

APPENDIX E, PART 14, MINIMUM REQUIREMENT DECISION GUIDE

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MINIMUM REQUIREMENTS DECISION GUIDE

Process Outline 2008

Step 1: Determine if any administrative action is necessary

First, describe the situation that may prompt action and describe why it is a problem or issue.

Then, answer the following questions to determine if administrative action is necessary in wilderness:

A. Options Outside of Wilderness - Is action necessary within wilderness ?

B. Valid Existing Rights or Special Provision of Wilderness Legislation - Is action necessary to satisfy valid existing rights or a special provision in wilderness legislation (the Wilderness Act of 1964 or subsequent wilderness laws) that allows consideration of the Section 4(c) prohibited uses?

C. Requirements of Other Legislation - (ESA, ARPA, NHPA, Dam Safety Act, Clean Air Act, etc.) - Is action necessary to meet the requirements of other laws?

D. Other Guidance - Is action necessary to conform to direction contained in agency policy, unit and wilderness management plans, species recovery plans, or agreements with tribal, state and local governments or other federal agencies?

E. Wilderness Character - Is action necessary to preserve one or more of the qualities of wilderness character including: ***untrammelled, undeveloped, natural, outstanding opportunities for solitude or a primitive and unconfined type of recreation***, or unique components that reflect the character of this wilderness area?

F. Public Purposes of Wilderness - Is action necessary to support one or more of the public purposes for wilderness (as stated in Section 4(b) of the Wilderness Act) of recreation, scenic, scientific, education, conservation, and historical use?

Step 1 Conclusion: Is Administrative Action Necessary?

If action is necessary, proceed to Step 2 to determine the minimum activity which least impacts the wilderness resource and character.

Step 2: Determine the *minimum* activity

A. Description of Alternative Action - For each alternative, describe what methods and techniques will be used, when the action will take place, where the action will take place and what mitigation measures are necessary.

Alternatives considered should include one with the use of the suggested prohibited equipment or facilities, one with none of the Section 4 (c) prohibitions, and, if possible one with a mix of prohibited and non-prohibited uses. Alternatives should be “feasible” and creative.

B. Alternative Comparison - For each alternative, describe effects based on:

- Wilderness Character
 - Untrammelled
 - Undeveloped
 - Natural
 - Outstanding Opportunities for Solitude or a Primitive and Unconfined Type of Recreation
 - Heritage and Cultural Resources
 - Maintaining Traditional Skills
 - Special Provisions
 - Safety of personnel, visitors, and contractors
 - Economics and Time Constraints
 - Additional wilderness-specific Criteria.
- Include mitigation (timing, location, frequency, design standards, etc.)

Step 2 Decision: What is the Minimum Activity?

- Identify the selected alternative.
- Describe the rationale for selecting this alternative, based on law and policy criteria.
- Describe any monitoring and reporting requirements.

Approvals and NEPA analysis - Follow agency guidelines.

Reporting – Follow agency requirements

Refer to the MRDG [Instructions](#), and [Worksheets](#) for more information.



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2008

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WORKSHEETS

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

– the Wilderness Act, 1964

Please refer to the accompanying MRDG [Instructions](#) for filling out this guide.
The spaces in the worksheets will expand as necessary as you enter your response.

Step 1: Determine if any administrative action is necessary.

Description: Briefly describe the situation that may prompt action.
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To determine if administrative action is necessary, answer the questions listed in A - F on the following pages.

A. Describe Options Outside of Wilderness

Is action necessary within wilderness?

Yes: No:

Explain:

B. Describe Valid Existing Rights or Special Provisions of Wilderness Legislation

Is action necessary to satisfy valid existing rights or a special provision in wilderness legislation (the Wilderness Act of 1964 or subsequent wilderness laws) that allows consideration of the Section 4(c) prohibited uses? Cite law and section.

Yes: No: Not Applicable:

Explain:

C. Describe Requirements of Other Legislation

Is action necessary to meet the requirements of other laws?

Yes: No: Not Applicable:

Explain:

D. Describe Other Guidance

Is action necessary to conform to direction contained in agency policy, unit and wilderness management plans, species recovery plans, or agreements with tribal, state and local governments or other federal agencies?

Yes: No: Not Applicable:

Explain:

E. Wilderness Character

Is action necessary to preserve one or more of the qualities of wilderness character including: untrammelled, undeveloped, natural, outstanding opportunities for solitude or a primitive and unconfined type of recreation, or unique components that reflect the character of this wilderness area?

