

**FISH AND WILDLIFE SERVICE
NATURAL AND CULTURAL RESOURCES MANAGEMENT**

Natural and Cultural Resources Management

Part 610 Wilderness Stewardship

Chapter 1 General Overview of Wilderness Stewardship Policy

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1.1 What is the purpose of Part 610 and this chapter?

A. Part 610 provides an overview and foundation for implementing the Wilderness Act and the National Wildlife Refuge System Administration Act of 1966, as amended (Administration Act).

B. This chapter provides an overview of policy for managing wilderness areas within the National Wildlife Refuge System (Refuge System).

1.2 What is the scope of this chapter?

A. This chapter covers:

(1) Congressionally designated wilderness (see Exhibit 1) and

(2) Proposed wilderness.

B. Where this guidance conflicts with provisions of legislation establishing wilderness on specific refuges, the provisions of the establishing legislation take precedence (see section 1.3F).

C. We administer wilderness areas in Alaska following the guidance in this chapter. The policy addresses the special provisions regarding Alaska wilderness in the Alaska National Interest Lands Conservation Act (ANILCA), and there should be no conflicts. However, if anything in the policy conflicts with the provisions of ANILCA, the provisions of ANILCA prevail. Refer to 610 FW 5 for some of the special provisions for wilderness in Alaska.

1.3 What are the authorities for this policy?

A. National Wildlife Refuge System Administration Act of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997 (Administration Act) (16 U.S.C. 668dd - ee).

B. Endangered Species Act of 1973 (16 U.S.C. 1531-1544), as amended.

C. Wilderness Act of 1964 (16 U.S.C. 1131-1136).

D. Alaska National Interest Lands Conservation Act of 1980 (ANILCA) (16 U.S.C. 410hh - 3233, 43 U.S.C. 1602-1784).

E. Clean Air Act of 1970, as amended (42 U.S.C. 7401 et seq).

F. Specific U.S. Fish and Wildlife Service (Service) Wilderness Area Authorities. Public Laws 90-532, 91-504, 92-364, 93-429, 93-550, 93-632, 94-557, 95-450, 96-487, 96-560, 97-211, 98-140, 101-628, 103-433, 104-167, and 104-333.

G. National Environmental Policy Act (NEPA) of 1969, as amended (42 U.S.C. 4321-4347), and the Council on Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provisions of NEPA (40 CFR 1500-1508).

1.4 What are the priorities in implementing this policy? We will consider three main priorities in the following order when administering refuge wilderness areas: The Administration Act, the Endangered Species Act, and the Wilderness Act. We initially determine what needs to be accomplished to meet

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refuge purposes, then ensure that these activities comply with the Endangered Species Act, and then ensure that these activities comply with the Wilderness Act.

1.5 What terms do you need to know to understand Part 610?

A. Aldo Leopold Wilderness Research Institute. A Federal research institute located in Missoula, Montana and established in 1993 to develop "the knowledge needed to improve management of wilderness and other natural areas." The Institute operates under an interagency agreement among the Service, the Bureau of Land Management (BLM), the National Park Service (Park Service), the U.S. Forest Service (Forest Service), and the Biological Resources Division of the U.S. Geological Survey.

B. Alien or Nonnative Species. With respect to a particular ecosystem, any species, including its seeds, eggs, spores, or other biological material capable of propagating that species, that is not native to that ecosystem.

C. Arthur Carhart National Wilderness Training Center (Carhart Center). A Federal training center located in Missoula, Montana and established in 1993 to "foster interagency excellence in wilderness stewardship by cultivating knowledgeable, skilled, and capable wilderness managers and by improving public understanding of wilderness philosophy, values, and processes." The Carhart Center offers training across the country using experts from all levels of the four Federal wilderness-managing agencies and outside organizations. The Center operates under an interagency agreement among the Service, BLM, Park Service, and Forest Service.

D. Commercial Photography. A visual recording (motion or still) by firms or individuals (other than news media representatives) who intend to distribute their photographic content for money or other consideration. This includes the creation of products by educational, entertainment, or commercial enterprises, including advertising audio-visuals for the purpose of paid products or services, publicity, and commercially oriented photo contests.

E. Contiguous. Lands or legal subdivisions having a common boundary. Lands having only a common corner are not contiguous.

F. Designated Wilderness Area. An area designated in legislation and administered as part of the National Wilderness Preservation System). See Exhibit 1.

G. Emergency. A situation within a wilderness area that requires immediate action because of imminent danger to the health and safety of people within that wilderness area.

