

# THE NATION POSSESSED

## The Conflicting Claims on America's Public Lands and the Commemoration of the 200th Anniversary of the Founding of the General Land Office

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In September 2012, the Center of the American West, the Bureau of Land Management, and the Public Lands Foundation hosted an event entitled "The Nation Possessed: The Conflicting Claims on America's Public Lands," which commemorated the bicentennial of the founding of the General Land Office and the 150th anniversary of the passage of the Homestead Act. The conference brought together scores of thinkers, scholars, stakeholders, and citizens (young and old), and asked them to reckon with the dramatic history of the federal government's management of the public domain.

Every day, thousands of Americans move through a landscape that reflects the long-term impact of the work of the General Land Office, even though they would not recognize its name. Especially in the American West, much of the public domain remains under federal ownership and management, configured as National Parks, National Forests, National Wildlife Refuges, National Wilderness Areas, and the BLM's National System of Public Lands. The resources of the public domain have made, and continue to make, an unmistakable contribution to our national identity, well-being, prosperity, and power.

This conference wrestled with the meaning of public lands and asked its participants to help form guiding principles that reflect the tradition of public lands and also help to shape the future role public lands will play in American life. Herein, you will find the results of those efforts, including recommendations from students, suggestions from public officials, observations of scholars, and much more. Click the links on the menu at left to find out more.

**About the Center of the American West:** A hub for scholarship, public outreach, and education about the American West based at the University of Colorado Boulder, the Center of the American West serves as a forum committed to the civil, respectful, and problem-solving exploration of important and often contentious public issues. In an era of political polarization and contention, the Center strives to bring out “the better angels of our nature” by appealing to our common loyalties and hopes as Westerners. Authors Patty Limerick, Jason L. Hanson, Adrienne Kroepsch, and Kurt Gutjahr are affiliated with the Center.

**About the Public Lands Foundation:** The Public Lands Foundation is a nonprofit tax exempt organization that advocates the management, protection, development and enhancement of the National System of Public Lands, which is managed by the Bureau of Land Management within the U.S. Department of the Interior. Authors Lee Barkow and Mike Ferguson are affiliated with the PLF.

## Executive Summary

In September 2012, courtrooms and corridors of power gave way to spotlit stages and sunny rooms as the setting for celebrating two centuries of public lands management in the United States and discussing the future of the nation’s public lands. Over three days in Boulder, Colorado, a diverse spectrum of leading stakeholders – many of whom are more accustomed to seeing one another in court or at hearings – engaged in a wide-ranging conversation about some of the most contentious public land management issues facing the nation today. What we heard surprised us. Push past the inflamed soundbites and starkly drawn legal positions that too often count for a discussion of the public, and you’ll find – as we did – that the public lands are a surprising bipartisan place and that users of all types actually want much the same thing.

### A Program as Diverse as the Public Domain

The conference program brought together ranchers, tribal leaders, outdoor recreation advocates, conservation activists, energy producers, local elected officials, state officeholders, federal policymakers, agency leaders, administration officials past and present, artists, scholars, and a congress of students in a sweeping “polylogue” about the past, present, and future of the nation’s public lands. In presentations, speeches, performances, interviews, documentaries, and art, the participants discussed the history of public lands uses, the evolution of public lands policy, tribal perspectives, energy development, climate change, the role of science in decisionmaking, the force and weight assigned to different stakeholders, the changing demographics of the public lands, whether states can “take back” public lands, and even the Burning Man festival before sitting down at a roundtable to articulate a series of recommendations for the future of public lands management.

The conference opened with six [panel sessions](#) that explored the history, current uses, and future trends for the use and management of the public lands. Interspersed among the panel sessions were keynote addresses from Native American Attorney Walter Echo-Hawk and Secretary of the Interior Ken Salazar, an interview with recently retired BLM Director Bob Abbey, and visits from Thomas Jefferson and Theodore Roosevelt.

The [Student Congress](#) convened twenty-two students from universities throughout the United States to provide a joint vision of the public lands for the next fifty years from a perspective of the next generation of users and managers. This Student Congress produced a variety of thoughtful recommendations – recommendations that we believe will be valuable to public land managers and BLM officials today and into the future – which we have reproduced in their entirety.

The [roundtable discussion](#) brought together a diverse and distinguished group of fourteen stakeholders, public officials, and scholars to share their perspective on the public lands, their use, and their management. The ensuing conversation produced ten joint recommendations for the public lands for the next fifty years.

Alongside the events on the program, high school and undergraduate college students competed in an [art contest](#) and produced [video documentaries](#), sharing compelling visual explorations of the meaning of the public lands and some of the pressing management issues they give rise to.

Finally, the Public Lands Foundation assessed the recommendations presented by the Student Congress and roundtable and developed seven [policy recommendations](#) intended to assure that the public lands will continue to meet a diverse set of needs and interests for the current generations while maintaining their tradition of accommodating emerging uses and changing values for generations to come.

## A New Era on the Public Lands

Throughout these events, the theme that emerged repeatedly from these diverse conference participants was this: We are living through a shift in how we view and use the public lands. American public land policy has moved through several distinct periods in the two centuries since the General Land Office was founded to impose some order on westward settlement, as the Era of Disposal of the public lands evolved to the Era of Conservation and Preservation. As conference participants expressed their views about the public lands today, the thread that bound them together was their sense that we currently stand at the often-confusing edge of another transition in public lands policy. Many of the controversies over our public lands come into clearer focus when viewed as the signifiers of a new Era of Integration, wherein public lands policies recognize human beings as integral actors within intricately connected landscapes and ecosystems that must be held in balance through thoughtful trade-offs.

To guide us in this new era, conference participants appealed time and again for the formulation of a new ethos shaping our approach to public land policy, an updated land ethic for the 21st century that recognizes humans' coexistence within a broad ecological community as well as a diverse global society.

We heard echoes of this new landscape-sized sensibility in tribal efforts to reckon with the legacy of Manifest Destiny, appeals for a comprehensive national energy policy, discussions of "zoning" the public lands for different uses, calls to prepare for the demographic shifts arriving on public lands with the Millennial Generation, the Ten Principles proclaimed by Burning Man festivalgoers, a proposal for an "Office of Futurity" housed in the Department of Interior, in the Student Congress's emphasis on resilience planning, and in numerous other guises over these three fruitful days.

The fullest expression of this novel paradigm occurred during the conference's final event: a daylong summit of fourteen distinguished and diverse thinkers on public lands issues. Their connections to the public lands spanned from fire lookout towers to oil and gas rigs, private ranching operations to public service in the U.S. Senate, and their convictions differed just as widely. But their public lands philosophies converged, remarkably, on a handful of ideas key to the Era of Integration. According to the roundtable members, this new public lands sensibility is to be steered by the concept of resilience – and the adaptability, flexibility, and comfort with change and uncertainty that true resilience requires. Such an ethos is also built of broad inclusion, and a commitment to deliberative democracy that productively links stakeholders, local and tribal governments, and federal agencies into networks capable of addressing the many crucial public lands issues that transcend scales and jurisdictional boundaries. Add to that an emphasis on thinking in units of time longer than the next election cycle or the next land use plan – both forward into the future and backward into the past – and an astute and fully-contextualized sensibility results.

Clearly articulated, this notion of engaged global citizenship can provide a touchstone for policy creation, supply a coherent framework for management decisions, and impart a sense of direction and certainty for stakeholders. Public land managers, policymakers, and government officials who meet stakeholders on this common ground have the opportunity to lead the nation along a path toward sustainable management of our public lands of many uses in the 21st century.

## A Spectacular Inheritance

**An Introduction, by Patty Limerick**

When people get the news that an ancestor has singled them out for a vast inheritance, they tend to wake up and pay close attention.

When an entire nation receives an enormous treasure as its legacy, the inclination to pay rapt attention to this bequest can be oddly subdued, and a state of mind closer to slumber persists.

In September 2012, a very diverse group of citizens came together under the banner of The Nation Possessed conference to reengage the American people with a full recognition of their shared stake in the nation's public lands. A bicentennial offers a spectacular opportunity to think hard about where we ourselves stand in the big picture of history. The bicentennial of the creation of the General Land Office, the most consequential agency in surveying, shaping, and distributing claims on the nation's landscape, offered just such an opportunity.

After nearly a century of "disposal," transforming the public domain into private property, our predecessors rearranged the practices and customs of the General Land Office, and began removing lands from homesteading and designating them for lasting federal management. The year 2012 offered a first-rate opportunity to look back over two centuries of federal land policy, and to imagine, envision, and anticipate the next century of the public lands.

The first two days of our conference offered sessions on the history of the public lands, with frequent references to the implications for and consequences of that history in our own times. Lively summaries of those sessions appear in this report.

On the third day, in the most important element of the conference, we convened a roundtable representing many of the different constituencies who have particular hopes and visions for the future. Seated together were representatives of the outdoor industry, environmental organizations, the livestock business, the oil and gas industry, Indian communities, along with public servants who had held positions ranging from Chief of the USDA Forest Service to a US Senator from Utah, from Deputy Secretary of the Interior to County Commissioner.

Early in the roundtable's discussions, serving as moderator, I began to wonder if the roundtable stood any chance of finding even one or two propositions on which we could agree. Momentarily befuddled, I asked the group if they thought that we would reach any agreements. The group voted – unanimously – that we would not!

And then, having come together in complete unity to declare that we were unlikely to make much progress, we disproved this preliminary appraisal!

