



**POLICIES AND GUIDELINES FOR FISH AND  
WILDLIFE MANAGEMENT IN NATIONAL FOREST AND  
BUREAU OF LAND MANAGEMENT WILDERNESS**

**(as amended June, 2006)**

These policies and guidelines are intended to serve as a framework for enhanced cooperation between State fish and wildlife agencies, the Forest Service, and the Bureau of Land Management in the management of fish and wildlife in National Forest and Bureau of Land Management administered wilderness.

  
\_\_\_\_\_

DALE N. BOSWORTH, Chief, USDA Forest Service

7/20/06

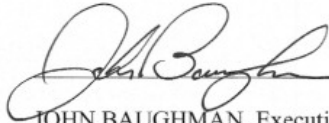
Date

  
\_\_\_\_\_

KATHLEEN B. CLARKE, Director, Bureau of Land Management

7/14/06

Date

  
\_\_\_\_\_

JOHN BAUGHMAN, Executive Vice President, Association of Fish and Wildlife Agencies

6/30/06

Date

**POLICIES AND GUIDELINES FOR FISH AND  
WILDLIFE MANAGEMENT IN NATIONAL FOREST AND  
BUREAU OF LAND MANAGEMENT WILDERNESS  
(as amended June, 2006)**

**A. PURPOSE**

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). Both State and Federal agencies are responsible for fostering mutual understanding and cooperation in the management of fish and wildlife in wilderness. 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. These guidelines serve as a framework for cooperation among the FS, BLM and the States in the coordination of fish and wildlife management and in the development of cooperative agreements or other management plans.

**B. STATEMENT OF MUTUAL INTERESTS AND BENEFITS**

The FS and BLM are land management agencies dedicated to the management of National Forest System (NFS) and public lands for a variety of uses and activities including wilderness stewardship and protection. Both agencies are mandated through the Secretary of Agriculture and Secretary of the Interior to administer Federally designated wilderness areas in accordance with the Wilderness Act. 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.

The Association of Fish and Wildlife Agencies (AFWA) is an association representing government agencies responsible for North America's fish and wildlife resources. The AFWA serves as a national and international voice on wildlife and conservation issues using expertise in science, policy, economics and coalition-building. The AFWA is dedicated to supporting the State fish and wildlife agencies' work to meet fish and wildlife management objectives in wilderness while preserving wilderness character consistent with the Act.

Section 4(d)(7) of the Wilderness Act provides 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." 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.

In consideration of the above premises, the parties agree as follows:

**C. 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. The FS and BLM will 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.

#### **D. AFWA SHALL:**

Encourage States to participate with the FS and BLM in annual coordination meetings and encourage communication, coordination, and identification of mutually beneficial projects.

Encourage the States to identify opportunities and jointly pursue projects that meet fish and wildlife objectives for wilderness subject to compliance with applicable Federal law.

Encourage individual States to enter into individual agreements with the FS and BLM in order to make these guidelines as relevant to individual States as it is to the FS and BLM. AFWA will encourage individual States to incorporate these guidelines into statewide agreements or encourage States to adopt resolution endorsing these guidelines.

#### **E. GENERAL POLICY**

Fish and wildlife management activities in wilderness will be planned and implemented 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 "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 minimal influence by humans.

Angling, hunting, and trapping are legitimate activities in wilderness areas, subject to applicable State and Federal laws and regulations. Fish and wildlife management activities will emphasize the conservation of natural processes, to the greatest extent possible.

Management activities will be guided by the principle of doing only the minimum necessary to conserve and, if necessary, to enhance fish and wildlife resources, and to manage the area as wilderness.

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.”

State fish and wildlife management activities that do not involve Wilderness Act prohibitions identified above in Section 4(c) or that are expressly authorized under specific wilderness acts are generally exempt from authorizations by the Federal administering agencies. However, there may be activities that do not involve prohibitions under Section 4(c) that may require authorizations, such as certain types of activities proposed to address fire or disease under Section 4(d) of the 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. The FS and BLM will consult closely with the States and give careful consideration to State fish and wildlife interests when considering these proposed activities, subject to applicable National Environmental Policy Act (NEPA) review, where determined through the Minimum Requirements Decisions Process (MRDP) to be a necessary action (Attachment A Step 1). Additionally, the minimum tool to accomplish necessary fish and wildlife management activities as determined through the MRDP (Attachment A, Step 2), will be recommended by the State and reviewed by the Federal administering agency, in close consultation with the State, and approved where determined appropriate. Units with special provisions mandated by legislation subsequent to the Wilderness Act of 1964 must ensure full consideration of these other legal requirements. Wilderness managers in Alaska must ensure that their decisions are in accordance with the provisions of Alaska National Interest Lands Conservation Act (ANILCA).