H. Existing Private Rights. Existing private rights are property rights:

- (1) In existence on the date of the wilderness designation or on a date provided for in the act that designated an area as wilderness;
- (2) That were created by a legally binding conveyance, lease, deed, contract, or other document; or
- (3) That are otherwise provided by Federal law.

I. Generally Prohibited Use. Section 4(c) of the Wilderness Act generally prohibits temporary roads, motor vehicles, motorized equipment, motorboats, mechanical transport, landing of aircraft, structures, and installations.

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J. Integrated Pest Management (IPM). A sustainable ecosystem-based decisionmaking process for managing invasive species, pests, and diseases through a combination of biological, physical, cultural, chemical, and other practices. The goal of IPM is to remove or reduce only the target organism(s) with the least possible risk to other organisms.

K. Invasive Species. Alien or nonnative species whose introduction causes or is likely to cause economic or environmental harm or harm to human health.

L. Mechanical Transport. Any device for moving people or material on, over, or through land, water, or air that has moving parts, provides a mechanical advantage to the user, and is powered by a living or nonliving power source.

(1) This includes, but is not limited to, sailboats, hang gliders, parachutes, bicycles, carts, and wagons.

(2) We do not include:

(a) Wheelchairs when used by those whose disabilities require wheelchairs for locomotion;

(b) Skis, snowshoes, rafts, canoes, sleds, travois, or similar devices.

M. Minimum Requirement Analysis (MRA). A decisionmaking process, documented in writing, that we use to determine if proposed refuge management activities conducted in wilderness are necessary to administer the area as wilderness and to accomplish the purposes of the refuge, including Wilderness Act purposes. If the activities are necessary, the MRA also describes how to minimize resultant impacts.

N. Minimum Tool. The least intrusive tool, equipment, device, force, regulation, or practice determined to be necessary to achieve a refuge management activity objective in wilderness.

O. Motorized Equipment. Machines that use or are activated by a motor, engine, or other power source.

(1) We include, but do not limit this to, motorized portable tools, chain saws, aircraft, snowmobiles, generators, motorboats, and motor vehicles.

(2) We do not include small, handheld, portable devices such as shavers, wristwatches, flashlights, cameras, stoves, cellular telephones, radios, GPS units, or other similar small equipment. We do not include motorized wheelchairs when used by those whose disabilities require wheelchairs for locomotion.

P. Native Species. With respect to a particular ecosystem, a species that, other than as a result of an introduction, historically occurred or currently occurs in that ecosystem.

Q. Nondegradation Principle. This concept specifies that, at the time of wilderness designation, the conditions prevailing in an area establish a benchmark of that area's wilderness character and values. We will not allow the wilderness character and values of the wilderness to be degraded below that benchmark. The presence of undesirable conditions in one wilderness does not set a precedent or standard that we apply to another area.

R. Primitive Recreation. Activities that provide dispersed, undeveloped recreation and do not generally require permanent facilities.

S. Primitive Tool. The equipment or methods that make use of the simplest available technology that relies on human or animal power.

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T. Proposed Wilderness. An area of the Refuge System that the Secretary of the Interior (Secretary) has recommended to the President for inclusion in the NWPS. The President then transmits the wilderness proposal to Congress. Once the Secretary transmits the recommendation to the President, we consider the area “proposed wilderness” and will manage it as designated wilderness. See 610 FW 5.18 for additional provisions applicable in Alaska.

U. Recommended Wilderness. An area of the Refuge System that the Director of the Service has recommended to the Secretary through the Assistant Secretary for Fish, Wildlife, and Parks for inclusion in the NWPS. See 610 FW 5.18 for additional provisions applicable in Alaska.

V. Refuge Management Activity. An activity conducted by the Service or a Service-authorized agent to fulfill one or more purposes of the national wildlife refuge or the National Wildlife Refuge System mission. Service-authorized agents may include State fish and wildlife agencies. Other Service-authorized agents may include contractors, cooperating agencies, cooperating associations, refuge support groups, and volunteers.

W. Refuge Management Economic Activity. A management activity on a refuge that results in generation of a commodity that is or can be sold for income or revenue or traded for goods or services. Examples include: farming, grazing, haying, timber harvesting, and trapping.

X. Refuge Purpose(s). The purpose(s) specified in or derived from the law, proclamation, Executive order, agreement, public land order, donation document, or administrative memorandum establishing, authorizing, or expanding a refuge, refuge unit, or refuge subunit. For refuges that encompass congressionally designated wilderness, the purposes of the Wilderness Act are within and supplemental to the refuge purposes for the wilderness portion of the refuge.