Untrammelled: **Yes:** **No:** **Not Applicable:**

Explain:

Undeveloped: **Yes:** **No:** **Not Applicable:**

Explain:

Natural: **Yes:** **No:** **Not Applicable:**

Explain:

Outstanding opportunities for solitude or a primitive and unconfined type of recreation:

Yes: **No:** **Not Applicable:**

Explain:

Other unique components that reflect the character of this wilderness:

Yes: **No:** **Not Applicable:**

Explain:

F. Describe Effects to the Public Purposes of Wilderness

Is action necessary to support one or more of the public purposes for wilderness (as stated in Section 4(b) of the Wilderness Act) of recreation, scenic, scientific, education, conservation, and historical use?

Recreation: **Yes:** **No:** **Not Applicable:**

Explain:

Scenic: **Yes:** **No:** **Not Applicable:**

Explain:

Scientific: **Yes:** **No:** **Not Applicable:**

Explain:

Education: **Yes:** **No:** **Not Applicable:**

Explain:

Conservation: **Yes:** **No:** **Not Applicable:**

Explain:

Historical use: **Yes:** **No:** **Not Applicable:**

Explain:

Step 1 Decision: Is any administrative action necessary in wilderness?

Yes: **No:** **More information needed:**

Explain:

If action is necessary, proceed to Step 2 to determine the minimum activity.

Step 2: Determine the minimum activity.

Please refer to the accompanying MRDG [*Instructions*](#) for an explanation of the effects criteria displayed below.

Description of Alternatives

For each alternative, describe what methods and techniques will be used, when the activity will take place, where the activity will take place, what mitigation measures are necessary, and the general effects to the wilderness resource and character.

Alternative # _____

Description:

Effects:

Wilderness Character

“Untrammeled”

“Undeveloped”

“Natural”

“Outstanding opportunities for solitude or a primitive and unconfined type of recreation”

Heritage and Cultural Resources

Maintaining Traditional Skills

Special Provisions

Safety of Visitors, Personnel, and Contractors

Economic and Time Constraints

Additional Wilderness-specific Comparison Criteria

Step 2 Decision: What is the Minimum Activity?

Please refer to the accompanying MRDG Instructions before describing the selected alternative and describing the rationale for selection.

Selected alternative:

Rationale for selecting this alternative:

Monitoring and reporting requirements:

Check any Wilderness Act Section 4(c) uses approved in this alternative:

- | | |
|---|--|
| <input type="checkbox"/> mechanical transport | <input type="checkbox"/> landing of aircraft |
| <input type="checkbox"/> motorized equipment | <input type="checkbox"/> temporary road |
| <input type="checkbox"/> motor vehicles | <input type="checkbox"/> structure or installation |
| <input type="checkbox"/> motorboats | |

Record and report any authorizations of Wilderness Act Section 4(c) uses according to agency procedures.

Approvals	Signature	Name	Position	Date
Prepared by:				
Recommended:				
Recommended:				
Approved:				

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MINIMUM REQUIREMENTS DECISION GUIDE

INSTRUCTIONS

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

– the Wilderness Act, 1964

Introduction

The Minimum Requirements Decision Guide (MRDG) is designed to assist wilderness managers in making appropriate decisions for wilderness. These instructions refer to completing the MRDG [Worksheets](#). More information about the background of the MRDG and its appropriate uses can be found in the [Overview](#). Please also refer to your agency policies and other guidance in [Agency Guidelines](#) for more direction on how and when to use the MRDG.

Use of this document assumes familiarity with the Wilderness Act, other relevant legislation, and agency policy.

The MRDG is derived from Section 4.(c) of the Wilderness Act and involves two steps. Step 1 determines whether action is **necessary**. If action is necessary, then Step 2 provides guidance for determining the **minimum** activity.

Worksheet Instructions

Step 1: Determine if any administrative action is necessary

Description: Briefly describe the situation. This should not be a description of a possible method or tool, but rather of the situation that prompts the possible need for action. This step should **not** be used to justify use of motorized equipment or mechanical transport, or to approve placement of a structure, facility, or temporary road. In wilderness, the appropriate administrative response may be no action at all.

