

# State-designated Wilderness in the United States: A National Review

BY BLAKE M. PROPST and CHAD P. DAWSON

## Introduction

In recent decades, the word *wilderness* has been used to designate, define, label, or market many public and private land areas and programs—it has various connotations and denotations. In fact, at times, it is difficult for the public to distinguish between what is implied to be wilderness and what is so designated by law. On one hand, some tourism marketing materials use the word *wilderness* to imply a state of naturalness and, thereby, sell the prospective nature-oriented tourist on a lodging accommodation or travel destination. For example, the Disney Wilderness Preserve was established in 1992 through the cooperative actions of The Walt Disney Company, Greater Orlando Aviation Authority, The Nature Conservancy, and several public agencies, but the management and allowable types of use do not support wilderness character or experiences. On the other hand, the public has grown to appreciate and use the legislatively designated National Wilderness Preservation System (NWPS) in the United States that now includes more than 107 million acres (43.3 million ha) since the passage of the Wilderness Act of 1964. The concept and use of primitive and wilderness areas goes back well before 1964 and is part of the American heritage and experience.

Protected areas labeled as wilderness exist in various types of ownership, from federal and state lands to private and tribal lands. An example of a private land area managed as wilderness is the Grandfather Mountain area in North Carolina (Johnson 1996). An outstanding example of a tribal wilderness area is the Mission Mountains Tribal Wilderness on the Flathead Indian Reservation in west-central Montana (McDonald 1995).



Blake M. Propst and Chad P. Dawson. Photo by D. Kuehn.

State-owned wilderness areas is a category of wilderness that can be confusing and, at times, misleading as to whether an area is a wilderness in name only or by objective criteria and legal designation. The state of South Carolina has the Mountain Bridge Wilderness, which is part of Jones Gap State Park and managed as a park. The state of Tennessee has the Bridgestone/Firestone Centennial Wilderness provided by a private donation and managed by the Tennessee Wildlife Resources Agency, but it does not have administrative or statutory protection as a wilderness and does not appear to be managed as a wilderness. We recognize that there are many types of protected areas that are similar to wilderness, but may be labeled by other names such as nature areas. For example, some Tennessee-state areas formerly known as "pocket wilderness" areas have been renamed as "state nature areas."

Several studies have investigated state legislation to protect state-owned lands as wilderness over the last three decades and have reported on the status of those efforts and the development of wilderness management programs

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(Cutler 1971; Trumbly and Gray 1984; Stankey 1984; Peterson 1996; Dawson and Thorndike 2002). The purpose of this study was to conduct an assessment of the state-designated wilderness areas and related programs (e.g., wild areas, wildlands, etc.) in the United States and provide a summary of the wilderness or wilderness-type programs that included state-owned lands that were legislatively or administratively designated and are similar in concept to the national legislative definition of *wilderness*.

### Criteria for a State Wilderness Program

Stankey (1984) conducted a national survey of state land managers to locate and identify the state wilderness programs that were established and to compare them to the wilderness definition and required conditions set up for establishing and managing federal lands under the 1964 Wilderness Act. He developed five criteria to test if a state-designated program was comparable to the federal program or not. We have adopted those five criteria and added a sixth criterion to conduct a 2007 study of state-designated wilderness areas and programs in the United States:

1. formal designation of state-owned lands by state statutory or administrative authority;
2. objectives for designation are to protect and preserve natural conditions and ecological processes and to provide primitive recreation opportunities (e.g., nonmotorized access, minimal development of facilities);

3. prohibition of resource development of all types, such as timber harvesting, road building, and mining;
4. size guidelines for establishment of an area and to support the protection and stewardship objectives for the area;
5. recognition of other values of the area that are consistent with management of the area as wilderness, such as historic, cultural, scenic, or scientific values; and
6. development of management plans to formally define area objectives and to guide managers in activities and decision making that fosters those objectives.

Our search for states that have state-designated wilderness started with the programs and legislation previously reported (Cutler 1971; Trumbly and Gray 1984; Stankey 1984; Peterson 1996; Dawson and Thorndike 2002) and then expanded to include an Internet search of all 50 state land management agency websites to see if any additional states had designated wilderness areas or programs since the previous studies. We contacted, by mail or telephone, representatives in each state that was identified with a Wilderness Area or Program to obtain additional information on their Wilderness Areas or Programs.

