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To: District Managers, Area Managers, and Deputy State Director, Resource Services

From: State Director

Subject: Colorado Wilderness Review Procedures - Final

This memorandum provides procedures to be used when considering review areas and wilderness characteristics as part of the directions contained in IM-CO-97-044 (Policy for the Management of Lands Described in the Colorado Environmental Coalition's (CEC) Wilderness Proposal for Bureau of Land Management Lands), dated May 19, 1997.

The first phase of the review discussed in IM-CO-97-044 is for fact gathering and to determine the presence or absence of roads in just the five areas listed. These procedures are also to be used when reviewing other areas in the future if this becomes necessary according to the guidance in IM-CO-97-044. At this time we will only be using the review procedures presented in Step I - Roadless Determination, pages 1-3 and Appendices A & B. The remainder of the procedures, Step II - Analysis of Remaining Wilderness Characteristics, pages 4-11 and Appendices C & D, will be used only if a further analysis of wilderness values is necessary according to instructions in IM-CO-97-044. A training session and meeting will be scheduled for Step II procedures if and when this becomes necessary in the future.

If you have any questions about the interpretation of these procedures, please contact me at (303) 239-3702 or Frank Salwerowicz, Deputy State Director for Resource Services at (303) 239-3745.

Signed by
Robert V. Abbey
Acting State Director

Authenticated by
Don Snow
EMS Operator

Attachment: Colorado Wilderness Review Procedures

COLORADO WILDERNESS REVIEW PROCEDURES June 18, 1997

Bureau of Land Management

Colorado State Office

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Background.

A. The Federal Land Policy and Management Act of 1976 (FLPMA) required the Secretary of the Interior to review all areas of the public lands and determine which contain wilderness

characteristics and report to the President his recommendations as to the suitability of each area identified in the review by October 21, 1991. Colorado's wilderness recommendations were forwarded to the Congress in 1991.

B. Section 603 of FLPMA governed the original BLM wilderness review but its wilderness review mandate has been completed. Authority for additional inventories is provided by FLPMA in Sections 102 (a) (2) & (8), 201 (a), and 202 (c) (4) & (9) and land-use planning in Sections 202 (a), (b), (c), and 205 (b). Among other things, these sections direct BLM to "preserve and protect certain public lands in their natural condition" and to "prepare and maintain on a continuing basis an inventory of all public lands and their resources and other values (including, but not limited to, outdoor recreation and scenic values), giving priority to areas of critical environmental concern."

C. In 1994, the Colorado Environmental Coalition (CEC) proposed wilderness designation for some public land areas not included in the bureau's recommendation. The CEC proposal includes maps and descriptions of each of its areas. In light of this information and evolving changes in public land use patterns and on the ground conditions, CEC's presentation raises legitimate issues that deserve further inquiry by BLM regarding appropriate management of these areas. Accordingly, BLM intends to review those lands covered by the CEC proposal to determine whether there are wilderness values within such lands and whether such values require further protection.

Evaluation Process

A. Initiate an evaluation of an area or areas whenever discretionary actions that might have irreversible or irretrievable impacts are proposed in the areas recommended for wilderness by the CEC. If an evaluation is initiated, Instruction Memorandum (IM) CO-97-044, dated May 19, 1997, provides direction as to how the procedures contained in this document are to be used. These procedures are to be followed to determine the presence or absence of wilderness values as the wilderness issues raised by the CEC are addressed and resolved through the BLM planning process. IM-CO-97-044 establishes a two-step process to accomplish this objective.

B. Step I provides procedures for reviewing an area to determine if it meets the wilderness criteria as being roadless.

C. Step II provides procedures to analyze and document the remaining wilderness characteristics as discussed in Section 2(c) of the Wilderness Act of 1964, should this further analysis become necessary for those areas found to be roadless in Step I.

I. Step I - Roadless Determination. This step of the wilderness review is only for the purpose of identifying roadless areas.

A. Identify Review Units.

1. The unit for this review will consist of the area contained in the 1994 Conservationists' Wilderness Proposal for BLM Lands outside the existing WSA and as depicted on supplemental topographic maps, as available.

2. Each review unit should receive a name. Use the name from the CEC proposal. Number if there is more than one subunit, starting with 1.

B. Analysis of Roads. It is important to evaluate whether the review unit contains roads. Any roads should be clearly identified. If an access route meets the road definition, its use and possible long term need should be reported.

1. In order to insure a consistent identification of "roads" as opposed to an unmaintained vehicle way, the following definition should be used:

"The word 'roadless' refers to the absence of roads which have been improved and maintained by mechanical means to insure relatively regular and continuous use. A way maintained solely by the passage of vehicles does not constitute a road."

