

Subcommittee on Federal Lands

Tom McClintock, Chairman
Hearing Memorandum

April 26, 2016

To: All Subcommittee on Federal Lands Members

From: Majority Committee Staff – Brent Blevins
Subcommittee on Federal Lands (x 6-7736)

Hearing: Legislative hearing on discussion draft legislation entitled the “*Locally-elected Officials Cooperating with Agencies in Land (LOCAL) Management Act of 2016*”
April 28, 2016 at 2:00 PM; 1324 Longworth HOB.

Discussion Draft Legislation Summary

The *LOCAL Management Act of 2016* provides local governments with greater input into federal land management decisions occurring within their borders.

Invited Witness

Ms. Leslie Weldon
Deputy Chief
U.S. Forest Service
Washington, D.C.

Ms. Karen Mouritsen
Deputy Assistant Director
Energy, Minerals and Realty Management
Bureau of Land Management
U.S. Department of the Interior

Ms. Jerrie Tipton
Commission Chair
Mineral County
Mina, NV

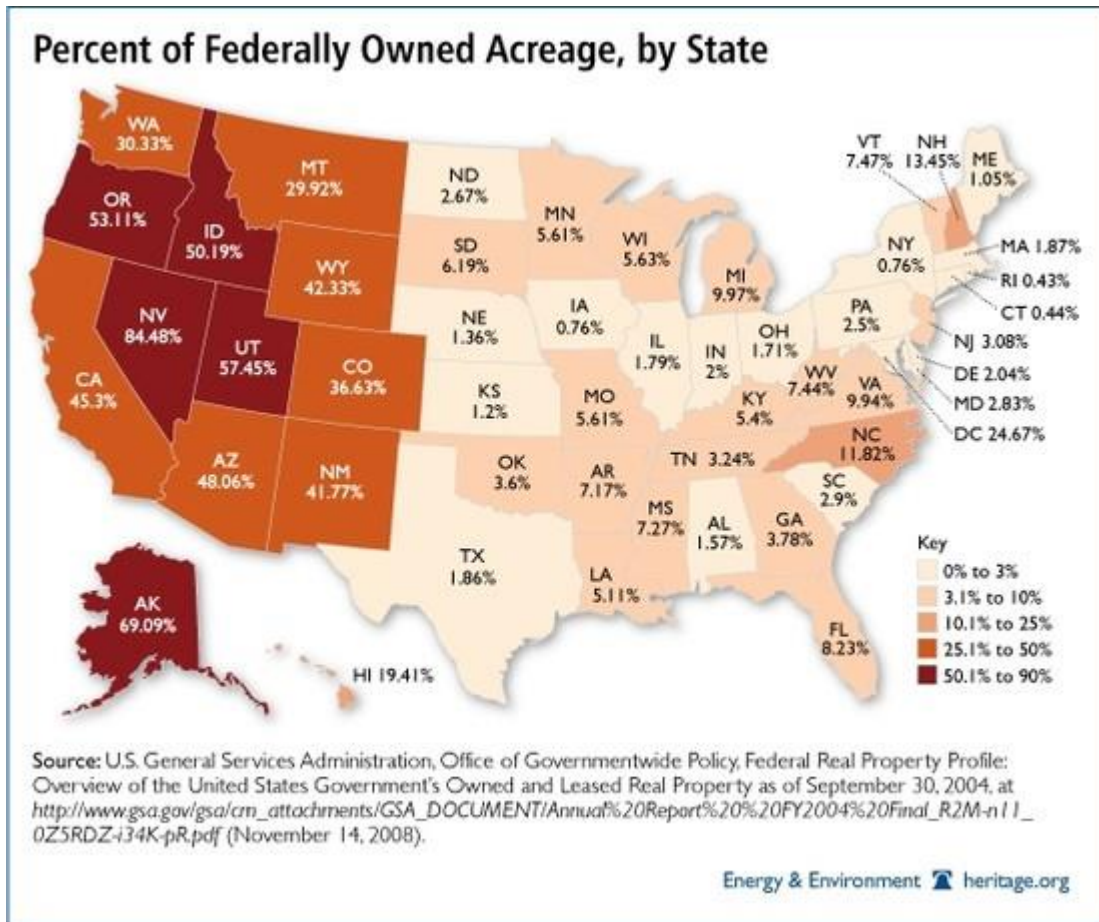
Ms. Sherri Brennan
Supervisor, District 1
Tuolumne County
Sonora, CA

Mr. Hans Dunshee
Councilmember
Snohomish County Council District 5

Everett, Washington

Background

The four principal federal land management agencies – the Forest Service, the Bureau of Land Management, the National Park Service, and the Fish and Wildlife Service - control a combined total of approximately 640 million acres of land across the United States — approximately 28% of all land in the country.¹ This pattern of land ownership is acutely prevalent in the western United States where the federal government owns the majority of land in some states, including Alaska, Idaho, Nevada, Oregon, and Utah. Nearly 1,900 counties contain federal land.²



