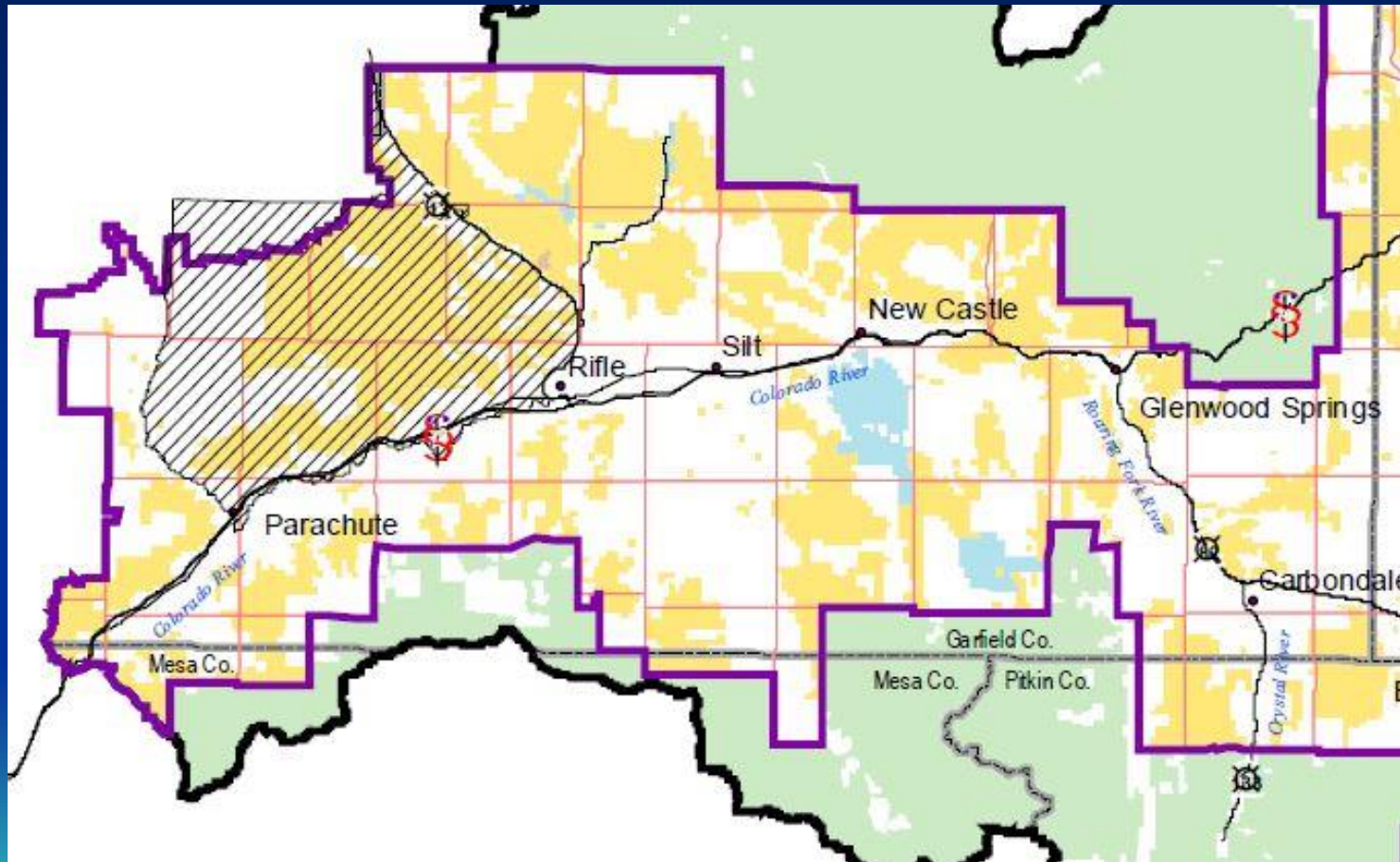


# BLM LAND TENURE



# Land ownership patterns create management challenges



# FLPMA

- Congress recognized land ownership challenges when they passed FLPMA in 1976
- Title II Land Use Planning, Land Acquisition and Disposition
  - Sec 203 Sales
  - Sec 204 Withdrawals
  - Sec 205 Acquisitions
  - Sec 206 Exchanges
  - Sec 207&208 Conveyances
  - Sec 212 R&PP



# What is land tenure?

- It is an important component of the BLM's land-management strategy in which there is a transfer of land ownership or land interests through purchases, donations, sales, and exchanges.



# When does the BLM contemplate land tenure actions?

- Improve management of natural resources through consolidation of federal, tribal, state and private lands;
- Increase recreational opportunities and ensure public access to public lands;
- Preserve open space and traditional landscapes;



# When does the BLM contemplate land tenure actions? (cont.)

- Secure key property necessary to protect endangered species, promote biological diversity and preserve wildlife habitat and migration corridors;
- Resolve trespasses (both private and public);
- Implement specific legislation authorized by Congress.



# Instruments available for Disposal

## SALES

- Competitive (preferred) (FMV)
- Modified
- Direct (must meet special criteria)
- Sec. 209 (conveyance of minerals)



# Instruments available for disposal (cont.)

## RECREATION AND PUBLIC PURPOSE (R&PP)

- Purpose, who qualifies?
- What qualifies, what doesn't?
- Land can be leased or sold
- Purchase price from 10% discount to free
- Plan of Development
- Landfills (1988 amendment)





# R&PP (cont.)

- Reverter Clause
- What triggers reverter?
- Can land be transferred?
- Can the use change?



# LAND EXCHANGES

- Lands must be within same state
- Must be equal in value (within 25%)
- Single transaction involving two parcels
- Assembled (single transaction multiple parcels)
- Assembled (multiple parcels, multiple transactions over time)
- State Exchanges
- BLM as a Land Bank?!



# ACQUISITIONS

- Easements (access, conservation)
- Land (usually within designated areas)
- Interest in land (minerals, water, etc.)
- Reciprocal rights-of-way



# FUNDING SOURCES FOR ACQUISITIONS

Land and Water Conservation Fund (LWCF)



Where do “LWCF” “\$\$\$” come from?

Federal motorboat fuel tax

\$1,000,000 - \$2,000,000



General Services Administration (GSA)  
surplus property sales

\$30,000,000 - \$200,000,000

Outer Continental Shelf (OCS)

Federal oil and gas lease royalty receipts



# MLR

- Money annually appropriated by Congress to manage the Public Lands
- Can it be used for acquisitions?
- Kind of (interest in land only)
- Prohibited by law to purchase land



ADDITIONAL QUESTIONS?

