



WASHINGTON D.C. FLY-IN RECAP
March 12 – 13, 2019

In an effort to foster communication between state and federal leaders, WSLCA membership was encouraged to participate in a spring Washington, D.C. fly-in. Seven state members and two affiliate members participated. Over the course of two days we were able to meet with various Department heads as well as members of Congress. It was a very productive and informative trip.

WSLCA - REPRESENTED BY:

Brent Goodrum (AK)	Ryan Brunner (SD)
Tommy Land (AR)	Dave Ure (UT)
Nikki Heck (AR)	Tim Donaldson (UT)
Trevor Drown (AR)	Lonnie Bullard (UT)
Aaron Vande-Linde (MN)	Roger Barrus (UT)
Harry Birdwell (OK)	Lisa Schneider (WSLCA)
Jessica Grogis (OK)	Allen Freemyer (WSLCA)
Keith Kuhlman (OK)	Francis McAllister (Freeport McMoRan)
Brandon Jones (OK)	Carolyn Loder (Freeport McMoRan)
Vicki Walker (OR)	Tom Lowry (CalPortland Company)

Individual meetings were held with more than 20 Representatives, 8 Senators and several administrative departments in addition to the group meetings.

There are movements on many fronts that will impact the management of state trust lands. During the time we were in D.C., the de-listing of the Grey Wolf was announced as well as amendments to the Sage Grouse management plan, an agreement on how to proceed with the management of wild horses and burros, and the signing of the Public Lands bill.

A recap of topics discussed with the respective Department personnel follows.

DEPARTMENT OF THE INTERIOR - REPRESENTED BY:

- Secretary David Bernhardt
- Assistant Secretary of Land and Minerals, Joe Balash
- Assistant Secretary of Fish, Wildlife and Parks, Andrea Travnicek
- Acting Director of the Bureau of Land Management, Brian Steed
- Deputy Director, Office of Internal Affairs, Tim Williams

Secretary Bernhardt emphasized the desire to be a good neighbor and their willingness to seek state and local input on land issues. He believes in cooperative federalism. Changes to Section 7 and Section 4 of the Endangered Species Act (ESA) are in process and comments are being finalized.

The ESA will be a priority and Secretary Bernhardt anticipates a robust effort to change the ESA in the next two years. Secretary Bernhardt does not like the multiple layers of bureaucracy and is working on streamlining processes. There will be fewer Areas of Critical Environmental Concerns actions and he is looking to reduce the Resource Management Plans (RMP) comment period from 90 days to 30. This will require states to be timely in their responses.

The Public Lands bill was also discussed. Because this is such a far-reaching piece of legislation, Secretary Bernhardt requested that states express their needs quickly to his staff so prioritizing could begin on implementation.



Reorganization of the Department of Interior into regional consolidation is still in the works. The goal is to align the Bureau of Land Management and Federal Park Service (FPS) into geographic regions. Secretary Bernhardt sees moving some headquarters to the western U.S.

Requests were made to address the impact of Waters of the United States (WOTUS) on the states and industry and update rules regarding helium production. Director Walker (OR) expressed her desire for resolution on Oregon's in-lieu selections which have been in process for a number of years. Director Ure (UT) asked for support in the Utah's issues with the Ute tribe, the consensus being that only codification will resolve the issues.

Assistant Secretary Balash addressed streamlining the comment process for RMPs and National Environmental Policy Act (NEPA) and stressed that the Planning 2.0 model would not be followed. While the comment period may be shortened, they would like to get more input earlier in the process.

Assistant Secretary Travnicsek also talked about streamlining NEPA and timely processing of rules. She requested that since the ESA is actively being worked on that states provide input now. They are presently working on big game corridors as well as issues related to access to national parks. The Public Lands bill will also impact her agency.

Assistant Director Steed commented that while the state land managers and the federal government may have different goals, federal agencies want to be good partners and better communication is the key to accomplishing that. He too emphasized the need to prioritize needs such as the Red River dispute, in-lieu selections in Utah and Oregon as well as the priorities in enacting the Public Lands bill.

ENVIRONMENTAL PROTECTION AGENCY - REPRESENTED BY:

- Office of the Administrator, Special Counsel Peter Wright
- Office of Water, Policy Counsel to the Assistant Administrator, Jessica Kramer
- Acting Director Oceans, Wetlands & Communities Division, Brian Frazer
- Environmental Protection Specialist Oceans, Wetlands & Communities Division, Kathy Hurd

WSLCA President, Harry Birdwell (OK) began the discussion by asking about 404 issues, WOTUS, re-use of frac water, clean air attainment, cooperative federalism and habitat issues. Oregon has been working with the EPA on 404 issues and is ready for partial assumption, however, there are still issues to be resolved. WOTUS issues in Alaska are unique and would need to be addressed separately.

