

Fish and Wildlife Management in Wilderness

The Wilderness Act of 1964

DEFINITION OF WILDERNESS

SECTION 2 (c) 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's work 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 historical value.

USE OF WILDERNESS AREAS

SECTION 4.(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 wildlife refuge systems are established and administered and--

(1) Nothing in this Act shall be deemed to be in interference with the purpose for which national forests are established as set forth in the Act of June 4, 1897 (30 Stat.11), and the Multiple-Use Sustained-Yield Act of June 12, 1960 (74 Stat. 215).

(b) Except as otherwise provided in this Act, 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. Except as otherwise provided in this Act, wilderness areas shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use.

PROHIBITION OF CERTAIN USES

(c) 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.

SPECIAL PROVISIONS

(d) The following special provisions are hereby made:

(1) Within wilderness areas designated by this Act the use of aircraft or motorboats, where these uses have already become established, may be permitted to continue subject to such restrictions as the Secretary of Agriculture deems desirable. In addition, such measure may be taken as may be necessary in the control of fire, insects, and diseases, subject to such conditions as the Secretary deems desirable.

(7) 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.

Key Points

The language contained in Section 2, '*Definition of Wilderness*' and Section 4, '*Use of Wilderness*' directs and guides how wilderness is to be managed to achieve the goals of providing and sustaining wilderness that is natural, untrammeled, undeveloped, and available for use and enjoyment as wilderness. This includes wildlife management objectives that allow natural processes to control wilderness ecosystems, including fish and wildlife populations and habitat, to the greatest extent possible.

Section 4 (c) describes the minimum requirements condition that must be met before exceptions to the 'prohibited uses' (i.e. motorized equipment, mechanical transport, landing of aircraft, structures, installations, etc.) can be authorized.

Section 4 (d) describes Special Provisions that *may* be allowed to continue subject to analysis and restrictions. The minimum requirements concept is one screen that is typically applied to projects that are considered under the special provisions section of the Act.

Section 4 (d) 7 makes it clear that the states have the same jurisdiction over management of fish and wildlife populations that they have based on other laws and that existed before passage of The Wilderness Act of 1964.

The provision is simply saying that the jurisdiction does not change. The state jurisdiction has not been diminished or enlarged. In other words, the state may continue to exercise authority within wilderness where it does not interfere with the federal purpose of the wilderness, that is, to preserve wilderness character.

This provision does not exempt state agencies from other direction and guidance contained in this Act, such as the Section 4 (c) minimum requirements provision, but it serves to establish and necessitate the cooperative approach to fish and wildlife management in wilderness.

Key Wilderness-Wildlife Relationships

- Wildlife as a measure of wilderness character:
 - Distribution, numbers, diversity, and behavior of wildlife can be a measure of the naturalness and solitude of a wilderness.
 - Wildlife reflects ecological conditions and changes over time and can serve as indicators or wilderness character and quality.

- Wildlife's role in wilderness:
 - Wildlife is an inseparable part of the wilderness resource.
 - Wildlife's role includes the development, maintenance and modification of soil, vegetation, and ecosystems, dispersal, planting and germination of seeds, pollination, fertilization, distribution of nutrients, and conversion of dead plants into organic matter more useable by plants.

- The wilderness role in wildlife preservation:
 - Critical to the survival of wilderness dependent species
 - Major contributor to conservation of wilderness associated species

- Wilderness wildlife as a laboratory (for focused research on essential priorities using appropriate methods):
 - Reservoirs of genetic material
 - Biological standards for comparison with ecological communities more heavily affected by human activities
 - Site for integrated studies of the structure and function of natural ecosystems

- Recreation, aesthetic, economic, and political values:
 - Attraction for visitor use and appreciation of wilderness and its wildlife
 - Economic value of wilderness associated and dependent wildlife tourism
 - Wildlife is political focus for environmental protection issues