

# MANAGING THE WEST

*...serving the future*

Fall 2013

Volume 1 - Issue 1



## 2013 WSLCA

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23 states

440+ million acres

\$3.8 billion in 2012  
for public education

Learn more at  
[www.wslca.org](http://www.wslca.org)

## Welcome to the Fall 2013 issue of *Managing the West*...

For more than 60 years, the Western States Land Commissioners Association has brought together key land managers responsible for overseeing the administration of over 440 million acres of public and school trust land assets in 23 western states. Combined, these states represent the largest land owner group in the nation, second only to the federal government. We are proud of the fact that the vast resources entrusted to our care continue to provide billions of dollars each year in support of our beneficiary needs, primarily K-12 public education, and as a demonstration of the legacy envisioned by our nation's founding fathers.

### Broadening Collaboration

Of course, we could not achieve our important missions without the actions of responsible lessees and producers who share the vision of sustainable use, care, conservation and/or development of these lands. In recognition of this important collaboration, the association recently launched an affiliate membership program wherein member states nominate organizations that enhance and extend the association's positive impact. The program seeks to augment opportunities to educate others about the important resources we manage, to evaluate best management practices, and to tap into new opportunities to maximize earnings for educational trusts. Affiliate members we welcome you and desire your input.

### Identifying Key Priorities

It has been said if we don't know how to listen, we won't know how to speak. Recent listening sessions and member surveys highlight the need to better focus our gatherings and to find ways to more effectively communicate the importance of trust lands across the west. Over the next year the executive committee has been tasked to facilitate the creation of a new strategic plan. This effort will build upon the information already gathered to form a road map for success by identifying plans and actions best suited to achieve the mutual goals and objectives of our membership.

### Discussing New Tools

For the past several years the association has explored ways to effectively resolve trust land acres "captured" by federal conservation and wilderness designations. As a supplement to land exchange and limited federal purchase options, the association is proposing to congress the idea of extending state in-lieu selection rights, originally employed at statehood, as a means to select replacement federal lands outside such areas. Collaborative dialog and support between conservation groups, industry stakeholders and members of congress appears ripe with potential.

The challenge to re-energize our association is exciting. We are trust managers, regulators, conservators, industry leaders and service providers. In all these roles we strive to listen, educate, and administer our duties with a commitment to innovation and trust to those we serve.

President, WSLCA

# Washington Update

*WSLCA's presence in Washington DC is committed to further educate national decision makers about the important national role of educational trust lands and assets managed for education. WSLCA's profile in the nation's capital has steadily increased through outreach and educational efforts with Senators, Representatives, congressional staff, as well as business and conservation interests.*

*Our primary goals during this Congress are to raise the Association's profile within Congress, to pursue our in-lieu selections legislative proposal, and to expand our Affiliate Membership in the Association.*

## **Congressional Outreach...**

During 2013 we conducted numerous briefings with Congressional staff to stress the importance of the 447 million acres of lands and minerals our members manage and the resources developed on those lands. Stressing the revenues produced for schoolchildren and the commodities produced from our trust lands has been well received in Congressional offices. Evidence of our success is that we are now being asked to respond to information requests from Congressional offices and the Association is being asked for our perspective on policy decisions being made by Members of Congress.

## **In-lieu Selections Proposal...**

For many months we have worked with Members of Congress, staff, and relevant committees to pursue enactment of the Association's in-lieu selections proposal. The Western Governors Association (WGA) has been a valuable and active partner as we press this issue in Washington and, of course, among Western Governors. Through our cooperative work with WGA, the in-lieu selections legislation was a central discussion at the annual WGA conference in Park City, Utah in July of this year. Allen Freemyer was invited to present and give a briefing on WSLCA's in-lieu selections proposal to the Western Governors Chiefs of Staff and senior staff of Western Governor's offices. The in-lieu selections legislation would provide states and federal managers with an important tool to rationalize federal/state ownership patterns in federal conservation areas. The highlight of the WGA conference for WSLCA was a panel discussion focusing on our in-lieu proposal which was led by Utah Governor Gary Herbert joined by several other Governors, Congressman Rob Bishop, and Wilderness Society President, Jamie Williams. Broad support of the concept was expressed by the panel and this opportunity began serious west-wide discussions and negotiations about the proposed legislation.



