



ARTHUR CARHART NATIONAL WILDERNESS TRAINING CENTER

MINIMUM REQUIREMENT DECISION GUIDE

“ . . . except as necessary to meet minimum requirements for the administration of the area for the purpose of this Act.”

– Wilderness Act, 1964

Instructions and worksheets for the Minimum Requirement Analysis for actions, projects, and activities in Wilderness

The Minimum Requirement Decision Guide (MRDG) is designed for wilderness administrators to effectively analyze proposed actions to minimize negative impacts to wilderness character and values. It assumes a basic knowledge of the Wilderness Act of 1964, agency policies, and specific provisions of the wilderness designation legislation for each unit. This guide is suggested for wilderness administrators for the four federal land management agencies, the Bureau of Land Management, the National Park Service, the U.S. Fish & Wildlife Service and the U.S. Forest Service.

Section 4(c) of the Wilderness Act of 1964 prohibits certain activities in wilderness by the public, and, at the same time allows the agencies to engage in those prohibited activities in some situations. Section 4(c) states:

“ . . . 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.”

Therefore, unless a generally prohibited use is allowed by specific unit designation, most of these activities are prohibited. However, in the above language, Congress acknowledged that there are times when exceptions are allowed to meet the minimum required administration of the area as wilderness.

How to Use This Guide

The MRDG displays a two-step process to assist in making the right decision for wilderness. First, the administrator must decide if a problem or issue in the wilderness unit needs administrative action, and then, and only then, the administrator must decide what tool/action/method, available from a range of identified alternatives, would minimize negative impacts on wilderness character and values. This guide includes templates for documenting both steps of the decision-making process, instructions for completing each step, and a cover sheet for signatures. The MRDG and future revised editions of the MRDG can be found on the Arthur Carhart National Wilderness Training Center page at www.wilderness.net.

STEP 1 – DETERMINING THE MINIMUM REQUIREMENT

SHEET 1

Is Administrative Action Needed?

What is the problem/issue that **may** require administrative action? Do not include methods or tools here. This sheet only refers to the issue or problem, not proposed action/project, or tools to be used. Include references from other legislation, policy, or plans, decisions, analyses, and how this issue is addressed in those documents.

Briefly describe the issue/problem:

The issue being analyzed is the use of motorized and mechanized equipment versus traditional non-mechanized equipment in the construction of a fence across Kiger Gorge near the BLM/private land ownership boundary for the purpose of keeping livestock out of the 'no livestock grazing area' within the Steens Mountain Wilderness. In order to be effective and accommodate the heavy snow loads of this high elevation area the fence will have to be constructed of tubular steel 'panels' rather than an ordinary 4-wire barbed wire fence. A steel panel fence is also preferable to a woven-wood fence as it will withstand a possible wildfire and allow for more freedom of passage for wildlife.

A portion of the fence will be constructed on private property and a portion on BLM lands. Some of the BLM lands within the area of fence construction are designated as the Steens Mountain Wilderness. The decision needs to be made regarding the use of motorized and/or mechanized equipment for the fence construction.

The following questions assist in analyzing whether the issue needs to be resolved in wilderness. Do not consider what tools are to be used here. Please circle **Yes** or **No**, and explain your reasoning:

1. Is this an emergency? **Yes No-X** If yes, follow established procedures for Search and rescue (SAR), fire or other plans/policies. If no, please continue.

2. Is this problem/issue subject to valid existing rights, such as access to valid mining claim, state lands, etc? **Yes No-X**

If no, continue with **Sheet 1**.

If yes, briefly explain here and then proceed to **Sheet 3**

3. Can the problem/issue be addressed by administrative actions outside a wilderness area? (For example, the administrative actions could be an information program at the visitor center or trailhead instead of a physical action in the wilderness, etc) **Yes No-X**

If no, conduct actions outside wilderness. If no, continue with **Sheet 2**.

4. Is there a special provision in legislation (the 1964 Wilderness Act or subsequent laws), that allows this project or activity? (For example, maintenance of dams or water storage facilities, access to private inholdings, etc.) **Yes-X No** **NOTE: Construction of a fence was previously disclosed in a 'minimum tool analysis' dated 4/25/01 – design and construction techniques not yet assessed**

STEP 1: DETERMINING THE MINIMUM REQUIREMENT (Continued)
SHEET 2

Is Administrative Action Needed? (Continued)

The following questions are provided to evaluate whether resolving the issue protects wilderness character and values identified in the Wilderness Act. Answer the questions in terms of the need to resolve the issue/problem. If the answer to most of the questions is yes, then the issue/problem probably requires administrative action. **Please circle Yes or No for each answer, and briefly explain.**

1. If the issue/problem is not resolved, or action is not taken, will the natural processes of the wilderness be adversely affected? **Yes-X** **No** **Why/How?**

If the steel panel fence is not constructed to restrict livestock grazing in the 'no livestock grazing area' of the Wilderness this will result in a direct violation of the Steens Act. In addition continued grazing in the designated Wild & Scenic River corridor will not allow the 'outstandingly remarkable values' to be either protected or enhanced.

