

Special Designations

General

Humboldt County is aware that Congress, the President of the United States, and federal agencies are variously authorized to create special designations on the public lands. Such designations have the potential to restrict natural resource and recreation uses, limit resource management and access, and erode the multiple use-sustained yield character of public lands within the County. Special designations include, but are not limited to: National Monuments, National Conservation Areas (NCAs), Wilderness Areas, Wilderness Study Areas (WSAs), and Areas of Critical Environmental Concern (ACECs). The restrictive nature of special designations directly affects public health, safety, and welfare within the County by potentially:

- ❖ limiting economically important activities like livestock grazing, mining, and recreation;
- ❖ limiting road access and allowable management for critical activities such as fuel reduction, firefighting, invasive species control, and wildlife management;
- ❖ increasing the risk of catastrophic wildfires (see above) resulting in risk to public safety and air and water quality;
- ❖ impeding post-fire reclamation efforts;
- ❖ impeding the exercise of traditional activities (e.g. grazing, mining, recreation, and foraging) that are essential to Humboldt County's unique custom and culture.

It is Humboldt County's position that special designations should be created only when they are supported locally by the County Board of Commissioners. Where special designations are created, it is Humboldt County's policy to seek to ensure that planning and management of the specially designated area is coordinated with the County and is consistent with this Plan to the maximum extent allowed by applicable law.

Coordination, Cooperation, and Consultation:

Federal Land Use Planning and Management:

It is the policy of Humboldt County to coordinate and consult with all relevant federal agencies on special designation decisions and planning. Humboldt County will coordinate its planning and policies for special designations with BLM land use planning and management [consistent with 43 U.S.C § 1712(c)(9) and 43 CFR § 1601.0-5(c)] and with Forest Service land use planning [consistent with 16 U.S.C. § 1604(a), 36 CFR § 219.4, and 36 CFR § 212.53] to seek maximum consistency. Humboldt County expects that all such requirements for intergovernmental coordination will be affirmatively met by federal agencies, consistent with the applicable authority. (See Section XX Framework, Coordination).

NEPA:

Humboldt County expects early notification by all federal agencies to participate in NEPA project teams as a cooperating agency. Humboldt County shall participate as a

cooperating agency on all federal agency NEPA analyses for land use plans or other projects pertinent to special designations and expects that EISs shall include a consistency review with this and other relevant elements of the Humboldt County Master Plan pursuant to 40 CFR § 1502.16(a)(5) and 40 CFR § 1506.2(d). (See Section XX Framework, NEPA).

Specific Special Designations

Wilderness Areas

Humboldt County is aware that only Congress may designate Wilderness Areas, under the Wilderness Act (16 U.S.C. 1131-1136). While Wilderness Areas provide important opportunities for a limited range of primitive recreational activities, by eliminating motorized access, Wilderness designations also block access to public lands for members of the public who may be elderly, disabled, low income, or who are for other reasons unable or ill-equipped to participate in primitive, non-motorized recreation. Further, Wilderness designations eliminate or sharply curtail management activities such as road maintenance, fuels management, and regular monitoring which are essential for maintaining fire resistant and resilient landscapes and frustrate the goals, objectives, and policies stated in Section XX (Wildfire Prevention and Management) of this Plan.

Currently, there are 10 Congressionally designated Wilderness Areas within, or in part within, Humboldt County managed by the BLM:

- ❖ Black Rock Desert
- ❖ Calico Mountains
- ❖ High Rock Lake
- ❖ North Black Rock Range
- ❖ North Jackson Mountains
- ❖ South Jackson Mountains
- ❖ Pine Forest Range
- ❖ Pahute Peak
- ❖ East Fork High Rock Canyon
- ❖ Little High Rock Canyon

There is one Wilderness Area within Humboldt County managed by the Forest Service:

- ❖ Santa Rosa-Paradise Peak

It is Humboldt County's position that these areas provide Humboldt County's visitors and residents with ample opportunities for primitive recreation and solitude and that no additional lands are suitable for Wilderness designation within the County.

Wilderness Proposals and Recommendations:

Humboldt County is aware that wilderness proposals can be submitted by individuals and citizen groups as well as federal land management agencies. It is the position of Humboldt County that no lands located within Humboldt County should become a designated Wilderness Area unless it meets the following criteria:

- ❖ The proposal has the local support of the County Board of Commissioners and is the result of a multi-stakeholder collaborative effort (as exemplified by the Pine Forest Working Group).
- ❖ The proposal meets all BLM criteria for wilderness (as determined by BLM Manual 6310) and has been endorsed by both the BLM Winnemucca District and the Nevada State Office of the BLM.
- ❖ The input from required local public hearings, as well as County and State input, have been included in any Wilderness recommendation pursuant to requirements in the Wilderness Act [16 U.S.C. § 1132 (d)(1)].
- ❖ The relevant Federal agency has demonstrated that the proposed Wilderness Area can be safely and effectively managed as wilderness (including demonstration of ongoing ability to conduct fuels management, fight wildfire, control invasive weeds, etc.)
- ❖ Designation of the proposed area does not compromise important existing recreational and economic uses.

