

§ 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”.

(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.

(Pub. L. 116–9, title IV, §4103, Mar. 12, 2019, 133 Stat. 757.)

§ 7914. 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).

(Pub. L. 116–9, title IV, §4104, Mar. 12, 2019, 133 Stat. 759.)

§ 7915. 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 668dd(e) of this title;

(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 March 12, 2019, 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