

**Statement of  
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**House Committee on Natural Resources  
Subcommittee on Federal Lands  
H.R. 5149, Unlocking Public Lands Act  
June 21, 2018**

Thank you for inviting the Department of the Interior (Department) to testify on H.R. 5149, the Unlocking Public Lands Act. The bill as introduced releases approximately 365,000 acres of public lands managed by the Bureau of Land Management (BLM) within the State of Montana from further wilderness study under section 603(c) of the Federal Land Policy and Management Act of 1976 (FLPMA), thereby making these lands available for other multiple uses.

Secretary Zinke, through Secretarial Orders 3347, 3356, and 3366, has pledged to expand access to America's public lands, to increase hunting, fishing, and recreational opportunities nationwide, and to enhance conservation stewardship. In addition, Secretary Zinke is focused on restoring full collaboration and coordination with local communities and making the Department a better neighbor.

As a matter of policy, the Department strongly supports Congressional action to resolve issues of wilderness designation and release of wilderness study areas (WSAs) on public lands across the West, and we welcome opportunities to further those efforts. Our understanding is that the sponsor intends to amend the bill to exclude from the proposed WSA release lands that the Department recommended be designated as wilderness in 1991. The Department supports H.R. 5149 with this change and would like to work with Congress to ensure effective implementation.

**Background**

With the passage of FLPMA in 1976, Congress directed the BLM to retain management of most public lands and to sustain their health, diversity, and productivity for the use and enjoyment of present and future generations. Under section 603 of FLPMA, Congress further directed the BLM to evaluate all of the public lands for the presence of the wilderness characteristics described in the Wilderness Act of 1964.

The BLM completed the first step of the Section 603 process – to identify areas with wilderness characteristics – in 1980. As part of this process, the BLM identified over 800 WSAs, encompassing over 26 million acres of BLM-managed lands. Each WSA met the criteria for wilderness designation established by the Wilderness Act: sufficient size (5,000 or more roadless acres, or islands of any size); naturalness; and outstanding opportunities for solitude or a primitive and unconfined type of recreation. Today, approximately 12.6 million acres (517 units) of the original 26 million acres remain as WSAs and are awaiting final Congressional resolution. Section 603(c) of FLPMA directs the BLM to manage all of these WSAs “in a manner so as not to impair the suitability of such areas for preservation as wilderness...”

The second step of the process, begun in 1980 and concluded in 1991, was to study each WSA and make a recommendation to the President on “the suitability or nonsuitability of each such area or island for preservation as wilderness...” The central issue addressed by the studies was not to determine whether or not areas possessed wilderness characteristics, as this had already been established. Rather, the question asked was: “Is this area more suitable for wilderness designation or more suitable for nonwilderness uses?” Among the elements considered were mineral surveys conducted by the U.S. Geological Survey and Bureau of Mines, conflicts with other potential uses, manageability, and public opinion, among others. Between July 1991 and January 1993, President George H.W. Bush submitted these state-by-state recommendations to Congress.

### **H.R. 5149**

H.R. 5149 releases 24 BLM-managed WSAs – comprising approximately 365,000 acres in the State of Montana – from further wilderness study under section 603(c) of FLPMA. Section 2(b) of the bill further provides that these released lands are to be managed consistent with the applicable BLM land use plan. The lands proposed for release from WSA status will provide important opportunities for multiple uses and recreational access, including hunting and fishing, hiking, camping, and horseback riding in Montana’s backcountry.

Only Congress can determine whether to designate WSAs as wilderness or to release them for other multiple uses. The Department strongly supports Congress settling the status of these WSAs, which would provide certainty to public land users in Montana. As discussed above, it is the understanding of the Department that the sponsor’s amendment to the bill will follow the recommendations made in 1991 to Congress. The Department supports this change.

As a general matter, the Department believes that proposals to release WSAs, as well as to designate wilderness, should be considered as part of a locally driven process that incorporates the views of a wide range of stakeholders.

Finally, we support the bill’s approach in section 2(b) that lands released from further wilderness study should be managed consistent with local land use plans. It is the local planning process through which the BLM makes important decisions on management of these lands, including, among other things, conventional and renewable energy production, grazing, mining, off-highway vehicle use, hunting, and the consideration of natural values.

### **Conclusion**

The Department recognizes the work of Representative Gianforte on H.R. 5149 and supports the goals of the bill that align with the Secretary’s priorities of expanding access to and increasing recreational opportunities on public lands. We support the sponsor’s proposed amendment to the bill and appreciate his work on this important issue.