Humans are inventive creatures. However, this creativity also has a destructive side—one that Congress foresaw and protected against with the adoption of the Wilderness Act in 1964. The Act recognizes a natural value in wilderness that cannot be enhanced by human ingenuity. Yet, the want for progress has distracted from an honest assessment of what progress should look like, and allowed for concessions in establishing just how wild wilderness should be. Whatever progress may look like outside of wilderness areas, motorized vehicles and other markings of human interference are contrary to the purpose and value of wilderness.

Surrounding oneself completely with wilderness and experiencing it privately is a privilege that all should be afforded and many seek out. Nowadays, the opportunity to do so is often limited to wilderness areas because of the growing mechanization the rest of public land is subjected to. With the increasing popularity of drones, this opportunity is threatened, even in wilderness.

The prohibition in the Wilderness Act which states “there shall be no ... use of motor vehicles... no landing of aircraft, no other form of mechanical transport” clearly applies to the use of drones from wilderness areas but does not explicitly restrict their use over wilderness areas. Instead, the airspace over wilderness, along with aircraft such as drones, are regulated by the Federal Aviation Administration (FAA). The FAA requires a drone pilot or a visual observer to keep a “visual line of sight on the aircraft without aid” and to fly the drone at a height of no more than 400 feet. These regulations are helpful but not guaranteed to eliminate the threats drones pose to wilderness areas as havens for solitude and wildlife.

There is the risk that, though a drone did not take off from within a wilderness, it will end up there, intentionally or not. The Grand Prismatic Spring, a staple in Yellowstone National Park, was the site of a drone crash in 2014. The delicate assortment of algae that makes the spring so colorful and unique is susceptible to great damage from any intrusion, and rangers considered everything from radio-controlled submarines to helicopter overflights—also disruptive—to retrieve the drone.

In other instances, a drone never touches the soil, but its presence is still felt. Researchers in Australia are trying drones out as “running partners” while outdoor recreationists are eyeing drones for 3D mapping and...
Message from the President

Several years ago, I backpacked into the Selway-Bitterroot Wilderness in Idaho to meet with a couple of Forest Service officials and one or two other citizens to see where the agency wanted to replace a bridge at Three Links Creek. The site had an old ford that crossed a tributary stream to the Selway River, but it was no longer used and was quite a daunting crossing at certain times of the year. The Forest Service was wedded to the idea of using a helicopter to replace the bridge when a packable design was very easy, or the use of the old ford was a possible, and wilder, solution.

Not long after this meeting and following an appeal by Wilderness Watch and local conservation groups, the Forest Service abandoned its plan to use a helicopter to rebuild a different bridge further up the Selway River on another side tributary, instead using a packable design. Similar to the first case, a ford was also a possible solution. In this instance there was another route, little used, that obviated the need for a bridge at least for those using the main trail on the Selway River.

In spite of the different circumstances and outcomes for the two bridges, there is a common thread between them—viewing Wilderness solely through the lens of recreational users.

What became apparent at the small meeting in the Wilderness at Three Links Creek was that the Forest Service officials couldn’t think in terms other than all visitors to Wilderness are solely interested in the use of Wilderness. The agency did not hear or understand there are citizens who love Wilderness for its own sake. And the District Ranger would not believe that Wilderness Watch and local conservation groups were not “user groups” per se, but rather wilderness advocacy organizations.

While our interactions with the ranger in the subsequent years demonstrated our genuine interest in Wilderness for its own sake, in hindsight it is easy to see how he initially refused to listen to our concerns for the Wilderness. That is because almost every interaction he had dealing with Wilderness were with those who saw themselves as part of a specific user group concerned about access to Wilderness for their particular use. The idea of advocating for the intrinsic value of Wilderness rather than any particular use of Wilderness was an entirely new concept for the Forest Service officials I met with.

There were and are horseback-riding, hiking, and climbing advocacy groups all wanting Wilderness to be made more easily accessible for their particular use, and in some instances that has meant modifying the Wilderness. There are also organizations that promote through-hiking, goat packing, trail running, canoeing, river rafting, and what—not in Wilderness, and these kinds of user-identified groups are increasing, in and out of Wilderness. There are groups who argue that their prohibited activities—like mountain biking or paragliding—should be allowed in Wilderness. And there are groups, including some of the above, who partner with the federal agencies to build and maintain infrastructure, like trails in Wilderness, in an effort to gain political favor for their particular use. Access for a particular activity or use becomes the focus rather than the opportunity to experience Wilderness.

