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Wilderness Study and Proposal



INTRODUCTION

The purpose of wilderness designation is to preserve and protect wilderness characteristics and values in perpetuity, including opportunities for solitude or primitive and unconfined recreation. With passage of the 1964 Wilderness Act (16 USC 1131 et seq.), Congress declared that it is national policy to secure for present and future generations the benefits of enduring wilderness resources. Wilderness can be officially designated only through congressional action.

- improvement or human habitation” Section 2(c)
- “generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable” Section 2(c)
- “has outstanding opportunities for solitude or a primitive and unconfined type of recreation” Section 2(c)
- “shall be devoted to the public purposes of recreation, scenic, scientific, educational, conservation and historic use” Section 4(b)

WILDERNESS DEFINITION

The Wilderness Act of 1964 (PL 88-577) is the guiding piece of legislation for all wilderness areas. The act defines wilderness as follows:

- “lands designated for preservation and protection in their natural condition” Section 2(a)
- “an area where the earth and its community of life are untrammled by man” Section 2(c)
- “an area of undeveloped Federal land retaining its primeval character and influence, without permanent

BRIEF DESCRIPTION OF THE STUDY AREA

The wilderness study area consists of the 71,291 acres within the legislated boundary of Sleeping Bear Dunes National Lakeshore. Major land cover types of the area include hardwood forest, coniferous forest, sand dunes, dune bluffs, beaches, Lake Michigan waters, inland lakes, and wetlands. Most of the area is federally owned and managed, but there are also some privately owned parcels, reservations of use and occupancy, and rights-of-way for utilities and state and county roads within the study area.

WILDERNESS STUDY AND PROPOSAL

WILDERNESS ELIGIBILITY

The first step in a wilderness study is typically to identify wilderness *eligible* lands, or lands that possess wilderness character. The 1970 legislation that established Sleeping Bear Dunes National Lakeshore (Public Law 91-479) required the secretary of the interior to recommend the suitability or unsuitability of lands within the Lakeshore for preservation as wilderness. As a result, six areas totaling more than 36,000 acres were identified as wilderness eligible in the 1975 “Final Wilderness Recommendation”: (1) most of North Manitou Island, (2) most of South Manitou Island, (3) an area around Pyramid Point/Good Harbor Bay (northern portion of the Lakeshore), (4) an area around the Sleeping Bear Plateau (central portion of the Lakeshore), (5) an area around Otter Creek (southern portion of the Lakeshore), and (6) an area west of the Platte River (southern portion of the Lakeshore). The 1975 recommendation proposed 35,060 acres — all as potential wilderness, recognizing that the limited land acquisition authority in the Lakeshore’s enabling legislation would likely result in nonconforming uses (such as residences) remaining in many areas. Not all of the eligible areas were proposed as potential wilderness at that time; the northern portion of the Sleeping Bear Plateau area was withheld because “interpretation is proposed in this area.”

Subsequently, after most of the land acquisition had taken place and the 1979 *General Management Plan* was completed, a new wilderness proposal was prepared. The 1981 “Wilderness Recommendation” also proposed most, but not all, of the wilderness-eligible areas for wilderness designation, and the recommendation included the general areas described above, with the exception of the area around the Sleeping Bear Plateau. The 1981 “Wilderness Recommendation”

proposed 30,903 acres of wilderness; 7,128 for full designation and 23,775 as potential wilderness (areas in which there remained temporary nonconforming uses, such as reservations of use and occupancy).

Congress then passed a law in 1982 (PL 97-361) requiring Sleeping Bear Dunes National Lakeshore to manage areas proposed in the 1981 “Wilderness Recommendation” to maintain their existing wilderness character “until Congress determines otherwise.” Because of this law, **all lands included in the 1981 recommendation have been, and will continue to be, managed as wilderness unless and until Congress acts upon a recommendation.**

In 2006 the NPS planning team evaluated the wilderness eligibility of lands added to the Lakeshore boundary since the initial eligibility was determined in 1975. The Bow Lakes (975 acres), Miller Hill (640 acres), and Crystal River (104 acres) additions were determined to be *ineligible* for wilderness. This determination was based primarily on substantial percentages of nonfederal ownership (Bow Lakes and Miller Hill), existing developments, the relatively small size of the areas (especially considering that none is contiguous to other National Lakeshore areas that were earlier determined to be eligible for wilderness), and the corresponding lack of outstanding opportunities for solitude or a primitive and unconfined type of recreation.

