

# Idaho State Board of Land Commissioners Open Meeting Checklist

Meeting Date: December 16, 2025

## Regular Meetings

Date	Action
12/1/2025	Meeting Notice posted in Idaho Department of Lands (IDL) Boise Director's office five (5) or more calendar days before meeting.
12/1/2025	Meeting Notice posted in IDL Coeur d'Alene staff office five (5) or more calendar days before meeting.
12/1/2025	Meeting Notice posted at meeting location five (5) or more calendar days before meeting.
12/1/2025	Meeting Notice posted electronically on <a href="https://www.idl.idaho.gov">IDL website</a> (https://www.idl.idaho.gov) five (5) or more calendar days before meeting.
12/1/2025	Meeting Notice published on <a href="https://townhall.idaho.gov">Townhall Idaho website</a> (https://townhall.idaho.gov) five (5) or more calendar days before meeting.
12/12/2025	Agenda posted in IDL Boise Director's office forty-eight (48) hours before meeting.
12/12/2025	Agenda posted in IDL Coeur d'Alene staff office forty-eight (48) hours before meeting.
12/12/2025	Agenda posted at meeting location forty-eight (48) hours before meeting.
12/12/2025	Agenda posted electronically on <a href="https://www.idl.idaho.gov">IDL website</a> (https://www.idl.idaho.gov) forty-eight (48) hours before meeting.
12/12/2025	Agenda published on <a href="https://townhall.idaho.gov">Townhall Idaho website</a> (https://townhall.idaho.gov) forty-eight (48) hours before meeting.
10/10/2025	Revised Land Board annual meeting schedule posted—Boise Director's office, Coeur d'Alene staff office, and <a href="https://www.idl.idaho.gov">IDL website</a> (https://www.idl.idaho.gov).

## Certification

/s/ Renée Jacobsen

Recording Secretary

December 12, 2025

Date



## Idaho State Board of Land Commissioners

Brad Little, Governor and President of the Board

Phil McGrane, Secretary of State

Raúl R. Labrador, Attorney General

Brandon D Woolf, State Controller

Debbie Critchfield, Superintendent of Public Instruction

Dustin T. Miller, Secretary to the Board

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# NOTICE OF PUBLIC MEETING DECEMBER 2025

The Idaho State Board of Land Commissioners will hold a Regular Meeting on Tuesday, December 16, 2025 in the **State Capitol, Lincoln Auditorium (WW02)**, Lower Level, West Wing, 700 W. Jefferson St., Boise. The meeting is scheduled to begin at 9:00 AM (MT).

**Please note meeting location.**

The State Board of Land Commissioners will conduct this meeting in person and by virtual means. This meeting is open to the public. No public comment will be taken.

[Live streaming via Idaho Public Television](https://www.idahoptv.org/shows/idahoinsession/ww02)

<https://www.idahoptv.org/shows/idahoinsession/ww02>

[Register to attend the Zoom webinar](https://idl.zoom.us/webinar/register/WN_3B7aCYkPSYe1DMS3jK6nLQ)

[https://idl.zoom.us/webinar/register/WN\\_3B7aCYkPSYe1DMS3jK6nLQ](https://idl.zoom.us/webinar/register/WN_3B7aCYkPSYe1DMS3jK6nLQ)

Notice Posted: 12/1/2025 Boise; 12/1/2025 Coeur d'Alene

This notice is published pursuant to Idaho Code § 74-204. For additional information regarding Idaho's Open Meeting Law, please see Idaho Code §§ 74-201 through 74-208.

Idaho Department of Lands, 300 N 6th Street, Suite 103, Boise ID 83702, 208.334.0200



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## Final Agenda

State Board of Land Commissioners Regular Meeting  
December 16, 2025—9:00 AM (MT)  
State Capitol, Lincoln Auditorium (WW02), Lower Level, West Wing,  
700 W. Jefferson St., Boise, Idaho

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## Reports

1. Department Reports—presented by Dustin Miller, Director
  - A. Timber Sales Revenue—November 2025
  - B. Leases/Permits Transactions and Revenue—November 2025
2. Endowment Fund Investment Board—presented by Chris Anton, EFIB Manager of Investments
  - A. Manager's Report
  - B. Investment Report

## Consent—Action Item(s)

3. Approval of Draft Minutes—November 18, 2025 Regular Meeting

## Regular—Action Item(s)

4. Rulemaking Petition: Idaho Code § 38-1304(1)(f)—presented by Archie Gray, Bureau Chief-Forestry Assistance
5. Fire Strategic Plan—presented by Dustin Miller, Director

## **Information**

6. Endowment Ownership History—presented by Jim Elbin, Division Administrator-Trust Lands
7. Remote Sensing (LiDAR)—presented by Geoff Klein, Program Manager-Remote Sensing
8. Logging Day with Constitutional Officers

## **Executive Session**

None

This agenda is published pursuant to Idaho Code § 74-204. The agenda is subject to change by the Land Board. To arrange auxiliary aides or services for persons with disabilities, please contact Idaho Department of Lands at (208) 334-0200. Accommodation requests for auxiliary aides or services must be made no less than five working days in advance of the meeting. Agenda materials are available on [IDL's website](https://www.idl.idaho.gov/land-board/) at <https://www.idl.idaho.gov/land-board/>.



# Idaho Statutes

Idaho Statutes are updated to the website July 1 following the legislative session.

TITLE 74  
TRANSPARENT AND ETHICAL GOVERNMENT  
CHAPTER 2  
OPEN MEETINGS LAW

74-206. EXECUTIVE SESSIONS – WHEN AUTHORIZED. (1) An executive session at which members of the public are excluded may be held, but only for the purposes and only in the manner set forth in this section. The motion to go into executive session shall identify the specific subsections of this section that authorize the executive session. There shall be a roll call vote on the motion and the vote shall be recorded in the minutes. An executive session shall be authorized by a two-thirds (2/3) vote of the governing body. An executive session may be held:

(a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general;

(b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student;

(c) To acquire an interest in real property not owned by a public agency;

(d) To consider records that are exempt from disclosure as provided in chapter 1, title 74, Idaho Code;

(e) To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations;

(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement;

(g) By the commission of pardons and parole, as provided by law;

(h) By the custody review board of the Idaho department of juvenile corrections, as provided by law;

(i) To engage in communications with a representative of the public agency's risk manager or insurance provider to discuss the adjustment of a pending claim or prevention of a claim imminently likely to be filed. The mere presence of a representative of the public agency's risk manager or insurance provider at an executive session does not satisfy this requirement; or

(j) To consider labor contract matters authorized under section 74-206A (1)(a) and (b), Idaho Code.

(2) The exceptions to the general policy in favor of open meetings stated in this section shall be narrowly construed. It shall be a violation of this chapter to change the subject within the executive session to one not identified within the motion to enter the executive session or to any topic for which an executive session is not provided.

(3) No executive session may be held for the purpose of taking any final action or making any final decision.

(4) If the governing board of a public school district, charter district, or public charter school has vacancies such that fewer than two-thirds (2/3) of board members have been seated, then the board may enter into executive session on a simple roll call majority vote.

History:

[74-206, added 2015, ch. 140, sec. 5, p. 371; am. 2015, ch. 271, sec. 1, p. 1125; am. 2018, ch. 169, sec. 25, p. 377; am. 2019, ch. 114, sec. 1, p. 439.]

**STATE BOARD OF LAND COMMISSIONERS**

December 16, 2025  
Trust Land Revenue

**Timber Sales**

During November 2025, the Idaho Department of Lands (IDL) sold five endowment timber sales at auction. Three of the sales had competitive bidding. The net sale value represents a 7% increase over the appraised value. The Good Neighbor Authority (GNA) program sold two timber sales. Both sales had competitive bidding. The net sale value represents a 73% increase over the appraised value.

**TIMBER SALE AUCTIONS**

Sale Name	Area	Sawlog MBF	Cedar Prod MBF	Pulp MBF	Appraised Net Value	Sale Net Value	Net \$/MBF	Purchaser
Caesar Ton	POL	4,490			\$ 873,474.10	\$ 873,474.10	\$ 194.54	Stimson Lumber
Never Summer	POL	5,695			\$ 952,759.50	\$ 1,108,306.00	\$ 194.61	Stimson Lumber
Strong 15	POL	4,075			\$ 1,432,124.50	\$ 1,526,422.50	\$ 374.58	IFG Timber LLC
Maggies Back	MC	6,300			\$ 1,016,255.00	\$ 1,016,255.00	\$ 161.31	IFG Timber LLC
Jeckyl and Hyde Cedar	MC	2,200			\$ 1,060,760.50	\$ 1,185,242.85	\$ 538.75	Stella-Jones Corp
<b>Endowment</b>		<b>22,760</b>	<b>0</b>	<b>0</b>	<b>\$ 5,335,373.60</b>	<b>\$ 5,709,700.45</b>	<b>\$ 250.87</b>	
Dixieland Delight GNA Ton	NCNF	3,305			\$ 33,545.60	\$ 35,578.60	\$ 10.77	J&R Timber Products
Ramskull GNA	IPNF	16,035			\$ 3,167,364.00	\$ 5,511,358.00	\$ 343.71	IFG Timber LLC
<b>Non-Endowment</b>		<b>19,340</b>	<b>0</b>	<b>0</b>	<b>\$ 3,200,909.60</b>	<b>\$ 5,546,936.60</b>	<b>\$ 286.81</b>	

**PROPOSED TIMBER SALES FOR AUCTION**

Sale Name	Volume MBF	Advertised Net Value	Area	Scheduled Auction Date
<b>North Operations</b>				
Super Spur	7,340	\$ 1,383,831.00	POND	12/9/2025
Farragut HM	1,470	\$ 361,459.00	MICA	12/10/2025
Boehls Bottom	3,690	\$ 442,504.00	SJ	12/16/2025
Boehls Bottom Cedar	3,100	\$ 928,137.00	SJ	12/16/2025
Found It 40	8,660	\$ 705,890.00	SJ	12/16/2025
Headwaters Cedar	3,545	\$ 1,246,539.50	POL	12/17/2025
Two Goose Cedar	3,040	\$ 1,220,910.50	PL	12/22/2025
Builda Burma	6,315	\$ 1,157,697.00	SJ	12/23/2025
<b>TOTALS</b>	<b>37,160</b>	<b>\$ 7,446,968.00</b>		
<b>South Operations</b>				
Rocky Maggie Cedar	750	\$ 343,685.50	MC	12/11/2025
Hyde and Seek	2,415	\$ 536,844.00	MC	12/11/2025
Hidden Howell Ton	4,370	\$ 438,694.77	SWI	12/15/2025
Winter Road Cedar	8,075	\$ 3,617,587.50	CLWR	12/18/2025
<b>TOTALS</b>	<b>15,610</b>	<b>\$ 4,936,811.77</b>		

**VOLUME UNDER CONTRACT as of November 30, 2025**

	Public School	Pooled	Total	3 Year Avg.
Active Contracts			162	173
Total Residual MBF Equivalent	311,335	196,881	508,216	510,060
Estimated residual value	\$96,856,900	\$58,128,966	\$154,985,866	\$147,162,835
Residual Value (\$/MBF)	\$311.10	\$295.25	\$304.96	\$288.52

**TIMBER HARVEST RECEIPTS**

	November		FY to date	December Projected	
	Stumpage	Interest	Harvest Receipts	Stumpage	Interest
<b>Public School</b>	\$ 2,693,246.52	\$ 224,844.52	\$ 24,260,494.37	\$ 2,299,686.13	\$ 187,548.49
<b>Pooled</b>	\$ 3,381,858.24	\$ 202,437.67	\$ 20,081,210.86	\$ 938,324.99	\$ 62,782.08
<b>General Fund</b>	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Totals</b>	\$ 6,075,104.76	\$ 427,282.19	\$ 44,341,705.23	\$ 3,238,011.12	\$ 250,330.57

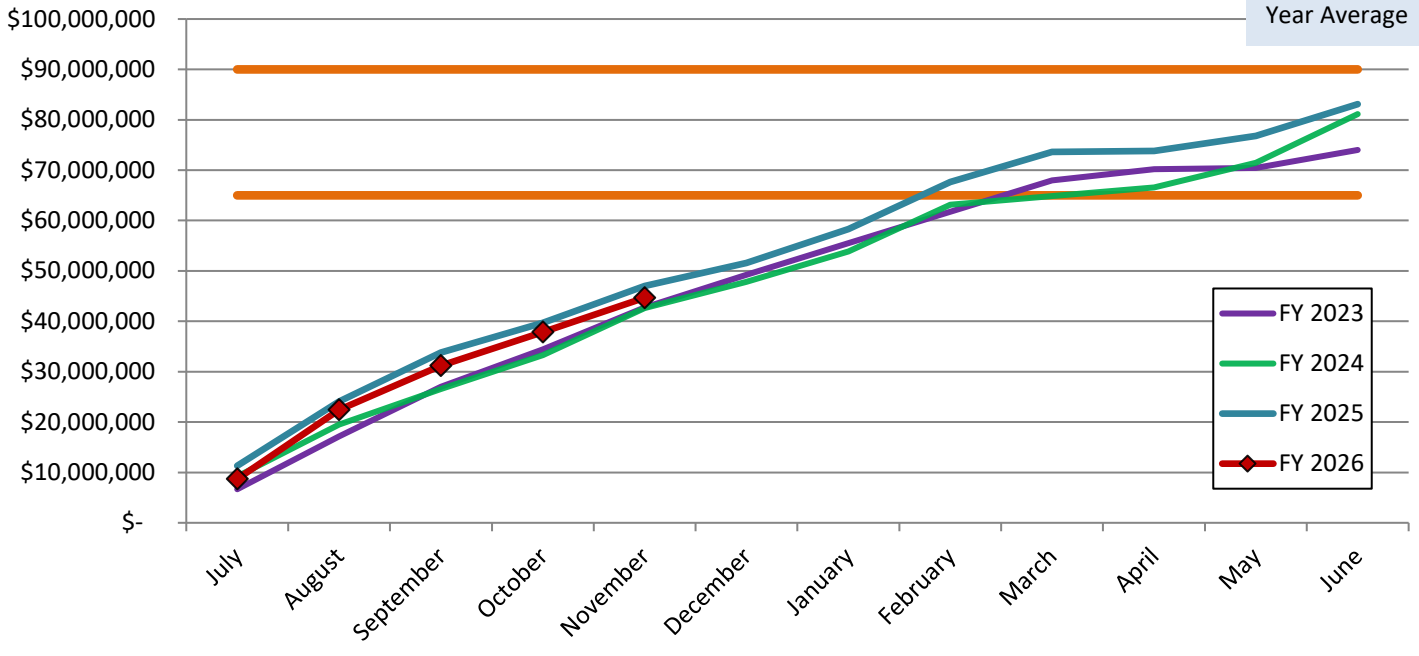
**STATUS OF FY2026 TIMBER SALE PROGRAM**

	MBF Sawlog			Number Poles		
	Public School	Pooled	All Endowments	Public School	Pooled	All Endowments
Sold as of November 30, 2025	70,682	34,048	104,730	12,789	562	13,351
Currently Advertised	22,044	22,231	44,275	657	3,393	4,050
In Review	26,415	0	26,415	0	0	0
Did Not Sell*	0	0	0	0	0	0
<b>TOTALS</b>	<b>119,141</b>	<b>56,279</b>	<b>175,420</b>	<b>13,446</b>	<b>3,955</b>	<b>17,401</b>
FY2026 Sales Plan			333,000			20,000
Percent to Date			53%			87%

\* After three attempts at auction.

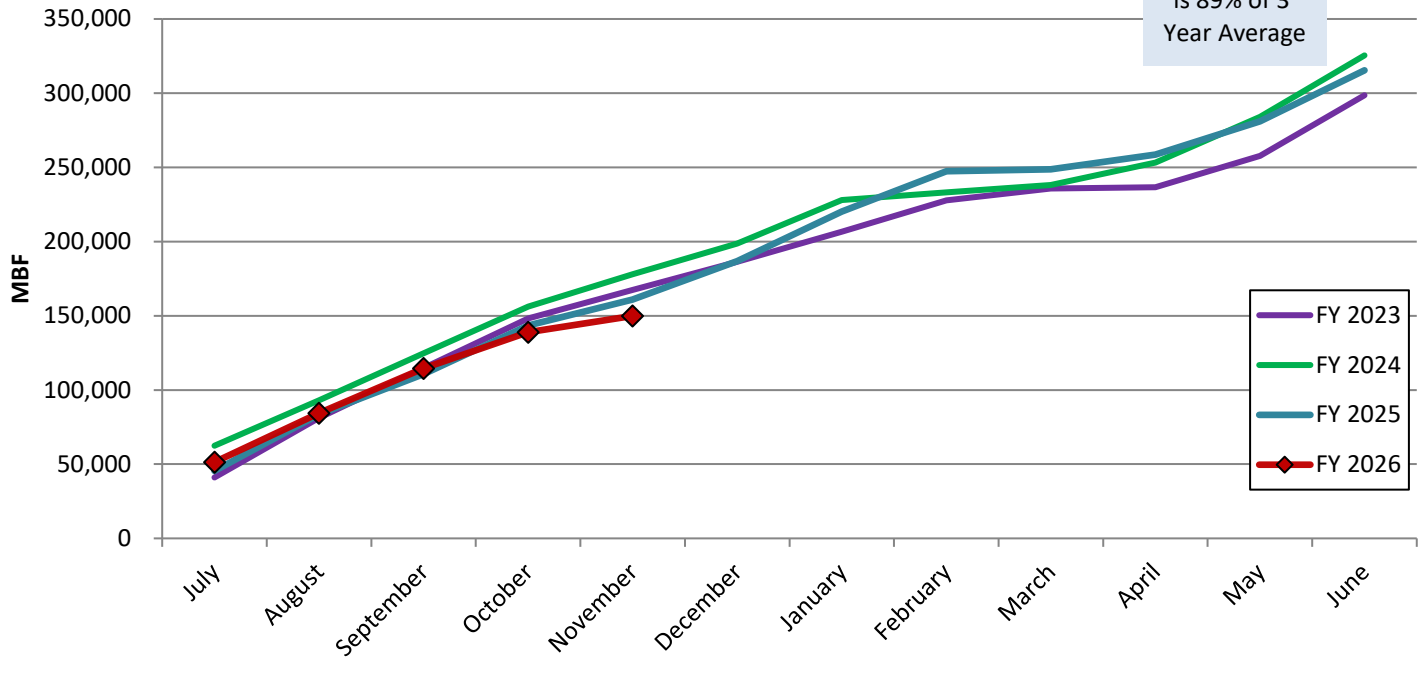
## Cumulative Harvest Receipts

Current FYTD is 101% of 3 Year Average

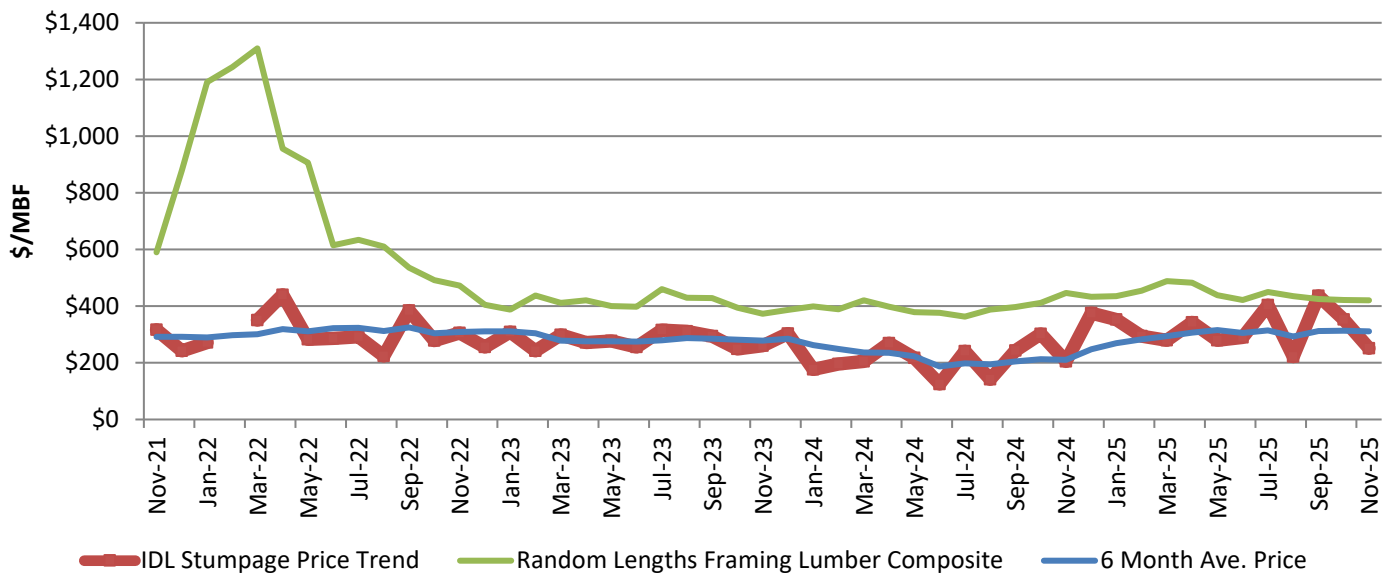


## Cumulative Harvest Volume

Current FYTD is 89% of 3 Year Average



## Monthly Lumber and Stumpage Prices and Six-Month Average Price Trends



November 2025 6-month average price is \$311.47.  
 November 2024 6-month average price was \$210.89.

### 2025 Fire Salvage Timber Sale Update

The Idaho Department of Lands manages timberlands that are inherently exposed to risks of damage from wildfire, windthrow, insect and disease, and other forest health issues. IDL has established policies, procedures, and contract terms to expedite the sale of timber that has been adversely damaged from catastrophic events to the timberland asset to minimize the loss of damages to the beneficiaries by swift and prudent management. The following summarizes damages and salvage efforts following the 2025 fire season across the timberland asset.

In 2025, approximately 7,500 total acres were affected by wildfire. The timberland asset class accounted for 7% or 531 of the acres burned (table 1). Agency management creates stand diversity across the landscape. This variation in size classes along with fire intensity dictates the amount of merchantable, salvageable forest products post fire. This analysis calculates the financial impact across all stand types to account for loss of investment and time when a stand does not contain commercial forest products.

The gross estimated maximum value lost across all stand types is \$2,227,496.40. This season approximately 250 acres of sawtimber were impacted by wildfire (table 2). Department foresters were able to quickly evaluate and layout salvage timber sales to minimize damages across the 250 acres of merchantable volume. IDL was able to set up and sell three (3) fire salvage timber sales. Additionally, an active timber sale contract was successfully administered where a fire occurred to minimize damages. This accounted for an estimated value salvaged of \$412,744.81 (table 3).

The net estimated value lost from this fire season is \$1,814,751.59. This includes the value lost from silviculture investments and time lost across the affected stands (table 4). The \$1,097,968.95 net loss in delivered sawlog represented an approximate 1.82% loss in net receipts. The \$716,782.64 loss for submerchantable timber is the maximum estimate assuming total loss of a stand and associated lost time. These sites will require further evaluation to see what, if any, follow up activities will be necessary. For the merchantable acres, salvage sales' timber value was 27.3% of the green value (62.7% price reduction). of the timber to date.

In conclusion, the 2025 fire season and timber salvage efforts were of minimal impact to the timberland asset. IDL's foresters worked with fire management teams, timber industry representatives, and IDL's Timber Management Bureau to minimize the financial impact from wildfire thus fulfilling our fiduciary responsibility to the endowment trusts of Idaho.

Acres Burned per Asset Class	
Commercial	79.2
Rangeland	6,949.6
Minerals (Sub Surface)	3.5
Timberland	530.9
<b>Total</b>	<b>7,563.2</b>

Table 1 – Asset classification affected acres.

Total Loss by Size Class		
Size Class	Acres	Value
Sawtimber	249.53	\$ 1,510,713.76
Pole/Saplings	223.11	\$ 641,970.44
Seedlings	47.14	\$ 74,812.20
Non Commercial	11.12	\$ -
<b>Total</b>	<b>530.9</b>	<b>\$ 2,227,496.40</b>

Table 2 – Gross value lost.

Timber Asset - Fire Salvage Value (Selling Price)			
Supervisory Area	Acres	MBF	Value
Priest Lake	12.3	92	\$ 45,440.81
Pend Oreille	111	455	\$ 142,415.00
Ponderosa	10	535	\$ 173,768.00
Payette Lakes*	65	700	\$ 51,121.00
<b>Total</b>	<b>198.3</b>	<b>1,782</b>	<b>\$ 412,744.81</b>
<b>* Fire occurred on commercial asset land classification.</b>			

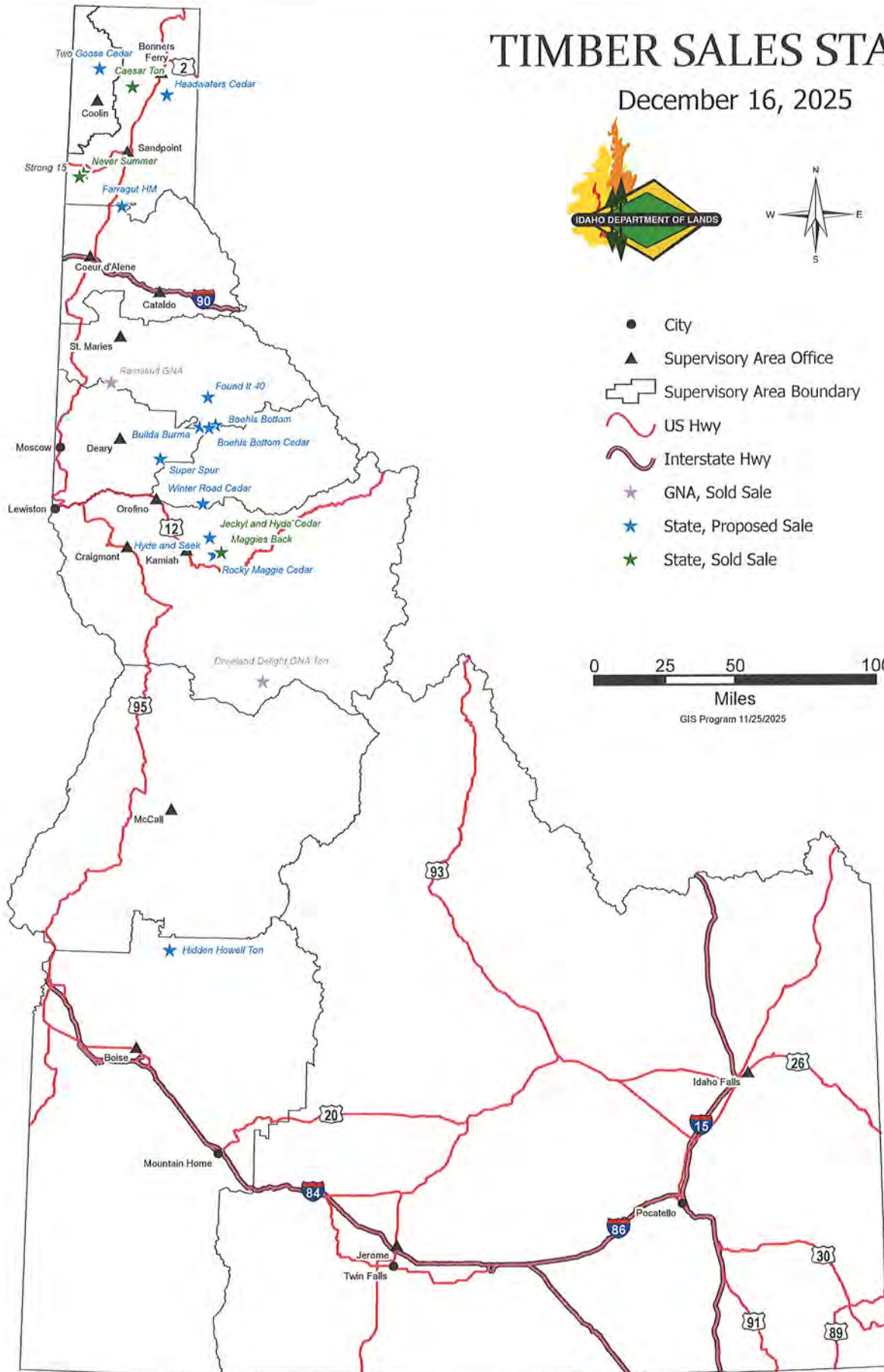
Table 3 – IDL 2025 Salvage Sale efforts.