### State Wilderness Programs

Compared to the nine state programs in previous research, seven state wilderness programs were still in existence and met the criteria listed

above (Alaska, California, Maryland, Michigan, Missouri, New York, and Wisconsin), one did not meet the criteria listed (Minnesota), and one was removed in 1989 (Florida—due to legislative sunset). No new state-level wilderness programs were identified that met these six criteria.

Most natural area and wild area type programs did not meet the criteria for being included due to small size, lack of opportunities for solitude or primitive and unconfined recreation, and other reasons. Nonetheless, they are important protected area programs; they simply do not meet the criteria for this study.

The seven state wilderness programs that met the six criteria did so with variable success and in diverse ways, so there is no common legal or programmatic approach to report. Most of these programs were weakest on the sixth criteria requiring some evidence of management plans being developed and implemented; many have draft management plans in need of completion or older plans in need of updating.

The state of Alaska has designated some zones in state parklands as Wilderness (see figure 1) and an entire parcel of state land as a state wilderness park. In Alaska, wilderness areas were administratively designated in 1972, and one state wilderness park, Kachemak Bay State Wilderness Park, was legislatively designated in 1972. There has only been limited administrative wilderness designation since 1972. The state wilderness park definition, located in Alaska State Statute 41.21.990, contains no size criteria but emphasizes the protection of wilderness values. Wilderness areas were defined by the 1982 Alaska State Park System and Statewide Framework report to be of a size that maintains the area's wilderness

character and emphasizes values similar to the U.S. Wilderness Act. The Division of Parks and Outdoor Recreation is responsible for management. Management plans have been written for each of the state parks containing wilderness areas and the state wilderness park to give management directions and list special provisions.

The state of California legislatively established the California Wilderness Preservation System (CWPS) in 1974 by California Public Resources Code 5093.30. This statute designated the first of two state wilderness areas in California and designated Sinkyone Wilderness State Park as the only stand-alone component of the system. The other components of the CWPS are zones within other state parks called "classified internal units." Wilderness areas are defined by the enabling legislation that closely resembles the U.S. Wilderness Act definition, including the 5,000 acre (2,024 ha) size criterion and other important wilderness values. Each state agency with jurisdiction over any area designated as a wilderness area is responsible for management. General management guidelines for state wilderness areas can be found in Division 5 of the California Public Resources Code. Specific management guidelines for individual wilderness units can be found in the statutes that designate those areas or in the general management plan for the state park within which the wilderness is located.

The state of Maryland has a wildlands preservation system, which is considered Maryland's counterpart to the National Wilderness Preservation System. The Maryland Wildlands Preservation System was legislatively established by the Maryland Wildlands Act in 1971 and designa-



Figure 1—Looking into the Chugach State Park Wilderness from Crow Pass, Alaska. Photo by Chad Dawson.

tions began in 1973. All state wildlands are internal units within state parks, state forests, and wildlife management areas. Wildlands are defined by Natural Resources Article 85-1201, Annotated Code of Maryland and can be classified as Type I, II, or III. Each type of state wildland has different definitions located in the same legislation and each has varying extents of management. The definition contains a specific size requirement for Type I, but not Types II or III, although it does recognize the importance of preserving areas that protect wilderness characteristics and values. The Maryland Department of Natural Resources is responsible for management. General management guidelines for state wildlands can be found in the Maryland Wildlands Act and in Annotated Code of Maryland, Department of Natural Resources Article, Title 8. Specific management guidelines for individual state wildlands are in the statutes that designate those areas and in the management plans for the state area in which the wildland is located.

The state of Michigan includes wilderness areas in the High Conservation Value Areas program (see figure 2). The program started in 1972 when the Wilderness and Natural Areas Act 241 was passed, and designations began the same year (it was recodified in 1994 as Act 451 Part 351). Wilderness area nominations are approved by the Wilderness and Natural Areas Advisory Board or the director of the Department of Natural Resources. Wilderness areas also can be designated by a Natural Resource Commission Resolution. When areas are proposed for legal wilderness designation, it must be managed as such even during the review phase. The definition for wilderness areas in the Wilderness and Natural Areas Act



Figure 2—Young hikers in the Porcupine Mountain Wilderness of Michigan. Photo by Kim Ramm.

contains language similar to the U.S. Wilderness Act; however, only 3,000 acres (1,215 ha) are required for state wilderness designation. Each state agency with jurisdiction over state lands containing wilderness areas is responsible for management. Management guidelines can be found in the Wilderness and Natural Areas Act and in management plans for the state-managed area in which the wilderness area is located.

