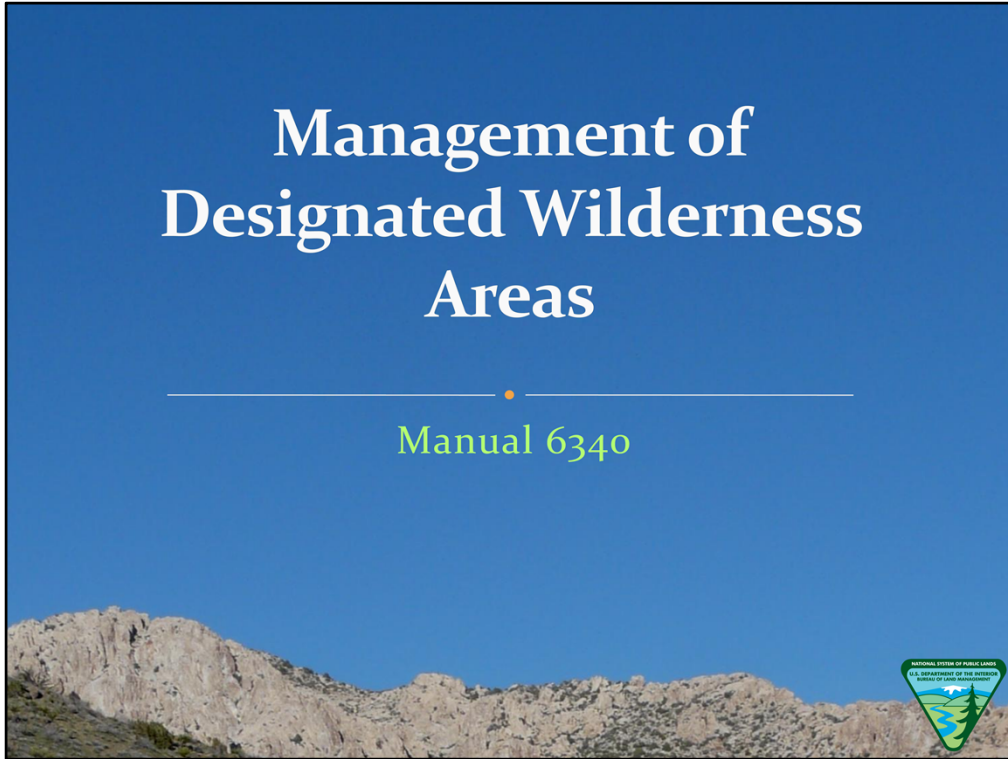


Management of Designated Wilderness Areas

Manual 6340



This 38-minute program will take you through BLM Manual 6340, the Management of Designated Wilderness Areas.

ADVANCE SLIDE



This brief overview has two purposes:

ADVANCE

To point out major changes from our old Manual 8560, written in 1983, and

ADVANCE

To cover other important wilderness stewardship principles and guidelines from the manual.

It is important to keep in mind that this training will in no way equip you to properly manage wilderness areas. The extensive training you need is offered by the Arthur Carhart National Wilderness Training Center on every facet of wilderness stewardship – except for our manual section on Wild Horses and Burros.

ADVANCE

For more complete training, go to the on-line courses, PowerPoint programs, and recorded webinars found at www.wilderness.net/NWPS/training

ADVANCE SLIDE

BLM's Designated Wilderness Areas

- ▼ 221 wilderness areas in 10 States covering 8.7 million acres
- ▼ 3% of BLM's total acres
- ▼ First BLM wilderness designated in 1978



Wilderness areas are special places where the earth and its community of life are essentially unmanipulated by humans. They retain a primeval character, and generally appear to have been affected primarily by the forces of nature.

ADVANCE

As of the beginning of 2013, the BLM is responsible for 221 Wilderness Areas totaling 8.7 million acres in 10 Western States.

ADVANCE

About 3% of the land managed by the BLM is designated wilderness.

ADVANCE

The first BLM wilderness was designated in 1978, just 2 years after the passage of FLPMA, which brought the BLM into the group of agencies (along with the Fish & Wildlife Service, the Forest Service, and the National Park Service) that manage wilderness. When our previous wilderness policy, Manual 8560, was written, the BLM managed a grand total of 3 wilderness areas. We've learned a lot – and the profession of wilderness management has changed a lot – since then.

ADVANCE SLIDE

BLM's Designated Wilderness Areas



Here's what the distribution of the BLM areas look like on a map.

ADVANCE SLIDE

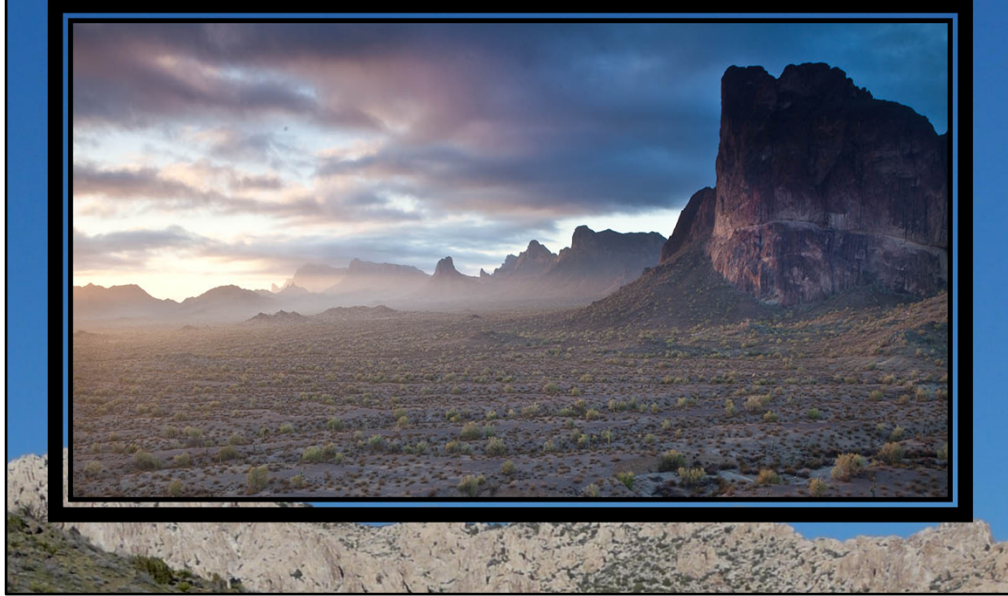
BLM's Designated Wilderness Areas



The BLM areas come in a number of configurations. There are stand-alone units, designated in their own single laws, such as the Ojito Wilderness in New Mexico.

ADVANCE SLIDE

BLM's Designated Wilderness Areas



There are units designated as part of large wilderness bills, such as Eagletail Wilderness in Arizona, designated in the Arizona Desert Wilderness Act of 1990.

