Collaborative Planning on State Trust Land

A Research Project of the University of Michigan School of Natural Resources and Environment

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Picacho Peak, Arizona. Photo Courtesy of the Sonoran Institute.
GROWING PRESSURE ON STATE TRUST LAND
Covering more than 46 million acres in 23 states across the continental United States, state trust land remains a significant and important source of funding for public schools and other designated public institutions, especially in the Western U.S. While natural resource-based activities on state trust land continue to provide the bulk of trust revenues in the West, rapid urbanization and increasing demand for other uses such as wildlife, recreation, and open space have created new pressures on state trust land. As a result, opportunities to develop revenue from urban, industrial, and conservation-oriented management strategies have increased. However, these transactions are more likely to have direct impacts on nearby communities, municipal planners, and other stakeholders. The result has been an increase in conflict over some state trust management decisions.

THE PROMISE OF COLLABORATIVE PLANNING
In response to these opportunities and challenges, states such as Arizona, Utah, and New Mexico have begun to explore collaborative approaches to planning and management of their trust land. Collaboration has been a valuable tool in contentious cases involving land use planning, community planning, forest management, and mineral and oil extraction. It can enable participants to identify and work towards common goals, especially when they appear to have a diverse set of seemingly conflicting interests. Indeed, some view collaborative planning as one of the fastest growing management techniques in land and natural resource management. However, little research has been conducted on the use of collaborative planning within the context of state trust land. A recent Research and Policy Analysis Roundtable convened by the Lincoln Institute of Land Policy and the Sonoran Institute in October 2004, and attended by current and former state land commissioners, confirmed this conclusion and called for further investigation into collaborative planning efforts on state trust land.
WHAT IS COLLABORATION?
Collaboration differs depending on the specific context in which it is applied, but it generally is identified as a process whereby individuals or organizations, often with widely varied interests, work together to share knowledge and resources to achieve mutually beneficial goals. This process often involves a variety of stakeholders that together contribute to the final decision-making process. Key elements of collaboration include a commitment to the process by all members, a clear understanding of the means by which decisions will be made, and inclusion of all essential stakeholders in the process.

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WHY COLLABORATE?
Collaboration has become popular in land use planning and natural resource management for a variety of reasons. Benefits include:

- **More effective and stable outcomes.** With its focus on engaging diverse stakeholders to resolve shared problems, collaboration allows for more direct involvement in the decision-making process. As a result, collaborative processes can produce more widely-supported, and thus more effective and stable outcomes.

- **Common ownership and shared understanding of the issue(s).** Collaboration promotes exchange of information and enables participants to work together to resolve uncertainty, thereby creating common ownership and shared understanding of the issue(s).

- **More informed decision making.** By providing a forum for sharing knowledge, collaborative efforts can help stakeholders combine expertise to make more informed decisions.

- **New and stronger relationships.** Collaboration can improve existing relationships and help build new relationships by facilitating face-to-face discussion, which can break down stereotypes and enable participants to interact more effectively, in current and future planning.

Effective collaboration often requires:

- **Transparency** of the collaborative process in meetings, agreements, and decisions such that the credibility of the process is maintained.

- Meaningful involvement of a breadth of stakeholders such that all key interests are represented and thus can work to find solutions that will endure.

- Some degree of influence in decision making and responsibility for outcomes for all stakeholders.
COLLABORATIVE PLANNING: CHALLENGES AND SOLUTIONS

While more and more individuals are participating in and benefiting from collaborative processes, there remain important challenges to this decision-making approach, which participants must address. These challenges (and potential solutions) include:

- **A lack of precedent and unfamiliarity** with collaborative planning may deter individuals and organizations from participating in collaborative processes. **Establishing common goals and ground rules** at the outset can provide needed structure and help guide the collaborative process.

