



JOURNAL

Serving the Needs of Land Professionals

February 2001

2000-2002 Officers

President:

*Ed Leary, Vermont Agency
of Natural Resources
(802) 241-3683; fax (802) 244-1481
eleary@fpr.anr.state.vt.us*

First Vice President:

*Eric Schwaab, Maryland Department
of Natural Resources
(410) 260-8281; fax (410) 260-8279
eschwaab@dnr.state.md.us*

Second Vice President:

*Dan Wisniewski, Wisconsin Board of
Commissioners of Public Lands
(608) 266-8369; fax (608) 267-2787
dan.wisniewski@bcpl.state.wi.us*

Third Vice President:

*David Brickley, Virginia Department of
Conservation and Recreation
(804) 786-2123; fax (804) 786-6141
dgbriekley@dcr.state.va.us*

Secretary:

*Dave Dowling, Virginia Department of
Conservation and Recreation
(804) 786-2291; fax (804) 786-6141
ddowling@dcr.state.va.us*

Treasurer:

*Dave Bergman, Ohio Department of
Natural Resources
(614) 265-6410; fax (614) 267-4764
dave.bergman@dnr.state.oh.us*

Member at Large:

*Ed Meadows, Michigan Department of
Natural Resources
(517) 373-8243; fax (517) 335-3264
meadowse@state.mi.us*

Strengthening Partnerships in a Time of Transition is theme for the ELRC-WSLCA Joint Spring Conference

The Eastern Lands and Resources Council (ELRC) and the Western States Land Commissioners Association (WSLCA) invite you to our Joint Spring Conference April 1-4 at the Radisson Barcelo in Washington, DC. The conference plans to feature:

- Discussions with the **U.S. Forest Service Regional Foresters** about cooperative approaches to ecosystem management, exchanges, access, fire management and grasslands. Forest Service officials will also offer historical and legal perspectives on key policies and demonstrate the new computerized Natural Resources Inventory System.
- Bureau of Land Management (**BLM**) mandates and criteria for land sales, exchanges and purchases of inholdings.
- Opportunities for grants for land acquisition, easements, impact assistance and wildlife restoration through the enacted portions of the Conservation and Reinvestment Act (**CARA**) as well as pending legislative proposals.
- Effective working relationships of States and environmental organizations on conserving land and managing **endangered species** habitat.
- Conservation and commodities issues affecting States in the upcoming **farm bill**.
- Management issues in **mixed ownership projects** and realty issues in administering **trails**.

See Conference, page 2

Conference (continued)

- The latest on **oil and gas** issues, including pipeline safety and carbon dioxide pricing as well as natural gas demand, supply, incentive and valuation issues.

The conference will be held at the Radisson Barcelo Hotel at 2121 P Street, NW near Dupont Circle in Washington, DC. The hotel will hold a limited number of single and double rooms at the ELRC-WSLCA Conference rate of \$135.00 until March 9, 2001. Call (202) 293-3100 now for reservations.

See the WSLCA website at <http://www.wslca.org> for the conference agenda. Call Elinor Schwartz at (703) 920-5389 if you have questions about the conference.

The ELRC

...fostering responsible public land management policies for tomorrow

The ELRC is an organization comprised of highly trained public land professionals in the eastern United States which provides a collaborative and unique forum for enhancing land stewardship and conservation.

The ELRC fosters communication, strengthens professional development, and promotes sound policies and practices among those involved in the management and administration of public lands, records, and natural resources.

For more information, write:
Ed Leary, Operations Director
103 South Main Street, Bldg., 10 South
Waterbury, VT 05671-0601
e-mail: eleary@fpr.anr.state.vt.us
or call Ed at (802) 241-3683

From the ELRC President...

Dear Friends,

Greetings from snowy Vermont! It seems as though we have received a measurable snowfall everyday since Christmas.

I have a couple of things I would like to report to you. First, I sent packages of ELRC promotional material to 16 non-member states asking them to consider participating in ELRC. Some of you were asked to make follow-up calls to these folks to personally encourage them to seriously consider taking part in ELRC activities. At this printing, we have received two positive responses.