ADVANCE SLIDE

BLM's Designated Wilderness Areas



Some units designated have been the subject of multiple pieces of legislation, such as the Bisti/De-Na-Zin in New Mexico.

ADVANCE SLIDE

BLM's Designated Wilderness Areas



There are areas that are contiguous with wildernesses managed by other agencies, such as Red Butte Wilderness in Utah, contiguous with the Zion Wilderness managed by the National Park Service. Coordination with the other agency is important.

ADVANCE SLIDE

BLM's Designated Wilderness Areas



There are single wilderness areas that are co-managed with other agencies, such as the Muddy Mountains Wilderness in Nevada, co-managed with the National Park Service. Coordination with the other agency is essential.

ADVANCE SLIDE

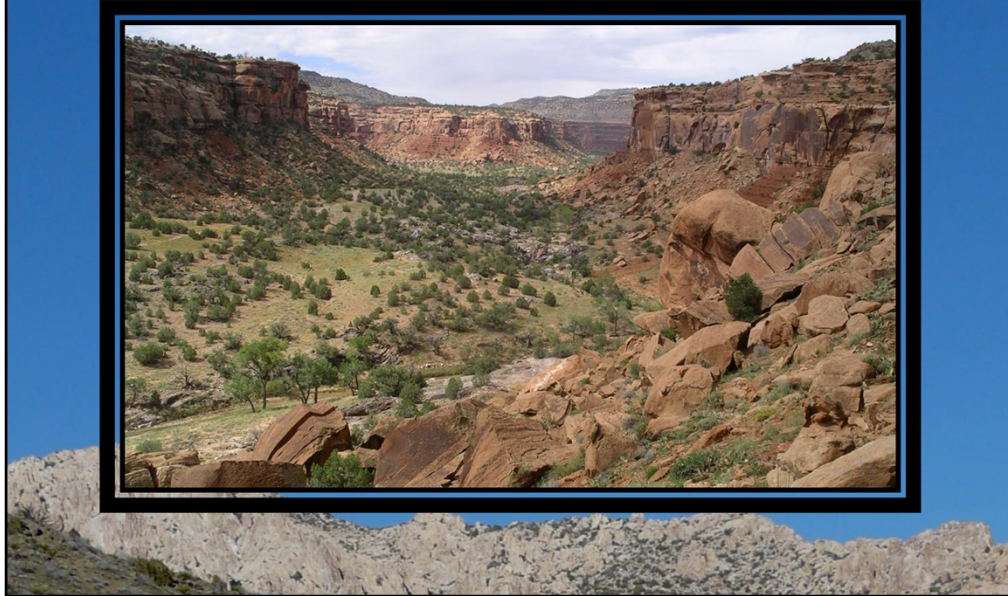
BLM's Designated Wilderness Areas



There are single wilderness areas but with detached units managed by different agencies, such as the Bear Trap Canyon Unit of the Lee Metcalf Wilderness in MT – the remainder of the Lee Metcalf is managed by the Forest Service. Here, coordination is important, but less so than if the units were contiguous.

ADVANCE SLIDE

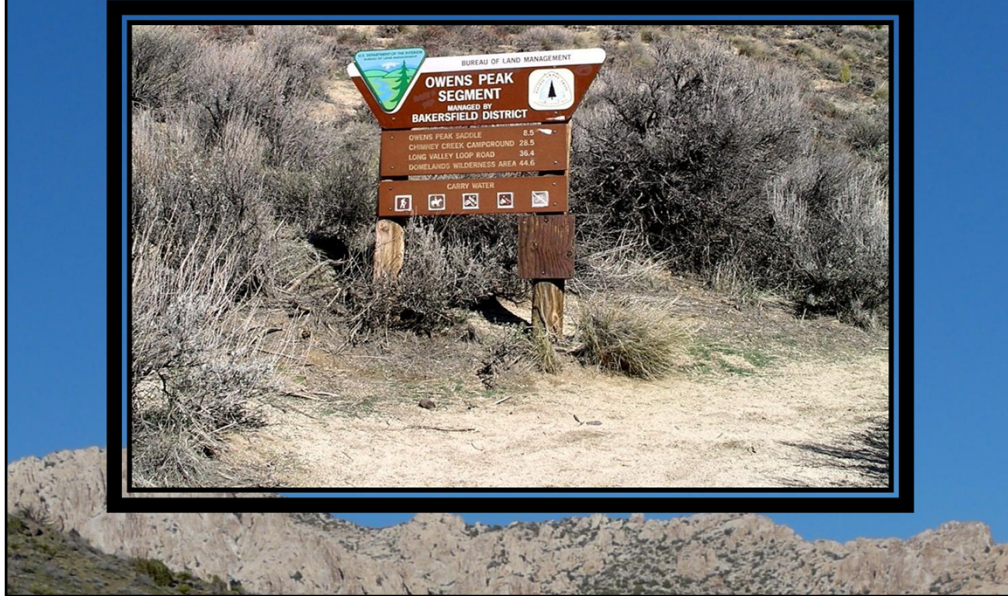
BLM's Designated Wilderness Areas



There are wilderness areas nestled inside National Monuments or National Conservation Areas, such as the Dominguez Canyon Wilderness inside the Dominguez-Escalante National Conservation Area.

ADVANCE SLIDE

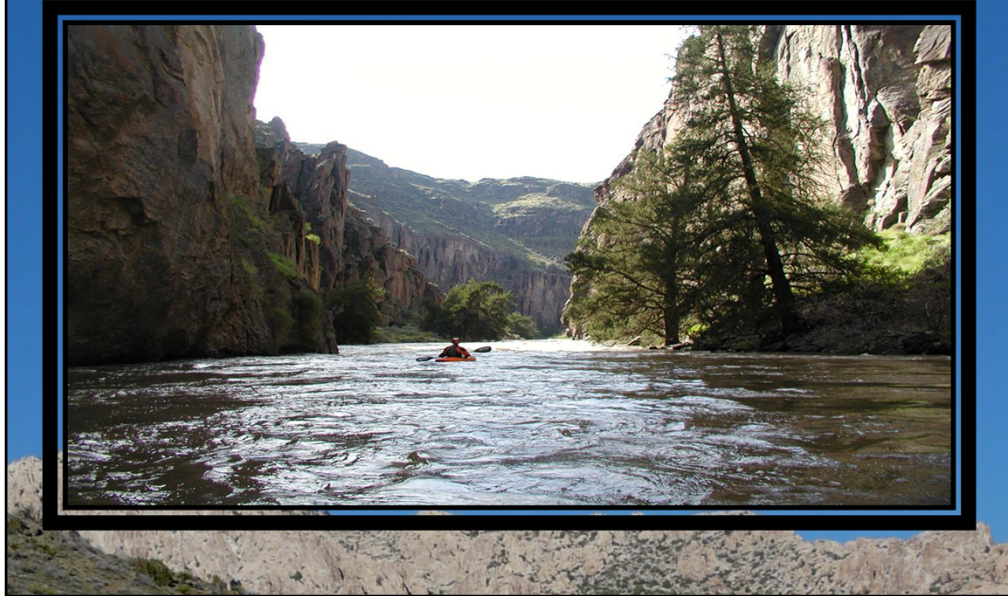
BLM's Designated Wilderness Areas



There are wilderness areas with National Scenic or Historic Trails running through them, such as The Owens Peak Wilderness in California.

