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BLM BATTLE MOUNTAIN DISTRICT OFFICE RMP PLANNING FACT SHEET *Land Tenure Adjustments* (Sales, Retention and Acquisitions)

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The BLM Battle Mountain District Office (BMDO) is revising the Resource Management Plan (RMP) for the BMDO planning area. The BMDO RMP will provide detailed information about the current state of resources on public lands within the planning area, and set forth a plan of action for managing those resources for the next twenty or so years under the BLM's dual mandate of *multiple use* and *sustained yield*.

Does the BLM Ever Buy and Sell Land?

Authority: Section 102 of The Federal Land Policy and Management Act of 1976, (as amended) states, "The Congress declares that it is the policy of the United States that— (1) the public lands be retained in Federal ownership, unless as a result of the land use planning procedure provided for in this Act, it is determined that disposal of a particular parcel will serve the national interest..."

Policy: Land tenure adjustments focus on lands identified for retention, acquisition, and disposal. The BLM can only acquire or sell land if the land has been classified as available for sale or desirable for acquisition in an RMP. The BLM may acquire private land either by donation, direct purchase, or by an exchange. All land disposal actions are discretionary.



Acts Authorizing Land Sales:

There are a number of Acts which allow the disposal of public lands. Despite this fact, only land identified as "Disposable" in an RMP can be disposed of. Some of the more commonly invoked authorities are:

1. Federal Land Policy and Management Act of 1976 (as amended).
2. Recreation and Public Purposes Act of 1926 (as amended).
3. Airport and Airway Improvement Act of 1982.
4. Color of Title Act of 1970.

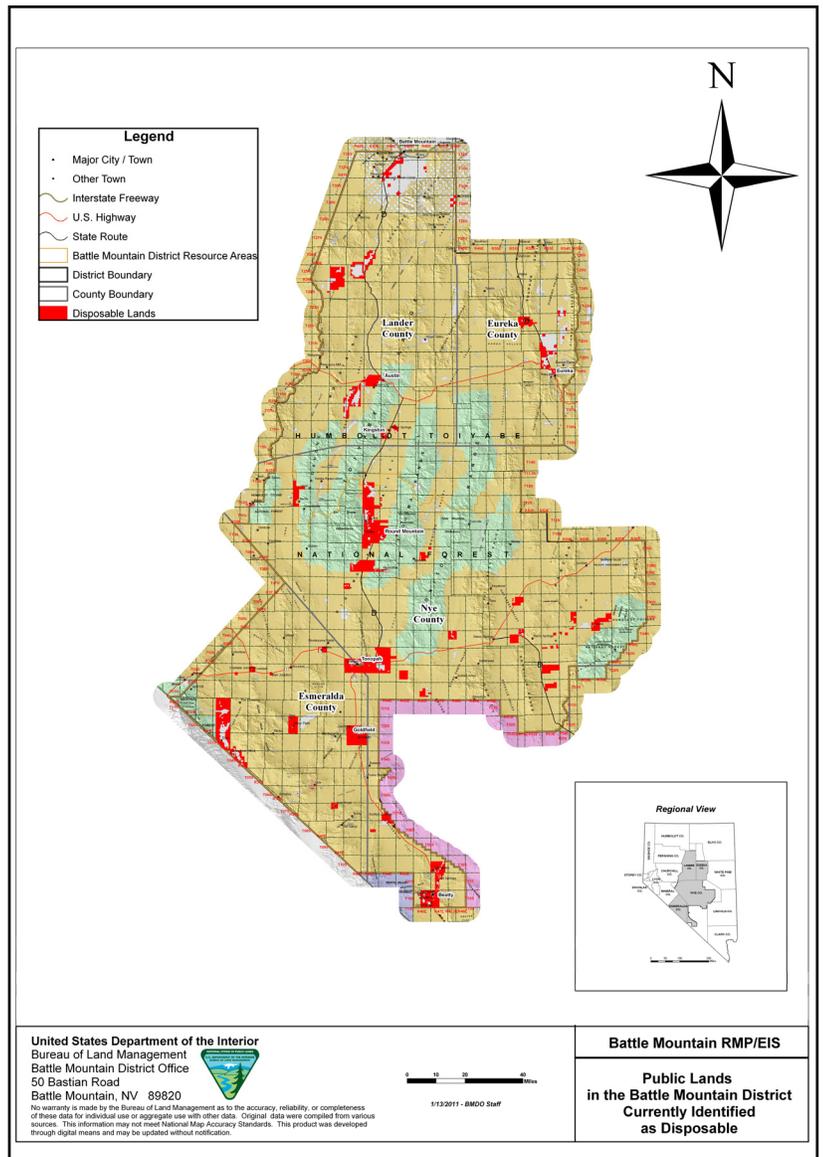
(There are also a number of other less often used authorities which are sometimes controversial such as:

The Desert Land Act, The General Allotment Act, and The Carey Act.)



Potential issues to be addressed are:

- Which lands or interests in lands would be appropriate for disposal? Which public lands within the “railroad checkerboard” should be identified for disposal?
- What criteria will be used to determine lands suitable for disposal?
- Should guidelines be established to dispose of lands not identified as disposable to meet unique management considerations?
- Should lands currently subject to intentional trespass be excluded from disposal consideration?
- How will BLM address the issue of “trespass town sites”?
- Which lands or interests in lands should be acquired if the acquisition would be economically prudent, and the owner was agreeable?
- Which private parcels within the “railroad checkerboard” should be identified for acquisition?
- Other interests that might be acquired include:
 - * Mineral or sub-surface estate
 - * Water rights,
 - * Interest in land, including easements for purposes such as access, conservation, and open space, and land with threatened and endangered species habitat or other desirable resource values.



The BLM wants your input...

- The Shoshone-Eureka RMP is about 25 years old and the Tonopah RMP is about 14 years old. Lands currently identified in either plan as disposable or for possible acquisition may not meet current needs or circumstances. Do you know of any lands within the planning area that you might want to see classified either as disposable or suitable for acquisition? Do you know of any lands currently classified that shouldn't be?

Any individual, agency, or organization may nominate such lands during the public scoping period. Reasons should be given for a nomination. Consideration will be given to nominated lands within the framework of Multiple Use Management.

Mail comments to:
Battle Mountain RMP
 c/o Christopher Worthington
 Bureau of Land Management
 Battle Mountain District Office
 50 Bastian Road
 Battle Mountain, NV 89820

BMDO Planning Webpage:
www.blm.gov/nv/st/en/fo/battle_mountain_field/blm_information/rmp.com

Email comments to:
BattleMountainRMP@blm.gov