Y. Refuge Use. A recreational use (including refuge actions associated with a recreational use or other general public use), refuge management economic activity, or other use of a refuge by the public or other non-Refuge-System entity.

Z. Roadless Area. A reasonably compact area of undeveloped Federal land that has the general characteristics of a wilderness and within which there is no improved road suitable for public travel by means of four-wheeled, motorized vehicles intended primarily for highway use. A route maintained solely by the passage of vehicles does not constitute a road.

AA. Roadless Island. A roadless area that is surrounded by permanent waters or that is markedly distinguished from surrounding lands by topographical or ecological features such as precipices, canyons, thickets, or swamps.

BB. Solitude. Wilderness solitude is a state of mind, a mental freedom that emerges from settings where visitors experience nature essentially free of the reminders of society, its inventions, and conventions. Privacy and isolation are important components, but solitude also is enhanced by the absence of distractions, such as large groups, mechanization, unnatural noise and light, unnecessary managerial presence (such as signs), and other modern artifacts.

CC. Temporary Structure. A structure with no permanent foundation that is easy to assemble, dismantle, and transport and is removed from a site between periods of actual use except as specifically permitted otherwise.

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DD. Untrammeled. A key descriptor of wilderness in the Wilderness Act, untrammeled refers to the freedom of a landscape from the human intent to permanently intervene, alter, control, or manipulate natural conditions or processes.

EE. Wheelchair. A device designed solely for use by a mobility-impaired person for locomotion and that is suitable for use in an indoor pedestrian area.

FF. Wilderness. See section 1.7 for a description of wilderness.

GG. Wilderness Character. See section 1.13 for a description of wilderness character.

HH. Wilderness Review. The inventory, study, and decisionmaking process we use to determine whether to recommend Refuge System lands and waters for wilderness designation.

II. Wilderness Study Area (WSA). An area we are considering for wilderness designation. We identify and establish WSAs through the inventory component of a wilderness review. WSAs include all areas that are still undergoing the review process, areas for which a final determination of suitability and recommendation for wilderness designation in the record of decision for the comprehensive conservation plan (CCP) is pending, and areas recommended for wilderness designation in a final CCP and awaiting approval by the Director. We consider areas recommended by the Director "recommended wilderness." See 610 FW 5.18 for additional provisions applicable in Alaska.

JJ. Wilderness Values. Wilderness values are biophysical (e.g., ecosystems, scenery, and natural processes), psychological (e.g., opportunity for solitude or primitive and unconfined recreation), symbolic (e.g., national and natural remnants of American cultural and evolutionary heritage), and spiritual (e.g., sense of connection with nature and values beyond one's self).

KK. Wildness. The state of being free from human control and untrammeled.

1.6 Who is responsible for wilderness stewardship in the Service?

A. The Director:

(1) Provides guidance for national policy for wilderness stewardship and wilderness reviews to ensure compliance with all applicable authorities.

(2) Approves or declines to approve wilderness recommendations and associated legislative environmental impact statements (EIS).

(3) Transmits approved recommendations and wilderness study reports to the Secretary.

B. The Assistant Director, National Wildlife Refuge System:

(1) Develops national policy for wilderness stewardship and wilderness reviews to ensure compliance with all applicable authorities.

(2) Approves the wilderness stewardship handbook. This handbook, which is being developed, will provide detailed guidance on applying and implementing the wilderness stewardship policy.

(3) Is responsible for interagency coordination.

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(4) Designates a national wilderness coordinator.

(5) Reviews and forwards approved wilderness recommendations to the Director.

C. The National Wilderness Coordinator:

(1) Advises the Assistant Director, National Wildlife Refuge System, on wilderness issues.

(2) Coordinates wilderness stewardship policies with other Federal wilderness management agencies.

(3) Coordinates with and provides assistance to Regional and refuge offices on wilderness issues.

(4) Develops the wilderness stewardship handbook.

(5) By September 1 of each year, sends a formal request to Regional offices directing them to develop and submit the annual Wilderness Acreage and Staff Training Report (see Exhibit 2) by October 1.

D. Regional Directors:

(1) Ensure Regional compliance with the wilderness stewardship policy and other applicable authorities.

(2) Approve or decline to approve wilderness recommendations in CCPs, CCP amendments, and associated NEPA compliance.