Supervisory Area	% Salvaged*	% Loss	Value Lost
Priest Lake	100%	0%	\$ -
Pend Oreille	74%	90%	\$ 1,346,109.93
St. Joe	0%	100%	\$ 1,900.00
Ponderosa	11%	75%	\$ 514,612.66
Payette Lakes	NA	NA	NA
Eastern	0%	100%	\$ 3,250.00
<b>Total</b>	<b>80%*</b>	<b>81%</b>	<b>\$ 1,814,751.59</b>
<b>*Based on acres salvaged of merchantable timber burned.</b>			
<b>\$51,121.00 value from sale of timber at Payette.</b>			

Table 4 – Net value loss with extent of damages per supervisory area.

# TIMBER SALES STATUS

December 16, 2025



STATE BOARD OF LAND COMMISSIONERS

December 16, 2025  
Endowment Transactions

Leases and Permits

FISCAL YEAR 2026–LEASING & PERMITTING TRANSACTIONS BY MONTH through November 30, 2025													
ACTIVITY	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	FYTD
<b>SURFACE</b>													
Agriculture	1	-	-	-	-	-	-	-	-	-	-	-	1
<i>Assignments</i>	-	-	-	-	-	-	-	-	-	-	-	-	0
Communication Sites	-	-	-	-	-	-	-	-	-	-	-	-	0
<i>Assignments</i>	-	-	-	-	-	-	-	-	-	-	-	-	0
Grazing	6	1	1	-	3	-	-	-	-	-	-	-	11
<i>Assignments</i>	1	4	10	-	2	-	-	-	-	-	-	-	17
Residential	-	-	-	-	-	-	-	-	-	-	-	-	0
<i>Assignments</i>	-	-	1	-	-	-	-	-	-	-	-	-	1
<b>COMMERCIAL</b>													
Alternative Energy	-	-	-	-	-	-	-	-	-	-	-	-	0
Industrial	1	-	-	-	-	-	-	-	-	-	-	-	1
Military	-	-	-	-	-	-	-	-	-	-	-	-	0
Office/Retail	-	-	-	-	-	-	-	-	-	-	-	-	0
Recreation	2	-	-	-	-	-	-	-	-	-	-	-	2
<i>Assignments</i>	-	-	-	-	-	-	-	-	-	-	-	-	0
<b>OTHER</b>													
Conservation	-	-	-	-	-	-	-	-	-	-	-	-	0
Geothermal	-	-	-	-	-	-	-	-	-	-	-	-	0
Minerals	2	-	-	-	1	-	-	-	-	-	-	-	3
<i>Assignments</i>	-	-	-	-	-	-	-	-	-	-	-	-	0
Non-Comm Recreation	-	-	1	-	-	-	-	-	-	-	-	-	1
Oil & Gas	-	-	-	-	-	-	-	-	-	-	-	-	0
<b>PERMITS</b>													
Land Use Permits	3	6	9	3	3	-	-	-	-	-	-	-	24
<b>TOTAL INSTRUMENTS</b>	<b>16</b>	<b>11</b>	<b>22</b>	<b>3</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>61</b>

Real Estate

FISCAL YEAR 2026–REAL ESTATE TRANSACTIONS BY MONTH through November 30, 2025													
ACTIVITY	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	FYTD
Deeds Acquired	-	-	1	-	-	-	-	-	-	-	-	-	1
Deeds Granted	-	-	2	1	1	-	-	-	-	-	-	-	4
Deeds Granted - Surplus	-	-	-	-	-	-	-	-	-	-	-	-	0
Easements Granted	1	-	2	-	-	-	-	-	-	-	-	-	3
Easements Acquired	1	-	4	4	-	-	-	-	-	-	-	-	9
Easements Assigned	1	-	-	-	-	-	-	-	-	-	-	-	1
<b>Notes :</b> <i>Cottage Site Deeds: 1 Site, Priest Lake 2025 Unleased Site (ULA); Closed 11/21/2025: \$1,545,000</i>													

**TRUST LAND MANAGEMENT DIVISION**  
**FY2026 GROSS REVENUE (non-timber) - ACTUAL AND FORECASTED**  
**through November 30, 2025**

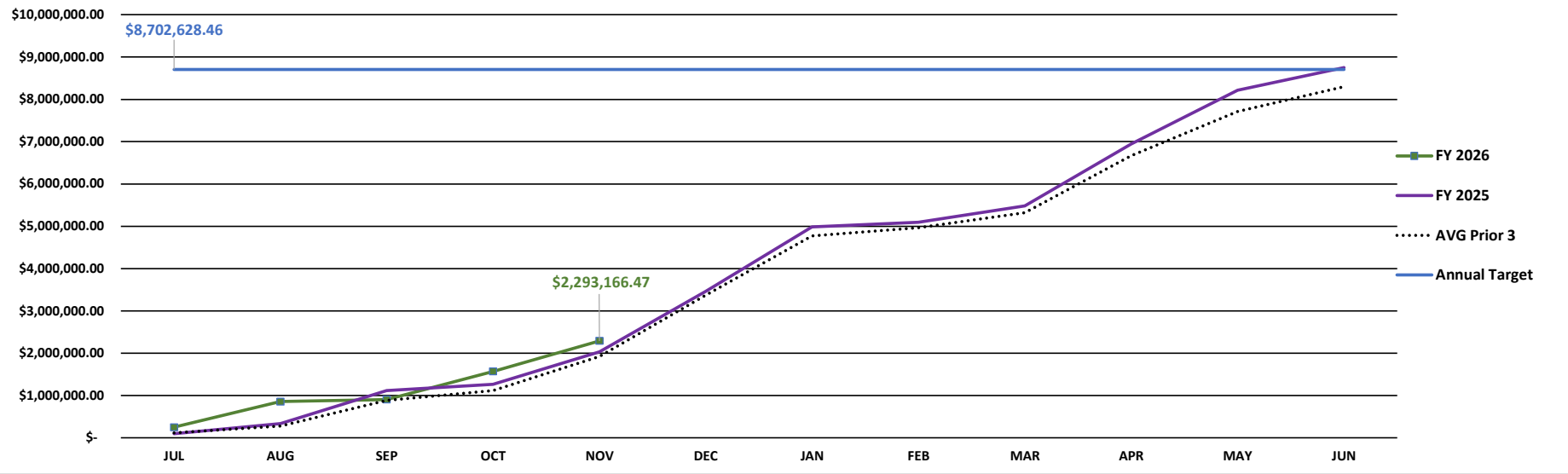
	REVENUE YTD AS OF 11.30.2025	REVENUE EXPECTED BY 11.30.2025*	REVENUE EXPECTED BY 06.30.2026
<b>SURFACE</b>			
AGRICULTURE	\$ 217,348	\$ 71,709	\$ 498,309
COMMUNICATION SITES	\$ 70,652	\$ 60,000	\$ 1,150,000
GRAZING	\$ 172,670	\$ 47,526	\$ 2,344,734
RESIDENTIAL LEASES	\$ 25,702	\$ -	\$ 1,293,052
<b>COMMERCIAL</b>			
COMMERCIAL ENERGY RESOURCES	\$ 215,500	\$ -	\$ 421,000
COMMERCIAL INDUSTRIAL	\$ 9,761	\$ -	\$ 160,000
COMMERCIAL MILITARY	\$ 114,761	\$ -	\$ 125,000
COMMERCIAL OFFICE/RETAIL LEASES	\$ 705,911	\$ 600,000	\$ 1,050,000
COMMERCIAL RECREATION	\$ 643,883	\$ 675,000	\$ 1,250,000
<b>OTHER</b>			
CONSERVATION LEASES	\$ 53,563	\$ 75,241	\$ 105,741
GEOHERMAL	\$ 53,203	\$ 50,000	\$ 55,072
MINERAL LEASES	\$ 9,912	\$ 10,425	\$ 295,573
OIL AND GAS LEASES	\$ 301	\$ 513	\$ 4,148
<b>Sub Total</b>	<b>\$ 2,293,166</b>	<b>\$ 1,590,414</b>	<b>\$ 8,752,628</b>
REAL ESTATE SERVICES (ER)	\$ -		
<b>Grand Total - Earnings Reserve</b>	<b>\$ 2,293,166</b>		
<b>PERMANENT FUND REVENUE</b>			
<b>MINERALS (PF)</b>	<b>\$ 1,584,000</b>		

\*These figures are based on historic timing of revenue/billing as well as estimates of upcoming lease and permit revenue.

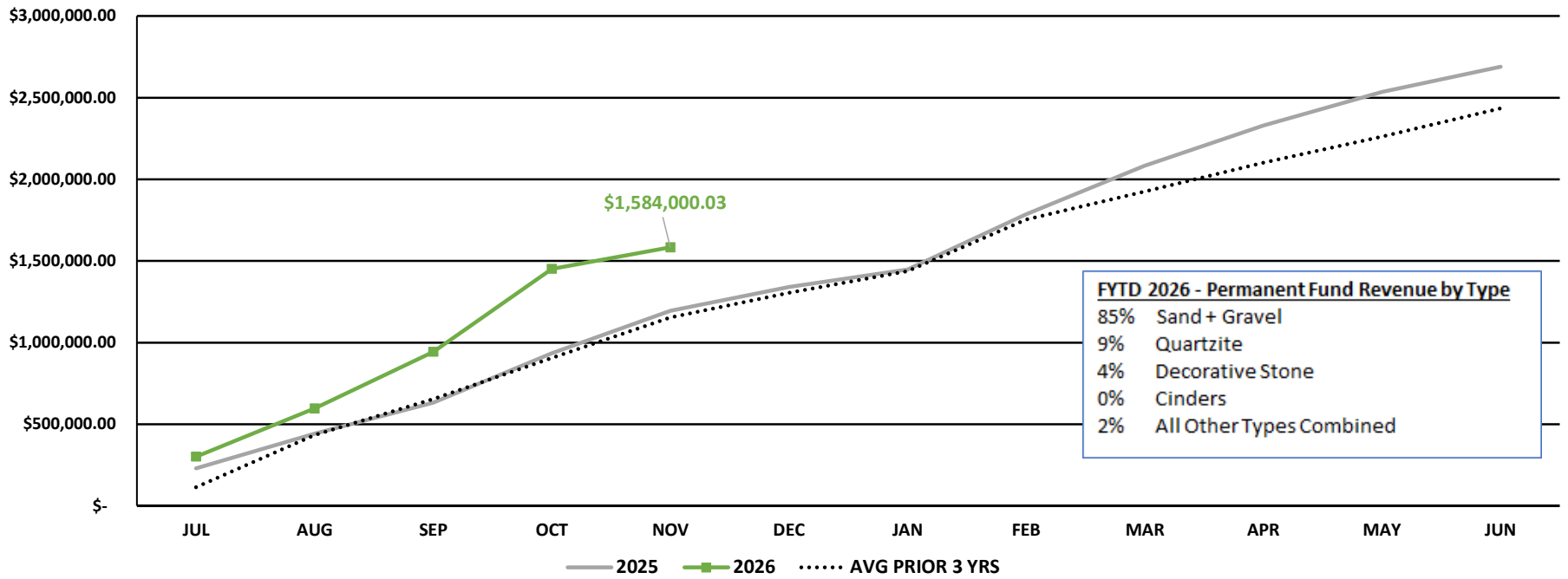
\*\* This category is not included in the annual forecast.

\*\*\*This category is not included in the annual forecast and represents minerals revenue to the permanent fund.

**Cumulative Trust Land Program Receipts  
Earnings Reserve - All Programs Excluding Timber  
FYTD 2026**



### Trust Land Permanent Fund Revenue & Royalties (Excluding Land Bank and Timber Program) FYTD 2026



85%	Sand + Gravel
9%	Quartzite
4%	Decorative Stone
0%	Cinders
2%	All Other Types Combined



Thomas J. Wilford :: Chairman  
Jerry F. Aldape            Irving Littman  
David Dean                James Petzke  
Robert M. Donaldson    Mary Pat Thompson  
Joseph Forney            Jim Woodward  
Chris J. Anton :: Manager of Investments

## Monthly Report to the Board of Land Commissioners

### Investment performance through November 30, 2025

**Month: 0.3%      Fiscal year: 6.2%**

Equity markets were volatile during the month as investors started to question stretched AI stock valuations and the return on investment of immense capital flowing into AI technologies and data centers. Markets rebounded as the AI bellwether Nvidia posted another blow-out earnings report. Financial markets also welcomed the conclusion of the longest-ever government shutdown. The shutdown created gaps in economic data which complicates the assessment of labor markets, inflation and overall economic health. Despite limited information, financial markets are anticipating the Fed will cut interest rates again when they meet in early December.

### Status of endowment fund reserves

Distributions for FY2026 and FY2027 are well secured.

### Significant actions of the Endowment Fund Investment Board

None.

### Compliance/legal issues, areas of concern

*Material deviations from Investment Policy:* None.

*Material legal issues:* None.

### Changes in board membership or agency staffing:

Liz Wieneke retired. Interviewing for new Management Assistant.

### Upcoming issues/events

Board Meeting – February 19, 2025



# INVESTMENT REPORT

Preliminary Report (Land Grant Fund)

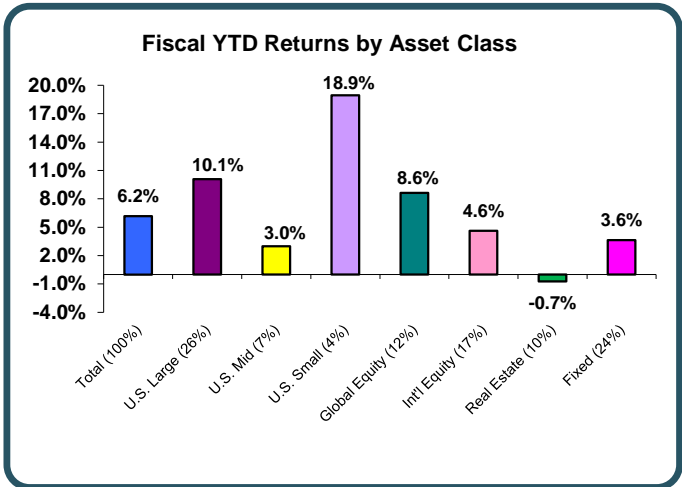
November 30, 2025

	<u>Month</u>	<u>FYTD</u>
<b>Beginning Value of Fund</b>	<b>3,789,994,576</b>	<b>\$ 3,588,670,608</b>
Distributions to Beneficiaries	9,197,600	46,238,000
Land Revenue net of IDL Expenses	1,449,533	29,145,217
Change in Market Value net of Investment Mgt. Expenses	(122,318)	136,465,566
<b>Current Value of Fund</b>	<b>\$ 3,800,519,391</b>	<b>\$ 3,800,519,391</b>

<u>Gross Returns</u>	<u>Current Month</u>	<u>Calendar Y-T-D</u>	<u>Fiscal Y-T-D</u>	<u>One Year</u>	<u>Three Year</u>	<u>Five Year</u>	<u>Ten Year</u>
<b>Total Fund</b>	0.3%	14.9%	6.2%	11.4%	11.7%	7.8%	9.0%
<i>Total Fund Benchmark*</i>	0.2%	15.7%	7.6%	13.2%	12.6%	8.2%	8.8%
<b>Total Fixed</b>	0.7%	8.0%	3.6%	6.3%	5.1%	0.3%	2.3%
<i>BBG U.S. Agg. (Ag)</i>	0.6%	7.5%	3.3%	5.7%	4.6%	0.0%	2.2%
<b>Total Equity</b>	0.2%	19.9%	8.1%	15.1%	17.0%	11.7%	12.1%
<i>56% R3 25.8% Ax 18.2% AC</i>	0.1%	20.8%	10.2%	17.6%	18.7%	12.3%	12.0%
<b>Domestic Equity</b>	0.3%	15.0%	9.7%	9.8%	16.9%	12.5%	13.2%
<i>Russell 3000 (R3)</i>	0.3%	17.2%	10.8%	13.6%	19.8%	14.2%	14.1%
<b>Global Equity</b>	1.1%	19.2%	8.6%	15.7%	16.2%	10.7%	11.4%
<i>MSCI ACWI (AC)</i>	0.0%	21.1%	10.0%	18.2%	18.6%	12.0%	11.4%
<b>Int'l. Equity</b>	-0.8%	31.2%	4.6%	26.6%	17.5%	10.5%	10.2%
<i>MSCI ACWI ex-US (Ax)</i>	0.0%	28.5%	9.0%	26.0%	15.9%	8.4%	7.9%
<b>Real Estate</b>		0.9%	-0.7%	0.9%	-5.9%	1.8%	
<i>NCREIF ODCE Index</i>		2.6%	0.8%	2.7%	-6.2%	2.5%	

\* Benchmark: 37% Russell 3000 17% ACWI ex-US 12% AC 24% BB Agg. 10% OD

	<u>Mkt Value</u>	<u>Allocation</u>
<b>Domestic Equity</b>	<b>\$1,396.8</b>	<b>36.8%</b>
Large Cap	984.2	25.9%
Mid Cap	253.5	6.7%
Small Cap	159.1	4.2%
<b>Global Equity</b>	<b>467.0</b>	<b>12.3%</b>
<b>Int'l Equity</b>	<b>642.3</b>	<b>16.9%</b>
<b>Fixed Income</b>	<b>879.8</b>	<b>23.1%</b>
<b>Real Estate</b>	<b>352.1</b>	<b>9.3%</b>
<b>Cash</b>	<b>62.5</b>	<b>1.6%</b>
<b>Total Fund</b>	<b>\$3,800.5</b>	<b>100.0%</b>

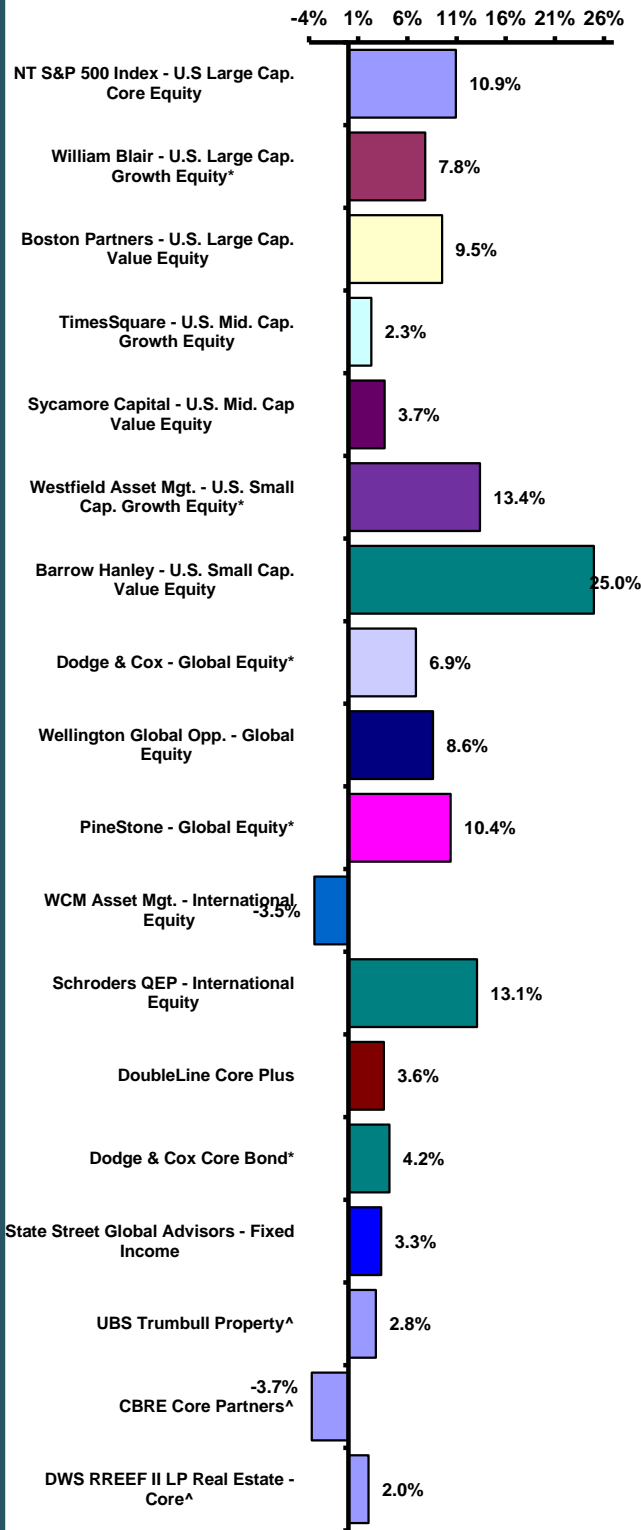


### Endowment Fund Staff Comments:

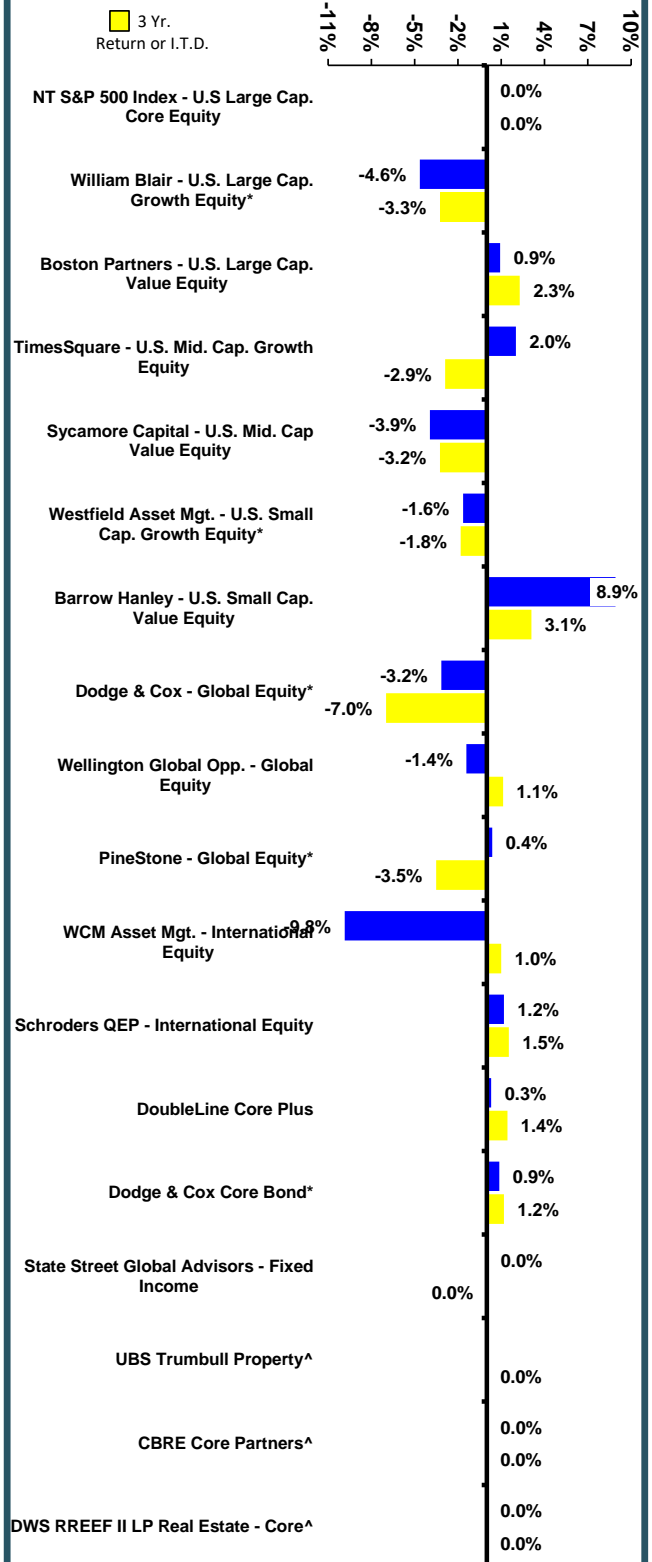
Equity markets were volatile during the month as investors started to question stretched AI stock valuations and the return on investment of immense capital flowing into AI technologies and data centers. Markets rebounded as the AI bellwether Nvidia posted another blow-out earnings report. Financial markets also welcomed the conclusion of the longest-ever government shutdown. The shutdown created gaps in economic data which complicates the assessment of labor markets, inflation and overall economic health. Despite limited information, financial markets are anticipating the Fed will cut interest rates again when they meet in early December.

# INVESTMENT REPORT

## FYTD Manager Returns\*



## Manager Relative Returns Fiscal YTD and 3-Yr Ave\*



^ Most recent valuation. \* I-T-D if no FYTD or 3-yr. history



## Idaho State Board of Land Commissioners

Brad Little, Governor and President of the Board

Phil McGrane, Secretary of State

Raúl R. Labrador, Attorney General

Brandon D Woolf, State Controller

Debbie Critchfield, Superintendent of Public Instruction

Dustin T. Miller, Secretary to the Board

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*Be it remembered that the following proceedings were had and done by the State Board of Land Commissioners of the State of Idaho, created by Section Seven (7) of Article Nine (IX) of the Constitution.*

### Draft Minutes

State Board of Land Commissioners Regular Meeting  
November 18, 2025

The regular meeting of the Idaho State Board of Land Commissioners was held on Tuesday, November 18, 2025 at the State Capitol, Lincoln Auditorium (WW02), Lower Level, West Wing, 700 W. Jefferson St., Boise, Idaho, and via webinar. The meeting began at 8:59 a.m. The Honorable Governor Brad Little presided. The following members were in attendance:

Honorable Governor Brad Little  
Honorable Secretary of State Phil McGrane  
Honorable Attorney General Raúl Labrador  
Honorable State Controller Brandon Woolf  
Honorable Superintendent of Public Instruction Debbie Critchfield

Four Land Board members were present at the physical location; Superintendent Critchfield joined via Zoom webinar. Governor Little, Attorney General Labrador, Controller Woolf, and Superintendent Critchfield constituted a quorum to start the meeting. Secretary of State McGrane arrived after the meeting started.

