

New Bureau of Land Management Policy Restores BLM's Decision making

Policy Consistent with Alaska Laws



American Pipit, Toolik Lake Field Station. Credit - Jake Schas

On December 22, 2010, Secretary of the Interior Ken Salazar signed Secretarial Order No. 3310: Protecting Wilderness Characteristics on Lands Managed by the Bureau of Land Management (BLM). This order establishes a policy for the protection of backcountry areas where Americans recreate, find solitude, and enjoy the wild. Secretarial Order 3310 puts wilderness evaluation and protection back into its rightful place for the first time in seven years – squarely into the land planning process of the BLM, with new guidance to ensure input from public and local communities.

How does this policy impact Alaska?

This policy will overturn bad policy set under the Bush administration for lands managed by BLM in Alaska and will give BLM back its decision making authority regarding wilderness inventories – BLM will once again have the ability to recommend wilderness designations to Congress, a policy previously supported by both political parties for decades. This policy provides a real opportunity to inventory lands in Alaska, as there has never been a statewide inventory. The BLM manages more land in the United States – more than 245 million acres – than any other Federal agency. In Alaska, the Bureau of Land Management administers approximately 75 million surface acres of federal public land – an area larger than the state of New Mexico.

Do other laws preclude this policy?

In a recent letter, Governor Sean Parnell raised questions regarding the legality of the BLM's new policy and its application to Alaska. Contrary to the Governor's assertions, the Secretary's Order and the Wild Lands Policy are consistent with BLM's land-management authorities in Alaska under the Alaska National Interest Lands Conservation Act (ANILCA) and the Federal Land Policy and Management Act (FLPMA). The Wild Lands Policy does not amend any roles and responsibilities under ANILCA and the Wilderness Act – the Secretary is allowed to identify and recommend areas in Alaska that are suitable as Wilderness and Congress continues to be the only body able to designate Wilderness.



Dalton Highway. Credit - Susan L. Stevenson

Additionally, Governor Parnell mentioned ANILCA's "no-more clause" in reference to the legality of the Wild Lands Policy. While Congress intended that this law represented the balance between protection and other uses in Alaska in 1980, ANILCA also recognized that future presidents and Congresses have the

ability to protect additional lands in Alaska. BLM will continue to uphold its multi-use mandate (set under FLPMA) and can determine that Wilderness areas should be protected or can also determine that protecting wilderness characteristics is not the appropriate use of the land and allow for other resource uses.



Mergansers in Flight - NPR-A. Credit: Dave Shreffler

Governor Parnell called into question whether or not this policy applied to the National Petroleum Reserve-Alaska (NPR-A). The existing policies – National Petroleum Reserve Production Act (NPRPA) and ANILCA – would not prohibit the implementation of the Wild Lands Policy. The NPRPA allows the Secretary to preserve wildlife and wilderness values in the Reserve and is consistent with ANILCA where the Wilderness review would take part of the larger planning process.

Contrary to Governor Parnell’s assertions, the BLM’s Wild Lands Policy is consistent with current existing policies.

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