

Money Talks, Freedom Walks

Hans Wyss and his big progressive stash.

Words by Dave Skinner. Illustration by John Bardwell.

We weren't planning on saying much about Swiss billionaire Hans Wyss this time around, but the guy has been too busy to ignore. First of all, Wyss has signed Microsoft billionaire Bill Gates' Giving Pledge, promising to give \$5 billion of his fortune to, ahem, "charity." And, in preparation for spending it, Wyss is streamlining and repurposing his tax-exempt infrastructure.

In 2012, Wyss transferred \$1.235 billion to the Wyss Foundation. In 2013, he contributed another \$175 million, of which \$125 million was 1.3 million shares of Johnson & Johnson, the company that bought Wyss' firm Synthes. Wyss also folded his Hansjoerg Wyss Foundation and its \$284 million into Wyss Foundation, which held \$2.024 billion at the end of 2013. Sorry we can't tell you what happened in 2014, because nonprofits don't turn in their forms to the IRS until September 30 of the following year.

All told, Wyss gave environmental groups \$19 million in 2013, a huge increase over 2012's \$10.9 million. Those amounts will almost certainly increase majorly, especially now that the Wyss Foundation has hired in-house staff—four new full-time "program managers" and an administrator.

Besides direct support of environmental groups, Wyss is taking another tack—"work[ing] to protect open spaces on public and private lands" in the West by making large loans for nonprofits to buy ground and flip it to government agencies. Most of the flips so far involve forest held by timber real estate investment trusts, but ranch land is also on his agenda.

In 2007, a Delaware shell entity called Western Land Holding LLC loaned the Western Rivers Conservancy (WRC) \$7 million in "bridge funding" in the form of an interest-free mortgage. The money bought the 8,000-acre Murtha Ranch, 16 miles on Oregon's lower John Day River in Cottonwood Canyon. In a prearranged, phased deal with the Oregon Parks & Recreation Department, WRC "held" the ranch until OPRD paid it off in phases; then WRC repaid the Wyss Foundation. Transaction complete, the ranch opened as a park in 2013.

By 2008, the LLC (controlled by Wyss)



Some notable Wyss Foundation Gifts for 2013/2012

Center for American Progress: \$647,000/\$350,000, plus another \$850,000 from HJW (this is Washington, D.C.'s most influential left-wing think tank)

Conservation Lands Foundation: \$1.510 million/\$1.525 million (in-house Wyss pass-through, focused on pro-wilderness, pro-monument Astroturf)

New Venture Fund: \$2.940 million/\$405,000 (exists mainly to regrant funds anonymously)

Oregon Natural Desert Association: \$375,000/\$0 (never saw a cow it didn't hate)

The Nature Conservancy: \$160,000/\$396,000

Trout Unlimited: \$2.835 million/\$252,000

Trust for Public Land: \$98,650/\$4.25 million

Western Conservation Foundation: \$1.565 million/\$55,280 (supports "public education activities" by training "leaders" to deal with news media)

Western Rivers Conservancy: \$2.5 million/\$0

With few exceptions, Wyss grants vary wildly from year to year, indicating monies tend to be granted for specific Wyss-approved "deliverable" projects rather than for programmatic efforts.

had transferred the mortgage to the books of the Wyss Foundation. Yep, Wyss held the mortgage, secured by the ranch—upon default, ownership would have gone to the Wyss Foundation.

With the Murtha Ranch safely paid for, on Jan. 15, 2015, Associated Press reported that WRC had bought another ranch 40 miles upstream on the John Day. Near Condon, the 14,148-acre Rattray Ranch base property “comes with 10,530 acres of grazing rights” on Bureau of Land Management land. WRC hopes to sell the land to, yep, the Bureau of Land Management, with some wheat ground on the canyon rims to be sold privately.

News reports available do not discuss the long-term status of the grazing rights on either ranch. Somehow not coincidentally, while the Murtha sale price was not disclosed, the Rattray had been listed with a Pendleton realtor for \$7 million. While there is apparently no prearranged deal with the BLM for a federal buyout, WRC president Sue Doroff told *Portland Oregonian* reporter Terry Richard that she expects Land & Water Conservation Fund money to become available. Obviously, Wyss expects LWCF cash, too.

As *RANGE* reported several years ago in “Plum Crazy” (Fall 2009), Wyss seeded the “buy and flip” of 310,000 acres of mowed-off, overpriced Plum Creek timber ground to government ownership through the \$490-million Montana Legacy Project. Well, in fall 2014 and winter 2015, The Nature Conservancy sprang the Great Western Checkerboards Project upon the public: “In a historic land deal The Nature Conservancy today announced a \$134 million conservation project that will expand recreational access and help conserve the ecological integrity of 165,073 acres—257 square miles—of forests, rivers and wildlife habitat in Montana and Washington states. The lands are being purchased from the Plum Creek Timber Company and are located in the eastern Cascade Mountain Range of Washington and in the Blackfoot River Valley in Montana.”

