



THE STATE
of **ALASKA**
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Department of Natural Resources
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August 14, 2026

Bureau of Land Management
Attention: Considering Lands with Wilderness Characteristics
Division of National Conservation Lands
1849 C St. NW, Room 5646
Washington, DC 20240

Submitted online at [regulations.gov](https://www.regulations.gov)

Re: BLM Manual 6320 – Considering Lands with Wilderness Characteristics in the BLM Land Use Planning Process

The State of Alaska (State) reviewed the Bureau of Land Management (BLM) Manual 6320-*Considering Lands with Wilderness Characteristics* for any necessary updates, clarifications, or suggested revisions. The manual provides guidance for evaluating and considering lands with wilderness characteristics during land use planning under section 202 of the Federal Land Policy and Management Act of 1976 (FLPMA) and other applicable laws. The comments below incorporate input from the Departments of Natural Resources (DNR) and Fish and Game (ADF&G).

The policy framework set forth in Manual 6320 is derived from a previous administrative initiative, specifically the former Secretarial Order 3310 (Wildlands Policy), which sought to manage unreserved public lands for wilderness characteristics outside of statutory authority. Alaska consistently opposed the Wildlands Policy and maintains that applying Manual 6320 to BLM-administered lands in Alaska undermines statutory land use balances established by Congress and ignores Alaska's existing contributions to the National Wilderness Preservation System.

The State requests that BLM Manual 6320 explicitly exempt public lands in Alaska from its application. Absent Congressional authorization, BLM public lands in Alaska must be managed according to standard multiple-use and sustained-yield principles under the Federal Land Policy and Management Act of 1976 (FLPMA), as modified by the Alaska National Interest Lands Conservation Act (ANILCA).

ANILCA Context

ANILCA, signed into law in 1980, is a law of compromise that enacted the largest expansion of the national preservation system in history while also recognizing that no further additions were necessary to the system of Conservation System Units (CSUs). Title VII of ANILCA designated areas of wilderness within the National Park system, the National Wildlife Refuge system, and the National Forest system, amounting to the largest expansion of the national preservation system in history. Section 1317 of ANILCA went even further by ordering the Secretary of the

Interior to conduct a review of all lands within the National Park System and National Wildlife Refuge System in Alaska for their “suitability or nonsuitability for preservation as wilderness”. Section 1317 also established a clear timeline for any potential additions to the NWPS, requiring that the Secretary of the Interior forward the results of these studies to the President within five years, and that the President make an official recommendation to Congress within seven years from the date that ANILCA was enacted (December 2, 1980). Section 1326 of ANILCA established that “no further studies of Federal lands in the State of Alaska for the single purpose of considering the establishment of a [CSU] ... shall be conducted unless authorized by this Act or further Act of Congress.” Taken in their entirety, Titles VII and XIII of ANILCA establish a clear Congressional intent that the wilderness areas added to the NWPS through this Act were sufficient, and that no further additions were necessary in the State of Alaska.

Despite the clear Congressional intent demonstrated in these statutes, the NPS, BLM, and USFWS have continued to apply wilderness land management principles to “eligible” lands through agency orders and the planning process. In addition to running contrary to the intent of ANILCA, this creates a situation in which DOI lands in Alaska that are considered “eligible” for wilderness designation are managed indefinitely as de facto wilderness while Congressional recommendations languish, a practice that fails to acknowledge ANILCA as the superseding statute and results in real impacts to access, economic development, and subsistence practices in Alaska; all activities that ANILCA sought to protect.

Statutory Authority & Alaska Exemption

The foundational requirement for the BLM to conduct wilderness inventories and manage lands to preserve wilderness characteristics stems from Section 603 of FLPMA. However, Congress explicitly exempted Alaska from FLPMA Section 603 through ANILCA Section 1320:

Notwithstanding any other provision of law, section 603 of the Federal Land Policy and Management Act of 1976 shall not apply to any lands in Alaska... — ANILCA § 1320

Because FLPMA Section 603 does not apply in Alaska, BLM lacks the statutory mandate to conduct systematic wilderness reviews or establish administrative layers such as Lands with Wilderness Characteristics (LWCs) that manage land uses as wilderness-light.

