



Superintendent's Order #40

Wilderness Minimum Requirement Process

Effective Date of this Order:	September 28, 2011
Last Revision Date:	September 12, 2008
Supercedes:	
For More Information, Contact:	Superintendent
Reviewed By:	<input checked="" type="checkbox"/> Chief, Planning and Resource Management <input checked="" type="checkbox"/> Chief, Interpretation and Education <input checked="" type="checkbox"/> Chief, Administration <input checked="" type="checkbox"/> Chief, Protection <input checked="" type="checkbox"/> Chief, Facility Management
Approved:	<div style="text-align: center;">_____/s/_____ Robert J. Krumenaker, Superintendent</div>

Purpose

On December 8, 2004, Congress designated approximately 80% of the Apostle Islands National Lakeshore as the Gaylord Nelson Wilderness. With this designation comes a heightened management responsibility for the park's wilderness resources – responsibilities that were always with us by policy, but are now with us by law.

One concept that permeates wilderness management is that of “minimum requirement.” According to *2006 Management Policies 6.3.5*, it is necessary that

Parks must develop a process to determine minimum requirement until the plan [Wilderness Management Plan] is finally approved.

The park has recently completed a General Management Plan/Wilderness Management Plan (2011) that provides guidance on Wilderness Management, including minimum requirements. This SO outlines the minimum requirement “process” and will be posted on the park's Wilderness Law and Policy web page (<http://www.nps.gov/apis/parkmgmt/wild-law-policy.htm>) to provide public transparency, consistent with the 2011 Wilderness Management Plan.

What is Minimum Requirement?

“Minimum requirement,” when used in the context of wilderness, refers to a documented two-step process which:

- 1) Determines if a proposed action is necessary and appropriate for the administration of the area *as wilderness*; and

- 2) Determines how the action will be carried out in a manner that minimizes impacts to wilderness resources, if the action is determined to be necessary in wilderness

When Will the Minimum Requirement Process be Used?

Whenever a proposed action has the potential to impact wilderness resources, or whenever a proposed action involves otherwise prohibited actions or equipment (as defined by the Wilderness Act) in the Gaylord Nelson Wilderness, the project initiator will be responsible for completing the minimum requirement process.

Who Determines When Minimum Requirement is Necessary?

Most projects or actions that might have an impact on wilderness resources are already being entered into the NPS Planning, Environment, and Public Comment (PEPC) system. In such cases, the Chief of Planning and Resource Management will determine whether the minimum requirement process will be necessary for any given project, inform the project initiator immediately upon making a positive determination, and ensure the process is properly documented within PEPC. For actions or projects in wilderness that for whatever reason are not in PEPC, employees responsible for those actions or projects are responsible for recognizing when there is a potential for wilderness impacts, and for initiating the minimum requirement process. When in doubt, ask questions or consult the Wilderness Management Plan or wilderness management chapter in *Management Policies*.

How does the Minimum Requirement Process Work?

- When it has been determined a minimum requirement analysis must be completed, the project initiator should obtain a copy of the Microsoft Word file “APIS Minimum Requirement Forms.doc” from the FORMS folder on the Share drive, or wherever the park’s digital forms are available at the time. Instructions are available in another file called “APIS Minimum Requirement Instructions.doc” found in the same location.
- The form should be filled out electronically and emailed to the Chief of Planning and Resource Management when complete. If STEP 2 and beyond on the form are necessary, be sure to define three alternatives for approaching the problem, answer the questions for each of the alternatives, and complete the scoring table. Examples of completed minimum requirements are available on the Share drive under: S:\Wilderness\Minimum Requirements\Minimum Requirement Examples.
- The Chief of Planning and Resource Management will review the form and ask for clarification when necessary. When he or she determines the answers are satisfactory, and the interests of the park’s wilderness resources are the primary driver behind the decision, it will be forwarded to the Superintendent for approval.

- Once approved by the Superintendent, the Chief of Planning and Resource Management will attach the completed form to PEPC for the long-term archival of the decision. This process must be completed prior to the project being approved in PEPC.