Correct Examples of description	Incorrect examples of description
An administrative cabin is deteriorating	Need to restore the administrative cabin
A request is received for access into a valid, existing mining claim	Need to build a temporary road for mining claim access.
Blown down trees are blocking trails	Need to use chainsaws to clear the blown down trees
Lack of information on a wildlife species	Need to land a helicopter to survey population
Fire alters wildlife habitat	Need to re-seed area to maintain wildlife habitat
A trail bridge has washed out	Need to replace the washed out bridge, using mules for supplies
Riverbank erosion is destabilizing a pioneer cabin listed on the National Historic Register	Need to sling-load rock gabions to stop erosion
Lack of information on air quality in Class I wilderness air shed	Need to set up air quality monitoring station in wilderness
Invasive species present	Need to use motorized sprayer to treat invasives

A. Options Outside of Wilderness

Is action necessary within wilderness ?

Examples of administrative action that might be explored outside wilderness include:

- Putting up nest boxes or conducting wildlife surveys outside wilderness boundaries.
- Surveying visitors about user conflicts at the trailhead or visitor center, rather than on the trail or at their wilderness campsite
- Locating trail destination and distance signs can be located at trailheads outside wilderness (unless already determined by agency policy).
- Locating monitoring or other administrative structures outside wilderness.

B. Valid Existing Rights or Special Provisions of Wilderness Legislation

Is action necessary to satisfy valid existing rights or a special provision in wilderness legislation (the Wilderness Act of 1964 or subsequent wilderness laws) that allows consideration of the Section 4(c) prohibited uses? Cite law and section.

If there is special provision language (e.g. maintenance of dams and water storage facilities with motorized equipment and mechanical transport, control of fire, insects and disease, access to private lands, etc), whether in the Wilderness Act of 1964 or subsequent designation legislation, consideration of some actions may be required even though they would otherwise be prohibited. The exact reference to the legislation is needed in this box. Examples include:

- Existence of public use cabins and subsistence use and access in Wilderness (Alaska National Interest Lands Conservation Act of 1980, P.L. 96-487, Sec. 1315.(c)).
- Use of motorboats of ten horsepower or less in the Okefenokee Wilderness (Wilderness Act of 1964, P.L. 88-577, Sec. 4.(d)(1); Okefenokee Wilderness Act of 1974, P.L. 93-430, Sec.2).

Some Valid Existing Rights or the provisions of special legislation may be satisfied by an option outside wilderness. Such possibilities would likely reduce impacts to the wilderness resource and character and should be explored.

C. Requirements of Other Legislation

Is action necessary to meet the requirements of other laws ?

Laws not directly concerned with wilderness (such as the Endangered Species Act or National Historic Preservation Act) may influence the need for actions in Wilderness. In some instances, the administrator is asked to satisfy the requirements of multiple laws. For example:

- Recovery of an endangered species dependent on wilderness ecosystems (Endangered Species Act).
- Treatment of a site listed on the National Register of Historic Places (National Historic Preservation Act).

Apparent conflicts between the Wilderness Act and other legislation may require innovative approaches. Not all apparent conflicts are genuine. The requirements of all applicable laws must be met.

D. Other Guidance

Is action necessary to conform to direction contained in agency policy, unit and wilderness management plans, species recovery plans, or agreements with tribal, state and local governments or other federal agencies?

Review guidance for conformance and carefully consider the context of the guidance, plan or agreement. Plans developed using a NEPA analysis are decisions that provide stronger guidance than plans developed with less public or interdisciplinary involvement. Examples include:

- A programmatic decision to treat invasive weeds has already been addressed in a unit level plan that included wilderness. No decision was made regarding the method of treatment.
- The need for bridges, fords, or in-stream structures has been addressed in a listed fish species recovery plan. The plan does not dictate the type of structure, method of construction, or tools required.

Even if relevant programmatic decisions have already been made that satisfy Step 1 of the MRDG, both Step 1 and Step 2 should be completed to determine the minimum administrative activity.

E. Wilderness Character

Is action necessary to preserve one or more of the qualities of wilderness character including: untrammeled, undeveloped, natural, outstanding opportunities for solitude or a primitive and unconfined type of recreation, or unique components that reflect the character of this wilderness area?

Explain how taking action in wilderness is necessary to preserve wilderness character. If there is no need to take action to preserve character explain how taking action may impair one or more of the qualities of wilderness character.

