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Sec. 1762. Roads.  
1763. Right-of-way corridors; criteria and procedures applicable for designation.  
1764. General requirements.  
1765. Terms and conditions.  
1766. Suspension or termination; grounds; procedures.  
1768. Conveyance of lands covered by right-of-way; terms and conditions.  
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1770. Applicability of provisions to other Federal laws.  
1771. Coordination of applications.  
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SUBCHAPTER VI—DESIGNATED MANAGEMENT AREAS  
1781. California Desert Conservation Area.  
1781a. Acceptance of donation of certain existing permits or leases.  
1783. Yaquina Head Outstanding Natural Area.  
1784. Lands in Alaska; designation as wilderness; management by Bureau of Land Management pending Congressional action.  
1785. Fossil Forest Research Natural Area.  
1786. Piedras Blancas Historic Light Station.  
1787. Jupiter Inlet Lighthouse Outstanding Natural Area.  

SUBCHAPTER I—GENERAL PROVISIONS  
§ 1701. Congressional declaration of policy  

(a) The Congress declares that it is the policy of the United States that—  
(1) the public lands be retained in Federal ownership, unless as a result of the land use planning procedure provided for in this Act, it is determined that disposal of a particular parcel will serve the national interest;  
(2) the national interest will be best realized if the public lands and their resources are periodically and systematically inventoried and their present and future use is projected through a land use planning process coordinated with other Federal and State planning efforts;  
(3) public lands not previously designated for any specific use and all existing classifications of public lands that were effected by executive action or statute before October 21, 1976, be reviewed in accordance with the provisions of this Act;  
(4) the Congress exercise its constitutional authority to withdraw or otherwise designate or dedicate Federal lands for specified purposes and that Congress delineate the extent to which the Executive may withdraw lands without legislative action;  
(5) in administering public land statutes and exercising discretionary authority granted by them, the Secretary be required to establish comprehensive rules and regulations after considering the views of the general public; and to structure adjudication procedures to assure adequate third party participation, objective administrative review of initial decisions, and expeditious decisionmaking;  
(6) judicial review of public land adjudication decisions be provided by law;  
(7) goals and objectives be established by law as guidelines for public land use planning, and that management be on the basis of multiple use and sustained yield unless otherwise specified by law;  
(8) the public lands be managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archaeological values; that, where appropriate, will preserve and protect certain public lands in their natural condition; that will provide food and habitat for fish and wildlife and domestic animals; and that will provide for outdoor recreation and human occupancy and use;  
(9) the United States receive fair market value of the use of the public lands and their resources unless otherwise provided for by statute;  
(10) uniform procedures for any disposal of public land, acquisition of non-Federal land for public purposes, and the exchange of such lands be established by statute, requiring each disposal, acquisition, and exchange to be consistent with the prescribed mission of the department or agency involved, and reserving to the Congress review of disposals in excess of a specified acreage;  
(11) regulations and plans for the protection of public land areas of critical environmental concern be promptly developed;  
(12) the public lands be managed in a manner which recognizes the Nation’s need for domestic sources of minerals, food, timber, and fiber from the public lands including implementation of the Mining and Minerals Policy Act of 1970 (84 Stat. 1876, 30 U.S.C. 21a) as it pertains to the public lands; and  
(13) the Federal Government should, on a basis equitable to both the Federal and local taxpayer, provide for payments to compensate States and local governments for burdens created as a result of the immunity of Federal lands from State and local tax.  

(b) The policies of this Act shall become effective only as specific statutory authority for their implementation is enacted by this Act or by subsequent legislation and shall then be construed as supplemental to and not in derogation of the purposes for which public lands are administered under other provisions of law.  


Editorial Notes  
REFERENCES IN TEXT  
This Act, referred to in subsec. (a)(1), (3) and (b), is Pub. L. 94–579, Oct. 21, 1976, 90 Stat. 2743, as amended, known as the Federal Land Policy and Management Act of 1976. For complete classification of this Act to the Code, see Tables.  
Statutory Notes and Related Subsidiaries

**SHORT TITLE OF 2018 AMENDMENT**


**SHORT TITLE OF 2009 AMENDMENT**


**SHORT TITLE OF 1988 AMENDMENT**

Pub. L. 100–409. §1, Aug. 20, 1988, 102 Stat. 1086, provided that: “This Act [enacting section 1723 of this title, amending section 1716 of this title and sections 505a, 505b, and 521b of Title 16, Conservation, and enacting provisions set out as notes under sections 751 and 1716 of this title] may be cited as the ‘Federal Land Ex-Fermentation Act of 1988.’”

