

# **WILDERNESS MAPS & LEGAL DESCRIPTIONS: THEIR STATUS IN THE NATIONAL PARK SYSTEM**

**February 3, 2000  
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## **The Wilderness Laws**

Twenty-two separate laws created or placed wilderness within the boundaries of national park system areas. Each law contains language very similar to the law establishing the first NPS wilderness, at Craters of the Moon National Monument, in 1970:

*As soon as practicable* after this Act takes effect, a map and a legal description of each wilderness area shall be filed with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, and such description shall have the same force and effect as if included in this Act:... (emphasis added)

84 Stat. 1104

The exceptions to this requirement exist for some wilderness in Rocky Mountain National Park,<sup>1</sup> Devils Postpile National Monument,<sup>2</sup> part of Chiricahua National Monument,<sup>3</sup> Great Sand Dunes<sup>4</sup> wilderness, and the 2004 adjustments to Cumberland Island wilderness. Most of the laws also prescribe that the wilderness maps and legal descriptions be available for public inspection in a various NPS offices. The laws vary in minor and subtle ways and each law must be read for park-specific instructions.

## **The Maps that Accompany the Wilderness Laws**

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<sup>1</sup> Rocky Mountain National Park contains wilderness that was previously part of the Indian Peaks in the Roosevelt-Arapahoe National Forests. Rocky Mountain National Park was reconfigured in 1980 to include some of the Indian Peaks Wilderness. The Forest Service legally described and mapped that wilderness after Congress created it in 1978. Therefore, the NPS was not charged with preparing a map for the Indian Peaks wilderness within Rocky Mountain .

<sup>2</sup> Congress created wilderness in Devils Postpile National Monument in 1984 but that wilderness is a very small part of the Ansel Adams Wilderness that lies almost entirely in the Sierra and Inyo National Forests. The U.S. Forest Service prepared the map and legal description for the Ansel Adams Wilderness on February 11, 1987.

<sup>3</sup> Congress added 850 acres of U.S. Forest Service lands to Chiricahua in 1984 and directed that the lands be managed as wilderness. No map or legal description was required.

<sup>4</sup> In 2000 Congress added designated wilderness to Great Sand Dunes, transferred from the adjacent national forest. No map or legal description of the added wilderness was required.

Every law that establishes wilderness in a park cites a map (or maps) that generally depict the wilderness to be designated. Appendix II lists the park wilderness and the number and date of the map referred to in the wilderness-designating law. With some exceptions, the maps that are cited in the law designating wilderness were prepared by the NPS and accompanied the Department of the Interior's wilderness recommendation to Congress.

In nearly all cases, the maps cited in the law designating wilderness ARE NOT the maps that Congress required to be submitted to the requisite committees. Every wilderness designating law, with the exceptions noted, requires that the Secretary submit a map and a legal description to Congress. Congress already possessed "proposed" wilderness maps when it enacted a park wilderness law and Congress cited those maps in the wilderness-designating laws. The maps depicting the NPS recommendation WERE NOT the maps that Congress seeks from the Secretary. Congress sought an additional map.

### **Some Parks Lack Legal Descriptions and Maps that Reflect those Descriptions for their Wilderness**

Most parks have prepared legal descriptions and final maps of their wilderness areas. Appendix II lists those parks that have composed written legal descriptions and drawn wilderness maps that conform to the legal descriptions.

Not all parks drew official maps of wilderness as required by the wilderness designating statute. Usually such parks also lack a narrative legal description of the wilderness boundaries.

Appendix III lists the parks that have drawn wilderness maps or have written a legal description but do not appear to have both.

Appendix IV lists parks that appear NOT to have prepared BOTH the required maps and the legal descriptions.

### **The Preparation of Legal Descriptions and Wilderness Maps may Alter the Actual Number of Acres of NPS Wilderness.**

In the process of translating the wilderness maps cited by Congress into a written legal description and a final map, the number of wilderness acres in several parks changed. Here are just two examples.

#### Example 1: Pinnacles National Park

Congress designated wilderness in Pinnacles on October 20, 1976. The law cites a map numbered 114-20,010-D as depicting 12,952 acres of wilderness and 990 acres of potential wilderness. However, Pinnacles National Monument produced a legal description of their wilderness, dated May 1978, that shows 13,270 acres of wilderness and 1,050 acres of potential wilderness.

According to the law establishing Pinnacles wilderness, it is that legal description that has the “same force and effect as if included in this Act.” The May 1978 legal description is dispositive as to wilderness in Pinnacles. WASO-NPS records of wilderness may still incorrectly show Pinnacles with 12,952 acres of wilderness and 990 acres of potential wilderness. That figure was made inaccurate by the subsequent NPS wilderness legal description.