### Reports

1. Department Reports—presented by Dustin Miller, Director
  - A. Timber Sales Revenue—October 2025
  - B. Leases/Permits Transactions and Revenue—October 2025
  - C. Fire Season Update—Final
  - D. Land Bank Fund

Discussion: Governor Little asked why reported timber volumes appeared behind expectations. Director Miller explained that timber volume remains "on the stump," noting that harvest typically occurs two to three years after a sale is executed. Governor Little questioned how approximately \$100,000 in additional grazing-related revenue was classified, asking whether the income stemmed from traditional grazing activities or from right-of-way and commercial uses, such as cell towers, located on

grazing lands. Director Miller explained that such uses occur on rangeland assets but deferred to staff with greater expertise. Jim Elbin, Trust Land Division Administrator, explained that the Department reports revenue in two ways: by activity and by asset class. While right-of-way permits function as commercial real estate activities, the income is credited back to the underlying asset class—such as grazing land—because those uses do not interfere with the primary land management purpose. Governor Little asked whether this practice was longstanding, and Mr. Elbin confirmed it was. Governor Little remarked that this accounting approach could inadvertently suggest grazing productivity increases due to unrelated commercial uses.

Governor Little asked for a "net, net, net" assessment of fire suppression finances after reimbursements and obligations. Director Miller reported that approximately \$15 million remained in the suppression account after settling partner obligations and reimbursements. Governor Little then asked about fixed, pre-season fire costs incurred before any fires occur. Director Miller estimated those at roughly \$4.5 million, covering pre-positioned engines and contracted aircraft. Governor Little recalled previous years with much higher upfront costs and expressed concern that actual fixed costs may exceed \$10 million once full aircraft and crew contracts are considered. Director Miller acknowledged the complexity of the accounting, including factors such as the Fire Cache, and agreed to review the figures further offline.

Controller Woolf asked whether total fire season costs—estimated at \$59 million—were likely to increase. Director Miller said some 2025 costs remain unreconciled, particularly cost-share calculations with partners, and emphasized that current figures represent best estimates subject to further adjustment.

For the record, Secretary of State McGrane arrived at approximately 9:11 a.m., as the presentation of agenda item 1D began.

2. Endowment Fund Investment Board—presented by Tom Wilford, EFIB Board Chair, and Chris Anton, EFIB Manager of Investments
  - A. FY2025 Annual Report
  - B. Land Board Audit Committee Report
  - C. Manager's Monthly Report

Discussion: Tom Wilford, Chairman of the Endowment Fund Investment Board (EFIB), introduced EFIB board members Jerry Aldape, Bob Donaldson, Joseph Forney, Irv Littman, Mary Pat Thompson, Senator Jim Woodward, Representative James Petzke, and Dave Dean, as well as consultants in attendance: Bobby Lawrence (Eide Bailly), Alex Browning and Evan Williams (Callan). Mr. Wilford acknowledged EFIB staff, Chris Anton, Chris Halvorson, and Liz Wieneke, and gave special recognition to Ms. Wieneke, who is retiring at the end of November. Controller Woolf expressed appreciation for Ms. Wieneke's years of service and wished her the best.

Chris Anton presented highlights from the Fiscal Year 2025 Annual Report. He reported that the endowment fund grew by 10.3%, increasing by \$335 million to a total value of approximately \$3.59 billion. EFIB transferred \$206.4 million from earnings reserves into the permanent fund, strengthening future beneficiary distributions. Mr. Anton reported fiscal year returns of 11.7%, placing the fund in the upper tiers of comparable public funds. Over the last three years, average annual returns exceeded 11%. He noted that total management costs remained low at

0.33% of fund value. Transfers from the Department of Lands totaled \$61.6 million net of expenses, and \$103.2 million was distributed to beneficiaries during the year. The Land Board has already approved distributions of \$110.4 million for FY2026 and \$117.3 million for FY2027.

Mr. Anton presented the Land Board Audit Committee report. The Audit Committee members are Jerry Aldape, Robyn Lockett, from the Attorney General's Office, Mary Pat Thompson, Tom Wilford and State Controller Brandon Woolf. Mr. Anton explained the committee's role in overseeing EFIB's independent audit and reviewing agreed-upon procedures related to the Department of Lands' revenue recognition. He reported that the independent auditors, Eide Bailly, issued an unmodified opinion on EFIB's June 30, 2025 financial statements. No deficiencies were identified in internal controls, compliance, or revenue reporting. Agreed-upon procedures conducted for the Department of Lands also resulted in no findings.

Mr. Anton reported that the endowment fund gained 1.1% in October, bringing fiscal year-to-date returns to 5.9% at month end, though returns had moderated slightly amid recent market volatility. He attributed October's performance to strong corporate earnings, particularly in the technology sector, optimism surrounding artificial intelligence, a Federal Reserve interest rate cut of 0.25%, and improved sentiment toward emerging markets following trade developments with China. He noted some market pullback due to valuation concerns but stated that overall economic conditions remained healthy.

Superintendent Critchfield thanked EFIB for its performance and remarked on the significance of continued endowment growth for beneficiaries. She also noted that the Investment Board, at its meeting later today, is willing to discuss a potential small change in the distribution model which could be really meaningful to the recipients.

3. Performance Review of Total Endowment—presented by Dustin Miller, Director

Discussion: None.

**Consent—Action Item(s)**

4. August 13, 2025 Live Auction, Geothermal Lease H800110—presented by Mike Murphy, Program Manager-Minerals Leasing

Recommendation: Direct the Department to award geothermal lease H800110 to Velikan Renewables LLC, the high bidder at the auction.

Discussion: Governor Little asked whether the Department consulted with the Department of Water Resources or the local groundwater district regarding a geothermal lease. Mr. Murphy explained that while coordination generally occurs during project development, formal consultation is not required at the auction stage. Governor Little requested that future geothermal protocols explicitly include outreach to groundwater districts and the Department of Water Resources due to water resource concerns in certain regions. Mr. Murphy clarified in brief that conventional geothermal does not consume water and agreed to follow through as directed.

Attorney General Labrador asked how geothermal lease rates were determined. Mr. Murphy explained that current rent is approximately \$8 per acre, with a minimum of \$3 per acre, based on market comparisons in western states. He noted this was Idaho's first geothermal lease issued in over 20 years.

Attorney General Labrador and the Governor questioned why only one bid was received. Mr. Murphy explained that two companies participated in the auction but that one elected not to bid due to geological and water considerations. He described differences between conventional geothermal systems and enhanced geothermal systems, noting that water availability influenced bidder interest.

Further discussion addressed how geothermal revenues are classified and whether they accrue to the permanent fund or earnings reserve. Mr. Murphy said the Department now treats geothermal as a renewable resource and anticipates directing future revenues to the earnings reserve.

5. Emmett Airport Pond Surplus Property (Idaho Fish and Game)—presented by Jessica Hale, Program Manager-Real Estate

Recommendation: Direct the Department to offer the Airport Pond property for disposition in accordance with the Surplus Property Act, Idaho Code §§ 58-331–335; and, if public auction is ultimately necessary, authorize the Department to offer the Airport Pond at public auction in Gem or Ada County.

Discussion: Attorney General Labrador questioned whether a proposed \$50,000 price for a 16-acre parcel near Emmett Airport adequately reflected market value. Staff explained the property was appraised without legal access and has limited use. Governor Little noted access constraints and limited utility as mitigating factors.

6. Approval of Draft Minutes—September 16, 2025 Regular Meeting

**Consent Agenda Board Action:** A motion was made by Controller Woolf that the Land Board approve and adopt the Consent Agenda. Secretary of State McGrane seconded the motion. The motion carried on a vote of 5-0.

### **Regular—Action Item(s)**

7. Adoption of Pending Rule IDAPA 20.03.02, Rules Governing Mined Land Reclamation—presented by Andy Mork, Program Manager-Minerals Regulatory

Recommendation: Adopt the pending rule with changes to the proposed rule text for IDAPA 20.03.02, Rules Governing Mined Land Reclamation.

Discussion: Controller Woolf asked whether the Department encountered difficulties responding to public comments during rulemaking. Mr. Mork reported that the 56 submitted questions were constructive and that concerns were resolved through this collaborative two-year process.

Board Action: A motion was made by Secretary of State McGrane that the Land Board adopt the pending rule changes proposed to the text of IDAPA 20.03.02, Rules Governing Mined Land Reclamation. Controller Woolf seconded the motion. The motion carried on a vote of 5-0.

8. Adoption of Pending Rule IDAPA 20.03.04, Rules for the Regulation of Beds, Waters, and Airspace Over Navigable Lakes in Idaho—presented by Marde Mensinger, Program Manager-Navigable Waters

Recommendation: Adopt the pending rule with changes to the proposed rule text for IDAPA 20.03.04, Rules for the Regulation of Beds, Waters, and Airspace Over Navigable Lakes in the State of Idaho.

Discussion: None.

Board Action: A motion was made by Controller Woolf that the Land Board adopt the pending rule with changes to the proposed rule text for IDAPA 20.03.04, Rules for the Regulation of Beds, Waters, and Airspace Over Navigable Lakes in the State of Idaho. Secretary of State McGrane seconded the motion. The motion carried on a vote of 5-0.

9. Statement of Investment Policy Annual Review—presented by Jim Elbin, Division Administrator-Trust Lands

Recommendation: Approve the revised Statement of Investment Policy.

Discussion: Governor Little questioned how the expected net return assumption in the investment policy was calculated. Mr. Elbin said the figure was developed with the investment consultant, Callan, and agreed to follow up with additional detail. Controller Woolf commented on the need for continued discussion around asset allocation targets for non-financial assets such as timberland and rangeland.

Attorney General Labrador raised concerns that proposed language allowing reclassification of timberland conflicted with statutory requirements. He stated his intention to vote against the policy on that basis. Mr. Elbin acknowledged the concern and noted prior Land Board discussions on asset reclassification authority.

Board Action: A motion was made by Controller Woolf that the Land Board approve the revised Statement of Investment Policy. Governor Little seconded the motion. The motion carried on a vote of 4-1, with Attorney General Labrador voting in opposition.

10. Reconsideration of Disposition of Driggs 160 Endowment Parcel—presented by Jim Elbin, Division Administrator-Trust Lands

Recommendation: Proceed with the disposition of 160 acres of rangeland near Driggs (Driggs 160) through public auction.

Discussion: Secretary of State McGrane opened discussion by noting the substantial public and local government feedback received regarding the proposed disposition of the 160-acre parcel near Driggs, including formal correspondence from county commissioners and significant media coverage. He clarified that the purpose of the agenda item was not to recommend a change in direction by the Department but to allow the Land Board to determine whether to proceed with the disposition following completion of the statutory notice period to county officials.

Secretary of State McGrane expressed particular concern with how the existing grazing lessee learned of the proposed sale, noting reports that the lessee first became aware of the action through social media rather than direct communication. While acknowledging that existing leases allow for sale or disposition during their term, he

emphasized the importance of improving communication with lessees and neighboring landowners. As a means of addressing those concerns in this instance, he proposed proceeding with the disposition while honoring the existing grazing lease for its full remaining term as a condition of sale. Secretary of State McGrane asked staff to comment on the potential fiscal impact of requiring the lease to be honored. Mr. Elbin responded that adding such a condition would likely affect valuation and bidder interest, as prospective purchasers would factor the encumbrance and associated risk into their bids. He cautioned that some developers might prefer the Department delay a sale under those circumstances. Secretary of State McGrane replied that the Land Board could mitigate this by setting a minimum bid at the unencumbered, fee-simple appraised value and reconsidering once the auction results were known.

Controller Woolf noted that today's decision was limited to whether the Department should continue forward with disposition, which he supports, but asked about details such as price, conditions, and sale structure. Mr. Elbin offered that those details will be determined as part of the due diligence process. Controller Woolf further asked whether real estate professionals had provided advice on how best to market or structure the sale. Mr. Elbin stated that the Department had obtained a broker's opinion of value considering various development scenarios and risks, but that additional due diligence would be needed depending on Land Board direction.

Secretary of State McGrane stated that he believes pursuing disposition is in the best interest of the beneficiaries, but the lease needs to be recognized in what the Land Board does. Secretary of State McGrane made a motion that the Land Board continue to proceed with the disposition, and that the Land Board add the condition of honoring the full term of the lease to the initial auction and set the minimum bid price at the current valuation that was provided to the Idaho Department of Lands. Controller Woolf seconded the motion for discussion.

Governor Little questioned whether a fee-simple appraisal would remain valid if the property were sold subject to a grazing lease or other conditions. Mr. Elbin replied that a new appraisal would likely be required. Governor Little asked for a general comparison between annual revenue generated by the current grazing lease and potential sale proceeds. Mr. Elbin stated that grazing revenue was approximately \$1,000 per year, while a sale would generate proceeds in the millions.

Governor Little reviewed the historical evolution of state lease language, commenting that earlier leases had effectively prevented sale or exchange during the lease term, but that modern leases explicitly allow sale, exchange, or disposition by the State. Mr. Elbin confirmed this understanding. Governor Little emphasized that lessees sign leases with knowledge of that risk. Secretary of State McGrane clarified that his motion was not intended to revert to historic practices but rather to recognize the unique circumstances of this case and reinforce the importance of transparent communication. He suggested that honoring the lease might still allow a sale, given strong real estate demand in the Driggs area, while demonstrating responsiveness to community concerns. Governor Little asked staff to confirm the remaining term of the grazing lease, which was estimated to extend through approximately 2032. Members discussed the practical implications of a multi-year encumbrance on title.

Attorney General Labrador acknowledged the communication concerns raised by the Secretary of State but expressed the view that the lessee had now been fully informed and had ample opportunity to participate in the process. He stated that while the situation was unfortunate, the existing lease terms allow for disposition and that the Land Board should proceed accordingly.

Governor Little suggested that unwinding the current process was undesirable, but the Land Board should consider future policy discussions focused on balancing fiduciary obligations with community impacts, particularly in smaller counties where state land plays a significant role. He also raised questions regarding mineral rights, emphasizing the importance of clearly defining all conditions of sale in advance to avoid uncertainty for prospective buyers and reduce perceptions of arbitrariness.

Secretary of State McGrane echoed that both buyers and lessees benefit from explicit disclosure of conditions such as retained mineral rights and lease obligations. Mr. Elbin stated that no sale terms had yet been finalized or advertised and that the Department would bring those details back to the Land Board once policy direction was established.

The Land Board discussed the specificity of the motion under consideration, which proposed honoring the grazing lease as a condition of sale and setting the minimum bid at the fee-simple appraised value, with the understanding that future adjustments could be made if the property did not sell.

Board Action: Regarding the motion made by Secretary of State McGrane that the Land Board continue to proceed with the disposition, with the condition that the Land Board add the condition of honoring the full term of the lease to at least the initial auction and set the minimum bid price at the current valuation that was provided to the Idaho Department of Lands, which motion was seconded by Controller Woolf for discussion. Voice vote: Aye—McGrane, Woolf; Nay—Critchfield, Little, Labrador. The motion failed on a vote of 2-3.

A motion was made by Controller Woolf that the Land Board proceed with the disposition of the 160 acres of rangeland near Driggs, the Driggs 160, through public auction, but also request that the Department have a real estate expert review and come back to the Land Board with a plan that goes through all of these steps. Attorney General Labrador seconded the motion. The motion carried on a vote of 4-1, with Secretary of State McGrane voting in opposition.

For the record, Superintendent Critchfield exited the meeting's Zoom webinar at approximately 10:16 a.m., at the conclusion of agenda item 10.

11. USFS/IDL Land Exchange Concept—presented by Bill Haagenon, Deputy Director-Resource Management

Recommendation: Direct the Department to continue evaluating a potential exchange of endowment land around Payette Lake for federal land.

Discussion: Secretary of State McGrane inquired what staff meant by "continuing to evaluate" a potential land exchange concept involving a significant number of state and federal acres near Payette Lake. He asked what level of work and commitment would be required and what direction the Department was seeking from the Land Board.

Mr. Haagenson explained that the Department was requesting permission to invest time and resources in determining whether a viable exchange could be structured. He noted that the concept involved a larger and more complex exchange than is typical, likely to include multiple parcels and coordination with federal agencies. He added that significant effort would be required before the Department could return to the Land Board with a concrete proposal for due diligence, and that early guidance would help avoid expending resources unnecessarily.

Secretary of State McGrane expressed general support for exploring the concept, particularly the core exchange idea that had prompted the discussion. However, he emphasized that any further work should include substantial public and community engagement, given the scale of the proposed exchange and its potential impacts on the Payette Lake community. He stated that land use considerations extend well beyond timber and include development potential, recreation, and long-term community effect.

Mr. Haagenson responded that meaningful public engagement typically occurs once there is a defined exchange proposal to evaluate. He referenced a recent community survey showing general receptiveness to the idea of an exchange, while acknowledging that it lacked specific details and should not be viewed as definitive. Secretary of State McGrane noted the importance of coordination with Valley County and the City of McCall, given land use planning implications. He expressed cautious interest, emphasizing the need to thoughtfully consider parcel boundaries rather than treating the exchange as a single, undifferentiated block of timberland.

Controller Woolf asked about the anticipated timeline for congressional involvement, recognizing that federal approval would be required. Attorney General Labrador stated that such exchanges are often accomplished through congressional legislation, typically as part of larger bills, and that success would depend on political support from Idaho's delegation.

Governor Little commented on the increasing difficulty of administrative land exchanges, noting that procedural challenges and litigation have made congressional authorization more common. He described the historical context of how certain state lands near Payette Lake were originally acquired and emphasized that modern processes are significantly more complex.

Attorney General Labrador raised concerns about transferring additional land into federal ownership, stating his general reluctance to expand federal land holdings, particularly in areas of high local value like McCall. Secretary of State McGrane echoed these concerns, noting that once land is conveyed to the federal government, recovery is unlikely and decisions have multi-generational consequences.

Mr. Haagenson assured the Land Board that any valuation would be conducted at highest and best use for both state and federal parcels involved. He emphasized that the current request was solely for authorization to explore options and return to the Land Board with a more refined concept for consideration. Land Board members generally agreed that further evaluation is warranted, provided that valuation rigor, community engagement, and long-term implications remain central to the process.

Board Action: A motion was made by Secretary of State McGrane that the Land Board direct the Department of Lands to continue the evaluation of a potential exchange of endowment land around Payette Lake for federal land, with all of the direction that was given through the conversation among the Land Board. Controller Woolf seconded the motion. The motion carried on a vote of 3-1, with Attorney General Labrador voting in opposition.

## **Information**

12. USFS-IDL Joint Shared Stewardship Presentation—presented by Ara Andrea, IDL Shared Stewardship Coordinator; Jon Songster, IDL Bureau Chief-GNA; Jeff Lau, IDL-USFS North Idaho Shared Stewardship Coordinator; Brian Davis, IDL-USFS South Idaho Shared Stewardship Coordinator

Discussion: Department staff provided an update on Shared Stewardship and Good Neighbor Authority (GNA) activities, summarizing ongoing collaboration with federal agencies, counties, and other partners to implement forest health and fuels reduction projects across the state. Staff reported continued progress on projects located on both state and federal lands.

Per-acre treatment costs were discussed, with staff explaining that costs vary based on forest type, terrain, and access. Controller Woolf asked about the role of counties in funding or implementation, and how projects are prioritized across the forests. Staff explained that counties participate through federal funds and grants. Project selection considers wildfire risk, forest health needs, and partner readiness. Projects in areas with limited infrastructure, particularly parts of eastern Idaho, tend to be more costly due to access challenges and reduced market opportunities for forest products.

For the record, Secretary of State McGrane stepped out of the meeting at approximately 10:32 a.m. and returned at approximately 10:43 a.m., during the presentation of agenda item 12.

## **Executive Session**

None

There being no further business before the Land Board, at 10:46 a.m. a motion to adjourn was made by Controller Woolf. The motion carried on a vote of 4-0.

# STATE BOARD OF LAND COMMISSIONERS

December 16, 2025

Regular Agenda

## Subject

Forest Practices Act Rulemaking under Idaho Code § 38-1304(1)(f)

## Question Presented

Shall the Land Board direct the Department to enter into rulemaking for IDAPA 20.02.01 as authorized in Idaho Code § 38-1304(1)(f)?

## Background

In a letter dated April 22, 2025 (Attachment 1), the Idaho Farm Bureau Federation (Farm Bureau) petitioned the Idaho Department of Lands (Department) to enter into rulemaking under Idaho Code § 38-1304(1)(f) which states in part that the State Board of Land Commissioners (Land Board), "Shall adopt rules...for the conduct of forest practices on forest land...based upon the following criteria: ...Provide for the timely salvage logging on all forest lands of dead or dying timber or timber that is threatened by various physical elements. Rules developed pursuant to this section shall consider both the economic value of the timber to be salvaged, the immediate costs of the salvage efforts, and the long-term costs to all forest resources and values associated with insect, disease or fire conditions which might otherwise be controlled by the salvage operations. The provisions of this subpart shall not apply to single contiguous forest ownerships less than two thousand (2,000) acres in size. Nothing in this paragraph shall be construed as requiring the removal of timber from private lands against the wishes of the private landowner."

## Discussion

The Department advised the Farm Bureau by letter dated July 2, 2025 (Attachment 2), that the appropriate starting point for rulemaking was through the Forest Practices Advisory Committee (FPAC). FPAC was established under the Idaho Forest Practices Act, title 38, section 13, Idaho Code. Section 38-1305(2)(a) states the Department "Shall, through the director, appoint a forest practices advisory committee to the board for the purpose of providing technical advice to the board in carrying out the board's powers and duties as set forth in section 38-1304, Idaho Code...." All previous rulemaking efforts related to the Idaho Forest Practices Act have been vetted through FPAC before being brought to the Land Board.

Legal counsel for the Farm Bureau submitted a letter on July 11, 2025, requesting that the Land Board take immediate action on the Farm Bureau's petition for rulemaking (Attachment 3.) The Department's general counsel responded to that letter on July 17, 2025 (Attachment 4).

A special FPAC meeting was held on August 27, 2025, at which the Farm Bureau presented their case for entering into rule promulgation related to § 38-1304(1)(f). At that special meeting, a subcommittee was formed to explore the issue and return options to the full committee at the November 12, 2025, regular FPAC meeting.

The FPAC subcommittee met twice, via virtual meetings, on October 6 and November 7, 2025, to discuss the request to enter rule promulgation. The subcommittee was in consensus that there is a significant forest health issue on federally managed lands in Idaho, but a consensus could not be reached on whether Forest Practices Act rules are an appropriate mechanism to encourage or require federal land management agencies to act.

The subcommittee reported back to FPAC on November 12, 2025, with a list of options for the committee to consider. Following lengthy discussion of the options, FPAC members voted unanimously (8-0, with one member absent) to make two recommendations to the Land Board.

While conducting additional research, the Department discovered a 1992 legal opinion (Attachment 5) written by Steve Schuster, Deputy Attorney General, regarding the State's ability to implement effective rules under § 38-1304(1)(f). This opinion reinforces the Department's assessment that rules under this section would be unenforceable and conveys that State participation in the Forest Service's planning process is more likely to provide results.

### **Recommendation**

The first recommendation is that the Land Board should "encourage the state to continue to address forest health risks on federal and adjoining lands through the collaborative approach of Shared Stewardship and Good Neighbor Authority programs." (Attachment 6)

The second recommendation is "that IDL not enter into rule promulgation related to 38-1304(1)(f) because there are already sufficient rules in place to allow for the timely application of salvage harvests by willing and able landowners. Also, the statute directs federal forest land managers to undertake salvage where feasible, making a rule redundant and subservient." (Attachment 7)

## **Board Action**

## **Attachments**

1. Farm Bureau Petition for Rulemaking, 4/22/2025
2. Department Response to Farm Bureau Petition, 7/2/2025
3. Farm Bureau Request via Legal Counsel, 7/11/2025
4. Department Counsel Response to Farm Bureau Counsel, 7/17/2025
5. Legal Opinion, 4/1/1992
6. FPAC Letter of Support to Land Board, 12/1/2025
7. FPAC Letter of Recommendation to Land Board, 12/1/2025



## Idaho Farm Bureau Federation

500 West Washington Street  
Boise, Idaho 83702  
(208) 342-2688

Dustin Miller, Director  
Idaho Department of Lands  
300 N. 6th Street, Suite 103  
Boise, ID 83702

April 22, 2025

Director Miller:

On behalf of the more than 91,000 Idaho families who are members of the Idaho Farm Bureau Federation, I am writing to petition the Idaho Department of Lands (IDL) to enter into negotiated rulemaking on behalf of the Land Board. We request IDL promulgate rules required by 38-1304, Idaho Code.

38-1304 states in part: “The board: (Idaho Board of Land Commissioners) (1.) **shall** adopt rules . . . for the conduct of forest practices on forest land” (emphasis added). Although IDL has promulgated rules for subsections (a) through (e) of this section, it has not promulgated rules for subsection (f).

Further, the definitions of “forest land” and “landowner” in section 38-1303 specifically include federal lands. The legislature intends for all rules related to 38-1304 to apply to federally managed lands. Therefore, under the statute, IDL is not only authorized, but obligated, to undertake this rulemaking, including their application to federal lands.

The purpose of our petition for these rules is to protect the health, safety, welfare and property of Idaho citizens. Wildfires of increasing size and intensity on federal lands over the past several years have demonstrated the significant risks posed by poorly managed federal forests and why these rules are necessary.

Some would argue that the state cannot require federal agencies to comply with state laws and rules. However, the state has sovereign police powers to protect our citizens. As evidence, H389 was signed into law this session authorizing the Governor to declare wildfires, **specifically on federal lands**, a public nuisance and to seek civil damages from the federal government to recoup the cost of putting out any fire upon their lands.

Once implemented, the rules authorized by 38-1304 will significantly reduce the need to use the powers codified in H389. By requiring federal land management agencies to mitigate hazardous fuels and engage in more robust management of their forest lands, the health, safety, welfare, and property of Idaho citizens will be better protected.

Further, the new administration is fully supportive of this effort as evidenced by:

President Trump's Executive Order 14225 which seeks to revitalize America's rural communities and minimize the catastrophic effects of wildfire by streamlining regulations and increasing active management of our nation's forests.