**SHORT TITLE OF 1986 AMENDMENT**


**SAVINGS PROVISION**


“(a) Nothing in this Act, or in any amendment made by this Act [see Short Title note above], shall be construed as terminating any valid lease, permit, patent, right-of-way, or other land use right or authorization existing on the date of approval of this Act [Oct. 21, 1976].

“(b) Notwithstanding any provision of this Act, in the event of conflict with or inconsistency between this Act and the Acts of August 28, 1937 (30 Stat. 874; 43 U.S.C. 1181a–1181l) [now 43 U.S.C. 2601 et seq. (see Tables for classification)], and May 24, 1939 (53 Stat. 753), insofar as they relate to management of timber resources, and disposition of revenues from lands and resources, the latter Acts shall prevail.

“(c) All withdrawals, reservations, classifications, and designations in effect as of the date of approval of this Act shall remain in full force and effect until modified under the provisions of this Act or other applicable law.

“(d) Nothing in this Act, or in any amendments made by this Act, shall be construed as permitting any person to place, or allow to be placed, spent oil shale, overburden, or byproducts from the recovery of other minerals found with oil shale, on any Federal land other than Federal land which has been leased for the recovery of shale oil under the Act of February 22, 1929 (41 Stat. 437, as amended; 30 U.S.C. 181 et seq.).

“(e) Nothing in this Act shall be construed as modifying, revoking, or changing any provision of the Alaska Native Claims Settlement Act (85 Stat. 688, as amended; 43 U.S.C. 1601 et seq.).

“(f) Nothing in this Act shall be construed as limiting or restricting the power and authority of the United States or—

“(1) as affecting in any way any law governing appropriation or use of, or Federal right to, water on public lands;

“(2) as expanding or diminishing Federal or State jurisdiction, responsibility, interests, or rights in water resources development or control;

“(3) as displacing, superseding, limiting, or modifying any interstate compact or the jurisdiction or responsibility of any legally established joint or common agency of two or more States or of two or more States and the Federal Government;

“(4) as superseding, modifying, or repealing, except as specifically set forth in this Act, existing laws applicable to the various Federal agencies which are authorized to develop or participate in the development of water resources or to exercise licensing or regulatory functions in relation thereto;

“(5) as modifying the terms of any interstate compact;

“(6) as a limitation upon any State criminal statute or upon the police power of the respective States, or as derogating the authority of a local police officer in the performance of his duties, or as depriving any State or political subdivision thereof of any right it may have to exercise civil and criminal jurisdiction on the national resource lands; or as amending, limiting, or infringing the existing laws providing grants of lands to the States.

“(h) All actions by the Secretary concerned under this Act shall be subject to valid existing rights.

“(i) The adequacy of reports required by this Act to be submitted to the Congress or its committees shall not be subject to judicial review.

“(j) Nothing in this Act shall be construed as affecting the distribution of livestock grazing revenues to local governments under the Granger-Thye Act (64 Stat. 85, 16 U.S.C. 560h), under the Act of May 23, 1906 (35 Stat. 260, as amended; 16 U.S.C. 500), under the Act of March 4, 1913 (37 Stat. 843, as amended; 16 U.S.C. 501), and under the Act of June 20, 1910 (36 Stat. 557).”

**SEVERABILITY**

Pub. L. 94–579. title VII, §707, Oct. 21, 1976, 90 Stat. 2794, provided that: “If any provision of this Act [see Short Title note set out above] or the application thereof is held invalid, the remainder of the Act and the application thereof shall not be affected thereby.”

**REFERENCES TO DIVISION O OF PUB. L. 115–141**


**EXISTING RIGHTS-OF-WAY**


§ 1702. Definitions

Without altering in any way the meaning of the following terms as used in any other statute, whether or not such statute is referred to in, or amended by, this Act, as used in this Act—

(a) The term “areas of critical environmental concern” means areas within the public lands where special management attention is required (when such areas are developed or used or where no development is required) to protect and prevent irreparable damage to important historic, cultural, or scenic values, fish and wildlife resources or other natural systems or processes, or to protect life and safety from natural hazards.

(b) The term “holder” means any State or local governmental entity, individual, partner-