

## **BLM-UTAH ADDITIONAL GUIDANCE FOR MANUAL 6320 – CONSIDERING LANDS WITH WILDERNESS CHARACTERISTICS IN THE BLM LAND USE PLANNING PROCESS**

Lands with wilderness characteristics units are analyzed in a land use plan in a full range of alternatives that consider protecting none, some, or all of the lands with wilderness characteristics. The plan must include a suite of potential management actions, some of which are designed to protect the size, apparent naturalness and identified outstanding opportunities for solitude or a primitive-unconfined recreation of a unit. [Manual 6320](#) contains information on considering lands with wilderness characteristics during a Resource Management Plan (RMP) revision or amendment. Field offices undergoing a RMP revision or amendment should expect to work closely with the Utah State Office National Conservation Lands Program Lead throughout the RMP development process to incorporate the lands with wilderness characteristics policy. As most BLM-Utah field offices are currently in the implementation stage of their respective RMPs, rather than a revision or amendment, this IM focuses on site-specific NEPA rather than addressing this resource within the land use planning process.

### **How do we consider lands with wilderness characteristics within the NEPA process?**

When a proposed implementation-level action is being considered that could impact the presence of wilderness characteristics, all field offices must ensure early in the NEPA process that a wilderness characteristics inventory of potentially affected lands (i.e., parcels that may meet the size criteria or exceptions and the naturalness criteria) is completed and documented in accordance with [WO IM 2011-154](#) and [Manual 6310](#). Figure 1 (Attachment 2-11) provides an illustration of the process to ensure that the lands with wilderness characteristics inventory is up to date. At a minimum, Field Offices should confirm that existing inventories are up to date when there is reason to believe that any action will adversely impact the existing or potential wilderness characteristics of an area. Any findings should be made available to the public as soon as practicable.

If new information that meets the minimum standards for review (Manual 6310 Section .06.B) is submitted by the public during a formal scoping or public comment period that could affect the BLM's determinations of wilderness characteristics within the project area, these submissions are generally considered to be substantive, timely comments.

The BLM may occasionally receive, after the close of the formal comment period, submissions from the public that could affect the BLM's determinations of wilderness characteristics within the project area. All substantive comments received before reaching a decision must be considered to the extent feasible. Although the authorized officer may choose to do so, the BLM is not required to make findings on or respond to such untimely submissions prior to completing the final NEPA analysis on the project. For additional information regarding response to comments, refer to [H-1790-1](#), Section 6.9.2.

BLM-Utah analyzes the effects of proposed actions on all affected resources, including wilderness characteristics, when undertaking implementation-level reviews under NEPA. Analysis of the effects of an action on lands with wilderness characteristics must be completed whether or not the RMP selected an alternative to manage the lands for protection of wilderness characteristics. Restated, this means that even when a decision to select an alternative that

impairs wilderness characteristics conforms to the RMP, the impacts to the lands with wilderness characteristics unit must still be documented.

The process described in this guidance should be followed in all implementation-level NEPA reviews to ensure that impacts to lands with wilderness characteristics are analyzed, and that appropriate mitigation is considered before implementation-level decisions are made. This may include avoidance, minimization and compensation. Additionally, BLM may still reach a decision in an implementation level NEPA document to protect lands with wilderness characteristics even in areas where the land use planning decision does not emphasize the protection of lands with wilderness characteristics as a priority over other multiple uses. BLM should implement reasonable measures to minimize impacts to wilderness characteristics that are consistent with the purpose and need for the project, even when a LUP decision does not offer de facto protection for wilderness characteristics in land use planning allocations.

#### **A. Determining if lands with wilderness characteristics are an affected resource**

In accordance with the [Utah NEPA Guidebook](#) (July 2010), BLM-Utah uses an interdisciplinary team (ID) checklist to guide the preparation of a NEPA document. The checklist is completed at the onset of the NEPA process to determine what issues need to be analyzed in the NEPA document and whether lands with wilderness characteristics are a resource that is included on the checklist. There is no requirement to address lands with wilderness characteristics in an Environmental Assessment (EA) or Environmental Impact Statement (EIS) where BLM has completed an updated inventory and determined that they do not exist.