There is nothing wrong with maintaining trails, traveling by packstock, or running a river in Wilderness, if done properly, with restraint, and without degrading Wilderness. Many who ride horses, strap on a backpack, or canoe through Wilderness do it not as an equestrian, backpacker, or canoeist, but rather as a wilderness advocate disconnecting from modernity and reconnecting with the wild. Ultimately, that’s the value of wilderness recreation and to experience it means there has to be a real wilderness to experience.

As Howard Zahniser, the author of the Wilderness Act, said in 1962, “The purpose of the Wilderness Act is to preserve the wilderness character of the areas to be included in the wilderness system, not to establish any particular use.” I am proud that Wilderness Watch advocates for protecting Wilderness for its own sake.

—Gary Macfarlane
The National Park Service (NPS), has taken the largest step thus far to restrict this new form of encroachment by banning all non-administrative drone use from the Parks. This effectively bans over-flights of wilderness areas, which are typically interior units of Park land, by leveraging the existing line of sight requirement and turning Park land into a buffer zone around wilderness.

Though the policy adopted by the NPS is a positive step, such efforts are not consistent across the wilderness administering agencies. The Forest Service, Bureau of Land Management, and Fish and Wildlife Service all rely on the language of the Wilderness Act to prohibit drone flights from designated wilderness, but lack overflight regulation. However, the FAA and the land management agencies do have an interagency agreement addressing the harmful effects of overflights by pre-drone aircraft on wilderness. This agreement resulted in guidance for restricting overflights of wilderness areas to heights of at least 2,000 feet. This guidance, in combination with the regulation that drones cannot be flown higher than 400 feet, should lead to their exclusion from these areas.

Establishing wilderness areas as no-fly-zones through comprehensive legislation may be the most effective way to prevent intrusions and give wilderness the protection it needs to stay wild. In the meantime, positive buffer zone language in wilderness designations could address the issue. Rather than allowing wilderness to be subjected to drone intrusions originating outside its boundaries, undermining all of the protections guaranteed within its boundaries, drone use should be banned over wilderness whether the operator is standing within or outside the area, and whether the drone is hovering 10 feet or 100 feet from the soil. Otherwise, the outer reaches of wilderness become buffer zones for its interior, effectively reducing the protected area in size.

As the Committee on Aircraft v. Wilderness pointed out in the 1947 edition of *The Living Wilderness*, “Wildernesses especially require space for effectiveness.” A protective buffer zone is especially appropriate for the air surrounding wilderness due to difficulties in deciding where the wilderness ends and the airspace begins. Does wilderness stop at the tips of the grass or the tops of the trees? Or does it include the sky that the birds use to travel? Wherever the official wilderness boundary may lie, the closer one gets to that boundary, the less human influence there should be.

Besides, as the Committee on Aircraft v. Wilderness noted, “the conservation of wilderness skills is part of our objective … one cannot savor a wilderness by flying over it, be he pilot or mere passenger.” As a drone pilot, the disconnect is even greater, and the ways we try to connect with wilderness can negatively affect our perception of what wilderness is and its unique value.

The Wilderness Act was created in 1964 when it was becoming apparent that human invention and intervention was, not so slowly, eroding the wild areas still left in the nation. As technology advances, we must buttress the Act’s safeguards through new legislation and strong, consistent policies and regulations from the agencies charged with enforcing those protections laid out in 1964. Drones are a part of our mechanized world, but they do not have to be a part of those havens we set aside as wilderness. To accept this encroachment into the skies of our wilderness is to assimilate these unique spaces and continue the dulling of the United States.

To accept this encroachment [by drones] into the skies of our wilderness is to assimilate these unique spaces and continue the dulling of the United States.
On the Watch

Boundary Waters Region Mining

The Boundary Waters Canoe Area Wilderness (BWCAW) in northeastern Minnesota remains threatened by proposals for new copper-nickel sulfide mines in the region.