Second, I am working with Kathy Larrieu in Virginia, who will be developing our ELRC website over the next few months. As soon as she has something put together for you see, I will notify you and encourage your comments.

Finally, I think Elinor Schwartz has, once again, put together an excellent joint spring ELRC/WSLCA conference agenda and I strongly encourage everyone to make plans now to attend.

I hope to see you all in Washington in April.

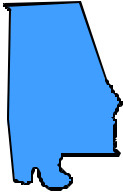
Ed Leary
ELRC President



What's Happening in YOUR State?

Alabama

Forever Wild Program Protects Unique Areas



Recently the Alabama Forever Wild Program, administered by the State Lands Division and the Department of Conservation and Natural Resources collectively purchased 47,000 acres of the nationally significant

Mobile River Delta in Southwest Alabama. The property was purchased to protect some of Alabama's most unique natural heritage and increase opportunities for outdoor recreation. Following the initial acquisition, the Forever Wild Program purchased an additional 2,000 acres in the Delta with the assistance of a \$1 million grant from the Federal North American Wetland Conservation Program. With these acquisitions, the State of Alabama now owns or manages in excess of 90,000 acres of this important Delta system.

Exxon Ordered to Pay Damages to State

Alabama offshore submerged lands, managed by the State Lands Division, generate in excess of \$157 million annually in natural gas royalties. Recently, the State was awarded a \$3.5 billion judgement against Exxon in connection with royalty underpayment to the State and fraudulent

royalty payment practices. The jury verdict was comprised of \$87 million in compensatory damages (underpaid royalties) and \$3.42 billion in punitive damages.

Contact: James Griggs, Director, Division of State Lands (334) 242-3484

Arkansas

Charlie Daniels Releases New CD's—Old Records



When folks first heard about Charlie Daniels releasing a new set of CD's with records dating back to 1815, they were a little confused. One person even said he didn't realize country music had been around that long. Okay, so we had a bit of fun with the play on words.

The Arkansas Commissioner of State Lands CD's contain General Land Office (GLO) plat maps and field survey notes and represent a project that has been over 3 years in the making.

Historical researchers, surveyors, educators, and many others around the state are familiar with GLO plat maps and field survey notes. After the Louisiana Purchase in 1803, the United States General Land Office dispatched survey crews to the newly acquired territory, with the goal of opening up the 600 million acres for westward expansion and development.

More State News, page 4

Two crews, led by GLO surveyors Prospect K. Robbins and Joseph Brown, met at the junction of what is now Monroe, Lee and Phillips counties to establish the base point for the Louisiana Purchase survey. It was from this point in the middle of an Arkansas cypress swamp that the entire Louisiana Purchase would be surveyed and developed.

Survey work began in 1815, and continued for more than 30 years. The two crews, braving the Arkansas wilderness, took detailed field notes during their journey. These notes, which described the terrain and indicated existing waterways and landmarks, were later used to draw plat maps. The rectangular surveying system used divided the areas of the survey into sections, townships, and ranges. For example, 1N 12W stands for 1 township north, 12 townships west of the survey's base point. One township is 36 miles square, and each township is divided into 36 sections, with 640 acres in each section.

The original plat maps and field notes are housed in the Commissioner of State Lands' office. The field notes were transcribed in the 1930's, which helped preserve the fragile, original field note journals.

For many years, surveyors, engineers, abstract companies, and historical researchers have relied on these documents for access to survey information which is still being used today. A few years ago, Daniels began pondering ways to preserve the historical documents while ensuring continued availability to the general public.

After project-partnering with the Bureau of Land Management to scan state land patents, Daniels decided to try scanning the plat maps and field notes onto CD as well. Scanning and indexing the thousands of pages of information was done by contract, and the finished product was 11 master CD's ready to be packaged and duplicated. Eight CD's contain field survey notations (5 interior CD's and 3 exterior, or boundary, CD's) and 3 CD's contain tagged image file formats (TIFF's) of the scanned plat maps. Search engine software by Alchemy© allows users to search databases by township and range. An additional master index CD is included with the set to install the software.

