving no lands designated for preservation and protection in their natural condition, it is hereby declared to be the policy of the Congress to secure for the American people of present and future generations the benefits of an enduring resource of wilderness. For this purpose there is hereby

established a National Wilderness Preservation System to be composed of federally owned areas designated by Congress as "wilderness areas", and these shall be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character, and for the gathering and dissemination of information regarding their use and enjoyment as wilderness; and no Federal lands shall be designated as "wilderness areas" except as provided for in this Act or by a subsequent Act.

The Act thus establishes a National Wilderness Preservation System and further provides for inclusion in this System as "wilderness areas", initially or after suitable review, certain categories of lands—lands within the national forests, the national park system and national wildlife refuges and game ranges.

National Forest Lands

All National forest areas that were classified at least 30 days before the effective date of the Act as "wilderness", "wild", or "canoe" are placed by law within

the Wilderness System. These National Forest designations date back to regulation L-20 under which, between 1930 and 1939, certain areas were established where primitive conditions of environment could be maintained and "wilderness" was the basic resource and the predominant value for which they were managed. In 1939, L-20 was revoked and replaced by the Forest Service regulations U-1 and U-2. Under these regulations, some of these primitive areas were reclassified to "wilderness" areas (100,000 acres or more in size and established by the authority of the Secretary of Agriculture) and "wild" areas (5,000 to 99,999 acres and established by the authority of the Chief of the Forest Service). The "wilderness" and "wild" areas in California ("canoe" areas exist only along the Canadian-Minnesota boundary) are listed in Table 1; these become charter areas under the new Act.

The Act further provides that any National Forest area still classified as "primitive" (not re-classified under the Forest Service regulations U-1 and U-2 noted above) shall be reviewed by the Secretary of

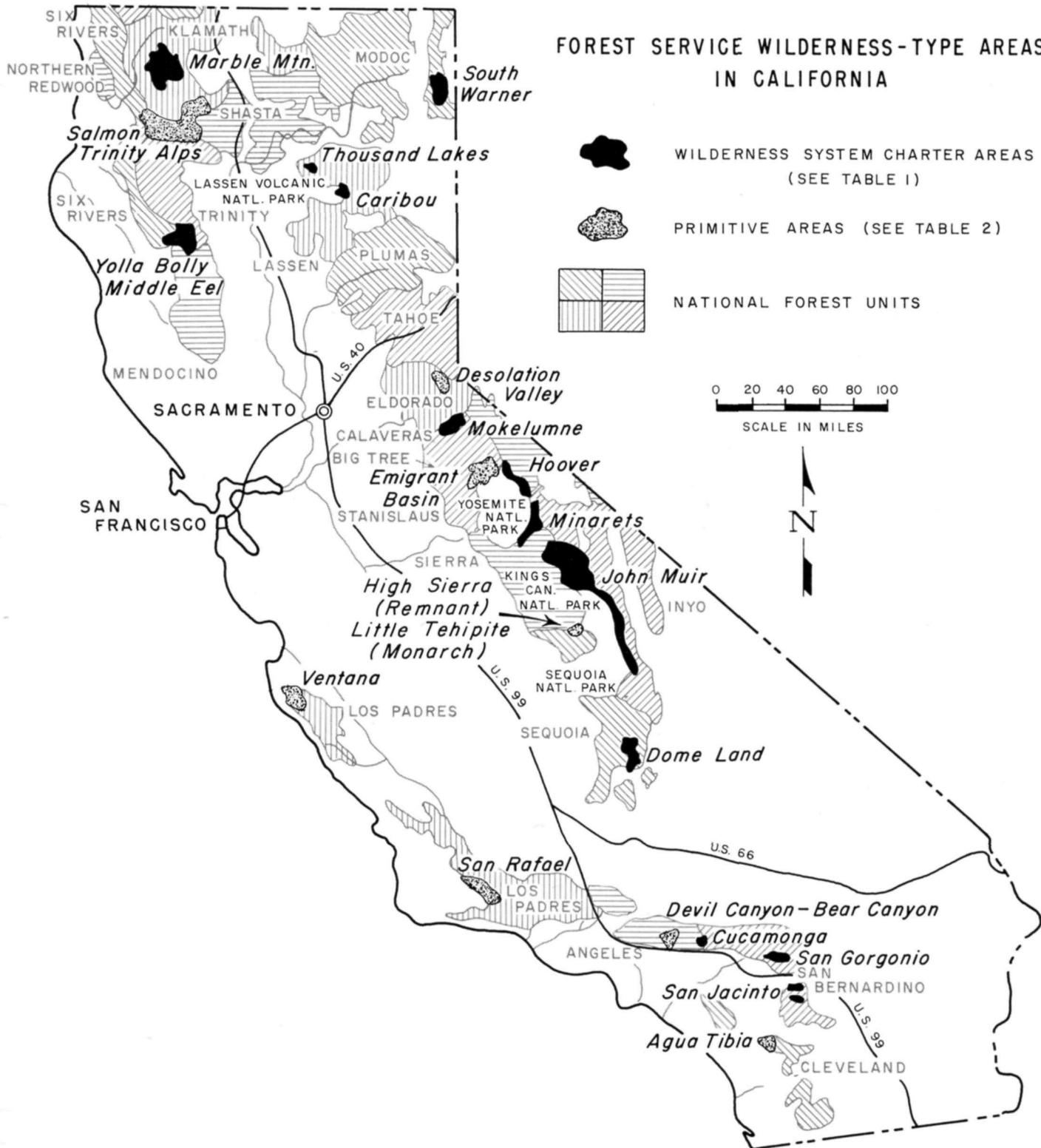
Table 1. Charter Areas—National Wilderness Preservation System.