Example 2: Joshua Tree National Monument (now National Park)

Congress designated wilderness in Joshua Tree on October 20, 1976. The law cites a map numbered 156-20,003-D as depicting 429,690 acres of wilderness and 37,550 acres of potential wilderness. However, Joshua Tree National Monument produced a legal description of their wilderness, dated February 1977, corrected in January 1997, that shows 422,520 acres of wilderness and 30,740 acres of potential wilderness. According to the law establishing Joshua Tree wilderness, it is that legal description that has the “same force and effect as if included in this Act.” The February 1977 legal description is dispositive as to the amount of wilderness in Joshua Tree.

**Correcting Errors in the Official Legal Description and Maps**

After the NPS submits to Congress a written legal description and a map of the wilderness in a particular park, the laws generally, but not always, provide that the NPS may correct the legal description and/or map. Congress generally uses language identical or similar to the language for Craters of the Moon:

As soon as practicable after this Act takes effect, a map and a legal description of each wilderness area shall be filed with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, and such description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical or typographical errors may be made. Emphasis added.

84 Stat. 1104.

**Conclusion**

Forty-five years after the NPS became a wilderness managing agency, a handful of parks continue to neglect a fundamental wilderness management duty to secure wilderness boundaries by writing legal descriptions and drawing maps reflecting that description.

**The Steps Ahead:**

1. Determine conclusively which parks may still need to write legal descriptions and draw maps of their wilderness.

2. Notify parks that are lacking legal descriptions and maps that they were charged to complete this task by February 2, 2001, as stated in the Director's Order No. 41 of August 2, 1999.
3. Ensure, with the help of the Office of Legislative Affairs, that all legal descriptions and maps are filed with Congress as required.
4. Establish a central file (both paper and electronic) for each park with wilderness that includes:
  - the wilderness legislation;
  - the maps that are cited in the wilderness legislation;
  - the relevant reports of the Congressional committees;
  - the public and congressional hearing record, to the extent available;
  - the wilderness maps required from the NPS by Congress;
  - the wilderness legal description required from the NPS by Congress;
  - the letter of transmittal that conveyed the legal descriptions and maps to Congress;
  - any correspondence between the Congress and the NPS on those legal descriptions and maps;
  - any corrections made to the maps and legal descriptions made subsequent to their being filed with Congress; and
  - any notices in the Federal Register that convert potential wilderness to full wilderness.
5. Organize and update NPS central files on parks with wilderness studies, proposals and recommendations to Congress.
6. Recalculate the number of wilderness acres within the national park system, as shown in a compilation dated January 5, 2000, based upon the complete wilderness legal descriptions and maps.
7. Redesignate "potential wilderness" as full wilderness by publication of Federal Register notices where appropriate.
8. Determine those parks that are required by law or congressional report language to restudy existing park lands for wilderness suitability; or study added lands for such suitability. Notify the parks to prepare such studies.
9. Review earlier NPS wilderness suitability studies that recommended "no wilderness" and determine which parks need restudy due to changes in circumstance (e.g. changes in land status, uses, development plans).

## **APPENDIX I - Map Cited By Congress When Designating Wilderness in National Park System Areas**

In chronological order, by date of enactment:

- Craters of the Moon NM - 131-91,000 March 1970
- Petrified Forest NP - NP-PF-3320-0 November 1967  
(the statute contains a typographical error. The map should be "C" not "O.")
- Lava Beds NM - NM-LB-3227H August 1972
- Lassen Volcanic NP - NP-LV-9013C August 1972
- Point Reyes NS - 612-90,000-B September 1976
- Bandelier NM - 315-20,014-B May 1976
- Black Canyon of the Gunnison NM - 144-20,017 May 1973
- Chiricahua NM - 145-20,007-A September 1973
- Great Sand Dunes NM - 140-20,006-C February 1976
- Haleakala NP - 162-20,006-A July 1972
- Isle Royale NP - 139-20,004 December 1974
- Joshua Tree NM - 156-20,003-D May 1976
- Mesa Verde NP - 307-20,007-A September 1972
- Pinnacles NM - 114-20,010-D September 1975
- Saguaro NM - 151-20,003-D May 1976
- Badlands NM - 137-29,010-B May 1976
- Shenandoah NP - 134-90,001 June 1975
- Buffalo NR - 173-20,036-B March 1975
- Carlsbad Caverns NP - 130-20,003-B January 1978
- Everglades NP - 160-20,011 June 1974

