



## Private Lands Day-Partners for Conservation

Marriott Hotel  
Wichita, Kansas  
October 7, 2010  
-Meeting Minutes-

### Present:

Ted Alexander, Kansas  
Duane Coombs, Nevada  
Barbara Cozzins, Montana  
Tuda Libby Crews, New Mexico  
James Cummins, Mississippi  
Russell Davis, Colorado  
Jim Faulstich, South Dakota

Ray Hendrix, Nevada  
Dean Hunt, California  
Hod Kosman, Nebraska  
Terry Mansfield, Washington  
Ken McArthur, Colorado  
Dina Moore, California  
Jim Stone, Montana

### Partners:

Ali Duvall, Staff Support  
Mike Jones, Sand County Foundation  
Casey Stemler, USFWS Migratory Birds-Region 6  
Rick Warhurst, Ducks Unlimited, North Dakota  
Roger Wells, Tallgrass Legacy Alliance

### Meeting Goals and Agenda

Ali Duvall opened the meeting at 10:15 a.m. The topic for the day will include moving Partners for Conservation (PFC) forward and adopting a formal structure for the group. Ali indicated that the day would involve an open discussion on how to move the process along. Casey Stemler, FWS Region 6, and Mike Jones, Sand County Foundation, will provide input and facilitation at various points during the meeting.

A core group including Jim Stone, Russell Davis, Jim Faulstich, Bill Sproul, Dina Moore and Dean Hunt have worked since last year's meeting to prepare the information to be presented to the group today.

Ali led a discussion of the mission statement and concept paper, which had been distributed in the meeting packets. Eight strategies were identified in the concept paper summarized here:

- Keep working landscapes intact
- Promote public and private partnerships
- Communicate, educate and share on-the-ground challenges
- Support voluntary, incentive based programs
- Transfer experiences, expertise and lessons learned
- Increase and leverage funding
- Support local, watershed and/or place-based conservation
- Promote the 80-20 rule for conservation

Ali reviewed the day's agenda and anticipated outcomes for the day. These include the formal organization of PFC through approval of articles of incorporation, adoption of bylaws and election of officers.

### Articles of Incorporation

Russell Davis presented the Articles of Incorporation previously prepared through the assistance of legal council and input by the core group. Responding to an earlier question, Russell explained that the

principle address of the organization would be in Colorado. Russell reviewed selected sections of the articles of incorporation and responded to comments and questions. Discussion ensued concerning Article XI– Dissolution. Ted Alexander suggested that the Articles be amended to state that, upon dissolution, all remaining assets of the organization be distributed to another non-profit ranching organization.

### **501(c)3 Application**

IRS requirements for filing Form 990 - Return of Organization Exempt From Income Tax were discussed. Casey Stemler noted that the group will need a simple explanation of what is appropriate and is not appropriate related to “lobbying” by a 501(c)(3) organization. If you elect to lobby, you can use 20% of your funds to do so. Nevertheless, “information providing” is the language to use. Hod Kosman contacted the IRS in Colorado and investigated aspects of filing the articles in Colorado. Jim, Hod has really stepped up to help with understanding how to file. The documents are 26 pages, but mostly check the boxes. Need to get a Tax ID (which can be done on-line). Forms must be filled within 15 months. Hod will help complete the forms and then send along to Russell. A tax I.D. number will be secured soon. At this point, everything looks to be in order to finalize filing very soon. Russell will submit the documents to the Secretary of State in Colorado once legal counsel has reviewed and approved. Jim Cummins suggested that if assistance is needed to facilitate filing, Senator Max Baucus, Montana, has offered the support of his office.

### **Bylaws**

Jim Faulstich opened discussion of the proposed bylaws. It was noted that the Draft Bylaws presented to the group can be modified as needed (as opposed to the Articles of Incorporation just discussed which were finalized prior to today.) The proposed structure for PFC includes two classes of membership: voting members, who include private landowners and managers, and non-voting members, who include conservation partners. Board representation will be from three U.S. regions stratified north to south containing 16 – 17 states each. The hierarchy of PFC membership is attached. Further discussion and clarification ensued concerning various aspects of PFC membership and leadership.

