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Department of the Interior

Fish and Wildlife Service

Draft Policy on National Wildlife Refuge System: Mission, Goals, and Purposes; Notice

Draft Appropriate Refuge Uses Policy Pursuant to the National Wildlife Refuge System Improvement Act of 1997; Notice

Draft Wildlife-Dependent Recreational Uses Policy Pursuant to the National Wildlife Refuge System Improvement Act of 1997; Notice

Draft Wilderness Stewardship Policy Pursuant to the Wilderness Act of 1964; Notice

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[1018–AG46]

Draft Policy on National Wildlife Refuge System: Mission, Goals, and Purposes

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: We propose to adopt a policy articulating the mission of the National Wildlife Refuge System (System), establishing its goals, and providing guidance for identifying or determining the purpose(s) of individual refuge units within the System. We propose that this policy be incorporated into the Fish and Wildlife Service Manual. The chapter will be consistent with the principles contained within the National Wildlife Refuge System Administration Act of 1966 (NWRSAA–1966), as amended by the National Wildlife Refuge System Improvement Act of 1997 (NWRSIA–1997), including recognizing the priority for management activities set forth in the NWRSIA–1997 (wildlife, wildlife-dependent uses, and other uses) in setting and achieving refuge goals and objectives.

The draft chapter also provides policy on how the purpose(s) of refuge additions relate to the original refuge purpose(s), and how wilderness designated under the Wilderness Act can affect a refuge's purpose(s). It also provides a decision-tree for how to determine refuge purpose(s) from existing documentation.

DATES: Comments must be received by March 19, 2001.

ADDRESSES: Send comments concerning this draft policy via mail, fax, or email to: Barry Stieglitz, Acting Chief, Division of Conservation Planning and Policy, National Wildlife Refuge System, U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, Room 670, Arlington, Virginia, 22203; fax (703) 358–2248; email Mission_And_Goals_Policy_Comments@fws.gov.

FOR FURTHER INFORMATION CONTACT: Barry Stieglitz, National Wildlife Refuge System, U.S. Fish and Wildlife Service, Telephone (703) 358–1744.

SUPPLEMENTARY INFORMATION: The NWRSIA–1997 (Pub. L. 105–57) amends and builds upon the NWRSAA–1966 (16 U.S.C. 668dd–668ee), providing an ''Organic Act'' for the System. It clearly establishes that wildlife conservation is the singular mission of the System and affirms the importance of refuge purposes as they relate to the broader System mission. It states that we shall manage each refuge to fulfill the mission of the System, as well as the specific purpose(s) for which that refuge was established.

The NWRSIA–1997 also provides a clear hierarchy of activities: wildlife conservation, wildlife-dependent recreational uses, and other uses. This chapter reinforces this hierarchy and allows us to articulate our goals for the System, given the direction this new legislation provides. We will incorporate this chapter in the Service Manual as 601 FW 1, replacing 2 RM 1 ''Objectives of the National Wildlife Refuge System,'' which has been in effect since 1982. The complete text of the policy concludes this document, but the following is a overview of the chapter.

Overview of the Draft National Wildlife Refuge System: Mission, Goals, and Purposes Policy

Section 1.1 presents the purpose of the chapter.

Section 1.2 explains that this chapter applies to national wildlife refuges, waterfowl production areas, and coordination areas, which are all units of the System. It does not apply to administrative sites or national fish hatcheries.

Section 1.3 describes how the System mission and goals, and individual unit purposes relate to each other. It reiterates the NWRSIA–1997 language that clearly provides for a unit's purpose(s) to receive priority over the System mission, should there be a conflict between the two.

Section 1.4 describes the mission of the System.

Section 1.5 describes how the System mission relates to the Service mission. The network of lands and waters within the System clearly supports the Service mission of ''* * * working with others, to conserve, protect, and enhance fish, wildlife, and plants and their habitats for the continuing benefit of the American people.''

Section 1.6 lists the goals of the System. These are:

A. To fulfill our statutory duty to achieve refuge purpose(s) and further the System mission;

B. Conserve, restore where appropriate, and enhance all species of fish, wildlife, and plants that are endangered or threatened with becoming endangered;

C. Perpetuate migratory bird, interjurisdictional fish, and marine mammal populations;

D. Conserve a diversity of fish, wildlife, and plants;

E. Conserve and restore as appropriate representative ecosystems of the United States, including the ecological processes characteristic of those ecosystems; and

F. To foster understanding and instill appreciation of native fish, wildlife, and plants, and their conservation, by providing the public with safe, high-quality, and compatible wildlife-dependent public use. Such use includes hunting, fishing, wildlife observation and photography, and environmental education and interpretation.

Section 1.7 describes each of these goals in more detail and justification for why each goal is appropriate for the System.

Section 1.8 explains the relationship the identified goals have to our management priorities. It reiterates the priorities established in the NWRSIA–1997 to be: (1) Wildlife, (2) wildlife-dependent uses, and (3) other uses.

Section 1.9 discusses how we will use these System goals to provide the philosophical foundation of the System; to consider when developing wildlife population and habitat goals and objectives; to guide the land acquisition decision-making process; and in making determinations regarding appropriate uses and compatibility.

Section 1.10 describes what a ''unit purpose'' is, quoting from the NWRSIA–1997.

Section 1.11 discusses the importance of unit purposes.

Section 1.12 gives examples of unit purposes, and explains that some may be quite broadly written, while others may have a more narrow focus.

Section 1.13 gives the references where unit purposes can be found for each unit in the System.

Section 1.14 discusses how to determine which purpose(s) take priority over others, if a particular unit has multiple purposes associated with it.

Section 1.15 discusses the relationship of purposes for additions to existing units affect the original purpose(s) of the established unit(s), and vice versa.

Section 1.16 discusses how wilderness areas designated under the Wilderness Act (16 U.S.C. 1131–1136) affect a unit's purpose(s).

Section 1.17 provides a process for determining the purpose(s) of units of the System. It is a decision-tree that guides you through establishment/authorization methods and what other references you may need when purposes have not been clearly articulated in establishment/authorization documents. It also specifies that the Director of the

Service must approve purposes in cases where establishing/authorizing documents do not articulate the purpose(s).

Comment Solicitation

If you wish to comment, you may submit your comments by any one of several methods. You may mail comments to: Barry Stieglitz, National Wildlife Refuge System, U.S. Fish and Wildlife Service, 4401 North Fairfax Drive—MS670, Arlington, VA 22203. You may comment via the Internet to: Mission_And_Goals _Policy_ Comments@fws.gov. Please submit Internet comments as an ASCII file, avoiding the use of special characters and any form of encryption. If you do not receive a confirmation from the system that we have received your Internet message, contact us directly at (703) 358–1744. You may also fax comments to: Barry Stieglitz, National Wildlife Refuge System, (703) 358–2248. Finally, you may hand-deliver comments to the address mentioned above.

Our practice is to make comments, including names and home addresses of respondents, available for public review during regular business hours. Individual respondents may request that we withhold their home address from the record, which we will honor to the extent allowable by law. There also may be circumstances in which we would withhold from the record a respondent's identity, as allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. However, we will not consider anonymous comments. We will make all submissions from organizations or businesses and from individuals identifying themselves as representative or officials of organizations or businesses, available for public inspection in their entirety.

We seek public comments on this draft policy and will take into consideration comments and any additional information received during the 60-day comment period.

We published a notice in the **Federal Register** on January 23, 1998 (63 FR 3583) notifying the public that we would be revising the Service Manual, establishing regulations as they relate to the NWRSIA–1997, and offering to send copies of specific draft Service Manual chapters to anyone who would like to receive them. We will mail a copy of this draft Service Manual chapter to those who requested one. In addition, this draft Service Manual chapter will be available on the Internet at http://www.fws.gov/directives/library/frindex.html during the 60-day comment period.

Required Determinations

Regulatory Planning and Review

In accordance with the criteria in Executive Order 12866, this document is not a significant regulatory action. The Office of Management and Budget (OMB) makes the final determination under Executive Order 12866.

a. This document will not have an annual economic effect of $100 million or adversely affect an economic sector, productivity, jobs, the environment, or other units of government. A cost-benefit or full economic analysis is not required. This document is administrative and procedural in nature. This draft National Wildlife Refuge System policy provides for a hierarchy of activities and establishes the process for articulating the goals for the System. This policy will have the effect of providing priority consideration for wildlife conservation and wildlife-dependent recreational uses involving hunting, fishing, wildlife observation and photography, and environmental education and interpretation and other uses. Existing policy has been in place since 1982. The NWRSIA–1997 does not change this direction in public use, but provides legal recognition for the mission, goals, and purposes of the System. We expect this articulated policy will not cause a measurable economic effect to existing national wildlife refuge public use programs.

The appropriate measure of the economic effect of changes in recreational use is the change in the welfare of recreationists. We measure this in terms of willingness to pay for the recreational opportunity. We estimated total annual willingness to pay for all recreation at national wildlife refuges to be $372.5 million in Fiscal Year 1995 (Banking on Nature: The Economic Benefits to Local Communities of National Wildlife Refuge Visitation, DOI/FWS/Refuges 1997). We expect the policy implemented in this document will not affect public uses of the Refuge System. This does not mean that every refuge will have the same public uses. Public uses of a refuge are determined when a refuge is established and after public hearings are held. Only compatible uses with the purpose of the refuge are proposed for public review and comment. This policy will provide for a unit's purposes to receive priority over System mission should there be a conflict between the two.

This document will not make changes in the amounts of public activities occurring on national wildlife refuges. There will not be a change in the total benefits of permitted public uses activities on national wildlife refuges.

b. This document will not create a serious inconsistency or otherwise interfere with an action taken or planned by another agency since the document pertains solely to management of national wildlife refuges by the Service.

c. This document does not alter the budgetary effects or entitlements, grants, user fees, or loan programs or the rights or obligations of their recipients. There are no grants or other Federal assistance programs associated with public use of national wildlife refuges.

d. This document does not raise novel legal or policy issues; however, it does provide a hierarchy of activities pursuant to the NWRSIA–1997 provisions that ensure that wildlife conservation, wildlife-dependent recreational uses and other uses are the priority public uses of the System.

Regulatory Flexibility Act

We certify that this document will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

Congress created the National Wildlife Refuge System to conserve fish, wildlife, and plants and their habitats and facilitated this conservation mission by providing Americans opportunities to visit and participate in compatible wildlife-dependent recreation (hunting, fishing, wildlife observation and photography, and environmental education and interpretation) as priority general public uses on national wildlife refuges and to better appreciate the value of, and need for, wildlife conservation.

This document is administrative and procedural in nature and provides for a hierarchy of activities on refuges: wildlife conservation, wildlife-dependent recreation and other uses. Since uses of a national wildlife refuge are determined with the establishment of the refuge, which includes public hearings, this policy will not affect public uses of refuges, and consequently, not affect any business establishments in the vicinity of any refuge.

National wildlife refuge visitation is a small component of the wildlife recreation industry as a whole. In 1996, 77 million U.S. residents over 15 years old spent 1.2 billion activity-days in wildlife-associated recreation activities. They spent about $30 billion on fishing, hunting, and wildlife watching trips (Tables 49, 54, 59, 63, 1996 National

Survey of Fishing, Hunting, and Wildlife-Associated Recreation, DOI/FWS/FA, 1997). National wildlife refuges recorded about 29 million visitor-days that year (RMIS, FY1996 Public Use Summary). A study of 1995 national wildlife refuge visitors found their travel spending generated $401 million in sales and 10,000 jobs for local economies (Banking on Nature: The Economic Benefits to Local Communities of National Wildlife Refuge Visitation, DOI/FWS/Refuges, 1997). These spending figures include spending which would have occurred in the community anyway, and so they show the importance of the activity in the local economy rather than its incremental impact. Marginally greater recreational opportunities on national wildlife refuges will have little industry-wide effect.

There are no expected changes in expenditures as a result of this document. We expect there will not be a change in recreational opportunities so we do not expect the document to have a significant economic effect on a substantial number of small entities in any region or nationally.

Small Business Regulatory Enforcement Fairness Act

This document is not a major rule under 5 U.S.C. 804(2), the Small Business Regulatory Enforcement Fairness Act. This document:

a. Does not have an annual effect on the economy of $100 million or more. These regulations will affect only visitors at national wildlife refuges. They may result in increased visitation at refuges and provide for minor changes to the methods of public use permitted within the National Wildlife Refuge System. Refer to response under Regulatory Flexibility Act.

b. Will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions. See response above.

c. Does not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises. See response above.

Unfunded Mandates Reform Act

In accordance with the Unfunded Mandates Reform Act (2 U.S.C. 1501, *et seq.*):

a. This document will not ''significantly or uniquely'' affect small governments. A Small Government Agency Plan is not required. See response to Regulatory Flexibility Act.

b. This document will not produce a Federal mandate of $100 million or greater in any year, *i.e.,* it is not a ''significant regulatory action'' under the Unfunded Mandates Reform Act. See response to Regulatory Flexibility Act.

Takings

In accordance with Executive Order 12630, the document does not have significant takings implications. A takings implication assessment is not required. These regulations may result in increased visitation at refuges and provide for minor changes to the methods of public use permitted within the National Wildlife Refuge System. Refer to response under Regulatory Flexibility Act.

Federalism

In accordance with Executive Order 13132, the document does not have significant federalism effects. This document will not have substantial direct effects on the States, in their relationship between the Federal Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 13132, we have determined that this document does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Civil Justice Reform

In accordance with Executive Order 12988, the Office of the Solicitor has determined that the document does not unduly burden the judicial system and meets the requirements of sections 3(a) and 3(b)(2) of the Order. The regulation will expand upon established regulations, and result in better understanding of the regulations by refuge visitors.

Paperwork Reduction Act

This document does not require an information collection from ten or more parties and a submission under the Paperwork Reduction Act of 1995 is not required.

National Environmental Policy Act

We ensure compliance with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4332(C)) when developing national wildlife refuge Comprehensive Conservation Plans and public use management plans, and we make determinations required by NEPA before the addition of national wildlife refuges to the lists of areas open to public uses. The revisions to regulations as proposed in this document resolve a variety of issues concerning our administration of national wildlife refuge uses. In accordance with 516 DM 2, Appendix 1.10, we have determined that this document is categorically excluded from the NEPA process because it is limited to policies, directives, regulations and guidelines of an administrative, financial, legal, technical or procedural nature; or the environmental effects of which are too broad, speculative or conjectural to lend themselves to meaningful analysis. Site-specific proposals, as indicated above, will be subject to the NEPA process.

Government-to-Government Relationship With Tribes

In accordance with the President's memorandum of April 29, 1994, ''Government-to-Government Relations with Native American Tribal Governments'' (59 FR 22951) and 512 DM 2, we have evaluated possible effects on federally recognized Indian tribes and have determined that there are no effects. In Alaska, this regulation would not apply to the development and use of Alaska Native Claims Settlement Act (ANCSA), 22(g) village lands in Alaska national wildlife refuges.

Primary Author

Brad Knudsen, Refuge Program Specialist, National Wildlife Refuge System, U.S. Fish and Wildlife Service, is the primary author of this notice.

Refuge Management—Part 601 National Wildlife Refuge System

Chapter 1 National Wildlife Refuge System Mission and Goals and Purposes 601 FW 1

1.1 *What is the purpose of this chapter?* This chapter reiterates the mission of the National Wildlife Refuge System, how it relates to the mission of the Fish and Wildlife Service, and explains the relationship of the System mission and goals, and the purpose(s) of each unit of the System. This chapter provides goals for the System and guidance for identifying or determining the purpose(s) of each unit within the System. This chapter also provides guidance on the use of goals and purposes in the administration and management of the System.

1.2 *What is the scope of this chapter?* This chapter applies to all units of the System. For purposes of this chapter, a unit of the System is defined as all lands, waters, and interests therein administered by the U.S. Fish and Wildlife Service as wildlife refuges, wildlife ranges, wildlife management areas, waterfowl production areas, coordination areas and other areas for the protection and conservation of fish

and wildlife including those threatened with extinction as determined in writing by the Director or so directed by Presidential or Secretarial order.

1.3 *How do the System mission, goals, and unit purpose(s) relate to each other?* Collectively, the System mission, goals, and unit purpose(s) define the duty of the U.S. Fish and Wildlife Service in the administration and management of any unit of the System. Ideally, the System mission, goals, and unit purpose(s) are viewed as symbiotic in nature; however, priority is given to achieving a unit's purpose(s) when conflicts with the System mission or a specific goal are identified. Unit purposes form the foundation for developing goals and objectives for units during Comprehensive Conservation Plan preparation, and provide the basis for determining the appropriateness and compatibility of existing and proposed uses on units.

1.4 *What is the mission of the National Wildlife Refuge System?* The National Wildlife Refuge System Administration Act of 1966 (NWRSAA–1966), as amended by the National Wildlife Refuge System Improvement Act of 1997 (NWRSIA–1997), states the following: ''The mission of the National Wildlife Refuge System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.''

1.5 *How does the mission of the System relate to the mission of the Service?* The mission of the Service set forth in National Policy Issuance 99–01 is: ''Our mission is working with others, to conserve, protect and enhance fish, wildlife, and plants and their habitats for the continuing benefit of the American people.'' To accomplish this mission, there is a clear need for a network of lands and waters representing the diversity of landscapes and ecosystems of the United States dedicated to the conservation of fish, wildlife, and plants. While the mission of the System and purposes of individual units are paramount, it is recognized that the System contributes a vital component to the Service mission.

1.6 *What are the goals of the System?* The administration, management, and growth of the System are guided by the following goals:

A. To fulfill our statutory duty to achieve refuge purpose(s) and further the System mission.

B. Conserve, restore where appropriate, and enhance all species of fish, wildlife, and plants that are endangered or threatened with becoming endangered.

C. Perpetuate migratory bird, interjurisdictional fish, and marine mammal populations.

D. Conserve a diversity of fish, wildlife, and plants.

E. Conserve and restore where appropriate representative ecosystems of the United States, including the ecological processes characteristic of those ecosystems.

F. To foster understanding and instill appreciation of native fish, wildlife, and plants, and their conservation, by providing the public with safe, high-quality, and compatible wildlife-dependent public use. Such use includes hunting, fishing, wildlife observation and photography, and environmental education and interpretation.

1.7 *What do these goals mean?* Goal A. The U.S. Fish and Wildlife Service is entrusted with the stewardship of America's National Wildlife Refuge System. Our first obligation in meeting that trust is the non-discretionary duty to fulfill refuge purpose(s). We may not discard that obligation in pursuit of other objectives. We may, in order to fulfill the broader System mission, and the further goals enumerated below, manage a refuge to achieve additional wildlife conservation purposes and needs, unforseen, unknown, or resulting from circumstances unanticipated at the time of refuge establishment. These additional efforts will be additive to the achievement of refuge purpose(s), which is our first and highest obligation.

Goal B. Threatened and endangered species are those listed as such by the Service or the National Marine Fisheries Service. As we manage to achieve unit purposes, we are mindful of our obligations under section 2(c)(1) of the Endangered Species Act and we strive to be a model for other Federal land management agencies in fulfilling that obligation. We protect and manage candidate and proposed species to enhance their status and help preclude the need for listing. Per Service policy [see Section 1.2(C) of the Service's ''Section 7 Consultation Handbook'', March 1998], we will consult or confer with Service Ecological Services staff on any actions authorized, funded, or carried out on System units that may affect listed, proposed, or candidate species or designated or proposed critical habitat.

Goal C. We strive to meet the needs of all migratory birds in our habitat strategies, especially those species which are rare, declining, or tied directly to a unit's purpose(s). We contribute to such efforts as the North American Bird Conservation Initiative, and continue to recognize the System's role in the perpetuation of the continent's waterfowl resource: more than 200 refuges and thousands of waterfowl production areas have been established for purpose of waterfowl or migratory bird conservation. We emphasize the conservation and management of those marine mammals for which the Service has been given primary management authority, including polar bears, walruses, sea otters, manatees, and dugongs, as well as the conservation of any marine mammal using System lands or waters. We emphasize the conservation and management of those fish populations using System waters and whose life-cycle movements cross international, State, or Tribal boundaries. Examples include anadromous species of salmon and free-roaming species endemic to large river systems, such as paddlefish and sturgeon.

Goal D. We sustain all native species of animals and plants that inhabit units of the System through our efforts to maintain the biological diversity, biological integrity, and environmental health of each unit. This does not preclude the consumptive use of some species when compatible with a unit's purpose(s) and the System mission, or the population management of some species to help achieve a unit's purpose(s). Some units were established primarily to protect populations of certain animal species that have a unique historic and cultural legacy in North America. We continue to emphasize the conservation of those native species tied directly to the establishment purpose(s) of units.

Goal E. Through our management and acquisition efforts, we assist states, Tribes, other agencies and conservation groups in preserving those ecosystems, plant communities, wetlands of national or international significance, and/or landscapes that are unique, rare, declining, or under-represented in existing conservation lands. We use existing and emerging classification systems that identify such ecosystems and/or resources to guide our preservation, restoration, and acquisition efforts. We care for our special designation lands such as wilderness, natural areas, wild and scenic rivers, national monuments, and national natural landmarks, and, where appropriate, expand these designations on existing and new units. We strive to establish and maintain a network of biological reserves to ensure preservation and genetic exchange of our Nation's diverse natural heritage in

partnership with other Federal land management agencies, States, conservation organizations, and members of the public participating on a voluntary basis.

Goal F. We recognize that a higher awareness of, and appreciation for, the value of fish and wildlife conservation is gained in part by providing opportunities for people to engage in compatible wildlife-dependent recreation. This higher awareness and appreciation ultimately contributes to the mission of the System. Thus, we facilitate opportunities for hunting, fishing, wildlife observation and photography, and environmental education and interpretation that are compatible with a unit's purpose(s) and the System mission. Our interpretive and education programs also include historic and cultural resources found on units. We actively seek partnerships for our public use programs when a lack of funds or staff limit implementation.

1.8 *How do these goals relate to management priorities?* The NWRSAA–1966, as amended, sets forth the following priority for management activities: (1) Wildlife, (2) wildlife-dependent recreational uses, and (3) other uses. Thus, goals dealing with fish, wildlife, and plants, and the habitat or ecosystems on which they depend, take priority over wildlife-dependent uses or any other uses of System lands. Wildlife-dependent recreational uses in turn take priority over those uses which are not wildlife-dependent. Each unit contributes to one or more of the goals of the System, depending on the purpose(s) of the unit, a unit's geographic and ecological setting, and the unique characteristics, potential, or limitations of each unit.

1.9 *How will we use these goals of the System?* These goals help step down the System mission and statements on System management as written in the NWRSAA–1997, as amended. Collectively, these goals articulate the foundation for our stewardship of the System and define the unique niche it occupies among the various Federal land systems. We consider these goals in developing wildlife population and habitat goals and objectives at the System, regional, ecosystem, and unit level; in providing a frame of reference for Comprehensive Conservation Plans; to guide the land acquisition decision-making process; to assist managers in applying sound professional judgment to their decisions while carrying out the purpose(s) of their units and in determining whether proposed uses are appropriate and compatible; and as a guide when developing other policies on System administration and management.

1.10 *What is meant by the term ''unit purpose?''* Unit purpose refers to the justification for the establishment of a unit of the System as a place owned by the American people and cared for on their behalf. The NWRSAA–1966, as amended, defines ''purposes of the refuge'' as the ''purposes specified in or derived from the law, proclamation, executive order, agreement, public land order, donation document, or administrative memorandum establishing, authorizing, or expanding a refuge, refuge unit, or refuge subunit.''

1.11 *Why are unit purposes important?* Purposes define the essential objective of our refuge stewardship. They constitute a non-discretionary obligation as the legislative, legal, and administrative foundations for the administration and management of a unit of the System. This includes planning, setting unit goals and objectives, and authorization of public uses, which must be shown to be appropriate and compatible with the purpose(s) of a unit and the System mission before they are allowed.

1.12 *What are some examples of purposes?* Units acquired under the authority of general conservation laws take on the purpose of the law. Examples of such laws include the Endangered Species Act of 1973, the Migratory Bird Conservation Act, the Fish and Wildlife Act of 1956, the Emergency Wetlands Resources Act, and the Alaska National Interest Lands Conservation Act. Executive Orders and refuge-specific legislation generally declare the purpose(s) of the unit, sometimes broadly (''as a preserve and breeding ground for native birds''), and sometimes very specifically (''to protect and preserve in the national interest the Key deer and other wildlife resources in the Florida Keys.'').

1.13 *Where can the purpose(s) of each unit of the System be found?* The publication ''Purposes for Refuges of the National Wildlife Refuge System'' contains the official purpose(s) for each unit. This publication is updated annually to include new additions to the System, and can be found by using the ''Search—databases'' on the System web server at http://refuges.fws.gov.

1.14 *If a unit has multiple purposes, do some purposes take priority over others?* Unless otherwise indicated in the establishing law, order, or other document, purposes dealing with the conservation, management, and restoration of fish, wildlife, and plants, and the habitats on which they depend, take precedent over other purposes in the management and administration of any unit. Where a refuge has multiple purposes related to fish, wildlife and plant conservation, the more specific purpose will take precedent in instances of conflict. Designated wilderness assumes the purposes of the Wilderness Act of 1964 in addition and equal to other unit purposes, unless otherwise specified in the wilderness designation.

1.15 *How does the purpose(s) associated with acquiring new lands for existing units relate to the original purpose(s) of the existing units?* When an addition to a unit is acquired under an authority different from the authority used to establish the original unit, the addition also takes on the purpose(s) of the original unit, but the original unit does not take on the purpose(s) of the addition.

1.16 *How does the Wilderness Act affect a unit's purpose?* The purposes of the Wilderness Act become additional and equal purposes of units with designated wilderness, but apply only to those areas so designated. The purposes of the Wilderness Act include both the preservation of wilderness condition and character, and the use and enjoyment of wilderness.

1.17 *What is the process for determining purposes of units?* The purpose(s) of existing units may be found as described in section 1.13. We will use the decision process outlined in Exhibit 1 to determine the purpose(s) of a unit. This process can be applied to all System acquisitions, including excess military lands, land exchanges, or condemnations by focusing on the acquisition authority for the particular property. This process takes into account those rare cases where acquisition authority provides a vague purpose. This process should be used for each parcel or group of parcels included under different acquisition authorities, until the purpose for each authority has been determined.

Exhibit 1—Decision Process for Determining Unit Purposes

Step I. Was the unit established by an Executive Order, public land order, or Secretarial Order?

A. Yes.

1. The document specifies the purpose(s) for the unit—DONE.

2. The document does not specify a purpose:

What is the historical record of management, management plans, and the biological history of the area? Articulate the purpose(s) for Director's approval—DONE.

3. If any lands/waters at this unit were not included under any additional authorities—DONE.

4. If any lands/waters at this unit were included under additional authorities, go to Step II.

B. No. Go to Step II.

Step II. Was the unit established or authorized by unit-specific legislation?

A. Yes.

1. The legislation states the purpose(s) of the unit—DONE.

2. The legislation does not specify a purpose:

Further research is required including legislative history, agency testimony in the Congressional Record, or documents approved by the Director, or lacking these, the biological history of the area, resource inventories, or other resource-based documentation. Articulate the purpose(s) for Director's approval—DONE.

3. If any lands/waters at this unit were not included under any additional authorities—DONE.

4. If any lands/waters at this unit were included under additional authorities, go to Step III.

B. No. Go to Step III.

Step III. Was the unit established or acquired by the authority of one or more of the following 14 laws that grant the Service acquisition authority?

1. An Act Authorizing the Transfer of Certain Real Property
2. Bankhead-Jones Farm Tenant Act
3. Consolidated Farm and Rural Development Act
4. Colorado River Storage Act
5. Emergency Wetlands Resources Act of 1986
6. Endangered Species Act of 1973
7. Fish and Wildlife Act of 1956
8. Fish and Wildlife Coordination Act
9. Lea Act
10. Migratory Bird Conservation Act
11. Migratory Bird Hunting and Conservation Stamp Act
12. North American Wetlands Conservation Act
13. National Wildlife Refuge System Administration Act of 1966
14. Refuge Recreation Act

A. Yes.

1. The purpose for acquisition is stated in the law and becomes the purpose of the unit—DONE.

2. If any lands/waters at this unit were not included under any additional authorities—DONE.

3. If any lands/waters at this unit were included under additional authorities, go to Step IV.

B. No. Go to Step IV.

Step IV. Was the unit donated to the Service?

A. Yes.

1. Research is required, including legislation that grants authority for donations, any biological reports on the unit or adjacent area, a review of fish, wildlife, and plant species of significance using the unit, and any conditions set forth in the donation letter or memorandum that do not conflict with the mission of the System. Articulate the purpose(s) for Director's approval.

Dated: December 18, 2000.

Jamie Rappaport Clark,

Director, Fish and Wildlife Service.

[FR Doc. 01–20 Filed 1–12–01; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[1018–AG18]

Draft Appropriate Refuge Uses Policy Pursuant to the National Wildlife Refuge System Improvement Act of 1997

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: We propose to establish, in policy, a procedure for determining when uses other than the six priority wildlife-dependent recreational uses are appropriate or not appropriate on a unit of the National Wildlife Refuge System (System). The National Wildlife Refuge System Improvement Act of 1997 (NWRSIA–1997), that amends the National Wildlife Refuge System Administration Act of 1966 (NWRSAA–1966), defines and establishes that wildlife-dependent recreational uses (hunting, fishing, wildlife observation and photography, and environmental education and interpretation) are the priority general public uses of the System and, if found compatible, will receive enhanced and priority consideration in refuge planning and management over other general public uses. This draft policy describes how we will provide priority to these uses, and establishes a process for deciding when it is appropriate to allow other, non-priority uses to occur on national wildlife refuges. We propose to incorporate this policy as Part 603 Chapter 1 of the Fish and Wildlife Service Manual.

DATES: Comments must be received by March 19, 2001.

ADDRESSES: You may submit comments on this draft appropriate refuge uses policy by mail, fax or e:mail: by mail to J. Kenneth Edwards, Refuge Program Specialist, National Wildlife Refuge System, U.S. Fish and Wildlife Service, 4401 North Fairfax Drive, Room 670, Arlington, Virginia 22203; by fax to (703) 358–2248; or by e:mail to Appropriate_Uses _Policy_ Comments@fws.gov.

FOR FURTHER INFORMATION CONTACT: J. Kenneth Edwards, Refuge Program Specialist, National Wildlife Refuge System, U.S. Fish and Wildlife Service, Telephone (703) 358–1744.

SUPPLEMENTARY INFORMATION: The NWRSIA–1997 amends and builds upon the NWRSAA–1966 providing an ''Organic Act'' for the System. The NWRSIA–1997 clearly establishes that wildlife conservation is the singular System mission, provides guidance to the Secretary of the Interior (Secretary) for management of the System, provides a mechanism for refuge planning, and gives refuge managers uniform direction and procedures for making decisions regarding wildlife conservation and uses of the System.

The NWRSIA–1997 identifies six wildlife-dependent recreational uses (hunting, fishing, wildlife observation and photography, and environmental education and interpretation) as the priority general public uses of the System. The NWRSIA–1997 also provides a set of affirmative stewardship responsibilities regarding our administration of the System. These stewardship responsibilities direct us to ensure that these six wildlife-dependent recreational uses are provided enhanced consideration and priority over other general public uses.

The Refuge Recreation Act of 1962 (RRA–1962) also authorizes us to regulate or curtail public recreational uses in order to insure accomplishment of our primary conservation objectives. The RRA–1962 also directs us to administer the System for public recreation when the use is an ''appropriate incidental or secondary use.''

The determination of appropriateness is the first step in deciding whether we will permit a proposed or existing use on a refuge. After we decide a use is appropriate, we then must determine that it would be compatible before allowing. The six wildlife-dependent recreational uses are the priority public uses of the System and, when compatible, have been determined to be appropriate by law. Uses which are necessary for the safe, practical, and effective conduct of a priority public use are also appropriate. We will evaluate all other uses under a screening process established by this policy to determine their relationship to the System's wildlife conservation mission, individual refuge purposes, and the six priority public uses. This screening process, the ''appropriate use'' test contained in this policy, is a decision process that refuge managers will use to quickly and systematically decide which uses are not appropriate on a national wildlife refuge. We then more thoroughly review uses, which we have

determined to be appropriate, for compatibility before we allow them on a refuge. This appropriate use policy and our compatibility policy are key tools refuge managers use together to fortify our commitment to provide enhanced opportunities for the public to enjoy wildlife-dependent recreation while at the same time ensuring that no refuge uses compromise the System's wildlife conservation mission and the individual refuge purposes. Through careful planning, System-wide application of regulations and policies, diligent monitoring of the impacts of uses on natural resources, and by preventing or eliminating uses not appropriate to the System, we can achieve our wildlife conservation mission and individual refuge purposes while also providing people with lasting opportunities for the highest quality wildlife-dependent recreation.

Appropriate Refuge Uses Policy

To ensure the primacy of the System wildlife conservation mission, the individual refuge purposes and to be sure we afford priority to the six wildlife-dependent recreational uses within the System, we are proposing to establish an appropriate refuge uses policy. This policy will apply to all proposed and existing uses of national wildlife refuges when we have jurisdiction over these uses. The following is a summary of the key provisions of this policy.

The Refuge Manager will not further consider allowing a new use, nor renewing, extending, or expanding an existing use on a national wildlife refuge without determining the use to be an appropriate use. The Refuge Manager will halt, as expeditiously as practicable, existing uses determined to be not appropriate.

An appropriate use of a refuge is a proposed or existing use that meets at least one of the following three conditions:

1. The use is a priority public use or is necessary for the safe, practical, and effective conduct of a priority public use on the refuge;

2. The use contributes to fulfilling the System mission, or the refuge purposes, goals, or objectives as described in a refuge management plan approved after October 9, 1997, the date the NWRSIA–1997 was passed; or

3. The use has been determined to be appropriate in a documented analysis by the Refuge Manager, with the Refuge Supervisor's concurrence. This documented analysis will address the following 11 factors.

a. Does the use comply with applicable laws and regulations?

b. Is the use consistent with applicable Executive Orders and Department and Service policies?

c. Is the use consistent with refuge goals and objectives in an approved refuge management plan?

d. Has an earlier documented analysis not denied the use?

e. Is the use consistent with public safety?

f. Is the use manageable within available budget and staff?

g. Is the use consistent with other resource or management objectives?

h. Will the use be easy to control in the future?

i. Is the refuge the only place where this activity can reasonably occur?

j. Does the use contribute to the public's understanding and appreciation of the refuge's wildlife or cultural resources, or is the use beneficial to the refuge's wildlife or cultural resources?

k. Can the use be accommodated without impairing existing wildlife-dependent recreational uses or reducing the potential to provide quality wildlife-dependent recreation into the future?

If the answer is ''no'' to any of these questions, we will generally not allow the use. If the answers are consistently ''yes'' to these questions, or, if not, if there are compelling reasons why the Refuge Manager believes the use is appropriate on the refuge, the Refuge Manager then prepares a written justification, and obtains concurrence from the Refuge Supervisor. Requiring concurrence from the Refuge Supervisor will help us promote consistency within the System.

Uses determined to be appropriate are also reviewed for compatibility before they may be allowed on a refuge.

Some recreational activities, while wholesome and enjoyable, are not dependent on the presence of fish and wildlife, nor dependent on the expectation of encountering fish and wildlife. Many of these non-wildlife-dependent recreational activities are often disruptive or harmful to fish, wildlife or plants, or may interfere with the use and enjoyment of a refuge by others engaged in wildlife-dependent recreation. These uses may more appropriately be conducted on private land, or other public lands not specifically dedicated for wildlife conservation.

Purpose of This Draft Policy

The purpose of this draft policy is to modify the general guidance concerning proposed and existing uses of the System in compliance with the NWRSIA–1997. This policy establishes a procedure we will use for determining when uses are appropriate or not appropriate on a unit of the National Wildlife Refuge System, before we undertake assessing compatibility of the use.

Fish and Wildlife Service Directives System

Because many of our field stations are in remote areas across the United States, it is important that all employees have available and know the current policy and management directives that affect their daily activities. The Fish and Wildlife Service Directives System, consisting of the Fish and Wildlife Service Manual (Service Manual), Director's Orders, and National Policy Issuances, is the vehicle for issuing the standing and continuing policy and management directives of the Service. New directives are posted on the Internet upon approval, ensuring that all employees have prompt access to the most current guidance.

The Service Manual contains our standing and continuing directives with which our employees comply. We use it to implement our authorities and to ''step down'' our compliance with statutes, executive orders, and Departmental directives. It establishes the requirements and procedures to assist our employees in carrying out our authorities, responsibilities, and activities.

Director's Orders are limited to temporary policy, procedures, delegations of authority, emergency regulations, special assignments of functions, and initial functional statements on the establishment of new organizational units. All Director's Orders must be converted as soon as practicable to appropriate parts of the Service Manual or removed. Material appropriate for immediate inclusion in the Service Manual generally is not issued as a Director's Order.

National Policy Issuances promulgate the Director's national policies for managing the Service and its programs. These policies are necessarily broad and generally require management discretion or judgment in their implementation. They represent the Director's expectations of how the Service and its employees will act in carrying out their official responsibilities.

The Service Manual, Director's Orders, and National Policy Issuances are available on the Internet at http://www.fws.gov/directives/direct.html. When finalized, we will incorporate this appropriate refuge uses policy into the Service Manual as Part 603 Chapter 1.

Comment Solicitation

We seek public comments on this draft appropriate refuge uses policy and will take into consideration comments and any additional information received during the 60-day comment period. You may submit comments on this draft appropriate refuge uses policy by mail, fax or e:mail: by mail to J. Kenneth Edwards, Refuge Program Specialist, National Wildlife Refuge System, U.S. Fish and Wildlife Service, 4401 North Fairfax Drive, Room 670, Arlington, Virginia 22203; by fax to (703) 358–2248; or by e:mail to Appropriate_Uses_Policy_Comments@fws.gov. Please submit Internet comments as an ASCII file avoiding the use of special characters and any form of encryption. Please also include: ''Attn: 1018–AG18'' and your name and return address in your Internet message. If you do not receive a confirmation from the system that we have received your Internet message, contact us directly at (703) 358–1744. Finally, you may hand-deliver comments to the address mentioned above.

Our practice is to make comments, including names and home addresses of respondents, available for public review during regular business hours. Individual respondents may request that we withhold their home address from the record, which we will honor to the extent allowable by law. In some circumstances, we would withhold from the record a respondent's identity, as allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. However, we will not consider anonymous comments. We will make all submissions from organizations or businesses and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

We published a notice in the **Federal Register** on January 23, 1998 (63 FR 3583) notifying the public that we would be revising the Service Manual, establishing regulations as they relate to the NWRSIA–1997, and offering to send copies of specific draft Service Manual chapters to anyone who would like to receive them. We will mail a copy of this draft Service Manual appropriate refuge uses chapter to those who requested one. In addition, this draft Service Manual appropriate refuge uses chapter will be available on the Internet at http://www.fws.gov/directives/library/frindex.html during the 60-day comment period.

Required Determinations

Regulatory Planning and Review (E.O. 12866)

In accordance with the criteria in Executive Order 12866, this policy is not a significant regulatory action. The Office of Management and Budget (OMB) makes the final determination under Executive Order 12866.

(1) This policy will not have an annual economic effect of $100 million or adversely affect an economic sector, productivity, jobs, the environment, or other units of government. A cost-benefit or full economic analysis is not required. This policy is administrative, legal, technical, and procedural in nature. This policy establishes the process for determining the appropriateness of proposed national wildlife refuge uses. This policy will have the effect of providing priority consideration for wildlife-dependent recreational uses involving hunting, fishing, wildlife observation and photography, and environmental education and interpretation. Existing policy has been in place since 1985 that encouraged the phase-out on refuges of non-wildlife-oriented recreation. The NWRSIA–1997 does not greatly change this direction in public use, but provides legal recognition of the priority we afford to wildlife-dependent recreational uses. We expect these new procedures to cause only minor modifications to existing national wildlife refuge public use programs. While we may curtail some non-priority refuge uses, we may provide new and expanded opportunities for priority public uses. We expect an overall small increase, at most a 5 percent annual increase, in the amount of public use activities allowed on refuges as a result of this policy.

The appropriate measure of the economic effect of changes in recreational use is the change in the welfare of recreationists. We measure this in terms of willingness to pay for the recreational opportunity. We estimated total annual willingness to pay for all recreation at national wildlife refuges to be $372.5 million in Fiscal Year 1995 (Banking on Nature: The Economic Benefits to Local Communities of National Wildlife Refuge Visitation, DOI/FWS/Refuges 1997). We expect the appropriate use determination process implemented in this policy to cause at most a 5 percent annual increase in recreational use System-wide. This does not mean that every refuge will have the same increase in public use. We will allow the increases only on refuges where increases in hunting, fishing, and other wildlife-dependent recreational visitation are compatible. Across the entire System, we expect an increase in hunting, fishing, and non-consumptive visitation to amount to no more than a 5 percent overall increase. If the full 5 percent increase in public use were to occur at national wildlife refuges, this would translate to a maximum additional willingness to pay of $21 million (1999 dollars) annually for the public. However, we expect the real benefit to be less than $21 million because we expect the final increase in public use to be smaller than 5 percent. Furthermore, if the public substitutes non-refuge recreation sites for refuges, then we would subtract the loss of benefit attributed to non-refuge sites from the $21 million estimate.

We measure the economic effect of commercial activity by the change in producer surplus. We can measure this as the opportunity cost of the change, i.e., the cost of using the next best production option if we discontinue production using the national wildlife refuge. National wildlife refuges use grazing, haying, timber harvesting, and row crops to help fulfill the System mission and refuge purposes. Congress authorizes us to allow economic activities on national wildlife refuges, and we do allow some. But, for all practical purposes (almost 100 percent), we invite the economic activities to help achieve a refuge purpose or the System mission. For example, we do not allow farming per se, rather we invite a farmer to farm on the national wildlife refuge under a Cooperative Farming Agreement to help achieve a national wildlife refuge purpose. This policy will likely have minor changes in the amounts of these activities occurring on national wildlife refuges. Information on profits and production alternatives for most of these activities is proprietary, so a valid estimate of the total benefits of permitting these activities on national wildlife refuges is not available.

(2) This policy will not create a serious inconsistency or otherwise interfere with an action taken or planned by another agency since the policy pertains solely to management of national wildlife refuges by the Service.

(3) This policy does not alter the budgetary effects of entitlements, grants, user fees, or loan programs or the rights or obligations of their recipients. No grants or other Federal assistance programs are associated with public use of national wildlife refuges.

(4) This policy does not raise novel legal or policy issues; however, it does provide a new approach. It adds the NWRSIA–1997 provisions that ensure that wildlife-dependent recreational

uses are the priority public uses of the System, and adds consistency in application of public use guidelines across the entire System.