In this report, you will find ten propositions on which the members of the roundtable were able to agree. These propositions build on recognitions, understandings, and trends that are had their origins well before we convened in September 2013. But these propositions also push forward, past existing customs and practices, asking American citizens and public officials to seize the extraordinary political opportunity that their inheritance of public lands presents to them.

What opportunity is that?

The public lands are the testing ground for the compatibility of democratic self-governance and conservation. In early phases of the conservation of natural resources, the managing of resources for the long haul often came in the same package with the exercise of top-down authority, with the officials and agents of empires and colonial governance exercising power in a unilateral way. In the United States, the many decisions that led to the designation of public lands (under the jurisdictions of the National Park Service, the Forest Service, the Bureau of Land Management, and the Fish and Wildlife Service) have created an extraordinary laboratory for a vast experiment in testing the compatibility of democracy and conservation.

The members of the roundtable who met in September 2012 differed in their interests and preferences. But they were, every one of them, deeply committed to the success of this experiment and charged with faith in the future.

We hope that the recommendations in this report will inspire a similar commitment and faith in its readers. The principles here are broad in scope, but they are ready for the most down-to-earth practice and application. At a time when the nation struggles for a shared vision of its future, the legacy and inheritance represented by the public lands offers, in every sense, common ground. For that reason alone, the time is right to pay attention.

– Patty Limerick  
On behalf of the cosponsoring organizations,  
the Center of the American West  
and the Public Lands Foundation

# Exploring the Public Lands

## The Conference Sessions

The Nation Possessed featured six conference sessions designed to provide an introduction to the history of the General Land Office and the variety of issues confronting its modern-day descendant, the Bureau of Land Management. These sessions were complemented by keynote addresses from Native American attorney Walter Echo-Hawk and Secretary of the Interior Ken Salazar, an interview with recently retired BLM Director Bob Abbey, and visits from Thomas Jefferson, Theodore Roosevelt, and a future American.

### Keynote Address

## The Dark Side Of Manifest Destiny

A Native American Perspective On The Public Lands

### Walter Echo-Hawk, Native American Attorney

We begin at the beginning, when every square foot of the land we call the public domain was controlled by Native American tribes. Walter Echo-Hawk, a member of the Pawnee tribe and a distinguished attorney and author, opened the conference program with a talk that aimed to provide “the Native American perspective on the taking and use and disposition of their lands.” Taking the audience on a tour of “the dark side of Manifest Destiny,” the centuries-long effort by Europeans and Americans to wrest lands from Native possession and colonize them, Echo-Hawk focused on the lopsided legal framework that justified this conquest and the violence that often enforced it. He asserted that by the middle of the twentieth century, only 5 percent of the Native American population survived and 2.3 percent of their ancestral lands remained under tribal control after centuries of warfare, disease, boarding schools, land seizures, habitat destruction, and forcible cultural assimilation since the arrival of Europeans.

The result of this historical trauma has been what Echo-Hawk described as “post-colonial stress disorder” among native people today. The unresolved grief is transmitted from generation to generation and manifests itself in high rates of violent crime including sexual assault, low rates of educational completion, shorter life expectancy, and destructive behaviors that reinforce desperate circumstances in Indian Country. However, the resurgence of tribal sovereignty since the 1970s has marked the rise of modern Indian nations, and the relationship between the tribes and the BLM is evolving toward a partnership. “The tribes are not going anywhere, and they’re not an ordinary stakeholder,” Echo-Hawk explained. “Their interests must be taken into account, their needs and their authentic aspirations, and in our discourse we need to be accountable to that.”

The UN Declaration on the Rights of Indigenous Peoples, adopted by the General Assembly in 2007 and endorsed by the Obama Administration in 2010, can serve as a framework for this discourse and ensuing action in the future. But at its core, this discourse should be founded upon something less formal but more powerful than a UN Declaration – a new American land ethic that moves beyond the colonial understanding of land in terms of potential yield and instead values and protects indigenous habitat, holy places, and cultural resources. “I apologize if I’ve been the skunk at the picnic,” Echo-Hawk said in closing, “but I wanted to really drive home a very strong indigenous perspective on the subject at hand.”

## Session One

### Clerks and Cowboys

#### The General Land Office and the Shaping of the United States

**Anne Hyde, Professor of History at Colorado College**

**Paul Sutter, Professor of History at the University of Colorado Boulder**

**Malcolm Rohrbough, Emeritus Professor of History at the University of Iowa**

When the public thinks of the history of the American West, images of trappers, prospectors, and cowboys rush to mind. But the land office clerks in the General Land Office (forerunner to today's Bureau of Land Management), along with the members of Congress who wrote the land laws, were far more consequential characters. As the agency charged with administering the settlement of the nation's public domain, the GLO was the principal force in shaping the landscape – in a literal sense, creating the public land pattern we see today – west of the original thirteen colonies.

The General Land Office was created in 1812 at a “dreadful moment” in American history, according to historian Anne Hyde. Americans in the early nineteenth century were anxious about the powerful tribes to the west and north, the onrushing prospect of another war with Britain and its tribal allies, and the young republic's dire financial woes. The settlement of the nation's vast public domain – created from cessions by the original states, acquisitions (and forcible seizures) from tribes, and the Louisiana Purchase – seemed to provide antidote to these anxieties: the prospect of territorial control, enhanced security, and a source of revenue. But, as Hyde explained, “the national effort to get lands from the hands of these native nations into the hands of EuroAmerican speculators and farmers was an enormous, expensive, complicated public project.”

The GLO was the bureaucratic arm of that project, charged with implementing a system to provide for the orderly distribution of the public domain. As Hyde put it, “The story is here that big government won the West, and this big government got its first operating lessons on how to operate in the context of the General Land Office.” Some of those lessons were delivered on a steep learning curve. Historian Malcolm Rohrbough explained that the agency was overwhelmed from the start as it attempted to respond to an ever-increasing pace of applications for land within a regularly shifting framework of ever-more-complex legislation regulating that land's dispersal, all the while woefully understaffed.

The most celebrated of the land distribution policies implemented by the GLO was the Homestead Act of 1862, passed by the Republican-dominated Congress during the Civil War. By the time the law had fully run its course (into the latter decades of the 20th century), historian Paul Sutter noted that about two million people had received patents on about 270 million acres, and about 40 percent of those patents had been proven up. The act gave settlers an incentive to keep pushing into more marginal lands, but homesteaders quickly bumped up against what Sutter called “the end of arability” as the supply of lands suitable for agricultural cultivation dwindled. Despite a series of subsequent laws designed to encourage further settlement, large swaths of the arid West remained in the public domain and under the control of the GLO. By and large, these are the public lands we know today.

The Homestead Act marked the end of the first era of American land policy, departing from the notion that the public lands should be used as a national source of revenue and instead prioritizing their disposal. As it exposed the limits of the traditional notions of agrarian settlement, it gave rise to the next era in land policy, which Paul Sutter terms the Conservation Era for its focus on protecting and managing what resources remained – particularly water, timber, and grazing land – for the benefit of established settlers. One of the laws that typified this new era was the Taylor Grazing Act of 1934, legislation that presaged the merger of the Grazing Service and the GLO into the BLM in 1946.

## **Session Two**

### **Burning Man Meets Managing Man**

The Bureau of Land Management and the Energy of American Art

**Will Roger Peterson, Cofounder of Burning Man**

**Dave Cooper, Former BLM Manager for the Black Rock Desert**

The public lands serve as a canvas for a full-color spectrum of ideas about their use. Many of these ideas challenge land managers to balance traditional uses, societal values, and environmental protection with emerging trends and interests. Perhaps no activity illustrates this management challenge more vibrantly than the Burning Man Festival.

Since 1991 (with the exception of one year), the annual Burning Man Festival has taken place on Bureau of Land Management land in the Black Rock Desert 120 miles north of Reno, Nevada. Although the notion of “multiple use” has always carried a wide range of meanings for BLM lands, the week-long celebration of art and creativity that attracts more than 50,000 revelers to the desolate playa pushes at the edges of that range. The festival illustrates both the great range of democratic desires to use the public lands for particular purposes and the central role that the West’s fabled open spaces and wide vistas have long played in American art. That the Burners and the BLM are able to successfully collaborate in staging such a huge event in a sensitive National Conservation Area provides two unlikely and inspirational testaments: to the agency’s commitment to managing lands of many uses and to the power of the land ethic espoused in the Ten Principles of Burning Man.

The Black Rock Desert is a “land of extremes,” says Dave Cooper, the area’s BLM manager from 2001-09. It’s the type of place where people headed into the backcountry should have a four-wheel drive vehicle with at least two full-sized spare tires and plenty of extra food and water. It’s not the obvious place for setting up a temporary city for tens of thousands of people, but that’s exactly what the organizers of Burning Man do each year when they erect Black Rock City.

The semi-circular city is compacted into five square miles, and volunteers provide all of the essential services that residents need. Ask festival cofounder Will Roger Peterson how organizers collect trash and recycling, guard against (unintentional) fire, provide medical care, keep the peace, and provide the other essential infrastructure and community services that any city needs, and he’s likely to say that “we have a department that works on that.” This propensity toward well-planned management does not end at the borders of Black Rock City nor as the last puffs of smoke drift up from the ashes of the Man – festival organizers work with the BLM to create environmental assessments, file appropriate permits (at all levels of government), meet the stringent criteria of a “leave no trace” event, and develop five-year plans that allow the festival to grow in a controlled manner.



As it turns out, Burning Man is closely related to Managing Man. An enormous amount of bureaucracy is required to support a week's worth of expressive freedom in the desert. In a sense, bureaucracy is the infrastructure of American freedom.