The state of Missouri has designated some state lands as wild areas. The Missouri Wild Areas Program was administratively established by the Missouri Department of Natural Resources in 1977 and designations began in 1978. All wild areas in Missouri are internal units within state parks and have an administrative level of protection. The definition of wild areas is located in the Division of State Parks (DSP) Policy N-06 and is similar to the U.S. Wilderness Act definition, except it does not include a specific size criterion and instead refers to a "sufficient size as to make practicable its preservation and use in an unimpaired condition." General management guidelines are included in the DSP Policy N-06: Wild Areas and the Wild Areas Procedures. The DSP Policy N-06 states that a management plan for each wild area will be developed, describing site-specific values and objectives. Only two wild area management plans have been completed, and a third one is on the process of being written. The Division of State Parks is responsible for operating and maintaining the program.

The state of New York has designated some state land within the Adirondack Park (see figure 3) and the Catskill Park as wilderness areas. Article XIV, § 1 of the New York State Constitution states that state forest preserve lands shall be forever kept as



Figure 3—Whitney Wilderness in the New York State Adirondack Park. Photo by Chad Dawson.

wild forest lands. The Adirondack Park Agency (APA) is legislatively mandated by the APA Act to preserve the natural resources of state lands, and the APA has administratively designated some lands within the Adirondack Park as wilderness. Similarly, the Department of Environmental Conservation (DEC) has administratively designated some lands within the Catskill Park as wilderness. Designations began in 1972 in the Adirondacks and 1985 for the Catskills. The same wilderness definition is used for both parks and is similar to the U.S. Wilderness Act definition, except the size criterion, which requires a minimum of 10,000 acres. The DEC is responsible for management, and general management guidelines are in the Adirondack Park State Land Master Plan and the Catskill Park State Land Master Plan. Specific management guidelines can be found in the unit management plans developed for each wilderness area.

The state of Wisconsin administratively established one wilderness area in 1973, and then updated their state land classification policies in 2001 to create a uniform planning

process for the management and use of Wisconsin Department of Natural Resources (DNR) managed properties. The classification of a Wild Resources Management Area (WRMA) is set forth in Chapter 44 of the Wisconsin Administrative Code (WAC). The definition of a WRMA contains language similar to the U.S. Wilderness Act, but does not contain a size criterion, except related to the designation of wilderness lakes (five or more acres). Management directions are located in Chapter 44 of the WAC and in the master plan for the state area within which the WRMA is located. There is currently only one WRMA in the state, the Manitowish WRMA, which was previously called the Manitowish Wilderness, and is located within a state forest. The DNR is responsible for management and is considering classifying other areas as WRMAs when current DNR land management plans are updated.

### States with Wilderness Areas Not Qualifying as a Wilderness Program

Five states have designated one or two wilderness areas and make important contributions to the state

and national wilderness preservation efforts. These efforts do not meet several of the six criteria listed above to be labeled as a program in this study.

The state of Minnesota legislatively designated 18,000 acres (7,287 ha) of state land as wilderness in 2003 under legislation adopted in 1975 (now coded as Minnesota Statutes 2006, Chapter 86A.05, subdivision 6). These state forest lands are an inholding within the Boundary Waters Canoe Area Wilderness (BWCAW), a federally designated wilderness area. The definition for state wilderness areas in the Minnesota-state statute contains language similar to the U.S. Wilderness Act; however, there is no size criterion. The Minnesota state statute contains management guidelines for the area; however, the state lands are using the management directions and special provisions of the BWCAW, and there is no state wilderness management plan.

The state of Hawaii has one wilderness preserve on the island of Kauai and one wilderness area on the island of Hawaii. The Alakai Wilderness Preserve was administratively designated in 1981 and the South Kona Wilderness Area was legislatively designated in 2003, with a sunset provision for December 31, 2007. Neither Title 13 of the Department of Land and Natural Resources Code establishing Alakai nor Chapter 6 of the Hawaii Revised Statutes establishing South Kona contains a wilderness definition, but they do specify management directions unique to each area. Interestingly, the state of Hawaii has a Natural Areas Reserve System established in 1970 by Chapter 195 of the Hawaii Revised Statutes that contains a definition and unique management guidelines, which are stricter than the wilderness management guidelines (e.g., over-

night camping is allowed, but by bedroll only and no tents).