USDA Secretary Brooke Rollins' recent Secretarial Order 1078-006 which emphasizes the forest health crisis on federal lands directs the US Forest Service to reduce the red tape inhibiting active forest management, including:

- salvage of dead and dying trees,
- harvest of trees damaged by wind or other natural disasters,
- commercial and noncommercial harvest of trees to control insects or disease, and
- removal of hazardous fuels

Following these orders from the new Administration, Governor Little has issued his own Executive Order 2025-04 which states in part:

“Idaho will enthusiastically support President Trump's Executive Order 14225 and Secretary Brooke Rollins SO 1078-006 to help streamline permitting for necessary forest management projects, and IDL will work with the U.S. Forest Service (USFS) wherever possible to utilize all federal and state authorities to expedite active forest management and mitigate the risk of catastrophic wildfires.”

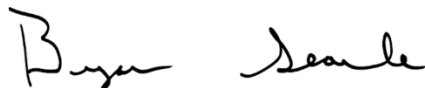
Taken together, these three executive orders make it clear that the President of the United States, the Secretary of the USDA, and Governor Little all strongly support the efforts authorized by the legislature in 38-1304, Idaho Code, to require federal agencies to aggressively mitigate wildfire hazards on their lands, and to engage in more robust, ongoing, proactive forest management, specifically through increased timber harvest.

Therefore, we must strike while the iron is hot and implement rules requiring federal agencies to mitigate their wildfire risk and manage their lands for sustained yield.

Our members look forward to implementing these three executive orders through the negotiated rulemaking process with IDL this summer. This will align state rules with the priorities of President Trump's Administration and will finally deliver on the mandated rulemaking the state legislature enacted so many years ago.

We appreciate your prompt attention to this important matter.

Sincerely,



Bryan Searle, President  
Idaho Farm Bureau Federation

CC: Land Board Members  
Senator Van Burtenshaw  
Representative Ron Mendive

**Idaho Department of Lands**

Director's Office  
300 N. 6th Street, Suite 103  
P.O. Box 83720  
Boise, ID 83720-0050  
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Dustin T. Miller, Director  
*Working Lands, Trusted Stewards*

**State Board of Land Commissioners**

Brad Little, Governor  
Phil McGrane, Secretary of State  
Raúl R. Labrador, Attorney General  
Brandon D Woolf, State Controller  
Debbie Critchfield, Sup't Public Instruction

July 2, 2025

Idaho Farm Bureau Federation  
ATTN: Bryan Searle, President  
500 West Washington St.  
Boise, Idaho 83702

via email: [bsearle@idahofb.org](mailto:bsearle@idahofb.org)

Re: Decision Regarding Petition for Negotiated Rulemaking for I.C. § 38-1304(1)(f)

Dear Mr. Searle:

This letter is in response to your petition dated April 22, 2025, requesting the Idaho Department of Lands to initiate negotiated rulemaking for rules related to Idaho Code § 38-1304(1)(f) of The Idaho Forest Practices Act ("Petition"). After receipt of the Petition, the Department reached out to request a meeting to gather additional information the proposal. On June 4<sup>th</sup>, 2025, I met with a representative of the Farm Bureau to further discuss the details of the Petition. The Department appreciates the Farm Bureau's attention to this matter. At this time, for the reasons set forth below, the Petition for negotiated rulemaking is denied.


The primary reason for denial of the Petition is that the proposed rulemaking concept has not been vetted by the Forest Practice Advisory Committee ("FPAC"), as is typical for our rulemaking process under the Idaho Forest Practices Act. Pursuant to Idaho Code § 38-1305 the FPAC exists "for the purpose of providing technical advice to the board in carrying out the board's powers and duties as set forth in section [38-1304](#), Idaho Code." I.C. 38-1305(2)(a). The FPAC consists of members qualified to provide technical expertise related to forest practices and represents multiple forest stakeholders including private landowners, private timber owners, timber operators, the general public, nonindustrial forest landowners, and other demographics.

In its advisory role, the FPAC acts as the conduit to IDL and the Land Board for Forest Protection Act-related rulemaking; reviewing, providing stakeholder input, and refining rulemaking concepts prior to the Department initiating the rulemaking process. Such review helps ensure that rulemaking proposals are practical, technically sound, and workable for various forest stakeholders. To that end, the proposal for rulemaking contained in the Petition must first be presented to and considered by the FPAC prior to initiating the rulemaking process. The Department intends to take this matter to the FPAC at their next regularly scheduled meeting, currently set for November 12<sup>th</sup>, 2025. The Farm Bureau is encouraged to attend this meeting and provide their input on the proposal.

Bryan Searle  
July 2, 2025  
Page 2

The Department appreciates the Farm Bureau's interest in this matter and looks forward to the Farm Bureau's continued participation in further discussion of the rulemaking concept.

Sincerely,

A handwritten signature in blue ink that reads "Dustin T. Miller". The signature is written in a cursive style with a large initial "D".

Dustin Miller  
Director  
Idaho Department of Lands

cc: Russ Hendricks



MOUNTAIN STATES LEGAL  
FOUNDATION  
FREE COUNTRY. FREE PEOPLE.

July 11, 2025

VIA E-MAIL

Director Dustin Miller  
Idaho Department of Lands  
300 N. 6th Street, Suite 103  
Boise, Idaho 83702  
dmiller@idl.idaho.gov

Governor Brad Little, President  
State Board of Land Commissioners  
c/o Office of the Governor  
PO Box 83720  
Boise, Idaho 83720  
governor@gov.idaho.gov

Re: *Petition to Initiate Rulemaking for I.C. § 38-1304(1)(f)*

Dear Director Miller and Governor Little:

I am an attorney with Mountain States Legal Foundation, which represents the Idaho Farm Bureau Federation (IFBF). On April 22, 2025, IFBF petitioned the Idaho Department of Lands to initiate rulemaking pursuant to I.C. § 38-1304(1)(f). That provision—enacted as part of the Idaho Forest Practices Act—requires the Idaho Board of Land Commissioners to adopt rules governing forest practices on forest land. The statute states unequivocally that the Board “*shall* adopt rules”—not *may*, and not when another, *advisory*, committee greenlights such rules.

We are writing now because Director Miller’s July 2 response to IFBF’s prior petition—which unfortunately deflected the need to adopt the required rules—is not a valid exercise of discretion. It is a brush-off. The Department and the Board have tried to punt a clear statutory obligation by citing an advisory body (the Forest Practices Advisory Committee) that has no legal authority to function as a gatekeeper to approve or deny rulemaking. To reinforce the point, the Forest Practices Act requires the Board to do the rulemaking. And Governor Little’s own Executive Order 2025-04—which instructs state regulators to make forests healthy again—commits Idaho to “enthusiastically support” President Trump’s national forest management priorities and directs the Department to work with the U.S. Forest Service “to expedite active forest management and mitigate the risk of catastrophic wildfires.” Refusing to implement I.C. § 38-1304(1)(f) undermines that commitment and leaves Idaho communities increasingly vulnerable. It is further necessary to move forward as expeditiously as possible to show a clear record of conformity to Idaho’s laws and the Governor’s Executive Order, so that as things change over the years there is a record of compliance and precedent has been set.

While our client understands that the FPAC may provide “technical advice” under I.C. § 38-1305, it is the Board—not FPAC—that bears the legal duty to adopt rules under I.C. § 38-1304. As you are of course aware, no rules have ever been adopted under subsection (f), despite the statute’s clear mandate, and despite decades of worsening wildfire conditions across Idaho’s forestlands. There is no valid defense to this failure to act in accordance with law.

This is not an academic concern. Thousands of acres of dead and dying timber, left unmanaged, are fueling ever-larger wildfires that threaten Idahoans’ homes, businesses, and livelihoods. Your delay increases the risk that each next fire season will bring not only destruction, but costly litigation as well. IFBF’s petition was not radical. It spoke to precisely what the statute demands. Nor is it inconsistent with Idaho’s constitutional balance of powers. It is well within Idaho’s sovereign police powers to set safety rules for forest lands and to enforce those standards where lives and property are at stake. If you are concerned about objections from the federal government regarding rules that have never even been proposed, those are objections that can be raised as part of the deliberative process of rulemaking. But they are not reasons to ignore your legal duty to embark on the rulemaking process.

Moreover, while the Idaho Administrative Procedure Act requires agencies to respond to rulemaking petitions within 28 days, *see* I.C. § 67-5230, the Department waited more than two months to respond to IFBF’s petition. That delay only compounds the legal deficiency and underscores the need for immediate corrective action. We expect you to address IFBF’s petition at your meeting on **Tuesday, July 15, 2025**. We further request and expect that the Idaho Board of Land Commissioners with the Department initiate rulemaking under I.C. § 38-1304(1)(f) no later than July 23, 2025. Should you continue to withhold action, IFBF is prepared to pursue all available remedies, including a petition for judicial review under the Idaho APA, to compel your performance of this critical and non-discretionary legal duty.

We remain open to resolving this matter without litigation, but the clock is ticking. Please respond to me in writing no later than Wednesday, July 23, 2025.

Thank you,



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Ivan L. London  
Mountain States Legal Foundation  
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Lakewood, CO 80227  
ilondon@mslegal.org

cc: Amber Mitchell, amitchell@idl.idaho.gov  
Jamie Neill, jamie.neill@gov.idaho.gov  
Bryan Searle  
Russ Hendricks

**Idaho Department of Lands  
General Counsel**

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Dustin T. Miller, Director  
*Working Lands, Trusted Stewards*

**State Board of Land Commissioners**

Brad Little, Governor  
Phil McGrane, Secretary of State  
Raúl R. Labrador, Attorney General  
Brandon D Woolf, State Controller  
Debbie Critchfield, Sup't Public Instruction

July 17, 2025

Ivan L. London  
Mountain States Legal Foundation  
2596 South Lewis Way  
Lakewood, CO 80227  
Via email: [ilondon@mslegal.org](mailto:ilondon@mslegal.org)

*Re: Response to July 11, 2025, Letter Regarding IFBF Petition to Initiate Rulemaking for I.C. § 38-1304(1)(f)*

Dear Mr. London,

The Idaho Department of Lands (Department) is in receipt of your letter dated July 11, 2025, regarding the Idaho Farm Bureau Federation's (IFBF)'s petition dated April 22<sup>nd</sup>, 2025 (Petition) to the Department to initiate rulemaking pursuant to I.C. § 38-1304(1)(f). For the reasons set forth herein your requests that the Petition be addressed at the July 15<sup>th</sup>, 2025, meeting of the State Board of Land Commissioners (Land Board) and that the Department and Land Board initiate rulemaking by July 23<sup>rd</sup>, 2025, are denied. The Department's response to the Petition was timely and a proper exercise of the Department's discretion pursuant to I.C. § 67-5230. Additionally, for reasons explained in more detail below, bringing the proposal before the Forest Practice Advisory Committee (FPAC) is a necessary next step prior to initiating any formal rulemaking procedures.

First, the Department rejects the assertion that it was not timely in responding to the Petition. I.C. § 67-5230 expressly states in relevant part that "[i]f an agency requests additional information from the petitioner, *the time period specified in this subsection shall begin anew.*" (emphasis added) I.C. § 67-5230(4). As outlined in the Department's July 2<sup>nd</sup>, 2025, response letter, subsequent to the receipt of the Petition the Department reached out to IFBF to request additional information. Such additional information was provided to the Department on June 4<sup>th</sup>, 2025, when the Department met with a representative of the IFBF to further discuss the details of the Petition. Thus, the time period to respond to the Petition began anew on June 4<sup>th</sup>, 2025, and the Department's response was delivered within the required 28 days of the applicable deadline in compliance with I.C. § 67-5230(4).

Secondly, the Department's denial of the Petition was a proper exercise of discretion pursuant to I.C. § 67-5230. Pursuant to I.C. § 67-5230 an agency has only two options to respond to a petition to initiate rulemaking; "a) [d]eny the petition in writing stating its reasons for the denial; or b) [i]nitiate rulemaking proceedings in accordance with this chapter." I.C. § 67-5230(1)(a-b). The Department exercised the statutorily authorized option of denying the Petition and provided its reasoning as to why initiating formal rulemaking was not appropriate at the time. It is standard practice for the Department to have its subject matter experts on the FPAC review rulemaking proposals prior to initiating formal rulemaking. Importantly, the July 2<sup>nd</sup> decision letter does not foreclose formal rulemaking in the future. Rather, it simply states that rulemaking is not appropriate at this time because the proposal requires full consideration to

determine the necessity and scope of any proposed rulemaking. Pursuant to the Department's regular rulemaking practices under the Forest Practices Act (FPA), this requires assessment by the FPAC.

Moreover, all rulemaking must be conducted within the full context of the APA and regulatory landscape of the State of Idaho. As you may be aware, Idaho has undergone a monumental effort in reducing the footprint of the administrative state through comprehensive review and paring back of all administrative rules. See Idaho Exec Orders Nos 2019-02, 2020-01. This state-led directive has continued with the 2024 amendments to the Idaho Administrative Procedures Act (APA) requiring ongoing review and justification of administrative rules the recent passage of HB 14 during the 2025 legislative session directing agencies to take the next step in the administrative reduction process by reviewing their titles and chapters of Idaho Code to identify unnecessary, obsolete, and outdated provisions of Idaho Code with recommendations for removal. See I.C. §§ 67-5292, 67-3701 et seq. All of this is to simply illustrate that the State of Idaho does not condone rulemaking for rulemaking's sake and additions to Idaho's regulatory scheme are heavily scrutinized. Given this clear directive it is imperative that proposed rulemakings receive adequate consideration as to their necessity and appropriate scope prior to initiating the formal rulemaking process. As the Department has explained, pursuant to I.C. 38-1305 FPAC serves this purpose in the Department's regular rulemaking process under the FPA.

Contrary to your assertion neither the Land Board nor the Department are refusing to implement I.C. § 1304(1)(f). The substance of I.C. § 1304(1)(f) is already being implemented under the existing regulatory framework as is evident from the fact that the Department regularly receives notice of and approves salvage projects on timber lands in Idaho. However, in response to your client's petition the Department is willing to bring this matter before the FPAC to receive their advice to help determine the necessity of providing more express rules for implementation I.C. § 38-1304(1)(f) and, if found necessary, the appropriate scope and justification of a proposed rule given Idaho's express directive to minimize unnecessary regulation.

The Department understands IFBF's desire for this process to move forward expeditiously. In an effort to expedite this process, the Department has contacted the FPAC to schedule a special meeting to consider this matter prior to its regularly scheduled meeting in November. The FPAC shall meet on **August 26<sup>th</sup>, 2025, at 12:30 PDT** to review this matter and provide its input on proposed rulemaking. The FPAC will meet in the Department office in Coeur d'Alene and there shall be an option for remote attendance at the Department's Director's Office in Boise. The Department would like to formally invite the IFBF to attend the FPAC meeting and present its perspective on the necessity and appropriate scope of a proposed rule. IFBF's participation could be extremely valuable to the FPAC's consideration.

In sum, nothing in the APA or the FPA mandates that the Department grant a petition to initiate formal rulemaking. The Department has the discretion to determine whether proceeding with formal rulemaking is appropriate at the time of the petition. In this circumstance, while the Department determined that formal rulemaking is not appropriate, it has taken concrete steps to initiate its regular rulemaking process under the FPA in relation to the Petition by setting a meeting to bring this proposal before the FPAC.

In light of the foregoing, your requests that IFBF's Petition be addressed at the July 15, 2025, meeting of the State Board of Land Commissioners and that the Land Board and Department initiate rulemaking no later than July 23, 2025, are denied. The Department will proceed to bring this matter before the FPAC at its August 26<sup>th</sup>, 2025, meeting to assess the Petition, the necessity for rulemaking, and the appropriate scope of any proposed rule. IFBF is highly encouraged to attend this meeting and provide their input on the proposal for the FPAC's

consideration. The Department will proceed accordingly after receiving the FPAC's assessment of the proposal.

As you may already be aware, the Department's denial of the Petition constitutes a final agency action under I.C. § 67-5230 and is therefore subject to judicial review in accordance with I.C. § 67-5270. Pursuant to I.C. § 67-5273, any such petition for judicial review must be filed within twenty-eight (28) days of the service of the denial of the petition to initiate rulemaking.

If your client needs any additional information regarding the upcoming FPAC meeting or if you would like to discuss this matter further, please feel free to contact me at the information below.

Very Truly Yours,

*/s/ John Richards* \_\_\_\_\_

John Richards

General Counsel

Idaho Department of Lands

[Jrichards@idl.idaho.gov](mailto:Jrichards@idl.idaho.gov)

208-334-0210

100/132

IDAHO DEPARTMENT OF LANDS  
DIRECTOR'S OFFICE  
1215 W. State St., Boise, Idaho 83720

MEMORANDUM

DATE: April 1, 1992

TO: Stan Hamilton  
Director

FROM: Steve Schuster S.S.  
Legal Counsel

SUBJECT: Application of Idaho Code §38-1304(f) to federal land

You have requested my opinion concerning the applicability of Idaho Code §38-1304(f) to federal lands.

Idaho Code §38-1304(f) was added to the Forest Practices Act by the 1991 legislature. Idaho session laws, ch. 245, §2, p. 598. This new section adds an additional criterion for the Land Board to consider when establishing rules for minimum standards for the conduct of forest practices on forest land:

[The Board shall] [p]rovide for the timely salvage logging on all forest lands of dead or dying timber or timber that is threatened by various physical elements. Rules developed pursuant to this section shall consider both the economic value of the timber to be salvaged, the immediate costs of the salvage efforts, and the long-term costs to all forest resources and values associated with insect, disease or fire conditions which might otherwise be controlled by the salvage operations. The provisions of this subpart shall not apply to single contiguous forest ownerships less than two thousand (2,000) acres in size. Nothing in this paragraph shall be construed as requiring the removal of timber from private lands against the wishes of the private landowner.

Also in 1991, the Idaho Legislature changed the Idaho Code §38-1303(2) definition of "forest land" to include "federal" as well as state and private lands. Idaho session laws ch. 245, §1, p. 598. Thus, new Idaho Code §38-1304(f) can be interpreted to require the Land Board to develop rules to "provide for" the

Stan Hamilton  
April 1, 1992  
Page 2

timely salvage of threatened timber from federal land. This raises a question regarding the extent to which the state of Idaho can control the salvage of timber from federal land.

In summary, the National Forest Management Act and other federal laws would preempt direct control of federal timber salvage by the Land Board, although the Board could exercise influence through the forest planning process. A more detailed explanation follows.

Congress has plenary authority over federal land under the Property Clause of the United States Constitution, art. IV, sec. 3, cl.2. In Kleppe v. New Mexico, 425 U.S. 529 (1976), the United States Supreme Court acknowledged congressional authority to preempt, or override state law under the Property Clause; when Congress so acts, federal legislation necessarily overrides state law under the Supremacy Clause of the United States Constitution, art. VI, cl. 2.

Even though there is extensive federal power to preempt state law, state law still governs on federal lands and the national forests until Congress and the Forest Service decide to exercise their power. For example, 16 U.S.C. §480 provides that the states retain both civil and criminal jurisdiction over national forests except as to punishment of offenses against the United States. See also United States v. County of Fresno, 429 U.S. 452 (1977) (taxation tax on possessory interest of federal employees valid); Baldwin v. Montana Fish & Game Comm'n, 436 U.S. 371 (1978) (state regulation of hunting and fishing on federal lands).

The question posed thus becomes whether Congress has enacted legislation that would preempt any requirement by the Land Board concerning the timely salvage of timber from federal land. The appropriate test to answer this question is set forth in the United States Supreme Court case of California Coastal Commission v. Granite Rock Co., 480 U.S. 572 (1987):

[S]tate law can be pre-empted in either of two general ways. If Congress evidences an intent to occupy a given field, any state law within that field is pre-empted. If Congress has not entirely displaced state regulation over the matter in question, state law is still pre-empted to the extent it actually conflicts with federal law, that is, when it

is impossible to comply with both state and federal law, or where the state law stands as an obstacle to the accomplishment of the full purposes and objectives of Congress.

Granite Rock, 480 U.S. at 581 (citations omitted), citing Silkwood v. Kerr-McGee Corp., 464 U.S. 238 at 248 (1984).

In the case at hand, there is extensive federal legislation concerning the management of the National Forests.<sup>1</sup> The principal source of authority for the Forest Service is the Organic Act, 16 U.S.C. §551. Under this act, Forest Service administrative actions have been held to override state law in the context of fencing laws, hunting laws, and rules of contract construction. See Light v. United States, 220 U.S. 523 (1911); Hunt v. United States, 278 U.S. 96 (1928); Hi-Ridge Lumber Co. v. United States, 443 F.2d 452 (9th Cir. 1971).

Additional authority over management of federal timber lands comes from the National Forest Management Act, 16 U.S.C. §§1600-1614 and other scattered sections of 16 U.S.C. ("NFMA"). The NFMA represents the "most adventurous congressional incursion into the on-the-ground activities of the United States Forest Service." Wilkinson, C.F. and H. Michael Anderson, Land and Resource Planning in the National Forests, 64 Or. L. Rev. 1, 7 (1985). The main focus of the NFMA and the implementing regulations is where, when, and how much timber may be harvested. Coggins, Public Natural Resources Law, §13.05[3][b][i] (1990 and 1992 suppl.).

The heart of the NFMA planning process is found in 16 U.S.C. §1604, which sets forth relatively specific details regarding planning for timber harvest. Additionally, the NFMA specifically addresses timber salvage and how salvage harvests relate to overall timber harvest schedules developed in individual forest plans. 16 U.S.C. §§1604(k), (m) and 1611(b). There is no

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<sup>1</sup>I will not analyze preemption with respect to Bureau of Land Management land because BLM "forest land" holdings in Idaho are relatively insignificant as compared to Forest Service lands. BLM lands would be subject to the land use planning requirements found in the Federal Land Policy and Management Act, 43 U.S.C. §1712, which provides for federal land use planning analogous to the NFMA. BLM land use planning requirements do not contain nearly the detail regarding timber management as does the NFMA, however.

question then that Congress and the Forest Service, through the NFMA and implementing regulations<sup>2</sup>, exercise extensive control over how timber is harvested from federal land.

Other federal statutes also relate to timber harvest from Forest Service lands. The NFMA, in 16 U.S.C. §1604(e), incorporates the provisions of the Multiple-Use Sustained Yield Act of 1960 into the forest planning process. In 16 U.S.C. §1604(g), Congress also directs the Forest Service to comply with the National Environmental Policy Act of 1969, 42 U.S.C. §§4321 et seq. in developing forest plans. See also Texas Committee on Natural Resources v. Bergland, 573 F.2d 201, reh den 576 F.2d 931 (5th Cir.), cert. den 439 U.S. 966 (1978) (Forest Service subject to requirements of NEPA under the NFMA).

With this extensive federal management scheme in mind, it does not appear that there is much room for Land Board action with respect to directing or requiring salvage of federal timber. Any timber harvest from federal lands must be in conformity with the NFMA, i.e. pre-NFMA management plans<sup>3</sup> or forest management plans established pursuant to the NFMA. Although salvage sales are to some extent exempt from the NFMA planning provisions, unplanned salvage sales must be approved by the Secretary of Agriculture. 16 U.S.C. §§1604(m), 1611(b).

Idaho Code §38-1304(f) is somewhat vague because it directs the Board to "provide for" salvage of timber; what "provide for" means seems to be fairly open-ended. Presumably, the legislature intended the Board to flesh out this term during rulemaking. In any event, to the extent that Idaho Code §38-1304(f) attempts to mandate or require the salvage of timber from federal lands, it most likely would conflict with the NFMA and thus be preempted by the NFMA.

Even though there is an extensive federal legislative scheme for the harvest of federal timber, Congress has left a role for the states in regulating water quality aspects of timber harvest on federal lands. Under the limited waiver of federal sovereign

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<sup>2</sup>36 CFR Parts 219, 221, and 223.

<sup>3</sup>Pursuant to 16 U.S.C. §1604(c), Forest Service management units are allowed to continue under existing (pre-1976) management plans until plans developed in accordance with the NFMA are implemented.

Stan Hamilton  
April 1, 1992  
Page 5

immunity in the Clean Water Act, 33 U.S.C. §1323, Congress has established that federal agencies are subject to state water quality laws the same as a nongovernmental entity. Federal courts have interpreted §1323 to mean that the Forest Service must comply with state water quality standards during timber harvest from federal lands. Northwest Indian Cemetery Protective Association v. Peterson, 795 F.2d 688, rev'd on other grounds 485 U.S. 439 (1988).

Despite the inability of the Land Board to mandate or require timber salvage on federal land, the state of Idaho can be an important factor in the Forest Service planning process. The NFMA requires coordination with state and local governments in the planning process. See 16 U.S.C. §§1604(a), 1612; 36 CFR Parts 216 and 217; see also 31 U.S.C. §6506 (requiring federal cooperation with state and local governments in developing federal programs or projects). To the extent that the "provide for" language of Idaho Code §38-1304(f) involves participation in the forest planning process through the NFMA's state coordination provisions or requests to the Secretary of Agriculture, salvage rules can possibly have some impact.

SJS/pks

cc: Winston Wiggins

**Idaho Department of Lands**

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Dustin T. Miller, Director  
Working Lands, Trusted Stewards  
Equal Opportunity Employer

**State Board of Land Commissioners**

Brad Little, Governor  
Phil McGrane, Secretary of State  
Raúl R. Labrador, Attorney General  
Brandon D Woolf, State Controller  
Debbie Critchfield, Sup't Public Instruction

December 1, 2025

State Board of Land Commissioners  
Governor Brad Little  
Secretary of State Phil McGrane  
Attorney General Raúl R. Labrador  
State Controller Brandon D Woolf  
Superintendent of Public Instruction Debbie Critchfield  
Director of Idaho Department of Lands Dustin T. Miller

via email:

Re: Forest Practices Advisory Committee Letter of Support

Director Miller and State Land Board Commissioners:

The Forest Practices Advisory Committee (FPAC) was recently asked by the Idaho Department of Lands to evaluate the possibility of entering into rulemaking for the purpose of requiring federal land managers within Idaho to treat lands threatened by forest health related issues that could cause a greater risk to surrounding lands and property from catastrophic wildfire. FPAC created a subcommittee to examine the potential benefits of rule development pursuant to the ID Forest Practices Act at 38-1304(1)(f) that address salvage logging of dead or dying timber or timber that is threatened by various physical elements. FPAC does not recommend addressing the issue through rulemaking, we agree that there is a need to increase management on federal lands to reduce forest health risks to Idaho's forests.