This language is from the House Committee Report 94-1163, page 17, dated May 15, 1976, on what became the FLPMA. The 1978 BLM Wilderness Inventory Handbook further defined certain words and phrases in the road definition:

a. **"Improved and maintained"** - Actions taken physically by people to keep the road open to vehicle traffic. "Improved " does not necessarily mean formal construction. "Maintained" does not necessarily mean annual maintenance.

b. **"Mechanical means"** - Use of hand or power machinery or tools.

c. **"Relatively regular and continuous use"** - Vehicular use which has occurred and will continue to occur on a relatively regular basis. Examples are: access roads for equipment to maintain a stock water tank or other established water sources; access roads to maintained recreation sites or facilities; or access roads to mining claims.

2. A route which was established or has been maintained solely by the passage of vehicles would normally not be considered a road, even if it is used on a relatively regular and continuous basis. Vehicle routes constructed by mechanical means but which are no longer being maintained by mechanical methods are not roads. Sole use of hands and feet to move rocks or dirt without the use of tools or machinery does not meet the definition of "mechanical means." Roads need not be "maintained" on a regular basis but rather "maintained" when road conditions warrant actions to keep it in a usable condition. A dead-end (cherry-stem) road can form the boundary of a review unit, and does not by itself disqualify an area from being considered "roadless".

II. Step II - Analysis of Remaining Wilderness Characteristics.

A. When to Use Step II. Areas or portions of areas found to be roadless in Step I and found through a public outreach process to have sufficient basis to warrant initiation of the plan amendment process will receive an analysis of the remaining wilderness characteristics by following the process outlined below.

B. Prepare Review Unit Evaluation.

1. Initiate a permanent documentation file for each review unit (see Appendix C).

2. Once a roadless review unit is identified at the end of Step 1, BLM personnel will conduct an evaluation. As a minimum to document findings, a Wilderness Review Evaluation will be completed for each review unit (see Appendix D). This evaluation will

include the Road / Way Analysis (see Appendix A) and Photo Logs (see Appendix B) created in Step 1.

3. The review unit evaluation describes the presence, extent, and quality of wilderness values within a wilderness review unit. It will be developed from existing information and may require field verification.

4. The review unit evaluation will assist BLM personnel in three ways: First, it will document if the unit possesses wilderness characteristics. Second, it will describe ownership patterns, existing uses, permanent structures, surface disturbances, size, and other features of the unit. Third, it will provide an efficient and consistent way to display BLM findings.

5. Photographs should be used to document each review unit. These should illustrate representative as well as unusual characteristics of the area. Such characteristics may include roads, ways, topographic and vegetative features, recreational attractions, human impacts, developments and facilities, supplemental values, and any other natural or unnatural features which are important in evaluating the presence or absence of roads and wilderness values. Photos should be keyed to a large-scale map indicating the date the picture was taken, location of photo points, and the direction the camera was facing utilizing the photo log displayed in Appendix B. In addition to record-keeping purposes, these photographs and maps will be important in illustrating how the wilderness characteristics determinations are made.

C. Analysis of Wilderness Characteristics. The review will evaluate wilderness characteristics as discussed in Section 2 (c) of the Wilderness Act of 1964, which the Congress incorporated in the FLPMA, Sec. 43 USC 1782, which states:

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 untrammelled 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.

1. Size. Determine if the review unit ". . . has at least 5,000 acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition." Specifically, the size criteria will be satisfied for review units in the following situations and circumstances:

- a. Roadless areas with over 5,000 acres of contiguous public lands. State or private lands are not included in making this acreage determination.
- b. Any roadless island of the public lands of less than 5,000 acres.
- c. Roadless areas of less than 5,000 acres of contiguous public lands where any one of the following apply:

(1) They are contiguous with lands which have been formally determined to have wilderness or potential wilderness values, or

(2) It is demonstrated that the unit is clearly and obviously of sufficient size as to make practicable its preservation and use in an unimpaired conditions, and of a size suitable for wilderness management, or

(3) They are contiguous with an area of less than 5,000 acres of Federal lands administered by an agency with authority to study and preserve wilderness lands, and the combined total is 5,000 acres or more.

2. Naturalness.

a. Affected Primarily by the Forces of Nature. Determine if the area ". . . generally appears to have been affected primarily by the forces of nature with the imprint of man's work substantially unnoticeable."

(1) To do that, 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." It should be an area where the earth and its community of life are untrammelled by humans and their activities. Trammel means anything that impedes or hinders free action.

(2) An area may include some human impacts provided they are substantially unnoticeable in the unit as a whole. Examples of man-made features that may be substantially unnoticeable in certain cases are: trails, trail signs, bridges, fire towers, fire breaks, fire suppression 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.

b. Describing Human Impacts. Human impacts within the review unit must be described. Only significant impacts that influence the determination of the area's naturalness should be documented. If several minor impacts exist, summarize their cumulative effect on the area's degree of naturalness.