Grazing in Wilderness:

Humboldt County is aware that grazing—and the necessary activities and facilities needed to support and maintain a grazing program—where authorized prior to the establishment of a Wilderness Area, will be permitted to continue under the Wilderness Act. Congressional guidance, referred to in BLM Manual 6340, has clarified the grazing provision of the Act as follows:

- ❖ No curtailment of grazing simply because an area is a designated Wilderness;
- ❖ Maintenance of preexisting facilities and structures is allowed with the use of motorized equipment where there is no practical alternative;
- ❖ Replacement or reconstruction of existing facilities does not have to appear “natural”;
- ❖ New construction or improvements are allowable when they serve the purpose of resource management and protection;
- ❖ Motorized access for emergency livestock care is allowed.

“In 1990, the House of Representatives issued House Report 101-405, Appendix A—Grazing Management Guidelines, in association with the Arizona Desert Wilderness Act of 1990. Although the Wilderness Act provides the authority for managing grazing in wilderness, this report (and its predecessor, House Report 96-1126, issued in association with the Colorado Wilderness Act of 1980) has been cited in many subsequent wilderness bills and provides helpful information. Grazing is specifically permitted in wilderness under Section 4(d)(4)(2) of the Act. After designation of an area as wilderness, Allotment

Management Plans may need to be revised or developed for allotments within a wilderness to ensure they are consistent with this policy.”

BLM Manual 6340—Management of BLM Wilderness

Consistent with this guidance, federal agencies should inform permittees that the authorized use of motorized vehicles in emergency situations and in situations where alternatives are impractical on Wilderness Areas is available to them. Federal agencies should also work with permittees to incorporate authorization for non-emergency use of motorized vehicles into grazing permits consistent with BLM Manual 6340, and to acknowledge such occasional motorized access by permittees in all wilderness plans.

Mining in Wilderness

Humboldt County is aware that certain mining activities, and the maintenance of routes of ingress and egress to access the site of mining activities, are authorized under, and subject to, the Wilderness Act (23 U.S.C. § 1133(d)(2&3) and 23 U.S.C. § 1134(b)) as clarified in BLM Manual 6340—Management of BLM Wilderness(c)(11). All wilderness area plans should include assurances that valid existing mining rights shall be protected, and routes accessing the sites of valid existing mining claims shall remain open and be maintained.

Fire Prevention and Management in Wilderness

The following fire-related sections are supplemental to, and should be read in conjunction with, Chapter XX Wildfire Prevention and Management.

❖ Wildfire Response

Humboldt County is aware that the Wilderness Act affords federal land management agencies broad discretion in the management of fuels and fire response:

“[S]uch measure may be taken as may be necessary in the control of fire, insects, and diseases, subject to such conditions as the Secretary deems desirable.” 16 U.S.C § 1133 (d)(1).

In view of the fact that wildfires have significantly increased both in severity and frequency across the Great Basin generally and in Humboldt County in particular, and that wildfires pose risks to human life and property and cause significant damage to native vegetation and wildlife, air and water quality, and the local economy, Humboldt County shall seek to ensure that all fires on Wilderness Areas are immediately extinguished using all available means, including but not limited to aircraft and mechanized ground equipment.

- All wilderness plans should stipulate that all fires on wilderness areas, including those that are naturally caused, are to be immediately extinguished.

- All wilderness plans and fire plans should include NEPA pre-authorization for use of mechanized equipment on Wilderness Areas in the event of fire incident response.
- All wilderness plans and fire plans should incorporate state and local fire-fighting agencies (specifically RFPAs) and authorize their participation in incident response on wilderness fires with mechanized equipment. (See Chapter XX Wildfire Prevention and Management).

❖ Fuels Management

The “control of fire” on Wilderness Areas authorized by 16 U.S.C § 1133 (d)(1) may reasonably be understood to include the reduction of fine fuels and the achievement of fire resistant and resilient landscapes. Allowing Wilderness Areas to degenerate into fire traps is contrary to the preservation of Wilderness values, and also threatens public health, safety, and welfare within the County.

Federal land management agencies should employ all appropriate and safe tools—specifically targeted and treatment livestock grazing—to ensure that fuel loads on Wilderness Areas are consistent with intergovernmental goals for fire resistant and resilient landscapes (see Chapter XX Wildfire Prevention and Management). Prescribed burning should not be used in Wilderness Areas due to safety issues caused by limited road and vehicle access.

