

Overview

BLM Manuals 6310 and BLM Manual 6320¹ are nearly identical to the draft Wild Lands implementation manuals 6300-1 and 6300-2². The Wild Lands manuals served as “guidance to [BLM] field managers for implementing Secretarial Order [3310]” and were released when Secretarial Order 3310 went public December 23, 2010³. When Congress defunded Secretarial Order 3310, the Wild Lands implementation manuals were pulled back in compliance with the law.

Just recently, the Wild Lands manuals resurfaced, only slightly modified and under a different name. The policy objectives and underlying goals, however, remain the same: to administratively identify and manage lands with wilderness characteristics. To skirt the Congressional funding prohibition, these updated manuals drops all references to Secretarial Order 3310 and the term “Wild Lands”. It’s clear that the removal of these terms does not change the underlying policy of identifying, managing, and elevating lands with wilderness characteristics.

Concerns and Similarities: 6300-1 and 6310

Wilderness Inventory

Like the Wild Lands policy, the new manuals give BLM carte blanche authority to conduct wilderness inventories. In the new manual, Section .06 A outlines the scenarios in which inventories should be conducted. Public nominations, projects that are already undergoing a National Environmental Policy Act (NEPA) analysis, or “other circumstances in which BLM will find it appropriate to update its wilderness characteristics inventory” are some of the instances that can prompt BLM to conduct an inventory. These instances were outlined in the Wild Lands manual under the same section (.06 A) but did not include the “other circumstances” language (which actually makes the new manuals harsher than Wild Lands).

BLM manpower and resources should not be diverted to investigate numerous and frivolous public nominations. In the case of the NEPA example above, the new policy improperly places the time and cost

¹ BLM Manual 6310—*Conducting Wilderness Characteristics Inventory on BLM Lands* retrieved July 31, 2012 from http://www.blm.gov/pgdata/etc/medialib/blm/wo/Information_Resources_Management/policy/blm_manual.Par.383.37.File.dat/6310.pdf. BLM Manual 6320 —*Conducting Wilderness Characteristics Inventory on BLM Lands*. Retrieved July 31, 2012 from http://www.blm.gov/pgdata/etc/medialib/blm/wo/Information_Resources_Management/policy/blm_manual.Par.524.65.File.dat/6320.pdf

² BLM Manual 6300-1 – *Wilderness Inventory*. Retrieved July 31, 2012 from <http://www.doi.gov/news/pressreleases/loader.cfm?csModule=security/getfile&PageID=116071>. 6300-2 - *Considering Lands with Wilderness Characteristics in the BLM Land Use Planning Process* retrieved July 31, 2012 from <http://www.doi.gov/news/pressreleases/loader.cfm?csModule=security/getfile&PageID=117194>

³ Salazar, Abbey Restore Protections for America's Wild Lands (December 23, 2010) Retrieved July 31, 2012 from http://www.blm.gov/wo/st/en/info/newsroom/2010/december/NR_12_23_2010.html

burden of conducting a wilderness level inventory on a project proponent which will impact the timing and economic viability of the project. The clause that provides blanket authority to BLM to conduct inventories when BLM considers them to be “appropriate” will most certainly lead to abuse and will limit the use of BLM lands.

Minimum Standard

The “minimum standard” section of both manuals outlines the criteria public submissions must meet in order for BLM to inventory those areas. Not only is the threshold low and beneficial to frivolous nominations, but the thresholds and standards are exactly the same in both manuals (Section .12 of Wild Lands and Section .06B 1 of new manuals).

Wilderness a Renewable Resource

The new manuals go further than the Wild Lands manuals by seemingly proclaiming wilderness to be a renewable resource. Section .06 A states “In some circumstances conditions relating to wilderness characteristics may have changed over time, and an area that was once determined to lack wilderness characteristic many now possess them.”