## **Interview**

### **Reflections of a Former BLM Director**

**Bob Abbey, Former Director of the Bureau of Land Management**  
**Tim Egan, Author and Writer for the New York Times**

After a career spanning thirty-five years with state and federal land management agencies, recently retired Director of the Bureau of Land Management Bob Abbey sat down with award-winning journalist and author Tim Egan to reflect on his experiences in public service. The conversation provided a sample of the diverse, complex, and intricately intermingled issues confronting modern land managers: the threat of water shortages in the West, the impacts of climate change, the trade-offs of energy development, the protection of species, the menace of wildfire, the demands of recreation, the meaning of multiple use, the difficult-to-discern desires of the American public, the value of conservation, and more.

In one of the most notable moments in a conversation filled with perspective and insights gained from a lifetime of service on the public lands and unrestrained by the demands of his former position, Abbey forcefully asserted that conservation has a place in the Bureau's multiple use mandate: "Conservation is part – and a legitimate part – of our multiple use mission, and we should not be apologetic for that. At the same time that we need to make appropriate lands available for energy development, we need to be making sure that other areas that are more appropriate for conservation and protection are also added to the equation, and part of the discussion."

That discussion can be contentious, Abbey admitted, but he asked the audience to join it in good faith. Rather than litigation designed to tie up land management offices and prevent the implementation of any management decisions, the former director spoke forcefully in favor of constructive participation in the process. "While we may disagree about how some of these lands are managed, or the programs that are being managed, or even some of the uses that are taking place on these public lands, then let's have that legitimate discussion," Abbey asked the audience. "Let's engage in the options and the alternatives that are readily available for us to make a determination about what is an appropriate decision, what is an appropriate action."

## Session Three

# Reconciling the Treasures of Resources with the Treasures of Beauty and Biology

The BLM and the Art of American Energy

**Bill Ritter, former Governor of Colorado**

**Johanna Wald, Senior Attorney at the National Resources Defense Council**

**Adrienne Kroepsch, Graduate Student Studying Oil and Gas Development  
at the University of Colorado Boulder**

The public lands bring the nation's energy issues to a sharp focus. When we make decisions – or don't make them – about the development of traditional and renewable energy on public lands (or of federally managed subsurface resources), we face the crucial challenge of balancing the partial recovery of the economy, the reliance on foreign oil, the needs of endangered species, the landscape enthusiasms of the American public, and the uncertainties of climate change. As graduate student Adrienne Kroepsch pointed out, the trade-off for every energy resource – and perhaps particularly for natural gas – “has significant pros and cons.” Johanna Wald, an attorney for the Natural Resources Defense Council, put it more succinctly: “There's no free lunch when it comes to energy.”

Energy development on public lands is among the most controversial issues confronting the BLM today. But it wasn't always so. In the past decade, improvements in hydraulic fracturing and directional drilling technologies have dramatically increased the pace of development, and as oil and gas companies have followed shale plays to densely settled areas like the Colorado Front Range, concerns and controversies have risen in proportion with the affected population. Regulators – particularly in energy hot spots like Colorado, Wyoming, and Texas – have been revising rules to address these concerns, but they are often playing catch-up.

One approach to getting ahead of controversial energy development is to designate those places that are appropriate for development and those that deserve protection before accepting lease applications. The BLM is doing up-front planning as it identifies appropriate locations for large-scale solar projects in the West, known in agency parlance as solar energy zones (SEZs), and such a process might be adapted to other forms of energy development.

Such decisions involve complex and often imprecise calculations of cost and benefit, but a national energy policy tied to environmental policy and climate change science would lend clarity and help establish the timetable for the transition to renewable sources in the future. Former Colorado Governor Bill Ritter suggested that the transition could be accomplished in fifteen to twenty-five years, but to do so “policy, finance, and technology all have to be paired together in a national energy plan. And if we don't have that, the transition will be very slow.”

Ultimately, managing the use of public lands might be profitably thought of in terms of zoning, a classification system we already use in other contexts to determine appropriate uses for the land. In some cases, the best use might be conservation for wilderness-based recreation; in others it might be as a staging ground for festivals; and in still others it may be grazing or oil and gas drilling. If some places are too special for development and ought to be protected, the converse is that some places ought to be zoned as appropriate places for resource development.

## Session Four

### Science vs. Emotion

#### Making Informed Decisions in the Midst of a Stampede

**Mike Dombeck, Global Conservation Professor at University of Wisconsin Stevens Point, Former Chief of the US Forest Service**

**Lynn Scarlett, Former Deputy Secretary of the Interior**

**Curt Brown, Director of Research and Development, Bureau of Reclamation**

Since the federal government's sponsorship of the great explorations of the nineteenth-century West, the role of science in public policy-making and implementation has occupied center-stage in the region's development as land managers and users regularly look to scientists to provide clear answers to questions about the allocation of resources. But land managers who attempt to use scientific research to resolve conflicting demands for the use and protection of public lands often find themselves caught up in the intense cultural, emotional, and political dimensions of the debate. How can people of good intent but varied values steer by science while balancing the legal obligations, economic considerations, recreational opportunities, ecological responsibilities, and diverse local, state, and national priorities that make questions about the use of public lands regularly among the most fraught in the public discourse?

Rather than light a clear path to a solution, scientific data alone often leads to data disputes among equal and opposite experts, allowing partisans to embrace the facts that ring true to them. In the debate over contentious issues, federal land managers often feel that they are held to a higher standard of conduct and honesty than those they are dealing with. In such situations, Curt Brown, the Director of Research and Development at the Bureau of Reclamation, explained that these beleaguered land managers have to be trained that they personally are not the target of this animus.

Lynn Scarlett, Deputy Secretary of the Interior in the George W. Bush Administration, argued that research becomes richer and more useful when scientists work with stakeholders to find out what information will facilitate productive dialog. Mike Dombeck, former Chief of the Forest Service and now a professor at the University of Wisconsin–Stevens Point, added that such collaborations and dialogs are more successful at the local level, and they become more polarized at the state and federal level.

Personal emotions and societal values often operate alongside scientific data in the decisionmaking process. Considerations about difficult issues are refracted through these multiple lenses in a way that resists the oversimplified popular framework that casts emotion opposite science. As a result, most natural resource questions might be best understood not as simple scientific problems to solve but as political – or, in loftier terms, philosophical – questions to resolve. And like most philosophical questions, land management issues are not often productively resolved simply on the basis of data. A process that recognizes the intricate interaction of science, emotion, and values across multiple layers of stakeholders in land management decisions stands to create a more productive discourse with a better chance of arriving at the most appropriate decision.

## Keynote Address

### Secretary of the Interior Ken Salazar

Calling the public lands “uniquely American and radically democratic,” Secretary of the Interior Ken Salazar outlined the Obama Administration’s approach to managing that legacy in ways that will ensure the nation’s environmental security.

The Secretary held up the “Smart from the Start” initiative being implemented by Interior as an effective strategy for proactively managing conflicts over the public lands. By making early-stage decisions aimed at avoiding controversy and likely litigation, the department is working to “deconflict” the public lands. When the BLM leases lands for energy development that are less likely to be subject to an environmental lawsuit, for example, they ensure faster times to production of the resources and free the agency from the prospect of time- and resource-consuming litigation, leaving land managers better able to serve the public. As a result of this strategy, Salazar said, oil and gas production (on- and offshore) has risen 13 percent over the past three years.

Emphasizing that the Department of Interior – and in particular the Bureau of Land Management – plays an essential role in the nation’s energy production, Salazar also trumpeted the dramatic expansion of the nation’s renewable portfolio on public lands over the past three years. Guided by the principle of “Smart from the Start,” the department is currently conducting an environmental analysis across six Western states to identify areas with the highest potential for renewable energy generation with the fewest conflicting uses.

## Session Five

### Respecting Posterity’s Property

**Bob Bennett, former Senator from Utah**

**John Freemuth, Professor of Public Administration at Boise State University**

**Luther Probst, Executive Director of the Sonoran Institute**

Does the nation need public lands? Since the end of the Era of Disposal – when the General Land Office worked to convey federal lands to private citizens – in the late nineteenth century, the notion of privatizing the public lands or placing them under state control has attracted intense interest at recurring intervals. Can the federal government effectively manage the public lands, or would the nation and our posterity be best served by surrendering jurisdiction to those who live nearer to these places?

In the course of the last century, there have been several movements to privatize public lands or to return them to the states. Legally, however, as Professor John Freemuth of Boise State University explained, return is not the correct term for Western states, which were all once public lands before they became states. Instead, the proper term is transfer, and at various times early in the twentieth century the federal government did offer to transfer public lands – those that had not been attractive enough for settlement thus far – to the states. Such offers were usually rebuffed by the states.

The notion cropped back up with the Sagebrush Rebels in the 1970s and '80s and most recently among members of the Tea Party. Encouraged by the Tea Party, Utah has passed legislation asserting state authority over federal lands, and groups in Arizona have been actively promoting this cause as well. However, as former Utah Senator Bob Bennett and former Executive Director of the Arizona-based Sonoran Institute Luther Propst explained, such sentiments are not universal in these states. Bennett described a land bill he brokered among pro-growth and conservation stakeholders to sell off some public land while designating additional lands for protection in Washington County, Utah, and Propst described Arizona legislation that had garnered broad support for land swaps and consolidation between the state and federal government.

The public lands are fertile ground for many visions. Although dramatic actions like the wholesale transfer of federal lands into state control or privatization may have the appeal of philosophical simplicity and decisiveness for some people, collaborative decisionmaking processes born of broad stakeholder engagement are the most productive way to navigate the difficult values-laden questions that grow on public land. Simply put, bills in the vein of those offered as models by Bennett and Propst are the best hope for the future of land management. The more often we can identify common interests or concerns, the more collaborative, pragmatic, and ultimately productive management practices will be.