ANILCA Section 1320 granted the Secretary limited, discretionary authority to identify areas suitable for wilderness during land-use planning under FLPMA Sections 201 and 202 and make recommendations to Congress. However:

- **Congressional Action Required:** ANILCA Section 1320 explicitly dictates that "In the absence of congressional action relating to any such recommendation of the Secretary, the Bureau of Land Management shall manage all such areas which are within its jurisdiction in accordance with the applicable land use plans and applicable provisions of law."
- **Prohibition on Administrative Withdrawals:** ANILCA Section 1326(b) further prohibits the Executive Branch from conducting further administrative study or withdrawal of public lands in Alaska for wilderness preservation without explicit authorization from Congress.

Applying Manual 6320 in Alaska creates administrative de facto Wilderness Study Areas or wilderness-light protective management overlays without statutory backing, violating the spirit of ANILCA Sections 1320 and 1326.

Alaska Already Holds Over Half of the Nation's Designated Wilderness

Alaska contains over 57 million acres of designated wilderness—accounting for more than half of the entire National Wilderness Preservation System. Congress enacted ANILCA in 1980 specifically to settle the balance between conservation and development in Alaska once and for all (the ANILCA Compromise). Attempting to incrementally layer administrative wilderness-light management onto remaining BLM multiple-use public lands distorts this legislated balance.

Impact on Access and State Fish & Wildlife Management

In past BLM land management planning, such as the 2024 Central Yukon Resource Management Plan that was subsequently revoked under the Congressional Review Act, areas administratively identified as LWC are managed as if they were wilderness even though Manual 6320 does not require it. This has the potential to interfere with public access and ADF&G's fish and resident wildlife management activities. Protective overlays under BLM LWC or wilderness-light management constraints have included:

- OHV limits: Imposing administrative access restrictions that burden rural and general users who rely on motorized or mechanized equipment permitted under ANILCA Title XI. BLM utilized restrictive weight limits to limit OHVs to 1,000 lbs. which does not cover many types of OHVs utilized in the state.
- Commercial Group Size and Access Closures: Arbitrary group size limits of six people as well as OHV and snowmachine closures at the Castner Glacier.
- Habitat Management: Delayed vegetation management, prescribed burning, or active habitat management needed for game species like moose.

Specific Recommended Revisions to BLM Manual 6320

BLM should include the context necessary for the agency to manage lands in a manner that is consistent and in accordance with the provisions of ANILCA. Doing so will benefit the people, lands, and managing agencies of Alaska. The State recommends the following additions to Manual 6320 to clarify its geographic scope and legal limitations:

- **Section 1.6 Policy**
 - **Recommended Addition:**

This Manual does not apply to BLM-administered lands within the State of Alaska. Pursuant to Section 1320 of the Alaska National Interest Lands Conservation Act (ANILCA; 16 U.S.C. 3208), Section 603 of FLPMA does not apply to lands in Alaska. BLM public lands in Alaska shall be managed under standard land use planning processes for multiple use and sustained yield pursuant to FLPMA Sections 201 and 202 and applicable provisions of ANILCA.

- **Section 1.6 Policy A (Procedures for Considering Lands with Wilderness Characteristics in Land Use Planning)**

- **Recommended Addition:**

BLM offices in Alaska shall not establish Lands with Wilderness Characteristics (LWC) administrative overlays or management prescriptions that restrict multiple-use management, except as explicitly directed by an Act of Congress.

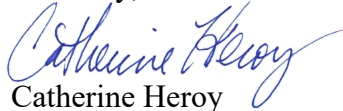
Additionally, BLM should add context to all relevant manuals including Manual 6320 that describes the special exceptions to the Wilderness Act of 1964 that are provided by ANILCA, including but not limited to the allowances in Title XI (transportation, utility systems, and access provisions), Title VIII (subsistence), Title XIII (aquaculture, cabins and temporary structures, and more).

Closing

The BLM must respect the unique statutory framework established by Congress under ANILCA. By explicitly exempting Alaska from Manual 6320, the BLM will avoid administrative overreach, comply with ANILCA Sections 1320 and 1326, and honor the statutory multiple-use mandate governing BLM lands in Alaska.

The State looks forward to working collaboratively with the BLM to support resource management across the state. Please contact me at (907) 269-0880 or by email at catherine.heroy@alaska.gov to coordinate any follow up discussions.

Sincerely,



Catherine Heroy
Federal Program Manager