❖ Post-Fire Rehabilitation in Wilderness

All Wilderness Area plans should incorporate plans for timely post-fire stabilization and rehabilitation to ensure soil stability, water quality, and prevent establishment of invasive species. Humboldt County is aware that effective rehabilitation must be accomplished shortly after a fire incident and generally requires mechanized access to Wilderness. Humboldt County is also aware that post-fire rehabilitation on Wilderness Areas is often delayed by NEPA, with the consequence that rehabilitation efforts may be authorized only after the period in which they would be effective has expired. It is therefore Humboldt County’s policy to seek to ensure that agency Wilderness plans and fire plans incorporate programmatic NEPA for mechanized post-fire rehabilitation and stabilization, enabling rehabilitation efforts to be timely authorized under a DNA or CX/CE.

Road Access and Maintenance

Although Wilderness Areas are characterized as “roadless,” Humboldt County is aware that some Wilderness Areas have “cherry stem” roads within their boundaries which are excluded from the wilderness proper. Cherry stem roads are essential for recreational access into certain Wilderness Areas. They also provide critical access for firefighting equipment and personnel, and may provide access for inholdings. Other roads existing within Wilderness Areas include rights-of-way to private inholdings and valid existing mining claims. It is Humboldt County’s

policy to seek to ensure that all pre-existing roads within the boundaries of Wilderness Areas are passable and maintained as needed on an ongoing basis, and that Wilderness plans provide programmatic NEPA authorization for such maintenance. All rights-of-way should be renewed on an ongoing basis to protect pre-existing rights.

Fish and Wildlife Management in Wilderness

While Humboldt County understands federal agencies' obligation to ensure the preservation of wilderness values on Wilderness Areas, the County is also aware that agencies have latitude to authorize certain fish and wildlife management activities pursuant to the guidelines set forth in Appendix B of the Report of the Committee of the Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (House Report 101-405). This includes, but is not limited to, authorizing the occasional and temporary use of motorized vehicles and aircraft, fish stocking and restocking, and other actions for wildlife management, provided that such occasional actions would enhance wilderness values and could be accomplished with minimal impact.

All wilderness managements plans for wilderness areas within Humboldt County should incorporate guidance from House Report 101-405 (see appendix to this chapter), thereby affording State wildlife managers the ability to maintain diverse, viable, and healthy fish and wildlife populations on Wilderness Areas.

Invasive Weed Control in Wilderness

Invasive weeds—including cheat grass, medusa head rye, and ventenata—can spread rapidly if left untreated. Overgrowth of invasive species harms the natural vegetative communities in Wilderness Areas and creates an extreme fire hazard, threatening human life and habitation as well as wilderness values. It is Humboldt County's policy to seek to ensure that all wilderness plans include authorization for the monitoring and rapid treatment of invasive weeds on Wilderness Areas. Invasive weeds should be treated with the most effective means permitted by law with a view to minimizing wide-spread invasion and excessive damage to native plant communities.

Adjacent Management

Wilderness designations should not create, or imply the existence of a protective perimeter or buffer zone around Wilderness. Nonwilderness activities or uses that occur outside of a Wilderness but that can be seen, heard, or detected from within a wilderness should not be limited or precluded.

BLM Lands with Wilderness Characteristics (LWC)

Humboldt County is aware that the BLM maintains, on an ongoing basis, an inventory of "Lands with Wilderness Characteristics" (LWC)—namely, public lands that the BLM has determined to

have the necessary characteristics of a Wilderness Area. LWCs are therefore candidates for Wilderness nomination/recommendation and subsequent Congressional designation as Wilderness Areas, as well as candidates for preservation of wilderness characteristics through agency land use planning. It is the policy of Humboldt County to coordinate with the BLM on all LWC inventory activities by providing its own inventory data, as well as maps, photographs, narratives, and other information germane to LWC determination, consistent with FLPMA, which states:

“[T]o the extent consistent with the laws governing the administration of the public lands, coordinate the land use *inventory*, planning, and management activities of or for such lands with the land use planning and management programs of ... local governments within which the lands are located,”

43 U.S.C. 1712(c)(9) (emphasis added).

Furthermore,

- ❖ It is the policy of Humboldt County to coordinate with the BLM on all LWC land use planning and management activities. Humboldt County expects that planning and management decisions for LWC units be consistent with this Plan to the extent required by 43 U.S.C. 1712(c)(9) and 43 CFR 1610.3-1.
- ❖ With a view to protecting public health, safety, and welfare, it is the position of Humboldt County that LWC units be managed to prioritize a broad complement of the “principle or major uses” recognized in FLPMA (43 U.S.C. 1702(l)) over the preservation of wilderness characteristics.
- ❖ Humboldt County expects that in making LWC determinations, the BLM will adhere to BLM Manual 6310—Conducting Wilderness Characteristics Inventory on BLM Lands (3/15/12). In determining whether a unit meets the criteria for “roadless,” the BLM should adhere to the definition of “road” given in Manual 6310:
 - Road: An access route which has been improved and maintained by mechanical means to insure (*sic*) relatively regular and continuous use. A way maintained solely by the passage of vehicles does not constitute a road.
 - Improved and maintained – Actions taken physically by people to keep the road open to vehicle traffic. “Improved” does not necessarily mean formal construction. “Maintained” does not necessarily mean annual maintenance.
 - Mechanical means – Use of hand or power machinery or tools.
 - Relatively regular and continuous use – Vehicular use that has occurred and will continue to occur on a relatively regular basis. Examples are: access roads for equipment to maintain a stock water tank or other established water sources, access roads to maintained recreation sites or facilities, or access roads to mining claims.

