



President Obama appointed Senator Ken Salazar of Colorado to lead the all-important Interior Department.



THE OBAMA ADMINISTRATION & THE AMERICAN LANDOWNER

LAST NOVEMBER BARACK OBAMA WON A DECISIVE VICTORY BASED ON A SINGLE CONCEPT: CHANGE. WITH THAT IN MIND, THE LAND REPORT TAKES A LOOK AT THE MANY WAYS THAT THE 44TH PRESIDENT, HIS NEW TEAM, AND THE NEW CONGRESS COULD IMPACT THE AMERICAN LANDOWNER.

By JOSEPH GUINTO
Washington Correspondent

The 44th President of the United States

BARACK OBAMA

On the campaign trail, Obama promised to put “an unprecedented level of emphasis on the conservation of private lands.” He has a considerable track record of backing conservation efforts—everything from the “Roadless Rule,” which limits development in wilderness areas; to the Conservation Reserve Program; to a measure backed by Sen. Charles Grassley of Iowa that would reallocate \$2 billion in federal funds by cutting payments to farmers and allocating those dollars to land conservation.





The 47th Vice President of the United States **JOE BIDEN**

During his 36 years as a senator from Delaware, Biden made a name for himself primarily because of his expertise on foreign policy and his status as chair or ranking member on the Senate Judiciary Committee. Yet he also earned the League of Conservation Voters stamp of approval and regularly received a 90-plus-percent rating based on his voting record on environmental and conservation issues. Biden has also been outspoken in his support for Amtrak, which has spent millions of dollars buying property from private landowners around the country.

Unlike the president and his chief of staff, who are both city folk with homes in the greater Chicago area, Biden lives on four acres near a small lake in a wooded neighborhood in Greenville, Delaware. An amateur home designer, he is said to have personally selected every fixture in his 6,800-square-foot home.

White House Chief of Staff **RAHM EMANUEL**

The former Illinois Congressman is arguably the most important appointed official in Washington. During his three terms in Congress, his voting record was given a score of 95 percent by an environmental group called the League of Conservation Voters—suggesting that he is largely in line with the president on measures to limit development on private lands. One of Emanuel's first acts after January 20 was to suspend all of the 11th-hour rulemaking of the Bush Administration, giving the new Obama team time to review the rules before they take effect.



KEY CABINET MEMBERS

Although there are 15 executive departments, three Cabinet Secretaries exert an overwhelming amount of influence on issues pertaining to land, landowners, and policy. Here's a quick look at the new trio:

Department of the Interior

KEN SALAZAR

THE DEPARTMENT

Interior is the most influential department when it comes to policies affecting landowners. Covered under its jurisdictional umbrella are the National Park Service, the Bureau of Land Management, the Mineral Management Services, and the U.S. Fish and Wildlife Service.

THE NEW SECRETARY

A senator from Colorado since 2004, Salazar and his brother John (who represents Colorado's Third Congressional District in the House) grew up with six siblings on a 1,200-acre ranch in the San Luis Valley that was originally settled by their great-great-grandfather Francisco in the 1860s. Their childhood home had no electricity or running water. Salazar will be one of the most recognizable cabinet secretaries, thanks to the cowboy hat he routinely wears.

THE EXPECTATIONS

Environmental and conservation groups praised Salazar's appointment, even though he has not always been their favorite senator. Still, they like the fact that Salazar has long been an advocate of national parks protections and a critic of oil and gas development on public lands in the western U.S. Cabinet watchers believe that this will translate into a rollback of George W. Bush's moves to open some federal lands to drilling—particularly in Utah. And, landowner groups, especially ranching groups, also have had kind words so far. That's likely because Salazar in the Senate resisted measures to bolster the Endangered Species Act—which was weakened somewhat under Bush—and supported federal subsidies and tax breaks for large landowners who voluntarily limit development on their properties. That centrist record helped Salazar easily win confirmation in the Senate. He was approved by a simple voice vote.





Department of Agriculture **TOM VILSACK**

THE DEPARTMENT

A powerhouse both in Washington and in rural America, the USDA does everything from providing support to family farmers to regulating food safety.

