2326 - USE OF MOTORIZED EQUIPMENT OR MECHANICAL TRANSPORT IN WILDERNESS

2326.02 - Objectives

1. Accomplish management activities with nonmotorized equipment and nonmechanical transport of supplies and personnel.

2. Exclude the sight, sound, and other tangible evidence of motorized equipment or mechanical transport within wilderness except where they are needed and justified.

2326.03 - Policy

1. Ensure that Forest Service employees acquire and maintain necessary skills for primitive travel by foot, horse, canoe, or other nonmechanical means and the use of hand tools. For definitions see FSM 2320.5.

2. Do not approve the use of motorized equipment or mechanical transport unless justified as described in 2326.1. For definitions see FSM 2320.5.

3. Discourage flights over wilderness within 2,000 feet of the ground surface, except in emergencies or for essential military missions. (The Federal Aviation Administration (FAA) has agreed to and the National Oceanic and Atmospheric Administration (NOAA) has posted, for the FAA, a 2,000 foot over terrain flight advisory on appropriate aeronautical charts. Specific legislative provisions regarding overflight pertain to certain wildernesses.) Cooperate with the Federal Aviation Administration, the National Oceanic and Atmospheric Administration, military authorities, and with local pilots to promote compliance with the 2,000 foot limit, to keep aeronautical charts current, and to reduce low level flight.

2326.04 - Responsibility

2326.04a - Chief

The Chief is responsible for approving any use of motor vehicles and motorized equipment, except where the authority has been delegated to the Regional Forester (FSM 2326.04b) and the Forest Supervisor (FSM 2326.04c).

2326.04b - Regional Forester

The Regional Forester is responsible for approving:

1. Transport and supply by aircraft, air drop, motor boat, or mechanical transport for situations that meet the conditions under items 2, 4, or 5, in FSM 2326.1.
2. Hand-portable motorized equipment for needs that meet conditions listed under item 5 of FSM 2326.1.

3. Motorized ground equipment not designed for personnel transport and of a type or size that is controlled from a position afoot.

4. Use of motor vehicles, motorized equipment, and mechanical transport for situations involving established livestock grazing operations (FSM 2204 and 2323.2), and transport of wildlife or fish when nonmotorized means are not feasible (FSM 2323.3).

5. Use of motorized equipment specifically allowed by individual wilderness acts subsequent to the Wilderness Act.

2326.04c - Forest Supervisor

The Forest Supervisor approves the use of motorized equipment or mechanical transport under conditions described in section 2326.1, item 1 or 3. However, the Regional Forester shall approve the use of tractors for fire suppression.

2326.1 - Conditions Under Which Use May Be Approved

Allow the use of motorized equipment or mechanical transport only for:

1. Emergencies where the situation involves an inescapable urgency and temporary need for speed beyond that available by primitive means. Categories include fire suppression, health and safety, law enforcement involving serious crime or fugitive pursuit, removal of deceased persons, and aircraft accident investigations.

2. Aircraft or motorboat use established before the area was designated as wilderness by the Act of 1964 or subsequent wilderness legislation.

3. Exploration and development of valid existing mineral rights (FSM 2323.7).

4. Access to surrounded State and private lands and valid occupancies (FSM 2326.13).

5. To meet minimum needs for protection and administration of the area as wilderness, only as follows:

   a. A delivery or application problem necessary to meet wilderness objectives cannot be resolved within reason through the use of nonmotorized methods.

   b. An essential activity is impossible to accomplish by nonmotorized means because of such factors as time or season limitations, safety, or other material restrictions.
c. A necessary and continuing program was established around the use of motorized equipment before the unit became a part of the National Wilderness Preservation System, and the continued use of motorized equipment is essential to continuation of the program.

d. Removal of aircraft wreckage when nonmotorized methods are unsuitable.

Specify, for each wilderness, the places and circumstances in which motorized equipment, mechanical transport, or aircraft are necessary for protection and administration of the wilderness and its resources in the forest plan.

The Line Officer approving the use of motorized equipment, aircraft, or mechanical transport shall specify what uses of that equipment are suitable and will have the least lasting impact to the wilderness resource. Schedule use of this equipment to minimize impact on wilderness visitors.

2326.11 - Use of Motorized Equipment by Other Government Agencies

Approve the use of motorized equipment, aircraft, or mechanical transport by other government agencies in National Forest wilderness in the same manner and under the same conditions stipulated for Forest Service use (sec. 2326.1). Special provision is given for access to existing snow measurement sites (sec. 2323.44).

2326.12 - Use of Motorized Equipment by Valid Occupants of National Forest Land

Approve the use of motorized equipment and/or mechanical transport by valid occupants of National Forest System lands in wilderness using criteria in section 2326.1.

2326.13 - Access to Surrounded State and Private Land, Valid Mining Claims, or Other Valid Occupancies

1. Surrounded State and Private Land. Ensure adequate access to States or persons, and their successors in interest, who own land completely surrounded by wilderness. Adequate access is defined in 36 CFR 293.12 and section 2320.5.

Prevent unauthorized road construction or motorized transport across wilderness. The Regional Forester may provide these landowners with written permission to use wilderness routes or motorized modes of travel not available to the general public. When the exercise of these rights of access to surrounded land would be detrimental to wilderness values, attempt to acquire the land by purchase or exchange or donation before granting access.

2. Valid Mining Claims or Other Valid Occupancies. Permit access to valid occupancies according to the direction in 36 CFR 293.13.