

1B

Linkages to Public Land Framework

This section was primarily prepared by the Natural Resource and Environmental Policy Program, College of Natural Resources, Utah State University.

BACKGROUND

LINKAGES to PUBLIC LAND FRAMEWORK

Neighboring Land Linkages

- Land Inholding Linkages
- Adjacent Land Linkages
- “Nearby” Land Linkages

Decision-Making Linkages

- Collaboration Linkages
- Coordination Linkages
- Consultation Linkages
- Compliance Linkages

Use Linkages

Interest Linkages

- General Public Linkages
- Special Interests or “Motivated Interest” Linkages
- Cultural, Heritage and Historic Interest Linkages
- Contributor Linkages
- Science Linkages
- Economic Linkages

Tribal Linkages

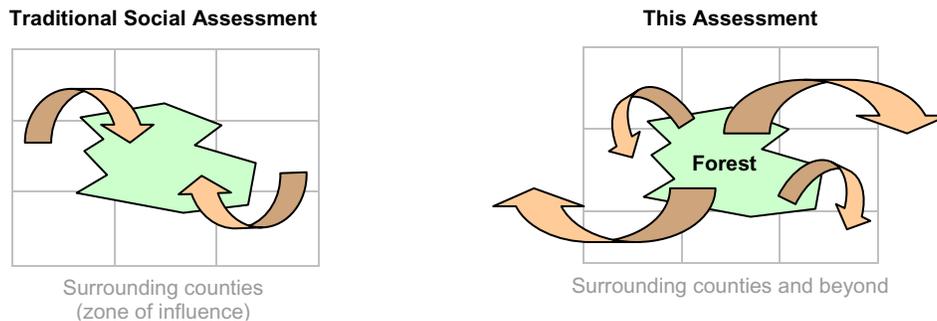




Background

As part of the forest plan revision process, the USFS compiles relevant information, both biophysical as well as social, in the form of inventories and assessments. The Agency also cooperates and consults with other agencies and governments, and informs and involves the public in its decision making. Through these various activities, the USFS seeks to bring the best information and science to bear on its management, to coordinate with other governments and agencies having jurisdiction by law or special expertise relevant to forest planning, and to collaborate with the general public to solicit their input into forest management.

The GOPB Team’s framework for social-economic assessment for forest plan revision on the Dixie, Fishlake, and Manti-La Sal National Forests is called “Linkages to the Land.” This framework for data gathering and analysis has been designed to increase the usefulness of social information for public and agency decision making about public lands. *The LPL is essentially a planning and assessment tool designed to identify, define, and categorize the full range of various types of linkages that people have to public lands and to find and use information on people in those linkages.* The main purpose of the LPL Framework is to have a general but comprehensive framework for thinking about the elements of the social environment most directly linked to public lands and, thus, most relevant to public land decision making.



Traditional social analyses focus the assessment by drawing a geographic boundary outside the forest (i.e. to encompass surrounding counties, communities, and tribes on the assumption that there is a more direct “zone of influence”) and then looking at populations and activities (creating a “profile”). The “linkages” approach locates the forest, focusing on activities and interests within it, and track the relationships to the people and places outside the forests, wherever they might be. The nature of the linkages are described, including their relationships to other.

The main value of the LPL Framework is to help the public, as well as USFS planners and managers, recognize and differentiate the various types of linkages that people have to the National Forests. Understanding these various linkages is important for enabling people to see their own linkages to public land in relationship to other people’s linkages to public lands. The LPL Framework can help the public to understand the inherently difficult task that the USFS confronts in trying to manage the multiple linkages that people have to the land. Likewise, the framework helps the USFS recognize the various impacts a decision could have.

The LPL Framework can be used in a variety of situations in which assessment, analysis, or discussion of the social-economic environment of public lands is required or useful. It is an assessment tool that provides a process for thinking about, organizing, and gathering information on the social environment of public lands.

Linkages to Public Land Framework

In this framework, linkages to the land are defined by the nature of the relationship. The linkages are not defined by the entities that may be in those linkages; thus, particular individuals or entities can have more than one type of linkage to the land. Neither are the linkages defined by the resources to which people are linked (e.g. water, range, timber, minerals, wildlife, fish, or recreation).

The categorization scheme is based upon the recognition that there are fundamental distinctions between the different ways in which people are linked to NFS land. Five basic categories of linkages have been identified:

- 1) Neighboring Land Linkages,**
- 2) Decision-Making Linkages,**
- 3) Use Linkages,**
- 4) Interest Linkages, and**
- 5) Tribal Linkages.**

For the purpose of this Assessment, the economic interests were complex enough to warrant their own linkage discussion.