Name	Date of		National Forest	Forest headquarters	Total area (acres)
	Establishment	Reclassification			
<i>Over 100,000 acres (formerly Wilderness)</i>					
John Muir	1931	4/27/64	Inyo Sierra	Bishop Fresno	230,217 <u>274,046</u> 504,263
Marble Mountain	1931	12/28/53	Klamath	Yreka	214,543
Minarets	1931	8/20/63	Inyo Sierra	Bishop Fresno	61,508 <u>48,051</u> 109,559
Middle Eel-Yolla Bolly	1931	6/29/56	Mendocino Shasta-Trinity	Willows Redding	73,876 <u>37,215</u> 111,091
<i>Less than 100,000 acres (formerly Wild)</i>					
Caribou	1931	5/15/61	Lassen	Susanville	19,080
Cucamonga	1931	5/29/56	San Bernardino	San Bernardino	9,022
Dome Land	7/5/63		Sequoia	Porterville	62,561
Hoover	1931	1/17/57	Toiyabe Inyo	Reno, Nevada Bishop	33,800 <u>9,000</u> 42,800
Mokelumne	9/30/63		Eldorado Stanislaus	Placerville Sonora	41,560 <u>8,840</u> 50,400
San Gorgonio	1931	11/15/56	San Bernardino	San Bernardino	21,955
San Jacinto	1931	1/12/60	San Bernardino	San Bernardino	21,955
South Warner	1931	6/ 8/64	Modoc	Alturas	69,547
Thousand Lakes	1931	11/ 4/55	Lassen	Susanville	16,335

Agriculture to determine whether or not it is suitable for preservation as "wilderness" under the Act.

The Secretary shall report his findings to the President, and in turn, the President shall advise the Senate

and House of Representatives of his recommendations. Each recommendation for designation as "wilderness" shall become effective only if so provided by a specific Act of Congress. All National Forest "Primitive" areas



are to be so reviewed within 10 years after the enactment of the Act (review of not less than one-third to be completed within three years after the Act and not less than two-thirds within seven years after the Act). These National Forest "primitive" areas in California are listed in Table 2.



Sequoia National Park.

The National Park System

Within the same 10-year time limit and rate of review, the Secretary of Interior is required to review every roadless area of 5,000 contiguous acres or more in the national parks, monuments and other units in the national park system. He is required to report to the President his recommendation as to the suitability of each for preservation as wilderness.

In California, not all of the units in the national park system are large enough to contain 5,000 or more contiguous acres of roadless areas. Table 3 lists the units in the system that are large enough and which may be subject to review.

National Wildlife Refuges and Game Ranges

The Act provides for similar reviews of and recommendations on national wildlife refuges and game

Table 2. National Forest Primitive Areas Requiring Review Under the Wilderness Act.

	Date of establish- ment	National Forest	Forest Head- quarters	Total area (acres)
<i>Over 100,000 acres</i>				
Salmon-Trinity Alps	1932	Klamath Shasta- Trinity	Yreka Redding	34,556 251,200
				285,756
<i>Less than 100,000 acres</i>				
Agua Tibia	1931	Cleveland	San Diego	26,760
Desolation Valley	1931	Eldorado	Placerville	41,383
Devil Canyon- Bear Canyon (San Gabriel)	1932	Angeles	Los Angeles	35,267
Emigrant Basin	1931	Stanislaus	Sonora	98,043
San Rafael	1932	Los Padres	Santa Barbara	74,990
Ventana	1931	Los Padres	Santa Barbara	54,857
High Sierra (remnant)	1931	Sierra	Fresno	4,480
Little Tehipite (Monarch)		Sequoia	Porterville	8,520
				344,300

ranges. Most of the wildlife refuges in California have been designed to permit access and thus even if large enough probably do not contain roadless areas of sufficient size for consideration for inclusion in the Wilderness System. There are no national game ranges in California; the refuges are shown in an accompanying figure.

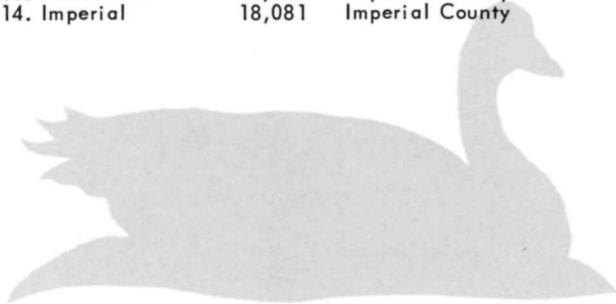
Table 3. National Park System Units in California that may be subject to Wilderness Review.

