

Policy Memo RE: Creation of an Ohio State Wilderness System

4/15/2022

Ohio would benefit greatly from the establishment of a state-based wilderness preservation system. We also believe that a state-based wilderness system, or perhaps its precursor, could be established administratively by ODNR on existing ODNR lands at little to no public expense.

Where Are Ohio's Wilderness Areas?

Strikingly, Ohio has only 1 state wilderness area – the Shawnee Wilderness Area. At 8,000 acres, *this lone wilderness amounts to less than 1 percent of Ohio's state public land portfolio.* We believe Ohio can do more to foster and protect truly wild places.

The State of Ohio owns and manages more than 800,000 acres of public land, including 75 state parks, 21 state forests, 139 state nature preserves, and 150 state wildlife areas. ([ODNR](#), accessed April 15, 2022). Across these hundreds of thousands of acres there are many special places. Protecting a select subset of these holdings as wilderness would help fill a major gap in Ohio's state public lands portfolio.

There Are Several Wilderness Preservation System Examples.

The federal system of wilderness, the National Wilderness Preservation System, is the largest and most famous example. The federal system totals 762 wilderness areas and roughly 111 million acres. The National Wilderness Preservation System consists of wilderness areas located in the national forests, national parks, BLM lands, and national wildlife refuges. These wilderness areas are managed by the respective land-holding agencies. Much like the federal wilderness system, a state system could establish wilderness or analogous designations in Ohio's existing state forests, state parks, and state wildlife areas – and be managed by the respective ODNR divisions.

7 states have wilderness preservation programs with more than 1 wilderness area: Alaska, California, Maryland, Michigan, Missouri, New York, and Wisconsin. ([Holeton and Takacs, 2022](#)).

While there are different legal definitions of wilderness, we believe that, at least for a prospective Ohio system, the single most essential defining characteristic would be protection from commercial timber extraction.

Wilderness Is a Major Public Good and Major Public Need.

Ohio's population is growing. Our economy is growing. Our portfolio of major, cutting-edge corporate employers is growing. Adding protected wilderness to the Ohio experience would nicely complement our social and economic growth as a state.

Relatively large spaces with awe-inspiring nature are a major draw for people and for the growing outdoor recreation economy. Ohio needs more large public spaces dedicated to the long-term recovery of nature at its fullest ecological potential.

Ohio's natural world is still recovering from heavy natural resource exploitation in the 19th and early 20th centuries. And while many of our forests may be economically mature as saw timber, the vast majority of our forests are far from reaching their full ecological maturity. The majestic old growth and fully-mature forests that once covered much of Ohio are largely gone today. But they can return if we give them space and time.

We need more of the towering trees, the unparalleled natural complexity, and the sheer beauty that old-growth and fully-mature forests provide. This is our natural heritage, and few things inspire more awe in the human spirit than the old-growth experience. The designation of a wilderness area is the creation of a space where nature is allowed, even if in the future, to be at its most inspiring.

A State System of Wilderness Carbon Reserves Would Fight Climate Change.

A new state wilderness preservation system would help maximize carbon sequestration and storage on our public lands through proforestation. A wilderness system can work double-duty as *a system of carbon reserves* and be our best tool in the fight against climate change.

The single most effective way to harness the power of nature to store more carbon is not to plant more trees (afforestation or reforestation), but rather to protect the standing forests we currently have. This preservation approach, known as "proforestation," is the intentional protection of existing forests so they can grow uninterrupted into their biological and carbon storage potential as fully-mature old-growth. ([Moomaw et al., 2019](#)).

Forests of the Eastern U.S. have a particularly high untapped capacity for carbon storage and sequestration because of recent recovery from an extensive history of timber harvesting and land conversion for agriculture in the 19th and early 20th centuries. Ohio fits squarely within this forest and carbon recovery model.

The Land Is There, But the Wilderness Protection Is Not.

While some state lands provide some of the preservation benefits of wilderness, the complete wilderness package is missing.

State nature preserves serve many purposes similar to wilderness, but they tend to be relatively small in scale and are often located in isolation from larger bodies of public or conservation lands. Even taken as a whole, the approximately 30,000 acres spread across Ohio's 139 state nature preserves amount to only about 3.7 percent of Ohio's state public land base.

State parks can provide some of the benefits and protections associated with wilderness, but they often have a focus on developed recreation. And, commercial timbering is legally authorized in state parks as a general matter (see [R.C. 1546.10\(A\)\(1\)](#)), particularly the broad authorization to timber state park land to "implement sustainable forestry practices").

State wildlife areas generally allow for a diversity of uses, including commercial timbering (see [O.R.C. § 1531.06\(A\); \(G\)](#)). However, we are not aware of any systematic efforts by the Division of Wildlife to create administrative wilderness areas within the Division's land base.

The state forest system contains Ohio's only state-level wilderness to-date. And, the state forest system has administratively zoned a few thousand additional acres in protective quasi-wilderness status (discussed *infra*). But, the vast majority of state forest lands are managed for commercial timber production.

ODNR Has the Authority to Create a Wilderness or Wilderness Precursor System.

Ohio's lone state wilderness, the Shawnee Wilderness Area, was designated in statute in 1988. *While the formal creation or ratification of a state wilderness system through legislation may be a long-term ideal, we believe the opportunity to start such a system at the administrative level is very real and presently available.* We believe that existing state law gives ODNR the authority to create administrative-level wilderness preservation areas (or their analogues) through agency zoning.

For example, the Ohio Revised Code provides that the Division of Forestry may adopt or amend rules for the "protection of the state forests," and, independent of rulemakings, may "preserve the timber thereon." ([O.R.C. §§ 1503.01; 1503.04](#)).

The Division of Forestry currently zones all of its properties through an administrative zoning process that is not subject to formal agency rulemaking. (See the Division's Land Management Manual; [10-Year State Forest Plan](#) at p. 11). Under the Division of Forestry's existing administrative zoning process, for example, the Division has zoned a handful of its parcels as High Conservation Value Forest areas (HCVFs) or Representative Sample Areas (RSAs) pursuant to the Forest Stewardship Council (FSC) [Sustainability Standards](#). We consider most HCVFs and RSAs to be at least roughly analogous to wilderness because they are generally preserved from commercial timber rotation. We also believe that far more land in the state forest system is eligible for and deserving of HCVF and RSA status under the FSC Standards than is currently so designated.

In addition, the Division of Forestry has the discretion to create new, non-FSC-related zoning categories that prioritize preservation, carbon storage, and non-extractive uses.

And, we are aware of no specific state law or regulation that explicitly prohibits an administrative zoning process for state parks and state wildlife areas that is similar to that employed by the state forest system. We therefore presume that administrative wilderness or quasi-wilderness areas could be zoned in the state park and wildlife area systems as well.

A Plea for Wilderness.

We believe that Ohio can do more to protect and foster wilderness. Ohio currently has only one state wilderness area. And it accounts for less than one percent of ODNR land. If one were to include state nature preserves and existing HCVF areas into a working definition of wilderness, we would still be at only about 5.5 percent of ODNR land.

The road to recovery for most of Ohio's natural landscape is still a long one; preserving more of what we have now will help ensure that Ohio's natural offerings are that much more diverse and impressive in the future. A state system of wilderness preservation would serve unmet public need for primitive outdoor recreation, old-growth carbon storage, and awe-inspiring experiences of nature. And it would enhance Ohio's status as an attractive place for families and businesses to call home.