ADVANCE

BLM's Designated Wilderness Areas



And there are wilderness areas with Wild & Scenic Rivers within them, such as the Bruneau-Jarbridge Rivers Wilderness in Idaho. Whenever multiple designations overlap, the designation which affords the most protection to the resources present controls management.

ADVANCE SLIDE

Manual 6340

- ▼ Revision of Manual 8560 (1983)
- ▼ Various IM's clarifying 8560
- ▼ Lessons learned from managing wilderness areas since the early 1980's
- ▼ Knowledge gained from wilderness research
- ▼ Coordination with other agencies



OK – let's talk about the Manual itself.

ADVANCE

As was mentioned before, this is a revision of our first manual, 8560, which was written in 1983.

ADVANCE

That original manual was clarified by various Instruction Memoranda over the intervening decades.

ADVANCE

And we've learned a lot from our experience – and that informed the new policy...

ADVANCE

As did the knowledge gained from recent wilderness-related research.

ADVANCE

In addition, many of the aspects of this manual were developed in coordination with other agencies.

ADVANCE SLIDE

Manual 6340

▼ Congressional Direction & General Principles

▼ Prohibited Uses

▼ Managing Specific Resources

▼ Planning and Decision-Making

▼ Glossary and Appendices

The Wilderness Act of 1964

Making a Minimum Requirements Analysis (MRDG)

Monitoring Changes in Wilderness Character

- ADVANCE The nuts-and-bolts policy section of the manual has 4 sections
- ADVANCE One on Congressional Direction and General Principles.
- ADVANCE One on the Prohibited Uses and their exceptions.
- ADVANCE A lengthy section dealing with how we manage specific resources and resource uses in wilderness.
- ADVANCE And one on wilderness planning and decision-making – though it should be noted that details on writing wilderness management plans will be addressed in the revision of our current manual 8561
- ADVANCE There is also as glossary which defines many of the terms used in the manual, and 3 appendices.
- ADVANCE The Wilderness Act
- ADVANCE How to make a minimum requirements decision and use the Minimum Requirements Decision Guide.
- ADVANCE

And how to monitor changes in wilderness character. More on these last two a bit later.

ADVANCE SLIDE

Manual 6340 Mandate & General Principles

- ▼ Mandate from FLPMA
- ▼ Mandate from the Wilderness Act: Preserve Wilderness Character
 - Untrammeled
 - Natural
 - Undeveloped
 - Solitude or primitive and unconfined recreation
 - Unique, supplemental, or other features



With the passage of FLPMA, Congress made the BLM the 4th agency with wilderness management authority. Section 603(c) directs us to manage wilderness areas in conformance with the Wilderness Act.

ADVANCE

The primary mandate set forth in the Wilderness Act is the preservation of wilderness character. Wilderness character is composed of 4 mandatory qualities which are discussed in some detail in Manual 6340.

ADVANCE

Wilderness character may also include a 5th, optional, quality. The Manual refers to this quality as “Unique, Supplemental, or Other Features. It goes by other names as well, such as the Other Features of Value – and you’ll see that is the term used in the Minimum Requirements Decision Guide – more on that in a bit.

ADVANCE SLIDE

Manual 6340 Mandate & General Principles

▼ Monitoring wilderness character (Appendix C)

Based on *Keeping It Wild: an Interagency Strategy to Monitor Trends in Wilderness Character* (RMRS-GTR-212)

Detailed in *Measuring Attributes of Wilderness Character: BLM Implementation Guide*

Every year - gather data for certain indicators

Every 5 years - report values for all indicators

Not the only monitoring for good stewardship



Our new policy makes a defined effort to Monitor Wilderness Character. In the old manual, the topic was generally not discussed, because the concept and procedures had not yet been developed. Manual 6340 describes agreed-upon interagency wilderness character monitoring procedures, which are fleshed out in Appendix C.

ADVANCE

These procedures are based on the document popularly referred to as **Keeping It Wild**,

ADVANCE

And, as referenced in the policy, more fully developed in the **BLM Implementation Guide**.

ADVANCE

This includes gathering some data every year,

ADVANCE

And reporting all measures every 5 years.

ADVANCE

Note: Individual Wilderness Stewardship Plans may identify additional monitoring specific to each wilderness which may be needed to assure quality stewardship.

ADVANCE SLIDE

Manual 6340 Mandate & General Principles

▼ Manage in concert with other laws

- Special provisions in designating legislation
- Other non-wilderness legislation (NHPA, ESA, ADA)

▼ Some change is unavoidable

- Management plans set levels of acceptable change
- Actions that impair wilderness character may be allowed under certain limited circumstances
- Change is measured against the benchmark of the conditions generally prevailing at time of designation
- Improve wilderness character when possible



Manual 6340 adds a section that describes how individual wilderness legislation may affect wilderness management. This may seem obvious, but it's not necessarily cut-and-dried.

ADVANCE

There may be specific provisions in the law designating your wilderness that allows for an activity normally prohibited. For example: P.L. 111-11 designating the Oregon Badlands Wilderness gave a named individual special access by mechanical transport on a specific trail – a mode of transportation that is prohibited to others.

ADVANCE

And other laws must be met – such as the National Historic Preservation Act, the Endangered Species Act, and the Americans with Disabilities Act, to name a few. In some cases, these laws may require an action be taken that may impair wilderness character. But that action should, as much as possible, be the one that has the least impact to wilderness character while still meeting the requirements of the law.

Be careful in your interpretation of both these types of laws, making a distinction between actions you **must** take (the law will probably use the term “shall”) with actions you **might** take (the law will probably use the term “may”). If you have discretion, you should make sure the chosen action does not degrade wilderness character.

ADVANCE

Most uses will result in **some** change to the wilderness resource – the question is, how much change is acceptable?

ADVANCE

That should be set in the wilderness management plan.

ADVANCE

In some circumstances, as detailed in the body of Manual 6340, actions that impair one or more of the qualities of wilderness character may be permitted. But in general, preserving wilderness character takes precedence – including preserving the living, natural ecosystem which will change over time.

