



Frequently Asked Questions Federal Land Transaction Facilitation Act Reauthorization (FLTFA)

QUESTION: What is FLTFA?

ANSWER: Enacted in 2000 (P.L. 106-248), but expired in 2011, FLTFA was a western federal lands program that facilitated strategic federal land sales by the Bureau of Land Management (BLM) in order to provide funding for high-priority land conservation within or adjacent to federal lands in the eleven contiguous western states and Alaska, as well as fund costs associated with BLM land sales. With FLTFA, BLM often sold land to ranchers, communities, businesses and others, consolidating public-private land ownership. The land sales revenue provided funding for BLM, U.S. Forest Service, National Park Service, and U.S. Fish and Wildlife Service conservation projects (39 projects total) that also consolidated public-private land ownership, and also increased public access for outdoor recreation, hunting, fishing; conserved wildlife habitat; protected water quality; preserved historic and cultural resources; and other benefits.

The FLTFA program worked under the authority of the Federal Land Policy and Management Act (FLPMA), including its lands sales policy, but made the change that land sales revenue returned to land conservation and BLM's land sales program. Under FLPMA's original policy, land sales revenue returns to the Treasury, which is now the current status, since FLTFA is expired. BLM has sold few lands without the FLTFA program in place, due to a decrease in land sales capacity and lack of incentive.

QUESTION: How does FLTFA work?

ANSWER: When BLM sells land that has been identified for disposal in a BLM Resource Management Plan, or receives equalization payments from exchanges, the revenue is first divided between the state where the land is sold (4 percent) and BLM's Federal Land Disposal Account (96 percent), a separate account in the Treasury. Within the Federal Land Disposal Account, a minimum of 80 percent is for land acquisition and a maximum of 20 percent is retained by BLM for administrative costs associated with land sales. The land acquisition funds are further divided into 80 percent for "in state" acquisitions and 20 percent that can be used in any of the other ten contiguous Western states or Alaska. For the land acquisition funds, nominations are submitted to the BLM, and an Interagency team (BLM, USFS, NPS and USFWS) evaluates and ranks the proposals. A 2003 Interagency MOU recommended the distribution of land acquisition funds as the following: 60 percent for BLM, 20 percent for USFS; 10 percent for USFWS, and 10 percent for NPS. Approvals from the Secretaries of the Interior and Agriculture are required to authorize the funding.

QUESTION: What has FLTFA accomplished?

ANSWER: Before FLTFA's authority expired in July 2011, the BLM completed hundreds of land sales, generating over \$113 million, which funded 39 conservation projects in western states. Many ranchers and farmers purchased BLM lands adjacent to their properties, often allowing them to expand their operations. BLM also sold lands to timber interests, real estate companies, a community college, landfills, a cemetery and others. The BLM sales helped support economic development, consolidate land ownership, and create jobs. FLTFA has also resulted in a net reduction of lands, FLTFA's implementation between 2000-2011 resulted in BLM selling 27,200 acres of low-priority lands and Federal agencies acquiring 18,100 acres of high-priority lands, which was a ratio of 3 Federal acres sold for every 2 Federal acres acquired. Completed FLTFA land conservation projects included river frontage for fly-fishing access at North Platte River SRMA, big-game winter habitat at Elk Springs Area of Critical Environmental Concern in New Mexico, historic preservation at Canyons of the Ancients National Monument in Colorado, and other sites. These new places help the local tourism economy through retail sales, hotels, restaurants, gas stations and more.

QUESTION: Legislative status, 114th Congress?

ANSWER:

- **The U.S. Senate** passed permanent FLTFA reauthorization as part of the Energy Policy Modernization Act (S. 2012) on April 20, 2016. The individual Senate bill is S. 2189, led by Senators Heinrich (D-NM) and Heller (R-NV) and cosponsored by Senators Bennet (D-CO), Gardner (R-CO), Crapo (R-ID), Risch (R-ID), Tester (D-MT), Daines (R-MT),

Wyden (D-OR), and Udall (D-NM).

- **The U.S. House of Representatives** passed a seven year FLTFA reauthorization as part of their amendment to S. 2012, the Energy Policy Modernization Act, in May 2016 (the FLTFA language is identical to the language in the Sportsmen's Heritage and Recreational Enhancement Act of 2015 ("SHARE")(H.R. 2406, Title IX), which passed the House on February 26, 2016. The House Energy Bill, as passed May 2016, includes major and detrimental changes to the original FLTFA: (1) provides no guarantee that any funds will return to conservation, as the change allows up to 100 percent of the proceeds in the Federal Land Disposal Account (FLTFA account) to be directed to deferred maintenance *or* conservation; (2) makes FLTFA subject to appropriations (originally dedicated funding) in order to overcome House budget rules. The individual House FLTFA bill is H.R. 1651, led by U.S. Representatives Newhouse (R-WA 4) and Lummis (R-WY), which reauthorizes FLTFA for seven years and does not include detrimental changes. The cosponsors are Representatives Amodei (R-NV 2), Chaffetz (R-UT 3), Coffman (R-CO 6), DelBene (D-OR 1), Gibson (R-NY 19), Gosar (R-AZ 4), Grijalva (R-AZ 3), Huffman (D-CA 2), Labrador (R-ID 1), Love (R-UT 4), Lujan (D-NM 3), McMorris Rodgers (R-WA 5), Polis (D-CO 2), Rohrabacher (R-CA 48), Simpson (R-ID 2), and Stewart (R-UT 2).