(1) There is an important difference between an area's natural integrity and its apparent naturalness. Natural integrity refers to the presence or absence of ecosystems that are relatively unaffected by human's activities. Apparent naturalness refers to whether or not an area looks natural to the average visitor who is not familiar with the biological composition of natural ecosystems versus human-affected ecosystems in a given area. The presence or absence of naturalness (i.e., do the works of humans appear to be substantially unnoticeable to the average visitor?) is the question the Wilderness Act directs the review to assess.

(2) Caution should be used in assessing the effect on naturalness that relatively minor human impacts create. Some human works are acceptable in designated wilderness, similar impacts in a review unit should not result in a conclusion that the area lacks naturalness. An overly pure approach to assessing naturalness should be avoided.

c. Outside Human Impacts. Human impacts outside the review unit will not normally be considered in assessing naturalness of a unit. However, if an outside impact of major significance exists, it should be noted in the overall review unit description and evaluated for its direct affects on the review unit. Human impacts outside the area should not automatically lead to a conclusion that a review unit lacks wilderness characteristics.

3. Solitude or a Primitive and Unconfined Type of Recreation. Determine if the area". . . has 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, does not need to have outstanding opportunities on every acre. There must be outstanding opportunities somewhere in the unit. When review units are contiguous to WSAs, they should be considered an extension of the WSA so that no additional evaluation of outstanding opportunities is required.

a. Outstanding Opportunities. 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. Also, an area may be so attractive for recreation use that it would be difficult to maintain opportunity for solitude; e.g. around water.

b. Each review unit must be assessed on its own merits as to whether an outstanding opportunity exists; there must be no comparison among units. 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. Good judgment must be used in determining that outstanding opportunities either do or do not exist in each unit. This is a subjective determination, and, should be made only after a careful assessment of a unit.

(1) Dictionaries define "solitude," "outstanding," and "opportunity," as follows:

(a) Solitude: The state of being alone or remote from others; isolation. A lonely or secluded place.

(b) Outstanding: Standing out among others of its kind, conspicuous; prominent. Superior to others of its kind; distinguished; excellent.

(c) Opportunity: A situation or condition favorable for attainment of a goal.

(2) BLM defines "primitive and unconfined recreation" as "nonmotorized and undeveloped types of recreation activities." Bicycles are considered mechanical transport.

b. Evaluating Qualities. Using these definitions, specific procedures for evaluating these qualities are outlined below.

(1) Solitude.

(a) Determine whether or not the area has outstanding opportunities for solitude. In making this determination, consider factors which influence solitude only as they affect a person's opportunity to avoid the sights, sounds, and evidence of other people in the inventory unit, rather than to evaluate opportunity for solitude in comparison to human habitations.

(b) Do not assume that simply because a unit or portion of a unit is flat and/or unvegetated, it automatically lacks an outstanding opportunity for solitude. Similarly, do not conclude that simply because a unit is relatively small, it does not have an outstanding opportunity for solitude. Consideration must be given to the interrelationship between size, screening, configuration, and other factors that influence solitude.

(c) Factors or elements influencing solitude may include size, natural screening, and ability of the user to find a secluded spot. It is the combination of these and similar elements upon which an overall solitude determination will be made. It may be difficult, for example, to avoid the sights and sounds of people in some areas unless it is relatively large. A small area, however, may provide opportunities for solitude if, due to topography or vegetation, visitors can screen themselves from one another.

(2) Primitive and Unconfined Recreation.

(a) Determine whether or not the area offers an outstanding opportunity for a primitive and unconfined type of recreation. In making this determination, consider those activities that provide dispersed, undeveloped recreation which do not require facilities or motorized equipment.

(b) Some examples of primitive and unconfined types of recreation are: hiking, backpacking, fishing, hunting, spelunking, horseback riding, mountain or rock climbing, river running, cross-country skiing, snowshoeing, dog sledding, photography, bird watching, canoeing, kayaking, sailing, and sight seeing for botanical, zoological, or geological features, or other activities permitted in wilderness.

(c) An area may possess outstanding opportunities for a primitive and unconfined type of recreation either through the diversity in the number of primitive and unconfined recreational activities possible in the inventory unit or the outstanding quality of one opportunity. Other factors to consider:

(i) Present visitor use of a unit is not necessary in evaluating this criterion. The factor to be determined is whether an outstanding opportunity is present, regardless of present amount of use.

(ii) The absence of a trail system or convenient access is not a valid basis for concluding that an outstanding

opportunity for primitive and unconfined recreation does not exist.

(iii) The absence of water in a unit is not a valid basis for concluding that an outstanding primitive recreation opportunity does not exist.