BLM Wilderness Study Areas (WSAs)

WSAs were identified by the wilderness review required by Section 603 of the Federal Land Policy and Management Act (FLPMA) and subsequently recommended to Congress for consideration as Wilderness Areas. Since 1991, the BLM has ceased identifying new WSAs. There are four WSAs within, or in part within, Humboldt County: Lahontan Cutthroat Trout Instant Study Area (ISA); North Fork of the Little Humboldt River; Disaster Peak; and Pueblo Mountains.

Humboldt County strongly supports the immediate and expedient processing of WSA recommendations by Congress. Where Congress chooses to not designate a WSA as a Wilderness Area, it is the position of Humboldt County that subsequent land use planning should prioritize a broad complement of the “principle or major uses” recognized in FLPMA (43 U.S.C. 1702(l)) over the preservation of wilderness characteristics on the former WSA unit. It is also the policy of Humboldt County to coordinate with the BLM on all WSA and former WSA land use planning and management activities. Humboldt County expects that planning and management decisions for WSAs and former WSA units be consistent with this Plan to the extent required by 43 U.S.C. 1712(c)(9) and 43 CFR 1610.3-1.

Humboldt County is aware that until a Congressional determination is made, WSAs will be managed in a manner that maintains the area’s suitability for preservation as wilderness (the “non-impairment standard”). However,

“[m]anagement to the non-impairment standard does not mean that the lands will be managed as though they had already been designated as wilderness. Some uses that could not take place in a designated wilderness area may be permitted under the WSA Management Manual. For example, in many cases it is permissible to use motorized vehicles on some primitive routes in WSAs, while such vehicles are prohibited in designated wilderness under the Wilderness Act.”

BLM Manual 6330 – Management of Wilderness Study Areas

Additionally, BLM Manual 6330 identifies seven exceptions to the non-impairment standard on WSAs, including but not limited to:

- ❖ Emergencies. In emergencies, any action necessary to prevent loss of life or property may be taken, even if the action will impair wilderness suitability. Emergencies include, but may not be limited to, fire, flood, pursuit of criminal suspects, search and rescue operations in cases of lost or injured persons, and recovery of deceased persons.
- ❖ Valid existing rights. Any valid existing right (VER) existing on the date of approval of FLPMA (October 21, 1976)—or prior to the designation date for Section 202 WSAs not reported to Congress—will be recognized. Examples of VERs include: a valid mining claim, a mineral lease, or a right-of-way authorization.
- ❖ Grandfathered uses. Grazing, mining, and mineral leasing uses and facilities that were allowed on the date of approval of FLPMA (October 21, 1976)— or the designation date for Section 202 WSAs not reported to Congress —are grandfathered, i.e. allowed as a preexisting use. As provided for in FLPMA Section 603(c), these uses and facilities may

continue in the same manner and degree as on that date, even if this impairs wilderness suitability. As described in FLPMA, grandfathered uses only include grazing, mining, and mineral leases, and do not include other uses such as recreational activities.

BLM Manual 6330 – Management of Wilderness Study Areas

Forest Service Candidate Wilderness Inventory and Recommendations

Humboldt County is aware that the Forest Service is required to identify, evaluate, analyze, and decide whether to recommend lands that may be suitable for inclusion in the National Wilderness Preservation System (NWPS) in its land use planning efforts:

“In developing a proposed new plan or proposed plan revision, the responsible official shall [...] [i]dentify and evaluate lands that may be suitable for inclusion in the National Wilderness Preservation System and determine whether to recommend any such lands for wilderness designation.”

36 CFR 219.7(c)(2)

Humboldt County expects, consistent with Forest Service Handbook 1909.12 Chapter 70—Wilderness Evaluation that the input of the County and the public will be solicited for the inventory, evaluation, and analysis of units being considered for recommendation as Wilderness Areas:

“The responsible official should use the public participation opportunities provided as part of the broader planning process (FSH 1909.12, ch. 40) to engage the public and other governments to provide feedback and input on the inventory, evaluation, and analysis of areas for wilderness recommendation, and may provide additional participation opportunities specifically on this topic as necessary.”

Humboldt County further expects that in identifying, evaluating, and analyzing areas with potential wilderness characteristics, and subsequently recommending such units for wilderness designation through land use planning, the Forest Service will coordinate its efforts with Humboldt County to the maximum extent required by 16 U.S.C. 1604(a) and 36 CFR 219.4.