Unit	Type	County	Total area (acres)
Channel Islands	National Monument	Santa Barbara	18,167
Death Valley	National Monument	Inyo and San Bernardino	1,792,520
Joshua Tree	National Monument	Riverside and San Bernardino	577,992
Kings Canyon	National Park	Fresno and Tulare	454,713
Lassen Volcanic	National Park	Lassen, Plumas, Shasta and Tehama	106,934
Lava Beds	National Monument	Siskiyou and Modoc	46,239
Pinnacles	National Monument	San Benito and Monterey	14,498
Sequoia	National Park	Tulare	386,863
Yosemite	National Park	Mariposa, Madera and Tuolumne	760,951

The Point Reyes National Seashore Project, Marin County, may have an ultimate size of 53,000 acres but probably will not be considered for wilderness preservation, as recreation will receive primary emphasis in its administration.

National Wildlife Refuges in California

Name	Acres	Location
1. Lower Klamath	29,700	Siskiyou County
2. Tule Lake	35,000	Siskiyou County
3. Clear Lake	34,559	Modoc County
4. Modoc	6,050	Modoc County
5. Sacramento	10,776	Glenn and Colusa Counties
6. Delavan	5,600	Colusa County
7. Colusa	4,039	Colusa County
8. Sutter	2,590	Sutter County
9. Merced	2,561	Merced County
10. Pixley	4,328	Tulare County
11. Kern	10,616	Kern County
12. Havasu Lake	19,105	San Bernardino County
13. Salton Sea	4,096	Imperial County
14. Imperial	18,081	Imperial County



Recommendations and Approval

Prior to submitting any recommendations to the President with respect to the suitability of any of the above areas for preservation as wilderness, the Secretary of Agriculture and the Secretary of Interior shall; (1) give appropriate public notice of the proposed action, including publication in the Federal Register and in newspapers having circulation in the area in the vicinity of the affected lands; (2) hold hearings convenient to the area affected, such hearings to be announced as appropriate but including publication in the Federal Register and newspapers of general circulation in the area; and (3) advise the Governor of each state and the governing board of each county in which the lands are located, and Federal departments and agencies concerned, and invite their views on the proposed action. All views submitted to the appropriate Secretary as a result of any of the actions above shall be included in any recommendations to the President and to the Congress.

Each recommendation of the President for designation of any area as wilderness shall become effective only if so provided by an Act of Congress.

The Mineral Industry and the Wilderness System

Much of the debate over the establishment of the Wilderness System revolved around the need for the continued application of the mining laws in the af-

ected lands. In the spirit of compromise, the presumed unyielding views of the conflicting interests were modified, and Section 4 of the Act contains some special provisions of great interest to the mineral industry.

(d) (2) Nothing in this Act shall prevent within national forest wilderness areas any activity, including prospecting, for the purpose of gathering information about mineral or other resources, if such activity is carried on in a manner compatible with the preservation of the wilderness environment. Furthermore—such areas shall be surveyed on a planned, recurring basis consistent with the concept of wilderness preservation by the Geological Survey and the Bureau of Mines to determine the mineral values, if any, that may be present; and the results of such surveys shall be made available to the public and submitted to the President and Congress.

(3) Notwithstanding any other provisions of this Act, until midnight December 31, 1983, the United States mining laws and all laws pertaining to mineral leasing shall, to the same extent as applicable prior to the effective date of this Act, extend to those national forest lands designated by this Act as "wilderness areas" . . .

(The balance of this portion of the Act pertains to regulations for ingress and egress, to the use of mining claims and limitations on mineral patents.)

Actions by Federal Agencies

The U.S. Geological Survey and the U.S. Bureau of Mines have responsibilities for determining the mineral values and potential in areas to be reviewed for possible inclusion in the Wilderness System as

well. Their exploration of areas under review should result in an appraisal of the extent of known and potential mineral resources and is intended to provide Congress with a basis for approval or disapproval of recommendations to add them to the System. The surveys of the mineral values in the Wilderness System “. . . on a planned, recurring basis . . .” as noted in sub paragraph (2) above, are intended to provide the public, the President and the Congress with information on the location of valuable minerals prior to their withdrawal from mineral entry on January 1, 1984. The emphasis is on defining, directly or indirectly, the areas in which mineral deposits occur and

in providing information that bears on the location of mineral deposits.

Most of the investigations and evaluations by the U.S. Geological Survey must be based upon reconnaissance studies, taking advantage of all available previous work, published and unpublished, public or private. Most of the geologic mapping done for this purpose will likely be of a reconnaissance nature, utilizing photogeologic techniques where feasible, and augmented in certain areas by detailed mapping to solve critical appraisal problems or delineating favorable ground. Geophysical and geochemical studies will be undertaken when funds and terrain permit. Physical



The Minarets.



Crossing the Kaweah River.

exploration will be restricted to outcrops or shallow and old workings, and will have to be compatible with the Wilderness preservation concept. Analysis of all data should provide information on the kinds of minerals to be found in the various geologic settings, taking into account all local conditions as well as knowledge of mineral distribution throughout the world.