## **Session Six**

### **Orchestrating Tradition and Change**

Emphasizing Conservation in the Bureau of Land Management

**Bob Abbey, Former Director of the Bureau of Land Management**

**Emilyn Sheffield, Professor of Recreation and Parks Management**

**at the University of California Chico**

**Anna Triebel, Recent Graduate of the University of Colorado Boulder**

Conservation asks the people of the present to respect the interests of the people of the future. Professor Emilyn Sheffield of California State University Chico provided a glimpse of those future Americans with demographic trends drawn from the US Census.

Americans are growing older, with aging baby boomers and super seniors (those 85 or older) claiming an increasing share of the population. At the same time, Americans are getting younger, with roughly a quarter of the population still awaiting their 18th birthday. Americans of all ages are increasingly diverse, with about a third of the population – and roughly half of those younger than 18 – from diverse non-Hispanic white racial or ethnic backgrounds, and Latino/Hispanic people constituting the largest and fastest growing minority group today. Americans of every background overwhelmingly live in urban or suburban areas rather than rural places, with only 15-20 percent living outside of metropolitan areas today. And our population is growing rapidly, with 88% of that growth coming in the South and Southwest. By the year 2100, these trends will be expressed in the faces of 571 million people who will call the United States home.

With these significant changes on the horizon, Sheffield had a message for public land managers: "If we're going to conserve America into the future, we're going to have to inspire Americans to a new future. We're going to have to deputize the country to get this work done. Because changes in the size and composition and choices of the population will determine our future and theirs."

Asking citizens of a society famed for its hurried rush toward the future to pause and think seriously about time and its passage will require creative and innovative strategies, and also down-to-earth examples. Inspiration on both fronts can be found in the National Landscape Conservation System, a relatively new designation for nationally significant BLM lands throughout the West. Recent University of Colorado graduate Anna Triebel, who wrote her senior thesis on the NLCS, joined former Director of the BLM Bob Abbey in introducing this twenty-first century approach to land stewardship.

If the Homestead Act of 1862 ushered the nation toward the first dramatic shift in American land policy, from the Era of Disposal to the Era of Conservation at the end of the nineteenth century, the National Landscape Conservation System within the BLM may mark a new transition at the outset of the twenty-first century. Historians of the future may cite the creation of the NLCS in 2000 as the signal event in the shift from Era of Preservation to an Era of Integration, an era in which our land policies began to approach landscapes and ecosystems as connected notions and human beings as integral actors within the environment.

## **Performance**

### **The Public Domain and the Public Lands: 1812, 1912, 2112**

Conversations with Thomas Jefferson, Theodore Roosevelt, and a Visitor from the Future

**Clay Jenkinson, Humanities Scholar and Performer**

**Bryce Townsend, Actor**

**Patty Limerick, Professor of History, Faculty Director and Chair of the Board of the Center of the American West at the University of Colorado Boulder**

A dramatic performance intended to explore some of the perspectives that intersect on the nation's public lands.

# Next Generation Priorities for the Bureau of Land Management

## Student Congress Report

Alongside the Nation Possessed program, twenty-two students from universities throughout the United States were invited to come together to address the future value, use, and management of the public lands. This Student Congress was asked to provide a vision of the public lands for the next fifty years from a perspective of the next generation of users and managers. Their recommendations follow.

## Preamble

We, the members of the Student Congress at the GLO Bicentennial Conference (2012) in Boulder, Colorado, representing the next generation of public lands supporters and hailing from diverse regions and backgrounds, will bring innovative ideas, new perspectives, and optimistic energy to discussions about the future of public lands.

We hold in common a love of land. Nature is dynamic and ever-changing, and people are intimately a part of it. Collaboration and community are part of our social fabric. In that context, working together on land management issues can help heal rifts in our communities and overcome adversarial relationships. The challenge of public land management is not simply about outcomes, but about who is involved in the decision-making process.

Public lands management is an opportunity for the expression of public values – past, present and future. Science alone should not determine what is right or wrong. Public values should be identified and fundamental to land management.

In hopes of learning important lessons from the past and in the spirit of stewardship for the next generation, we make the following recommendations to guide the next fifty years of the Bureau of Land Management:

## Section A

The BLM should strengthen its commitment to partnering with public lands stakeholders.

1. Increased funding should be allocated to field offices to implement Best Management Practices for collaboration so that everyone can provide input into plans and decisions. Inclusion is a top priority and encompasses traditional public land users as well as many newer and previously marginalized communities.
2. The BLM should invest in legal and policy changes (e.g., NEPA, ESA, FLPMA) so that collaborative processes using best practices provide fundamental input into decisions and plans.
3. The BLM should build capacity for early outreach using multiple venues, including new social media, to incorporate stakeholders and the public in all stages of decisionmaking. The BLM should aim to engage responsibly, working to provide structure, transparency, and leadership in an adaptive management framework.

## Section B

The BLM should adopt a land ethic that ensures resiliency of its lands.

1. The policy of maximum sustained yield needs to take into account climate uncertainty and shifting baselines.
2. In the words of Aldo Leopold, we define that a land ethic is an “ethic dealing with man’s [people’s] relation to land and the animals and plants which grow upon it.”
3. Resiliency is the capacity of a social-ecological system to respond to a disturbance by resisting damage and recovering quickly.
4. As public lands are the national inheritance of the people, land users should abate their impact, through mitigation, reclamation, and/or restoration.
5. Laws and policies must be established that will empower land managers to promote land resiliency.

## Section C

The BLM should focus its use of new social media and technology towards four goals to:

1. Increase public awareness of the BLM’s contributions to public health, safety, and sustainability across local, state, federal and even international boundaries.
2. Build community and stronger bonds between people and the public lands to support cooperative stewardship.
3. Foster public discourse, including gathering input on decisions and plans, collecting data (e.g., mobile apps for citizen science), and developing participation incentives.
4. Enhance training and collaboration opportunities within the BLM and other federal agencies.

We suggest investing in the following methods and tools to achieve these goals, in addition to traditional media:

- Forums (both internal and external)
- Factsheets
- Blogs
- Frequently updated photos and video
- Apps for activities/navigation/interpretation
- Primary webpages for mobile browsers
- Field guides
- Data collection applications
- Surveys and polls
- Games (e.g., SIM-Resource Manager)
- Contests
- Creation of a BLM office to manage social media use (e.g., combination of Offices of Information Resource Management, Communication, and NLCS/Community Program)



## Section D

Our time as members of the Student Congress has been short and there are many other vital issues and opportunities that we believe should be addressed in future discussions by the BLM and public lands stakeholders (including other students and young people).

- Native American and Alaska Native cultures, lifeways, and traditional lands
- Renewable energy development
- Role of managers in shaping public values
- Slogans and branding (e.g., Public Lands, Public Problems, Public Solutions)
- Diversity in the BLM workforce
- Skills, training, and institutional knowledge-sharing for the BLM workforce
- More opportunities for young people
- Interconnections with urban areas
- Dichotomy of fossil fuel extraction from public lands and land management challenges presented by climate change
- New opportunities presented by climate change
- Policy of Maximum Sustained Yield

## Section E

We have come to this list of recommendations, issues, and opportunities through several days of intense dialogue and with the generous support and encouragement of many coaches and advisors, namely:

- Bob Abbey, Director, Bureau of Land Management, 2009-2012
- Dale Bosworth, 15th Chief of the U.S. Forest Service, 2001-2007
- John Freemuth, Professor of Public Administration, Boise State University
- Patricia Limerick, Faculty Director and Chair of the Board of the Center of the American West and Professor of History and Environmental Studies
- Lynn Scarlett, Deputy Secretary of the Interior, 2005-2009
- James Skillen, Assistant Professor, Environmental Studies, Calvin College

We also wish to thank the members of the Public Lands Foundation, the Center of the American West, and the Bureau of Land Management for providing opportunities for youth to engage in this important national conversation. Working together, we can ensure that the public lands will continue to be a source of shared prosperity for the next 50 years and beyond.

## Signed by the Members of the Student Congress

**Jay Berly**

Wake Forest University  
Hometown: Charleston, SC

**Burdette Birdinground**

Salish Kootenai College  
Hometown: Crow Reservation, MT

**Jason Clark**

Yale University  
Hometown: Meridian, ID

**Chris Colvin**

Yale University  
Hometown: San Francisco, CA

**Kristina Fugate**

Boise State University  
Hometown: Glenview, IL

**Ryan Gibney**

University of California Berkeley  
Hometown: San Francisco, CA

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**Tom Glass**

Whitman College  
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**HannaLore Hein**

Boise State University  
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**Natalie Jamerson**

Whitman College  
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**Nicole Kanayurak**

Dartmouth College  
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**Jameson Karns**

University of California Berkeley  
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**Kelly Mott Lacroix**

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**Katie Sauerbrey**

Northern Arizona University  
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**Sasha Stortz**

Northern Arizona University  
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**Lucia von Reusner**

Cornell University  
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**Abraham Tidwell**

Colorado School of Mines  
Hometown: Manassas, VA

**T.J. Wiggs**

Boise State University  
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**Amber Wilson**

Northern Arizona University  
Hometown: Green River, WY

**Matthew Woodbury**

University of Michigan at Ann Arbor  
Hometown: Urbana, IL

Adopted September 14, 2012

# Finding Common Ground on the Public Lands

## Roundtable Recommendations for the Future of America's Public Lands

Together, the Center of the American West and the Public Lands Foundation assembled a diverse group of 14 distinguished thinkers on public lands issues, whose connections to those lands span from Washington, D.C. headquarters to multi-generational ranching operations. These stakeholders spent a day debating the terms for connecting the well-being of the public lands to the well-being of the nation, and attempted to set a future course for public lands management that acknowledges the mandate of multiple-use and the imperative of posterity. As participants weighed in on what is "working" public lands management and what isn't, they were encouraged to court the positive public opinion of the people of 2112. Their recommendations and our observations follow here.

