

**PLS 209 – Environmental Politics**  
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**Topic: Preservation vs. Multiple Use**

**Why are Federal Lands a Source of Conflict?**

- Federal government is one of the major land holders, particularly out west
  - More than half of Alaska, Idaho, Nevada, Oregon, Utah, and Wyoming are federally owned
  - More than 1/3 of Arizona, California, Colorado, and New Mexico is federally owned
  - Some states are major land holders
    - Due to Florida's state-run land acquisition program, it is now a major land holder
- Federal government also controls uses on over 1.1 billion acres of submerged outer continental shelf (OCS) land
  - 1953 Outer Continental Shelf Lands Act extended federal ownership as far as 200 miles offshore over the objections of many coastal states
  - Federal government has since expanded the territorial sea to 12 nautical miles (states generally control out to 3 miles, federal government from 3 to 12)
  - Federal government also declared a 200 mile exclusive economic zone to regulate economic uses like fishing, minerals extraction, etc.
- Public lands are important to many economic interests
  - About 30% of remaining oil and gas reserves, 40% of coal reserves, and 80% of shale oil may be on public lands
  - About 60% of low sulfur coal is on federal lands west of the Mississippi
  - About 56% of undiscovered petroleum and 47% of natural gas reserves reside on OCS lands
  - About 30% of nation's forests remain untimbered on federal wilderness lands or national forests

**Federal lands are subject to different land management regimes**

- U.S. National Wilderness Preservation System
  - Created by Congress in 1964 and includes 79.8 million acres including more than 50 million acres of Alaskan wilderness
  - By legislative mandate, wilderness lands are set aside forever as undeveloped areas
- National Park System
  - 38 national parks and 257 national monuments, historic sites, recreational areas, near-wilderness areas, seashores, and lake shores together embracing more than 83 million acres
  - Lands are closed to mining, timbering, grazing, and most other economic uses.
  - The system is to be available to the public for *some* recreational purposes
- National Monuments
  - President can designate lands as national monuments pursuant to the 1906 Antiquities Act
  - In 1908 Theodore Roosevelt used the law to designate the Grand Canyon as a National Monument

- Bill Clinton used the act extensively to designate or expand at least 21 national monuments covering millions of acres of federal lands
- It has been a source of controversy in the west because the designation carries with it stricter land use regulations
- See handouts
- National Wildlife Refuge System
  - System includes almost 92 million acres, 2/3 of which is in Alaska
  - 413 refuges provide habitat to migratory water fowl, mammals, fish and waterfowl hatcheries, research stations, and related facilities
- National Forests
  - Exceeding over 187 million acres, forest lands are to be managed by a “multiple-use” formula that requires a balance of recreation, timber, grazing, and conservation activities
  - National forests are found primarily in the far west, southeast, and Alaska
- National Rangelands
  - Largest portion of the public domain and are located primarily in the west and Alaska
  - They are made up of grassland and prairie land, desert, scrub forest, and other open space
  - A substantial portion of the 328 million acres of rangeland is suitable for grazing and permits for this activity are issued to ranchers by federal agencies

### **Different agencies are involved in managing public lands**

- Department of Interior’s (DOI’s) Bureau of Land Management (BLM)
  - Manages more than 300 million acres and leases more than 200 million acres in national forests and private lands
  - More criticized than the USFS and has had more trouble establishing standards of professionalism and conservation
  - BLM also arranges leases for all mineral exploration and development on public lands and the OCS
  - Multiple-use concept has suffered because top policy personnel (typically political appointees) tend to focus on a single issue (e.g., oil and gas development) at the expense of other legitimate uses (i.e., wildlife and recreation)
- Department of Agriculture’ (USDA’s) Forest Service (USFS)
  - Founded by Gifford Pinchot, one of the nation’s great conservationists
  - It has a long and distinguished history and historically has possessed a strong sense of mission and professional standards
  - Jurisdiction includes national forest lands and some rangelands
  - Since WWII, there has been significant pressure on the USFS to increase the size of the annual timber harvests, particularly in the Northwest
  - In addition to managing for multiple uses which prevents timber harvesting from precluding all other uses, the USFS must ensure a “sustain yield”
  - Critics charge that its timber sales often amount to public subsidies because it must sometimes spend more to allow harvesting to occur than it receives for the sales
- Both agencies are subject to
  - Politics shaped by the ambiguous and sometimes inconsistent requirements of managing for multiple uses

- Pressures from economic interests seeking access to resources and environmental groups seeking to block uses of these resources
- Conflicts concerning the proper balance between conservation and resource use and development
- Conflicts between the President and Congress over control of these agencies and their policies
  - While Congress defends its rights to define agency policy and priorities it has given the agencies a great deal of discretion that is exercised by the President’s political appointees and professional staff
- Conflicts with the state and local governments where the lands are located over proper uses of the lands
  - State governments, particularly in the west, have been deeply concerned over federal land policies and often want a stronger voice in agency decision making
  - While state governments benefit financially from timber sales and mining fees in terms of revenue returned to state and local governments and their local economies, they often want environmental protection as well since they also are impacted by resource development
  - Some states such as Utah have long asked the federal government to divest itself of much of the land it owns in their state
- Each land use agency has its own clientele of affected industries, environmental groups, and recreational users that monitor their decisions, lobby them, and seek to influence resource management
  - Critics assert that these agencies are too easily “captured” by their clientele who tend to promote resource exploitation at the expense of balanced use and environmental values
- Lawsuits
  - Statutes like the National Environmental Policy Act (NEPA) (requires environmental impact statements) and the Endangered Species Act (ESA) and a broad standing to sue open up agency decisions to legal challenges

### **Sagebrush Rebellion and the Growing Wise Use Movement**

- Sagebrush rebellion emerged during the 1980s
  - It was the desire by western states to assert greater state and regional control over federal lands
  - Wanted greater royalties from resource exploitation and control over land use decisions
- Wise use movement
  - Loose alliance of public lands user groups, resource developers wanting greater access to timber, minerals, and fossil fuels, grazing and ranching interests opposed to increased user fees, some recreational user groups, and other diverse groups that have the common interest of severely diminishing the federal government’s restrictions on access to public lands
  - The idea of property rights is the unifying legal and philosophical basis for action which expanded its political appeal beyond the state’s rights concerns exemplified by the sagebrush rebellion
    - It also broadened the movement’s appeal beyond the west

- Emphasis on property rights has also allowed legal challenges
- Basic argument is that private use of many protected natural resources would offer a more economically beneficial (wise use) policy than present restrictions on public resource exploitation
- Movement limited by lack of national political leader
- Movement does have the political and intellectual appeal that make it a formidable threat to environmental interests, particularly in the west

**How much wilderness is enough?**

- There is long been a conflict concerning the 62 million undeveloped acres under the jurisdiction of the USFS
  - These “roadless areas” could become part of the National Wilderness System, which would thereby be forever excluded from timbering
  - A large portion of the roadless are is also subject to assignment for timber production
  - Unresolved policy question for nearly 3 decades is how much of this area should be subject to timbering, mineral exploitation, oil and gas development, and other nonrecreational and nonconservation uses
  - Both Carter and Reagan offered proposals for allocating the areas between wilderness and multiple uses and these proposals differed from the USFS’s own proposals
  - Roadless Area Review and Evaluation (RARE) I (1976) and RARE II (1978) didn’t resolve policy conflict
  - Clinton was sympathetic to more preservation, new Bush administration appears more inclined towards multiple-uses