MINIMUM REQUIREMENT ANALYSIS WORKSHEET

APOSTLE ISLANDS NATIONAL LAKESHORE

Rev 1/2008

PROPOSED ACTION: _____

LEAD PERSON(S): _____ WORK UNIT(S): _____

STEP 1 of Minimum Requirement: Is this action necessary to manage the area?

A IS THIS AN EMERGENCY?

YES

NO

ACT ACCORDING TO
APPROVED EMERGENCY
MINIMUM TOOL CRITERIA

B IS THE PROPOSED ACTION ALLOWED IN WILDERNESS BY LEGISLATION, POLICY, OR AN APPROVED MANAGEMENT PLAN?

YES

NO

DO ACCORDING TO
APPROVED CRITERIA

C CAN THE OBJECTIVES BE ACCOMPLISHED THROUGH AN ACTION OUTSIDE OF WILDERNESS?

YES

NO

DO IT THERE, OR GO TO STEP 2

D DOES THIS ACTION CONFLICT WITH LONG-TERM WILDERNESS PLANNING GOALS, OBJECTIVES, OR DESIRED FUTURE RESOURCE CONDITIONS?

YES

NO

DON'T DO IT, OR GO TO STEP 2

E CAN THE OBJECTIVES BE ACCOMPLISHED THROUGH AN ACTION THAT DOES NOT INVOLVE PROHIBITED USES?

YES

NO

DO IT, OR GO TO STEP 2

GO TO STEP 2

Answer: Yes No

Explain:

STEP 2 of Minimum Requirement: What is the minimum tool (how the action should be done in wilderness)

A DESCRIBE, IN DETAIL, ALTERNATIVE WAYS TO ACCOMPLISH THE PROPOSED ACTION * (may include primitive skills/tools, mechanized/ motorized, and/or combination alternatives)
ANSWER ALL QUESTIONS ON NEXT PAGE
(Use addition pages if necessary)

* Minimum questions to consider for each alternative:
 What is proposed?
 Where will the action take place? (location)
 When will the action take place? (dates/use periods)
 How often will this activity take place (frequency)
 How long will it take to complete the activity? (duration)
 What design and standards will apply?
 What methods and techniques will be used? (tools, etc.)
 How many people are needed to complete the action?
 Why is it being proposed in this manner?
 If there are adverse impacts, how long will they persist?
 What mitigation will take place to minimize action impacts?

GO TO NEXT STEP

B EVALUATE WHICH ALTERNATIVE WOULD HAVE THE LEAST OVERALL IMPACT ON WILDERNESS RESOURCES, CHARACTER AND VISITOR EXPERIENCE WHILE ACHIEVING OBJECTIVE

** Minimum criteria used to evaluate each alternative:
 Biophysical effects (magnitude, duration, frequency)
 Social/Recreational/Experiential effects
 Societal/Political effects
 Health/Safety concerns
 Economical/Timing considerations

GO TO NEXT STEP

C SELECT AN APPROPRIATE, PREFERRED ALTERNATIVE

IF REQUIRED

D ATTAIN APPROVAL OF YOUR MINIMUM REQUIREMENT REVIEW FROM THE SUPERINTENDENT AND ATTACH TO PEPC

Describe Alternative 1:

Describe Alternative 2:

Describe Alternative 3:

List preferred alternative and give justification:

The following Minimum Tool Questions need to be answered for EACH alternative. Complete the following table.

1. **What is proposed?**
2. **Where will the action take place (location)?**
3. **When will the action take place (dates/use periods)?**
4. **How often will this activity take place (frequency)**
5. **How long will it take to complete the activity (duration)?**
6. **What design and standards will apply?**
7. **What methods and techniques will be used? (tools, etc.):**
8. **How many people are needed to complete the action?**
9. **Why is it being proposed in this manner?**
10. **If there are adverse impacts, how long will they persist?**
11. **What mitigation will take place to minimize action impacts?**

Minimal Tool Questions and Answers

	Alternative 1	Alternative 2	Alternative 3
What is proposed?			
Location			
Timeframe			
Frequency (how often)			
Duration (length of project)			
Design and standards			
Methods and Techniques			
No. of people needed (people days)			
Why is alternative being proposed this way?			
Adverse impacts (include size and duration)			
Mitigation measures			

Scoring Table:

For each issue and each alternative, assign a relative score that measures the level of impact. Carefully consider all angles to the issue, be prepared to defend your answers. Be sure to quantify both beneficial (+) and negative (-) impacts. Beneficial impacts range from 0 to +3 (positive #s), negative impacts score from -4 to 0 (negative #s). Consistency across alternatives is the most critical consideration.