Regulatory Flexibility Act

We certify that this document will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

Congress created the National Wildlife Refuge System to conserve fish, wildlife, and plants and their habitats and facilitated this conservation mission by providing Americans opportunities to visit and participate in compatible wildlife-dependent recreation (hunting, fishing, wildlife observation and photography, and environmental education and interpretation) as priority general public uses on national wildlife refuges and to better appreciate the value of, and need for, wildlife conservation.

This policy is administrative, legal, technical, and procedural in nature and provides more detailed instructions for the determination of the appropriateness of public use activities than have existed in the past. This policy may result in more opportunities for wildlife-dependent recreation on national wildlife refuges, and may result in the reduction of some non-wildlife-dependent recreation. For example, more wildlife observation opportunities may occur at Florida Panther National Wildlife Refuge in Florida or more hunting opportunities at Pond Creek National Wildlife Refuge in Arkansas. Conversely, we may no longer allow some activities on some refuges. For example, some refuges may currently allow water skiing on refuge-controlled waters or the use of off-road vehicles; we would likely curtail some of these uses as we implement this policy. The overall net effect of these regulations is likely to increase visitor activity near the national wildlife refuge. To the extent visitors spend time and money in the area that would not otherwise have been spent there, they contribute new income to the regional economy and benefit local businesses.

National wildlife refuge visitation is a small component of the wildlife recreation industry as a whole. In 1996, 77 million U.S. residents over 15 years old spent 1.2 billion activity-days in wildlife-associated recreation activities. They spent about $30 billion on fishing, hunting, and wildlife watching trips (Tables 49, 54, 59, 63, 1996 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation, DOI/FWS/FA, 1997). National wildlife refuges recorded about 29 million visitor-days that year (RMIS, FY1996 Public Use Summary). A study of 1995 national wildlife refuge visitors found their travel spending generated $401 million in sales and 10,000 jobs for local economies (Banking on Nature: The Economic Benefits to Local Communities of National Wildlife Refuge Visitation, DOI/FWS/Refuges, 1997). These spending figures include spending which would have occurred in the community anyway, and so they show the importance of the activity in the local economy rather than its incremental impact. Marginally greater recreational opportunities on national wildlife refuges will have little industry-wide effect.

Expenditures as a result of this policy are a transfer and not a benefit to many small businesses. We expect the incremental increase of recreational opportunities to be marginal and scattered, so we do not expect the policy to have a significant economic effect on a substantial number of small entities in any region or nationally.

Small Business Regulatory Enforcement Fairness Act (SBREFA)

This policy is not a major rule under 5 U.S.C. 804(2), the Small Business Regulatory Enforcement Fairness Act. This policy:

(1) Does not have an annual effect on the economy of $100 million or more. This policy will affect only visitors at national wildlife refuges. It may result in increased visitation at refuges and provide for minor changes to the methods of public use permitted within the System. Refer to response under Regulatory Flexibility Act.

(2) Will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions.

(3) Does not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises.

Unfunded Mandates Reform Act

In accordance with the Unfunded Mandates Reform Act (2 U.S.C. 1501, *et seq.*):

(1) This policy will not ''significantly or uniquely'' affect small governments. A Small Government Agency Plan is not required. See response to Regulatory Flexibility Act.

(2) This policy will not produce a Federal mandate of $100 million or greater in any year, i.e., it is not a ''significant regulatory action'' under the Unfunded Mandates Reform Act. See response to Regulatory Flexibility Act.

Takings (E.O. 12630)

In accordance with Executive Order 12630, this policy does not have significant takings implications. A takings implication assessment is not required. This policy may result in increased visitation at refuges and provide for minor changes to the methods of public use permitted within the System. Refer to response under Regulatory Flexibility Act.

Federalism Assessment (E.O. 13132)

In accordance with Executive Order 13132, this policy does not have significant federalism effects. This policy will not have substantial direct effects on the States, in their relationship between the Federal Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 13132, we have determined that this policy does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Civil Justice Reform (E. O. 12988)

In accordance with Executive Order 12988, the Office of the Solicitor has determined that this policy does not unduly burden the judicial system and meets the requirements of sections 3(a) and 3(b)(2) of the Order. This policy will expand upon established policies, and result in better understanding of the policies by refuge visitors.

Paperwork Reduction Act

This policy does not require an information collection from 10 or more parties and a submission under the Paperwork Reduction Act of 1995 is not required.

Section 7 Consultation

We are in the process of reviewing the potential of this policy to affect species subject to the Endangered Species Act of 1973 (16 U.S.C. 1531–1543). The findings of that consultation will be available as part of the administrative record for the final policy.

National Environmental Policy Act

We ensure compliance with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4332(C)) when developing national wildlife refuge Comprehensive Conservation Plans and public use management plans, and we make determinations required by NEPA before the addition of national wildlife refuges to the lists of areas open to

public uses. In accordance with 516 DM 2, Appendix 1.10, we have determined that this policy is categorically excluded from the NEPA process because it is limited to policies, directives, regulations and guidelines of an administrative, financial, legal, technical, or procedural nature; or the environmental effects of which are too broad, speculative, or conjectural to lend themselves to meaningful analysis. Site-specific proposals, as indicated above, will be subject to the NEPA process.

Available Information for Specific National Wildlife Refuges

Individual national wildlife refuge headquarters retain information regarding public use programs and the conditions that apply to their specific programs, and maps of their respective areas.

You may also obtain information from the Regional Offices at the addresses listed below:

• Region 1—California, Hawaii, Idaho, Nevada, Oregon, and Washington. Regional Chief, National Wildlife Refuge System, U.S. Fish and Wildlife Service, Eastside Federal Complex, Suite 1692, 911 N.E. 11th Avenue, Portland, Oregon 97232–4181; Telephone (503) 231–6214; http://pacific.fws.gov.

• Region 2—Arizona, New Mexico, Oklahoma and Texas. Regional Chief, National Wildlife Refuge System, U.S. Fish and Wildlife Service, Box 1306, Albuquerque, New Mexico 87103; Telephone (505) 248–7419; http://southwest.fws.gov.

• Region 3—Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio and Wisconsin. Regional Chief, National Wildlife Refuge System, U.S. Fish and Wildlife Service, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111; Telephone (612) 713–5300; http://midwest.fws.gov.

• Region 4—Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Puerto Rico and the Virgin Islands. Regional Chief, National Wildlife Refuge System, U.S. Fish and Wildlife Service, 1875 Century Boulevard, Room 324, Atlanta, Georgia 30345; Telephone (404) 679–7166; http://southeast.fws.gov.

• Region 5—Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia and West Virginia. Regional Chief, National Wildlife Refuge System, U.S. Fish and Wildlife Service, 300 Westgate Center Drive, Hadley, Massachusetts 01035–9589; Telephone (413) 253–8306; http://northeast.fws.gov.

• Region 6—Colorado, Kansas, Montana, Nebraska, North Dakota, South Dakota, Utah and Wyoming. Regional Chief, National Wildlife Refuge System, U.S. Fish and Wildlife Service, 134 Union Blvd., Lakewood, Colorado 80228; Telephone (303) 236–8145; http://www.r6.fws.gov.

• Region 7—Alaska. Regional Chief, National Wildlife Refuge System, U.S. Fish and Wildlife Service, 1011 E. Tudor Rd., Anchorage, Alaska 99503; Telephone (907) 786–3545; http://alaska.fws.gov.

Primary Author

Tom C. Worthington, Refuge Program Specialist, Region 3, National Wildlife Refuge System, U.S. Fish and Wildlife Service, is the primary author of this notice.

Draft Appropriate Refuge Uses Policy

Fish and Wildlife Service

National Wildlife Refuge System Uses

Refuge Management—Part 603 National Wildlife Refuge System Uses

Chapter 1 Appropriate Refuge Uses—603 FW 1

1.1 What is the purpose of this chapter? This chapter establishes policy that refuge managers will apply when determining the appropriateness of proposed and existing uses of national wildlife refuges before they undertake assessing compatibility in accordance with 603 FW 2. Through this policy, we establish a procedure for determining when uses other than the six wildlife-dependent recreational uses are appropriate or not appropriate on a refuge. This policy clarifies and expands upon 603 FW 2.10(D), which describes when refuge managers should deny a proposed use without determining compatibility. This policy also underscores that the fundamental mission of the National Wildlife Refuge System (System) is wildlife conservation: ''Wildlife First.''

A. National wildlife refuges are first and foremost national treasures for wildlife. Through careful planning, System-wide application of regulations and policies, diligent monitoring of the impacts of uses on wildlife resources, and by preventing or eliminating uses not appropriate to the System, we can achieve our wildlife conservation mission while also providing the public with lasting opportunities to enjoy the highest quality wildlife-dependent recreation.

B. Through consistent application of this policy, we will establish an administrative record and build public understanding and consensus regarding the types of public uses that are legitimate and appropriate within the System.

1.2 What is the scope of this policy? This policy applies to all proposed and existing uses of national wildlife refuges when we have jurisdiction over these uses. In situations where reserved rights or legal mandates provide that we must allow certain uses, the requirements of this policy will not apply. For example, we will not apply this policy to proposed public uses of wetland or grassland easement areas of the System because the rights we have acquired on these areas generally do not extend to control over public uses.

1.3 What is the policy regarding the appropriateness of uses on a national wildlife refuge? At the initial stage of considering a use, Refuge Managers will not further consider allowing a new use on a national wildlife refuge, nor renewing, extending, or expanding an existing use on a national wildlife refuge, unless the Refuge Manager has determined the use to be an appropriate use. We will halt, as expeditiously as practicable, existing uses determined to be not appropriate.

1.4 What is our statutory authority for this policy? A. The National Wildlife Refuge System Administration Act of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997, 16 U.S.C. 668dd–668ee (Refuge Administration Act). This law provides authority for establishing policies and regulations governing national wildlife refuge uses, including the authority to prohibit certain harmful activities. The Refuge Administration Act does not authorize any particular use but rather authorizes the Secretary to permit uses only when compatible and ''under said regulations as he may prescribe.'' This law specifically identifies certain public uses that when compatible, are legitimate and appropriate uses within the System. The law states ''* * * it is the policy of the United States that * * * compatible wildlife-dependent recreation is a legitimate and appropriate general public use of the [National Wildlife Refuge] System * * *; * * * compatible wildlife-dependent recreational uses are the priority general public uses of the [National Wildlife Refuge] System and shall receive priority consideration in national wildlife refuge planning and management; and * * * when the Secretary determines that a proposed wildlife-dependent recreational use is a compatible use within a national wildlife refuge, that activity should be facilitated * * * the Secretary shall

* * * ensure that priority general public uses of the [National Wildlife Refuge] System receive enhanced consideration over other general public uses in planning and management within the [National Wildlife Refuge] System * * *'' The law also states ''In administering the [National Wildlife Refuge] System, the Secretary is authorized to take the following actions: * * * Issue regulations to carry out this Act.'' This policy fortifies the standards set in the Refuge Administration Act, by showing how we will assure that the priority public uses are provided enhanced consideration over other public uses.

B. The Refuge Recreation Act of 1962, 16 U.S.C. 460k (Refuge Recreation Act). This law authorizes the Secretary of the Interior to ''* * *administer such areas [of the National Wildlife Refuge System] or parts thereof for public recreation when in his judgment public recreation can be an appropriate incidental or secondary use.''

C. Activities on lands conveyed from the System pursuant to Section 22(g) of the Alaska Native Claims Settlement Act are not subject to this policy, but are subject to compatibility (see 603 FW 2).

D. When allowing off-road vehicle use on refuges we comply with Executive Order 11644 which requires that we: designate areas as open or closed to off-road vehicles in order to protect refuge resources, promote safety, and minimize conflict among the various refuge users; monitor the effects of these uses, once they are allowed; and amend or rescind any area designation on the basis of the information gathered. Furthermore, Executive Order 11989 requires that we close areas to these types of uses when we determine that the use causes or will cause considerable adverse effects on the soil, vegetation, wildlife, habitat, or cultural or historic resources.

1.5 What do these terms mean? A. *Appropriate use.* A proposed or existing use on a refuge that meets at least one of the following three conditions.

(1) The use is a priority public use or is necessary for the safe, practical, and effective conduct of a priority public use on the refuge.

(2) The use contributes to fulfilling the System mission, or the refuge purposes, goals, or objectives as described in a refuge management plan approved after October 9, 1997, the date the National Wildlife Refuge System Improvement Act of 1997 was passed.

(3) The use has been determined to be appropriate as specified in section 1.10 of this chapter.

B. *Native American.* American Indians in the conterminous United States, and Alaska Natives (including Aleuts, Eskimos, and Indians) who are members of federally recognized tribes.

C. *Priority public use.* A wildlife-dependent recreational use involving hunting, fishing, wildlife observation and photography, or environmental education and interpretation.

1.6 What are our responsibilities? A. *Director.* Provides national policy for determining the appropriateness of uses within the System to ensure that such determinations comply with all applicable authorities.

B. *Regional Director.* (1) Ensures that refuge managers follow laws, regulations, and policies when determining appropriateness.

(2) Notifies the Director regarding controversial or complex appropriateness determinations.

C. *Regional Chief.* (1) Makes the final decision on appropriateness determinations when the Refuge Supervisor does not concur with the Refuge Manager.

(2) Notifies the Regional Director regarding controversial or complex appropriateness determinations.

D. *Refuge Supervisor.* (1) Reviews the Refuge Manager's determination that an existing or proposed use is appropriate when that use is not a priority public use, or does not support a priority public use, or is not already described in a refuge management plan approved after October 9, 1997.

(2) Refers an appropriateness determination to the Regional Chief if the Refuge Supervisor does not concur with the Refuge Manager. Discusses non-concurrence with the Refuge Manager for possible resolution before referring to the Regional Chief.

(3) Notifies the Regional Chief regarding controversial or complex appropriateness determinations.

E. *Refuge Manager.* (1) Determines if a proposed or existing use is subject to this policy.

(2) Determines whether a use is appropriate or not appropriate.

(3) Documents all determinations under this policy as described in section 1.10 of this chapter in writing.

(4) Refers all findings of appropriateness for any proposed use which is not a priority public use, or which does not directly support a priority public use, or which is not already described in a refuge management plan approved after October 9, 1997 to the Refuge Supervisor for concurrence.

1.7 What is the relationship between appropriateness and compatibility? This policy describes the initial decision process the Refuge Manager follows when first considering whether to allow or not allow a proposed use on a refuge. This appropriateness decision occurs before the Refuge Manager undertakes a compatibility review of the use. This policy clarifies and expands upon 603 FW 2.10(D), which describes when refuge managers should deny a proposed use without determining compatibility. If we find a proposed use to be not appropriate, we will not allow the use, and there is no need to prepare a compatibility determination. By screening out proposed uses which are not appropriate to the System, the Refuge Manager avoids an unnecessary compatibility review. By following the process for determining the appropriateness of a use, we strengthen the System and help fulfill our wildlife conservation mission. We describe this appropriateness determination process in section 1.10 of this chapter. It is important to remember that although a refuge use may be determined to be both appropriate and compatible, the Refuge Manager retains the authority not to allow the use. For example, there may be occasions when two appropriate and compatible uses are in conflict with each other. In these situations, even though both uses are appropriate and compatible, the Refuge Manager may need to limit or entirely curtail one of the uses in order to optimize the greatest benefit to the public and to refuge resources. See 603 FW 2 for detailed policy on compatibility.

1.8 How are uses considered in the comprehensive conservation planning process? A. We will manage all refuges in accordance with an approved Comprehensive Conservation Plan (CCP). The CCP describes the desired future conditions of the refuge or refuge planning unit and provides long-range guidance and management direction to accomplish the purposes of the refuge and the System mission. The CCP is prepared with public involvement, and will include a review of the appropriateness and the compatibility of existing refuge uses and of any planned future uses. If during the CCP preparation we identify prior approved uses which we can no longer consider appropriate on the refuge, we will clearly explain to the public our reasons and describe how we will eliminate the use.

B. We prepare CCPs with full public involvement, and provide the public an opportunity to review and comment on our decisions about which uses we will allow. For proposed new uses which we did not consider during the CCP preparation process, we will apply the guidelines contained in this policy and make an appropriateness determination without additional public review and comment. However, if we determine

that a proposed use is appropriate, the use must still pass the compatibility standard, which includes an opportunity for public review and comment. See 602 FW 1–4 for detailed policy on refuge planning.

1.9 What are the different types of refuge uses? For the purposes of this policy, there are five types of uses.

A. *Priority public uses.* These are uses involving hunting, fishing, wildlife observation and photography, and environmental education and interpretation. They are legitimate, appropriate, and are the first priority uses of the System. See 605 FW 1–7 for detailed policy on the priority public uses.

B. *Public uses that directly support a priority public use.* These are uses necessary for the safe, practical, and effective conduct of priority public uses. When determined to be compatible, these are the second priority uses of the System. Uses that directly relate to and facilitate one of the six priority public uses are generally appropriate. Typically, these activities occur at the same time and place as the priority public use and are used either as a practical mode of access, or as an effective way to support a priority public use. In these cases, the primary reason for this use is to enable a person to enjoy one of the priority public uses. For example, boating on a refuge lake may be necessary to enjoy fishing or birdwatching; in this case the boating is an appropriate support activity. Conversely, speed boating for the pleasure of traveling on the open water is not an activity that supports one of the priority public uses. As another example, horseback riding and camping on the Charles M. Russell National Wildlife Refuge in Montana may be appropriate in support of big game hunting. In this case, horseback riding is a practical mode of access to remote, roadless areas, and camping is a necessary part of hunting in the remote parts of this vast refuge. On this refuge, or on other large or remote refuges, both horseback riding and camping may directly and appropriately support other priority public uses. As a contrasting example, camping on Necedah National Wildlife Refuge in Wisconsin, even if part of a hunting program, is not appropriate because the size of the refuge is such that camping is not necessary for reasonable access to its hunt areas, and there are camping and lodging accommodations nearby off the refuge. In order to ensure accessibility to refuge programs and activities for people with disabilities, we may authorize specialized means of access that are not normally allowed. We will provide these accommodations on a case-by-case basis, depending on the nature of the individual's disability, and our needs to protect refuge resources. See 605 FW 1–7 for detailed policy on the priority public uses.

C. *Public uses not related to a priority public use.* These public uses are not necessary to support a priority public use. Public uses not directly related to the priority public uses or that do not contribute to the fulfillment of refuge purposes, goals or objectives as described in current refuge management plans are the lowest priority for refuge managers to consider. Because these uses are likely to divert refuge management resources from higher priority public uses, or away from our wildlife conservation activities, there is general presumption, in both law and policy, against allowing such uses within the System. Before we will allow these uses, regardless of their frequency or duration, we must first determine that these public uses are appropriate as defined in section 1.10 of this chapter.

D. *Specialized uses.* These are uses not usually allowed that require specific authorization from the Service, often in the form of a special use permit, letter of authorization, or other permit document. These uses do not include uses already granted by a prior existing right. We determine the appropriateness of specialized uses on a case-by-case basis. Before we will allow a specialized use, we must determine it to be appropriate as defined in section 1.10 of this chapter. Any person denied a request for a specialized use, or adversely affected by the Refuge Manager's decision relating to a person's permit, may appeal the decision by following the procedures outlined in 50 CFR 25.45, and in 50 CFR 36.41(i). The appeals process for the denial of a right-of-way application is found in 50 CFR 29.22. The appeals process for persons who believe they have been improperly denied rights with respect to providing visitor services on Alaska refuges is found in 50 CFR 36.37(g). Some common examples of specialized uses include the following.

(1) *Right-of-ways.* See 340 FW 3 and 603 FW 2 for detailed policy on right-of-ways.

(2) *Telecommunications facilities.* We process a request to construct a telecommunication facility on a refuge the same way as any other right-of-way request. The Telecommunications Act of 1996 does not supersede any existing laws, regulations, or policy relating to right-of-ways on refuges. The Refuge Manager should continue to follow the procedures found in 340 FW 3.

(3) *Military, NASA, border security, and other national defense uses.* The following guidelines apply to refuge lands owned in fee title by the Service or lands to which the Service has management rights that provide for the control of such uses.

(a) We will continue to honor existing, long-term written agreements such as Memorandum of Understanding (MOU) between the Service, the military, NASA, and other Federal agencies with national defense missions. Only the Director may approve any modification to existing agreements. We do not anticipate entering into any new agreements permitting military preparedness activities on national wildlife refuges. Where joint military/NASA—Service jurisdiction occurs by law, an MOU negotiated by the principal parties, and subject to the approval of the Director, will specify the roles and responsibilities, terms, and stipulations of the refuge uses. Wherever possible, we will work to find practical alternatives to the use of refuge lands, and to minimize the impacts to wildlife resources.

(b) For routine or continuous law enforcement and border security activities, an MOU between the Service and the specific enforcement agency will clearly define roles and responsibilities of the enforcing agency and will specify steps they must take to minimize impacts to refuge resources. For emergency or undercover operations, reasonable notification must be given to and approval must be received from the Refuge Manager.

(c) We consider military activities on refuge lands that directly benefit refuge purposes to be refuge management activities, and they are not subject to this policy. For example, in a case where a national guard unit is assisting the refuge with the construction of a water control structure, or helping to repair a refuge bridge, we consider these uses to be refuge management activities and do not consider them to be specialized uses.

(4) *Research.* As a leader in wildlife management, we actively encourage cooperative wildlife resource-related research activities that address our management needs. We also encourage research related to the management of priority public uses. Wildlife resource-related research activities are generally appropriate. Research that directly benefits refuge management has priority over other research. These uses must be determined to be appropriate as defined in section 1.10 of this chapter.

(5) *Public safety training.* We may assist local government agencies with

health, safety, and rescue training operations on the refuge if we determine the use to be appropriate. Examples include fire safety training, search and rescue training, and boat operations safety training. General law enforcement training exercises usually are not appropriate. We will evaluate these requests on a case-by-case basis, considering the availability of other local sites and the nature of other local resources. To the extent practicable, we will develop written agreements with the requesting agencies. These uses must be determined to be appropriate as defined in section 1.10 of this chapter, although it is unlikely that this type of use will pass the 10 criteria listed there.

(6) *Native American ceremonial, religious, and traditional gathering of plants.* We will review specific requests and provide reasonable access to Native Americans to refuge lands and waters for gathering plants for ceremonial, religious, medicinal, and traditional purposes. We may issue use permits if the use is consistent with treaties, judicial mandates, or Federal and Tribal law. These uses must be determined to be appropriate as defined in section 1.10 of this chapter.

(7) *Natural resource extractions.* Although most refuges are withdrawn from the mining and mineral leasing laws (i.e., closed to mining activities), several are at least partially open. It is incumbent upon refuge managers to know if these laws affect their particular refuge. Where a refuge is closed, we will prohibit prospecting, exploration, development, extraction, or removal of leaseable (*e.g.*, oil, gas, coal) and locatable (hardrock) minerals (see 50 CFR 27.61 and .64). We only allow the extraction of certain mineral resources (such as gravel) that supports a refuge management activity when there is no practical alternative. We will not justify such activity by citing budgetary constraints, rather we will seek appropriate funding through our normal budgetary process for projects that require gravel or other such resources found on the refuge. In some instances, individual refuges may be subject to valid existing mineral rights reserved during the acquisition process or rights vested prior to our acquisition of the lands. The owners of valid mining rights have the right to extract the minerals, even if they do not own the surface, and we may not unduly interfere with this right. Activities or uses relative to prior existing rights are generally outside the scope of this chapter. In the case of reserved rights, the Refuge Manager should work with the owner of the property interest to develop stipulations in a special use permit or other access agreement to alleviate or minimize adverse impacts to the refuge (see 50 CFR 29.32). ANILCA provides specific guidance for oil and gas leasing on Alaska refuges.

(8) *Commercial uses.* Commercial uses on a refuge may be appropriate if they directly support a priority public use or are a refuge management economic activity. See 50 CFR 29.1 for additional information on economic uses of refuges. An example of an appropriate commercial use would be a concession-operated boat tour that facilitates wildlife observation and interpretation. All commercial uses are subject to appropriateness determinations. These uses must be determined to be appropriate as defined in section 1.10 of this chapter. The following is a list of references for more detailed policy on commercial uses.

(a) Administration of commercial and economic uses 604 FW 2.

(b) Administration of commercial guiding of wildlife observation, hunting and fishing 604 FW 2.

(c) Concession management 604 FW 2.

(d) Commercial audio-visual management 604 FW 7, and 43 CFR 5.

(e) Commercial visitor services on Alaska Refuges 43 CFR 36.37.

E. *Prohibited uses.* Regulations prohibiting certain activities on national wildlife refuges are listed in 50 CFR part 27.

1.10 *How do we determine the appropriateness of a use on a national wildlife refuge?* A. A refuge use is appropriate if the use meets at least one of the following three conditions.

(1) A use is appropriate if it is a priority public use or is necessary for the safe, practical, and effective conduct of a priority public use on the refuge. This finding does not require Refuge Supervisor concurrence.

(2) A use is appropriate if it contributes to fulfilling the System mission, or the refuge purposes, goals, or objectives as described in a refuge management plan approved after October 9, 1997, the date the National Wildlife Refuge System Improvement Act of 1997 was passed. This finding does not require Refuge Supervisor concurrence.

(3) A use is appropriate if the Refuge Manager documents in writing reasons why the use should be considered appropriate and obtains concurrence from the Refuge Supervisor (see Exhibit 1). The Refuge Manager will base this finding of appropriateness in consideration of the following 11 factors. If the answer is ''no'' to any of the following questions, we will generally not permit the use. If the answers are consistently ''yes'' to these questions, and if there are compelling reasons why the Refuge Manager believes the use is appropriate for the refuge, the Refuge Manager then prepares a written justification (Exhibit 1), and obtains the Refuge Supervisor's written concurrence before proceeding with preparation of a compatibility determination. Concurrence from the Refuge Supervisor will promote System consistency and will help us avoid establishing precedents that may be difficult to overcome in the future. Furthermore, refuge supervisors will usually consult with their Regional Chief as these decisions are made. This section specifically clarifies and expands upon 603 FW 2.10(D) Denying a proposed use without determining compatibility.

(a) Does the use comply with applicable laws and regulations? The proposed use must be consistent with all applicable laws and regulations (e.g., Wilderness Act, Endangered Species Act, Marine Mammal Protection Act, 50 CFR part 27). Uses that are prohibited by law are immediately rejected.

(b) Is the use consistent with applicable Executive Orders and Department and Service policies? If the proposed use conflicts with an applicable executive order, or Department or Service Policy then the use should be rejected.

(c) Is the use consistent with refuge goals and objectives in an approved refuge management plan? Refuge goals and objectives are documented in approved refuge management plans (e.g., Comprehensive Conservation Plans, comprehensive management plans, master plans, step-down management plans). If the proposed use, either directly or in combination with other uses or activities, conflicts with a refuge goal, objective or management strategy, the use should not be considered further. If a plan which addresses this use has not been developed or yet approved, refer to 1.10.A(1)(g) of this chapter.

(d) Has an earlier documented analysis not denied the use? If we have already considered the proposed use in a refuge planning process and rejected it as not appropriate, then the use should not be considered further. If circumstances have changed significantly, then we may consider the use further. If we did not raise the proposed use as an issue during a refuge planning process, we may further consider the use.

(e) Is the use consistent with public safety? If the proposed use creates an unreasonable level of risk to visitors or refuge staff, or if the use requires refuge

staff to take unusual safety precautions to assure the safety of the public or other refuge staff, then the use should be rejected.

(f) Is the use manageable within available budget and staff? Priority public uses take precedence over other public uses. If a proposed use diverts management efforts or resources away from the proper and reasonable management of a priority use, or from a refuge management activity, the proposed use should be rejected.

(g) Is the use consistent with other resource or management objectives? If the Refuge Manager cannot articulate why a proposed use would be consistent with a stated wildlife conservation or other resource or public use management objective of the refuge, then the use should be rejected.

(h) Will the use be easy to control in the future? If the use would lead to recurring requests for the same or similar activities that will be difficult to control in the future, then the request should be rejected. If we can manage the use so that impacts to wildlife resources are minimal or inconsequential, or if we can establish clearly defined limits, then we may further consider the use.

(i) Is the refuge the only place this activity can reasonably occur? If there are other nearby public or private lands that can reasonably accommodate the use, then the use should be rejected. If the proposed use involves or commemorates a culturally or historically significant event or activity that has direct connection to the refuge, then we may further consider the use.

(j) Does the use contribute to the public's understanding and appreciation of the refuge's wildlife or cultural resources, or is the use beneficial to the refuge's wildlife or cultural resources? We generally will not allow other uses that are not beneficial to or which do not lead to greater public understanding or appreciation of the refuge's cultural or wildlife resources.

(k) Can the use be accommodated without impairing existing wildlife-dependent recreational uses or reducing the potential to provide quality wildlife-dependent recreation into the future?

B. If the Refuge Manager finds that a proposed use is not appropriate, the finding must be documented for the refuge files (Exhibit 1). This finding does not require Refuge Supervisor concurrence.

C. Following the issuance of this policy, refuge managers must review all existing uses for appropriateness within 1 year. If the Refuge Manager finds that an existing use is not appropriate, the use must be modified so it is appropriate, or it must be terminated or phased out as expeditiously as practicable. This finding must be documented for the refuge files (Exhibit 1). A finding of ''not appropriate'' does not require Refuge Supervisor concurrence. However, the decision to modify or terminate a use may be subject to the National Environmental Policy Act (NEPA). Refuge managers should consult with their Regional NEPA Coordinator to see if this decision would be subject to NEPA.

D. The System Headquarters will maintain a database of refuge uses. This database will include a refuge-by-refuge listing of all uses that have been approved and not approved by refuge managers. With this information, refuge managers will know when proposed uses have already been approved or denied at any other unit of the System. This information will help strengthen the System by reinforcing consistency and integrity in the way we consider refuge uses.

Determination of Appropriateness of a Proposed Refuge Use

Refuge Name: _____

Proposed Use: _____

This form is not required for priority public uses, uses that support a priority public use, or uses already described in a current CCP.

	Yes	No
The proposed refuge use:		
Does the use comply with applicable laws and regulations?	.....	.....
Is the use consistent with applicable Executive Orders and Department and Service policies?	.....	.....
Is the use consistent with refuge goals and objectives in an approved refuge management plan?	.....	.....
Has an earlier documented analysis not denied the use?	.....	.....
Is the use consistent with public safety?	.....	.....
Is the use manageable within available budget and staff?	.....	.....
Is the use consistent with other resource or management objectives?	.....	.....
Will this use be easy to control in the future?	.....	.....
Is the refuge the only place this activity can reasonably occur?	.....	.....
Does the use contribute to the public's understanding and appreciation of the refuge's wildlife or cultural resources, or is the use beneficial to the refuge's wildlife or cultural resources?	.....	.....
Can the use be accommodated without impairing existing wildlife-dependent recreational uses or reducing the potential to provide quality wildlife-dependent recreation into the future?		

If the answer to any of these questions is no, the proposed use is probably not appropriate and we should generally not consider it further. However, if there are compelling reasons why the Refuge Manager believes the use should be considered, the Refuge Manager must justify the use in writing on an attached sheet, and obtain the Refuge Supervisor's concurrence.

Based on an overall assessment of these factors, my summary conclusion is that the proposed use is:

Not Appropriate _____

Appropriate _____

Refuge Supervisor: _____

Date: _____

If determined to be Not Appropriate, the Refuge Supervisor does not need to sign concurrence:

If determined to be Appropriate, the Refuge Supervisor must sign concurrence:

Refuge Supervisor: _____

Date: _____

Compatibility determination is required before the use may be allowed.

Dated: December 18, 2000.

Jamie Rappaport Clark,

Director, Fish and Wildlife Service.

[FR Doc. 01–19 Filed 1–12–01; 8:45 am]

BILLING CODE 4310–55–U

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service 1018–AG20

[1018–AG20]

Draft Wildlife-Dependent Recreational Uses Policy Pursuant to the National Wildlife Refuge System Improvement Act of 1997

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: We propose to adopt a policy that will explain how we will provide

visitors with high quality hunting, fishing, wildlife observation and photography, and environmental education and interpretation opportunities on units of the National Wildlife Refuge System (System). The National Wildlife Refuge System Improvement Act of 1997 (NWRSIA–1997), that amends the National Wildlife Refuge System Administration Act of 1966 (NWRSAA–1966), defines and establishes that wildlife-dependent recreational uses (hunting, fishing, wildlife observation and photography, and environmental education and interpretation) are the priority general public uses of the System and, if found compatible, will receive enhanced and priority consideration in refuge planning and management over other general public uses. This draft policy describes how we will provide priority to these uses. We propose to incorporate this policy as Part 605 Chapters 1–7 of the Fish and Wildlife Service Manual.

DATES: Comments must be received by March 19, 2001.

ADDRESSES: You may submit comments on this draft wildlife-dependent recreational uses policy by mail, fax or e:mail: by mail to Douglas Staller, Acting Chief, Division of Visitor Services and Communications, National Wildlife Refuge System, U.S. Fish and Wildlife Service, 4401 North Fairfax Drive, Room 670, Arlington, Virginia 22203; by fax to (703) 358–2248; or by e:mail to Wildlife__Dependent__Recreational__Uses__Policy__Comments@fws.gov.

FOR FURTHER INFORMATION CONTACT: Douglas Staller, Acting Chief, Division of Visitor Services and Communications, National Wildlife Refuge System, U.S. Fish and Wildlife Service, Telephone (703) 358–1744.

SUPPLEMENTARY INFORMATION: The NWRSIA–1997 amends and builds upon the NWRSAA–1966 providing an ''Organic Act'' for the System. The NWRSIA–1997 clearly establishes that wildlife conservation is the singular System mission, provides guidance to the Secretary of the Interior (Secretary) for management of the System, provides a mechanism for refuge planning, and gives refuge managers uniform direction and procedures for making decisions regarding wildlife conservation and uses of the System.

The NWRSIA–1997 identifies six wildlife-dependent recreational uses (hunting, fishing, wildlife observation and photography, and environmental education and interpretation) as the priority general public uses of the System. The NWRSIA–1997 also provides a set of affirmative stewardship responsibilities regarding our administration of the System. These stewardship responsibilities direct us to ensure that these six wildlife-dependent recreational uses are provided enhanced consideration and priority over other general public uses.

The Refuge Recreation Act of 1962 (RRA–1962) authorizes us to administer the System for public recreation when the use is an ''appropriate incidental or secondary use.'' The RRA–1962 also requires us to regulate or curtail public recreational uses in order to insure accomplishment of our primary conservation objectives.

The six wildlife-dependent recreational uses are the priority public uses of the System have been determined to be appropriate by law and, when compatible, are to be facilitated. This Draft Wildlife-Dependent Recreational Uses Policy, the Draft Appropriate Refuge Uses Policy published concurrently in the notice section of this **Federal Register** and our Final Compatibility Policy and Regulations published in the October 18, 2000 **Federal Register** are key tools refuge managers use together to fortify our commitment to provide enhanced opportunities for the public to enjoy wildlife-dependent recreation while at the same time ensuring that no refuge uses compromise the System's wildlife conservation mission and the individual refuge purpose(s). Through careful planning, consistent System-wide application of regulations and policies, diligent monitoring of the impacts of uses on natural resources, and by preventing or eliminating uses not appropriate to the System, we can achieve our wildlife conservation mission and individual refuge purposes while also providing people with lasting opportunities for the highest quality wildlife-dependent recreation.

Wildlife-Dependent Recreational Uses Policy

To ensure the primacy of the System wildlife conservation mission as well as the individual refuge purpose(s), and to be sure we afford priority to the six wildlife-dependent recreational uses within the System, we are proposing to establish a policy on wildlife-dependent recreational uses. Following is a summary of this policy.

Chapter 1 General Guidance provides Service policies, strategies, and requirements concerning the management of recreation programs within the System. National wildlife refuges are national treasures for wildlife and for people who enjoy the wonders of the outdoors. Wildlife-dependent recreation programs will promote understanding and appreciation of natural and cultural resources and their management on all lands included in the System. To assure that the System's fish, wildlife, and plant resources endure, their needs must come first. Thus, we only allow recreational uses on a refuge after we determine that use to be appropriate and compatible. In addition, we manage recreation in accordance with applicable Federal, State, and Tribal laws [see Code of Federal Regulations (CFR), Title 50 subchapter C]. We encourage refuge staff to develop and take full advantage of opportunities to work with other partners who have an interest in helping us promote high quality wildlife-dependent recreational programs on refuges. The policy outlined in this chapter applies to all recreational use activities that occur within the System, including wildlife-dependent and other appropriate recreational uses. Our general policy is to provide the American public high-quality opportunities to take part in wildlife-dependent recreation, regardless of age, race, religion, color, sex, national origin, sexual orientation, or physical or mental ability. To accomplish this policy, we ensure consistency and professionalism in planning and implementing recreational use programs and activities on System lands. Wildlife-dependent recreational uses (hunting, fishing, wildlife observation and photography, and environmental education and interpretation) are the priority general public uses of the System and, when determined to be compatible, will receive enhanced and priority consideration in refuge planning and management over all other general public uses.

Chapter 2 Hunting provides Service policy governing the management of recreational hunting within the System. The NWRSAA–1966 as amended by the NWRSIA–1997 identifies hunting as a priority public use of the System. Hunting programs will promote understanding and appreciation of natural and cultural resources and their management on all lands included in the System. Hunting is also an integral part of a comprehensive wildlife management program. When determined to be compatible, refuge managers are strongly encouraged to provide to the public high-quality hunting opportunities. We plan hunting programs in consultation and cooperatively with appropriate State and Tribal agencies, and we conduct them, to the extent practicable, in accordance with applicable State and

Tribal regulations. We encourage refuge staff to develop and take full advantage of opportunities to work with other partners who have an interest in helping us promote high quality wildlife-dependent recreational programs on refuges.

Chapter 3 Fishing provides Service policy governing the management of recreational fishing within the System. The NWRSAA–1966 as amended by the NWRSIA–1997 identifies fishing as a priority public use of the System. Fishing programs will promote understanding and appreciation of natural and cultural resources and their management on all lands included in the System. When determined to be compatible, refuge managers are encouraged to provide to the public high-quality fishing opportunities. We plan fishing programs in consultation and cooperatively with the appropriate State and Tribal agencies. We base fishing seasons on refuges on local conditions and biological objectives. These seasons must, where practicable, conform with appropriate Federal, State, and Tribal regulations. The Service's Division of Fish and Wildlife Management Assistance has many field offices with a broad range of expertise that are available to the Refuge Manager when planning and managing fishing programs. We encourage refuge managers to take advantage of this important resource. We also encourage refuge staff to develop and take full advantage of opportunities to work with other partners who have an interest in helping us promote high quality wildlife-dependent recreational programs on refuges.

Chapter 4 Wildlife Observation provides Service policy governing the management of recreational wildlife observation within the System. The NWRSAA–1966 as amended by the NWRSIA–1997 identifies wildlife observation as a priority public use of the System. Wildlife observation programs will promote understanding and appreciation of natural and cultural resources and their management on all lands included in the System. When determined to be compatible, refuge managers are encouraged to provide to the public high quality wildlife observation opportunities. Refuge managers are encouraged to coordinate refuge wildlife observation programs with applicable Federal, State and Tribal programs. We encourage refuge staff to develop and take full advantage of opportunities to work with other partners who have an interest in helping us promote high quality wildlife-dependent recreational programs on refuges.

Chapter 5 Wildlife Photography provides Service policy governing the management of recreational wildlife photography within the System. The NWRSAA–1966 as amended by the NWRSIA–1997 identifies wildlife photography as a priority public use of the System. Wildlife photography programs will promote understanding and appreciation of natural and cultural resources and their management on all lands included in the System. When determined to be compatible, refuge managers are encouraged to provide to the public high quality wildlife photography opportunities. Refuge managers are encouraged to coordinate wildlife photography programs with applicable State programs. We encourage refuge staff to develop and take full advantage of opportunities to work with other partners who have an interest in helping us promote high quality wildlife-dependent recreational programs on refuges.

Chapter 6 Environmental Education provides Service policy governing the management of environmental education within the System. The NWRSAA–1966 as amended by the NWRSIA–1997 identifies environmental education as a priority public use of the System. Environmental education programs will promote understanding and appreciation of natural and cultural resources and their management on all lands included in the System. When determined to be compatible, refuge managers are encouraged to provide to the public high quality environmental education opportunities. Refuge managers will work with local schools, citizen groups, and other organizations to provide these programs. We encourage refuge managers to coordinate refuge environmental education programs with applicable local, State and Federal programs. We encourage refuge staff to develop and take full advantage of opportunities to work with other partners who have an interest in helping us promote high quality wildlife-dependent recreational programs on refuges.

Chapter 7 Interpretation provides Service policy governing the management of interpretation within the System. The NWRSAA–1966 as amended by the NWRSIA–1997 identifies interpretation as a priority public use of the System. Interpretation programs will promote understanding and appreciation of natural and cultural resources and their management on all lands included in the System. When determined to be compatible, refuge managers are encouraged to provide to the public high quality interpretation opportunities. We encourage refuge staff to coordinate refuge interpretive programs and materials with applicable local, State, and Federal programs. We encourage refuge staff to develop and take full advantage of opportunities to work with other partners who have an interest in helping us promote high quality wildlife-dependent recreational programs on refuges.

Fish and Wildlife Service Directives System

Because many of our field stations are in remote areas across the United States, it is important that all employees have available and know the current policy and management directives that affect their daily activities. The Fish and Wildlife Service Directives System, consisting of the Fish and Wildlife Service Manual (Service Manual), Director's Orders, and National Policy Issuances, is the vehicle for issuing the standing and continuing policy and management directives of the Service. New directives are posted on the Internet upon approval, ensuring that all employees have prompt access to the most current guidance.

The Service Manual contains our standing and continuing directives with which our employees comply. We use it to implement our authorities and to ''step down'' our compliance with statutes, executive orders, and Departmental directives. It establishes the requirements and procedures to assist our employees in carrying out our authorities, responsibilities, and activities.

Director's Orders are limited to temporary policy, procedures, delegations of authority, emergency regulations, special assignments of functions, and initial functional statements on the establishment of new organizational units. All Director's Orders must be converted as soon as practicable to appropriate parts of the Service Manual or removed. Material appropriate for immediate inclusion in the Service Manual generally is not issued as a Director's Order.

National Policy Issuances promulgate the Director's national policies for managing the Service and its programs. These policies are necessarily broad and generally require management discretion or judgment in their implementation. They represent the Director's expectations of how the Service and its employees will act in carrying out their official responsibilities.

The Service Manual, Director's Orders, and National Policy Issuances are available on the Internet at http://www.fws.gov/directives/direct.html. When finalized, we will incorporate this

wildlife-dependent recreational uses policy into the Service Manual as Part 605 Chapters 1–7.