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.” These policies and guidelines should not be construed as diminishing or expanding State jurisdiction and responsibility to manage fish and wildlife.

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 may be necessary because of enabling legislation for designated wilderness areas.

For purposes of this document, 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.

## **F. PROJECT IMPLEMENTATION**

The following topics should be reviewed and discussed during annual coordination meetings or during any discussions relative to projects proposed by the State to meet fish and wildlife conservation objectives in wilderness:

## **1. Use of Motorized Equipment**

As outlined in Section E. General Policy, the States' fish and wildlife management activities within wilderness can be accomplished with motor vehicles, motorized equipment, or mechanical transport, only if these devices are necessary to meet the minimum requirements for the administration of the area as wilderness or are specifically permitted by other provisions of the Act. 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. Any use of motorized equipment or mechanical transport requires advance approval by the Federal administering agency.

## **2. Application of Pesticides**

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.

### Guidelines for Application of Pesticides

- a. Use pesticides only where other measures are impractical.
- b. Use only registered pesticides according to label directions and subject to the following restrictions:
  - (1) Pesticides may be applied only by certified 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.

## **3. Fish and Wildlife Research and Management Surveys**

Research and evaluation related to fish and wildlife, their habitats and the recreational users of these resources are legitimate activities in wilderness when conducted in a manner compatible with the area as wilderness. 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.

Helicopters and fixed-wing aircraft over flights may be used to conduct fish and wildlife

research and management activities. Use of aircraft for these activities will be coordinated among the State and Federal agencies to minimize conflicts with other wilderness uses. To the greatest extent possible, aircraft must be used in a manner that minimizes disturbance to wilderness character and to human and wildlife use of the wilderness.

Aerial counts and observations (i.e. surveys) of wildlife are allowed in the management of fish and wildlife resources in wilderness. Capturing and marking of animals, radio telemetry, and occasional installations (such as shelters for cameras and scientific apparatus and enclosures essential for wildlife research or management surveys) 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.

#### Guidelines for Fish and Wildlife Research and Management Surveys

- a. Obtain specific written approval or permits from the Federal 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 research methods should be modified, if possible, to minimize disturbance of the wilderness environment.
- f. Installation of base stations for monitoring of radio-instrumented animals will be considered and may be authorized by the Federal administering agency through application of the MRDP as outlined in Section E., General Policy.
- g. The Federal administering agency should only approve methods that minimize the impact on the wilderness environment to the greatest extent possible.

#### **4. Facility Development and Habitat Alteration**

Facility development and habitat alteration may be necessary to alleviate adverse impacts caused by human activities on fish and wildlife, including human/wildlife conflicts, and to conserve fish and wildlife resources in wilderness. Facility development and habitat alteration 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. 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 remain in operation.

Maintenance of existing water supplies and development of additional water supplies, including wildlife water developments, that would involve uses generally prohibited under Sec. 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.

Clearing of debris that impedes the migratory movements of fish on primary spawning streams 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.

#### Guidelines for Facility Development and Habitat Alteration

- a. Submit proposals for new structures or habitat alterations to the Federal 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. Proposals involving use of motorized equipment generally prohibited under Sec. 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.
- e. If it is necessary to restore essential food plants after human disturbance, use only indigenous plant species. Plant species that naturally occurred or occur in a wilderness area and were not introduced by humans are considered indigenous.

### **5. Threatened and Endangered Species**

Many wilderness areas provide important habitat for Federally listed threatened and endangered species of wildlife. For purposes of this document, threatened and endangered species means Federally listed species applicable to the geographic area. Actions necessary to conserve or recover threatened or endangered species, including habitat manipulation and special conservation measures, that 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.

#### Guidelines for Threatened and Endangered Species

- a. When alternative areas outside of wilderness offer equal or better opportunities for habitat improvement or species conservation, actions to recover threatened or endangered species outside



of wilderness should be considered first, but this does not preclude analyzing or implementing projects in wilderness.

- b. Threatened and endangered species may be transplanted into previously occupied habitat within wilderness. Proposals 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.
- c. Proposals for transplants of indigenous species and proposals for habitat improvement projects require close coordination and cooperation between the State and Federal administering agencies.
- d. To prevent Federal listing, manage and conserve indigenous species that could become threatened or endangered.

## **6. Angling, Hunting, and Trapping**

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

## **7. Population Sampling**

Scientific sampling of fish and wildlife populations is an essential activity in wilderness.

### Guidelines for Population Sampling

- a. When possible, use only methods that are compatible with the wilderness environment.
- b. 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 as outlined in Section E., General Policy.
- c. Closely coordinate sampling activities with the Federal administering agency and schedule them to avoid heavy public-use periods.