Humboldt County is aware that units selected for wilderness recommendation through the Forest Service’s land use planning process will be managed to “[p]rotect and maintain the ecological and social characteristics that provide the basis for their suitability for wilderness designation,” 36 CFR 219.10 (b) (iv).

However, it is Humboldt County’s policy to seek to ensure that units examined in any of the inventory, evaluation, or analysis stages which were not recommended for inclusion in the NWPS be managed, according to the final decision document, to include a broad compliment of multiple use activities, and not for preservation of wilderness characteristics. (Forest Service Handbook 1909.12 Chapter 70 Sec. 74). Forest Service land use planning decisions for units

ultimately not recommended for inclusion in the NWPS should be coordinated with Humboldt County to the maximum extent required by 16 U.S.C. 1604(a) and 36 CFR 219.4.

National Monuments

Humboldt County is aware that national monuments on public lands may be designated either by an act of Congress or by the President under the Antiquities Act (16 U.S.C. 431-433). Humboldt County opposes the designation of any national monument within its boundaries unless the proposal has been coordinated with the County and has strong support within the local community. In the event that a national monument is created within Humboldt County, it is the policy of the County to seek to ensure 1) its ongoing multiple use-sustained yield management; 2) that a network of roads for user access and management activities is regularly maintained with a view to protecting the public health, safety, and welfare; 3) that there are no restrictions on or elimination of customary uses, unless there is a clearly demonstrated need to the contrary.

Humboldt County expects that planning and management of national monuments be coordinated with the County, and management decisions for national monuments on lands managed by the BLM be consistent with this Plan to the extent required by 43 U.S.C. 1712(c)(9) and 43 CFR 1610.3-1.

National Conservation Areas (NCAs)

Humboldt County is aware that Congress is authorized to designate NCAs on lands managed by the BLM. Presently, there is one NCA in Humboldt County—the Black Rock Desert-High Rock Canyon Emigrant Trails NCA. Humboldt County opposes the designation of any additional NCAs within its boundaries unless the proposal has been coordinated with the County and has strong support within the local community. In the event that another NCA is created within Humboldt County, it is the policy of the County to seek to ensure broad multiple use-sustained yield management and a regularly maintained network of roads for user access and management activities with a view to protecting the public health, safety, and welfare on the NCA. Unless a clear need to the contrary is explicitly demonstrated, Humboldt County opposes restrictions on or elimination of customary uses on NCAs.

Humboldt County expects that planning and management of NCAs be coordinated with the County, and management decisions for NCAs be consistent with this Plan to the extent required by 43 U.S.C. 1712(c)(9) and 43 CFR 1610.3-1.

Areas of Critical Environmental Concern (ACECs)

An ACEC is an administrative designation used by the BLM in its land use planning process and authorized under FLPMA. Federal regulations define the designation as follows:

“Areas of Critical Environmental Concern or ACEC means areas within the public lands where special management attention is required (when such areas are developed or used or where no development is required) to protect and prevent irreparable damage to important historic, cultural, or scenic values, fish and wildlife resources, or other natural systems or processes, or to protect life and safety from natural hazards. The identification of a potential ACEC shall not, of itself, change or prevent change of the management or use of public lands.”

43 CFR 1601.0-5

The BLM identifies Research Natural Areas (RNAs) and Outstanding Natural Areas (ONAs) as specific types of ACEC. Because the BLM must use the same criteria to evaluate existing or proposed RNAs and ONAs as it uses to evaluate existing or proposed ACECs, all three designations are here addressed together as “ACECs.”

Humboldt County is aware that in order to designate an ACEC, the BLM must demonstrate:

- ❖ that the area possesses values meeting the relevance and importance standards (CFR 43 1610.7-2(a));
- ❖ that special management is required (43 CFR 1601.0-5(a)) to protect and prevent irreparable damage to these values (i.e. general site-specific planning is inadequate) or to protect life and promote safety where natural hazards exist.

ACEC proposals, as well as the subsequent planning and management of designated ACECs, should be fully coordinated with Humboldt County to the maximum extent required by 43 U.S.C. 1712(c)(9) and 43 CFR 1610.3-1. ACEC designations and subsequent management decisions for ACECs should be consistent with this Plan to the maximum extent required by 43 U.S.C. 1712(c)(9) and 43 CFR 1610.3-1.

It is the policy of Humboldt County to oppose the designation of ACECs for which:

- ❖ Relevance and importance criteria for the values present—or presence of significant natural hazards—have not been clearly and explicitly demonstrated.
- ❖ Substantial evidence has not been provided demonstrating that protection and prevention of irreparable harm to the values present—or protection of life from natural hazards—requires special management.
- ❖ The area of the proposed ACEC is larger than the minimum necessary to protect and prevent irreparable harm to the values present, or to protect life from natural hazards.
- ❖ Proposed restrictions on land and resource uses exceed the minimum restrictions necessary to protect and prevent irreparable harm to the values present, or to protect life from natural hazards.

