

MNY-DO1-1978 - Monomoy NWR Wilderness Management Plan

WILDERNESS MANAGEMENT PLAN
MONOMOY NATIONAL WILDLIFE REFUGE
MONOMOY WILDERNESS

U.S. DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE

Chatham, Massachusetts
November 9, 1978

MONOMOY WILDERNESS MANAGEMENT PLAN

I. INTRODUCTION

A. Refuge Establishment:

Monomoy National Wildlife Refuge is located off Chatham, Massachusetts on the "elbow of Cape Cod. Monomoy is a barrier beach-type island of about 2700 acres noted for its summer and fall migrations of shorebirds and waterfowl.



Monomoy Island Looking South

W. L. French

The establishment of a National Wildlife Refuge on Monomoy Island was first proposed to the Fish and Wildlife Service in 1928 by the noted ornithologists E. H. Forbush and Arthur Cleveland Bent. The biological studies done on the island in the ensuing ten years, brought recognition to Monomoy's strategic location in

the Atlantic Flyway as an important wintering and resting area for migratory waterfowl and shorebirds. The Fish and Wildlife Service initiated acquisition in 1938, and received approval from the Migratory Bird Conservation Commission in 1939 to purchase two tracts. In 1940 the two tracts were condemned to obtain a clear title.

Final settlement of the issue was further delayed by the entry of the United States into World War II. Finally, in 1944, the Secretary of War officially requested that the Fish and Wildlife Service take title to the land as it had been found necessary to use the island as a bombing practice area. Thus, Monomoy National Wildlife Refuge was officially established on June 1, 1944 through a declaration of taking under the Migratory Bird Conservation Act.

The purpose of the refuge at the outset was the protection and preservation of the migratory waterfowl resource. Although this function has remained basic, it has broadened to include all species indigenous to the area such as shorebirds, songbirds, raptors, and marine mammals. The diversity of habitats are preserved in a natural state not only to protect the wildlife resource, but also to provide a variety of areas and species for public enjoyment, use, and understanding.

B. Refuge Description:

Monomoy Refuge is located approximately 90 miles southeast of Boston, Massachusetts, and 90 miles east of Providence, Rhode Island, in the Town of Chatham, Massachusetts.

The refuge consists of approximately 2700 acres of freshwater marshes, saltwater wetlands, brush, and sand dunes, and beach. This figure varies constantly due to the instability of the sand/beach/sea ecosystem.

Monomoy may be called a barrier beach only in the broadest sense, as it does not exhibit the true geological and ecological characteristics of a barrier beach. Created by the littoral drift of the eroding glacial deposits of Cape Cod, it is constantly being shaped and reshaped by wind and water erosion.



Monomoy Island Looking North

W. L. French

The topography of the refuge varies from sea level salt marshes to sand dunes over 40 feet high. The climate is moderated considerably by the surrounding Atlantic Ocean. Winter temperatures are somewhat warmer than surrounding inland areas, with an average January temperature of 32°F. Summer temperatures are somewhat cooler than the mainland with an average July temperature of 67°F. Average rainfall is approximately 45 inches/year.

C. Refuge Objectives:

Monomoy National Wildlife Refuge was established to preserve waterfowl habitat. This purpose has been expanded to provide and preserve habitat for all wildlife species indigenous to the area. Maintaining habitat diversity provides for an optimum variety of native plant and animal species for public enjoyment and benefit. Preservation of unique ecosystems and coastal barrier beaches are recent Service objectives applicable to Monomoy Island.

D. Relationship of Wilderness to Refuge Objectives and Programs:

The Refuge objectives and programs generally coincide with the Wilderness designation. The Wilderness designation limits the methods used to accomplish the refuge objec-

tives and may eventually reduce the waterfowl maintenance and production outputs.



Western edge of Monomoy Island

E. Wilderness Area Establishment:

The Wilderness proposal for Monomoy originated in the Wilderness Act of 1961, in which every roadless island within the National Wildlife Refuge system was to be considered for Wilderness designation. A public hearing was held in Chatham on January 11, 1967. Comments were generally in favor of the Wilderness proposal. Most of the opposition came from surf fishing interests, as wilderness designation precludes easy access to surf fishing sites by prohibiting dune buggies, although not prohibiting the acts of fishing or hunting. State and local officials, numerous conservation groups, the U.S. Bureau of Outdoor Recreation, and numerous individuals all supported the proposal mainly on the bases of preservation of a unique area, protection of wildlife resources, and the need for a wilderness area in such a densely populated area.

Monomoy Wilderness was created by Congress on October 23, 1970. In the reports accompanying the act, there were several special provisions regarding the management of the

wilderness. Two areas, 90 acres at Inward Point and 170 acres near Powder Hole, were excluded from the Wilderness Area. On these exclusions there were 10 life-tenancy permittees with summer camps, three private tracts containing a total of four acres and two former Coast Guard buildings used for administration of the refuge. The report stated that the exclusions should be managed in a manner consistent with the concept of wilderness, that all beach buggy permits should be phased out, and the inholdings acquired.

At the present, there are only four active camps remaining. All beach buggy permits have been terminated. The inholdings have been acquired by condemnation as of June 21, 1977. The two former Coast Guard buildings have been destroyed by fires occurring in 1971 and 1975.

Another special provision was to preserve the historic Monomoy Lighthouse, built around 1850. This is the only structure that will remain on the island after the life-use permits have terminated.

The report also provides for the Army Corps of Engineers' plans to maintain navigable waterways around Monomoy and the possible alternative to close the gap between Monomoy Island and the North Beach. Designation of Monomoy as wilderness does not affect this alternative. The report also specifically stated that a permanent staff is required to administer the refuge.

II. DESCRIPTION OF THE WILDERNESS AREA

A. Word Description:

Monomoy Wilderness consists of all lands on Monomoy Island to mean low tide, with the exception of the two exclusions noted above. (See Appendix F for description of exclusions.)

B. Maps: See Appendix

III. MANAGEMENT

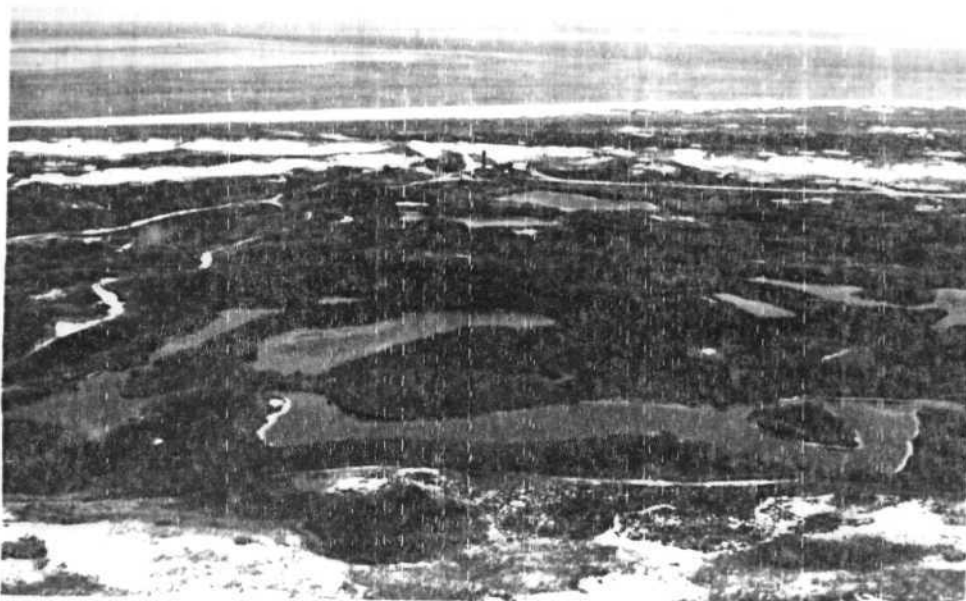
A. Prescribed Burning:

Historically, fire has not been a component of the ecosystem of Monomoy Island. Prescribed burning is not necessary for wildlife management. If conditions change sufficiently in the future to warrant prescribed burning, for example, through accidental introduction of an exotic species, then prescribed burning will be reconsidered and the appropriate revisions will be made.

B. Wildlife Inventories:

Wildlife inventories will be accomplished on foot, or with the aid of aircraft or boat. Observations are recorded at the same time with regard to other birds, mammals, reptiles, and amphibians. In addition much of our tern data comes from Massachusetts Audubon Society.

Monomoy is particularly suited to aerial survey methods as there are few vegetative obstructions, and as the shape of the island reduces the chances of counting the same individuals twice. Aerial censuses should be performed monthly, on a day with an early morning low tide to maximize effectiveness, as sea duck and shorebird concentrations are more likely to occur at this time. An early flight also gives a better estimate of deer populations if performed during their early morning activity period.



Freshwater Marshes

E. S. Moses

A muskrat hut census during the fall and winter months, and a seal census in the spring can be performed concurrently with the monthly waterfowl counts.

C. Wildlife Facilities:

The only wildlife facilities on Monomoy are the ponds and potholes remaining from past management activities. They mostly consist of enlarged and deepened natural marshes. Maintenance of these facilities would not be consistent with the Wilderness Act. Natural forces will be allowed to reduce these facilities to a natural state.

D. Animal Damage Control:

At present there is no animal damage control on Monomoy Refuge. The recent population explosion among Herring and Great Black-backed Gulls, and the resulting sharp decrease in Common, Roseate, Arctic and Least Tern populations, may require some gull control in the near future. Herring gulls, which began nesting on Monomoy in 1966, currently number over 12,000 nesting pairs, and have been increasing yearly. Tern populations have decreased from over 5,000 pairs to less than 1,000 pairs in the same period. Various reports in the past have recommended full control on a regional basis. The fact that Roseate terns are being considered for application to be included on the Endangered Species List adds considerably more urgency to some form of gull control.

E. Restoration:

Restoration work on Monomoy includes camp disposal, securing and restoring the lighthouse, removal of interior sign posts, removal of a water control structure, and dump removal.

At the present there are 8 camps on Monomoy Island and all are within wilderness exclusions. The owners on record at the time of Taking have life use permits for four of the camps. Each camp will be removed when the permit expires. Two additional camps are scheduled for removal during the spring of 1979. The Delano camp was donated to the U. S. Fish and Wildlife Service and the Young camp has been rendered unrepairable by recent winter storms. The remaining two camps, Jones and Small, will be removed after all legal proceedings associated with the condemnation are complete. All camps that are to be destroyed will be dismantled first to salvage any wood that can be used. Any non-useable com-

bustible material will be burned and non-combustible material will be removed from the island. Burial of the non-combustibles is not a suitable alternative for rubbish disposal in sand dunes. The process of camp removal will be time consuming since the camps are located up to a mile from anchorage and motorized equipment is not to be used.

Monomoy light, situated near the south end of the island, guided mariners from 1828 to 1923 when it was decommissioned due to an increase in the power of Chatham Light. The cast iron Light was preserved as an historic structure under the original Monomoy Wilderness Act. The Fish and Wildlife Service has nominated the light and keeper's house to the National Register of Historic Places. The light itself is structurally sound, although it needs to be repainted and the top enclosed to protect the cast iron from further deterioration. Repainting will have to occur at the minimum of every ten years. The keeper's house also is structurally sound, although it has been vandalized in recent years. Thus, both structures need to be secured, cleaned, and maintained to prevent further deterioration.

The lighthouse and camps mentioned above are within the two areas excluded from the wilderness area. They are included because the act specifically stated that the two exclusions should be managed along wilderness guidelines.



Monomoy Landscape

T. A. Goettel

Several dozen interior sign posts, fence posts and one inoperable water control structure should be removed as soon as possible to further eliminate evidences of previous activity.

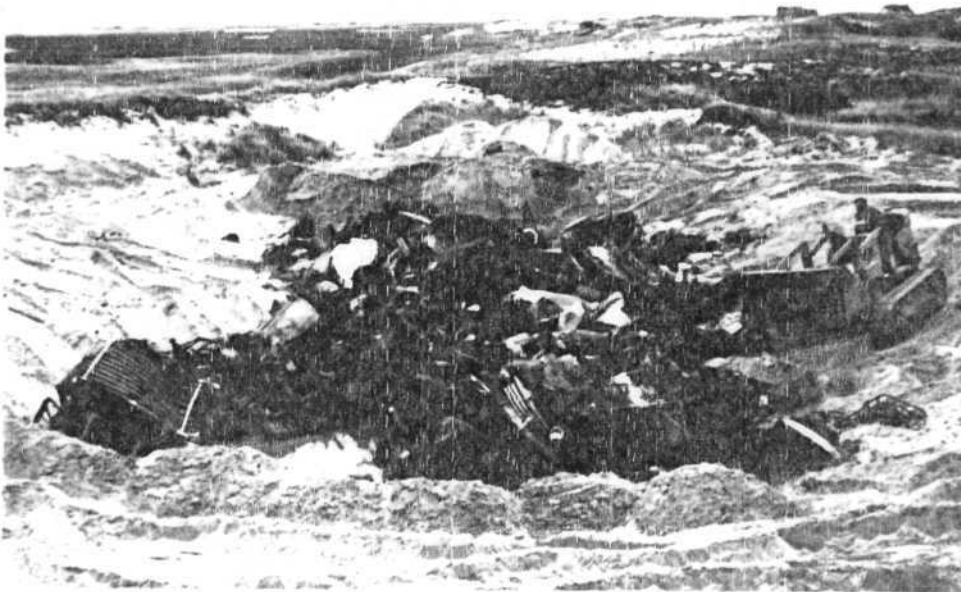
The Hospital Pond saltmarsh area, near Inward Point is drained by mosquito control ditches. The ditches have not been maintained since 1970 and will be permitted to deteriorate and fill in naturally.



Mosquito Control Ditches in Hospital Pond

E. S. Moses

Old dumps that have previously been covered by sand are constantly being exposed by wind erosion of unstable dunes. Ideally, the dumps should be removed as they become exposed; however most of the material is old car bodies which are extremely difficult to handle without motorized equipment. An alternative to removing the dumps is re-establishing the dunes over the dumps. The dunes may be re-established over the dumps by use of snow-fencing and beach grass plantings. This will be attempted on one of the smaller dump sites during 1979. If successful the process will be used for other dump sites.



Dump Burial, 1964

F. Other Management Problems:

In recent years the southern end of North Beach, the barrier beach to the northeast of Monomoy, has extended and currently only a small channel and several hundred yards of shoals separate North Beach and Monomoy Island. A recent study has indicated that it is possible that the two may join. Should this happen, a fence or similar structure will be constructed to delineate the wilderness boundary. The vehicle trespass potential and accessibility by foot will necessitate additional patrols and management efforts.

The tern colonies on Monomoy are presently posted by the Massachusetts Audubon Society. They are posted with small signs on inconspicuous wooden posts, linked by a single strand of string. It is recommended that this practice be allowed to continue in view of the decreasing tern populations on the entire east coast.

Maintenance of refuge and wilderness boundary posting is a continuing problem due to wind and wave erosion, sandblasting of signs and vandalism. Currently boundary signs are set on the front dune and spaced approximately one-quarter mile apart around the perimeter of Monomoy. Labor costs are huge considering that each post, post driver, sign and other necessary equipment must be transported by boat to the west side of Monomoy and then carried over sand, sand dunes and marsh, up to two miles, to the east side. Boundary posting maintenance will require a minimum of 30 mandays in 1979. The task is virtually impossible for the one seasonal staff person normally employed at Monomoy National Wildlife Refuge.

