



# America's Public Lands:

origin, history, future



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The Public Lands Foundation is a national nonprofit membership organization that advocates and works

**LANDS** organization that advocates and works organization that advocates and works for America's Herritage or America's Herritage organization that advocates and works that is public hands, professionally and sustainably managed for responsible common use and enjoyment. The PLF endorses and embraces the multiple use mission of the BLM. Members are predominantly retired employees of the BLM from across the United States who have spent their careers dedicated to the sound management of these valuable lands and resources. Many of our members spent their careers managing public lands and have personal knowledge and unparalleled expertise in their management. manag

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All photos by Bureau of Land Management staff. Cover Photo: Vermillion Cliffs National Monum. ment. Arizona

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This publication has been prepared by the Public Lands Foundation to define and clarify the status of federal public lands in America and to answer questions people pose on a daily basis, such as:

#### How did the United States acquire the public lands

How did the United States transfer most of the original public lands to state, private and other ownerships?

How did the Bureau of Land Management, an agency within the Department of the Interior, become responsible for administering its remaining 245 million acres of public domain lands, now known

How does federal ownership and management of public domain lands benefit Americans?

#### Where did the Public Lands come from?

#### Lands were ceded from Native Americans

Prior to contact with Europeans (pre-1492), Indians and Prior to contact with Europeans (pre-1492), indians and Alaska Native Peoples lived in what was to become the United States in organized societies with various forms of government. In the Lower 48 contiguous states, Indian Nations ceded millions of acres of land to the newly established government that contributed to making the U.S. what it is today. In Alaska and Hawaii, the status of lands or an activity of the status of lands was negotiated as a part of Statehood. Through conquest and treaty settlements lands were also obtained from Mexico, Canada, Russia, Spain, France and England (who likewise obtained the land through conquest and settlement from the inhabitants at that point in history). This history from the initiation and settlement provided the original basis for federal ownership and legal title to much of the nation's public lands.

#### Lands were relinguished by the Colonies

The first public lands were created in 1781 when New York agreed to surrender to the federal government its claim to





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administer the Act. Its mission was to authorize livestock grazing in 10 western states, provide stability to the livestock industry, and improve the conditions of the range.

**1935 to 1951** ~ The Grazing Service helped local ranchers form Grazing Districts on over 142 million acres in 61 public domain areas in 10 western states. Each of the districts set up a District Grazing Office to administer the

program. (Attachment 4 on page 19 shows the areas in the Grazing Districts that had been established by 1937.)

The Taylor Grazing Act also put an end to unrestricted public settlement of public domain lands, required the GLO to classify lands as suitable for entry, and required the public to file applications and get approval before settling on the lands.

1946 ~ Congress established the Bureau of Land Management on July 16 by merging the Grazing Service, the General Land Office, and the Oregon & California Revested Lands Administration unit in western Oregon After the merger, the BLM's field organization consisted of Land Offices located in the capitals of the 12 western states, and 60 District Grazing Offices scattered throughout the rural areas of the same states. The BLM's early years could be characterized as an era of *clerks and cowboys*, emphasizing Lands and Minerals operations and Range and Forestry programs.



By 1946, the public domain had been reduced to about 400 million acres and there were more than 3,000 unrelated and often conflicting laws on the books governing the management of the public domain lands.

1959 ~ The Alaska Statehood Act created the nation's 49th state, creating a major workload for the young BLM. The Alaska Statehood Act provided for the conveyance of

1960 ~ The public began to take a renewed interest in their

urbanization, the undeveloped public lands needed to be conserved for the good of the environment, as a refuge for

wild plant and animal populations, and as recreation lands for the general public. President John Kennedy took notice of the public lands and emphasized the need for increased focus on conservation and the importance of the federal

rnment in providing leadership in that arena.

gov

approximately 104.5 million acres of federal land to the State. When the state later identified its claims, the BLM identified its claims, the DLiva staff began the arduous task of processing the acreage to final patent. As of 2014, approximately 95 percent approximately 95 percent of these lands have been conveyed: 61 percent have been patented and 34 percent have been conveyed by Tentative Approval (conveyed subject to final survey).



