

MANAGING THE WEST

Wisconsin Arkansas Washington Nevada
North Dakota Utah Alaska Arizona
Wyoming Minnesota the future
Texas Oregon South Dakota Oklahoma
Montana Colorado New Mexico Idaho

Summer 2018

Volume 6 - Issue 2



2018 WSLCA

Executive Committee

Harry Birdwell, President
Oklahoma
harry.birdwell@clo.ok.gov

Ryan Brunner, Vice President
South Dakota
ryan.burnner@state.sd.us

Bridget Hill, Secretary
Wyoming
bridget.hill1@wyo.gov

Lisa Schneider, Treasurer
Utah
lisaschneider@utah.gov

Kathy Opp, Executive Director
Idaho
kathyjopp@gmail.com

Linda Fisher, Executive Assistant
North Dakota
lindalufisher@gmail.com

20 states

515+ million acres

\$3.9 billion in 2015
for public education

Learn more at
www.wslca.org

Welcome to the late Summer 2018 issue of *Managing the West*...

The WSLCA annual summer conference is a key time for our membership to gather and determine strategic initiatives to guide our focus during the coming year. We recently concluded another wonderful event in Duluth, Minnesota. A special thanks to our host states, Minnesota and Wisconsin, for jointly hosting a great event. The conference featured robust speakers, informative breakout sessions and strategic initiative discussions which will help to advance the WSLCA vision.

This year's conference was headlined by speakers and discussions about national issues on the near-term horizon to include possible reorganization of the Department of the Interior, evaluation of provisions in Endangered Species Act Listing, and the status of changes to the Waters of the United States.

Casey Hammond, Deputy Assistant Secretary of Land and Minerals Management for the Department of the Interior, spoke during the general session about Secretary Zinke's priority to reorganize the U.S. Department of Interior for the first time in more than a century. The intention is saving money and improving services, by realigning the DOI into 12 unified departmental regions based on watersheds. Hammond insisted that Interior intends to be more "user friendly" to local and state land managers.

Additionally, Tim Williams, Deputy Director of External Affairs for the Department of the Interior, spoke to the Legislative Committee about the top ten things the Department is doing to improve agency relations. These improvements include working with local authorities to achieve efficiencies, decreasing permitting time and fostering better relationship between Washington and stakeholders across the country.

James Kenny, Senior Policy Advisor for Unconventional Oil and Gas for the United States Environmental Protection Agency, shared a look into technological advancements aimed at making hydraulic fracturing waste water reusable or potable to add to the fresh water supply in arid regions. **Essentially turning a waste into a commodity that could become an asset for our trusts.**

WSLCA is faced with significant demographic and workforce changes. Over the next 12 months, various project teams, comprised of member volunteers from our state and affiliate organizations, have committed to dedicate 90 minutes each month to advance the WSLCA vision of "Helping States Fund Education." These nimble work teams are empowered to

continued on page 2...

continued from page 1...

make decisions and changes in keeping with the direction of our strategic plan and our desire to be responsive to the needs of members and an ever more influential and effective voice for state trust land management. I appreciate and applaud your service and encourage others to join a volunteer team.

Please join me in welcoming Linda Fisher back to the association as Executive Assistant to the Executive Director. Linda graciously agreed to come out of retirement and work for the association on a part time basis. As a former employee of the North Dakota Department of Trust Lands and active member of WSLCA, she will be a valuable asset in assisting with the day-to-day operations of the Association.

I look forward to seeing all of you at the spring conference in Washington, D.C. We will have informative and engaging meetings with Congressional leaders and staff, as well as federal agency leaders to discuss important state trust land management issues.



Harry Birdwell (OK)
President, WSLCA

Do you have news? Or
questions about the WSLCA
organization? Please contact
Kathy or Linda.

Kathy Opp, Executive Director
Idaho
kathyjopp@gmail.com

Linda Fisher, Executive Assistant
North Dakota
lindalufisher@gmail.com

Summer 2018 Conference...