Among possible solutions to this problem would be transporting sign post and heavy tools to Monomoy by helicopter. The posts and signs would be dropped at sites approximately one-quarter mile apart. Posting then could be accomplished by one person in approximately 10 mandays. Posting of this magnitude will be required every three to five years depending upon the amount of beach and dune erosion. The environmental impact of using the helicopter is nil. Other alternatives, such as, use of draft animals or special exemption for a vehicle, are available but this will result in greater environmental damage than the use of a helicopter. Posting activities using helicopters, vehicles, or draft animals will be restricted to the early spring and fall.

IV. PUBLIC USE

A. General:

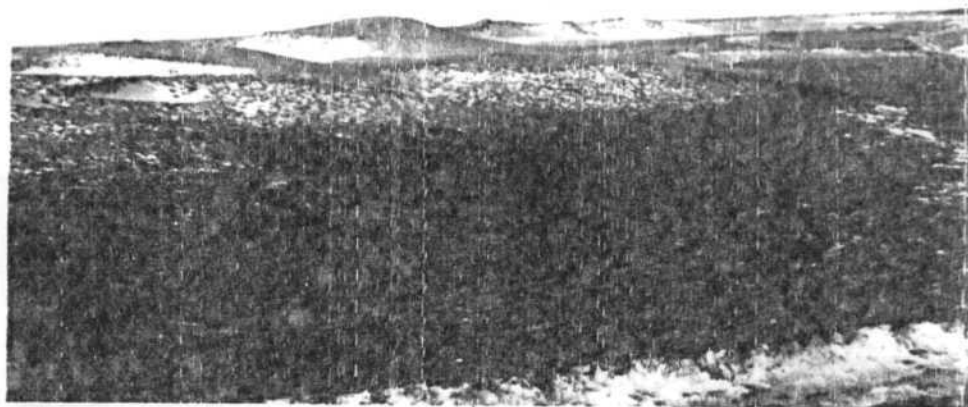
Monomoy NWR receives an estimated 45,000 visits per year. Refuge visitation rates have been increasing approximately three percent per year. If this rate of increase continues by 1990 the refuge will receive 60,000 visits per year. Approximately forty percent of the current visits occur on the wilderness area and a sizable number of these are consumptive users such as shellfishing, and surffishing, not wilderness visits.

Public use of the ten year projection levels should not have an adverse impact on the wilderness resources; however, the degree of solitude will diminish and certain boat landing sites may require use restrictions. There is no visitor control at the present and unless there is a significant change in use trends none is planned for the immediate future unless Monomoy Island becomes accessible by means other than boat. Historically Monomoy Island has been connected to Nauset Beach and Morris Island. If this happens again then visitor control will be necessary to prevent serious environmental damage within the wilderness area.

B. Specific Activities:

Current activities permitted on Monomoy include hiking, fresh and saltwater fishing, wildlife observation, interpretation, swimming, beachcombing, and shellfishing. Permits are required for camping and are generally restricted to environmental education groups and researchers.

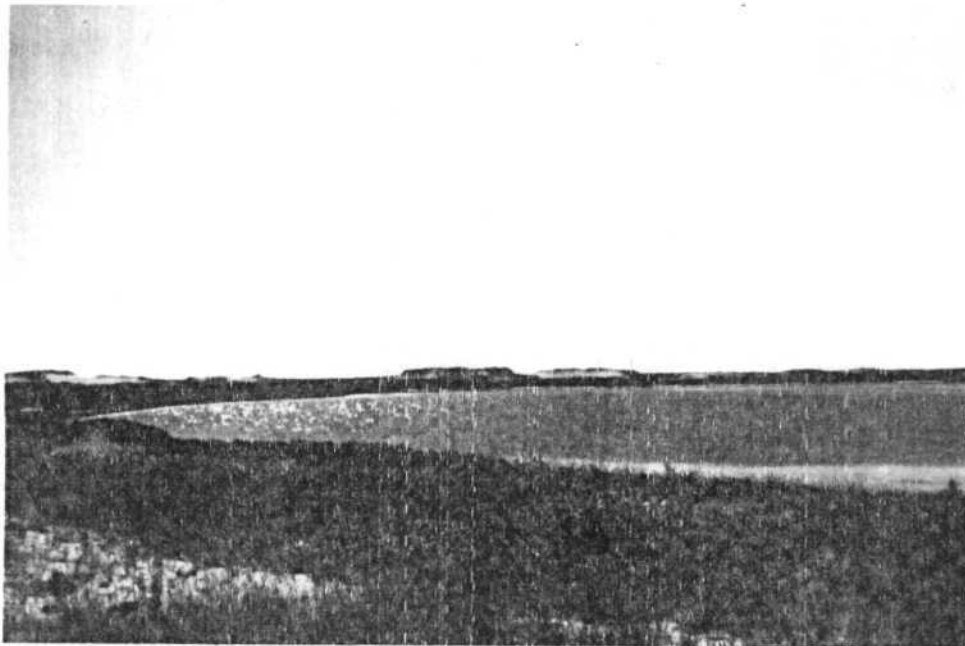
Hiking is currently undirected, taking place mostly on the beach and on old beach buggy trails. The only restricted areas at the present are the tern nesting areas, which are posted by Massachusetts Audubon Society. Sign and/or trail markers are not necessary at present and are undesirable.



Monomoy Island Landscape

T. A. Goettel

Fishing, both fresh and saltwater, is permitted. Freshwater fishing for largemouth bass is available at both Big and Little Station Ponds. The ponds will not be restricted since the bass are an introduced species. Approximately 20 visitors a month during the warmer seasons take advantage of the freshwater. Surffishing is allowed on the refuge 24 hours a day. Currently, no permit is required for night fishing on Monomoy Island. There are approximately 200 visits per month from April through October for surffishing. Both types of fishing do not occur as frequently as on other areas of the Cape due to the long distance that must be walked to reach the most productive sites. No additional restrictions are contemplated in the future.



Little Station Pond

T. A. Goettel

Shellfishing is a popular activity on Monomoy as the island boasts of some of the most productive shellfish beds on the Cape. Shellfishing is closely controlled by the Town of Chatham, with daily patrols and periodic contaminent testing, as Monomoy is extremely important to shellfishing economy of the area. The shellfish warden estimates that there are a minimum of 2000 visits per month, including both commercial and family permit holders. There are currently no additional Fish and Wildlife Service restrictions.

Wildlife observation is one of the main attractions to Monomoy with over 900 visits taking place per month from May to October. The island is famous for its shorebird migrations during July, August, and September; the waterfowl, raptor, and warbler migrations of late summer and early fall; the resident harbor seal colony during the winter and early spring; the resident deer herd; and the resident and nesting bird populations. The only restrictions at present are at the tern nesting areas. Future restrictions may include the marking of other waterfowl or shorebird nesting areas.



Winter Sea Duck Concentration

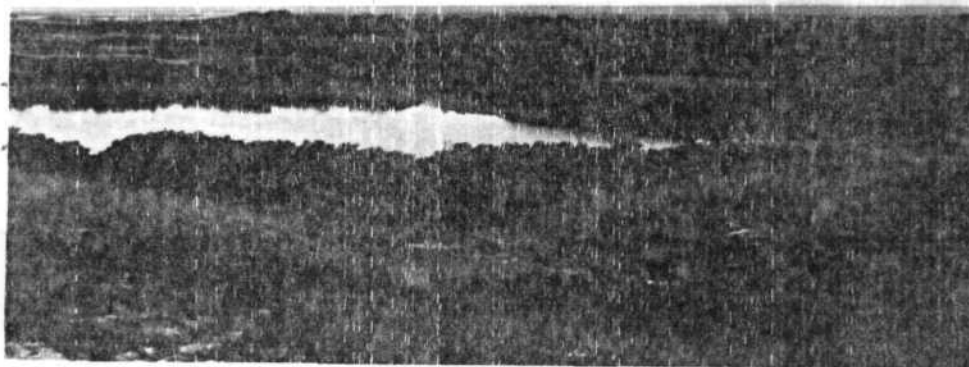
E. S. Moses

Interpretation on Monomoy is limited to the leaflet which is available at the headquarters on Morris Island. A revised edition of the leaflet or possibly additional leaflets on beach ecology, wildlife, and the history of Monomoy are desirable. Environmental education is possible, but extremely difficult due to the logistics of getting groups of people to the island. Therefore, presently nearly all environmental education takes place on the Morris Island portion of the refuge, which is not included in the Wilderness Area. The only exceptions to this are the occasional environmental groups that are issued special use permits to camp.

Swimming is allowed, but not popular due to the low year-round temperatures of Nantucket Sound and the Atlantic Ocean. There are no supervised beaches, and none are planned for the future. Approximately 50 swimmers visit the island each month from June to September.

Special use permits are available for camping; however, these are currently restricted to environmental education groups with developed curriculum and goals in environmental education. The special use permits contain several conditions regarding length of stay, tent-sites, fires, and disposal of waste. Camping will be limited to preserve the solitude campers seek as a part of a wilderness camping experience.

Hunting and trapping are not allowed on Monomoy Refuge. Due to the open terrain of Monomoy's waterfowl use areas, it is not believed that a waterfowl hunting program is desirable. Excessive disturbance would result to the large waterfowl concentrations there. A low quality hunting experience and excessive waterfowl disturbance would result since the marshes and ponds are close together and there is little cover between them.



Freshwater Marshes

T. A. Goettel

The refuge staff are frequent recipients of reports of illegal deer hunting on Monomoy. This possibility helps explain why the island is not overpopulated with deer, as the population always remains fairly constant from 20-30 individuals. A legal hunting program would not resolve the illegal take on Monomoy and would not improve or enhance the wilderness resource.



Monomoy Deer

Trapping of furbearers is not permitted or needed on Monomoy National Wildlife Refuge. There is not a surplus of these species on Monomoy Island and trapping would not be practical.

C. Public Use Facilities and Improvements:

There are no sanitary facilities, campgrounds, or water pumps on Monomoy. Construction, maintenance, and protection from vandalism present special problems to the construction of these facilities due to the remoteness of and inaccessibility of the island. Also, it is believed that construction of such facilities would detract from the wilderness experience.

The only signs currently on Monomoy are the standard National Wildlife Refuge "Blue Goose" signs and the National Wilderness Area signs, both on 10 foot galvanized steel posts.

These are extremely difficult to maintain because of wind and water erosion and sandblasting. They are placed at intervals of approximately one quarter mile.

The number and type of additional signs on Monomoy will be kept at a minimum due to its wilderness status and a high vandalism rate. Any public information signs will be placed in locations of highest public use, i.e., the major anchoring points, Inward Point and Powder Hole. Interpretive signs may be located at the lighthouse. All signs will be in accordance with refuge sign plan.

Monomoy is legally accessible by boat at all points. Most landings take place only on the western shore due to high surf on the eastern shore. Landing of aircraft is not permitted.

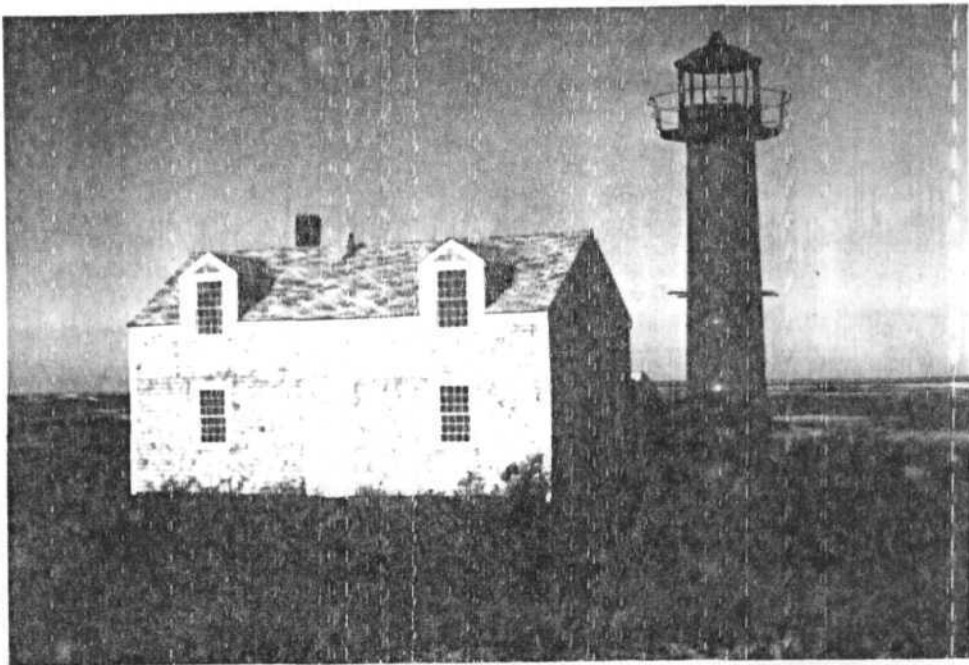
The erection of no more than two, simple lean-to type emergency shelters is proposed. These will be maintained to aid shipwrecked and stranded boaters and refuge visitors. During the summer the U.S. Coast Guard has reported as many as five boats stranded overnight on Monomoy in one week. In the past stranded visitors and refuge staff have utilized the remaining camps; however, these camps are being removed. Suitable shelters will be located near Powder Hole and Inward Point and locations documented on appropriated navigation charts.

D. Historical and Archeological Sites:

The historic Monomoy Lighthouse and the two acres surrounding it were nominated in 1978 for inclusion in the National Register of Historic Places. The land on which the Light is situated is within one of the two Wilderness exclusions; however, these exclusions are expected to be included in the Wilderness Area when all of the remaining camps have been removed. The light and house will remain as long as it is a registered historic site.

Construction of the first lighthouse at Monomoy Point began in 1823. First lit in 1828, the light was a single series of eight lamps with thirteen inch reflectors. This light was replaced by the present cast iron light around 1849. The light may possibly have been rebuilt in 1855 and in the 1870's.

Monomoy Light was decommissioned on February 16, 1923. It passed through a series of owners until Massachusetts Audubon Society bought it in the 1960's. The U.S. Fish and Wildlife Service bought the light in 1977 as instructed in the Monomoy Wilderness legislation.



Monomoy Light

Both the light and the keeper's house are still structurally sound although vandalism has occurred in recent years. The light was secured in 1978 to help prevent vandalism.

The lighthouse is valuable not only for its historic significance, but also as a base of operations for the refuge staff. It serves as a sub-headquarters and as a place to stay overnight while working on surveys, routine patrol, and maintenance-oriented work. It has also been proven as an invaluable emergency shelter for refuge staff.

Both the Powder Hole and Inward Point were sites of fishing villages over 100 years ago. Few traces of these villages remain. Powder Hole was also the site of a State lobster hatchery. It is also believed that Monomoy was used for summer encampments by the Monomoick Indian tribe, for whom it was named.



Monomoy Light, a view from the south side

T. A. Goettel

V. PUBLIC HEALTH AND SAFETY

A. Potential threats and Hazards:

As with virtually any oceanic island, the surrounding waters and shoals may be considered hazardous to boaters and swimmers. Therefore, the standard boating and swimming rules and safeguards should be taken. Visitors are warned both in the refuge leaflet and verbally when possible that the surrounding shoals can be dangerous, especially during storms or strong winds. The major shoals are marked by the U.S. Coast Guard and the Chatham Harbormaster. The smaller shoals change so frequently that marking is not possible.

B. Search and Rescue:

Monomoy Refuge is staffed seasonally, hence most search and rescue operations originate either with the U.S. Coast Guard (945-0164) or the Chatham Police Department (945-1212). Emergency calls to the refuge staff will be referred to the above agencies. The refuge's marine radio is equipped with the Coast Guard emergency frequency. The refuge staff will assist in any way possible if requested.