ADVANCE

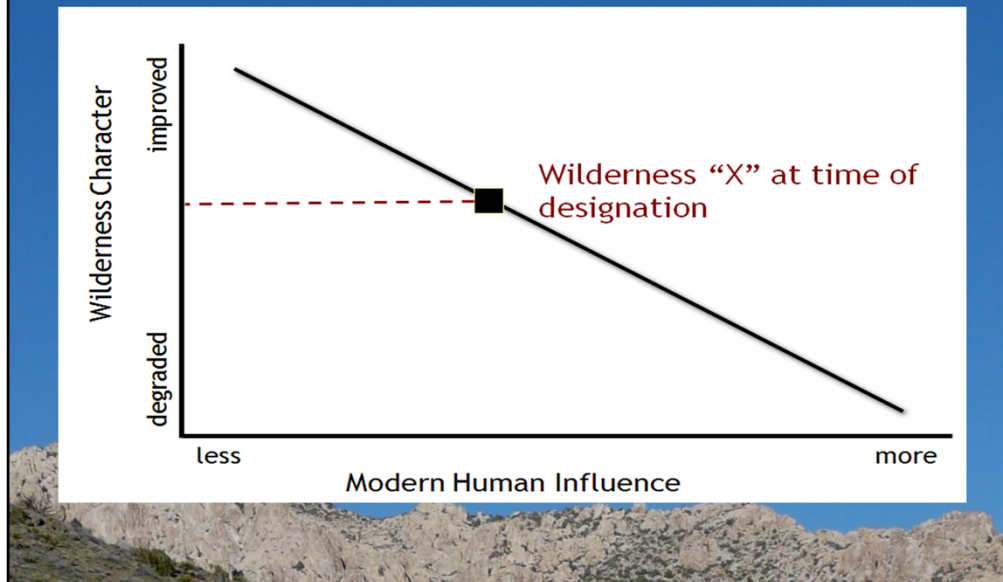
We measure change against the benchmark of the conditions generally prevailing at the time of designation. Our charge is, in general, not to let things get “worse,”

ADVANCE

And to improve them when possible.

ADVANCE SLIDE

Manual 6340 Mandate & General Principles



Here's a graphic representation from the Manual of what we're talking about. The primary goal of wilderness management—to preserve wilderness character—is shown on this slide. There is an inverse relationship between wilderness character and modern human influence, represented in the diagram on the diagonal line. Because every wilderness is unique, where the wilderness "enters" the system on the diagonal line (the black box in the diagram) will vary from wilderness to wilderness and is immaterial. What is important is that wilderness managers fulfill the congressional mandate to "preserve wilderness character," and to not allow the box to slide down the diagonal line. While managers may make decisions that temporarily impair one or more qualities of wilderness character, wilderness character as a whole must be sustained or improved.

ADVANCE SLIDE

Manual 6340 Prohibited Uses

▼ Section 4(c) of the Wilderness Act lists 10 uses and activities that are prohibited in wilderness

- Commercial enterprises
- Permanent roads
- Temporary roads
- Motor vehicles
- Motorized equipment
- Motorboats
- Landing of aircraft
- Mechanical transport
- Structures
- Installations

Section 4(c) of the Wilderness Act prohibits 10 uses. The list is here. The definitions of these uses are in the manual. These definitions are the result of inter-agency coordination, and – while consistent with our regulations -- are written in such a way as to be applicable to any proposed use. That is, the definitions are more than just a list of examples. Familiarize yourself with them!

ADVANCE SLIDE

Manual 6340 Prohibited Uses

▼ Exceptions to the Prohibitions

Specifically provided for in the Wilderness Act

Valid existing rights

Other legislation

Minimum requirements



The manual outlines 4 exceptions to those prohibitions.

ADVANCE

Some exceptions are specifically provided elsewhere in the Wilderness Act. Details of how the Special Provisions provide exceptions to the Prohibited Uses are found in Section 1.6.C of the Manual 6340.

ADVANCE

Any of the ten Prohibited Uses may be allowed where valid rights exist. In general, valid existing rights must have been in existence on the date of designation or on a date provided for in the act that designated the area as wilderness.

ADVANCE

Exceptions may be included in other legislation: in bills which designate one or more wilderness areas; in bills that provide a specific exception in non-wilderness legislation (such as the allowance for wheelchairs in the Americans with Disabilities Act); or as part of a general requirement in other legislation, such as the Endangered Species Act.

ADVANCE

Eight of the Prohibited Uses (commercial enterprises and permanent roads are not included) may be allowed if they are necessary to meet minimum requirements for the administration of the area for the purpose of the Wilderness Act.

ADVANCE SLIDE

Manual 6340 Minimum Requirements

- ▼ Minimum Requirements Decision Guide (MRDG) required for Minimum Requirements Analysis (MRAs) and other uses (Appendix B)

Latest version at <http://www.wilderness.net/MRA>

- ▼ State Director; delegate down with training
- ▼ State lead involved in all MRAs
- ▼ Does not replace NEPA analysis

While the old 8560 manual included a brief discussion of the “minimum tool concept,” the 6340 manual expands on this concept with a more detailed tool, outlined in Appendix B. The “Minimum Requirements Decision Guide” (MRDG) has been designed and implemented in the last 15 years to help standardize the minimum requirements decision process.

ADVANCE

The new policy requires the use of the latest version of the MRDG, found on wilderness.net.

ADVANCE

Any use of a Section 4(c) prohibition requires State Director approval. This can be delegated to the District Office or Field Office level if the approving official has been through the National or Regional Wilderness Stewardship training offered by the Arthur Carhart National Wilderness Training Center.

ADVANCE

State Wilderness Program Leads are now required to be involved in all Minimum Requirements Analyses – the earlier the better – as a check on the analysis, the necessity for taking **any** action **inside** the wilderness, and to make sure there are no surprises later!

ADVANCE

This does NOT replace NEPA analysis, but can be useful in formulating much of the background and alternatives.

ADVANCE SLIDE

Manual 6340
Managing Specific Resources

**DO NOT use this part of the manual
without referencing the rest of it!**

<http://www.wilderness.net/NWPS/training>



There are details in managing several different types of resources or uses in section 1.6.C of Manual 6340. Some of these details are the same as in our old manual, some are different. Some areas are entirely new.

ADVANCE

But in no instance should anyone think they can understand BLM policy on managing these resources and uses without referring to the other parts of the manual.

ADVANCE

(Additional training, too, just **might** be a good idea! The Carhart National Wilderness Training Center provides – or will provide by September 2014 -- training on all of these subjects – except Wild Horses and Burros, and we'll go into detail on that subject later in this training.)