APPENDIX B.—WILDLIFE MANAGEMENT GUIDELINES

Subsection 2(h) of H.R. 2570 explicitly provides that, in furtherance of the purposes and principles of the Wilderness Act, management activities to maintain or restore fish and wildlife populations and the habitats that support those populations may be carried out in wilderness areas, where consistent with relevant wilderness management plans, in accordance with appropriate policies and guidelines.

The Committee has reviewed the existing BLM policies and guidelines for fish and wildlife management in Bureau of Land Management wilderness areas, as set out in BLM's wilderness management manual, and has found them to be in furtherance of the purposes and principles of the Wilderness Act. Those policies and guidelines are as follows:

A. PURPOSE

This statement of policy and the following guidelines are intended to provide guidance to State and Federal personnel for the management of fish and wildlife in wilderness in accordance with the Wilderness Act of 1964 (16 USC 1131–1136). Both State and Federal agencies are responsible for fostering mutual understanding and cooperation in the management of fish and wildlife in wilderness. These guidelines should serve as a framework for cooperation among the Forest Service, Bureau of Land Management, and the States in the coordination of fish and wildlife management and in the development of cooperative agreements or other management plans.

These policies and guidelines were developed within the overall context of the purpose and direction of the Wilderness Act, and they should be made available to all agencies responsible for management of the National Wilderness Preservation System, to appropriate State fish and wildlife agencies, and to other interested parties.

B. GENERAL POLICY

Fish and wildlife management activities in wilderness will be planned and carried out in conformance with the Wilderness Act's purpose of securing an "enduring resource of wilderness" for the American people. The wilderness resource is defined in section 2(c) of the Act, as an area essentially "untrammelled by man", where natural ecological processes operate freely and the area is "affected primarily by the forces of nature." The National Wilderness Preservation System will be managed to ensure that ecological succession, including fire and infestation of insects, operate as freely as possible with only minimum influence by humans.

Fish and wildlife management activities will emphasize the protection of natural processes. Management activities will be guided by the principle of doing only the minimum necessary to manage the area as wilderness.

Section 4(d)(7) of the Wilderness Act stipulates that “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.” Angling, hunting, and trapping are legitimate wilderness activities, subject to applicable State and Federal laws and regulations.

This nation is fortunate in having a National Wilderness Preservation System encompassing a wide range of ecosystems. Specific on-the-ground conditions will result in slightly different application of these guidelines in so vast a system. These different applications are spelled out in National Forest Plans or wilderness management plans. This is both appropriate and proper, if we are to allow nature to play the dominant role.

1. Use of motorized equipment

Section 4(c) of the Wilderness Act states:

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.

The emphasis is on the management of the area as wilderness as opposed to the management of a particular resource. This language is viewed as direction that all management activities within wilderness be done without motor vehicles, motorized equipment, or mechanical transport, unless truly necessary to administer the area or are specifically permitted by other provisions in the Act. It means that any such use should be rare and temporary; that no roads can be built; and that wilderness managers must determine such use is the minimum necessary to accomplish the task. Any use of motorized equipment or mechanical transport requires advance approval by the administering agency.

2. Fish and wildlife research and management surveys

Research on fish and wildlife, their habitats and the recreational users of these resources is a legitimate activity in wilderness when conducted “in a manner compatible with the preservation of the wilderness environment” (Sec. 4(d)(1) of the Wilderness Act). Methods that temporarily infringe on the wilderness environment may be approved if alternative methods or other locations are not available. Research or management surveys must be approved in writing, on a case-by-case basis, by the administering agency.

Helicopters and fixed-wing aircraft overflights may be used to conduct approved fish and wildlife research activities. Aircraft

must be used in a manner that minimizes disturbance of other users, including humans and wildlife.

All fish and wildlife studies within and over wilderness must be conducted so as to preserve the natural character of the wilderness. Aerial counts and observations of wildlife may be permissible for management of wilderness wildlife resources. Capturing and marking of animals, radio telemetry, and occasional temporary installations (such as shelters for cameras and scientific apparatus and enclosures and exclosures essential for wildlife research or management surveys) may be permitted, if they are essential to studies that cannot be accomplished elsewhere.

Guidelines

- a. Obtain specific written approval or permits from the administering agency before erecting any structure, enclosure, or exclosure.
- b. Locate and construct all structures so as to make them unobtrusive on the landscape.
- c. Construct structures of native materials or camouflage to make them blend with their natural surroundings.
- d. Plan aircraft flights over wilderness to minimize disturbance. Consider time of day, season of the year, route and altitude of flight, and location of landing areas on the perimeter of the wilderness.
- e. Research projects underway when a wilderness is designated may continue, but modify research methods to minimize disturbance of the wilderness environment.
- f. Installation of permanent base stations within wilderness is not permitted for monitoring of radio-instrumented animals.
- g. The administering agency should only approve capture methods that minimize the impact on the wilderness environment.