Response to call for aid and rescue involving personal safety will be by whatever means deemed appropriate by rescuing agency. Motorized equipment, other than helicopter, will

not be used to retrieve persons with minor illness or disabled property. In nearly all cases the use of overland vehicles will be impractical and useless in an emergency and will not be considered.

C. Protection of Private Property:

The refuge is responsible for protecting the remaining four life tenure camps on the island.

In the event of wildfire, every effort will be made to prevent the fire from reaching the camps. Since the use of motorized vehicles, with the exception of aircraft, is impractical, the staff will attempt to contain the fire with hand tools and backpack pumps. Assistance from first the Chatham Fire Department (945-2324) and the Massachusetts Department of Environmental Management will be requested.

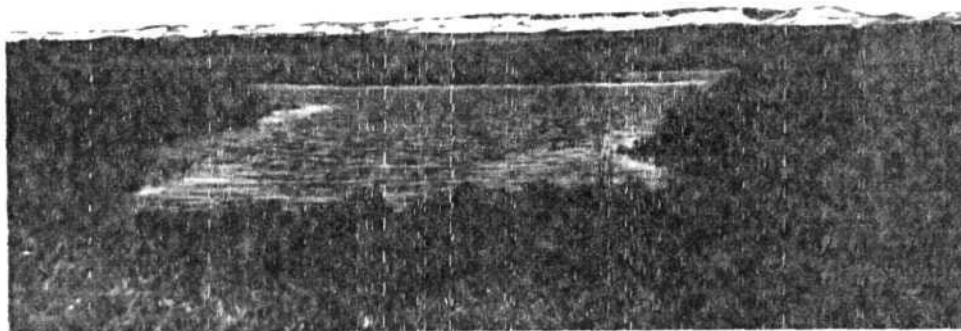
Vandalism to the camps on the island is a continuing complaint of the permittees. Increased refuge staff visibility and checks will most likely reduce the vandalism somewhat. Protection is difficult due to the remoteness of the camps.

VI. RESEARCH

Massachusetts Audubon Society conducts the only on-going annual research on Monomoy. The research is conducted by Dr. Ian Nisbet, and concerns population and ecological studies of the least, roseate, arctic, and common tern colonies.

Studies critically needed on Monomoy include populations and food habits of the herring, black-backed and laughing gull colonies. These studies are needed to help assess the damage done to the tern colonies, and the changes in the ecology of the island since the gull population explosion of the late 1960's.

Other research needed on Monomoy concerns populations and species of all wildlife especially predators, nesting bird studies herpetological research, and the possible establishment of a herbarium. No special considerations or exceptions to wilderness policy is necessary.



Lighthouse Marshes

T. A. Goettel

VII. OTHER CONSIDERATIONS

A. Placement of Instrumentation:

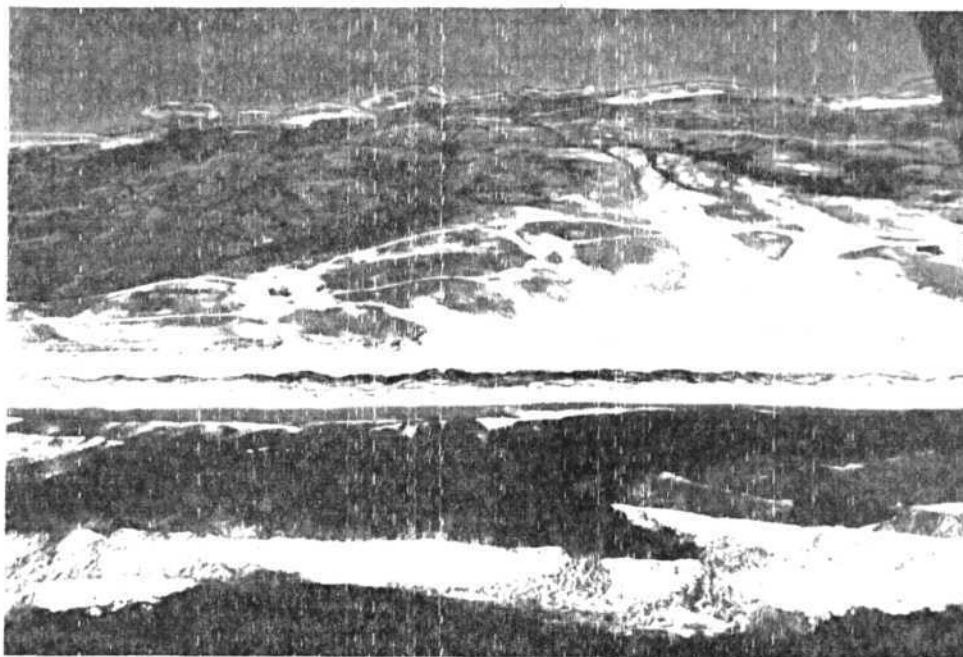
In December 1978 the U.S. Coast Guard and the National Ocean Survey received a permit to place three permanent navigational aids on Monomoy to replace the primary visual sextant target, the shipwreck PENDLETON that was destroyed in the winter storm of February, 1978. These would help mark the Pollock Rip Channel which is used extensively by the fishing fleets of Chatham and New Bedford, and recreational boaters. Although small, inconspicuous reference points would be preferred, large day beacons are considered by Coast Guard to be the most economical, and the safest, as the safety and livelihood of many people and businesses depend upon safe passage through the Nantucket shoals. The proposal was approved by the Director, U. S. Fish and Wildlife Service.

In most other cases involving seismic, hydrological, or meteorological instrumentation, inconspicuous or temporary instrumentation may be required.

B. Oil Spills:

Oil spills are a constant threat to almost all ocean beach areas today. Monomoy has had a series of oil spills and close calls, the most recent being the infamous ARGO MERCHANT in 1976. In all oil spill cases, oil spill clean-up and surveillance will be done in conjunction with the Area Oil Spill Coordinator at Parker River National Wildlife Refuge. There are several organizations in the area, such as the Cape Cod

Museum of National History that would be interested in helping with treatment of affected wildlife. Please refer to the U.S. Fish and Wildlife Service Pollution Response Plan for Oil and Hazardous Substances (June 1977).



Oil Spill, 1967

E. S. Moses

C. Wildfire:

A fire management plan is currently being developed for Monomoy Refuge.

Due to the lack of vegetation and fuel on most barrier beaches, and to the rapid recovery rate, wildfire apparently has never been a real threat to the ecosystem. Due to the distance from the refuge of the permanent staff and the difficulty of obtaining access to the island it is most practical to let wildfires burn themselves out, with suppression activities centering around the life-tenure camps and the lighthouse as mentioned previously. (See map for fire suppression areas.)

D. Entry for Official Purposes:

Entry for official purposes will be accomplished by boat except under emergency circumstances when the Coast Guard helicopter will be used. Entry will be concentrated

during the public use periods, May through October. Travel on the island will be by foot.

E. Developments:

Cape Cod's population is rapidly growing, both in terms of seasonal, and permanent residents. The development of the mainland directly affects Monomoy in terms of the number of visitors. Therefore, the need for increased staff visibility and protection of the wildlife resources and private property will increase.

If Monomoy Island once again joins with Morris Island a fence will be constructed as provided for in the Wilderness Acts. The fence will restrict motorized equipment and excessive foot traffic which may disrupt the ecosystem and destroy the wilderness solitude.

VIII. FUNDS AND PERSONNEL

Monomoy Refuge does not have a separate budget as it is administered under Great Meadows Refuge. Some aspects of the administration of the refuge as a wilderness, such as sign maintenance, camp removal, and patrol are more costly than if motorized vehicles were permitted.

IX. PLAN CURRENCY

This plan shall be reviewed, updated if necessary, and submitted for approval every ten years.

X. APPENDIX

- A. Wilderness Act (PL 88-577)
- B. Monomoy Wilderness Designation (PL 91-504)
- C. U.S. Fish and Wildlife Service Wilderness Regulations
- D. Monomoy National Wildlife Refuge Regulations
- E. Monomoy Wilderness Area Proposal
- F. Boundary Description
- G. Refuge Leaflets
- H. Map

X. APPENDIX

A. Wilderness Act (PL 88-577)



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,

Wilderness Act.

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 thereover 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.

79 STAT. 840.

79 STAT. 891.

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 untrammeled 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 unobtrusive and (2) appears to be an area of unbroken and unimpaired natural area, or of the land and its life, which is suitable for preservation and use in an unimpaired condition and which may also contain ecological, geo-

logical, 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.

Classification.

Presidential
recommendation
to Congress.

Congressional
approval.

78 STAT. 891.
78 STAT. 892.

(b) The Secretary of Agriculture shall, within ten years after the enactment of this Act, review, as to its suitability or unsuitability 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, not less than two-thirds within seven 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 areas of national forest land 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 unsuitability 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 recom-

Report to President.

Presidential recommendation to Congress.

Congressional approval.

Suitability.

Publication in Federal Register.

Hearings.

Publication in Federal Register.

78 STAT. 892.

78 STAT. 893.

Proposed modification.

mentations 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--

16 USC 475.
16 USC 528-531.

(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).

16 USC 577-577b.

16 USC 577a-577f.
16 USC 577d-1,
577g-1, 577h.

(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 Thye-Blatnik Act (Public Law 733, Eightieth Congress, June 22, 1948; 62 Stat. 568), and the Humphrey-Thye-Blatnik-Andersen 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.

39 Stat. 535.
16 USC 1 et seq.

41 Stat. 1063.
49 Stat. 838.

(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.).

78 STAT. 893.
78 STAT. 894.

(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 measures 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, water lines, 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 convey no rights in or to the surface of the lands which may be patented under the

Mineral leases,
claims, etc.

78 STAT. 894.

78 STAT. 894.

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.

Water resources

(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 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.

78 STAT. 895.
78 STAT. 896.

(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

Transfers, re-
striction.

September 3, 1964

Pub. Law 88-577

lands, including those in the United States, the more interested in the surrounding area.

(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.

LEGISLATIVE HISTORY:

HOUSE REPORTS: 12, 133 (accompanying H. R. 9070) (Comm. on Interior & Insular Affairs) and H. R. 122 (Comm. on Conference).

SENATE REPORT NO. 10 (Comm. on Interior & Insular Affairs).

CONGRESSIONAL RECORDS:

Vol. 100 (1-64): Apr. 4, 6, considered in Senate.

Apr. 9, considered and passed Senate.

Vol. 120 (1-64): July 24, considered in House.

July 31, considered and passed House, amended, H. R. 9070, H. R. 122.

Aug. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

**B. Monomoy Wilderness Designation
(PL 91-504)**

RECEIVED

NOV 5 1970

Ninety-first Congress of the United States of America

AT THE SECOND SESSION

GREAT MOUNTAINS REFUGE

begun and held at the City of Washington on Monday, the nineteenth day of January, one thousand nine hundred and seventy

Expect Designation

P.L. 91-504

An Act

To designate certain lands as wilderness.

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

DESIGNATION OF WILDERNESS AREAS WITHIN NATIONAL WILDLIFE REFUGES

SECTION 1. In accordance with section 3(c) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c)), the following lands are hereby designated as wilderness:

(a) certain lands in the (1) Bering Sea, Bogoslof, and Tuxedni National Wildlife Refuges, Alaska, which comprise about forty-one thousand one hundred and thirteen acres, three hundred and ninety acres, and six thousand four hundred and two acres, respectively, and which are depicted on maps entitled "Bering Sea Wilderness—Proposed", and "Bogoslof Wilderness—Proposed", and "Tuxedni Wilderness—Proposed", dated August 1967, and (2) the lands comprising the Saint Lazaria, Hazy Island, and Forrester Island National Wildlife Refuges, Alaska, which comprise about sixty-two acres, forty-two acres, and two thousand six hundred and thirty acres, respectively, and which are depicted on maps entitled "Southeastern Alaska Proposed Wilderness Areas", dated August 1967, which shall be known as the "Bering Sea Wilderness", "Bogoslof Wilderness", "Tuxedni Wilderness", "Saint Lazaria Wilderness", "Hazy Islands Wilderness", and "Forrester Island Wilderness", respectively;

(b) certain lands in the (1) Three Arch Rocks and Oregon Islands National Wildlife Refuges, Oregon, which comprise about seventeen acres and twenty-one acres, respectively, and which are depicted on maps entitled "Three Arch Rocks Wilderness—Proposed", and "Oregon Islands Wilderness—Proposed", dated July 1967, and (2) the lands comprising the Copalis, Flattery Rocks, and Quillayute Needles National Wildlife Refuges, Washington, which comprise about five acres, one hundred and twenty-five acres, and forty-nine acres, respectively, and which are depicted on a map entitled "Washington Islands Wilderness—Proposed", dated August 1967, as revised January 1969, which shall be known as "Three Arch Rocks Wilderness", "Oregon Islands Wilderness", and "Washington Islands Wilderness", respectively;

(c) certain lands in the Bitter Lake National Wildlife Refuge, New Mexico, which comprise about eight thousand five hundred acres and which are depicted on a map entitled "Salt Creek Wilderness—Proposed", and dated August 1967, which shall be known as the "Salt Creek Wilderness";

(d) certain lands in (1) the Island Bay and Passage Key National Wildlife Refuges, Florida, which comprise about twenty acres each and which are depicted on maps entitled "Island Bay Wilderness—Proposed" and "Passage Key Wilderness—Proposed", dated August 1967, and (2) the Wichita Mountains National Wildlife Refuge, Oklahoma, which comprise about eight thousand nine hundred acres and which are depicted on a map entitled "Wichita Mountains Wilderness—Proposed", dated October 1967, which shall be known as "Island Bay Wilderness", "Passage Key Wilderness", and "Wichita Mountains Wilderness", respectively;

Manager	
Asst. Manager	<i>LSA</i>
Clerk	
Mail	
Staff	
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THE WHITE HOUSE

(e) certain lands in (1) the Seney, Huron Islands, and Michigan Islands National Wildlife Refuges, Michigan, which comprise about twenty-five thousand one hundred and fifty acres, one hundred and forty-seven acres, and twelve acres, respectively, and which are depicted on maps entitled "Seney Wilderness—Proposed", "Huron Islands Wilderness—Proposed", and "Michigan Islands Wilderness—Proposed", (2) the Gravel Island and Green Bay National Wilderness Refuges, Wisconsin, which comprise about twenty-seven acres and two acres, respectively, and which are depicted on a map entitled "Wisconsin Islands Wilderness—Proposed", and (3) the Moosehorn National Wildlife Refuge, Maine, which comprise about two thousand seven hundred and eighty-two acres and which are depicted on a map entitled "Edmunds Wilderness and Birch Islands Wilderness—Proposed", all said maps being dated August 1967, which shall be known as "Seney Wilderness", "Huron Islands Wilderness", "Michigan Islands Wilderness", "Wisconsin Islands Wilderness", and "Moosehorn Wilderness", respectively;

(f) certain lands in the Pelican Island National Wildlife Refuge, Florida, which comprise about three acres and which are depicted on a map entitled "Pelican Island Wilderness—Proposed" and dated August 1970, which shall be known as the "Pelican Island Wilderness"; and

(g) certain lands in the Monomoy National Wildlife Refuge, Massachusetts, which comprise about two thousand six hundred acres but excepting and excluding therefrom two tracts of land containing approximately ninety and one hundred and seventy acres, respectively and which are depicted on a map entitled "Monomoy Wilderness—Proposed" and dated August 1970, which shall be known as the "Monomoy Wilderness".