OPTIONS ANALYZED IN THIS WILDERNESS STUDY

This *Wilderness Study* is a fresh look at the question of whether, and if so, where, wilderness should be designated within Sleeping Bear Dunes National Lakeshore, given the best available current information about wilderness character, public review and

comment, and practical considerations. This *Wilderness Study* is being carried out primarily because of public interest regarding issues associated with the 1981 “Wilderness Recommendation” that arose during a 2002 effort to produce a new *General Management Plan* for the Lakeshore. Following the halting of that planning effort, Lakeshore managers decided that the best way to address public concerns, and the indeterminate status of wilderness posed by the 1982 law, would be to conduct a new *Wilderness Study*. Because there are many misperceptions about wilderness, it is important to understand what wilderness designation for portions of Sleeping Bear Dunes National Lakeshore would mean. Information about *what is* and *what is not* allowed in wilderness is provided in chapter 1 (see “Uses and Management in Wilderness” in the section titled “Purpose and Need for the Wilderness Study”).

Using the overall vision for each action alternative and public comment, the planning team developed a range of possibilities for proposed wilderness that would meet the Lakeshore mission of preserving resources and providing visitors appropriate opportunities to enjoy them. These alternative configurations and amounts of proposed wilderness are included in the action alternatives in this *General Management Plan*. Where practicable, proposed wilderness boundaries have been defined by roads, rivers, ridgelines, or other physical features to facilitate future management.

Five wilderness options or proposals are evaluated in this *General Management Plan / Wilderness Study / Environmental Impact Statement*. Each wilderness option is included as part of one of the general management plan alternatives; see “Chapter 2: Alternatives, Including the Preferred Alternative.” The *Environmental Impact Statement* included in this document analyzes the consequences of these five wilderness options.

It should be noted that the most substantial difference between the wilderness proposal in the no-action alternative (the 1981 “Wilderness Recommendation”) and the proposals in each of the four action alternatives is that no developed county roads are included in proposed wilderness in the action alternatives. These roads were excluded from proposed wilderness in order to continue to provide vehicle access to various areas of the Lakeshore, and in consultation with the Benzie and Leelanau County Road Commissions who own the road rights-of-way. Excluding the road corridors from proposed wilderness fragmented some of the eligible lands to the point that the planning team felt that they would no longer possess sufficient wilderness character, so the lands adjacent to M-22 between the Platte River and Fowler Road in the southern section of the park were excluded from the wilderness proposals in the action alternatives, including alternative A that proposes the largest acreage of wilderness.

TABLE 5: WILDERNESS OPTIONS EVALUATED IN THIS WILDERNESS STUDY

Alternative	Wilderness Proposal (acres)	Notes
No-action Alternative	30,903 (43% of the National Lakeshore)	1981 “Wilderness Recommendation;” portions of both islands and the mainland
Preferred Alternative	32,100 (45% of the National Lakeshore)	Portions of both islands and the mainland
Alternative A	33,600 (47% of the National Lakeshore)	Portions of both islands and the mainland
Alternative B	14,400 (20% of the National Lakeshore)	Portions of North Manitou Island only
Alternative C	23,200 (32% of the National Lakeshore)	Portions of both islands and the mainland

The overall vision of alternative A is that the National Lakeshore is valued primarily for the conservation of its natural resources. Correspondingly, this alternative proposes the largest acreage of wilderness including most (about 33,600 acres) of the more than 36,000 acres of wilderness-eligible areas. In comparison to the no-action alternative, the wilderness proposal in this alternative adds the Sleeping Bear Plateau and removes some of the fragmented areas described above. No developed county roads are within areas proposed for wilderness. None of the Lake Michigan active beach zone is in areas proposed for wilderness.

The overall vision of alternative B is that the National Lakeshore is valued primarily for its recreational opportunities in scenic outdoor settings. Because alternative B could potentially allow recreational facilities and moderate numbers of visitors in most areas of the Lakeshore, it proposes wilderness only on North Manitou Island, about 14,400 acres. There is no wilderness proposed in alternative B on South Manitou Island or the mainland. No county roads are within areas proposed for wilderness. None of the Lake Michigan active beach zone is in areas proposed for wilderness.

