

Management of Fish and Wildlife Populations in National Forest Wilderness

Frequently Asked Questions

Based on the Policies and Guidelines for Fish and Wildlife Management in National Forest and Bureau of Land management Wilderness, (as amended June 2006)

1) Who has authority over management of fish and wildlife wilderness?

Both the states and the federal managers have jurisdiction. The Wilderness Act does not change any authorities for management of fish and wildlife already delegated to the states. However, Congress did not delegate the responsibility to preserve wilderness character to the states. All projects and management activities should be evaluated to determine if there is potential for impairment of wilderness character. The projects are to be developed, reviewed, discussed and implemented in a cooperative and mutually agreeable manner. Some projects require approval by the Forest Service.

The Wilderness Act of 1964

(8) Nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the several States with respect to wildlife and fish in the national forests.

FSM - 2323.3 - Management of Wildlife and Fish
2323.32 - Policy

5. Apply the "Policies and Guidelines for Fish and Wildlife Management in Wilderness and Primitive Areas," developed jointly by the Forest Service, Bureau of Land Management, and the International Association of Fish and Wildlife Agencies (FSH 2309.19) in a practical, reasonable, and uniform manner in all National Forest wilderness units. Use the guidelines as a foundation for or as addendums to State or individual wilderness cooperative agreements.

2) What document guides coordination and implementation of fish and wildlife management activities in wilderness?

The Policies and Guidelines for Fish and Wildlife Management in National Forest and Bureau of Land management Wilderness, June 2006

Note – this document is referenced as AFWA 2006 in this paper. Quoted text in italics is emphasis added.

The document may be found in the Fish and Wildlife Management Toolbox:
<http://www.wilderness.net/toolboxes/>

3) What is the purpose of the AFWA Policies and Guidelines?

“The purpose of these guidelines is to develop and expand a framework of cooperation upon which projects and activities may be planned and accomplished while working cooperatively at the national, regional, and local levels.”

AFWA 2006 A. page 3

4) How are the 2006 AFWA Policies and Guidelines to be implemented?

“The FS and BLM shall:

Participate with the States in annual coordination meetings and encourage communication, coordination and identification of State-originated fish and wildlife projects satisfying mutually beneficial objectives.”

- “Enter into individual agreements with States in order to make these guidelines as relevant to individual States as they are to the FS and BLM.
- ...jointly encourage individual States to incorporate these guidelines into statewide agreements or encourage states to adopt a resolution endorsing these guidelines.
- Work with AFWA and States to identify opportunities and jointly pursue projects that meet fish and wildlife objectives for wilderness subject to compliance with applicable Federal law.”

AFWA 2006 C. page 3 and 4

5) Does the Forest Service have authority over management of fish and wildlife *populations* in wilderness?

Both the state and federal agencies have authority and responsibilities for management of fish and wildlife in wilderness.

“This statement of policy and the following guidelines are intended to provide guidance to State fish and wildlife agencies, Forest Service (FS) and Bureau of Land Management (BLM) personnel *for the management of fish and wildlife populations* in wilderness in accordance with the Wilderness Act of 1964 (16 USC 1131-1136).”

AFWA 2006 A. page 3

“The parties acknowledge that, consistent with applicable Federal and State laws, *the States and the Federal government each have management responsibilities* affecting fish and wildlife, and will endeavor to work cooperatively in the fulfillment of these responsibilities.” AFWA 2006 B. page 3

6) What do the AFWA Policies and Guidelines say about the requirement to preserve wilderness character?

The federal agencies have the responsibility to preserve wilderness character.

“The FS and BLM are required to *preserve wilderness character* as directed by the Wilderness Act, while supporting the States’ fish and wildlife objectives, to the extent such objectives are consistent with the Act.” AFWA 2006 B. page 3

7) Who approves the use of motorized equipment, landing of aircraft, and structures for fish and wildlife management in wilderness?