QUESTION: What organizations or groups support FLTFA reauthorization?

ANSWER: FLTFA is widely supported by a diverse array of over 165 groups, including the National Association of Counties, Western Governors Association, Western States Land Commissioners Association, Wyoming State Lands, National Cattlemen's Beef Association, and many sportsmen's groups, outdoor industry groups, land trusts, conservation groups, and historic preservation groups.

QUESTION: How are FLTFA land sale proceeds spent?

ANSWER: The proceeds from FLTFA are dispensed in the following manner:

- Respective state where land was sold: 4%
 - BLM's Federal Land Disposal Account: 96%
- Federal Land Disposal Account*
- Administering BLM's land sale program: 20% maximum
 - Land Acquisition: 80% minimum

*Land Acquisition Funds**

- Federal acquisition within State in which funds were generated: 80% minimum
- Other FLTFA states: 20% maximum

* A 2003 Interagency Memorandum of Understanding recommends distribution of land acquisition funds in the following manner: BLM: 60%, USFS: 20%, USFWS: 10% and NPS: 10%.

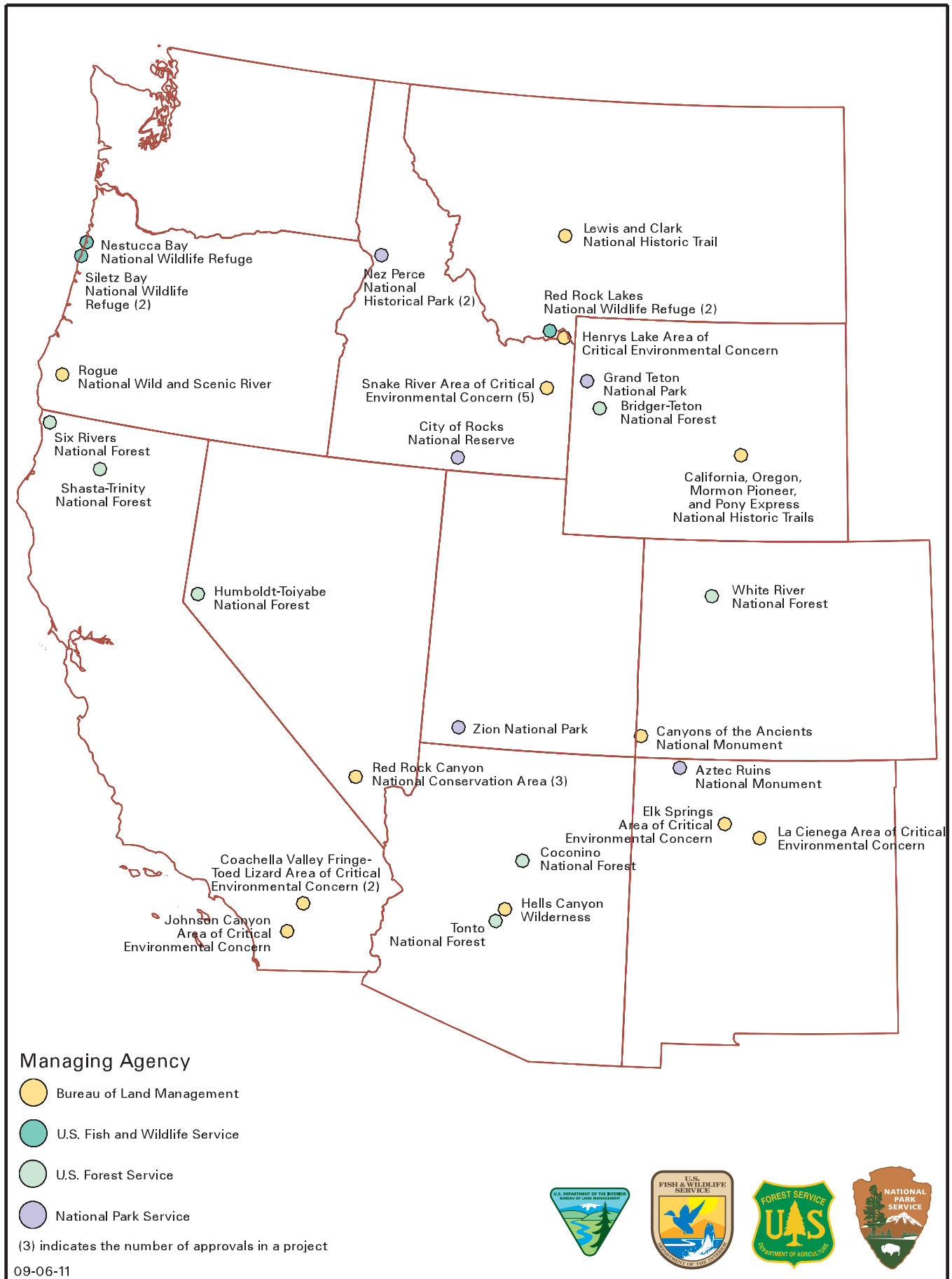
QUESTION: Is FLTFA is a land exchange program?

