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March 8, 2011

The Honorable Ken Salazar
Secretary, U.S. Department of Interior
1849 C Street, NW
Washington, D.C. 20240

Dear Secretary Salazar:

On behalf of the 1.1 million members of the National Association of REALTORS® (NAR), I am writing to express our concerns regarding the recently issued Department of Interior (DOI) Secretarial Order No. 3310 that directs the Bureau of Land Management (BLM) to designate areas with wilderness characteristics as “Wild Lands” and to manage them to “protect their wilderness values.” Given that the BLM manages over 245 million acres of Western lands, this clearly is an issue of concern to citizens, businesses and communities throughout the region.

NAR is concerned that the DOI Order could limit access and economic use of millions of acres of federal land, thus affecting local and state economies that depend upon access to, and revenue from, these lands. This could impose another layer of restrictive regulations without the benefit of the notice-and-comment procedures of the Administrative Procedure Act (APA) or a cost/benefit analysis on impacted local economies as prescribed by Executive Order 12866.

Circumventing the normal planning process, as described in the Federal Lands Policy and Management Act (FLPMA), could also place significant and sweeping authority in the hands of the unelected federal bureaucracy. Wilderness areas can only be designated by Congress.

Secretarial Order No. 3310 makes it clear that any property eventually designated as Wild Lands will become subject to de facto “Wilderness Management” practices. The Order requires protection of wilderness characteristics unless BLM determines that “*impairment of wilderness characteristics is appropriate and consistent with other applicable requirements of law and other resource management considerations.*” This is essentially the same standard applied to Wilderness Study Areas and designated wilderness areas.



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In addition, this new regulatory regime will introduce a huge array of uncertainties to the entire BLM Resource Management Planning process. BLM field offices will be required to delay necessary management activities as they conduct Wild Lands inventories, go through new National Environmental Policy Act (NEPA) evaluations and recommend resource plan amendments. All of these new activities undermine the well-established multiple-use concept for managing public lands. In the meantime, permitting for many of the economic activities crucial to the West's economy (i.e. energy and minerals exploration and development, recreation, grazing, etc.) will be paralyzed.

For all of the above reasons, NAR respectfully requests that the DOI rescind Secretarial Order No. 3310.

Thank you for your consideration of our views in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron Phipps". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Ron Phipps, ABR, CRS, GRI, GREEN, e-PRO, SFR
2011 President, National Association of REALTORS®