2. If the issue/problem goes unresolved, or action is not taken, will the values of solitude or primitive and unconfined type of recreation be threatened?
Yes-X **No** **Why/How?**

If the fence is not constructed then these wilderness values will be compromised or non-existent for visitors who have come to Steens Mountain Wilderness anticipating visiting a wilderness which is to be managed as 'cow free'.

3. If the issue/problem goes unresolved or action is not taken will evidence of human manipulation, permanent improvements, or human habitation be substantially noticeable? **Yes-X** **No** **Why/How?**

Without the construction of the fence signs of human manipulation and habitation if the area in the form of domestic livestock grazing will be evident and obvious.

4. Does addressing the issue/problem or taking action protect the wilderness as a whole as opposed to a single resource? **Yes-X** **No** **Why/How?**

With the construction of the fence to restrict domestic livestock grazing on BLM lands multiple wilderness resources and values will be protected and enhanced this include but may not be limited to: riparian areas, a wild and scenic river, water quality, wildlife and fisheries habitat, solitude and naturalness.

5. Does addressing this issue/problem or taking action contribute to protection of an enduring resource of wilderness for future generations?
Yes-X **No** **Why/How?**

A 'livestock free' wilderness area will protect wilderness resources and values such as naturalness, solitude, wildlife habitat, riparian zones, soil and water quality.

6. Is this an issue for reasons other than convenience or cost of administration?
Yes-X **No** **Why/How?**

Construction of this fence will assist in resource restoration and a return to naturalness.

If administrative action is warranted, then proceed to Sheet 3 to determine the minimum tool or method for resolving the problem.

Identify and describe a range of alternatives including those that utilize traditional tools and non-motorized and mechanized means as well as other methods.

Alternative # 1

Describe briefly or attach description: This alternative would involve constructing the fence using non-mechanized or non-motorized means entirely with traditional tools.

Fence materials would be stockpiled in the canyon bottom on private land and would be pulled upslope for up to ½ mile in horizontal distance within Steens Mountain Wilderness (with half of that distance being on slopes greater than 40%) and up to 600 feet in vertical distance. Approximately 200 to 220 tubular steel fence panels weighing an average of 65 pounds and all needed fence posts and fence building hardware would also have to be moved up the all of or a portion of the slope. These materials would then be used to build the eastern portion of the fence.

All fence building components would have to be moved up the slope by hand using block and tackle and pulley systems. Horses or other stock could not be used due to the severe steepness of the slope. The fence would be have to be constructed by hand in steep, rugged terrain much of it comprised of rock without the benefit of mechanized or motorized equipment using traditional fence building techniques. There would also be potential for a substantial amount of damage to occur to the fencing materials as they are moved up the slope in rocky and brushy terrain.

The movement of fencing panels and associated materials up the slope by hand using block and tackle would cause substantial impacts on the terrain within the Wilderness. Resource damage would include destruction and loss of vegetation, soil erosion, soil compaction and disturbance of wildlife habitat and travel routes. Visual impacts would be apparent for an extended amount of time and any visitors to the area would experience a loss of solitude due to the increased amount of activity and the long term nature of the project.

Most paramount of all is the issue of safety. Moving this amount and weight of material up an extremely steep slope by hand would create an extremely hazardous working situation. Human fatigue and equipment failure are obvious issues regarding safety in this situation. The steep, rugged terrain of the area will also increase the safety hazards for this project.

Circle yes or no:

Does this alternative involve:

use of temporary road?	Yes	No-X
use of motor vehicles?	Yes	No-X
use of motorized equipment?	Yes	No-X
use of motorboats?	Yes	No-X
landing of airplanes?	Yes	No-X
landing of helicopters?	Yes	No -X
use of mechanical transport?	Yes-X	No
creating a structure or installation?	Yes	No
Other impacts to wilderness character?		
- Resource damage and disturbance to solitude for Wilderness visitors.	Yes-X	No

The next set of descriptions may be put on Optional SHEET 3a, if desired:

Describe the biophysical effects/benefits of this alternative:

Describe the social/recreation effects/benefits:

Describe societal/political effects/benefits:

Describe health and safety concerns/benefits:

Describe economic and timing considerations/benefits:

Describe heritage resource considerations/benefits:

Identify and describe a range of alternatives including those that utilize traditional tools and non-motorized and mechanized means as well as other methods.

Alternative # 2

Describe briefly or attach description: This alternative would involve building the fence using a combination of traditional fence building techniques and motorized and mechanized equipment for the fence construction. This alternative would involve a similar situation as Alternative #1 only motorized/mechanized equipment would be used to move the fencing material up the slope to the construction site. Such techniques might involve but not be limited to the use of ATVs or 4-wheel drive vehicles to operate the block and tackle pulley system needed to move the materials up the slope and to stretch and tighten cables needed to build the fence on such steep slopes. Impacts to resources and wilderness values would be similar to Alternative #1 as all materials would need to be moved up the slope from the canyon bottom. Damage to fencing materials has similar potential as well. And the hazards and safety issues involved would also be similar to Alternative #1.