ANSWER: No, FLTFA is not a land exchange program, and is often more efficient and less controversial than land exchanges. Land exchanges can be a useful tool, but the FLTFA program is also another important lands tool for the West. FLTFA uses a "land for land" concept. Bureau of Land Management (BLM) land sales generate funding for the "Federal Land Disposal Account." Once the revenue is in Account, Federal agencies partners from BLM, U.S. Forest Service, National Park Service and U.S. Fish and Wildlife Service from the state where the land is sold meet to decide which priority land conservation to fund next. Then, the Secretaries of Interior and Agriculture authorize the conservation project. When BLM sells a parcel, it does not coordinate the process with another project that the Federal government would like to buy, like the procedure in an exchange process. BLM land exchanges often take years, because the agencies have to match up exact dollars and acres for several pieces of land. With FLTFA, the BLM sells land, the funds go into the Federal Land Disposal Account, and the Agencies use the money for priority conservation, which is an efficient process.

QUESTION: Will FLTFA be useful in solving State School Trust inholdings within Federal lands?

ANSWER: Yes, FLTFA is a key tool to help Federal agencies purchase state school trust lands within Federal areas in cases where the state wants to sell, which generates funding for school children in the state, and helps both parties manage the land more efficiently.

Federal Land Transaction Facilitation Act BLM, FWS, NPS, and USFS Completed Acquisitions

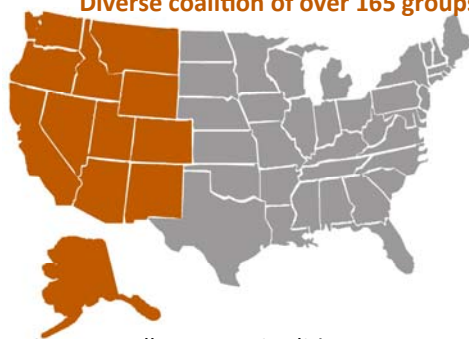


● Lewis and Clark National Historic Trail
● Nestucca Bay National Wildlife Refuge
● Siletz Bay National Wildlife Refuge (2)
● Rogue National Wild and Scenic River
● Six Rivers National Forest
● Shasta-Trinity National Forest
● Humboldt-Toiyabe National Forest
● Nez Perce National Historical Park (2)
● Snake River Area of Critical Environmental Concern (5)
● City of Rocks National Reserve
● Red Rock Lakes National Wildlife Refuge (2)
● Henrys Lake Area of Critical Environmental Concern
● Grand Teton National Park
● Bridger-Teton National Forest
● California, Oregon, Mormon Pioneer, and Pony Express National Historic Trails
● White River National Forest
● Zion National Park
● Canyons of the Ancients National Monument
● Red Rock Canyon National Conservation Area (3)
● Aztec Ruins National Monument
● Elk Springs Area of Critical Environmental Concern
● Coconino National Forest
● La Cienega Area of Critical Environmental Concern
● Hells Canyon Wilderness
● Tonto National Forest
● Coachella Valley Fringe-Toed Lizard Area of Critical Environmental Concern (2)
● Johnson Canyon Area of Critical Environmental Concern