Previously FPAC was briefed on the successful implementation of Idaho's Shared Stewardship and Good Neighbor Authority programs. While discussing the forest health issues in the state and ways to address those issues the committee found that these collaborative approaches have delivered effective results with on the ground treatments and show the most promise for addressing forest health and wildfire concerns on federal lands. They are also taking a more localized approach as counties with assistance from the state programs are beginning to enter into Good Neighbor Authority agreements of their own. This localized collaborative approach has the best prospects for producing large scale improvements in forest health and catastrophic fire hazard risk reduction.

At the November 12, 2025, FPAC meeting, the committee voted unanimously to encourage the state to continue to address forest health risks on federal and adjoining lands through the collaborative approach of Shared Stewardship and Good Neighbor Authority programs. It is critical that federal government provides dedicated and sustained funding to alleviate forest health risks stemming from federal lands.

Sincerely,

*Christopher P. Hart*

Kit Hart, Chairman Forest Practices Advisory Committee



Dr. Timothy E. Link, Vice Chair Forest Practices Advisory Committee

cc: Julia Lauch – State Forester, IDL  
Archie Gray – Chief, Forestry Assistance Bureau, IDL  
Jeanne Bradley – Regulatory/Stewardship Program Manager, IDL

**Idaho Department of Lands**

Forestry and Fire Division  
Forest Practices Advisory  
Committee  
3284 W. Industrial Loop  
Coeur d'Alene, ID 83815  
Phone (208) 769-1525



Dustin T. Miller, Director  
Working Lands, Trusted Stewards  
Equal Opportunity Employer

**State Board of Land Commissioners**

Brad Little, Governor  
Phil McGrane, Secretary of State  
Raúl R. Labrador, Attorney General  
Brandon D Woolf, State Controller  
Debbie Critchfield, Sup't Public Instruction

December 1, 2025

State Board of Land Commissioners  
Governor Brad Little  
Secretary of State Phil McGrane  
Attorney General Raúl R. Labrador  
State Controller Brandon D Woolf  
Superintendent of Public Instruction Debbie Critchfield  
Director of Idaho Department of Lands Dustin T. Miller

via email:

Re: Forest Practices Advisory Committee Recommendation – 38-1304(1)(f)

Director Miller and State Land Board Commissioners:

This letter is to notify the board of the recommendation of the Forest Practices Advisory Committee (FPAC) related to the question of entering into rule promulgation related specifically to 38-1304(1)(f).

On April 22, 2025, the Idaho Farm Bureau Federation sent a letter to the Director of the Idaho Department of Lands, Dustin Miller asking the Department to enter into rulemaking related to 38-1304(1)(f). "38-1304 states in part: "The board: (Idaho Board of Land Commissioners) (1.) **shall** adopt rules . . . for the conduct of forest practices on forest land" (emphasis added). Although IDL promulgated rules for subsections (a) through (e) of this section, it has not promulgated rules for subsection (f)." Section 1. Subsection (f) states: *(f) Provide for the timely salvage logging on all forest lands of dead or dying timber or timber that is threatened by various physical elements. Rules developed pursuant to this section shall consider both the economic value of the timber to be salvaged, the immediate costs of the salvage efforts, and the long-term costs to all forest resources and values associated with insect, disease or fire conditions which might otherwise be controlled by the salvage operations. The provisions of this subpart shall not apply to single contiguous forest ownerships less than two thousand (2,000) acres in size. Nothing in this paragraph shall be construed as requiring the removal of timber from private lands against the wishes of the private landowner.*

The Department then responded that the appropriate starting point for requesting rule promulgation was to bring the matter before FPAC. FPAC was established under the Idaho Forest Practices Act under 38-1305 Duties, Powers of the Department (2)(a) *The Department shall, through the director, appoint a forest practices advisory committee to the board for the purpose of providing technical advice to the board in carrying out the board's powers and duties as set forth in section 38-1304, Idaho Code.* Traditionally, rulemaking related to Forest Practices undertaken by the Department has originated from FPAC. A special FPAC meeting was held on August 27, 2025, where The Idaho Farm Bureau Federation presented their case for entering

into rule promulgation related to 38-1304(1)(f). The full committee at that time formed a sub-committee to explore the issue and return to the full committee at the November 12, 2025, meeting with a recommendation. The sub-committee was made up of two voting members, an ex-officio member, two representatives of the Farm Bureau, two volunteers with forest practices experience, and two IDL employees as subject matter experts.

The sub-committee subsequently met on October 6 and November 7, 2025, to discuss the request to enter rule promulgation. There was consensus on the sub-committee that many federal lands within Idaho are in desperate need of treatment, but a consensus could not be reached on whether Forest Practices rules are an appropriate mechanism to encourage or force federal land management agencies to take action. Several other alternatives were discussed including encouragement to use successful programs, specifically Shared Stewardship and Good Neighbor Authority, or the possibility of resolutions or other statutes to address the issue. The sub-committee prepared a handful of alternatives for FPAC to consider:

- Recommend to the Land Board that the Department enter into rule promulgation related to 38-1304(1)(f).
  - This option was not selected because FPAC concluded that any rule promulgated under this section would be redundant to 38-1304(1)(f) and would be unenforceable.
- Recommend to the Land Board that the Department not enter into rule promulgation.
  - This was the chosen alternative because FPAC concluded that current rules do not inhibit any landowner from choosing to treat lands at risk of catastrophic wildfire.
- Recommending that the Land Board or the State find alternative options through policy, resolution, or statute to address the issue.
  - The full committee and subcommittee discussed a variety of other options for the state to address forest health and fire risk issues. Those options included additional policy or statutes to encourage treatment or using statute to assign liability for failure to treat a recognized threat.
  - Ultimately FPAC elected to develop a letter to the Land Board expressing support for the state's Good Neighbor Authority and Shared Stewardship efforts based on the demonstrated efficacy of these programs.

At the November 12, 2025, FPAC meeting there was a lengthy discussion of the issue and the options available. Ultimately, FPAC elected to recommend to the Land Board that IDL not enter into rule promulgation related to 38-1304(1)(f) because there are already sufficient rules in place to allow for the timely application of salvage harvests by willing and able landowners. Also, the statute directs federal forest land managers to undertake salvage where feasible, making a rule redundant and subservient. With eight of nine voting members present a roll call vote was taken with all eight members present voting in favor.

It is the recommendation of the Forest Practices Advisory Committee that the Idaho Department of Lands not enter into rulemaking related to Idaho Code Section 38-1304(1)(f) at this time.

Sincerely,

*Christopher P. Hart*

Kit Hart, Chairman Forest Practices Advisory Committee

A handwritten signature in blue ink, appearing to read "Kit Hart", with a horizontal line drawn through the signature.

Dr. Timothy E. Link, Vice Chair Forest Practices Advisory Committee

cc: Julia Lauch – State Forester, IDL  
Archie Gray – Chief, Forestry Assistance Bureau, IDL  
Jeanne Bradley – Regulatory/Stewardship Program Manager, IDL

# STATE BOARD OF LAND COMMISSIONERS

December 16, 2025

Regular Agenda

## Subject

Strategic Plan for Managing Wildland Fire

## Question Presented

Shall the Land Board approve the Department's Strategic Plan for Managing Wildland Fire?

## Background

Wildfire is a persistent and escalating threat to Idaho's communities, landscapes, and economy. The Idaho Department of Lands (Department) plays a critical role in protecting the state's forests and rangelands. Developing a robust and adaptive fire management structure within the Department is crucial to safeguarding Idaho's communities, natural resources, and economic assets in the face of escalating fire threats.

The State Board of Land Commissioners (Land Board) requested a strategic plan to adapt the Department's wildland fire program to a changing fire regime that focuses on changes to the fire organization structure, training, staffing, and equipment to respond effectively to predicted increases in wildfire size, intensity, duration, and complexity.

## Discussion

The Strategic Plan for Managing Wildland Fire is included as Attachment 1. It outlines a comprehensive approach to strengthening the Department's fire program to meet current and future challenges. Although this is intended to be a living document that will be updated and refined based on changing circumstances and new information, this is the final version of the document for the Land Board's approval. If approved, the Department will develop an implementation plan that will identify the near-term priority actions and strategies for implementing them.

At its June 17, 2025 meeting, the Land Board reviewed the second draft which included information about specific goals, costs and timelines in Appendix A.

This final draft of the plan includes input from external partners, comprising other state government agencies, industry, non-governmental organizations (NGOs), and other fire service organizations. It also includes input from internal staff. All comments were reviewed carefully, and refinements were made to the plan based on that input.

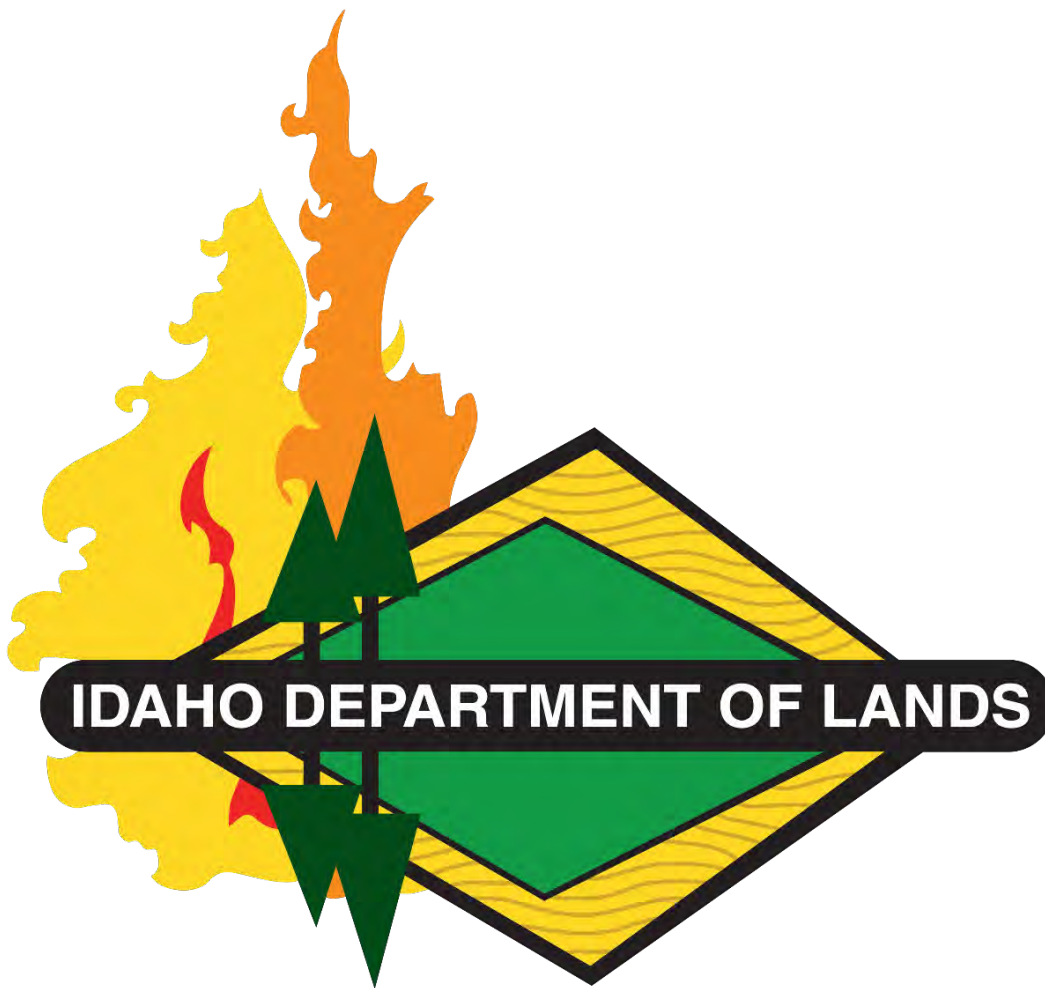
**Recommendation**

Approve the Strategic Plan for Managing Wildland Fire for the Department's use in guiding the future of the wildland fire program.

**Board Action****Attachments**

1. Strategic Plan for Managing Wildland Fire

# Idaho Department of Lands **Strategic Plan for Managing Wildland Fire**



November 25, 2025

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## Executive Summary

Wildfire is a persistent and escalating threat to Idaho's communities, landscapes, and economy. The Idaho Department of Lands (IDL) plays a critical role in protecting the state's forest and range lands, and this Strategic Plan for Managing Wildland Fire outlines a comprehensive approach to strengthening IDL's fire program to meet current and future challenges.

This forward-looking plan is built around five strategic themes that help guide our mission for the next 10 years:

1. Strengthen organizational capacity for evolving wildland fire challenges.
2. Enhance fire prevention and mitigation efforts.
3. Build adaptive infrastructure to address increasing fire occurrence and severity.
4. Foster interagency collaboration and resilience.
5. Expand existing funding streams.

As wildfire seasons grow longer and more intense—driven by population growth, increasing wildland-urban interface, and increasing fire protection responsibilities—IDL is being called upon to do more. This plan addresses this reality with strategies to modernize fire operations, improve workforce recruitment and retention, invest in early detection and response technologies, expand prevention efforts, and ensure sustainable funding mechanisms.

The plan is designed to be a flexible, working document—able to evolve with emerging issues, policy changes, and resource demands. With a continued focus on protecting property and natural resources, and a commitment to responsible stewardship of taxpayer dollars, this strategy positions IDL to lead the state in effective, accountable, and resilient wildfire management. It's the Idaho way.

## **Idaho Department of Lands Statutory Responsibility**

Statutory responsibility for the Idaho Department of Lands (IDL) fire program is described in Idaho Code Title 38, Chapters 1 and 4, also known as the Idaho Forestry Act and Fire Hazard Reduction Law.

Under current Idaho law: "Every owner of forest lands in the state shall furnish or provide therefor, throughout the closed season, protection against the starting, existence or spread of fires thereon..." (Idaho Code 38-111). Under Idaho Code 38-111, each forest landowner has the option to provide adequate fire protection individually or join other landowners to provide protection as a member of a Timber Protective Association (TPA). For landowners that choose neither option, state law directs IDL to provide fire protection and assess the landowner for the service. State law also requires the Director of IDL to: "...divide the state into districts to be known and designated as forest protective districts, having due regard in establishing the boundaries thereof, to the adequate, effective and economical protection of forest and range lands therein." (Idaho Code 38-110). These statutes form the basis of the current IDL Forest Fire Protection Districts and the two TPAs: Clearwater-Potlatch TPA (C-PTPA) and Southern Idaho TPA (SITPA). In recent history no forest landowners, other than the federal government, have met the legal requirements for providing their own fire protection other than by joining a TPA.

For state lands, the law states: "The provisions of this chapter shall be applicable to the forest and range lands belonging to the state with the same force and effect as they apply to privately owned forest and range lands within the state; except that for the protection of state-owned range lands, the state board of land commissioners may enter into agreements or otherwise provide for a reasonable arrangement assuring the timely suppression of fires on or threatening state-owned range lands whether or not said lands are adjacent to or intermingled with forest lands." (Idaho Code 38-105). Funding for the suppression of fires on state range lands is provided for in law: "The state board of land commissioners may authorize the issuance of deficiency warrants for the purpose of paying the costs of fire suppression on state-owned range lands whether or not said lands are adjacent to or intermingled with forest lands. When so authorized, the state controller shall draw deficiency warrants against the general fund." (Idaho Code 38-131A). IDL has protection responsibility on all state-owned land and all private forest lands that are not part of a TPA. IDL also has protection responsibility for some federal land through the Master Cooperative Wildland Fire Management and Stafford Act Response Agreement (Master Agreement).

## **Introduction**

Wildfire remains the primary recurring threat and hazard to Idaho communities and landscapes.

The dynamics of the wildland fire and wildfire environments continue to evolve and grow. In response, IDL is implementing new approaches to address these challenges and bridge existing gaps in the wildland fire program, ensuring continued success in protecting property and natural resources by containing fires to 10 acres or less.

As Idaho has seen an increase in population, wildland-urban interface, and human-caused fires, there has been a decrease in the overall number of federal personnel available to

support wildland fire throughout the country. IDL staff expect further decreases in federal personnel availability in Idaho. It is critical that IDL has the appropriate level of staffing in the right locations to be as effective as possible in minimizing the impact of fire on property and lives.

Within IDL protection, wildfire season has increased 32.4 days over the past 15 years, based on average days between first and last fires from 2010-2014 (210.6 days) and 2020-2024 (243 days). Nationally, that trend is similar. The Master Agreement with the federal cooperators expires in 2027, and IDL is expecting further change in our statewide fire responsibility as a result.

This plan will provide a forward-looking analysis that evaluates the future organizational changes required to successfully address population growth and the growing challenge of wildland-urban interface fires.

The plan addresses the following problem statement:

**Problem Statement:** The Department's fire program is operating on the edge of its capabilities during periods with multiple ignitions, extended attack and long duration fire seasons. Fire seasons are increasingly severe and prolonged, there is uncertainty around the future capacity of federal fire programs, federal agencies are transferring more responsibility for wildfire suppression to state agencies, and the amount of coordination needed to acquire resources during a busy season has dramatically increased. Additionally, the fire environment is growing more complex and is further impacted by rapid population growth, highlighting the need for an effective and modernized fire management program.

The Department believes that this vision statement describes the desired future state of the fire program:

**Vision Statement:** Meeting future wildland fire challenges through effective initial attack, robust incident management capabilities, strong partnerships, and enhanced prevention and mitigation efforts.

## Strategic Plan

The plan to strengthen IDL's fire program to meet current and future challenges is built around five organizational themes:

1. Strengthen organizational capacity for evolving wildland fire challenges.
2. Enhance fire prevention and mitigation efforts.
3. Build adaptive infrastructure to address increasing fire occurrence and severity.
4. Foster interagency collaboration and resilience.
5. Expand existing funding streams.

Under each theme's section, this plan describes why each theme is important, the key strategies to make the theme a success, and a description of actions already taken. The Appendix includes tables that describe the tasks that will be necessary to implement the key strategies.

## **Theme 1. Strengthen organizational capacity for evolving wildland fire challenges**

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There is less alignment between what IDL expects/needs and what the workforce requires in order to pursue the career field. This includes tools to address the physical and mental stresses of the work, work-life balance, and scope of work/responsibilities. Hurdles related to workforce readiness include approval for additional full-time equivalent positions (FTEs); funding personnel at a competitive pay rate; and recruiting, training, and retaining personnel with the ability to learn and use desired skill sets.

Beyond the firefighter workforce, Fire Bureau employees have historically been tasked with supporting multiple programs, such as one person overseeing aviation and fire investigation. As each program has become more complex, expansion of critical program management is necessary for success and staff retention.

Under Idaho Code 38-107, Fire Wardens are to abate the nuisance of fire. With significant population growth throughout the state and consequently an increase in unwanted human-caused fire ignitions, IDL has experienced an increase in nuisance fire responses. IDL policy and procedures require the investigation of all abated fires. This added workload has resulted in more investigations than the program can handle.

Aviation support personnel are not provided by IDL and are solely funded and provided by our federal counterparts at federally operated air centers across Idaho. These support personnel are required under the National Wildfire Coordinating Group (NWCG) and the industry standards for the safe oversight and management of aviation operations.

The fire business program is responsible for auditing and authorizing wildfire billings from vendors and cooperators. The program supports incident business training, tracks wildfire billings (including negligent wildfire cases), oversees wildfire audits, coordinates federal grant applications, and provides oversight for wildfire-related financial and operational processes to ensure accuracy and compliance.

In the 2024 season alone, the program processed 1,110 vendor payment packages totaling \$33,364,114.89, which is a sharp increase compared to 687 packages and \$12,161,350.27 in 2023. The financial scale of these operations is also evident in the five-year average for suppression spending, which stands at \$48,370,800.

The fire logistics program is integral to firefighting and assists with wildland fire suppression nationwide. The demand for cache resources and support has grown considerably, yet infrastructure and staffing have not kept pace. The Coeur d'Alene National Fire Cache provides annual support to 300 wildfires at the national, state, and local levels, warehouses \$15 million of supplies, provides critical repair and refurbishment services of vehicles and equipment, and manages and maintains IDL's response and distribution fleet. Additionally, it provides support for local fire departments through the Firefighter Property and Federal Excess Property Program to supply them with surplus military equipment that is converted for use by the departments.

### **Key Strategy – Increase workforce capacity, readiness, and compensation**

- Provide competitive pay on par with Western states through an increase of entry-level engine captain rate that is in alignment with state policies, while addressing pay compression and equity between job classifications.

- Improve recruitment and retention strategies focused on entry-level and seasonal personnel through targeted mentorship programs.
- Focus on filling already approved positions that provide operational leadership and enhanced suppression capability.
- Establish appropriate staffing of initial attack, aviation, engine modules, and crew resources.
- Establish additional dedicated fire suppression modules.
- Conduct job classification analysis and review to determine if primary and support fire job classifications align with IDL policy and industry standards.
- Continue to recruit and promote collateral duty firefighting and support duties across IDL non-primary fire positions.
- Develop IDL Differential Pay Policy to incentivize collateral duty firefighters and firefighter support roles. Implement differential pay for fire suppression personnel time.
- Analyze and adjust the IDL Hazard Pay Policy to align with industry standards (federal and other states).
- Develop a self-reliant training program that supplements, instead of being dependent upon, federal training offerings.
- Assess need for IDL specific NWCG training compatible courses across the Department.
- Develop fire qualification training curriculum and 5-year schedule for recurring required courses (e.g., guard school, engine academy, basic faller).
- Further develop employees' support services by developing a cadre of trained peer supporters, hospital/family liaisons, and access to mental health services.

### **Key Strategy – Expand Fire Bureau leadership and program management**

- Enhance aviation program expertise and capacity to continue to support fire aviation resource needs and to navigate state/regional/national aviation strategies and complexities across the industry including development of Idaho aviation operating plans, policies, procedures, and guidance with consideration to NWCG standards.
- Evaluate and ensure competitive pay structures and classifications for aviation-specific positions.
- Conduct a comprehensive review of aviation contracting support to understand the distinctions between state procurement and fire procurement processes, along with a statutory and policy analysis to optimize operational efficiency and effectiveness.
- Gap/needs analysis for IDL programs that are currently reliant on federal resources, specifically prevention, fire business, and incident support (fire cache and logistics).

- Support, evaluate, and implement early detection technologies such as satellite detection, lightning detection, and fire detection cameras. Seek funding for implementation.
- Coordinate with partner agencies and other interested parties to ensure maximum effectiveness and efficiency with detection capability and interoperability.
- Keep pace with the rapid evolution of radio technology.
- Analyze IDL’s organizational structure, with efficiency and effectiveness of the wildland fire program in mind.
- Improve interoperability with the TPAs by reviewing and identifying needed changes to agreements.

**Key Strategy – Expand program delivery**

- Strengthen aviation program air support operations to ensure continued management of contracted aviation assets. Develop a transition plan to develop an aviation program that is capable of independently managing and supporting IDL aviation assets, consistent with the Governor’s 2024 Wildfire Report Recommendation #10.
- Develop dedicated program capacity for grant, agreement, and procurement management and oversight.
- Increase investigation program capacity. Add dedicated qualified investigators across the state for rapid response.
- Continue to implement automated financial systems, standardize billing procedures, and invest in workforce expansion and training.
- Increase cache logistics staff support.

**Theme 1 Actions Already Taken**

- FY26 Budget Enhancements: Fire Aviation Section Manager, firefighter bonuses.

**Theme 2. Enhance fire prevention and mitigation efforts**

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Fire prevention and mitigation are critical aspects of reducing starts, or if ignition occurs, keeping fires small and therefore reducing the impact of incidents while increasing responder safety.

Fire suppression costs are generally calculated on damages to private properties, loss of timber resources and infrastructure, and aid for evacuations—but these financial costs are just a fraction of the total costs of wildfires. *True* total costs include reduced business revenue, lost tax revenue, and overall decline in property values as well as human suffering and loss of life.

A 2022 report from the Western Fire Chiefs Association cited that, according to the Congressional Budget Office, federal fire suppression spending on federal lands *alone* averaged \$2.5 billion between 2016 and 2020. In 2017 alone, wildfires caused \$24 billion worth of damages—and in 2018, \$22 billion. A 2022 report by the Western Forestry

Leadership Coalition stated that over 10 million acres were burned annually three times from 2015 to 2021—and with the corresponding rapid growth of the wildland-urban interface, there were more than 97,196 structures destroyed by wildfires across the country between 2005 and 2022.

Looking at the outputs from Verisk’s FireLine assessment, while California and Texas have the highest number of properties at risk from wildfire, Montana and *Idaho* have the highest percentage of properties at risk, with 29% and 26% respectively. According to a 2017 University of Idaho Policy Analysis Group Report, Idaho had 10,868 acres of forestland under state protection burn in 2005 with a total suppression cost of \$13,877,000—and in 2015, a more severe fire season, those numbers rose to 78,571 acres under state protection burned for a total suppression cost of \$78,113,000.

Fire prevention is a crucial component of hazard mitigation by recognizing the risk of wildfire and then communicating that risk to the public. By raising awareness, promoting safe behaviors, and providing clear guidance on reducing ignition sources, prevention efforts address the hazard at its source—ultimately decreasing the likelihood of wildfire starts and improving overall mitigation outcomes.

Through outreach, education, and public engagement, fire prevention protects Idaho’s landscapes, communities, and resources while reducing wildfire costs. ***Research from the USDA Forest Service shows that every \$1 invested in prevention can save up to \$35 in suppression and post-fire rehabilitation expenses, underscoring the value of proactive efforts.***

The fire mitigation program provides pass-through awards to cooperators throughout Idaho to reduce the threat and impact of wildfire on communities and landscapes. ***In Idaho, for every \$1 spent on mitigation, between \$15 and \$32 dollars is saved in suppression expenses*** (*Estimating Suppression Productivity of Reducing Wildfire*; T. Holfeltz, 2004). Wildfire mitigation investments, strategically placed, can reduce the severity of and damage from future catastrophic wildfire. Investing in proactive fire mitigation strategies is a cost-effective and life-saving approach. Activities such as prescribed burns, forest thinning, mastication, and community education initiatives have been proven to reduce the intensity and spread of wildfires. By prioritizing projects that support these mitigation activities, IDL can work with federal and local partners to reduce the risks and costs associated with catastrophic fires—especially the growing number of life-threatening conflagrations. Every dollar spent on wildfire mitigation saves multiple dollars in fire suppression and disaster response and recovery. In addition, wildfire mitigation activities create jobs in forestry, conservation, and emergency management, providing economic opportunities for local communities.

Idaho was the first state in the nation to execute a Shared Stewardship Agreement with the USDA and Forest Service—and has, in close cooperation with three National Forests and IDL’s GNA foresters, expanded cross-boundary fuel-reduction treatments to thousands of acres of high-risk private forestlands across seven counties. This cross-boundary work, focused on expanding county wildfire mitigation programs, is in direct alignment with President Trump’s 2025 Executive Order to immediately expand timber production on federal forestlands, the USDA Secretary’s corresponding Memo, and Governor Little’s subsequent Executive Order, *Make Forests Healthy Again Act*. These kinds of interagency-led, cross-boundary projects reinforce these mandated increases in harvesting, active

management, and fuel-reduction treatments on federal forests and on surrounding state and private lands.