Other sources break down the buy to \$85 million for the 117,000 acres in Montana (\$726 per acre), meaning the Washington price for 48,000 acres is \$1,020 per acre. Aside from what these lands are actually worth—where did TNC get the cash?

According to the *London Guardian*, \$8 million came from the David and Lucile

Packard Foundation at one percent for five years, with the rest coming from the Wyss Foundation “in return for majority ownership of the land.” Reporter Marc Gunther explains, if “all goes according to plan” the foundations “will get their money back and redeploy it into other conservation projects.” What if taxpayers don’t take the bait? The Wyss and Packard foundations will assume ownership. Thrilling.

The woman in charge of Packard’s part in this, Susan Phinney Silver, told the *Guardian*: “We are very motivated to maintain our capital. We need to recycle it”—almost certainly with Land & Water Conservation Fund money, just like for the Rattray—a flippin’ thrill, eh?

Is there more to come? Well, there’s a new Wyss Center for Innovation Inc. that received nonprofit status from the IRS in 2012. WCFI has the same officers as the Wyss Foundation, but as of the end of 2013 it had no money in assets. However, WCFI’s mission statement reads: “The corporation was formed to serve scientific, educational and charitable purposes by means of conserving critical large parcels of land and landscapes in the western United States.”

Get the picture? ■

Full Funding Forever

Porky scary mischief.

By Dave Skinner

No man’s life, liberty, or property are safe while the legislature is in session.” Remember who said that? Yep—Sam Clemens was right as rain a century ago, and he’s worth a frog-strangler today.

As has been reported in *RANGE*, the Obama administration and its allies in Congress have big plans for the future of flyover America, including designation of national monuments and acquisition of private lands for “conservation” purposes, as laid out in Interior’s secret “Our Vision, Our Values” memo back in 2010. (See Winter 2010/2011 at www.rangemagazine.com. Click on Back Issues.)

Westerners hoping for a little relief with the 2014 election results still have a while to

wait, it seems. First there was the lame-duck madness by the outgoing 113th Congress. A 450-page orgy of backroom “pork pork” was glued to the must-pass Defense Appropriations Bill—triggered by John McCain (R-AZ). He wanted the Resolution Copper Mine in Arizona (blockaded in process for eight years running) to go forward, so the logrolling began. Some notable items were a doubling of grazing-permit terms from 10 to 20 years, traded for items such as the transfer of New Mexico’s failed Baca Ranch self-sufficiency experiment to National Park Service instead of Forest Service control. Then, of course, there was the Rocky Mountain Front oh-it’s-not-really-wilderness-and-way-better-than-Obama-making-it-a-monument.

But the biggest surprise in all the so-called Cromnibus was a one-year extension

of the expiring Land & Water Conservation Fund, or LWCF. *That* rider, which never made the news in *my* local paper (wilderness got the headlines), appropriated “not less than \$900,000,000 for each fiscal year through Sept. 30, 2015.” In short, a year’s extension at full funding. Did *your* paper cover that?

So, what happens in the new, not-run-by-Harry Reid 114th Congress? Well, energy and its cost was a huge national issue in 2014. Price is driven by supply and supply is all about getting product to market, so the first order of business for the new Congress under Republican “control” was consideration of the Keystone XL Pipeline Approval Act.

The House quickly passed it, with President Obama promising a veto. But true to form, the shiny new Senate leadership reverted to the same old garbage—opening the bill to amendments that put all sorts of



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poriky, scary mischief in play.

No less than 247 amendments were offered. Some were quite good for western issues, some terrible (see “Reading the Tea Leaves,” below), but almost all went down in flames. However, falling one single vote short of the 60 needed: Senate Amendment 92, introduced by Sen. Richard Burr (R-NC), to “permanently reauthorize the Land & Water Conservation Fund.”

This so-called “Burr-Bennett-Ayotte”

amendment already had 20 co-sponsors—14 Democrats and six Republicans (all from the East). Democrats voted as a solid block in favor, along with 12 Republicans, including three westerners: John McCain, Cory Gardner (R-CO), and John Thune (R-SD). Basically, Burr’s amendment (which Burr claimed “is not about a land-grab”) would have removed the September 2015 sunset clause from the Cromnibus LWCF rider passed at the end of the lame-

duck 113th Congress.

