

TWA FACT STATEMENT BLM – RED RIVER LAND ISSUE

The Bureau of Land Management (“BLM”), an agency under the U.S. Department of the Interior, is in the process of preparing an Environmental Impact Statement (“EIS”) under the National Environmental Policy Act of 1969 (“NEPA”) to guide the management of BLM administered public resources and restricted, trust, and tribal minerals and lands within the states of Kansas, Oklahoma and Texas.

The EIS will result in a BLM Resource Management Plan (“RMP”) which creates the management framework for the BLM in the three state region. Simply put, the RMP is a land use plan that gives broad multiple-use guidance for managing public lands administered by the BLM. The RMP is being prepared to reflect the changing needs of the “Planning Area.” The RMP will replace the existing 1991 Kansas plan, the 1994 Oklahoma plan, and the 1996 Texas plan.

The “Planning Area” includes approximately 90,000 acres along a 116-mile stretch of the Red River that the BLM considers public land, citing Court rulings.

For almost a century, the Federal Government has shown little or no interest in the Planning Area and has been content for Texas ranchers to occupy and manage such property. Some of the Texans hold deeds and have regularly paid taxes for portions of the Planning Area.

The Court cases relied upon by the BLM acknowledge that the boundary and legal title to portions of the Planning Area may have changed with changes in the location of the riverbed as a result of the process of accretion, i.e., the gradual shift in the location of the riverbed. It may take years to establish the boundaries and legal titles as a result of accretion. Until such boundaries and legal titles are clearly defined, opening any of the Planning Area for public access and recreation will undoubtedly result in conflicts impacting Texans who have for so long acted as capable stewards of this land.

Texas Wildlife Association (“TWA”) opposes any RMP that includes the BLM taking possession of any of the Planning Area unless and until boundaries and titles are first established following appropriate due process procedures. Further, TWA believes that the management and best conservation practices for any Federally owned portion of the Planning Area are best left in the capable hands of the private landowners who have shepherded such land for decades. TWA encourages adoption of a plan that makes appropriate allowances for the interests of such private landowners, regardless of their ownership status. TWA believes that any management plan for Federally owned land within the Planning Area must include appropriate safeguards for the rights and safety of neighboring private landowners.