(3) Ensure we administer wilderness areas, proposed wilderness, recommended wilderness, and WSAs in accordance with approved CCPs and wilderness stewardship plans (WSPs), as applicable.

(4) Notify the Director, through the Assistant Director, National Wildlife Refuge System, about controversial or complex wilderness stewardship decisions or wilderness recommendations.

E. Regional Chiefs, National Wildlife Refuge System:

(1) Approve or decline to approve all WSPs, and review and concur with wilderness recommendations prior to submission to the Regional Director.

(2) In accordance with the guidance in section 1.20, review all minimum requirement decisions for refuge supervisors who lack the training described in section 1.23C to decide whether or not to approve them.

(3) Notify the Regional Director about controversial or complex wilderness stewardship decisions or wilderness recommendations.

(4) Designate a Regional wilderness coordinator.

F. Refuge Supervisors:

(1) Provide guidance on compliance with Refuge System policy and regulations and oversee participation of the refuge manager in WSP preparation and implementation and wilderness reviews.

(2) Approve or decline to approve WSPs and determinations that WSAs are suitable for wilderness designation and sends them to the Regional Chief.

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(3) When trained, reviews all minimum requirement decisions for refuge managers without the training described in section 1.23D to decide whether or not to approve them. Refuge supervisors without the training described in section 1.23C must send all MRAs to a trained refuge supervisor or trained Regional Chief for approval, according to the guidance in section 1.20.

G. Regional Wilderness Coordinators:

- (1) Advise the Regional Directorate and Regional staff on the Wilderness Act and related issues.
- (2) Review WSPs and provide recommendations to the authors and approving officials.
- (3) Review and comment on wilderness review documents, including inventories, studies, and recommendations.
- (4) Review, comment, and concur/nonconcur for refuge managers without the training described in section 1.23D on all MRAs and decisions.
- (5) Discuss nonconcurrency with refuge managers prior to sending decisions to refuge supervisors for approval.
- (6) Receive and file written copies of all minimum requirement decisions.
- (7) Maintain and compile data for the annual Wilderness Acreage and Staff Training Report that is due by October 1 of each year. Submit nominees for national wilderness stewardship training to the Carhart Center.
- (8) Coordinate on wilderness issues within the Region, with the National and other Regional wilderness coordinators, with Service representatives to national wilderness centers/institutes, and with all interested parties—Federal, State, local, tribal, and private.

H. Refuge Managers:

- (1) Protect, administer, and monitor wilderness areas in accordance with the wilderness stewardship policy and other applicable authorities.
- (2) Ensure that the refuge CCP addresses the stewardship direction of the unit's designated wilderness.
- (3) Develop and implement the WSP.
- (4) Conduct wilderness reviews, including sending to the refuge supervisor determinations that WSAs are suitable for wilderness designation.
- (5) Provide information to the Regional wilderness coordinator for the annual Wilderness Acreage and Staff Training Report (see Exhibit 2).
- (6) Conduct, document in writing, and approve MRAs and decisions. Refuge managers without the training described in section 1.23D must send all MRAs to the Regional wilderness coordinator for concurrence and the refuge supervisor for approval (subject to the guidance in section 1.20).
- (7) Send copies of all MRAs to the Regional wilderness coordinator.

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(8) Conduct all activities identified above in full coordination with State fish and wildlife agency representatives (see section 1.11).

1.7 What is wilderness? The definition of wilderness is in section 2(c) of the Wilderness Act: “A wilderness, in contrast with those areas where man and his works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historic value.”

1.8 What are the purposes of the Wilderness Act? The purposes of the Wilderness Act are to:

A. Secure an enduring resource of wilderness;

B. Protect and preserve the wilderness character of areas within the National Wilderness Preservation System (NWPS); and

C. Administer the NWPS for the use and enjoyment of the American people in a way that will leave these areas unimpaired for future use and enjoyment as wilderness.

D. Gather and disseminate information regarding the use and enjoyment of wilderness areas.

1.9 What is the National Wilderness Preservation System (NWPS)? The NWPS is the network of federally owned areas designated by Congress as wilderness and managed by one of four Federal agencies: the Service, BLM, Park Service, or the Forest Service. The NWPS includes over 600 areas and more than 105 million acres (42 million hectares). The Refuge System includes over 20 million acres of wilderness in more than 60 refuges.

1.10 How does the Service coordinate stewardship of the NWPS with other Federal agencies?

A. We maintain effective intra-agency and interagency communications and cooperation and encourage, sponsor, and participate in interagency training, workshops, and teams to promote the sharing of ideas, concerns, policies, and techniques related to wilderness stewardship.

