

December 8, 2009

WSGA and WWGA

Private and State Lands Committee Meeting Minutes

WSGA

WWGA

Chair: Chuck Sylvester

Chair: Truman Julian

Vice-Chair: Jim Bousman

Recorder: Barton Stam

Chairman Sylvester called meeting to order.

Call for Producer concerns:

Does the ag use stipulation for state leases stand up in court?

Can the state lease lands to groups that want to prevent transmission lines?

Split estate issues for severing energy rights?

Energy corridor/Homeland security concerns.

Prairie dog invasions of pipelines.

State Lands Update by Fred Pannell and Mike Henn:

Sale/exchange of state lands, wind leases taking lots of time.

Proposed changes in chapter four grazing and ag leasing;

Legislation capped conflict bid 120% of market value

Application has question; of does applicant have actual use for grazing lease yes or no question,

Leasee agrees to provide year round access to State Lands personnel for land locked sections for inspection purposes.

Third party monitoring policy, if special interest wants to monitor state ground they must have permission from state lands and leasee, leasee is not required to get permission.

Leasee motor vehicle use clarified to allow off-road use if required to manage grazing activities.

Questions for Pannell/Henn from audience:

How to define established two-track? Lessee off-road vehicle use clarified because of public queries of lease off-road vehicle use.

Is target practice allowed? Yes. What is recourse for leasee for wild fire on state lands? Leasee can sue for damages because of loss of forage from the person responsible for starting fire.

Is there recourse for refund from the state for forage loss resulting from recreational use? Yes, come in and talk to state lands. Camping, open fires, and fireworks are not allowed on state lands.

The issue of improvements that are done for sage grouse can increase forage and that will increase lease fees was brought up. If state lands was in the planning process from the get go then fee increases will not necessarily occur.

Wind leasing rules draft in comment period.

Eminent Domain – Jim Magagna

Wydots wanting to condemn land for snow fence use. Currently they cannot. Asking for a change in the Eminent domain law so they can. WSGA offered to help mediate issues with landowners and needed snow fences.

Question about using natural snow fences, can they be used more? Wydot wanting landowners to maintain any natural snow fences.

Carbon Sequestration – Jim Magagna

One bill approved for introduction that would layout provisions and authority for carbon sequestration, an procedural bill mostly.

Wind Energy – Jim Magagna

Placing energy transmission lines on private lands because standards are so high for placing them on public lands. See resolution below to make standards the same for private and public lands.

Magagna wants landowners who allow transmission lines across their land to be able to negotiate payments in addition to the current one time right of way payment.

Economic analysis – Jim Magagna

Get better data on the impact of land use decision on local economies. Will be offered for introduction in committee.

Directive:

Eminent Domain

The officers and staff of WSGA/WWGA are directed to vigorously oppose legislation that would expand the power of eminent domain to the acquisition of rights of way for highway snow fences.

Motion – Neils Hanson Second – Jack Baird

Motion to move from resolution to direction

Moved – Joel Ohman second – John Francis, unanimous vote

Motion to end directive after highway, no second motion dead.

Question for vote, motion carried as directive unanimous.

Directive:

Direct the officers and staff of WSGA/WWGA to strongly support proposed legislation to require the Economic Analysis Division of the Department of Administration and Information to provide county specific analysis related to the uses of federal, private, and state lands and minerals.

Motion – Lois Herbest seconded – Charles Price

Passed unanimous

Resolution:

Energy Transmission

Whereas excessive and burdensome requirements imposed by federal and state agencies on the routing and construction of energy transmission facilities results in a disproportionate share of these facilities being routed and constructed on private lands; therefore

Be It Resolved that WSGA/WWGA support legislative and regulatory changes that assure that the standards and requirements for the routing and construction of energy transmission facilities on federal and state lands are no more restrictive than those imposed on private lands.

Motion – John Francis    Seconded – Neils Hanson

Question for vote; motion passed not unanimous