DESIGNATION OF WILDERNESS AREAS WITHIN NATIONAL PARKS AND MONUMENTS

SEC. 2. In accordance with section 3(c) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c)), the following lands are hereby designated as wilderness:

(a) certain lands in the Craters of the Moon National Monument, which comprise about forty-three thousand two hundred and forty-three acres and which are depicted on a map entitled "Wilderness Plan, Craters of the Moon National Monument, Idaho", numbered 131-91,000 and dated March 1970, which shall be known as the "Craters of the Moon National Wilderness Area";

(b) certain lands in the Petrified Forest National Park, which comprise about fifty thousand two hundred and sixty acres and which are depicted on a map entitled "Recommended Wilderness, Petrified Forest National Park, Arizona", numbered NP-PF-3320-O and dated November 1967, which shall be known as the "Petrified Forest National Wilderness Area".

DESIGNATION OF WILDERNESS AREAS WITHIN NATIONAL FORESTS

SEC. 3. In accordance with section 3(b) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(b)), the following lands are hereby designated as wilderness: the area classified as the Mount Baldy Primitive Area with the proposed additions thereto and deletions therefrom, as generally depicted on a map entitled "Proposed Mount Baldy Wilderness", dated April 1, 1966, comprising an area of approximately seven thousand acres, within and as a part of the Apache National Forest, in the State of Arizona.

S. 3014—3

SEC. 4. 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 and typographical errors in such legal description and map may be made.

SEC. 5. Wilderness areas designated by or pursuant to this Act shall be administered in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary who has administrative jurisdiction over the area.

John C. Stennis
Speaker of the House of Representatives

Richard B. Russell
~~Vice President of the United States and~~
President of the Senate *pro Tempore*

APPROVED

OCT 23 1970

Philip H. Hays

DESIGNATING CERTAIN LANDS AS WILDERNESS

SEPTEMBER 9, 1970.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. BARING, from the Committee on Interior and Insular Affairs, submitted the following

REPORT

[To accompany H.R. 19007]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 19007) to designate certain lands as wilderness, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE

H.R. 19007 designates as wilderness certain lands located within several national wildlife refuges, national parks and monuments, and national forests. These areas are located in 12 States and together they total approximately 201,000 acres that will be added to the wilderness system.

H.R. 19007 consolidates into one proposal, numerous wilderness bills pending before the committee. It also brings together in one bill the wilderness legislation considered and passed by the Senate in connection with S. 710, S. 826, S. 1652, S. 126, and S. 3014, with certain modifications.

H.R. 19007 was introduced by Mr. Saylor, for himself, Mr. Haley, Mr. Hosmer, Mr. Taylor, Mr. Skubitz, Mr. Johnson of California, Mr. Burton of Utah, Mr. Carey, Mr. Kyl, Mr. Udall, Mr. Steiger of Arizona, Mr. Burton of California, Mr. McClure, Mr. Kastenmeier, Mr. Ruppe, Mr. O'Hara, Mr. Meeds, Mr. Rhodes, Mr. Dingell, Mr. Hansen of Idaho, Mr. Boland, Mr. Keith, Mr. Ottinger, Mr. Hathaway, and Mr. Frey. An identical bill, H.R. 19008, was also introduced by Mr. Saylor, for himself, Mr. Tammey, Mr. Pollock, Mr. Foley, Mr. Don H. Clausen, Mr. Ryan, Mr. Wold, Mr. Kee, Mr. Camp, Mr. Gerald R. Ford, Mr. Nedzi, Mr. Vander Jagt, Mr. William D. Ford, Mr. Cederberg, Mr. Brown of Michigan, Mr. McDonald of Michigan, Mr. Esch, and Mr. Riegle.

NEED

The Wilderness Act of September 3, 1964, directed the Secretary of Agriculture to review, within 10 years, areas within the national forests to determine their suitability for preservation as wilderness. The Secretary of Interior was similarly directed to review areas within national parks, national monuments, wildlife refuges, and game ranges for the same purpose. Upon a finding favorable to wilderness designation, the respective Departments were directed to submit their recommendations to the President in order that the President might advise the Congress of his recommendations regarding these areas. Any recommendation of the President for designation of an area as wilderness becomes effective only if so provided by an act of Congress.

For each of the areas considered by the present legislation, the above outlined procedures were followed and in each instance the legislation has received favorable consideration by the respective Departments and has been recommended by the President.

H.R. 19007 proposes wilderness designation for 201,262 acres of land located in 12 States from Alaska to Florida and from Maine to Washington. This land is located in numerous national parks, national monuments, wildlife refuges, and national forests throughout the United States. The size of the areas range from over 50,000 acres per unit down to 3 acres. Physical conditions, including climate, location, topography, and geology vary extensively. The areas have little in common except one very distinctive characteristic. Each is an undeveloped tract of Federal land retaining its natural character and influence without permanent improvements or human habitation. Each can be managed and protected to preserve its natural conditions for the use and enjoyment of present and future generations. Each presents outstanding opportunities for recreation and solitude as well as having considerable value for scientific study.

The designation of these areas as wilderness will preserve them from the encroachment of our modern mechanized and motorized society. To the maximum extent possible, the usual commercialization will be prohibited. Except in certain emergencies, the use of motor vehicles, motorized equipment, motor boats, or the landing of aircraft will be prohibited and permanent structures or installations will not be permitted. Certain other activities, authorized by the Wilderness Act, such as hunting, fishing, grazing of livestock, and mineral development, where now authorized and permitted within these areas, may continue. These permitted activities must be conducted, however, in a manner consistent with the overall purpose of the wilderness concept and they will be subject to certain statutory restrictions imposed by the Wilderness Act as well as by subsequent regulations issued by the two departments administering the land. The primary objective will be to preserve these tracts of land in an unspoiled and natural condition with evidence of man's work substantially unnoticeable.

During the consideration of these areas for wilderness designation, testimony disclosed that some were not entirely free of manmade improvements. In most instances this problem had been recognized by the two departments, and they had recommended the exclusion of land immediately surrounding such structures or improvements. Also, in a

few situations where improvements now exist, the committee was assured by the departmental witnesses that these were scheduled for removal upon designation of the area as wilderness. The committee approves and accepts this position and wishes to emphasize its own conviction that these areas must be kept free of manmade intrusions and of nonconforming uses. In order to maintain this wilderness concept, the committee found it necessary to recommend the exclusion of certain areas from the proposed Monomoy Wilderness that had not been recommended for exclusion by the Department of the Interior.

Also, in connection with the proposed Pelican Island Wilderness, the committee was compelled to recommend a substantial reduction in the size of the proposal because the land recommended for inclusion was not in Federal ownership. In both of these situations, it is the committee's understanding that the Department of the Interior will make every effort to eliminate the nonconforming uses in the first instance and to work out a program of land exchange to gain control of the excluded land in the second. The committee urges the Department to give this a high priority in order that these two wilderness proposals may be fully completed by the addition of the presently excluded tracts of land.

With the exception of the indicated deletions from these two wilderness proposals and the addition of some 2,243 acres to the Craters of the Moon Wilderness area, the committee accepted the boundary recommendations of the Departments of Agriculture and Interior for each of the proposed wilderness areas.

In considering these proposals, the committee found that each of the three agencies involved, that is, the Forest Service of the Department of Agriculture and the National Park Service and the Bureau of Sport Fisheries and Wildlife of the Department of the Interior, had recommended language for the administration of their respective areas that was not uniform. The adoption of the recommended language would have allowed and permitted certain activities in wilderness areas created from National Parks and Monuments and Wildlife Refuges not authorized or contemplated by the Wilderness Act of 1964. For this reason, the committee adopted the language contained in the 1964 act as the standard for the administration of all wilderness areas whether created from parks, monuments, refuge areas or from the national forests. It should be added, however, that this does not authorize any activities presently prohibited within these areas. For example, where mining, mineral leasing, hunting or grazing of livestock is now prohibited or restricted, as is the case in most national parks and monuments, these activities would remain prohibited or restricted. Those areas now open to these activities would remain open if permitted by the Wilderness Act and subject to its provisions and restrictions, if any. The language adopted by the committee prohibits the construction of permanent roads, the use of motorboats, or motorized equipment, commercial activities, and other uses or activities prohibited by the provision of the Wilderness Act of 1964.

The U.S. Geological Survey has examined each proposal for its mineral value and the reports indicate there is very little probability of economic mineral development in any of the areas.

refuge is made up of three islands, Ship, Pismire, and Scarecrow, with a total of about 12 acres. Public use will be limited to afford full protection to the nesting birds.

17. *Wisconsin Islands Wilderness, Wis.* The proposed Wisconsin Islands Wilderness area consists of the Gravel Island and the Green Bay National Wildlife Refuges in Door County, Wis. with a total area of 29 acres of limestone rock located in Lake Michigan. These refuges were originally established for use by nesting birds by Executive Order No. 1678 of January 9, 1913, and Executive Order No. 1487 of February 21, 1912, respectively. The islands have received little use by the public and future use will be carefully controlled to protect the nesting birds.

18. *Moosehorn Wilderness, Maine.* The Moosehorn National Wildlife Refuge was established by Executive Order No. 7650 of July 1, 1937. The refuge consists of three units but only two of these, the Edmonds and Birch Islands units, are proposed for wilderness study. From the Edmonds unit, with a total area of 5,350 acres, approximately 2,775 acres were selected as being suitable for wilderness designation. The Birch Islands unit, which consists of two islands of about 7 acres, was also found to be suitable for wilderness designation. These two units give the proposed Moosehorn Wilderness a total area of 2,782 acres. The Edmonds unit had been logged over several times, but is rapidly returning to a natural condition. The public has made use of these areas in the past and this activity, including hunting, fishing and wilderness hiking, will continue.

19. *Pelican Island Wilderness, Fla.* The Pelican Island National Wildlife Refuge was established by President Theodore Roosevelt by an Executive order of March 13, 1903 and was subsequently enlarged by Executive Order No. 1014 of January 26, 1909 and Public Land Order No. 3276 of November 29, 1963. It is located in Indian River County, Fla. some 75 miles north of West Palm Beach. This was the first national wildlife refuge established in the United States. Its designation as wilderness will assure its continued preservation and will prevent any encroachment by nearby real estate developments.

The Department of the Interior originally proposed an area of some 403 acres for wilderness designation. This included Pelican Island (3 acres) as well as a number of other islands and keys, totaling about 400 acres. However, it was disclosed during the hearings that the State of Florida, under the Swamp Lands Grant Act of 1850, has title to all of this land except Pelican Island. For this reason, the Department's recommendation for inclusion of the 403 acres as wilderness could not be followed. Only the 3 acres encompassed by Pelican Island have been recommended for designation as wilderness. It is the committee's understanding that land exchanges are now being considered whereby these 400 acres will be transferred to the Federal Government by the State of Florida in exchange for other Federal land. The committee urges prompt action on these exchanges in order that these additional lands may be designated as wilderness by subsequent congressional action.

20. *Monomoy Wilderness, Mass.* Monomoy Island is a 2,600-acre roadless island extending about 9 miles south from the elbow of Cape Cod, near the town of Chatham, Mass. It was established on June 1, 1944, as a part of the Monomoy National Wildlife Refuge.

all but some 4 acres of the island having been acquired by the Secretary of the Interior under authority of the Migratory Bird Conservation Act. The area is used extensively by shore birds.

Because of certain nonconforming uses and activities that presently exist on Monomoy Island, the committee amended the departmental proposal by deleting two areas containing 90 and 170 acres respectively. Within the 90 acre exclusion, there are 10 permittees that have summer or weekend cabins. These permittees own only the improvements and not the land on which the cabins are located. Each permittee also has a revokable annual permit to operate a dune buggy or other vehicle on the island, and it has been customary to drive from the north end of the island to the site of the cabins. The 170 acre exclusion is located near the south end of the island and contains three tracts of privately owned land with substantial improvements. Two of these tracts are of 1 acre each and on each is located weekend cabins and improvements that are used by two individual owners. The third tract is of 2 acres and is owned and used by the Massachusetts Audubon Society. A former lighthouse is located on this tract. Each of these three parties also has revokable annual permits to operate vehicles on the island. Again, it has been the practice to drive the length of the island to the site of improvements. It is also the committee's understanding that some commercial use has been made of vehicles by the Massachusetts Audubon Society to conduct paid tours on the island. In addition to these three privately owned tracts and their improvements, the Bureau of Sport Fisheries and Wildlife, in connection with the refuge, uses one or two sheds for storage purposes near the former site of the old Coast Guard buildings.

These two exclusions were made by the committee after careful consideration and with the realization that to include them would not be consistent with the purpose of the Wilderness Act of 1964 or with the committee's own desire to maintain wilderness areas in an unspoiled and natural state. The committee wishes to emphasize that it expects the Secretary of the Interior to make every effort to manage the entire island in a manner consistent with the concept of wilderness. The use of vehicles within the area designated as wilderness must be prohibited. In addition, the annual permits for the use of vehicles within the two excluded tracts must be strictly controlled and phased out within a very short time. The exclusion of these two tracts should not be viewed as an invitation to continue using vehicles within their boundaries. In addition, the committee expects the Secretary to move forward expeditiously with a program to acquire all outstanding private rights or interests on the island in order that the presently excluded tracts may be considered for wilderness designation in the near future. Because of the historical significance attached to the lighthouse, it appears that this structure should be preserved. There does not appear to be the same reason to retain any of the other structures now on the island.

The Monomoy Wilderness as recommended by the committee will contain about 2,340 acres.

21. *Craters of the Moon National Wilderness Area, Idaho.*—The Craters of the Moon National Monument, which is located in the State of Idaho, was established by Presidential proclamation on May 2, 1924. Subsequent boundary revisions of the area have been made and

Calendar No. 163

91ST CONGRESS
1st Session

SENATE

REPORT
91-108

DESIGNATING MONOMOY WILDERNESS AREA IN MASSACHUSETTS

MAY 22, 1969.—Order d to be printed
Filed under authority of the order of the Senate of
May 20, 1969

Mr. JACKSON, from the Committee on Interior and Insular Affairs,
submitted the following

REPORT

[To accompany S. 1632]

The Committee on Interior and Insular Affairs, to which was referred the bill (S. 1632) to designate certain lands in the Monomoy National Wildlife Refuge, Barnstable County, Mass., as wilderness, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE

This bill, S. 1632, is the same as S. 3125 of the 90th Congress which the committee favorably reported and the Senate passed without opposition. The bill did not receive House consideration. S. 1632 would designate the 2,600-acre Monomoy Island, located in the Monomoy National Wildlife Refuge in Barnstable County, Mass., as part of the National Wilderness Preservation System.

BACKGROUND

Monomoy is a roadless island extending about 6 miles south from the elbow of Cape Cod in the town of Chatham, Barnstable County, Mass. It was established on June 1, 1911, as part of the Monomoy National Wildlife Refuge, all but some 4 acres of the island having been acquired by the Secretary of the Interior under authority of the Migratory Bird Conservation Act (15 Stat. 1222, as amended (16 U.S.C. 715 et seq.), Boston, Mass., and Providence, R.I., are about 100 miles from Monomoy Island.

DESCRIPTION

The Monomoy Wilderness proposal is a barrier beach island located 9 miles south of Cape Cod in the town of Chatham, Barnstable County, Mass. Bounded on the west by Nantucket Sound and on the east by the Atlantic Ocean, the island varies from one fourth to 1 1/2 miles in width and is separated from the mainland by a shallow waterway about one-half mile wide. The exterior boundaries of the wilderness proposal are all lands on Monomoy Island to the line of mean low tide which coincides with the national wildlife refuge boundary around the island.