- **Stereotypes and polarized relationships** due to past interactions can breed mistrust and hinder collaboration. Acknowledging this challenge upfront, working to focus on interests rather than positions, and building on shared concerns can help parties identify common objectives and develop a shared ownership of the problem and the collaborative planning process.

- **Institutional and/or structural norms** can discourage individuals and groups from participating in collaborative processes and/or prevent opportunities for collaboration. **Communication** within organizations and among stakeholders can help clarify expectations and identify how collaboration might address the problem at hand. Also, creating organizational incentives for collaborative work can encourage staff to seek out opportunities to forge relationships with other interested stakeholders.

- **Lack of resources** such as time, money, or personnel can be an obstacle to engaging in collaborative planning. Funding constraints and budgetary restrictions make it difficult to allocate funding or staff time for processes that do not tend to fit within a group's established funding scheme. Collaborative efforts can solve some of these challenges by enabling groups to leverage resources across multiple organizations to facilitate progress towards common goals and objectives.
LEARNING FROM EXPERIENCE

In March 2005, a group of eight graduate students from the University of Michigan School of Natural Resources and Environment formed a research team to investigate collaborative planning on state trust land. Under the guidance of Steven L. Yaffee, the Theodore Roosevelt Professor of Ecosystem Management and Director of the Ecosystem Management Initiative at the University of Michigan, the team will prepare a series of case studies in seven Western states of recent planning processes in which state trust land departments collaborated with stakeholder groups in the planning and management of specific trust-owned land. Through in-depth interviews, the research team will seek to answer a set of research questions concerning the challenges, benefits, costs and outcomes of collaborative planning on state trust land. The goal of the project is to identify the advantages and disadvantages of collaborative planning in state trust land management, and to define a set of best management practices for these processes.

RESEARCH QUESTIONS

1. What makes collaborative planning on state trust land unique and different from other land management collaborative efforts?

2. Why did the state trust land stakeholders in the selected case studies engage in collaborative planning? Why was collaborative planning not used in some cases?

3. What benefits were derived from engaging in collaborative planning? For example:
   - More informed decision-making
   - More effective and stable outcomes
   - Common ownership and shared understanding of the issue(s)
   - Improved conservation/environmental outcomes

4. What costs were associated with engaging in collaborative planning? For example:
   - Increased demand on resources, time, and/or staff
   - Undesirable outcome

5. What are the challenges associated with engaging in a collaborative planning process on these lands (recognized at the time of collaboration, as well as in hindsight)? How did participants deal with these challenges?

6. What are measures of success for collaborative planning on state trust land?
   - How did the participants measure “success” within these collaborative efforts?
   - What are objective measures of “success” for these collaborative efforts?
   - How do the objective measures of “success” compare within the selected collaborative efforts and what common themes are illuminated in a cross-case analysis?

7. How do the collaborative efforts compare within the context of the participants’ measures of success, as well as within the context of the objective measures of success? What common themes can be illuminated in cross-case analysis?
## SELECTING CASE STUDIES

The research team selected case studies by first identifying several examples of collaborative planning on state trust land through Internet and literature research, as well as phone calls and emails to state land offices. Once this initial list was established, the team sorted the cases by state, parcel size, whether collaborative planning was voluntary or mandated, whether the process was complete or ongoing, the types of issues at hand (natural resource or land use), and the degree to which information was available. The research team then selected a set of cases that spanned the breadth of these categories, to ensure that the project explored the full range of state trust lands across the West and types of collaborative planning processes. In addition, the team prioritized the cases when they exemplified the team’s definition of effective collaboration, by involving a wide range of stakeholders with a high degree of influence on decision making, and using a process that was transparent and understandable to both participants and the public. The final eight case studies are identified below; more detailed summaries of the cases follow.

