SLIDES: Celebrating FLPMA: Land Use Planning at the BLM

Marcilynn Burke
Martz Summer Conference 2010

The Past, Present, and Future of Our Public Lands
Celebrating the 40th Anniversary of the Public Land Law Review
Commissions’ Report — One Third of the Nation’s Lands
June 2-4, 2010
University of Colorado Law School
Wolf Law Building — Wittermyer Courtroom
Boulder, Colorado

CLE credits: 19 General, 1.2 Ethics

PUBLIC LANDS SYMPOSIUM

The Federal Land Policy and Management Act (FLPMA) and the New West:
A Balancing Act Turns 25

Invited Speakers:
Secretary of the Interior
Gale Norton
Frank Gregg, former BLM Director 1977-1981
Gary Bynum, Research Associate,
Natural Resources Law Center
Charles Wilkinson, Professor of Law,
University of Colorado School of Law
Patty Limwack,
Professor of History,
University of Colorado
Bill Travis,
Professor of Geography,
University of Colorado

Sponsors:

November 16, 2001
8 a.m. to 5 p.m.
Reception to Follow
University of Colorado, Boulder
University Memorial Center,
Glenn Miller Ballroom

http://www.colorado.edu/Law/NRRC/FLPMA_Symposium.html
Bureau of Land Management

- Over 240 million acres of public land
- 700 million acres of sub-surface minerals
Multiple Use Mission

To sustain the health and productivity of the public lands for the use and enjoyment of present and future generations
Multiple Use Mission

- Outdoor recreation
- Livestock grazing
- Mineral development
- Energy production
Multiple Use Mission

- Natural resources
- Historical resources
- Cultural resources
Land Use Planning

Resource Management Plans (RMPs)

• Old system: Develop → Implement
• Since 2001: 84% revised, amended, or in process
• New framework
• Public participation
Partnerships

• State, local, and Federal agencies; ranchers and other landowners; conservation groups; and other stakeholders
• 1,000,000 acres of grasslands, woodlands and riparian areas
Managing for Environmental Quality

“The public lands be managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values.”

FLPMA §102(a)(8)
The BLM’s National Landscape Conservation System (NLCS)

900 units covering 27 million acres

- National Monuments
- National Conservation Areas
- Wilderness Areas
- Wilderness Study Areas
NLCS Cont’d

900 Units covering 27 million acres
• Wild and Scenic Rivers
• National Scenic and Historic Trails
• Conservation Lands of the California Desert
Areas of Critical Environmental Concern (ACECs)

Special management for—

• Historic, cultural and scenic values
• Fish and wildlife resources
• Natural systems or processes
• Protection of human life and safety

Santa Clara/Land Hill ACEC, California

Greater Sand Dunes ACEC, Wyoming
Arizona Restoration Design Project

- Brownfields
- Mine sites
- Former landfills
- Inactive mineral material sites or gravel pits
Challenges/Opportunities

- Wildfires and invasive species
- Energy development
- Urban growth
- Extended droughts
- Melting permafrost
Rapid Ecoregional Assessments

- Synthesizing existing science
- Looking across jurisdictional boundaries
Zoning for Dominant Use?!?

- Segregation of Uses
- Cumulative
- Exclusion
- Inclusion
Canyon of the Ancients
National Monument

An Example

- Cultural and archeological resources
- Wildlife
Canyon of the Ancients National Monument

An Example

- Oil and gas
- Livestock grazing
Resource Management Plans (RMPs)

• Identify areas as—
  • Closed to leasing
  • Open
  • Open with major or moderate constraints/ environmental protection measures
Oil and Gas Leasing Reform 2010

Master Leasing Plans

• Stepped-down leasing analysis of largely undeveloped areas with substantial potential
• Detailed analysis
• Public involvement
• Identification of key protection issues
• Development of mitigation measures to protect environment
Benefits of the New Policy

- Fulfills *multiple-use* mission by taking a *forward-looking* approach
- Allows continued consideration of areas of interest to industry
- Emphasizes—
  - leasing in already-developed areas
  - careful planning for leasing and development in new areas
New Sage-grouse Policy 2010

- ESA Decision: “warranted but precluded”
- More sage-grouse habitat than any other entity
- Mapping priority habitat
- Screening new right-of-way applications
Renewable Energy

Land Use Authorizations

• Right-of-ways: wind, solar, and transmission
• Leases/permits: geothermal
• Permits/contracts: forest products as biomass
Renewable Energy

Prioritizing

- Programmatic Environmental Impact Statements (P-EISs)
- American Reinvestment and Recovery Act
- Fast Track Review
Programmatic EISs

- Updated 150 RMPs based on Wind, Geothermal, and Transmission P-EISs
- Initiated Solar P-EIS in May 2008
  - Expanded scope: 1,000 square miles in 24 “Solar Energy Study Areas”
American Reinvestment and Recovery Act (ARRA) (Stimulus Money)

BLM Renewable Energy Studies and Support

- NEPA $14 million
- Studies $28 million
- Habitat Restoration $15 million
- Capital Improvements $15 million

Total $72 million
Fast Track

• 34 most “ready to go” projects
• Renewable Energy Coordination Offices (RECOs) and Support Teams
• No shortcuts in environmental review or public participation
Climate Change

U.S. Department of the Interior

- Adaptation
- Landscape Conservation Cooperatives (LCCs)
- Regional Climate Change Response Science Centers
- Reduction of carbon footprint
- Carbon Sequestration
Climate Change

- Rapid Ecoregional Assessments
- NEPA
- Planning
- LWCF – Connectivity/Wildlife Corridors
Questions?

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