Rural Schools (SRS)⁵ programs to financially assist local governments. The wildfire threat alone is staggering, as a record 10.1 million acres of forest land (mostly in the west) burned in 2015.⁶

The National Forest Management Act and the Federal Lands Policy Management Act provide an opportunity for local governments and individuals to engage federal land management agencies in land use decisions. In 2012, the Forest Service issued a revised planning rule⁷ that was designed, in part, to facilitate more interaction between the agency and the public. In March 2016, BLM issued a new initiative called “Planning 2.0.” This initiative, according to the agency, “aims to increase public involvement and incorporate the most current data and technology into our land use planning.”⁸

The draft LOCAL Management Act legislation seeks to help rebalance the relationship between federal agencies and the localities directly impacted by land management decisions. This is achieved through three principal areas: increased communication between local line officers and localities regarding land use decisions, better access to recreational lands, and a more targeted approach to federal land acquisition.

Recreational access

The LOCAL Management Act requires that a minimum of 33% of land acquisition under the Land and Water Conservation Fund (LWCF) must be used for the purposes of recreation access. The LOCAL Management Act requires land agencies to notify localities before any proposed recreation fee increase. Additionally, the draft legislation allows the Secretaries of Agriculture and the Interior to enter into a memorandum of understanding with localities to allow for local management of day-use facilities on federal land.

Better communication between local line officers

In order to help build better relationships between federal and local officials, the LOCAL Management Act requires line officers to be in an assignment for three years. The draft legislation also gives localities the option of requesting a local line officer attend a board or commission meeting in order to provide an update on federal activities.

More targeted land acquisition

In order to address the issue of checkerboard ownership of land, particularly in the West, the LOCAL Management Act requires that any parcel acquired must be surrounded by federal lands on 75% of its boundaries. Additionally, the LOCAL Management Act addresses the geographic imbalance of land acquisition under LWCF by limiting the amount of acres purchased in West of the 100th meridian to 15%. The LOCAL Management Act requires a study of all potential land acquisitions to evaluate the potential economic impacts of the land acquisition, including the potential for lost revenue. The Secretaries are required to provide deference to the position of the affected localities.

⁵ <http://www.fs.usda.gov/pts/>

⁶ https://www.nifc.gov/fireInfo/fireInfo_statistics.html

⁷ http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5362537.pdf

⁸ http://www.blm.gov/wo/st/en/prog/planning/planning_overview/planning_2_0.html

Major Provisions Analysis

TITLE I—IMPROVED COOPERATION AND COORDINATION WITH LOCAL COMMUNITIES

- Requires officers from agencies to attend local government meetings at the request of county officials.
- Directs federal land management agencies to study the potential economic impacts on local communities before proceeding with land acquisition.
- Provides for a more direct role of Resources Advisory Committees (RAC) established under the Secure Rural Schools Act in selecting National Forest System projects. Also allows for smaller RACs in rural communities where filling the 15 statutory slots has proven difficult.
- Offers communities the opportunity to work with the Forest Service to prevent the closure of roads that span federal and local control.
- Requires the Secretaries of Agriculture and the Interior to submit proposed recreation fee increases to local governments and allows a comment period on the proposal.

TITLE II—AGENCY MANAGEMENT IMPROVEMENTS

- In order to provide more certainty to communities with regard to line officer assignments, requires Forest Service and BLM to post officers in the same region for a period of three years.
- Clarifies the Secretary of the Interior's authority to add new land to a unit of the National Park System.

TITLE III—TRIBAL FORESTRY

- Provides a greater role for Indian tribes to engage in forest management activities on lands adjoining tribal areas.
- Allows eligible tribes to carry out forest management demonstration projects on their land under the Tribal Forest Protection Act (TFPA) of 2004. Also requires the Secretary of Agriculture to expedite requests for forest management projects under TFPA.

TITLE IV—LAND AND WATER CONSERVATION FUND

- Requires that a minimum of 1/3 of funds for land acquisition allocated from LWCF must be used to provide recreation access to federal lands.
- Allows LWCF to be utilized for land exchanges and not simply new land acquisition.
- Requires that new acquisitions must be surrounded by 75% of federal land to encourage the acquisition of inholdings.
- Limits new acquisition of land west of the 100th meridian to be only 15% of acreage under LWCF.

Administration Position

Unknown at this time

Cost

A Congressional Budget Office cost estimate has not yet been completed for this bill.

[Effect on Current Law \(Ramseyer\)](#)