CD-ROM sets are available to the public through local libraries across the state, or by purchase through the State Land Office at a cost of \$25 per set.

Putting such a vast number of records into electronic format was a tremendous undertaking, but one well worth the time and effort. These survey records that describe the character of the early Arkansas territory and embody the frontier spirit of westward expansion will forever be preserved. Their stories, once told from dusty map drawers and locked vaults, will now emanate from the soft glow of a computer screen. That's what we call progress.

Contact: Janet Miller, Director of Special Projects,
State Land Office (501) 324-9222

More State News, page 5

Michigan

Survey of State Rail-Trail Corridor Administration



Many states have acquired hundreds of miles of former rail corridors to use as recreational trails. These long, narrow strips of land are ideal for trails and public utility purposes; but are a challenge to manage! Adjacent owners desire small pieces; businesses request parcels for commercial use; landowners who were landlocked by the railroad now seek permanent legal access across state land.

To address these and other related issues, the Michigan Department of Natural Resources (DNR) will be surveying selected states on:

- Does your State grant legal crossing rights across trail corridors?
- What kind of rights do you grant (permit, easement, sale, other)?
- How do you determine what to charge (by schedule, appraisal, fee)?
- How often is your fee schedule updated?
- How are the rights to be appraised defined?
- Do you sell small parcels (in-holdings, encroachments, other)?

Please let us know if you'd like to participate in this survey. Also, please share information on your State's program, such as:

- methods of establishing values for crossing rights;
- publications on methods of determining values for trail crossings;
- names of appraisers with expertise on valuing corridors;
- samples of appraisals of trail crossings or parcels that are well done;

Forward the information and any questions to be included in the survey to Robin Pearson, Michigan Department of Natural Resources, PO Box 667, Gaylord, MI 49735-0067; (517) 732-3541, ext. 5088; pearsorg@state.mi.us.

Also, if you'd like to participate in an informal discussion on this issue at the April 2001 ELRC/WSLCA conference; contact Ed Meadows (517) 373-8243; meadowse@dnr.state.mi.us.

Contact: Ed Meadows, Michigan Department of Natural Resources (517) 373-8243

Tax Reverted Land Redemption Shortened

State Public Act 123 of 1999 now shortens the amount of time property owners have to pay their delinquent taxes before losing their property. Property owners with taxes that are 2 years delinquent will be foreclosed on and the property will be sold at public auction. The amount of time to pay

More State News, page 6

Michigan (continued)

delinquent taxes has been reduced from approximately 5 years to 2 years. Property owners who have multiple tax years owing may have to pay more than one year of delinquent taxes by March 2002 to avoid losing their property. Also, property owners face higher interest and fees for not paying their taxes. Taxes that are more than one year old will have a substantially higher interest rate—1.5% per month, as opposed to the current 1%. After two years, taxes will also have a \$175 forfeiture fee and administrative fees added to them.

Contact: Gary Hartsuff, Michigan Department of Natural Resources (517) 373-1250

New York



New York’s State Forest Lands Win “Green” Certification

New York State has become the first state in the country to receive National Wildlife Federation (NWF)/SmartWood certification for all of its “multiple-use” public forest lands that are managed for timber, wildlife, water quality and recreation. More than 700,000 acres of State forest land outside the Adirondack and Catskill Forest Preserves were voluntarily certified as “well-managed” for the long-term health of the forest by NWF/SmartWood.

To become certified on its State forest lands, the State Department of Environmental Conservation (DEC) had to meet more than 75 rigorous criteria established by the Forest Stewardship Council that verify forests are managed for long-term ecological, social, and economic health.

For example, forestry operations must show that they protect streams and wetlands and conserve fragile or uncommon wildlife, including endangered species. After the required evaluation process is completed and certification is awarded, forest products from these lands can be labeled as “certified,” providing consumers information they need to purchase wood products or lumber from well-managed forests.