The overall vision of alternative C is that the National Lakeshore would be managed so that most visitor use is concentrated in selected areas, with more natural, primitive conditions promoted in the rest of the Lakeshore. Consequently, alternative C was chosen to represent a wilderness proposal containing a partial amount of the eligible wilderness, about 23,200 acres, including almost all of North Manitou Island, slightly more than half of South Manitou Island, the Sleeping Bear Plateau north of the Pierce Stocking Scenic Drive, and the area west and south of the Platte River. No developed county roads are within areas proposed for wilderness. None of the Lake Michigan active beach zone is in areas proposed for wilderness.

The wilderness proposal for the preferred alternative is discussed in the “Wilderness Proposal” section on the next page.

Please note that the acreage figures for the various wilderness proposals are estimates based on small-scale maps; the acreage for the approved wilderness proposal will be refined prior to legislation, using detailed, large-scale maps.

PUBLIC COMMENT ON WILDERNESS

Early in the planning process for this *General Management Plan / Wilderness Study / Environmental Impact Statement* it became apparent that many members of the public had misperceptions about wilderness. In particular, many people opposed wilderness designation thinking that it would close much of the park to the public, while at the same time many also expressed their support for continuing current management of the National Lakeshore, not realizing that more than 30,000 acres were already being managed as wilderness. Lakeshore managers held public meetings and media interviews and had many other communications with the public in an effort to provide correct information regarding wilderness.

In October 2006 the National Park Service distributed *Newsletter #3*, which presented four alternative management concepts that were developed with public input and represented different ways to manage the National Lakeshore. Each of the management concepts included a distinctive (a) overall vision, (b) description of the relative proportions of the various management zones, and (c) the amount of wilderness that would be proposed for designation.

Public support for the four management concepts was fairly evenly distributed, with the “resource enjoyment” and no-action concepts receiving somewhat greater support. Many respondents to *Newsletter #3* expressed

either support or opposition to wilderness designation within the National Lakeshore. Most who supported wilderness did so because they value natural conditions, primitive recreation, and opportunities for solitude, particularly as areas surrounding the Lakeshore become more developed. Some who opposed wilderness pointed out that few areas within the National Lakeshore are truly pristine. Others opposed wilderness due to a perception that it would restrict access or because they believe it is contrary to the purpose of the Lakeshore.

In March 2007, the National Park Service distributed *Newsletter #4*, which presented four preliminary alternatives developed from the concepts described in *Newsletter #3*. Each preliminary alternative included a more detailed wilderness proposal. Alternative A, with the most extensive wilderness proposal, received support from 42% of the respondents. The no-action alternative received support from 15%; alternative B, with the least wilderness, received support from 18%; and alternative C, with a moderate amount of wilderness, received support from 19% of the respondents. Most people who supported alternative A said the more substantial wilderness proposal in this alternative was a main reason they supported it. Fewer of the supporters for the other alternatives cited wilderness amounts as the reason for their preference.