The bottom line of all this? LWCF very nearly died at the end of the last Congress, but was saved at the last vote, hidden in December’s Cromnibus avalanche. Then it was almost made immortal by a logrolling stunt. When that stunt failed, Sen. Burr introduced S-338, a bill to permanently reauthorize the Land & Water Conservation Fund, at \$900 million a year. ■

Reading the Tea Leaves

It’s going to be a bumpy ride. By Dave Skinner

Among the 247 amendments the Senate blew through (one minute of thoughtful debate allowed for each) in the Keystone XL Pipeline (KXL) logrolling were some that had direct connections to western issues. The votes recorded either for or against are helpful information, of course, to citizens wanting to know whose side their elected officials are really on.

It turns out that the wonderful people at the League of Conservation Voters, “for only the second time in LCV history,” recorded and scored the KXL votes in a special “scorecard” covering the main legislation as well as 18 other amendments.

LCV rated every senator—so before you read this, download the scorecard at <http://www.lcv.org/scorecard-2011/2015-special-edition.html> and. The scorecard shows who plays on LCV’s team and who doesn’t.

To be added to the KXL main bill, 60 votes were required; of 48 amendments that got as far as a roll-call vote, 32 were rejected. Sen. Mike Lee (R-UT) sponsored Senate Amendment (SA) 71 to speed up the process of permitting oil and gas drilling on public land. It was shot down, 51-47. Only one Democrat, Joe Manchin (D-WV), voted in favor, with Republicans Kelly Ayotte (NH), Susan Collins (ME), Mark Kirk (IL) and James Lankford (the great oil and ranching state of Oklahoma) joining every other Democrat and Independent (excepting the injured Harry Reid of Nevada) in opposition.

Another Mike Lee effort was SA 33, to apply a \$125 per hour rate cap to Endangered Species Act litigation cost awards. It failed 54-45. Every Republican voted yes, every Democrat and Independent (okay,

Vermont’s Bernie Sanders is really a Socialist) voted no.

Sen. Steve Daines (R-MT) sponsored SA 132, which was a “sense of Congress” resolution regarding Antiquities Act designations, asking that designations “should” (not shall) “require approval by the governor and state legislature” of the affected region. Daines’ amendment died 50-47. Democrat Heidi Heitkamp (ND) joined 49 Republicans in favor, while Republicans Lamar Alexander (TN), Ayotte (NH), and westerner freshman Cory Gardner (CO) joined the Democrats. Gardner of course replaced extremist Green Mark Udall in the 2014 election.

Sen. Lisa Murkowski (R-AK) sponsored SA 166, “which is an attack on America’s public lands” according to LCV, and would “open up nearly 21 million acres of America’s most pristine backcountry lands to drilling, logging and other development.” Actually, Murkowski’s amendment dealt with Bureau of Land Management “Section 603” lands and Interior Secretary Ken Salazar’s notorious 2010 Wild Lands “study them again for wilderness” Secretarial Order 3310.

If lands are recommended through the planning process by BLM for wilderness, Murkowski’s amendment would have required Congress to act on formal wilderness designation within a year. If not designated, these “603” lands “shall no longer be managed in a manner that protects the wilderness character of the land.” In short, Murkowski’s amendment would have stopped the BLM’s perpetual wilderness study machine. Awful, huh?

Murkowski’s amendment failed 50-48, with 49 Republicans voting yes (plus Joe Manchin of West Virginia). All other

Democrats voted no alongside eastern Republicans Alexander (TN), Ayotte (NH), Collins (ME), and westerner Gardner (CO).

Sen. Jerry Moran (R-KS) sponsored SA 73, an attempt to delist the lesser prairie chicken from Endangered Species Act threatened status. The lesser prairie chicken is pretty much looking like sage grouse and spotted owls as an economy wrecker for the southern Plains states. It failed 54-44, with every Republican (and Manchin) in support (Rubio and Reid not voting), and every single Democrat against.

So, including the attempt to pass full funding forever for the Land & Water Conservation Fund, the machinations around the Keystone bill signal political reality for western policy changes—even with a Republican majority in the part of Congress that gives rural America political relevance—paralysis might be the “best” outcome.

For example, a pro-Antiquities Act amendment by Sen. Barbara Boxer (D-CA) “regarding federally protected land” declared that “regions surrounding national monuments have seen continued growth or improvement in employment and personal income” and “designations of federally protected land should continue.” Boxer gathered 55 yes votes, including GOP senators from Tennessee, New Hampshire, Kentucky, Maine, both Carolinas, Ohio, and Florida.

Strangely, four of those GOP senators then flipped the other way to support a competing anti-Antiquities Act amendment by Sen. Deb Fischer (R-NE). Staying on Boxer’s side were Kelly Ayotte (NH), Lindsey Graham (SC), and Richard Burr (NC).

So, cowboys, cinch down—it’s gonna be a rough two years, at the least. ■

Dave Skinner has finally figured out that voting is like planting a crop. One never knows how the season will go until it’s finally over.