That said, let's look at some specifics.

ADVANCE SLIDE

Manual 6340 Aircraft

- ▼ Landing: “dropping or picking up any material or person by any means of transportation through the air whether or not it is motorized or remotely controlled.”
- ▼ Generally, only allowed as necessary to meet minimum requirements
 - Includes emergencies; some law enforcement
- ▼ All administrative uses by other agencies must meet the “Minimum Requirements” test.

Landing of aircraft is generally prohibited. That means “dropping or picking up any material or person by any means of transportation through the air whether or not it is motorized or remotely controlled.”

ADVANCE

This use **may** be allowed if necessary to meet minimum requirements for the administration of the area **for the purpose of preserving wilderness character**.

ADVANCE

Administration includes measures required in emergencies involving the health and safety of persons within the area, and some law enforcement actions.

ADVANCE

Administrative landing of aircraft, such as by state game & fish agencies – even if allowed in legislation as being under section 4(d)(1) of the Wilderness Act – still must be (according to that section) “subject to such restrictions as the Secretary deems desirable.” In this case, that means that the use meets the “minimum necessary” test.

ADVANCE SLIDE

Manual 6340 Collection for Personal Use

- ▼ Collection of small quantities of renewable resources is generally permitted for non-commercial, personal use
- ▼ Wilderness plans can further restrict
- ▼ Collection of archaeological resources is prohibited without a permit



In general, casual collection of small quantities of renewable resources (such as wood, fruit, or other vegetation) is permitted for use within the wilderness or for non-commercial (that is, it is not sold or bartered), personal use.

ADVANCE

Individual wilderness management plans may further restrict the amount or other collection requirements.

ADVANCE

Of course, collection of archaeological resources is prohibited without a permit.

ADVANCE SLIDE

Manual 6340 Commercial Enterprises & Services

- ▼ Commercial services allowed to the “extent necessary” for realizing wilderness purposes
- ▼ “Extent necessary” should be determined through an explicit analysis
- ▼ Commercial service may be needed even if private use could completely fill capacity



Manual 8560 only briefly discussed this topic as it relates to commercial outfitters. 6340 expands the policy by addressing other questions that have been raised by the field over the past 30 years.

ADVANCE

The BLM should determine through analysis if one or more of the public purposes of wilderness would go unrealized if there was no commercial use. If a given purpose can be adequately realized in a given place and time without commercial services then the commercial service is not necessary.

ADVANCE

This should not be taken to mean that if capacity can be filled with private use then no commercial service is necessary. Commercial services still may be needed to serve visitors without the necessary physical or cognitive ability, or the specialized skills or equipment to recreate in wilderness on their own, and private use cannot be allowed to disenfranchise these users.

ADVANCE SLIDE

Manual 6340 Cultural Resources

- ▼ Can contribute to wilderness character
- ▼ Structures and installations may be preserved if eligible for the National Register
- ▼ Structures and installations not eligible and not otherwise necessary to preserve wilderness character should be removed (some exceptions)



In what is one of the major changes from previous policies, cultural resources are now specifically identified as possibly contributing to wilderness character. As such, they may be preserved as part of preserving wilderness character.

ADVANCE

This includes structures and installations found to be eligible for the National Register of Historic Places. The manual goes into some detail on the conditions and preservation actions necessary.

ADVANCE

In general, if they're not eligible, structures and installations should be removed – unless removing them would unduly degrade wilderness character.

ADVANCE SLIDE

Manual 6340 Education & Interpretation

- ▼ An important tool to manage visitor use
- ▼ Place interpretive signs outside wilderness boundaries



In order to preserve the wilderness experience and biophysical resource, the BLM will use education and interpretation in order to lessen the need for rules governing primitive and unconfined recreation.

ADVANCE

With the exception of boundary signs and signs absolutely necessary to protect visitor safety or sensitive wilderness resources, all interpretive and educational displays and signs must be located outside of wilderness areas.

ADVANCE SLIDE

Manual 6340 Fire

- ▼ Overall goal: allow an ecosystem's natural fire regime to play its inherent role
- ▼ Goal may be affected by management constraints (budgets and national fire management demands)
- ▼ **Wildfires:** use MIST and resource advisors
- ▼ **Prescribed:** ideally planned to allow a return of natural fire
- ▼ **Fuel treatment:** allowed in rare circumstances

The section of 6340 on Fire is rather long, and only the broadest topics will be covered here.

ADVANCE

The overall goal of managing fire in wilderness is to allow the frequency and intensity of an ecosystem's natural fire regime to play its inherent role in that ecosystem.

ADVANCE

Of course, that goal may be affected by management constraints including budgets and national fire management demands

ADVANCE

Wildfires will be managed using minimum impact suppression techniques wherever possible. Fire resource advisors will be assigned.

ADVANCE

Prescribed fires, otherwise known as "planned ignitions," are ideally intended to make conditions possible for natural fires to return to the landscape. The manual goes into more detail on the conditions necessary to permit the use of prescribed fire.

ADVANCE

Fuel treatments – either mechanical or chemical – are allowed only in rare circumstances as outlined in Manual 6340. There was no mention of fuel treatment in the old policy.

ADVANCE SLIDE

Manual 6340 Grazing

- ▼ “shall be permitted to continue subject to...reasonable regulations.”
- ▼ Pre-existing installations may be maintained – including with occasional use of motors
- ▼ Other use of motor vehicles is limited to emergencies
- ▼ Issuing new grazing permits on land not grazed at the time of designation or permanently retired is NOT allowed

Where grazing of livestock was authorized before Congress established the wilderness area, the use must be permitted to continue -- subject to reasonable regulations.

ADVANCE

The continuation of existing grazing may apply to the use and maintenance of livestock management developments associated with the grazing activity at the time of designation and that have been authorized by the BLM. Occasional use of motorized equipment to maintain the facilities may be permitted under conditions listed in Manual 6340. –In most situations, authorization for motorized use would be considered on a case-by-case basis.

ADVANCE

In most *other* cases, the use of motor vehicles, motorized equipment, or mechanical transport to carry out a lawful grazing-associated activity is limited to emergencies only, such as rescuing sick animals or placing feed in emergency situations.

ADVANCE

Note that while grazing “shall be permitted to continue,” new grazing permits, or permits on wilderness allotments that were officially retired, are not allowed because grazing is a commercial enterprise prohibited by the Wilderness Act except if it is “continuing.”

The old policy included “Congressional Grazing Guidelines” as Appendix 2. 6340 does not include this appendix, but is entirely consistent with the “Congressional Grazing Guidelines” .