It is expected that the U.S. Bureau of Mines will be responsible in general for production statistics, appraisal of measured reserves, minability of deposits, analysis of costs, market analyses and other studies related to mining and extraction problems.

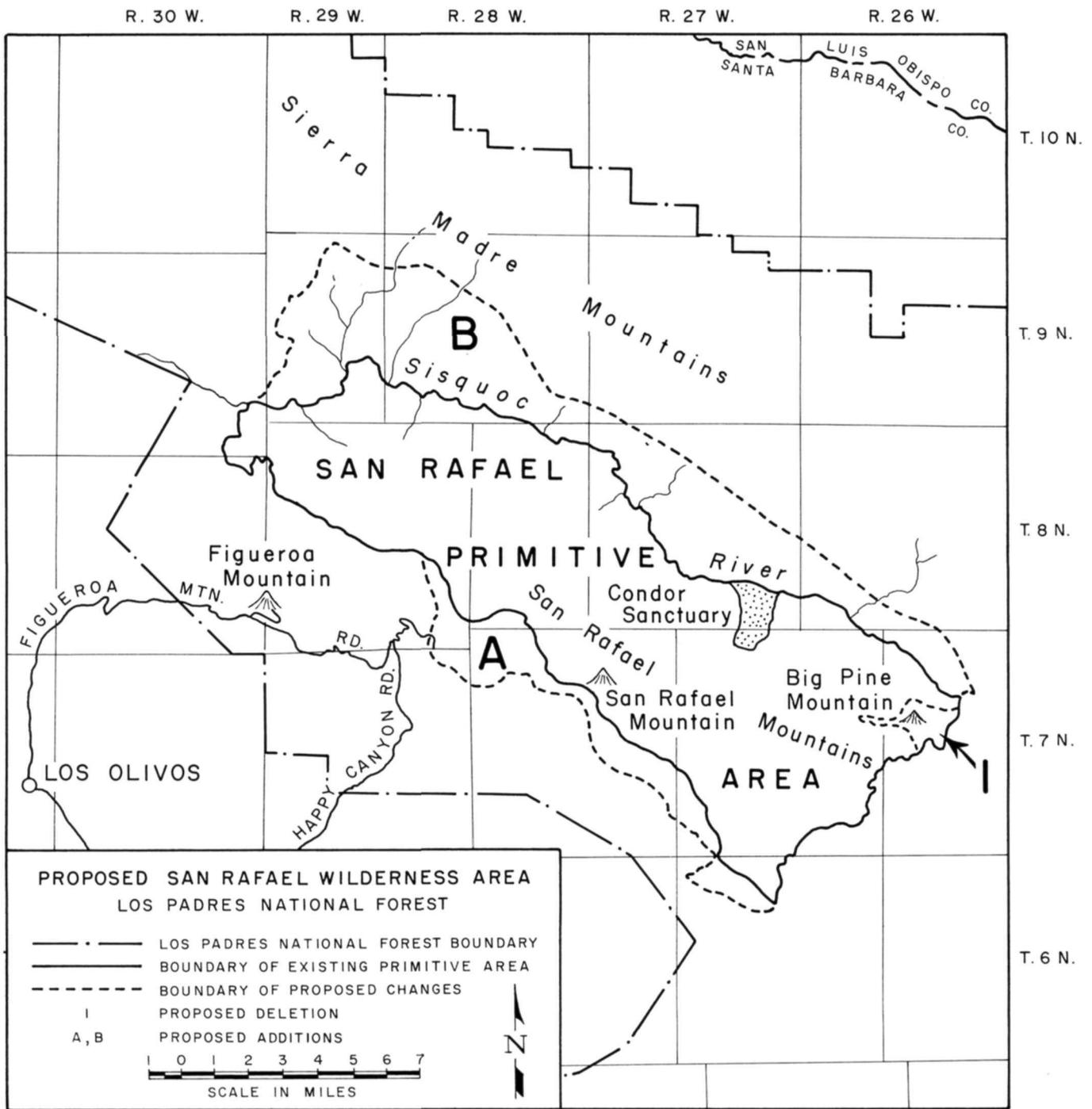
The normal development of the information will

require, in most cases, that the Bureau's responsibilities will supplement those of the Survey. Publication procedures have not been determined.

First Work in California

The order and timing of review rests with the appropriate Secretaries. In the case of the Forest Service primitive areas, priorities are established by the Secretary of Agriculture through the Forest Service.