## Roundtable Members

- Patty Limerick (Moderator), Chair of the Board and Faculty Director, Center of the American West
- Bob Abbey, Former Director of BLM
- Steve Allred, Former Assistant Secretary for Lands and Minerals
- Bob Bennett, Former Senator of Utah
- Michele (Mike) Bloom, Colorado State Land Commissioner
- Dale Bosworth, Former Chief of the U.S. Forest Service
- Jim Caswell, Former Director of BLM
- Adam Cramer, General Counsel for Outdoor Alliance
- Art Goodtimes, San Miguel County Commissioner
- Lois Herbst, Wyoming Rancher and Former President of the Wyoming Stock Growers Association
- Luther Propst, Executive Director of The Sonoran Institute
- Lynn Scarlett, Former Deputy Secretary of the Interior
- Barbara A. Sutteer, Former National Park Superintendent, Little Bighorn Battlefield National Monument
- Johanna Wald, Senior Attorney, Natural Resources Defense Council
- Duane Zavadil, Senior Vice President of Government and Regulatory Affairs, Bill Barrett Corporation

## Roundtable Discussion

For bipartisan progress to be made on difficult issues these days, it seems that a “gang” must be commissioned to do the job. If so, then ours was the “Gang of 14” – an assembly of 14 distinguished and diverse thinkers, collectively representing a kaleidoscope of public lands stakeholders. The “gang members” included representatives from environmental organizations, Indian communities, multigenerational ranching operations, the oil and gas industry, the recreation sector, agency leadership, and more. As one might imagine, they did not speak with a single voice about their hopes for the future of the public lands. But that was the point. United by a commitment to thoughtful debate and the pursuit of compromise, the 14 panelists earned their lunch (if not also a lunch break) in a persistent, daylong attempt to set a future course for public lands management that acknowledges both the mandate of multiple use and the imperative of posterity.

Moderator Patty Limerick launched the discussion as one might begin a major home renovation – more specifically, as one might begin to update a house that has been in a constant state of remodeling for 200 years and that now has 313 million owners. Which aspects of public lands management would the roundtable members deem to be “keepers,” Limerick asked, and which should be pitched out to make room for new additions? Former Deputy Secretary of the Interior Lynn Scarlett nominated “an interconnected platform” as her keeper of choice, calling for tighter links between federal agencies and stakeholders rather than the “fragmentation and disconnection” that she would like to leave behind. Others agreed and added their own ideas. Bob Abbey, former Director of the BLM, said he’d focus on finding ways to reduce the timeframes for agency decisions while also incorporating the input of more stakeholders through collaborative processes. Steve Allred, former Assistant Secretary for Lands and Minerals, echoed Abbey’s point about the importance of timeliness as he lamented the traps of modern policymaking, which sometimes prevent decisions from being made at all. “It must be remembered that when you don’t make a decision, you have in fact made a decision,” Allred said.

As the Gang of 14 discussed and debated their individual targets for remedy, they steered themselves into a few unexpected moments of optimism, as well as a handful of productive disagreements. By the end of the afternoon, a number of roundtable members coalesced around the idea of the “sweet spot” – a consequential concept that, if it appears in public administration textbooks at all, probably does so under a different name. According to Colorado State Land Commissioner Michele Bloom, the “sweet spot” represents a shared sense that lasting compromises can be forged, and that sustainable natural resource outcomes can in fact be achieved. Highly effective public lands decisionmakers navigate by the sense that there is always one to be found.

Broadly agreeable solutions are not immediately apparent to public lands stakeholders in every situation, however, and the roundtable illustrated that reality during its patches of discord. For example, the first minutes of discussion raised the specter of an old but persistent dichotomy in public lands discussions: that of fortress-style preservation versus unabashed and reckless development. When public land use is discussed in such extreme and general terms room for compromise, common ground, and creativity quickly disappear. Adam Cramer, General Counsel for the Outdoor Alliance, helped steer the roundtable away from that sort of binary thinking. “That’s a ‘good guy, bad guy’ two-dimensional fight,” Cramer said. “You lose a lot of nuance in between.” Today’s public lands debates call for more specificity from their participants. A polarized debate leaves no room for middle-ground concepts like “experiential use” of the public lands. Experiential use, which encompasses education and recreation, is a public lands “use” indeed, Cramer said, but it tilts toward the non-consumptive side of the “use” spectrum.

The topic of intergovernmental collaboration also proved to be a hot one. A lengthy exchange on the relationships between local and federal governments spurred longtime Wyoming Rancher and former President of the Wyoming Stock Growers Association Lois Herbst to plant a stake on county commissioners' behalf. "Local governments deserve more respect from the federal agencies. It's required under FLPMA [Federal Land Policy and Management Act of 1976] and it's not being done in our county," she said. Cramer countered that local-federal partnerships need to go both ways. "Local governments can't ignore federal agencies either," he added. The panel's county representative, San Miguel County Commissioner Art Goodtimes, bemoaned the difficulties that counties have in filing for cooperative agency status in federal land use decision processes. "This is a huge issue," he said. "It's almost impossible to do."

When compromise appears distant and unreachable, participants agreed that a clear-eyed appraisal is in order. In the democratic experiment that is public lands management, it is everybody's responsibility to seek traction in seemingly intractable circumstances, they said. "I've seen the enemy, and it's us," said Johanna Wald of the Natural Resources Defense Council, making the point that the number of public lands stakeholders vastly exceeds the number of managers who must keep up with their constantly evolving interests, needs, and demands. "I see a world in which lots and lots of decisions are being made – on grazing, on oil and gas development, on renewable energy project permits," Wald said. When decisions drag on and tension runs high, a dose of historical perspective can make conflicts seem more manageable, added Dale Bosworth, former chief of the U.S. Forest Service. "We've come a long way since setting out clear-cut patches with a two page environmental impact statement," he said.

On that, everybody could agree.

The Gang of 14 also managed to find agreement on a number of additional topics – 10 of them to be exact. We list them here in the form of recommendations for the future management of the public lands. Please read on and conduct your own clear-eyed appraisal of their work. As you do, we encourage you to think of ways that you might put these broad suggestions into practice. We further encourage you to contact us with your results. We are eager to compile your ideas about the ways these recommendations can be applied on the ground.

## Roundtable Recommendations

1. **Promote and embrace collaborative decision-making processes that effectively engage stakeholders.** Public lands management decisions are made at busy (sometimes treacherous) intersections of conflicting values, uncertain science, and impending legal and political mandates. To navigate these intersections sensibly, decisionmakers should follow inclusive, participatory, stakeholder-based processes. The more often that public lands policy can be built upon a foundation of common interests and compromise, the more pragmatic and successful public lands management will ultimately be.

2. **Federal public land agencies should engage local and tribal governments when making decisions public lands decisions, and vice versa.** Meaningful and enduring engagement of federal agencies with local and tribal governments infuses federal public land management with innovative ideas and legitimacy. Decisionmakers at each level of government should recognize the challenges faced by their counterparts at other levels. For local and tribal governments, filing for cooperating agency status in federal land use decision-making processes is no small undertaking. In a similar fashion, local and tribal governments must recognize the difficulties that federal agencies face in complex and fractious federal rulemaking processes.
3. **Federal public land agencies need to collaborate with each other as well.** Today's natural resource challenges require federal agencies to work across jurisdictional and bureaucratic lines at the federal level. Agencies must reverse traditionally inward-looking practices in the pursuit of interconnectivity and integration so that they can effectively respond to resource challenges that transcend institutional boundaries.
4. **Recognize and respect the interconnections among the wellbeing of public lands, rural economies, and private lands.** Most social, economic, and natural resources issues span or transcend our dichotomous "public" and "private" land categories. Land managers should take into account this blurring of boundaries during policy development if they wish to promote healthy lands, thriving communities, and prosperous rural economies. Long-term public-private partnerships on shared natural resource concerns can provide an important pathway to this kind of integration.
5. **Public land stewardship should be built from an ethic that emphasizes resilience, adaptability, and flexibility.** The federal public land agencies should adopt a land ethic grounded in the concept of resilience. To operate in a world of heightened unpredictability and shifting environmental baselines, public land stewardship should foster adaptability, flexibility, hardiness, and quick recovery from the unexpected – in social and ecological systems alike.
6. **Embrace the next generation and the communication technologies they use.** Mid-to-late-career public land decisionmakers must recognize that the future of the public lands will soon be in the hands of a younger generation, if it isn't already. Boosting young people's awareness of the importance of the public lands requires connecting with those young people in a way that suits their tastes and technological predilections. Deft and nimble deployment of social media and mobile technologies will be critical to this effort, as well as to fostering public participation in land use decisions across age groups.