Warner Valley, Oregon

## **In-lieu Oversight Hearing...**

Further evidence of our progress in Washington was an oversight hearing conducted by the House Subcommittee on Public Lands and Environmental Regulation on September 10th. WSLCA President, Kathy Opp, was asked to present the problems associated with trust lands being trapped within federal conservation areas and to present WSLCA's legislative proposal to rectify those issues. We worked closely with the Subcommittee to insure the issues were discussed from varying viewpoints, including state trust land managers, educational experts, and the conservation community. The witnesses included: Kathy Opp, Deputy Director Idaho Public Lands and WSLCA President; Tim Donaldson, School Children's Trust Director, Office of Education in the State of Utah; Maria Baier, CEO of the Sonoran Institute; and Mary Abrams, Director of State Lands for the State of Oregon. Members of Congress asked many questions and were impressed with both the witnesses and the legislation. The next step in this process is to refine the legislative language through cooperative work with outside groups and Congressional staff. Once we are satisfied with the language we look forward to introduction of the legislation and future Congressional hearings. If you would like to see the hearing and read the testimony given you can click [here](#).

## **Federal Land Transactions Facilitation Act...**

Another issue that is gaining traction on Capitol Hill, is the Federal Land Transactions Facilitation Act or FLTFA. This legislation was introduced in February and had a Senate hearing in June, at which point it was placed on the Senate calendar. This reauthorization would make a permanent program for the completion of appraisals and other legal requirements for the sale or exchange of public land identified for disposal under the approved land use

plans from the Federal Land Policy and Management Act of 1976. A hearing was held in July for the legislation in the House Natural Resources Committee. No votes have been taken at this time and you can watch the hearing and read the testimony given [here](#).

## Affiliate Memberships...

Lastly, we have launched our efforts to grow the affiliate membership of WSLCA. Within the past few months we have briefed numerous companies and associations in Washington DC. We have successfully demonstrated the importance of the assets our states manage as well as the critical nature of the commodities produced on state lands in the West. We are happy to welcome our new affiliates and look forward to working with you on important issues.

## Welcome to our new affiliate members!

Please take a moment to visit their websites and learn about how we can work together.

**RioTinto**



**RVKuhns**  
▶▶▶ & ASSOCIATES, INC.

**BOK FINANCIAL**



AMERICAN PETROLEUM INSTITUTE



[www.wslca.org](http://www.wslca.org)

Check out our website for information on:  
Member states, affiliate members,  
upcoming conferences and past  
conference materials, adopted resolutions,  
committee contacts and more.

## Affiliate Memberships

WSLCA has adopted an Affiliate Membership program in order to provide public and private entities and individuals who share common interests in the WSLCA's objectives with an opportunity to formally communicate and cooperate with WSLCA members. The program offers Affiliate Members the opportunity to participate in the WSLCA's biannual conferences and to talk directly with other members on issues important to both. Applicants must be a corporation, non-profit entity, or an individual that has been recommended by a member state, approved by the WSLCA Executive Committee and paid at least one year of annual dues.

## Affiliate Membership Objectives

- ✦ Enhance and extend WSLCA, our educational missions, institutional impacts, influence and positive public image
- ✦ Develop or strengthen relationships with organizations that complement our mission
- ✦ Share intellectual & social capital

## Desired Outcomes

- ✦ Expand diversity of WSLCA members and audiences
- ✦ Enhance distribution of WSLCA outputs to new, relevant markets
- ✦ Augment opportunities to develop, share & evaluate information regarding land, water and other resource management policies and practices
- ✦ Help member states maximize the earnings and preserve the assets of educational trusts

## Benefits

- ✦ Speaking opportunities at WSLCA conference
- ✦ Conference displays and recognition
- ✦ Membership recognition and links on the WSLCA website
- ✦ Dialog opportunities with other professionals on issues affecting us

## Application

Those interested in establishing an affiliate relationship are encouraged to contact your state land commissioner, state land director or a member of the WSLCA executive committee. You can find a link to each state's website at [www.wslca.org](http://www.wslca.org).