Comment Solicitation

We seek public comments on this draft wildlife-dependent recreational uses policy and will take into consideration comments and any additional information received during the 60-day comment period. You may submit comments on this draft appropriate refuge uses policy by mail, fax or e:mail: by mail to Douglas Staller, Acting Chief, Division of Visitor Services and Communications, National Wildlife Refuge System, U.S. Fish and Wildlife Service, 4401 North Fairfax Drive, Room 670, Arlington, Virginia 22203; by fax to (703)358–2248; or by e:mail to Wildlife__Dependent__Recreational__Uses__Policy__Comments@fws.gov. Please submit Internet comments as an ASCII file avoiding the use of special characters and any form of encryption. Please also include: ''Attn: 1018–AG18'' and your name and return address in your Internet message. If you do not receive a confirmation from the system that we have received your Internet message, contact us directly at (703)358–1744. Finally, you may hand-deliver comments to the address mentioned above.

Our practice is to make comments, including names and home addresses of respondents, available for public review during regular business hours. Individual respondents may request that we withhold their home address from the record, which we will honor to the extent allowable by law. In some circumstances, we would withhold from the record a respondent's identity, as allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. However, we will not consider anonymous comments. We will make all submissions from organizations or businesses and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

We published a notice in the **Federal Register** on January 23, 1998 (63 FR 3583) notifying the public that we would be revising the Service Manual, establishing regulations as they relate to the NWRSIA–1997, and offering to send copies of specific draft Service Manual chapters to anyone who would like to receive them. We will mail a copy of these draft Service Manual wildlife-dependent recreational uses chapters to those who requested one. In addition, these draft Service Manual wildlife-dependent recreational uses chapters will be available on the Internet at http://www.fws.gov/directives/library/frindex.html during the 60-day comment period.

Required Determinations

We have analyzed the impacts of this final policy in concert with the draft appropriate refuge uses policy published concurrently in the today's issue of the **Federal Register**. For compliance with applicable laws and executive orders affecting the issuance of polices, see the **SUPPLEMENTARY INFORMATION** section of the draft appropriate refuge uses policy notice.

Available Information for Specific National Wildlife Refuges

Individual national wildlife refuge headquarters retain information regarding public use programs and the conditions that apply to their specific programs, and maps of their respective areas.

You may also obtain information from the Regional Offices at the addresses listed below:

- Region 1—California, Hawaii, Idaho, Nevada, Oregon, and Washington. Regional Chief, National Wildlife Refuge System, U.S. Fish and Wildlife Service, Eastside Federal Complex, Suite 1692, 911 N.E. 11th Avenue, Portland, Oregon 97232–4181; Telephone (503) 231–6214; http://pacific.fws.gov.
- Region 2—Arizona, New Mexico, Oklahoma and Texas. Regional Chief, National Wildlife Refuge System, U.S. Fish and Wildlife Service, Box 1306, Albuquerque, New Mexico 87103; Telephone (505) 248–7419; http://southwest.fws.gov.
- Region 3—Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio and Wisconsin. Regional Chief, National Wildlife Refuge System, U.S. Fish and Wildlife Service, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111; Telephone (612) 713–5300; http://midwest.fws.gov.
- Region 4—Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Puerto Rico and the Virgin Islands. Regional Chief, National Wildlife Refuge System, U.S. Fish and Wildlife Service, 1875 Century Boulevard, Room 324, Atlanta, Georgia 30345; Telephone (404) 679–7166; http://southeast.fws.gov.
- Region 5—Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia and West Virginia. Regional Chief, National Wildlife Refuge System, U.S. Fish and Wildlife Service, 300 Westgate Center Drive, Hadley, Massachusetts 01035–9589; Telephone (413) 253–8306; http://northeast.fws.gov.
- Region 6—Colorado, Kansas, Montana, Nebraska, North Dakota, South Dakota, Utah and Wyoming. Regional Chief, National Wildlife Refuge System, U.S. Fish and Wildlife Service, 134 Union Blvd., Lakewood, Colorado 80228; Telephone (303) 236–8145; http://www.r6.fws.gov.
- Region 7—Alaska. Regional Chief, National Wildlife Refuge System, U.S. Fish and Wildlife Service, 1011 E. Tudor Rd., Anchorage, Alaska 99503; Telephone (907) 786–3545; http://alaska.fws.gov.

Primary Author

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Draft General Guidance Policy

Fish and Wildlife Service

Priority Wildlife-Dependent Recreation

Part 605 Fish and Wildlife Service Manual

Chapter 1 General Guidance 605 FW 1.1

1.1 *What is the purpose of this chapter?* This chapter provides Fish and Wildlife Service (Service) policies, strategies, and requirements concerning the management of recreation programs within the National Wildlife Refuge System (System).

1.2 *What is the System's general recreation management policy?* National wildlife refuges are national treasures for wildlife and for people who enjoy the wonders of the outdoors. To assure that the System's fish, wildlife, and plant resources endure, their needs must come first. Thus, we only allow recreational uses on a refuge after we determine that use to be appropriate and compatible. In addition, we manage recreation in strict accordance with applicable Federal, State, and Tribal laws [see Code of Federal Regulations (CFR), Title 50 subchapter C]. We encourage refuge staff to develop and take full advantage of opportunities to work with other partners who have an interest in helping us promote high quality wildlife-dependent recreational programs on refuges. The policy outlined in this chapter applies to all recreational use activities that occur within the System, including wildlife-dependent and other appropriate

recreational uses. Our general policy is to provide the American public high-quality opportunities to take part in wildlife-dependent recreation, regardless of age, race, religion, color, sex, national origin, sexual orientation, physical or mental ability. To accomplish this policy, we ensure consistency and professionalism in planning and implementing recreational use programs and activities on System lands.

1.3 *What authorities allow recreation use to occur on the Refuge System?* The following are laws and executive orders that regulate recreational use on System lands:

A. Laws

(1) Alaska National Interest Lands Conservation Act of 1980 (16 U.S.C. 410 hh-3233 and 43 U.S.C. 1602–1784)
(2) Alaska Native Claims Settlement Act (43 U.S.C. 1601–1624)
(3) Antiquities Act of 1906 (16 U.S.C. 431-433)
(4) Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa-470mm)
(5) Fish and Wildlife Act of 1956 (16 U.S.C. 742a-742j) as amended.
(6) Fish and Wildlife Conservation Act (16 U.S.C. 2901–2911), as amended
(7) Fish and Wildlife Improvement Act of 1978 (16 U.S.C. 7421)
(8) Land and Water Conservation Fund [16 U.S.C. 460(l-4)-(l-11)],as amended.
(9) National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee), as amended
(10) Refuge Recreation Act of 1962 (16 U.S.C. 460k-460k-4) as amended
(11) Wild and Scenic Rivers Act (16 U.S.C. 1271–1287), as amended.
(12) Wilderness Act of 1964 (16 U.S.C. 1131–1136)
(13) Endangered Species Act of 1973 (16 U.S.C. 1531–1544)

B. Executive Orders

(1) 11593—Protection and Enhancement of the Cultural Environment
(2) 11644—Use of Off-road Vehicles on the Public Lands
(3) 12996—Management and General Public Use of the National Wildlife Refuge System
(4) 13007—Indian Sacred Sites
(5) 12962—Recreational Fisheries

1.4 *How do we define the following terms?* The following are definitions of terms used throughout this chapter.

A. Priority wildlife-dependent recreational use and priority wildlife-dependent recreation. The National Wildlife Refuge System Administration Act of 1966, as amended, specifies that there are six priority general public uses of the National Wildlife Refuge System. The uses are hunting (605 FW 2), fishing (605 FW 3), wildlife observation (605 FW 4), wildlife photography (605 FW 5), environmental education (605 FW 6) or environmental interpretation (605 FW 7).

B. Other recreational use. A recreational use of the System that is not one of the priority wildlife-dependent uses, but we may allow it if it is appropriate and compatible.

C. Public use. Any use of the System by the public, including, but not limited to, those recreational uses and priority wildlife-dependent uses described above.

1.5 *What tools can we use to help us implement and manage a recreational use program?* Refuge managers have various tools available to them to implement recreational use programs on refuges. These include, but are not limited to: building successful refuge support groups, building successful volunteer programs, implementing a user fee program, conducting meetings, highlighting refuge attributes through exhibits and brochures, hiring staff, training personnel, registering users, and issuing special use permits. We determine overall effectiveness of the programs by evaluating factors such as improved resource protection, the success of refuge support groups, the quality of the visitor's experience, and visitor compliance.

1.6 *How do we promote the mission of the System?* We can promote the mission of the System through special events on both a local and national scale to showcase the System's roles in conservation efforts. These events can enhance public understanding and appreciation for conservation, and encourage broader public enjoyment of natural resources. We encourage Refuge managers to host special events for National Wildlife Refuge Week, International Migratory Bird Day, National Hunting and Fishing Day, Youth Hunting Days, National Fishing Week, and celebrations on refuge anniversaries, where appropriate. We also encourage Refuge managers to look for ways to introduce new sectors of the public to the System during these celebrations. By reaching out to new sectors, we lay the foundation to expand support for the System, understanding of wildlife conservation and management, and participation in wildlife dependent recreation.

1.7 *What management techniques are available to help us administer recreation programs?* We will successfully administer recreational programs through the use of:

A. *Monitoring.* Refuge managers, with help and support from Regional Offices as well as the public, must adequately monitor recreational activities on System lands. Monitoring programs must focus on the impacts of recreational activities on wildlife, habitat, and the quality of experience for the public. By implementing successful monitoring techniques, we can evaluate and adaptively manage to meet established standards and ensure that activities continue to be appropriate and compatible.

B. *Resolving conflicts.* Refuge managers may establish use limits and/or zones for specific activities, disperse or restrict use, or use other means to minimize or eliminate conflict between uses that occur at refuges. We will ensure that non-priority uses, if allowed, do not interfere with or diminish the opportunity for or quality of priority wildlife-dependent recreational uses. Through the use of zones or the establishment of acceptable limits, we can generally provide a balanced recreation program and avoid favoring one priority recreational opportunity over another when both are compatible. We recognize, however that some refuges can support no public use; many refuges only support limited public use; and that not every priority use can be accommodated on every refuge.

C. *Closure of sensitive areas.* Once opened to public use, the Refuge Manager may make a determination to close all or part of a refuge for public health and human safety reasons or to protect fish, wildlife, or plant resources. During non-emergency closure situations, the public will be notified and have the opportunity to participate in the decision-making process. During emergency closures, we will make every effort to keep the public informed of management decisions and, where possible, the basis for the closure.

1.8 *How do we address special requests and temporary situations?* The System's recreational use policy must be flexible enough to address special requests or temporary situations. We accommodate these requests only if they are appropriate, compatible, and there are clear benefits to the Service for allowing the use. Provided the use is determined to be both appropriate (reference Appropriate Uses Chapter, 603 FW 1) and compatible, the Refuge Manager, with guidance from the Regional Office, may issue a one-time or short-term permit for recreational activities not generally allowed (*e.g.,* an overnight activity or use of an historic structure). We must keep written justification documenting the analysis on file for an adequate period of time.

1.9 *What are the general recreation guidelines for the System?* Hunting, fishing, wildlife observation, wildlife photography, environmental education, and interpretation are priority wildlife-dependent recreational uses of the System. Refuge managers must facilitate wildlife/outdoor experiences that provide visitors with high quality experiences and help them understand and appreciate the value of the individual refuge and its role in the System. Refuge managers must analyze the effects of the priority wildlife-dependent recreational uses and must, unless there is a valid reason not to, provide for those priority uses determined to be compatible. Not all refuges will be able to support each, or even any, of the six priority wildlife-dependent recreational uses. If it is determined that a refuge can support one or more of these uses, the priority wildlife-dependent recreational use must receive preferential consideration in refuge planning and management before the Refuge Manager analyzes other appropriate recreational opportunities. These uses provide opportunities for visitors to become interested in and enjoy quality wildlife/outdoor experiences and learn about, understand, and support resource management programs. Refuge managers should produce programs that not only inform visitors about the System but emphasize the specific role of the individual refuge. Refuge managers should explore partnerships with Federal, State, Tribal, and local agencies to enhance wildlife-dependent recreation programs. Refuge managers should look for ways to encourage priority wildlife-dependent recreation uses, however, if little or no demand exists for a priority use, we do not require Refuge managers to provide that use. The following general guidelines apply to recreation management throughout the System:

A. *Recreational uses that enable priority wildlife-dependent recreational uses.* Refuge managers may allow (with written justification) other compatible recreational uses that are necessary to facilitate the priority wildlife-dependent recreational uses. We can allow non-wildlife-dependent activities when needed to provide access to, help implement, or sustain a priority use when no other way is practicable. Refuge managers must determine the appropriateness as well as compatibility of such uses before allowing them to occur on System lands. For example, camping may be necessary to facilitate hunting on large remote refuges but may not be necessary to facilitate hunting on refuges near developed areas where camping or other lodging is available.

B. After hours recreational use. We may, on occasion, allow activities to occur on a refuge at night if it is appropriate and compatible with the purpose(s) of the refuge and the System mission. An example might be night fishing. Allowing night activities on the refuge often requires increased management and law enforcement capability, and the manager must consider these factors in assessing the effect of the action on wildlife goals and objectives. A use should not be allowed simply because it is a historical use.

C. Non-priority recreational uses. When considering non-priority public uses, Refuge managers must refer to the Appropriate Uses Chapter (603 FW 1).

D. Access to sacred sites. Refuge managers will accommodate access to and ceremonial use of sacred sites by religious practitioners of recognized Native American Tribes and Native Hawaiians in accordance to Executive Order 13007 or 614 FW 1–5. Refuge managers, with help from their regional cultural resource staff, must familiarize themselves with Executive Order 13007, which clarifies and highlights procedures to execute this policy. Refuge managers should understand that these sites are sensitive, and allowing uncontrolled access by the general public to them is unacceptable. Refuge managers must ensure the physical integrity of the sites, including maintaining appropriate location confidentiality. Refuge managers will utilize formal agreements to outline the responsibilities of all parties involved in implementing the Executive Order.

1.10 *Are there general criteria that we can use to decide which recreational activities to allow?* The following general criteria will help Refuge managers decide what recreational activities to allow, encourage, or develop, and at what level. Refuge managers must eliminate, with adequate consultation, documentation and cooperation with affected Federal, State, Tribal, local authorities, and groups, programs that do not meet these criteria.

A. Ensure appropriateness. Refuge managers, in consultation with Regional Offices when deemed necessary, must first consider if a use is appropriate on System lands. Refuge managers must be able to show why the requested use supports the System mission and the purpose of the refuge before investing additional resources for a compatibility determination.

B. Ensure compatibility. Refuge managers must:

(1) Exercise sound professional judgment. Compatibility determinations are inherently complex and require the Refuge Manager to consider their field experiences and knowledge of a refuge's resources, particularly its biological resources, and make conclusions that are consistent with principles of sound fish and wildlife management and administration, available scientific information, and applicable laws.

(2) Consider the extent to which available resources (funding, personnel, and facilities) are adequate to develop, manage, and maintain the proposed use so as to ensure compatibility. The Refuge Manager must make reasonable efforts to ensure that the lack of resources is not an obstacle to permitting otherwise compatible wildlife-dependent recreational uses (hunting, fishing, wildlife observation, wildlife photography, environmental education, and interpretation).

(3) Under no circumstances (except emergency provisions necessary to protect the health and safety of the public or any fish or wildlife population) authorize any use not determined to be compatible.

C. Focus on wildlife. Wildlife conservation is the first priority of the System, and new and ongoing recreational use programs should help visitors focus on wildlife and other natural resources. Activities should make visitors aware of the most important resource issues at the refuge, be supportive of management plans that address those issues, and show how the refuge contributes to the mission of the System.

D. Tailor programs to refuge needs and ability to administer the program. Refuge Managers will determine and document:

(1) The design and scope of a refuge recreational use program after evaluating the wildlife-dependent uses that are appropriate, compatible, and practical at that refuge; the amount and type of visitation; constraints of the location; traditions/viewpoints of the local populace; legal commitments; other opportunities in the area; public interest; resource management concerns; and other criteria.

(2) A realistic demand for the activity. This is important because activities generally are harder to curtail or stop than to begin. Refuge Managers must have an eye to the future and be ready for possible changes in staffing, funding, or other program elements that may occur.

E. Follow an approved plan. Before administering priority uses or identifying and allowing mandated or non-priority uses at a refuge, the Refuge Manager should consult the refuge's CCP, visitor service management plan,

and other applicable step-down plans. The documents will outline program objectives and other specific information that will provide the guidance needed to manage these activities.

F. Ensure adequate resources. Refuge managers will:

(1) Offer wildlife-dependent recreational use programs only to the extent that staff and funds are sufficient to develop, operate, and maintain the program to safe, high quality standards. Refuge managers should remember that, in general, the greater the scope and complexity of a program, the greater the need for staff and money. Where wildlife-dependent recreational uses cannot occur at a refuge due to insufficient resources, Refuge managers will try to facilitate these programs through user fee programs and cooperative efforts, including memorandums of understanding, cost share agreements, sharing personnel with nearby refuges, and others. Conservation partnerships or other groups can help Refuge managers more effectively finance and administer recreational use programs on refuges by providing labor, funds, or other types of support. Where available and appropriate, Refuge managers should work with cooperating associations, volunteers, contractors, businesses, local communities, educational institutions, State and Tribal governments, other Federal agencies, conservation groups, other organizations, and the public, to minimize or reduce the costs of conducting recreational use programs. The community relations benefits of such an approach are effective and far-reaching.

(2) Seek opportunities to develop formal agreements, contracts, cooperative ventures, and community sponsorships to fund equipment and supplies, maintain facilities, conduct training, provide technical assistance, and help with other aspects of a quality recreational use program. Refuge managers should not enter into agreements that unnecessarily encumber lands and facilities or hinder meeting resource management objectives at the refuge.

1.11 Have we identified visitor service requirements on refuges? Yes. Service employees, volunteers, concessionaires, and other cooperators should conform to the following standards in planning, conducting, and evaluating all visitor services activities and facilities at refuges. These standards replace those outlined in the *Public Use Minimum Requirements Handbook* adopted by the Service in 1984.

A. Requirement 1. Develop a Visitor Services Plan. Through CCP's and visitor services plans, we will set goals, determine measurable objectives, identify strategies, and establish evaluation criteria for all visitor services. Careful planning provides the visiting public with opportunities to enjoy and appreciate fish, wildlife, and plants and other resources. As a result, the visiting public will develop an understanding and will build an appreciation of each individual's role in the environment today and into the future.

B. Requirement 2. Welcome and Orient Visitors. We will assure that national wildlife refuges are welcoming, safe, and accessible. We should regularly schedule some refuge staff to work weekends, and holidays (except Thanksgiving, Christmas, and New Years Day) and other anticipated periods of high public recreational use. We will provide visitors with clear information so they can easily determine where they can go, what they can do, and how to safely and ethically engage in recreational and educational activities. Facilities will be high quality, clean, well-maintained, and accessible. We will treat visitors with courtesy and in a professional manner.

C. Requirement 3. Provide quality hunting opportunities. Hunting is an appropriate use of wildlife resources of the System when compatible. Hunting programs will be of the highest quality, conducted in a safe and cost-effective manner, and, to the extent practicable, carried out in accordance with State regulations. (Reference 605 FW 2).

D. Requirement 4. Provide quality fishing opportunities. Fishing is an appropriate use of wildlife resources on units of the National Wildlife Refuge System when compatible. Fishing programs will be of the highest quality, conducted in a safe and cost-effective manner, and, to the extent practicable, carried out in accordance with State regulations. (Reference 605 FW 3).

E. Requirement 5. Provide quality wildlife observation and wildlife photography opportunities. Wildlife observation and wildlife photography (reference 605 FW 4 and 605 FW 5 respectively) are appropriate wildlife-dependent recreational uses of System lands when compatible. Visitors of all ages and abilities will have an opportunity to observe and photograph key wildlife and habitat resources of the refuge. Viewing and photographing wildlife in natural or managed environments will foster a connection between visitors and natural resources.

F. Requirement 6. Develop and implement a quality environmental education program. Through formal, curriculum-based environmental education tied to national and State education standards, we will advance public awareness, understanding, appreciation, and knowledge of key fish, wildlife, plant, and resource issues. Each refuge staff person will assess their potential to work with schools in providing an appropriate level of environmental education. We may support environmental education through the use of facilities, equipment, educational materials, teacher workshops, and study sites that are safe and conducive to learning. (Reference 605 FW 6).

G. Requirement 7. Interpret key resources and issues. We will communicate the most important fish, wildlife, habitat and other resource issues to visitors of all ages and abilities through effective interpretation. We will tailor messages and delivery methods to specific audiences and present them in appropriate locations. Through heightened awareness, we will inspire visitors to take positive actions supporting refuge goals and the System mission. (Reference 605 FW 7).

H. Requirement 8. Manage for appropriate recreational opportunities. The National Wildlife Refuge System Administration Act as amended by the National Wildlife Refuge System Improvement Act of 1997 states that compatible wildlife-dependent recreational uses are the priority public uses of the National Wildlife Refuge System (hunting, fishing, wildlife observation, wildlife photography, environmental education, and interpretation) and will receive enhanced consideration over other general public uses. Volunteers, partners, recreation fees and concessions are tools available to assist us in managing these uses. We will only permit other uses when we determine that they are legally mandated, provide benefits to the Service, occur due to special circumstances, or facilitate one of the priority wildlife-dependent recreational uses. (Reference 605 FW 1).

I. Requirement 9. Communicate key issues with off-site audiences. Effective outreach depends on open and continuing communication between the refuge and the public. This communication involves determining and understanding the issues, identifying audiences, crafting messages, selecting the most effective delivery techniques, and evaluating effectiveness. Achieved results will further the mission of the System and purpose(s) of the refuges. See the National Outreach Strategy: A Master Plan for Communicating in the U.S. Fish

and Wildlife Service, and America's National Wildlife Refuge System: 100 on 100 Outreach Campaign.

J. Requirement 10. Build volunteer programs and partnerships with refuge support groups. Volunteer and refuge support groups fortify refuge staffs with their gift of time, skills, and energy and are integral to the future of the System. Refuge staff will initiate and nurture relationships with volunteers and refuge support groups, and will continually support, monitor, and evaluate these groups with the goal of fortifying important refuge activities. The National Wildlife Refuge System Volunteer and Community Partnership Enhancement Act of 1998 (P.L. 105–242) strengthens the System's role in developing effective partnerships with various community groups. Whether through volunteers, refuge support groups, or other important partnerships in the community, refuge personnel will seek to make the refuge an integral part of the community, giving rise to a stronger System.

Draft Hunting Policy

Fish and Wildlife Service

Priority Wildlife-Dependent Recreation

Part 605 Fish and Wildlife Service Manual

Chapter 2 Hunting 605 FW 2.1

2.1 What is the purpose of this chapter? This chapter provides the Fish and Wildlife Service's (Service) policy governing the management of recreational hunting on units of the National Wildlife Refuge System (System or we).

2.2 To what programs does this chapter apply? The policies contained in this chapter apply to recreational hunting within the System. Refer to other chapters or regulations governing policies and procedures addressing related activities such as guiding (604 FW 7) and field trials (631 FW 5).

2.3 What is our policy on hunting on refuge lands? The overarching goal of our priority public use policies is to enhance opportunities and access to high quality visitor experiences on national wildlife refuges while not compromising wildlife conservation. We recognize hunting as a healthy, traditional outdoor pastime, deeply rooted in American heritage, and when managed appropriately, can instill a unique understanding and appreciation of wildlife, their behavior, and their habitat needs. Hunting also is an important wildlife management tool on refuges. Hunting is a legitimate and appropriate public use of the System, and along with the five other priority public uses in the Refuge Improvement Act, will receive enhanced consideration over other uses. This means we will invest our resources and imagination in providing high quality hunting experiences for refuge visitors. When determined to be compatible, refuge managers are strongly encouraged to provide public hunting opportunities. Hunting programs will promote understanding and appreciation of natural and cultural resources and their management on all lands included in the System. We rely on close cooperation and coordination with State fish and wildlife management agencies in managing hunting opportunities on refuges and in setting refuge population management goals and objectives. Regulations permitting hunting of resident wildlife within the System shall be, to the extent practicable, consistent with State fish and wildlife laws, regulations, and management plans. We encourage refuge staff to develop and take full advantage of opportunities to work with other partners who have an interest in helping us promote high quality hunting programs on refuges.

2.4 *What are the objectives for our hunting programs?* The objectives of the System hunting program are to promote public understanding of and increase public appreciation for America's natural resources, to manage wildlife populations at optimum levels, and to provide opportunities for high-quality recreational and educational experiences.

2.5 What are the authorities that allow hunting on the System? Refer to 605 FW 1 for laws that govern hunting on System lands.

2.6 Do we have common definitions for hunting terms? Yes. The following are definitions of terms used in reference to hunting.

A. Open to the public. Open to public hunting means we allow individuals who hold, if required, valid licenses, permits, stamps or other documents to enter and take specific wildlife species. Areas open to hunting may differ from areas open to the general public for other recreational activities. We note this distinction on signs and in outreach materials, such as general refuge or hunting brochures.

B. Quality hunting experience. A quality hunting experience is one that:

(1) Maximizes safety for hunters and other visitors;

(2) Encourages the highest standards of ethical behavior in taking or attempting to take wildlife;

(3) Is available to a broad spectrum of the hunting public;

(4) Contributes positively to or has no adverse affect on population management of resident or migratory species;

(5) Reflects positively on the individual refuge, the System, and the Service;

(6) Provides hunters uncrowded conditions by minimizing conflicts and competition among hunters;

(7) Provides reasonable challenges and opportunities for taking targeted species under the described harvest objective established by the hunting program. It also minimizes the reliance on motorized vehicles and technology designed to increase the advantage of the hunter over wildlife;

(8) Minimizes habitat impacts;

(9) Creates minimal conflict with other priority wildlife-dependent recreational uses or refuge operations; and

(10) Incorporates a message of stewardship and conservation in hunting opportunities.

C. Special weapons hunts. Special weapons hunts limit the choice of weapons individuals can use in the field to take big game (e.g., elk, deer). Bows, shotguns, and black powder guns may be classified as special weapons. We generally authorize special weapons hunts with appropriate conditions, such as ''Archery Only,'' ''Primitive Weapons Only,'' or ''Shotgun Only,'' unless these hunts are spatially separated by season.

D. Inviolate sanctuaries. A national wildlife refuge, or portions thereof, acquired or established in one of the following ways:

(1) Acquired with the approval of the Migratory Bird Conservation Commission (MBCC) for the purpose of an inviolate sanctuary;

(2) Established by an instrument or document that states that we intend to manage the area as an ''inviolate sanctuary for migratory birds'' or to fulfill the purpose of the Migratory Bird Conservation Act.

E. Tournament hunting. A hunting competition for monetary or other prizes, such as a ''Big Buck'' contest.

2.7 When do we address the decision to allow hunting for proposed additions to the National Wildlife Refuge System? When lands and waters are under consideration for addition to the System, the Refuge Manager will make an interim compatibility determination on any existing priority public uses. The record of decision establishing or expanding hunting on the refuge must document the completion of such determinations. The results of these determinations are in effect until the completion of a Comprehensive Conservation Plan (CCP). It is during the development of the CCP and implementation of the National

Environmental Policy Act (NEPA) that we accept and incorporate public comments into the hunting decision on the refuge.

2.8 How do we open System lands to hunting? The decision to open a refuge to hunting depends on the provisions of laws and regulations applicable to the specific refuge and a determination by the Refuge Manager that opening an area to hunting will be compatible. This decision must also be consistent with the principles of sound wildlife management, applicable wildlife objectives, and otherwise be in the public interest (see 50 Code of Federal Regulations (CFR) 32.1).

A. Specific conditions. The following conditions apply to hunting on certain units of the System.

(1) Inviolate sanctuaries. We may allow hunting of migratory game birds on no more than 40 percent of the total area unless the Secretary finds that taking of any such species in more than 40 percent of such area would be beneficial to the species (NWRSAA). If we open only 40 percent of an inviolate sanctuary to migratory bird hunting, the opened area could conceivably contain 100 percent of the habitat for migratory birds and comply with the law. However, we must first determine if the proposal is compatible with the purposes of the refuge and the System mission. Before we can open more than 40 percent of an inviolate sanctuary to hunting, we must publish the reasons for doing so in the **Federal Register**. Because of this requirement, the Director, under delegation from the Secretary, must approve all proposals to open more than 40 percent of an inviolate sanctuary to migratory bird hunting. Regional Directors retain the authority to open more than 40 percent of areas on refuges that are not inviolate sanctuaries. Refuge managers must carefully evaluate all such proposals to ensure the proposed action will be compatible. Inviolate sanctuary classification imposes no limits on hunting non-migratory birds or other game species.

(2) Waterfowl Production Areas (WPAs). WPAs are open to hunting in accordance with State law (50 CFR 32.1) as long as it is compatible. A hunting plan or rulemaking document is not necessary to open these areas to hunting. We may restrict WPA hunting programs and under 50 CFR 32.1, we may also close WPAs to hunting and other public use if circumstances warrant.

(3) Wetland easements. We have no authority over hunting on wetland easements, which we most often acquire as part of the Small Wetland Acquisition Program, unless we purchased specific rights with the easements. For these easements, the landowner has usually retained all rights to control public access, including for hunting and other recreational uses.

(4) Easement refuges. The rights acquired with the individual easement refuge determines our control of hunting on easement refuges. The Regional Director is responsible for determining the extent of our control over hunting on these areas. If we control hunting, the Refuge Manager must follow all procedures required to open a refuge to hunting.

(5) Farm Service Agency Easements formerly Farmers Home Administration (FmHA)). We have no authority over hunting or other forms of public use on easements obtained through the various Farm Service Agency inventory property easement programs of 1985, 1990, and 1996. The landowner retains the right to control access for hunting and other recreational uses.

(6) National wildlife refuges in Alaska. The Alaska National Interest Lands Conservation Act (ANILCA) (16 U.S.C. 410hh-3233 and 43 U.S.C. 1602–1784) opens all national wildlife refuges in Alaska to hunting under applicable Federal and State law as long as it is compatible (50 CFR 36.32). A hunting plan or rulemaking document is not necessary to permit hunting on these refuges. We may prohibit or restrict the taking of wildlife only in conjunction with notices and hearings under the requirements of 50 CFR 36.42 regarding public participation and closure procedures. Local rural residents may hunt wildlife for subsistence uses in compliance with applicable Federal and State laws. Under ANILCA, non-wasteful subsistence use of wildlife by rural residents has priority over other consumptive uses permitted on national wildlife refuges in Alaska.

B. Evaluation criteria for hunting programs. We will use the following criteria and standards to evaluate hunting programs on units of the System:

(1) Compatibility. A hunting program must be compatible with the purpose(s) of the refuge and the System mission.

(2) Biological integrity, diversity, and environmental health. We maintain, or contribute to the maintenance of, populations of native species. We design our wildlife population management strategies to support accomplishing refuge purposes while maintaining or restoring biological integrity, diversity, and environmental health (see 601 FW 3). We formulate refuge goals and objectives for population management by considering natural densities, social structures, and population dynamics at the refuge level and population objectives set by national plans and programs—such as the North American Waterfowl Management Plan—in which the System is a partner.

(3) Relationship with other public use programs. An integrated approach to providing opportunities for compatible wildlife-dependent recreational uses will minimize conflicts between individuals participating in these uses. We will evaluate time and space scheduling and zoning as methods to ensure opportunities for quality experience among different user groups.

(4) Resources. Providing quality recreational experiences for the public requires appropriate funding, facilities, and staff. The House Report accompanying the House of Representatives version of the National Wildlife Refuge System Improvement Act of 1997 (H. Rpt. 105–106) encourages refuge managers to take reasonable steps to obtain outside assistance from States and other conservation interests, if adequate financial resources are not available to manage a priority use in a compatible manner. Refuge managers should work closely with State, community, and conservation partners to help obtain necessary resources to manage the priority wildlife-dependent recreational use programs. Potential sources of support include the following: hunting organizations, user fees for hunting; cooperating with State, local, or Tribal agencies; and assistance from refuge support groups or volunteers. We encourage refuge managers to seek and implement other opportunities to obtain additional resources as they become available.

(5) Evaluation and monitoring. Refuge managers must monitor and evaluate their hunting programs regularly. Refuge managers should evaluate both the quality of the recreation experience and the effects of the activity on refuge resources. A wide variety of evaluation tools exist, from simply asking the hunting public how they rate their experience to contracting with a university or private company to conduct a formal survey. If a Refuge Manager decides to use a survey to evaluate the hunting experience, he or she must receive approval from the Office of Management and Budget on the information collection process before conducting any public surveys.

C. Consultation and coordination. (1) Coordination with states. When a refuge, or portion thereof, is open to hunting, we allow hunting within the

framework of applicable State regulations. We consult with the State, Tribes, and other appropriate authorities during the development of hunting programs and whenever we plan significant changes. Refuge regulations must be consistent with State regulations, to the extent practicable. The use of more restrictive regulations requires consultation with the State. We must list regulations that are more restrictive than State regulations, such as seasons and fishing hours as refuge-specific regulations in 50 CFR part 32. Refuge-specific regulations must not weaken existing State laws and regulations. We must justify deviations from State regulations in the refuge hunting plan or amendments to that plan.

(2) Endangered species consultation. We will review all hunting programs annually to determine if they may affect, adversely or beneficially, threatened or endangered species and their habitats. The Refuge Manager will initiate consultation as appropriate, under Section 7 of the Endangered Species Act and intra-Service consultation procedures.

(3) Public involvement. The appropriate level of public involvement must accompany new or significant changes to existing hunting programs. Refuge managers must plan efforts well in advance of the proposed changes in order to obtain as much involvement from groups and individuals as possible. A variety of methods are available for the Refuge Manager to use to involve and inform the public, including public meetings, workshops, news releases, and mailings to interested groups. We encourage refuge managers to continue to use these and other methods. We require an outreach plan developed in coordination with Regional External Affairs Offices for new hunting programs or any major changes affecting existing programs.

D. Documentation required to open a refuge to hunting. The Refuge Manager must submit the following documents to the appropriate staff in the Regional Office to open a refuge to hunting. The Regional Office then forwards a copy of these documents to the National Wildlife Refuge System Headquarters for preparation of a rulemaking document.

(1) Step-down hunting plan. This plan should be a step-down plan of the refuge's CCP which must include a compatibility determination on the hunting program. If the unit has not yet completed a CCP, the step-down hunting plan must contain a compatibility determination until the CCP is completed. The hunting plan should be an appendix to the overall plan for providing public uses on refuges. The plan will provide documentation of the hunting allowed on a refuge, including the relationship of hunting to refuge purpose(s), goals, and objectives and the System mission. The suggested format for a refuge hunting plan is labeled as Exhibit 1 in this chapter.

(2) Appropriate NEPA documentation.

(3) Appropriate decision documentation.

(4) Section 7 evaluation. (See Exhibit 2 for information on Section 7 evaluation.)

(5) Copies of letters requesting State, and, where appropriate, tribal involvement and the results of the request.

(6) Draft news release.

(7) Outreach plan. (We label a Directorate-approved outline for an Outreach Plan as Exhibit 3.)

2.9 Who prepares and reviews a refuge hunting plan? The Refuge Manager, with technical assistance as needed from the Regional Office and State and Tribal wildlife agencies, is responsible for preparation of the hunting plan. The Regional Director approves the plan before the rulemaking process begins. The Regional Office sends copies of the approved hunting plans to Headquarters (including the approved outreach plan) for concurrence. During the rulemaking process, Headquarters staff use the hunting plan as reference material and supporting documentation. The Refuge Manager must annually review hunting plans for each refuge where we allow hunting. The Refuge Manager must refer to this plan in the Refuge Public Use Plan or CCP and provide overall documentation of the hunting allowed on a refuge.

2.10 What information do we need for publication in the ***Federal Register****?* The Refuge Manager must submit information about what species we propose to open for hunting and the conditions of the proposed hunt once we determine the proposal to be compatible and document the results in an approved hunting plan. The Regional Liaison must forward copies of this information to the Federal Register Liaison at Headquarters for the development of the proposed and final refuge-specific regulations (codified in 50 CFR), which we publish in the **Federal Register**. If a Refuge Manager proposes to open more than 40 percent of an inviolate sanctuary to migratory game bird hunting, we must also publish the justification in the **Federal Register**.

2.11 What is the refuge-specific regulations process? The refuge-specific regulation process is outlined below:

A. Headquarters must publish in the **Federal Register**, proposed refuge-specific regulations pertaining to a refuge's hunting program that are necessary to conduct that program prior to them becoming effective. Refuge managers must forward all refuge-specific regulations through appropriate channels to Headquarters for clearance and submission to the **Federal Register**. The refuge is open to hunting officially after the effective date of the final rule. Hunting can begin concurrently with or after the opening of the State season.

B. Refuge managers must review these regulations and the refuge hunting plan annually to ensure compatibility and consistency of the hunting program with existing laws and regulations. Refuge managers must submit any amendments (additions, deletions, or modifications) each year to the designated regional hunting and fishing program coordinator who, in turn, sends that information to Headquarter's Federal Register Liaison for inclusion in the rulemaking documents for publication in the **Federal Register**. Headquarter's Federal Register Liaison must receive this information by January 31 each year to allow sufficient time for compilation and review by concerned program offices and the Solicitor, signature by the Assistant Secretary, and the Departmental review for both proposed and final rules. This includes a 30-day public comment period on the proposed rule. We cannot publish a refuge opening without the complete hunting package. If no amendments are necessary, refuge managers should submit a negative response to that effect to the Regional Office (to the attention of the hunting and fishing program coordinator). Refuge-specific regulations should be standard and consistent in format throughout the System. We include guidelines for preparing and submitting regulations and amendments in Exhibit 4.

2.12 How do we revise a hunting plan? The Refuge Manager may approve all revisions in hunting plans except major revisions. Major revisions in hunting plans (*e.g.,* addition of big game to a hunting program, designating hunts for special weapons use only) must occur as an amendment to the hunting plan unless the original plan included specific conditions under which that revision could occur. The preparation and approval of amendments follows the same guidelines as preparation and approval of the original plan. Submit only the revised portion of the plan for approval to the Regional Office. The

Regional Director approves revisions only when Headquarters has already listed the refuge in 50 CFR as open to that particular category of hunting. Otherwise, refuge managers must submit the amended hunting plan for rulemaking. Opening a refuge to new categories requires the appropriate National Environmental Policy Act (NEPA) findings.

2.13 What are the guidelines for refuge hunting programs? We should plan, manage, conduct, and evaluate refuge hunting programs on a consistent basis in ways that ensure hunter and visitor safety, and promote positive values such as fair chase, high ethical standards, and respect for the resource. Hunting on refuges must have the attributes of a quality hunt as defined in section 2.6B. The following guidelines should help ensure quality opportunities are available.

A. Permits. We require hunters to have all applicable Federal, State, and Tribal licenses or stamps in their possession. We can issue refuge permits to limit participation or gather information. If we use refuge permits to limit hunter numbers, we will issue them on a random basis to the public. Refuge managers should avoid complicated application processes that require additional resources. Application processes should be flexible to provide an opportunity to all potential hunters. Under ANILCA, qualified rural subsistence hunters are given a preference to harvest game on Alaska refuges as outlined by the rules and regulations established by the Federal Subsistence Board. We should coordinate with Tribal and State application and lottery processes where practicable.

B. Fees. The Refuge Manager makes the decision to charge a fee in coordination with the Regional Office. We have the authority to charge fees for applications, refuge permits, and the use of facilities (*i.e.,* hunting blinds) under existing recreation fee programs. We use fees collected for visitor service enhancement projects, and resource protection. The authority under which we collect fees contains stipulations on how we may reinvest the monies. The Regional Fee Coordinator can assist with the approval of fees as well as provide information on the appropriateness of fund distribution.

C. Zoning recreational use. We desire a balanced hunting program that allows a variety of quality hunting opportunities. For example, designating areas for youth hunts, establishing areas that provide access for hunters with disabilities, establishing ''special weapons'' areas, designating areas for seasonal or daily closures for consumptive and non-consumptive use, designating areas for non-motorized boat use, and establishing areas where hunters use methods to reduce crippling loss, help us achieve a balanced hunting program and increase the quality of the experience. We can also use zoning to reduce conflicts between hunters and other users.

D. Law enforcement. Law enforcement is an important part of any hunting program. It is used to ensure legal and equitable utilization of fish and wildlife resources on refuges, as prescribed by law. Law enforcement is also used to obtain compliance with laws and regulations necessary for proper administration, management, and protection of the System. The effort invested should be sufficient to protect human safety, wildlife populations, and ensure compliance with regulations based on past experiences and current circumstances.

E. Hunter access and vehicle control. Refuge managers must carefully plan, manage, and evaluate access and vehicle control to retain high levels of undisturbed opportunities. Refuge managers should strongly encourage those opportunities not dependent upon the use of motorized vehicles. We can make exceptions to general access restrictions for hunters with disabilities when necessary to facilitate their experience, and when compatible with resource management objectives. For example, refuge managers may issue special use permits to hunters with certain disabilities for access to hunt blinds, or retrieval of downed game. Refuge managers could require specific physician's documentation before providing the disabled hunter a special use permit.

F. Camping. We may allow camping on refuges when it is necessary to support hunting opportunities. Camping is appropriate only when no reasonable (based on time, distance and expense) lodging opportunities are available off-refuge and when staff resources needed to manage camping do not detract from the quality of another priority wildlife-dependent recreational use. Large refuges in the western United States, refuges in Alaska, and some remote refuges allow camping under this criteria. See the Appropriate Refuge Uses chapter (603 FW 1) for additional information.

G. Hunting by service staff. Service employees are subject to the same rules and regulations as the general public. If only limited hunting opportunities exist, refuge managers should discuss with Service employees the need to be sensitive to the possibility of the public perception of conflict of interest. We never authorize Service employees to wear uniform components outside of their official capacity. When employees participate in off-duty hunting opportunities, they are not authorized and, therefore, should never wear uniform components (e.g., uniform ball caps, uniform jeans). When Service employees actively participate in assigning limited hunting permits, they will not participate in that particular hunt on those affected refuge lands. In addition, personnel may not use means of access to hunt in areas that are not available to the general public.

H. Communication materials. Professionally developed outreach materials will benefit refuge managers by providing clear and thorough information to hunters. Brochures must conform with the U.S. Fish and Wildlife Service Graphics Standards and be consistent with refuge-specific regulations. Contact your Regional Publications Coordinator for graphic standards. Refuge managers do not need to include regulations and dates that are identical to State seasons. Include information that encourages hunters to hunt safely and ethically. We encourage refuge managers to use electronic media, such as the Internet, to distribute information. Refuge managers should work with Regional Office staff to provide information on standards and guidelines for all communications materials.