THE NEW SECRETARY

Vilsack was a two-term governor of Iowa when, in 2006, he became a Democratic presidential primary opponent of Obama. Apparently the new president isn't holding any grudges. A native of Pittsburgh, Vilsack was orphaned as a child, grew up in Pennsylvania, earned degrees in New York at Hamilton College and Albany Law, and moved to Iowa where he went into law practice with his father-in-law.

THE EXPECTATIONS

The challenges for Vilsack are significant, thanks in large part to the current recession. The credit crisis has squeezed farmers; once-hot commodities are now sinking in value; and farmers big and small are cutting jobs to stay profitable. That's put rural America, which depends on federal policymakers for direction, market regulation, and, often, hard cash, in a worrisome mood. Just one example: On January 30, some 35 senators called on Vilsack to bail out dairy farmers by buying up packaged products—cheese, primarily—as a means of stabilizing prices. In a nod to that request, Vilsack did agree to send some 200 million pounds of surplus milk powder to the federal school lunch program. He also looks to be in a giving mood elsewhere. He has already rolled back one Bush-era plan to cut \$3 million from a program that promotes the growth of healthy fruits and vegetables; has said the USDA should help spur more efficient biofuels development; and pushed for \$20 million in direct aid to agriculture in Obama's economic stimulus package.



Department of Energy **STEPHEN CHU**

THE DEPARTMENT

The main regulator of industries that generate and supply power—in all its literal forms—the Energy Department also funds hundreds of scientific research projects. Most of its budget, however, is dedicated to nuclear weapons: maintaining stockpiles, dealing with nuclear waste, and the like.

THE NEW SECRETARY

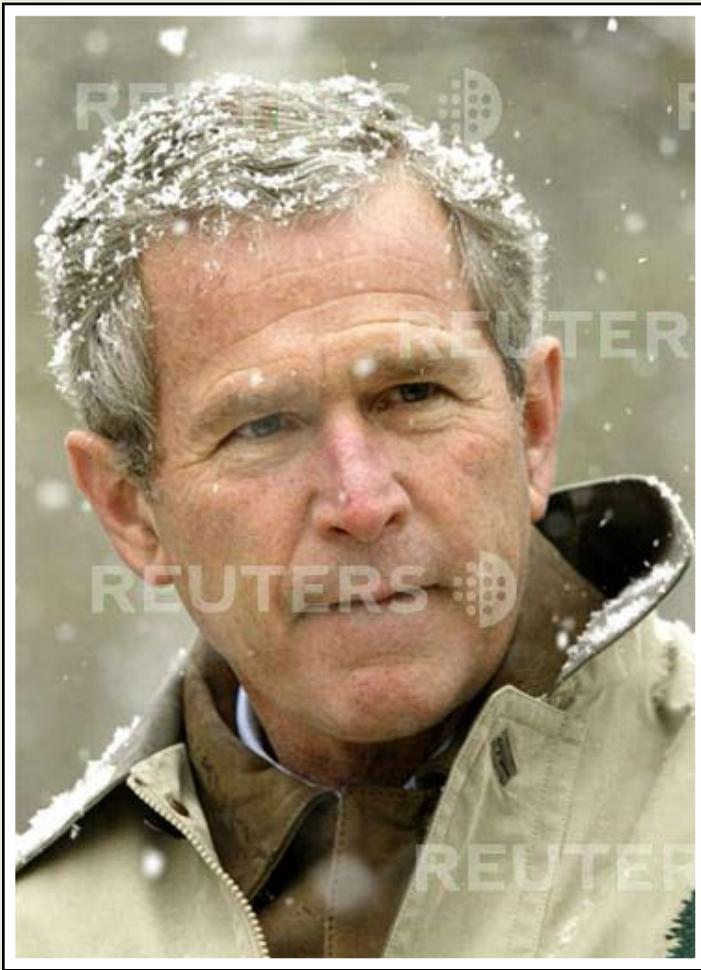
Chu is the son of Chinese immigrants, both scholars, who came to the U.S. to continue their schooling. He is a Nobel Prize-winning physicist, the first Nobel winner appointed to a cabinet post. He is the former head of the Lawrence Berkeley National Laboratory, once chaired the physics department at Stanford, and headed up electronics research at Bell Labs. More recently, he was director of the Lawrence Berkeley National Laboratory—a government-owned enterprise.