The first geologic study and mineral appraisal in California will be that of the San Rafael primitive area (see figure) near Santa Barbara and is scheduled for completion by July 1966. The outline map of this

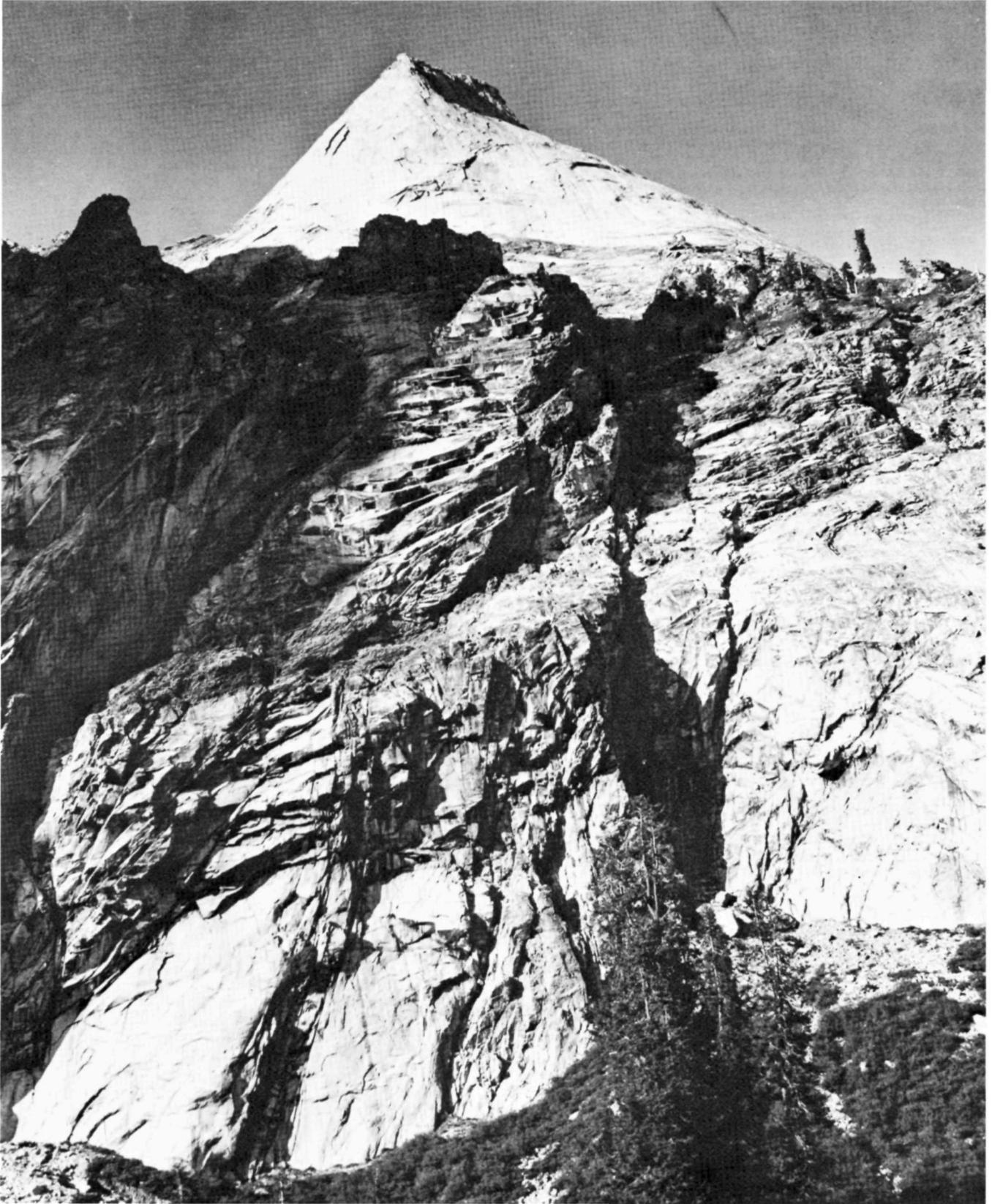


primitive area shows the boundary of the area as defined on the effective date of the Act. The Forest Service has proposed to extend the area, in order to provide greater protection to nesting sites of the California condor. The only condor sanctuary in the world is located on the northern edge near the west end of this primitive area.

After July 1, 1966, the selection of two or more additional areas in California is anticipated.

The Secretary of Interior has not announced the order of review for the various areas within the National Park System or the wildlife refuges in California.

Photos by Sarah Ann Davis



Above Hamilton Lake, Sierra Nevada.



Public Law 88-577
88th Congress, S. 4
September 3, 1964

An Act

To establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

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

SHORT TITLE

SECTION 1. This Act may be cited as the "Wilderness Act".

WILDERNESS SYSTEM ESTABLISHED STATEMENT OF POLICY

SEC. 2. (a) In order to assure that an increasing population, accompanied by expanding settlement and growing mechanization, does not occupy and modify all areas within the United States and its possessions, leaving no lands designated for preservation and protection in their natural condition, it is hereby declared to be the policy of the Congress to secure for the American people of present and future generations the benefits of an enduring resource of wilderness. For this purpose there is hereby established a National Wilderness Preservation System to be composed of federally owned areas designated by Congress as "wilderness areas", and these shall be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character, and for the gathering and dissemination of information regarding their use and enjoyment as wilderness; and no Federal lands shall be designated as "wilderness areas" except as provided for in this Act or by a subsequent Act.

(b) The inclusion of an area in the National Wilderness Preservation System notwithstanding, the area shall continue to be managed by the Department and agency having jurisdiction thereof immediately before its inclusion in the National Wilderness Preservation System unless otherwise provided by Act of Congress. No appropriation shall be available for the payment of expenses or salaries for the administration of the National Wilderness Preservation System as a separate unit nor shall any appropriations be available for additional personnel stated as being required solely for the purpose of managing or administering areas solely because they are included within the National Wilderness Preservation System.