#### **B. Interdisciplinary Team Checklist**

Information on use of the interdisciplinary checklist can be found in Chapter 5 of the [Utah NEPA Guidebook](#). If the ID team member with responsibility for wilderness resources (usually an Outdoor Recreation Planner) on the ID checklist determines that wilderness characteristics are not present (NP), or not impacted (NI) to a degree that requires detailed analysis, there is no additional requirement to assess potential impacts to wilderness characteristics in the NEPA document. However, the specialist should briefly document the rationale for the NI or NP determination.

1. If a project area consists of BLM-administered surface ownership in roadless areas that are less than 5,000 contiguous acres and do not potentially meet the size exception criteria ([Manual 6310](#) Section .06.C.2.a), then the lands with wilderness characteristics resource is NP.

If a project area includes parcels previously determined by BLM as lacking wilderness characteristics, and the BLM has received no new information (internally or externally) that conditions have changed, then the lands with wilderness characteristics resource is NP. The initial project review is an excellent opportunity to ensure that BLM's findings for wilderness characteristics within the project area is complete and current. Do not merely compare the project area with a geodatabase of previously identified lands with wilderness characteristics. Review pertinent information to determine whether or not full documentation of an update to the inventory is necessary.

All records and methodology used to reach a determination that lands with wilderness characteristics are not present must be documented. Example language may include: “This area was determined not to contain wilderness characteristics during the (name of inventory (e.g., 1999 Utah Wilderness Inventory. inventory to support the 2008 Approved Resource Management Plan, etc.)). A recent interdisciplinary team review of the inventory information indicates that there has been no change in circumstances that reverse this finding.”

2. If wilderness characteristics are present, but would not be impacted by the implementation of a proposed project to an extent that detailed analysis is required, then explain why the determination of NI is appropriate. For example a site-specific EA for the renewal of a livestock grazing permit might state: “Livestock grazing is considered an acceptable land use in areas with wilderness characteristics. The proposed action does not result in any changes to the historic or current grazing regime or alter the number of animal-unit months. If the grazing permit is renewed, there would be no authorization of new range improvement projects or other surface disturbing activities. Therefore, there would be no impacts to wilderness characteristics and a detailed analysis of impacts to lands with wilderness characteristics is not required.”
3. If a project area includes lands without any prior inventory for the presence or absence of wilderness characteristics on record, and the potential for wilderness characteristics may exist, then the BLM must determine whether or not a new inventory should be completed. The BLM should initiate an inventory based on specialists’ knowledge of the potential for the presence of wilderness characteristics within the planning or project area, even when no new information has been submitted by the public. Additionally, when new information is received and an update to the inventory is pending, an initial determination of PI is appropriate until the presence or absence of wilderness characteristics is determined. Upon further review, if BLM determines that wilderness characteristics are not present, then the checklist will be updated to a determination of NP.

If the ID team member with responsibility for wilderness resources determines that the proposed action would potentially impact (PI) lands with wilderness characteristics, document the potential effect to the unit on the checklist. For example, “The authorization of a ROW has the potential to impact naturalness and outstanding opportunities for solitude and primitive and unconfined recreation in the (unit name and number) unit.” If a PI is included on the checklist, potential impacts to lands with wilderness characteristics are carried forward as an issue for analysis in the NEPA document.

### **C. Addressing lands with wilderness characteristics in NEPA documents**

There are two scenarios involving lands with wilderness characteristics that are addressed differently in NEPA documents.

1. Lands inventoried by the BLM and found to have wilderness characteristics that have been evaluated through the RMP process (*Scenario 1*); and
2. Lands inventoried by the BLM and found to have wilderness characteristics that have not been evaluated in a RMP (*Scenario 2*). (*Note: This can include additional lands that*

*were not evaluated in an RMP that are contiguous to units that were evaluated in a RMP.)*

This IM instructs BLM-Utah on the method to address the two different scenarios described above in each section of the [NEPA document](#), the FONSI (for a completed EA), and in the decision document (Decision Record (DR) for a completed EA, Record of Decision (ROD) for a completed EIS). If the discussion applies to both situations, it is titled *All lands with wilderness characteristics, regardless of evaluation in an RMP*. If it only applies to lands that have already undergone planning, it is titled *Scenario 1 - Lands with wilderness characteristics evaluated in a RMP*. If it only applies to lands that have been inventoried but have not undergone planning, it is titled *Scenario 2 - Lands with wilderness characteristics not evaluated in a RMP*.