Duluth Wrap-up

More than 80 state and affiliate delegates from 18 states, and Washington, D.C. met in Duluth, Minnesota in July for the annual summer conference. The conference kicked off with a welcome reception at the Lake Superior Railroad Museum. We were also pleased to welcome a number of beneficiary representatives from the [Advocates for School Trust Lands](#) organization who were concurrently conducting their annual conference from Saturday through Monday. The venue provided a great opportunity for members, delegates and guests to get reacquainted and for the group to hear from new affiliate members in attendance. Association President, Harry Birdwell, introduced each new affiliate member individually and they were given the opportunity to introduce their organization and how they became affiliated with WSLCA. Attendees also enjoyed viewing historic rail engines and cars from a bygone era.

State Roll Call Highlights

Roll call kicked off the general session of the conference with several new faces providing state updates. The State of Hawaii, Department of Agriculture, returned to the conference after a considerable absence in attending WSLCA events. Morris Atta updated the group on their mission and explained that a lot of state lands are currently in the process of being transferred to the Department of Agriculture. Managing lands for education is just one of five areas the trust helps financially support in the state of Hawaii.

Another member state returning to the conference was Louisiana, represented by Jonathon Robillard with the Louisiana Office of State Lands. Administrator Robillard discussed the Louisiana State Legislature recently finishing their third special session where there were several water access bills introduced pertaining to public vs. private access on waterways. Administrator Robillard also noted that a task force was created to address these access issues and the Land Office is tasked with mapping access to waterways.

The Oregon Department of State Lands Director, Vicki Walker, attended her first WSLCA meeting as the newly appointed agency head. Director Walker provided an update on the ongoing controversy surrounding the Elliott State Forest and indicated the agency is attempting to divest part of the forest that is affected

by numerous environmental issues. Another hot topic involves the environmental cleanup of the Columbia River. The Oregon DSL is currently spending \$12 million on cleanup in the Columbia River and working through solutions to better monitor lessee activity.

We also welcomed Commissioner Hillary Franz from the state of Washington and enjoyed receiving an update about her state activities. Commissioner Franz explained that Seattle and the surrounding suburbs have seen a population explosion over the last several years and the agency is looking to diversify the use of state lands to leverage potential revenue increases as a result of more individuals looking to recreate on state lands. The agency is also currently working on an asset management analysis - it has been 20 years since the last analysis has been done. Commissioner Franz is focused on generating more revenue for the variety of Washington beneficiaries she serves and on reducing wildfire challenges in the state.

Newly appointed North Dakota Department of Trust Lands Commissioner Jodi Smith provided an update on the wrap-up of a three-year performance audit of the agency. The agency is currently working through recommendations and incorporating suggested changes. Commissioner Smith indicated one of the top priorities of the agency is developing a new IT system including a land management system. Also noteworthy, the agency is currently contributing \$970 per student this biennium and has set a goal of \$1,200 per student in the next biennium.

For a complete list of all roll call information please log in to the [ASU data sharing website](#). If you need log-in credentials, please contact Linda Fisher at lindalufisher@gmail.com.

General Session

Conference General Session topics ranged from reorganization of the Department of the Interior strategies, to diversify natural resource assets, to ways technology and data can be used to optimize operations and mitigation strategies to enhance revenue and assets from the land base. General session speakers were extremely knowledgeable in their areas of expertise and offered conference attendees a wealth of information to take back to their respective states and utilize to better manage land and assets.

Focus on Committees

Committee sessions offered attendees the opportunity to explore deeper into specific topics of interest such as communications/data sharing, legislative and submerged lands and water management.

The communications and data sharing committee discussion focused heavily on designing and launching a new website through a platform called *FlipCause*. A tutorial was shown to the committee and it was unanimously agreed upon by delegates and affiliates that proceeding with *FlipCause* was something the association should pursue. Members of the communications committee and the executive team will be working diligently in the coming months to get a new website designed and launched. **Also**, several changes to the ASU data sharing site have been made. You can review the [changes made here](#) prior to logging onto the site.