Earlier this summer, Sens. Tina Smith (D-MN) and Amy Klobuchar (D-MN) added an amendment to the Senate version of the National Defense Authorization Act (NDAA) that would have forced the land exchange of 6,500 acres of Superior National Forest land needed by PolyMet Mining Co. to open its open-pit mine. This legislation would by-pass the federal courts, where several lawsuits challenge that exchange. In late July, fortunately, House Democrats on the NDAA conference committee insisted on throwing out most of the bad environmental riders, including the PolyMet provision. The legislation could, however, still be added to another must-pass bill or move through the Senate as a stand-alone bill. The House already passed its version, HR 3115 (Nolan, D-MN), last November.

Twin Metals is the other proposed copper-nickel mine threatening the BWCAW. In late 2016, the Obama Administration denied the renewal of the two expired federal mining permits that Twin Metals held and which the company needs to open its massive mine on the doorstep of the BWCAW. In December 2017, the Trump Administration issued a faulty legal memo overturning the Obama team’s denial, and on May 2, Interior Secretary Ryan Zinke renewed the two federal mineral leases. That decision to renew the two federal mining leases has now been challenged in court by three different lawsuits.

Keep Cows Out of the Hoover Wilderness

Wilderness Watch has urged the Forest Service to drop its proposal to open the Hoover Wilderness in California to cattle grazing. Bordering Yosemite National Park along the Pacific Crest and falling away to the Great Basin to the east, the Hoover Wilderness is a spectacular part of the Sierra Nevada range. First established as a Primitive area in 1931, then a Wild area in 1957, the Hoover Wilderness was officially designated in 1964 as one of our first Wilderness areas.

Unfortunately, the U.S. Forest Service has proposed to re-open parts of the Hoover Wilderness to cattle grazing even though the area has been closed to grazing for years. Previous domestic sheep grazing was ended to protect the state and federally endangered Sierra Bighorn, and this area is within the bighorn’s Northern Recovery Unit.

Allowing cattle grazing in the Hoover Wilderness would create substantial impacts to the Wilderness and its watersheds and native wildlife. Parts of the grazing allotments are well over 10,000 feet in elevation and unsuitable for cattle grazing. Fencing would adversely impact wildlife and their habitats. Cattle would compete with wildlife for native forage, damage vegetation and riparian areas, degrade water quality, and spread invasive weeds. The Hoover Wilderness should not be compromised for the benefit of a few private livestock ranchers.
Wilderness Watch is concerned about the Draft Programmatic Environmental Impact Statement (DPEIS) for the “Icicle Creek Watershed Water Resources Management Strategy” for the popular Alpine Lakes Wilderness. The DPEIS presents five action alternatives, the worst of which seeks to enlarge and/or construct dams and related structures and manipulate water levels on seven lakes within the scenic Wilderness in the central Cascades of Washington. Dam construction and maintenance would harm the area’s wilderness character, and these proposed projects would set a bad precedent for our entire National Wilderness Preservation System.

The Colchuck, Eightmile, Upper and Lower Snow, Nada, Lower Klonaqua, and Square lakes, and the Eightmile, French, Icicle, Klonaqua, Leland, Mountaineer, Prospect, and Snow creeks could all be impacted.

The DEIS repeatedly ignores protections of the Wilderness Act as well as requirements of the National Environmental Policy Act (NEPA). It incorrectly assumes Icicle Peshastin Irrigation District’s (IPID) easements supersede the Wilderness Act, and it also fails to fully analyze limitations on the scope and validity of IPID’s water rights, which would limit several proposals. The DPEIS also ignores negative impacts to riparian ecosystems in the Wilderness from proposed off-season releases of water from lakes, which alters stream hydrology.

The DPEIS should be revised to address the above deficiencies, and then released for public comment.

Wilderness Watch has filed a formal Objection with Los Padres ForestWatch to stop the Forest Service from building and maintaining more than 10 miles of permanent, artificial firelines inside the Ventana Wilderness. The nearly 237,000-acre Ventana Wilderness straddles the Santa Lucia Mountains south of the Monterey Peninsula in the Big Sur country of southern California.