IDL has long managed administrative code related to forest practices to include slash management as an enforcement obligation. Many of these codes have not changed in decades and have not been updated to address changes in fire occurrence or advancements in scientific understanding.

#### **Key Strategy – Strengthen prevention programs**

- Implement systemic statewide scale-up of state and federal funded prevention efforts by reclassifying current staff to a full-time program manager and adding regional prevention support staff.
- Expand advertising/messaging, reader boards, billboards, and gas station television (GSTV); modernize the Idaho Burn Permit system; and migrate funding streams from federal funds to state funds.

#### **Key Strategy – Strengthen mitigation programs**

- Assess the optimal organizational structure and location of the fire mitigation program, expand cooperative program delivery through contracting and shared positions, enhance area and district implementation with education and private land projects, increase the use of prescribed fire, and transition funding sources from federal to state funds.
- Review administrative codes and policies to identify areas for updates or new additions to ensure wildfire reduction efforts can be expanded across all lands, not just state lands.
- Educate and inform Idaho’s legislators and Congressional delegates of the value of wildfire mitigation investments so they can champion policy legislation and funding initiatives that strengthen and build wildland fire mitigation operations in Idaho.
- Educate and inform Idaho’s public, focusing on the overall importance of wildfire mitigation projects in reducing the risk of damage to their lives and properties.

#### **Key Strategy – Analyze and update IDL’s fire hazard management program**

- Review and identify alternatives for enhancing IDL’s fire hazard program implementation guidance.

### **Theme 3. Develop adaptive infrastructure to address increasing fire occurrence and severity**

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Adaptive infrastructure, designed with the flexibility to adjust and evolve in response to shifting demands, such as response-ready facilities, seasonal employee housing, robust communication systems, and advanced firefighting technology, can help IDL respond more efficiently to changing fire dynamics, protect communities, and safeguard vital resources.

A substantial gap exists between current resources and the necessary facilities, modern technology, and equipment required for optimal operations. Fire operations facilities are inadequate in square footage and function (e.g., fire cache was built in 1974), while

detection infrastructure has not kept pace with increased wildfire occurrence. In both cases, this has led to increased maintenance costs, operational inefficiencies, safety concerns, and a reduction in the effectiveness of our fire response capabilities.

Historically, IDL based contracted aviation assets at federally controlled interagency fire aviation facilities and did not contribute appropriately with funding or personnel to the facility operations. Coupled with unequal contribution, federal agencies have less flexibility with purchasing and leasing facilities, and changes are on the immediate horizon for federal aviation facilities across the state. More responsibility must be taken for the facilities supporting IDL's fire aviation program.

IDL needs modern tools and systems to keep pace with the evolving nature of wildfires and improve the efficiency of response efforts. Outdated equipment and manual processes hinder the Department's ability to respond quickly and effectively. By integrating advanced technologies such as real-time data analytics, satellite imaging, and automated firefighting systems, the agency can enhance situational awareness, improve decision making, and streamline operations.

Modernized tools also facilitate better coordination among agencies, quicker resource allocation, and faster communication, ultimately minimizing damage and saving lives.

Without addressing infrastructure needs, other tasks and their associated resources will be difficult to implement as the Department simply runs out of space to do the work.

### **Key Strategy – Develop and implement a comprehensive fire facilities plan**

- Develop fire facilities, including employee housing where needed, across forest protective districts, aviation sites, and for the Fire Bureau to accommodate current and future program expansion, thus improving readiness.
- Analyze response times associated with area of responsibility and identify total need across all state forest protective districts and TPA districts, Coeur d'Alene Interagency Fire Cache, aviation, and regional dispatch centers.
- Upon completion of analysis, consider leveraging interagency relationships, co-location possibilities, and establishing satellite remote guard stations to improve response times where appropriate (e.g., Avery).
- Evaluate if the one centralized fire cache still makes sense or if a more distributed regional model or a combination would add value.

### **Key Strategy – Modernize tools, equipment, and systems**

- Increase early fire detection capabilities. Early wildfire detection aids in quick response and rapid wildfire suppression, minimizing suppression cost and damages. There are numerous technologies today that require coordinated deployment and use. These technologies include AI-enabled wildfire detection cameras, advanced lightning detection, and satellite detection. IDL will need funding for hardware, software, maintenance, and other programmatic costs such as training. This buildout will be a multi-year approach, increasing capabilities after discussion with utility companies, federal fire agencies, local entities, and other state agencies.

- Consistent with the Governor’s 2024 Wildfire Report Recommendation #4, create an Interoperability Committee with the intention of coordinating wildland fire detection cameras.
- Acquire an advanced integrated, centralized software platform to enable the aggregation of geographic, environmental, and predictive wildfire data to aid in decision making, resource allocation, and firefighting strategies. A single source of information is critical to real-time decision making and shared situational awareness. Technology is more refined and is a needed tool for wildfire suppression and planning in an increasingly complex environment. These software solutions allow for inclusion of resource tracking, detection data, active wildfire mapping, wildfire modeling, etc.
- Additional strategies include modernizing our radio communications infrastructure to include interoperability with all fire departments in the state and being prepared for advancement in technology. This will include increasing our radio coverage to accommodate new protection areas, decrease system redundancy, and work with consolidated dispatch centers. Periodic gap analysis will be needed to determine the best value solutions due to rapidly evolving technology.
- Complete the implementation of the electronic Fire Business System by developing integration with statewide Luma system.

### **Theme 3 Actions Already Taken**

- FY26 Budget Enhancements: Fire detection cameras, satellite fire detection and mapping.

### **Theme 4. Foster interagency collaboration and resilience**

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Interagency collaboration is essential for successful wildfire suppression operations. No single agency has all the required resources and capabilities to deal with large-scale wildfires or multiple ignition days and must rely on collaboration from other agencies to address these challenges.

Wildfires frequently span large and complex areas that require a coordinated effort from multiple organizations to effectively manage. Different agencies bring unique expertise, resources, and capabilities to the table, such as local resources, state resources, federal resources, and emergency management organizations.

By working together, these agencies can share critical information, pool resources, and align strategies, ensuring a more efficient and unified response. Effective collaboration also ensures quicker mobilization of resources, better communication during the incident, and the ability to address both immediate firefighting needs and long-term recovery efforts.

Local Fire Service Organizations (FSOs) represent a significant resource in Idaho’s wildland fire response. The Idaho Office of Emergency Management (IOEM) also plays a critical role in emergency response of all types within the state of Idaho. Leveraging IOEM and FSOs’ resources for wildfire suppression in return for supporting emergency response embodies the Idaho way.

The impacts of wildfires on Idahoans are particularly felt through smoke. Every citizen has been exposed to unhealthy particulate levels associated with smoke, both from out-of-state

sources and incidents in Idaho. Additionally, as the use of prescribed fire continues to grow, the impacts of these planned, short duration events still have significant localized impacts to communities.

While IDL has staff members across the state who unofficially track the smoke during the wildfire season, there is no smoke management program at IDL to monitor and manage the effects of smoke or to interface with other supporting regulating agencies such as Idaho Department of Environmental Quality.

**Key Strategy – Expand coordination with Fire Service Organizations, the Idaho Fire Chiefs Association, and the Idaho Office of Emergency Management**

- Cultivate, enhance, and maintain interagency relationships. Leverage these relationships as a force multiplier for IDL’s suppression mission by assisting partners in executing their respective missions.
- Increase programmatic capacity and leadership to support Emergency Support Function #4 (ESF#4) responsibilities and coordination with IOEM and the Idaho Fire Chiefs Association for the strategic movement of fire resources to increase response and support capacity statewide.
- Consistent with the Governor’s 2024 Wildfire Report Recommendation #8, develop a statewide memorandum of understanding between firefighting entities at the local, state, and federal level to ensure capacity, coordination, and mutual aid response during wildfire events.

**Key Strategy – Expand coordination with regulatory agencies for smoke management**

- The establishment of a smoke management program supported by a full-time program manager will ensure the efficient coordination of this increasingly impactful effect of wildfires for Idahoans. This position could be shared between Idaho Department of Environmental Quality and IDL to further increase the regulatory coordination associated with smoke management in Idaho.

**Key Strategy – Increase ability to exchange resources with other states**

- Current federal law does not allow for reciprocal billing between the eight existing regional forest fire compacts. IDL must execute multiple compact agreements and enter into state-to-state agreements with numerous other states. Support and promote the National Association of State Foresters Wildland Fire Committee efforts towards allowing reciprocal billing between forest fire compacts to streamline IDL’s ability to leverage resources from all 50 states.
- Join the Great Plains Interstate Fire Compact (GPIFC). In the absence of reciprocal billing between compacts, joining the GPIFC would allow IDL access to wildland fire resources from neighboring states directly to the south and east as well as from North Dakota to Texas.
- Secure state-to-state agreements to augment fire suppression resources and to clarify billing procedures with other states to increase the overall resiliency of the fire program.

## Theme 4 Actions Already Taken

- FY26 Budget Enhancement: Fire Emergency Support Program Manager.

## Theme 5. Expand existing funding streams

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Funding for IDL's wildland fire preparedness or pre-suppression is used for training and equipping firefighters. This includes everything from engine oil changes to utility bills to personnel time in classroom training. This budget also supports prevention at the forest protective districts as well.

Funding for preparedness currently comes from three sources: dedicated funding from assessments (44%), general fund (43%), and federal grants (13%). The funding from assessments has generally remained the same throughout the years due to the assessment rate being unchanged since 2009. While the general fund portion has increased over the past four years, federal funds have steadily decreased due to national program cuts and changes in allocation methodologies.

Funding from assessments is intended for supporting pre-suppression and preparedness functions. Idaho Code specifies that forest landowners will pay up to \$0.65 per acre of forestland and up to \$40 per improved parcel. These assessments are managed by the Fire Wardens and audited routinely.

The software system, Private Fire, is antiquated and using older technology that has not kept up with the scope and scale of today's landscape. Private Fire is unable to be updated and could have security concerns. The software is at the end of its life and work arounds are required for continued operation.

Due to changes in protection responsibility in the 2023 Master Agreement, IDL has experienced an increase in rangeland fire protection. This ground is not assessed under Idaho statute, but it contributes to significant resource consumption for pre-suppression, suppression, and resource consumption.

There are several challenges to funding Idaho fire preparedness. One of these items is uncertainty and availability of federal grant funds. Recent changes have indicated there may be significant shortfalls in federal grant funding in years to come.

IDL has increased protection responsibility by approximately 3 million acres over the past 3 years, including adding the East Idaho Forest Protective District in Idaho Falls. This has strained IDL resources. IDL still has approximately 350,000 acres in offset protection. These acres could go back to state protection under a future Master Agreement, and IDL must be ready to take on the additional workload.

The assessments are currently insufficient for rapid program growth. IDL needs to develop a forest assessment program that will better address these resource shortages and increased resource commitments, in addition to exploring other options for expanding preparedness funding streams. This will require stakeholder engagement and change to Idaho Code.

### **Key Strategy – Assessments audit and modernization: Modernize software, conduct a financial and forest assessment audit, and reform assessment rate**

- Hire a program manager to oversee and serve as a subject matter expert for assessments.

- Conduct a systematic statewide review of all assessed parcels, beyond the annual audits conducted by the forest protective districts. Use audit results to drive statewide consistency calibration and identify necessary process/procedure changes.
- Deploy a spatially enabled centralized software system for analyzing and capturing data related to assessed parcels capable of interfacing with county tax roll records. Evaluate ability to record payments received by parcel. Using the new Fire Assessment Management System, evaluate assessed fees vs. suppression expenses vs. fire starts in the wildland-urban interface.
- Conduct assessments rate audit to ensure that the rate is appropriate for today's wildland fire challenges and expectations. Evaluate if the correct acres and fuel types are being assessed and if a single rate for all acres makes sense.

### **Key Strategy – Explore other options for expanding preparedness funding streams**

#### **Theme 5 Actions Already Taken**

- FY26 Budget Enhancement: Statewide Forest Assessment Program Manager.

## **Conclusion**

Given the trends of increasing acres burned and rising costs for fire suppression, IDL needs to make changes in the fire program to meet current and future challenges and provide the fire program Idahoans expect.

By implementing this strategic plan, IDL will build a more resilient, self-sufficient wildland fire suppression program capable of addressing the evolving challenges posed by climate change and increased wildfire activity. Through investments in personnel, infrastructure, technology, and collaboration, IDL will protect Idaho's communities, landscapes, and natural resources from the growing threat of wildfires.

## **Measures of Success**

Success for IDL's wildland fire program means a resilient and responsive organization capable of meeting the state's evolving fire challenges with efficiency, agility, and foresight.

It will be reflected in reduced fire size and severity through timely and effective initial attack, improved firefighter safety, and robust interagency coordination.

Investments in prevention, mitigation, infrastructure, and workforce development will lead to more fires being kept under 10 acres, lower suppression costs, and fewer impacts to communities and natural resources.

A modernized assessment and funding system will ensure financial sustainability and readiness.

Ultimately, success means Idahoans are safer, landscapes are healthier, and the Department continues to be a national leader in state-led wildfire response. To that end, we will measure success by:

- A continued measure of initial attack success. Keep 95% of fires at or below 10 acres.
- The ability to manage multiple ignitions on one or more forest protective districts during a lightning event without exceeding IDL's fireline leadership capability.
- The Department and its cooperators are able to manage multiple type 3 incidents simultaneously without drawing on the national coordination system for Incident Management Teams.
- The Department's engines are fully staffed with qualified engine bosses and firefighters.
- Trained temporary fire staff are likely to return to IDL for multiple seasons.
- Facilities provide adequate and efficient space for personnel and equipment and improved response time.
- Increased retention and recruitment of skilled firefighters.
- Enhanced ability to sustain operations without federal dependency.
- Reduced human-caused fire ignitions through targeted prevention efforts.
- Improved community resilience against wildfire threats.
- More effective mitigation efforts through stable funding streams.
- Improved safety, efficiency, and effectiveness of fire suppression resources.
- Improved regulatory coordination for smoke management.
- Increased access to funding and firefighting personnel.
- More predictable and sustainable fire suppression funding.
- Greater financial independence for Idaho's wildland fire program.
- Enhanced capacity for long-term wildfire risk reduction initiatives.

Idaho Department of Lands  
Strategic Plan for Managing Wildland Fire

## Appendix

**Current and FY26 Planned Actions**

<b>Key Strategy</b>	<b>Tasks</b>	<b>Resources Needed</b>	<b>Implementation FY(s)</b>	<b>Enhancement Request; OT or OG</b>
1.2 – Expand Fire Bureau leadership and program management	Reclassify Cache Program Manager and Business Program Manager to Section Managers	FM Bureau and HR	FY26	
4.1 – Expand coordination with Fire Service Organizations, the Idaho Fire Chiefs Association, and the Idaho Office of Emergency Management	Complete all tasks assigned by the Governor’s Roundtable Recommendations	Staff	Ongoing	N/A
4.1 – Expand coordination with Fire Service Organizations, the Idaho Fire Chiefs Association, and the Idaho Office of Emergency Management	Fire Emergency Support Program Manager		FY26	OG
4.1 – Expand coordination with Fire Service Organizations, the Idaho Fire Chiefs Association, and the Idaho Office of Emergency Management	Idaho Code Title 38 legislation change to include all hazard response, reimbursable fuels reduction project work, and post-fire recovery work; and deficiency warrant authority		FY26	

**FY27 and FY28 Priorities**

<b>Key Strategy</b>	<b>Tasks</b>	<b>Resources Needed</b>	<b>Implementation FY(s)</b>	<b>Enhancement Request; OT or OG</b>	<b>FY27</b>	<b>FY28</b>
1.1 – Increase workforce capacity, readiness, and compensation	Current wildfire suppression resource needs (9 Assistant Wardens, 20 Resource Foremen - Results in (3) 0.83 Res Foreman and 2 full-time Assistant Wardens at each district, and additional staff for helitack)	29 FTP, PC/OE	FY27 thru FY29+	OT & OG	1 Lands Resource Specialist (PDS), 1 Lands Resource Specialist Helitack (CMS), 1 Lands Resource Foreman Helitack (CMS)	1 Lands Resource Specialist (POS), 1 Lands Resource Foreman (POS)
1.1 – Increase workforce capacity, readiness, and compensation	Standardized dedicated fire suppression modules with foreman per zone (south zone is without)	1 FTP, PC/OE/CO	FY28	OT & OG		1 Resource Foreman
1.2 – Expand Fire Bureau leadership and program management	Aviation program staffing (Aviation Section Manager, Rotor Wing Program Manager, Aviation Safety Program Manager, Aerial Supervision, Air Intelligence Lead UAS)	5 FTP, PC/OE/CO, Contract(s) for multi-mission aircraft	Section Manager FY26, Rotor wing PM in FY28	OT & OG		Rotor Wing PM
1.3 – Expand program delivery	Investigation Program Specialist	1 FTP, PC/OE/CO	FY27	OT & OG	1 Program Specialist	

<b>Key Strategy</b>	<b>Tasks</b>	<b>Resources Needed</b>	<b>Implementation FY(s)</b>	<b>Enhancement Request; OT or OG</b>	<b>FY27</b>	<b>FY28</b>
1.3 – Expand program delivery	Statewide fire business support	2 FTP, PC/OE (1 program manager, 1 program specialist)	FY 27 & FY28	OT & OG	Business Program Manager	
1.3 – Expand program delivery	Statewide fire logistics support	1 FTP, PC/OE (1 program manager)	FY27	OG	Logistics Program Manager	
1.3 – Expand program delivery	Increase (1) shop staff from 0.67 to 1.0; (1) prevention specialist from 0.83 to 1.0; (1) Management Asst from 0.83 to 1.0	0.67 FTP, PC/OE	FY27	OG	(3) partial FTPs to 1.0: 0.67 FTP total	
1.3 – Expand program delivery	Increase current (2) 0.67 CDC/GVC Dispatch Coordinators to 1.0 FTPs to align with N. ID Consolidated Dispatch org chart	0.67 FTP, PC/OE	FY27	OT & OG	(2) 0.67 dispatcher conversions to 1.0: 0.66 FTP total	
1.3 – Expand program delivery	Create 2 (0.83) dispatch positions (specify positions) to finalize the interagency org chart within N. ID zone dispatch center	1.67 FTP, PC/OE	FY28	OT & OG		(2) 0.83 dispatchers
2.2 – Strengthen mitigation programs	Shift Mitigation Program Manager to state funds for stabilization of program	PC	FY27	OG	1 Program Manager (funding, not FTP)	

<b>Key Strategy</b>	<b>Tasks</b>	<b>Resources Needed</b>	<b>Implementation FY(s)</b>	<b>Enhancement Request; OT or OG</b>	<b>FY27</b>	<b>FY28</b>
2.3 – Analyze and update IDL’s fire hazard management program	Review and identify alternatives for enhancing IDL’s fire hazard program implementation guidance	Fire Bureau, Ops, Wardens, potential code change/ requirements	FY27			
3.1 – Develop and implement a comprehensive fire facilities plan	Phase 1 Fire Facilities Implementation	\$45,000,000	FY2024-FY2031	OT	Pursue Permanent Building Funds capital project to acquire Grangeville building (\$8M - \$12M)	
3.2– Modernize tools, equipment, and systems	Conduct cost analysis of IDL “share” within ID dispatch centers and GACCs	Staff	FY27			
3.2 – Modernize tools, equipment, and systems	Deploy 15 fire cameras each, FY27 & FY28	\$300,000 CO \$180k OE (OG)	FY27 thru FY28	OT & OG	\$480k	\$480k
3.2 – Modernize tools, equipment, and systems	Improve radio comms infrastructure	\$1.25 million	FY27	OT	\$1.25 million	

# Future Actions

## Theme 1. Strengthen organizational capacity for evolving wildland fire challenges

### Key Strategy 1.1 – Increase workforce capacity, readiness, and compensation

<i>Strategy 1.1 Tasks</i>	<i>Resources Needed</i>	<i>Priority: High, Med, Low</i>	<i>Enhancement Request: OT or OG</i>
Continue to maintain entry level % of policy benchmarks identified in FY25 starting pay rates in future FYs as DHR adjusts pay structures	PC	High	OG
Eliminate LRS underfill job classification and recruit exclusively for LRSS	Hiring practice changes, PC	Low	
Public Safety Pay Series inclusion for IDL staff included in PERSI Rule of 80	DHR market analysis	High	
Ongoing needs analysis of Idaho’s suppression obligation, abilities, and needs	Analysis	High	
Differential pay for personnel conducting fire suppression	IDL Differential Pay Policy, New Luma time code	High	
Analyze Wildland Firefighter Differential Pay policy and propose changes for process/procedure efficiency	Possible statute change	Medium	
Continue to promote collateral duty firefighting/support roles for non-primary fire staff	Ensure all new hires have fire qualification expectations included in development plans	High	
Develop IDL led fire qualification training curriculum (including engine academy) and 5-year recurring course schedule. Include crosswalk for IOEM/IFCA participation in IDL IMT3 and for IDL participation in All-Hazard.	Staff		

**Key Strategy 1.2 – Expand Fire Bureau leadership and program management**

<i>Strategy 1.2 Tasks</i>	<i>Resources Needed</i>	<i>Priority: High, Med, Low</i>	<i>Enhancement Request; OT or OG</i>
Update IDL aviation FMH/Policies and Addendum to NWCG, analyzing alignment, necessary deviations, and FAA regulation & guidance	Analysis, policy & guidance updates	High	
Evaluate need to move/develop UAS policy for entire Department given use of UAS by fire, tech services, endowments, and GNA	Analysis, policy & guidance update		
Evaluate aviation contracting complexities, SME roles, and procurement responsibilities. Identify gaps/needs.	Analysis & recommendations	High	
Radio/Detection Program Manager	1 FTP, PC/OE	Medium	OT & OG

**Key Strategy 1.3 – Expand program delivery**

<i>Strategy 1.3 Tasks</i>	<i>Resources Needed</i>	<i>Priority: High, Med, Low</i>	<i>Enhancement Request; OT or OG</i>
8 Aircraft Managers (AWSM and SEAT)	Needs analysis	Medium	
Analyze SME needs and responsibilities for fire grants, procurement, and authorities per statute and IDL policies	Analysis	Medium	
Dedicated qualified fire investigators	6 FTP, PC/OE	Medium	OT & OG
Program Specialist-dedicated legal admin support for fire investigations	Needs analysis	High	
Assess opportunities and cost/benefit of contracting engine builds vs. adding Shop Foreman & 4 mechanics (3 shop & 1 SEM Grade K and Grade H)	Needs analysis of IDL engine build program vs. vendor engines builds	High	

Evaluate the current job positions, classifications, and span of control for Cache to determine if appropriate. Identify gaps/needs in organizational structure by FTP and job class.	Analysis	Medium	
Radio Network Operations Manager (Grade J)	1 FTP, PC/OE	Medium	OT & OG
Increase emergency purchasing authority to 2 million at point of sale	Policy changes from State Treasury	High	

## Theme 2. Enhance fire prevention and mitigation efforts

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### Key Strategy 2.1 – Strengthen prevention programs

<i>Strategy 2.1 Tasks</i>	<i>Resources Needed</i>	<i>Priority: High, Med, Low</i>	<i>Enhancement Request: OT or OG</i>
Convert Prevention Program Specialist to Program Manager	PC	Medium	OG
Messaging/advertising reader boards, billboards, and GSTV	\$320,000 OE	Medium	OG
Replace State Burn Permit system	\$120,000 OE	Medium	OT
2 regional (N/S) Prevention Program Specialists	2 FTP, PC/OE/CO	Medium	OT & OG

### Key Strategy 2.2 – Strengthen mitigation programs

<i>Strategy 2.2 Tasks</i>	<i>Resources Needed</i>	<i>Priority: High, Med, Low</i>	<i>Enhancement Request: OT or OG</i>
Evaluate Division of Forestry and Fire organization structure and mitigation capacity needs	Committee-Executive Leadership, Fire Bureau, Forestry Assistance Bureau, Shared Stewardship, Operations, & Fire Wardens	Medium	

Evaluate Western states' programs for recommendations for program expansion in Idaho	Cooperative committee to independently evaluate Western programs	Medium	
Analysis of area capacity to implement additional program activities (this is tied to the FTE ask, asst wardens, resource foreman)	Staff from Forestry Assistance, Fire Wardens, Operations	Medium	
Develop prescribed fire and mitigation SOPs for all land ownerships to expand wildfire reducing activities across all lands	Staff from Forestry Assistance, Fire Wardens, IDL Legal	High	

**Key Strategy 2.3 – Analyze and update IDL’s fire hazard management program**

<i>Strategy 2.3 Tasks</i>	<i>Resources Needed</i>	<i>Priority: High, Med, Low</i>	<i>Enhancement Request; OT or OG</i>

**Theme 3. Build adaptive infrastructure to address increasing fire occurrence and severity**

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**Key Strategy 3.1 – Develop and implement a comprehensive fire facilities plan**

<i>Strategy 3.1 Tasks</i>	<i>Resources Needed</i>	<i>Priority: High, Med, Low</i>	<i>Enhancement Request; OT or OG</i>
Phase 1 Facilities Situation Analysis			
Phase 1 Facilities Plan			
Phase 2 Response Time & Situation Analysis			
Phase 2 Facilities Plan			
Phase 2 Facilities Implementation	TBD	Medium	OT
Fire aviation facilities needs analysis and aircraft location/response time evaluation	Staff	High	

**Key Strategy 3.2 – Modernize tools, equipment, and systems**

<i>Strategy 3.2 Tasks</i>	<i>Resources Needed</i>	<i>Priority: High, Med, Low</i>	<i>Enhancement Request: OT or OG</i>
Procure Wildfire Management Information System	OE	Medium	OT
Deploy 50 advanced early lightning detection sensors	\$1,000,000	Medium	OT
Satellite fire detection	\$500,000	Medium	OG
Increase command vehicle fleet (includes investigation vehicles)	\$380,000	Medium	OT
Explore contracting IDL exclusive use Multi-Mission Platform. Potential to use as IDL detection / air attack platform if done correctly.	TBD, multiple examples within states nearby to look to	Medium	
Analyze current and forecast need for additional aviation assets throughout state responsibility areas.	Analysis	High	
Evaluate standard engine platform for IDL districts for 2030+ to determine if type 5 still makes sense	Analysis		

**Theme 4. Foster interagency collaboration and resilience**

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**Key Strategy 4.1 – Expand coordination with Fire Service Organizations, the Idaho Fire Chiefs Association, and the Idaho Office of Emergency Management**

<i>Strategy 4.1 Tasks</i>	<i>Resources Needed</i>	<i>Priority: High, Med, Low</i>	<i>Enhancement Request; OT or OG</i>
Identify additional needs regarding capacity and process delineation, to include but not limited to, administration, coordination, and mobilization (following Title 38 legislative change, FSO participation increase, and type 3 IMT creation)	Needs analysis	High	
Finalize IDL/ICMA/IOEM MOU addressing resource sharing, cooperative training and creation of all-hazard type 3 teams. (Reference Roundtable Report)	Staff	High	

**Key Strategy 4.2 – Expand coordination with regulatory agencies for smoke management**

<i>Strategy 4.2 Tasks</i>	<i>Resources Needed</i>	<i>Priority: High, Med, Low</i>	<i>Enhancement Request; OT or OG</i>
Smoke Management Program Manager	1 FTP, PC/OE/CO	Low	OT & OG

**Key Strategy 4.3 – Increase ability to exchange resources with other states**

<i>Strategy 4.3 Tasks</i>	<i>Resources Needed</i>	<i>Priority: High, Med, Low</i>	<i>Enhancement Request; OT or OG</i>
Federal legislation change for Forest Fire Compact reciprocal billing	Proposed legislative verbiage change. Support NASF. Consider ID delegation sponsorship.		
Join GPIFC	Staff & analysis	High	

Secure state-state agreements with MN and TX		High	
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**Theme 5. Expand existing funding streams**

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**Key Strategy 5.1 – Assessments audit and modernization: Modernize software, conduct a financial and forest assessment audit, and reform assessment rate**

<i>Strategy 5.1 Tasks</i>	<i>Resources Needed</i>	<i>Priority: High, Med, Low</i>	<i>Enhancement Request: OT or OG</i>
Statewide assessed parcel audit and review	Assessment Program Manager, GIS staff	High	
Implement process improvements based on assessment audit results	Assessment Program Manager	High	
Conduct WUI assessment audit of revenues & expenses. Use outcomes for WUI rate validation.	Assessment Program Manager, GIS staff	Medium	
Forest protection rate assessment audit	Staff	Medium	
Implement forest protection rate assessment changes based on audit findings	Legislative update	Medium	
Explore options and discuss options for “statewide” assessment	Staff	Medium	
Private Fire Assessment Management System	Assessment Program Manager, Contracted IT Development	Medium	OG

# STATE BOARD OF LAND COMMISSIONERS

December 16, 2025

Information Agenda

## Subject

Endowment Ownership History

## Background

The history of endowment lands in the State of Idaho dates back to the Territorial Act of 1863, when Congress granted sections 16 and 36 of each township to support the public schools in what would become the state of Idaho. In 1883, the territory received an additional 46,080 acres for what would become the University of Idaho in 1889. Idaho became a state on July 3, 1890 and the Idaho Admission Act reconfirmed these earlier land grants and added lands for the other institutions. In total, approximately 3.6 million acres were granted to Idaho's various endowment beneficiaries.