Tim Williams, Deputy Director of External Affairs for the Department of the Interior, spoke to the Legislative Committee about the top ten things the Department is doing to improve agency relations. These improvements include working with local authorities to achieve efficiencies, decreasing permitting time and fostering better relationship between Washington and stakeholders across the country.

The Surface Committee hosted James Kenney, Senior Policy Advisor for Unconventional Oil and Natural Gas at the United States Environmental Protection Agency. Time was devoted to discussing the current Produced Water Study. And, a presentation from New Mexico's Commissioner Dunn augmented discussions by providing an in-depth perspective about the issues facing the NM Oil and Gas industry related to produced water.

Greg Kantor with RVK carried forward the focus of the Asset Management Committee on asset allocation and portfolio management. The presentation discussed key principals and components of intergenerational equity, the interplay between financial and real assets and how to measure, understand and manage all types of risk present in a portfolio.

Subsurface Committee attendees enjoyed a variety of collaborative information sharing sessions beginning with a breakfast roundtable discussion on well shut-in procedures. They also received a coal industry update from Dr. Jay Volk, BNI Coal. And, Francis **McAllister**, V.P. with Freeport-McMoRan, provided an exciting look

at the global and U.S. copper industry, providing insights into current demand, resource locations, how it is mined and what responsible mine site remediation looks like. Committee presentations wrapped up with an afternoon session focused on local Minnesota iron ore mining history, operations and new discoveries.

The Submerged Land and Water Management Committee conducted a working session devoted to a *Comparative Study of State Submerged Land Usage & Fees*. The panel presentations were so rich with information, not all presentations were completed during the meeting. Committee leaders will host some web-based sessions this Fall to showcase the remaining speakers and information. The desired outcome will be to produce a document available for sharing that includes all member information.

Student Scholarships

A long-term goal of the association has been to engage soon-to-be college graduates by offering them an ability to attend a WSLCA conference to begin to network with the broad range of natural resource industry professionals and trust managers. At this year's annual conference, we welcomed three (3) student scholarship recipients who attend the University of Wisconsin at Stevens Point. This was the first professional conference for these Natural Resource Planning majors who all expressed interest in public service at a land management agency during their future career. We thoroughly enjoyed getting to spend time with these young professionals who are certain to be the leaders of tomorrow!

Delegates enjoyed the wonderful hospitality and beautiful scenery of Duluth, a superior city. Please visit our [data sharing website](#) to view the agenda and presentations from this conference, as well as from past conferences.

Be on the lookout for information about our 2019 Spring conference. It will be a fly-in event located in Washington D.C.

WSLCA news...

New Affiliate Members Join WSLCA

The WSLCA is happy to report the addition of nine new affiliate members, seven of which were in attendance at the summer conference in Duluth, MN. We were privileged to enjoy the company and to benefit from the expertise of several individuals representing a robust cross section of industries and professional services. Invaluable to the Association is the additional depth of vision and insight that our roster of existing and new affiliates bring to advancing our vision of Helping States Fund Education. This was clearly evident during the Duluth conference as affiliate representatives sponsored activities, provided nationally renowned key note speakers, shared in panel discussions, and enthusiastically engaged in the leadership dinner by volunteering to serve on a variety of strategic initiative teams. Thanks to all for our participation and service. Joining us in Duluth were:

- Thomas Lowry, CalPortland Company (Building Materials Company)
- Jason Halada, Jason Lundquist and Andy Low, Charles Schwab (Investment Brokerage and Portfolio Management Services)
- Aleks Granchalek, Fifth Third Securities (Securities and Investments)
- Eric Mears, Haley & Aldrich, Inc. (Underground Engineering, Environmental Science and Management Consulting)
- Tom Schultz, Idaho Forest Group (Producers of Wood Products)
- Gray Stevens, Sandy Creek Partners (Investors in Habitat)
- John Andrews, Snell & Wilmer LLP (Legal Services)

New affiliates that were unable to attend the conference were:

- Guggenheim Partners (Investment and Financial Analyst Services)
- Magnum Energy (Innovative Energy Management Solutions)

Thank you Valued Conference Sponsors!