B. We support the two Federal interagency wilderness facilities: the Arthur Carhart National Wilderness Training Center (Carhart Center) and the Aldo Leopold Wilderness Research Institute.

C. We seek to achieve consistency in wilderness stewardship wherever possible and in accordance with refuge purpose(s) and the Refuge System mission. In areas where our wilderness adjoins wilderness administered by another land management agency, we coordinate with that agency to achieve as much consistency as possible in the application of stewardship practices and wilderness regulations. Refuge managers should consider creating joint wilderness stewardship plans with neighboring or nearby wilderness areas to better protect the NWPS and to facilitate appropriate and compatible public use.

1.11 How does the Service coordinate wilderness stewardship with State fish and wildlife agencies? Both the Service and State fish and wildlife agencies have authorities and responsibilities for management of fish and wildlife on refuges as described in 43 CFR part 24.

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A. Consistent with the Administration Act, as amended by the Improvement Act, the Director:

(1) Must interact, coordinate, cooperate, and collaborate with the State fish and wildlife agencies in a timely and effective manner on the acquisition and management of refuges, and appurtenant wilderness areas.

(2) Must ensure that Refuge System regulations and management plans are, to the extent practicable, consistent with State laws, regulations, and management plans (e.g., State comprehensive wildlife strategies).

B. Refuge managers are the designated representatives of the Director for carrying out these directives.

C. We must provide State fish and wildlife agencies timely and meaningful opportunities to participate in the development and implementation of programs conducted under this policy. This opportunity most commonly occurs through State fish and wildlife agency representation on the CCP planning team. However, we will provide other opportunities for the State fish and wildlife agencies to participate in the development and implementation of program changes that we make outside of the CCP process. We will continue to provide State fish and wildlife agencies opportunities to discuss and, if necessary, elevate decisions within the hierarchy of the Service.

1.12 What is the broad framework the Service uses to administer wilderness? Sections 4(a) and (b) of the Wilderness Act describe the broad framework within which we administer wilderness within the NWPS:

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...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.”

B. Wilderness purposes are “within and supplemental” to refuge establishing purposes. They become additional purposes of the area within the refuge designated as wilderness. As we carry out individual refuge establishing purpose(s), the Administration Act purposes, the Refuge System mission and goals, and the Service’s mission in areas designated as wilderness, we do so in a way that preserves wilderness character.

C. The Wilderness Act requires that we devote wilderness areas to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use.

1.13 What is wilderness character?

A. Preserving “wilderness character,” referenced throughout the Wilderness Act and this policy, is a primary criterion for judging the appropriateness of proposed refuge management activities and refuge uses, including public use and enjoyment, in wilderness. Preserving wilderness character requires that we maintain both the tangible and intangible aspects of wilderness. Wilderness character increases as it approaches the highest measure of natural conditions and being untrammelled.

B. The tangible and intangible aspects of wilderness include:

(1) Maintaining the natural, scenic condition of the land;

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- (2) Providing environments for native plants and animals, including those threatened or endangered;
- (3) Maintaining watersheds and airsheds in a healthy condition;
- (4) Maintaining natural night skies and soundscapes;
- (5) Retaining the primeval character of and influence on the land;
- (6) Serving as a benchmark for ecological studies; and
- (7) Providing opportunities for solitude, primitive and unconfined outdoor recreation, risk, adventure, education, personal growth experiences, a sense of connection with nature and values beyond one's self, a link to our American cultural heritage, and mental and spiritual restoration in the absence of urban pressures.

C. The character of wilderness refocuses our perception of, relationship to, and use and enjoyment of nature. It requires changing our view of a landscape from the utilitarian, commodity orientation that often dominates our relationship with nature to respect for and deference to other life forms and natural processes. It requires us to recognize that we are embedded in these natural processes. Wilderness character imposes upon us an obligation to leave to future generations what remains of the world we did not make and do not control. Wilderness represents a symbol of respect for the natural conditions and wildness that civilization has displaced.

D. We influence wilderness character with every decision about refuge management activities and refuge uses, including public use and enjoyment of wilderness. Maintaining wilderness character requires an attitude of humility and restraint. In wilderness, we do not adjust nature to suit people, but adjust human use and influences so as not to alter natural processes. We strengthen wilderness character with every decision to forego actions that have physical impact or would detract from the idea of wilderness as a place set apart, a place where human uses, convenience, and expediency do not dominate. We preserve wilderness character by our compliance with wilderness legislation and regulation, but also by imposing limits on ourselves.