0: No impact -1 or +1: Negligible to minor impact -2 or +2: Minor to moderate impact -3 or +3: Major impact -4: Impairment

Issue	Alternative 1	Alternative 2	Alternative 3
Biophysical effects	Beneficial: + Negative: -	Beneficial: + Negative: -	Beneficial: + Negative: -
Social – Recreational – Experiential effects	Beneficial: + Negative: -	Beneficial: + Negative: -	Beneficial: + Negative: -
Societal – Political effects	Beneficial: + Negative: -	Beneficial: + Negative: -	Beneficial: + Negative: -
Health – Safety concerns	Beneficial: + Negative: -	Beneficial: + Negative: -	Beneficial: + Negative: -
Economical – Timing considerations	Beneficial: + Negative: -	Beneficial: + Negative: -	Beneficial: + Negative: -

Example:

Issue	Alternative 1	Alternative 2	Alternative 3
Biophysical effects	Beneficial: +1 Negative: -2 Minor help for vegetation but moderate negative impacts to wildlife	Beneficial: +3 Negative: -1 Very beneficial for vegetation and wildlife, negligible impacts to water	Beneficial: +2 Negative: -2 Minor beneficial impact for vegetation, minor negative impact for wildlife

REVIEW and APPROVAL
Minimum Requirement Analysis

Prior to implementation of the proposed action, the following individuals must review and/or approve the Minimum Requirement analysis. Signatures indicate review and/or approval.

Special Considerations for Project Leader:

Reviewed by: _____ Date: _____
Julie Van Stappen
Chief of Planning and Resource Management

Approved by: _____ Date: _____
Robert J. Krumenaker
Superintendent

Minimum Requirement Analysis Worksheet Instructions

The following are instructions for completing the Minimum Requirement Analysis Worksheet. Answer the questions asked on the worksheet in the spaces provided. Once completed and a decision is made, a copy of the worksheet will be kept on file with other action documents.

Proposed Action: List the proposed action

Lead Person(s): List the person or persons proposing and responsible for the action.

Work Unit(s): List the work unit or units who will be conducting the action.

STEP 1 of Minimum Requirement: Is this action necessary to manage the area?

A: Is this an Emergency?

The definition of an emergency must be consistent with conditions outlined in an approved park plan. If yes, act according to approved emergency minimum tool criteria in the appropriate plan. Note that the above plans should contain a Minimum Requirement Analysis. If no, go to B.

B: Is the proposed action allowed by legislation, policy, or an approved management plan?

Determine if the proposed action is mandated by legislation or essential to achieve planned **wilderness** objectives. These objectives must be presented in approved park plans (e.g., Wilderness/ Backcountry Management Plan, Fire Management Plan, General Management Plan, Resource Management Plan, etc.). If yes, complete the action according to approved criteria. If no, or if no criteria have been developed, go to C.

C: Can the objectives be accomplished through an action outside of the wilderness?

If yes, conduct action or place facilities determined "essential" (e.g., visitor orientation, information sign, training, radio repeater station, and research) outside wilderness. If no, go to D.

D: Does this action conflict with long-term wilderness planning goals, objectives or desired future resource conditions?

Park staff and managers must be familiar with planned wilderness goals, objectives, and future desired conditions. If yes, then do not complete the action. If no, go to E.

E: Can the objectives be accomplished through an action that does not involve prohibited activities or uses?

Explore less intrusive actions such as visitor education, staff training, signing, information media, regulations, use limits, law enforcement, area or trail closures, etc. If yes, implement action using the appropriate process. If no, go to Step 2.

STEP 2 of Minimum Requirement: What is the minimum tool?

