

Public lands transfer movement watched closely

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There has been a growing awareness and attention paid in recent months to a movement among many Western states to transfer millions of acres of federally owned public lands to the states.

The American Lands Council, based in Utah, is leading the effort, arguing that it would improve public access, generate more economic growth and better protect the environment. The group cites the fact that most public lands in the Eastern part of the country are locally managed, but not in the Western states, as they say the U.S. Constitution requires and America's founders intended.

Utah leads the way, Colorado tries to follow

In Utah, lawmakers passed a bill that included a Dec. 31, 2014 deadline for such a transfer to the state. No action was taken by the federal government. Excluded were existing national parks, designated wilderness areas, Indian reservations and military installations.

An analysis of whether Utah could afford to take over the lands was put together by a team of economists from three state universities. It estimated the cost to the state could be about \$280 million by 2017, while the Bureau of Land Management and U.S. Forest Service generated about \$332 million in revenues in 2013 from mineral leases and gas royalties.



Colorado lawmakers tried but failed to pass a bill in 2013 (SB 13-142) that would have required the federal government to “cede or extinguish title to all agricultural public lands and transfer title to the state.” The bill called for the state board of land commissioners to manage those agricultural public lands in a way that produces “reasonable and consistent income” over time by “prudently protecting, selling, exchanging, or otherwise disposing of such agricultural public lands.”

If the state board of land commissioners did sell any of the lands, the U.S. would have received 95 percent of the net proceeds of the sale. The remaining 5 percent was to have been deposited in a special trust fund, where only the interest and income earned on the deposit and investment of moneys could have been expended and used, with half of it directed to education and half of it appropriated by the general assembly for water storage projects.

The bill’s main sponsors were state Sen. Scott Renfro and then-state Rep. Jerry Sonnenberg, both Republicans. The bill was killed in the Senate Appropriations Committee.

Opponents watching movement closely

One conservation group, the Theodore Roosevelt Conservation Partnership, listed the land transfer movement as its top under-reported conservation story of 2014.

The conservation partnership noted public lands provide open access to millions of Americans for hunting, fishing and outdoor recreation.

“Three out of four Western hunters depend on public lands. If these lands are transferred to the states, they could eventually be sold to private interests because of the enormous management costs that states are simply not able to handle. If public lands are privatized, millions of acres would be closed off to public access.”

And federal lawmakers have gotten into the issue. In August, U.S. Sen. Ted Cruz (R-Texas) filed an amendment to the Bipartisan Sportsmens Act of 2014, essentially compelling the sale of valuable Western public lands, according to the group. Federal lands comprise more than half of the overall land base in Alaska, Idaho, Nevada, Oregon and Utah. Under Cruz’s amendment, the group said, the federal government would be prohibited from owning more than half the land in any state and would be forced to sell the land to the highest bidder.



Feds own more than 15 million acres in Colorado

In Colorado, the Colorado State Forest Service noted nearly 68 percent of Colorado’s forests are in federal ownership; the primary land manager is the U.S. Forest Service, with 47 percent or 11.3 million acres. The Bureau of Land Management oversees an additional 17 percent or 4.2 million acres, while the National Park Service has responsibility for 380,925 acres or 2 percent of Colorado’s forests. Most of these lands are within the borders of Rocky Mountain National Park.

The state forest service also noted that approximately 186,000 private landowners control 30 percent or 7.1 million acres of the state’s forested landscapes. The remainder of Colorado’s forests are held by a combination of tribal governments, municipalities, state agencies and other non-federal entities. The Colorado State Land Board, for example, owns approximately 370,000 acres of forest land throughout the state. Two tribes, the Ute Mountain Utes and Southern Utes, make their home in Southwest Colorado, where

they own 402,303 acres of forestland. These tribes also retain specific hunting rights and other aboriginal rights on national forests throughout their traditional territory, which includes portions of Utah, New Mexico and Colorado. More than a dozen other tribes located outside Colorado also maintain tribal interests and inherent aboriginal rights in Colorado's national forests.

Federal lands often sold for energy, other development to cover management costs

A blog by Theodore Roosevelt Conservation Partnership Arizona Field Representative John Hamill noted that Western states have a long history of selling their lands. In Nevada, nearly 2.7 million acres of state land have been sold; Utah has sold more than 50 percent of its land grant.

“The question of how the states would pay for the management of these lands complicates the issue further,” Hamill continued. “Maintaining roads and recreation facilities, fighting wildfires and similar activities require funds that these states simply do not have. The only practical means to raise the funds would be to charge higher user fees, open more lands to development or sell the lands to private interests.”

Hamill added that the transfer or “divestiture” of federal public lands to the states poses a threat to hunting and fishing as we know it today.

“While sportsmen may be frustrated with the federal government’s management of our public lands,” he wrote, “transferring public lands to the states and making them available for sale to private interests is not in the best interest of fish and wildlife or hunting and fishing. Sportsmen need to fight to maintain control of and access to our most precious resource: our public lands.”