

§ 7912. 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 7913 of this title.

(b) Effect of part

Nothing in this subchapter opens to hunting, fishing, or recreational shooting any land that is not open to those activities as of March 12, 2019.

(Pub. L. 116–9, title IV, §4102, Mar. 12, 2019, 133 Stat. 757.)

§ 7913. Closure of Federal land to hunting, fishing, and recreational shooting

(a) Authorization

(1) In general

Subject to paragraph (2) and in accordance with section 1732(b) of title 43, 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.

(B) Final decision

In a final decision to permanently or temporarily close an area to hunting, fishing, or recreation¹ 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

¹ So in original. Probably should be “recreational”.