1. Neighboring Land Linkages

These linkages to USFS land are through ownership of land within, adjacent to, or nearby the forest. Ownership may be by private entities (e.g., individuals, corporations, non-profit entities) or the land may be held in local, state, or federal government ownership. These linkages are particularly important in the context of identifying management issues or broad socio-economic trends that may entail changes in demands and uses of public and private land in a particular area containing National Forests.

Neighboring land linkages are important in forest planning for several other reasons. First, as a landowner, the U.S. government has legal obligations to its neighbors, which include the obligations to prevent nuisance, damage, or harm to other people's lands. Secondly, with the USFS' emphasis on ecosystem management, coordination with other landowners who own parts of the ecosystems in which the forests are located is important. Third, because many resources cross land ownership boundaries (e.g. water, wildlife, air), the U.S. government and its neighbors have a mutual interest in the health of those resources. Neighboring land linkages are increasingly important as the USFS deals with issues such as managing fire risk, controlling invasive species, and protecting habitat for threatened and endangered species. Three basic subcategories of neighboring land linkages have been identified.

Land Inholding Linkages

These linkages refer to ownership of land within the exterior boundaries of National Forests and considered to be an inholding. The USFS has more influence over what happens on inholdings than it does on other neighboring lands because of their location within the forests.

Adjacent Land Linkages

These linkages refer to ownership of land that shares a boundary with USFS land and, thus, is directly and physically connected to National Forests.

“Nearby” Land Linkages

These linkages refer to ownership of “nearby” land, which is defined to be land within watersheds or ecosystems that contain all or part of the NFS land (i.e., the boundaries for identifying neighbors are defined physically or ecologically because of the implications for assessing impacts and opportunities and for engaging in ecosystem management). Linkages between NFS lands and downstream landowners and water users are important because of the USFS’ statutory mandates to protect watersheds and the need to manage downstream risks from dams and other water impoundments.

2. Decision-Making Linkages

These linkages to public land are through institutional jurisdiction over land and/or resources that lie within the boundaries of the Dixie, Fishlake, and Manti-La Sal National Forests. Generally, other government agencies are in most of these linkages. The USFS has decision-making linkages with local counties and tribes, which may have law enforcement responsibilities, zoning authority over inholdings, obligations to provide emergency services, and general land planning responsibilities. Other decision-making linkages are the result of the fact that, in the U.S., authority and responsibility over managing resources, implementing laws, and overseeing permitting processes has been divided between different levels of government (federal, tribe, state, local) and between different agencies within those governments. These linkages are important because they imply shared decision-making, management coordination, and monitoring authority over activities that directly influence NFS land.

Collaboration Linkages

These linkages refer to the public-involvement approach that the USFS is taking to include people in forest plan revision decisions on these forests. These linkages recognize the involvement of the public in decision-making about public lands. These linkages are referred to as collaboration linkages instead of public involvement linkages because collaboration linkages connote a more effective approach to listening to, hearing, and using information provided by the public.

Coordination Linkages

These linkages are based upon the fact that another government agency has been given primary authority to manage various natural resources found on NFS lands, such as wildlife or water. Thus, the nature of these linkages between the USFS and other agencies is one of coordination and cooperation. These are linkages in which the USFS engages for effective land planning and management, but may not be legally mandated.

Consultation Linkages

These linkages refer to the fact that the USFS is required, in some instances, to engage in formal consultation with another government or agency. Examples of this linkage include the obligation of the USFS to consult with American Indian tribes, to obtain formal consistency reviews from States on its management plans and actions, to consult with US Fish and Wildlife Service regarding threatened and endangered species, and to consult with the State Historic Preservation Officer.

Compliance Linkages

These linkages refer to the fact that, in some instances, oversight of compliance with various laws has been assigned to another government agency and, in order to comply with these laws, the USFS must go through formal permitting or permission procedures handled by another agency. The requirement that the USFS comply with various environmental quality laws by going through permitting procedures and submitting to oversight from the U.S. Environmental Protection Agency and the Utah Department of Environmental Quality is an example of these types of linkages.

3. Use Linkages

These linkages to USFS land are based upon rights or privileges to use, as well as established uses of, NFS land and resources. Thus, these linkages imply a physical connection to public land. The obligations of the USFS to recognize and account for legally established and authorized uses of forest lands is part of the context within which forest planning takes place. People who use NFS land and resources can be given five basic privileges.

- *Access*, whereby people are allowed to enter a defined physical area, use the land and resources in place.
- *Extraction*, whereby people are allowed to harvest resources from the forests or engage in some resource manipulation activities.
- *Management*, whereby people are allowed to make resource improvements and engage in management actions that affect the land.
- *Exclusion of others*, whereby some people are allowed to determine which other people will have access privileges and how those privileges can be obtained and are given some management authority over other people.
- *Transferability*, whereby people are allowed to sell or lease some or all of their other privileges.