I. Equipment. Refuge managers may place limits on certain equipment such as decoys, boats, tree stands, and type of firearm or ammunition if they determine that such limits reduce crippling loss, resource damage, hunter conflicts, or improve the quality of the hunt.

J. Boundary hunting. We discourage boundary hunting adjacent to closed areas of refuges. We can alter boundary lines or habitat, or eliminate parking areas and access roads, to distribute hunters or modify wildlife use patterns in ways that make boundary hunting less appealing. Refuge managers must use retrieval zones sparingly and only to prevent waste by allowing the retrieval of dead or crippled game. Prior to establishing these zones, managers should consider adjusting hunt boundaries as well as the cost of signing and enforcing restrictions. Limit the entry of hunters into closed areas wherever possible. Retrieval of big game may require entry, with permission, into closed areas.

K. Check stations. Use check stations only as a means to monitor the hunt, gather important information that we cannot obtain in a less expensive

manner, or gather biological information about animal populations. Refuge managers should evaluate the continued use of check stations periodically to determine if there is a more cost-effective means of providing quality hunting services. Use permanent check stations only to control the hunting area access and not to enforce hunting regulations.

L. Data collection. Refuge managers should evaluate hunting programs to determine if we are meeting objectives. Refuge managers should consult with the State regarding data collection needs and survey methods.

M. Proficiency testing. Generally, we will not require mandatory testing or qualifications above State requirements. If a Refuge Manager wants to implement a proficiency test more restrictive than that required by the State, the Refuge Supervisor must approve the test. For example, if hunters were not allowed to take black ducks or mallard hens on a refuge but were permitted to take gadwalls, the hunter could be required to show proficiency in the identification of gadwalls and other waterfowl.

N. Hunting with dogs. The use of properly trained dogs is an important part of the American hunting tradition, enhances the quality of the hunting experience, and can reduce the loss of crippled game. We recognize the long relationship between dogs and hunters. However, in our effort to emphasize high-quality visitor experiences which minimize visitor use conflicts and wildlife disturbance, we must make distinctions between various uses of dogs for hunting. Not all uses of dogs for hunting will fit with System quality hunting experience goals.

We do not allow hunting dogs in areas closed to hunting or other public use and we only allow their use in the following circumstances:

(1) Retrievers. We encourage the use of trained retrieving dogs for waterfowl. Emphasize the value of trained retrievers in reducing the loss of downed birds in outreach materials promoting the hunting program.

(2) Pointing and flushing dogs. Typically, hunters use pointing and flushing dogs in pursuit of upland game birds. Well-trained pointing and flushing dogs enhance a hunting experience by creating more opportunities and finding and retrieving downed birds.

(3) Pursuit hounds. Refuge managers will carefully consider the impacts of the use of pursuit hounds on the refuge. When evaluating compatibility of hunting with pursuit hounds, a Refuge Manager will include the following discussion points in the compatibility determination:

(a) The likelihood of pursuit hounds injuring or annoying wildlife to such an extent as to significantly disrupt normal behavioral patterns of non target species;

(b) The likelihood of pursuit hounds interfering with the quality of the experience of other refuge visitors;

(c) The likelihood of pursuit hounds venturing out of open hunting areas and entering closed areas or adjacent private lands; and

(d) The effects of pursuit hounds ranging out of the hunter's control and being left on the refuge for an extended period of time.

O. Special weapons hunts. We offer hunting opportunities to as broad a spectrum of the public as possible. Consider special weapons hunts, as defined in section 2.6C, under some of the following conditions:

(1) Safety. Extremely dense cover, agricultural fields, or other vegetation characteristics may create situations where rifles are not appropriate. Configuration of hunt areas, such as long, narrow corridors or occupied inholdings, may also create situations where we should only allow specific weapons due to safety considerations.

(2) Limited harvest. In cases where there are relatively low populations or other limited harvest opportunities, offering special weapons hunts could be a method to provide hunting opportunities where they would otherwise not exist.

(3) State seasons for special weapons. In some States, the State designates separate seasons for specific weapons. When the State conducts archery, black powder, and other special seasons, it may be appropriate for refuge hunts to accommodate them. The decision as to whether a special weapons hunt approved by the State is compatible on the refuge lies with the Refuge Manager.

P. Falconry. If falconry is deemed appropriate and compatible on the refuge, it must be conducted under applicable Federal, State, and Tribal regulations. Refuge managers should consider:

(1) Will the refuge falconry hunting area provide a quality and safe falconry experience? For example, is the area large enough for a raptor to fly, stoop, and capture prey and be unobstructed by barbed wire fences or power lines?

(2) Will endangered or threatened species be harassed (see 50 CFR 17.11)?

(3) Will falconry negatively impact adjacent land uses (e.g., a nearby poultry farm) or will adjacent land uses affect the falconry on the refuge (e.g., a neighboring race track)?

Q. Nontoxic shot. Hunters may possess only nontoxic shot that conforms with the standards identified in 50 CFR 32.2(k) while hunting with shotguns or muzzle loaders on WPA's, or on certain other areas of the System. This regulation does not apply to turkey and deer hunters using buckshot or slugs, except as specifically limited by refuge-specific regulations.

R. Night hunting. We allow night hunting when it is appropriate and compatible with the purpose(s) of the refuge and the mission of the System. If a refuge is generally not open after sunset, refuge managers may make an exception and allow night hunting. Refuge managers must base the decision on specific refuge objectives and not historical use. Reference the General Recreation Guidance Chapter, 605 FW 1, for additional information about after-hours activities.

S. Tournament hunting. We prohibit this type of hunting on System lands and waters unless we make a specific determination that the event builds appreciation for and an understanding of fish and wildlife resources, does not reasonably interfere with other refuge visitors, and if prizes of only nominal value are awarded. Refer to the Appropriate Uses Chapter (603 FW 1) for additional discussions of competitive events.

T. Youth hunting. We encourage refuge managers to set aside areas or times to promote hunting by children or under represented groups. Experiencing hunting in a safe environment and exposure to proper hunting methods is important to developing life skills and public support for healthy ecosystems. Refuge managers should take advantage of these opportunities to educate young hunters and their parents about the importance of wildlife management.

2.14 How do we close a refuge to hunting? The Refuge Manager may close all or any part of a refuge that we have opened to hunting whenever necessary to protect the resources of the area or in the event of an emergency endangering life, property, or any population of wildlife, fish or plants (50 CFR 25.21).

A. Emergency closure. We do not require advance public notice for closure under emergency conditions. We will notify the public of such closures by signs, special maps, or other appropriate methods.

B. Non emergency closure. We will evaluate non-emergency closure of a refuge hunting program for impacts on wildlife populations, ecosystems, and priority recreation uses. If the impacts are likely to be major or controversial, we will prepare an environmental assessment and follow the public

participation process identified in the National Environmental Policy Act (NEPA). We will evaluate the impacts of the decisions and give appropriate notification to the public. In Alaska, temporary closures or restrictions relating to the taking of wildlife will not be effective prior to the notice and hearing that we will conduct for an emergency closure in the vicinity of the affected area(s) and may not exceed 12 months.

Exhibit 1—Refuge Hunting Plan Format

I. Introduction

Include a general description of the refuge and information pertinent to the planned hunting program. If a Refuge Manager develops this hunting plan as a portion of an integrated public use plan, we may not require this information. Include non repetitive general information in the Comprehensive Conservation Plan.

II. Conformance with Statutory Authorities

Explain how the program will be compatible with the System mission, the goals and objectives of the refuge, and the purpose(s) for which the refuge was established. Include projections of the resources (staff and funding) needed to conduct the program and their sources. Include an explanation of how the program will address the requirements of applicable authorities.

III. Statement of Objectives

List the major refuge objectives and the specific objectives of the hunting program. Describe how hunting will impact the refuge objectives.

IV. Assessment

Evaluate the hunting resources on the refuge populations and habitats. Points to discuss include, but are not limited to, the following:

a. Will populations sustain hunting and still support other wildlife-dependent priority uses?

b. Do target species and other wildlife compete for habitat?

c. Do target species prey on other species at unacceptable levels?

V. Description

Describe the program in detail, using graphics as needed. The description should include:

a. Areas of the refuge that support target species.

b. Areas of the refuge to be opened to hunting.

c. Species designated for hunting and hunting periods.

c. Justification of permit system, if required.

d. Consideration of user fees.

e. Consultation and coordination procedures with States, including justification of refuge-specific regulations.

f. Methods of control and enforcement.

g. Staffing and funding needs.

h. Consideration of providing opportunities for hunters with disabilities.

VI. Measures Taken To Avoid Conflicts With Other Management Objectives

a. *Biological conflicts.* Include section 7 consultation, and other measures proposed to minimize or eliminate conflicts with endangered species or non target species.

b. *Social conflicts.* Include proposed measures that minimize or eliminate conflicts with other user groups.

VII. Hunt Specifics

a. Refuge-specific regulations.

b. Outreach plan.

c. Hunter application and registration procedures (if needed).

d. Description of hunter selection process (if needed).

e. Draft news release regarding the hunting program.

f. Description of hunter orientation, including pre hunt scouting opportunities.

g. Hunter requirements:

(1) State determined age requirement.

(2) Allowable equipment.

(3) Licensing and permits.

(4) Reporting requirements.

(5) Hunter training and safety.

(6) Other information (use of dogs, falconry, etc.)

VIII. Compatibility Determination

IX. Appropriate NEPA Documents

X. Evaluation

a. Monitoring and reporting use levels and trends.

b. Surveying needs of the hunting visitor.

c. Are we meeting program objectives?

d. Do we need to resolve any conflicts?

e. Refuge/Regional Office review schedule.

Exhibit 2—Priority Wildlife-Dependent Recreation (Hunting)

Use the following terminology for your Section 7 determination as to whether the opening of your refuge to hunting and/or fishing will affect the continued existence of any endangered or threatened species or result in the destruction or adverse modification of habitat of such species within the System.

Types of Effects

1. No effect: The appropriate conclusion when the Service determines that a proposed Service action will not affect a listed species or designated critical habitat.

2. Is not likely to adversely affect: The appropriate conclusion when effects on listed species are expected to be discountable, insignificant, or completely beneficial. Beneficial effects are contemporaneous positive effects without any adverse effects to the species. Insignificant effects relate to the size of the impact and should never reach the scale where take occurs. Discountable effects are those extremely unlikely to occur. Based on best judgment, a person would not (1) be able to meaningfully measure, detect, or evaluate insignificant effects; or (2) expect discountable effects to occur.

3. Is likely to adversely affect: The appropriate finding in a biological assessment (or conclusion during information consultation) if any adverse effect to listed species may occur as a direct or indirect result of the proposed Service action or its interrelated or interdependent actions, and the effect is not: discountable, insignificant, or beneficial (see definition of ''is not likely to adversely affect''). In the event the overall effect of the proposed Service action is beneficial to the listed species but is also likely to cause some adverse effects, then the proposed Service action ''is likely to adversely affect'' the listed species. If incidental take is anticipated to occur as a result of the proposed action, an ''is likely to adversely affect'' determination should be made. This determination requires the initiation of formal intra-Service section 7 consultation (see definition of ''informal intra-Service consultation'').

4. May affect: The appropriate conclusion when a proposed action may pose *any* effects on listed species or designated critical habitat. When the Federal agency (in this case the Service) proposing the action determines that a ''may affect'' situation exists, then the Service must initiate formal consultation or seek written concurrence from the involved Service programs that the action ''is not likely to adversely affect'' listed species.

5. Is likely to jeopardize proposed or candidate species/adversely modify proposed critical habitat: The appropriate conclusion when the Service identifies situations where the proposed Service action is likely to jeopardize the continued existence of a species proposed for listing or a candidate species, or adversely modify an area proposed for designation as critical habitat. If this conclusion is reached, intra-Service conference is required.

Types of Consultation

1. Formal intra-Service consultation: A process between a Service program authorizing an action and another Service program affected by that action that: (1) Determines whether a proposed Service action is likely to jeopardize the continued existence of listed species or destroy or adversely modify designated critical habitat; (2) begins with the Service program that authorizes the action providing a written request and submitting a complete initiation package to the affected Service program; and (3) concludes with the issuance of a biological opinion and incidental take statement by the affected Service program. If a proposed Service action may affect a listed species or designated critical habitat, formal intra-Service consultation is required (except when the involved Service programs concur, in writing, that a proposed action ''is not likely to adversely affect'' listed species or designated critical habitat). (50 CFR 402.02; 50 CFR 402.14)

2. Informal intra-Service consultation: An optional process that includes all discussions and correspondence between Service programs, prior to formal intra-Service consultation, to determine whether a proposed Service action may affect listed species or critical habitat. This process allows the Service to utilize its in-house expertise to evaluate a Service program's assessment of potential effects or to suggest possible modifications to the proposed action

which could avoid potentially adverse effects. If a proposed Service action may affect listed species or designated critical habitat, formal intra-Service consultation is required (except when the involved Service programs concur, in writing, that a proposed action ''is not likely to adversely affect'' listed species or designated critical habitat). (50 CFR 402.02; 50 CFR 402.13)

Exhibit 3—Outreach Plan Summary

I. Issue: (State the issue in one or two sentences.)
II. Basic Facts About the Issue:
III. Communication Goals:
IV. Message:
V. Interested Parties:
VI. Key Date:
VII. Strategy:

Exhibit 4—Guidelines for Preparation of Refuge-Specific Hunting Regulations

Hunting regulations on national wildlife refuges accomplish three major purposes: They protect the resource, manage it, and ensure safety. State hunting regulations generally provide the framework for meeting these three criteria. When State regulations fall short of meeting these criteria, refuge-specific regulations are necessary. These regulations should focus primarily on management of the wildlife resource and should be enforceable. For example, if we require permits on a specific refuge, a statement that we require special refuge permits is all that is necessary. Details are not appropriate in the regulations. Address details in a leaflet or the permit application. Also, do not submit text for your refuge unless it represents a CHANGE to the existing language in part 32. If you are adding conditions to those already published, state that these are ''adds'' and indicate where you want them inserted in the text.

Duplications of existing 50 CFR provisions. When writing your regulations, check 50 CFR to avoid duplication. For example, in Part 27, Prohibited Acts, Section 27.31 restricts motor vehicles to ''designated routes of travel. * * * delineated on maps by the Refuge Manager;'' Section 27.81 adequately covers possession of alcohol; and Section 27.95 prohibits setting fires.

Duplication of State regulations. 50 CFR 32.2 (d) states ''Each person shall comply with the applicable provisions of the laws and regulations of the State wherein any area is located unless further restricted by Federal law or regulation.'' Therefore, do not repeat State bag limits, seasons, etc., in the refuge-specific regulations. Indicate differences in a cover memo that justifies differences and deviations.

Preparation of refuge-specific regulations. List shell limits, bag limits, seasons, and hours that differ from the State's in the refuge-specific regulations.

Use the following as an example for your submission for modifications to existing text:

Section 32.42 Minnesota.

Big Stone National Wildlife Refuge

B. Upland Game Hunting.

Replace the preamble to read as follows:

You may hunt partridge, pheasant, wild turkey, gray and fox squirrel, cottontail and jack rabbit, red and gray fox, raccoon, and striped skunk on designated areas of the refuge subject to the following conditions:

Add new conditions B.2. and B.3. to read as follows:

B.2. You may hunt fox, raccoon, and striped skunk only during open seasons for other small game species. You may not use dogs while raccoon hunting.

B.3. You may hunt turkey only if you have a valid State turkey hunting permit in your possession.

Use the following example for an addition of a refuge to part 32:

Section 32.20 Alabama.

Grand Bay National Wildlife Refuge

A. Hunting of Migratory Game Birds. We allow hunting of geese, ducks, and coots on designated areas of the refuge subject to the following condition: We require a refuge permit.

B. Upland Game Hunting. We allow hunting of squirrel and rabbits on designated areas of the refuge subject to the following condition: We require a refuge permit.

C. Big Game Hunting. We allow hunting of white-tailed deer on designated areas of the refuge subject to the following conditions: We require a refuge permit.

D. Sport Fishing. [Reserved]

Draft Recreational Fishing Policy

Fish and Wildlife Service

Priority Wildlife-Dependent Recreation

Part 605 Fish and Wildlife Service Manual

Chapter 3 Recreational Fishing 605 FW 3.1

3.1 What is the purpose of this chapter? This chapter provides the Fish and Wildlife Service's (Service) policy governing the management of recreational fishing on units of the National Wildlife Refuge System (System or we).

3.2 To what programs does this chapter apply? The policies contained in this chapter apply to recreational fishing on national wildlife refuges, waterfowl production areas, and coordination areas, which are all units of the System.

3.3 What is our policy on fishing on refuge lands? The overarching goal of our priority public use policies is to enhance opportunities and access to high quality visitor experiences on national wildlife refuges while not compromising wildlife conservation. We recognize fishing as a traditional outdoor pastime that is deeply rooted in America's natural heritage. Fishing is a legitimate and appropriate public use of the System, and along with the five other priority public uses in the Refuge Improvement Act, will receive enhanced consideration over other uses. This means we will especially invest our resources in providing high quality fishing experiences for refuge visitors. When determined to be compatible, refuge managers are strongly encouraged to provide to the public fishing opportunities. Our fishing programs will promote understanding and appreciation of natural and cultural resources and their management on all lands included in the System. The Service's Division of Fish and Wildlife Management Assistance and Habitat Restoration has many field offices with a broad range of expertise that are available to the Refuge Manager when planning and managing fishing programs. We encourage refuge managers to take advantage of this important resource. We rely on close cooperation and coordination with State fish and wildlife management agencies in managing fishing opportunities on refuges and in setting refuge population management goals and objectives. Regulations permitting fishing within the System shall be, to the extent practicable, consistent with State fish and wildlife laws, regulations, and management plans. We encourage refuge staff to take advantage of opportunities to work with other partners who have an interest in helping us promote high quality wildlife-dependent recreational programs on refuges.

3.4 What are the objectives for our fishing programs? The objectives of the System's fishing program are to: effectively maintain healthy and diverse fish population resources through the use of scientific management techniques; to promote public understanding of, and increase public appreciation for, America's natural resources and the Service's role in managing the System; to provide opportunities for high-quality recreational and educational experiences; and to minimize conflicts between anglers and other visitors.

3.5 What are the authorities that allow fishing on the System? Refer to 605 FW 1 for laws and Executive orders that govern fishing on System lands.

3.6 Do we have common definitions for fishing terms? The following are definitions of terms used in reference to fishing.

A. Open to the public. Open to the public for fishing means we allow fishing by any individual who holds, if required, a valid license, permit(s), stamp(s) or other document allowing the taking of a specific species of fish on System waters. Areas open to fishing may differ from areas open to the general public for other recreational activities. We note this distinction through the use of signs and outreach materials, such as general refuge brochures or fishing brochures.

B. Quality fishing experience. A quality fishing experience is one that contributes to management objectives and accomplishes the following:

(1) Maximizes safety for anglers and other visitors;

(2) Causes no adverse impact on populations of resident or migratory species, native species, threatened and endangered species, or habitat;

(3) Encourages the highest standards of ethical behavior in regard to catching, attempting to catch, and releasing fish;

(4) Is available to a broad spectrum of the public that visits, or potentially would visit, the refuge;

(5) Provides reasonable accommodations for individuals with disabilities to participate in refuge fishing activities;

(6) Reflects positively on the System;

(7) Provides uncrowded conditions;

(8) Creates minimal conflict with other priority wildlife-dependent recreational uses or refuge operation;

(9) Provides reasonable challenges and harvest opportunities; and

(10) Increases the visitors understanding and appreciation for the fisheries resource.

C. Native fisheries. Fish that, other than as a result of an introduction, historically occurred in a specific watershed. By ''historically'' we mean a period identified as time before European contact or settlement.

D. Tournament fishing. A fishing competition for monetary or other prizes.

E. Shellfish harvest. The recreational harvest of abalone, clams, crabs, crayfish, lobster, mussels, oysters, scallops, shrimp, or other marine and freshwater invertebrates.

F. Nontoxic tackle. A weighted tackle (jigs and sinkers) made of materials other than lead or lead alloys.

G. Nonnative/alien species. Any species, including its seeds, eggs, spores, or other biological material capable of propagating that species, that is not native to that ecosystem.

H. Set tackle. Any fishing hook(s), devices, or lines that are not hand held or not attached to a fishing rod, reel, or pool under the immediate control of the user (excludes rod and pole holders and ice fishing tip-ups). In general terms, set tackle is any fishing tackle designed, rigged, floating or tied off for the purposes of catching fish while ''unattended'' by the fishing visitor (*e.g.,* trotlines, setlines).

I. Natural bait. Any natural live aquatic organism used to catch target fish.

3.7 When do we address the decision to allow fishing for proposed additions to the System? When lands or waters are under consideration for addition to the System, the Refuge Manager will make an interim compatibility determination on any existing priority public use. The record of decision establishing fishing on the refuge must document the completion of such determinations. The results of these determinations are to be in effect until the completion of a Comprehensive Conservation Plan (CCP). It is during the development of the CCP and implementation of National Environmental Policy Act (NEPA) that we accept public comments and incorporate them into the decision to allow fishing on the refuge. Refer to the Comprehensive Conservation Planning Process Chapter (602 FW 3) for detailed information on this process.

3.8 What are the procedures for opening System waters to fishing? The decision to open a refuge to fishing depends on the provisions of laws and regulations applicable to the specific refuge and a determination by the Refuge Manager that opening the area to fishing or harvest of other aquatic species will be compatible. This decision must also be consistent with the principles of sound fishery management, applicable fisheries objectives, and otherwise be in the public interest (see 50 Code of Federal Regulations (CFR) 32.4).

A. Specific conditions. The following conditions apply to fishing on certain units of the System:

(1) Waterfowl Production Areas (WPAs). WPAs are open to fishing subject to State law (50 CFR 32.4) as long as it is compatible. A rulemaking document is not necessary to open these areas to fishing since they are open unless closed. We may restrict WPA fishing programs by following the procedures established for refuges. Under 50 CFR 32.4, we may also temporarily close WPAs to fishing and other public use if circumstances warrant.

(2) Wetland easements. We have no authority over fishing on wetland easements, which we most often acquire as part of the Small Wetland Acquisition Program, unless we purchased specific rights with the easements. For these easements, the landowners has usually retained all rights to control public access, including access for fishing and other recreational uses.

(3) Easement refuges. The rights acquired with the individual easement refuge determine our control over fishing on easement refuges. The Regional Director is responsible for determining the extent of control over fishing on these areas. If we control fishing, the Refuge Manager must follow all procedures required to open a refuge to fishing.

(4) Farm Service Agency Easements (formerly Farmers Home Administration (FmHA)). We have no authority over fishing or other forms of public use on easements obtained through the various Farm Service Agency inventory property easement programs of 1985, 1990, and 1996. The landowner retains the right to control access for fishing and other recreational uses.

(5) National wildlife refuges in Alaska. The Alaska National Interest Lands Conservation Act (16 U.S.C. 410hh–3233 and 43 U.S.C. 1602–1784) opens all national wildlife refuges in Alaska to fishing under applicable Federal and State law as long as it is compatible (50 CFR 36.32). A fishing plan or rulemaking document is not necessary to permit fishing on these refuges. We may prohibit or restrict the taking of fish only in conjunction with notices and hearings under the requirements of 50 CFR 36.42 regarding public participation and closure procedures. Local rural residents may fish and gather shellfish for subsistence uses in compliance with applicable Federal and State laws. Non-wasteful subsistence use of wildlife by local rural residents has priority over other consumptive uses permitted on national wildlife refuges in Alaska.

B. Evaluation criteria for fishing programs. We will use the following criteria and standards to evaluate fishing programs on units of the System:

(1) Compatibility. A fishing program must be compatible with the purpose(s) of the refuge and the System mission.

(2) Biological integrity, diversity, and environmental health. Fishing programs must maintain, or contribute to the maintenance of, viable populations of native species. We design our fishing programs to support accomplishing refuge purposes while maintaining or restoring biological integrity, diversity, and environmental health (see 601 FW 3). We will not establish fishing programs when there is a high potential to adversely affect a significant biological component of an existing native fish population, either by taking fish from that population or by introducing non-native species.

(3) Relationship with other public use programs. An integrated approach to providing opportunities for compatible wildlife-dependent recreational uses will minimize conflicts. The Refuge Manager will evaluate time and space scheduling and zoning as methods to ensure opportunities for a quality experiences among different user groups. In the case of conflicts between priority wildlife-dependent recreational

use, the Refuge Manager will make the final decision on which use to allow and which to curtail.

(4) Resources. Providing quality recreational experiences for the public requires appropriate funding, facilities, and staff. The House Report accompanying the House of Representatives version of the National Wildlife Refuge System Improvement Act of 1997 (H. Rpt. 105–106) encourages refuge managers to take reasonable steps to obtain outside assistance from States and other conservation interests, if adequate financial resources are not available to manage a priority use in a compatible manner. Refuge managers should work closely with State, community, and conservation partners to help obtain necessary resources to manage the priority wildlife-dependent recreational use programs. Potential sources of support include the following: angling organizations, user fees for hunting; cooperating with State, local, or Tribal agencies; and assistance from refuge support groups or volunteers. We encourage refuge managers to seek and implement other opportunities to obtain additional resources as they become available.

(5) Evaluation and monitoring. Refuge managers must monitor and evaluate their fishing programs regularly. Refuge managers must evaluate both the quality of the recreation experience and the effects of the activity on refuge resources. A wide variety of evaluation tools exist, from simply asking the fishing public how they rate their experience to contracting with a university or private company to conduct a formal survey. If a Refuge Manager decides to use a survey to evaluate the fishing experience, he or she must receive approval from the Office of Management and Budget before conducting any public surveys.

C. Consultation and coordination.

(1) Coordination with states and tribes. When a refuge, or portion thereof, is open to fishing, we generally allow fishing within the framework of applicable State and Tribal regulations. We consult with the State, Tribes, and other appropriate authorities during the development of fishing programs and whenever we plan significant changes. Refuge regulations must be consistent with State and Tribal regulations, to the extent practicable. The use of more restrictive regulations requires consultation with the State or Tribe. We must list regulations that are more restrictive than State or Tribal regulations, such as seasons and fishing hours as refuge-specific regulations in 50 CFR part 32. Refuge-specific regulations must not weaken existing State or Tribal laws and regulations. We must justify deviations from State or Tribal regulations in the refuge fishing plan or amendments to that plan. Refuge managers should discuss refuge-specific regulations with peer-level State or Tribal administrators.

(2) Endangered species consultation. Refuge managers will review all fishing programs annually to determine if they may affect, adversely or beneficially, threatened or endangered species and their habitats. The Refuge Manager will initiate consultation, as appropriate, under Section 7 of the Endangered Species Act and intra-Service consultation procedures, consistent with the ''Policy for Conserving Species Listed or Proposed for Listing Under the Endangered Species Act While Providing and Enhancing Recreational Fishing Opportunities,'' and Section 305 (b)(1)(A) of the Magnuson-Stevens Fishery Conservation and Management Act (Pub. L. 94–265) regarding effects on ''essential fish habitat.''

(3) Public involvement. The appropriate level of public involvement must accompany new or significant changes (*e.g.,* boundary change, change of species fished, bait restrictions) to existing fishing programs. We plan efforts well in advance of the proposed changes in order to obtain as much involvement from the public as possible. A variety of methods are available for the Refuge Manager to use to involve and inform the public, including public meetings, workshops, news releases, and mailings to targeted groups. We encourage refuge managers to continue to use these and other methods. We require an outreach plan for new fishing programs or any significant changes affecting existing programs. We develop these plans in coordination with Regional External Affairs Offices for new fishing programs or any major changes affecting existing programs.

D. Documentation required to open a refuge to fishing. The Refuge Manager must submit the following documents to the appropriate staff in the Regional Office. This individual then forwards a copy to the National Wildlife Refuge System Headquarters for preparation of a rulemaking document:

(1) Fishing plan. This plan should be a step-down plan of the refuge's CCP, which must include a compatibility determination on the fishing program. If the unit has not yet completed a CCP, the step-down fishing plan must contain a compatibility determination(s) until the CCP is completed. Cover fishing and shellfish harvest in separate compatibility determinations. The plan must provide overall documentation of the fishing allowed on a refuge, including the relationship of fishing to refuge purpose(s), goals, and objectives of the refuge and the System mission. We label a suggested format for a refuge fishing plan as Exhibit 1 in this chapter.

(2) Appropriate NEPA documentation.

(3) Appropriate decision documentation.

(4) Section 7 evaluation. (See Exhibit 2 for information on Section 7 evaluation.)

(5) Copies of letters requesting state, and where appropriate, tribal involvement and the results of the request.

(6) Draft news release.

(7) Outreach plan. (We label a Directorate-approved outline for an Outreach Plan as Exhibit 3).

3.9 Who prepares and reviews a refuge fishing plan? The Refuge Manager, with technical assistance as required from Service fisheries biologists, State wildlife agencies, and, where appropriate, Tribal governments, is responsible for preparation of the fishing plan. The Regional Director approves the plan before the rulemaking process begins. During the rulemaking process, Headquarter's staff reviews the fishing plan and supporting documents. The Refuge Manager will annually review the fishing plan on the refuge where we allow fishing.

3.10 *What information do we need for publication in the* **Federal Register**? The Refuge Manager will determine the compatibility of conducting a fishing program on the refuge and will document the results in an approved fishing plan. After the Refuge Manager determines that the proposal is compatible, he or she will submit information about whether a refuge will open for fishing and the conditions of that fishing proposal to the Federal Register Liaison at the Headquarters. We will use this information to develop the proposed and final refuge-specific regulations for publication in the **Federal Register** and for codification in 50 CFR.

3.11 *What is the refuge-specific regulation process?* The refuge-specific regulation process is outlined below:

A. The Headquarters must publish in the **Federal Register** any proposed and final refuge-specific regulations pertaining to a refuge's fishing program and that are necessary to conduct that program prior to them becoming effective. Forward all refuge-specific regulations and any changes to 50 CFR part 32 through appropriate channels to the Headquarter's Federal Register Liaison for clearance and submission to the **Federal Register**. The refuge is open

to fishing officially after the effective date of the final rule. Fishing can begin concurrently or after the opening of the season under the published regulations.

B. Refuge managers must review these regulations and the refuge fishing plan annually to ensure compatibility and consistency of the fishing program with existing laws and regulations. Regional Offices must submit any amendments (additions, deletions, or modifications) each year to their designated regional hunting and fishing program coordinators who, in turn, send that information to the Headquarter's Federal Register Liaison for inclusion in the rulemaking documents for publication in the **Federal Register**. The Headquarter's Federal Register Liaison must receive this information by January 31 each year to allow sufficient time for compilation and review by concerned program offices and the Solicitor, signature by the Assistant Secretary, and the Departmental review for both proposed and final rules. This includes a 30-day public comment period on the proposed rule. We cannot publish a refuge opening without the complete fishing package. If no amendments are necessary, refuge managers should submit a negative response to that effect to the Regional Office. Refuge-specific regulations should be standard and consistent in format throughout the System. We include guidelines for preparing and submitting regulations and amendments in Exhibit 4.

3.12 *How do we revise a fishing plan?* The Refuge Manager may approve all revisions in fishing plans except major revisions. Major revisions in fishing plans (*e.g.,* addition of new bodies of water or new species available for taking to a fishing program) can occur only as an amendment to the fishing plan unless the original plan included specific conditions under which the revision could occur. Preparation and approval of amendments follow the same guidelines as preparation and approval of the plan. Refuge managers will submit only the revised portion of the plan for approval to the Regional Office. The Regional Director approves revisions only if we have already listed the Refuge in 50 CFR as open to fishing. Otherwise, the Regional Office will submit the amended fishing plan to Headquarters to begin the rulemaking process described in section 3.11.

3.13 *What are the guidelines for refuge fishing programs?* We should plan, manage, conduct, and evaluate refuge fishing programs on a consistent basis in ways that protect habitat, fish and wildlife, ensure angler and visitor safety, and promote positive values such as high ethical standards and respect for the resource. Fishing on refuges must have the attributes of a quality fishing program listed in section 3.6. The following guidelines should help ensure that quality opportunities are available.

A. Permits. We require anglers to have all applicable Federal, Tribal, and State licenses, permits, or stamps in their possession. We can issue refuge permits to limit access, regulate methods, or gather information. If we use refuge permits to limit angler numbers, we will issue them on a random basis to the public. Refuge managers should avoid complicated application processes that require additional resources. Application processes should be flexible to provide an opportunity to all potential anglers. We should coordinate with Tribal and State application and lottery processes where practicable.

B. Fees. We can charge fees for applications, refuge permits, and the use of facilities (*e.g.,* boat ramps) under existing recreation fee programs. We use fees collected to enhance visitor facilities, to protect resources, and to educate visitors. The Regional Fee Coordinator can assist with the approval of fees.

C. Zoning recreational use. We desire a balanced fishing program that allows a variety of angling opportunities and contributes to the quality of a fishing experience. We can use zoning of boat types and motor horsepower to help achieve a balance of allowed uses and to reduce conflicts between anglers and other users. We can also use zoning to provide less competition for youth fishing events, anglers with disabilities, and those using non motorized boats and/or methods that reduce fish mortality, such as catch and release.

D. Law enforcement. Law enforcement is an important part of any fishing program. The effort invested should be sufficient to protect human safety, fish populations, and ensure compliance with regulations based on past experiences and current circumstances.

E. Angler access and vehicle vessel control. Refuge managers should carefully plan, manage, and evaluate angler access and vehicle/vessel control to retain quality opportunities. We should balance ''walk-in'' and remote fishing opportunities with easily accessible fishing opportunities. We can make exceptions to general access restrictions for anglers with disabilities when necessary to facilitate their experience and when compatible with resource management objectives.

F. Camping. We may allow camping on refuges when we have determined it to be a secondary compatible use that is necessary to support fishing opportunities. Camping is only appropriate when no reasonable (based on time, distance, and expense) lodging opportunities are available off-refuge and when staff resources needed to manage camping do not detract from the quality of another priority wildlife-dependent recreational use [refer to the Appropriate Uses Chapter (603 FW1) for information on non priority uses]. Large refuges in the western United States, refuges in Alaska, and some remote refuges allow camping under these criteria..

G. Fishing by service staff. Service employees are subject to the same rules and regulations as the general public. If only limited fishing opportunities exist, refuge managers should discuss with Service employees the need to be sensitive to the possibility of the public perception of conflict of interest. We never authorize Service employees to wear uniform components outside of their official capacity. When employees participate in off-duty fishing opportunities, they are not authorized and, therefore, should never wear uniform components (*e.g.,* uniform ball caps, uniform jeans). In addition, personnel may not use means of access to fish in areas that are not available to the general public. This policy does not apply to the collection of fish by refuge staff for the purpose of monitoring specific fish populations.

H. Communication materials. Professionally developed outreach materials will assist refuge managers by providing clear and thorough information to anglers. Brochures must conform to the U.S. Fish and Wildlife Graphics Standards and be consistent with refuge-specific regulations. Contact your Regional Publications Coordinator for graphic standards. Refuge managers do not need to include regulations and dates that are identical to State seasons. Include information that encourages anglers to fish safely and ethically, and use equipment that reduces injury to released fish (such as barbless hooks). If we develop informational signs, they will conform with the Service's Sign Manual.

I. Tournament fishing. We prohibit this type of fishing on System lands and waters unless we make a specific determination that the event builds appreciation for and an understanding of fish and wildlife resources, does not reasonably interfere with other refuge visitors, and if prizes of only nominal value are awarded. Refer to the Appropriate Uses Chapter (603 FW 1) for additional discussions of competitive events.

J. Special fishing areas. Our policy is to offer fishing opportunities to as broad a spectrum of the general public as possible. Generally, fishing programs should consider any legal means of fishing, as defined by the State and is determined to be appropriate and compatible and not inconsistent with System policy.

K. Nonnative bait. We will allow no live, nonnative bait (defined, with respect to a particular ecosystem, any species, including its seeds, eggs, spores, or other biological material capable of propagating that species) on System waters where we have jurisdiction. We will generally refer to the individual State's definition of native on System waters.

L. Natural bait methods. Throw nets, minnow traps, and other means/methods of taking natural bait will be done under State regulations unless we list more restrictive regulations in the refuge-specific regulations. We will limit bait collection on refuges to the recreational harvest of natural bait for personal use only; we will allow no commercial harvest of natural bait in waters under the jurisdiction of the System.

M. Limited harvest. We may offer special opportunities to a limited number of anglers in cases where there is a relatively small area of water to fish or we have a relatively low number of fish that are available for harvest.

N. Youth fishing. We encourage refuge managers to set aside areas or times to promote fishing by children or under represented groups. Experiencing the thrill of the catch and exposure to proper fishing methods through programs such as ''Pathways to Fishing'' and National Fishing Week is important to developing life skills and public support for healthy ecosystems. Refuge managers should take advantage of these opportunities to educate young anglers and their parents about the importance of fisheries management, the need for slot sizes, consumptive and non consumptive fishing opportunities and quality fishing experiences.

O. Barbless hooks. We encourage the use of these devices in our fishing program and recognize the importance of this method in reducing mortality of fish not intended for consumption (e.g. fish outside of the slot size range). As more anglers raise concern over the state of America's fisheries, refuge managers should take the lead in introducing methods that not only promote the experience but educate the angler. By promoting the use of barbless hooks in our brochures and other information sheets, we can, in some cases, avoid the need for increasing seasonal closures.

P. Data collection. Refuge managers should consult with the Service's Fisheries Program Specialist, States, Tribes, and other appropriate entities regarding data collection needs and survey methods.

Q. Nontoxic tackle. Refuge managers may restrict the use of specific types of tackle (e.g., lead fishing weights) in System waters to protect certain species (e.g., loons).

R. Unattended tackle. The use of trotlines, setlines, gillnets, giglines, jug lines, soap lines, snaglines and other unattended tackle, may be allowed if authorized by State fishing regulations. We prohibit the use of unattended tackle by commercial operators on System waters under our jurisdiction except when used as a management tool. We must strictly monitor the unattended tackle program and document the results. The only exception to this policy is found in the Alaska National Interest Lands Conservation Act (ANILCA) under subsistence uses. We do not consider tip-ups used for ice fishing unattended tackle for the purpose of this policy.

S. Ice fishing. We recognize ice fishing as an appropriate fishing opportunity. Refuge managers should encourage this activity where it is compatible and can be conducted in a safe manner. We prohibit the use of long-term structures or structures suitable for overnight occupancy.

T. Night fishing. We allow night fishing when it is appropriate and compatible with the purpose(s) of the refuge and the System's mission. If a refuge generally is not open after sunset, refuge managers may make an exception and permit night fishing. Refuge managers must base the decision on specific refuge objectives and not historical use. Refer to the General Guidance Chapter, 605 FW 1, for additional information about after-hours activities.

3.14 How do we close a refuge to fishing? The Refuge Manager may close all or any part of a refuge that we have opened to fishing whenever necessary to protect the resources of the area or in the event of an emergency endangering life, property, or any population of fish, wildlife, or plants.

A. Emergency closure. We do not require advance public notice for closure under emergency conditions. We notify the public of such closures by signs, special maps, or other appropriate methods.

B. Non-emergency closure. We evaluate non-emergency closure of a refuge fishing program for impacts on wildlife populations, ecosystems, and priority recreation uses. If the impacts are likely to be major or controversial, we prepare an environmental assessment and follow the public participation process identified in the National Environmental Policy Act (NEPA). In Alaska, we do not implement temporary closures (not exceeding 12 months) or restrictions relating to the taking of wildlife prior to the notice and hearing that we will conduct an emergency closure in the vicinity of the affected area(s).

Exhibit 1—Refuge Fishing Plan Format

I. Introduction

Include a general description of the refuge and information pertinent to the planned fishing program. If refuge managers develop this fishing plan as a portion of an integrated public use plan, we do not require this information. Include non repetitive general information in the Comprehensive Conservation Plan.

II. Conformance with Statutory Authorities

Explain how the program will be compatible with the System mission and the purpose(s) for which the refuge was established. Include projections of the resources (staff and funding) needed to conduct the program and their sources. Include an explanation of how the program will address the requirements of applicable authorities.

III. Statement of Objectives

List the major refuge objectives and the specific objectives of the fishing program. Describe how fishing will impact the refuge objectives.

IV. Assessment

Evaluate the fishing resources on the refuge populations and habitat. Points to be discussed include, but are not limited to, the following:

a. A biological evaluation.

b. Will populations sustain fishing and still support other wildlife-dependent priority uses?

c. Do fished species and other wildlife compete for habitat?

d. Do fished species prey on other species at unacceptable levels?

V. Description

Describe the program in detail using graphics as needed. The description should include:

a. Areas of the refuge that support fished species.

b. Areas of the refuge you intend to open to fishing.

c. Species for which you will allow fishing and fishing periods.

d. Justification of permit system, if required.

e. Consideration of user fees.

f. Consultation and coordination procedures with States and Tribes, including justification of refuge-specific regulations.

g. Methods of control and enforcement.

h. Consideration of providing opportunities for anglers with disabilities and youth anglers.

VI. Measures Taken to Avoid Conflicts With Other Management Objectives

a. *Biological conflicts.* Include Section 7 consultation, and other measures proposed to minimize or eliminate conflicts with endangered species or nontarget species.

b. *Social Conflicts.* Include proposed measures that minimize or eliminate conflicts with other user groups.

VII. Program Specifics

a. Refuge-specific regulations.
b. Outreach plan.
c. Angler application and registration procedures (if needed).
d. Description of angler selection process (if needed).
e. Draft news release regarding the fishing program.
f. Angler requirements.
(1) Age of angler.
(2) Allowable equipment.
(3) Licensing and permits.
(4) Reporting requirements.
(5) Angler training and safety.
(6) Other information (use of boats, motors, etc.).

VIII. Compatibility Determination

IX. Appropriate NEPA Documents

X. Evaluation

a. Monitoring and reporting use levels and trends.
b. Surveying needs of the fishing visitor.
c. Are we meeting program objectives?
d. Do we need to resolve any conflicts?
e. Refuge/Regional Office review schedule.

Exhibit 2—Priority Wildlife-Dependent Recreation (Fishing)

Use the following terminology for your section 7 determination as to whether the opening of your refuge to hunting and/or fishing will affect the continued existence of any endangered or threatened species or result in the destruction or adverse modification of habitat of such species within the System.

Types of Effects

1. *No effect:* The appropriate conclusion when the Service determines that a proposed Service action will not affect a listed species or designated critical habitat.

2. *Is not likely to adversely affect:* The appropriate conclusion when effects on listed species are expected to be discountable, insignificant, or completely beneficial. Beneficial effects are contemporaneous positive effects without any adverse effects to the species. Insignificant effects relate to the size of the impact and should never reach the scale where take occurs. Discountable effects are those extremely unlikely to occur. Based on best judgment, a person would not (1) be able to meaningfully measure, detect, or evaluate insignificant effects; or (2) expect discountable effects to occur.

