

August 14, 2026

**U.S. Department of the Interior
Director (630)
Bureau of Land Management
1849 C St. NW, Room 5646
Washington DC 20240**

Submitted via www.regulations.gov

**RE: Considering Lands with Wilderness Characteristics, BLM-2026-0068, and
Management of Wilderness Study Areas, BLM-2026-0069**

Dear Director Pearce:

Western Energy Alliance (the Alliance) is the leader and champion for independent oil and natural gas companies in the western United States. Working with a vibrant membership base for over 50 years, the Alliance stands as a credible leader, advocate, and champion of industry. Alliance members engage in all aspects of environmentally responsible exploration and development of oil and natural gas. Our expert staff, active member committees, and committed board members form a collaborative and welcoming community of professionals dedicated to abundant, affordable energy and a high quality of life for all.

The Alliance appreciates the opportunity to comment on the Bureau of Land Management's (BLM) wilderness study area policies, including Manual 6320, Considering Lands with Wilderness Characteristics (LWC) in Land Use Planning and Manual 6330, Management of Wilderness Study Areas (WSA). For too long, BLM has improperly used designations of LWCs and WSAs to lock up federal lands from resource development in violation of its multiple-use and sustained yield mandate, and we greatly appreciate that BLM has initiated a review of these policies.

Under Section 102 of the Federal Land Policy and Management Act (FLPMA), Congress directed BLM to manage lands on a multiple-use basis to "best meet the present and future needs of the American people" in a "combination of balanced and diverse resource uses," including energy and minerals development. Importantly, in Section 103(c) of FLPMA, Congress listed resources that BLM should take into account in allocating management, and "wilderness characteristics" is not included as such a resource. On the other hand, mineral development is a "principal or major use" of public lands under FLPMA. Congress further emphasized the importance of minerals development by, as noted above, declaring that public lands be

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managed “in a manner which recognizes the Nation’s need for domestic sources of minerals.” 43 U.S.C. § 1701(a)(12).

The continued designation of LWCs and WSAs is in direct conflict with these statutory mandates. Designation of these areas results in, at the very least, burdensome restrictions on development of substantial portions of BLM lands, including through no surface occupancy, controlled surface use, and timing limitation stipulations. These restrictions, when applied across large acreage under BLM’s management, can prevent oil and gas development across substantial areas of the West.

By using the resource management process to set aside such large areas for the protection of “lands with wilderness characteristics,” BLM precludes resource development in areas that Congress has not designated as Wilderness. Moreover, the LWC designation is purely a creature of BLM regulation and is not authorized by any federal statute.

As noted in Secretarial Order (SO) 3393, signed by then-Secretary of the Interior David Bernhardt in January 2021, Congress repeatedly prevented BLM from implementing or administering SO 3310, “Protecting Wilderness Characteristics on Lands Managed by the Bureau of Land Management,” from the time of its inception in 2010. SO 3393 appropriately revoked SO 3310, and BLM should follow the intent of both Congress and SO 3310 by removing LWCs from its management of federal lands altogether.

As such, we request that BLM rescind and replace Manual 6320 in its entirety and make clear in this rulemaking that BLM cannot and will not move forward with designating LWCs in the future. Furthermore, BLM should remove references to LWCs in resource management plans (RMP) throughout the West – either through individual updates to the RMPs as they go through the normal amendment process, or by advancing a programmatic supplemental environmental review of all RMPs to collectively remove LWCs from BLM’s numerous management plans.

The designation of Wilderness Study Areas, while subject to a different statutory and legal background than LWCs, should meet the same end. Information Bulletin (IB) [2025-008](#) provides a helpful background of the legal machinations regarding WSAs, even if it then reaches the wrong conclusion regarding their current status. Thankfully, IB 2025-008, issued on October 15, 2024, has since been revoked.

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Congress established the National Wilderness Preservation System through the Wilderness Act of 1964, and since then Congress has passed 150 additional laws adding wilderness areas to the System. Notably, this procedure preserves the proper role of BLM and Congress – BLM may identify areas that should be considered for a designation as Wilderness, however only Congress can approve these designations, which it has not done so for nearly a decade. We quote directly from the Wilderness Act of 1964: “Each recommendation of the President for designation as “wilderness” shall become effective only if so provided by an Act of Congress.”

IB 2025-008 summarizes the history of WSAs as follows:

Section 603(c) of FLPMA required the BLM to manage all areas identified as meeting the wilderness criteria during the review period required under Section 603 “in a manner so as not to impair the suitability of such areas for preservation as wilderness”... As it completed inventories of the public lands under Section 603 of FLPMA, the BLM referred to those areas with wilderness characteristics as “Wilderness Study Areas” or “WSAs”... Until 2003, the BLM also termed areas that it designated for the protection of wilderness characteristics under Section 202 of FLPMA as WSAs, with the difference being that “Section 202 WSAs” could be modified in a future planning process.

In 2003, BLM’s authority to designate WSAs changed. As part of a settlement agreement reached between the State of Utah and the Department of Interior, the Tenth Circuit Court of Appeals noted that while wilderness inventories were not prohibited by law, it confirmed that BLM could not create new WSAs under Section 603 of the FLPMA and that BLM was required to manage lands under its jurisdiction in conformance with existing land use plans. It was further agreed that following expiration of the FLPMA Section 603(a) process, there was no legal authority for the BLM to designate additional lands as WSAs.

Despite this settlement agreement, following the release of SO 3310, millions of acres of public lands in Colorado, Montana, Utah, and Wyoming were inventoried for “wilderness characteristics” as part of the RMP revision process, and BLM determined which areas were deserving of further protection and which areas should be managed for multiple use. This practice is a clear violation of the settlement agreement, and BLM should discontinue it entirely.

As part of this rulemaking, BLM should make clear that it has no authority to designate new WSAs. Nor should it continue to manage existing WSAs that Congress has chosen not to designate as Wilderness. If Congress declines to recognize these study areas as appropriate for protection under the Wilderness Act of 1964, BLM should amend its RMPs to acknowledge that the lands in question remain open for resource development under the multiple use mandate.

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Congress reserved the sole right to designate lands as wilderness through the Wilderness Act of 1964 and in FLPMA, and has designated Wilderness where it found the lands met wilderness characteristics. Congress no longer has pending wilderness bills. Continuing to designate and manage LWCs and WSAs in areas not recognized by Congress as Wilderness is a violation of this congressional reservation of authority, and BLM should end this practice.

Thank you for your time and consideration of these comments. Please do not hesitate to contact me if you have any questions or would like additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'MS', with a long horizontal flourish extending to the right.

Melissa Simpson
President, Western Energy Alliance