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CASTLE VALLEY PLANNING PROCESS

The small desert town of Castle Valley is located in an area of Utah famous for its red sandstone rock formations. Within the valley is Castleton Tower, one of America’s premier climbing venues. Until the late 1990s, Utah’s School and Institutional Trust Lands Administration (SITLA) owned approximately 4,500 acres in the town and surrounding areas. In May of 1999, SITLA sold 80 acres of trust land in Castle Valley to a developer that slated the area for subdivision. Many community members were concerned how new development would affect the town. In addition, local residents were worried that the trust land at the base of Castleton Tower and other lands in the valley would also be sold. In response, the Castle Rock Collaboration (CRC) was formed as a citizens’ action committee to represent the conservation interests of the community and to monitor local SITLA activities. CRC approached SITLA to initiate a dialogue about trust land sales in the Valley. After much discussion, SITLA reciprocated their offer of engagement by agreeing to place a moratorium on the sale of trust land in the region so long as the community entered into a local area planning process. As part of the planning process, SITLA agreed to give the community the opportunity to buy trust land at a fair-market price. CRC and Utah Open Lands, with the help of an extensive fundraising campaign, were also able to purchase 221 acres at the base of Castleton Tower from the trust

The CRC continues to work on its ultimate goal of purchasing all of the remaining trust land in the Castle Valley area. An additional 500 acres has been bought in the valley, and the balance of the lands owned by SITLA in the valley are now subject to a proposed exchange (pending before Congress) with the Bureau of Land Management (BLM) wherein the BLM would receive the remaining Castle Valley lands and the Trust would receive prospective oil and gas lands in the Uintah Basin of northeastern Utah.

Researchers: Stephanie Bertaina and Eirin Krane

EMERALD MOUNTAIN LAND EXCHANGE

Emerald Mountain is a 6,000-acre parcel of state trust land that provides a scenic backdrop to the adjacent town of Steamboat Springs, Colorado. The land is highly valued by the community for its scenic and potential recreational resources. It currently generates $40,000 a year in agricultural leases, but considering its attractiveness to developers, could be subdivided and sold to purchase higher revenue producing property. In an effort to protect this unique resource as well as meet its constitutional duty of raising money for public schools, the State Land Board (SLB) has entered into a unique collaboration with the Emerald Mountain Partnership (Partnership), a Routt County-based community group formed specifically to seek ways to protect the property and make it available for recreation.

This collaborative effort, which began in 1994 under the auspices of the Routt County Board of County Commissioners, led to the signing of a Memorandum of Agreement between the Partnership and the SLB in 2000. In 2002, the Partnership, the SLB and the Bureau of Land Management (BLM) began exploring the Emerald Mountain Land Exchange, in which the BLM would effectively exchange 129 relatively small, scattered and difficult-to-manage parcels within Routt County for the Emerald Mountain parcel, and then manage it for public use. Specifically, 15,621 acres of BLM land would be sold to 60 adjacent private landowners, to amass the $15-17 million needed to purchase the Emerald Mountain Parcel from the State Land Board. The Board could then invest the funds in higher revenue-generating assets. The Emerald Mountain Partnership has proposed a management plan for the parcel to the BLM. The exchange has not yet been finalized, but in the meantime the parcel is held in the State Land Board’s Stewardship Trust.

Researchers: Lisa Spalding and Matt Stout

Researchers: Stephanie Bertaina and Eirin Krane
ELLIOTT STATE FOREST DRAFT MANAGEMENT PLAN DEVELOPMENT PROCESS
OREGON