DEC is actively involved in many public and private forestry efforts, including the American Forest and Paper Association’s Sustainable Forestry Initiative, the American Forest Foundation’s Tree Farm Program, the New York State Logger Training Program and the State Forest Tax law program. These varied initiatives, each with unique benefits and approaches, all work to improve forest management practices, conserve forests, protect natural resources and retain open space.

In addition to trees, New York’s forests are home to hundreds of wildlife species including peregrine falcons, bobcats, white-tailed deer, black bear and increasingly, moose; along with fish species such as rainbow and brook trout. State forests also provide the public with a diversity of outdoor recreational opportunities, from wilderness-style hiking, fishing, hunting and camping to bird watching, cross country skiing, nature observation and education. State forests in many rural areas comprise a critical part of the regional economy. The goal of sustainable forestry is to ensure that New York’s forests continue to grow and provide these benefits to succeeding generations.

More State News, page 7

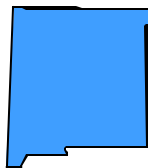
New York (continued)

SmartWood, the oldest, non-for-profit certifier in the country accredited by the Forest Stewardship Council, was formed to establish sustainable forestry guidelines. Among the network of regional non-profits working through SmartWood is the National Wildlife Federation whose common-sense approach to environmental protection brings individuals, organizations, and governments together to ensure a brighter future for people and wildlife.

Contact: Jennifer Meicht, New York Department of Environmental Conservation (518) 457-5400

New Mexico

La Semilla Will Reconnect People and the Land



The New Mexico State Land Office has drafted a plan for a unique 2,700-acre recreation and education complex near Albuquerque called Le Semilla, or “the seed” in Spanish. This massive land area is larger than San Diego’s Balboa Park and New York’s Central Park combined. Land Commissioner Ray Powell sees La Semilla as a special place where all our citizens can directly experience, learn about, and enjoy the natural world. Land officials will seek the City’s approval of the plan in the spring.

The proposed plan describes La Semilla as a strip of land about 4.5 miles long and only about a mile wide running along the eastern boundary of the Mesa de Sol, the 12,000+ acre flagship planned community

slated for continuing development over the next 50 years or more.

Mesa de Sol is held in trust by the State Land Office for the benefit of public education. With planned development of eight villages, a retail district, urban center and more, Mesa de Sol is destined to become a revenue-generating asset worth hundred of millions of dollars for the University of New Mexico and the state’s public schools.

The draft plan calls Le Semilla an enhancement to Mesa de Sol. The narrow tract would be divided geographically into three segments: the northern area dedicated to research, testing, and demonstration areas related to solar and wind energy, recycling and other technologies; the central area would focus on ecological research and educating the public about the native landscape and natural resources; and the southern area would concentrate on agricultural education. In addition, bicycling, horse, and walking trails will connect the various components of La Semilla with the extensive trail system of Mesa del Sol.

Le Semilla’s visionaries include officials from the New Mexico State Land Office, Kirtland Air Force Base, Sandia National Laboratories, the Department of Energy, the Pueblo of Isleta, and countless local community leaders.

Contact: Bob Jenks, New Mexico State Land Office (505) 827-5733

More State News, page 8

Ohio

Bond Issue Helps Keep Ohio Clean

On November 7, 2000 Ohio's voters passed overwhelmingly a \$400,000,000 bond issue to be used to improve the state's environment and quality of life. The funds will be used to meet the objectives of Governor Taft's *Clean Ohio Fund* through a partnership of four state agencies: the Ohio Departments of Natural Resources, Agriculture, Development, and Environmental Protection Agency. No tax increase was involved with the bonds being repaid from existing state revenue.



Half of the allocation, \$200,000,000 will be on brownfields redevelopment and the mitigation of contamination on under-utilized sites. From this allocation, a \$175,000,000 grant/loan program will be administered by the Ohio Department of Development in collaboration with the Ohio EPA, for the redevelopment of brownfields selected by local communities. The remaining \$25,000,000 will be used for a program to be administered by the Ohio EPA to focus on sites posing a public health risk.