A: Describe, in detail, alternative ways to accomplish the proposed action.

For the Minimum Requirement concept to work, it is important to develop and seriously consider a range of realistic alternatives to help determine the appropriate minimum tool needed to accomplish the action. This process involves a tiered analysis beginning with the proposed alternative and including at least one less-intrusive alternative using minimally obtrusive, primitive/traditional skills.

Primitive skills involve the proficient use of tools and skills of the pre-motorized or pioneering era (e.g., the double-bit axe, the crosscut saw, and the pack string). A working understanding of primitive skills is important to appropriately plan for their use. Managers must take the lead in demonstrating that tasks can be performed well by primitive or traditional, non-motorized methods. Field staff requires adequate training in primitive-tool selection, use, and care to efficiently accomplish planned work. While agency staff should constantly stress the importance of using primitive skills in accomplishing management objectives, they should also understand a minimum requirement analysis might not always lead to the use of a primitive tool.

The use of motorized equipment is prohibited when other reasonable alternatives are available to protect wilderness values. While Congress mandated a ban on motors and mechanized equipment, it also recognized managers might occasionally need those sorts of tools. While this provision complicates the decision-making process, it remains an exception to be exercised very sparingly and only when it meets the test of being the minimum necessary for wilderness purposes. If some compromise of wilderness resources or character is unavoidable, only those actions that have localized, short-term adverse impacts will be acceptable (NPS Reference Manual 41).

The minimum questions that should be answered for each alternative are:

What is proposed?

Where will the action take place? (location)

When will the action take place? (dates/use periods)

How often will the action take place? (frequency)

How long will it take to complete the activity? (duration)

What design and standards will apply? (compliance?)

What methods and techniques will be used? (tools and equipment needed)

How many people are needed to complete the action? (size of field crew)

Why is it being proposed in this manner?

If there are adverse impacts, how long will they persist?

What mitigation will take place to minimize action impacts?

B: Evaluate which alternative would have the least overall impact on wilderness resources character and visitor experience while achieving the objective.

The manager must determine how to effectively and safely accomplish the action with the least impact on the wilderness resource and visitor experience. To assist with this determination, managers should use the following five criteria to evaluate each alternative. Discuss the duration, magnitude, and frequency of the effect where applicable. A brief statement about each should suffice. Include both negative and positive effects, as appropriate. If one or more criteria are not applicable, or if the proposed action will have no apparent effect, include a statement that explains this.

1) Biophysical effects:

Describe the environmental resource issues that may be affected by the action.

Describe any effects this action will have on preserving natural or cultural resources.

2) Social/Recreation/Experiential effects:

Describe how the wilderness experience may be affected by the proposed action.

Consider effects to recreation use and wilderness character, including opportunities for visitor discoveries, surprise, and self-discovery.

3) Societal/Political effects

Describe any political considerations, such as MOUs, agency agreements, and local positions that may be affected by the proposed action.
Describe relationship of method to applicable laws.

4) Health/Safety concerns

Describe and consider any health and safety concerns associated with the proposed action. Consider types of tools used, training, certifications and other administrative needs to ensure a safe work environment for staff. Also consider the effect each of the proposed alternatives may have on the health and safety of the public.

5) Economic/Timing considerations

Describe the costs and timing associated with implementing each alternative.
Assess the urgency and potential cumulative effect from this proposal and similar actions. The potential disruption of wilderness character and resources and applicable safety concerns will be considered before, and given significantly more weight than, economic efficiency.

C: Select an appropriate preferred alternative.

Consult with appropriate park staff and/or the NPS Wilderness Steering Committee as to which of the alternatives will cause the least overall impact to the wilderness resources and character while still accomplishing the objective or purpose. Select this alternative, give the justification as to why the alternative was selected and list who was involved in the decision.

The net result of a minimum requirement analysis is a carefully weighed project or action that is found to be the most effective way of meeting wilderness objectives and the minimum necessary for Wilderness Act purposes.

D: Attach the appropriate project proposal/clearance form for review and approval/disapproval signature.

Attach the Minimum Requirement Analysis Worksheet to the project's PEPC or other NEPA guidance.