1.14 What are the principles for administering wilderness? We observe five key principles in administering wilderness:

A. Accomplish Administration Act purposes, refuge purposes, including Wilderness Act purposes, and the Refuge System mission. The Administration Act, refuge purposes, and Wilderness Act purposes tell us what to accomplish on a refuge. The Wilderness Act, however, may affect how we accomplish these purposes, and the Refuge System mission.

B. Secure "an enduring resource of wilderness" by maintaining and, where appropriate, restoring, a wilderness area's biological integrity, diversity, environmental health, and wilderness character.

C. Administer wilderness areas to provide a wide variety of public benefits "for the use and enjoyment of the American people" (Wilderness Act, section 2(a)) in a manner that is appropriate and compatible with the Administration Act, refuge purposes, including Wilderness Act purposes, and the Refuge System mission; retains wilderness character; is consistent with the nondegradation principle; and leaves the areas "unimpaired for future use and enjoyment as wilderness"

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D. Use restraint in our administration of wilderness. As a place “where the earth and its community of life are untrammelled by man,” we minimize actions for administration of wilderness areas. We may allow exceptions to the generally prohibited uses if the uses are the minimum requirement for administering the area as wilderness and are necessary to accomplish the purposes of the refuge, including Wilderness Act purposes. We may limit even nonmotorized refuge management activities to protect wildness.

E. Provide opportunities for primitive recreation, giving priority to compatible wildlife-dependent activities that are enhanced by a wilderness setting. Provide physical, social, and administrative settings that are conducive to experiencing opportunities for solitude, adventure, challenge, inspiration, and other aspects of wilderness character that the American people can use and enjoy.

1.15 What is the relationship between wilderness stewardship and compatibility? For a refuge use proposed for designated wilderness areas, the refuge manager must first determine whether the use is compatible with the purposes of the refuge as well as the purposes of the Wilderness Act (603 FW 2). If the use is compatible, the refuge manager must analyze whether we can allow the use under the terms of the area-specific wilderness legislation and the Wilderness Act.

1.16 What activities does the Service prohibit in wilderness?

A. Section 4(c) of the Wilderness Act prohibits commercial enterprises and permanent roads within wilderness, except as specifically provided by legislation and subject to existing private rights. Section 4(d)(6) of the Wilderness Act, however, allows commercial services in wilderness, but only when they are “necessary for activities which are proper for realizing the recreational or other wilderness purposes of the areas.” We may allow commercial services, such as outfitter and guide services, in wilderness where they are necessary to accomplish the purposes of the refuge, including Wilderness Act purposes. (See 610 FW 2 for more information about what we allow and prohibit in wilderness.)

B. Section 4(c) of the Wilderness Act also lists a number of generally prohibited uses in wilderness, subject to existing private rights:

(1) “[E]xcept 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.”

(2) We may allow exceptions to the generally prohibited uses for refuge management activities if the prohibited uses are the minimum requirement for administering the area as wilderness and are necessary to accomplish the purposes of the refuge, including Wilderness Act purposes. (See section 1.18.)

C. Area-specific wilderness legislation may permit uses that the Wilderness Act generally prohibits, and we comply with the provisions of those laws.

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1.17 How do refuge managers accomplish both the establishing purpose(s) of a refuge and the purposes of the Wilderness Act?

A. The wilderness portion of a refuge is encompassed both within the Refuge System and the NWPS. Refuge System laws, regulations, and policies apply to refuge wilderness, but we carry them out in ways that preserve wilderness character and comply with the Wilderness Act's prohibitions. Refuge purposes and Wilderness Act purposes tell us what to accomplish on a refuge. The Wilderness Act, however, may affect how we accomplish these purposes and the Refuge System mission.

(1) For instance, on a refuge established for migratory birds, the refuge manager may conduct a census on foot within designated wilderness, while using motor vehicles on other portions of the refuge.

(2) We continue to fulfill the establishing purposes of the refuge and the mission of the Refuge System while complying with the Wilderness Act, and we adjust our management strategies and techniques to prevent degradation of the wilderness character.

B. We adhere to a much stricter standard than usual for approving actions in wilderness so that we maintain the natural and untrammelled condition of the wilderness. We do not authorize generally prohibited uses in refuge wilderness **except** when the use is:

(1) Allowed under the terms of the area-specific wilderness legislation and the Wilderness Act;

(2) The minimum requirement for administering the area as wilderness and necessary to accomplish the purposes of the refuge, including Wilderness Act purposes; or

(3) An emergency involving the health and safety of a person or people within the area.