3. *Is likely to adversely affect:* The appropriate finding in a biological assessment (or conclusion during information consultation) if any adverse effect to listed species may occur as a direct or indirect result of the proposed Service action or its interrelated or interdependent actions, and the effect is not: discountable, insignificant, or beneficial (see definition of ''is not likely to adversely affect''). In the event the overall effect of the proposed Service action is beneficial to the listed species but is also likely to cause some adverse effects, then the proposed Service action ''is likely to adversely affect'' the listed species. If incidental take is anticipated to occur as a result of the proposed action, an ''is likely to adversely affect'' determination should be made. Such a determination requires the initiation of formal intra-Service section 7 consultation (see definition of ''informal intra-Service consultation'').

4. *May affect:* The appropriate conclusion when a proposed action may pose *any* effects on listed species or designated critical habitat. When the Federal agency (in this case the Service) proposing the action determines that a ''may affect'' situation exists, then the Service must initiate formal consultation or seek written concurrence from the involved Service programs that the action ''is not likely to adversely affect'' listed species.

5. *Is likely to jeopardize proposed or candidate species/adversely modify proposed critical habitat:* The appropriate conclusion when the Service identifies situations where the proposed Service action is likely to jeopardize the continued existence of a species proposed for listing or a candidate species, or adversely modify an area proposed for designation as critical habitat. If this conclusion is reached, intra-Service consultation is required.

Types of Consultation

1. Formal intra-service consultation: A process between a Service program taking/authorizing an action and another Service program affected by that action that: (1) determines whether a proposed Service action is likely to jeopardize the continued existence of listed species or destroy or adversely modify designated critical habitat; (2) begins with the Service program taking the action providing a written request and submittal of a complete initiation package to the affected Service program; and (3) concludes with the issuance of a biological opinion and incidental take statement by the affected Service program. If a proposed Service action may affect a listed species or designated critical habitat, formal intra-Service consultation is required (except when the involved Service programs concur, in writing, that a proposed action ''is not likely to adversely affect'' listed species or designated critical habitat). [50 CFR 402.02; 50 CFR 402.14]

2. Informal intra-service consultation: An optional process that includes all discussions and correspondence between Service programs, prior to formal intra-Service consultation, to determine whether a proposed Service action may affect listed species or critical habitat. This process allows the Service to utilize its in-house expertise to evaluate a Service program's assessment of potential effects or to suggest possible modifications to the proposed action that could avoid potentially adverse effects. If a proposed Service action may affect listed species or designated critical habitat, formal intra-Service consultation is required (except when the involved Service programs concur, in writing, that a proposed action ''is not likely to adversely affect'' listed species or designated critical habitat). [50 CFR 402.02; 50 CFR 402.13]

Exhibit 3—Outreach Plan Summary

I. Issue: (State the issue in one or two sentences.)
II. Basic Facts About the Issue:
III. Communication Goals:
IV. Message:
V. Interested Parties:
VI. Key Date:
VII. Strategy:

Exhibit 4—Guidelines for Preparation of Refuge-Specific Fishing Regulations

Fishing regulations on national wildlife refuges accomplish three major purpose(s): They protect the resource, manage it, and ensure safety. State fishing regulations generally provide the framework for meeting these three criteria. When State regulations fall short of meeting these criteria, refuge-specific regulations are necessary. These regulations should focus primarily on management of the wildlife (fisheries) resource and should be enforceable. For example, if we require permits on a specific refuge, a statement that we require special refuge permits is all that is necessary. Details are not appropriate in the regulations. Address details in a leaflet or the permit application. Also, do not submit text for your refuge unless it represents a CHANGE to the existing language in part 32. If you are adding conditions to those already published, state that these are ''adds'' and indicate where you want them inserted in the text.

Duplication of existing 50 CFR provisions. When writing your regulations, check 50 CFR to avoid duplication. For example, in Part 27, Prohibited Acts, Section 27.31 restricts motor vehicles to ''designated routes of travel. * * * delineated on maps by the Refuge Manager;'' Section 32.2(j) adequately covers possession of alcohol; and Section 27.95 prohibits setting fires.

Duplication of State regulations. 50 CFR 32.2 states ''(d) Each person shall comply with applicable provisions of the laws and regulations of the State wherein any area is located unless further restricted by Federal law or regulation.'' Therefore, do not repeat State creel limits, seasons, etc., in the refuge-specific regulations. Refuge managers will justify why refuge-specific regulations deviate from State laws and regulations in a cover memo to the appropriate regional office representative.

Preparation of refuge-specific regulations. List tackle limits, creel limits, seasons, and hours that differ from the State's in the refuge-specific regulations. Please use the following examples for your submission for changes or additions to part 32:

For modifications to existing text in part 32:

Section 32.32 Illinois.

Chautauqua National Wildlife Refuge

D. Sport Fishing.

Replace condition D.1. with the following:

You may fish on Lake Chautauqua from January 15 through October 15. You may not fish in the Waterfowl Hunting Area during waterfowl hunting season.

Delete condition D.2.

Renumber conditions D.3., D.4., and D.5., to become D.2., D.3., and D.4., respectively.

To add a refuge that is opening for fishing for the first time:

Section 32.63 Texas

Lower Rio Grande Valley National Wildlife Refuge

D. Sport Fishing. We allow sport fishing on designated areas of the refuge subject to the following conditions:

1. We only allow fishing at the three designated access sites on the Boca Chica Tract.

2. You must adhere to all applicable State fishing regulations.

Draft Wildlife Observation Policy

Fish and Wildlife Service

Priority Wildlife-Dependent Recreation

Part 605 Fish and Wildlife Service Manual

Chapter 4 Wildlife Observation 605 FW 4.1

4.1 *What is the purpose of this chapter?* This chapter provides the Fish and Wildlife Service's (Service) policy governing the management of recreational wildlife observation on units of the National Wildlife Refuge System (System).

4.2 *What programs does this chapter apply to?* The policies contained in this chapter apply to recreational wildlife observation within the System.

4.3 *What is our policy regarding wildlife observation on refuge lands?* The overarching goal of our priority public use policies is to enhance opportunities and access to high quality visitor experiences on national wildlife refuges while not compromising wildlife conservation. Wildlife observation is a legitimate and appropriate public use of the System, and along with the five other priority public uses in the Refuge Improvement Act, will receive enhanced consideration over other uses. This means we will especially invest our resources in providing high quality wildlife observation experiences for refuge visitors. When determined to be compatible, refuge managers are strongly encouraged to provide to the public wildlife observation opportunities. Our wildlife observation programs will promote understanding and appreciation of natural and cultural resources and their management on all lands included in the System. We encourage refuge staff to coordinate refuge wildlife observation programs with applicable local, State, and Federal programs. We also encourage refuge staff to take advantage of opportunities to work with other partners who have an interest in helping us promote high quality wildlife-dependent recreational programs on refuges.

4.4 *What are the objectives of our wildlife observation program?* The objectives of the System wildlife observation program are to promote public understanding of and increase public appreciation for America's natural resources and the System by providing safe, enjoyable, attractive and accessible wildlife viewing opportunities and facilities.

4.5 *What authorities allow us to support wildlife observation activities on National Wildlife Refuge System lands?* Reference 605 FW 1 for laws that govern wildlife observation on System lands.

4.6 *What are the elements that constitute quality wildlife observation opportunities?* Essential elements of a quality wildlife observation experience include the following:

A. Observations occur in a primitive setting or use safe facilities and provide an opportunity to view wildlife and its habitat in a natural environment;

B. Observation facilities or programs maximize opportunities to view the spectrum of wildlife species and habitats of the refuge.

C. Observation opportunities, in conjunction with interpretive and educational opportunities, promote public understanding of and increase public appreciation for America's natural resources and the role of the System in managing and protecting these resources;

D. Viewing opportunities are tied to interpretive and educational messages related to stewardship and key resource issues;

E. Most facilities blend with the natural setting, station architectural style, and provide viewing opportunities for all visitors, including persons with disabilities;

F. Design of observation facilities minimize disturbance to wildlife while facilitating the visitor's views of the spectrum of species found on the refuge;

G. Observers understand and follow procedures that encourage the highest standards of ethical behavior;

H. Viewing opportunities exist for a broad spectrum of the public; and

I. Observers have minimal conflict with other priority wildlife-dependent recreational uses or refuge operations.

4.7 How do we address the quality of our wildlife observation programs when funding is an issue? Limited funding and staff may affect the quality of the wildlife observation experience that a refuge is able to offer the public. Refuge managers must scrutinize the impacts that lack of resources will have on the ability to provide quality wildlife observation opportunities to the public. It is appropriate to concentrate resources on fewer, high quality opportunities or seek partnerships to provide opportunities rather than offer many wildlife viewing opportunities that lack quality. When a refuge accepts funding to improve wildlife observation opportunities from partnership organizations, the Refuge Manager must ensure that the opportunity is provided in the most appropriate location.

4.8 How do we foster public stewardship in our wildlife observation programs? Refuge managers provide opportunities for the public to observe wildlife in order to instill in them an appreciation for the value of and need for fish and wildlife habitat conservation. Refuges provide enhanced opportunities to view wildlife in their natural habitat by identifying viewing areas, providing platforms, viewing equipment, providing brochures and interpreters, and designing tour routes. Refuge managers should seek to develop partnerships with organizations that promote wildlife observation and take steps toward conserving such resources. We encourage Refuge managers to design local ''hands-on'' activities that inspire participants to become involved in habitat restoration and other outreach programs. These opportunities foster a sense of stewardship for the System, wildlife, and habitat resources through direct association.

4.9 Is there a special need to provide safety and accessibility within our wildlife observation programs? Key issues for providing a quality wildlife observation program include accessibility and public safety. They are two of our highest priorities when evaluating our programs.

A. The Refuge Manager will ensure wildlife observation opportunities are accessible to a broad spectrum of visitors. Refuge managers must locate and design wildlife observation facilities to meet the needs of visitors with different abilities. The wildlife observation program fulfills accessibility standards and requirements by adhering to the Architectural Barriers Act of 1968 (42 U.S.C. 51, Sec. 4151), the 1984 Uniform Federal Accessibility Standards (UFAS), and the Americans with Disabilities Act of 1990 (42 U.S.C. 126). These acts specify physical accessibility in all construction and renovation projects funded wholly or in part by the Federal government. Also, the Rehabilitation Act Amendments of 1998, (29 U.S.C.

791 et seq.), require accessibility for all programs receiving Federal funds.

B. Visitor safety at refuges is a high priority. The Refuge Manager will construct pullouts and overlooks to reduce vehicular hazards. The Refuge Manager will provide visitors information regarding specific hazards and animal behavior if there is a concern about visitor safety. We may also use environmental education and interpretive programs to alert visitors about safety issues.

4.10 How should we address visitor conflicts? Wildlife observation opportunities must be compatible with the purpose(s) of the refuge and the System mission. Increased visitation to refuges, in many cases, will cause user conflicts and may create unavoidable wildlife disturbances. The Refuge Manager may impose use limits or establish zones of use to reduce conflicts. The Refuge Manager determines which uses to allow when conflicts exist between priority recreation uses.

4.11 What are some examples of tools we can use to support our wildlife observation program? The following are examples of tools that we can use to support wildlife observation. The Refuge Manager should consider these as guidelines and continually use creativity and ingenuity when providing opportunities that highlight the uniqueness of a particular refuge.

A. Information. Information distribution is an invaluable management tool as well as a means to promote wildlife observation opportunities. Information, distributed through various media, should communicate what wildlife observation opportunities are available, best viewing times, techniques that emphasize respect for wildlife through the minimization of visitor impacts on wildlife, access point information, viewer etiquette, regulations, restrictions, management concerns, and management objectives. Examples of ways to provide information include bird/plant/mammal check lists, brochures, maps, books, watchable wildlife recreation symbols to help identify wildlife viewing opportunities, wildlife viewing guides, movies, slide shows, talks, guided walks, staffed information desks, roving interpreters, formal environmental education classes, teacher workshops, and interpretive exhibits. Distributing information is a way to direct public use to appropriate areas, provide managers with the opportunity to present the refuge, System, and Service messages to visitors, and foster public appreciation and stewardship.

B. Developed observation sites. Developing specific areas for visitors to view wildlife enhances wildlife observation and limits disturbances of wildlife and habitat. During the planning process, Refuge managers must consider constructing viewing areas at sites that are less sensitive to the impacts of visitors. Refuge managers may consider hardening sites (e.g., adding gravel, asphalt, wood chips, etc.) as a method of reducing impacts. Developed observation sites provide a centralized area for visitors to receive information and education needed to produce a safe, high quality experience. Examples of such developments include trails, boardwalks in wet areas, observation platforms, blinds, vehicle pullouts, information kiosks, identification signs, and automobile tour routes. When modifications to facilities to increase accessibility for people with disabilities will deleteriously impact the setting's appearance, environmental features or historic character, we will make efforts to permit people with disabilities alternative access to the activity.

C. Specialized tools. In cases where direct wildlife viewing would be detrimental to sensitive species or habitats, Refuge managers may develop methods that provide remote viewing opportunities. Spotting scopes provide viewing opportunities from a distance. Remote cameras allow for viewing during especially sensitive periods such as nesting. Pictures from remote cameras link with the System's electronic field trip programs and long-distance environmental learning projects. Videos shown in the visitor center highlight wildlife and the purpose of the refuge. The videos aid those who visit the refuge outside of the optimum viewing season. Photographs incorporated into interpretive signs show visitors wildlife and habitats they may encounter. We should consider specialized tools as supplements to and not replacements for direct viewing opportunities. Consider using these tools to provide opportunities that might otherwise be unavailable.

D. Habitat enhancements. There may be situations where it is not feasible for viewers to get to an area for viewing because of cost, remoteness, accessibility problems, safety concerns or sensitivity to disturbance. In such cases, simple enhancement techniques in suitable and more accessible locations may be a solution. Examples of these techniques include creating a pond or wetland environment or creating bird habitat by planting cover vegetation in places where wildlife viewing is more accessible. Refuge managers must adhere to appropriate National Environmental Policy Act procedures before artificially creating habitat. Refuge managers must weigh both the benefits of enhancements to wildlife viewing against the change or elimination of the existing habitat and the potential harm the enhancement activity may have on wildlife.

E. Partners. Partnerships with other Federal and State agencies, Tribes, organizations, industry, local communities and others produce significant contributions to our wildlife observation programs. Refuge managers should contact potential cooperators and demonstrate the advantages associated with being a refuge supporter. Partnerships can develop through the sharing of expertise, personnel, materials, or money, and includes the ''sharing'' of wildlife and habitat. Wildlife does not observe property lines or agency boundaries. Sharing viewing areas may reduce human pressure from one spot or eliminate uses from sensitive spots by providing them off-site on shared areas. Partnering is an excellent way of fostering a sense of ownership and stewardship of natural resources among a variety of groups.

F. Evaluations. Refuge managers must monitor and evaluate their wildlife observation programs regularly. Refuge managers should evaluate both the quality of the resource experience and the effects of the activity on refuge resources. A wide variety of evaluation tools exist, from simply asking visitors how they rate their viewing experience to contracting with a university or private company to conduct a formal survey. If a Refuge Manager decides to use a survey to evaluate the visitor's wildlife experience, he or she must receive approval from the Office of Management and Budget (OMB) before conducting any public surveys (use of an existing Fish and Wildlife Service OMB-approved customer service evaluation card does not require additional OMB approval). We should have the refuge wildlife observation program reviewed by others to determine the quality of the program, if the program is meeting the specific objectives, and if it is meeting the needs of visitors.

4.12 Can we close a refuge to wildlife observation? The Refuge Manager may close all or any part of a refuge that is open to the public whenever it is necessary to protect resources of the area, to prevent potential emergency situations, or in the event of an actual emergency endangering life or property (*i.e.,* severe weather conditions). These closures do not require advance public

notice to be implemented. We notify the public of such closures by signs, special maps, or other appropriate methods. When considering possible long-term closures, Refuge managers must follow procedures for public involvement as identified in the National Environmental Policy Act (NEPA).

Draft Wildlife Photography Policy

Fish and Wildlife Service

Priority Wildlife-Dependent Recreation

Part 605 Fish and Wildlife Service Manual

Chapter 5 Wildlife Photography 605 FW 5.1

5.1 What is the purpose of this chapter? This chapter provides Service policy governing the management of recreational wildlife photography on units of the National Wildlife Refuge System.

5.2 What programs does this chapter apply to? The policies contained in this chapter apply to recreational wildlife photography within the System. Reference the guide chapter (604 FW 7) for policies and procedures related to activities such as professional guide services. Reference the Audio Visual Productions chapter (604 FW 10) for policies and procedures related to activities associated with commercial filming and news photography.

5.3 What is our policy regarding wildlife photography on refuge lands? The overarching goal of our priority public use policies is to enhance opportunities and access to high quality visitor experiences on national wildlife refuges while not compromising wildlife conservation. Wildlife photography is a legitimate and appropriate public use of the System, and along with the five other priority public uses in the Refuge Improvement Act, will receive enhanced consideration over other uses. This means we will especially invest our resources in providing high quality wildlife photography experiences for refuge visitors. When determined to be compatible, refuge managers are strongly encouraged to provide to the public wildlife photography opportunities. Our wildlife photography programs will promote understanding and appreciation of natural and cultural resources and their management on all lands included in the System. We encourage refuge staff to coordinate refuge wildlife photography programs with applicable local, State, and Federal programs. We also encourage refuge staff to take advantage of opportunities to work with other partners who have an interest in helping us promote high quality wildlife-dependent recreational programs on refuges.

5.4 What are the objectives of our wildlife photography program? The objectives of the System wildlife photography program are to promote public understanding and increase public appreciation for America's natural resources by providing safe, attractive and accessible wildlife photography opportunities and facilities.

5.5 What authorities allow us to support wildlife photography opportunities on National Wildlife Refuge System lands? Reference 605 FW 1 for laws that govern wildlife photography on System lands.

5.6 Have we defined common photographic terms? Yes. The following are definitions of terms used in reference to wildlife photography.

A. Film. Film is still photographs, motion pictures, and videotapes in digital and analog formats.

B. Recreational photography. Recreational photography is any type of visual recording on film performed by amateur owner/operators of photographic equipment. Casual photography is considered recreational photography and follows this policy (*e.g.,* visitors taking photographs for their own use, non-commercial recreational photo contests).

C. News photography. News photography includes audio-visual productions for news and public affairs, stills, motion-pictures, video, records and audio tapes, such as those produced for television, newspapers, and magazines. News photography on System lands is for the benefit of the general public. Examples of news events are emergencies, special events, or appearances by public figures or other unusual, non-recurring natural phenomenon. News photography will not require a permit but some restrictions may be placed on the activity by the Refuge Manager to protect the resource and/or the individuals associated with the media. Refer to the audio-visual chapter for additional information on this subject (604 FW 10).

D. Commercial photography. Commercial photography is visual recordings by firms or individuals (other than news media representatives) who intend to distribute their photographic content for money or other consideration. We include the creation of educational, entertainment, or commercial enterprises in this category. We also include advertising audio-visuals for the purpose of paid product or services, publicity and commercially-oriented photo contests under this section. We cover commercial photography permit requirements under the audio-visual chapter of this manual (604 FW 10).

5.7 Have we defined a quality wildlife photography opportunity? Yes. The following are essential elements of a quality photographic opportunity and facility.

A. Photographic opportunities occur in or use safe facilities;

B. Photographic opportunities promote public understanding and increases public appreciation of America's natural resources and our role in managing and protecting these resources;

C. Photographic opportunities occur in places that have the least amount of disturbance to wildlife;

D. Photographers understand and follow procedures that encourage the highest standards of ethical behavior;

E. Opportunities are available to a broad spectrum of the photographing public;

F. Facilities, if provided, are fully accessible, reflect positively on us and blend with the natural setting;

G. Photographic opportunities incorporate a message of stewardship and conservation;

H. Photographic opportunities create minimal conflicts with other priority wildlife-dependent recreational uses or refuge operations.

5.8 How do we address the quality of our wildlife photography programs when funding is an issue? Limited funding and staff may affect the quality of the experience. Managers must scrutinize the impacts of lack of resources on quality. It is appropriate to concentrate resources on fewer, high quality opportunities or seek partnerships to provide opportunities rather than offer photographic experiences that are lower in quality.

5.9 How do we address public stewardship in our wildlife photography programs? We provide opportunities to the public in order to develop an appreciation for the value of, and need for, fish, plant and wildlife conservation. These opportunities should also foster a sense of stewardship for the System and its wildlife and habitat resources through direct association.

5.10 Is there a special need to provide safety and accessibility within our wildlife photography programs? Not only are public safety and accessibility key to a quality wildlife photography program, they must be two of our highest priorities when evaluating our programs. We construct pullouts and overlooks to reduce vehicular hazards to photographers. We give our visitors

information regarding specific hazards and animal behavior if we have a concern about visitor safety. Environmental education and interpretive programs may also be used to bring safety concerns to the attention of photographers. We will make every effort to ensure wildlife photographic opportunities are accessible to a broad spectrum of visitors.

5.11 How should we address user conflicts? Wildlife photography opportunities must be compatible with the purpose of the refuge and the System mission. Increased visitation to refuges will cause user conflicts and may create unavoidable wildlife disturbances. Refuge managers may impose use limits or establish zones of use to reduce conflicts. As an example, casual wildlife observers may disturb photographers at a specific site that provides the best opportunity on the refuge to observe bald eagles. The Refuge Manager may work out a partnership with the State to provide a roadside viewing point just off the refuge along the highway for general observation. The Refuge Manager may then decide to limit the area within the refuge to photographers or those wanting to use photography blinds.

5.12 Can we close a refuge to photography? As long as a refuge is open to the public, we cannot close it specifically to photography. The Refuge Manager may close all or any part of a refuge that is open to the public whenever it is necessary to protect resources of the area or in the event of an emergency endangering life or property (*i.e.,* severe weather conditions). We do not require advance public notice for closure under emergency conditions. The public is notified of such closures by signs, special maps, or other appropriate methods. When considering possible long term closures, refuge managers must follow procedures for public involvement as identified in the National Environmental Policy Act (NEPA).

Draft Environmental Education Policy

Fish and Wildlife Service

Priority Wildlife-Dependent Recreation

Part 605 Fish and Wildlife Service Manual

Chapter 6 Environmental Education 605 FW 6

6.1 What is the purpose of this chapter? This chapter identifies Service policy and guidance governing environmental education (EE) as a priority wildlife-dependent use of the National Wildlife Refuge System.

6.2 What is the scope of this chapter? This chapter applies to Refuge System environmental education programs and services. Along with this policy guidance, we will use other documents including but not limited to *Connecting People to Wildlife, Environmental Education in the National Wildlife Refuge System,* an environmental education guidance document for the Refuge System (Appendix 1).

6.3 What is our policy for environmental education? The overarching goal of our priority public use policies is to enhance opportunities and access to high quality visitor experiences on national wildlife refuges while not compromising wildlife conservation. Environmental education is a legitimate and appropriate public use of the System, and along with the five other priority public uses in the Refuge Improvement Act, will receive enhanced consideration over other uses. This means we will especially invest our resources in providing high quality environmental education experiences for refuge visitors. When determined to be compatible, refuge managers are strongly encouraged to provide to the public environmental education opportunities. Our environmental education programs will promote understanding and appreciation of natural and cultural resources and their management on all lands included in the System. We will work with local schools, citizen groups, and other organizations to provide programs and assistance that promote awareness, appreciation, and understanding of the role the System plays in the conservation of fish, wildlife, plants, and cultural and historical resources. We encourage refuge managers to coordinate refuge environmental education programs with applicable local, State and Federal programs. We also encourage refuge staff to take advantage of opportunities to work with other partners who have an interest in helping us promote high quality wildlife-dependent recreational programs on refuges.

6.4 What are our objectives for environmental education programs on refuges? Our environmental education programs:

A. Will provide appropriate materials, equipment, facilities, and study locations to support environmental education, where compatible;

B. Will allow program participants to demonstrate learning through refuge-specific stewardship tasks as well as projects that they can carry over into their everyday lives;

C. Will establish partnerships to support environmental education on refuges open to the public;

D. Will incorporate local, State, and national educational standards in our programs with an emphasis on wildlife conservation;

E. Will assist refuge staff and volunteers to attain the knowledge, skills, and abilities to support environmental education at the minimum or higher levels as defined in Section 6.7C(1) below;

F. Will teach awareness, understanding and appreciation of our trust resources: and

G. Will serve as a means by which refuge employees are seen as role models for environmental stewardship through a continually developing positive relationship with the community.

6.5 What is our legislative authority for environmental education? Reference 605 FW 1 for laws that govern environmental education on Refuge System lands.

6.6 What are some of the terms we use in this chapter? The following are definitions of terms used in this chapter.

A. Environmental education (EE). Activities that use a planned process to build knowledge, skills and abilities in students and others, about wildlife-related environmental topics. EE often follows sequential learning strategies to promote specific learning outcomes.

B. Educational assistance. Either on- or off-site, making EE expertise from Service staff available to schools and teachers, Service entities, government agencies, private groups, and individuals.

C. Outdoor classrooms. Sites of structured EE activities that:

(1) Focus on the natural environment;

(2) Come from an approved course of study with identified learner outcomes; and

(3) Are hands on, involving Refuge System lands.

6.7 *How will we develop and implement this chapter?* In this chapter we present guidance for planning, implementing, and evaluating EE programs within the Refuge System. Connecting People to Wildlife, the EE guidance document for the Refuge System, curriculum guides, and other documents created for regions or at refuges contain additional guidance.

A. Program support. The Office of the Chief, National Wildlife Refuge System, is responsible for overall guidance, implementation, and management of EE within the Refuge System. Regional Directors designate EE coordinators to assist refuges with education programs and products. The National

Conservation Training Center (NCTC) offers several EE training courses and model programs as well as program support for our EE programs. Refuge managers plan, develop, and implement EE programs that increase public knowledge, understanding and support for refuge resources.

B. Program planning. Each field station designs its EE objectives and strategies when they develop their Comprehensive Conservation Plan (CCP) or step-down visitor services plan. Managers and staff analyze their EE program potential and determine their educational objectives and develop an interim program if they are not scheduled to develop a CCP within 2 years. In either of these planning processes, refuge staff :

(1) Determine if current or proposed educational sites, programs, and activities are compatible with the Refuge System mission, the purpose(s) of the refuge, and the goals and objectives established for the refuge;

(2) Identify staffing, funding, and other requirements for an EE program, enhancing our EE offerings by working with volunteers and through partnerships with educators;

(3) Identify ecosystem characteristics, endangered species, cultural resources, wilderness, and fish, wildlife, plants, cultural and historical resources that are key resource issues for each field station. Working with educators, we use this assessment to identify target audiences and look for creative ways to tie resource priorities to local educational needs and curricula;

(4) Collect and consistently update data identifying teachers, community resources, transportation constraints, and history of use by educational groups;

(5) Identify current or potential outdoor classroom facilities; and

(6) Identify educational needs and educational outreach opportunities for our staff, volunteers and partners, particularly activities involving nontraditional audiences.

C. Program development and priorities. Field stations establish educational program priorities based on their objectives and mandates, as well as local, State and national priorities. As part of our planning we evaluate educational programs and offer differing levels of EE based in part on the number of staff with public use duties as well as other available resources. Other factors that determine our level of involvement include demand for educational programs, the number of schools near a refuge, and their willingness to participate. We can place our environmental education programs in one of four levels of service. Each field station will use components of one, or a combination of these levels, to design their educational programs to meet local needs, and where possible will strive to include components from the next higher level.

(1) Refuges that have staffs of less than 5 FTEs, and do not have any positions solely dedicated to public use activities. At the minimum level, field station EE programs include:

(a) Creating or providing a lending library of materials and resources for teachers and other educators;

(b) Designating a trained staff contact person for EE;

(c) Designating a study site and providing stewardship opportunities;

(d) Helping local educators identify refuge resources and develop programs;

(e) Forming partnerships or recruiting and training volunteers including senior citizens and/or people with disabilities to conduct EE activities.

(2) Refuges that have staffs of approximately 5–9 FTEs, do not have any positions solely dedicated to public use, and have a Refuge Manager position at the GS 11–12 level. At the standard level, we encourage field stations to:

(a) Conduct and/or host teacher training workshops;

(b) Provide educators with refuge-specific curriculum, activities and lesson plans;

(c) Develop accessible outdoor classrooms;

(d) Establish formal partnerships with school districts and/or community groups to assist with development and implementation of refuge EE programming;

(e) Recruit and train volunteers to assist in developing and presenting EE programming;

(f) Conduct regular EE program evaluation;

(g) Provide opportunities to contribute to refuge management goals through learning and stewardship activities;

(h) Establish a lending library of educational materials, including but not limited to book, trunk, and multimedia resources;

(i) Conduct some on-site and occasional off-site EE programming; and

(j) Employ key staff who have acquired the skills to develop and conduct EE activities.

(3) Refuges that have staffs of approximately 10–14 FTEs with 1 position solely dedicated to public use, and have a Refuge Manager at the GS 12–13 level. At the enhanced level, we encourage field station EE programs to:

(a) Develop a multi-disciplinary EE program with integrated curricula meeting national and State educational standards;

(b) Adapt the refuge's program to increase participant learning and connect environmental health with quality of life;

(c) Develop multiple facilities or study sites, with materials and equipment, that support refuge goals and objectives;

(d) Seek to hire professionally trained refuge EE staff;

(e) Conduct refuge-specific workshops; special events; symposia, including day camps, after-school, and off-site programs; elder hostels; and extended learning opportunities;

(f) Provide EE training and mentoring opportunities for educators, Service staff, and others;

(g) Have an EE program that demonstrates student learning through measurable objectives;

(h) Create an extensive EE outreach program for reaching participants outside the local area;

(i) Allow our EE staff to continue to develop professionally by attending training;

(j) Use technology to interface with off-site participants through the Internet, distance learning and websites; and

(k) Establish partnerships beyond local communities.

(4) Refuges that have staffs of approximately 15 FTEs or more with 1 or more positions solely dedicated to public use, have a visitor center, and have a Refuge Manager at the GS 13–14 level. The ''flagship'' level applies to stations with EE as part of their purpose(s). Other stations with an enhanced EE program can operate at this level. In addition to items at the enhanced level, we encourage refuges at the flagship level to:

(a) Develop and pilot new programs with broad applications across the Refuge System;

(b) Host local, State or national events/projects such as State duck stamp contests;

(c) Serve as a development site for entry level employees, detailees, and Student Career Experience Program participants;

(d) Become a community or State leader in EE;

(e) Have staff present papers at national conferences;

(f) Have staff serve as mentors or instructors for EE courses and course development;

(g) Perform peer review of other stations' EE program;

(h) Have year-round facilities that support all aspects of the EE program;

(i) Become centers for distance learning;

(j) Develop interactive curricula on refuge/Service websites;

(k) Develop multi-cultural programs as needed; and

(l) Develop outreach and partnerships that have regional focus.

D. Refuge-specific guidelines for developing EE programs: We advance and support the National Wildlife Refuge System mission and goals by developing programs based on the following guidelines. EE programs in the Refuge System strive to:

(1) Connect people's lives to the health of the environment;

(2) Advance science literacy through an interdisciplinary educational approach;

(3) Strengthen the Refuge System through science learning;

(4) Help participants experience the wonder of fish, wildlife, plants, cultural and historical resources;

(5) Stress the role and importance of refuges and emphasize the relationship between wildlife and associated ecosystems;

(6) Be outcome-based, going beyond attending a program to resulting in something of value for both refuge resources and participants;

(7) Pursue outreach and partnership opportunities enhancing programs on and off refuges and expanding our levels of educational expertise and staffing;

(8) Include lesson plans and refuge activity guides that incorporate, complement and focus on local school curricula allowing participants to utilize refuges as living laboratories;

(9) Train educators, volunteers, and partners in resource issues in order to multiply our efforts across a broader spectrum of students;

(10) Establish, maintain, and promote environmental study sites and outdoor classrooms where they are compatible with refuge purpose(s), goals, and objectives;

(11) Involve under-served populations like urban or rural schools, Native Americans, non-English speaking populations, senior citizens, people with disabilities, and groups in the educational community other than K–12 such as colleges and universities;

(12) Expand our capability through technology such as web pages and electronic field trips; and

(13) Use appropriate formats for visitors with disabilities (learning, visual, hearing).

6.8 How do we evaluate EE programs? We evaluate environmental education programs in the following manner:

A. Refuge staff should annually evaluate the program and make necessary changes to strengthen it.

B. As part of our Refuge Management Information System (RMIS), each year we report the number of people taking part in four educational categories: teachers participating in workshops, students taught on-site by staff or volunteers, students taught off-site by staff or volunteers, and non-staff conducted EE. These statistics provide some information about program activity, and we can use the data to identify trends and give an indication of program involvement.

C. Regardless of the level of EE program involvement, we should develop evaluation tools to measure program effectiveness. One simple tool is a comment form given to the leader after an educational field trip. Another way may be to measure the instances of littering, vandalism, or poaching, or compliance with refuge regulations. Refuge staff may consider implementing more detailed evaluation tools to measure learning outcomes and concept retention. Regional or Washington Office staff can assist with developing and analyzing the results of these evaluation tools.

Draft Interpretation Policy

Fish and Wildlife Service

Priority Wildlife-Dependent Recreation

Part 605 Fish and Wildlife Service Manual

Chapter 7 Interpretation 605 FW 7

7.1 What is the purpose of this chapter? This chapter identifies Service policy and guidance governing interpretation as a priority wildlife-dependent use of the National Wildlife Refuge System.

7.2 What is the role of interpretation? As one of the six priority wildlife-dependent uses of the Refuge System, interpretation connects people (visitors) to resources providing opportunities for them to develop an understanding and appreciation for natural and cultural resources. Visitors will receive messages about Refuge System resources through a variety of media including interpretive trails and boardwalks, wildlife centers, talks and walks, audio-visual productions, publications, and exhibits that communicate to a wide spectrum of visitors.

7.3 What is our policy for interpretation? The overarching goal of our priority public use policies is to enhance opportunities and access to high quality visitor experiences on national wildlife refuges while not compromising wildlife conservation. Interpretation is a legitimate and appropriate public use of the System, and along with the five other priority public uses in the Refuge Improvement Act, will receive enhanced consideration over other uses. This means we will especially invest our resources in providing high quality interpretation experiences for refuge visitors. When determined to be compatible, refuge managers are strongly encouraged to provide to the public interpretation opportunities. Our interpretation programs will promote understanding and appreciation of natural and cultural resources and their management on all lands included in the System. We encourage refuge staff to coordinate refuge interpretive programs and materials with applicable local, State, and Federal programs. We also encourage refuge staff to take advantage of opportunities to work with other partners who have an interest in helping us promote high quality wildlife-dependent recreational programs on refuges.

7.4 What are our objectives for interpretive programs on refuges? We will develop and maintain interpretive programs on refuges to:

A. Increase public understanding and support for the Refuge System;

B. Develop a sense of stewardship leading to actions and attitudes that reflect concern and respect for wildlife resources, cultural resources, and the environment;

C. Provide an understanding of the management of our natural and cultural resources.

D. Provide safe, enjoyable, accessible, meaningful, and high quality experiences for visitors increasing their awareness, understanding, and appreciation of fish, wildlife, plants, and their habitats.

7.5 What is our legislative authority for interpretation? Reference 605 FW 1 for laws that govern interpretation on Refuge System lands.

7.6 Do we have common definitions for interpretive terms? Yes. The following are definitions of terms used in reference to interpretation.

A. Interpretive plans. Interpretive plans are documents (see Exhibit 1) outlining key resources, visitor profiles, facilities, budget needs, and development plans as part of a refuge Comprehensive Conservation Plan or visitor services plan. The documents include interpretive objectives, themes, and activities presented at a refuge.

B. Interpretive objectives. Desired, measurable outcomes of an interpretive activity.

C. Interpretive themes. Central messages we strive to communicate. All interpretive activities should have messages relating back to overall field station interpretive subjects or topics as well as Service and/or Refuge System themes.

D. Interpretive activities/tools. The ways we convey interpretive messages to visitors, on-site or off-site, such as, but not limited to, tours, talks, slide presentations, brochures, self-guided trails, audio tapes, videos, and exhibits.

7.7 What are some standards and requirements for interpretive programs? When we develop interpretive programs, we will utilize the following:

A. Principles of interpretation. Our interpretive activities will utilize the principles included in published materials describing the art of interpretation such as Freeman Tilden's ''Interpreting Our Heritage'' or others. We link the resources of the Refuge System with the concepts and values visitors bring to our sites. Specifically, we strive to:

(1) Relate what we display or describe to each visitor's expectations and experience;

(2) Motivate and reveal;

(3) Inspire and develop curiosity, not solely instruct;

(4) Relate enough of the story to introduce concepts and ideas, pique visitor's interest, allow visitors to develop their own conclusions; and

(5) Organize activities around central themes with measurable objectives.

B. Interpretation as a management tool. Well-designed interpretive services can be our most effective and inexpensive resource management tool. For many visitors, taking part in one or more interpretive activities is their primary contact with refuge staff, their chance to find out about refuge messages, and could be their first contact with the refuge, conservation, and wildlife. Through these contacts, we have the opportunity to influence visitor's attitudes toward the Service and their behaviors when visiting units of the Refuge System. Interpretive planning and subsequent activities and products can:

(1) Help visitors understand the impacts of their actions, minimizing unintentional resource damage and wildlife disturbance;

(2) Communicate rules and regulations so they relate to visitors, solving or preventing potential management problems; and

(3) Help us make management decisions and build public support by providing insight into management practices.

C. Assuring highest levels of quality: We carefully consider personnel, locations, and types of programs and products in order to provide high quality interpretive services.

(1) Staff conducting interpretive services must have more than subject matter knowledge. For example, the skill required to write text for interpretive exhibits and brochures differs from technical writing skills. We strive to select dynamic people who enjoy interacting with visitors, demonstrate organizational and communications skills, and act professionally.

(2) Often, sensitive habitats are the most attractive places to visit and best places to interpret. To minimize impacts on sensitive habitats we: use staff and/or trained volunteers to lead activities; limit group size; select certain times of day for programs; design facilities and activities to minimize disturbance to wildlife and habitats; and close areas seasonally. Visitors can experience sensitive resource areas with minimal impact by using boardwalks, viewing blinds, remote camera views, exhibits, and telescopes. Other techniques may be the use of dioramas, interactive displays, and digital (*i.e.,* CD–ROM) interpretive methods. We can also separate areas devoted to wildlife observation and education from other programs such as fishing and hunting to preserve a high quality experience for all visitors.

(3) While refuge staff should try to reach as many individuals and interest groups as possible with our message, quantity is not the only measure of success. Program quality and effectiveness is crucial. Refuge managers strive for a balanced program with a variety of experiences for visitors with different levels of time, ability, and, interest. Refuge staff periodically review and evaluate programs to assess effectiveness.

D. Making interpretation accessible: We will meet accessibility standards and requirements by adhering to the Architectural Barriers Act of 1968 (42 U.S.C. 51, Sec. 4151), the 1984 Uniform Federal Accessibility Standards (UFAS), and the Americans with Disabilities Act of 1990 (42 U.S.C. 126). These acts specify physical accessibility in all construction and renovation projects funded wholly or in part by the Federal government. Also, the Rehabilitation Act Amendments of 1998, (29 U.S.C. 791 *et seq.*), require accessibility for all programs receiving Federal funds. Meeting accessibility requirements presents the challenge and opportunity to provide better interpretive activities for everyone. Creating media, facilities and programs that are more easily read and understood, paths that are level or have ramps and handrails, and exhibits that provide audio or tactile elements benefits everyone and provides multiple paths to learning.

7.8 Why should we do interpretive planning? We are involved in interpretive planning for the following reasons:

A. Interpretive plans help focus staff time, funding, and other resources on our primary interpretive messages and give focus and direction to exhibits, programs, and other interpretive activities. This planning can also help set field station and funding priorities and help locate sources of alternative funding. We can use elements from Comprehensive Conservation Plans, step-down management plans, and visitor service plans to develop a refuge interpretive plan.

B. When we develop interpretive plans, they become the basis for the development of future programs and services. New activities should always relate to and support the themes developed in the refuge interpretive plan. Exhibit 1 contains a general outline for interpretive plans.

7.9 What delivery methods do we use for interpretive activities? There are two broad categories of interpretive activities: self-guided and personal services. Self-guided interpretation includes brochures, exhibits, kiosks, audio-visual media (including computer programs), and self-guided trails. Personal services interpretation includes information desk duty, group presentations, guided talks and tours, and special events. We provide a variety of interpretive experiences that appeal to a broad spectrum of interests and learning styles. We strive for:

(1) High quality, self-guided services, since they reach a larger audience, are more readily available, and visitors can use them at their own pace;

(2) High quality personal contact to initiate conversation and answer questions; and

(3) A variety of interpretive experiences that appeal to varying visitor interests.

7.10 How should we produce interpretive media? The following are interpretive media available to us:

A. Self-guided products will maintain the highest level of quality and be designed as to be appropriate for the site and audience. Regional Public Use Coordinators can assist with planning, design, and contracting for production of self-guided products. Final approval for text and design of self-guided products comes from the Regional Offices.

B. We will design our brochures and publications following the ''U.S. Fish and Wildlife Manual of Graphic Standards for Publications.'' The Government Printing Office (GPO) processes all of our printing and duplication. Regional Printing Coordinators must approve requests to

use a commercial source other than GPO.

7.11 How do we evaluate our interpretive program? We evaluate our programs to assure that we are providing the highest level of service. By periodically reviewing programs, we determine program needs, initiate changes, and decide if we are meeting our goals and objectives. Some sources for evaluation methods are interpretation textbooks, other agencies or organizations, and professional associations like the National Association for Interpretation.

A. Performance evaluation. We evaluate individuals and services to improve delivery methods, messages, and the interpretive approach for future activities. Remember that surveys must follow OMB requirements and restrictions. Some methods used include:

(1) Supervisory feedback;

(2) Peer evaluation;

(3) Self-evaluation; and

(4) Audience evaluations.

B. Program evaluation. Evaluating overall programs helps keep our information up-to-date and current. Often, refuge staff use program attendance and cost to compare activities, but true program evaluation must go deeper. We can identify areas needing further attention by examining use trends, location and time variables, and environmental factors. Areas to consider include:

(1) Is program participation increasing, decreasing, or staying the same?

(2) Do visitors attend more than one program or move on to other sites? Do visitors return and revisit interpretive facilities or guided programs? Do they bring their friends?

(3) Have staffing levels changed?

(4) How much of the station budget are we devoting to interpretive programs? What are those dollars buying?

(5) If too many or too few people attend some programs, what can we do to get attendance to an optimal level?

