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**TITLE IV—SPORTSMEN’S ACCESS AND
RELATED MATTERS**

Subtitle A—National Policy

SEC. 4001. CONGRESSIONAL DECLARATION OF NATIONAL POLICY.

(a) IN GENERAL.—Congress declares that it is the policy of the United States that Federal departments and agencies, in accordance with the missions of the departments and agencies, Executive Orders 12962 and 13443 (60 Fed. Reg. 30769 (June 7, 1995); 72 Fed. Reg. 46537 (August 16, 2007)), and applicable law, shall—

(1) facilitate the expansion and enhancement of hunting, fishing, and recreational shooting opportunities on Federal land, in consultation with the Wildlife and Hunting Heritage Conservation Council, the Sport Fishing and Boating Partnership Council, State and Tribal fish and wildlife agencies, and the public;

(2) conserve and enhance aquatic systems and the management of game species and the habitat of those species on Federal land, including through hunting and fishing, in a manner that respects—

(A) State management authority over wildlife resources; and

(B) private property rights; and

(3) consider hunting, fishing, and recreational shooting opportunities as part of all Federal plans for land, resource, and travel management.

(b) EXCLUSION.—In this title, the term “fishing” does not include commercial fishing in which fish are harvested, either in whole or in part, that are intended to enter commerce through sale.

**Subtitle B—Sportsmen’s Access to Federal
Land**

SEC. 4101. DEFINITIONS.

In this subtitle:

(1) FEDERAL LAND.—The term “Federal land” means—

(A) any land in the National Forest System (as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a))) that

is administered by the Secretary of Agriculture, acting through the Chief of the Forest Service; and
(B) public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)), the surface of which is administered by the Secretary, acting through the Director of the Bureau of Land Management.

(2) SECRETARY CONCERNED.—The term “Secretary concerned” means—

(A) the Secretary of Agriculture, with respect to land described in paragraph (1)(A); and

(B) the Secretary, with respect to land described in paragraph (1)(B).

SEC. 4102. FEDERAL LAND OPEN TO HUNTING, FISHING, AND RECREATIONAL SHOOTING.

(a) IN GENERAL.—Subject to subsection (b), Federal land shall be open to hunting, fishing, and recreational shooting, in accordance with applicable law, unless the Secretary concerned closes an area in accordance with section 4103.

(b) EFFECT OF PART.—Nothing in this subtitle opens to hunting, fishing, or recreational shooting any land that is not open to those activities as of the date of enactment of this Act

SEC. 4103. CLOSURE OF FEDERAL LAND TO HUNTING, FISHING, AND RECREATIONAL SHOOTING.

(a) AUTHORIZATION.—

(1) IN GENERAL.—Subject to paragraph (2) and in accordance with section 302(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1732(b)), the Secretary concerned may designate any area on Federal land in which, and establish any period during which, for reasons of public safety, administration, or compliance with applicable laws, no hunting, fishing, or recreational shooting shall be permitted.

(2) REQUIREMENT.—In making a designation under paragraph (1), the Secretary concerned shall designate the smallest area for the least amount of time that is required for public safety, administration, or compliance with applicable laws.

(b) CLOSURE PROCEDURES.—

(1) IN GENERAL.—Except in an emergency, before permanently or temporarily closing any Federal land to hunting, fishing, or recreational shooting, the Secretary concerned shall--

(A) consult with State fish and wildlife agencies; and

(B) provide public notice and opportunity for comment under paragraph (2).