ADVANCE SLIDE

Manual 6340 Inholdings & Edgeholdings

▼ Authorize access with a 43 CFR 2920 permit

▼ Rights of access vary:

Inholders: right to adequate access -- the use of the route and modes of travel enjoyed by the inholder on date of designation

Edgeholders: usually no right of access across wilderness

▼ Acquired inholdings automatically wilderness

▼ Donated edgeholdings can become wilderness



Inholdings and Edgeholdings: The old policy did not address what method BLM uses to authorize access.

ADVANCE

Wilderness regulations at 43 CFR 6305 published since the 8560 manual specify that access is permitted under a 43 CFR 2920 permit.

ADVANCE

Rights of access depend on whether the parcel in question is a wilderness inholding (that is, completely surrounded by the wilderness) or an edgeholding (contiguous with, but not surrounded by the wilderness).

ADVANCE

Inholders have a right to adequate and reasonable access. That means the use of the route and modes of travel enjoyed by the inholder on the date of designation.

ADVANCE

Manual 6340 states that Edgeholders have no right of access across wilderness to their edgeholdings. While this is almost always the case, there may be rare exceptions where a route across the wilderness already exists and no legal access from outside the wilderness is possible.

ADVANCE

Acquired inholdings are automatically included in and managed as wilderness without further Congressional action.

ADVANCE

Edgeholdings that are **donated** to the BLM can be accepted as

additions to the wilderness by going through the process outlined in the manual.

ADVANCE SLIDE

Manual 6340 Law Enforcement

- ▼ “Hot pursuit” an exception to advanced approval of the 4(c) prohibitions
- ▼ “Investigations” are not exceptions to the 4(c) prohibitions
- ▼ Rehabilitation important, and may be urgent
- ▼ Border actions have separate exceptions

The old manual addressed Law Enforcement under “Criminal Emergencies” in a brief paragraph. Manual 6340 expands the discussion to reflect issues raised by the field and new legislation regarding border issues.

ADVANCE

“Hot pursuit” is defined and allows the use of prohibited equipment such as motor vehicles without prior authorization from the BLM. But a report does need to be made to the BLM office after the fact.

ADVANCE

Investigations are not exempt from the “minimum necessary” requirement, but because of the sometimes sensitive nature of investigations, a full, public Minimum Requirements Analysis may not be necessary.

ADVANCE

It is important that impacts from illegal activities and law enforcement actions be made as soon as possible after the incident. Occasionally, such as cleaning drug production sites where dangerous chemicals were present, rehabilitation is treated as an emergency.

ADVANCE

Under current law, actions taken to build barriers and associated roads in order to secure international borders are exempt from many restrictions that might be imposed by the Wilderness Act and other environmental laws. What is or is not allowed in which locations may change over time, so make sure you are up to date with current

regulations.

ADVANCE SLIDE

Manual 6340 Minerals

- ▼ Honor valid existing rights while preserving wilderness character as much as possible
- ▼ Gathering information OK if no degradation of wilderness character
- ▼ Minerals are withdrawn
- ▼ Specifics:
 - Leasing and material sales
 - Locatable minerals
 - Access to valid minerals rights

The essence of managing minerals in wilderness is to honor valid existing rights while preserving wilderness character as much as possible.

ADVANCE

BLM permits activities related to gathering information about mineral resources to the extent that they are compatible with the preservation of wilderness character.

ADVANCE

All wilderness areas, if not already withdrawn, are withdrawn from mineral entry on the date of wilderness designation subject to valid existing rights.

ADVANCE

There are specifics on mineral leasing, mineral sales, locatables, and access to valid mineral rights. These are largely unchanged from the old manual.

ADVANCE SLIDE

Manual 6340 Paleontological Resources

- ▼ An “Other Feature of Value”
- ▼ Collection of vertebrate fossils without a permit is illegal anywhere on federal land
- ▼ Collection of other fossils, including petrified wood, may be regulated through the wilderness management plan



Paleontological resources are part of the Other Features of Value of wilderness character.

ADVANCE

Casual collection of vertebrate paleontological materials is prohibited by the Paleontological Resources Protection Act anywhere on any federal lands *without a permit*.

ADVANCE

Common invertebrate and plant fossils – including petrified wood – which normally can be collected outside wilderness, can be protected in the wilderness management plan if necessary to preserve wilderness character.

ADVANCE SLIDE

Manual 6340 Recreational Use

▼ Maintaining solitude

Not required on every acre

Not necessary to create where wasn't present at designation

Activities on adjacent land may be designed to mitigate impacts

Maintain solitude with the least possible restriction



The Recreation section of the 6340 Manual is reorganized around the three recreational principles mentioned in the Wilderness Act.

ADVANCE

First is Maintaining solitude - Solitude is not required on every acre of a wilderness for this opportunity to be preserved.

ADVANCE

Nor is there a mandate to create opportunities for solitude which were not present at the time of designation.

ADVANCE

Though there are no buffer zones prohibiting all activities outside wilderness, all possible mitigation should be used to lessen impacts to solitude.

ADVANCE

It may be necessary to take management action to preserve solitude. Always use the least regulation to achieve the needed result.

ADVANCE SLIDE

Manual 6340 Recreational Use

▼ Maintaining solitude

▼ Maintaining a primitive setting

Remove structures and installations not eligible for the National Register

No installations for convenience or to protect visitors from natural hazards

Trails should be the minimum necessary to preserve wilderness character

Minimal use of signs

Permanent fixed anchors **may** be permitted

We want to Maintain a primitive setting for wilderness recreation

ADVANCE

Structures and installations, including those that predate wilderness designation, that do not meet the criteria provided in 6340 should be removed unless they are deemed eligible for the National Register of Historic Places.

ADVANCE

There should be no installations for “convenience” or to protect visitors from natural hazards, such as cliff edges. An exception could be made for conditions known to present an extraordinary and unavoidable hazard to users, such as a bridge needed to cross a stream that cannot be forded safely. **Human-made** unsafe conditions (such as a mine adit), can be made safer by placing an installation.

ADVANCE

Existing trails must be evaluated to determine if they are the minimum necessary to preserve wilderness character. Trails may be relocated or closed and restored as a result of the evaluation. New trails, too, must be the “minimum necessary.”

ADVANCE

Only a minimum of signs should be installed within wilderness areas. Emphasis should be on making accurate maps, route descriptions, or brochures available to visitors.

ADVANCE

Among a few exceptions to the prohibition on the **public** creating any structure or installation is the placement of permanent fixed climbing anchors, which may be allowed case-by-case if in conformance with the area's Wilderness Management Plan.

ADVANCE SLIDE

Manual 6340 Recreational Use

▼ Maintaining solitude

▼ Maintaining a primitive setting

▼ Maintaining an unconfined experience

“Indirect” methods such as education are preferable
Apply “direct” methods (restrictions) when necessary to
protect some quality of wilderness character



Finally, we want the recreation experience to be as unconfined as possible, recognizing that **some** regulation may be necessary.