Discussion moved to review of various sections of the Bylaws with questions and answers for clarification. Some of the major items discussed included:

- An amendment was proposed and approved for section 4.03 Board of Directors. The draft version listed the regions as Western, Central and Eastern. The amendment modifies this to be North, Central and South regions.
- Article 6.09 and 8.03 concerning the authority to write checks and if there is a need for co-signers. It was agreed that the issue would likely arise where the co-signers lived considerable distance apart causing potential delays in time-sensitive payments. It was decided that a limit can be set on checks and anything above that may require telephone pre-approval of the chairman or executive committee.
- It was noted that PFC should establish procedures for reporting financial condition to the board on a regular basis and a clear audit trail must be maintained.

By consensus without dissent, the Bylaws were approved as amended.

The group expressed their sincere appreciation to Jim Faulstich for his work on these bylaws and to the Sand County Foundation for their assistance in drafting the very detailed 14-page bylaws.

### **Feedback from Landowners**

Tuda Libby Crews is impressed with the entire effort and thinks it will become special. Dean Hunt said that the progress made over this past year is worth noting. Rick Warhurst echoed these comments and stated that the group has made great progress. Since DU is also a 501 (c) 3, he approaches this differently than the others, and likely will be a conservation partner. DU long ago recognized that private land is key.

Terry Mansfield encouraged the group to not undersell the power/value of personal stories, and to think about the value of the Farm Bill and developing a relationship with state wildlife agencies.

Jim Cummins offered the following observations on PFC policy and board membership.

- Board members must be able to bring something to the organization and not just fill a seat. Find board members who have contacts, skills and/or abilities that are needed by the organizations.
- “Washington is starving for people who make common sense.” They need and look for people from the land who “make sense” and can offer experience-based suggestions.
- When congressional friends are found, reward them with good press and positive recognition.
- Help congressional friends find better targeting of Farm Bill and other dollars to direct to meaningful conservation.
- Help them find ways to use the tax code to benefit conservation.
- As the group develops, find members who can impact policy to make the big picture changes in various ways including tax code, programs, funding, policy, implementation, etc.
- The Farm Bill must be changed to target dollars with greater impact to landowners involved in good conservation.
- The Farm Bill comes up for renewal in 2012. The PFC group has a great amount of potential because these are “common sense” people who congressional representatives want to talk to.

### **PFC Organization**

**Board of Directors/Executive Committee:** The partners divided into breakout groups by PFC Regions approved in the Bylaws to nominate board members. After regional conferences, the Board of Directors will include:

#### **Region 1:**

Jim Stone, Montana – Four-year term

Jim Faulstich, South Dakota – Three-year term

Pat O’Toole, Wyoming (not present, but nominated, if interested) – Two-year term

Barbara Cozzens – Montana Alternate

Rick Warhurst – Conservation Partner

#### **Region 2:**

Bill Sproul, Kansas – Four-year term

Russell Davis, Colorado – Three-year term

Hod Kosman, Nebraska – Two-year term

Ted Alexander- Kansas Alternate

Ken McArthur – Colorado Alternate

#### **Region 3:**

Dina Moore, California – Four-year term

Duane Coombs, Nevada – Three-year term

Tuda Libby Crews, New Mexico (interested in serving in 2011)

Ray Hendrix – Nevada Alternate

Dean Hunt – California Alternate

Officers were elected from the Board of Directors.

Chairman: Russell moved to nominate **Jim Stone**; Jim Faulstich seconded. Motion passed.

Vice Chair: Jim Stone nominated **Russell Davis** and Jim Faulstich seconded. Motion passed.

Secretary: Jim Faulstich nominated **Dina Moore** and Russell Davis second. Motion passed.

Treasurer: There were a few nominations and all refused. Jim Stone recommended they wait on this person. It was agreed.