(6) Should we change or drop the program/activity?

C. Visitor reactions. We use many methods to determine visitor reaction to interpretive activities. We can:

(1) Develop comment forms in a variety of alternative formats, if needed, and make them available at a variety of locations;

(2) Interview visitors in focus groups regarding what they liked or didn't like about our interpretive activities;

(3) Observe and record visitor actions at interpretive facilities (e.g., monitor how long visitors stay, which exhibits they approach, whether they leave early from exhibits, audio-visual, or presentations, or ask thoughtful questions);

(4) Get a fresh perspective by visiting and observing other sites and then critiquing our own facilities;

(5) Observe visitors and note their behaviors when they visit refuges. Record the instances of littering, vandalism, or poaching. Is there a change in compliance with posted regulations?; and

(6) Request a Regional Office visitor services' review or invite staff from other refuges to critique your program.

D. Quality and effectiveness. The impact an activity had on the participants is the most difficult element to evaluate. We can:

(1) Find some visitor impressions by using focus groups and individual interviews;

(2) Use testimonials and unsolicited comments to assess the relative value of programs to visitors; and

(3) Evaluate quality and effectiveness through formal research by working with local colleges and universities.

Exhibit 1—Interpretive Plan Outline

A. Define key resources: Start by deciding what makes the refuge special. Does it have biological significance for key species, the ecosystem, endangered species protection, or restoration? Are there unique habitats represented or notable seasonal natural events? Are there known cultural resources requiring protection or interpretation? Has human history in the area had an impact on resources? Are you conducting habitat or population management activities? You can use maps to show resource locations. To complement the maps you should define habitat sensitivity and, if data exists, acceptable levels of visitation.

B. Define key audiences: Who are our present and future visitors?

(1) Demographics: You can determine some visitor demographics by contacting the State department of tourism, a community visitor's bureau, and neighboring attractions. You can glean some information from visitor contact stations and trailhead registration books. Even parking lot license plate counts can help indicate trends. Formal surveys go more in depth, but contact your Regional Office regarding Office of Management and Budget clearance for information allocation requirements, types of questions you can use, and the best way to administer a survey. From this data you can develop lists of visitor groups, (urban, international, short-term, repeat, schools, families, retirees, special interests like birding, hunting, and others).

(2) Visitor Expectations and Perceptions: What will each group need or expect when they arrive? What part of your interpretive program will appeal to each visitor group?

(3) Use Patterns: Does your refuge have any special concerns relating to seasons, time of day, existing or potential traffic patterns or facility capacity. Do any of these use patterns need to change?

C. Define goals and objectives: We must establish interpretive goals (guiding statements) and objectives (measurable outcomes) in the Comprehensive Conservation Plan. You should refer to this plan when developing your program. Focus on resource priorities on the refuge.

(1) Management goals focus on ways to protect resources while providing visitor opportunities.

(2) Interpretive goals identify what you hope visitors will remember, feel, appreciate, or understand after taking part in an interpretive activity. Objectives are measurable and identify what visitors will be able to do after taking part in your program.

D. Develop interpretive themes: The major messages you want visitors to take with them are themes. They can focus on refuge management issues, ecosystem issues, Refuge System issues, or on the Service. We derive themes for specific interpretive activities from overall station themes. Themes should be resource-based and stated in complete sentences. Developing good themes is difficult. Sometimes, identifying topics first, such as, Wildlife, Ecosystems, Neotropical Migrants, or Endangered Species can help. Often the theme works much like a thesis, and you should develop the theme in a manner appropriate for your audience as you plan out the program.

E. Select interpretive activities: Based on available resources, determine methods and locations for delivering your messages. You should evaluate the pros and cons of each and try to find a balance between personal and self-guided services. One way to do this is to create a chart with headings like Themes, Activities, and Locations to show how and where you will deliver your messages.

F. Implementation: After you have developed activities for your station, you should define staffing, volunteer, facility and funding needs. Prioritize and indicate possible funding sources from within and outside the Service. Input these identified needs in the Refuge Operations System (RONS) and Maintenance Management System (MMS).

G. Evaluation: You should consider evaluation at each phase of the program, especially at the beginning. Using some of the evaluation tools mentioned above, find out if you meet your interpretive goals. Have your themes become a part of the overall station experience? Are you meeting group needs and expectations? What portion of your plan may you need to change?

Dated: December 22, 2000.

Jamie Rappaport Clark,

Director, U.S. Fish and Wildlife Service.

[FR Doc. 01–397 Filed 1–12–01; 8:45 am]

BILLING CODE 4310–55–U

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[1018-AG19]

Draft Wilderness Stewardship Policy Pursuant to the Wilderness Act of 1964

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: We propose to modify our policy for implementing the Wilderness Act of 1964 and the National Wildlife Refuge System Administration Act of 1966 as amended, as Part 610 Chapters 1–7 of the Fish and Wildlife Service Manual. Congress calls for the establishment of a National Wilderness Preservation System to secure an ''enduring resource of wilderness'' for the American public. This policy updates guidance on administrative and public activities on wilderness within the National Wildlife Refuge System.

DATES: Comments must be received by March 19, 2001.

ADDRESSES: Send comments concerning this draft wilderness stewardship policy via mail, fax or email to: National Wildlife Refuge System, U.S. Fish and Wildlife Service, 4401 North Fairfax Drive, Room 670, Arlington, Virginia 22203; fax (703)358–2248; e-mail Wilderness_Policy_Comments@fws.gov. See **SUPPLEMENTARY INFORMATION** for further information on submitting comments.

FOR FURTHER INFORMATION CONTACT: Elizabeth Souheaver, National Wildlife Refuge System, U.S. Fish and Wildlife Service, Telephone (703)358–1744.

SUPPLEMENTARY INFORMATION: The Wilderness Act of 1964 provides the basis for wilderness protection on the National Wildlife Refuge System (System). It clearly establishes that, as we carry out the Service's mission, the System mission and goals, and the individual refuge establishing purposes in areas designated as wilderness, we do it in a way that preserves wilderness character. This policy gives refuge managers uniform direction and procedures for making decisions regarding conservation and uses of the System wilderness areas.

Purpose of This Draft Policy

The purpose of this draft policy is to implement the Wilderness Act of 1964 within the System. When finalized, this policy will replace existing policy found in the Refuge Manual. It prescribes how the Federal land manager preserves the character and qualities of designated wilderness while managing for the refuge establishing purpose(s), maintains outstanding opportunities for solitude and a primitive and unconfined type of recreation, and conducts minimum requirements analyses before taking any action that may impact wilderness character.

This policy includes the following chapters.

Chapter 1 establishes responsibility for wilderness stewardship, defines terms, and establishes training requirements.

Chapter 2 describes the broad framework within which we manage wilderness, discusses the philosophical underpinnings of wilderness, requires refuges to fulfill the establishing purpose(s) of the refuge and the wildlife conservation mission of the System in ways that prevent degradation of the wilderness that otherwise comply with the requirements of the Wilderness Act, and establishes a process for conducting minimum requirements analyses.

Chapter 3 addresses the general administration of wilderness and natural and cultural resource management. It clarifies the circumstances under which generally prohibited uses (temporary roads, motor vehicles, motorized equipment, motorboats, mechanical transport, landing of aircraft, structures, and installations) may be necessary for wilderness protection. It addresses commercial uses, research, and public access. It confirms that we will generally not modify habitat, species population levels, or natural ecological processes in refuge wilderness unless doing so maintains or restores ecological integrity that has been degraded by human influence or is necessary to protect or recover threatened or endangered species.

Chapter 4 addresses public use management in wilderness. It explains that wilderness areas will emphasize providing opportunities for solitude and a primitive and unconfined type of recreation. Appropriate recreational uses in wilderness are compatible, wilderness-dependent, nonmotorized activities that involve no mechanical transport. This includes the six priority wildlife-dependent uses (hunting, fishing, wildlife observation, wildlife photography, environmental education, and environmental interpretation), if they are compatible. Special needs for persons with disabilities are also addressed.

Chapter 5 confirms that wildland fires are an ecological and evolutionary process of wilderness, and that we respond to such fires according to the refuge Fire Management Plan and in accordance with minimum requirements. We may use prescribed fire to maintain or restore ecological integrity that has been degraded by human influence or is necessary to protect or recover threatened or endangered species.

Chapter 6 provides guidance on developing Wilderness Management Plans.

Chapter 7 describes the three-part process for conducting wilderness reviews. An inventory identifies areas that meet the basic definition of wilderness; a study evaluates all the values, resources, and uses within the area; and the recommendation follows upon completion of an Environmental Impact Statement.

Fish and Wildlife Service Directives System

Because many of our field stations are located in remote areas across the United States, it is important that all employees have available and know the current policy and management directives that affect their daily activities. The Fish and Wildlife Service Directives System, consisting of the Fish and Wildlife Service Manual, Director's Orders, and National Policy Issuances, is the vehicle for issuing the standing and continuing policy and management directives of the Service. New directives are posted on the Internet upon approval, ensuring that all employees have prompt access to the most current guidance.

The Fish and Wildlife Service Manual contains our standing and continuing directives with which our employees must comply and has regulatory force and effect within the Service. We use it to implement our authorities and to set forth our means of compliance with statutes, executive orders, and Departmental directives. It establishes the requirements and procedures to assist our employees in carrying out our responsibilities and activities.

The Fish and Wildlife Service Manual, Director's Orders, and National Policy Issuances are available on the Internet at http://www.fws.gov/directives/direct.html. When finalized, we will incorporate this wilderness stewardship policy into the Fish and Wildlife Service Manual as Part 610 Chapters 1–7.

Authorities

Our authorities to manage wilderness include:

A. Wilderness Act of 1964 (16 U.S.C. 1131–1136)

B. Alaska National Interest Lands Conservation Act (ANILCA) of 1980 (16 U.S.C. 410 hh—3233, 43 U.S.C. 1602–1784),

C. National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd–ee), as amended.

D. Specific Service Wilderness Area Authorities. Public Laws 90–532, 91–504, 92–364, 93–429, 93–550, 93–632, 94–557, 95–450, 96–487, 96–560, 97–211, 98–140, and 101–628.

Comment Solicitation

We seek public comments on this draft wilderness stewardship policy and will take into consideration comments and any additional information received during the 60-day comment period. If you wish to comment, you may submit your comments by any one of several methods. You may mail comments to: National Wildlife Refuge System, U.S. Fish and Wildlife Service, 440l North Fairfax Drive, Room 670, Arlington, Virginia 22203. You may comment via the Internet to: Wilderness_Policy_Comments@fws.gov. Please submit Internet comments as an ASCII file avoiding the use of special characters and any form of encryption. Please also include: ''Attn: 1018–AG19'' and your name and return address in your Internet message. If you do not receive a confirmation from the system that we have received your Internet message, contact us directly at (703)358–1744. You may also fax comments to: National Wildlife Refuge System, (703)358–2248. Finally, you may hand-deliver comments to the address mentioned above.

Our practice is to make comments, including names and home addresses of respondents, available for public review during regular business hours. Individual respondents may request that we withhold their home address from the record, which we will honor to the extent allowable by law. In some circumstances, we would withhold from the record a respondent's identity, as allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. However, we will not consider anonymous comments. We will make all submissions from organizations or businesses and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

This draft Fish and Wildlife Service Manual Wilderness Stewardship policy will be available on the National Wildlife Refuge System web site (http://refuges.fws.gov) during the 60-day comment period.

Required Determinations

1. *Regulatory Planning and Review.* In accordance with the criteria in Executive Order 12866, this document is not a significant regulatory action. The Office of Management and Budget (OMB) makes the final determination under Executive Order 12866.

a. This document will not have an annual economic effect of $100 million or adversely affect an economic sector, productivity, jobs, the environment, or other units of the government. A cost-benefit and full economic analysis is not required. The purpose of this document is to update the wilderness management policy implemented by the Wilderness Act of 1964 pursuant to the National Wildlife Refuge System Improvement Act of 1997. A large portion of the updated policy addresses administrative actions and procedures that will enhance the public's wilderness experience by better preserving wilderness character. The updated policy makes only minor modifications to existing refuge wilderness public use programs. These modifications include: encouraging the use of Leave No Trace techniques that will leave the wilderness unimpaired for subsequent users; prohibiting extreme sports (which currently rarely occur); emphasizing the importance of solitude, risk, and challenge in a wilderness experience; encouraging education programs to better inform the public about wilderness; monitoring public use and its physical and social effects; and addressing the special needs of persons with disabilities. The basic restrictions on public use have not changed from current policy: we limit public travel to nonmotorized, nonmechanized means; we allow only commercial uses necessary for realizing the recreational purposes of the wilderness; and we allow scientific studies that conform to minimum requirements.

The data are insufficient to provide more than broad estimates about the effects of this updated policy on public use of wilderness areas on national wildlife refuges. The Service expects that refuges that improve the quality of their wilderness areas, and thereby increase the opportunities for high-quality wilderness experiences, will see an increase in public use. The Service estimates that on balance there will be an increase of 10 percent in the public's use of wilderness areas on refuges.

Following a best-case scenario, three quantifiable outcomes would be attributable to the updating of the wilderness policy. First, if 75 percent of the refuges that currently have designated wilderness were to establish a quality wilderness experience, it would mean an estimated 297,929 user days with a higher level of consumer surplus (Table 1). Second, if an additional 10 percent participation rate in wilderness experiences took place, it would mean an additional 39,724 user days. Third, some of the former wilderness users would switch to sites that allow motorized entrance or some other prohibited mode in wilderness areas. This last effect would be offset by new entrants to the wilderness experience, therefore, we estimate only the additional consumer surplus from new entrants since we have no reason to believe a change in consumer surplus would occur for those users who choose alternative sites with characteristics similar to what they were accustomed.

Since 1991, the trend in wildlife-related activities away from home has been increasing at a slow but steady rate, so we have reason to believe that quality experiences will attract new participants. Using the value of the difference in the upper and lower bounds of the 95 percent confidence interval for average consumer surplus to represent the estimate of the increase in consumer surplus for higher quality fishing and hunting (Walsh, Johnson, and McKean, 1990) yields an estimated increase in consumer surplus of $7.1 million annually. The use of the 95 percent confidence interval will remove the results of outlier studies and will be an acceptable estimate of quality differences in the consumer surplus estimates. To this we add the increase in consumer surplus for an estimated 10 percent new participants, for a total of $8.6 million annually attributable to the updated policy on wilderness management.

The probability of upgrading all refuges with wilderness programs to true wilderness characteristics, as defined by Congress, is very low. Resource constraints have kept these refuges from upgrading wilderness experiences, and it is unlikely that this updated policy will cause all refuges with wilderness designation to upgrade their programs immediately. As a result, we do not expect that this document will increase consumer surplus by as much as $8.6 million annually. Consequently, this document will have a small measurable economic benefit on the U.S. economy but will not have an annual effect of $100 million or more needed for a determination as a significant rulemaking action.

b. This document will not create inconsistencies with other agencies' actions. This updated policy has been developed with the assistance of personnel versed in Federal wilderness

policy, and is consistent with the wilderness policies of the U.S. Forest Service, National Park Service, and Bureau of Land Management. An interagency wilderness committee meets monthly to discuss and coordinate on wilderness issues. The committee received a copy of the draft policy update and identified no major inconsistencies.

c. This document will not materially affect entitlements, grants, user fees, loan programs, or the rights and obligations of their recipients. This updated policy prescribes the management of designated wilderness within the National Wildlife Refuge System. Access to wilderness will be consistent with the outstanding rights-of-way, easements of record, enabling legislation, or other rights granted by law. User fees will not be charged as a result of this policy.

d. This document will not raise novel legal or policy issues. This policy is a revision and clarification of similar policy finalized in May 1986 and, as such, does not present any significant opportunity for novel issues.

2. *Regulatory Flexibility Act.* We certify that this document will not have a significant economic effect on a substantial number of small entities as defined under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). A Regulatory Flexibility Analysis is not required. Accordingly, a Small Entity Compliance Guide is not required.

This policy is administrative, legal, technical, and procedural in nature and provides updated instructions for the maintenance of wilderness areas on the National Wildlife Refuge System. This policy does not increase the types of recreation allowed on the Refuge System but establishes an emphasis on the characteristics desired for a wilderness experience. As a result, opportunities for wilderness experiences on national wildlife refuges may increase. The maintenance of wilderness characteristics are likely to increase visitor activity on the national wildlife refuge. But, as stated above, there is a slight increase in the trend for this activity so the increase may not be that of a substitute site for the activity. At least some, if not all, of the increase will be in participation rates for wilderness use. To the extent visitors spend time and money in the area of the refuge that they would not have spent there anyway, they contribute new income to the regional economy and benefit local businesses.

For purposes of analysis, we will assume that any increase in refuge visitation is a pure addition to the supply of the available activity. This will result in a best-case scenario and is expected to overstate the benefits to local businesses. The latest information on the distances traveled for fishing and hunting activities indicates that over 80 percent of the participants travel less than 100 miles (160 km) from home to engage in the activity. This indicates that participants will spend travel-related expenditures in their local economy. Since participation is scattered across the country, many small businesses benefit. Expenditures for food and lodging, transportation, and other incidental expenses are identified in the National Survey of Fishing, Hunting, and Wildlife Associated Recreation. Using the average expenditures for these categories for wildlife-related recreation away from home with the expected additional participation on the Refuge System yields the following estimates (Table 1).

TABLE 1.—ESTIMATION OF POSSIBLE WILDERNESS OPPORTUNITIES WITH NEW REFUGE POLICY

	Refuge surplus visits	Consumer per day	Without policy update (base)	With policy update change
Refuge Visits With:				
Lower Quality Wilderness	297,929	$12.62	$3,759,867	$7,126,468
High Quality Wilderness	99,310	36.54	3,628,778	
Total Refuge Wilderness Visits	397,239		7388,645	
Increased Wilderness Visits (10%)	39,724	36.54		1,451,511
Total Increase in Consumer Surplus				8,577,979

Using a national impact multiplier for wildlife-associated recreation developed for the report ''1996 National and State Economic Impacts of Wildlife Watching'' for the estimated increase in direct expenditures yields a total economic impact of $46.0 million (Table 2). Since we know that most of the fishing and hunting (and most likely other wildlife-dependent recreation activities) occurs within 100 miles (160 km) of a participant's residence, then it is unlikely that most of this spending would be ''new'' money coming into a local economy and, therefore, would be offset with a decrease in some other sector of the local economy. The net gain to the local economies would be no more than $46.0 million and most likely considerably less. Since 80 percent of the participants travel less than 100 miles (160 km) to engage in hunting and fishing activities (and we assume that a similar relationship would hold for other wildlife-dependent activities), their spending patterns would not add new money in the local economy and, therefore, the real impact would be on the order of $9.2 million annually.

TABLE 2.—ESTIMATED EXPENDITURES ASSOCIATED WITH ADDITIONAL REFUGE VISITATION

Total Refuge wilderness visits	397,239
A 10% increase in visits	39,724
Average Expenditures per trip	$397
Total direct expenditures	$15,770,428
National impact multiplier	2.92
Total impact	$46,049,650
80% of impact is a transfer	$36,839,720
20% of impact is new money benefit	$9,209,930'

Many businesses (both large and small) may benefit from some increased wildlife refuge visitation. However, we expect that much of this benefit will go to small business because wilderness areas tend to be in rural areas where fewer large businesses locate. We expect that the incremental recreational opportunities will be scattered, and so we do not expect that the document will have a significant economic effect on a substantial number of small entities in any region or nationally.

3. *Small Business Regulatory Enforcement Fairness Act.* The document is not a major rule under 5 U.S.C. 804(2), the Small Business Regulatory Enforcement Fairness Act. This document:

a. Does not have an annual effect on the economy of $100 million or more. The addition of some wilderness experience opportunities at refuges

would generate expenditures by wilderness participants with an economic impact estimated at $9.2 million per year. Consequently, the maximum benefit of this document for businesses both small and large would not be sufficient to make this a major rule. The impact would be scattered across the country and would most likely not be significant in any local area.

b. Will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions. This document will have a small effect on the expenditures of new participants for wilderness opportunities of Americans. Under the assumption that all wilderness opportunities would be of high quality, participants would be attracted to the Refuge System. If the refuge were closer to the participant's residence than alternative sources of wilderness experiences, then a reduction in travel costs would occur and benefit the participant. The Service does not have information to quantify this reduction in travel cost but has to assume that since most people travel less than 100 miles (160 km) to hunt and fish, that the reduced travel cost would be small for the additional days of wilderness activities generated by this document. We do not expect this document to significantly affect the supply or demand for wilderness opportunities in the United States and, therefore, should not affect prices for equipment and supplies, or the retailers that sell equipment. Refuge System wilderness opportunities account for a small portion of the wilderness opportunities available in the contiguous United States.

c. Does not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises. Because this document represents such a small proportion of wildlife-related recreational spending, there will be no measurable economic effect on the wildlife-dependent industry, which has annual sales of equipment and travel expenditures of $72 billion nationwide. Refuge visitors made 397,239 visits to refuges for wilderness activities during 1999, compared to 34.9 million visitors for all activities on Refuge System lands. This document seeks to preserve wilderness characteristics for those participants who want this experience and is aimed at providing guidance to Federal managers in establishing quality programs, where the opportunity exists for wilderness programs. Refuges that have or establish wilderness programs may hire additional staff from the local community to assist with the programs, but this would not be a significant increase with a total of 66 refuges participating. Consequently, there is no significant employment or small business effects.

4. *Unfunded Mandates Reform Act.* In accordance with the Unfunded Mandates Reform Act (2 U.S.C. 1501, *et seq.*):

a. This document will not ''significantly or uniquely'' affect small governments. A Small Government Agency Plan is not required. See 1.a., above.

b. This document will not produce a Federal mandate of $100 million or greater in any year, i.e., it is not a ''significant regulatory action'' under the Unfunded Mandates Reform Act.

5. *Takings.* In accordance with Executive Order 12630, the document does not have significant takings implications. A takings implication assessment is not required. This policy will not change the ability of inholders to access their property, although it may affect the way in which they may access it. Depending on the specifics of the easements of record, outstanding rights-of-way, enabling legislation, or other rights granted by law, to disturb the fewest wilderness users we may require inholders to modify their: routes of entry so that access will be through a non-wilderness area; method of access, and use of nonmotorized means; or time of entry.

6. *Federalism.* This document does not have significant Federalism effects to warrant the preparation of a Federalism Assessment under Executive Order 13132. This document will not have substantial direct effects on the States, in the relationship between the Federal Government and the States, or on the distribution of power and responsibilities among the various levels of government.

7. *Civil Justice Reform.* In accordance with Executive Order 12988, the Office of the Solicitor has determined that the document does not unduly burden the judicial system and meets the requirements of sections 3(a) and 3(b)(2) of the Order. The policy will clarify established policy and result in better understanding of the policies by refuge wilderness visitors.

8. *Paperwork Reduction Act.* This policy does not require any information collection from 10 or more parties and a submission under the Paperwork Reduction Act of 1995 is not required.

9. *National Environmental Policy Act.* We have analyzed this document in accordance with the criteria of the National Environmental Policy Act and 318 DM 2.2(g) and 6.3(D). This document does not constitute a major Federal action significantly affecting the quality of the human environment. An environmental assessment is not required.

We will need to develop Wilderness Management Plans for all refuges with wilderness. We will either incorporate these plans directly into refuge Comprehensive Conservation Plans or as step-down management plans, pursuant to our refuge planning guidance in 602 FW 1–3. We prepare these plans in compliance with section 102(2)(C) of NEPA, and the Council on Environmental Quality's regulations for implementing NEPA in 40 CFR parts 1500–1508. We invite the affected public to participate in the review, development, and implementation of these plans.

10. *Government-to-Government Relationship with Tribes.* In accordance with the President's memorandum of April 29, 1994, ''Government-to-Government Relations with Native American Tribal Governments'' (59 FR 22951) and 512 DM 2, we have evaluated possible effects on Federally-recognized Indian tribes and have determined that there are no effects. We coordinate wilderness use on national wildlife refuges with Tribal governments having adjoining or overlapping jurisdiction.

Fish and Wildlife Service

Wilderness Stewardship

Part 610

Chapter 1—Authorities, Responsibilities, Definitions, and Training Requirements

610 FW 1.1

1.1 *What is the purpose of this chapter?* Our Wilderness Stewardship policy describes how we manage refuge wilderness to meet refuge purposes and accomplish the mission of the National Wildlife Refuge System (System), while protecting the enduring resource of wilderness. This chapter provides guidance for the implementation of the Wilderness Act of 1964 and the National Wildlife Refuge System Administration Act of 1966, as amended. This chapter states our authorities and responsibilities, describes wilderness character and related terms, and establishes training requirements.

1.2 *To what does this chapter apply?* This chapter applies to Congressionally designated wilderness. Where this management guidance conflicts with provisions of legislation establishing wilderness on refuges, (including the

Alaska National Interest Lands Conservation Act (ANILCA) in Alaska), the provisions of the legislation establishing wilderness take precedence. (See Exhibit 1; National Wildlife Refuge System Designated Wilderness Areas).

1.3 *What are the authorities that directly affect wilderness management on our lands?* Our authorities to manage wilderness, or those which may affect wilderness management include:

A. Wilderness Act of 1964 (16 U.S.C. 1131–1136).

B. Alaska National Interest Lands Conservation Act (ANILCA) of 1980 (16 U.S.C. 410 hh–3233, 43 U.S.C. 1602–1784).

C. National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd–ee) (NWRSAA01966), as amended.

D. Clean Air Act Amendments of 1990; Public Law 101–549.

E. Specific Service Wilderness Area Authorities. Public Laws 90–532, 91–504, 92–364, 93–429, 93–550, 93–632, 94–557, 95–450, 96–487, 96–560, 97–211, 98–140, and 101–628.

F. Migratory Bird Treaty Act of 1918 (16 U.S.C. 703–712) as amended.

G. Endangered Species Act of 1973 (16 U.S.C. 1531–1544) as amended.

H. National Historic Preservation Act of 1966 as amended, 16 U.S.C. 470 *et seq.*

I. Archeological Resources Protection Act as amended, 16 U.S.C. 470aa–mm.

J. American Antiquities Act of 1906, 16 U.S.C. 431–433.

K. American Indian Religious Freedom Act of 1978, 42 U.S.C. 1996 and 1996a.

L. Americans with Disabilities Act of 1990, 42 U.S.C. 12207.

M. Native American Graves Protection and Repatriation Act of 1990, 25 U.S.C. 3001–3013.

N. National Environmental Policy Act (NEPA) of 1969, as amended, 42 U.S.C. 4321–4347, and the Council on Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, 40 CFR 1500–1508.

1.4 *What are our responsibilities?* A. Director. The Director provides national policy for managing wilderness and designates a National Wilderness Coordinator.

B. Regional Director. The Regional Director oversees the Regional wilderness management program, designates a Regional Wilderness Coordinator, and assembles Regional Wilderness Review Teams consisting of the Refuge Manager, selected refuge staff, Refuge Supervisor, and the Regional Wilderness Coordinator to coordinate wilderness reviews.

C. Refuge Manager. The Refuge manager protects, manages, and monitors wilderness areas in accordance with Service policy and the unit's Wilderness Management Plan (WMP); ensures that the refuge Comprehensive Conservation Plan (CCP) addresses the management direction of the wilderness units, and determines the need for a WMP; develops and implements the WMP; conducts wilderness reviews; and provides annual information to the Regional Wilderness Coordinator on the status of ongoing inventories and research initiatives used to monitor wilderness areas. Refuge managers may make minimum requirement decisions (610 FW 2).

D. National Wilderness Coordinator. The National Wilderness Coordinator advises the Chief, National Wildlife Refuge System, on wilderness issues; coordinates wilderness management policies with other wilderness management agencies (Bureau of Land Management, National Park Service, and Forest Service); and coordinates and provides assistance to Regional and refuge offices concerning wilderness issues.

E. Regional Wilderness Coordinator. The Regional Wilderness Coordinator advises the Regional directorate, refuge supervisors, refuge managers, and refuge employees on wilderness issues; coordinates and approves wilderness reviews; reviews Wilderness Management Plans; maintains data on wilderness acreage and training requirements within the Region; and provides a Wilderness Acreage Report (See Exhibit 2) to the Chief, National Wildlife Refuge System, by October 1 of each year. The coordinator concurs on all minimum requirement/tool decisions requiring elevation and receives written copies of all minimum requirement decisions.

1.5 *How do we effectively coordinate with the States?* To the extent possible, we coordinate with States through the conduct of regular meetings to discuss cooperative management needs and approaches. Through the comprehensive conservation planning process, we encourage input from and strive for cooperation and coordination with State fish and wildlife agencies, non-government organizations, universities, and others in setting wilderness management goals and objectives. Our regulations allowing hunting of resident wildlife or fishing within the System shall be, to the extent practicable, consistent with State fish and wildlife laws, regulations, and management plans.

1.6 *What terms do we use in this policy?* A. Adequate Legal Access. The combination of routes and modes of travel that will have the least impact on the wilderness resource, consistent with the outstanding rights-of-way, easements of record, enabling legislation, or other rights granted by law.

B. Aldo Leopold Wilderness Research Institute. An institute located in Missoula, Montana, and established in 1993 to develop ''the knowledge needed to improve management of wilderness and other natural areas.'' The Institute operates under an interagency agreement among the Bureau of Land Management, the National Park Service, the Fish and Wildlife Service, the Forest Service, and the Biological Resources Division of the U.S. Geological Survey.

C. Alien Species. With respect to a particular ecosystem, any species, including its seeds, eggs, spores, or other biological material capable of propagating that species, that is not native to that ecosystem.

D. Arthur Carhart National Wilderness Training Center. A training center, located in Missoula, Montana, established in 1993 to ''foster interagency excellence in wilderness stewardship by cultivating knowledgeable, skilled and capable wilderness managers and by improving public understanding of wilderness philosophy, values, and processes.'' The Carhart Center offers training across the country using experts from all levels of the four Federal wilderness-managing agencies, and outside organizations. The Bureau of Land Management, the National Park Service, the Fish and Wildlife Service, and the Forest Service financially support the Carhart Center.

E. Commercial Photography and Filming. Visual and/or sound recording by a business or enterprise for a market audience such as for a documentary, promotional, television or feature film, advertisement, or similar project. It does not mean bona fide breaking news coverage or casual visitor use that does not adversely impact on resources or visitation.

F. Designated Wilderness Area. An area designated in legislation and that we manage as part of the National Wilderness Preservation System.

G. Emergency. A situation that requires immediate action because of imminent danger to the health and safety of persons within a wilderness area.

H. Generally Prohibited Use. Temporary roads, motor vehicles, motorized equipment, motorboats, mechanical transport, landing of aircraft, structures, and installations generally prohibited by the Wilderness Act Section 4 (c). We may allow them

only ''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) * * *'' or if provided for by the specific wilderness designation legislation for a particular wilderness.

I. Indigenous Species. This means, with respect to a particular ecosystem, a species that, other than as a result of an introduction, historically occurred or currently occurs in that ecosystem.

J. Invasive Species. This means an alien species whose introduction causes or is likely to cause economic or environmental harm or harm to human health.

K. Limits of Acceptable Change. A planning and management framework for establishing and maintaining acceptable and appropriate environmental and social conditions in recreation settings. It emphasizes the conditions we maintain or attain in an area, rather than how much use it can accommodate.

L. Mechanical Transport. Any contrivance for moving people or material on or over land, water, or air that has moving parts, provides a mechanical advantage to the user, and is powered by a living or nonliving power source. We include, but do not limit this to, sailboats, hang gliders, parachutes, bicycles, game carriers, carts, and wagons. We do not include wheelchairs when used by those whose disabilities require wheelchairs for locomotion. We also do not include skis, snowshoes, rafts, canoes, sleds, travois, or similar primitive devices without moving parts.

M. Minimum Requirement Analysis. A documented process used for determining the appropriateness of all actions affecting wilderness.

N. Minimum Tool. The least intrusive tool, equipment, device, force, regulation, or practice determined to be necessary to accomplish an essential task, that will also achieve the wilderness management objective.

O. Motorized Equipment. Machines that use a motor, engine, or other nonliving power source. We include, but do not limit this to, chain saws, aircraft, snowmobiles, generators, motor boats, and motor vehicles. We do not include small battery- or gas-powered devices such as shavers, wristwatches, flashlights, cameras, stoves, or other similar small equipment. We do not include motorized wheelchairs used as defined under mechanical transport.

P. Nondegradation. This concept specifies that, at the time of wilderness designation, the conditions prevailing in an area establish a benchmark of that area's naturalness and wildness. We will not allow degradation of these conditions. The presence of undesirable conditions in one wilderness does not set a precedent or standard that we can apply to other areas.

Q. Primitive Recreation. Nonmotorized activities that provide dispersed, undeveloped recreation which do not require facilities or mechanical equipment.

R. Primitive Tool. The equipment or methods that make use of the simplest available technology that relies on human or animal power.

S. Proposed Wilderness. An area of the Refuge System that the Secretary of the Interior (Secretary) has recommended to the President for inclusion in the National Wilderness Preservation System.

T. Roadless Area. A reasonably compact area of undeveloped Federal land that possesses the general characteristics of a wilderness and within which there is no improved road that is suitable for public travel by means of four-wheeled, motorized vehicles intended primarily for highway use. A route maintained solely by the passage of vehicles does not constitute a road.

U. Roadless Island. A roadless area that is surrounded by permanent waters or that is markedly distinguished from surrounding lands by topographical or ecological features such as precipices, canyons, thickets, or swamps.

V. Solitude. One of the key descriptors of wilderness in the Wilderness Act. Wilderness solitude is a state of mind, a mental freedom that emerges from settings where visitors experience nature essentially free of the reminders of society, its inventions, and conventions. Privacy and isolation are important components, but solitude also is enhanced by the absence of other distractions, such as large groups, mechanization, unnatural noise, signs, and other modern artifacts. It is a highly valued component of the visitor's experience because it is conducive to the psychological benefits associated with wilderness and one's free and independent response to nature.

W. Temporary Structure. Any structure that is easy to dismantle, could be removed completely from a site between periods of actual use, and must be removed at the end of each session of use if the intervening non-use period is greater than 30 days. In Alaska, we manage temporary structures in accordance with Section 1316(a) of the Alaska National Interest Lands Conservation Act.

X. Untrammeled. A key descriptor of wilderness in the Wilderness Act, untrammeled refers to the freedom of a landscape from the human intent to intervene, alter, control, or manipulate natural conditions or processes to provide particular benefits.

Y. Wheelchair. A device designed solely for the use by a mobility-impaired person for locomotion and that is suitable for use in an indoor pedestrian area.

Z. Wilderness Review. The process we use to determine if we should recommend System lands and waters to Congress for wilderness designation. The wilderness review process consists of three phases: inventory, study, and recommendation. The inventory is a broad look at the refuge to identify lands and waters that meet the minimum criteria for wilderness. The study evaluates all values (ecological, recreational, cultural, spiritual), resources (*e.g.,* wildlife, water, vegetation, minerals, soils), public uses, and management within the Wilderness Study Area. The findings of the study determine whether we will recommend the area for designation as wilderness.

AA. Wilderness Study Area. An area we are considering for wilderness designation. We establish it following the inventory component of a wilderness review. It includes all areas that are still undergoing the review process and areas recommended for wilderness designation by the Director of the U.S. Fish and Wildlife Service (Director) to the Secretary.

BB. Wilderness Values. Wilderness values are physical (wildlife, ecosystems, and natural processes), psychological (opportunity for solitude, i.e., avoid the sights, sounds, and evidence of humans), symbolic (national and natural remnants of American cultural and evolutionary heritage), and spiritual (connection with nature and primal forces).

1.7 *What are the training requirements for National Wildlife Refuge System staff?* A. National Wilderness Coordinator. The National Wilderness Coordinator will attend the next available Arthur Carhart National Wilderness Training Center National Wilderness Stewardship training course following appointment to the position, unless the individual has attended a previous national session, and at least every 2 years, a ''Wilderness Issues'' course, or another course designed by the Training Center to serve as a review of wilderness policy and an update of current wilderness issues.

B. National Wildlife Refuge System Office Staff. Other staff involved in wilderness planning, protection, management, budget, or recreation should attend a National or Regional

Wilderness Stewardship training course or specialized wilderness courses offered by the Training Center.

C. Regional Wilderness Coordinators. The Regional Wilderness Coordinators will attend the next available National Wilderness Stewardship training course and Regional Wilderness Stewardship training course following their appointment to the position, unless they have attended a previous national or regional session and at least every 2 years, a ''Wilderness Issues'' course, or another course designed by the Training Center to serve as a review of wilderness policy and an update of current wilderness issues.

D. Refuge Supervisors. Refuge supervisors will attend the National Wilderness Stewardship training course within 2 years, following their appointment to the position, unless they have attended a previous national session and at least every 4 years, a ''Wilderness Issues'' course, or another course designed by the Training Center to serve as a review of wilderness policy and an update of current wilderness issues.

E. Refuge Managers. Refuge Managers (including complex and unit managers) of refuges containing designated wilderness or a Wilderness Study Area will attend the National Wilderness Stewardship training course within 1 year of their appointment to the position, unless they have attended a previous national session. Other Refuge Managers (including complex and unit managers) should attend the National Wilderness Stewardship training course.

F. Other Refuge Staff. We should train staff members and volunteers who contact visitors on a regular basis regarding wilderness areas in low-impact or ''Leave-No-Trace'' techniques and be able to help the public make good choices in applying the principles of outdoor ethics.

G. Regional Chiefs, National Wildlife Refuge System. Regional Chiefs, National Wildlife Refuge System, should attend the National Wilderness Stewardship training course within 2 years following their appointment to the position, unless they have attended a previous national session.

1.8 *What are the training requirements for Ecological Services and Fisheries staff?* A. Project Leaders. Project leaders with significant responsibility for Endangered Species Act consultations with wilderness managers or fisheries management in wilderness areas within the Service or with any other Federal agency will attend the National Wilderness Stewardship training course within 2 years of their appointment to the position, unless they have attended a previous national session.

B. Other Staff. We encourage other Ecological Services and Fisheries staff with significant involvement in issues that affect wilderness planning, protection, management, or recreation to attend a Regional Wilderness Stewardship training course or specialized wilderness courses offered by the Training Center.

1.9 *When should State employees attend wilderness training?* When space is available, the Service may recommend State wildlife managers for a Regional Wilderness Stewardship training course or specialized wilderness courses offered by the Training Center.

Fish and Wildlife Service

Wilderness Stewardship

Part 610

Chapter 2 General Overview

610 FW 2.1

2.1 *What is the purpose of this chapter?* This chapter provides an overview and policy foundation for implementation of the Wilderness Act of 1964 and the National Wildlife Refuge System Administration Act of 1966 as amended. This chapter states the principles of wilderness management, and clarifies the application of the minimum requirement concept.

2.2 *To what does this chapter apply?* This chapter applies to Congressionally designated wilderness. Where this management guidance conflicts with provisions of legislation establishing wilderness on refuges, (including the Alaska National Interest Lands Conservation Act (ANILCA) in Alaska), the provisions of the legislation establishing wilderness take precedence. (See Exhibit 1; National Wildlife Refuge System Designated Wilderness Areas).

2.3 *What are the authorities that directly affect wilderness management on our lands?* Our authorities to manage wilderness, or those which may affect wilderness management, are contained in 610 FW 1.3.

2.4 *What is the broad framework within which we manage wilderness?* A wilderness overlay deepens and broadens our responsibility to the refuge landscape, compelling us to think beyond our obligation to manage the area for the purposes for which it was established. Wilderness itself is a resource that embodies intangible values as well as biophysical values. As a place ''where the earth and its community of life are untrammeled by man,'' wilderness serves as a reservoir of biological diversity, biological integrity, and environmental health. Wilderness is also a setting for compatible recreation, restoration, and inspiration, and a touchstone to our heritage as Americans, and more universally, as members in the community of life. The convergence of these diverse values (ecological, experiential, and symbolic) into one evocative and encompassing concept is the sum and substance of wilderness—and the source of its power to connect a diversity of people to these remnant landscapes. Wilderness is a place of restraint, for managers as well as visitors.

2.5 *What is wilderness character?* A.

> * * * 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.* [emphasis added]—Section 4 (b), The Wilderness Act of 1964

B. Preserving ''wilderness character,'' referenced throughout the Act and throughout this policy, is one of our criteria for judging the appropriateness of potential management actions, public uses, and technologies in wilderness. Preserving wilderness character requires that we maintain the wilderness condition: the natural, scenic condition of the land, biological diversity, biological integrity, environmental health, and ecological and evolutionary processes. But the character of wilderness embodies more than a physical condition.

C. The character of wilderness refocuses our perception of nature and our relationship to it. It embodies an attitude of humility and restraint that lifts our connection to a landscape from the utilitarian, commodity orientation that often dominates our relationship with nature to the symbolic realm serving other human needs. We preserve wilderness character by our compliance with wilderness legislation and regulation, but also by imposing limits upon ourselves.

D. The legislative history of the Wilderness Act recognizes the encompassing nature of wilderness character:

> We deeply need the humility to know ourselves as the dependent members of a great community of life, and this can indeed be one of the spiritual benefits of a wilderness experience. Without the gadgets, the inventions, the contrivances whereby men have seemed to establish among themselves an independence of nature, without these distractions, to know the wilderness is to know a profound humility,

to recognize one's littleness, to sense dependence and interdependence, indebtedness, and responsibility.—(See Zahniser, The Need for Wilderness Areas, 1956, Exhibit 8)

E. We uphold wilderness character with every decision concerning public uses, management techniques, or technologies that might degrade the wilderness condition. We strengthen wilderness character with every decision to forego actions that have no seeming physical impact, but would detract from the idea of wilderness as a place set apart, a place where our uses, convenience, and expediency do not dominate. As the role we assume shapes the character of wilderness, so it shapes our character as its stewards. (See Exhibit 3 for the complete description of wilderness character.)

2.6 *What are the principles for managing wilderness?* As stated in the Wilderness Act, the purposes of the Act are within and supplemental to the purposes of the lands we administer. We observe five key principles in managing wilderness:

A. Accomplish refuge purposes, the mission of the National Wildlife Refuge System (System), and the purposes of the Wilderness Act.

B. Secure ''an enduring resource of wilderness'' by maintaining the wilderness character, biological diversity, biological integrity, environmental health, and its community of life.

C. Administer wilderness areas in a manner that retains wilderness character, is compatible with all of the purposes of a refuge, and leaves them unimpaired for future use and enjoyment as wilderness.

D. Provide opportunities for primitive recreational experience, emphasizing activities that are wildlife and wilderness dependent. Maintain physical, social, and managerial settings that are conducive to maintaining the experience of solitude, inspiration, adventure, challenge, and other aspects of wilderness character.

E. Provide opportunities for and conduct wilderness-related research in a manner compatible with all of the refuge purposes and preserving the wilderness environment.