ADVANCE

Visitor education should be used to achieve management objectives where feasible, and only the minimum amount of regulation necessary to achieve desired objectives may be used.

ADVANCE

However, biophysical and social carrying capacities may vary widely within and between wilderness areas due to variations in types and amounts of uses and resource characteristics. Sometimes restrictions are necessary to protect some other quality of wilderness character.

ADVANCE SLIDE

Manual 6340 Research

▼ Minimize impairment of wilderness character through the use of the MRDG and applicable NEPA analysis

Must employ a Prohibited Use +
Must employ a Prohibited Use +
Can be done outside wilderness =
Must be done inside wilderness =
May be done outside wilderness
May be done if:
Can be done without a Prohibited Use +
Must be done inside wilderness =
Must be done without Prohibited Use

Wilderness areas provide important locales and opportunities for scientific research

ADVANCE

But, research must be conducted in such a way as to minimize impairing wilderness character. Because the Wilderness Act prohibits certain uses unless they are the “minimum **necessary**,” the following rules of thumb apply:

ADVANCE

Any research that **must** employ a prohibited use and **can** be done outside the wilderness, **must** be done outside the wilderness.

ADVANCE

Any research that **can** be done without a prohibited use **must** be done without a prohibited use **if** it is conducted in wilderness.

ADVANCE

Research, or any component action of research, that **must** employ a prohibited use and **must** be done in wilderness **may** be permitted if the use meets the minimum necessary test and the benefits to wilderness character outweigh the impacts.

ADVANCE SLIDE

Manual 6340 Restoration & Vegetation Management

- ▼ Emphasize improving wilderness character over time
- ▼ Manipulation may be allowed for:
 - Emergencies
 - Recovering T&E species
 - Control of non-native species
 - Natural process alone cannot recover the area from past human intervention
- ▼ Tight parameters for manipulating native vegetation

Restoration & Vegetation Management: In the old manual, this topic was addressed in a “Forestry” section and elsewhere. Manual 6340 has no forestry section, but this restoration section has been added to cover all types of vegetation management.

ADVANCE

Management activities should emphasize enhancement of wilderness character over time.

ADVANCE

Whenever possible, the BLM will rely on natural processes, rather than our intervention, to maintain native vegetation. But manipulation may be appropriate...

ADVANCE

in emergencies

ADVANCE

when recovering T&E species

ADVANCE

to control non-native species

ADVANCE

and where natural processes alone are insufficient to recover an area that has been degraded by past human actions.

ADVANCE

When manipulating native vegetation, the manual details **very** tight

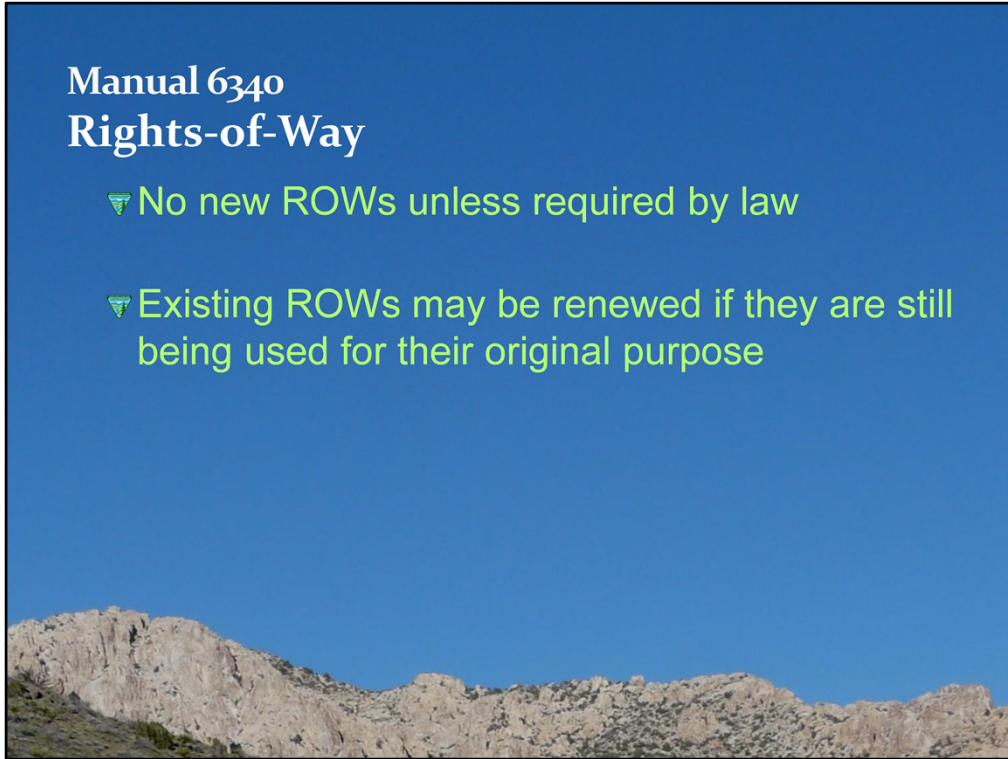
parameters that are required to be followed.

ADVANCE SLIDE

Manual 6340
Rights-of-Way

▼ No new ROWs unless required by law

▼ Existing ROWs may be renewed if they are still being used for their original purpose



Rights-of Way.

ADVANCE

New rights-or-way will not be approved unless required by another

law

ADVANCE

Existing rights-of-way – those predating the designation of the area as wilderness -- may be renewed if they are still being used for their authorized,

pre-designation purpose.

ADVANCE SLIDE

Manual 6340 Search & Rescue

- ▼ Prohibited uses only in emergency situations — “matters of immediate and urgent necessity”
- ▼ Prohibited uses should not be employed in non-emergencies, such as training



Search & Rescue: In most cases on BLM-administered lands, the local sheriff’s office (or other State or local entity) will have responsibility for search and rescue operations and is generally the organization best equipped to handle them.

ADVANCE

However, the BLM retains the authority to approve the landing of aircraft, the use of motorized equipment or mechanical transportation , or other uses generally prohibited by Section 4(c). In emergency situations, a detailed Minimum Requirements Analysis is inappropriate and the decision on authorization of normally prohibited uses should always err on the side of protecting human life. It may be useful, though, to consider what might be the minimum appropriate response to an emergency in advance of the emergency actually occurring.

ADVANCE

Prohibited uses should NOT be authorized for non-emergency situations. This would include activities such as using motorized equipment in search & rescue training or placing shelters in anticipation of inclement weather.

