

Wilderness Character and Wilderness Characteristics

What's the difference?

Why does it matter?

Introduction

The terms 'wilderness character' and wilderness characteristics' are sometimes used interchangeably and misunderstood by some wilderness managers and line officers. The two terms both have relevance to the Forest Service wilderness program but they originate from different aspects of both the Wilderness Act and FS policy and handbook guidance. Misconceptions and improper use of the two terms has and will continue to lead to potentially significant confusion and poor decision making if there is no effort to clarify and emphasize the differences.

Basis in Law

Wilderness Character:

In the Wilderness Act, wilderness character is used in two sections to provide the mandate for administration of designated wilderness areas.

Section 2 (a): "For this purpose there is hereby established a National Wilderness Preservation System to be composed of federally owned areas designated by the Congress as "wilderness areas," and these shall be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the **preservation of their wilderness character**,..."

Section 4 (b): "Except as otherwise provided in this Act, each agency administering any area designated as wilderness shall be responsible for **preserving the wilderness character** of the area and shall so administer such area for such other purposes for which it may have been established as also to **preserve its wilderness character**. "

Wilderness Characteristics:

The Wilderness Act does not use the term wilderness characteristics but it can be argued that wilderness characteristics are part of what defines wilderness. The wilderness characteristics are the conditions of the land that may qualify areas for consideration as designated wilderness and some of the same qualities that define wilderness character can also be used for this purpose.

From the Wilderness Act Section 2(c) we can draw out a meaning of wilderness characteristics for use in evaluation of lands proposed for wilderness such as:

“(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. “

Basis in Regulations and Forest Service Policy

Wilderness Character:

Regulations governing the management of designated wilderness:

- 36CFR293 .2 “...National Forest Wilderness shall be ... administered ... in such a manner as to preserve and protect its **wilderness character**.”

Forest Service policy for management of lands designated as wilderness is contained in FSM 2320.

- FSM 2320.2 (4): Protect and perpetuate **wilderness character** and public values...”

Wilderness Characteristics:

Regulations:

- Wilderness characteristics are not mentioned in 36CFR 293 for management of designated wilderness areas or 36CFR219 for Special Designations and Wilderness Area Reviews.

Forest Service Policy:

Forest Service Handbook - FSH 1909.12 Land Management Planning Handbook, Chapter 70 Wilderness Evaluation:

- 72.1 Capability: The capability of a potential wilderness is the degree to which that area contains the basic **characteristics that make it suitable for wilderness recommendation** without regard to its availability for or need as wilderness. The principal **wilderness characteristics**, as identified in the Wilderness Act, that follow are generally, but not necessarily, listed in order of importance or desirability. Consider these **characteristics** in analyzing the quality of the wilderness resource of a potential wilderness area.
- The listed characteristics are: natural, undeveloped, outstanding opportunities for solitude or primitive and unconfined recreation, special features and values, manageability plus additional characteristics for lands East of the 100th Meridian.

Other Supporting Information

Wilderness Character:

Dictionary definition of character: “the combination of qualities or features that distinguish one person, group, or thing from another” or “the aggregate of distinctive qualities” Webster’s II Dictionary

Legal and wilderness scholars refer to the Wilderness Act Section 2 (c) Definition of Wilderness to understand congressional intent for the meaning of wilderness character (Rohlf and Honnold 1988, McCloskey 1999, Scott 2002).

From: Monitoring Selected Conditions Related to Wilderness Character: A National Framework, RMRS-GTR-151, April 2005:

- “This monitoring Framework also improves wilderness stewardship by more clearly articulating what wilderness character means, which may help managers evaluate proposed actions...”
- “Wilderness character may be described as the combination of biophysical, experiential, and symbolic ideals that distinguish wilderness from all other lands.”
- The Framework uses the Definition of Wilderness from Section 2 (c) of the Wilderness Act to identify four qualities of wilderness related to wilderness character:
 - Untrammelled
 - Natural
 - Undeveloped
 - Outstanding opportunities for solitude or a primitive and unconfined type of recreation

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- The Framework also recognizes that there is a fifth component of wilderness character that must also be considered:
 - The unique qualities of a particular wilderness area.
- Agency decisions and actions may either support or degrade certain qualities of wilderness character and some decisions may have a lasting effect on the land and the meanings associated with wilderness:
 - Examples: choosing whether to use a chainsaw, build a bridge, suppress a fire, install a fish barrier, land a helicopter, treat non-native invasive plants, transplant wildlife, etc.

Judicial Rulings:

A recent search revealed that references to wilderness character from the Wilderness Act were frequently cited in decisions:

- 54 District Court cases
- 31 Circuit Court of Appeals cases

Wilderness characteristics:

Dictionary definition of characteristic: “a distinguishing feature or attribute”
Webster’s II Dictionary

Potential Problems:

Why is it important to distinguish between wilderness character and wilderness characteristics?

Response 1: Interchanging wilderness character and wilderness characteristics confuses those who rely on established guidance such as:

- 1) Law, regulation, and policy which intentionally either uses or omits the terms wilderness character and wilderness characteristics to help define generally different but related purposes:
 - Wilderness character - Management of designated wilderness
 - Wilderness characteristics – Evaluation of areas of potential wilderness
- 2) The Forest Service has published the Monitoring Selected Conditions Related to Wilderness Character: A National Framework, which includes the statutory definition of wilderness character and the four qualities.
- 3) The Minimum Requirements Decision Guide (MRDG) uses wilderness character, and the four statutory qualities, as criteria to determine if an action is necessary (Step 1) and select the minimum tool (Step 2).

Response 2: Disregarding the differences between wilderness character and wilderness characteristics can lead to their incorrect use in other guidance, efforts to improve integration of resources within the FS, and agreements with external organizations.

Example: The 2006 AFWA Policies and Guidelines for Fish and Wildlife Management in Wilderness, Attachment A, MRDP Outline:

- Step 1a, 5.: “Determine whether the proposed action contributes to the preservation of **wilderness character**...”
- Step 2a, 2. “This entails analyzing the impacts of each alternative on the **wilderness characteristics** (naturalness, outstanding opportunities for solitude or a primitive and unconfined recreation, and other special features)”. *Note – The term “wilderness characteristics” is improperly used in place of “wilderness character”. Also, the undeveloped and untrammelled qualities of wilderness character are omitted which could lead to poor decision-making.*

Response 3: For training and management purposes, line officers, wilderness managers, and others need clear and unambiguous definitions and guidance to ensure good analysis and decision making, and avoid adverse appeal decisions and court rulings.

Possible Solutions:

1) Emphasize the correct usage of wilderness character and wilderness characteristics in national and regional guidance, agreements, training, and information about wilderness. An unrelated example is:

- A few years ago the FS recognized the confusion caused by a misunderstanding of the law regarding motorized equipment and mechanical transport (prohibited) vs. mechanized equipment (allowed).
- Information and training on minimum requirements was modified to emphasize the importance of using the correct terminology.

2) Develop direction (for inclusion in FSM 2320 revision) that defines wilderness character using the four statutory qualities of natural, undeveloped, untrammelled, and outstanding opportunities for solitude or a primitive and unconfined type of recreation.

- Promotes more timely and increased awareness and emphasis to facilitate Solution #1 above.
- Assists with acceptance of the MRDG criteria for minimum necessary requirements and minimum tool determinations.
- Ties to the Forest Service Wilderness Character Monitoring efforts and publications (see the Wilderness character Monitoring Toolbox at: www.wilderness.net/tolboxes/).