Platinum Legacy Partner



Silver Medallion Partners



Bronze Event Partner



Student Scholarship Sponsors



Join one of the *NEWSLCA* Strategic Initiative Teams!

The recent annual summer conference in Duluth also provided members the opportunity to harness the value gained through collaboration around our *Purpose*, our *Programs* and our *People*. At the special state and affiliate leadership dinner six (6) teams formed, with members choosing to volunteer for the area holding the most interest to them. Allowing the teams to self-form was an important first step, as experience proves when adults volunteer their time for a cause we tend to stay committed to something that speaks to our passion and interest. Executive Director, Kathy Opp, lead the group of 60 attendees in a fast-paced opportunity discovery process patterned after the discipline of Strategic Doing™. The process focuses on two key questions: *where are we going* and *how will we get there?* By keeping team conversations focused on these critical questions the process generates all the components needed to develop practical strategic action plans. Over a period of 90-120 days teams will make continuous adjustments to these plans as they learn by doing. Teams will conduct a monthly 30/30 meeting that is focused, short and pragmatic – specifically to share what each other learned from their tasks over the past 30 days, discuss if the learning changes any intended milestone or outcome, and to volunteer for the next 30-day action items to advance the project.

We appreciate and applaud your service and encourage others to join a volunteer team. Even if you didn't attend the summer conference, it's not too late to join a team! Staff at all levels within our organizations are welcome to be on a team by contacting the table lead (shown below), then joining the next 30/30 meeting and volunteering for a task to help advance the team toward its goal. A quarterly virtual association meeting will be set for October 2018 and January 2019, so we can hear the progress and celebrate the success of each team.

1. WSLCA Media TEAM

The WSLCA Media TEAM will focus on developing a clear communication strategy that articulates who we are and what we do. Their initial focus is developing a new website.

Team Lead: Diane French (ID) dfrench@idl.idaho.gov

Team Coach: Nikki Heck (AR) nheck@cosl.org

2. WSLCA Branding TEAM

The WSLCA is much more than the current name implies. Members manage land and financial assets, and develop resources (affiliates), both for the public and for institutional beneficiaries. This team will

recommend a new association name and work with the Media TEAM as they develop a new, independent website.

Team Lead: Brandon Jones (OK) brandon.jones@clo.ok.gov

Team Coach: Mark Waite (MN) mark.waite@state.mn.us

3. WSLCA Organization TEAM

This team seeks to optimize the association structure, including an examination of by-laws, forms of operation and types of membership.

Team Lead: Aaron Vande-Linde (MN) aaron.vande-linde@state.mn.us

Team Coach: Kathy Opp (WSLCA) kathyjopp@gmail.com

4. WSLCA Conference TEAM

Key to the WSLCA value proposition is engaging members deep within our organizations to establish robust professional networks across states and industries. This team will design conference structure changes to bring events that appeal to all members, convene in fairly consistent and convenient locations, and are developed by a joint planning committee.

Team Lead: Bill Haagenson (ID) whaagenson@idl.idaho.gov

Team Coach: Mark Waite (MN) mark.waite@state.mn.us

5. WSLCA Education & Professional Development TEAM

All members need to maintain a well-trained professional staff. This team will leverage the nationally recognized experts among our members and identify course outlets to meet the needs of a variety of continuing professional education across many disciplines.

Team Lead: Vicki Walker (OR) vicki.walker@state.or.us

Team Coach: Kathy Opp (WSLCA) kathyjopp@gmail.com

6. WSLCA Public Education & Policy TEAM

The association must remain vigilant to watch national policy and regulation proposals that hinder our constitutional mission. This team will proactively engage national leaders in understanding policy impacts and reforms needed to support our mission and beneficiaries.

