The Future of Wilderness Management

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THE FUTURE OF WILDERNESS MANAGEMENT

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• **Background in law**
  - Wilderness Act of 1964: Overview of key provisions
  - Emphasis on provisions that may affect management activities which include:
    - Restoration
    - Adaption

• **Restoration/adaptation activities are complicated issues**
  - Complicated in ecosystems generally
  - Complicated especially in areas legally protected as wilderness under the US Wilderness Act of 1964
Why Did Congress Protect Wilderness?

Section 2(a):

- “[I]t is hereby declared to be the policy of the Congress to secure for the American people of present and future generations the benefits of an enduring resource of wilderness.”
- “[N]o Federal lands shall be designated as “wilderness areas“ except as provided for in this Act or by a subsequent Act.”
How Did Congress Define Wilderness?

- **Section 2(c):**
  - “A wilderness, in contrast with those areas where man and his own 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 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**”

Connie Myers, Director of the Arthur Carhart National Wilderness Training Center, hiking in the Ansel Adams Wilderness, CA
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.”

“[W]ilderness areas shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use”

What is “wilderness character”?  
- Five qualities:  
  - Untrammeled  
  - Natural  
  - Undeveloped  
  - Provides solitude or primitive and unconfined recreation  
  - Other features of value  
- Agencies starting to follow this analytical structure  
- Not tested in litigation
Wilderness Prohibitions: Section 4(c)

“[No] commercial enterprise, no permanent road ... 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.*”
Typical Restoration Projects in Wilderness

- Reseeding roads
- Replacement of native species
- Removal of exotic plants
- Removal of structures

Questions:
- What techniques can be used?
- How necessary is the project?
- Can agencies use suggested toolboxes for analysis?

Photos from the high lakes stabilization project, in which several reservoirs in the high uintas wilderness were "stabilized" or returned to naturally functioning lakes.
Restoration Challenges and Questions Generally

- What’s the scale?
- What’s the baseline? The desired end state?
- What’s the purpose?
- What future challenges does area face (especially GCC)? How to mitigate/resist/adapt?
- What’s the risk or uncertainty?
- How to monitor success?
Restoration Example 1: 4FRI

- Four Forest Restoration Initiative (4FRI) in US Southwest
- Ponderosa pine forests
  - Overall goal is to “to restore the structure, pattern and composition of fire-adapted ecosystems, which will provide for fuels reduction, forest health, and wildlife and plant diversity.”
  - 2.4 million acres over 20 years
Restoration Under 4FRI
Restoration Example 2: American Chestnut

- Dominant hardwood
- Blight destroys trees

- What to do generally?

- What to do in wilderness?
  - Grafting?
  - GMOs?
Potential Questions About Restoration/Adaptation in Wilderness

- What techniques can the agencies use (e.g., motorized equipment)? What if agencies have an action bias?

- How should the agencies choose among the following? (Stephenson & Millar, 2012)
  - Restraint (leave it alone—default in wilderness)
  - Resilience (maintain/enhance ecosystem’s resilience, e.g. remove nonnative invasive species)
  - Resistance (e.g., create a fire break)
  - Realignment (facilitate changes, e.g., assisted migration)

- What will the courts say?
Ideas

- **Direct planning**
  - Enhance analysis under “minimum requirements” regime—note that the word “necessary” appears in the Act 7 times
  - National Environmental Policy Act analysis—interagency set

- Acceptance that some landscapes will change and some will not (in some cases through restraint and sometimes through extensive human intervention)