DEFINITION OF WILDERNESS

(c) 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. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

NATIONAL WILDERNESS PRESERVATION SYSTEM—EXTENT OF SYSTEM

SEC. 3. (a) All areas within the national forests classified at least 30 days before the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as "wilderness", "wild", or "canoe" are hereby designated as wilderness areas. The Secretary of Agriculture shall—

(1) Within one year after the effective date of this Act, file a map and legal description of each wilderness area with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, and such descriptions shall have the same force and effect as if included in this Act: *Provided, however,* That correction of clerical and typographical errors in such legal descriptions and maps may be made.

(2) Maintain, available to the public, records pertaining to said wilderness areas, including maps and legal descriptions, copies of

regulations governing them, copies of public notices of, and reports submitted to Congress regarding pending additions, eliminations, or modifications. Maps, legal descriptions, and regulations pertaining to wilderness areas within their respective jurisdictions also shall be available to the public in the offices of regional foresters, national forest supervisors, and forest rangers.

(b) The Secretary of Agriculture shall, within ten years after the enactment of this Act, review, as to its suitability or nonsuitability for preservation as wilderness, each area in the national forests classified on the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as "primitive" and report his findings to the President. The President shall advise the United States Senate and House of Representatives of his recommendations with respect to the designation as "wilderness" or other reclassification of each area on which review has been completed, together with maps and a definition of boundaries. Such advice shall be given with respect to not less than one-third of all the areas now classified as "primitive" within three years after the enactment of this Act, and the remaining areas within ten years after the enactment of this Act. Each recommendation of the President for designation as "wilderness" shall become effective only if so provided by an Act of Congress. Areas classified as "primitive" on the effective date of this Act shall continue to be administered under the rules and regulations affecting such areas on the effective date of this Act until Congress has determined otherwise. Any such area may be increased in size by the President at the time he submits his recommendations to the Congress by not more than five thousand acres with no more than one thousand two hundred and eighty acres of such increase in any one compact unit; if it is proposed to increase the size of any such area by more than five thousand acres or by more than one thousand two hundred and eighty acres in any one compact unit the increase in size shall not become effective until acted upon by Congress. Nothing herein contained shall limit the President in proposing, as part of his recommendations to Congress, the alteration of existing boundaries of primitive areas or recommending the addition of any contiguous area of national forest lands predominantly of wilderness value. Notwithstanding any other provisions of this Act, the Secretary of Agriculture may complete his review and delete such area as may be necessary, but not to exceed seven thousand acres, from the southern tip of the Gore Range-Eagles Nest Primitive Area, Colorado, if the Secretary determines that such action is in the public interest.

(c) Within ten years after the effective date of this Act the Secretary of the Interior shall review every roadless area of five thousand contiguous acres or more in the national parks, monuments and other units of the national park system and every such area of, and every roadless island within, the national wildlife refuges and game ranges, under his jurisdiction on the effective date of this Act and shall report to the President his recommendation as to the suitability or nonsuitability of each such area or island for preservation as wilderness. The President shall advise the President of the Senate and the Speaker of the House of Representatives of his recommendation with respect to the designation as wilderness of each such area or island on which review has been completed, together with a map thereof and a definition of its boundaries. Such advice shall be given with respect to not less than one-third of the areas and islands to be reviewed under this subsection within three years after enactment of this Act, not less than two-thirds within seven years of enactment of this Act, and the remainder within ten years of enactment of this Act. A recommendation of the President for designation as wilderness shall become effective only if so provided by an Act of Congress. Nothing contained herein shall, by implication or otherwise, be construed to lessen the present statutory authority of the Secretary of the Interior with respect to the maintenance of roadless areas within units of the national park system.

(d) (1) The Secretary of Agriculture and the Secretary of the Interior shall, prior to submitting any recommendations to the President with respect to the suitability of any area for preservation as wilderness—

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

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

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

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

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

USE OF WILDERNESS AREAS

SEC. 4. (a) The purposes of this Act are hereby declared to be within and supplemental to the purposes for which national forests and units of the national park and national wildlife refuge systems are established and administered and—

(1) Nothing in this Act shall be deemed to be in interference with the purpose for which national forests are established as set forth in the Act of June 4, 1897 (30 Stat. 11), and the Multiple-Use Sustained-Yield Act of June 12, 1960 (74 Stat. 215).

(2) Nothing in this Act shall modify the restrictions and provisions of the Shipstead-Nolan Act (Public Law 539, Seventy-first Congress, July 10, 1930; 46 Stat. 1020), the Thyre-Blatnik Act (Public Law 733, Eightieth Congress, June 22, 1948; 62 Stat. 568), and the Humphrey-Thyre-Blatnik-Andresen Act (Public Law 607, Eighty-fourth Congress, June 22, 1956; 70 Stat. 326), as applying to the Superior National Forest or the regulations of the Secretary of Agriculture.