Section 2.(a) of the Wilderness Act directs us to manage wilderness areas for the preservation of their wilderness character. Similar direction is repeated in Section 4.(b). It is recommended that particular attention is paid to the general guidance in the Wilderness Act, as outlined in the boxes on Page 2 of the [Overview](#), and to agency policy. In addition, at least four major components of wilderness character* are mentioned in Section 2.(c) of the Wilderness Act. These are:

“Untrammeled” – Wilderness is ideally unhindered and free from modern human control or manipulation. We strive to have areas where wild nature is allowed to “run free.”

“Undeveloped” – Wilderness retains its primeval character and influence, and is essentially without permanent improvement or human occupation. It provides a contrast with other areas where humans and their work dominate the landscape.

One of the purposes of the Wilderness Act is “...to assure that ...expanding settlement and growing mechanization, does not occupy and modify all areas...”. Structures, installations, and the use of tools which make it easier for modern humans to occupy and modify the land (e.g., motorized equipment and mechanical transport) are limited.

“Natural” – Wilderness ecological and evolutionary systems are substantially free from the effects of modern civilization. Changes in wilderness areas should be the result of natural conditions.

“Outstanding opportunities for solitude or a primitive and unconfined type of recreation” – Wilderness provides opportunities for people to encounter experiences such as natural sights and sounds, solitude, freedom, risk, and the physical and emotional challenges of self-discovery and self-reliance.

In some cases, a particular quality of wilderness character may not be applicable to a proposed action because there would be no change as a result of taking action. For example, replacing an existing trail bridge does not increase or decrease the number of structures and there would be no change to the undeveloped quality of wilderness character. Similarly use of a chainsaw to clear a trail has no effect on wilderness being unhindered or un-manipulated and therefore does not apply to the untrammeled quality of wilderness character.

An example of an action that would preserve or impair certain qualities of wilderness character is treatment to control non-native invasive weeds:

Untrammeled: Weed treatment would impair the untrammeled quality because the action, even if necessary, is an intentional human caused manipulation of “the earth and its community of life”.

Undeveloped: Weed treatment is not applicable to this quality unless motorized equipment or mechanical transport is to be used. In that case, assess the effects of implementing specific alternatives in Step 2.

Natural: Weed treatment improves naturalness and helps preserve this quality.

Outstanding opportunities for solitude or a primitive and unconfined type of recreation: Weed treatment is largely not applicable to this quality. Any enhancement of opportunities for primitive recreation that result from weed eradication is because of the contribution to preserving naturalness.

The potential loss of opportunities for solitude or primitive recreation due to workers using motorized sprayers or other methods may be an impairment of this quality. The effects of implementing specific alternatives should be determined in Step 2.

* This list of wilderness character components is not comprehensive. For a detailed discussion of wilderness character refer to the U.S. Forest Service, Rocky Mountain Research Station, General Technical Report, RMRS-GTR-151: [Monitoring Selected Conditions Related to Wilderness Character: A National Framework](#). Other components can be defined that are of particular importance and reflect the character of your wilderness.

F. The Public Purposes of Wilderness

Is action necessary to support one or more of the public purposes for wilderness (as stated in Section 4(b) of the Wilderness Act) of recreation, scenic, scientific, education, conservation, and historical use?

Identify which of the public purposes are applicable to the issue and then describe how they apply. For example:

Trail bridge replacement.

- Recreation Purpose – Considering whether there is a need to replace an existing trail bridge is consistent with the Recreation public purpose of wilderness.
- Explanation – A trail bridge, as part of the trail system which provides for recreation visitor access, may be considered a necessary structure in wilderness if needed to address safety or resource protection needs.

Air quality monitoring station

- Scientific Purpose – Considering whether there is a need for an installation in wilderness to monitor air quality is consistent with the Scientific public purpose of wilderness.
- Explanation – Gathering information about wilderness use and the effects of outside forces on wilderness may be needed to assist in the management of wilderness.

Commercial cabin rental program

- Recreation purpose - Considering a commercial proposal for a cabin rental program in wilderness is not consistent with the Recreation purpose of wilderness.
- Explanation - Section 4.(c) prohibits commercial enterprise in wilderness.

Step 1 Decision: Is any administrative action necessary? Evaluate the responses made to all questions in Step 1 and determine whether there is a need to proceed to Step 2 and why. If the responses indicate adverse impacts to the wilderness resource and character, document whether there is sufficient reason to proceed to Step 2.