(iv) "Challenge" and "risk" are appropriate for consideration under this criterion. However, their presence is not necessary in order to conclude that a unit does qualify under this criterion.

4. Supplemental Values.

a. Determine if the review unit contains ". . . ecological, geological, or other features of scientific, educational, scenic, or historical value." The Wilderness Act states a wilderness "may also contain" these values. Supplemental values are not required for wilderness but their presence should be documented where they exist.

b. A finding that a review unit lacks any or all of the supplemental values should not affect the determination of the existence of wilderness character.

D. Boundary Adjustments. Where substantially noticeable human caused impacts occur within a review unit, reviewers should consider the opportunity to adjust the unit boundary to exclude the human impacts. Minor human impacts normally will not require a boundary adjustment, but where there are several minor impacts, they should be evaluated as to their cumulative effect on the apparent naturalness of all or part of the unit. Boundary adjustments should be made to identify the parts of the unit that appear natural and parts that do not. When boundary adjustments are made, a decision must be made on whether the remaining portion of the unit is of sufficient size to find that it has wilderness characteristics.

1. When multiple human impacts are considered to be substantially noticeable, caution must be used in relocating the boundary to define the part of the unit found to have wilderness character. Natural portions of a unit located between the individual human imprints should not be automatically excluded.

2. When the boundary of the area found to have wilderness character is adjusted due to human impacts, the boundary should, where possible, be located on the physical edge of the "imprint of man". In this case, the boundary must eliminate the "imprint of man" and as little adjacent land as necessary. The adjusted boundary must not be drawn on a "zone of influence" around the imprint for these reasons: (1) consistency between inventory teams in locating this "zone of influence" would be difficult to achieve, and (2) future impacts would in effect be able to encroach on a unit creating a new "zone of influence."

3. Developed rights-of-way (ROW) are treated like other significant impacts. When a power line or other developed ROW is located within a unit and the decision is made to eliminate its impact on naturalness from the remainder of the unit, the boundary should be drawn on the edge of the ROW.

4. As a general rule, the boundary of a unit is to be determined based on evaluation of the human impacts within the unit. It should not be further constricted on the basis of opportunity for solitude or primitive and unconfined recreation. A unit can have wilderness character even though every acre within the unit does not meet the outstanding

opportunity criterion. In unusual cases it may be appropriate to consider adjusting the boundary based on the outstanding opportunity criterion; for example:

- a. When a narrow finger of roadless land extends outside the bulk of the unit;
- b. When land without wilderness characteristics penetrates the unit in such a manner as to create narrow fingers of the unit (e.g., cherrystem roads closely paralleling each other);
- c. When extensive private inholdings create a very congested and narrow boundary area. These situations are expected to rarely occur. Good judgment will be required in locating boundaries under such conditions so as to exclude only the minimum appropriate land. Boundary adjustments would not be necessary if the land in question possesses an outstanding opportunity for primitive and unconfined recreation.

III. Final Unit Identification.

Develop a map showing areas with and areas without wilderness character for each review unit.

GLOSSARY OF TERMS

Terms used in this guidance are defined as follows:

-C-

contiguous: lands or legal subdivisions having a common boundary; lands having only a common corner are not contiguous.

-O-

outstanding: 1. Standing out among others of its kind; conspicuous; prominent; 2. superior to others of its kind; distinguished; excellent.

-P-

primitive and unconfined recreation: non-motorized and non-developed types of outdoor recreational activities.

public lands: any land and interest in land owned by the United States within the several States and administered through the Secretary of the Interior through the Bureau of Land Management, without regard to how the United States acquired ownership, except:

-- lands located on the Outer Continental Shelf;

-- lands held in trust for the benefit of Indians, Aleuts, and Eskimos; and

-- lands where the United States retains the mineral but surface is private.

- R -

roadless: refers to the absence of roads which have been improved and maintained by mechanical means to insure relatively regular and continuous use. A way maintained solely by the passage of vehicles does not constitute a road.

roadless area: an area that does not contain any roads, but may be bounded by a road. The boundary of a roadless area may be formed by one or more dead-end roads.

- S -

solitude: 1. the state of being alone or remote from others; isolation; 2. a lonely or secluded place.

- W -

wilderness: the definition contained in Section 2 (c) of the Wilderness Act of 1964 (788 Stat. 891).

wilderness area: an area formally designated by Congress as part of the National Wilderness Preservation System.

wilderness review unit: a portion of public land evaluated to determine its roadless character and presence of wilderness characteristics as defined in Section 2c of the Wilderness Act of 1964.

wilderness program: term used to describe all wilderness activities of the Bureau including identification, management, and administrative functions.

wilderness study: the process of analyzing and planning wilderness preservation opportunities along with other resource opportunities within the Bureau's Planning System.