Article IX, Section 7 of the Idaho Constitution creates the State Board of Land Commissioners (Land Board) and Section 8 outlines the duties of the Land Board. In 1982, the management mandate was amended to say, "in such manner as will secure the maximum long term financial return to the institution to which granted."

In 1996, Governor Batt appointed a committee to examine the overall management of all endowment assets, which led to the current "unified trust" system operated under today, where the Land Board has oversight of both the Endowment Fund Invest Board (EFIB, financial assets) and the Idaho Department of Lands (Department, land assets) which work in unison to maximize revenue over the long term for the beneficiaries.

The Department developed a web application that shows in green what all the section sixteens and thirty-sixes would have looked like across the state when Idaho became a territory, then shows decade by decade land acquisition (blue) and disposition (red): [Historic Ownership Application](#). Attachment 1 visually illustrates the ownership patterns through the decades.

## Discussion

The question of what to do with the lands granted to Idaho at statehood was a hotly contested topic by the state founders. The debate at the time had three options: sell, lease, or sell some and keep others while establishing limits on management activities and disposition. The critics of selling off all the land were worried that this would effectively rob the endowments. Others trusted that the

legislature and board of land commissioners were going to provide the appropriate sideboards to achieve the goals of the land. In the end, the third option won out and has led, with many changes along the way, to where endowment lands are today. Attachment 2 provides additional historical context regarding the genesis of endowment land management.

Of the 3.6 million acres granted to the state, not all were immediately available for the state to take ownership. Some were already privately owned, within federal timber reserves, or had not yet been surveyed. The Idaho Admission Act provided for selection of replacement lands from the public domain. These "Lieu Lands" were deeded to Idaho over time, but it was an arduous process that was not fully completed until 1998. Early selections (prior to mid-1930s) were focused on fertile agricultural and grazing lands with intent of selling at some point in the future. Timberlands were selected with the intent to harvest the timber, convert it to agricultural or grazing land, and then sell it.

At the same time the state was selecting "lieu lands," dispositions were also taking place. The initial focus on disposition was the most productive agricultural and rangeland throughout the state. The fiduciary thinking behind these dispositions was to build up the permanent funds for the various beneficiaries. Disposal limitations originally were 16,000 acres per year, with a maximum 160-acre subdivision. In 1916, this was updated to 64,000 acres per year and a maximum subdivision size of 320 acres, except for University of Idaho benefitting lands which stayed at 160 acres. In 1982, a change was made which restricted the amount of land an entity or individual could buy to the subdivision maximum size.

As dispositions continued through the early 20th century, the focus began to shift more to under-performing assets or isolated parcels. Shortly after the year 2000, dispositions were focused on commercial buildings and, after the 2012 Wasden decision, cottage sites due to split estate issues and disagreement over the establishment of a market rental rate.

Since 2015, approximately 800 acres have been sold at public auctions: cottage sites, unleased lots in same subdivisions as cottage sites, commercial buildings, and other smaller tracts of land throughout the state, the most recent being the Pierce Creek parcel in Benewah County. Attachment 3 gives a visual update of the Asset Management Plan showing 2024 surface and mineral estates.

Prior to endowment reform, proceeds from land sales were used to build the coffers for the permanent funds for each of the beneficiaries. The Department's land management activities were primarily paid for out of General Funds with some dedicated funds established for reforestation and hazard management purposes. In 1969, the EFIB was created ([History of the Endowment Fund | Endowment Fund Investment Board](#)). At that time, there was approximately \$77 million dollars in the permanent fund accounts.

In November of 1998, a Constitutional Amendment was on the ballot for Idaho voters, and it passed. In 2000, the changes began to be implemented. It was a seminal moment for the beneficiaries, EFIB, and the Department. The EFIB managers were given the ability to diversify investments from only high quality fixed income instruments to a much more flexible approach for the funds. The Department began to move from a purely resource-based management mindset to an asset focused mindset.

In 2000, the total land grant endowment fund financial assets were valued at approximately \$800 million. At the May 2025 Land Board meeting, EFIB reported the financial asset value at approximately \$3.8 billion. The land assets managed by the Department are valued at approximately \$1.93 billion and are due for a new valuation in the coming calendar year. As a unified trust this puts the value at over \$5.7 billion, has a distribution reserve in place for seven years, and has seen increases in distributions go from around \$38 million annually to over \$103 million in 2025.

Additionally, Land Bank funds have been utilized to invest in over 54,000 acres of productive timberland, which along with developing and adapting the Forest Asset Management Plan has more than replaced the income lost from commercial buildings and cottage site leases. The last couple years has seen the development of more robust Land Board and agency policies directed at land exchanges and commercial land leases that give the beneficiaries more diversity for long-term revenue generation, as well as more flexibility to dispose of under-performing assets.


In summary, Idaho's endowment management has matured into a disciplined, fiduciary-driven trust where both land and financial assets are managed as components of a unified portfolio designed to maximize long-term returns for the beneficiaries. Through strategic reinvestment, diversification, and the development of modern land and investment policies, the State Board of Land Commissioners has strengthened portfolio performance, reduced risk, and increased annual distributions while maintaining robust reserves. Today's framework, grounded in constitutional direction, trust law principles, and data-informed asset management, ensures that each decision serves the beneficiaries' perpetual financial interests and positions the endowments to continue delivering durable, dependable value for generations to come.

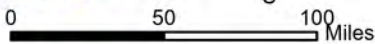
## **Attachments**

1. Historic Statewide Acquisition and Disposition Maps by Decade
2. Idaho Endowment Lands and The Idaho Constitution
3. Surface and Mineral Estate Ownership Map



**Theoretical Public School  
Ownership Granted at Statehood**  
Created: 12/8/2025

 Section 16s & 36s



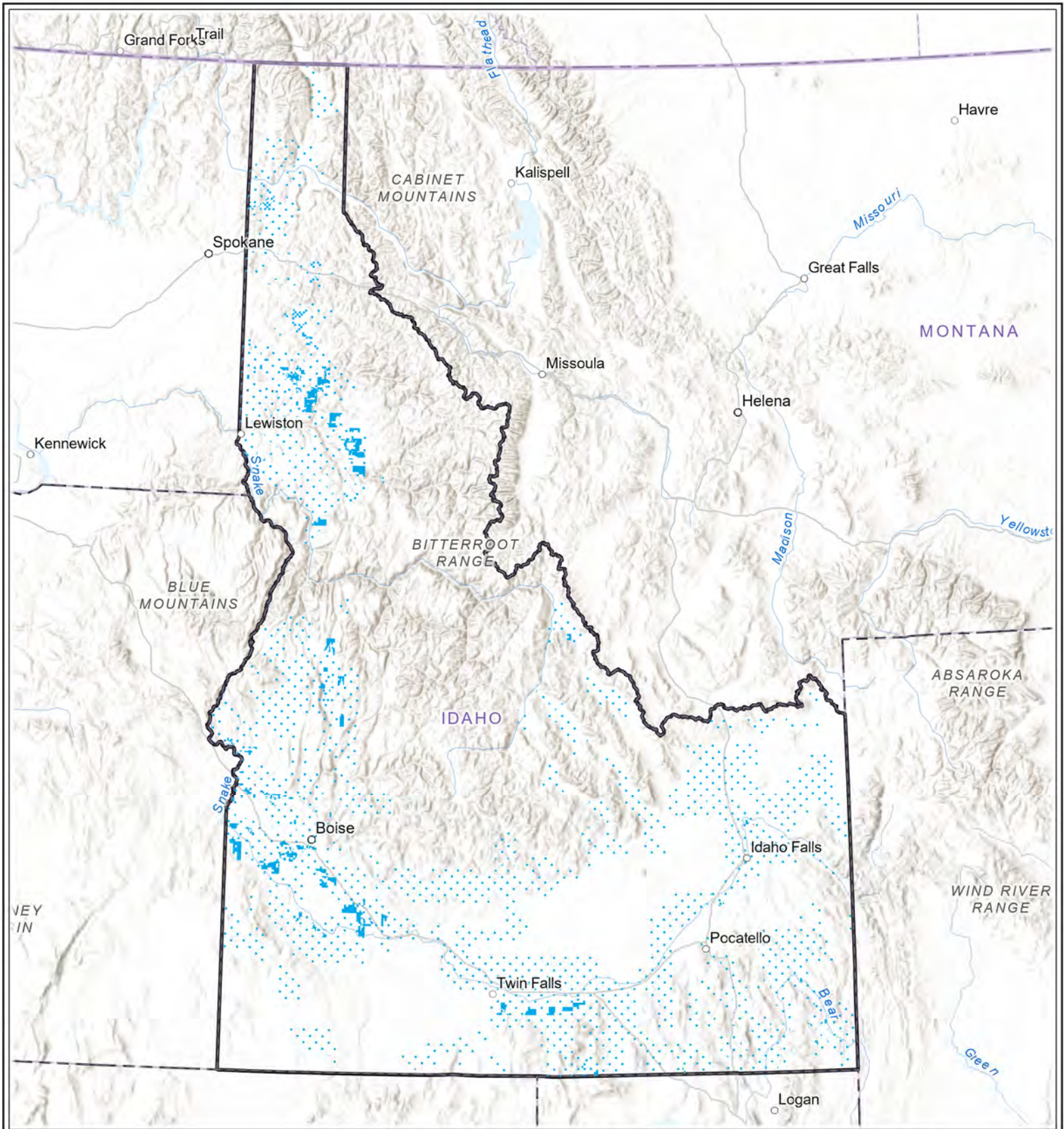
**Map Notes**

Projection: Idaho Transverse Mercator, NAD 83  
Map Notes and Data Sources

**Disclaimer:**  
This map has been compiled using the best information available to the Idaho Department of Lands at the time and may be updated and/or revised without notice. In situations where known accuracy and completeness is required, the user has the responsibility to verify the accuracy of the map and the underlying data sources.

**Vicinity Map**

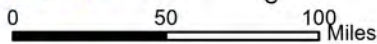




### Historic Ownership Map Series

Map 1: 1890 to 1900  
Created: 11/17/2025

- Acquired State Lands
- Disposed State Lands



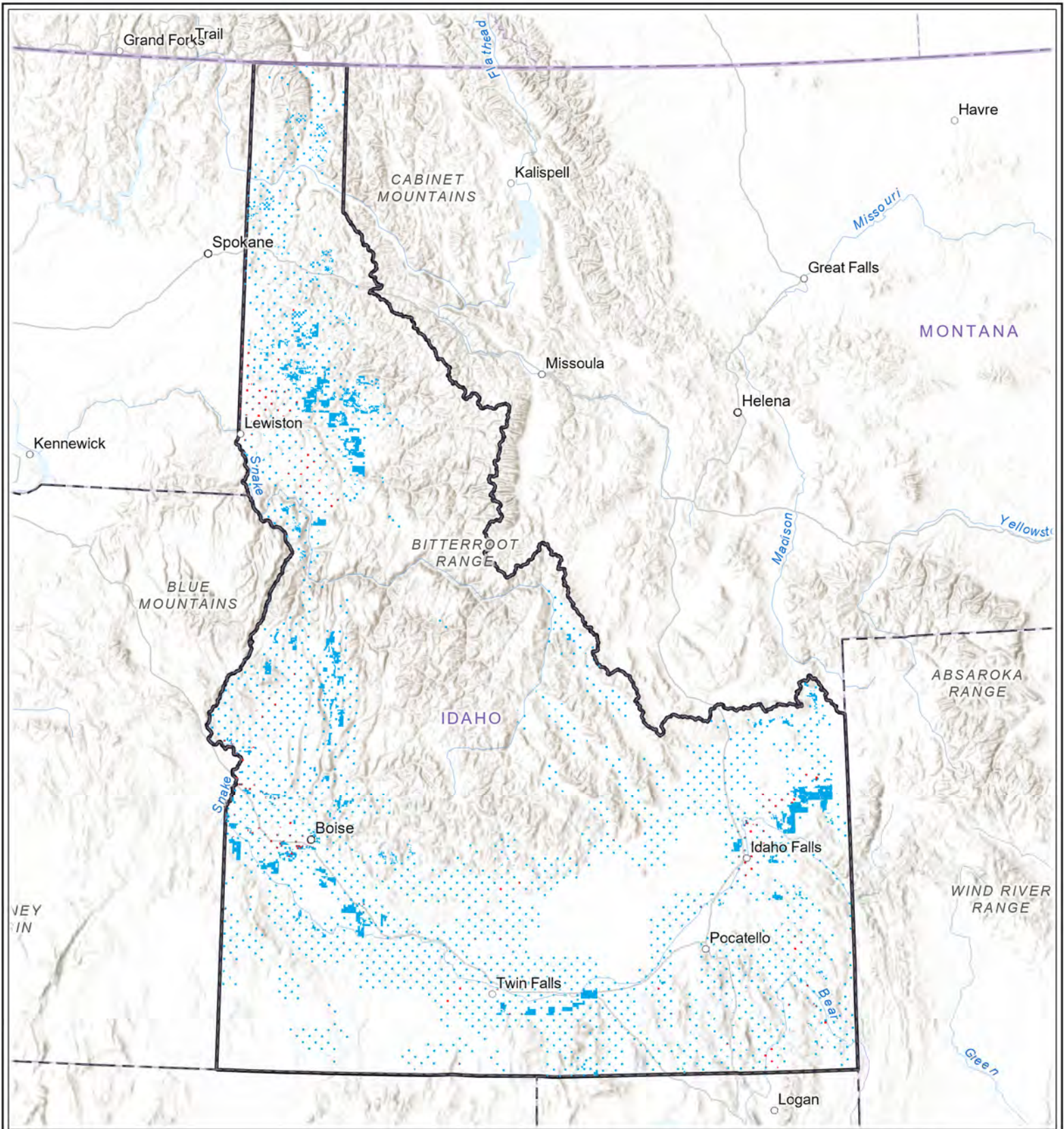
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Map Notes and Data Sources

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#### Vicinity Map





### Historic Ownership Map Series

Map 2: 1900 to 1910  
Created: 11/17/2025

#### Map Notes

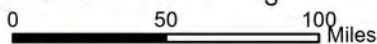
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Map Notes and Data Sources

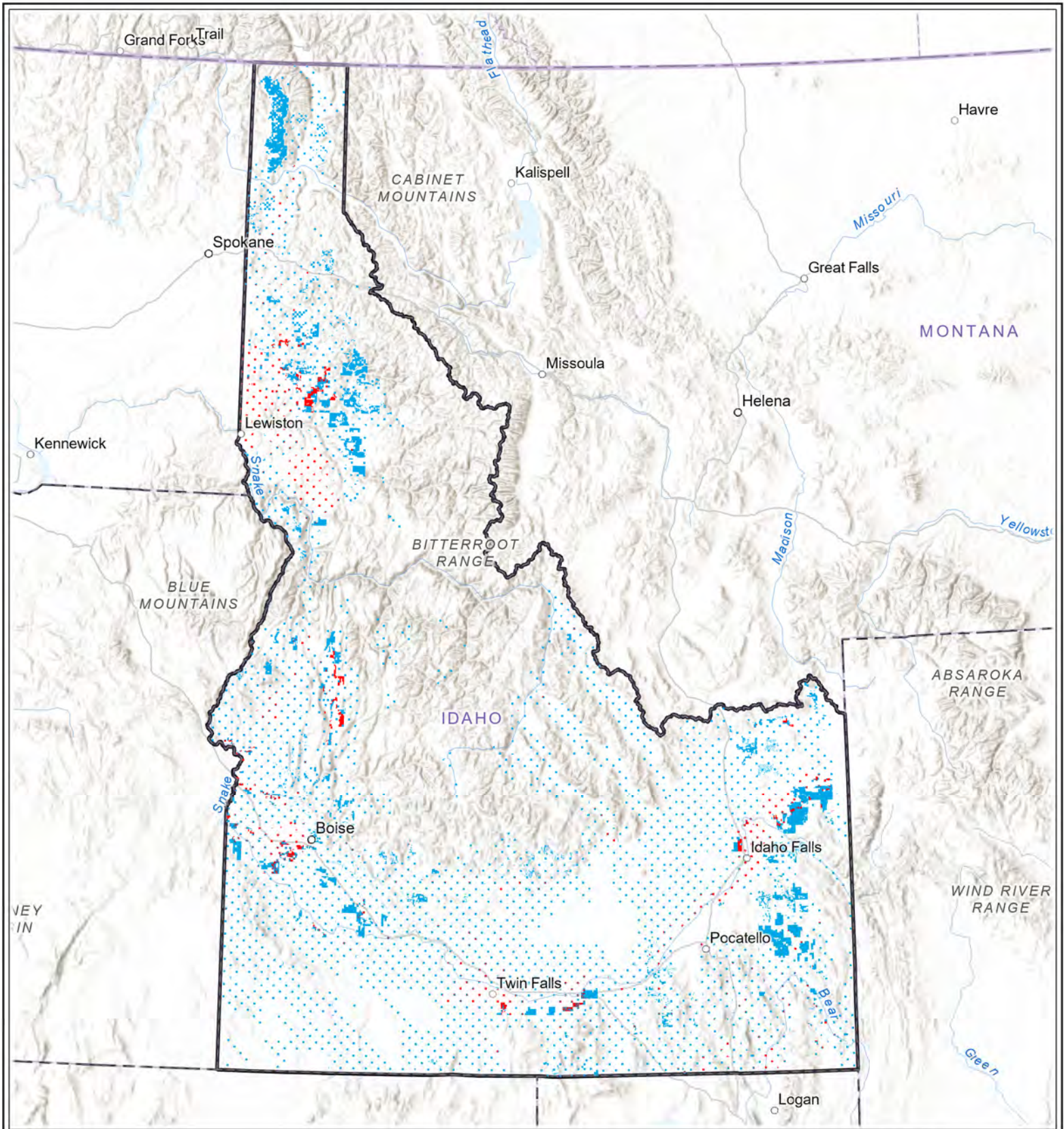
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#### Vicinity Map



- Acquired State Lands
- Disposed State Lands





### Historic Ownership Map Series

Map 3: 1910 to 1920  
Created: 11/17/2025

#### Map Notes

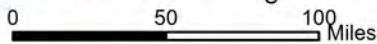
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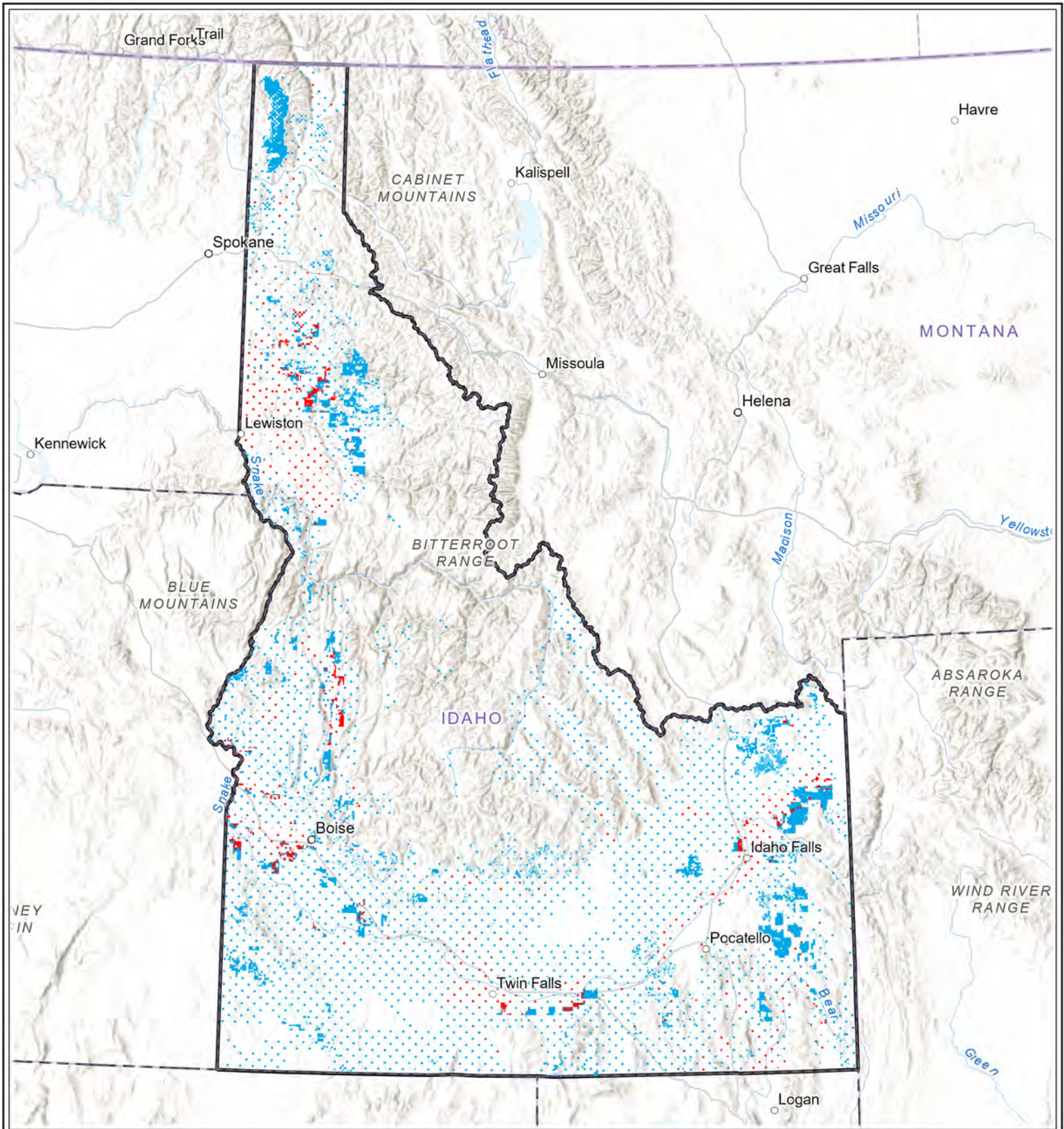
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#### Vicinity Map



- Acquired State Lands
- Disposed State Lands





### Historic Ownership Map Series

Map 4: 1920 to 1930  
Created: 11/17/2025

#### Map Notes

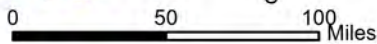
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Map Notes and Data Sources

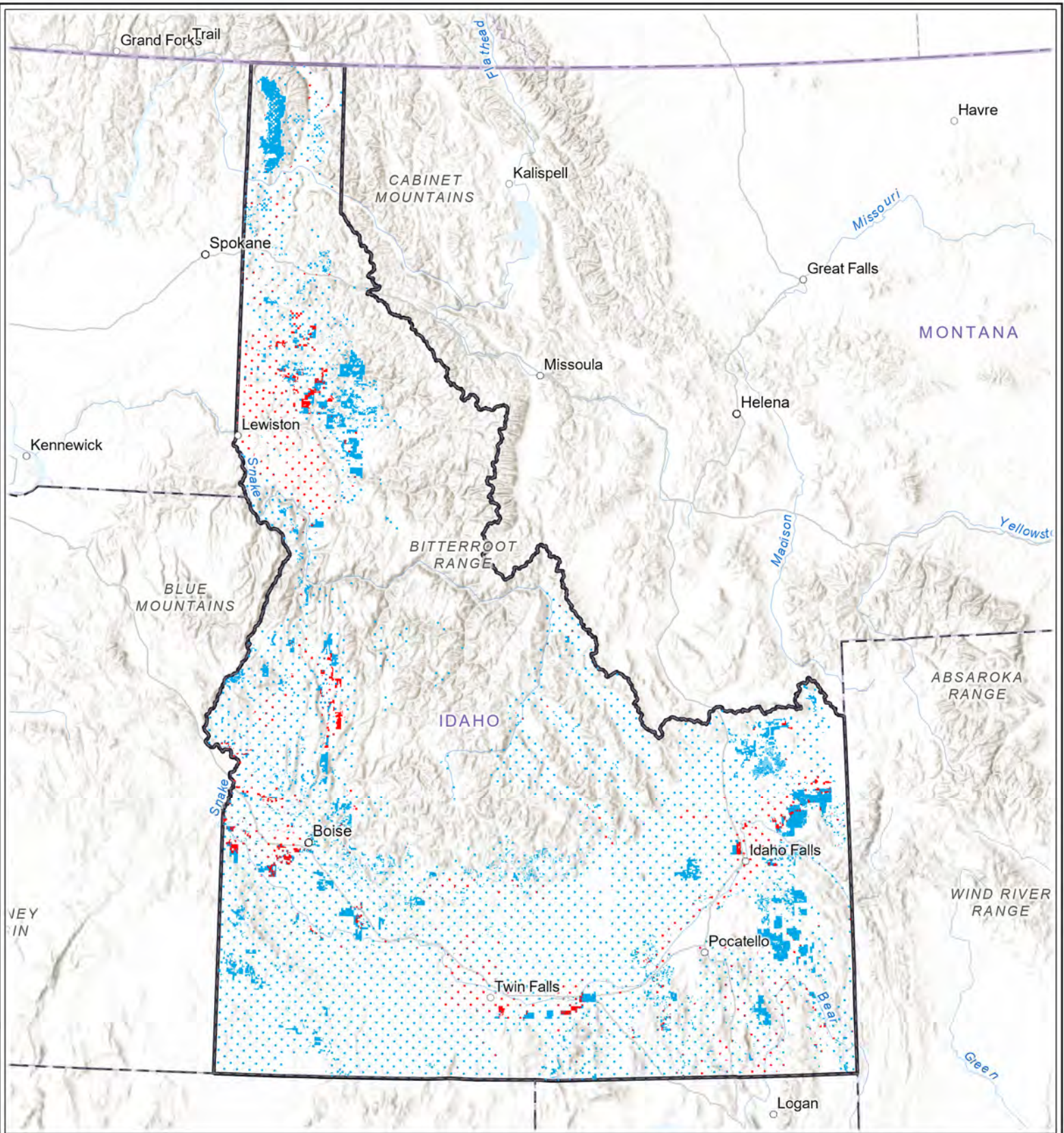
**Disclaimer:**  
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#### Vicinity Map