**Fiscal Agent:** Discussion followed on who to have as the fiscal agent for the time being and where to house the organization's funds. Possible locations suggested include the Sand County Foundation and the Blackfoot Challenge. Jim Stone noted that the Blackfoot Challenge has held the funds for this and previous meetings. However, the Sand County Foundation has been a good partner, has helped financially with this meeting and been instrumental in getting PFC to this point. Mike Jones offered that the Sand County Foundation is prepared to handle the funds until the partnership gets up and running. All they need is a letter from the PFC asking for that support.

Jim Stone moved, Jim Faulstich second, to send a letter to the Sand County Foundation asking that SCF be the fiscal agent and that the Blackfoot Challenge transfer the funds held in their account for PFC to SCF. Motion passed without dissent.

**Budget:** Ali reported on the current budget (which will be finalized after the event). NOTE: These figures are estimates.

<b>Assets:</b>	\$25,000	USFWS Partners Program
	\$ 3,500	Migratory Bird Fund
	\$ 5,100	Private Donations
	\$ 1,500	Blackfoot Challenge
	\$35,100	Total
<b>Expenses:</b>	\$2,500	PFC Share of Conference Expenses
	\$2,500	Legal Fees - 501(c)(3) paperwork
	\$5,000	Total
<b>Net:</b>	<b>\$30,100</b>	

It was noted that it will be important to track public and private funds separately. This is possible through setting up separate classes in Quickbooks. Some landowners paid the \$75 fee for the registration. These funds should be tracked as private donations towards PFC.

**Capacity:** Jim Stone led a discussion of capacity needs and staff support. Ali Duvall has been handling most of the details and providing the needed staff time. Ali was hired by the Intermountain West Joint Venture in January, but has not had the chance to dedicate as much time as the organization may require, especially in 2011. It was recommended that PFC consider raising the funds for a part-time staff person or seek a volunteer. Much discussion ensued. It was decided to table the discussion for the time being.

**Meetings:** Jim Stone led a discussion about meetings and communication. At least one conference call per month is expected among the Board of Directors to be limited to one hour. Past calls have been the 1<sup>st</sup> Wednesday of each month. A general discussion of meetings and conference calls followed. The final consensus recommendation was for future conference calls to be the 1<sup>st</sup> Tuesday of each month between 8 – 9 p.m. Central Time for the duration of one hour.

### PFC 2011 Action Plan

Ali led a discussion on policy and issues before PFC. The question was posed, does the group want to work on policy issues? The consensus was “yes.” If that is the case, what are the conservation issues in our states and what strategies that are being employed?

The following issues and strategies were identified for the various states.

State	Issue	Strategy
CA	Complex permitting and state regulations – i.e. restoration projects taking 12-14 permits from 12-14 different agencies.	Establish a one-stop streamlined permitting system. PFC put pressure on the legislature to change permitting requirements.
CO	Communications of divergent groups and agencies.	PFC to facilitate meetings and communication of stakeholders who already know how to manage the issues.
KS	Fragmentation of grasslands	Encourage conservation easements especially the FWS Flint Hills Conservation Legacy Area easement program with funding from the Land & Water Conservation Fund.
KS	Outside sources buying land at inflated prices for recreation and non-agricultural purposes	Unknown. Give landowners options and information on how to generate income from recreation. Voluntary, incentive-based programs. PFC provide information and examples of successful programs.
MT	The complete and total demonizing of ranching as agriculture. American Prairie Foundation buying 3-million acres with the message to foreign funding sources that ranching is detrimental to the environment. Conversion of working landscapes to protected areas including closing access to federal lands.	PFC provide information on positive message about ranching. Get good messages out to people about positive environmental affects of ranching.
ND	Loss of CRP to cropland.	Need changes to Farm Bill to allow for “working CRP”.
NM	Salt cedar (invasive species) encroachment. Invasive species crossing state lines.	Work with USDA to develop regional strategies for invasive species management. PFC bring people and agencies together who can address the issues in each state.
NV	Wild horse issue being used as a tool and lever against ranching.	PFC be a conduit for good information on management of wild horses.
SD	Land conversion - native prairie to cropland	Strengthen the sodbuster provision or sod saver provisions of the Farm Bill
WA	Lack of capacity to deliver Farm Bill conservation on the ground.	PFC promote more partner positions in USDA offices.

