

How Could Your Recreational Access Change if Federal Lands were Controlled by the States?



A look at how recreational access could change if states owned Bureau of Land Management and US Forest Service land.



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Executive Summary

What is the problem?

The Western United States has vast amounts of federal land where the public can hunt, fish, hike, camp and recreate without worrying about trespassing on private property. However, many Western states have considered legislation that would request transfer of national public land to the states, which likely would be managed as state trust lands. Members of Congress are reviewing the prospect of transferring public lands to the states.

Why would this be a problem?

State trust lands were created by the federal government as a grant to each state as it joined the Union. In accordance to each state's Enabling Act, these state trust lands are mandated to generate maximum revenue for schools and other public institutions. The state land trust land is used for logging, oil and gas development and sold or leased to private companies to generate revenue. States are required to balance their budget each year, so the pressure to develop or sell public lands to cover management costs would be great.

How would this affect you?

If federal public land was transferred and managed like state trust lands, the priority would be revenue generation. The general public could lose access to these lands and important fish and wildlife habitat could disappear as the lands are sold and developed in accordance with their mandates. This booklet explores the differences between current public access regulations on federal and state trust lands – and gives a glimpse of what the future might hold for hunters, anglers and other outdoor enthusiasts if states take control of national public lands.

Recreational Impacts of Potential Land Sell-off in Arizona

State Trust Land Management in Arizona. Of the 10.9 million acres of state trust land that Arizona was given upon statehood, today Arizona manages 9.2 million acres. If federal lands were transferred, Arizona would be responsible for an additional 23.4 million acres of land. Grazing, agriculture, mining, sale and lease of the land as well as the sale of natural resources are permitted on state trust land. Nearly all state trust lands have at least one lease on them for natural resource or commercial development.



*What could happen to **your** recreational access if federal lands were held by the Arizona State Land Department?*

Current Federal Land Access

- Dispersed camping is allowed (no more than 14 days in one spot)
- No permits or fees required for access (except in a few fee areas)
- Fires allowed in designated rings and in constructed fire rings
- Firewood collection for personal use is allowed with permit
- Hunting and fishing allowed with the appropriate state license

VS

Current State Land Department Access

- \$15 recreational permit is required to camp, hike or travel on state lands
- Cannot camp for more than 14 days per year
- State trust land is not public land and it is considered trespassing if caught without a permit (fines apply)

* The above rules are a general description of access. It is up to the recreationalist to know and follow all posted rules before using the land by reading posted signs or contacting the appropriate management agency to learn more.

Recreational Impacts of Potential Land Sell-off in Colorado

Current State Trust Land Management in Colorado. Originally, the Colorado Enabling Act gave 4.5 million acres to the state. Today, the State Land Board has 2.8 million acres of state trust lands left for the purpose of generating revenue for the public school system. They would be responsible for the management of an additional 22.8 million acres if federal lands are transferred. The state leases the land to commercial interests, agriculture operations as well as oil and gas development. Only 550,000 acres are available only from September 1st through the end of February for hunting and fishing through a partnership with Colorado Parks and Wildlife.



*What could happen to **your** recreational access if federally owned lands converted to Colorado State Land Board land?*

Current Federal Land Access

- Dispersed camping is allowed (no more than 14 days in one spot)
- No permits or fees required for access (except in a few fee areas)
- Fires allowed in designated rings and in constructed fire rings
- Firewood collection for personal use is allowed with permit
- Hunting and fishing allowed with the appropriate state license

VS

Current Access on State Land Board Land

- A partnership with Colorado Parks and Wildlife allows hunting and fishing on 18% (550,000 acres) of State Land Board land (available Sept. 1-Feb. 28)
- Hunting, fishing, camping and other recreation is NOT allowed on the remaining 82% of State Land Board land

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Recreational Impacts of Potential Land Sell-off in Idaho

State Trust Land Management in Idaho. Under a state constitutional mandate, Idaho received 3.6 million acres to manage as state trust land for public schools, however after selling land, today 2.4 million acres are left. Idaho would be responsible for 32.0 million additional acres if federal land was transferred. Idaho leases their land for commercial interests, oil and gas development, mining, as well as agriculture and forestry operations. They are currently leasing cottage sites on Priest Lake and Payette Lake.



*What could happen to **your** recreational access if federal lands were controlled by the Idaho Department of Land?*

Current Federal Land Access

- Dispersed camping is allowed (no more than 14 days in one spot)
- No permits or fees required for access (except in a few fee areas)
- Fires allowed in designated rings and in constructed fire rings
- Firewood collection for personal use is allowed with permit
- Hunting and fishing allowed with the appropriate state license

VS

Current Department of Land Access

- Recreation is allowed on Department of Land parcels as long as it does not interfere with revenue generating activities
- No dispersed camping. Camping only allowed in designated areas

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Recreational Impacts of Potential Land Sell-off in Montana

State Trust Land Management in Montana. Originally given 5.9 million acres under the Montana Enabling Act, Montana currently has 5.1 million acres left of state trust land due to past land sell off. The land is being managed for income for public schools and institutions. Current revenue generating activities include mining, agriculture, oil and gas development, commercial leasing, and forestry. Montana would be responsible to manage an additional 25.0 million acres if federal land was transferred.