(2) PUBLIC NOTICE AND COMMENT.—

(A) IN GENERAL.—Public notice and comment shall include—

(i) a notice of intent—

(I) published in advance of the public comment period for the closure—

(aa) in the Federal Register;

(bb) on the website of the applicable Federal agency;

(cc) on the website of the Federal land unit, if available; and

(dd) in at least 1 local newspaper;

(II) made available in advance of the public comment period to local offices, chapters, and affiliate organizations in the vicinity of the closure that are signatories to the memorandum of understanding entitled “Federal Lands Hunting, Fishing, and Shooting Sports Roundtable Memorandum of Understanding”; and

(III) that describes—

(aa) the proposed closure; and

(bb) the justification for the proposed closure, including an explanation of the reasons and necessity for the decision to close the area to hunting, fishing, or recreational shooting; and

(ii) an opportunity for public comment for a period of— (I) not less than 60 days for a permanent closure; or

(II) not less than 30 days for a temporary closure.

all—

(B) FINAL DECISION.—In a final decision to permanently or temporarily close an area to hunting, fishing, or recreation shooting, the Secretary concerned shall—

(i) respond in a reasoned manner to the comments received;

(ii) explain how the Secretary concerned resolved any significant issues raised by the comments; and

(iii) show how the resolution led to the closure.

(c) TEMPORARY CLOSURES.—

(1) IN GENERAL.—A temporary closure under this section may not exceed a period of 180 days.

(2) RENEWAL.—Except in an emergency, a temporary closure for the same area of land closed to the same activities—

(A) may not be renewed more than 3 times after the first temporary closure; and

(B) must be subject to a separate notice and comment

procedure in accordance with subsection (b)(2).

(3) EFFECT OF TEMPORARY CLOSURE.—Any Federal land that is temporarily closed to hunting, fishing, or recreational shooting under this section shall not become permanently closed to that activity without a separate public notice and opportunity to comment in accordance with subsection (b)(2)

(d) REPORTING.—On an annual basis, the Secretaries concerned shall— (1) publish on a public website a list of all areas of Federal land temporarily or permanently subject to a closure under this section; and

(2) submit to the Committee on Energy and Natural Resources and the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives a report that identifies—

(A) a list of each area of Federal land temporarily or permanently subject to a closure;

(B) the acreage of each closure; and

(C) a survey of—

(i) the aggregate areas and acreage closed under this section in each State; and

(ii) the percentage of Federal land in each State closed under this section with respect to hunting, fishing, and recreational shooting.

(e) APPLICATION.—This section shall not apply if the closure is— (1) less than 14 days in duration; and

(2) covered by a special use permit.

SEC. 4104. SHOOTING RANGES.

(a) IN GENERAL.—Except as provided in subsection (b), the Secretary concerned may, in accordance with this section and other applicable law, lease or permit the use of Federal land for a shooting range.

(b) EXCEPTION.—The Secretary concerned shall not lease or permit the use of Federal land for a shooting range within—

(1) a component of the National Landscape Conservation System;

(2) a component of the National Wilderness Preservation System;

(3) any area that is—

(A) designated as a wilderness study area;

(B) administratively classified as—

(i) wilderness-eligible; or

(ii) wilderness-suitable; or

(C) a primitive or semiprimitive area;

(4) a national monument, national volcanic monument, or national scenic area; or

(5) a component of the National Wild and Scenic Rivers System (including areas designated for study for potential addition to the National Wild and Scenic Rivers System).

SEC. 4105. IDENTIFYING OPPORTUNITIES FOR RECREATION, HUNTING, AND FISHING ON FEDERAL LAND.

(a) DEFINITIONS.—In this section:

(1) SECRETARY.—The term “Secretary” means—

(A) the Secretary, with respect to land administered by—

(i) the Director of the National Park Service;

(ii) the Director of the United States Fish and Wildlife Service; and

(iii) the Director of the Bureau of Land Management; and

(B) the Secretary of Agriculture, with respect to land administered by the Chief of the Forest Service.

(2) STATE OR REGIONAL OFFICE.—The term “State or regional office” means—

(A) a State office of the Bureau of Land Management;

or

(B) a regional office of—

(i) the National Park Service;

(ii) the United States Fish and Wildlife Service;

or

(iii) the Forest Service.