Discussion followed on identification of the primary issues for PFC. Casey Stemler suggested it is important for PFC members to develop a close working relationship with their Congressional delegation. Many of the issues will require help and backing of Congress and a close working relationship is important. Call them on a regular basis, not only when there is an issue. Just touch base on a regular basis.

Jim Stone offered that it is important to build our coalition and find those landowners in other states outside of those attending this meeting who would join PFC.

Much discussion followed on the variety of issues identified and whether to focus on just a few or a number of issues.

Casey Stemler suggested that PFC focus on an issue where success can be achieved in the first year. Getting success by Congressional action is very, very difficult right now. We need to focus on those areas where success is possible.

Jim Stone recommended moving back to the discussion of capacity, staff support and funding. It was recommended that PFC needs at least 25% FTE staff time. Discussion followed on where that support might come from. Barbara Cozzens volunteered to assist PFC for 8-10 hours per week and work with Ali to provide support. Her offer was gratefully acknowledged and accepted.

Followed was a discussion of “where do we go from here.” Some points identified were:

- Establish contacts with our Congressional delegations as suggested by Casey.
- Solicit support of the FWS Partners Program from our Congressional delegation.
- Identify case studies of successful FWS Partners projects to take to Congress.
- Identify other landowners and managers to invite to PFC.

Ali summarized the meeting with some final discussions.

- At the joint session when PFW staff rejoins the PFC, Jim Stone will recap our day’s accomplishments.
- Where to meet next year? The O’Toole’s from Wyoming have extended an invitation. Final decision to be made later.
- The PFW staff will ask, “What can PFW do to help the landowners?” Suggested answer – We need a list of rancher landowners they have worked with in each state to invite to join PFC.

The meeting was adjourned at 3:45 p.m.

Minutes were submitted by Roger Wells, Tallgrass Legacy Alliance.



# Partners for Conservation Proposed Structure

## Classes of Membership

### Voting:

Private Landowners  
and Managers

### Non-voting:

Conservation Partners

## Executive Committee

- 7-9 voting members and optional 3 general members to serve as advisors
- Officers: Chair, Vice-Chair, Treasurer, Secretary, Region 1, 2 and 3 Reps
- Elected by majority vote of Board of Directors for 1-year terms

## Board of Directors

- 24 members max (3 minimum) representing 3 regions
- Elected from slate of candidates provided by Nominating Committee
- May serve consecutive terms by Board resolution

## State Advisory Board

- 50 members max (one per state with alternate)
- One vote per state
- Nominated by state members to serve

## State Membership Level

- Unlimited # of voting & general non-voting members
- Each state to organize members
- One representative (+ alternate) to serve on Advisory Board
- May serve on committees, attend meetings, etc.



# Partners for Conservation Proposed Regions

## Region 1 (17)

- Alaska
- Washington
- Oregon
- Idaho
- Montana
- Wyoming
- North Dakota
- South Dakota
- Minnesota
- Wisconsin
- Michigan
- New York
- Massachusetts
- Rhode Island
- Vermont
- New Hampshire
- Maine

## Region 2 (17)

- Utah
- Colorado
- Nebraska
- Kansas
- Iowa
- Missouri
- Illinois
- Indiana
- Kentucky
- Ohio
- Pennsylvania
- West Virginia
- Virginia
- Maryland
- Delaware
- New Jersey
- Connecticut

## Region 3 (16)

- Hawaii
- California
- Nevada
- Arizona
- New Mexico
- Texas
- Oklahoma
- Arkansas
- Louisiana
- Tennessee
- Mississippi
- Alabama
- Georgia
- Florida
- North Carolina
- South Carolina



**8 Board  
Members  
from Each  
Region**