The remaining \$200,000,000 will be used for the following conservation initiatives:

- Farmland Preservation program administered by the Ohio Department of Agriculture which will include a voluntary pilot program in partnership with local governments and private land conservancies to provide grants for the

purchase of agriculture easements to compensate farmers for agreeing to keep agriculture land in farm production permanently;

- Green Space Preservation program administered by the Ohio Department of Natural Resources in consultation with the Ohio EPA to provide grants to establish, preserve and protect green space and natural areas including river corridors, forests and wetlands;

- Recreational Trail Development program administered by the Ohio Department of Natural Resources providing grants to help create new and to improve existing recreational trails for biking, hiking and other popular forms of outdoor recreation;

- Stream and Watershed Protection program administered by the Ohio Department of Natural Resources in consultation with the Ohio EPA to administer a grant program to finance community-directed efforts toward improving Ohio's streams. The goal is to improve the water quality in the state's major watersheds by providing matching grants for voluntary local watershed cleanup programs.

Contact: Dave Bergman, Ohio Department of Natural Resources, (614) 265-6410

More State News, page 9

Vermont

Michael D. Fraysier named Lands Director for Forests, Parks and Recreation



Vermont's Agency of Natural Resources has named Michael D. Fraysier as the new Lands Director for its Department of Forests, Parks and Recreation.

Fraysier will be responsible for overseeing all of the daily internal administrative duties, issues and functions for the Department Lands Administration Division.

Fraysier started with the Forests and Parks Department as a State Recreation Planner in 1987. He has extensive experience in natural resources including work in outdoor recreation planning, cartography, natural resource education, and contract and grant writing. For the past 7 years, he has been responsible for the administrative functions pertaining to lands procurement in the Lands Administration Division. He chairs the Agency's Land Acquisition Review Committee and holds several other leadership positions on councils and committees.

Contact: Ed Leary, Vermont Agency of Natural Resources, (802) 241-3683

Your State

Share your success stories. Let us hear about innovative activities or programs going on in your state. Send, Fax or E-mail your articles to Ed Leary, President, ELRC.

Virginia

Virginia DCR Closes out \$95 million in bond spending



In November 1992, voters in Virginia overwhelmingly passed a general obligation bond referendum providing \$95.4 million to acquire new state parks and natural areas and to improve infrastructure and develop new facilities in existing state parks.

As the year 2000 came to a close, the Virginia Department of Conservation and Recreation was putting the final touches on projects funded by a result of that referendum. The results include an expanded and refurbished state park system and at least 17 new natural area preserves protecting the Commonwealth's natural heritage. Also, more of these areas are now accessible to the public thanks to the bond.

State Parks: Everything old is new again

Hundreds of construction projects and capitol improvements have refurbished Virginia State Parks. Many of the improvements funded by the bond weren't very glamorous. Dredging waterways, new roofs, and new waterlines and electrical wiring don't make big headlines or allow for fancy ceremonies, but they are the vital improvements necessary to keep Virginia State Parks attractive as tourist destinations.

The bond also provided funds for new facilities. Dozens of big ticket projects included:

- A Heritage Center, a regional amphitheater and a campground at Pocahontas State Park;

More State News, page 10

Virginia (continued)

- Cottages and a campground at Chippokes Plantation State Park;
- A Visitor Center and Environmental Education Center, Leesylvania State Park;
- The riverfront Foster Falls Village complex at New River Trail State Park;
- A Visitor Center and new campgrounds at Occoneechee State Park;
- The Cove Ridge Educational Center at Natural Tunnel State Park;
- Restoring an original CCC building into the Civilian Conservation Corps Museum at Pocahontas State Park;
- Cabins at Smith Mountain Lake State Park (the first built in the VSP system since the early 1950's);
- The Chesapeake Bay Center at First Landing State Park;
- Universal access playgrounds at nearly two dozen state parks.

