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Dems and the GOP are Miles Apart on Yet Another Issue: Public Lands

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What does 'public' land mean to the two political parties? U.S. Fish and Wildlife Service, CC BY

It's unlikely the presidential candidates will field a question about public lands during their last debate. But public land is an issue that concerns many Americans, with arguments over it flaring up with cyclical regularity.

The Malheur National Wildlife Refuge takeover and the ongoing trial received significant media coverage, even outside of the American West, likely because, if nothing else, it presents a wild west drama. President Obama's active use of the Antiquities Act to create protected lands over the past few years has also contributed to a sometimes fractious dialogue. Other conflicts, such as the proposed Bear's Ears National Monument and the Dakota Access Pipeline protests, have similarly brought the relationship between Native Americans and public land ownership and management to the forefront in ways we haven't seen before.

These instances have forced us to confront the sometimes uncomfortable historical and social implications of how we conceive of public lands. Fundamentally, it's a question of who has a voice in public lands management, who owns public lands and who is the "public" in public lands.

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What is perhaps less apparent, though, is just how far apart the two major parties now are on this question. A closer look shows that they are just as divided on public lands policy as they are on gun policy or immigration reform.

Rebel or steward?

The debate over public land ownership – that is, land managed by the federal government of the United States – is deeply rooted in the history of the West.

The debate centers on who would be the best manager of the public lands, and whether they should be managed at all by any government. We have heard this discussion for over one hundred years, most notably during the so-called Sagebrush Rebellion of the mid-1970s. A movement against federal land control, it was set off in main part by the passage of the Bureau of Land Management's Organic Act, the Federal Land Policy and Management Act of 1976. Whether or not the current debate is part of a normal fluctuation or recurrence of the Sagebrush Rebellion, there is an increased national focus on these conflicts.

The disagreements between Democratic and Republican candidates in the past seem to have centered more on what level of government – state, federal or perhaps even county or local – should manage the public lands and for what purpose, rather than suggestions that the land be sold. It was President Reagan, for example, who boldly stated, “Count me in as a rebel” in support of the 1970s “Sagebrush Rebellion,” thereby championing the idea of ceding federal control to states or at least policies that tilted heavily toward resource extraction.



Protestors outside the trial of anti-federal government militants who took over the Malheur National Wildlife Refuge last winter. Reuters

By contrast, Democrats have solidly branded themselves as pro-public lands, particularly by supporting values associated with wildlife and habitat conservation and by promoting land use by sportsmen and women, outdoor recreation and for renewable energy.

Hillary Clinton's policy positions echo the DNC's platform of "keeping public lands public" which we've seen under the Obama administration. Her platform positions are centered on collaborative stewardship of those lands and suggest federal public lands remain federal. In response to sportsmen and outdoor groups' call for candidates to support public lands, Secretary Clinton reaffirmed those positions.

Weakening federal control

The GOP party platform, meanwhile, embraces values of deregulation, expanded resource extraction and increased state control.

While past GOP platforms included similar language, the tone of the 2016 platform is different. It reads like an attack on the DNC platform and the Obama administration's public land legacy. For instance, it points to the sage-grouse as a symbol for Republican arguments to weaken federal public lands control. Yet ironically, the sage-grouse avoided a federal listing on the Endangered Species Act in large part due to collaborative state and federal conservation efforts.



Through partnerships between state and federal agencies as well as ranchers and other groups, a plan to keep the sage-grouse off the federal Endangered Species Act has succeeded. juliom/flickr, CC BY-NC-ND

Things get more interesting, however, with the Republican Party nominee. On public lands ownership and management, Donald Trump seems to contradict his party's platform. In a 2016 interview with

Field and Stream, Trump rejected the idea of transferring public lands to states. His rhetoric briefly echoed those of public lands supporters who fear that states would be free to sell this land and decrease access. His son, Donald Trump Jr., confirmed this position on a recent fundraising stop in Idaho, a state with a significant percentage of public land.

While Trump's viewpoints on public land ownership seem fairly consistent, his viewpoints on energy development on public lands, climate change and environmental protection policies are more compatible with the GOP platform.

In an interview with candidates in **Scientific American**, Trump wasn't very specific on public lands, but he was quick to criticize the executive branch and federal government's reach. He advocated "shared governance" with federal, state and local governments regarding public lands and fish and wildlife protection. In his written response, he was unclear, however, on what that entails and how it differs from the current collaborative model.

On energy development on public lands, Trump seems consistent with the GOP platform. He promises removing regulations for energy development on federal lands, particularly for oil and gas. Indeed, according to **Politico**, oil executive Forrest Lucas is one potential candidate for Secretary of Interior. This idea has certainly worried conservation groups who are consistently against increased fossil fuel development in public lands.

On public lands policies, it's safe to say that Trump is wildly unpredictable.

Importance of state and local elections

In what is turning out to be an unpredictable election, it's understandable for those who care about public lands to worry. A party platform may not create policy, but it can certainly inspire it. Similarly, presidents can't legislate, but can drive policy.

Regardless of who sits in the White House next year, though, the direction of public lands management also depends on who occupies key executive and administrative positions in the Department of Interior and Department of Agriculture, as well as how they interact with agency staff on the ground.

Importantly, Congress and state and local policymakers also hold significant power over public lands policies. These policies could include facilitating public lands transfers in one direction, or if Democrats gain seats, oppose Republican efforts to transfer or privatize public lands. The GOP platform recognizes this, calling on Congress to pass legislation to facilitate the transfer of "certain lands" to states and "national and state leaders and representatives to exert their utmost power and influence to urge the transfer of those lands..."

We already see such controversial bills pop up in Congress. For example, recently, Congressman Rob Bishop's (R-UT) Public Lands Initiative Act, which would designate "millions of acres of federal land for conservation and recreation," allow for the "exchanges and consolidates certain federal and non-federal land" and provide "economic development within the State of Utah," passed the U.S. House

Committee on Natural Resources. The proposed legislation received **significant criticism** for not properly including Native American consultation and paving the way for public lands transfers.

Public opinion can also set the mood for political action. For this reason, it is critical for those who care about public lands to stay informed of emerging policy on all levels. Voting for the next president is undoubtedly important, but voting for the next congressional, state and local leaders is equally vital when it comes to the future of our public lands because major policy changes such as land transfer must come from Congress.



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