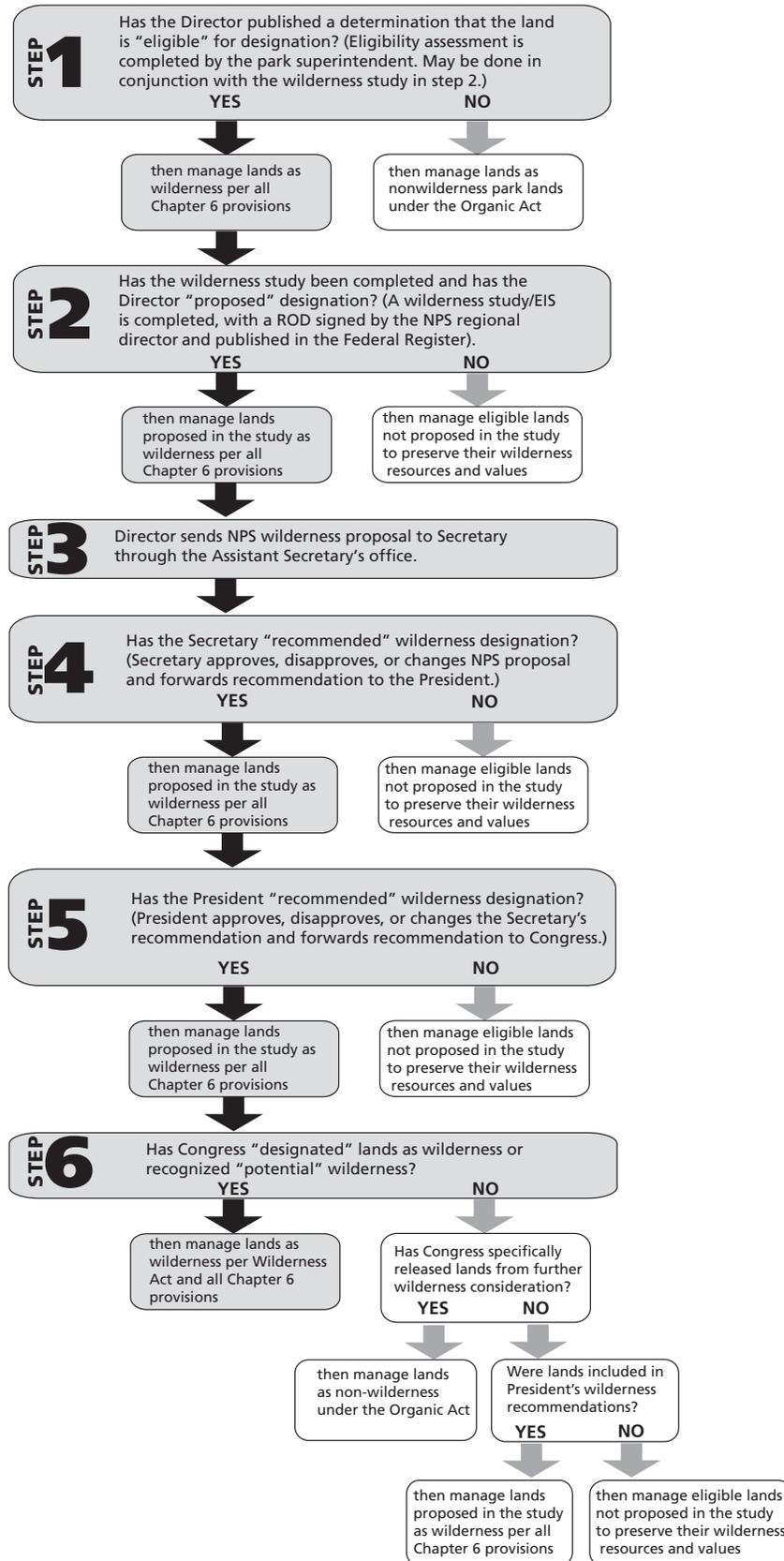
WILDERNESS PROPOSAL

The overall vision of the preferred alternative is that the Lakeshore is valued primarily for the preservation of its natural resources and for the opportunities it provides for visitor enjoyment of natural, cultural, and recreational resources in a scenic outdoor setting. In keeping with this vision, as well as with public comment, the NPS preferred alternative proposes wilderness for most of the eligible lands but excludes the developed county roads. Six areas totaling 32,100 acres

are proposed as wilderness: (1) nearly all of North Manitou Island, (2) most of South Manitou Island, (3) an area around Good Harbor Bay (northern portion of the Lakeshore), (4) the Sleeping Bear Plateau (central portion of the Lakeshore), (5) an area around Otter Creek (southern portion of the Lakeshore), and (6) an area west of the Platte River (southern portion of the Lakeshore). After studying the various options and considering public comment, the National Park Service has tentatively concluded that wilderness designation of these areas helps to fulfill its mission at Sleeping Bear Dunes National Lakeshore by ensuring protection of the values of naturalness and solitude for the purposes of recreation, scenic, scientific, educational, conservation, and historic use. In addition, wilderness designation of most of the eligible lands best fulfills the wishes expressed in public comment, as most respondents wanted the Lakeshore to remain largely the way it is now — which is to have these areas managed as wilderness but with existing roads remaining open and excluded from wilderness.

Ultimately, wilderness studies typically result in a recommendation to Congress to designate all, some, or none of the lands possessing wilderness character as part of the national wilderness preservation system. Based on the *Wilderness Study* in this document, the National Park Service anticipates forwarding a wilderness proposal to the U.S. Department of the Interior at the conclusion of the current planning effort. The secretary of the interior is then responsible for reviewing this proposal and either approving or revising it before forwarding it on to the president as recommended wilderness. The president then formally transmits this recommendation to both houses of Congress for action. The process for establishing wilderness is described in more detail in a “Wilderness Review and Management Process” flowchart that can be found in *NPS Management Policies 2006* (Section 6.2) (see following page).