*What could happen to **your** recreational access if Federal lands were controlled by the Montana Department of Natural Resources and Conservation (DNRC)?*

Current Federal Land Access

- Dispersed camping is allowed (no more than 14 days in one spot)
- No permits or fees required for access (except in a few fee areas)
- Fires allowed in designated rings and in constructed fire rings
- Firewood collection for personal use is allowed with permit
- Hunting and fishing allowed with the appropriate state license

Current DNRC Access

- Required to pay for either a General or Special permit
- General Permit– allowed to hike, hunt, fish, picnic, OHV
- Special Permit– trapping, commercial use, group use, camping for more than two nights outside of designated areas
- No firewood collection
- Fires in designated rings only

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Recreational Impacts of Potential Land Sell-off in Nevada

State Trust Land Management in Nevada. Of the 2.7 million acres of state trust land that Nevada was given through the Nevada Enabling Act, today only 3000 acres are still in state hands.* If federal lands were transferred, Nevada would be responsible for an additional 49 million acres of land. The state constitution requires the state to either dispose of the land or manage them for revenue for the Permanent School Fund. The state trust lands were sold into the private land base for revenue. State lands are used for mining, grazing, recreation, and wildlife protection. The state is still selling state trust lands and in all likelihood, would sell the federal land if the state took control over the land. Once the land is in private hands, it is no longer accessible to the public for recreational activities.

Even though school trust lands have relatively liberal access rules, there are very few acres left for recreation because the Division of State Land is more interested in selling the land to balance the budget than conservation or public access.

*Upon statehood, Nevada was given 4 million acres of state trust land. The state chose to exchange the 4 million acres, which were deemed not as profitable, for 2.7 million acres of more marketable property.



Current Division of State Land Access

- School Trust lands are accessible by everyone
- Goals are to keep current access routes open to the public

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Recreational Impacts of Potential Land Sell-off in New Mexico

State Trust Land Management in New Mexico. Under the New Mexico Enabling Act, New Mexico was originally given 13 million acres of land. Today, after some land sell offs, New Mexico manages 9 million acres of state trust land for maximum profit for public schools and institutions, while also maintaining the sustainability of the land for future generations. New Mexico would be responsible for an additional 22.9 million acres if federal land was transferred. Revenues are generated from oil and gas development, mining, grazing and commercial activities.



*What could happen to **your** recreational access if federal lands converted to New Mexico State Land Office land?*

Current Federal Land Access

- Dispersed camping is allowed (no more than 14 days in one spot)
- No permits or fees required for access (except in a few fee areas)
- Fires allowed in designated rings and in constructed fire rings
- Firewood collection for personal use is allowed with permit
- Hunting and fishing allowed with the appropriate state license

VS

Current State Land Office Access

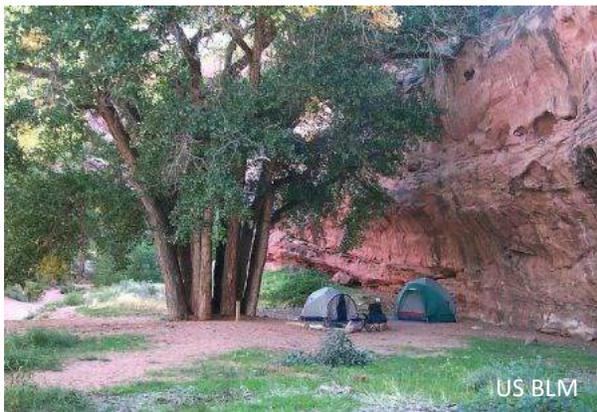
- Annual recreation permit required to do passive recreational activities such as hike and watch wildlife
- Educational access requires a permit
- Camping allowed with written permission from the lessee
- Hunting and fishing is allowed
- No removal of any natural resources from state lands

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Recreational Impacts of Potential Land Sell-off in Utah

State Trust Land Management in Utah. Of the 7.5 million acres of state trust land that Utah was given upon statehood, today, Utah manages 3.4 million acres because of land sell offs. If federal lands were transferred, Utah would be responsible for an additional 30.9 million acres of land. In a January 2015 publication by the University of Utah law school's Wallace Stegner Center for Land, Resources and the Environment, the authors find if federal lands were transferred to the state of Utah, Utah would lose money. The federal government spent \$247 million in 2012 to manage the federal land in Utah and the state receives \$35 million as payment for the property taxes that the state does not receive from federal land. They would not receive this \$35 million and would be required to pay for management of the land, totaling a loss of around \$282 million each year if the land was transferred.

The Utah School and Institutional Trust Land Administration (SITLA) leases their land for mining, grazing, forestry, real estate as well as oil and gas production. The land can also be sold. The income generated from the land is used for public schools and institutions.



Current SITLA Access

- Hunting, fishing, hiking, camping or using off-highway vehicle (only on trails) is allowed
- Cannot camp longer than 14 consecutive days in one spot
- Fires allowed in designated rings
- Collection of firewood to bring off trust land is allowed with permit
- Collecting of down and dead wood for campfires does not require a permit

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Recreational Impacts of Potential Land Sell-off in Wyoming

Current State Trust Land Management in Wyoming. Originally, Wyoming was given 4.2 million acres through the Wyoming Enabling Act. Today, after some land sell off occurred, Wyoming is required to manage the 3.5 million acres that are left of the state trust land to produce revenue for public schools and other institutions. It would also be required to manage an additional 27.6 million acres if federal land were transferred. Wyoming manages its land to maximize the long-term growth and sustainable revenue production of its extractable resources for current and future generations.



*What could happen to **your** recreational access if federal lands were held by the Wyoming Office of State Lands?*

Current Federal Land Access

- Dispersed camping is allowed (no more than 14 days in one spot)
- No permits or fees required for access (except in a few fee areas)
- Fires allowed in designated rings and in constructed fire rings
- Firewood collection for personal use is allowed with permit
- Hunting and fishing allowed with the appropriate state license

Current Office of State Lands Access

- No dispersed camping
- No access fees
- No dispersed fires
- No off-road vehicle use
- Hunting, fishing and passive recreation is allowed

VS

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