The state of Maine has Baxter State Park and the Allagash Wilderness Waterway that were established by state statute. Baxter State Park was established in 1962 by Title 12, Chapter 211 of the Maine Revised Statutes Annotated (MRSA) and is managed to be forever kept wild and remain in a natural wild state. Although it is intended for those persons who enjoy the wilderness, there is no wilderness definition or unique management guidelines, and it is managed by the Baxter State Park Authority. The Allagash Wilderness Waterway was established in 1966 by Title 12, Chapter 220 of the MRSA, but does not have a wilderness definition, although unique management guidelines are listed for the waterway. A restricted zone along the waterway is defined to protect and develop the maximum wilderness character of the watercourse.

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## State-designated wilderness areas and programs are important contributions to the total wilderness protected in the United States.

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The State of Ohio has the Shawnee Wilderness Area, which is part of the Shawnee State Forest and was established by Title 15, Chapter 1503 of the Ohio Revised Code Annotated in 1988, and is the state's only wilderness area. The statute gives a wilderness definition similar to the Wilderness Act and states permitted and prohibited uses. The area is managed by the Ohio Department of Natural Resources.

The state of Oklahoma has the McCurtain County Wilderness Area that was designated by Title 29, the Oklahoma Wildlife Conservation Code, §7-701 of the Oklahoma Statutes in 1918. Access is restricted to permit only and is not used for recreational purposes. The statute does not give a wilderness definition or provide for future designations, but does list prohibited uses. It is managed by the Oklahoma Department of Wildlife Conservation.

## Conclusion

Seven of the nine original state wilderness programs reported by Stankey (1984) have grown from 42 areas and 1.5 million acres (630,000 ha) to 84 areas and over 2.95 million acres (1.1 million ha) by 2007 (see table 1). Florida no longer has a wilderness program and Minnesota did not meet all the criteria set by this 2007 study as a state wilderness program. There are four other states (Hawaii, Maine, Ohio, and Oklahoma) with one or two wilderness areas designated and under management. Thus, there are a total of 91 wilderness areas in 12 states encompassing over 3.2 million acres (1.3 million ha) as state-designated wilderness.

Although the state wilderness areas have grown in number and total acreage, it has been a very limited expansion and not at the growth rate of the NWPS. Outside of Alaska, California, and New York, the state wilderness programs are not well known by the public and are small state land management program efforts. However, state designated wilderness areas and programs are important contributions to the total wilderness protected in the United States, especially in some states with very little federal land in the NWPS. These state wilderness programs and

areas complement the NWPS with additional areas under stewardship and management for wilderness protection for present and future generations. **IJW**

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**Table 1. States with Wilderness programs and states with one or two Wilderness areas, but no program, in 2007**

State	Year Established	Number of Areas	Total Acreage
<b>States with Wilderness Programs</b>			
Alaska	1972	5	1,133,400
California	1974	11	475,725
Maryland	1971	30	43,733
Michigan	1972	4	57,733
Missouri	1977	11	22,993
New York	1972	22	1,214,217
Wisconsin	1973	1	5,939
Subtotal		84	2,953,740
<b>States with Wilderness Areas, but no program</b>			
Minnesota	1975	1	18,000
Hawaii	1981	2	30,857
Maine	1966	2	204,733
Ohio	1988	1	8,000
Oklahoma	1918	1	14,087
Subtotal		7	275,677
<b>TOTAL</b>		<b>91</b>	<b>3,229,417</b>

BLAKE M. PROPST is an MS student at the State University of New York, College of Environmental Science and Forestry at Syracuse.

CHAD P. DAWSON is a professor at SUNY-ESF and the managing editor of *IJW*; email: cpdawson@esf.edu.

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access for all people. Each visitor has the right to choose the type of recreation experience they are seeking and then select the area they prefer, in which that activity and means of access are allowed. Information must be clearly provided concerning designated use of motor vehicles, terrain, trails, and so forth so each person can select the most appropriate setting to meet his/her needs. In addition, all facilities constructed or purchased by a federal agency or with federal dollars are to be of an accessible design and appropriate to the setting. It is important that all of us, regardless of ability, work together to protect the

**How do federal agencies meet the need for accessibility, while ensuring all aspects of the wilderness experience remain untrammelled?**

uniqueness and distinct means of access to the full range of outdoor recreation opportunities and experiences, including to the NWPS. **IJW**

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JANET A. ZELLER is the national accessibility program manager for the U.S. Forest Service located in the headquarters office in Washington, DC; email: jzeller@fs.fed.us.