Circle yes or no:

Does this alternative involve:

use of temporary road?	Yes-X	No
use of motor vehicles?	Yes-X	No
use of motorized equipment?	Yes-X	No
use of motorboats?	Yes	No-X
landing of airplanes?	Yes	No-X
landing of helicopters?	Yes	No-X
use of mechanical transport?	Yes-X	No
creating a structure or installation?	Yes-X	No
Other impacts to wilderness character?		
- Same as Alternative #1	Yes	No

The next set of descriptions may be put on Optional SHEET 3a, if desired:

Describe the biophysical effects/benefits of this alternative:

Describe the social/recreation effects/benefits:

Describe societal/political effects/benefits:

Describe health and safety concerns/benefits:

Describe economic and timing considerations/benefits:

Describe heritage resource considerations/benefits:

STEP 2: DETERMINING THE MINIMUM TOOL

SHEET 3: Determining the Minimum Tool: Fill out a Sheet 3 for each alternative.

Identify and describe a range of alternatives including those that utilize traditional tools and non-motorized and mechanized means as well as other methods.

Alternative # 3

Describe briefly or attach description: This alternative would involve the use of motorized and mechanized to move fencing materials up the slope and power equipment to build and install the fence.

Helicopters would be used to move fencing panels and materials up the slope to needed locations. Power equipment would be used to assist in building and installing the fence. Resource damage such as damage to vegetation and soil erosion would be reduced and not wide spread over the entire project area. Potential damage to the fence panels would be reduced greatly as well. Social issues such as visual impacts and loss of solitude and the time involved in fence construction would also be greatly reduced. Safety would be greatly improved although some hazards may be involved in using helicopters in steep terrain.

Circle yes or no:

Does this alternative involve:

use of temporary road?	Yes-X	No
use of motor vehicles?	Yes-X	No
use of motorized equipment?	Yes-X	No
use of motorboats?	Yes	No-X
landing of airplanes?	Yes	No-X
landing of helicopters?	Yes	No-X
use of mechanical transport?	Yes-X	No
creating a structure or installation?	Yes-X	No
Other impacts to wilderness character?		
- Some resource damage and loss of solitude but greatly reduced over Alternatives #s 1 & 2.	Yes-X	No

The next set of descriptions may be put on Optional SHEET 3a, if desired:

Describe the biophysical effects/benefits of this alternative:

Describe the social/recreation effects/benefits:

Describe societal/political effects/benefits:

Describe health and safety concerns/benefits:

Describe economic and timing considerations/benefits:

Describe heritage resource considerations/benefits:

STEP 2: DETERMINING THE MINIMUM TOOL

Sheet 4: Selection of the Minimum Tool Alternative

Attach all alternative sheets to this summary page.

What is the method or tool that will allow the issue/problem to be resolved or an action to be implemented with a minimum of impacts to the wilderness?

The Selected alternative is # 3

Describe the rationale for selecting this alternative.

Primary considerations of utmost importance for use of this Alternative are issues of human health and safety. Lessening of social and 'wilderness values' impacts such as loss of solitude and visual impacts by reducing construction time from months to weeks is also a consideration in this decision as are the reduction of effects on resources such as damage to vegetation and soil erosion.

-Describe the specific operating requirements for the action. Include information on timing, locations, type of actions, etc.

This project will occur on BLM lands within Steens Mountain Wilderness in Kiger Gorge on the Burns District. The project will involve the construction of a steel panel fence to separate private and Federal lands to enforce the 'no livestock grazing area' of the Wilderness as stipulated by the Steens Act of 2000. Construction will take place between the Fall of 2003 and Spring of 2004 dependent on weather conditions and will involve a cooperative agreement the BLM and Otley Bros., Inc.

-What are the maintenance requirements?

Annual inspections for the fence and maintenance as needed or required.

-What standards and designs will apply?

Specifications required by the fence construction cooperative management agreement between the BLM and the Otley Brothers.

-Develop and describe any mitigation measures that apply.

Impact and resource damage within Steens Mountain Wilderness will be restored and rehabilitated to as nearly natural conditions as possible by BLM staff as noted in the cooperative management agreement.

-What will be provided for monitoring and feedback to strengthen future effects and preventative actions to be taken to help in future efforts?

Project construction and site rehabilitation will be monitored by BLM staff.

Approvals:

Prepared by: /s/ John Neeling

Date: 8/14/03

Recommended by: /s/ John Neeling

Date: 8/14/03

Recommended by: /s/ Karl Bird

Date: 8/14/03

Approved by: /s/ Thomas H. Dyer

Date: 8/15/03