1964 ~ Congress passed the Classification and Multiple Use Act (C&MU Act) that directed the BLM to determine:

- 1. which of the BLM-administered public lands "should be disposed of for orderly growth and development of a community, or are chiefly valuable for residential, commercial, agricultural, industrial, or public uses or development, OR
- 2. which lands should be retained, at least for the time which indix should be Federaley, at least for the time being, in federal ownership and managed for domestic livestock grazing, fish and wildlife development and use, industrial development, mineral production, or occupancy, outdoor recreation, timber production, or preservation of public values that would be lost if the land passed from federal ownership."

1965-1970 ~ The BLM held hundreds of public hearings on land classification proposals throughout the West. The implementation of the C&MU Act was a significant The implementation of the Control Arc was a significant event because it gave the general public their first official opportunity to have a say about what should be done with "their" public domain lands. They responded overwhelmingly to "retain and manage for multiple use."

1976 ~ Noting the desires of the people, Congress on October 26 passed the Federal Land Policy and Management Act (FLPMA), an organic act for the BLM that established the agency's multiple use mandate to serve present and the agency's multiple use mandate to serve present and future generations. The Act declared that the public lands be retained in federal ownership, unless as a result of the land use planning procedure provided for in the Act, it is determined that disposal of a particular parcel will serve the national interest. FLPMA also repealed a long list of



outdated public land laws that had been passed to provide for the disposal of the nation's public lands. The Mining Law of 1872 and the Mineral Leasing Act of 1920 survived.

#### New Laws, New Uses, New Identity for **BLM-Administered Public Lands**

A variety of environmental laws were passed in the late 1960s and early 1970s that greatly influence how the BLM operates. They include the National Environmental Policy Act, the Clean Water Act, the Clean Air Act, the Wilderness Act, the Endangered Species Act and the Wild Free-roaming Horses and Burros Act.

Ranchers had been the primary users of the public lands and livestock grazing was the primary use from 1930 to 1960. Grazing Service and BLM management programs focused on livestock numbers and seasons of use, but public use began to change in the 1960s.

Off-highway Vehicles (OHVs) and other new recreation equipment were developed. Rural and remote public lands under BLM administration became the outdoor recreation playgrounds for many people who lived in the urban areas of the West. The lands and outdoor activities eventually attracted users from the rest of the states and from around the world.

The agency's OHV Travel Management Plans took much longer to complete due to complexity of issues, increased public input, and the additional staffing needed to ensure the plans met the requirements of various laws.





Archeological sites and antiquities that had been protected for centuries by their remote and inaccessible locations were now being explored and often damaged by the public.

The public domain was not included in the Wilderness Act of 1964. The Act did not apply to the public domain until FLPMA was passed in 1976

The National Environmental Policy Act of 1969 greatly extended the time it took to make land management decisions. Decisions that were formerly made by BLM district managers and staff became lengthy public processes often involving voluminous Environmental Impact Statements and Records of Decision. Eventually, decisions were elevated to state directors or the BLM Director, and

Board of Land Appeals and lawsuits filed with the court system.

The Wild Free-roaming Horses and Burros Act of 1971 changed the *investore* and *muisance* animals of the Grazing Service era into the *living symbols* of the old Wext. Congress determined that wild horses and burros should be protected animals, and gave responsibility for the protected almust, and gave the Interior, which assigned the BLM to manage the new program.

> The Endangered Species Act of 1973 required major changes in traditional timber harvests and oil traditional timber harvests and oil and gas development activities on BLM-administered public lands. Threatened and endangered species programs greatly curtailed or shut down natural resource extractions entirely in some areas

2008 ~ On December 16, the action DLot Director, and the planning process was frequently extended by special-interest objections field with the Interior National System of Public Lands.





#### What does the future hold for public domain lands that remain?

In 2014, approximately 245 million acres of the original public domain lands remain in the National System of Public Lands administered by the Bureau of Land Management. These lands are owned by, used by, and are important to the nation's public, not just state and local residents. The federal government funds the majority of the cost of managing public use and protecting the resources on these federal lands. The BLM's budget for FY 2014 was \$1.052 billion

The value of the public lands is indisputable as a legacy for future generations and as a contributor to present-day economics and quality of life. Public lands managed by the BLM contributed \$107 billion to the U.S. economy while supporting nearly 450,000 jobs in FY 2013.

