

**TESTIMONY OF
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HOUSE RESOURCES COMMITTEE
SUBCOMMITTEE ON PARKS, RECREATION AND PUBLIC LANDS
“H.R. 4620, “AMERICA’S WILDERNESS PROTECTION ACT”
JUNE 6, 2002**

Thank you for the opportunity to testify on behalf of the Department of the Interior regarding H.R. 4620, “America’s Wilderness Protection Act.” H.R. 4620 is an attempt to deal with the backlog of wilderness recommendations both for designation and release that have built up in the Congress over the past 30 years. As my statement will point out, the Department currently has pending before Congress recommendations on many millions of acres of land managed by the Bureau of Land Management (BLM), the U.S. Fish and Wildlife Service (FWS), and the National Park Service (NPS). The Administration believes that the wilderness debate must move forward and Congress should do this by addressing these Wilderness Study Areas (WSAs). Except for the large amount of acreage addressed by the California Desert Protection Act of 1993 and approximately 1.06 million acres designated in the 106th Congress, there has been little activity in the Congress over the past 10 years in this area. We share the desire of the sponsors of H.R. 4620 to move forward and, where appropriate, designate lands as wilderness or return lands not suitable for wilderness to multiple use management and other appropriate uses, and would like to work with Congress on legislation to accomplish this.

Background -- Bureau of Land Management

Section 603 of the Federal Land Policy and Management Act of 1976 (P.L. 94-579), commonly referred to as FLPMA, charged the BLM with identification and management of lands for a National Wilderness Preservation System established by the 1964 Wilderness Act (P.L. 88-577). Between 1977 and 1980 the BLM identified over 700 Wilderness Study Areas (WSAs) covering approximately 26.5 million acres. These areas were placed under BLM’s Interim Management Policy (IMP) to be managed to protect their wilderness values pending final action by Congress. FLPMA directs the BLM to protect the wilderness character of these lands until a decision on their final disposition is made by Congress. The IMP provides detailed guidance to managers on this protection mandate.

Between 1980 and 1991 the BLM studied its WSAs (with the exception of Alaska) through the land use planning process. In 1991, and as mandated by FLPMA, Secretary of the Interior Lujan transmitted to the President his suitability recommendations for these WSAs. The recommendations found 9.7 million acres of BLM-managed public lands in 330 units as suitable for inclusion in the National Wilderness Preservation System. (Subsequent Congressional actions have reduced the remaining acreage recommended as suitable to approximately 6.5 million acres.) Between May of 1992 and January of 1993, President George H.W. Bush endorsed the recommendations of Secretary Lujan and submitted them to Congress. Apart from continuing to manage all the WSA lands for their wilderness character, this completed the Executive Branch’s obligations under section 603 of FLPMA.

The BLM's first significant wilderness area – “Bear Trap Canyon Wilderness” in southwestern Montana – was designated by Congress in 1983. Since then, Congress (through nearly two dozen separate Acts) has designated an additional 148 BLM-managed wilderness areas containing about 6.25 million acres. In some cases, the Congress has generally followed BLM's suitability recommendations. Far more frequently, Members of Congress and Congressional delegations have conducted their own investigation into proposed wilderness reaching their own separate conclusions. These have included releasing areas recommended suitable, designating areas originally recommended unsuitable, designating areas which were not WSAs, as well as creating WSAs legislatively.

There has been no single template for wilderness action by Congress. In Arizona, for example, two laws, the Arizona Wilderness Act of 1984 (P.L. 98-406) and the Arizona Desert Wilderness Act of 1990 (P.L. 101-628) resolved almost all of Arizona's BLM wilderness issues designating nearly 1.4 million acres of wilderness in 47 separate areas. Likewise, the California Desert Protection Act of 1994 (P.L. 104-433) designated 69 new BLM wilderness areas covering over 3.5 million acres, seven legislated WSAs, largely resolving wilderness issues in the California Desert. In the last Congress, five different bills designated wilderness in California, Colorado, Utah, Oregon, and Nevada ranging from a single area of 17,700 acres in Colorado to 10 newly designated wilderness areas in Nevada containing over 750,000 acres.

At the present time 20 bills are pending in the House of Representatives or the Senate to designate wilderness, and we are aware of ongoing discussions by individual Members and entire delegations concerning additional wilderness proposals.

U.S. Fish and Wildlife Service and National Park Service

The Wilderness Act of 1964 instructed the Secretary of the Interior to review all roadless lands greater than 5,000 acres and all roadless islands within the Refuge System and to make recommendations to the President regarding the suitability of these lands for classification as wilderness. The Alaska National Interest Lands Conservation Act of 1980 (ANILCA) directed the Secretary to prepare a comprehensive conservation plan (CCP) for each refuge in Alaska. ANILCA mandated that the CCPs include a wilderness study of all refuge lands and waters that were not designated wilderness by the Act.

Between 1968 and 1990, Congress passed 15 laws designating about 20% of the lands and waters in the Refuge System as wilderness – more than 20 million acres on 65 national wildlife refuges. Congress has yet to act on wilderness proposals for 2 million acres in 21 refuges outside Alaska submitted between 1969 and 1974. These “proposed wilderness” areas are managed to protect their wilderness values pending final action by Congress.

In the National Park Service (NPS), a total of 19 parks, including some of the best known in the National Park System, currently have areas recommended by the President for wilderness designation. Most of these areas have been awaiting Congressional action for more than twenty years.

H.R. 4620

H.R. 4620 seeks to move forward the wilderness debate. The findings of the bill state that certain Federal lands as wilderness are beneficial to the American people and wilderness study areas were not intended as a substitute for wilderness designation by Congress. Finally, the findings point out that lands that merit wilderness designation should be granted the full protection that such as status would afford and those lands that do not merit such a designation should be released so that they could be managed for the public good.

The bill places a 10-year time limit for action on existing WSAs, after which any WSA lands not designated wilderness by Congress would be released from withdrawal. Following release pursuant to the legislation, management of the lands would revert to the plans in place prior to their designation as WSAs. The Administration is currently formulating a position on this provision and we look forward to working with the Committee on this issue.

As stated above, we support the goal of moving forward the wilderness debate and wilderness designation and want to work with Congress on legislation that accomplishes these goals. As of today, there are 16.3 million acres of BLM WSAs, 26.1 million acres of NPS WSAs, and 5.3 million acres of FWS WSAs. Determining a final management status of these lands would achieve our objectives with respect to wilderness and non-wilderness use.

Conclusion

The Administration agrees that the time has come to make decisions about wilderness designations. The holding pattern of the last decade continues to frustrate people on all sides of the issue. We are hopeful that Congress's consideration of H.R. 4620 will spur this debate. Thank you for the opportunity to appear before you today. I am happy to answer any questions the Committee may have.