## **1. Chapter 1: Purpose and Need**

Chapter 1 of an EA or EIS typically includes the purpose and need for the proposed action and a list of relevant issues in the project area. Issues identified in Chapter 1 are the focus of the environmental analysis.

### **All lands with wilderness characteristics, regardless of evaluation in an RMP**

Under the “Identification of Issues” section, identify potential issues related to lands with wilderness characteristics. For example:

“The proposed action could impact (*naturalness, outstanding opportunities for solitude, outstanding opportunities for primitive and unconfined recreation, supplemental values*) and degrade wilderness characteristics in the (*unit name and number*).

- How would wilderness characteristics potentially be affected by each alternative?”

### **Scenario 1 - Lands with wilderness characteristics evaluated in a RMP**

If the RMP ROD included a decision to protect wilderness characteristics for a given unit within the project area, such as a 2008 RMP managing the unit as a “Natural Area”<sup>1</sup>, or if the RMP applied management restrictions (i.e., conditions of use, mitigation measures) to reduce impacts to wilderness characteristics, then the proposed action must be consistent with the RMP objectives/allowable uses and management actions that are in place to protect wilderness characteristics. Document under the “Conformance with BLM Land Use Plan(s)” section.

If the project does not conform to the land use planning decisions, the BLM should evaluate whether to modify the proposal to ensure conformance, deny the project, or amend the RMP to allow for the approval of the proposal.

## **2. Chapter 2: Proposed Action and Alternatives**

In accordance with NEPA, the BLM must explore alternative means of meeting the purpose and need for action. This includes consideration of whether or not the purpose and need of the proposed action could be fulfilled while avoiding or minimizing impacts to wilderness characteristics. Alternatives should be developed to address unresolved resource conflicts.

### **All lands with wilderness characteristics, regardless of evaluation in an RMP**

Relevant and reasonable measures that could alleviate environmental effects of a proposed action must be identified for all resources. Analyze a full range of reasonable alternatives to provide a basis for comparing impacts to wilderness characteristics and to other resource values or uses.

#### **Scenario 1 - Lands with wilderness characteristics evaluated in a RMP**

*Lands with wilderness characteristics managed for the protection of wilderness characteristics as a priority over other multiple uses (includes “Natural Areas”)*

Identify a preferred alternative or proposed action that conforms to the RMP decisions to protect wilderness characteristics. (Note: A land use plan amendment would be required prior to authorizing any actions that impact wilderness characteristics in an area managed for protection of wilderness characteristics).

*Lands with wilderness characteristics managed for emphasis of other multiple uses*

The preferred alternative or proposed action must demonstrate conformance with the RMP decisions for all affected resources. [Manual 6320](#) directs: “In areas where the management decision is not to protect wilderness characteristics, consider measures to minimize impacts on those characteristics.” For externally generated actions, if appropriate design features are not included in the Proposed Action, consider an alternative that minimizes effects to lands with wilderness characteristics. Often, measures that minimize impacts to other renewable resources (e.g., site designs to protect visual resources or intact wildlife habitat) would also minimize impacts to lands with wilderness characteristics.

#### **Scenario 2 - Lands with wilderness characteristics not evaluated in a RMP**

Include an alternative to the Proposed Action that is modified by appropriate protections, relocations, or design features to eliminate or considerably reduce the effects on wilderness characteristics, if possible. In some instances, the No Action alternative may satisfy this criterion.

### ***3. Chapter 3: Affected Environment***

The affected environment section succinctly describes the existing condition of each resource that may be affected by implementing the proposed action. The description must be of sufficient detail to serve as a baseline against which to measure the potential effects of implementing a proposed action. Lands with wilderness characteristics are considered resources, and not special designations, in all BLM correspondence and documents.

