

What is the Land and Water Conservation Fund?

The Federal Land and Water Conservation Fund (LWCF) was established in 1965 to provide funds and matching grants to federal, state and local governments for the acquisition of land and water for the benefit of all Americans. The main emphases of the fund are recreation and the protection of national natural treasures in the forms of parks and protected forest and wildlife areas. The fund is generated by fees paid by companies drilling offshore for oil and gas.

What are State School Trust Lands?

At the time of statehood in 1890, Wyoming was granted lands for a state common school trust. The state school trust consists of land assets and funds generated from the land assets. By Wyoming constitutional mandate, the assets must generate income for the beneficiaries— Wyoming’s public schools. The trust lands are used commercially, producing income from leases for development such as wind turbines, oil and gas, livestock grazing, timber harvesting, or land sales to fund public education throughout the state. Wyoming’s state school trust is very large, totaling 3.5 million surface acres and 3.9 million mineral acres.

Timeline Recap of GTNP School Section – federal and state authorizations:

Since the late 1990s, there has been a consistent effort between Wyoming and key federal officials to solve Wyoming school trust inholdings within GTNP boundaries that produce little or no income for the state school trust and potentially meant development in GTNP. U.S. Senator Craig Thomas, who served in the US House from 1989-1993 and was the elected the U.S. Senate in 1994, recurrently authored legislation to authorize the federal government to buy, exchange, or trade state school trust assets that are GTNP inholdings.

2003 – U.S. Senator Craig Thomas’ Grand Teton National Park Land Exchange Act, S.273/PL 108-32, passed both houses of Congress and was signed into law in June of that year. It was this measure that authorized the federal framework for an acquisition solution of state school section inholdings in GTNP. It meant the federal purchase of state inholdings could finally give Wyoming monetization due to the common school trust and allow the park to resolve its development concerns. U.S. Senator Mike Enzi cosponsored the bill along with a companion bill on the House side sponsored by then U.S. Rep Barbara Cubin.

S. 273 - Grand Teton National Park Land Exchange Act - Directs the Secretary of the Interior: (1) to acquire specified State lands within the boundaries of Grand Teton National Park by donation, purchase, or exchange for specified Federal lands of equal value in Wyoming; and (2) if the Secretary or the Governor of the State of Wyoming determines that such Federal lands eligible for exchange are not sufficient or acceptable for the acquisition of all of the State lands, to identify other Federal lands or interests therein in Wyoming for possible exchange, and their estimated value.

2010 – Then Wyoming Governor Dave Freudenthal, frustrated by the lack of progress within the Department of Interior to meet the new law’s authorized land acquisition, threatened to auction one of the school sections in GTNP.

2010 – In December, the Interior Department and the Wyoming Land Board signed a formal agreement the National Park Service/Department of Interior to acquire the state trusts lands within GTNP. But that agreement was conditioned upon the Wyoming Legislature granting the Wyoming Land Board the authority for the transfer agreement by sale or exchange.

2011 – State Legislation, HB156, by Wyoming Rep. Ruth Ann Petroff, passed the Wyoming State Legislature authorizing the 2010 agreement to acquire the school trust assets within GTNP.

2013 – The Department of Interior could not secure funding for the Antelope Flats Parcel acquisition and asked to amend the 2010 agreement to allow for a value-for-value exchange of surface and/or mineral interests elsewhere in Wyoming. But that amendment to the 2010 agreement would also need Legislative approval.

2014 – The Wyoming Legislature gave authorization to amend the 2010 agreement, passing SF39, a bill by Wyoming Sen. Leland Christensen and Wyoming Rep. Ruth Ann Petroff. This extension of the agreement was strictly conditioned—it would expire on December 31, 2016, meaning the sale or exchange would have to be accomplished by that deadline, or the agreement would be terminated.

During 2014 and 2015, the Federal Government and the State agreed to process an appraisal and looked for possible lands to exchange.

- The Antelope Flats parcel appraised value was updated to \$46,000,000.
- But an exchange did not materialize. As time ran out, the Interior Department had to focus instead on purchase.

2016 – In early February, responding to a request of the Secretary of the Interior, the Wyoming Legislative Leadership then sponsored SF88 to authorize more time for the transaction. But that bill failed by March—setting private fundraisers into high gear to find the private and federal funds for purchase. National Park Service requests FY2017 appropriation of \$22.5 million in LWCF to match \$23 million in private foundation fundraising from NPS partners, Grand National Park Foundation and the National Park Foundation.

2016 – In August, Wyoming's land board amended the 2010 agreement to set the deadline to acquire the school section lands to no later than December 31, 2016.

December 12, 2016 – Closing on the purchase by the federal government of the Antelope Flats 640-acre parcel from Wyoming School Trust.