# Endangered Species Act Resolution Adopted

At the recent summer conference in Omaha, Nebraska, WSLCA members adopted a resolution regarding the implementation and administration of the Endangered Species Act. The resolution outlines WSLCA's requests for amendments to certain areas including designation, economic impact requests, land use restrictions, public notice and litigation funding.

We have since crafted a support letter for distribution to Members of Congress, their staffs and relevant agency directors. You will find a copy of this letter at the end of the newsletter or by clicking [here](#). It is our hope that you will take this letter and reach out to your own congressional delegation for support.

## Why Should YOU Attend the WSLCA Conference?

North Dakota now has ten thousand oil and gas wells operating in the state. The real estate market in Arizona continues to improve and the revenue for the land office is up \$100 million. Colorado has convinced the legislature to end its revenue sweep as the agency deals with the ongoing drought and wildfire. Oklahoma has expanded its opportunities in commercial development. Oil and gas revenues in Alaska are now closing in on \$48 billion which means a payout of over \$8,000 to every citizen in our northern most state.

Member states like Texas oversee offshore oil and gas production on millions of acres along the Gulf Coast and manage more than 13 million acres of land. Arkansas is in charge of the state's surplus land. New Mexico proved more than \$650 million to its beneficiaries last year.

A hundred or more years ago, farming and ranching were the primary issues the agencies would face. Today wind power and endangered species, hydraulic fracturing and commercial development are just some of the issues they face.

Twice a year, the leaders of Land Offices across the western states gather to learn what states are doing with the acreages. It is an opportunity to see what works in each state and what hasn't. The terrain may be different but the challenges are the same: Grow the trust and protect the land for future beneficiaries.

## Join us in Little Rock, Arkansas for the 2014 Winter WSLCA Conference!

January 12-16, 2014 @ the Doubletree Little Rock Downtown

[www.doubletreelr.com](http://www.doubletreelr.com), rate- \$86, group code- WSL, book by December 20, 2013

### Topics include:

Invasive Species Management on State Owned Lands

Mitigation Banking

Endangered Species Act

Submerged Lands- Ownership & Management

Utilizing New Technologies- Public Land Records & GIS Mapping

Update on the WSLCA Strategic Plan



Kathy Opp  
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September 1, 2013

The Honorable Rob Bishop  
United States House of Representatives  
123 Cannon House Office Building  
Washington, DC 20515-4401

Congressman Bishop:

As President of the Western States Land Commissioners Association (WSLCA), I am pleased to provide the Association's recently adopted resolution regarding the administration and implementation of the Endangered Species Act. We hope this resolution will help further inform you as a Member of Congress in regards to needed changes to the Act and its current impacts on States' abilities to effectively manage state endowment trust lands on behalf of school children in our states.

The Western States Land Commissioners Association (WSLCA) consists of 23 states that together manage 447 million acres of lands, submerged lands, and mineral right properties on behalf of public education and other state institutions. In 2012, these lands and minerals provided over \$3.8 billion in funding for public education. Formed in 1949, WSLCA's combined member states are the second largest manager of lands, habitat, and minerals in the United States, after the Federal Government. Upon statehood, states were entrusted with these lands and minerals to provide for the funding of public education. Trust lands lie intertwined within Federal lands and therefore Federal land management decisions greatly impact our ability to provide revenue for schools, books, teachers and other critical resources. We hope you consider the position of our member states in future policy decisions.

If you have any questions or would like further information about our resolution regarding the Endangered Species Act or other issues that impact endowment trust land management, please feel free to contact me. Thank you for your service to our nation.  
Sincerely,

Kathy Opp, President  
Western States Land Commissioners Association