

**Statement of  
Robert Abbey, Director  
Bureau of Land Management  
Department of the Interior  
before the  
House Natural Resources Committee**

**Wild Lands Policy  
March 1, 2011**

Thank you for inviting me to discuss Secretarial Order 3310 regarding wilderness characteristics on lands administered by the Bureau of Land Management (BLM). The Wild Lands policy, established by Secretarial Order 3310, restores balance and clarity to the management of our public lands and follows clear legal direction. This order directs the BLM to work collaboratively with the public and local communities to determine how best to manage the public lands, taking into account all of their potential uses, including uses associated with the wilderness characteristics of certain public lands. It does not dictate the results of that planning process.

Section 102 of the Federal Land Policy and Management Act (FLPMA) declares that preservation and protection of public lands in their natural condition are part of the BLM's mission. Just as conventional and renewable energy production, grazing, mining, off-highway vehicle use, and hunting are considered in the development of the BLM's Resource Management Plans (RMPs), so too must the protection of wilderness characteristics be considered in the agency's land use plans.

Lands with wilderness characteristics are valued for their outstanding recreational opportunities (such as hunting, fishing, hiking, photography, or just getting outdoors) as well as for their important scientific, cultural, and historic contributions. Failing to consider protecting these wild places would undermine the careful balance in management mandated by law, a balance that we need on our public lands. Public lands provide billions of dollars in local economic benefits and they should be managed for multiple uses and many values, including energy production, recreation, and conservation.

**The BLM's Multiple-Use Mission / Economic Contributions**

I have worked for over 30 years in public service, 25 of those years as a career BLMer. I believe in, and am dedicated to, the BLM's multiple-use mission. This multiple-use mission is what makes the agency unique among Federal land management agencies, and it is what makes us welcome members of every community in which we work and live. However, multiple-use does not mean every use on every acre.

The BLM strives to be a good neighbor and a vital part of communities across America. Public lands managed by the BLM contribute significantly to the nation's economy and, in turn, often have a positive impact on nearby communities. The BLM's management of public lands contributes more than \$100 billion annually to the national economy, and supports more than 500,000 American jobs.

A key component of these economic benefits is the BLM's contribution to America's energy portfolio. The BLM expects its onshore mineral leasing activities to contribute \$4.3 billion to the Treasury in Fiscal Year 2012. The BLM currently manages more than 41 million acres of oil and gas leases, although less than 30 percent of that acreage is currently in production. More than 114 million barrels of oil were produced from BLM-managed mineral estate in Fiscal Year 2010 (the most since Fiscal Year 1997), and the almost 3 billion MCF (thousand cubic feet) of natural gas produced made 2010 the second-most productive year of natural gas production on record. The coal produced from nearly a half million acres of federal leases powers more than one-fifth of all electricity generated in the United States.

The BLM is also leading the nation toward the new energy frontier with active solar, wind, and geothermal energy programs. The BLM has proposed 24 Solar Energy Zones within 22 million acres of public lands identified for solar development, and in 2010 approved nine large-scale solar energy projects. These projects will generate more than 3,600 megawatts of electricity, enough to power close to 1 million homes, and could create thousands of construction and operations jobs. Development of wind power is also a key part of our nation's energy strategy for the future. The BLM manages 20 million acres of public lands with wind potential; currently, there is 437 MW of installed wind power capacity on the public lands. Geothermal energy development on the public lands, meanwhile, accounts for nearly half of U.S. geothermal energy capacity and supplies the electrical needs of about 1.2 million homes.

Energy production is not the only way in which the BLM contributes to local communities and the national economy. The combined economic impacts of timber-related activities on BLM-managed lands, grazing-related activities, and activity attributable to non-energy mineral production from BLM-managed mineral estate total more than \$5 billion each year. Recreation on public lands also provides major economic benefits to local economies and communities. In 2010, more than 58 million recreational visits took place on BLM-managed lands and waters, contributing billions of dollars to the U.S. economy. The diverse recreational opportunities on BLM-managed lands draw crowds of backpackers, hunters, off-road vehicle enthusiasts, mountain bikers, anglers, and photographers. In an increasingly urbanized West, these recreational opportunities are vital to the quality of life enjoyed by residents of western states, as well as national and international visitors. It should be noted that many of these recreationists are seeking the primitive experience available in BLM's wilder places.

The BLM's multiple-use mission is all about balancing public land management, and balancing all of the myriad resource values of this nation's great public lands. Wilderness character is one of these many resource values, and the BLM's new Wild Lands policy is a rational approach to ensuring that balance.

### **Secretarial Order 3310 – Wild Lands Policy**

The BLM's authority to designate new Wilderness Study Areas (WSAs) under section 603 of the FLPMA expired after President George H.W. Bush completed his recommendations for wilderness designation to Congress in January 1993. However, the BLM was still required to inventory and consider wilderness characteristics in the land use planning process.

Secretary of the Interior Gale Norton and the State of Utah entered into an out-of-court settlement agreement (the “Norton-Leavitt settlement”) in 2003 that resulted in BLM rescinding the agency’s then existing guidance on wilderness inventory. Since that time, the BLM has been without long-term national guidance on how to meet the FLPMA requirements to inventory and manage lands with wilderness characteristics. In 2008, the Ninth Circuit Court of Appeals in *Oregon Natural Desert Association v. BLM* stated that FLPMA’s requirement that BLM maintain an inventory of public lands and their resources and other values includes inventory of wilderness values and that BLM must consider those values in its land use planning when they are present in the planning area. Secretarial Order 3310 and the related BLM manuals address that previous lack of direction on inventorying and managing lands with wilderness characteristics.