The federal agencies must approve any of the ‘prohibited uses’ listed in the Wilderness Act..

“Proposed State fish and wildlife management activities that would involve uses generally prohibited under Section 4(c) of the Wilderness Act will be considered and *may be authorized* by the Federal administering agency.” AFWA 2006 E. page 5

What process is used for analysis and approval?

A Minimum Requirements Decision Process must be used for analysis and documentation.

“Any such use should be rare and temporary; no roads can be built; and proposals for use of motorized equipment will be considered and *may be authorized* by the Federal land management agency, in cooperation with the State, through application of the MRDP as outlined in Section E., General Policy.” AFWA 2006 F. 1. page 6

8) Can fish and wildlife research and management surveys be conducted ?

Yes, after coordination, review and approval if necessary.

“Coordination of all research and survey activities is essential between State and Federal agencies. Methods that temporarily infringe on the wilderness environment may be authorized by the Federal administering agency if alternative methods or other locations are not reasonably available.

Research or management survey activities that would involve uses generally prohibited under Section 4 (c) of the Wilderness Act will be considered and may be authorized by the Federal administering agency through application of the MRDP as outlined in Section E., General Policy.”

AFWA 2006 A. 3. page 6

9) Who approves the application of pesticides and/or chemical treatment in wilderness?

The Regional Forester must approve any use of pesticides in national forest wilderness. Forest Service Manual 2323.04c

“The use of pesticides may be necessary in management of fish and wildlife resources, and their use *must be approved* by the Federal administering agency.”
AFWA 2006 F. 2. page 6

10) Is population sampling allowed in wilderness ?

Yes.

“Scientific sampling of fish and wildlife populations is an essential activity in wilderness. When possible, use only methods that are compatible with the wilderness environment. Closely coordinate sampling activities with the Federal administering agency and schedule them to avoid heavy public-use periods. “

Who approves population sampling projects?

The federal agency may need to approve certain projects.

“Gill netting, battery-operated electrofishing, and other standard techniques of population sampling that would involve uses generally prohibited under Section 4 (c) of the Wilderness Act will be considered and *may be authorized* by the Federal administering agency through application of the MRDP...”
AFWA 2006 F. 3. page 6-7 and F. 7. page 9

11) Can fish-less lakes be stocked?

Maybe, but a careful review and assessment should be done.

“It is generally *undesirable to stock previously unstocked waters*. Because these areas generally reflect natural ecosystem processes, they may possess high scientific values.” AFWA 2006 F. 10. page 10-11

Who has to agree to this activity?

Both the state and federal agencies must agree to this activity.

“Lakes and streams currently without fish 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. “ AFWA 2006 F. 10. page 10-11

12) What is the criteria for approving aerial fish stocking?

Where it had occurred prior to designation or where a need is demonstrated.

“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.”

“To stock waters that had not been aerially stocked before wilderness designation, the State agency *will demonstrate* to the Federal administering agency *the need for using aircraft.*” AFWA 2006 F. 11. page 11

13) Who approves wildlife transplant projects?

The federal agency must approve wildlife transplant projects.

“Transplant projects *require advance written approval* by the Federal administering agency.” AFWA 2006 F. 12. page 11

14) Can non-native or non-indigenous wildlife species be introduced in wilderness ?

The answer to this question is most likely ‘no’. It would be very difficult to make the case that introducing non-native or non-indigenous species to wilderness is compatible with the preservation of wilderness character.

Definitions:

- “...indigenous wildlife and fish species are those that naturally occur within a wilderness area and that were not introduced by humans.”
- “Additionally, fish species introduced for management purposes prior to wilderness designation may be managed as indigenous fish species if the species is likely to survive.”
- “The State has the responsibility to make the determination as to which wildlife and fish species are indigenous.”
AFWA 2006 E. page 5

“Transplants shall be made in a manner *compatible with the wilderness character* of the area.” AFWA 2006 F. 12. page 11