

In 1964, the United States passed the Wilderness Act to protect public wildlands. Now, more than 106 million acres of designated wilderness, including about 3 million acres in Wyoming, are managed by the National Forest Service, National Park Service, Bureau of Land Management, and U.S. Fish and Wildlife Service. But they're struggling to keep the wilderness wild. A recent Forest Service publication states that only about 20 percent of the 35 million acres

Heli-No

By Tom Darin

Former JHCA Public Lands Director

Wilderness means different things to different people. Our nation's wilderness areas are meant to be free of human disturbance, including mechanical and industrial activities. They have the cleanest air and water in the country and support wildlife. For some, they're a place to get away from it all. For others, just knowing these wilderness reserves are there is a comfort. In the words of the U.S. Congress that passed the Wilderness Act of 1964, these wild places are "where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain."

It's within this context that the Conservation Alliance has viewed management of the 135,840-acre Palisades Wilderness Study Area [PWSA], which is in the Snake River Range east of the Wyoming-Idaho border and managed by Bridger-Teton National Forest. (See map on Page 5.) Building on the Wilderness Act of 1964, significant areas within Wyoming were added to the wilderness system in 1984, and the Palisades was designated as a "study area" for possible future inclusion in the wilderness system. The practical significance of a study area is that the Forest Service must manage it to preserve its wilderness qualities.

Enter motorized activities such as helicopter-assisted skiing ("heli-skiing") and snowmobiling. The 1984 law requires that the Bridger-Teton National Forest manage all activities and uses within the PWSA so that the "presently existing wilderness character" found in 1984 is protected. That year, agency records show there were about 65 helicopter-assisted skier-days in the PWSA. (A skier-day is one skier using the area on one day.) However, since then, Bridger-Teton officials continued to permit additional commercial heli-skiing in the forest, failing to require 1984 levels of use.

When the Forest Service finalized an environmental study in 2005, which allowed a total of 1,200 helicopter-assisted skier-days – with a prediction that nearly all the use would be within the PWSA – the Conservation Alliance, Greater Yellowstone Coalition,

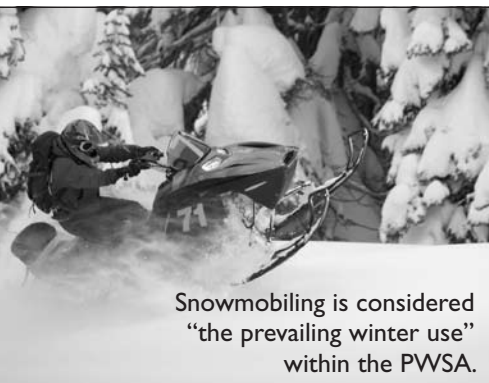
Earthjustice, Sierra Club and Wyoming Wilderness Association brought litigation to stand up for wilderness. In November 2006, a federal judge agreed with us, and accepted the conservation groups' offer to negotiate a settlement that would reduce heli-ski days in the PWSA to 1984 levels while allowing time for heli-skiing operations to transition to alternative terrain.

Under a court-ordered compromise, helicopter-assisted skiing in the Palisades Wilderness Study Area will be reduced to 1984 levels during the next four years.



The result? In February, Idaho District Judge Lynn Winmill accepted a plan between the conservation groups, National Forest Service and High Mountain Heli-Skiing to reduce helicopter-assisted skiing in the PWSA to 1984 levels by the winter of 2010-11. Under the compromise, this season High Mountain Heli-Skiing has a limit of 854 skier-days in the study area. Next winter will allow 598 skier-days; in 2008-09, 512 are allowed; and in 2009-10 there can be 342. The following season and thereafter caps the number at 65 helicopter-assisted skier-days.

Congress, representing the will of the entire country, intended something special for places like the PWSA. This type of bold vision takes strong conviction and leadership for long-lasting protection, and we are proud to be a tough and persistent voice for ensuring that our pristine and wild places in the Bridger-Teton stay that way. ■



Snowmobiling is considered "the prevailing winter use" within the PWSA.

Stop the surge in snowmobiling

The Wyoming Wilderness Act made it clear that snowmobiling was only permitted in the Palisades Wilderness Study Area "in the same manner and degree" as in 1984. But, within Bridger-Teton National Forest's 2005 environmental study of commercial heli-skiing, we found a startling admission: the level of snowmobile use has been increasing since 1984 and is now "the prevailing winter use" within the study area.

We're deeply concerned about the impacts of heightened snowmobiling in a place designated by Congress to be one of quiet and solitude, and we're working with forest officials to rein in this activity. Otherwise, our gains to bring heli-skiing under control will have been undermined. Both activities need to be kept to 1984 levels. The future of the PWSA and its potential to be permanently preserved as wilderness depend on it. ■

they manage “meet even our minimum stewardship level” of healthy wilderness having clean air and water, native plants and wildlife, solitude and only primitive recreation. So, is it still wilderness where you can’t escape the sights and sounds of other people? Where invasive species crowd out native animals and plants? Where pollution from outside wilderness areas can harm the ecosystems within? And why is wilderness worth protecting? Here are some thoughts...