The economic output generated by activities on the public The economic output generated by activities of the public lands fuel local economics. Energy related development and production — including oil and gas, coal, non-energy minerals, and geothermal, wind and solar energy — on BLM-managed public lands contributed just over \$99 billion in FY 2013. Within that total, oil and gas generated \$69 billion; coal \$16 billion; non-energy minerals such as sund and gravel \$12.4 billion; and geothermal, wind and solar energy leases \$2.3 billion.

Other significant economic activity was supported by: recreation use (\$5.5 billion); livestock production, or the introduction of feed, fiber, and livestock into the market (\$1.5 billion); and timber harvesting (\$658 million). Royalties and other revenues are also collected on this economic activity, resulting in substantial funds being contributed back to the U.S. Treasury, as well as to state and local governments.

States and local governments (counties and boroughs) share in much of the revenue generated on public lands. Fifty percent of the royalties from hard rock and fluid (oil and gas) mineral development and leasing go to the affected state. Each year, either 50 percent of grazing fees or \$10 million, whichever is gratert, is allocated back to the BLM state office or field office where the money was collected, and used for range improvements. Fifty percent of receipts from timber sales on the Oregon and California lands are allocated to the 18 counties where harvest occurs.







Purpose											
State	Common schools	Other schools	Other	Railroads	Wagon reads	Canals and rivers	Miacellanousa improvements (not specified)	Swamp reducation	Other purposes	Total	
	Acm	Acres	Arm	Arma	Acm	Acres	Arms	Arms	Acres	Acam	
Alahama	911.627	383,785	181			100.004	97,455	441,662	24,640	5.006.0	
Alaska	105,000	112.064	1.000.000						101.153.107	304,569,3	
Arizona	8.065.154	848.197	500.000						1,101,400	10.543	
Arkannas	933,779	196,080					508.000	2.686.575	16.640	11,995	
California	5.534.290	296,080					508.000	2,185,967	48,78	8,805	
Celerado	3.665.613	128.040	32,000				108,000	8,190,991	115,946	4.471.4	
		193.090								190.0	
Connectient		30,000								90.4	
PL	975,301	342,140		1111111111			500.000	30,233,674	5.129	24,234	
Florida		273.000								270.0	
Georgia	2.963.676	275,000							64.84	4,234,0	
idaho			250,000	1111100000000			**********			6 204.0	
libnois	996,520	535,080		7,145,138	120,580	324,290	209,086	1,460,154	123,589	6,254,0	
Indiana	1.000.673						***********		40.834	8.061.3	
lows		294,060		4,796,945			501,000	1,196,392			
Cansas	2,901,520	161,270	127	4,136,329			546,000		59,423	7,794,/	
Kentucky		333,090	24,607	**************************************							
Louisiana	807,271	154.292					500,000	9,504,723		11,441,1	
Maine		210,000									
Maryland		210,000								258,0	
Massachusetta		360,600								394.0	
Michigan	1.021.867	2945,080		3,134,058	221,013	1,250.236	500,000	5.680,312	49,200	12.148.0	
Minnesola	2,874,951	212,140		8.047.469			540,000	4, 796, 590	50, 500	16.422.0	
Miaslasipci	824,213	548,240		1,015,545			500,000	2,348,946	1,354	6,097,5	
Missouri	1.221.813	376.600		1.877.968			500,000	3,452,525	48.640	7,417.0	
Montana	5.190.258	386,723	109.000						276.309	5,963,3	
Nebrusha	2,730,951	136,090	22,000				500,000		53,620	3,458.7	
	2.061.907	136,640	12,800				500,000		14.379	2,725.3	
New Hampshire		150.000								E540.0	
New Jorsey		210,000								210,0	
New Mexico	8.711.304	1,540,545	754,000			100.000			1,896,848	12,294.1	
New York		990,900								996.0	
		270.600								276,0	
North Dakata	2,455,396	336.650	254,000						82,076	3, 163, 1	
Ohie	724.256	6390.1280				1.254.114	*********	29.372	24,216	2,254.0	
Oklahoma	1,3735,000	1,050,000	670,760							3,095,1	
Oregan	3, 299, 399	136,155					580.000	294,108	127.324	7.032.0	
Perenylvania		730,000								280.0	
Rhode Island		120.000								195.0	
South Carolina		180.000								190.0	
South Dakota	2,733.064	106,000	150,640							3.435.3	
Tennessee		200.000								380.0	
Tengs .		1012-000								158.0	
Uluh	5,644,7%	555.141	500.168						(01, 249	7.301.3	
Vermoni		150.000								154.0	
Virginia		1000.0000								309.0	
Washington	2,256,298	135.090	254,000							2.044.4	
West Varginia	1,111,111	150.000								110.0	
Wiscutsia	947.779	1277 1440		3,637,327	301 513	1.877.339	500.000	3,361,763	15.410	10.175.2	
Ryaming	3.(70.00)	125,040	428.000						315.41	4,342,1	
		- and and	424,000								
Total	77,429,229	16,707,387	4,998,275	37,124,531	1,329,864	4,102,749	7,404,555	64,917,965	109,750,816	328,426,13	