1.18 How does the Service determine if a proposed refuge management activity is the minimum requirement for administering the area as wilderness and necessary to accomplish the purposes of the refuge, including Wilderness Act purposes? We conduct and document a minimum requirement analysis (MRA) for all proposed refuge management activities that involve a generally prohibited use (also see section 1.19). The MRA clarifies the need for and impacts of a proposed action. We authorize an activity only if we demonstrate that it is necessary to meet the minimum requirement for administering the area as wilderness and necessary to accomplish the purposes of the refuge, including Wilderness Act purposes.

A. We identify and analyze alternative ways to accomplish refuge purposes, including Wilderness Act purposes, in order to determine whether the proposed refuge management activity is necessary and to identify the techniques that will minimize impacts to the wilderness resource. At a minimum, we evaluate the impacts of:

(1) An alternative where we take no management action,

(2) An alternative allowing no generally prohibited uses, and

(3) Alternative(s) to conduct the activities inside the wilderness and outside the wilderness.

B. We consider the full range of wilderness values and character when evaluating the alternatives. These values include the undeveloped and untrammelled natural condition of wilderness, cultural resources,

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outstanding opportunities for solitude, the potential for the public to have a primitive and unconfined type of recreational experience, and other components of wilderness character.

C. We consider the direct impacts of the proposed refuge management activity under each of the alternatives. We also consider the indirect impacts associated with the action and the cumulative impacts of the action when it is conducted in conjunction with other existing or planned uses or actions within or adjacent to and affecting the wilderness areas. Under the nondegradation principle, the conditions prevailing in an area at the time of wilderness designation establish a benchmark for assessing the significance of a proposed action's beneficial and adverse impacts on wilderness character.

D. Our refuge management activities preserve wilderness character and only rarely involve generally prohibited uses. The alternative that has the least impact on the area's wilderness character, including intangible aspects of wilderness character, and accomplishes refuges purposes, including wilderness purposes, constitutes the minimum requirement. We do not use cost or convenience as a factor in determining the minimum requirement or minimum tool. We use primitive tools when possible.

1.19 When must the Refuge System conduct a minimum requirement analysis?

A. If the refuge has an approved WSP less than 15 years old and it includes a written MRA for each proposed refuge management activity, we may carry out those activities as described in the plan. The analysis in the WSP must include an estimate of how frequently each activity will take place and the intensity of the activity. If circumstances significantly change or we want to allow the same activity in a significantly different part of the wilderness, we must prepare another MRA.

B. For any refuge management activity not addressed in a current WSP (less than 15 years old), we must amend the WSP to include the activity or prepare an MRA once per year, even for recurring actions.

1.20 Who makes minimum requirement decisions? Refuge managers may make minimum requirement decisions only if they have attended the Carhart Center's national wilderness stewardship course (see section 1.23D). If refuge managers have not attended this training, they must send the MRA to their refuge supervisor for approval. If the supervisor lacks the required training, the supervisor must request review and approval from an individual who has had this training and is equal to or higher than the refuge manager in the organizational hierarchy.

1.21 What is the relationship of the MRA to the requirements of NEPA? Under NEPA, we must consider alternatives to, and the environmental effects of, our actions, incorporate environmental information, and use public participation. We will prepare MRAs in conjunction with the documentation of NEPA compliance (i.e., categorical exclusion, environmental assessment, finding of no significant impact, environmental impact statement, record of decision). (See 550 FW 3 for more information about NEPA.) We will use information gathered for the MRA to document the purpose and need for a proposed project and to develop and describe the proposed action and alternatives.

1.22 What effects do emergencies involving the health and safety of people have on the uses generally prohibited by the Wilderness Act? In an emergency involving the health and safety of people, we may use or authorize the use of motorized vehicles and equipment, mechanical transport, or aircraft. An MRA is not required, but we will take all reasonable measures to minimize impacts on the wilderness character.

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1.23 What effect does the Department of Homeland Security waiver of the Administration Act and the Wilderness Act have on the uses generally prohibited by the Wilderness Act?