SUPPORTERS OF FLTA REAUTHORIZATION

Diverse coalition of over 165 groups



Access Fund
 Agua Fria Open Space Alliance, Inc.
 Ala Kahakai Trail Association
 Amargosa Conservancy
 American Bird Conservancy
 American Canoe Association
 American Fisheries Society
 American Fly Fishing Trade Association
 American Hiking Society
 American Horse Council
 American Rivers
 American Sportfishing Association
 American Whitewater
 The Appalachian Trail Conservancy
 Archery Trade Association
 Arizona Land and Water Trust
 Arizona Zoological Society
 Association of Fish and Wildlife Agencies
 Association of Northwest Steelheaders
 Association of Partners for Public Lands
 Audubon New Mexico
 Back Country Horsemen of America
 Back Country Horsemen CA and WA
 Backcountry Hunters and Anglers
 Boone and Crockett Club
 California Habitat Conservation
 Planning Coalition
 Carson Valley Trails Association
 Catch-a-Dream Foundation
 Citizen's for Dixie's Future
 Clark Fork Coalition
 Center for Southwest Culture
 Coalition of Oregon Land Trusts
 Colorado Mountain Biking Association
 Columbia Land Trust
 Congressional Sportsmen's Foundation
 Conservation Force
 The Conservation Fund
 Conservation Lands Foundation
 Continental Divide Trail Coalition
 The Corps Network
 Crow Canyon Archaeological Center
 Dallas Safari Club
 Defenders of Wildlife
 Delta Waterfowl
 Dona Ana County Associated Sportsmen
 Douglas County
 Ducks Unlimited
 Endangered Habitats League
 EPIC-Environmental Protection Information
 Information Center
 Federation of Fly Fishers
 Friends of Agua Fria National Monument
 Friends of Desert Mountains
 Friends of Ironwood Forest
 Friends of the Missouri Breaks Monument
 Friends of Sloan
 Friends of Sonoran Desert Nat'l Monument
 Grand Canyon Trust
 Grand Staircase Escalante Partners

Greater Yellowstone Coalition
 Great Old Broads for Wilderness
 Green Diamond Resource Company
 Hancock Timber Resource Group
 Henry's Fork Foundation
 Historic Seattle
 Houston Safari Club
 Idaho Coalition of Land Trusts
 Idaho Conservation League
 Idaho Rivers United
 International Mountain Biking Association
 Izaak Walton League of America
 Jackson Hole Land Trust
 Japanese American Citizens League
 Klamath Forest Alliance
 Klamath-Siskiyou Wildlands Center
 The Land Trust Alliance
 Latino Sustainability Institute
 Legacy Land and Water
 Lewis and Clark County, Montana
 Lewis and Clark Trust, Inc.
 Los Padres Forest Watch
 Masters of Foxhounds
 Montana Wilderness Association
 Montana Wildlife Federation
 The Mountaineers
 Mule Deer Foundation
 National Association of Counties
 National Alliance of Forest Owners
 National Audubon Society
 National Cattlemen's Beef Association
 National Parks Conservation Association
 National Trappers Association
 National Trust for Historic Preservation
 National Wildlife Federation
 National Wild Turkey Federation
 National Wilderness Stewardship Alliance
 Natural Resources Defense Council
 The Nature Conservancy
 Nevada Land Trust
 Nevada Wilderness Project
 New Mexico Department of Game & Fish
 New Mexico Wilderness Alliance
 New Mexico Wildlife Federation
 North American Grouse Partnership
 NW Guides and Anglers Associations
 Old Spanish Trail Association

Olympic Resource Management
 Oregon Natural Desert Association
 Oregon-California Trails Association
 Organizers in the Land of Enchantment (OLÉ)
 Outdoor Alliance
 Outdoor Industry Association
 Pacific Crest Trail Association
 Pacific Northwest Trail Association
 Partnership for the National Trails System
 Pheasants Forever
 Piedras Blancas Light Station Association
 Pima County, Arizona
 Pope and Young Club
 Port Blakely Tree Farms
 Public Lands Council
 Public Lands Foundation
 Pure Fishing
 Quail Forever
 Quality Deer Management Association
 Rayonier
 Rocky Mountain Elk Foundation
 Sanctuary Forest
 San Juan Citizens Alliance
 Scenic America
 Sierra Club
 Soda Mountain Wilderness Council
 Sonoran Institute
 Southern Utah Wilderness Alliance
 Southwest Consolidated Sportsmen
 Spokane Preservation Advocates
 Student Conservation Association
 Summit County, Utah
 Superstition Area Land Trust
 Tahoe Rim Trail Association
 Teton Regional Land Trust
 Theodore Roosevelt Conservation Partnership
 Tread Lightly!
 Trout Unlimited
 Truckee Meadows Trails Association
 Tuleyome
 The Trust for Public Land
 U.S. Sportsmen's Alliance
 Vital Ground
 Washington Forest Protection Association
 Washington Trust for Historic Preservation
 Washoe County, Nevada
 Western Governors' Association
 Western Rivers Conservancy
 The Wilderness Land Trust
 The Wilderness Society
 Wildlife Forever
 Wildlife Management Society
 The Wildlife Society
 Wild Sheep Foundation
 Wild Turkey Sportsmen's Association
 Winter Wildlands Alliance
 Wyoming Outdoor Council
 Wyoming Stock Growers Agricultural Land Trust
 Wyoming Stock Growers Association
 Wyoming Office of State Lands and Investments