The EPA is conducting a study on the first step toward re-use of frac water and they will be seeking input on this topic. Ozone issues will be handled by the Department of Air. They are currently looking at attainment levels and are aware of the need for more EPA-approved monitors. Naturally occurring factors such as temperature inversions must be taken into consideration as well as human caused factors.

The Portland Harbor clean up was also addressed. Director Walker (OR) pointed out that \$12 million of common school funds have been used in the clean up efforts. Mr. Wright said this project is getting the highest attention and they are looking at innovative solutions to remediate EPA sites. The EPA would be willing to help move the Good Samaritan legislation forward that would provide for a liability waiver in cleanup efforts.



UNITED STATES FOREST SERVICE - REPRESENTED BY:

- United States Forest Service Chief, Vickie Christiansen
- Acting Deputy Chief for National Forest System, Chris French

The meeting began with Director Ure (UT) asking about the Wilderness Area rule and watershed issues. He is concerned that the north slope of the Wasatch Range is very overgrown and a fire would greatly jeopardize the source of fresh water for citizens along the Wasatch front. Forest thinning and roadless rules are contributing to this issue. Chief Christiansen shares those concerns and wants states to have more input into rules specific to each state. She believes in a shared stewardship approach and feels the US Forest Service (USFS) needs to partner with states to prioritize outcomes. There needs to be marketplace solutions since the budget isn't large enough to meet every need.

Director Vande-Linde (MN) asked about resolving the Boundary Waters issue that has locked up trust lands for 50 years. Since funding for Land and Water Conservation Fund (LWCF) was resolved with passage of the Public Lands bill he would appreciate more attention and funding be given to this issue to finally resolve it.

Director Walker (OR) addressed the issues associated with the Ashland fire which impacted health and the economy. The USFS says work needs to be done on the ground and there must be a pro-management process that leads to preparedness so that the fire potential is diminished. Commissioner Brunner (SD) requested help from the USFS in Pine Beetle management. He also presented a proposal to acquire 260 acres of USFS land in an EPA clean up site. Chief Christiansen promised to review the proposal.

The Good Neighbor Authority was discussed and it was supported by all, however, there is some question regarding funding which the USFS said they would look into.

There was a desire expressed to have the USFS listen to the states regarding rules on Sage Grouse as well as mineral exploration. The states would like to see the USFS rules mimic the BLM rules for exploration since there are many issues that involve both agencies. The USFS wants states to set priorities. Collaboration is growing but the states have a responsibility to make their voices heard.



RECEPTION VISITS

Rep. Kevin Hern (R-OK) is a member of the Western Caucus and stated the U.S. should be a net exporter of oil and is very supportive of the oil and gas industry. He also felt that downsizing the monuments was the correct action and that the areas now excluded should lead to revenue production. He feels there is a duty to be good stewards of our resources and that green energy will be supplied if there is a demand for it. Energy issues will be resolved with free market forces.

Rep. Paul Gosar (R-AZ) is the chairman of the Congressional Western Caucus. He feels the Antiquities Act is federal overreach and there is no local input into the process. The Green New Deal is a road to ruin and is not a realistic proposal. The Public Land bill is a good step and he would like to see the Bureau of Reclamation be more transparent and will lead to forcing Congress to prioritize projects. Carolyn Loder (Freeport McMoRan) asked how the Public Lands bill would impact heritage areas and trust lands; would there be mineral withdrawals in those areas? Rep. Gosar said there was an effort to make the heritage areas not as restrictive.

Rep. Chris Stewart (R-UT) informed us that an acceptable agreement had been reached between parties on the wild horse and burro management issue. He was also supportive of the passage of the Public Lands bill. As a member of the Intelligence Committee he said the biggest threat facing the US is China. He encouraged everyone to read “One Belt, One Road” which outlines China’s plan to become the single dominate world influence by 2048. He also expressed concern over the budget and the growing deficit.

Rep. John Curtis (R-UT) was very supportive of the Public Lands bill and the revenue that will be generated in Emery County, Utah as a result of Trust Lands being traded. He was pleased the bill had buy-in from many differing groups. He is focused on issues that confront rural areas such as unemployment and opioid use. He feels economic development is the key for those areas.