(3) TRAVEL MANAGEMENT PLAN.—The term “travel management plan” means a plan for the management of travel—

(A) with respect to land under the jurisdiction of the National Park Service, on park roads and designated routes under section 4.10 of title 36, Code of Federal Regulations

(or successor regulations);

(B) with respect to land under the jurisdiction of the United States Fish and Wildlife Service, on the land under a comprehensive conservation plan prepared under section 4(e) of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd(e));

(C) with respect to land under the jurisdiction of the Forest Service, on National Forest System land under part 212 of title 36, Code of Federal Regulations (or successor regulations); and

(D) with respect to land under the jurisdiction of the Bureau of Land Management, under a resource management plan developed under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.)

(b) PRIORITY LISTS REQUIRED.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and biennially thereafter during the

10-year period beginning on the date on which the first priority list is completed, the Secretary shall prepare a priority list, to be made publicly available on the website of the applicable Federal agency referred to in subsection (a)(1), which shall identify the location and acreage of land within the jurisdiction of each State or regional office on which the public is allowed, under Federal or State law, to hunt, fish, or use the land for other recreational purposes but—

- (A) to which there is no public access or egress; or
- (B) to which public access or egress to the legal boundaries of the land is significantly restricted (as determined by the Secretary).

(2) **MINIMUM SIZE.**—Any land identified under paragraph (1) shall consist of contiguous acreage of at least 640 acres.

(3) **CONSIDERATIONS.**—In preparing the priority list required under paragraph (1), the Secretary shall consider, with respect to the land—

- (A) whether access is absent or merely restricted, including the extent of the restriction;
- (B) the likelihood of resolving the absence of or restriction to public access;
- (C) the potential for recreational use;
- (D) any information received from the public or other stakeholders during the nomination process described in paragraph (5); and
- (E) any other factor, as determined by the Secretary.

(4) **ADJACENT LAND STATUS.**—For each parcel of land on the priority list, the Secretary shall include in the priority list whether resolving the issue of public access or egress to the land would require acquisition of an easement, right-of-way, or fee title from—

- (A) another Federal agency;
- (B) a State, local, or Tribal government; or
- (C) a private landowner.

(5) **NOMINATION PROCESS.**—In preparing a priority list under this section, the Secretary shall provide an opportunity for members of the public to nominate parcels for inclusion on the priority list.

(c) **ACCESS OPTIONS.**—With respect to land included on a priority list described in subsection (b), the Secretary shall develop and submit to the Committees on Appropriations and Energy and Natural Resources of the Senate and the Committees on Appropriations and Natural Resources of the House of Representatives a report on options for providing access that—

- (1) identifies how public access and egress could reasonably be provided to the legal boundaries of the land in a manner

that minimizes the impact on wildlife habitat and water quality;

(2) specifies the steps recommended to secure the access and egress, including acquiring an easement, right-of-way, or fee title from a willing owner of any land that abuts the land or the need to coordinate with State land management agencies or other Federal, State, or Tribal governments to allow for such access and egress; and

(3) is consistent with the travel management plan in effect on the land.

(d) PROTECTION OF PERSONALLY IDENTIFYING INFORMATION.—

In making the priority list and report prepared under subsections (b) and (c) available, the Secretary shall ensure that no personally identifying information is included, such as names or addresses of individuals or entities.

(e) WILLING OWNERS.—For purposes of providing any permits to, or entering into agreements with, a State, local, or Tribal government or private landowner with respect to the use of land under the jurisdiction of the government or landowner, the Secretary shall not take into account whether the State, local, or Tribal government or private landowner has granted or denied public access or egress to the land.

(f) MEANS OF PUBLIC ACCESS AND EGRESS INCLUDED.—In considering public access and egress under subsections (b) and (c), the Secretary shall consider public access and egress to the legal boundaries of the land described in those subsections, including access and egress—

(1) by motorized or non-motorized vehicles; and

(2) on foot or horseback.

(g) EFFECT.—

(1) IN GENERAL.—This section shall have no effect on whether a particular recreational use shall be allowed on the land included in a priority list under this section

(2) EFFECT OF ALLOWABLE USES ON AGENCY CONSIDERATION.—In preparing the priority list under subsection (b), the Secretary shall only consider recreational uses that are allowed on the land at the time that the priority list is prepared.