MANAGEMENT REQUIREMENTS

The Monomoy National Wildlife Refuge has been managed as a wild area since its establishment. There are no improved roads on the island. No changes in management are envisioned if the island is designated as wilderness. The laws and regulations of the Secretary of the Interior governing the management and administration of the island as a national wildlife refuge will continue to apply. Such laws and regulations provide for public uses such as hunting and other wildlife oriented forms of outdoor enjoyment, as well as other necessary wildlife refuge management programs.

The Department of the Army is currently studying the feasibility of a project for navigation for Pleasant Bay and tributary waters, Massachusetts. The proposed project would include the closing of the gap between Monomoy Island and Nauset Beach. The wilderness proposal would not preclude the planning and construction of this project. The Department of the Interior would expect to work closely with the Department of the Army if the project is authorized.

Of the approximately 1 acres of Monomoy Island in private ownership, 2 acres contain private summer camps and 2 acres are owned by the Massachusetts Audubon Society. These inholdings will be acquired. Until they are acquired it will be necessary to allow access to the inholdings via over-the-sand vehicles. National wildlife refuge administration of the island will require the retention of two existing buildings and the use of an over-the-sand vehicle for administrative and public safety purposes.

A permanent staff is required to administer the Monomoy National Wildlife Refuge. Present and future staffing requirements for the refuges will not be adjusted because of designation of Monomoy Island as wilderness.

If the island should join the mainland at some future date, the Monomoy Wilderness would be delineated by a fence.

THE WILDERNESS RECORD

In accordance with section 3(d)(1)(B) of the Wilderness Act, a public hearing was held at Chatham, Mass., between 9 a.m. and 9:35 p.m. on January 11, 1967. Mr. Daniel H. Janzen, former Director, Bureau of Sport Fisheries and Wildlife, was hearing officer. Mr. Richard E. Griffith, Regional Director, Bureau of Sport Fisheries and Wildlife, Boston, Mass., represented the Bureau.

Communications received before and after the hearing from citizens, organizations, elected officials, State agencies, and Federal agencies totaled 615 statements in the form of letters, notes, and cards.

(For details on the hearings, see synopsis included with the letter of the Secretary of Interior which follows later.)

COMMITTEE RECOMMENDATION

The Senate Committee on Interior and Insular Affairs reports favorably on S. 1652 and recommends early enactment.

COST

No additional budgetary expenditures are involved in enactment of S. 1652.

DEPARTMENTAL COMMUNICATION

There follows the recommendation of former Secretary of the Interior Stewart L. Udall sent last year to President Johnson urging establishment of the areas:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., March 13, 1968.

The President,
The White House, Washington, D.C.

DEAR MR. PRESIDENT: It is with pleasure that I recommend the establishment of Monomoy Wilderness, which is located within the Monomoy National Wildlife Refuge, Barnstable County, Mass., as a unit of the National Wilderness Preservation System.

Monomoy Island, a 2,600-acre roadside island extending about 9 miles south from the elbow of Cape Cod, was established as part of the national wildlife refuge on June 1, 1914, to preserve a habitat for migratory birds. Managed as a natural area since that time, the island offers an exceptional opportunity for perpetual nonmotorized use by fishermen, naturalists, artists, families, and weary citizens searching for respite from the stress of modern civilization.

In accordance with the requirements of the Wilderness Act of September 3, 1964 (78 Stat. 890), a public notice was issued on November 1, 1966, of the proposed Monomoy Wilderness, and a public hearing was held in Chatham, Mass., on January 11, 1967. The hearing record was held open until February 12, 1967, in order to provide an opportunity for the submission of written expressions for the record by interested citizens. Forty seven statements were presented at the public hearing and 550 written communications were received during and after the public hearing. Pursuant to the provisions of the Wilderness Act, Gov. John A. Volpe, all interested elected officials, local and State agencies, and Federal departments and agencies were notified of the wilderness proposal. The enclosed synopsis summarizes the views of all who responded to the public hearing notice.

A complete record has been compiled including written statements and oral testimony received in response to the public hearing notice. This record is, of course available for inspection.

S. Rept. 91-105

The U.S. Geological Survey and U.S. Bureau of Mines have examined the proposed Monomoy Wilderness and have determined that the area has no known mineral resources other than the sands from which the island is made.

The secluded, primeval character of Monomoy Island makes it eminently qualified for designation as wilderness, and I recommend submission to the Congress of the enclosed draft legislation to incorporate it into the National Wilderness Preservation System.

Respectfully yours,

STEWART L. UDALL,
Secretary of the Interior

A BILL To designate certain lands in the Monomoy National Wildlife Refuge, Barnstable County, Massachusetts, as wilderness

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 3(c) of the Wilderness Act of September 3, 1964 (78 Stat. 890, 892; 16 U.S.C. 1132(c)), certain lands in the Monomoy National Wildlife Refuge, Massachusetts, which comprise about 2,600 acres and which are depicted on a map entitled "Monomoy Wilderness—Proposed" and dated August 1967, are hereby designated as wilderness. The map shall be on file and available for public inspection in the offices of the Bureau of Sport Fisheries and Wildlife, Department of the Interior.

SEC. 2. The area designated by this Act as wilderness shall be known as the "Monomoy Wilderness" and shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act.

SEC. 3. Except as necessary to meet minimum requirements in connection with the purposes for which the area is administered (including measures required in emergencies involving the health and safety of persons within the area), there shall be no commercial enterprise, no temporary or permanent roads, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of motorized transport, and no structure or installation within the area designated as wilderness by this Act.

SYNOPSIS OF MONOMOY WILDERNESS PROPOSAL

A. Background

Monomoy Island is a 2,600-acre roadless island extending about 9 miles south from the elbow of Cape Cod, in the town of Chatham, Barnstable County, Mass. It was established on June 1, 1944, as part of the Monomoy National Wildlife Refuge, all but some 4 acres of the island having been acquired by the Secretary of the Interior under authority of the Migratory Bird Conservation Act (45 Stat. 1222), as amended (16 U.S.C. 715 et seq.). Boston, Mass., and Providence, R.I., are about 100 miles from Monomoy Island.

B. Description

The Monomoy Wilderness proposal is a barrier beach island located 9 miles south of Cape Cod in the town of Chatham, Barnstable County, Mass. Bounded on the west by Nantucket Sound and on the

east by the Atlantic Ocean, the island varies from $1\frac{1}{4}$ to $1\frac{1}{2}$ miles in width and is separated from the mainland by a shallow waterway about one-half mile wide. The exterior boundaries of the wilderness proposal are all lands on Monomoy Island to the line of mean low tide which coincides with the national wildlife refuge boundary around the island.

C. Management requirements

The Monomoy National Wildlife Refuge has been managed as a wild area since its establishment. There are no improved roads on the island. No changes in management are envisioned if the island is designated as wilderness. The laws and regulations of the Department of the Interior governing the management and administration of the island as a national wildlife refuge will continue to apply. Such laws and regulations, as well as those of the State of Massachusetts, are wildlife oriented, focus on outdoor enjoyment, and are consistent with the refuge management program.

The Department of the Army is currently studying the feasibility of a project for navigation for Pleasant Bay, Massachusetts. The proposed project would include the filling of the gap between Monomoy Island and Nauset Beach. The wilderness proposal would not preclude the planning and construction of this project. The Department of the Interior would expect to work closely with the Department of the Army if the project is authorized.

Of the approximately 4 acres of Monomoy Island in private ownership, 2 acres contain private summer camps and 2 acres are owned by the Massachusetts Audubon Society. The camp owners will be notified. Until they are required it will be necessary to allow access to the landings via over-the-sand vehicles. National wildlife refuge administration of the island will require the retention of two existing landings and the use of an over-the-sand vehicle for administrative and public safety purposes.

A permanent staff is required to administer the Monomoy National Wildlife Refuge. Present and future staffing requirements for the refuge will not be adjusted because of designation of Monomoy Island as wilderness.

If the island should join the mainland at some future date, the Monomoy Wilderness would be delineated by a fence.

D. The wilderness record

In accordance with section 3(d)(1)(B) of the Wilderness Act, a public hearing was held at Chatham, Mass., between 9 a.m. and 9:35 p.m., on January 11, 1967. Mr. Daniel H. Janzen, former Director, Bureau of Sport Fisheries and Wildlife, was hearing officer. Mr. Richard E. Griffith, Regional Director, Bureau of Sport Fisheries and Wildlife, Boston, Mass., represented the Bureau.

Communications received before and after the hearing from citizens, organizations, elected officials, State agencies, and Federal agencies totaled 613 statements in the form of letters, notes, and cards.

1. *The public hearing transcript.*—The hearing transcript consists of 145 pages. During the daytime portion of the hearing, 9-11:45 a.m. and 1:30-5 p.m., about 100 people attended. These people generally supported the Monomoy Island wilderness proposal and consisted

primarily of local elected officials and representatives from conservation organizations.

A total of 180 individuals registered, representing various agencies, organizations, or themselves. At this part of the hearing, statements were presented by representatives of 19 organizations, of which 11 favored the wilderness proposal and eight opposed it. Individuals gave 16 statements, of which eight favored and eight opposed the proposal. Local elected officials presented two statements, both favoring wilderness status. No congressional or State representatives presented statements at the hearing. Four State of Massachusetts agencies presented statements, one favoring the proposal, one opposing, one recommending action be deferred (a favorable statement, however, was received later and included in the communications from State agencies), and one was noncommittal. The Bureau of Outdoor Recreation, Department of the Interior, presented a favorable statement. The Corps of Engineers, Department of the Army, took no position on the proposal, requesting action on the proposal be deferred until completion of Corps of Engineers harbor improvement plans for the Chatham area. A plan was presented to the local interests on November 30, 1967.

An evening session from 8:00-10:35 p.m. was called in deference to requests from surf fishing interests. This meeting was attended by about 120 people who presented 10 statements opposed to the wilderness proposal and two statements in favor of it. Opposition to the proposal stemmed from restrictions on use of mechanical vehicles on Monomoy Island under wilderness status.

Arguments favoring wilderness status for the island were generally in one or more of the following categories:

(a) Preservation for future generations of the unique barrier beach-type island wilderness, still largely undeveloped and unspoiled by man's activities.

(b) The need of man for the solitude of wilderness in a densely populated area.

(c) The need for permanent protection of a natural refuge for feeding, resting, and nesting waterfowl, and for birds requiring this fragile island-type habitat.

(d) The only wilderness potential within a reasonable 1-day drive from the Boston and Cape Cod areas.

(e) Wilderness status would complement the Cape Cod National Seashore by providing a true wild area for those who seek an ideal human retreat and are willing to endure the rigors of a journey to the island.

(f) Wilderness status would protect the town of Chatham from becoming a beach buggy access route to Monomoy Island; and it would protect the island from the ruts, refuse, noise, and smell of mechanical vehicles.

Arguments opposing wilderness status for Monomoy Island were generally in one or more of the following categories:

(a) It would preclude use of beach buggies which are claimed to be necessary to provide surf fishing access to the entire island.

(b) It would preclude camping and fires, claimed to be necessary for practical and enjoyable use of the island for surf fishing.

(c) It would preclude forever the possibility of opening part or all of the island to public hunting. This is a mistaken impression, because such hunting may be permitted under the laws now applicable to this area.

(d) Claim that Massachusetts Audubon Society and other camp permittees on the island were receiving special privileges denied the general public with respect to vehicle and overnight use.

(e) Demand for greater public use of the island—this was a covering statement intended to advocate beach buggy use, overnight camping, hunting, and the building of bonfires by the general public.

Interests identified with surf fishing were the chief source of opposition to the wilderness proposal. Surf fishing is a potential recreational use if Monomoy Island should become accessible by land. In this event, it would be possible to traverse the island by beach buggy or other vehicle designed for travel over beaches and dunes. The owners of this type of vehicle opposed the wilderness designation, through not excluding hunting and fishing, would preclude their particularly desired transportation method for recreational use of the island.

2. *Communications from citizens.* Communications from citizens in the form of letters, notes, and cards totaled 550 with 452 in favor and 98 against the wilderness proposal. These probably represent a cross section of local public opinion on the wilderness proposal. Opposition to the proposal was for the same reasons listed in (1) above.

3. *Communications from organizations.* Communications from organizations totaled 60 with 31 in favor, two noncommittal, and 27 opposed to the wilderness proposal. Opposition was for the reasons listed in (1) above.

4. *Elected officials.*—Elected officials submitted four statements, all in favor of the wilderness proposal. A spokesman for the Governor of Massachusetts stated that the present lack of development of Monomoy Island is largely due to almost all of it being in Federal ownership and its inaccessibility to vehicles. The Governor favors wilderness status, with provision that (a) Corps of Engineers' plans be taken into consideration by the Bureau of Sport Fisheries and Wildlife in submitting wilderness recommendations to the Secretary of the Interior, (b) and consideration be given for allowance of over-the-sand vehicles on a limited permit basis for all conservationists and sportsmen in the form of a beach taxi service. The Selectmen's Association Board of Selection of Chatham, and the Cape Cod Planning and Economic Development Commission favored wilderness status for the various reasons enumerated in (1) above.

U.S. Senator Edward M. Brooke submitted a letter to the Department of the Interior for the hearing record in which he supported the wilderness proposal.

5. *State agencies.*—The Massachusetts Department of Natural Resources, designated by Gov. John A. Volpe to represent him in this matter, supported the wilderness proposal, with the suggestion that submission of the proposal to Congress follow the release of the Corps of Engineers' plan for navigational improvements in the Chatham area.

6. *Federal agencies.*—The Bureau of Outdoor Recreation of the Department of the Interior provided a statement favoring wilderness

classification. That Bureau has reviewed the acreage of publicly owned outdoor recreation land and water in the New England States and has found no potential wilderness areas within 200 miles of Monomoy Island. The island will provide needed wilderness opportunity close to the population centers of the Northeast.

No change has been made in the boundaries of the Monomoy Wilderness proposal since the public hearings of January 11, 1967. All of the above comments are therefore applicable to the proposal.

○

C. U.S. Fish and Wildlife Service
Wilderness Regulations

solely or primarily administered by the Fish and Wildlife Service.

§ 34.4 Distribution of revenues.

The Act provides that the Secretary of the Interior, at the end of each fiscal year, shall pay out of the net revenues deposited into the National Wildlife Refuge Fund for such fiscal year:

(a) To each county in which reserved public lands in areas of the System are situated, an amount equal to 25 per centum of the net receipts collected by the Secretary from such reserved public lands in that particular area of the System: *Provided*, That when any such area is situated in more than one county the distributive share to each county from the aforesaid receipts shall be proportional to its acreage of such public lands therein; and

(b) To each county in which areas in the System are situated that have been acquired in fee by the United States, either (1) three-fourths of one per centum of the cost of the areas, exclusive of any improvements to such areas made subsequent to Federal acquisition, such cost to be adjusted to represent current values as determined by the Secretary for the first full fiscal year after enactment of this Act and as redetermined by him at 5-year intervals thereafter, or (2) 25 per centum of the net receipts collected by the Secretary from such acquired lands in that particular area of the System within such counties, whichever is greater.

§ 34.5 Adjustment of land costs.