3. Facility development and habitat alteration

In rare instances, facility development and habitat alteration may be necessary to alleviate adverse impacts caused by human activities on fish and wildlife. For the benefit of wildlife that spend only part of the year in wilderness, give first priority to locating facilities or habitat alterations outside wilderness.

Flow-maintenance dams, water developments, water diversion devices, ditches and associated structures, and other fish and wildlife habitat developments necessary for fish and wildlife management (which were in existence before wilderness designation) may be permitted to remain in operation.

Clearing of debris that impedes the migratory movements of fish on primary spawning streams may be permitted, but only in a manner compatible with the wilderness resource.

Maintenance of existing water supplies and development of additional water supplies may be permitted, but only when essential to preserve the wilderness resource and to correct unnatural conditions resulting from human influence.

Guidelines

- a. Submit proposals for new structures or habitat alterations to the administering agency for approval.

b. Build or maintain new and existing structures permitted for wildlife management in a manner that minimizes the visual impacts on the landscape.

c. Limit clearing of debris from spawning streams to those identified in the wilderness management plan as being critical to the propagation of fish.

d. Use only nonmotorized equipment to clear debris. Use explosives only when the use of hand tools is not practical, and only outside of heavy visitor-use periods.

e. The administering agency and the State agency will jointly make decisions to remove existing water related improvements.

f. If it is necessary to restore essential food plants after human disturbance, use only indigenous plant species.

4. Threatened and endangered species

Many wilderness areas provide important habitat for Federally listed threatened and endangered species of wildlife. Actions necessary to protect or recover threatened or endangered species, including habitat manipulation and special protection measures, may be implemented in wilderness. But such actions must be necessary for the perpetuation of recovery of the species and it must be demonstrated that the actions cannot be done more effectively outside wilderness. Use only the minimum actions necessary and the methods most appropriate in wilderness.

Guidelines

a. Manage wilderness to protect known populations of Federally listed threatened or endangered species where necessary for their perpetuation and to aid in their recovery in previously occupied habitat.

b. When alternative areas outside of wilderness offer equal or better opportunities for habitat improvement or species protection, take actions to recover threatened or endangered species outside of wilderness first.

c. Threatened and endangered species may be transplanted into previously occupied habitat within wilderness.

d. All transplants or habitat improvement projects require approval by the administering agency.

e. To prevent Federal listing, protect indigenous species that could become threatened or endangered or are listed as threatened or endangered by States.

5. Angling, hunting and trapping

Angling, hunting and trapping are legitimate wilderness activities subject to applicable State and Federal laws and regulations.

6. Population sampling

Scientific sampling of fish and wildlife populations is an essential procedure in the protection of natural populations in wilderness.

Guidelines

a. Use only methods that are compatible with the wilderness environment.

b. Gill netting, battery-operated electrofishing, and other standard techniques of population sampling may be used.

c. Closely coordinate sampling activities with the administering agency and schedule them to avoid heavy public-use periods.

7. Chemical treatment

Chemical treatment may be necessary to prepare waters for the reestablishment of indigenous species, to protect or recover Federally listed threatened or endangered species, or to correct undesirable conditions resulting from the influence of man. Species of fish traditionally stocked before wilderness designation may be considered indigenous if the species is likely to survive. Undesirable conditions and affected species shall be identified in wilderness plans.

Guidelines

- a. Use only registered pesticides according to label directions.
- b. In selecting pesticides, give preference to those that will have the least impact on non-target species and on the wilderness environment.
- c. Schedule chemical treatments during periods of low human use, insofar as possible.
- d. Immediately dispose of fish removed in a manner agreed to by the administering agency and the State agency.

8. Spawn taking

The collection of fish spawn shall be permitted from wilderness when alternative sources are unavailable or unreliable, or where spawn taking was an established practice before wilderness designation.

Guidelines

- a. Do not use motorized equipment to assist in collecting and removing spawn.
- b. Use of techniques and facilities necessary to take spawn, which were in existence before wilderness designation, may continue as provided for in the wilderness management plan.
- c. Facilities for spawn-taking stations approved after wilderness designation must be removed after the termination of each season's operation.
- d. Decisions to prohibit spawn taking, where it was an established practice before wilderness designation, will be made jointly by the administering agency and the state agency.

9. Fish stocking

Fish stocking may be conducted by the State agency in coordination with the administering agency, using means appropriate for wilderness, when either of the following criteria is met: (a) to reestablish or maintain an indigenous species adversely affected by human influence; or (b) to perpetuate or recover a threatened or endangered species.