WILDERNESS REVIEW AND MANAGEMENT PROCESS



IMPLICATIONS OF MANAGING LANDS PROPOSED FOR WILDERNESS

Congress passed a law in 1982 (PL 97-361) requiring Sleeping Bear Dunes National Lakeshore to manage areas proposed in the 1981 “Wilderness Recommendation” to maintain their wilderness character “until Congress determines otherwise.” Because of this law, **all lands included in the 1981 recommendation have been, and will continue to be, managed as wilderness unless and until Congress acts upon a recommendation. This is true even if this *Wilderness Study* produces a new recommendation that proposes to withdraw portions of those lands from wilderness.**

In addition to the lands in the 1981 recommendation, any additional lands that are proposed for wilderness designation in the “Record of Decision” for this planning process are to be managed as wilderness until such time as Congress specifically decides whether or not to include them in a formal wilderness designation (NPS *Management Policies 2006*). That is, management activities on lands proposed for wilderness cannot diminish the wilderness eligibility of those lands.

PLANNING AND MANAGEMENT

Once wilderness, if any, is designated, a wilderness management plan is typically developed to guide preservation, management, and use of NPS wilderness areas. Such a plan is developed with public involvement and contains specific, measurable objectives for preservation of wilderness values as specified in the Wilderness Act and NPS management policies. Wilderness management plans, which are often combined with backcountry management plans, articulate management actions such as regulations, monitoring, and permit systems such as those currently in

place for backcountry camping on the mainland and islands.

Management decisions affecting wilderness will be consistent with the “minimum requirements” concept. This concept is a documented process used to determine whether administrative activities affecting wilderness resources or visitor experiences are necessary in wilderness, and if so, how to minimize impacts from such activities. Parks are to complete a minimum requirements analysis for administrative actions and equipment uses that have potential to affect wilderness character.

Where practical alternatives do not exist, maintenance or other activities may occasionally be accomplished through the use of motorized equipment. The use of motorized equipment should be based on the minimum requirement concept. Motorized equipment need not be allowed for activities that can reasonably be accomplished using nonmotorized means.

PRIVATE RIGHTS

Wilderness designation does not extinguish valid existing private rights such as land or right-of-way ownership or valid mineral interests. Valid private rights in wilderness are administered in keeping with the specific terms and conditions of each right.

RECREATIONAL USE

Recreational uses of NPS wilderness are to be of a type and nature that enable the areas to retain their undeveloped primeval character and influence, protect and preserve natural conditions, leave the imprint of man’s work substantially unnoticeable, provide

outstanding opportunities for solitude or primitive and unconfined types of recreation, and preserve wilderness in an unimpaired condition. Hunting and fishing are appropriate uses of wilderness at Sleeping Bear Dunes National Lakeshore. Public use of motorized equipment or any form of mechanical transport is prohibited, except as provided for in specific legislation. Operating a motor vehicle or possessing a bicycle in wilderness is prohibited. The use of a wheelchair, as defined by the Americans with Disabilities Act of 1990, is allowed in wilderness. Service animals accompanying persons with disabilities are also allowed in wilderness.

EMERGENCY SERVICES

In emergency situations involving the health and safety of persons, the use of aircraft, motorboats, and other motorized or mechanical equipment is allowed. Wildfires will be controlled as necessary to prevent loss of life, damage to property, the spread of wildfire to lands outside wilderness, or unacceptable loss of wilderness values. The use of tool caches, aircraft, motorboats, and motorized firefighting equipment may be permitted for such control. Prescribed fire and hazard fuel reduction programs may be implemented according to approved plans. The minimum requirement concept will be followed for all fire activities in wilderness.

RESOURCE MANAGEMENT AND RESEARCH

Wilderness designation does not prevent the National Park Service from protecting and maintaining historic and other cultural resources located within wilderness areas. Using the minimum requirement concept, these resources will be protected and maintained according to the pertinent laws and policies governing cultural resources. Natural resource management activities may be carried out in a similar fashion, and will generally be undertaken only to address the impacts of past and current use or influences originating outside of wilderness boundaries. Natural processes will be allowed, insofar as possible, to shape and control wilderness ecosystems.

Scientific activities are appropriate in wilderness. Even scientific activities (including inventory, monitoring, and research) that involve a potential impact to wilderness resources or values (including access, ground disturbance, use of equipment, and animal welfare) are allowed when the benefits of what can be learned outweigh the impacts on wilderness resources or values. However, all such activities must be evaluated using the minimum requirement concept.

See also “Uses and Management in Wilderness” in the section titled “Purpose and Need for the Wilderness Study” in chapter 1 of this document.