



**NATIONAL ASSOCIATION OF STATE TRUST LANDS  
RESOLUTION 2021-02**

**Land and Water Conservation Fund**

**Whereas**, the National Association of State Trust Lands (“NASTL”) and its member states manage over 500 million acres of trust lands, minerals, and waterways; and

**Whereas**, members of NASTL have state constitutional mandates to manage over 500 million acres of lands for economic development, conservation, recreation, and other public purposes provided by state law to fund education and other vital state functions; and

**Whereas**, due to the nature of the state trust grants, millions of acres of state trust lands currently lie within federal conservation designations preventing states from carrying out their state constitutional mandates and inhibiting conservation of federal lands; and

**Whereas**, the Land and Water Conservation Fund (LWCF) federal program supports the protection of federal public lands and waters – including national parks, forests, wilderness areas, national conservation areas, wildlife refuges, and recreation areas with investments designed to secure public access, improve recreational opportunities, and preserve ecosystems;

**Whereas**, state trust land managers seek to convey, at fair market value, trust lands and minerals captured inside of federal conservation areas to federal land agencies;

**Whereas**, LWCF funds are unable or often difficult for state trust land managers to access due to existing policy positions of the Department of Interior;

**Whereas**, BLM Acquisition Handbook H-2100-1, Release 2-290, 1-31-2002, page II-2, paragraph 4, states: “Acquisition from a state, or political subdivision thereof, must generally be by donation or exchange” prohibiting the use of LWCF funds for acquisition by purchase of state trust lands inheld within federal conservation areas;

**Whereas**, the BLM Acquisition Handbook H-2100-1 is not supported by statutes in that the Land and Water Conservation Fund Act of 1965, as amended, does not contain prohibitions against purchase acquisitions of state trust lands by a federal agency;

**Whereas**, state trust lands remain captured within federal conservation areas with limited tools for reconciling ownership patterns and leaving the state trust and the federal conservation mandates unfulfilled;

**BE IT THEREFORE RESOLVED AS FOLLOWS:**

1. The National Association of State Trust Lands urges the Department of Interior, and its land management bureaus, and the United States Forest Service to amend their policies in conformity with existing law and eliminate prohibitions against the acquisition of state trust lands through LWCF acquisition programs;
2. The National Association of State Trust Lands urges the U.S. Congress to mandate, through appropriate measures, federal land management agencies to amend their policies to enable acquisition of state trust lands that lie within federal conservation designations utilizing LWCF programs.

Adopted this 28<sup>th</sup> day of April, 2021.



President, NASTL



Secretary, NASTL

*This Resolution will remain in effect through July 31, 2023  
unless otherwise terminated, amended, or replaced by the Association.*