Guadalupe NP - 166-20,006-B July 1972  
 Gulf Islands NS - 635-20,018-A March 1977  
 Hawaii Volcanoes NP - 124-20,020 April 1974  
 Organ Pipe Cactus NM - 157-20,001-B October 1978  
 Theo.Roosevelt NP - 387-20,007-E January 1978  
 Denali NP - DENA-90,007 July 1980  
 Gates of the Arctic NP - GAAR-90,011 July 1980  
 Glacier Bay NP - GLBA-90,004 October 1978  
 Katmai NP - 90,007 July 1980  
 Kobuk Valley NP - KOVA-90,009 October 1979  
 Lake Clark NP - LACL-90,008 October 1978  
 Noatak NPres - NOAT-90,004 July 1980  
 Wrangell-St.Elias NP - WRST-90,007 August 1980  
 Rocky Mountain NP - 121-80,047 October 1, 1979  
 Fire Island NS - "as depicted on the map entitled "Wilderness Plan-  
 Fire Island National Seashore"" December 1980  
 Cumberland Island NS- 640-20038E November 1981  
 Chiricahua NM - "as generally depicted on the map entitled "Bonita  
 Creek Watershed", dated May 1984..."  
 Yosemite NP - 104-20,003-E July 1980  
 Sequoia-Kings Canyon  
 NPs - 102-20,003-E July 1980  
 Devils Postpile NM - "as generally depicted on a map entitled "San  
 Joaquin Wilderness – Proposed" July 1980  
 Congaree Swamp NM- "as generally depicted on a map entitled

“Congaree Swamp National Monument Wilderness-Proposed” July 1988

- Olympic NP - 149/60,051A August 1988
- North Cascades NP - 168-60-186 August 1988
- Lake Chelan NRA
- Ross Lake NRA
- Mt. Rainier NP - 105-20,014A July 1988
- Death Valley NP - “as generally depicted on twenty-three maps entitled “Death Valley National Park Boundary and Wilderness”,...dated October 1993 or prior, and three maps entitled “Death Valley National Park Wilderness”,...and dated July 1993 or prior...”
- Joshua Tree NP - “as generally depicted on four maps entitled “Joshua Tree National Park Boundary and Wilderness-Proposed”...and dated October 1991 or prior...”
- Mojave NPres - “as generally depicted on ten maps entitled “Mojave National Park Boundary and Wilderness-Proposed”,... and dated March 1994 or prior, and seven maps entitled “Mojave National Park Wilderness-Proposed”, ...and dated March 1994 or prior...”
- Black Canyon of the Gunnison NP - “Tract A” on Map dated 1/22/99
- Great Sand Dunes NP and Pres - 140/80,032, dated September 19, 2000.
- Lake Mead NRA - As depicted on maps entitled “Eldorado/Spirit Mountain” and “Muddy Mountains” dated October 1, 2002
- Pinnacles NM - on a map entitled “Pinnacles Proposed Wilderness Additions” dated October 30, 2001
- Apostle Islands NL - 633/80,058, September 17, 2004
- Cumberland Is.NS - 640/20,038I, September 2004
- Pictured Rocks NL - 625/80,051, April 16, 2007

Joshua Tree NP - 156/80,055, March 2008

**Sequoia-Kings**

**Canyon NPs**

a) John Krebs

Wilderness - 102/60014b, September 16, 2008  
(Mineral King Valley)

b) Sequoia-Kings

**Canyon**

Wilderness - 102/60015a, March 10, 2008

Rocky Mountain NP – Map described as “Rocky Mountain National Park  
Wilderness Act of 2007” dated September 2006

Zion NP - Map described as “Zion National Park Wilderness”  
dated April 2008

**Sleeping Bear Dunes**

NL - 634/80,083B, November 2010

**APPENDIX II - Parks With BOTH Written Legal Descriptions  
and Maps**

Alaska National Park System Areas

Section 103(b) of the 1980 Alaska National Interest Lands and Conservation Act at 16 U.S.C. 3103 (94 Stat. 2377) directs the Secretary of the Interior to prepare legal descriptions and maps of the wilderness designated by that act. The NPS prepared the legal descriptions and wilderness maps and published them as a notice in the Federal Register on September 30, 1992.

Apostle Islands National Lakeshore

P.L. 108-447 requires ONLY a legal description, not a map. NPS has prepared the legal description. Transmitted to Congress in February 2008.

Badlands National Park

Legal description and map dated February 1978

Black Canyon of the Gunnison National Monument (now Park)

Legal description dated February 14, 1978. Map prepared.

Buffalo National River

Map drawn; legal description dated July 30, 1989.



Carlsbad Caverns National Park

Map drawn; legal description dated October 1980.

Chiricahua National Monument

Legal description dated May 1978. Map sent to Congress August 1978.

Craters of the Moon National Monument

Legal description dated December 1970. NPS submitted map that Congress cited when designating wilderness.

Cumberland Island National Seashore

Legal description and map dated June 1983.

Death Valley National Park

Legal description and map sent to Congress in July 2010.

Fire Island National Seashore

Legal description and map dated July 1983.

Great Sand Dunes National Monument

Legal description dated May 1980; map dated February 1989.

