

**Statement of
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Bureau of Land Management
Department of the Interior
before the
House Natural Resources Committee
Subcommittee on National Parks, Forests and Public Lands
H.R. 1581, Wilderness and Roadless Area Release Act of 2011
July 26, 2011**

Thank you for the invitation to testify on H.R. 1581, the Wilderness and Roadless Area Release Act. The Administration strongly supports the constructive resolution of wilderness designation and Wilderness Study Area (WSA) release issues on public lands across the western United States. However, the Administration strongly opposes H.R. 1581 which would unilaterally release 6.6 million acres of WSAs on public lands. H.R. 1581 is a top-down, one-size-fits-all approach, that fails to reflect local conditions and community-based interests regarding WSAs managed by the Department of the Interior.

Much as the Department of the Interior would oppose a blanket designation of all WSAs as wilderness, we oppose this proposal to release over 6.6 million acres of WSAs from interim protection. We encourage Members of Congress to work with local and national constituencies on designation and release proposals, and the Bureau of Land Management (BLM) stands ready to provide technical support in this process. Public Law 111-11, the Omnibus Public Land Management Act of 2009, serves as an excellent model for wilderness designation and WSA release decisions thoughtfully conceived and effectively implemented.

The Department of the Interior defers to the Department of Agriculture on provisions of the bill affecting lands managed by the U.S. Forest Service.

Background

In 1976, Congress passed the Federal Land Policy and Management Act (FLPMA), which provides a clear statement on the retention and management of lands administered by the BLM. Section 603 of FLPMA provided direction under which the BLM became a full partner in the National Wilderness Preservation System established by the Wilderness Act of 1964.

The first step of the Section 603 process, to identify areas with wilderness characteristics, was completed in 1980. The BLM identified over 800 WSAs encompassing over 26 million acres of BLM-managed lands. Each of these WSAs met the criteria for wilderness designation established by the Wilderness Act: sufficient size (5,000 roadless acres or more), as well as naturalness, and outstanding opportunities for solitude or a primitive and unconfined type of recreation. Today, approximately 12.8 million acres (545 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 . . .” WSAs are managed under the BLM’s “Interim Management Policy for Lands Under Wilderness Review.”

The second step of the process, begun in 1980 and concluded in 1991, was to study each of the WSAs to 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, this fact had been previously 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, public opinion, and a host of other elements. This process was not a scientific one, but rather a consideration of various factors to reach a recommendation. Between July 1991 and January 1993, President George H. W. Bush submitted these state-by-state recommendations to Congress.

These recommendations are now 20 years old, and the on-the-ground work associated with them is as much as 30 years old. During that time in a number of places, resource conditions have changed, our understanding of mineral resources has changed, and public opinion has changed. If these suitability recommendations were made today, many of them would undoubtedly be different.

Examples of Recent Designations

Examples abound of WSAs recommended nonsuitable which Congress later designated as wilderness after careful review, updated analysis, and thoughtful local discussions. A number of such designations were incorporated into Public Law 111-11, the Omnibus Public Land Management Act of 2009, which designated over 900,000 acres of new BLM-managed wilderness and also released well over 250,000 acres from WSA status.

The Granite Mountain Wilderness designated by P.L.111-11 is located east of Mono Lake in central California. In 1991, the entire WSA was recommended nonsuitable in large part due to reports of high potential for geothermal resources. Subsequent reviews of mineral potential, including several test wells on nearby lands, showed a low potential for geothermal resources. In 2008, the BLM provided testimony in support of Representative Buck McKeon’s legislation, H.R. 6156, designating the Granite Mountain Wilderness.

P.L. 111-11 also included broad-scale wilderness designation and WSA release in Utah’s Washington County and Idaho’s Owyhee County. Both of these successful efforts were the result of hard work by the local Congressional delegations, working with local elected officials, stakeholders, and user groups along with technical support from the BLM. They did not rely on decades old suitability studies, but rather sought common ground and comprehensive solutions to specific land management issues. In Owyhee County, what was once 22 individual WSAs is now over half a million acres of wilderness in six distinct wilderness areas, as well as nearly 200,000 acres of released WSAs. Many acres the BLM recommended nonsuitable in 1992 were designated; likewise acres recommended suitable were released by the legislation.

Similarly, the Northern California Coastal Wild Heritage Wilderness Act, P.L. 109-362, designated a number of wilderness areas in northern California, including Cache Creek Wilderness located 60 miles northwest of Sacramento in the Northern Coast Range. Cache Creek WSA was recommended nonsuitable in 1991 due in large part to the presence of 550 mining claims within the area. Fifteen years later, when designating legislation was proposed, all of these claims had been abandoned due to the area's low mineral potential.

Numerous other examples exist, but suffice it to say, every situation with every WSA is distinct and deserves to be examined individually in a congressionally-driven process involving local and national interests and a wide range of stakeholders. This process should place stronger emphasis on current resource conditions and opportunities for protection, than on decades old recommendations. The Wilderness Act and FLPMA put the responsibility for wilderness designation and release squarely with Congress. It is an awesome responsibility, which has in the past, and must in the future, be carefully discharged.

H.R. 1581

H.R. 1581(section 2) provides that BLM-managed WSAs which were recommended "nonsuitable" have been adequately studied for wilderness designation, and are released from the nonimpairment standard established in section 603(c) of FLPMA. This section further provides that these released lands are to be managed consistent with the applicable land use plan and that the Secretary may not provide for any system-wide policies that direct the management of these released lands other than in a manner consistent with the applicable land use plan. Finally, section 2(e) provides that Secretarial Order 3310 (Wild Lands Order) shall not apply to these released lands.

The Administration strongly opposes section 2 of H.R. 1581. A blanket release of lands from WSA status does not allow for a meaningful review of these lands and their resource values. Every acre of WSA should not be designated as wilderness; neither should 6.6 million acres of WSAs be released from consideration without careful thought and analysis.

The status of WSAs needs to be resolved but in the interim they should continue to be managed to keep Congressional options open. I share the frustration of many Members of Congress that resolution has taken much too long. The answer is to move forward in the footsteps of Washington County, Utah and Owyhee County, Idaho, and so many other collaborative efforts reflected in Public Law 111-11, not to seek an all encompassing solution to a complex issue.

We concur with the bill's approach in section 2(c) that lands released from interim protection, which we would hope would take place in a thoughtful process in the context of overall wilderness designation and release legislation, 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

America's wilderness system includes many of the Nation's most treasured landscapes, and ensures that these untrammeled lands and resources will be passed down from one generation of Americans to the next. Through our wilderness decisions, we demonstrate a sense of stewardship and conservation that is uniquely American and is sensibly balanced with the other decisions we make that affect public lands. These decisions should be thoughtfully made and considered, not the result of a top-down, one-size-fits-all edict. Resolution and certainty will serve all parties — including the conservation community, extractive industries, OHV enthusiasts and other recreationists, local communities, State government, and Federal land managers. The Administration stands ready to work cooperatively with Congress toward that end.