



H.R. 4901 – THE ADVANCING CONSERVATION AND EDUCATION ACT

A WIN-WIN APPROACH TO PROTECTING CONSERVATION LANDS AND PROMOTE ECONOMIC DEVELOPMENT

H.R. 4901, the Advancing Conservation and Education Act, introduced by Representatives Bishop (R-UT) and DeFazio (D-OR) would create new opportunities to improve the protection of wilderness, parks and other conservation areas, while providing new sources of revenue for schools. This important bill will provide great benefits to the western states.

ELIMINATING STATE INHOLDINGS IN FEDERAL CONSERVATION AREAS: A WIN FOR CONSERVATION AND SCHOOLS

Historically, Congress granted new states specified sections of Federal land to be managed by the state for the benefit of public schools. Today, western states manage over 45 million acres of these “state trust lands” for the benefit of schools.

State trust lands are managed to maximize revenue and activities like mining, oil and gas development, resource extraction, logging, and other forms of development are encouraged. However, some state trust lands are located within designated wilderness areas, national parks, or other protected lands that are managed for the benefit and enjoyment of the American people. States manage over a half-million acres of trust lands in Federal wilderness areas. Road construction and other forms of development in the state trust lands within these parks and wilderness would undermine the protections for the surrounding lands.

Further, state trust lands contained within wilderness areas, national parks, and other protected lands do not serve schools because these lands are often difficult to develop and some have little economic potential. States could provide much more revenue to schools by owning lands outside of parks and wilderness with greater revenue potential.

Eliminating state inholdings within Federal conservation areas by swapping state trust lands for Federal lands elsewhere eliminates the threat of inappropriate development within parks and wilderness and ensures that



Throughout the west, states own millions of acres of inholdings within national parks, wilderness areas, and other protected Federal lands, including Grand Teton National Park. Under the Advancing Conservation and Education Act, these lands could be traded for other Federal lands with lower conservation values that are more suitable for economic development.

these areas are managed for their conservation purposes. It also allows states to acquire lands with higher economic potential, thus providing new opportunities to maximize revenue for schools.

States, Federal agencies, conservation organizations, and others support eliminating state inholdings from Federal conservation areas. However, current mechanisms are deeply flawed. Administrative exchanges are exceedingly cumbersome, costly, and time-consuming. Legislative land exchanges can take many years to accomplish. A new approach is needed.

H.R. 4901: A NEW APPROACH TO ELIMINATE STATE INHOLDINGS

The Advancing Conservation and Education Act presents a practical approach to expedite the exchange of state inholdings from Federal conservation areas for Federal lands with lower conservation value but higher economic development potential.

Under the legislation, states would identify the inholdings to convey to the Federal government, with a special priority on inholdings within national parks and wilderness. After identifying lands to transfer to the Federal government, a state would then identify Federal lands it wished to acquire.

States would likely seek to acquire lands with low conservation value and high economic development potential in order to maximize revenue. A state may only select from certain lands within the state that are managed by the Bureau of Land Management.

After identifying lands to exchange, the state would negotiate with the Federal government the exact Federal and state parcels to be exchanged and the terms of the exchange. The Secretary of the Interior would retain the authority to accept or reject any proposed parcels to receive or convey. After the parties reach agreement, the actual exchange would take place only after compliance with the National Environmental Policy Act and consideration of public input.

The approach is significantly better than the current administrative or legislative land exchange processes. Upon enactment of the legislation, states would have a set time period to initiate the land exchange process for their inholdings. Strict timelines would help ensure the process stays on track and is completed expeditiously. No further action from Congress would be required.

This process will help to expedite the elimination of state inholdings in wilderness areas, national parks, and other Federal conservation areas. It will help prevent incompatible development within these areas, afford new economic development opportunities for states, and provide new sources of revenue for schools. By benefiting conservation, state economies, and schools, the approach is a classic win-win solution.

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