Selection of species for stocking will be determined jointly by the administering agency and the state agency. Exotic species of fish shall not be stocked. The order of preference for stocking fish species is (a) Federally listed threatened or endangered indigenous spe-

cies, (b) indigenous species. Species of fish traditionally stocked before wilderness designation may be considered indigenous if the species is likely to survive. Numbers and size of fish and time of stocking will be determined by the State agency.

Barren lakes and streams may be considered for stocking, if there is mutual agreement that no appreciable loss of scientific values or adverse effects on wilderness resources will occur.

Guidelines

a. The State agency shall make fish stocking schedules available to the administering agency, indicating what species and numbers are planned for each water within a wilderness.

b. Adjust stocking rates to minimize the likelihood of exceeding the carrying capacity of the water being stocked so as to reduce the chance of producing a population imbalance and to minimize the likelihood of attracting overuse detrimental to the wilderness resource.

10. Aerial fish stocking

Aerial stocking of fish shall be permitted for those waters in wilderness where this was an established practice before wilderness designation or where other practical means are not available. Aerial stocking requires approval by the administering agency.

Guidelines

a. As justification for aerial stocking, the State agency will supply the administering agency a list of those waters where stocking with aircraft was an established practice before wilderness designation, indicating the type of aircraft used (fixed-wing or helicopter). This justification will become a part of the wilderness management plan.

b. To stock waters that had not been aerially stocked before wilderness designation, the State agency will demonstrate to the administering agency the need for using aircraft.

c. Plan aircraft flights over wilderness to minimize disturbance. Consider season of year, time of day, route and altitude of flight, and location of landing areas on the perimeter of the wilderness.

11. Transplanting wildlife

Transplants (removal, reintroduction, or supplemental introduction) of terrestrial wildlife species in wilderness may be permitted if necessary: (a) to perpetuate or recover a threatened or endangered species; or (b) to restore the population of an indigenous species eliminated or reduced by human influence.

Transplants shall be made in a manner compatible with the wilderness character of the area. Transplant projects, including follow-up monitoring, require advance written approval by the administering agency.

Guidelines

a. Motorized methods and temporary holding and handling facilities may be permitted if they are the minimum necessary to accomplish an approved transplant.

12. Wildlife damage control

Wildlife damage control in wilderness may be necessary to protect Federally listed threatened or endangered species, to prevent transmission of diseases or parasites affecting other wildlife and humans, or to prevent serious losses of domestic livestock. Control of nonindigenous species, also may be necessary to reduce conflicts with indigenous species, particularly if the latter species are threatened or endangered.

Guidelines

a. Acceptable control measures include lethal and nonlethal methods, depending upon need, justification, location, conditions, efficiency and applicability of State and Federal laws.

b. Control measures will be implemented by the Animal and Plant Health Inspection Service, the administering agency, the State fish and wildlife agency, or other approved State agency, pursuant to cooperative agreements or memoranda of understanding. Wildlife damage control must be approved by the administering agency on a case-by-case basis.

c. Direct control at individual animals causing the problem.

d. Use only the minimum amount of control necessary to solve the problem.

e. Use pesticides only where other measures are impractical. Use only registered pesticides according to label directions and subject to the following restrictions:

(1) Pesticides may be applied only by certified pesticide applicators.

(2) The placement of pesticides shall be accurately indicated on the largest scale USGS map available.

(3) Place warning signs at the entrance to the area where pesticides are being used to warn the public of any dangers to themselves or their pets.

(4) In the selection of pesticides, give preference to those that will have the least impact on non-target species and on the wilderness environment.

13. Visitor management to protect wilderness wildlife resources

Many wildlife species are sensitive to human encroachments on their ranges. Grizzly bear, bighorn sheep, elk, mountain goat, birds of prey (such as peregrine falcon and bald eagle), other migratory and resident birds, and certain other wilderness wildlife species cannot tolerate excessive human disturbance, particularly during certain seasons of the year.

When necessary to reduce human disturbance to a wildlife species, the administering agency, in coordination with the State agency, may take direct or indirect management actions to control visitor use.

Guidelines

a. Specify in the wilderness management plan the management actions necessary and the agency responsible to reduce conflicts with wildlife.

b. If and when it becomes apparent that public use is significantly degrading the wilderness wildlife resources, limitations on visitor use may be imposed and enforced by the appropriate agency. Any limitations will be applied equitably to all wilderness visitors.

14. Management of fire

The objectives of fire management in wilderness are to: (a) permit lightning-caused fires to play, as nearly as possible, their natural ecological role within wilderness and (b) reduce, to an acceptable level, the risks and consequences of wildfire within wilderness or escaping from wilderness. Fire ignited by lightning will be permitted to burn or will be suppressed as prescribed in an approved plan. Prescribed fires ignited by man may be permitted to reduce unnatural buildup of fuels only if necessary to meet objectives (a) and (b) above. Although additional benefits may result from man-ignited prescribed fire, vegetative manipulation will not be used to justify such fires.