Guadalupe National Park

Map dated January 1980. Legal description dated October 1980.

Gulf Islands National Seashore

Map dated January 1980. Legal description dated March 1980.

Isle Royale National Park

Map dated June 1978; an undated legal description that post-dates act of wilderness designation.

Joshua Tree National Monument and National Park

Legal description for the 1976 wilderness dated February 1977. Maps depict the wilderness as legally described. January 1997 date for a legal description of wilderness established in the expanded Joshua Tree by the 1994 California Desert Protection Act. In March 1997 NPS prepared maps to reflect the 1994 wilderness. Both were transmitted to Congress October 1998.

Lava Beds National Monument

Legal description dated December 1972. Map referenced in transmittal memo but date unknown.

Mesa Verde National Park

Legal description dated December 1976. Map referenced in transmittal memo.

Mojave National Preserve

Legal description and map produced in 2008. Submitted to Congress in December 2008.

Olympic National Park

Legal description dated November 1989. Maps consist of a set of twenty 15" USGS quadrangles.

Petrified Forest National Park

Legal description dated December 1970. NPS submitted map that Congress cited when designating wilderness.

Pinnacles National Monument

Map dated January 1977; legal description dated May 1978.

Point Reyes National Seashore

Legal description dated May 1978. Map referenced in memo but not found.

Rocky Mountain National Park

Legal description/map dated January 2010 (121-101,335A and East Shore Alignment 121-101,337A).

Saguaro National Monument (now Park)

Map drawn; legal description dated May 1978.

Sequoia-Kings Canyon National Parks

Map drawn in July 1985; legal description dated December 1985.

Theodore Roosevelt National Memorial Park (now Park)

Legal description dated June 1979. Map dated May 1980.

Yosemite National Park

Map drawn July 1985. An undated legal description found.

**APPENDIX III - Parks MISSING either a Written Legal Description or a Map of their Wilderness**

Bandelier National Monument

Map referenced in a memo of October 1978. LEGAL DESCRIPTION NOT FOUND.

Congaree Swamp National Monument

The NPS drew a map for Congaree Swamp's wilderness Congress designated in 1988. NO LEGAL DESCRIPTION FOUND.

Everglades National Park

The NPS drew a map of the park wilderness after Congress designated it in 1978. NO LEGAL DESCRIPTION FOUND.

Haleakala National Park

The NPS prepared a map of the wilderness after Congress designated it in 1976. The map is dated January 1979. NO LEGAL DESCRIPTION FOUND.

Lassen Volcanic National Park

Legal description dated June 1973. NO MAP FOUND.

Mount Rainier National Park

The NPS produced a map for Mt. Rainier's wilderness after Congress designated it in 1988. A LEGAL DESCRIPTION NOT FOUND.

North Cascades National Park

An undated legal description exists. A MAP DEPICTING THAT DESCRIPTION NOT FOUND.

Pictured Rocks National Lakeshore (enacted in March 2009)

P.L. 111-11 requires ONLY a legal description, not a map. Not yet written.

Shenandoah National Park

The NPS drew maps of the Shenandoah wilderness after Congress designated it in 1976. The NPS published those maps in the Federal Register in September 1978. NO LEGAL DESCRIPTION FOUND.

**APPENDIX IV – Parks that Have Not Produced Legal Descriptions AND Maps of their Wilderness**

Hawaii Volcanoes National Park (enacted in 1978)

Organ Pipe Cactus National Monument (enacted in 1978.)

Final map and legal description composed in 2009; inexplicably in Intermountain Regional Office for three years and not yet transmitted to WASO or the Congress)

Pinnacles National Park (enacted 2002)

Legal description and map for the 2002 additions not prepared or submitted to Congress.

Lake Mead National Recreation Area (enacted in November 2002)

Joshua Tree National Park (enacted March 2009)

The NPS has not prepared the legal description or map for the wilderness and potential wilderness designated in 2009. The legal description and map for both the 2009 wilderness and potential wilderness is required by the law (P.L. 111-11) ONLY after the Secretary publishes a notice in the Federal Register that all uses of the land within potential wilderness prohibited by the Wilderness Act have ceased, and sufficient inholdings within the boundaries of the potential wilderness have been acquired to establish manageable wilderness. Notice not yet published.

Sequoia-Kings Canyon NPs (enacted in March 2009)

P.L. 111-11 requires that maps and legal descriptions be completed for each area: the 2009 additions and the new John Krebs Wilderness in the Mineral King Valley portion of the park, no later than three years after enactment, i.e. March 30, 2012. Not yet done.

Zion National Park (enacted in March 2009)

Not yet accomplished

Sleeping Bear Dunes (enacted in March 2014)

P.L. 113-87 requires that the NPS submit both a written legal description and map “as soon as practicable after the date of enactment...” Recent enactment, so this task is not yet accomplished.