Owned primarily by the Oregon State Land Board, the 93,000-acre Elliott State Forest near Coos Bay is home to several endangered species including the Northern Spotted Owl, Coastal Coho Salmon and Marbled Murrelet. The Elliott State Forest has traditionally provided revenue to the State Common School Fund through timber harvesting. Heightened concerns in the 1980’s over the effects of logging on wildlife led to an update of habitat and forest management plans. In 2000, the plans required revision to balance timber extraction and wildlife conservation in compliance with the Endangered Species Act. The newest planning revision process began that year and consists of a nine-member core planning team to manage technical aspects and a steering committee to provide overall policy direction. In addition, the process engages the public through town meetings, newsletters, field tours and formal comment periods. Diverse opportunities for public input are meant to increase transparency and the collaborative nature of the planning process. Input from the state Department of Forestry, Fish and Wildlife Service, National Oceanic and Atmospheric Administration (NOAA) Fisheries, local and regional elected officials, scientists and various interest groups helped form the Draft Forest Management Plan, released in May 2004. Further public comment and scientific review will define the final plan, to be released in 2006. The Elliott State Forest planning process deals with several complex and controversial topics, including timber management, endangered species preservation, recreation, and renewable resources. Management policies must also ensure revenue for the Common School Fund. The result of this collaborative process will be a Forest Management Plan that incorporates these concerns as presented and agreed upon by a diverse group of stakeholders.

Researchers: Eirin Krane and Drew Vankat

LAKE WHATCOM LANDSCAPE MANAGEMENT PLANNING PROCESS
WASHINGTON

Lake Whatcom is the sole source of drinking water for approximately 87,000 residents in Whatcom County, including the residents of the City of Bellingham. On behalf of several state trust beneficiaries (including K-12 schools, universities and counties), the Washington State Department of Natural Resources (DNR) manages 15,700 acres, or more than half of the Lake Whatcom watershed, primarily for timber revenue. The lake is also used for recreation, and residential development lines its shores. The lake has considerable water quality issues associated with the urban development. Erosion is one of the primary environmental issues on the forested state trust land portion of the Lake Whatcom watershed. Concerns about slope instability as a result of decades-old logging practices and the potential for landslides have worried some Lake Whatcom area residents in the past. In response to these concerns, the Washington state legislature approved a bill in 2000 that put a moratorium on logging on state trust lands in the Lake Whatcom watershed and directed the DNR to establish an advisory committee to help the DNR develop a management plan for the area.

As a result, the Lake Whatcom Landscape Planning Committee was created and worked for four years to develop the Lake Whatcom Landscape Management Plan. The Committee included representatives from Whatcom County; Water District 10; the City of Bellingham; Washington State departments of Health, Ecology, and Fish and Wildlife; the Lummi Tribe; and two private citizens. The DNR met with the Committee multiple times and provided staff support and professional meeting facilitators. The DNR also went through an extensive process to meet and exchange information with the community and other interested parties throughout the plan’s development. The committee concluded their work by making recommendations to the DNR. In November 2004, the State Board of Natural Resources approved the Lake Whatcom Landscape Management Plan and the DNR is currently in process of implementing the plan.

Researchers: Alden Boetsch and Matt Stout

Elliott State Forest Draft Management Plan Development Process
OREGON

Researchers: Eirin Krane and Drew Vankat
MESA DEL SOL REGIONAL RECREATION COMPLEX AND JOURNAL PAVILION
BERNALILLO COUNTY, NEW MEXICO

Mesa del Sol in Bernalillo County, New Mexico is the focus of a 13,000-acre master planned development in southern Albuquerque. Part of this plan involves a land swap to be finalized this year, between the University of New Mexico (UNM) and the State Land Office (SLO). The SLO plans to exchange 3,000 acres in Mesa del Sol with UNM who will then sell the land to the joint venture Forest City Covington (FCC), the master plan developer selected in 2002. The contract between UNM and FCC provides the University with a percentage of the land’s revenue into the future. In exchange for Mesa del Sol land, the SLO will receive the 10,000 acre Young Ranch as well as several commercial and rangeland properties previously endowed to UNM. The SLO may use this land for grazing and agriculture leases in the future.