(a) Section 401(c)(2) of the Act (16 U.S.C. 715a(c)(2)), provides for the adjustment of costs of acquired lands to represent current values with readjustments at 5-year intervals. The costs of all tracts acquired in each year for each county will be adjusted every 5 years to reflect increases or decreases in land costs. The cost of the land is adjusted according to Tables of Index Numbers of Average Values of Farm Real Estate compiled by the Economic Research Service of the U.S. Department of Agriculture as published in its semiannual "Farm Real Estate Market Development." All land costs will be adjusted as of June 30,

1966, and at each 5-year interval thereafter.

(b) The "cost" of lands before adjustment is the purchase price; condemnation award; or the appraised value of areas acquired by gift, donation or exchange as of the date of acquisition.

§ 34.6 Administrative determinations.

(a) When an area consists of both acquired lands and reserved public lands, standard accounting techniques will be used to allocate net revenues to each type of land. All areas which are part of the System as of June 30 will be included in calculating the revenues due to each county for the fiscal year ending that date.

(b) The Secretary will determine in accordance with section 401(b) (16 U.S.C. 715a(b)) those expenses which may be paid from the Fund and deducted from revenues in establishing the net receipts for an area.

§ 34.7 Adjustment of payment.

The payments to the counties for any fiscal year shall not exceed the net receipts in the National Wildlife Refuge Fund for that fiscal year, and in case the net receipts for a particular fiscal year are insufficient to pay the full amounts due, the payment to each county will be reduced proportionately.

PART 35—WILDERNESS PRESERVATION AND MANAGEMENT

Subpart A—General Rules

- Sec.
- 35.1 Definitions.
 - 35.2 Objectives.
 - 35.3 General regulations.
 - 35.4 Appropriations and personnel.
 - 35.5 Commercial enterprises, roads, motor vehicles, motorized equipment, motorboats, aircraft, mechanical transport, structures, and installations.
 - 35.6 Public use.
 - 35.7 Control of wildfires, insects, pest plants, and disease.
 - 35.8 Forest Management.
 - 35.9 Livestock grazing.
 - 35.10 Controlled burning.
 - 35.11 Scientific uses.
 - 35.12 Water rights.
 - 35.13 Access to State and private lands.
 - 35.14 Special regulations.

§ 35.1

Subpart B—Special Regulations for Specific National Wildlife Refuge Wilderness [Reserved]

AUTHORITY: 78 Stat. 890; 16 U.S.C. 1131-1136; 43 U.S.C. 1201.

SOURCE: 36 FR 25426, Dec. 31, 1971, unless otherwise noted.

Subpart A—General Rules

§ 35.1 Definitions.

As used in the rules and regulations in this subchapter: "National Wildlife Refuge System" means all lands, waters, and interests therein administered by the U.S. Fish and Wildlife Service as national wildlife refuges, wildlife ranges, game ranges, wildlife management areas, waterfowl production areas, and areas for the protection and conservation of fish and wildlife which are threatened with extinction.

"National Wilderness Preservation System" means the units designated as wilderness by the Congress under the provisions of the Wilderness Act (supra).

"Wilderness Units" shall mean areas in the National Wildlife Refuge System that have been designated by Act of Congress as units of the National Wilderness Preservation System.

"Secretary" means the Secretary of the Interior.

"Director" means the Director of the U.S. Fish and Wildlife Service.

§ 35.2 Objectives.

(a) Units of the National Wildlife Refuge System have been established by divers legal means and are administered for a variety of wildlife program purposes. The establishment of each wilderness unit is within and supplemental to the purposes for which a specific unit of the National Wildlife Refuge System was established and is administered. Each wilderness shall be administered for such other purposes for which the national wildlife refuge was established and shall be also administered to preserve its wilderness character.

(b) Except as otherwise provided by law, wilderness areas shall be devoted to the public purposes of recreational, scenic, scientific, educational, conser-

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vation, and historical use and shall be administered in such a manner as will leave them unimpaired for future use and enjoyment as wilderness.

§ 35.3 General regulations.

Rules and regulations governing administration of the National Wildlife Refuge System will apply to wilderness units where said rules and regulations do not conflict with provisions of the Wilderness Act or Act of Congress which establishes the wilderness unit.

§ 35.4 Appropriations and personnel.

No appropriation shall be made available for the payment of expenses or salaries for the administration of a wilderness unit as a separate entity nor shall any appropriation be made available for additional personnel solely for the purpose of managing or administering areas because they are included within the National Wilderness Preservation System.

§ 35.5 Commercial enterprises, roads, motor vehicles, motorized equipment, motorboats, aircraft, mechanical transport, structures, and installations.

Except as specifically provided and subject to existing private rights, there shall be no commercial enterprise and no permanent road within a wilderness unit, and except as necessary to meet minimum requirements for the administration of the area (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 mechanized transport, and no structure or installation within any such area.

(a) The Director may authorize occupancy and use of a national wildlife refuge by officers, employees, agencies, and agents of Federal, State, and county governments to carry out the purposes of the Wilderness Act and the Act establishing the wilderness and will prescribe conditions under which motorized equipment, mechanical transport, aircraft, motorboats, installations, or structures may be used to meet the minimum requirements for authorized activities to protect and

Chapter I—Un

administer the tor may also under which port, aircraft, tures may be volving the h, sons, damage, civil and crim poses.

(b) The Dire to such restric able, the land use of motor within a wild were establish wilderness wa Congress as a derness Preser

§ 35.6 Public u

Public uses be in accordar which the inc refuge was es, tered and law ing public us Wildlife Refu

(a) When p within a wild Manager may lating will in bers of perso ness at a giv tions on time, tion of public or reservation similar action:

(b) All pers unit will be materials as t.

(c) Informa venience of vi ted in a wi rustic direct safety may be propiate to a

(d) Limited improvements necessary for the and wilderne Facilities and be provided i venience of w

(e) Public structures ge ers, outfitters the recreatio purposes of mitted. Tem

administer the wilderness. The Director may also prescribe the conditions under which such equipment, transport, aircraft, installations, or structures may be used in emergencies involving the health and safety of persons, damage to property, violations of civil and criminal law, or other purposes.

(b) The Director may permit, subject to such restrictions as he deems desirable, the landing of aircraft and the use of motorized equipment at places within a wilderness where such uses were established prior to the date the wilderness was designated by Act of Congress as a unit of the National Wilderness Preservation System.

§ 35.6 Public use.

Public uses of a wilderness unit will be in accordance with the purposes for which the individual national wildlife refuge was established and is administered and laws and regulations governing public uses within the National Wildlife Refuge System.

(a) When public uses are authorized within a wilderness unit, the Refuge Manager may regulate such use. Regulating will include limiting the numbers of persons allowed in the wilderness at a given time, imposing restrictions on time, seasons, kinds and location of public uses, requiring a permit or reservation to visit the area, and similar actions.

(b) All persons entering a wilderness unit will be required to remove such materials as they carry in.

(c) Informational signs for the convenience of visitors will not be permitted in a wilderness unit; however, rustic directional signs for visitor safety may be installed in locations appropriate to a wilderness setting.

(d) Limited public use facilities and improvements may be provided as necessary for the protection of the refuge and wilderness and for public safety. Facilities and improvements will not be provided for the comfort and convenience of wilderness visitors.

(e) Public services and temporary structures generally offered by packers, outfitters, and guides for realizing the recreational or other wilderness purposes of a wilderness may be permitted. Temporary installations and

structures which existed for these subsistence purposes under valid special use permit or easement when the wilderness was established may be continued if their use is necessary to administer the refuge for the purposes for which it was established and for wilderness purposes. The number, nature, and extent of such temporary structures and services will be controlled through regulations and special use permits issued by the Refuge Manager so as to provide maximum protection of wilderness resources and values.

(f) Hunting and fishing in a refuge wilderness will be in accordance with Federal and State regulations including special regulations for the specific wildlife refuge. Hunting or fishing which requires motorized equipment will not be permitted except as provided in § 35.5 (a) and (b).

§ 35.7 Control of wildfires, insects, pest plants, and disease.

To the extent necessary, the Director shall prescribe measures to control wildfires, insects, pest plants, and disease to prevent unacceptable loss of wilderness resources and values, loss of life, and damage to property.

§ 35.8 Forest management.

Forest management activities in a wilderness unit will be directed toward allowing natural ecological processes to operate freely. Commercial harvesting of timber shall not be permitted except where necessary to control attacks of insects or disease as prescribed in § 35.7.

§ 35.9 Livestock grazing.

(a) The grazing of livestock, where established prior to the date of legislation which designates a wilderness unit, may be permitted to continue subject to Part 29 of this subchapter and in accordance with special provisions which may be prescribed for individual units. Numbers of permitted livestock will not be more liberal than those utilizing a wilderness prior to establishment and may be more restrictive.

(b) The Director may permit, subject to such conditions as he deems necessary, the maintenance, reconstruction or relocation of only those livestock

§ 35.10

management improvements and structures which existed within a wilderness unit when it was incorporated into the National Wilderness Preservation System.

§ 35.10 Controlled burning.

Controlled burning will be permitted on wilderness units when such burning will contribute to the maintenance of the wilderness resource and values in the unit; however, any fire in a wilderness area that poses a threat to resources or facilities outside the unit will be controlled and extinguished.

[36 FR 25426, Dec. 31, 1971, as amended at 37 FR 12067, June 17, 1972]

§ 35.11 Scientific uses.

Recognizing the scientific value of wilderness, research data gathering and similar scientific uses will be encouraged providing that wilderness values are not impaired. The person or agency involved in scientific investigation must be willing to accept reasonable limitations on activities and location and size of the area to be used for research purposes. A special use permit authorizing scientific uses shall be required.

§ 35.12 Water rights.

Nothing in the regulations in this part constitutes an expressed or implied claim or denial on the part of the Department of the Interior as to exemption from State water laws.

§ 35.13 Access to State and private lands.

Rights of States or persons and their successors in interest, whose land is surrounded by a wilderness unit, will be recognized to assure adequate access to that land. Adequate access is defined as the combination of modes and routes of travel which will best

preserve the wilderness character of the landscape. Mode of travel designated shall be reasonable and consistent with accepted, conventional, contemporary modes of travel in said vicinity. Use will be consistent with reasonable purposes for which such land is held. The Director will issue such permits as are necessary for access, designating the means and route of travel for ingress and egress so as to preserve the wilderness character of the area.

[36 FR 25427, Dec. 31, 1971; 37 FR 1049, Jan. 22, 1972]

§ 35.14 Special regulations.

(a) Special regulations will be issued by the Director for individual wilderness units within the National Wildlife Refuge System as established by Public Law. These special regulations will supplement the provisions of this part.

(b) Special regulations may contain administrative and public uses as recognized in the:

- (1) Legislative Record of the establishing Act.
- (2) Committee Reports of the Congress.
- (3) Departmental and Executive Reports to the Congress.
- (4) Other provisions.

(c) Such special regulations shall be published in Subpart B of this part after a wilderness has been established by Public Law and shall become effective upon publication in the FEDERAL REGISTER (12-31-71).

Subpart B—Special Regulations for Specific National Wildlife Refuge Wilderness [Reserved]

D. Monomoy National Wildlife Refuge
Regulations

§ 26.24 Special regulations concerning public access, use, and recreation for individual national wildlife refuges.

Public access, use and recreation is permitted on the following refuges: Parker River National Wildlife Refuge, Northern Boulevard, Plum Island, Newburyport, Mass. 01960. Contact George Gavuta, Refuge Manager, at 617-465-5753. Special conditions: Entry into those portions of the refuge not posted as closed is permitted for certain uses. The entrance gate at the south end of Sunset Boulevard is the only legal point of access on the island portion of the refuge. Visitor hours are generally dawn to dusk, but at times of high public use the entrance gate may be closed and access denied by refuge officials to protect the wildlife habitat from abuse. Sightseeing, nature study, photography, hiking, snowshoeing, and cross-country skiing are permitted. Vehicle parking is permitted only in designated lots. Parking may be restricted to certain purposes and conditions designated by special signs. Boating is permitted on navigable tidal waters which lie within the refuge. Public boat launching and landing is not permitted on the refuge except during the waterfowl hunting season (see Part

§ 26.12—Hunting). The entire refuge beach has no lifeguards. Swimmers will be at the visitor's own risk. A limit of 3 quarts each of phone and cashless rations per person per year may be taken from September 1 through October 31. Cranberry rakes or scoops are not permitted. Access to closed flats for clamming is permitted across refuge marshes on designated trails. Firearms are required and may be obtained at the refuge. Small cooking fires are permitted only on the main beach. No other fires are permitted at other locations on the refuge. Alcoholic beverages, camping, tents, occupying floating devices (including surfboards), and nudity are not permitted on the refuge. Nudity is defined as failure by persons over 10 years of age to cover with fully opaque covering their genitals, pubic areas, rectal areas, or female breasts below a point immediately above the top of the areola when in a public place. Pools on a beach may not be 10 feet in length, one end of which is secured so as to restrict the movements of the animal are contained in the refuge from October 1 through March 31st. Dogs may be used for hunting in accordance with waterfowl hunting regulations (see Part 26.12—Hunting). Pets are not allowed on the refuge at any other time or under any other condition except under special use permit. Group activities are confined to the northern one-half mile of ocean beach east of Lot 2. Advance reservations and permits are required, and there must be at least one adult supervisor for every 10 children. Identification must be displayed upon request of any authorized officer. Refusing to display identification or providing false information to any authorized officer of the United States or any local or State government is prohibited. The possession of any deadly weapons, knives, metal flares, etc., prohibited by State law and/or deemed a dangerous weapon by refuge officials is prohibited. Bicycles and registered motor vehicles are permitted only on the main refuge road and in numbered parking areas except when being used under the terms of a special permit for over the sand surf fishing vehicles (see Part 26.12—Sport Fishing). Snowmobiles, skis, sleds, all terrain, heavy sleds, or other similar vehicles or devices deemed improper by refuge agents are not permitted on the refuge.

Recluse Carson National Wildlife Refuge, Wells, Maine, administered by Parker River National Wildlife Refuge, Northern Boulevard, Plum Island, Newburyport, Mass. 01960. Contact George Gavuta, Refuge Manager, at 617-465-5753. Special conditions: Entry by foot into those portions of the refuge not posted as closed is permitted for certain uses specified herein. Visitor hours are dawn to dusk. Sightseeing, nature

PUBLIC ENTRY AND USE

Access to certain National Wildlife Refuges to Public Access, Use, and Recreation: Connecticut, Rhode Island, Massachusetts, Maine, New Hampshire, and Vermont

U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20540

§ 26.12—Hunting. The Director has determined that the opening to public access, use and recreation of certain national wildlife refuges in Connecticut, Rhode Island, Massachusetts, New Hampshire, and Vermont is compatible with the objectives for which the areas were established and is providing additional recreational opportunities to the public through a non-

exclusive use. This document contains special regulations governing access.

§ 26.13—Access. From January 1, 1978, through December 31, 1980.

§ 26.14—Access. Contact the Refuge Manager at the address and/or telephone number listed below in the list of special regulations.

FURTHER INFORMATION CONTACT

Edward N. Larsen, Regional Director, U.S. Fish and Wildlife Service, One Gateway Center, Suite 700, Boston Corner, Mass. 02155, 617-552-6100, extension 200.

SUPPLEMENTARY INFORMATION
Public access, use, and recreation is permitted on the national wildlife refuges indicated below in accordance with 50 CFR 26 and the following special regulations. Portions of refuge areas are open to public access, use, and recreation are designated by signs and shown on maps available from offices indicated below. No vehicle travel is permitted except on designated roads and trails. Special regulations applying to individual refuges are listed on leaflets available at refuge headquarters and from the Regional Director, U.S. Fish and Wildlife Service, One Gateway Center, Suite 700, Boston Corner, Mass. 02155.