Attachment 2: Grants to the States 1808 to 1978 (Taken from Public Land Statistics, US Department of the Interior)

Lend	Water	Total	Percent of total U.S. land	Cost*
Acres	Acres	Acres		
223,415,680 523,448,400 25,068,880 43,342,720 180,644,480 334,479,360 78,842,880 18,681,520 585,333,120	3,403,920 6,405,250 535,040 2,801,900 2,741,760 4,201,600 83,840 26,680 12,900,440	236.825.600 522,911,680 23,601,920 45,144,640 338,630,560 78,921,720 10,980,600 378,242,560	10.2 22.9 1.3 2.0 7.9 14.6 3.4 0.8 15.3	<sup>b</sup> 95,220,000 23,213,548 6,574,057 16,255,149 15,496,448 10,000,000 7,200,000
1,807,533,440	33,175,660	1,840,709,120	79.4	65.079,222
ting Office, 1939), 20 acres), See Don ting Office, 1884),	pp. 249-251. aldson, Thoma p. 11.			
aty of 1819 with Sp	upine.			
	Acres 251,415,486,400 270,068,480 40,354,240 100,644,480 334,479,860 168,641,820 355,333,120 1,807,533,440 1,807,533,440 sistons' obtained in sing Office, 1030), socras, 364 Dis- fieg Office, 1684(),	Acres Acres   253,44,56,865 1,403,505   552,448,460 6,465,200   26,048,460 555,540   43,362,750 2,801,300   160,444,460 2,471,700   26,464,460 2,471,700   26,464,460 2,471,700   26,452,460 83,140   365,333,120 12,100,440   18,641,820 12,100,440   18,652,331,210 12,100,440   18,07,533,440 30,175,960   ststart "dotained from flexibighth" 160,0140	Arrey Arrey Arrey   Arrey Arrey Arrey   Status Status Status   Status Arrey Arrey   Status Status Status   Status Arrey Arrey   Arrey Arrey Arrey	Land Water Total of base   Acree Ac

Interior, Office of the Secretary, Areas of Acquisitions to the Territory of the United sameal Printing Office, 1922). Acreages therein are based on findings adjusted world the structure.

Attachment 1: Acquisition of the Public Domain, 1781 to 1867. (Taken from Public Land Statistics, US Department of the Interior)

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### **OUR ACHIEVEMENTS**



Recognition: The Public Lands Foundation recognizes exceptional and outstanding work of BLM employees in Managerial/Administrative and Technical/Operational programs, and presents Lifetime Service Awards to career BLM employees who have distinguished themselves. Landscape Stewardship Awards and Certificates of Appreciation are presented to individuals and organizations that have demonstrated sustained outstanding leadership at a landscape level. We also recognize significant contributions within the PLF through an annual Volunteer of the Year Award.

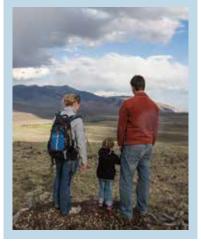
Archives: The Public Lands Foundation established the Archives in 1992 as a place to collect and store historical materials related to the BLM, the lands managed by the BLM, and the people who worked for the BLM. The PLF provides historical materials for use in the BLM National Training Center's training programs.

