

§ 6302.19

purposes, subject to the provisions of the Wilderness Act, the prohibitions in § 6302.20, and other applicable law.

§ 6302.19 When may BLM close or restrict use of wilderness areas?

When necessary to carry out the provisions of the Wilderness Act and other Federal laws, BLM may close or restrict the use of lands or waters within the boundaries of a BLM wilderness area, using the procedures in § 8364.1 of this chapter. BLM will limit any such closure to affect the smallest area necessary for the shortest time necessary.

PROHIBITED ACTS

§ 6302.20 What is prohibited in wilderness?

Except as specifically provided in the Wilderness Act, the individual statutes designating the particular BLM wilderness area, or the regulations of this part, and subject to valid existing rights, in BLM wilderness areas you must not:

- (a) Operate a commercial enterprise;
- (b) Build temporary or permanent roads;
- (c) Build aircraft landing strips, heliports, or helispots;
- (d) Use motorized equipment; or motor vehicles, motorboats, or other forms of mechanical transport;
- (e) Land aircraft, or drop or pick up any material, supplies or person by means of aircraft, including a helicopter, hang-glider, hot air balloon, parasail, or parachute;
- (f) Build, install, or erect structures or installations, including transmission lines, motels, vacation homes, sheds, stores, resorts, organization camps, hunting and fishing lodges, electronic installations, and similar structures, other than tents, tarpaulins, temporary corrals, and similar devices for overnight camping;
- (g) Cut trees;
- (h) Enter or use wilderness areas without authorization, where BLM requires authorization under § 6302.12;
- (i) Engage or participate in competitive use as defined in section 8372.0-5(c) of this chapter, including those activities involving physical endurance of a person or animal, foot races, water craft races, survival exercises, war games, or other similar exercises;

43 CFR Ch. II (10-1-02 Edition)

- (j) [Reserved]; or
- (k) Violate any BLM regulation, authorization, or order.

EFFECTIVE DATE NOTE: At 67 FR 61745, Oct. 1, 2002, § 6302.20(i) was amended by removing the phrase “section 8372.0-5(c)” and adding in its place the phrase “section 2932.5”, effective Oct. 31, 2002.

PENALTIES

§ 6302.30 What penalties apply if I commit one or more of the prohibited acts?

(a) If you commit a prohibited act listed in § 6302.20 in a BLM wilderness area, you are subject to criminal prosecution on each offense. If convicted, you may be fined not more than \$100,000 under 18 U.S.C. 3571. In addition, you may be imprisoned for not more than 12 months, as provided for by 43 U.S.C. 1733(a).

(b) At the request of the Secretary of the Interior, the United States Attorney General may institute a civil action in any United States district court for an injunction or other appropriate order to prevent you from using public lands in violation of the regulations of this part.

Subpart 6303—Administrative and Emergency Functions.

§ 6303.1 How does BLM carry out administrative and emergency functions?

As necessary to meet minimum requirements for the administration of the wilderness area, BLM may:

- (a) Use, build, or install temporary roads, motor vehicles, motorized equipment, mechanical transport, structures or installations, and land aircraft, in designated wilderness;
- (b) Prescribe conditions under which other Federal, State, or local agencies or their agents may use, build, or install such items to meet the minimum requirements for protection and administration of the wilderness area, its resources and users;
- (c) Authorize officers, employees, agencies, or agents of the Federal, State, and local governments to occupy and use wilderness areas to carry out the purposes of the Wilderness Act or other Federal statutes; and