

**FEDERAL LAND TRANSACTION FACILITATION ACT:  
BLM-MONTANA IMPLEMENTATION**

**PURPOSE OF BRIEFING DOCUMENT:**

To provide an update on the Montana Federal Land Transaction Facilitation Act (FLTFA) project status, encourage qualifying land acquisition nominations, and identify qualifying public land sales.

**ISSUES:**

The FLTFA provides an opportunity for the four federal land managing agencies (BLM, FWS, NPS, and USFS) to use a portion of the money derived from qualifying public land sales to purchase privately owned, high priority lands. Proceeds from BLM land sales and land exchange cash equalization payments have been deposited into an acquisition account.

To date nationwide, FLTFA acquisition money has funded 19 multi-state land acquisitions, with a total purchase price of \$17.85 million. The U.S. Fish and Wildlife Service was allotted \$1,425,000 of FLTFA funds to purchase 875 acres in the Red Rock Lakes National Wildlife Refuge in southwest Montana. Two additional parcels are awaiting secretarial approval: a 37-acre parcel near Hauser Lake, Helena, Montana, and an additional parcel within the Red Rocks Lake National Wildlife Refuge.

FLTFA is scheduled to expire in July 2010. Efforts are underway to get the bill extended, change the planning date requirement, and recommend other changes.

**BACKGROUND:**

The FLTFA, a/k/a the "Baca Bill," was passed in July 2000 and is set to expire in 2010. The purpose of the act is to use a portion of the proceeds of public land sales and land exchange cash equalization payments to purchase qualifying lands or interest in lands. FLTFA also allows BLM to use 20 percent of the net proceeds to cover land sale administration costs.

A proposed acquisition must be an inholding or border a federally designated area, contain an exceptional resource, and be offered by a willing seller. Since FLTFA restricts acquisitions to lands in the 11 western states, FLTFA funds cannot be used to purchase lands in the Dakotas. FLTFA accounts were established at the BLM state office level. The final decision on all acquisition nominations is made jointly by the Secretaries of the Interior and Agriculture. Currently, only proceeds from disposal lands identified in land use plans completed by July 25, 2000, can be deposited to the FLTFA account.

**Status of Montana FLTFA Actions:**

- The National FLTFA Memorandum of Understanding and the Montana State Implementation Plan are in place.
- The state team is composed of the state/regional managers of FWS, NPS, USFS, and BLM, with the Montana/Dakotas BLM state director as the team chairman. The team reviews acquisition nominations, determines priority order, and submits recommendations to the Secretaries of the Interior and Agriculture for final decision.
- Recommended acquisition fund allocation: BLM-60%; USFS-20%; NPS-10%; FWS-10%
- Montana FLTFA Acquisition Account balance: \$312,227
- A FLTFA interagency realty team met in May 2008 and recommended funding for a BLM purchase of a 37.68-acre parcel 20 miles east of and across Hauser Lake from Helena, Montana, and within the Lewis and Clark National Historic Trail. The remaining funds were recommended for purchase by the Fish and Wildlife Service of additional property within the Red Rocks Lake National Wildlife Refuge. The team recommendations have been submitted to the headquarters office for review and approval at the secretarial levels before the acquisitions can be initiated.

**MAIN DECISION OR MESSAGE:**

BLM field offices, other land-managing agencies, and members of the public need to submit qualifying land acquisition nominations in order to utilize the available purchase funds. When nominations are received, the interagency team will review and prioritize them, and send the recommendations forward for secretarial approval. Qualifying land sale proposals should also be pursued to contribute to the FLTFA fund. A recent headquarters initiative encourages the review of land use plans to specifically identify parcels that meet the FLTFA sale requirements and will help fund the work toward land sale offerings.

**CONTACTS:**

Craig Haynes, Realty Specialist, (406) 896-5040; or Cindy Staszak, Chief, Branch of Land Resources, (406) 896-5039.