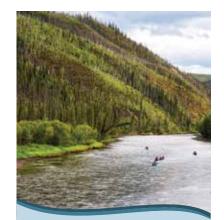


Bureau of Land Management Photos by Bob Wick, BLM-California

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## Public Lands Foundation

The Public Lands Foundation

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A wealth of information is available in the individual files for 92 BLM state and dist field offices, including photos, maps and of information about employees, programs, j and events in each office and jurisdiction.

Memorial Wall: The Public Lands Four maintains a memorial wall recognizing de BLM employees. We honor these men ar women who labored hard and managed w that others might find the climb less steep

**Biennial Student Congress**: Every othe the PLF sponsors a National Student Conthat deals with public land management and natural resource issues. Through this program we educate our youth on public land management history and current issue encourage them to provide input into the future of these lands, and expand their ca considerations while enriching their resur-

Participants are recruited from colleges an universities across the country to obtain a

#### **ADVOCACY**

ne of the major goals of the more than 700 members of the Public Lands Foundation is to educate the public about e Bureau of Land Management as an ency within the Department of the terior, and emphasize its responsibilities management of the National System Public Lands. To support the BLM, r members stay current on public lands ues and policies, and communicate r concerns and recommendations the general public, the media, the M, the DOI, and Congress through ephone calls, website articles, written respondence and formal position tements and publications. Our presentatives also testify before Congress budget and policy matters affecting e BLM and the National System of blic Lands. Join us by supporting our ograms and working to achieve PLF als. Visit www.publicland.org to



e PLF's rict/ other projects

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diverse a group of students as possible. Students do not necessarily have to be studying natural resources-related fields, but they must have an awareness of, and interest in, the future of public land management.

Approximately 25 students meet for three days, along with four or five advisors who have had long careers in public policy and land and resource management. They discuss current issues and potential solutions from the youth perspective and make recommendations on what they believe to be important considerations for future policy making.

The students prepare a report at the end of each Student Congress that summarizes their discussions and activities and makes recommendations for the direction of future land management policies. The members of the Student Congress present the report to the PLF Board of Directors and to BLM officials in Washington, D.C.

George Lea Founder's Scholarship: The Public Lands Foundation offers two \$5,000 scholarships each year to outstanding students who need financial assistance to complete their schooling in one of the many disciplines that reflect the professional and technical expertise needed in today's world of public land management. The scholarship is named after the founder of the PLF, George Lea, whose passion for effective management of our National System of Public Lands is exemplified by his work

in the PLF. Seven scholarships were awarded to students across the nation in the first four years of the program. **Employee Training—The Past and the Future—A BLM/PLF Partnership**: The BLM's Pathways training course introduces new employees to the agency, its programs, and its responsibilities. The PLF has joined with the BLM to create an opportunity for relatively new employees to develop a personal relationship with a PLF partner (retiree) who has a long history with the BLM. The PLF partner selected will be in close geographic proximity to the new employee and will have a background and experience of similar interest.

Once the BLM employee and PLF partner are matched, interviews are set up and recorded. The recorded interview of the PLF partner becomes "a little piece of the BLM oral history," and sent to the PLF Archives. The interview of the Pathways participant will be used to help the PLF and the BLM learn more about new employees, including their goals and interests, and the challenges facing them.

## **MOIST AIR**

## ATURAL SPRINGS throughout the

Mojave Desert provide a reliable source of water to many different species of plants and animals. When rain falls on the desert, some of that water is absorbed into **underground aquifers** that can store billions of gallons of water. In some places, that underground water is forced to the surface, forming a **natural spring**. Some springs are barely a trickle of water surrounded by grasses, and other springs are large enough to sustain marshes and populations of desert fish.



WATER PERCOLATES UP FROM UNDERGROUND TO FORM A SPRING

## BASEMENT ROCK (IMPERMEABLE LAYER)

## **CONDENSATION (CLOUDS)**

## POROUS SOIL AND ROCK

#### WATER TABLE

## UNDERGROUND WATER (AQUIFER)

NATURAL WATER LEVEL

WELL

WATER LEVEL AFTER WELL

## 

PRECIPITATION

(RAIN)

such as well construction and pumping threatens these oases by causing a drop in the natural water level and cutting off the source of water for many springs in the desert.

## **INLETKEEPER**<sup>®</sup>

... PROTECTING THE COOK INLET WATERSHED & THE LIFE IT SUSTAINS



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### Oil & Gas at Your Door? Know Your Property Rights!