### **All lands with wilderness characteristics, regardless of evaluation in an RMP**

The specific wilderness characteristics of a unit should be described in the narrative of the inventory reports for each unit determined to contain lands with wilderness characteristics. At a minimum, document:

- The name and number of the lands with wilderness characteristics unit and a short statement that provides context, such as the general location and a description of the unit’s wilderness characteristics;

- Provide the total acreage of the lands with wilderness characteristics unit and the associated acreage that overlaps the project or study area (if applicable); and
- Provide a map depicting the project or study area in relation to the lands with wilderness characteristics unit.

### **Scenario 1 - Lands with wilderness characteristics evaluated in a RMP**

Tier to and incorporate by reference information included in the RMP/Final EIS. Refer to specific sections and page numbers in both documents. For example:

- “The *(unit name)* unit was inventoried during revision of the *(document name)* RMP and found to have wilderness characteristics. Protection of lands wilderness characteristics for the affected unit was analyzed in at least one alternative *(reference appropriate sections and page numbers in the RMP/Final EIS)*. The *(document name)* ROD selected an alternative that emphasizes other multiple uses as a priority over protecting wilderness characteristics because... *(include reference and page number(s) in the ROD/Approved RMP)*”.
- “The *(unit name)* unit was inventoried during revision of the *(document name)* RMP and found to have wilderness characteristics. The *(document name)* ROD manages the unit for protection of wilderness characteristics and included the following prescriptions... *(include reference and page number(s) in the ROD/Approved RMP)*”.

During reviews of existing inventories, document whether the existing inventory information reflects current conditions or whether there have been any changes, including significant new information submitted by the public. Cite the information from the RMP or inventory reports. For example:

- “The *(Name)* Field Office has reviewed the existing wilderness inventory findings. There have been no substantial changes to this information, as the field office has not authorized nor is aware of any actions that affect the presence or absence of wilderness characteristics within the project area or related wilderness characteristics units.”

### **Scenario 2 - Lands with wilderness characteristics not evaluated in a RMP**

Reference any inventories that have been conducted within the project area, including units identified since the completion of the land use plan. Include the dates of the field office inventory. Cite where the inventory findings are located and how they can be obtained by the public. For example:

- “The *(Name)* Field Office updated the wilderness inventory for the *(name of unit)* unit on *(date)* and determined that the project area (or a portion thereof) contains wilderness characteristics. Copies of the BLM’s wilderness characteristics inventory permanent documentation file have been included in the administrative record and are available for review at *(website link)* or at the field office upon request.”

#### ***4. Chapter 4: Environmental Effects***

The EA or EIS analysis must predict the degree of impacts to a resource from the implementation of the proposed action or alternative. The level of detail must be sufficient to

support reasoned conclusions concerning the amount and the degree of change (impact) caused by the proposed action and alternatives.

### **All lands with wilderness characteristics, regardless of evaluation in an RMP**

a. **Direct and Indirect Impacts:** Under the resource section for *Lands with wilderness characteristics*, analyze relevant short- and long-term effects on the area's size, its apparent naturalness, and outstanding opportunities for solitude or primitive and unconfined types of recreation and identified supplemental values.

Direct effects are the effects caused by the action which occur at the same time and location as the implementation of the action or alternative. Indirect effects are the effects caused by the action that occur later in time or are farther removed in distance, but are still reasonably foreseeable. For example, if a project is located in an area with wilderness characteristics, within the analysis, the BLM should disclose whether the visual and auditory effects from the project on naturalness and solitude or primitive recreation opportunities would extend beyond the area of direct disturbance.

The analysis must describe the duration and magnitude of potential impacts to wilderness characteristics. Determining the magnitude of expected impacts is an analytical process and should be approached independently for each new proposed project and for each lands with wilderness characteristics unit.

To help the public and the decision-maker understand the context of the direct and indirect impacts on the lands with wilderness characteristics, consider answering the following questions for each alternative analyzed in the NEPA process (when applicable):

1. **Size:** Would the action impact the unit so that there are no longer 5,000 acres or more of natural (i.e., roadless, primarily undeveloped) BLM lands? If so, would the area still meet the size criteria as defined in BLM Manual 6310, Section .06, Subsection C, 2(a), i(2)?