It is possible that at this point more information will be needed in order to ascertain if administrative action is needed. In rare instances, it may be useful to continue with Step 2 to evaluate the benefits and effects of alternatives in order to help determine if any administrative action is necessary.

Step 2: Determine the minimum activity.

Description of Alternatives

For each alternative, describe what methods and techniques will be used, when the activity will take place, where the activity will take place, what mitigation measures are necessary, and the general effects to the wilderness resource and character.

The description of alternatives and effects varies by the complexity of the activity. Identify and describe a full range of feasible alternatives, including necessary mitigation measures that represent the various activities and the methods and tools that could be used. Include a "No Action" alternative to allow for a comprehensive comparison of effects. Complete a form for each alternative being considered.

Compare the potential effects of each alternative on the wilderness resource and character by describing the effects of implementation using the criteria below. This list is not all-inclusive, and other criteria which address the special features or unique character of each wilderness should be developed as needed. Use the criteria for comparing the effects of each applicable phase of the activity including design, construction, management, removal, or restoration.

Alternative Comparison Criteria

Wilderness Character

Describe the effects of each alternative on the preservation of wilderness character in terms of the four qualities listed below. Determine if there will be effects that will prevent the wilderness from remaining unimpaired for the future use and enjoyment as wilderness.

“Untrammeled”

Discuss the degree to which the components or processes of ecological systems are intentionally controlled or manipulated.

“Undeveloped”

Identify how “the imprint of man’s work will remain substantially unnoticeable” and wilderness will continue to be in contrast to other areas of “growing mechanization.” Include the effects of the use of any motorized equipment, mechanical transport, structures or installations on maintaining the undeveloped quality of wilderness character.

“Natural”

Describe the potential for protection, impairment, or restoration of natural conditions (air, water, soil, wildlife, fish, plants, etc.) including endangered, threatened, or rare species, natural biological diversity, and self-regulating ecosystems.

Discuss effects related to protecting natural conditions within the regional landscape (i.e. insects, disease, or non-native species).

“Outstanding opportunities for solitude or a primitive and unconfined type of recreation”

Identify how opportunities for visitors to experience solitude or a primitive and unconfined type of recreation will be protected or impaired.

Describe the effects that will be noticeable to the visitor and that could affect their experience in wilderness. Include effects on visitors from the use of motorized equipment, mechanical transport, landing of aircraft, structures, or installations.

Heritage and Cultural Resource

Describe any effects on protection or management of historic or pre-historic artifacts, sites, structures, or landscapes.

Maintaining Traditional Skills

Explain how the alternative helps maintain proficiency in the use of primitive and traditional skills, non-motorized tools, and non-mechanical travel methods.

Special Provisions

Explain how the special provisions or rights (grazing, mining, water developments, access to non-federal land, etc.) identified in the Wilderness Act (Sections 4 and 5) or subsequent legislation, are managed to minimize impairment to the wilderness resource and character.

Safety of Visitors, Personnel, and Contractors

Describe any safety concerns associated with implementing the alternative on agency personnel, volunteers, and/or contractors and identify hazards that cannot be addressed through training and use of protective equipment.

Identify any potential public safety hazards resulting from implementation of the alternatives.

Economic and Time Constraints

Describe the costs and the amount of time it will take for implementation of the alternative.

Explain how each alternative satisfies any significant timing requirements or identified need for urgency based on protection of the wilderness resource and character.

Note - while administrative activities should always be accomplished with economic efficiency, neither the cost nor the time required for implementation are the overriding factors for administrative use of otherwise prohibited activities.

Additional Wilderness-specific Comparison Criteria

Identify any other decision factors that are relevant to the unique characteristics and special features of this wilderness.

Step 2 Decision: What is the minimum activity?

Select the alternative that represents the minimum requirements necessary to administer the areas as wilderness.

Describe the rationale for selecting it. The selected alternative must conform to law and agency policy and explain why the use of motorized equipment, mechanical transportation, structures, or installations is the minimum necessary requirement.

List any monitoring or reporting requirements.

Track and report the number and type of authorizations by checking the box for each Section 4.(c) use that is included in the selected alternative. Your agency may require additional reports.

Approvals

Depending on agency policy, include the signatures of the administrator who has the authority to approve Section 4.(c) uses or other activities included in the decision, and sign the MRDG. Check your agency policy and consult with your regional or state wilderness program managers to determine the current policy.