On December 23, 2010, I joined Secretary Salazar in announcing clear direction for implementing the BLM’s mandate under FLPMA to conduct wilderness characteristics inventories and decide how best to manage those lands. The BLM also issued draft manuals that were recently finalized. This Wild Lands policy restores balance to the BLM’s multiple-use management of the public lands in accordance with applicable law. It also provides the field with clear guidance on how to comply with FLPMA and more specifically how to take into account wilderness characteristics in the agency’s planning process.

With this consistent guidance, we believe that the BLM will enhance its ability to sustain its land use plan and project level decisions. In the past, some of these decisions have been invalidated because the courts in the Ninth and Tenth Circuits have found the analysis of wilderness characteristics lacking.

### **Policy Implementation / BLM’s Manuals**

There has been a great deal of confusion about what this new policy does, and perhaps more importantly, what it does not do. Be assured that the new policy itself does not immediately change the management or status of the public lands. I would like to outline for you the facts about the new policy and its implementation. The BLM’s new manuals set out a two-step process for inventorying and managing lands that may have wilderness characteristics. The first step is to maintain an inventory of Lands with Wilderness Characteristics (LWCs) as required by section 201 of FLPMA. The BLM’s new manual on Wilderness Characteristics Inventory provides guidance on both updating existing inventory information and inventorying lands not previously assessed.

The manual carefully spells out the process for making these determinations, based on size, naturalness, and outstanding opportunities for solitude or a primitive and unconfined type of recreation – using the same Wilderness Act criteria the agency has always used. This process makes no determination about how the lands should be managed; it simply documents the current state of the lands.

Step two of the process, deciding how LWCs should be managed, is an open, public process undertaken through the BLM’s land use planning process. Through this public process, a decision may be made to protect LWCs as “Wild Lands” or to manage them for other uses. For example, the BLM may determine that impairment of LWCs is appropriate for some areas due to

other resource considerations, such as energy development. Other areas may be managed as Wild Lands with restrictions on surface disturbance and the construction of new structures. In addition, Wild Lands designations must be consistent with other applicable requirements of law. The BLM must consider these additional statutory requirements, where appropriate, in determining whether LWCs can be managed to protect their wilderness characteristics.

It is important to emphasize that if lands are designated as Wild Lands they are not wilderness and they are not WSAs. First, Wild Lands may only be designated administratively through an open, public planning process. The designation of Wild Lands may be revisited, as the need arises, through a subsequent public planning process. Second, allowed uses in Wild Lands may include some forms of motorized and mechanized travel. Allowed uses in each specific Wild Land will be determined by the land use plan governing those lands and will be accomplished through a process that allows the public and local communities full access to that decision-making. These decisions will be made locally, not in Washington, D.C. This policy doesn't change the delegation of authority for land use planning decisions. The BLM's state and field offices will continue to be responsible for those planning decisions.

The BLM regularly makes project-level decisions for activities on public lands. These decisions can involve a wide range of proposals such as locating roads and power lines, filming commercials and movies, and permitting mineral extraction activities. When considering these proposals, the BLM relies on existing land use plans, as well as any new information, to make a determination of how and if these projects can be accommodated within the BLM's multiple-use mission. This determination is necessarily a balancing act, taking into account all of the resources for which the BLM is responsible—including wilderness characteristics—as mandated by FLPMA.

A Wild Lands designation will be made and modified through an open public process, and therefore these designations differ from designated wilderness areas and WSAs. Wilderness areas can only be designated through an act of Congress and modified through subsequent legislation. The BLM manages WSAs to protect their wilderness characteristics until Congress designates them as wilderness or releases them from WSA status.

I have heard concerns that the new Wild Lands policy has put a halt to new projects and will prevent important economic activity in local communities. This claim is, simply put, false. A recent example involves a potash lease proposal in Utah that the BLM has approved through this new process. Through the NEPA process, the BLM has undertaken a review of a proposal to offer a competitive lease sale for potash on Sevier Lake, a dry lake bed in southwestern Utah. Following the issuance of the Secretarial Order roughly two months ago, the BLM completed an inventory of the lands involved and determined that the area does not meet the criteria for LWCs. The project is moving forward and it has been reported that it may result in as many as 300 permanent jobs in the local community.

### **Conclusion**

The BLM is committed, and I am personally committed, to working with Congress and other key stakeholders to ensure that the Wild Lands policy works. My staff and I have spoken with many of you directly about the policy. In January, I traveled to Utah at the request of Governor

Herbert, and participated in several meetings and forums on the policy. We have heard your concerns, and we are listening.

The BLM's Wild Lands policy affirms the agency's responsibility to take into account all of the public land resources for which the BLM is responsible. The policy provides local communities and the public with a strong voice in the decisions affecting the nation's public lands. Working cooperatively with our stakeholders, and being sensitive to local needs, we will ensure that all of the potential uses of the public lands and the BLM's multiple-use mission are taken into account when determining how best to manage the nation's public lands.