

1 COMMITTEE: Environment
2 POLICY: Management of Federal Lands
3 TYPE OF POLICY: Existing
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5 In 1976, Congress passed the Federal Land Policy Management Act (FLPMA) reversing the
6 200-year national policy of conveying public lands to private ownership; the Act provides for
7 perpetual federal retention unless it is in the national interest to dispose of a particular parcel.
8 Federal agencies are currently reviewing the uses of lands under federal jurisdiction.
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10 Ninety-three percent of all lands under federal jurisdiction in the United States are located in
11 the West, and over sixty-three percent of the land area in the twelve western states is
12 federally controlled. Further, many federal and non-federal lands are intermingled. This limits
13 the western states' prerogatives in managing the uses of their own land and further limits the
14 potential base of the states' economies. Units of governments whose property tax revenue
15 bases have been reduced by large federal land holdings also require adequate funds to help
16 make up the shortfall. With perpetual federal retention, Congress must assure state
17 payments in lieu of taxes in perpetuity.
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19 Federal agencies are seeking to designate wilderness areas under the Federal Wilderness
20 Act. The decisions on the potential inclusion of lands in the National Wilderness Preservation
21 System or other designated use may affect the potential for state growth, energy
22 development, recreation opportunities, revenue, and other state concerns.
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24 Federal-state relations regarding federal agency land planning vary widely and suffer from a
25 lack of specificity on how and when cooperation should take place. No meaningful
26 mechanism currently exists in the wilderness review process for the involvement of
27 legislatures as the state policymaking bodies.
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29 The National Conference of State Legislatures urges all federal agencies involved in the
30 management of public lands to incorporate within their policies and regulations provisions for
31 a continuous and cooperative involvement of state governments in public lands policy and

32 public lands management. Furthermore, NCSL supports remedial legislation which will
33 guarantee a state role in public lands management and establish procedures for
34 designations, disposition, or use of certain public lands found to be excess property.

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36 Among the many functions of the federal agencies which have public lands management
37 responsibilities are wildlife management, endangered species protection, wetlands protection,
38 meeting the open space requirements of growing population, environmentally sound forest
39 and rangeland management, payments-in-lieu-of-taxes to local governments, and the
40 administration of mineral development impact loans. Increasing pressures on rangeland have
41 made better management imperative. Federal agencies managing federal land should assure
42 that uses both on-site and off-site do not cause adverse environmental impacts on the federal
43 land or other adjacent lands or waters and provide special protection for wetland resources in
44 light of the goal of no loss of wetlands.

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46 Increasing energy development will impose heavy burdens on federal agencies to process
47 lease applications properly and expeditiously and provide for protection of the environment.
48 As Congress considers funding for federal agencies with public land management
49 responsibilities, NCSL recommends that Congress assure appropriations sufficient for the full
50 and proper execution of the agencies' legislative mandates.

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52 If a federal wilderness designation occurs, state "inholdings" in wilderness areas should be
53 purchased, or exchanged with lands of equal or greater value outside of these areas as
54 designated by FLPMA.

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