Several other parties also were involved in the development of the master plan. The City of Albuquerque, Kirtland Air Force Base, and Sandia Labs were involved actively in planning with the SLO and FCC through formal meetings to address all interests. In addition, the City of Albuquerque annexed Mesa del Sol to increase its involvement in the area’s development. Other interests involved in the Mesa del Sol master plan include the Department of Energy, Bernalillo County, Isleta Pueblo, businesses, labor organizations, environmental groups, the State Engineer’s Office, Albuquerque Metropolitan Arroyo Flood Control Authority, and the New Mexico Legislature, among others. The SLO also held several meetings that followed a more traditional public hearing format in order to engage local community and citizen groups. All of these meetings served to gain a greater understanding of the needs of various interests in order to better serve the Mesa del Sol area and its future community. In the SLO’s development of this process of multiple interest involvement, the SLO consulted with both the Arizona and Utah state land offices to gain an understanding of how they had engaged in similar processes in the past.

Researchers: Emily Kelly and Drew Vankat
SOUTHEASTERN NEW MEXICO LESSER PRAIRIE CHICKEN WORKING GROUP
NEW MEXICO

Once a common sight in the plains of the southwest, lesser prairie chickens have become scarce due to drought, conversion of prairies into cultivated fields, and habitat fragmentation. In 1995, the United States Fish and Wildlife Service was petitioned to list the lesser prairie chicken as threatened under the Endangered Species Act. Although the prairie chicken was ultimately not listed due to the presence of higher priority species, its potential listing elicited much concern from southwestern states, given the negative economic impact that could result due to federal restrictions on land use.

In response to this concern, the Southeastern New Mexico Lesser Prairie Chicken Working Group was created in 2003, in order to develop a strategy for conserving the lesser prairie chicken and the sand dune lizard, while simultaneously allowing for historical land uses, such as oil and gas development, to continue. The group includes approximately 40 stakeholders representing a variety of environmental groups, oil and gas and agricultural industries, and state and federal agencies. The State Land Office of New Mexico has been an active participant in the Working Group, a role that is important, given that they are responsible for managing approximately one-third of lesser prairie chicken habitat. Most recently, New Mexico Commissioner of Public Lands Pat Lyons authorized the temporary withdrawal of 109,000 acres of state trust land in southeast New Mexico from oil and gas leasing, in efforts to protect lesser prairie chicken leks, or breeding grounds. In May of 2005, the Working Group reached stakeholder consensus on a Conservation Strategy which will guide future oil and gas development, rangeland management, and recreation activities in lesser prairie chicken habitat.

Researchers: Stephanie Bertaina and Emily Kelly

WHITEFISH AREA TRUST LANDS ADVISORY COMMITTEE
MONTANA

Whitefish, Montana is a beautiful Northern Rockies community situated just outside Glacier National Park. Similar to many western communities, Whitefish has experienced rapid growth and intense development pressure in recent years. In 2003, in response to these challenges, the State of Montana proposed that portions of the 13,000 acres of state trust land in the immediate vicinity of Whitefish be considered for conversion from timber production to other uses including real estate development. This proposal was met with criticism from the local community, which valued the trust land for its beauty, recreational opportunities, and natural resources values. In response, the State Board of Land Commissioners chartered an advisory group – the Whitefish Area Trust Lands Advisory Committee – to draft a neighborhood plan for the trust land area.

Comprised of diverse stakeholders that included the Montana Department of Natural Resources and Conservation, Flathead County Planning and Zoning Office, Whitefish Chamber of Commerce, citizens of the area, special interest groups, and Sonoran Institute, the Advisory Committee met for six months to develop a land-use plan that would meet the needs of the state trust land legal mandates and the community interests. The result of this collaborative process was the Whitefish Area Neighborhood Plan, which defines future uses for the state trust land in the Whitefish area and provides a framework for reviewing and evaluating land use proposals.

The State Board of Land Commissioners adopted the Neighborhood Plan in November 2004. While the Neighborhood Plan is not a regulatory document, it will become an integral part of any future growth policy plan that may be updated at periodic intervals. The Neighborhood Plan is the first large-scale collaborative land-use plan prepared for any trust land in the State of Montana.

Researchers: Jessica Mitchell and Lisa Spalding
To learn more about collaborative planning:


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