## **8. Chemical Treatment**

Chemical treatment may be necessary to prepare waters for the reestablishment of indigenous fish species, consistent with approved wilderness management plans, to conserve or recover Federally listed threatened or endangered species, or to correct undesirable conditions resulting from human activity. Proposals for chemical treatments will be considered and may be authorized by the Federal administering agency through application of the MRDP as outlined in Section E., General Policy. Any use of chemical treatments in wilderness require prior approval by the Federal administering agency.

### Guidelines for Chemical Treatment

- 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 Federal administering agency and the State agency.

## **9. Spawn Taking**

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

### Guidelines for Spawn Taking

- a. Spawn taking proposals 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.
- 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 in close cooperation and coordination between the Federal administering agency and the State agency.

## **10. Fish Stocking**

Fish stocking may be conducted by the State agency in coordination with the Federal administering agency to perpetuate or recover a threatened or endangered species, or to reestablish or maintain indigenous fish species. Any species of fish introduced for management purposes prior to wilderness designation may be managed as indigenous fish species if the species is likely to survive. State agencies may continue to stock those waters traditionally stocked prior to wilderness designation. State and Federal agencies should carefully evaluate stocking those waters that consistently require supplementation for reasons other than angler-induced mortality.

Selected species for stocking will be determined by the State agency in close cooperation and coordination with the Federal land management agency. In order of preference for stocking fish species is (a) Federal threatened or endangered species, and (b) indigenous species. Numbers and size of fish and time of stocking will be determined by the State in coordination with Federal agencies.

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. It is generally undesirable to stock previously unstocked waters. Because these areas generally reflect natural ecosystem processes, they may possess high scientific values. Proposals for fish stocking 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.

#### Guidelines for Fish Stocking

- a. The State agency shall make fish stocking schedules available to the Federal 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.

### **11. 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. Proposals 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.

#### Guidelines for Aerial Fish Stocking

- a. The State agency will supply the Federal 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).
- b. To stock waters that had not been aeriually stocked before wilderness designation, the State agency will demonstrate to the Federal 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.

### **12. 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; (b) to restore the population of an indigenous species; or (c) to manage wildlife populations in accordance with the States' wildlife populations objectives.

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

### Guidelines for Transplanting Wildlife

Proposals for motorized methods and temporary holding and handling facilities that involve uses generally prohibited under Sec. 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.

### **13. Wildlife Damage Control**

Wildlife damage control in wilderness may be necessary to conserve Federally listed threatened or endangered species, to prevent transmission of diseases or parasites affecting wildlife and humans, or to prevent serious losses of domestic livestock. Refer to MOUs between the Animal and Plant Health Inspection Service (APHIS) and the Federal administering agencies regarding permissible action in wilderness. Proposals 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.

#### Guidelines for Wildlife Damage Control

- 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 APHIS, the Federal administering agency, the State fish and wildlife agency, or other approved State agency, pursuant to cooperative agreements or MOUs.
- c. Direct control at individual animals causing the problem.
- d. Use only the minimum amount of control necessary to solve the problem.

### **14. Visitor Management to Conserve Wilderness Wildlife Resources**

Many wildlife species are sensitive to human encroachment 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 may be sensitive to excessive human disturbance, particularly during certain seasons of the year.

#### Guidelines for Visitor Management to Conserve Wilderness Wildlife Resources

- 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 Federal administering agency in coordination with the State wildlife agency. Any limitations will be applied equitably to all wilderness visitors.

## **15. 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 may be permitted to burn or will be suppressed as prescribed in an approved plan. Prescribed fires may be permitted to reduce unnatural buildup of fuels only if necessary to meet objectives (a) and (b) above and require approval from the Federal administering agency.



## ATTACHMENT A

### Minimum Requirements Decisions Process Outline

Pursuant to the Policies and Guidelines for Fish and Wildlife Management in National Forest and Bureau of Land Management (BLM) Wilderness, the intent of this attachment is to document the analysis process used by the BLM and Forest Service, in cooperation with the State fish and wildlife agencies, to determine the “minimum requirements” for accomplishing fish and wildlife projects and activities within a wilderness area. It is also intended to reemphasize that continued State and Federal coordination and cooperation is necessary to meet each agency’s management objectives in wilderness.

The following outlines the “Minimum Requirements Decisions Process” (MRDP) for certain proposed projects within wilderness. For certain projects proposed by State fish and wildlife agencies, this analysis will be completed by the applicable State agency in coordination with the responsible Federal agency. Unless specifically exempted by law, all proposed projects and activities within wilderness involving the eight Wilderness Act prohibitions listed below will require the completion of the MRDP to determine whether they can be authorized in wilderness. Section 4(c) of the Wilderness Act lists ten prohibited uses in wilderness. Eight of these prohibited uses could be allowed if they are “...*necessary to meet the 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)*...”.