Also, bond funds allowed for the acquisition of four new parks: James River State Park in Buckingham County; Belle Isle State Park in Lancaster County; Warren County's Raymond R. "Andy" Guest Shenandoah River State Park, and Karlan State Park, now Wilderness Road State Park in Lee County. The new parks are open to the public and continue to expand services and offerings as more visitors learn about these special new attractions.

Protecting our Natural Heritage

When the bond package was developed, DCR's natural heritage staff hoped to acquire 10 new natural area preserves with the \$11.5 million designated for natural area designation. In the years since, they have been able to use bond funds as match for numerous grants leveraging an additional \$6.2 million in federal monies. As a result, DCR has added acreage to existing preserves and acquired 17 new natural area preserves totaling more than 17,000 acres using bond funds. DCR has also committed the last \$3 million to acquire three new preserves and add valuable habitat to four existing ones.

While natural area preserves protect some of the Commonwealth's most rare and significant resources, they are also available for use by Virginians. As the result of bond funds, 13 preserves have received access projects such as parking lots, boardwalks and trails, wildlife observation towers and interpretive signage.

Virginia voters in 1992 wrote DCR a \$95 million check to enhance and protect its outdoor offerings in their state parks and natural area preserves. Today Virginians enjoy the return on their investment as Virginia State Parks and Natural Area Preserves offer even more ways to leisurely enjoy the beauty of the Commonwealth's great outdoors while protecting its most valuable natural resources.

More State News, page 12

ELRC is “On the Go” in Tennessee

Fall Conference Chairperson, Bob Ward from the Tennessee Department of Environment and Conservation, planned a September ELRC meeting meant to “move” us. And move us he did—all 29 of us—from Nashville to Memphis and back again.

Bob designed a meeting that combined organization business, education, some hard work, and a lot of fun! We learned about Tennessee’s Cumberland Trail, and its forestry practices, canoed the cypress draped waters of one of Tennessee’s most beautiful rivers, visited the hallowed grounds of civil war battles, took a crash course on



Eager canoeists select their water crafts for a lazy float on the Wolf River.



Wild Horse “Comanche” found some new pals.



making effective presentations, and even got to horse around a bit at the BLM’s wild horse and burro adoption/holding facility.

Many thanks to Bob and all the others who had a hand in making this a highly productive and truly memorable Fall meeting.



Weary ELRC’ers manage some big smiles after Bob’s whirlwind tour of the awesome Opryland Hotel

Virginia (continued)

Land Conservation Foundation Active

After a busy 2000, 2001 has started strong for the Virginia Land Conservation Foundation. Last year, the Foundation awarded \$3.4 million to four Civil War battlefield acquisition projects. The State funds matched Federal and privately raised funds to acquire portions of Cedar Creek, Kernstown, Second Winchester and Brandy Station battlefields.

In January, the Foundation Board awarded 20 matching grants totaling more than \$3.9 million to protect open space and parks, historic and cultural sites, farmlands and forests, and natural areas.

The Foundation awards grants to local governments, non-profit organizations and other public bodies that would acquire land properties or conservation easements on

properties in order to protect their natural resources. Priorities are assisting organizations committed to improving or protecting water quality and protecting environmentally-sensitive lands.

Mark Your Calendars

Fall Conference date - October 14-18

Plans for the Fall ELRC Conference are well underway. Virginia Beach, Virginia has been tapped as the conference locale with tentative dates being Sunday, October 14 through Thursday, October 18. The planning team is exploring possible trips to historic Jamestown or Williamsburg, the picturesque Eastern Shore of Virginia and around the oceanfront resort city of Virginia Beach. For conference information, contact Gary Waugh, Public Relations Manager, Department of Conservation and Recreation (804) 786-5045.

Contact David G. Brickley, Virginia Department of Conservation and Recreation (804) 786-2123

Eastern States Land and Resources Council - ELRC - Serving the Needs of Land Professionals

Ed Leary, President
Eastern Lands & Resources Council (ELRC)
Vermont Agency of Natural Resources
103 South Main Street
Waterbury, VT 05671