

## Federal Land Exchanges

*"Our client was facing nearly a decade of land exchange effort without achieving success. The Dawson team helped to synchronize both strategic and targeted energies to break the logjam and reach a mutually beneficial solution. The outcome afforded the client expanded land access while safeguarding the public interests of the local community."*

– Bill Hartwig  
Former Chief of National Wildlife Refuge System, U.S. Fish and Wildlife Service

### CLIENT

A large construction company with an extensive network of state-of-the-art asphalt paving and production supply facilities.

### BACKGROUND

Land exchanges are a valuable tool for federal land management agencies as they let the government acquire land with significant public benefits while disposing of property with few benefits. Land exchanges can be cost effective and offer win-win opportunities for the public and private industry.

A major construction company had invested more than 10 years negotiating with the U.S. Forest Service (USFS) to obtain land adjacent to its existing quarry operations. This would allow the client to maintain nearly 80 full-time employees for more than 25 years. But regulatory concerns over impacts on endangered species, wildlife habitat and unease associated with surface mining seemed to slow the negotiation. After years of effort with no success, the client turned to Dawson & Associates to facilitate an acceptable land exchange.

### RESPONSE

Leading the Dawson response was Bill Hartwig, former head of the U.S. Wildlife Refuge System, a division of the U.S. Fish & Wildlife Service. Our strategy focused on the major legal and regulatory challenges involving the Endangered Species Act, the Historic Preservation Act, and Federal Land Policy and Management Act. These programs govern steps for land exchanges. Dawson also provided continuity of effort as USFS personnel turnover defensibly slowed progress.

To jumpstart negotiations and focus both sides on progress, our client proposed weekly meetings with USFS staff with Dawson serving as a mutually trusted facilitator. The client also began addressing USFS issues simultaneously rather than in sequential order, keeping USFS officials regularly apprised of progress.

The renewed focus on communications also resulted in the client choosing to fund certain activities normally handled by USFS. The value of the added investment was quickly realized by collectively keeping the negotiation process moving forward.

With sustained commitment to following the government land exchange process, USFS ultimately concluded an agreement providing the company with land rights to more than 300 acres adjoining the company's existing operations while simultaneously benefiting the public interest.