THE EXPECTATIONS

Obama made a plethora of campaign pledges related to energy, and it will be Chu's job to follow through and deliver on them. He'll push to cap greenhouse gas emissions, change regulations related to offshore drilling, and move the U.S. away from foreign oil, in part by creating tax breaks and other incentives for development of renewable energy—including wind farms, which are of particular interest to large landowners. Chu's department will also be tasked with deciding how to handle the coal and nuclear power industry's desire to build new plants. Beltway experts, though, are divided on how successful Chu might be. Though he has been employed by the government, he lacks any type of political experience.

A LOOK AT THE LEGACY OF PRESIDENT GEORGE W. BUSH

The 43rd president offered change of his own—especially on laws and regulations affecting landowners. And some of that change came only in the last days of Bush’s administration. Here we review just a few of the highlights of Bush’s last-minute legacy for landowners.



In 2002, President Bush traveled to the Adirondacks in upstate New York to launch his Clear Skies initiative aimed at combating air pollution.

ENDANGERED SPECIES ACT:

The most significant changes to the nation’s most important rule for protecting wildlife came under President Bush. And no change was more substantial than the one that came just weeks before Bush was to leave office. Under a new rule announced by both the Interior Department and Commerce Department, federal agencies will no longer need to consult with independent wildlife experts—or the U.S. Fish and Wildlife Service—to determine if any of their projects might have an impact on a given endangered species. That means federal agencies may proceed on everything from highway construction to waterway changes without time-consuming consultation with outside biologists.

IMPACT ON LANDOWNERS:

Mixed. A boon for those hoping to see specific projects proceed at a faster pace. A curse for those hoping to either bolster protections for certain species or use the Endangered Species Law to prevent the feds from pushing through new dams, highways, et cetera. As of press time, Secretary Salazar was still reviewing whether to try and overturn Bush’s endangered species decision.

MONUMENTAL NATIONAL MONUMENT EXPANSION:

Just days before he left office, Bush designated some 195,280 square miles as “national monuments.” But don’t expect marble sculptures to be erected there anytime soon. Most of the areas that are now protected from development, mining, or oil exploration, are underwater. They include various reefs and sea floors in the Pacific Ocean—parts of the Mariana Trench among them.

IMPACT ON LANDOWNERS:

Positive. True, private landowners don’t have property 20,000 leagues under the sea. But, by focusing on protecting so much of the ocean from commercial use, Bush spared landowners from the kind of 11-hour protections that other presidents have employed. President Clinton, for instance, squashed plans for a coal mine in Utah, by designating a large area of canyons and rocks as a national monument.



President Bush fields a reporter's question in 2006 at his 1,583-acre Prairie Chapel Ranch in McLennan County, Texas.

A ROADLESS RULE TO NOWHERE:

The Bush Administration spent eight years trying to rewrite Clinton Administration rulemaking that prevented commercial activity in roadless wilderness areas. With just eight days left in his administration, Clinton declared about a third of the nation's forest system off limits to road building, logging, oil and gas exploration, and other commercial use. The Bush Administration has chipped away at the rules, battling them initially in the courts, then in individual states. By the end of his second term, just 35 million acres were still protected under the Clinton rules.

IMPACT ON LANDOWNERS:

Mixed. For landowners whose properties abut federal lands that are not designated as federal wilderness areas, whether Bush's efforts to change Clinton's rules were good or bad is a matter of perspective. Bush's rule changes in many states, allowing temporary roads to be built for some commercial activity. For landowners who want to capitalize on that activity, that's good. But it's not so much for those who don't want to see logging trucks or other commercial vehicles pass near their lands.

DRILL, BABY, DRILL:

As Barack Obama was planning his train trip from Philadelphia to Washington, President Bush and his Interior Department were proposing a major expansion to oil and gas drilling areas on both coasts. The Bush administration had asked for oil and gas leases in areas of the Outer Continental Shelf that had been kept out of reach by prior presidents and Congress.