2.7 *What are the purposes of the Wilderness Act?* The purposes of the Wilderness Act are to secure an enduring resource of wilderness, to protect and preserve the wilderness character of areas within the National Wilderness Preservation System, and to administer this wilderness system for the use and enjoyment of the American people in a way that will leave them unimpaired for future use and enjoyment as wilderness.

2.8 *How do Refuge Managers accomplish both the establishing purposes of a refuge and the purposes of the Wilderness Act?* A. The National Wildlife Refuge System Improvement Act (NWRSIA) amendments to the NWRSAA state that the establishing purposes of a refuge ''mean the purposes specified in or derived from the law, proclamation, executive order, agreement, public land order, donation document, or administrative memorandum establishing, authorizing, or expanding a refuge, refuge unit, or refuge subunit.''

B. The Wilderness Act states that ''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 national wildlife refuge systems are established and administered * * *''

C. The NWRSIA House Report 105–106 says that ''This policy serves to underscore that the fundamental mission of our Refuge System is wildlife conservation: wildlife and wildlife conservation must come first.''

D. Our wildlife conservation mission is entirely consistent with our wilderness responsibilities. Healthy and natural populations of wildlife are an important component of wilderness. *In Fulfilling the Promise,* the Service's long-term vision document for the System, we recognize wilderness ''is a reservoir of biodiversity and natural ecological and evolutionary processes.''

E. Because the Wilderness Act purposes become within and supplemental to the purposes of refuges where there is designated wilderness, we modify our management strategies to accomplish both the purposes for which the refuge was established and the purposes of the Wilderness Act. We continue to fulfill the establishing purposes of the refuge and the wildlife conservation mission of the System using management strategies and techniques that prevent degradation of the wilderness resource and comply with the requirements of the Wilderness Act. We do not authorize uses of refuge wilderness that the Wilderness Act prohibits, except when the use is the minimum requirement for the administration of the area for the purpose of the Wilderness Act or in an emergency involving the health and safety of persons.

2.9 *What activities do we prohibit in wilderness?* Section 4 (c) of the Wilderness Act prohibits certain uses in wilderness. It refers to prohibited uses by the public as well as prohibited uses by the wilderness administrators. Section 4 (c) says:

> ''Except as specifically provided for in this Act * * * 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.''

A. The Wilderness Act allows for commercial enterprises or services in wilderness when they are ''necessary for activities which are proper for realizing the recreational or other wilderness purposes of the areas.''

B. Subsequent wilderness legislation may permit uses of individual wilderness areas that the Wilderness Act generally prohibits, and we comply with the provisions of those laws. In Alaska, ANILCA authorizes use of motorized boats and snowmobiles, and the landing of airplanes, for public access in wilderness.

2.10 *How do we determine if a generally prohibited use is the minimum requirement to administer the area for the purposes of the Wilderness Act?* We conduct and document a minimum requirement analysis for all administrative actions that involve one or more of those things generally prohibited by the Wilderness Act, or for any proposed administrative activity that may impact the wilderness resource and character. We authorize a generally prohibited use only if we demonstrate that it is necessary to meet the minimum requirements for the administration of the area in accordance with the Wilderness Act.

A. We will use the interagency guidelines included in Exhibit 4 as procedures for assessing proposed administrative activities, to the extent that they do not conflict with this policy. In essence, these procedures allow us to answer two questions:

(1) Do I need to take some action?

(2) How can I take the action and have the least impact?

B. The analysis helps to clearly weigh the benefits and impacts (including intangible effects on wilderness character) and the cumulative effects of the activity in conjunction with other actions and methods we are applying within the wilderness. We will document the minimum requirement analysis in writing.

2.11 *Can we use a minimum requirement analysis to allow any*

administrative action in wilderness? No. We consider permanent roads and most commercial enterprises prohibited uses in wilderness, and unless specific legislation authorizes their use, we will not authorize their use. We may authorize a generally prohibited use, but only after documenting the minimum requirement analysis. Administrative approval of generally prohibited actions should be temporary and rare. Only those actions that preserve wilderness character and/or have localized, short-term adverse impacts will be acceptable.

A. In Alaska, ANILCA authorizes use of motorized boats and snowmobiles, and the landing of airplanes, for public access in wilderness. Therefore, we may use motorized boats and snowmobiles for access in Alaskan wilderness without conducting a minimum requirement analysis.

2.12 *Can refuge managers take management actions in wilderness to maintain and restore natural conditions if doing so involves uses generally prohibited by the Wilderness Act?* Yes, if we determine the action to be the minimum requirement necessary to administer the area for the purposes of the Wilderness Act. Wilderness character has components of both wildness [''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 untrammeled by man * * *''; Wilderness Act Sec.2(c)] and naturalness [''* * * 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 * * *''; Wilderness Act Sec.2(c)].

A. National wildlife refuges are places where we conserve wildlife and its habitat and we manage for a natural diversity of habitat and species within wilderness. If, for example, an alien species invades a refuge, it is appropriate to eliminate or control it to protect important wildlife habitat and restore biological diversity, biological integrity, and environmental health. In refuge wilderness, we use restraint and choose techniques that protect wildness by avoiding motorized methods, mechanical transport, or the use of permanent structures whenever possible. We also must assure that our management techniques are effective to protect the naturalness of the area. We do this by always conducting a minimum requirement analysis where we review the effects of proposed actions on both wildness and naturalness.

2.13 *What effect do emergencies have on the Wilderness Act's prohibition of uses?* In an emergency involving the health and safety of persons within the wilderness, or where we must traverse wilderness to reach such persons, we may use, or authorize, motorized vehicles and equipment and mechanized transport or land aircraft. We will not need a minimum requirement analysis but should take all steps possible to respond to the emergency without unnecessarily damaging or detracting from the area's wilderness character.

2.14 *When must we conduct a minimum requirement analysis?* A. If the refuge has an approved Wilderness Management Plan (WMP) no older than 15 years, and it includes a written minimum requirement analysis for each planned administrative action that may allow a generally prohibited use (*e.g.,* chainsaws, motorized vehicles, aircraft use, radio repeater sites, rock drills, patrol structures) or have the potential to impact wilderness resources and values, we may carry out those administrative actions explicitly as described in the plan.

The analysis in the WMP must include an estimate of how frequently each administrative action resulting in a generally prohibited use will take place. If circumstances significantly change, or we wish to allow the same nonconforming use in a different part of the wilderness, we must conduct another minimum requirement analysis. If a proposed administrative action was not identified in the WMP, and if it involves a generally prohibited use or impacts the wilderness character and resource, we must conduct a minimum requirement analysis before we allow the proposed action.

B. If the refuge does not have an approved WMP, or one older than 15 years, we must conduct a minimum requirement analysis once a year on each planned administrative action that may result in a generally prohibited use (*e.g.,* chainsaws, motorized vehicles, aircraft use, radio repeater sites, rock drills, patrol structures) or have the potential to impact wilderness resources and values, even if it is a recurring action.

2.15 *What should we consider to determine if an action poses a significant impact to wilderness?* We must consider the full range of wilderness values and character when determining whether or not an action will have an adverse impact on wilderness. These values include the preservation of natural conditions (including the lack of unnatural noises and lights: see Exhibit 5); cultural resource values; the assurance of outstanding opportunities for solitude; the assurance that the action will not diminish the potential for the public to have a primitive and unconfined type of recreational experience; and the assurance that we will preserve wilderness character in an unimpaired condition. Cost or convenience usually do not determine the minimum requirement.

2.16 *Who may make minimum requirement decisions?* Refuge Managers may make minimum requirement decisions only if they have attended the Arthur Carhart Wilderness Training Center national wilderness stewardship course. If managers lack this training, they must submit their written minimum requirement analyses to their supervisor for approval. If the supervisor lacks training, then the supervisor shall request review from an individual with training. In emergencies (see definition 610 FW 1.6G), Refuge Managers without the wilderness training may take appropriate action, but should take all steps possible to respond to the emergency without unnecessarily damaging or detracting from the area's wilderness character.

2.17 *How does the Leave-No-Trace Program affect our management practices?* We have adopted the interagency Leave-No-Trace (LNT) program as our standard regarding minimum impact practices for both the public and ourselves. We influence public ethics of minimum impact by the example we set in the way we conduct our business in the wilderness. We will apply LNT principles and practices to all forms of administrative actions within wilderness. See Exhibit 6 LNT Memorandum of Understanding.

2.18 *Are subsistence uses allowed in wilderness?* In Alaska, we allow subsistence uses by local, rural residents. They are the priority consumptive uses of renewable resources in refuge wilderness, per Title VIII of ANILCA.

2.19 *How will we achieve consistency in managing wilderness?* Four Federal agencies administer wilderness areas: the Fish and Wildlife Service, the Bureau of Land Management, the National Park Service, and the Forest Service. Together we administer the 104-million-acre (41.6-ha) National Wilderness Preservation System, established under the Wilderness Act ''for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness.''

A. We maintain effective intra-agency and interagency communications and cooperation, and encourage, sponsor, and participate in interagency training and workshops designed to promote the sharing of ideas, concerns, and techniques related to wilderness management. We support the Arthur Carhart National Wilderness Training Center and the Aldo Leopold Wilderness Research Institute.

B. We seek to achieve consistency in wilderness management objectives, techniques, and practices wherever possible. In areas where our wilderness adjoins wilderness administered by another land management agency, the Refuge Manager coordinates with adjacent wilderness units to achieve as much consistency as possible in the application of wilderness regulations and management techniques. Coordination can include, but is not limited to, programs and policy concerning the issuance of permits, group and party size, research projects, limits on campfires and pets, and other resource and visitor management issues. We encourage Refuge Managers to consider creating joint management plans with neighboring wilderness areas, where possible.

Fish and Wildlife Service

Wilderness Stewardship

Part 610

Chapter 3 Wilderness Administration and Natural and Cultural Resource Management in Wilderness

610 FW 3.1

3.1 *What is the purpose of this chapter?* This chapter provides specific direction and guidance on wilderness administration and natural and cultural resource management in wilderness.

3.2 *To what does this chapter apply?* This chapter applies to Congressionally designated wilderness. Where this management guidance conflicts with provisions of legislation establishing wilderness on refuges, (including the Alaska National Interest Lands Conservation Act (ANILCA) in Alaska), the provisions of the legislation establishing wilderness take precedence. (See Exhibit 1; National Wildlife Refuge System Designated Wilderness Areas).

3.3 *What are the authorities that directly affect wilderness management on our lands?* Our authorities to manage wilderness, or those which may affect wilderness management, are contained in 610 FW 1.3.

3.4 *What is the general policy for administering wilderness and managing natural and cultural resources in wilderness?* We plan and conduct resource management activities in wilderness to conform with the Wilderness Act's purposes of securing ''an enduring resource of wilderness'' and providing opportunities for ''solitude or primitive and unconfined types of recreation.'' We must document a minimum requirement analysis (see 610 FW 2) for all administrative actions that may diminish wilderness character, especially if they may involve any actions generally prohibited. We will maintain the biological diversity, biological integrity, and environmental health (see 601 FW 3) of wilderness areas. We will apply the principle of nondegradation to wilderness management, and we will measure and assess our actions against each wilderness area's own natural, unimpaired condition.

3.5 *What are the elements of wilderness administration?* A. Structures and Installations. Section 4(c) of the Wilderness Act generally prohibits structures and installations in wilderness areas.

(1) Existing structures and installations. After Congress has designated a wilderness area, we will make an inventory of all existing structures and installations. We may retain structures if we determine them to be of historic significance, essential to accomplish unit purposes, or required to ensure public safety. See 610 FW 3.7C for additional guidance regarding the management of historic structures.

(2) Removal. We will remove structures and installations that are not of historical value, not essential for wilderness administration, not essential to accomplish unit purposes, and not necessary for public safety or allow them to naturally deteriorate. If we decide to restore a site, we allow regeneration by natural succession if soil and climate conditions permit. If revegetation is necessary, we use indigenous plant species.

(3) Construction and maintenance. We will not construct or maintain an administrative structure or installation in wilderness unless it is essential to administering the area as wilderness and accomplishing refuge purposes. We will not construct or maintain structures for administrative convenience, economy of effort, or convenience to the public. Wilderness users should be self-supporting in terms of shelter. In all instances, we should design, construct, or maintain facilities using native materials that blend into the natural landscape. We may establish new structures and facilities identified in Section 1310 of ANILCA on wilderness areas in Alaska after consultation between the head of the requesting Federal agency and the Secretary, and in accordance with such terms and conditions as mutually agreed upon to minimize the adverse effects of such structures and facilities.

(4) Lighthouses. Wilderness status does not alter the U.S. Coast Guard's right to access and operate lighthouses; however, we may allow use of motorized vehicles only if we approve them after documenting a minimum requirement analysis.

B. Roads. Permanent roads are a prohibited use in wilderness [Wilderness Act, Section 4(c)]. We will evaluate all roads in existence at the time of wilderness designation in the unit's Comprehensive Conservation Plan or Wilderness Management Plan (WMP). We may convert roads within wilderness to trails for walking or nonmotorized, nonmechanized transportation or restore them to natural conditions. If we decide to restore a road, we allow regeneration by natural succession, if soil and climate conditions permit. If revegetation is necessary, we will use indigenous plant species.

C. Unpaved Trails. We may provide unpaved trails and trail bridges only where they are essential for resource protection or where significant safety hazards exist during normal use periods. We will design and locate trail improvements to fit into the wilderness landscape as unobtrusively as possible and construct them of native materials. We will determine the need for trail improvements and maintenance through minimum requirement analyses and include them in the WMP for the unit.

D. Motorized Vehicles, Motorized Equipment, and Mechanical Transport. We generally prohibit motorized vehicles and equipment and mechanical transport in wilderness areas [Wilderness Act, Section 4(c)]. We will not use or allow the use of motorized vehicles or equipment or mechanical transport in wilderness unless they are essential to administer the area as wilderness and accomplish refuge purposes, ensure public safety, or to conserve threatened or endangered species, as determined by a minimum requirement analysis. We will not use such equipment or transport for administrative convenience, economy of effort, or convenience to the public. The applicable provisions of ANILCA govern the use of motorized equipment by the public in wilderness areas in Alaska.

E. Public Access.

(1) Inholdings. We will provide adequate legal access to non-Federal land that is effectively surrounded by wilderness, using routes and modes of

travel causing the least impact to the wilderness area while allowing for the reasonable purposes for which we hold or visitors use the inholding (see ANILCA and 43 CFR 36 for provisions specific to Alaska). If alternate access is available through nonwilderness lands, we will not allow access through wilderness (other than access generally available to the public). We will pursue voluntary land exchanges, purchases, or donations to consolidate ownership where access to inholdings would be detrimental to wilderness character or values.

(2) Alaska. On wilderness lands in Alaska, we will permit the use of snowmobiles, motorboats (excluding airboats), fixed-wing aircraft, and nonmotorized surface transportation methods for access to traditional activities and for travel to and from villages and homesites, subject to reasonable regulations to protect the land's natural and other values (Sections 811 and 1110 of ANILCA and 50 CFR § 36.12). We will issue appropriate notice and hold public hearings on restrictions on these forms of access in the vicinity of the affected area. Such rights are subject to reasonable regulations to protect resource values.

(3) Access for People With Disabilities. The Americans With Disabilities Act of 1990 (Section 507(c), 104 Stat. 327, 42 U.S.C. 12207) reaffirms that nothing in the Wilderness Act prohibits wheelchair use in a wilderness area by an individual whose disability requires the use of a wheelchair. Consistent with the Wilderness Act, we are not required to provide any form of special treatment or accommodation, to construct any facilities, or to modify any conditions of lands within a wilderness area to facilitate such use. In meeting the goal of accessibility, we will ensure that we will afford persons with disabilities experiences and opportunities with other visitors to the greatest extent practicable. We will also work with commercial guides and outfitters to ensure they meet accessibility standards when offering services in refuge wilderness.

F. Commercial Uses. Sections 4(c) and 4(d)(5) of the Wilderness Act prohibit commercial enterprises or services in wilderness, unless such activities are ''necessary for activities which are proper for realizing the recreational or other wilderness purposes of the areas.''

(1) Guiding and Outfitting. We may authorize wilderness-dependent commercial services, such as guiding and outfitting, if we determine that they are necessary for the public enjoyment of wilderness, provide opportunities for primitive and unconfined types of recreation, preserve the wilderness character of the land, are not in conflict with unit purposes, and are managed in concert with our policies (see 604 FW 2). We will ensure that commercial operators comply with established ''Leave No Trace'' protocols. We will allow only temporary structures and facilities necessary to support wilderness recreation. We prohibit the storing of permanent equipment and supply caches in wilderness areas by commercial operators. In Alaska, ANILCA authorizes the use of temporary campsites, tent platforms, shelters, and other temporary facilities related to the authorized taking of fish and wildlife if they are not detrimental to unit purposes or the wilderness character of the area. This includes temporary facilities used by guides, outfitters, commercial fishermen, and transporters. Permittees must construct, use, and maintain such facilities and equipment in a manner consistent with the protection of the wilderness character of the area, subject to provisions of ANILCA 1316 (b). Permittees must construct any new facilities with materials that blend with the landscape. We will manage such facilities through Special Use Permits.

(2) Grazing. We generally prohibit commercial livestock grazing in wilderness. We may permit livestock grazing in wilderness areas as a habitat management tool only when it is the minimum requirement to administer the area as wilderness [see 610 FW 2.9]. We prohibit the use of motorized vehicles, motorized equipment, or mechanical transport, except as provided for in 610 FW 2.8. For those wilderness areas where the establishing legislation permits continuation of an existing commercial livestock grazing program, grazing activity will not be curtailed or eliminated solely because the area is included in the wilderness system. In those instances, commercial livestock grazing programs will be managed to minimize impacts and to protect resource values.

(3) Photography and Filmmaking. We prohibit commercial filming and commercial photography in wilderness areas unless we determine it is necessary and proper for providing educational information about wilderness uses, resources or values, or other wilderness purposes. In cases where we allow commercial photography, we will manage it through an audiovisual productions permit. See 120 FW 1 and 2, 605 FW 5, and 43 CFR 5.1 for additional guidance.

G. Rights-of-Way. We will terminate or phase out granted or existing rights-of-way included in wilderness whenever possible. Where it is not possible, we may renew rights-of-way subject to our control only under conditions outlined in the refuge's WMP that protect wilderness character and resources and limit the use of motorized or mechanical equipment. We will not issue any new rights-of-way or expand any existing rights-of-way in wilderness, except in Alaska, as provided for under Title XI of ANILCA (see also 43 CFR 36).

H. Mineral Exploration and Development. We prohibit mineral exploration or development in wilderness, except where valid rights existed prior to wilderness designation. We should remove or extinguish mining claims and non-Federal mineral interests in wilderness through authorized processes including purchasing valid rights. We will not apply this policy to contravene or nullify valid rights vested in holders of mineral interest on our wilderness areas. All claimants must comply with reasonable conditions for the protection of wilderness values. Claimants must conduct mineral development or exploration activities without interfering with the administration of the wilderness or disturbing wildlife, or its habitat. Claimants must confine use and occupation of the area to the minimum necessary for conducting efficient mineral operations. Persons conducting mineral operations must comply with all applicable Federal and State laws and regulations. When claimants complete operations, they will restore the area to its previous condition, including removing all structures and equipment from the area.

(1) In Alaska, Section 1010 of ANILCA requires the Secretary to assess oil, gas, and other mineral potential on all public lands, including wilderness. The mineral assessment program may include, but is not limited to, techniques such as side-looking radar and core and test drilling but does not include exploratory drilling of oil and gas test wells. Any assessment activity must be determined to be compatible before it is permitted.

I. Geographic Naming in Wilderness. The attachment of official, permanent names to mountains and other natural features represents a human intention to influence and dominate how they are perceived—in a landscape that symbolically represents freedom from human influence and dominance. Since place names diminish this aspect of wilderness character, we will not propose to the U.S. Board of Geographic Names, nor support proposals by others, to apply names to geographic features within wilderness. We may name new

wilderness refuges and new wilderness areas within refuges, but we will neither propose nor support naming them after any person. See 040 FW 2 2.7 (C).

3.6 *How do we protect natural resources in wilderness?* A. Research. The scientific value of wilderness derives from its relatively undisturbed condition. Because such undisturbed natural areas increasingly are rare, wilderness areas often provide unique opportunities for scientific investigation. All persons associated with research in wilderness must know and understand the purposes, provisions, and values of wilderness. We will not allow or engage in research that significantly disrupts wilderness conditions or character.

(1) We may allow scientific research consistent with protecting wilderness character when:

(a) Suitable locations outside wilderness are not available;

(b) It furthers the management, scientific, and educational purposes of the area;

(c) The possible benefits outweigh the negative impacts on wilderness values; and

(d) It is carried out in a manner respectful of wilderness character and values.

(2) We will not allow the use of motorized equipment or vehicles, mechanical transport, structures, installations, or monitoring devices and methods, unless:

(a) Alternative methods are not available;

(b) They represent the minimum requirement;

(c) They are consistent with the unit's WMP; and

(d) They are compatible with the unit's purposes.

(3) We will evaluate research using a minimum requirement analysis. We must include research activities in the unit's WMP.

(a) We may use fixed-wing aircraft to conduct approved research and management surveys. We will allow the use of helicopters and the landing of aircraft only when supported by a minimum requirement analysis. However, we may immediately authorize aircraft or helicopter landings in emergencies related to health and safety. We should conduct our aircraft operations over wilderness areas at an altitude greater than 2,000 feet (600 m) above ground level whenever possible. We must be respectful of the area's wilderness character and minimize disturbance to wildlife and other users when using aircraft. We should consider time of day, season, route, and flight altitude when planning our activities.

(4) In Alaska: ANILCA authorizes motorized boats, snowmobiles, and the landing of fixed-wing aircraft for public access to wilderness (subject to reasonable regulations to protect the natural and other values of the unit.) We may use motorized boats, snowmobiles, and fixed-wing aircraft for access in Alaskan wilderness without conducting a minimum tool analysis. We select landing areas to avoid surface disturbance.

B. Inventory and Monitoring. Long-term wilderness management depends upon the inventory and monitoring of wilderness resources, including fish, wildlife, habitat, vegetation, air, water, archaeological resources, and public use. We should conduct baseline inventories for key wilderness resources and identify any threats to the wilderness area. Baseline data provides the frame of reference for the thresholds and indicators identified in the WMP that may trigger use limitations. Inventories also provide us with the information necessary to evaluate the effects of management actions, public uses, and external threats on wilderness resources. We should conduct inventories using a minimum requirement analysis and in accordance with 701 FW 2. We should include inventory and monitoring in the unit's WMP.

C. Habitat and Species Population Management. We manage refuge wilderness to maintain and restore the natural features and processes affecting the components of an area's ecological integrity: biological diversity, biological integrity, and environmental health. We manage refuge wilderness to maintain components of natural biological diversity such as wildlife populations with natural densities, social structures, and dynamics. Major ecosystem processes including wildfire, drought, flooding, windstorms, pest and disease outbreaks, and predator/prey fluctuations are natural ecological and evolutionary processes. We will not interfere with these processes or the wilderness ecosystem's response to such natural events. However, in some cases these processes may become unnatural, such as excess fuel loads from fire suppression activities, predator/prey relationships disrupted by the control of carnivores, or the invasion of alien species. In such cases, we encourage the restoration or maintenance of ecological integrity and wilderness character. All decisions to modify habitat, species levels, or natural processes by the methods or practices listed below must be necessary to accomplish the purposes of the refuge and the Wilderness Act; supported by a minimum requirement analysis; and documented in the WMP. Generally, we will modify habitat, species population levels, or natural ecological processes in refuge wilderness only when such actions: maintain or restore ecological integrity; correct or alleviate negative impacts to wilderness character caused by human influence; are necessary to protect or recover a threatened or endangered species; or address an emergency involving the health and safety of persons within or outside the wilderness.

(1) Fire. We may use fire in wilderness subject to the above criteria (see 610 FW 5 and 621 FW 1–3 for additional guidance).

(2) Grazing. We may permit livestock grazing in wilderness areas as a habitat management tool only when it is the minimum requirement to administer the area as wilderness and essential to accomplish refuge purposes.

(3) Transplanting, Reintroducing, or Stocking Fish and Wildlife. We will not transplant, introduce, or reintroduce any species into a wilderness area where they are not indigenous or into bodies of water that are naturally barren (see 601 FW 3). We will determine through consultation with the appropriate State agency which indigenous species we will use for stocking. We will use local genetic strains whenever possible. We will give preference to species extirpated by human-induced causes. We may continue to manage species traditionally stocked before wilderness designation only if they meet the criteria established above. We will not use fertilizers to artificially enhance fisheries or other wildlife resources.

(4) Control of Invasive Species, Pests, and Diseases Through Integrated Pest Management (IPM). Where invasive species pose a threat to the integrity of the wilderness ecosystem or where the lack of control would result in unacceptable impacts on other wilderness resources (including threatened or endangered species), we take steps to control them. Where pests and diseases pose a significant threat to the health of humans or wildlife as identified by the Centers for Disease Control, or where the lack of control would result in unacceptable impacts on other wilderness resources (including threatened or endangered species), we may take steps to control them. We will not control invasive species, pests, and diseases, including mosquitoes, for administrative convenience, economy of effort, or convenience to the public.

(5) We will use integrated pest management to prevent, control, or

eradicate alien species, pests, and diseases subject to the criteria listed above. We will determine appropriate IPM procedures through a minimum requirement analysis and document them in the WMP. If the approved IPM plan determines that chemical or biological applications are necessary, we will only use agents that have the least impact on nontarget species and on the wilderness environment in compliance with 7 RM 14.1–8 and 7 RM 8.6–8. We may make an exception to 610 FW 3.6 Cc for approved nonindigenous biological control agents. We will conduct invasive species, pest, and disease control in wilderness in a manner consistent with protecting wilderness character and values and only if compatible with refuge purposes.

(6) Predator Control. Predators are a natural and important component of the wilderness ecosystem and should be free from unregulated human interference. Rarely, predator control may be necessary for the protection of threatened or endangered species. In such cases, we may control predators subject to the above criteria and only when strong evidence exists that the proposed action will correct or alleviate the problem. We will direct control at the individual animal(s) causing the problem using the method least likely to harm nontarget species and wilderness visitors.

D. Air Quality Protection. Maintaining the wilderness character and values of an area requires proper management of air resources.

(1) Clean Air Act (CAA). Congress passed the CAA to protect both human health and the environment and provide protection of air quality in wilderness areas by means of national standards for air quality and the Prevention of Significant Deterioration (PSD) program (see also 561 FW 2.1). The PSD program designated 21 of our wilderness areas as mandatory Class I air quality areas, including all wilderness areas over 5,000 acres (2,000 ha) in existence on August 7, 1977. The CAA gives Class I areas the highest level of protection from air pollutants. The CAA designates and protects other wilderness and nonwilderness areas as ''Class II,'' but not to the extent of Class I areas. The CAA charges the Federal Land Manager (the Assistant Secretary of the Interior for Fish and Wildlife and Parks) and the Service with an ''affirmative responsibility'' to protect the air quality related values of Class I lands. Air pollution, including visibility, wildlife, vegetation, soil, water, and geological and cultural resources may adversely affect air quality related values (ARQV). We will identify the ARQV of each wilderness area and evaluate their sensitivity to air pollution in the WMP.

(2) Visibility. The CAA grants special protection to visibility in Class I areas. The CAA establishes a national goal of remedying any existing and preventing any future, human-caused visibility impairment in mandatory Class I areas. The Environmental Protection Agency (EPA) established the Regional Haze regulations as part of their strategy to meet this goal, requiring the States to make ''reasonable progress'' towards natural visibility conditions. We will work with the EPA and the States to identify natural visibility conditions and set reasonable progress goals for visibility improvement in Class I areas. We may conduct monitoring with samplers sited on adjacent nonwilderness land to characterize current visibility and air quality conditions in wilderness areas.

(3) External Pollution Sources. Sources outside the wilderness, including powerplants, industries, and automobiles, are the usual cause of air pollution in wilderness areas. To ensure the protection of ARQV from these external sources, we will participate in State and local planning and permitting processes, including the review of air pollution permit applications for major new sources or modifications of existing sources of air pollution. We will also review the National Environmental Policy Act documents for projects with the potential to affect wilderness areas. In consultation with the EPA, State, or local agencies, we will determine whether air pollutant emissions from a proposed action will adversely affect air quality-related wilderness values and work to minimize or eliminate such adverse impacts.

(4) Internal Pollution Sources. Emissions also can come from sources within wilderness areas, notably fire. We may use fire as a tool to restore and maintain healthy wilderness ecosystems. However, we must balance the use of fire with our responsibility to protect visibility and other ARQV in Class I areas and wilderness (see 610 FW 5, and 621 FW 1–3 for additional guidance).

3.7 *How do we protect cultural resources in wilderness?* Cultural resources, such as archaeological sites, historic trails and structures, and sacred sites are unique and nonrenewable parts of the wilderness resource. We follow policy and standards for identifying, evaluating, protecting, and managing cultural resources in the FWS Manual, Part 614 FW 1–5.

A. Burial and Sacred Sites. We may maintain burial sites or cemeteries located within a wilderness area, but we prohibit new interments unless authorized by Federal statute, existing reservations, or retained rights. We will identify and protect Native American sacred sites or religious areas. We will allow Native American practitioners access to these sites within wilderness areas for religious and traditional ceremonial purposes in accordance with wilderness access regulations and procedures and the Service's sacred sites protection policy.

(1) We will notify and consult appropriate tribal leaders as early as possible in planning for wilderness management decisions that may affect sacred sites and practice of Native American religion. The American Indian Religious Freedom Act of 1978, 42 U.S.C. 1996 and 1996a; Executive Order 13007, ''Protection of Sacred Sites;'' and Service policy mandates this consultation. We must coordinate consultation through the Regional Historic Preservation Officer and Regional Native American Liaison.

B. Research. We will encourage archeological research employing noninvasive and nondestructive survey and inventory methods. The Refuge Manager and the Regional Historic Preservation Officer will review proposals for archeological research. The Regional Director approves or denies archaeological research permits based upon the recommendation of the Refuge Manager and regional archeologist. We will only approve archeological research requiring digs, trenching, or other forms of excavation in wilderness when required to protect a threatened resource or when the applicant can demonstrate the need for important data. Such research is subject to a minimum requirement analysis.

C. Historic Buildings and Structures. We will comply with cultural resource management requirements and policies when maintaining, using, or removing historic buildings and structures and will support our decisions with a minimum requirement analysis. We must consult with the Regional Historic Preservation Officer and adhere to the requirements covered by Sections 106 and 110 of the National Historic Preservation Act, and the regulations in 36 CFR 800, for any work affecting historic buildings and structures. The Regional Preservation Officer is responsible for determining if such properties are listed in or eligible for the National Register of Historic Places and for performing consultation with the appropriate State Historic Preservation Officer and the Advisory Council on Historic Places. For buildings and structures that are eligible for or listed in the National Register, and which we

choose to use or maintain, we will follow the minimum requirement policy and the Secretary of the Interior Standards for the Treatment of Historic Properties. See 610 FW 3.5.A above for additional information regarding structures and installations.

Fish and Wildlife Service

Wilderness Stewardship

Part 610

Chapter 4 Public Use Management

610 FW 4.1

4.1 *What is the purpose of this chapter?* This chapter provides specific direction and guidance on managing public use in wilderness. You can find additional guidance for general public use management in Appropriate Uses 603 FW 1 and Priority Wildlife-Dependent Recreation 605 FW 1.

4.2 *To what does this chapter apply?* This chapter applies to Congressionally designated wilderness. Where this management guidance conflicts with provisions of legislation establishing wilderness on refuges, (including the Alaska National Interest Lands Conservation Act (ANILCA) in Alaska), the provisions of the legislation establishing wilderness take precedence. (See Exhibit 1; National Wildlife Refuge System Designated Wilderness Areas).

4.3 *What are the authorities that directly affect wilderness management on our lands?* Our authorities to manage wilderness, or those which may affect wilderness management, are contained in 610 FW 1.3.

4.4 *What are our general public use guidelines for wilderness?* We will provide opportunities for compatible use and enjoyment of wilderness areas in a manner that will preserve their wilderness character and that will ''leave them unimpaired for future use and enjoyment as wilderness'' [The Wilderness Act: Sec 2 (a)]. We may prescribe appropriate conditions or restrictions upon any authorized activity as necessary to preserve wilderness resources and character.

A. We will emphasize providing ''opportunities for solitude or a primitive and unconfined type of recreation'' [The Wilderness Act: Sec. 2 (c)]. Visitors whose experience depends on wilderness conditions have the fewest number of settings to accommodate their use, while those whose use is not dependent on wilderness conditions have a greater range of alternatives. Where use conflicts occur, or when we must limit the number of visitors, we will give preference to those uses most dependent on wilderness conditions. Uses that are both wildlife and wilderness-dependent will receive highest priority.

B. Priority for public uses on wilderness portions of a refuge are:

(1) Compatible, wildlife-dependent recreation (hunting, fishing, wildlife observation and photography, and environmental education and interpretation) practiced so as to preserve wilderness character; and

(2) Other compatible and appropriate, wilderness-dependent recreation.

4.5 *What are appropriate recreational uses in wilderness?* Where compatible, the priority public uses of the System (hunting, fishing, wildlife observation and photography, and environmental education and interpretation) are appropriate in refuge wilderness. In refuge wilderness, these uses are nonmotorized activities which involve no mechanical transport.

A. Other forms of wilderness-dependent recreational activities, such as hiking, canoeing, or crosscountry skiing, allow visitors to experience and observe wildlife and its habitat in a wilderness context. These activities provide opportunities to experience the physical, psychological, symbolic, and spiritual values of wilderness under conditions that include risk and challenge that rewards self-reliance and a spirit of exploration with discovery and adventure. Such wilderness-dependent recreation may be appropriate in refuge wildernesses when we determine it to be compatible with the refuge purposes and when it does not conflict with the priority public uses of the System or other policies for managing public uses of the System.

4.6 *What activities have we identified to prohibit or otherwise specifically regulate in wilderness areas?* A. The Wilderness Act defines prohibited uses in Sec. 4. (c).

B. Extreme and Thrill Sports. We prohibit the various forms of hang gliding and other recently developed thrill-oriented activities that do not depend on a wilderness setting.

C. Grazing Packstock. We may authorize noncommercial grazing of trail stock incidental to recreational use of wilderness in accordance with the conditions, outlined in the Wilderness Management Plan (WMP), that ensure protection of wilderness resources such as requiring that ''weed free and weed-seed free'' supplemental feed accompany all overnight use of pack animals, or prohibiting certain types of feed which could introduce invasive species.

D. Competitive Events. We prohibit competitive events that are not consistent with wilderness character, that may intrude on solitude, or are not dependent on a wilderness setting. Prohibited events include animal, foot, or watercraft races, endurance contests, competitive trail rides, organized survival exercises, and war games. We may make exceptions for preexisting and historically significant events, like the Iditarod sled dog race in Alaska, as long they do not degrade wilderness resources.

E. Flightseeing. Aerial sightseeing, aerial wildlife viewing, and aerial photography (collectively referred to as ''flightseeing'') are activities at variance with the purpose of wilderness and often result in unacceptable wildlife disturbance. Although we lack jurisdiction over airspace, we will not encourage flightseeing and will work with the Federal Aviation Administration to encourage pilots to conduct overflights above 2,000 feet (600 m) above ground level. We will enforce provisions of the Airborne Hunting Act that prohibit harassment of wildlife by aircraft. Wilderness administrators should monitor and document low-level aircraft activity.

F. Other Public Uses. We will manage other public uses not specifically mentioned above in accordance with Service wilderness, compatibility, appropriate refuge uses and wildlife-dependent recreation policies and the National Wildlife Refuge System Administration Act, as amended. In Alaska, ANILCA covers subsistence use, and we address it in 610 FW 2.17.

G. Alaska. In Alaska, the public may continue to use previously existing public use cabins. We may construct, maintain, or replace public use cabins subject to restrictions necessary to preserve the area's wilderness character. ANILCA Section 1315(d) requires the Secretary to notify the House and the Senate authorizing committees of our intention to remove an existing or construct a new public use cabin or shelter in wilderness.

(1) The use of temporary campsites, tent platforms, shelters, other temporary facilities and equipment directly related to the taking of fish and wildlife may continue. We must construct new facilities of materials that blend and are compatible with the surrounding landscape. However, ANILCA Section 1316(b) provides that we may, after adequate notice, deny establishment and use of new facilities for these activities if we determine them to be a significant expansion of existing facilities or uses which would be detrimental to the unit's purposes, including wilderness values.

4.7 *How can we best preserve a quality wilderness experience and the wilderness itself?* We should maximize the visitor's autonomy and isolation from the influences of the mechanized and settled outside world. Management actions, necessary facilities, and on-site presence shall be as unobtrusive and subtle as possible, consistent with the overriding criteria of maintaining wilderness condition and character. We generally prefer information and education over direct management approaches such as regimentation and regulation. However, permit systems, group size limitations, and other rules may be necessary to ensure protection of both the wilderness experience and wilderness resource. The WMP will evaluate the fragility of wilderness resources, estimate expected visitation and potential impacts, establish monitoring methods, describe desired conditions, and provide indicators that will trigger action to prevent impacts. For instance, the refuge should identify specific areas essential to wildlife species sensitive to human disturbances and initiate visitor-use controls in critical areas or during critical periods of the year when necessary.

4.8 *How should we manage for solitude?* We should strive to minimize the presence of modern artifacts of civilization, such as signs, bridges, facilities, and technology; large groups; and conflicting uses that tend to interfere with one's free and independent response to nature. We should employ survey methods to evaluate visitor experiences related to solitude and correct deficiencies where we have ability to improve that experience.

4.9 *How do we manage for visitor safety in wilderness?* The wilderness visitor has an increased responsibility for their own safety in wilderness areas. Where the wild has not been taken out of the wilderness, there are risks. We will not modify wilderness areas to eliminate risks normally associated with wilderness travel. We should provide visitors general information about the unpredictable nature of risks inherent in wilderness, including potential dangers related to isolation, terrain, water, wildlife, and weather. We should provide site-specific information with caution to avoid the implication that we have identified all potential hazards. Information on risks and recommended precautions will emphasize that safety is the visitor's responsibility and that the freedom, independence, and self-reliance of the wilderness experience requires proper mental, physical, and material preparation. We must remain prepared to respond appropriately to emergencies related to public safety, including conducting or assisting State or local agencies with search and rescue functions. However, we must not convey the impression that assistance is readily available in all situations.

4.10 *How do we inform and educate the public about wilderness?* Each refuge containing a wilderness area should develop an information and education program designed to increase awareness and appreciation of the full spectrum of wilderness values, without stimulating unacceptable demand for use. The program should focus on providing information that enhances the experience, describes the limitations of wilderness to accommodate use, encourages visitors to practice Leave-No-Trace (LNT) techniques, properly prepares potential visitors for wilderness challenges, and generally stimulates cultivation of a personal ethic based on a willingness to exercise self-restraint in the interest of other users and future generations. Implementation of thoughtful information materials and interpretive programs can be the most effective tool for protecting the wilderness. Where appropriate, we also should produce brochures and other interpretive and information materials for the non-visiting public who may want to learn about wilderness and simply finds pleasure in just knowing that it is there. Development of information and educational materials should be guided by the *Primary Interpretive Themes for Wilderness Education* adopted by the Service (Exhibit 7 Interpretive Themes), FWS Publications Guidelines, Environmental Education Policy (605 FW 6), and Interpretation Policy (605 FW 7). Wilderness education curriculum materials are available through the Arthur Carhart National Wilderness Training Center; and Leave No Trace (LNT) curriculum materials, skills and ethics guides, and training are available through LNT, Inc. We strongly influence public education and wilderness ethic formation by the way we conduct our business in the wilderness. We must always be aware of the message our activities convey about appropriate wilderness behavior, norms, and attitudes.

4.11 *How do we implement the Leave No Trace program?* A. The LNT program promotes and inspires responsible outdoor recreation through education, research, and partnerships. LNT, Inc., a nonprofit organization, manages the program. The National Outdoor Leadership School (NOLS) maintains the educational component of LNT. The four Federal wilderness management agencies have adopted the LNT program through a Memorandum of Understanding (Exhibit 6, LNT Memorandum of Understanding) as our standard regarding minimum impact practices for both the public and ourselves.

B. We apply LNT principles and practices to all forms of recreation management within wilderness, including commercial operations. As an educational program, the LNT program offers managers a tool for dealing with issues and impacts. We should limit interpretation of wilderness to off-site locations, except as needed to protect visitor health and safety or to protect the wilderness resource. However, we may conduct educational programs, such as LNT training or interpretative walks, inside the wilderness area when deemed appropriate to help foster a better understanding and appreciation of wilderness. Such programs should remain sensitive to the wilderness resource, wilderness character, and the experience of other users.

4.12 *How do we monitor public use in wilderness?* A. We will monitor those conditions and long-term trends of wilderness resources that are necessary to identify the effects of both public activities and management actions and the need for corrective actions. We will monitor to ensure that our actions and visitor impacts on wilderness resources and character do not exceed standards and conditions established in an approved WMP. As appropriate, wilderness monitoring programs may assess physical, biological, and cultural resources, social/psychological conditions, and wilderness user demographics. Monitoring programs may also need to assess the effect of actions that originate outside the wilderness in order to determine the nature, magnitude, and probable source of those impacts.

B. Limits of Acceptable Change (LAC) is one framework designed for establishing indicators, standards, and desired conditions. While we commonly use LAC to manage recreational use of wilderness, the concept applies to any factor that can influence or change desired conditions, including fire, grazing, mining, or impacts on air quality. [See Hendee, Stankey, and Lucas (1990) in Exhibit 8 References.] We discuss other means of monitoring visitor impacts in Priority Wildlife Dependent Recreation 605 FW 1–7 and will describe them in the refuge's approved CCP, WMP, or Public Use Plan.

4.13 *Do we allow public use structures and facilities in wilderness?* We prohibit permanent structures and facilities in wilderness unless they are:

A. The minimum requirement necessary to administer the area for the purposes of the Wilderness Act and accomplish refuge purposes;

B. Essential to protect the health and safety of visitors; or

C. Listed or eligible for listing in the National Register of Historic Places [See 610 FW 3.7C].

D. Bridges. We will select bridge locations to minimize their size and complexity. We must construct them of native or native-appearing materials that blend with the environment. We must also construct them according to our construction standards and maintain them for safety.