7. **Decisionmakers should keep their eyes trained on the future, as well as the past.** Thinking in longer units of time than the next election cycle or the next land use plan takes more than a customary amount of concentration and creativity. This sort of reflection could be institutionalized at the federal land agencies with an “Office of Technology and Futurity” – a nerve center tasked with generating new and unexpected ideas for managing the public lands. Historical context should figure centrally in this thought exercise. The tricky institutional beginnings of the General Land Office, for example, can provide helpful perspective for decisionmakers attempting to navigate an unpredictable present and an unknown future.
8. **Encourage scientific processes that engage stakeholders.** Making good public lands decisions in high-stakes, high-uncertainty situations involves addressing pressing scientific questions. For science to serve policy makers, it must be relevant, credible, clearly communicated, and often modest in its claims to certainty and finality. Federal land agencies should encourage scientists, stakeholders, and decisionmakers to interact and collaborate in ways that generate this type of broadly-accepted, policy-relevant science. Decisionmakers should also recognize that scientific data will not provide answers to pressing values questions. These must be addressed head-on in democratic forums, not argued through proxy battles about science.
9. **Decisionmakers should work to defend funding for environmental monitoring in the face of shrinking agency and bureau budgets.** Environmental monitoring is key to today’s adaptive management strategies, which aim to evolve alongside changing ecological, economic, and social conditions. The better the informational inputs into the management process, the better the management.
10. **People are as important as process.** The federal land agencies should be adequately staffed and adequately funded to carry out the important responsibilities they have been given. Additional funding should support continuing education for agency employees, particularly on the craft of collaboration and the use of new communication technologies. Increasing the ranks of bureau staff would help to address the significant generational changing-of-the-guard that is expected to occur at federal agencies in the next decade. New hires could also assist in strengthening interagency and stakeholder collaboration, and could push agencies forward in innovation and efficiency.

# Drilling Down into (the Issues on) the Public Lands

## Additional Observations from the Conference

### Engaging with Experiential Use

More than 165 million people visited Bureau of Land Management and U.S. Forest Service lands in 2012, according to statistics compiled by the agencies. These recreational and educational visits are increasingly being called the “experiential use” of the public lands, and this use’s profile is rising under BLM and USFS multiple-use mandates because of its growing economic benefits.

Outdoor recreation spending in Western states totaled \$225.6 billion in 2011, according to an analysis by the Outdoor Industry Association (OIA), which includes travel expenditures, as well as purchases of outdoor gear and vehicles used in to enjoy the great Western outdoors. That experiential spending translated into 2.3 million jobs in the region in the same year, by OIA’s count, as well as \$15.4 billion in federal tax receipts and \$15.4 billion more in state and local tax receipts.

With experiential use established as an economically important “productive use” of the public lands alongside grazing and oil, gas, mineral, and timber extraction, the discussion typically turns to its environmental impact. Where does experiential use fall in the “preservation versus use” debate? Should we think of it as a consumptive use of the public lands, or a non-consumptive use?

The trick here, as in any debate over “use” of the public lands, is to avoid casting experiential use in extreme terms or unhelpful binaries. Adam Cramer, general counsel for Outdoor Alliance, reminded the Nation Possessed roundtable that discussions cast in those terms can verge on the cartoonish. “We’re talking in terms of one good guy and one bad guy, like this is a two-dimensional fight. If you just look at preservation you lose a lot of nuance in between,” he said.

Experiential use of the public lands, like any use, has a spectrum of environmental impacts. Experiential use’s marks on the land are usually lighter than those of traditional “productive” uses – hiking trails and natural gas road networks are not equals in environmental perturbation – but the impacts of experiential use do not always align perfectly with preservation ideals either. Off-highway vehicles’ erosive capabilities are not to be underestimated, for example.

A more constructive conversation about the standing of experiential use might rather be about which uses are most appropriate in which places. Bob Abbey, former BLM director, pointed out that “multiple use doesn’t mean every use on every acre.” Neither does the BLM multiple-use mandate provide exclusive access and control to any single entity, giving land managers the flexibility to consider all potential public lands uses across a wide swath of public lands and site the most appropriate uses in the most appropriate places – a “zoning” strategy of sorts.



As decision makers consider promoting the experiential use of the public lands, they should also recognize several associated benefits that are often overlooked. Experiential use of the public lands has real power to boost public health, to connect the next generation of youth to the great outdoors, and to increase public lands equity and access for underrepresented urban and minority communities.

## Compromise in Zion

Bob Bennett spent his nearly two decades in the US Senate negotiating many a land swap between public and private interests in his home state of Utah. Bennett, a Republican from Salt Lake City who served in the Senate from 1993 to 2011, said he learned a few things about the necessary precursors for compromise while mediating between quarreling stakeholders – namely, that “when time isn’t on anybody’s side, you start to have the basis for a deal.”

While crafting a land use compromise in southern Utah’s scenic and rapidly-developing Washington County, Bennett sought to carve out a zone of agreement between environmentalists aiming to protect wilderness-quality lands and endangered wildlife, municipalities looking for room to grow, state land boards targeting revenue for schools, federal public lands agencies wishing they could simplify patchwork land holdings, and off-highway vehicle enthusiasts wanting to recreate, among others.

Compromise didn’t appear to be in the cards until all parties involved realized that they had everything to lose in a stalemate. According to Bennett, Washington County wanted certainty about acreage for development around cities such as St. George, while environmentalists wanted certainty about wilderness designations, which they saw as increasingly imperative because of heavy uses of some of the county’s most treasured bluffs, mesas and river corridors. “Certainty mattered to both sides, and time wasn’t on the sides of either of them. It was ripe for negotiation,” said Bennett.

The multi-year effort to forge a compromise resulted in the landmark Washington County Growth and Conservation Act of 2009, which President Obama signed into law as part of an omnibus public lands bill at the beginning of his first term. The land use legislation established a new National Conservation Area, added land to Zion National Park, and designated 165.5 miles of Wild and Scenic River, while also requiring the Bureau of Land Management to draft an Off-Highway Vehicle trail plan and conveying land to the county’s school district, municipalities’ public projects, and the Shivwits Band of Paiute Indians.

The agreement marked a high point in what had otherwise been decades of bitter fighting over how best to balance the protection of public lands and endangered species with responsible development. Said Bennett: “There is value in certainty. There is value in resolution.”

## Scalar Smarts and Jurisdictional Jujitsu

Environmental and natural resource challenges do not heed the jurisdictional boundaries we impose upon them, nor do they mind matters of political or analytical scale. These incongruences often require adaptive management on two counts: in their efforts to adaptively manage a public lands problem, decision makers must also aim to adaptively manage themselves.

According to Lynn Scarlett, a former deputy secretary of the Interior in the George W. Bush Administration, a particularly troublesome regulatory mismatch occurs when the scopes of data collection and stakeholder collaboration fail to align. “Increasingly, the challenges we face are challenges that unfold across jurisdictions and agencies. One needs a vantage point at that large scale, but a conundrum arises when the scale of the necessary information base is much broader than the scale at which stakeholders can successfully collaborate,” said Scarlett.

To manage a major river basin, for example, decision makers may find that critical data should be collected at the watershed level, while key stakeholders might convene most productively within sub-watersheds. Those decision makers might also discover that neither scale aligns with existing federal or state agency boundaries.

When faced with multi-scalar, cross-jurisdictional management puzzles, decision makers should “aspire to an interconnected platform,” said Scarlett. She encourages public lands managers to adapt their own efforts to fit the case at hand, and its particular mix of scale and scope. Decision makers should undertake governance efforts at the scale most appropriate for collaboration, while pursuing assessments at whatever scale is optimal scientifically, she said.

Transboundary, multi-scalar resource challenges are not going away. Having a grip on relevant boundaries and scales, and knowing how to bridge and interweave them, will be key to making progress on profound and perplexing problems.

## Rallying Around Resilience

Resilience is the capacity of a system – social or ecological – to absorb change while retaining its basic structure and function. Resilience is about being able to bounce back from the unexpected, and perhaps because “the unexpected” tests us all in our lives, the concept seems to have broad appeal among otherwise divergent public lands interests.

“Who could be against resilience?” asked former Utah Senator Bob Bennett of his 13 co-panelists on the Nation Possessed roundtable. As it turned out, nobody. When the Student Congress proposed that public lands agencies adopt a land ethic grounded in the concept of resilience, our assortment of public lands interests formed a quick – and positive – consensus around the idea. Their pro-resilience accord was one of the speediest and surest of the conference, suggesting that resilience ideals might serve as useful common ground amongst conflicting public lands users and uses.

Resilience’s popularity might be partly attributed to its relationship with another important public lands concept: “sustainability.” The two terms are often found in each other’s company, though they carry different meanings and invoke different responses.

Sustainability is typically used to describe management policies that aim to achieve balance between resource supply and demand. Sustainability implies that there is a way to optimize our use of the environment so that it can be sustained, in a steady state, far into the future for the generations yet to come. As such, sustainability is all about efficiency, and it is often used in a normative sense – as a “fighting word” wielded by parties who see their use of the public lands as “more sustainable” than another use.

Resilience, on the other hand, is often used descriptively, to delineate the ideal state of dynamic, nonlinear systems with the social and ecological capacity to adjust and rebound. “We don’t have an optimization problem in a steady-state environment, we have a resilience problem in a shifting environment,” say Brian Walker and David Salt, authors of *Resilience Thinking* (2006).

Managing for resilience means accepting that the environment is often shaped by extreme events, not “average” change, and that it is impossible to manage bits and pieces of complex, ever-changing ecosystems for efficiency. Resilience ideals require us to embrace change and work with it, and force us to recognize inherent limits to prediction and foresight.

Resilience ideals are predicated upon a dose of humility that helps to loosen up hardened notions of which public lands uses are “better” or “worse” than others. The concept requires us to assess these uses anew, with a novel mental framework that asks how we can best bolster ecosystems’ natural ability to persist and adapt. Resilience also encourages the nurturing of social capital as a central goal – a goal that, as the Nation Possessed roundtable would suggest, has strong prospects amidst daunting complexity.