The Department of Homeland Security (DHS) has waived all of the requirements of a number of Federal statutes, including the Administration Act and the Wilderness Act, with respect to the construction of roads and fixed and mobile barriers in areas of high illegal entry in the vicinity of the southwestern U.S. border. See 73 Fed.Reg.19078 (April 8, 2008). None of the provisions of the Wilderness Act or the Service's policy on wilderness Stewardship apply to the activities determined by DHS to fall within the waiver. However, there may be other activities related to border security that are geographically removed from the areas of high illegal entry which are not covered by the DHS waiver. Where such an activity is proposed to be located within designated wilderness in the Refuge System and is a generally prohibited use under the Wilderness Act, the Service will conduct minimum requirement analyses. This will determine whether the proposed activities are necessary to administer the area as wilderness and to accomplish the purposes of the refuge, including Wilderness Act purposes.

1.24 What are the training requirements for Refuge System staff?

A. National Wilderness Coordinator. The National Wilderness Coordinator must:

(1) Attend the next available Carhart Center national wilderness stewardship training course following appointment to the position. If the individual has attended a previous national session, this requirement does not apply.

(2) At least every 2 years, attend a wilderness issues course or another course, workshop, or conference designed by the Carhart Center or the National Conservation Training Center (NCTC) to serve as a review of wilderness policy and an update of current wilderness issues.

B. Regional Wilderness Coordinators. The Regional wilderness coordinators must:

(1) Attend the next available Carhart Center national wilderness stewardship training course and Regional wilderness stewardship training course following their appointment to the position. If they have attended a previous national and Regional session, this requirement does not apply.

(2) At least every 2 years, attend a wilderness issues course, workshop, or conference to serve as a review of wilderness policy and an update of current wilderness issues.

C. Refuge Supervisors. Refuge supervisors must:

(1) Attend the national wilderness stewardship training course within 2 years following their appointment to the position, unless they have attended a previous national session.

(2) At least every 4 years, attend a Regional wilderness stewardship or wilderness issues course, workshop, or conference designed by the Carhart Center or NCTC to serve as a review of wilderness policy and an update of current wilderness issues.

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D. Refuge Managers.

(1) Refuge managers (including complex and unit managers) of refuges containing designated wilderness, proposed wilderness, or a WSA must attend the national wilderness stewardship training course within 1 year of their appointment to the position. If they have attended a previous national session, this requirement does not apply.

(2) Other refuge managers (including complex and unit managers) should attend the national wilderness stewardship training course.

E. Refuge System Regional and Washington Office Staff. Other staff involved in wilderness policy, planning, protection, management, budget, or recreation should attend a national or Regional wilderness stewardship training course or specialized wilderness course offered by the Carhart Center or NCTC.

F. Other Refuge Field Staff. We should train staff members and volunteers who contact visitors to wilderness areas on a regular basis. Training should be on low-impact or Leave-No-Trace techniques so that they can help the public make good choices in applying the principles of outdoor ethics. Appropriate refuge staff or Refuge-System-authorized agents must receive relevant training and maintain competency in the safe and effective use of nonmotorized vehicles and tools and nonmechanical transport (e.g., hand tools, pack animals, etc.).

1.25 What are the training requirements for Endangered Species and Fisheries and Habitat Conservation staff?

A. Project Leaders. Project leaders with significant responsibility for either Endangered Species Act consultations or fisheries management activities affecting wilderness areas must attend the national wilderness stewardship training course within 2 years of their appointment to the position. If they have already attended a national wilderness stewardship training session, this requirement does not apply.

B. Other Staff. We encourage other staff with significant involvement in issues affecting wilderness planning, protection, management, or recreation to attend a Regional wilderness stewardship training course or specialized wilderness courses offered by the Carhart Center.

1.26 When should State employees attend wilderness training? We encourage and facilitate the training of State fish and wildlife personnel responsible for interacting, coordinating, cooperating, and collaborating with us on the implementation of this policy. When space allows, we will give these State agency personnel the opportunity to attend Regional wilderness stewardship training courses or specialized wilderness courses offered by the Carhart Center.

/sgd/ Rowan W. Gould
ACTING DIRECTOR

Date: November 7, 2008

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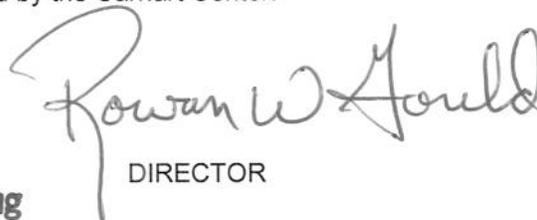
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Date:

11/7/2008

Acting

DIRECTOR



Rowan W. Gould