Additional considerations can be used to help define, characterize, and evaluate the nature of linkages that various users have to NFS lands and resources. These considerations are often contained in agreements between the USFS and the users, and help to identify the expectations that various users may have about those agreements. These considerations can help to inform management decisions, especially in situations where there may be conflicts between different uses.

- Legal basis for the use of NFS land and resource(s)
- Time dimensions associated with the use
- Geographic specificity of use
- Occupancy associated with use
- Conveyance privileges
- Economic aspects associated with the use
- Responsibilities associated with use

4. Interest Linkages

These linkages to USFS land come through being a part owner of the land (through being a U.S. citizen) or a user of the land (people who are not U.S. citizens can be included) and, thus, having a say and/or identified interest in how it should be managed. Interest linkages are defined as linkages that do not involve a physical connection to NFS lands. This does not mean that people who are in these linkages are not also involved in various types of use linkages but, in those instances, we would categorize them as being in a use linkage in addition to being in an interest linkage.

General Public Linkages

This linkage entails the right to have a say in how the land should be managed, but it is distinguished from special interest linkages in the sense that the entities in this linkage have not exercised this right or have deferred to the decisions of elected representatives and public land managers. Laws such as the Administrative Procedures Act, the Freedom of Information Act, and the National Environmental Policy Act give all United States citizens the right to be informed of and involved in decisions regarding public lands.

Special Interest or “Motivated Interest” Linkages

This linkage refers to special interests that the entities in this linkage have to NFS lands, which have been brought to the attention of the USFS (otherwise, the linkage remains at the level of an unexercised or deferred right and would be categorized under “general public linkage”). These interests are not necessarily expressed by geographically proximate groups or individuals but are issue-driven. These linkages are important because they are an indication of which kinds of groups or individuals have a particular stake in the different activities that are allowed on the forests

Cultural, Heritage and Historic Interest Linkages

These linkages are categorized as a special interest because they may not entail a current use. Under various federal laws related to cultural, historic and archeological resources, the U.S. government has deemed preserving heritage and history of special interest to all Americans.

Under some laws, it is recognized as especially important to American Indians, who have the longest history with lands that are now part of the U.S. Sometimes these linkages signify a place, structure, or artifact that has special significance to a group of people.

These linkages may also refer to the relationships that have developed over past generations between local communities and public lands that surround them. Examples of these interests might include early Euro-American settlements, trails, etc. The USFS (and all federal agencies) have certain responsibilities to protect cultural and historical values and resources.

Contributor Linkages

Contributor linkages refer to linkages that some people have to the National Forests in which they are contributing in some defined way to the maintenance of these lands (e.g. contributing labor, money, materials to the National Forests). These linkages are becoming increasingly important for the USFS as it tries to meet growing needs with constrained budgets. Contributor linkages fall into two subgroups:

Volunteers: These are people who volunteer to do work on the National Forests. The USFS has a formal program for recruiting volunteers.

Collaborators: These linkages refer to instances in which groups share a mutual goal and receive mutual benefits from their association with the National Forests. They often include agreements where the USFS engages in cost sharing on a project with a collaborating party.

Science Linkages

These linkages to the forest are defined by those people/entities who have an interest in conducting research on the National Forests. Scientific linkages are often long-term due to the nature of ecosystem level research. Science linkages often rely on linkages between local forests and the science arm of the USFS (Forest Experiment Stations) or universities.

Economic Linkages

Many people/entities have economic interests in National Forest lands whether or not they actually use those lands or have a direct physical connection to them. These linkages refer to economic interests that are not directly dependent upon resource extraction from the forests for commodity purposes (in which case, the linkages are more appropriately defined as use linkages). These linkages recognize the economic interests of communities and counties in which NFS lands are located.

The economies of communities and counties in the vicinity of public lands are shaped in many ways by the existence of those public lands. For example, nearby public lands influence the economic opportunities available to them, reduce the available property tax base but substitute revenues from various federal land payment and receipt-sharing programs (e.g., Payments in Lieu of Taxes or PILT), and require provision of local government services for large tracts of land (e.g., emergency services, law enforcement).

5. Tribal Linkages

These linkages refer to relationships and special connections that have developed over generations between American Indians and the lands that they inhabited and the resources that they used. Besides their historic precedence, these linkages are unique in that they recognize rights that groups of American Indian people have to use certain resources on the public lands. Thus, these linkages are distinguished by the fact that they define both *the use* and *the users*.

Tribal linkages to NFS lands and resources are defined, in part, through treaty rights as well as through a variety of federally protected uses reserved for Native Americans. Tribes have a government-to-government relationship with federal and state governments, as defined and interpreted by the Constitution and Congress. The USFS (and all federal agencies) have the responsibility to protect these rights as well as to consult with tribes concerning their land management activities.