IMPACT ON LANDOWNERS:

Negative. Though some private landowners could stand to profit from expanded offshore drilling, the Obama administration is exploring a comprehensive energy policy before deciding whether or where that kind of expansion should take place. To that end, Secretary Salazar has launched a review of Bush's expanded lease request. That means all options remain available: Obama could repeal, amend, agree to, or scrap Bush's proposal.

DELISTING THE GRAY WOLF:

In one of the final policy decisions of the outgoing administration, the U.S. Fish and Wildlife Service decided to take the gray wolf off the endangered species list in Montana and Idaho in January. That decision was subsequently upheld in early March of this year by the Interior Department. "The recovery of the gray wolf throughout significant portions of its historic range is one of the great success stories of the Endangered Species Act," said Interior Secretary Ken Salazar in a statement. "Today, we have more than 5,500 wolves, including more than 1,600 in the Rockies."

IMPACT ON LANDOWNERS:

Negative. A barrage of lawsuits have been filed against the fed's decision. Some seek to delist gray wolves in Wyoming, where they remain protected. Others want to re-list the species as endangered nationwide. That means uncertainty for landowners whether they want to open their properties to now-legal gray wolf hunts or whether they'd prefer to keep hunters away from the species.

THE 111TH CONGRESS

With the strongest Democratic majority in years, the new Congress was seated on January 6. Already the body is at work on legislation of importance to landowners. Some lawmakers want to roll back rules put in place by the Bush Administration. Others want Obama's White House to put more money into land and less into tax breaks as a means to boost the economy. Here's a rundown on the six key legislators and their committees—all of whom are worth watching as the year progresses.

THE SENATE

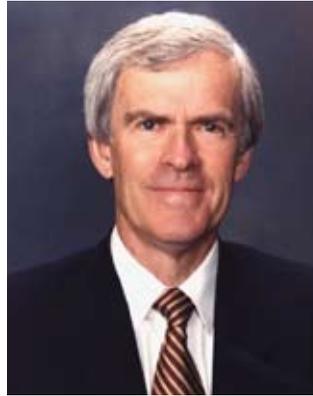
SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES

JURISDICTION:

National energy policy, oversight of federal lands—including national parks—and matters relating to the privatization of federal lands.

CHAIR: Jeff Bingaman (D-NM)

RANKING REPUBLICAN: Lisa Murkowski (R-AK)



Bingaman



Murkowski

BATTLE LINES

Though he's an advocate of "green" policies, Bingaman's first act in the 111th Congress was to kill trees. Well, kind of. He introduced a \$10 billion legislative package that bundles 160 different bills into a single proposal. A single proposal that runs 1,300 pages long, that is. The Omnibus Lands Management Act seeks to capitalize on the new weakness of Senate Republicans, who have blocked some of the 160

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measures it contains. The plan will add two million acres in eight states to the National Wilderness Preservation System, which restricts development in and around federal lands in 44 different states. Environmental, ranching, hiking, and hunting groups have all pushed for passage, but some oil and natural gas lobbyists are opposed, saying the bill will restrict access to oil and gas reserves.

SENATE COMMITTEE ON AGRICULTURE, NUTRITION AND FORESTRY

JURISDICTION:

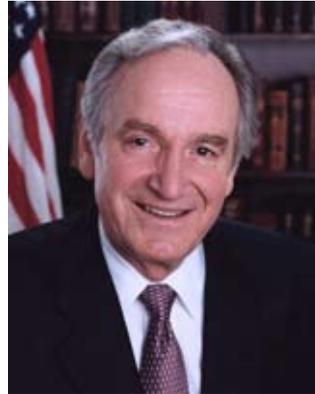
Farm policy as well as lawmaking related to private and public property in rural areas.

CHAIR: Tom Harkin (D-IA). First elected 23 years ago, Harkin is now the most powerful lawmaker in Congress where agricultural issues are involved.

