

**Statement for the Record
U.S. Department of the Interior**

**Senate Committee on Energy & Natural Resources
Subcommittee on Public Lands, Forests, & Mining
S. 1695, Human-Powered Travel in Wilderness Areas Act
November 18, 2020**

Chairman Lee, Ranking Member Wyden, and members of the Subcommittee, thank you for the opportunity to provide the Department of the Interior's views on S. 1695, a bill to amend the Wilderness Act to allow local Federal officials to determine the manner in which nonmotorized uses may be permitted in wilderness areas, and for other purposes.

As discussed below, the Department supports S. 1695, which aligns with important and longstanding Department and Administration priorities.

Expanding Public Access

The lands managed by the Department have value for recreation only when people can fully access those lands and, as a result, the Trump Administration has placed a high priority on increasing public use and enjoyment of our federal lands. Secretary Bernhardt has responded by opening access to a historic amount of land managed by our bureaus for hunting, fishing, and other recreation opportunities – and by providing free access to the iconic and treasured lands we manage to additional groups of citizens, including Gold Star families, military veterans, and fifth grade students.

These efforts not only bring economic benefits to small, often remote, rural communities, but the activities support conservation actions, promote and expand our cultural heritage, and provide opportunities for increased physical and mental health benefits. Such efforts have long enjoyed bipartisan support.

Previous efforts to increase recreational access in lands the Department manages include an effort, led by the National Park Service (NPS) during the Obama Administration, which culminated in a rule change in 2012 that allowed individual park superintendents to designate biking routes as appropriate in areas under their jurisdiction, lifting a ban on bikes in most park areas.

In the final regulation implementing this change, the NPS noted that it had considered the issue of impacts to natural resources, and reviewed studies that gauged the environmental impacts of bicycling noting that impacts to soils, vegetation, and wildlife from bicycles are similar to impacts from hiking and less than impacts from horseback riding or motorized vehicle use (77 FR 39927 (2012)).

NPS also made clear that the new rule did not mandate the opening of park lands to bikes, but instead gave park superintendents greater flexibility to determine where bikes can be allowed in a park. While that regulation did not apply to designated wilderness areas, it provided a way to open more areas to bicycling while ensuring visitor and resource protection in those areas to which it applied.

More recently, Secretary's Order 3376, Increasing Recreational Opportunities through the Use of Electric Bikes, called on Department bureaus to develop policies and regulations to allow for

electric bike (e-bike) use where traditional bicycles are allowed and to bring federal land e-bike experience more in line with state rules. Just last month, in keeping with this direction, the Department announced that it had finalized e-bike regulations that, similarly, pave the way for federal land managers at the NPS, Bureau of Land Management (BLM), U.S. Fish and Wildlife Service (FWS), and Bureau of Reclamation (BOR) to allow more people, especially older Americans and those with physical limitations, to experience bicycling on lands managed by those bureaus. Like the NPS bike regulation changes before it, this rule does not apply to wilderness, but is yet another example of how the Department has made bicycling more accessible while continuing to protect visitors and resources.

S. 1695, the Human-Powered Travel in Wilderness Areas Act

Generally, S. 1695 would amend the Wilderness Act to authorize the use of nonmotorized travel over permitted routes in designated wilderness areas.

The Wilderness Act of 1964 established the National Wilderness Preservation System, a national network of more than 800 federally designated wilderness areas. These wilderness areas, totaling over 111 million acres, are managed by the NPS, FWS, and BLM, all within the Department of the Interior, and the U.S. Forest Service in the Department of Agriculture. Wilderness areas under the Department's jurisdiction are found in 44 states, with the NPS managing 61 designated wilderness areas totaling 43.4 million acres, the FWS managing 75 designated wilderness areas totaling 20.7 million acres, and the BLM managing 260 designated wilderness areas totaling 9.97 million acres.

Except for limited uses related to the administration of a wilderness area, the Wilderness Act prohibits the use of motor vehicles, motorized equipment, motorboats, and other forms of mechanical transport.

S. 1695 would provide authority for federal land managers to determine allowable forms of nonmotorized, human-powered travel over permitted routes in the units under their jurisdiction. Generally, it would define nonmotorized travel as human travel that "does not use a propulsive internal or external motor with a nonliving power source," subject to the appropriate determination of local officials of the NPS, FWS, BLM and the U.S. Forest Service.

Similar to the rules on bicycles in national parks and e-bikes on our public lands, S. 1695 would not mandate that nonmotorized travel must be allowed in these areas. Rather, S. 1695 would require the local federal land managers to use their discretion to make and condition access determinations in a manner that will reduce, eliminate, or prevent environmental impacts or undue conflicts between members of travel user groups. These local land managers, with knowledge of the lands they manage, are in the best position to determine how to manage these lands, provide appropriate access to the public, and protect the wilderness values of these lands.

S. 1695 would provide greater access and recreational opportunities in wilderness areas managed by Department lands across the Nation. For this reason, it is consistent with the Administration's goals, and the Department's ongoing efforts, to expand public access to our federal lands.

Mr. Chairman, this concludes my statement. I would be pleased to answer any questions you or other members of the Subcommittee may have.