- Where is project located within the wilderness characteristics unit? Is the project located in the interior of the unit or near the boundary?
- Would the action bisect a lands with wilderness characteristics unit and segregate the area into multiple sub-units? If so, what would be the size of the sub-units?

2. **Naturalness:** Does the action affect the unit so that it no longer appears to be affected primarily by the forces of nature?

- Does the action affect the area so that it no longer appears to have been affected primarily by the forces of nature, and so that any work of human beings is no longer substantially unnoticeable? (*Note: examples of human-made features that may be considered substantially unnoticeable in certain cases are: trails, trail signs, bridges, fire breaks, pit toilets, fisheries enhancement facilities, fire rings, historic properties, archaeological resources, hitching posts, snow gauges, water quantity and quality measuring devices, research monitoring markers and devices, minor radio repeater sites, air quality monitoring devices, fencing, spring developments, barely visible linear disturbances, and stock ponds. Although individually these facilities may not substantially affect naturalness, their impacts should also be assessed cumulatively.*)

- Document all substantially noticeable human impacts that will be present in the area after implementation of each alternative. Note the expected duration of the impacts (i.e., long-term, short-term, defined period of time, etc.) If several minor impacts will occur, does their cumulative effect on the area's degree of apparent naturalness reach a threshold that cause the area to no longer meet the naturalness criterion?

**3. Solitude and Primitive and Unconfined Recreation:** Does the action affect the area so that it no longer provides the outstanding opportunities for solitude or primitive and unconfined types of recreation documented in the unit's permanent documentation file? Note the expected duration of the impacts. *(Note: Reference the inventory report when determining the effect on primitive and unconfined types of recreation. Some areas may provide outstanding opportunities for a diversity of primitive and unconfined recreational activities possible in the area, or simply for the outstanding quality of one opportunity. Not every unit will contain both outstanding opportunities for solitude and outstanding opportunities for primitive and unconfined recreation. Assess the effects only for the characteristics that have been documented as present.)*

- **Solitude:** Determine whether each alternative affects the area so that it would remove, or preclude, outstanding opportunities for solitude. Would the action cause a visitor to be unable to avoid the sights, sounds and evidence of other people in the area? Factors or elements of an action that may influence a visitor's solitude include distance between the project and areas of frequent visitation, vegetative screening and topography around the project area, likelihood that the project will attract significant additional public visitation, and the ability of visitors to avoid the project area and find seclusion in other parts of the inventory unit.
- **Primitive and Unconfined Recreation:** Determine whether each alternative affects the area in such a way that it prevents or removes outstanding opportunities for primitive and unconfined types of recreation. Would the action impair the qualities of the primitive and unconfined recreation opportunities to the degree that they would no longer be outstanding?

**4. Supplemental Values:** Does the alternative impact a unit's supplemental values? Determine and document any potential impacts to the supplemental values documented in the unit's permanent documentation file. Impacts to supplemental values may be analyzed in their respective resource sections in the NEPA document. Where applicable, analysis of impacts to supplemental values may simply reference other resource sections.

b. **Cumulative Impacts:** Document how the proposed action and alternatives would cumulatively impact lands with wilderness characteristics.

- Describe the cumulative impact analysis area, including acreage. Typically, the area of analysis should include the wilderness characteristics unit and any other lands that have been determined to have wilderness characteristics, such as Wilderness Study Areas and designated wilderness within the cumulative impact analysis area, including those areas managed by other agencies.
- List all relevant past, present or reasonably foreseeable actions that have affected or may affect lands with wilderness characteristics within the cumulative impact analysis area.



These may include future vegetation treatments for wildlife habitat restoration, travel management planning and other projects that are reasonably foreseeable.

- Analyze the cumulative effects to wilderness characteristics. Each alternative should be addressed separately following guidance provided in Section 6.8.3 of the [BLM NEPA Handbook \(H-1790-1\)](#). Be aware that indirect effects contribute to cumulative effects.