(3) Nothing in this Act shall modify the statutory authority under which units of the national park system are created. Further, the designation of any area of any park, monument, or other unit of the national park system as a wilderness area pursuant to this Act shall in no manner lower the standards evolved for the use and preservation of such park, monument, or other unit of the national park system in accordance with the Act of August 25, 1916, the statutory authority under which the area was created, or any other Act of Congress which might pertain to or affect such area, including, but not limited to, the Act of June 8, 1906 (34 Stat. 225; 16 U.S.C. 432 et seq.); section 3(2) of the Federal Power Act (16 U.S.C. 796(2)); and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.).

(b) Except as otherwise provided in this Act, each agency administering any area designated as wilderness shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes for which it may have been established as also to preserve its wilderness character. Except as otherwise provided in this Act, wilderness areas shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use.

PROHIBITION OF CERTAIN USES

(c) Except as specifically provided for in this Act, and subject to existing private rights, there shall be no commercial enterprise and no permanent road within any wilderness area designated by this Act and, except as necessary to meet minimum requirements for the administration of the area for the purpose of this Act (including measures required in emergencies involving the health and safety of persons within the area), there shall be no temporary road, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area.

SPECIAL PROVISIONS

(d) The following special provisions are hereby made:

(1) Within wilderness areas designated by this Act the use of aircraft or motorboats, where these uses have already become established, may be permitted to continue subject to such restrictions as the Secretary of Agriculture deems desirable. In addition, such meas-

ures may be taken as may be necessary in the control of fire, insects, and diseases, subject to such conditions as the Secretary deems desirable.

(2) Nothing in this Act shall prevent within national forest wilderness areas any activity, including prospecting, for the purpose of gathering information about mineral or other resources, if such activity is carried on in a manner compatible with the preservation of the wilderness environment. Furthermore, in accordance with such program as the Secretary of the Interior shall develop and conduct in consultation with the Secretary of Agriculture, such areas shall be surveyed on a planned, recurring basis consistent with the concept of wilderness preservation by the Geological Survey and the Bureau of Mines to determine the mineral values, if any, that may be present; and the results of such surveys shall be made available to the public and submitted to the President and Congress.

(3) Notwithstanding any other provisions of this Act, until midnight December 31, 1983, the United States mining laws and all laws pertaining to mineral leasing shall, to the same extent as applicable prior to the effective date of this Act, extend to those national forest lands designated by this Act as "wilderness areas"; subject, however, to such reasonable regulations governing ingress and egress as may be prescribed by the Secretary of Agriculture consistent with the use of the land for mineral location and development and exploration, drilling, and production, and use of land for transmission lines, waterlines, telephone lines, or facilities necessary in exploring, drilling, producing, mining, and processing operations, including where essential the use of mechanized ground or air equipment and restoration as near as practicable of the surface of the land disturbed in performing prospecting, location, and, in oil and gas leasing, discovery work, exploration, drilling, and production, as soon as they have served their purpose. Mining locations lying within the boundaries of said wilderness areas shall be held and used solely for mining or processing operations and uses reasonably incident thereto; and hereafter, subject to valid existing rights, all patents issued under the mining laws of the United States affecting national forest lands designated by this Act as wilderness areas shall convey title to the mineral deposits within the claim, together with the right to cut and use so much of the mature timber therefrom as may be needed in the extraction, removal, and beneficiation of the mineral deposits, if needed timber is not otherwise reasonably available, and if the timber is cut under sound principles of forest management as defined by the national forest rules and regulations, but each such patent shall reserve to the United States all title in or to the surface of the lands and products thereof, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining or prospecting shall be allowed except as otherwise expressly provided in this Act: *Provided*, That, unless hereafter specifically authorized, no patent within wilderness areas designated by this Act shall issue after December 31, 1983, except for the valid claims existing on or before December 31, 1983. Mining claims located after the effective date of this Act within the boundaries of wilderness areas designated by this Act shall create no rights in excess of those rights which may be patented under the provisions of this subsection. Mineral leases, permits, and licenses covering lands within national forest wilderness areas designated by this Act shall contain such reasonable stipulations as may be prescribed by the Secretary of Agriculture for the protection of the wilderness character of the land consistent with the use of the land for the purposes for which they are leased, permitted, or licensed. Subject to valid rights then existing, effective January 1, 1984, the minerals in lands designated by this Act as wilderness areas are withdrawn from all forms of appropriation under the mining laws and from disposition under all laws pertaining to mineral leasing and all amendments thereto.

(4) Within wilderness areas in the national forests designated by this Act, (1) the President may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting for water resources, the establishment and maintenance of reservoirs, water-conservation works, power projects, transmission lines, and other facilities needed in the public interest, including the road construction and maintenance essential to development and use thereof, upon his determination that such use or uses in the specific area will better serve the interests of the United States and the people thereof than will its denial; and (2) the grazing of livestock, where established prior to the effective date of this Act, shall be permitted to continue subject to such reasonable regulations as are deemed necessary by the Secretary of Agriculture.