E. Campsites. Campsites may include a site marker, fire rings, tent sites, animal-resistant food-storage devices and primitive toilets when we need these facilities to protect wilderness resources or human health and safety. We may provide bear-resistant food containers in locations where bear encounters are likely. We place toilets only in locations where their presence will resolve health and sanitation problems or prevent serious resource impacts, especially where reducing or dispersing visitor use is impractical or has failed to alleviate the problem. We encourage the use of cooking stoves. We do not provide picnic tables in wilderness. We will consult the LNT Outdoor Skill and Ethics Guide appropriate for each wilderness habitat to determine the best campfire policy. If we allow campfires and the use of fuel wood from within the wilderness as authorized in a WMP, we will limit wood cutting to dead and down material.

F. Hunting and Photography Blinds. We may allow the use of simple screens made of dead and down natural material found in the locale, if the user dismantles them at the end of each use period. The user must carry in and out commercially built, artificial blinds. We prohibit permanent blinds.

G. Signs. We may use signs only if they meet the criteria listed above (4.13 A–C), to identify routes and distances. We will not use signs to mark streams, lakes, mountains, or other points of interest. Signs will be compatible with their surroundings and the minimum size. In waterways, signs will meet all Coast Guard or appropriate State requirements. We may also use signs to mark wilderness boundaries.

H. Trails and Trail Structure Maintenance. We should include an inventory of the wilderness trail system as an integral part of the wilderness management plan. We will maintain trails at levels and conditions identified within the plan. We will administer historic trails according to approved cultural resource plan requirements.

4.14 *How do we address special needs for persons with disabilities in wilderness?* A. Nothing in the Wilderness Act prohibits the use of a wheelchair in a wilderness area by an individual whose disability requires use of a wheelchair. No agency must provide any form of special treatment or accommodation, or construct any facilities or modify any conditions of lands within a wilderness area to facilitate such use. (Americans with Disabilities Act of 1990 (ADA): Section 507(c), 104 Stat. 327, 42 U.S.C. 12207).

B. The Service has legal obligations to make available equal opportunities for people with disabilities in all of our programs and activities. This requirement includes the opportunity to participate in wilderness experiences. Management decisions responding to requests for special consideration to provide for wilderness use by persons with disabilities must be in accord with the Architectural Barriers Act of 1968, the Rehabilitation Act of 1973 (amended in 1978) and Section 507(c) of the Americans with Disabilities Act of 1990. Such decisions should balance the intent of the access and wilderness laws and find a way to provide the highest level of access for the disabled with the lowest level of impact on the wilderness resource.

C. The Secretary of the Interior's regulations regarding ''Nondiscrimination in Federally Assisted Programs in the Department of the Interior'' (43 CFR part 17) require that the Service will operate all programs and activities so that they are accessible to and usable by persons with disabilities to the greatest extent practicable. However, 43 CFR 17.550 does not require agencies to take any actions or provide access that would result in a fundamental alteration in the nature of a program or activity. The agency subsequently has the burden of proving that compliance would result in a fundamental alteration.

D. While the Service is not required to provide any special treatment to provide access for persons with disabilities who use wheelchairs, managers should explore solutions for reasonable accommodations when not in conflict with the Wilderness Act (e.g., barrier-free trails, accessible campsites). Any facilities, built or altered, must meet current accessibility guidelines.

E. We allow wheelchairs in wilderness if they meet the definition in the ADA. The intent of this definition is that a wheelchair is a person's primary mode of locomotion, manual or electric, that is suitable for use in indoor pedestrian areas. This definition will also ensure that we reasonably accommodate persons using wheelchairs in wilderness without compromising the wilderness resource and its character.

F. A publication entitled ''Wilderness Access Decision Tool'' (available from the Arthur Carhart National Wilderness Training Center) provides further guidance in assisting managers in making appropriate, objective, and consistent decisions regarding the use of wilderness areas by persons with disabilities.

Fish and Wildlife Service

Wilderness Stewardship

Part 610

Chapter 5 Fire Management

610 FW 5.1

5.1 *What is the purpose of this chapter?* This Chapter establishes policy for fire management in wilderness areas.

5.2 *To what does this chapter apply?* This chapter applies to Congressionally designated wilderness. Where this management guidance conflicts with provisions of legislation establishing wilderness on refuges, (including the Alaska National Interest Lands Conservation Act (ANILCA) in Alaska), the provisions of the legislation establishing wilderness take precedence. (See Exhibit 1; National Wildlife Refuge System Designated Wilderness Areas).

5.3 *What are the authorities that directly affect wilderness management on our lands?* Our authorities to manage wilderness, or those which may affect wilderness management, are contained in 610 FW 1.3.

5.4 *What is our general policy for managing wilderness fires?* All fires on our wildlands, including wilderness areas, are either wildland or prescribed fires. Wildland fires and their effects are inherent parts of the ecological and evolutionary processes of wilderness. We will not interfere with the wilderness ecosystem's recovery response to these effects. We manage prescribed and wildland fires to achieve wilderness objectives included in an approved Fire Management Plan (FMP). We will appropriately respond to all wildland fires in accordance with the minimum requirement concept (610 FW 2). We must identify and address wilderness character and values to be protected, desired fire regime, and specific fire management considerations in the Wilderness Management Plan.

A. Firefighter and public safety is always the first priority on all wildland fire operations. The Manual chapter on

Fire Management (621 FW 1–3) contains specific guidance on fire management policy, fire management plans, and prescribed burning. The chapter on Emergency Operations (095 FW 3) contains policy on wildland fire suppression. The Fire Management Handbook contains detailed guidance on FMP development.

B. We will conduct fire management planning, preparedness, wildland and prescribed fire operations, monitoring, and research on an interagency basis with the involvement of all partners.

5.5 *How do we manage wildland fire?* A. The principal wildland fire use objective in wilderness is to allow fire to play its natural role in the ecosystem. We may use wildland fire to achieve resource objectives as long as we include prescriptive criteria for wildland fire use in an approved FMP.

B. If we decide to suppress the fire, we determine the appropriate management response by selecting the least-cost options for suppression that also preserve the wilderness character and values. Firefighter safety and the minimum requirement concept will be the guiding factors in determining the appropriate suppression response and strategy. We will identify the appropriate minimum impact suppression standards in the FMP and develop them in conjunction with the fire management officer.

5.6 *How do we manage prescribed fire?* A. We may use prescribed fire within the wilderness area to fulfill unit purposes and the System mission and goals where fire is a natural part of the ecosystem only if it:

(1) Corrects or alleviates adverse impacts to the wilderness character and ecological integrity caused by human influence; or

(2) Is necessary to protect or recover a threatened or endangered species; and

(3) Is supported by a minimum requirements analysis.

B. We must include prescribed fire use within the wilderness in an approved FMP, and we must develop a Prescribed Fire Plan for any prescribed fire. We will append the FMP to the Wilderness Management Plan.

C. We should plan prescribed fire to minimize impacts on visibility during periods of heavy visitor use as well as to avoid adverse effects on other air-quality-related values.

Fish and Wildlife Service

Wilderness Stewardship

Part 610

Chapter 6 Wilderness Management Planning

610 FW 6.1

6.1 *What is the purpose of this chapter?* This chapter provides guidance on developing Wilderness Management Plans.

6.2 *To what does this chapter apply?* This chapter applies to Congressionally designated wilderness. Where this management guidance conflicts with provisions of legislation establishing wilderness on refuges, (including the Alaska National Interest Lands Conservation Act (ANILCA) in Alaska), the provisions of the legislation establishing wilderness take precedence. (See Exhibit 1; National Wildlife Refuge System Designated Wilderness Areas).

6.3 *What are the authorities that directly affect wilderness management on our lands?* Our authorities to manage wilderness, or those which may affect wilderness management, are contained in 610 FW 1.3.

6.4 *What is a Wilderness Management Plan (WMP)?* The WMP guides the preservation, management, and use of a particular designated wilderness. The WMP describes goals, objectives, and management strategies for the wilderness area based on the refuge or unit's purpose(s), System mission, and wilderness management principles. It contains specific, measurable management objectives that address the preservation of wilderness-dependent cultural and natural resource values and conditions. The WMP must clearly show the strategies and actions we will use and implement to preserve the wilderness resource, and the linkage between those strategies and actions and the wilderness objectives. It also contains indicators, standards, conditions, or thresholds that define adverse impacts on the wilderness character and values and will trigger management actions to reduce or prevent them. We will develop WMPs in coordination with State wildlife agencies and with public involvement.

6.5 *How does the WMP relate to the Comprehensive Conservation Plan (CCP)?* The WMP is a form of step-down management plan (602 FW 1.6 and 602 FW 4). The WMP provides detailed strategies and implementation schedules for meeting the broader wilderness goals and objectives identified in the CCP. WMPs are developed following the planning process guidance in 602 FW 1 and 602 FW 3 (602 FW 4).

6.6 *Does every wilderness area need a WMP?* We will describe the management direction for each designated wilderness either in a WMP or as part of a CCP (602 FW 3). We should address each wilderness as a separate management area.

6.7 *What should a WMP contain?* The WMP should include, at a minimum (see Exhibit 9 for further guidance):

A. Management direction in accordance with the refuge purposes, the Wilderness Act of 1964, specific wilderness-establishing legislation, System mission, and ANILCA, as applicable.

B. Goals and objectives for the wilderness area and their relationship to the refuge's purposes and objectives, and System mission, goals, and objectives. We derive wilderness objectives from applicable laws, including the Wilderness Act, legislation establishing the wilderness, purpose(s) for which the unit was established, applicable Service goals, and continental, national, and regional plans.

C. A description of the current or baseline situation of the wilderness resource, including a description of the wilderness area, natural conditions, management activities, existing facilities, and public use levels and activities. The plan also establishes indicators of change in resource conditions; standards for measuring that change; and desired conditions, or thresholds, that will trigger management actions to reduce or prevent impacts on the wilderness. Limits of Acceptable Change (LAC) is one framework designed for establishing indicators, standards, and desired conditions. While LAC commonly is used to manage recreational use of wilderness, the concept applies to any factor that can influence or change desired conditions, including fire, livestock grazing, mining, or impacts on air quality and related values. (See Hendee, Stankey, and Lucas (1990) in Exhibit 8 References).

D. A description of management actions (administrative, natural and cultural resources, public recreation, and interpretation and education) and a schedule of implementation, including funding and staff required to adequately administer the area. The implementation schedule will include a list of specific actions needed to accomplish WMP objectives, general prioritization of the action items, and target dates for completion.

E. Research needs and monitoring requirements to determine whether we are meeting our wilderness management objectives.

F. Procedures for determining and documenting the minimum requirement for administrative actions we will take in wilderness that might require a generally prohibited use and all minimum requirement analyses.

G. Descriptions of how we are to administer valid existing rights and congressionally authorized uses to provide protection to wilderness values.

H. An explanation of how we will coordinate, as much as possible, with adjoining wilderness units so that visitors traveling from one wilderness to another can do so with minimal impediments. Examples include the criteria for issuance of permits, riding and packstock use programs, and group and party sizes.

I. A legal description and map depicting the legal description.

J. An approval page signed by the Regional Director.

6.8 *How will we involve the public in wilderness management planning?* We will provide opportunities for meaningful public involvement as we develop management guidance for our wilderness areas. Public involvement is required in preparation of both CCPs and step-down management plans (602 FW 3 and 602 FW 4.2). Public involvement is also a requirement of the procedural provisions of the National Environmental Policy Act (NEPA). We will develop a public involvement plan to identify the most appropriate means and methods to ensure meaningful public involvement in wilderness management planning. Methods may vary depending on the particular situation (see 110 FW 1, Public Participation).

6.9 *How will we manage wilderness areas without an approved WMP?* During WMP development, the wilderness management policy (610 FW 1–7) and the refuge CCP will guide the conduct of day-to-day activities.

6.10 *May we implement a WMP completed prior to development of the refuge CCP?* We may implement an individual WMP completed prior to the development of the unit's CCP if the WMP:

A. Is current and approved; and

B. Was prepared in accordance with the NEPA process including appropriate public involvement.

6.11 *How frequently should we revise WMPs?* We review the WMP during routine unit programmatic evaluations. We will review and revise WMPs (if necessary) by the refuge staff concurrently with the CCP at least every 15 years, but we should review them every 5 years. We revise WMPs when significant changes to assumptions and conditions warrant it, including natural catastrophes, legal requirements, or environmental conditions. Revision of wilderness management direction requires appropriate public involvement and conformance with NEPA.

6.12 *How do we develop WMPs if our wilderness adjoins wilderness of another Federal agency?* When a Service wilderness area adjoins lands administered by another Federal agency, we coordinate the wilderness area management planning, including public involvement, with the neighboring agency. We develop joint management plans with all involved agencies, if at all possible.

Fish and Wildlife Service

Wilderness Stewardship

Part 610

Chapter 7 Wilderness Review and Evaluation

610 FW 7.1

7.1 *What is the purpose of this chapter?* This chapter establishes policy for conducting wilderness reviews nationwide. It also establishes policy for managing Wilderness Study Areas (WSAs).

7.2 *To what does this chapter apply?* This chapter applies to all lands of the National Wildlife Refuge System (System) that are subject to wilderness review and not currently designated wilderness. If any provisions in this policy conflict with the provisions of Alaska National Interest Lands Conservation Act (ANILCA), the provisions of ANILCA will prevail for refuges in Alaska.

7.3 *What are the authorities that directly affect wilderness reviews and management of WSAs on our lands?* We review lands for wilderness suitability and manage WSAs consistent with the authorities listed in 602 FW 1.3.

7.4 *What is a wilderness review?* We conduct wilderness reviews in accordance with the Comprehensive Planning Process (CCP) outlined in 602 FW 3. The wilderness review process is conducted in three phases: inventory, study, and recommendation. We identify lands and waters that meet the minimum criteria for wilderness in the inventory phase of the review. We evaluate the resulting WSAs in the study to determine if they merit recommendation from the Director to the Secretary for inclusion in the National Wilderness Preservation System.

7.5 *When should we conduct a wilderness review?* Consistent with the planning guidance, we may conduct a wilderness review any time that significant new information becomes available or when we identify the need to do so. At a minimum, we will conduct wilderness reviews every 15 years through the CCP process. We generally conduct wilderness reviews within 2 years of acquiring acreage (for a new refuge or an expansion) that may qualify as wilderness. A review would be appropriate when we have restored significant acreage to its natural conditions sufficiently that it meets the definition of wilderness. In addition, Congress may direct the study of specific areas and provide other guidance on wilderness evaluations through legislation.

7.6 *How do wilderness reviews relate to acquisition planning?* When we inventory lands and resources of a proposed new refuge or expansion area during the land acquisition planning process and identify management problems, needs, and opportunities, we will also include a preliminary inventory of the wilderness resource (see 602 FW 1.7.C). We discuss potentially suitable areas in the Land Protection Plan and associated NEPA document.

7.7 *Can we conduct a wilderness review outside of the scheduled Comprehensive Conservation Planning or acquisition planning processes?* Yes. At any time before or after we have developed a CCP, if additional information becomes available, if we have acquired additional lands, or if restoration activities have significantly modified System lands, we may conduct a wilderness review. The review will be conducted following the process described in 602 FW 3 including public involvement and NEPA compliance. Existing CCPs should be revised or amended to incorporate the results of wilderness reviews [602 FW 3.4 C (8)].

7.8 *How do we identify WSAs in the wilderness inventory?* We inventory System lands and waters to identify areas that meet the definition of wilderness as defined in Section 2(c) of the Wilderness Act.

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 untrammeled 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.''

Areas that meet the above criteria are identified as WSAs.

7.9 *How do we evaluate the size criteria for wilderness?* Determine if the area ''* * * 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''. The Wilderness Act does not specify a minimum size for roadless islands. The size criteria will be satisfied for areas under Service jurisdiction in the following situations:

A. An area with over 5,000 contiguous acres (2,000 ha). State and private land inholdings are not included in making this acreage determination.

B. A roadless island of any size. Refer to 610 FW 1.6 for a definition of roadless island.

C. An area of less than 5,000 contiguous acres that is of sufficient size as to make practicable its preservation and use in an unimpaired condition, and of a size suitable for wilderness management.

D. An area of less than 5,000 contiguous acres that is contiguous with a designated wilderness, recommended wilderness, or area of other Federal lands under wilderness review by the U.S. Forest Service (USFS), Bureau of Land Management (BLM), or National Park Service (NPS).

7.10 *How do we evaluate the naturalness criteria for wilderness?* Determine if the area or island '' * * * generally appears to have been affected primarily by the forces of nature with the imprint of man's work substantially unnoticeable.'' To make this determination, it must be possible to observe the area as being generally natural. It must appear to have been affected primarily by the forces of nature, and people's work must be substantially unnoticeable. It must retain its ''primeval character.''

A. We make a distinction between an area's ''apparent naturalness'' and ''natural conditions'' in the context of our ecological integrity policy. Natural conditions refers to the presence or absence of ecosystems that existed prior to European settlement and the advent of the industrial era. Apparent naturalness refers to whether or not an area looks natural to the average visitor who is not familiar with natural conditions versus human-affected ecosystems in a given area. The presence or absence of apparent naturalness (i.e., do the works of humans appear to be substantially unnoticeable to the average visitor?) is the question to be addressed in the inventory phase of the wilderness review. An assessment of an area's existing levels of ecological integrity is an appropriate consideration in the study phase of the wilderness review.

B. We will avoid an overly pure approach to assessing naturalness. Congress did not intend to limit wilderness designation to only those areas judged pristine. Land that was once logged, used for agriculture, or otherwise significantly altered by humans may be eligible for wilderness designation if it has been restored, or is in the process of being restored, to a substantially natural appearance.

C. We will use caution in assessing the effects on naturalness that relatively minor human impacts create. An area may include some human impacts provided they are substantially unnoticeable in the unit as a whole. The presence of the following types of impacts in an area being inventoried for wilderness character should not result in a conclusion that the entire area lacks naturalness. Examples of man-made features that would not disqualify an area for consideration as a WSA include: trails, trail signs, bridges, fire towers, fire breaks, fire presuppression facilities, pit toilets, fisheries enhancement facilities (such as fish traps and stream barriers), fire rings, hitching posts, snow gauges, water quantity and quality measuring devices, research monitoring markers and devices, wildlife enhancement facilities, radio repeater sites, air quality monitoring devices, fencing, spring developments, and small reservoirs.

D. Significant man-caused hazards, when considered unsafe for public use, such as the existence of unexploded bombs and shells from military activity or contaminated sites would probably disqualify the affected portions of an area from consideration pending completion of remediation and restoration activities.

E. We will not disqualify areas from further wilderness study solely on the basis of the ''sights and sounds'' of civilization located outside the areas. Human impacts outside the area being inventoried will not normally be considered in assessing naturalness. However, if an outside impact of major significance exists, it should be noted and evaluated in the inventory conclusions. Human impacts outside the area should not automatically lead to a conclusion that an area lacks wilderness characteristics.

F. We will not disqualify areas from further wilderness study solely on the basis of established or proposed management practices that require the use of temporary roads, motor vehicles, motorized equipment, motorboats, mechanical transport, landing of aircraft, structures, and installations generally prohibited in designated wilderness (see definition of ''generally prohibited use'' in 610 FW1.6). The physical impacts of these practices should be the focus of the naturalness evaluation. Administrative and management needs are appropriate for consideration in the study phase of the wilderness review.

7.11 *How do we evaluate outstanding opportunities for solitude or a primitive and unconfined type of recreation?* The word ''or'' in this sentence means that an area only has to possess one or the other. It does not have to possess outstanding opportunities for both elements and does not need to have outstanding opportunities on every acre. There must be outstanding opportunities somewhere in the unit.

A. The Wilderness Act does not specify what was intended by ''solitude or a primitive and unconfined type of recreation.'' In most cases, the two opportunities could be expected to go hand-in-hand. However, the outstanding opportunity for solitude may be present in an area offering only limited primitive recreation potential. Conversely, an area may be so attractive for recreation use that it would be difficult to maintain opportunity for solitude (e.g. around water).

B. We will assess each inventory area on its own merits as to whether an outstanding opportunity exists; there must be no comparison among areas. It is not permissible to use any type of rating system or scale—whether numerical, alphabetical, or qualitative (i.e., high-medium-low)—in making the assessment.

C. When an area is contiguous to designated wilderness, recommended wilderness, or an area of other Federal lands (*i.e.* USFS, BLM, or NPS) already determined to have wilderness character, no additional evaluation of outstanding opportunities is required.

7.12 *Must an area contain ecological, geological, or other features of scientific, educational, scenic, or historic value to qualify as a WSA?* These values are not required for wilderness but their presence should be documented where they exist.

7.13 *What do we consider in the wilderness study?* We study each WSA identified in the inventory to analyze all values (*e.g.,* ecological, recreational, cultural, economic, symbolic); resources (*e.g.,* wildlife, water, vegetation, minerals, soils); public uses; and management within the area. We conduct wilderness studies following the procedures outlined in the refuge planning policy (602 FW 3). These procedures ensure public involvement and compliance with NEPA.

A. An All Wilderness Alternative and a No Wilderness Alternative will be evaluated for each WSA. Partial Wilderness Alternatives may be developed to minimize resource conflicts or improve the capability of managing the area as wilderness. The environmental analysis will address benefits and impacts to wilderness values and other resources under each of the alternatives. The study will evaluate how each alternative will achieve the goals of the NWPS. The study will also evaluate how each alternative will affect achieving refuge or planning unit purpose(s); help fulfill the System mission; maintain and, where appropriate, restore the ecological integrity of each refuge and the System; and meet other mandates.

B. The findings of the study determine whether we will recommend the area for designation as wilderness. The information, analysis, and decisions in the CCP provide the basis for wilderness proposals. The Director must concur with wilderness study conclusions prior to publication of the draft CCP/environmental impact statement (EIS). The study provides data so that we can defend our conclusions, and serves as the basic source of information throughout the public, executive, and legislative review processes that follow.

C. When the findings of the wilderness study result in a proposal for wilderness recommendation, we will give public notice of the proposal; hold a public hearing; and advise the Governor of the State, the governing board of each county or borough, and interested Federal departments and agencies of our intent and invite comment.

7.14 *What are the steps in the recommendation phase of the wilderness review?* The Regional Director must notify the Director of the Region's recommendations on WSAs proposed for wilderness designation. A Wilderness Study Report must be submitted that summarizes the results of the study and wilderness recommendation. The Director will review the Wilderness Study Report and make the final Service recommendation to the Secretary.

7.15 *What should we include in the Wilderness Study Report?* The study report contains the following information:

A. The Regional Director's wilderness recommendation and rationale;

B. A general description and background history of the area;

C. An analysis of the area's values, resources, and uses;

D. Evidence of public notice of the proposal, including publication in the **Federal Register**, and notices in local newspapers;

E. Evidence that we notified the governor and other concerned officials (*e.g.,* State, local government, and tribal) at least 30 days before holding public hearings;

F. Summary and analysis of comments received plus the public hearing record;

G. Evidence of direct notification and request for comments from the State Historic Preservation Officer regarding the presence or absence of significant cultural resources;

H. A legal description and map showing the proposed wilderness boundary; and

I. An EIS.

7.16 *What additional documents do we need for Secretarial approval of the wilderness recommendation?* The Regional Director will transmit the following additional documentation in support of the Region's wilderness recommendation to the Director for review, in preparation of the Director's recommendation to the Secretary:

A. A draft letter from the Director to the Secretary;

B. A draft letter from the Secretary to the President;

C. A draft letter from the President to the House and Senate;

D. Draft legislative language;

E. A copy of the unit's CCP and final EIS; and

F. A communication strategy and implementation plan.

7.17 *What is the general policy for managing WSAs?* A. We will manage WSAs to maintain their wilderness character to the extent that it will not preclude fulfilling and carrying out refuge purposes and the System mission. Once an area is identified as a WSA, protection will consist of a case-by-case review of any proposed or new site-specific projects, administrative actions, or uses within the WSA. The review will include a minimum requirement analysis and NEPA compliance to assess potential impacts and identify mitigating measures to protect wilderness character. The analysis must consider the entire WSA, not just the specific project area.

B. When we determine that a proposed discretionary action could cause irreversible or irretrievable impacts to the wilderness resource, we will postpone the action pending completion of the wilderness study unless the proposed action is part of an existing management plan and the Regional Director makes a written determination that the action is integral to accomplishing the purposes of the refuge.

C. Other than those activities that exist when an area is identified as a WSA, activities that we will allow are generally temporary uses that create no new surface disturbance and do not involve placement of permanent structures. Valid existing rights must be recognized.

7.18 *What is our general policy for managing proposed wilderness?* Proposed wilderness has undergone a complete wilderness review process and full environmental compliance. We will therefore manage proposed wilderness consistent with guidance provided in the preceding chapters (610 FW 1–6) to the extent that it will not preclude fulfilling and carrying out refuge purposes and the System mission. We will describe the management direction for each proposed wilderness either as part of the CCP (602 FW 3) or in a WMP. The WMP is a form of step-down management plan (602 FW 1.6 and 602 FW 4) that provides detailed strategies and implementation schedules for meeting the broader wilderness goals and objectives identified in the CCP. WMPs are developed following the planning process guidance in 602 FW 1 and 602 FW 3 (602 FW 4). We will not abrogate Congress's prerogative for designating wilderness, so we will preserve the wilderness character of proposed wilderness until Congress takes action.

Exhibit 1.—U.S. Fish and Wildlife Service, National Wildlife Refuge (NWR) System

DESIGNATED WILDERNESS AREAS

Refuge name	Wilderness area name	Class I air quality	Public law	Wilderness acres
Alaska:				
Alaska Maritime NWR	Aleutian Islands		96–487	1,300,000
Alaska Maritime NWR	Bering Sea	Yes	91–504	81,340
Alaska Maritime NWR	Bogoslof		91–504	175
Alaska Maritime NWR	Chamisso		93–632	455
Alaska Maritime NWR	Forrester Island		91–504	2,832
Alaska Maritime NWR	Hazy Island		91–504	32
Alaska Maritime NWR	Semidi		96–487	250,000
Alaska Maritime NWR	Simeonof	Yes	94–557	25,855
Alaska Maritime NWR	St. Lazaria		91–504	65
Alaska Maritime NWR	Tuxedni	Yes	91–504	5,566
Alaska Maritime NWR	Unimak		96–487	910,000
Arctic	Mollie Beattie		96–487	8,000,000
			104–167	
Becharof	Becharof		96–487	400,000
Innoko	Innoko		96–487	1,240,000
Izembek	Izembek		96–487	307,982
Kenai	Kenai		96–487	1,350,558
			104–333	
Koyukuk	Koyukuk		96–487	400,000
Selawik	Selawik		96–487	240,000
Togiak	Togiak		96–487	2,270,160
Yukon Delta	Andreafsky		96–487	1,300,000
Yukon Delta	Nunivak		96–487	600,000
Arizona:				
Cabeza Prieta	Cabeza Prieta		101–628	803,418
Havasu	Havasu		101–628	14,606
Imperial	Imperial		101–628	9,220
Kofa	Kofa		101–628	516,200
Arkansas: Big Lake	Big Lake		94–557	2,144
California:				
Farallon	Farallon		93–550	141
Havasu	Havasu		103–433	3,195
Imperial	Imperial		103–433	5,836
Colorado: Leadville Fish Hatchery	Mount Massive		96–560	2,560
Florida:				
Cedar Keys	Cedar Keys		92–364	379
Chassahowitzka NWR	Chassahowitzka	Yes	94–557	23,579
Great White Heron	Florida Keys		93–632	1,900
Island Bay	Island Bay		91–504	20
J.N. ''Ding'' Darling	J.N. ''Ding'' Darling		94–557	2,619
Key West	Florida Keys		93–632	2,019
Lake Woodruff	Lake Woodruff		94–557	1,066
National Key Deer	Florida Keys		93–632	2,278
Passage Key	Passage Key		91–504	36
Pelican Island	Pelican Island		91–504	6
St. Marks NWR	St. Marks	Yes	93–632	17,350
Georgia:				
Blackbeard Island	Blackbeard Island		93–632	3,000
Okefenokee NWR	Okefenokee	Yes	93–429	353,981
Wolf Island	Wolf Island	Yes	93–632	5,126
Illinois: Crab Orchard	Crab Orchard		94–557	4,050
Louisiana:				
Breton NWR	Breton	Yes	93–632	5,000
Lacassine	Lacassine		94–557	3,346
Maine:				
Moosehorn NWR	Baring Unit	Yes	93–632	4,680
Moosehorn NWR	Birch Islands Unit		91–504	6
Moosehorn NWR	Edmunds Unit		91–504	2,706
Massachusetts: Monomoy	Monomoy		91–504	2,420
Michigan:				
Huron	Huron		91–504	148
Michigan Islands	Michigan Islands		91–504	12
Seney NWR	Seney	Yes	91–504	25,150
Minnesota:				
Agassiz	Agassiz		94–557	4,000
Tamarac	Tamarac		94–557	2,180
Missouri: Mingo NWR	Mingo	Yes	94–557	7,730
Montana:				
Medicine Lake NWR	Medicine Lake	Yes	94–557	11,366
Red Rock Lakes NWR	Red Rock Lakes	Yes	94–557	32,350

DESIGNATED WILDERNESS AREAS—Continued

Refuge name	Wilderness area name	Class I air quality	Public law	Wilderness acres
UL Bend NWR	UL Bend	Yes	94–557	20,819
Nebraska: Fort Niobrara	Fort Niobrara		94–557	4,635
New Jersey:				
Edwin B. Forsythe NWR	Brigantine	Yes	93–632	6,681
Great Swamp	Great Swamp		90–532	3,660
New Mexico:				
Bitter Lake NWR	Salt Creek	Yes	91–504	9,621
Bosque del Apache NWR	Chupadera	Yes	93–632	5,289
Bosque del Apache NWR	Indian Well	Yes	93–632	5,139
Bosque del Apache NWR	Little San Pascual	Yes	93–632	19,859
North Carolina: Swanquarter	Swanquarter	Yes	94–557	8,785
North Dakota:				
Chase Lake	Chase Lake		93–632	4,155
Lostwood	Lostwood		93–632	5,577
Ohio: West Sister Island	West Sister Island		93–632	77
Oklahoma:				
Wichita Mountains	Charons Garden	Yes	91–504	5,723
Wichita Mountains NWR	North Mountain		91–504	2,847
Oregon:				
Oregon Islands	Oregon Islands		91–504	21
Oregon Islands	Oregon Islands		95–450	459
Oregon Islands	Oregon Islands		104–333	445
Three Arch Rocks	Three Arch Rocks		91–504	15
South Carolina: Cape Romain NWR	Cape Romain	Yes	93–632	29,000
Washington:				
Copalis	Washington Islands		91–504	61
Flattery Rocks	Washington Islands		91–504	125
Quillayute Needles	Washington Islands		91–504	300
San Juan Islands	San Juan Islands		94–557	353
Wisconsin:				
Gravel Island	Wisconsin Islands		91–504	27
Green Bay	Wisconsin Islands		91–504	2
Total				20,694,517

Exhibit 2.—Wilderness Acreage Report

Reports Control Symbol R610–5

The Regional Wilderness Coordinator will send this report to the Chief, National Wildlife Refuge System, by October 1 of each year. The report will include:

a. The units with designated wilderness, proposed wilderness, or Wilderness Study Areas and the acreage for each;

b. The total number of Refuge and Wildlife, Ecological Services, and Fisheries staff that have attended wilderness training;

c. A list of refuge managers, Ecological Service project leaders, or Fisheries project leaders at units with designated or proposed wilderness, or significant wilderness responsibilities that have not attended wilderness training; and

d. The recommended schedule for employee wilderness training for the next fiscal year.

Exhibit 3.—Wilderness Character

* * * 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.* [emphasis added]—Section 4 (b), The Wilderness Act of 1964

Preserving ''Wilderness character,'' referenced throughout the Act and throughout this policy, is one of our criteria for judging the appropriateness of potential management actions, public uses, and technologies in Wilderness. Thus, we need to know what it is. We need a sense of how tangible and intangible attributes of a landscape converge to shape wilderness character, and how our actions may diminish or enhance this elusive, but definitive quality.

The natural, scenic condition of the land, natural numbers and interactions of wildlife, the integrity of ecological processes: these are all essential characteristics of the wilderness condition. But at its core, wilderness character, like personal character, is much more than a physical condition. This is what the ness of wilderness conveys—an aura or essence that connects the physical entity to deeper meanings it has come to embody.

The character of wilderness is an unseen presence capable of refocusing our perception of nature and our relationship to it. It is that quality that lifts our connection to a landscape from the utilitarian, commodity orientation that dominates the major part of our relationship with nature to the symbolic realm serving other human needs.

This transcendent function of wilderness character is recognized in the legislative history written by the Wilderness Act's chief author, Howard Zahniser:

We deeply need the humility to know ourselves as the dependent members of a great community of life, and this can indeed be one of the spiritual benefits of a wilderness experience. Without the gadgets, the inventions, the contrivances whereby men have seemed to establish among themselves an independence of nature, without these distractions, to know the wilderness is to know a profound humility, to recognize one's littleness, to sense dependence and interdependence, indebtedness, and responsibility.—The Need for Wilderness Areas, 1956

Like a cathedral or shrine or memorial to which it is so often compared, wilderness serves an ancestral impulse—found throughout time and across cultures—to set some places apart as the embodiment of an ideal. The wilderness ideal, as Zahniser so eloquently stated, is the need for places where we can know ourselves as part of something beyond our modern society and its creations, something more timeless and universal.

Wilderness character is not preserved by our compliance with wilderness legislation and regulation alone. It emerges from the circumstances we impose upon ourselves. It emerges from the decisions we make that test our commitment to our ideals. Does our choice represent a willingness to compromise for convenience and expediency? Or does it represent our willingness to stand tall in the

arena of controversy, the triumph of principle?

Every management decision against an action or technology that might degrade the wilderness condition serves to uphold and strengthen the character it is seen to have. Every decision to forgo actions, technologies, or conveniences that have no seeming physical impact but detract from our commitment to wilderness as a place set apart enhances wilderness and agency character more, because sacrifice for an ideal is the strongest gesture of respect.

The Wilderness Act provides guidance for such decisions. But beyond its listing of certain allowed and prohibited uses, much ambiguity remains. Like the stewards of the Saint Paul Cathedral, Arlington Cemetery, or the Viet Nam Memorial, we have few objective criteria, and no standard metric with which to quantify or evaluate actions that enhance or detract from the character of our nation's natural sacred places. This is the unique challenge of wilderness management, preserving what is unseen and unmeasurable.

But Zahniser's words suggest that chief among our criteria should be the purpose of the action, the spirit in which it is carried out, and the effect it will have on our way of thinking. Will the action reinforce the primacy of our uses and benefits, our convenience and expediency? Or will it serve to affirm our role as humble, respectful guests and servants of the landscape? As the criteria we choose shapes the character of wilderness, so it shapes our character as stewards.

Consider a proposed habitat modification. If its purpose is to aid the survival of an endangered species, the action is congruent with the character of wilderness. But the same action, intended to increase the population of a preferred game species, violates the idea of respect for natural processes. Similarly, use of a wheelchair by the disabled is within the spirit of wilderness use, while a mountain bike, at the same level of technology, is not.

Wallace Stegner called Wilderness America's ''geography of hope''—the hope for an undiminished future. Nowhere is this stewardship ideal expressed more visibly, nowhere is it made more apprehensible than in those remnant landscapes we allow to be wild and free. Free of our tendency to dominate and bend nature to our purposes. Thus free to inspire thinking outside the context of our uses, and beyond the boundary of our life and lifetime.

This convergence of vision and restraint is the source and symbolism of wilderness character. It is that essential being of the land which evokes what Zahniser described as the spiritual benefit of the wilderness experience. It is that quality that transcends physical boundaries to touch the millions who will never come, but who find inspiration and hope just in knowing some places are—and will always be—wild and free.

Exhibit 4.—Minimum Requirement Decision Guide

Note: Exhibit 4 is not printed in the **Federal Register**. It is available on the internet at *http://www.wilderness.net/carhart/docs/min req dec guide.PDF* and by written request to: National Wildlife Refuge System, U.S. Fish and Wildlife Service, 4401 North Fairfax Drive, Room 670, Arlington, Virginia 22003.

Exhibit 5.—Light and Noise Pollution

Protection of Dark Night Skies

Dark night skies, unpolluted by manmade light, are integral to the wilderness experience and allow visitors to fully appreciate the stars and planets. Dark night skies are essential to some wildlife. We will cooperate with neighbors and local government agencies to minimize the intrusion of artificial light in wilderness areas.

Noise Pollution

We will strive to preserve the natural quiet and the natural sounds associated with wilderness (for example, the sounds of the winds in the trees or the howl of a wolf). We should monitor activities causing excessive or unnecessary unnatural sounds in and adjacent to wilderness areas, including low-elevation aircraft overflights. We will take action to prevent or minimize unnatural sounds that adversely affect wilderness resources or values or visitors' enjoyment of them.

Exhibit 6.—Leave No Trace

Memorandum of Understanding

Note: Exhibit 6 is not printed in the **Federal Register**. It is available on the internet at *http://refuges.fws.gov/library/* or by written request to: National Wildlife Refuge System, U.S. Fish and Wildlife Service, 4401 North Fairfax Drive, Room 670, Arlington, Virginia 22003.

Exhibit 7.—Primary Interpretive Themes for Wilderness

Interpretation provides opportunities for people to forge intellectual and emotional connections to the meanings inherent in wilderness resources. Interpretive themes communicate specific messages based upon the significance of the wilderness resource and experience to the American people. They are the stories through which we convey the values of wilderness to the public. These themes connect wilderness to larger ideas as well as universal meanings and values. They are the building blocks on which we base interpretive products and services for wilderness. The interpretive themes for wilderness areas are:

PRIMARY INTERPRETIVE THEMES FOR WILDERNESS EDUCATION

Theme A	The concept of wilderness, codified in law, originated in the United States with the conviction that some wild land resources are most valuable to Americans left in their natural state (e.g. social, scientific, economic, educational, recreational, and cultural value).
Theme B	As a foundation for healthy and diverse ecosystems, officially designated wilderness and other remaining wild lands provide critical habitat for rare and endangered species and play a significant role in the overall health of natural systems worldwide (e.g. watersheds, air quality).
Theme C	By law, we manage wilderness differently than other federal lands in order to retain its primeval character and preserve wilderness as a special place for humans to examine their relationship to the natural world.
Theme D	Wilderness offers opportunities for personal renewal, inspiration, artistic expression, pride of ownership of our shared heritage, and the prospect of hope for the future. Wilderness has inspired and continues to inspire a distinctive genre of literature and art, enriching millions of lives in the United States and around the world.
Theme E	Wilderness provides opportunities for physical and mental challenge, risk and reward, renewal, self-reliance, solitude, and serves as a haven from the pressures of modern society (e.g. exploration, discovery, and recreation).
Theme F	The survival of wilderness depends on individual and societal commitment to the idea of wilderness and on appropriate visitor use, behavior, and values (e.g. appreciation, values, skills).
Theme G	Wilderness provides a unique setting for teaching ecosystem stewardship as well as science, math, literature, art and other subjects using an interdisciplinary approach (e.g. civics, outdoor skills, music, and others).
Theme H	Wilderness contains primitive areas relatively undisturbed by human activities where scientific research may reveal information about natural processes and living systems that may have wide-ranging applications and may serve as global indicators of ecological change.
Theme I	Cultural and archeological sites found in wilderness can provide a more complete picture of human history and culture. (This includes indigenous peoples, conquests, colonialism and resistance, freedom, independence, and ingenuity, a sense of connectedness, stewardship, and human survival.)
Theme J	The Wilderness Act created a National Wilderness Preservation System that preserves some of the most unique ecological, geological, scientific, scenic, and historical values in the National Park System, the National Wildlife Refuge System, National Forest System, and in public lands administered by the Bureau of Land Management, and that the public and Congress have determined to require special protection.

PRIMARY INTERPRETIVE THEMES FOR WILDERNESS EDUCATION—Continued

Theme K	Wilderness visitors must accept certain inherent risks associated with weather, terrain, water, wildlife, and other natural elements. We cannot guarantee visitor safety, but we can enhance it with proper trip planning, appropriate skill, and responsible behavior.

Exhibit 8.—References

Hendee, John C., Stankey, George H., Lucas, Robert C., 1990, Wilderness Management, North American Press, Golden, Colorado, pp. 219–238.

Zahniser, Howard, 1956, ''The Need for Wilderness Areas,'' The Living Wilderness, Winter-Spring 1956–57, No. 59, pp 37–43.

Exhibit 9.—Wilderness Management Plan Outline

I. Introduction.

A. Wilderness establishment, including contents of pertinent laws, date of establishment, any changes from Secretary's recommendation, pertinent committee report discussion, and special provisions.

B. Objectives for the wilderness area and their relationship to the refuge's purposes and objectives, and System mission, goals, and objectives, including protection of the air quality related values of Class I wilderness areas.

II. Description of the Wilderness Area.

A. Legal and narrative description of the area.

B. Map displaying Service land unit boundary and wilderness area boundary.

C. A description of the current or baseline situation of the wilderness resource, including a description of the wilderness area, natural conditions, management activities, existing facilities, and public use levels and activities.

III. Public Involvement. Describe public involvement activities and provide a summary and analysis of comments received and how the plan responds to them.

IV. Management.

A. Detailed discussions of existing and planned biological, public use, cultural resource, and administrative management activities and permitted uses.

B. Procedures for determining and documenting the minimum requirement for administrative actions we will take in wilderness that might require a generally prohibited use.

C. The minimum requirement analyses for anticipated application of a generally prohibited use.

D. Descriptions of how valid existing rights and congressionally authorized uses are to be administered to provide protection to wilderness values.

E. An explanation of how we will coordinate with adjoining wilderness units so that visitors traveling from one wilderness to another can do so with a minimum of bureaucratic impediments.

F. Indicators of change in resource conditions; standards for measuring that change; and desired conditions, or thresholds, that will trigger management actions to reduce or prevent impacts on the wilderness. Limits of Acceptable Change (LAC) is one framework designed for establishing indicators, standards and desired conditions. (See Hendee, Stankey, and Lucas (1990) in Exhibit 8 References).

V. Research. Describe any past and current research, and identify research needs.

VI. Funds and Personnel. Provide a discussion of staff and funds needed to manage the wilderness.

VII. Monitoring. Identify monitoring requirements and thresholds for action, including procedures for measuring baseline air quality.

VIII. Implementation Schedule. Provide a schedule of implementation, prioritization of action items, staff assignments, and funding requirements to adequately administer the area.

IX. Compatibility Determination

X. Review and Approval.

XI. Appendix.

A. A copy of the Wilderness Act.

B. A copy of the legislation establishing the wilderness.

C. Service wilderness regulations (50 CFR 35), except Alaska.

D. Wilderness study report for the wilderness.

E. NEPA documentation, if applicable.

F. Public hearing record from wilderness study.

G. Congressional hearing record.

H. Congressional committee report accompanying the authorizing legislation.

Dated: November 29, 2000.

Jamie Rappaport Clark,

Director, U.S. Fish and Wildlife Service.

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