ADVANCE SLIDE

Manual 6340 Soil, Water, & Air

- ▼ Keep in as natural a condition as possible
- ▼ Allow ecological processes previously altered by human influences to return to their natural condition
- ▼ Class II airshed (6 areas are Class I)



We will keep soils, watersheds, and water bodies in as naturally functioning a condition as possible

ADVANCE

and allow (or assist) associated ecological processes previously altered by human influences to return to their natural condition.

ADVANCE

Almost all BLM wildernesses are managed as Class II airsheds under the Clean Air Act. The exceptions are those BLM additions to those Forest Service areas designated prior to 1977.

ADVANCE SLIDE

Manual 6340 Traditional Use by Native Americans

▼ Allowed if:

Consistent with preserving wilderness character
or

Guaranteed by treaty rights which may impair
wilderness character



Traditional Use by Native Americans was not addressed in the old manual.

ADVANCE

This use will be allowed if it is consistent with preserving wilderness character (including that no section 4(c) prohibitions will be employed.)

ADVANCE

OR, if the use is guaranteed by treaty rights – even if this means wilderness character may be impaired.

ADVANCE SLIDE

Manual 6340 Wild Horses and Burros

▼ Herd population and management techniques should be compatible with preserving wilderness character

Appropriate numbers of animals

HMAPs must take wilderness character into account

Prohibited uses must be the “minimum necessary” unless required by the WFRHBA

Use motor vehicles or place installations outside wilderness if possible



The Carhart Center does not provide training on the management of Wild Horses and Burros in wilderness, so we’ll go into a little more detail here than with the other resources in this training module.

ADVANCE

When determining the appropriate population for herd management areas, the BLM should ensure that the productive capacity of the habitat is not exceeded, in order to maintain a thriving natural ecological balance and prevent degradation of watershed function, and ecological processes. In this, wild horse and burro management is no different in wilderness than outside wilderness.

ADVANCE

In addition, Herd Management Area Plans for herd management areas that are wholly or partially within a wilderness must identify management actions required to preserve wilderness character as well as manage the herd.

ADVANCE

The BLM may only employ uses prohibited by Section 4(c) of the Wilderness Act when they are necessary to meet the minimum requirements for administering the area for the purpose of the Wilderness Act or where the uses are required under the Wild Free-Roaming Horse and Burro Act of 1971.

ADVANCE

Wherever possible, uses such as motor vehicles or installations associated with wild horse and burro management activities should be used or placed outside wilderness boundaries.

ADVANCE SLIDE

Manual 6340
Wildlife

“In general, the States possess broad trustee and police powers over fish and wildlife within their borders, including fish and wildlife found on Federal lands within a State.”

However, State powers are not unlimited



Wildlife: The Code of Federal Regulations states that, “In general, the States possess broad trustee and police powers over fish and wildlife within their borders, including fish and wildlife found on Federal lands within a State.” This statement is reiterated in Manual 6340.

ADVANCE

However, these powers are not unlimited.

ADVANCE SLIDE

Manual 6340
Wildlife

State powers are limited

“Where...state laws conflict with...[Federal] legislation passed pursuant to the Property Clause, the law is clear: The state laws must recede.”

U.S. Supreme Court, Kleppe v. New Mexico (1976)



In fact, State powers are quite limited on land managed by a federal agency. Several court decisions have made this clear.

ADVANCE

In a unanimous decision from 1976, the US Supreme Court wrote, “Where...state laws conflict with...[Federal] legislation passed pursuant to the Property Clause, the law is clear: The state laws must recede.”

The Wilderness Act is just such Federal legislation.

ADVANCE SLIDE

Manual 6340
Wildlife

State powers are limited

“Federal management and regulation...
preempts state management and regulation
...to the extent the two actually conflict, or
where state management and regulation
stand as an obstacle to the accomplishment
of the full purposes and objectives of the
Federal Government.”

10th Circuit, *Wyoming v. US* (2002)

Tying off that Supreme Court decision, the 10th Circuit Court of Appeals
was even clearer:

ADVANCE

“Federal management and regulation...preempts state management
and regulation...to the extent the two actually conflict, or where state management
and regulation stand as an obstacle to the accomplishment of the full purposes and
objectives of the Federal Government.”

In other words, the federal mandate to preserve wilderness character
preempts state management of wildlife.

ADVANCE SLIDE

Manual 6340
Wildlife

State powers are limited

“Federal management and regulation...
preempts state management and regulation
...to the extent the two actually conflict, or
where state management and regulation
stand as an obstacle to the accomplishment
of the full purposes and objectives of the
Federal Government.”

10th Circuit, *Wyoming v. US* (2002)

But the key phrase here is “to the extent the two actually conflict.”

ADVANCE SLIDE

Manual 6340 Wildlife

▼ Emphasis on coordination between BLM and state fish and wildlife agencies

Manual 6340 supersedes 2006 “AFWA Agreement”
MOUs or HMPs must be in conformance with the new policy, they will have to be amended.

Talk early and often



Similar to our old policy, Manual 6340 details the types of wildlife-related activities that can and cannot take place in wilderness. However, the new manual places greater emphasis on coordination with the state fish and game agencies. BLM state offices are encouraged to enter into agreements with the state agencies.

ADVANCE

The 2006 so-called “Agreement” with AFWA – the Association of Fish and Wildlife Agencies -- is superseded by our new policy, but most of Manual 6340 is consistent with the agreement.

ADVANCE

But if any MOUs or Habitat Management Plans are not in conformance with the new policy, they will have to be amended.

ADVANCE

In any event – talk early and talk often! We want to have good enough communication with state agencies that they don't propose anything in a wilderness that would degrade wilderness character. We want to get to the point where the state and federal needs do not conflict.

ADVANCE SLIDE

Manual 6340 Wildlife

▼ Involve key stakeholders

▼ Follow the law



One last caveat when it comes to coordination on wildlife action – or any proposed action – in wilderness.

ADVANCE

Be sure to involve key stakeholders on all sides of our stewardship concerns.

ADVANCE

But in the end, it is more important to follow the law. On more than one occasion a BLM office has authorized an activity that our own analysis said was illegal simply because none of the stakeholders who were contacted objected.

ADVANCE SLIDE

Management of Designated Wilderness Areas

Manual 6340

<http://www.wilderness.net/NWPS/training>



This concludes the brief overview of BLM Manual 6340. Remember, for more complete training on the meaning of wilderness, preserving wilderness character, and the management of various wilderness resources and uses (except for Wild Horses and Burros!)...

ADVANCE

...go to the Arthur Carhart National Wilderness Training Center's website at www.wilderness.net/NWPS/training.

Thank you.

ADVANCE SLIDE

Management of Designated Wilderness Areas

Manual 6340

<http://www.wilderness.net/NWPS/training>



ADVANCE SLIDE