# Preserving the Legacy of the Public Lands and Meeting the Needs of Future Generations

## Policy Recommendations Prepared by the Public Lands Foundation

Based on the events and discussions at The Nation Possessed conference, particularly the recommendations offered by the Student Congress and the roundtable participants, the Public Lands Foundation has developed seven policy recommendations for the future management and use of the public lands of the United States. The Public Lands Foundation is a nonprofit tax exempt organization that advocates the management, protection, development and enhancement of the National System of Public Lands, which is managed by the Bureau of Land Management within the U.S. Department of the Interior. These recommendations are intended to assure that the public lands remain public and continue to serve the American public for generations to come.

1. **The BLM Director and President of the Public Lands Foundation should work with the Secretary of the Interior to charter a Blue Ribbon Panel that will develop and recommend a land ethic to guide future management of the diverse public lands.** The Blue Ribbon Panel, which should include federal policymakers, state and local officials, tribal leaders, youth, futurists, and stakeholders, will be charged with formulating an updated land ethic for the 21st century that encourages engaged citizenship by recognizing humans’ coexistence within a broad ecological community as well as a diverse global society. The land ethic recommended by the panel should guide and be incorporated into policy or appropriate legislation.

2. **The BLM and Public Lands Foundation should sponsor a biennial Student Congress to provide regular assessments of the future of public land management.** The success of the Student Congress at The Nation Possessed conference demonstrated the thoughtfulness of the next generation of users and managers and brought a perspective that only they can provide. The Congress should focus on emerging issues and solutions best addressed by the best and brightest of the next generation and provide recommendations to the BLM.
3. **Public lands should remain in public ownership to meet the current and future needs and desires of the American public.** The public lands are the only federal estate that can effectively fill this role. The value of the public lands – as articulated in the Federal Land Policy and Management Act of 1976 – must be recognized, reaffirmed, and preserved for all time.
4. **Land management agencies should use current and emerging technologies to reach all sectors of public land stakeholders in soliciting input on land management issues and policy decisions.** Recent trends in technology have demonstrated that traditional methods of connecting with stakeholders become outdated in a very short time span. As was recommended by the Student Congress and the roundtable participants, agencies must stay up to date with the general public in communication methods in order to manage the public lands effectively.
5. **Land management agencies need to use all available methods to consider potential future uses (including protection) of our nation’s natural resources.** This includes considerations of the changing demographics of our population. The change agents that will influence how public lands are managed will continue to change. As was recommended by the Student Congress and the roundtable participants, shifts in uses and attitudes need to be recognized and accommodated in future legislation, policy, and practice to effectively guide public land management for the next century.
6. **The BLM should publicize and support successful outcome-based management initiatives with permittees,** particularly in situations where discussions and negotiations revolve around the future desired condition of the landscape after the activity is concluded. The activity might be oil and gas leasing, off-highway vehicle use, or a large outdoor festival. An example of this approach is the Burning Man Festival held in the Black Rock Desert each year, which is guided by – and successfully applies – the principle of “leave no trace.”
7. **Congress and the Secretary of the Interior should continue to ensure that the National Landscape Conservation System remains an integral part of the BLM’s mission.** The NLCS provides a new emphasis on conservation within the BLM’s approach to land management. Units included in the NLCS can be managed in a more flexible manner than similar units managed by other federal agencies and therefore often are more acceptable to state and local governments.

# Student Art Contest

In an effort to “spread the word” about the ongoing role that public lands play in our lives to Colorado’s young people, the BLM Colorado sponsored and hosted a juried art competition for high school students throughout the state. Entrants created an original piece of art that reflected some aspect of their relationship to public lands and composed an artist’s statement to accompany their work that articulated the connection between the piece and the conference themes. We received numerous excellent contributions, and herein you find the winners and honorable mentions. We thank the BLM, the PLF, and the staff at the Center of the American West who all participated in the judging of this competition, but most of all we thank the entrants for their fine work.



**Rings of Colorado**

By: Shannon Mulqueen

11th Grade  
(Ceramics)



## Natural Spirits

By: Theresa Crow

11th Grade - Fountain Fort Carson High School  
(Acrylic)



## Untitled

By: Destiny Davis

10th Grade - Fountain Fort Carson High School  
(Acrylic)



**Untitled**  
By: Ariea Xu  
10th Grade  
(Oil Painting)

## Student Documentaries

Based on the conference themes, the PLF, BLM, and the Center of the American West designed a college course entitled "Creating New Media for the Old and New West." This course, taught by the internationally known filmmaker and musician Don Grusin with participation from Public Lands Foundation members and current BLM employees, provided students at the University of Colorado Boulder with a crash course in public lands issues, asked them to select a theme, and to then produce short, informative, videos that explored the changes and challenges that face the public lands and the contemporary West. These fresh perspectives offer glimpses into such controversial and complex topics as Natural Gas Development, Wild Horses, Burning Man, and much more.



**Fracking the Fork**  
from Kelly Brichta **PLUS**

So it's quite an impact,  
even when they're done drilling.

14:33

HD vimeo



**Burnin' For a Learnin' - Noelle DeWitt**  
from Nicole Poull

08:46

HD vimeo



**The Making of Creating New Media for the Old and New West 2012**  
from Nicole Poull

07:03

▶

||||| HD vimeo

This video player shows a man with glasses and a light green jacket sitting at a desk with a laptop, speaking. The background is a scenic view of a town and mountains. The video player interface includes a play button, a progress bar, a volume icon, and the Vimeo logo.

**A Letter to the BLM**  
from Clara Boland **PLUS**

12:16

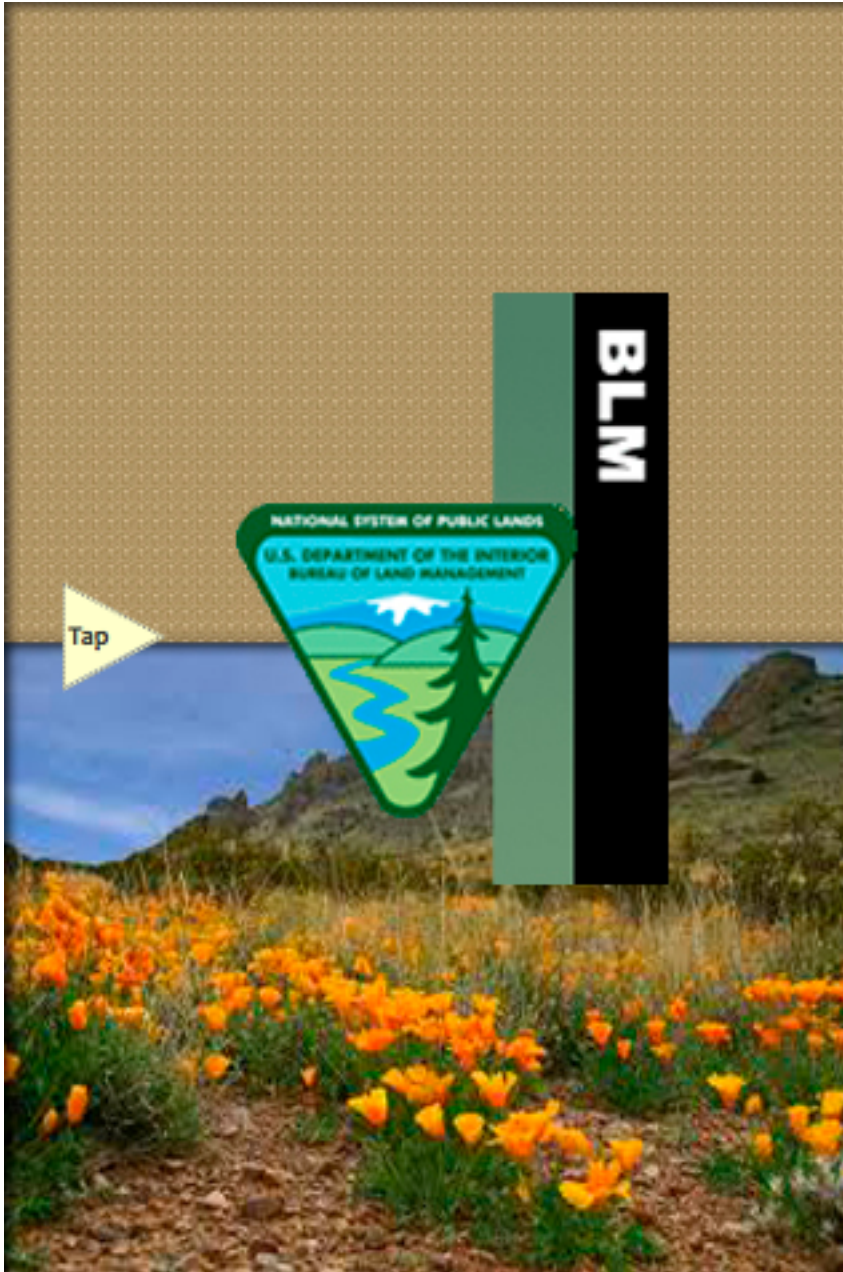
▶

||||| HD vimeo

This video player shows a man in a blue shirt and cap sitting on a hillside, looking out over a valley and mountains. The video player interface includes a play button, a progress bar, a volume icon, and the Vimeo logo.



[Homeland: A Negotiation of Cultural and Economic Resources](#) from [Susie Gunn](#) on [Vimeo](#).



