

Subpart 8560—Management of Designated Wilderness Areas

§ 8560.0-1 Purpose.

The purpose of this part is to provide procedures for the management of public land designated by Congress as part of the National Wilderness Preservation System and administered under provisions of the Wilderness Act of 1964.

§ 8560.0-2 Objective.

The objective of these regulations is management of the public lands designated as part of the National Wilderness Preservation System to preserve and protect their wilderness character, provide for their use and enjoyment by the American people in a manner that will leave them unimpaired for future use and enjoyment as wilderness, and allow for recreational, scenic, scientific, educational, conservation, and historical use.

§ 8560.0-3 Authority.

This part is issued under the authority of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 *et seq.*), and the Wilderness Act of 1964 (16 U.S.C. 1131 *et seq.*).

§ 8560.0-5 Definitions.

As used in this part, the term:

(a) *Adequate access* means the combination of routes and modes of travel to non-Federal inholdings that will, as determined by the authorized officer, serve the reasonable purposes for which the non-Federal lands are held or used, and at the same time, cause impacts of least duration and degree on their wilderness character.

(b) *Authorized officer* means any employee of the Bureau of Land Management who has been delegated the authority to perform the duties described in this part.

(c) *Bureau* means the Bureau of Land Management.

(d) *Mechanical transport* means (1) any device for transporting personnel or material with wheels, tracks, or skids, or by flotation, for traveling over land, water, or snow, and is propelled by a nonliving power source contained or

carried on or within the device, or (2) a bicycle or hang-glider.

(e) *Motorized equipment* means any machine activated by a nonliving power source except small battery-powered, handcarried devices such as flashlights, shavers, Geiger counters, and cameras.

(f) *Motor vehicle* means any vehicle which is self-propelled or any vehicle which is propelled by electric power obtained from batteries.

(g) *Mining operations* means all functions, work and activities in connection with prospecting, exploration, development, mining or processing of mineral resources and all uses of the land reasonably incident thereto, including roads and other means of access on lands subject to the regulations in this part, regardless of whether said operations take place on or off mining claims.

(h) *Primitive and unconfined recreation* means nonmotorized types of outdoor recreation activities that do not require developed facilities.

(i) *Public lands* means any lands and interests in lands owned by the United States and administered by the Secretary of the Interior through the Bureau of Land Management without regard of how the United States acquired ownership.

(j) *Solitude* means the state of being alone or remote from habitation; isolation; also, a lonely, unfrequented, or secluded place.

(k) *Visitor use* means on-site use of the wilderness area for recreation, inspiration, stimulation, solitude, relaxation, education, scientific research, pleasure, or satisfaction.

(l) *Wilderness* is defined in the same way as in section 2(c) of the Wilderness Act of 1964, 16 U.S.C. 1131(c).

(m) *Wilderness character or characteristics* are defined in the same way as in section 2(c) of the Wilderness Act of 1964, 16 U.S.C. 1131(c).

§ 8560.0-6 Policy.

Wilderness areas shall be managed to promote, perpetuate and, where necessary, restore the wilderness character of the land and its specific values of solitude, physical and mental challenge, scientific study, inspiration, primitive recreation, watersheds and

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water yield, wildlife habitat, natural plant communities, and similar natural and recreational values.

(a) Natural ecological succession shall be allowed to operate freely to the extent permitted by the Wilderness Act:

(b) Wilderness shall be made available for human use to the optimum extent consistent with the maintenance of wilderness character;

(c) In resolving conflicts in resource use, wilderness values shall be primary to the extent provided by the Wilderness Act or subsequent establishing legislation.

§ 8560.1 Uses and prohibited acts.

§ 8560.1-1 Permits for and restrictions on use.

(a) Unless otherwise designated by the authorized officer, all wilderness areas shall be open to uses consistent with the preservation of their wilderness character and their future use and enjoyment by the American people as wilderness, including, but not limited to, primitive recreation and scientific study. The authorized officer may require permits for any use of particular wilderness areas, including, but not limited to, camping, campfires, and grazing of recreation livestock, and may issue written orders to close or restrict the use of lands and water surface administered by the Bureau within the boundary of any component of the National Wilderness Preservation System when necessary to carry out the provisions of the Wilderness Act. Each order shall:

(1) Describe the lands, trail, or waterway to which the order applies;

(2) Specify the time during which the closure or restriction applies;

(3) State each prohibition that is applied;

(4) Specify the reason for the closure, restriction, or prohibition; and

(5) Specify any person exempted from any of the prohibitions contained in the order.

(b) An order to close or to restrict the use of lands and water surface shall be effective upon posting. Posting shall be by:

(1) Placing a copy of the order in each local office of the Bureau having

jurisdiction over lands affected by the order, and

(2) Displaying each order near and/or within the affected wilderness area in such reasonable locations and in such a manner as to bring the prohibitions contained in the order to the attention of the public.

(c) The authorized officer may publish in the FEDERAL REGISTER, and/or in a newspaper of general circulation in the area of the affected lands, a copy of the order to close or restrict the use of lands or water surface.

(d) Permits may be requested from the Bureau office exercising field-level jurisdiction over the wilderness areas for which use permits are required by the authorized officer.

(e) When a permit for use is required by the authorized officer, applications for recreation uses shall be completed in accordance with the provisions of 43 CFR part 8372.

§ 8560.1-2 Prohibited acts.

Except as provided in the Wilderness Act or subsequent legislation establishing a particular wilderness area, or as specifically provided for elsewhere in this subpart, and subject to valid existing rights, the following are prohibited in wilderness areas managed by the Bureau:

(a) Commercial enterprises;

(b) Temporary or permanent roads;

(c) Aircraft landing strips, heliports, or helispots;

(d) Use of motorized equipment, motor vehicles, motorboats, or other forms of mechanical transport;

(e) Landing of aircraft;

(f) Dropping of materials, supplies, or persons from aircraft;

(g) Structures or installations, including motels, summer homes, stores, resorts, organization camps, hunting and fishing lodges, electronic installations, and similar structures and uses;

(h) Cutting of trees;

(i) Violating any order or regulation established by the authorized officer;

(j) Entry into or use of wilderness areas without a permit, where such permits are required by the authorized officer.