(5) Other provisions of this Act to the contrary notwithstanding, the management of the Boundary Waters Canoe Area, formerly designated as 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



A PAGE FROM HISTORY

THE HISTORY TRAIL

accordance with the general purpose of maintaining, without unnecessary restrictions on other uses, including that of timber, the primitive character of the area, particularly in the vicinity of lakes, streams, and portages: *Provided*, That nothing in this Act shall preclude the continuance within the area of any already established use of motorboats.

(6) Commercial services may be performed within the wilderness areas designated by this Act to the extent necessary for activities which are proper for realizing the recreational or other wilderness purposes of the areas.

(7) 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.

(8) Nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the several States with respect to wildlife and fish in the national forests.

STATE AND PRIVATE LANDS WITHIN WILDERNESS AREAS

SEC. 5. (a) In any case where State-owned or privately owned land is completely surrounded by national forest lands within areas designated by this Act as wilderness, such State or private owner shall be given such rights as may be necessary to assure adequate access to such State-owned or privately owned land by such State or private owner and their successors in interest, or the State-owned land or privately owned land shall be exchanged for federally owned land in the same State of approximately equal value under authorities available to the Secretary of Agriculture: *Provided, however*, That the United States shall not transfer to a State or private owner any mineral interests unless the State or private owner relinquishes or causes to be relinquished to the United States the mineral interest in the surrounded land.

(b) In any case where valid mining claims or other valid occupancies are wholly within a designated national forest wilderness area, the Secretary of Agriculture shall, by reasonable regulations consistent with the preservation of the area as wilderness, permit ingress and egress to such surrounded areas by means which have been or are being customarily enjoyed with respect to other such areas similarly situated.

(c) Subject to the appropriation of funds by Congress, the Secretary of Agriculture is authorized to acquire privately owned land within the perimeter of any area designated by this Act as wilderness if (1) the owner concurs in such acquisition or (2) the acquisition is specifically authorized by Congress.

GIFTS, BEQUESTS, AND CONTRIBUTIONS

SEC. 6. (a) The Secretary of Agriculture may accept gifts or bequests of land within wilderness areas designated by this Act for preservation as wilderness. The Secretary of Agriculture may also accept gifts or bequests of land adjacent to wilderness areas designated by this Act for preservation as wilderness if he has given sixty days advance notice thereof to the President of the Senate and the Speaker of the House of Representatives. Land accepted by the Secretary of Agriculture under this section shall become part of the wilderness area involved. Regulations with regard to any such land may be in accordance with such agreements, consistent with the policy of this Act, as are made at the time of such gift, or such conditions, consistent with such policy, as may be included in, and accepted with, such bequest.

(b) The Secretary of Agriculture or the Secretary of the Interior is authorized to accept private contributions and gifts to be used to further the purposes of this Act.

ANNUAL REPORTS

SEC. 7. At the opening of each session of Congress, the Secretaries of Agriculture and Interior shall jointly report to the President for transmission to Congress on the status of the wilderness system, including a list and descriptions of the areas in the system, regulations in effect, and other pertinent information, together with any recommendations they may care to make.

Approved September 3, 1964.

From David F. Myrick, author of Railroads of Nevada and Eastern California (see The History Bookshelf, April 1965) comes the following note describing the resources offered by our own Division of Mines and Geology library, under the direction of librarian William A. Sansburn. Our thanks to Mr. Myrick; he knows whereof he writes—having spent many hours there in research.

One of the many factors contributing to the culture of San Francisco is the many comparatively small, but fine, specialized libraries. The library of the State Division of Mines and Geology, conveniently housed in the Ferry Building, is one of these.

While in part its purpose is to serve the staff of the Division of Mines and Geology, it also serves well the needs of industrial, mining, oil, land, and railroad companies headquartered in San Francisco. It has also another valuable use. Although not specifically intended to be a library for historians, it complements well the facilities of other libraries in the area.

When it is recognized that the first people who came to California and the West in any considerable numbers were those seeking precious metals, it is not surprising that mining information contains a great deal of collateral information of immense value to historians. Much information relating to small and large mining and engineering enterprises, to communities long vanished, or people who may have escaped mention in other sources, can be found in this library. Among the many magazines in the files, the fine runs of *Mining and Scientific Press* and *Engineering and Mining Journal* are treasure houses of information. Their usefulness is enhanced by an extensive card index of each item of information relating to individual mines in California. With a gracious and helpful staff to guide the inexperienced, an exciting world of information can be found in the myriad of books, pamphlets, and magazines from all over the world.

Our thanks to Mr. Daniel L. Erling for the following information:

In your current issue [June 1965 MIS, *The History Trail*] you expressed an interest in learning of other bookdealers who have a large selection of geological and mineralogical books. I have found many unusual books are obtainable from The Truro Book Shop, Truro, Cornwall, England.

P.S. They issue a catalog.

P.P.S. Holes yes.

If any others of our readers know of particularly good sources for publications on geology and allied subjects, we will be pleased to hear from them.

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Address orders to the California Division of Mines and Geology, Ferry Building, San Francisco, California ZIP 94111. Checks and money orders should be made payable to the Division. No postage is required; please do not send stamps in payment. California residents please add 4% sales tax.