The Forest Service first and foremost should act to protect the wilderness character of the Ventana Wilderness, particularly when research shows that fuelbreaks are often ineffective, and that fireproofing homes is really only effective when reducing flammable materials in the immediate vicinity (usually within 100 feet) of structures.

Wilderness Watch supports the No Action Alternative (Alternative 1) in the “Strategic Community Fuelbreak Improvement Project,” which protects the Wilderness by allowing old firelines to heal over time. We have been urging the agency to focus fire prevention measures on the structure protection zone where it is most effective.
Wilderness Watch Welcomes Clare Mack

Wilderness Watch welcomed Clare Mack as our new Policy Director/Associate Attorney in June. Prior to joining Wilderness Watch, Clare completed a legal fellowship with the Environmental Defense Fund in Boulder, Colorado, focused on habitat, clean air, and clean energy issues. She graduated from the University of Colorado Law School in 2017, where she obtained a certificate in Natural Resources Law and Policy and served as the president of the Environmental Law Society. Clare grew up in Whitefish, Montana, and her love of the outdoors was born while scrambling around the peaks and meadows of Glacier National Park and the Bob Marshall Wilderness. Those wild places—that they may be preserved for others and in their own right—inspire her advocacy for wilderness.

Kayla Frederick, Legal Intern

Kayla Frederick is about to start her second year at the University of Alabama School of Law. Though the law hasn't been her method of choice from the beginning, she has always had a passion for environmental advocacy and incorporated that goal into her undergraduate years, both in her studies and through working as an outdoor recreation trip leader for her school. In that role, she was able to incorporate teaching the importance of having a strong wilderness ethic, and the Sipsey Wilderness holds a special place in her heart as one of the first places she was able to do so. Her desire to do more to protect these invaluable and irreplaceable pockets of wilderness led her to Wilderness Watch. She’s specifically interested in efforts to eliminate the hazards that drones pose to the integrity of wilderness and its existing protections. Climbing and exploring new parks and wildernesses are her favorite ways to grow her passion for the protection of wild places.
Given the headlines, I wouldn’t blame anyone if he or she wanted to remain indefinitely in the most remote Wilderness in North America. Feeling detached should be an Olympic sport!

We exist in a time when those designated protectors of our wilderness and public lands seem more interested in looting them. Our Interior Secretary, Ryan Zinke, trolls “extremist environmentalists”—not climate change—as the cause of this summer’s fires in the West.

But detached is not a description I would use to describe our members. You’re fully switched on. Wilderness Watch has more dues-paying members right now than at any time in our 30-year history. Renewals are sky-high. Special donations keep rolling in. And we’re setting a record this year for new members, which is very timely because every new membership in 2018 comes with a 100 percent match.

Our members’ activism doesn’t stop with dollars and cents, though. Whenever we put out the call for letters and comments, you give the wilderness revisionists, the wilderness reductionists, and the wilderness developers a raging earful. And, apologies to Dylan Thomas, we will not go gentle into this bad night.

It’s never a sure thing when we expand our staff and budget to meet the multiplying threats to Wilderness. I am pleased to report that our members keep pace . . . and for that and for your unwavering activism, we thank you.
On the Watch (continued)

Zinke Trying to Reinstate Cruel “Hunting” Practices on National Preserves

Wilderness Watch is fighting the Trump Administration’s proposal to bring cruel “hunting” practices back to our National Preserves in Alaska. Secretary of the Interior Zinke has proposed to roll back a 2015 National Park Service rule banning some unethical practices on 19 million acres of National Preserves in Alaska, which includes millions of acres of Wilderness. National Preserves in Alaska are managed by the NPS similarly to National Parks, except some hunting is allowed. The rule codified temporary restrictions in place for sport hunters only; subsistence hunters are not affected.

The Park Service regulations ban:

- Killing mother bears and cubs in their dens;
- Baiting brown and black bears with donuts or other human foods;
- Killing wolves and coyotes with pups during their denning season;
- Shooting caribou from boats or shore as they cross lakes or rivers;
- Indiscriminate and cruel trapping;
- Using dogs to hunt bears.

Bears, wolves, caribou, and other native wildlife are an integral part of what makes these places truly wild. Wilderness Watch will continue to work to keep the 2015 NPS rule in place and protect wildlife and the integrity of Wilderness in our Preserves.