Disregards Wilderness Act

Size

Both manuals include a provision that gives BLM the authority to identify any “roadless island of the public lands” as possessing wilderness characteristics. This language is extremely broad and could be used to designate an area that is less than 5,000 acres. The Wilderness Act says that for an area to be wilderness it must be at least 5,000 acres. (Section .13 B 1 of the Wild Lands manual and Section .06 C 2 (a) of the new Manual)

Naturalness

Both manuals include a provision that gives BLM the authority to disregard human impacts to areas that might possess wilderness characteristics. The manuals direct field managers to determine how an “average person” would view a manmade structure or occurrence when describing human impacts of an area. The guidance in both manuals goes on to dictate that “caution should be used in assessing the effect of relatively minor human impacts on naturalness. Some human works are acceptable so long as they are substantially unnoticeable. Avoid an overly strict approach to assessing naturalness.” (Section .13 B 2 of the Wild Lands manual and Section .06 C 2 (b) of the new Manual)

Support Documents

Included in the Appendix of each manual are a set of forms intended to help field managers document and track the inventory process. Appendix A, B, C, and D are included in both and are nearly identical. The is also true for Forms 1 and 2.

Subtle Changes

To show the underlying policy of the new manuals match that of the Wild Lands manuals, it's important to see that the bulk of the text has remained unchanged.

<u>Wild Lands Manual</u>	<u>New Manual</u>
<i>.12 Wilderness Inventory Procedures:</i> “The wilderness inventory process directive does not mean that the BLM must conduct a completely new inventory and disregard the inventory information that it already has for a particular area. Rather, the BLM must ensure that its current inventory is updated with appropriate information to conform to Secretary’s Order 3310 and this policy.”	<i>.06 B Wilderness Characteristics Inventory Procedures:</i> “The wilderness inventory process directive does not mean that the BLM must conduct a completely new inventory and disregard the inventory information that it already has for a particular area. Rather, the BLM must ensure that its inventory is maintained.”
<i>.13 C Final Note:</i> “Inventory areas that meet the size, naturalness, and the outstanding solitude and/or the outstanding primitive and unconfined recreation criteria are described as LWCs.”	<i>.06 C Final Note:</i> “Inventory areas that meet the size, naturalness, and the outstanding solitude and/or the outstanding primitive and unconfined recreation criteria are lands with wilderness characteristics.”

Concerns and Similarities: 6300-2 and 6320

Process

Manuals 6300-2 and 6320 direct field managers on what to do once “lands with wilderness characteristics” have been identified. As noted above, the process outlined in the inventory manuals is flawed and will create a new class of lands that require special management (the key difference between the above inventory manuals is that in the Wild Lands manual, this special class is referred to as “Wild Lands” and in the newer manual, a name is not given). Therefore, manual 6320, *Considering Lands with Wilderness Characteristics in the BLM land Use Planning Process* is illegitimate and must be withdrawn until the policies included in 6310 are fixed.

“Delineated as discrete units”

Despite the fact the entire manual is illegitimate, there are still individual sections that cause concern. As noted above, the new manual does not have a blanket term for lands with wilderness characteristics. But the absence of a name does not stop BLM from moving forward with new classes of public land designations that require special management prescriptions.

Section .06 A 2 outlines the “foundation for the entire planning process.” Here, the manual describes how and what should be included in “Preparation Plans”. The directives mandate that “Lands with wilderness characteristics must be delineated as discrete units to which management prescriptions may be applied”.

One of the core arguments against Wild Lands was that BLM administratively created a new land designation and management regime. Manual 6320 seems to do the same.

Subtle Changes

Again, the chief differences between the two manuals are subtle and the differences do not impact the bulk of the underlying policy.

<u>Wild Lands Manual</u>	<u>New Manual</u>
<p><i>.04 District and Field Managers Responsibilities:</i> “Update and maintain the wilderness inventory for lands within the planning area. Review existing information regarding wilderness characteristics, and gather and evaluate such information submitted by the public or the BLM for consideration and protection of LWCs in land use plans. This evaluation shall include any citizen proposals for designation of LWCs as Wild Lands. Identify all LWCs within the planning area.”</p>	<p><i>.04 District and Field Managers Responsibilities:</i> “Ensure that wilderness characteristics inventories are considered and that, as warranted, lands with wilderness characteristics are protected in a manner consistent with this manual in BLM planning processes.”</p>
<p><i>.13 Land Use Planning Process:</i> “Identify preliminary planning criteria related to wilderness characteristics and their protection, including plan parameters, constraints, or existing planning decision – including designated Wild Lands – that will be carried forward.”</p>	<p><i>.06 A 2 Land Use Planning Process:</i> “Identify preliminary planning criteria related to wilderness characteristics and their protection, including plan parameters, constraints, or existing planning decision that will be carried forward.”</p>