Oil & gas companies are undertaking an aggressive new round of seismic exploration around Cook Inlet to better understand hydrocarbon potential. These activities can entail land clearing, road building, detonations, noise, dust and other impacts to private property. Cook Inletkeeper has fielded numerous calls from concerned property owners who have been asked by industry to sign a consent form to conduct seismic

> exploration on the landowner's property. Under Alaska law, surface and

Under Alaska law, surface and subsurface property ownership are separate rights (called "estates" in property law). This is the law of "split estate." The surface estate is what we typically understand to be property ownership—i.e., the corners of your property and everything within them. The subsurface rights occur beneath the surface estate, and they're often called mineral rights. Not many people in Alaska own both the surface and subsurface rights to their property, but if you do, you have considerable legal authority

Inletkeeper Bob Shavelson surveying one of the hundreds of blast boles on the Kenai River flats this spring.

Continued on page 5

## Why Cook Inletkeeper Needs You

Jack-up rigs, coal mines, tsunami debris, waste water dumping, boondoggles, coal mines, threats to fisheries. The list grows and grows. Our Alaskan way of life is under siege. Projects and issues pile up as the resources we depend on to power our homes and our cars, to move food into grocery stores and make the products we buy become more and more scarce and more and more valuable.

By living off a finite resource base, we can expect the political and physical conflicts over these resources will only continue to increase in frequency and intensity. Often we are asked: When corporations are considered people and seem to be immune from the law, when governments ignore the will of the people they are supposed to serve, and outsiders make billions of dollars on the broken backs of regular Alaskans, why bother fighting?

The answer is simple. We all love this place.

Face the facts. You have to want to live



in Alaska. Life here is not easy. The cold dark months are replaced by long days with not enough sleep. Food and fuel are expensive—it costs more to ship a child's toy than the cost of *Continued on page 11* 

#### What is ON SCREEN ADVERTISING?

The Pre-Show advertising program is a 12-minute looped program containing Screen Ads, Theatre Policy and Promotional Ads and local and Alaska-Themed Photography.

Our Pre-Show is designed to be a conversation starter for waiting moviegoers, with familiar photo images, movie trivia, appealing background music and local businesses highlighted on the **BIG SCREEN** for maximum impact and retention.



"Small businesses can benefit from reaching this captive audience of moviegoers without taking a major bite out of their budgets."

-Entrepreneur.com



"...movie screen advertising is a growing industry. This novel medium allows an advertiser to target a specific demographic area with frequent repetition and minimal effort."

—The Business Journal

#### FACTS AND FIGURES

The Pre-Show program begins 20 to 25 minutes before each show, with each paid advertisement before the audience for at least one rotation, sometimes two.

During the winter months, your screen ad would run before 14 shows a week and as many as 21 shows during peak summer months. An average of almost 3,000 people per month visit the Homer Theatre.

#### Why spend Advertising dollars at the homer theatre?

- Moviegoers are a captive audience for digital On-Screen Advertising. They can't change the channel or turn the page.
- Cinema audiences remember On-Screen Advertising with recall rates four to six times higher than television.
- Advertisers are encouraged to offer a discount or value-added bonus to movie patrons who bring in their ticket stub. This can give you some feedback on the effectiveness of advertising with the Homer Theatre.

#### RATE Information

The rate for a standard package, 15-second On-Screen Ad, is as little as \$150 per month with a 6-month or 12-month contract.

Enhance your advertising impact and dollars with a 30-second ad starting at \$300 per month with a 6-month or 12-month contract.

Personalize your ad with video footage of your business. Feature your establishment, goods and services, staff and customers, and make a BIG IMPACT with BIGGER RESULTS!

- Discounts offered for all 12-month contracts.
- As little as 25% Down Payment collected at signing of contract. Remaining balance may be paid in installments.

Showcase Your Business on the **BIG SCREEN** at the Homer Theatre Today!

Call 907-235-1969 or e-mail management@homertheatre.com

Homer Theatre 106 W. Rioneer Ave. Homer, AK 99603 management@homertheatre.com







web: *http://cgfx.us/* phone: *907.350.8488* résumé: *http://cgfx.us/resume* 

scott@cgfx.us