The eight prohibited uses recognized by this exception are temporary roads, use of motor vehicles, motorized equipment or motorboats, landing of aircraft, other forms of mechanical transport, and structures or installations. The two Section 4(c) prohibited uses that may not be authorized in wilderness under the above exception are commercial enterprises and permanent roads.

The 1964 Wilderness Act directs that the determination to employ a generally prohibited use can only be made by the federal agency administering the affected wilderness area. The Act in Section 4(d)(8) also states that “Nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the several States with respect to wildlife and fish ...” within wilderness areas. For projects proposed by State wildlife agencies in designated wilderness it is crucial that Federal and State agencies respect each other’s jurisdictions and responsibilities when employing the MRDP. The Federal land management agency must work closely and cooperatively with State agencies in determining how best to meet their needs within the allowable legal framework of the 1964 Wilderness Act and the legislation designating the area as wilderness.

For project proposals where a National Environmental Policy Act (NEPA) analysis is required, the MRDP prepared by the State agency will be included in the NEPA process. The Federal land management agency will work with the State agency to complete the applicable NEPA analysis in a timely manner. As a part of the MRDP, the State agency will conduct the

Minimum Requirements Decisions Process, in close coordination and cooperation with the Federal administering agency, and will document the conclusion from Step 1 and the decision from Step 2. The Federal administering agency will make the final determination of the minimum requirements.

## **Minimum Requirements Decisions Process Outline**

**Step 1a: Determine if the action proposed by the State agency or Federal administering agency, to meet conservation objectives for fish and wildlife, is *necessary* to manage the area as wilderness.**

First, describe the situation that may prompt the State agency or Federal administering agency action and describe how the action will address a problem or issue, or will otherwise contribute to fish or wildlife conservation objectives.

Then, determine whether the action is necessary in wilderness by describing why the action is necessary in terms of the following:

### **1. Options Outside of Wilderness**

Determine whether the purpose of the proposed action can safely, successfully and reasonably be accomplished outside of a wilderness area. However, this does not preclude analyzing or implementing projects in wilderness, so long as they meet the minimum requirement standard **(if the project involves uses generally prohibited under Sec. 4(c) of the Wilderness Act)**. For wildlife species that spend only part of the year in wilderness, give first priority to locating facilities or habitat alterations outside of wilderness.

### **2. Legal and Policy Consistency**

Determine whether the proposed action is consistent with law, regulations, policies, and plans. Consider valid existing rights or special provisions of wilderness acts.

### **3. Consider Requirements of Other Legislation (ESA, ARPA, ANILCA, etc.)**

### **4. Consider other Guidance (State wildlife conservation strategies, comprehensive plans, State listed threatened or endangered species or sensitive species lists, State or tribal agreements, etc.).**

### **5. Wilderness Character**

Determine whether the proposed action contributes to the preservation of wilderness character (i.e., how does the proposed action contribute to maintaining the wilderness character?).



## 6. Public Purposes of Wilderness

Determine whether the proposed action is necessary for the purpose of wilderness (i.e., how would the proposed action support the public purposes for wilderness of recreation, scenic, scientific, education, conservation and historical uses?).

### Step 1b: Conclusion: *Is the Action Necessary?*

If the action is necessary, proceed to Step 2 to determine the minimum tool or method for the action. If no action is necessary, stop here.

### Step 2a: Determine the *minimum tool*

#### 1. Describe the Proposed Action and Alternative Actions

Analyze at least one feasible alternative, if available, that does not involve a generally prohibited act. This alternative must be one that could accomplish both the wilderness management objectives and the fish and wildlife conservation objectives of the proposed action.

#### 2. Compare the Effects of the Alternatives

Analyze whether the tools and techniques used to accomplish the proposed action are the least degrading to wilderness characteristics while safely, successfully and reasonably accomplishing the task. This entails analyzing the impacts of each alternative on the wilderness characteristics (naturalness, outstanding opportunities for solitude-or primitive and unconfined recreation, and other special features). Criteria such as time, convenience, and cost effectiveness may also be considered but are less significant than the potential for impacts to wilderness characteristics.

### Step 2b: Decision - *What is the Minimum Tool?*

- Identify the selected alternative.
- Describe the rationale for selecting this alternative, based on the analysis from 2a, law and policy.
- List management requirements for minimizing effects (timing, location, frequency, design standards for this action).
- Describe any monitoring and reporting requirements.

The MRDP used to determine the necessity to either employ or not employ a generally prohibited use meets the intent of the "...minimum requirement..." exception in Section 4(c) of the Wilderness Act. However, any Federal authorization of a generally prohibited use must include a rationale in the decision record that clarifies why the use is needed to manage the wilderness area for the purpose of wilderness and the legislation designating the area as wilderness.

- Decisions resulting from the MRDP outline can be documented in a format that best suits the Federal administering agency and the State wildlife agency.