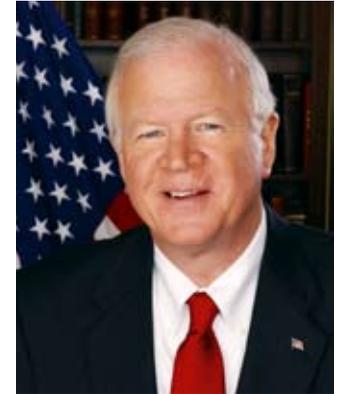
RANKING REPUBLICAN: Saxby Chambliss (R-GA)

BATTLE LINES:

Everyone knew that there wouldn't be a confirmation fight over the president's nominee for Agriculture Secretary, Tom



Harkin



Chambliss

Vilsack. Harkin has already thrown his support behind Vilsack, a fellow Iowan, and Harkin's committee held Vilsack's confirmation hearings. But Harkin did not go that far in backing Obama's economic stimulus plans. He had pushed for fewer tax cuts than the president proposed and wanted more federal spending, including millions of dollars worth of improvements on water and sewer utilities in rural areas that could lead to vital support in the 2010 midterm elections.

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SENATE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

JURISDICTION:

Federal highways, environmental policy, fisheries and wildlife, flood control, dams.

CHAIR: Barbara Boxer (D-CA). An outspoken environmentalist, Boxer is now in her third term. She took over the committee on environment and public works in 2007.

RANKING REPUBLICAN: James Inhofe (R-OK)

BATTLE LINES:

Boxer, like Harkin, has asked the Obama administration to ramp up spending to boost the economy. In particular she's been seeking more funds for waterway projects. But just because Obama is a fellow Democrat and former colleague, don't expect her committee's dealings with the White House to be free of fireworks. Boxer has already been publicly critical of Obama for naming several environmental agency appointees without first telling her.



Boxer



Inhofe

THE HOUSE

HOUSE COMMITTEE ON ENERGY AND COMMERCE

JURISDICTION:

Lawmaking related to the environment, the overall economy, and Native American affairs.

CHAIR: Henry Waxman (D-CA) probably represents more celebrities than any other single member of Congress. His district includes West Hollywood, Beverly Hills, and Santa Monica—all enclaves for Tinseltown's biggest stars. This year, he'll be a star in his own right as he takes over one of the most powerful committees in Congress. Waxman narrowly beat out the longtime chair, Michigan's John Dingell, for the post.

RANKING REPUBLICAN: Joe Barton (R-TX)

BATTLE LINES:

Waxman toppled Dingell in part because he promised to push for stricter laws on greenhouse gas emission. That may mean a crackdown on coal producers, whom Waxman has targeted in previous legislation. And that may prompt a fight with Rep. Nick Rahall (D-WV), who chairs the House's Committee on Natural Resources.

HOUSE COMMITTEE ON NATURAL RESOURCES

JURISDICTION:

Oversees fisheries, forest reserves, national parks, public lands, and relations with Native American tribes.

CHAIR: Nick Rahall (D-WV). Now in his 17th term in the House, Rahall appears next in line to take over Robert Byrd's Senate seat. Rahall assumed the Natural Resources chair in 2007 and immediately separated himself from former chair Richard Pombo, the ousted Alaska Republican who had pushed for an expansion of private property rights before his career was derailed by alleged links to lobbyist Jack Abramoff.

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RANKING REPUBLICAN: Doc Hastings (R-WA)

BATTLE LINES:

Though his party is in charge of both houses of Congress as well as the White House, Rahall may still have a fight on his hands with Henry Waxman on coal (see Energy and Commerce) as well as with the Bush Administration policy. Bush slashed rules intended to protect endangered species and their breeding and hunting grounds, which often include private property. Rahall says he'll make it a top priority to undo that rule change. (As of press time, the rule was still in place.)

HOUSE COMMITTEE ON AGRICULTURE

JURISDICTION:

Oversees policies that affect farm and ranch owners and their markets.

CHAIR: Collin Peterson (D-MN) is a conservative Democrat who has been in Congress since 1991. He has been chairman of the powerful Agriculture Committee since 2007.

RANKING REPUBLICAN: Bob Goodlatte (R-VA)



BATTLE LINES:

Just a year into his chairmanship, Peterson led the charge in the House to buck President Bush's second veto of the Food, Conservation and Energy Act of 2008, aka, the Farm Bill. In the current Congress, Peterson will be called on to press for more regulation of commodity futures markets, which have been extremely volatile in the current recession, and to push the Obama Administration to investigate surging food prices and intervene if necessary to force prices down. 🇺🇸



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