Public entry shall be in accordance with all applicable Federal and State laws and regulations subject to the following special regulations:

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GREAT MEADOWS REFUGE

USPS AND REGULATIONS

Wildlife observation, photography, hiking, snowshoeing, and cross-country skiing are permitted. Group activities may be confined to areas designated by the refuge manager. Admittance reservations and permits are required for group activities, and there must be at least one adult supervisor for every 10 children. Vehicles are permitted only in designated parking areas. Parking may be restricted to certain purposes and conditions designated by special signs. Public boat launching and landing are not permitted at the refuge except by special permit. Clearing will be permitted subject to State and local regulations. Use to plant flats across refuge areas will be by special use permit. Alcoholic beverages, nudism, swimming, tents, camping trailers, and other structures are not permitted on the refuge. Pets are permitted if on a leash not over 10 feet in length, one end of which is secured so as to restrict the movements of the animal. The possession of any device prohibited by State or Federal law deemed a dangerous weapon by refuge officials is prohibited. Snowmobiles, trail bikes, all-terrain vehicles, and other unregistered vehicles are not permitted on the refuge. Identification must be displayed upon request of any authorized officer. Refusing to display identification or providing false information to an authorized officer of the United States or any local or State government is prohibited.

Island National Wildlife Refuge, located near Popham Beach, is under administration of the **River National Wildlife Refuge**, Northern Boulevard, Plum Island, Newburyport, Mass. 01950. Contact George Cavatla, Refuge Manager, at 617-465-5753. Special conditions: Entry by foot is permitted from August 1 through February 28 during daylight hours for the purpose of environmental education, study, and photography. Open fires and camping are prohibited. Pets are permitted if on a leash not over 10 feet in length, one end of which is secured so as to restrict the movements of the animal.

Jack National Wildlife Refuge, located between Peterborough, Green, and West Hill, N.H., is under administration of **Parker River National Wildlife Refuge**, Northern Boulevard, Plum Island, Newburyport, Mass. 01950. Contact George Cavatla, Refuge Manager, at 617-465-5753. Special conditions: Entry by foot is permitted during daylight hours for the purpose of nature and geology study, photography, and blueberry picking. No vehicle of any kind is permitted at the refuge. Open fires and camping are prohibited. Pets are permitted if on a leash not over 10 feet in length.

one end of which is secured so as to restrict the movements of the animal.

Great Meadows National Wildlife Refuge, 191 Sudbury Road, Concord, Mass. 01742. Contact David Beall, Refuge Manager, at 617-369-5518. Special conditions: Entry to the parking areas on foot, bicycle, or by registered motor vehicle is permitted during daylight hours. Foot and bicycle travel is permitted on designated routes. Nature study, photography, hiking, ice skating, snowshoeing, and cross-country skiing are permitted. Pets are permitted if on a leash not over 10 feet in length, one end of which is secured so as to restrict the movements of the animal.

Oxbow National Wildlife Refuge, Harvard, Mass., under the administration of **Great Meadows National Wildlife Refuge**, 191 Sudbury Road, Concord, Mass. 01742. Contact David Beall, Refuge Manager, at 617-369-5518. Special conditions: Entry by foot, bicycle, or motor vehicle is permitted along the tank road for the purposes of nature study, photography, hiking, snowshoeing, and cross-country skiing. Parking for vehicles is available at designated areas. Pets are permitted if kept on a leash not over 10 feet in length, one end of which is secured so as to restrict the movements of the animal.

Monomoy National Wildlife Refuge, Chatham, Mass., under the administration of **Great Meadows National Wildlife Refuge**, 191 Sudbury Road, Concord, Mass. 01742. Contact David Beall, Refuge Manager, at 617-369-5518. Special conditions: Foot entry to the Monomoy Wilderness Area is permitted for photography, nature study, and hiking during daylight hours and fishing 24 hours per day. Shellfishing is permitted in accordance with Town of Chatham regulations. Pets are permitted if kept on a leash not over 10 feet in length, one end of which is secured so as to restrict the movements of the animal. Fires are permitted on the ocean beach. Boats may be beached on the refuge. Erection of tents and other structures is not permitted. Entry to the Maria Island portion of Monomoy Refuge is permitted during daylight hours for photography, nature study, and hiking. Only a limited number of motor vehicles can be accommodated on the refuge at the designated parking area adjacent to the refuge headquarters. Entrance permits for specific dates are issued by mail or by telephone during the period June 1 through September 10, of each year at the Monomoy National Wildlife Refuge office, Wild Way, Maria Island, Chatham, Mass. 02633, telephone 617-643-6894; or during the period January 1 through May 31, and September 11 through December 31, of each year from the Refuge Man-

ager, Great Meadows National Wildlife Refuge.

Minnicouquet National Wildlife Refuge, Swanton, Vt. 05488. Contact Douglas Mullen, Refuge Manager, at 807-454-3521. Special conditions: Entry by motor vehicle or on foot is permitted on designated travel routes for the purposes of nature study, photography, hiking, and sightseeing during daylight hours. Pets are permitted if they are kept on a leash not over 10 feet in length, the end of which is secured so as to restrict the movements of the animal. Launching of boats and parking of boats is permitted in designated areas.

Moosehorn National Wildlife Refuge, Box X, Calais, Maine 04819. Contact Douglas Mullen, Refuge Manager, at 807-454-3521. Special conditions: Entry on foot or by motor vehicle on designated travel routes is permitted for the purposes of nature study, photography, hiking, and sightseeing during daylight hours. Pets are permitted if kept on a leash not over 10 feet in length, the end of which is secured so as to restrict the movements of the animal. The use of snowmobiles is permitted on the refuge and Edmunds Unit subject to the following special conditions: (1) Use is restricted to the periods December 1 through April 15; (2) use must be in accordance with all applicable State laws and regulations governing snowmobiles; (3) use is permitted 24 hours a day and is limited to designated roads.

Petit Manan National Wildlife Refuge, Steuben, Maine, under administration of **Moosehorn National Wildlife Refuge**, Box X, Calais, Maine 04819. Contact Douglas Mullen, Refuge Manager, at 807-454-3521. Special conditions: Entry by motor vehicle and on foot is permitted for the purpose of nature study, photography, hiking, and sightseeing during daylight hours between April 15 and November 15. Entry by motor vehicle is restricted to Petit Manan Point Road and the designated parking area only. Foot travel only is permitted beyond the parking area on designated trails. Clearing is permitted in accordance with State and town regulations; access to clamming areas is by water routes only. Pets are permitted if kept on a leash not over 10 feet in length, the end of which is secured so as to restrict the movements of the animal. The picking of blueberries for off-site use is prohibited. No entry is or use of the island portion of the refuge is permitted.

Carlson Pond Waterfowl Production Area, Detroit, Maine, under administration of **Moosehorn National Wildlife Refuge**, Box X, Calais, Maine 04819. Contact Douglas Mullen, Refuge Manager, at 807-454-3521. Special conditions: Entry by foot is per-

PART 25--SPORT FISHING

Areas of certain National Wildlife Refuges in Sport Fishing: Connecticut, Rhode Island, Massachusetts, Maine, New Hampshire, and Vermont.

SUBJECT: U.S. Fish and Wildlife Service, Department of the Interior.

ACTION: Special regulations.

REMARKS: The Director has determined that the opening to sport fish-

ing of certain national wildlife refuges in Connecticut, Rhode Island, Massachusetts, Maine, New Hampshire, and Vermont is compatible with the objectives for which the areas were established, will enhance a renewable natural resource, and will provide additional recreational opportunity to the public. **Effective January 1, 1978, through December 31, 1978.**

REFERENCE: Contact the Refuge Manager at the address and/or telephone number listed below in the body of each regulation.

FOR FURTHER INFORMATION CONTACT:

Howard N. Larsen, Regional Director, U.S. Fish and Wildlife Service, Gateway Center, Suite 700, Boston Corner, Mass. 02188, 617-485-6100, Ext. 200.

SUPPLEMENTARY INFORMATION: Sport fishing is permitted on the national wildlife refuges indicated below in accordance with 50 CFR 25 and the various special regulations. Portions of refuges which are open to sport fishing are designated by signs and/or maps on maps available from the address indicated below and from the nearest Director, U.S. Fish and Wildlife Service, Gateway Center, Suite 700, Boston Corner, Mass. 02188. Sport fishing shall be in accordance with all applicable State and Federal regulations subject to the following special conditions:

1. Special regulations sport fishing for individual wildlife refuge areas.

Sport fishing is permitted on the following areas: Great Meadows National Wildlife Refuge, 101 Sudbury Road, Concord, Mass. 01742. Contact David Beall, Refuge Manager, at 617-368-5618. Special conditions: Sport fishing is first entry for this purpose is permitted in designated areas during daylight hours.

Monomoy National Wildlife Refuge, Chatham, Mass., under administration of Great Meadows National Wildlife Refuge, 101 Sudbury Road, Concord, Mass. 01742. Contact David Beall, Refuge Manager, at 617-368-5618. Special conditions: Sport fishing in tidal and fresh waters is permitted 24 hours per day from refuge lands. Boats may be beached on the refuge and wilderness areas. No boats will be permitted on the fresh water ponds.

Parker River National Wildlife Refuge, Northern Boulevard, Newburyport, Mass. 01950. Contact George Gavutis, Refuge Manager, at 617-488-5783. Special conditions: Saltwater sport fishing is permitted only on the ocean beach as follows:

Walk-in Fishermen:

Entire year: Day only, no permit required. May 1 through October 16: Day and night. Night permit required.

Over-the-sand surf fishing vehicles:

May 1 through October 31 only, permit required.

May 1 through May 26, day and night.

May 26 through September 4, night (6 p.m. to 8 a.m.) only. No vehicle shall be operated on the beach between the hours of 8 a.m. to 6 p.m. During these hours all permit vehicles shall remain in the designated over-the-sand fishing vehicle parking area in the unvegetated area between the dunes at the east end of Beach Access Trail No. 2 or exit from the beach area. This same designated daytime parking area must, however, be vacated by 8 p.m. each evening not to be reoccupied before 6 a.m. the next morning.

September 5 through October 31, day and night. No fishing is permitted on the northern one-quarter mile of beach east of Lot 1 from 8 a.m. to 6 p.m.

Permit requirements are as follows: Night permittees may enter the refuge only until dusk except they may enter until 10 p.m. from May 26 through September 4. Night permittees may remain on the refuge, or may exit through a one-way gate at any time. Vehicles with the special permit may be on the ocean beach only when the occupants over 18 years old are actively engaged in surf fishing and each have at least one fishing rod. Permission to inspect vehicle, sanitary facilities, and all fishing equipment must be granted to refuge agents upon request. All vehicle permits must be affixed to the vehicles as instructed at the time of issuance. Motorcycles, or any vehicle deemed improper by refuge agents, may not receive the permit. Over-the-sand surf fishing vehicles must be equipped with spare tire, shovel, jack, tow rope, or chain, board or similar support for jack, and low-pressure tire gauge. Vehicles, under the terms of an over-the-sand surf fishing permit, may drive only on designated beach access routes and on the unvegetated beach east of the line formed by the eastern base of the dunes. The maximum speed limit in these areas is 15 miles per hour. No vehicle is permitted on the northern one-quarter mile of beach east of Lot 1 at any time. Ruts or holes resulting from freeing a stuck vehicle shall be promptly filled in by the operator. Riding on fenders, tailgates, roof, or any other position outside of the vehicle is prohibited. Failure to comply with any regulation

Monomoy National Wildlife Refuge, Box X, Chatham, Maine. Contact Douglas Mullen, Refuge Manager, at 207-486-4001. Special conditions: Sport fishing is permitted during daylight hours on areas designated by signs as open. The use of boats without motors is permitted on Beards, Conis, and Greenough Lakes. Montpelier National Wildlife Refuge, Swanton, Vt. 05493. Contact Susan Blankowski, Refuge Clerk, at 802-878-4781. Special conditions: Sport fishing

is permitted in Lake Champlain, and the Missisquoi River from adjacent lands. The use of firearms to take fish is prohibited.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 25. The public is invited to offer suggestions and comments at any time.

Note: The U.S. Fish and Wildlife Service has determined that this document does not contain a major proposal requiring promulgation of an Economic Impact Statement under Executive Order 12290 and 50 CFR Circular A-107.

Dated: March 18, 1978.

Howard N. Larsen,
Regional Director,
U.S. Fish and Wildlife Service,
178 Dec. 78-7974 Filed 3-22-78 9:45 am

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GREAT MEADOWS REFUGE

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FEDERAL REGISTER, VOL. 43, NO. 17

THURSDAY, MARCH 22, 1978

E. Monomoy Wilderness Area Proposal



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MONOMOY ISLAND
MONOMOY NATIONAL WILDLIFE REFUGE
MASSACHUSETTS

PROPOSAL

PREFACE

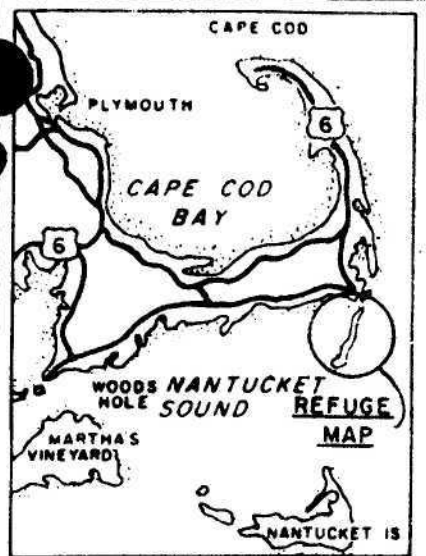
The Wilderness Act of September 3, 1964 (Public Law 88-577) requires that every roadless area of 5,000 acres or more and every roadless island within the National Wildlife Refuge System be designated a wilderness study area. Each of these areas will be studied to determine its suitability as a wilderness.

Monomoy Island qualifies as a wilderness study area. It is a 2,600-acre roadless island separated from the mainland by a mile of open water at high tide, one-eighth mile at low tide. Pounded by the Atlantic, scoured by tidal currents, and lashed by the wind, this ever-changing finger of sand shows little of man's use during the past 200 years. Today it is a wild area of barren or sparsely vegetated dunes and sand flats, numerous fresh water ponds, marshes and meadows, brushy hollows, and extensive salt marshes.

Three buildings and an abandoned lighthouse stand on a four-acre, privately-owned tract near the south end of the Island. The balance of Monomoy Island is Federally owned. Twelve prior property owners maintain and are permitted access to vacation camps under court-granted life estate privileges. These few buildings and rutted wheel tracks in the sand are the only obvious marks of civilization on the Island.

The provisions of Sections 4(a) and 4(b) of the Wilderness Act declare that: (1) the Act is to be within and supplemental to the purposes for which National Wildlife Refuges are established; (2) wilderness areas shall be administered so as to meet purposes of wildlife protection in such a manner as to preserve and protect wildlife communities; (3) such areas shall also be managed within the wilderness area concept to provide public recreational, scenic, scientific, educational, conservation, and historical enjoyment insofar as wildlife management objectives permit.

Cover photograph by Richard G. Kelsey, Chatham, Massachusetts; other photographs courtesy of Mr. Wallace Bailey, Massachusetts Audubon Society.