#### **5. *Record of Decision/Decision Record and Finding of No Significant Impact***

For EA-level projects, the BLM must determine whether the effects of the selected alternative are [significant](#). The FONSI is a document that explains the reasons why an action will have no significant effects. Neither an EA, FONSI, nor EIS is a decision document. The BLM uses the Decision Record (DR) to document decisions when an EA results in a FONSI. A Record of Decision (ROD) is used to document the selected alternative if an EIS is completed.

Impairment of wilderness characteristics does not automatically constitute a significant impact on the human environment that warrants preparation of an EIS. The NEPA analysis determines significance on a case-by-case basis, considering the level and intensity of impacts, and the context of the impact in consideration of the presence of other areas possessing wilderness characteristics that are protected within the project analysis area (including designated wilderness and Wilderness Study Areas).

#### **Scenario 1 - Lands with wilderness characteristics evaluated in a RMP**

For EA-level projects, in the long-form FONSI, explain how the effects of the action being considered do not exceed those analyzed or approved in the RMP. Reference specific sections of the RMP/Final EIS and ROD/Approved RMP.

If the decision (DR or ROD) is to approve an action that will result in loss of some or all of the wilderness characteristics in an area, provide the rationale for the decision.

- Explain how approval of the action is necessary to meet the purpose and need of the project.
- Explain that in the ROD/Approved RMP that the BLM chose to emphasize other multiple uses as a priority over protecting wilderness characteristics, and instead selected an alternative that allows for other uses of the lands that may be incompatible with managing to protect wilderness characteristics.
- Discuss any design features or mitigation incorporated into the selected alternative that would minimize effects to wilderness characteristics.

#### **Scenario 2 - Lands with wilderness characteristics not evaluated in a RMP**

Address whether the approval of the proposed action would impact existing wilderness characteristics so as to negate the eligibility of all or a portion of the inventoried area for consideration in a future planning effort for wilderness resource protection. BLM should consider selection of another alternative, such as the No Action Alternative or an alternative that avoids the lands with wilderness characteristics. The BLM may also consider deferral of the action, subject to valid existing rights, until a new land use plan is completed.

- Include in the NEPA analysis at least one alternative that avoids impacts to wilderness characteristics.

- If applicable, explain how the selected alternative meets the purpose and need of the proposed action and why BLM selected it rather than another alternative that includes management actions to protect wilderness characteristics in the decision document.
- Discuss any design feature or mitigation incorporated into the selected alternative that minimizes effects to wilderness characteristics.

If the current RMP does not address a wilderness characteristics unit that is affected by a new proposed action, BLM should also consider whether a plan amendment is appropriate<sup>2</sup>. BLM is not required to initiate a plan amendment each time an inventory is updated. The updated inventory is a change to the existing environment but does not change management decisions in the RMP. Plan amendments may be prompted in response to new or changed uses on the land, or to incorporate significant new information from resource assessment, monitoring, or research. When determining whether or not to amend a land use plan, the BLM must not only consider the resource, but also other workload priorities, budgetary constraints, and staff capabilities.

<sup>1</sup>The terms “Natural Area” and “designation” are no longer used by the BLM in reference to lands with wilderness characteristics. Therefore, any discussion of “natural areas” should be clearly related to the context of Utah’s 2008 planning decisions.

<sup>2</sup>The National Defense Authorization Act (NDAA § 2815 [a and d], 113 Stat. 512, 852 [1999]) provided in § 2815(d) that the Secretary of the Interior may not proceed with any amendment of any individual resource management plan adjacent to or near the Utah Test and Training Range and Dugway Proving Grounds or beneath Military Operating Areas, Restricted Areas, and airspace that make up the Utah Test and Training Range until the Secretary of Defense submits a study to Congress evaluating the impacts of any proposed changes to land management plans upon military training, testing, and operational readiness. BLM land use plans affected by the NDAA are the Box Elder RMP, House Range Resource Area RMP, Iso-tract Management Framework Plan (MFP), Park City RMP, Pony Express RMP, Randolph RMP, and Warm Springs Resource Area RMP.

Figure 1. Ensuring the inventory is current prior to analysis