[BLM App for Utah \(and model for Western States\)](#)

# Conference Program & Participant Bios

In September 2012, the Center of the American West, the Bureau of Land Management, and the Public Lands Foundation hosted a bicentennial event entitled “The Nation Possessed: The Conflicting Claims on America’s Public Lands.” The conference reckoned with the dramatic history of the federal government’s management of the public domain and sought guidance for the future of public lands. Highlights of the conference are collected below, including the [Student Art Contest](#) inspired by public lands, recommendations for the future of public lands offered by the [Student Congress](#), and a [Round Table](#) conversation among leading national public lands figures.

## Schedule of Events

### Tuesday, September 11, 2012

**7:00 pm – 9:00 pm** Student Congress Reception

*Center for Community Flatirons Room*

### Wednesday, September 12, 2012

8:00 am – 12:00 pm Student Congress meets with policy makers

### [Student Congress List of Recommendations to the BLM](#)

**10:00 am** Open display area

**12:30 pm** Symposium begins

**12:30 pm – 12:45 pm** Welcome (*Free & open to the public*)

*Glenn Miller Ballroom*



**Bruce Benson**

**University of Colorado President**

**12:45 pm – 1:30 pm** Presentation of Awards for the Statewide Art Contest and Showing of Student-Made Films (*Free & open to the public*)

*Glenn Miller Ballroom*



**Rings of Colorado**

**By: Shannon Mulqueen**

**11th Grade  
(Ceramics)**



## Natural Spirits

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[The Making of Creating New Media for the Old and New West 2012](#) from [Nicole Poull](#) on [Vimeo](#).

[A Letter to the BLM](#) from [Clara Boland](#) on [Vimeo](#).

[Fracking the Fork](#) from [Kelly Brichta](#) on [Vimeo](#).

[Burnin' For a Learnin' – Noelle DeWitt](#) from [Nicole Poull](#) on [Vimeo](#).

[Trotting to the Truth – The Horse and Burro Program of the BLM](#) from [Don Grusin](#) on [Vimeo](#).

[Homeland: A Negotiation of Cultural and Economic Resources](#) from [Susie Gunn](#) on [Vimeo](#).

[BLM App for Utah \(and model for Western States\)](#)

**1:30 pm – 2:15 pm** Native American Perspective (*Free & open to the public*)

*Glenn Miller Ballroom*



[Walter Echo-Hawk](#)

**Native American Rights Attorney**

**2:15 pm – 2:45 pm** Break

**2:45 pm – 4:00 pm**

*Glenn Miller Ballroom*

## **Session 1: Clerks and Cowboys: The General Land**

### **Office and the Shaping of the United States**

When the public thinks of the history of the American West, images of trappers, prospectors, and cowboys rush to mind, but the land office clerks, along with the members of Congress who wrote the land laws, were far more consequential (and often quite colorful) characters. Three historians will explore the origins of the General Land Office, as well as the most famous land law of all, the Homestead Act.





[Anne Hyde](#)

**Professor of History at Colorado College**



[Paul Sutter](#)

**Professor of History at the University of Colorado Boulder**

**4:00 pm – 4:15 pm** Break

**4:15 pm – 5:30 pm**

*Glenn Miller Ballroom*

## **Session 2: Burning Man Meets Managing Man:**

### **The BLM and the Energy of American Art**

“Multiple use” has carried a wide range of meanings, but the example of the Burning Man Festival takes that wide range and widens it by several notches! The stories of the BLM’s response to the “management challenge” posed by the Burning Man Festival, and the Festival’s response to the “bureaucratic challenge” posed by the BLM permitting process provide a prime case study in the important ties between American art and the public lands.



[Will Roger Peterson](#)

**Co-founder of Burning Man**



[Dave Cooper](#)

**Former BLM Manager for the Black Rock Desert**

**7:30 pm – 9:00 pm** *(Free & open to the public)*

*Glenn Miller Ballroom*

**Interview Event: “Reflections of a former BLM Director”**



[Bob Abbey](#)

**Former Director of BLM**



[Tim Egan](#)

**Author & Writer for *The New York Times***

**Thursday, September 13, 2012**

**8:30 am – 9:45 am**

*Stadium Club at Folsom Field*

**Session 3: Reconciling the Treasures of Resources with**

**the Treasures of Beauty and Biology: The BLM**

**and the Art of American Energy**

The public lands bring the nation's energy issues to a sharp focus. When we make decisions about the development of traditional and renewable energy on public lands (or of federally managed subsurface resources), we face the crucial challenge of balancing the partial recovery of the economy, the reliance on foreign oil, the needs of endangered species, the landscape enthusiasms of the American public, and the uncertainties of climate change. This session will explore the most productive strategies for seeking this balance.



[Adrienne Kroepsch](#)

**Graduate Student working on Gas Development, University of Colorado Boulder**



[Bill Ritter](#)

**Former Governor of Colorado**



[Johanna Wald](#)

**Senior Attorney at the Natural Resources Defense Council**

**9:45 am – 10:15 am** Break

**10:15 am – 11:30 am**

*Stadium Club at Folsom Field*

**Session 4: Science vs. Emotion:**

**Making Informed Decisions in the Midst of a Stampede**

Since the federal government's sponsorship of the great explorations of the 19<sup>th</sup> century West, the role of science in public policy-making and implementation has occupied center-stage in the region's development. This session will explore the experiences of land managers who are committed to taking science into account when dealing with issues that carry intense cultural, emotional, and political charges. What are the best strategies for using science to resolve conflicting demands for the use and protection of public lands?



[Mike Dombeck](#)

**Global Conservation Professor at the University of Wisconsin Stevens Point**



[Lynn Scarlett](#)

**Environmental Analyst & Former Deputy Secretary of the Interior**



[Curt Brown](#)

**Director of Research and Development, Bureau of Reclamation**

**11:30 am – 1:00 pm** Lunch and Special Address

*Stadium Club at Folsom Field*



[Ken Salazar](#)

**Secretary of the Interior**

**1:00 pm – 2:15 pm**

*Stadium Club at Folsom Field*

### **Session 5: Respecting Posterity's Property**

In the course of the last century, there have been several movements to privatize public lands or to return them to the states. What would be the costs and benefits of such a vast change in our current arrangements? Is the periodic rise of the movements for privatization of public lands an inevitable cycle, or are there better ways to manage the points of friction that produce these movements?



[Senator Bob Bennett](#)

**Former Senator of Utah**



[John Freemuth](#)

**Professor of Public Administration at Boise State University**



[Luther Propst](#)

**Executive Director of The Sonoran Institute**

**2:15 pm – 2:45 pm** Break

**2:45 pm – 4:00 pm**

*Stadium Club at Folsom Field*

## **Session 6: Orchestrating Tradition and Change:**

### **Emphasizing Conservation in the BLM**

Conservation asks the people of the present to respect the interests of the people of the future. Asking citizens of a society that seems to be in a constant rush to think seriously about time and its passage will require creative and innovative strategies, and also down-to-earth examples. This session will explore BLM's unique approach to conservation in a multiple use environment, with particular attention to the National Landscape Conservation System.



[Bob Abbey](#)

**Former Director of BLM**



[Emilyn Sheffield](#)

**Professor of Recreation and Parks Management at California State University Chico**





[Anna Triebel](#)

**Recent Graduate of the University of Colorado Boulder**

**6:30 pm – 8:30 pm** (*Free & open to the public*)

*Glenn Miller Ballroom*

**The Public Domain and the Public Lands:**

**1812, 1912, 2112 Reenactment/Preenactment Event**

**with Thomas Jefferson, Theodore Roosevelt,**

**and a Visitor from the Future**



[Clay Jenkinson](#)

**Humanities Scholar and Performer**



[Bryce Townsend](#)

**Actor**

**Friday, September 14, 2012**

**9:00 am – 12:00 pm**

*Stadium Club at Folsom Field*

**Roundtable Conversation:**

**Turning Hindsight into Foresight:**

**The Past & Future of America's Public Lands, Part 1**

How should policy makers think about the public lands in the future? What might be the terms of connecting the well-being of the public lands to the well-being of the nation?



[Moderator: Patty Limerick](#)

**Chair of the Board and Faculty Director of Center of the American West**



[Bob Abbey](#)

**Former Director of BLM**



[Steve Allred](#)

**Former Assistant Secretary for Lands and Minerals**



[Senator Bob Bennett](#)

**Former Senator of Utah**



[Commissioner Michele \(Mike\) Bloom](#)

**Colorado State Land Commissioner**



[Dale Bosworth](#)

**Former Chief of the U.S. Forest Service**



[Jim Caswell](#)

**Former Director of BLM**



[Adam Cramer](#)

**General Counsel for Outdoor Alliance**



[Art Goodtimes](#)

**San Miguel County Commissioner**



[Lois Herbst](#)

**Wyoming Rancher and Former President of the Wyoming Stock Growers Association**



[Luther Propst](#)

**Executive Director of The Sonoran Institute**



[Lynn Scarlett](#)

**Environmental Analyst & Former Deputy Secretary of the Interior**



[Barbara A. Sutteer](#)

**Former National Park Superintendent, Little Bighorn Battlefield National Monument**



[Johanna Wald](#)

**Senior Attorney, Natural Resources Defense Council**



[Duane Zavadil](#)

**Senior Vice President of Government and Regulatory Affairs, Bill Barrett Corporation**

**12:00 pm – 1:30 pm** Lunch

**1:30 pm – 3:00 pm**

*Stadium Club at Folsom Field*

**Round Table Discussion:**

**Turning Hindsight into Foresight:**

**The Past & Future of America's Public Lands,**

**Part 2: Next Steps**

**3:00 pm – 3:30 pm** Closing