Team Lead: Simone Westerbrook-Hall (AZ) shall@azland.gov

Team Coach: Kathy Opp (WSLCA) kathyjopp@gmail.com

Washington D.C. update...

by Allen Freemyer

As Congress approaches their August recess, the usual summer flurry of activity has made for a busy June and July in Congress and within the Agencies. Leader McConnell has announced that the Senate will work for much of the traditional recess as there are many issues pending including appropriation bills, FAA reauthorization, Water Resources Development Act (WRDA), a Farm Bill, and many other pending matters. The nomination of Brett Kavanaugh to the Supreme Court has complicated the autumn schedule as well and promises to occupy much of Washington's attention beginning in September.

Appropriations: On July 19th the House passed a “minibus” appropriations bill that included the Department of Interior, EPA, the Forest Service, Financial Services and General Government funding. The \$35.3 billion funding package for DOI, Forest Service and EPA includes amounts much larger than the White House requested for Interior but reduces funding substantially for EPA. The Senate continues to attempt to get this package of Appropriations bills to the Floor of the Senate. Highlights of the package include:

Bureau of Land Management: Full wildfire funding of the 10-year average for suppression costs: \$939 million. Increased funding for **wild horse management** with direction the BLM provide further analysis of solutions that would remove horses from the range, increase adoption, sterilization, and off range storage. The BLM is directed to resolve the **Red River** boundary dispute by contracting with third-party surveyors jointly selected by the Texas General Land Office and the Oklahoma Commissioner to conduct official gradient boundary surveys.

Fish and Wildlife Service: The Committee Report includes language that commends the USFWS for insuring that impacted states are involved in the Species Status Assessment process and tells the USFWS to “... work with States to develop reasonable regulatory assurance criteria that include responsible land management commitments by private landowners...” which includes state trust lands. The bill also includes an increase of \$53 million for the Cooperative Endangered Species Conservation Fund which is utilized by many States. Score another for cooperative federalism.

In regard to other issues of interest, both the BLM and Forest Service have initiated and continue the process

of amending the BLM and USFS management plans for **Greater Sage-Grouse**. Comments on the BLM draft amendments are due on August 2nd and there are six draft plans specific to each affected state. The USFS is still in the scoping stage but we expect draft management plans in the next few months. BLM and USFS plans will rely greatly on the State management criteria which have been in place for several years.

Compensatory Mitigation: On July 24th the BLM issued an Instruction Memorandum that prohibits the BLM from requiring compensatory mitigation for users of public lands but does allow voluntary mitigation measures in limited circumstances. Specifically, the language reads: “Except where the law specifically requires, the BLM must not require compensatory mitigation from public land users. While the BLM, under limited circumstances, will consider voluntary proposals for compensatory mitigation, the BLM will not accept any monetary payment to mitigate the impacts of a proposed action. In all instances, the BLM must refrain from authorizing any activity that causes unnecessary or undue degradation (UUD), pursuant to FLPMA Section 302(b).” Furthermore, through notice in the Federal Register, the U.S. Fish and Wildlife Service has withdrawn two policies: the Service-wide mitigation policy and the Endangered Species Act –Compensatory Mitigation Policy. This withdraw follows more than a year of internal review, including soliciting and receiving comment from the public.

Here are the links:

<https://www.federalregister.gov/documents/2018/07/30/2018-16172/fish-and-wildlife-service-mitigation-policy>

<https://www.federalregister.gov/documents/2018/07/30/2018-16171/endangered-and-threatened-species-endangered-species-act-compensatory-mitigation-policy>

Advancing Conservation and Education Act: Senators Heinrich and Flake have formally requested the Senate Energy and Natural Resources Committee to conduct a legislative hearing on S. 2078. We are hopeful that the Committee will conduct a hearing in September following the summer recess. Conversations are underway with Committee staff and Members to get them comfortable with the House passed version of the legislation.

Please let me know if there are any issues in your state that we can assist with or highlight through the Association.

Summer 2018 Conference Duluth, Minnesota