VICINITY MAP
Scale 0 8 16 24 32 MILES

Monomoy Refuge

MONOMOY ISLAND
PROPOSED WILDERNESS AREA
MONOMOY NATIONAL WILDLIFE REFUGE
MASSACHUSETTS

POWDER HOLE
STORAGE BLDG

Inward
Point

MONOMOY

OLD MONOMOY
LIGHT TOWER

U.S.G.S. STONE HORSE
LIGHT SHIP

RED STATION POND

CHATHAM

STAGE
HARBOR

MORRIS
ISLAND

REFUGE
HEADQUARTERS

PLEASANT
BAY

NAUSET
BEACH

OCEAN

ATLANTIC

WRECKED
PENDLETON

SCALE IN MILES



LOCATION

Monomoy Island is an unstable coastal barrier beach extending about nine miles south from the "elbow" of Cape Cod, in the Town of Chatham, Barnstable County, Massachusetts. Bounded on the west by Nantucket Sound and on the east by the Atlantic Ocean, the island varies from 1/4-mile to 1-1/2 miles wide and is separated from the mainland by a shallow waterway about 1/2-mile wide. The metropolitan centers of Boston, Massachusetts, and Providence, Rhode Island are approximately 100 miles away.

HISTORY

Monomoy and its surrounding waters have an interesting history in which man's struggle against the angry ocean furnishes the central theme. The list of ships wrecked on the treacherous shoals off Monomoy is formidable.

Since 1872, when the U. S. Life Saving Service, the forerunner of the Coast Guard, was established, there have been as many as four manned life-saving stations at one time between the Chatham lights and the southern tip of Monomoy. In the past as many as four lightships warned seafarers of shoals near Monomoy.

The Monomoy lighthouse, situated at the south end of the Island, guided mariners from 1824 to 1923 when it was abandoned because of the power and range of the modern Chatham Light.

Better ships and modern navigation techniques gradually made lifeboat stations unnecessary, and the once colorful launching of a surfboat into angry winter seas no longer occurs on Monomoy beach.

Through the years, commercial and sport fishing, shellfishing (including oystering a century ago), market and sport hunting have been significant factors in the economy and life of the local people. In the late 1800's a small fishing village existed on Monomoy Island at the so-called Powder Hole, complete with a store and church.

However, over the years Monomoy was abandoned by year-round residents. By 1944, when the Federal Government acquired the Island as a National Wildlife Refuge, there were 22 summer camps. Today only 12 camps remain, and tenure is limited by court decree. Fishing, clamming, and scalloping continue to provide a livelihood for mainland residents. Fish taken in season include striped bass, bluefish, bonita, mackerel, haddock, flounder, and cod.



DESCRIPTION

Monomoy Island is a spit of sand formed and constantly changed by tides, currents, and wind. It is approximately 3,000 acres in extent depending on tidal stage. Its highest point is only 30 feet above sea level. During major storms the forces of nature have caused drastic changes in its size and shape, particularly at the north end where alternately in the past the Island has been connected with Morris Island or Nauset Beach.

Although used extensively and at times intensively for 200 years, the Island today shows little of man's influence except for the remaining buildings. No physical development has been carried on in recent years. Very little that was done modified the environment permanently. Plantings of native vegetation in the past to control erosion and provide food for wildlife have merged into the local floristic pattern. The potholes and low dikes constructed appear quite natural today.

The foredunes are mostly devoid of vegetation. Many interior dunes covered with stabilizing American beachgrass and false heather. In the hollows and depressions are bayberry, beach plum, poison ivy, and patches of pitch pine. All of these natural plant associations are characteristic of coastal dunes. On the Sound are low, sweeping cordgrass marshes blending into extensive salt marsh flats. There are numerous small potholes and natural fresh water ponds.

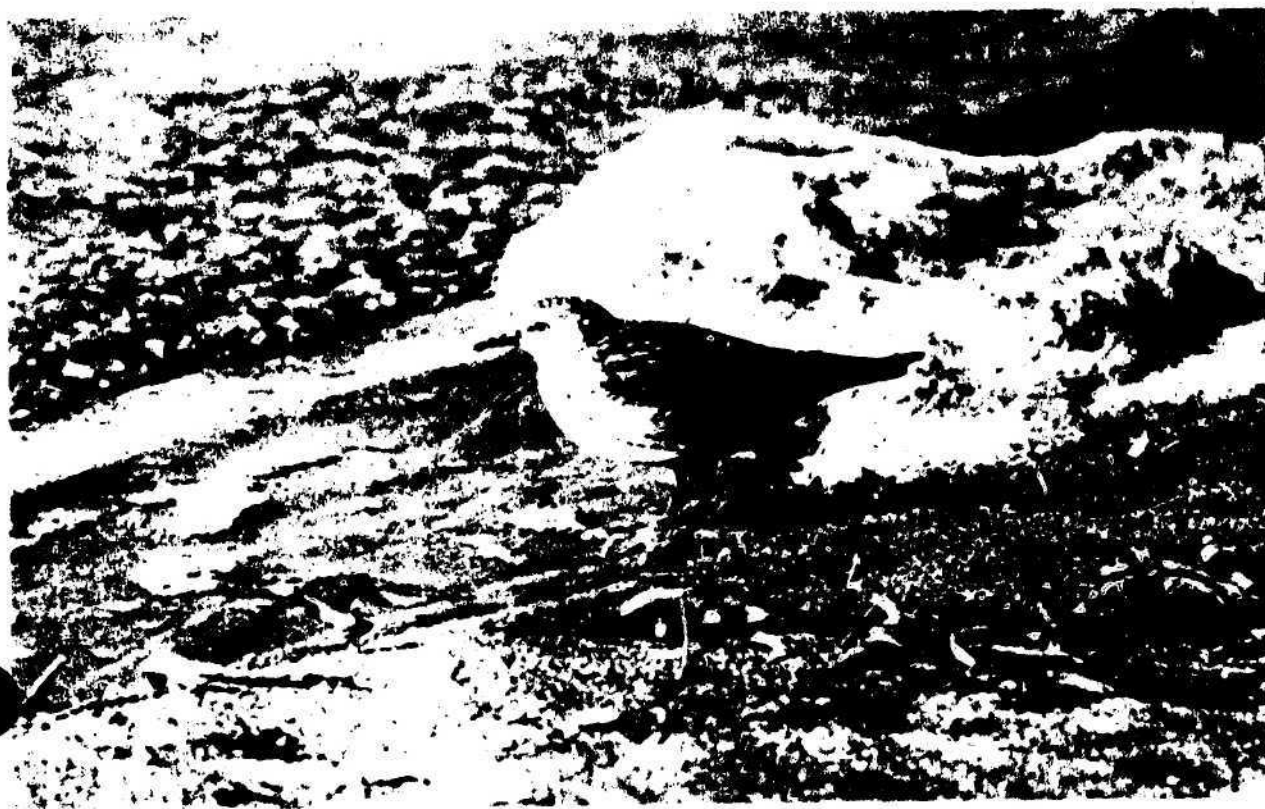


WILDLIFE

Monomoy Island in its natural state and setting is claimed by many prominent ornithologists to have no equal as a shorebird area. Shorebirds numbering in the thousands occur in season, including yellowlegs, black-bellied plover, sanderlings, and various small sandpipers. Rare species such as the Hudsonian godwit and golden plover are recorded occasionally.

It is justly famous also as a concentration point for many other species of birds. The varied natural habitat is used as nesting, resting, and feeding grounds by over 300 species of waterfowl, shorebirds, land and oceanic birds. Canada geese have reached peaks of 2,200 in recent years, black ducks 3,000, with lesser numbers of baldpate, green-winged teal, and other ducks. Extensive mussel beds off the ocean side of Monomoy have attracted up to one half million eiders and scoters during the fall and winter. Flights of warblers and other small songbirds sometimes fill the low thickets of the Island in a spectacular manner during migration. A large colony of terns, including common, roseate, and least, nest at points along the outer beach.

Few mammals inhabit the Island. A small herd of white-tailed deer ranges over the Island. Their number fluctuates, but up to 25-30 have been noted. There are a few red foxes. Muskrats inhabit the fresh water ponds and marshes. Occasionally, an otter or mink is seen. There is a variety of small mammals, such as mice, shrews, and moles.



MANAGEMENT

Monomoy Island will continue to be managed as a wild area. Existing camps will be disposed of when tenancy agreements expire. A government storage building will be removed. No other government-owned physical features exist.

Recreational use of the Island will continue as in the past. Visitors may land their boats any place on the Island. Hiking, birdwatching, nature study, shell collecting, picnicking, and photography during daylight hours are permitted. Persons licensed by the Town of Chatham are permitted to shellfish. Hunting, camping, and fires are not permitted.

The Federal Government owns the Island to mean low tide, except for a four-acre interior tract. Two of these acres, including the old lighthouse, are owned by the Massachusetts Audubon Society. This historic cast-iron lighthouse is one of the oldest on the East Coast. The Audubon Society will be authorized to maintain the lighthouse as a base for their educational and research programs. The other two acres contain two privately-owned summer camps.

The 12 privately-owned summer camps on government land are maintained under special use permits in conformance with privileges granted by the court when the property was acquired. These camp owners have life tenure.

The Stage Harbor Freezer Company will continue to be issued an annual permit to maintain six range markers (30-foot vertical poles set at specific locations) on the Island, and to store for ten months of the year about 400 poles approximately 35 feet long on a lot about 150 feet by 450 feet.

There are no improved roads on the Island. As in the past, no unauthorized motor vehicles will be permitted. Restrictive permits will allow the use of over-the-sand vehicles for direct travel to private camps, and to the Stage Harbor Freezer Company. The Massachusetts Audubon Society's program aids people to enjoy the wilderness qualities of the land, and their conducted tours will be continued over designated trails.



SOCIO-ECONOMIC CONSIDERATIONS

Monomoy Island lies in the southeastern portion of one of the most popular vacation spots on the entire Northeastern seaboard. Salt water beaches are the primary attraction, enhanced by a combination of rolling sand dunes, brushy knolls, and extensive views of the coast and sea beyond. Wilderness Area status for Monomoy Island will aid in preserving forever by Act of Congress its relatively unspoiled character. Monomoy will continue to attract nature enthusiasts seeking a quality wilderness experience.

This type of use is nonconsumptive and will bring added popularity and revenue to the surrounding community. No commercially useful minerals are on the Island, which is composed primarily of medium to coarse beach sand. The position of the Island precludes any future anticipated need for highway or other development. The Massachusetts State Plan for Outdoor Recreation, still in preparation, contains no proposed development that would be affected by wilderness status for Monomoy Island.

INSPECTION

Anyone concerned about this proposal is urged to personally inspect the Monomoy Island portion of the Monomoy National Wildlife Refuge.

HEARING INFORMATION

A public hearing will be held at the time, date, and place indicated on the attached addendum. Any questions not answered by this leaflet should be directed to one of the following:

Regional Director
Bureau of Sport Fisheries and Wildlife
U. S. Post Office and Courthouse
Boston, Massachusetts 02109

Refuge Manager
Great Meadows National Wildlife Refuge
110 Great Road
Bedford, Massachusetts 01730



F. Boundary Description

MONOMOY WILDERNESS

The Monomoy Wilderness consists of an area in the State of Massachusetts, Town of Chatham, Monomoy National Wildlife Refuge, being all of Monomoy Island, EXCEPTING and EXCLUDING therefrom two tracts of land being more particularly described as follows:

EXCEPTION #1 - INLET POINT

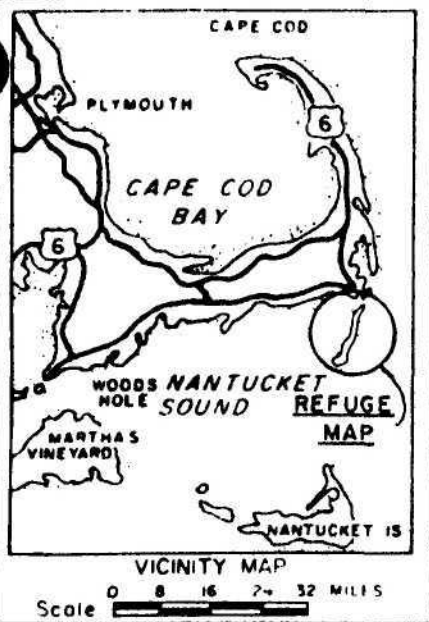
BEGINNING at a point on the mean low water line of Nantucket Sound, on the westerly side of Monomoy Island at latitude $41^{\circ} 36' 41''$, longitude $69^{\circ} 59' 03''$, being Northerly, 40 feet, more or less, from a 2" iron pipe set; thence Southerly, 2,420 feet, more or less, to a 2" iron pipe set; thence Westerly, 2,440 feet, more or less, to a point on the mean low water line of Nantucket Sound, on the westerly side of said Island at latitude $41^{\circ} 36' 21''$, longitude $69^{\circ} 59' 29''$, said point being Westerly, 50 feet, more or less, from a 2" iron pipe set; thence Northeasterly, Easterly and Northeasterly, along the mean low water line of said Sound, on the westerly side of said Island to the PLACE OF BEGINNING, containing 73 acres, more or less.

EXCEPTION #2 - POWDER HOLE

BEGINNING at a point on the mean low water line of Nantucket Sound, on the westerly side of Monomoy Island at latitude $41^{\circ} 33' 33''$, longitude $70^{\circ} 00' 21''$, being Northwesterly, 195 feet, more or less, from a 2" iron pipe set; thence Southeasterly, 1,610 feet, more or less, to an iron pipe; thence Northeasterly, 1,300 feet, more or less, to an angle point; thence Northeasterly, 1,165 feet, more or less, to a 2" x 2" wood stake set; thence Northwesterly, 95 feet, more or less, to an iron pipe found; thence Northeasterly, 330 feet, more or less, to a metal fence post found; thence Southeasterly, 528 feet, more or less, to an iron pipe found; thence Southwesterly, 330 feet, more or less, to an iron pipe set; thence Northwesterly, 301 feet, more or less, to an angle point, being 132 feet southeasterly from said 2" x 2" wood stake; thence Southwesterly, 1,210 feet, more or less, to an angle point; thence Southwesterly, 3,290 feet, more or less, to an iron pipe set on the easterly sideline of road; thence along the easterly sideline of said road, 3,550 feet, more or less, to a point; thence Southwesterly, 1,500 feet, more or less, to a point on the mean low water line of Nantucket Sound, on the westerly side of Monomoy Island at latitude $41^{\circ} 32' 50''$, longitude $70^{\circ} 01' 03''$; thence Northeasterly, along the mean low water line of said Sound, on the westerly side of said Island to the PLACE OF BEGINNING, containing 107 acres, more or less.

C. Refuge Leaflets

H. Map



Monomoy
Refuge

NANTUCKET
SOUND

MONOMOY ISLAND
PROPOSED WILDERNESS AREA
MONOMOY NATIONAL WILDLIFE REFUGE
MASSACHUSETTS

Inward
Point

MONOMOY

OLD MONOMOY
LIGHT TOWER

POWDER HOLE
STORAGE BLDG

U.S.G.S. STONE HORSE
LIGHT SHIP

STATION POND

WRECKED
PENDLETON

OCEAN

ATLANTIC

SCALE IN MILES



MONOMOY NATIONAL WILDLIFE REFUGE
Chatham, Massachusetts

WILDERNESS MANAGEMENT PLAN

Submitted by

David L. Bull

Refuge Manager

Date

11-9-78

Reviewed by

Charles R. Maloy AM

5/24/79

Edward P. Yaw
T&R Coordinator

5-15-79

Approved by

W. C. [Signature]

5/31/79

ACTING REGIONAL DIRECTOR