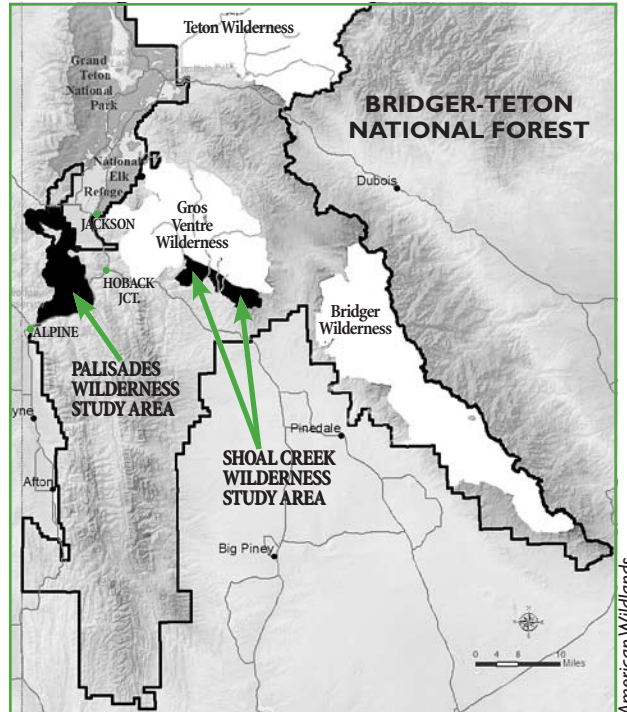
Shoal Creek & Palisades WSAs at Risk

By Liz Howell
Wyoming Wilderness Association

The Wyoming Wilderness Act of 1984 resulted in the creation of 15 Wilderness Areas, shown on Page 6; three Wilderness Study Areas – Palisades, Shoal Creek and High Lakes; and one Special Management Unit, the DuNoir. Shoshone National Forest manages DuNoir and the High Lakes WSA; Palisades and Shoal Creek, shown at right, are managed by the Bridger-Teton National Forest. All of these special places are supposed to be managed in a way that preserves their wilderness character.

South of the Gros Ventre Wilderness Area and east of Granite Creek, the 30,000-acre Shoal Creek Wilderness Study Area is home to diverse plant communities ranging from wet sedge meadows to sagebrush to forests of aspen, lodgepole pine, spruce and fir. Alpine tundra extends from the upper limit of trees to the mountaintops. These habitats support countless insects, birds, fish and mammals, including moose, elk, mule deer and bighorn sheep. Resident predators include coyote, mountain lion and the occasional wolf. Black bears inhabit the area and grizzly bears sometimes travel through.

The Palisades and Shoal Creek wilderness study areas were likely excluded from full wilderness designation in 1984 because of their potential for energy development. In fact, due to grandfathering, under the 1990 Bridger-Teton management plan virtually all of the Palisades WSA is considered open for oil and gas leasing, with the stipulation of no surface occupancy (e.g., directional drills based outside the study area could access deposits beneath it). And Shoal Creek WSA, while “legislatively withdrawn from leasing pending completion of a wilderness study during a future



Forest Plan Revision” according to a 2001 Federal Lands Analysis, is bordered on three sides by National Forest land open to energy development with no, or only limited, stipulations. Bridger-Teton is now revising its forest management plan, so this is a critical time for both WSAs. Only a wilderness recommendation by the Forest Service will ensure interim protection until Congress designates them as Wilderness Areas. See Page 12 for an update on the revision process and information on how you can help. ■

Wilderness Areas take an Act of Congress...

- Wilderness Study Areas can become designated Wilderness Areas only if:
- (1) The Forest Service, Bureau of Land Management or other federal agency recommends an area for wilderness status through their planning process;
 - (2) Citizens lobby their congressional delegation to introduce legislation to protect the area as wilderness;
 - (3) A representative or senator introduces a bill in U.S. Congress to include the area in the National Wilderness Preservation System; and
 - (4) Congress passes the bill – most likely if a state’s entire delegation supports it.

The purposes of the Wyoming Wilderness Act of 1984 are to:

- “(1) Designate certain National Forest System lands in Wyoming for inclusion in the National Wilderness Preservation System in order to preserve the wilderness character of the land and to protect watersheds and wildlife habitat, preserve scenic and historic resources, and promote scientific research, primitive recreation, solitude, physical and mental challenge, and inspiration for the benefit of all of the American people; and
- (2) insure that certain National Forest System lands in the State of Wyoming be made available for uses other than wilderness in accordance with applicable national forest laws and planning procedures and the provisions of this Act.”

The Act also stated: “Subject to valid existing rights and reasonable access to exercise such rights, until Congress determines otherwise, the Palisades, High Lakes and Shoal Creek Wilderness Study Areas shall be administered by the Secretary of Agriculture so as to maintain their presently existing wilderness character and potential for inclusion in the National Wilderness Preservation System,” and that “snowmobiling shall continue to be allowed in the same manner and degree as was occurring prior to the date of enactment of this Act.”