- Acquired State Lands
- Disposed State Lands

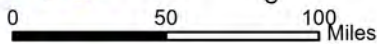




### Historic Ownership Map Series

Map 5: 1930 to 1940  
Created: 11/17/2025

- Acquired State Lands
- Disposed State Lands



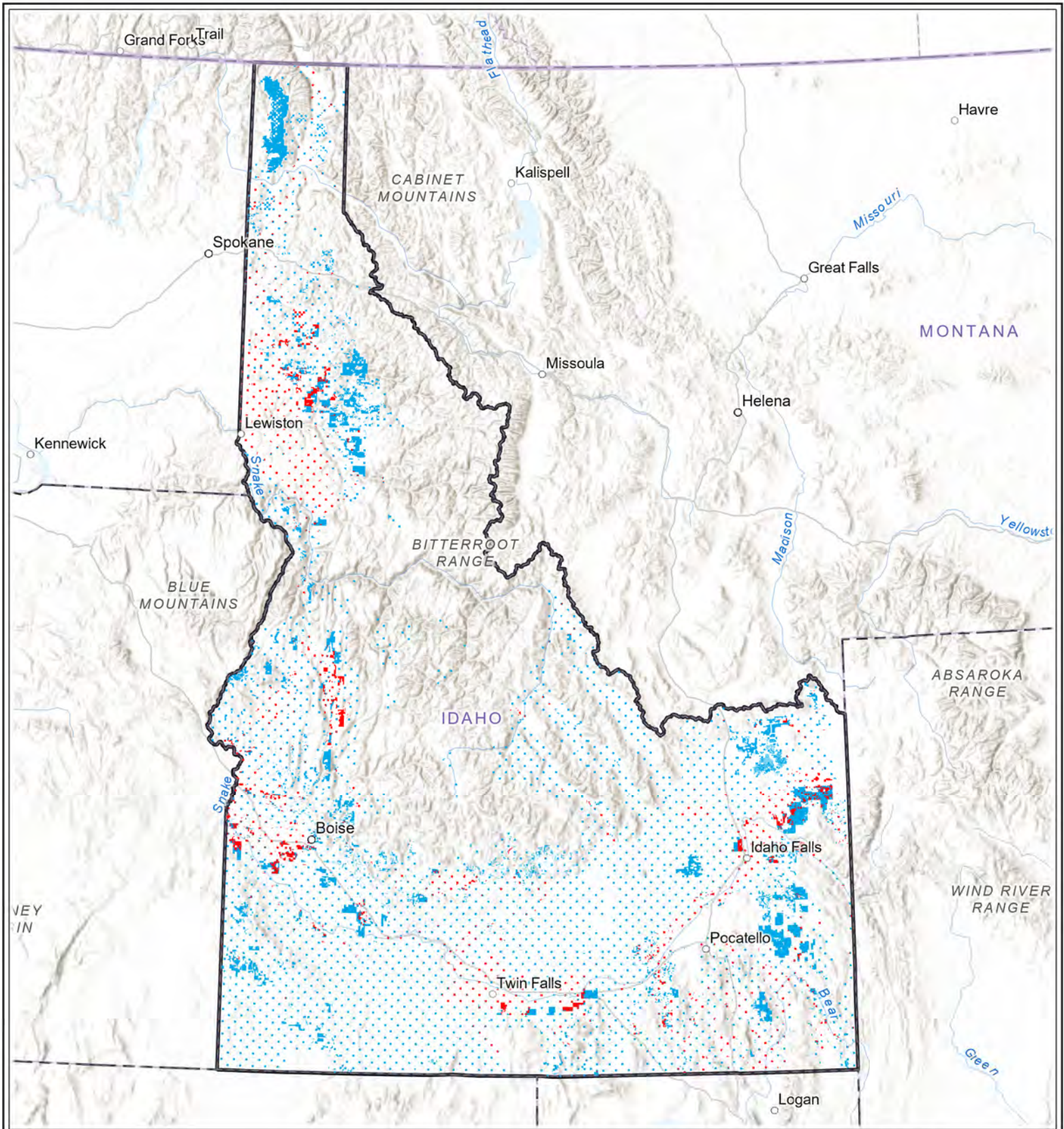
#### Map Notes

Projection: Idaho Transverse Mercator, NAD 83  
Map Notes and Data Sources

**Disclaimer:**  
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#### Vicinity Map

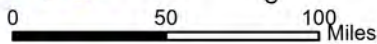




### Historic Ownership Map Series

Map 6: 1940 to 1950  
Created: 11/17/2025

- Acquired State Lands
- Disposed State Lands



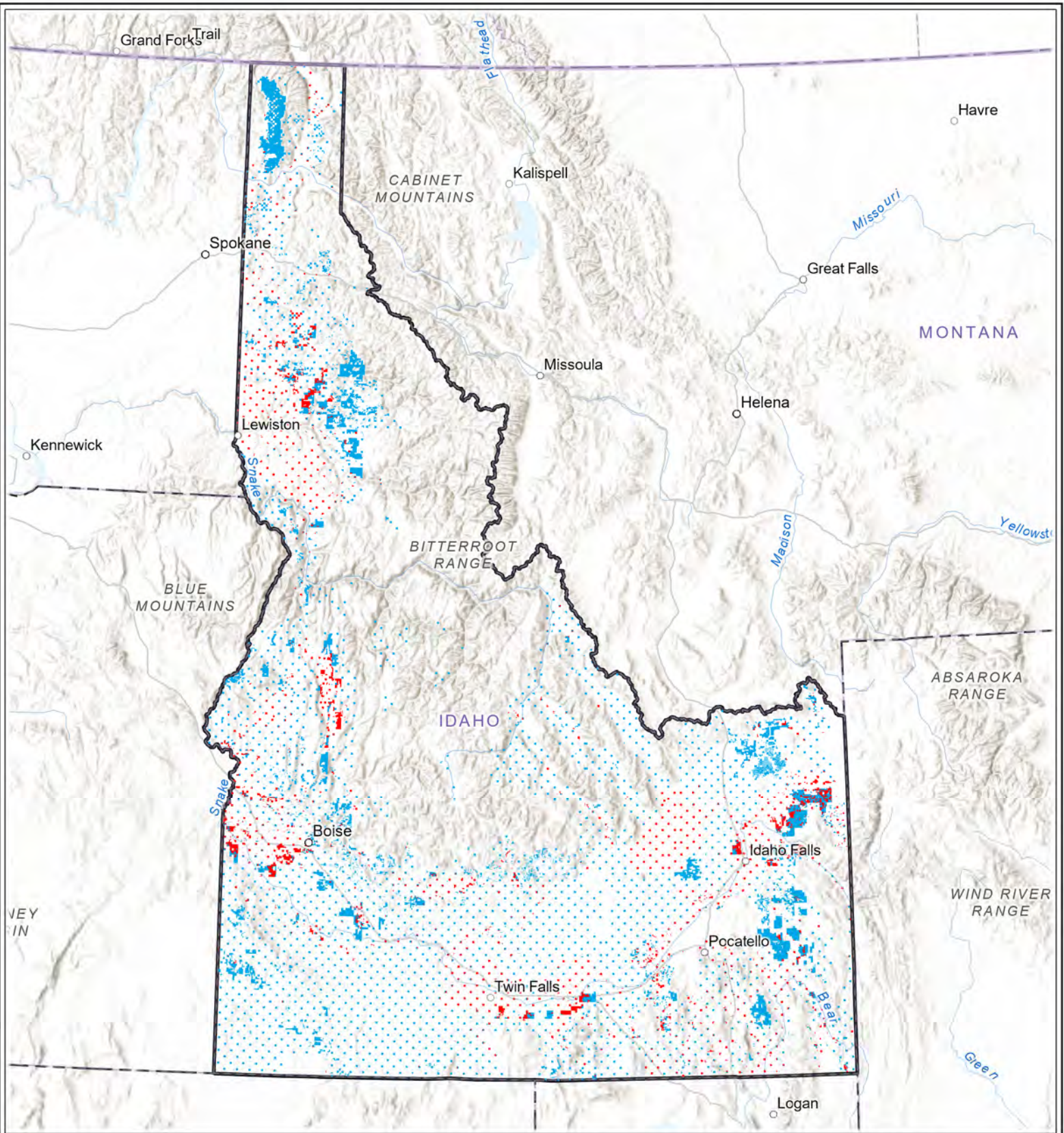
#### Map Notes

Projection: Idaho Transverse Mercator, NAD 83  
Map Notes and Data Sources

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#### Vicinity Map





### Historic Ownership Map Series

Map 7: 1950 to 1960  
Created: 11/17/2025

#### Map Notes

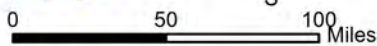
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Map Notes and Data Sources

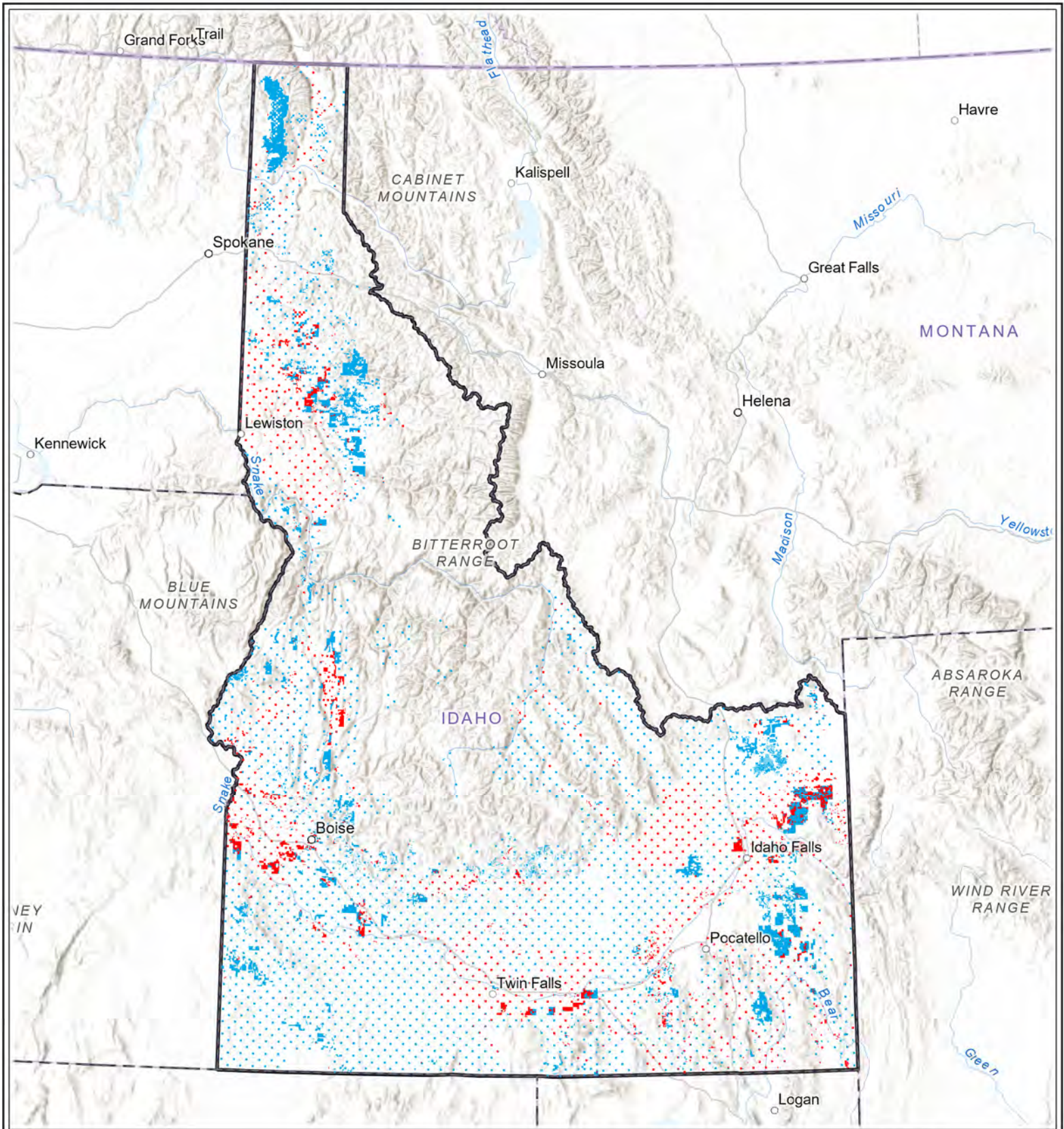
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#### Vicinity Map



- Acquired State Lands
- Disposed State Lands

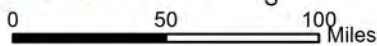




### Historic Ownership Map Series

Map 8: 1960 to 1970  
Created: 11/17/2025

- Acquired State Lands
- Disposed State Lands



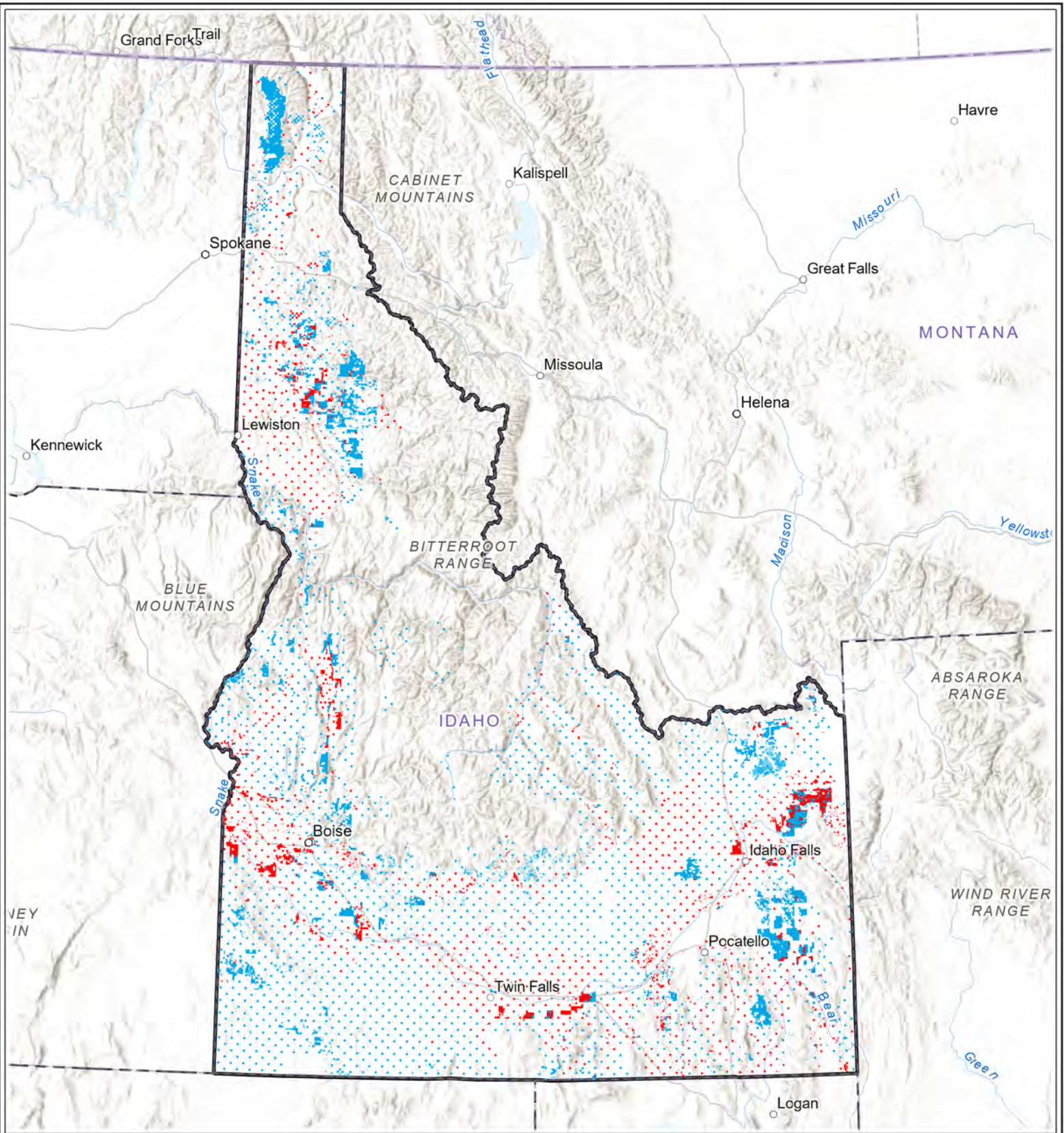
#### Map Notes

Projection: Idaho Transverse Mercator, NAD 83  
Map Notes and Data Sources

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#### Vicinity Map





### Historic Ownership Map Series

Map 9: 1970 to 1980  
Created: 11/17/2025

#### Map Notes

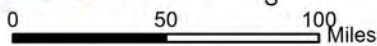
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Map Notes and Data Sources

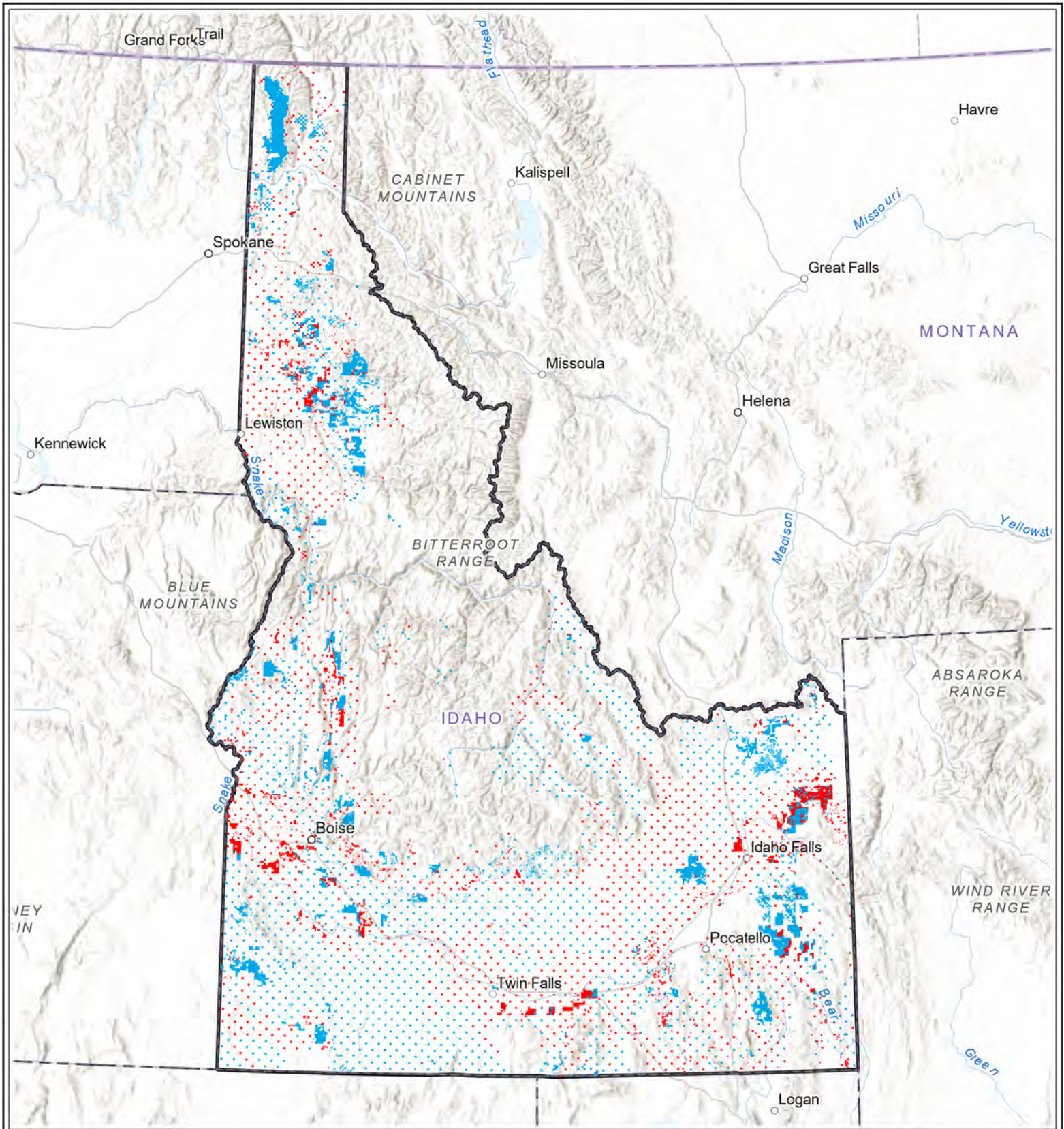
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#### Vicinity Map



- Acquired State Lands
- Disposed State Lands

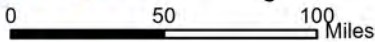




### Historic Ownership Map Series

Map 10: 1980 to 1990  
Created: 11/17/2025

- Acquired State Lands
- Disposed State Lands



#### Map Notes

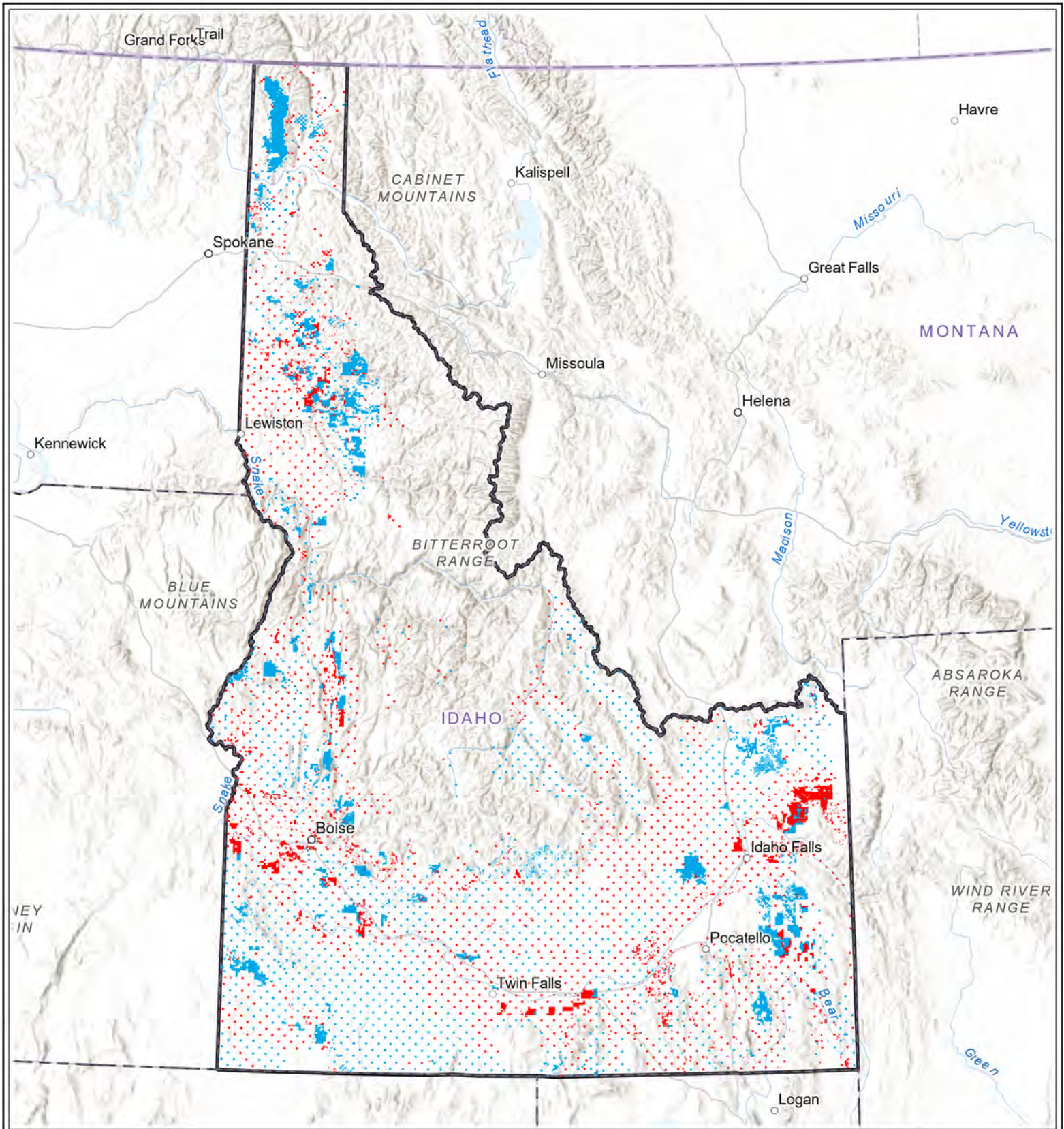
Projection: Idaho Transverse Mercator, NAD 83  
Map Notes and Data Sources

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#### Vicinity Map



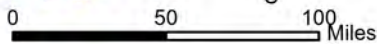




### Historic Ownership Map Series

Map 12: 2000 to 2010  
Created: 11/17/2025

- Acquired State Lands
- Disposed State Lands



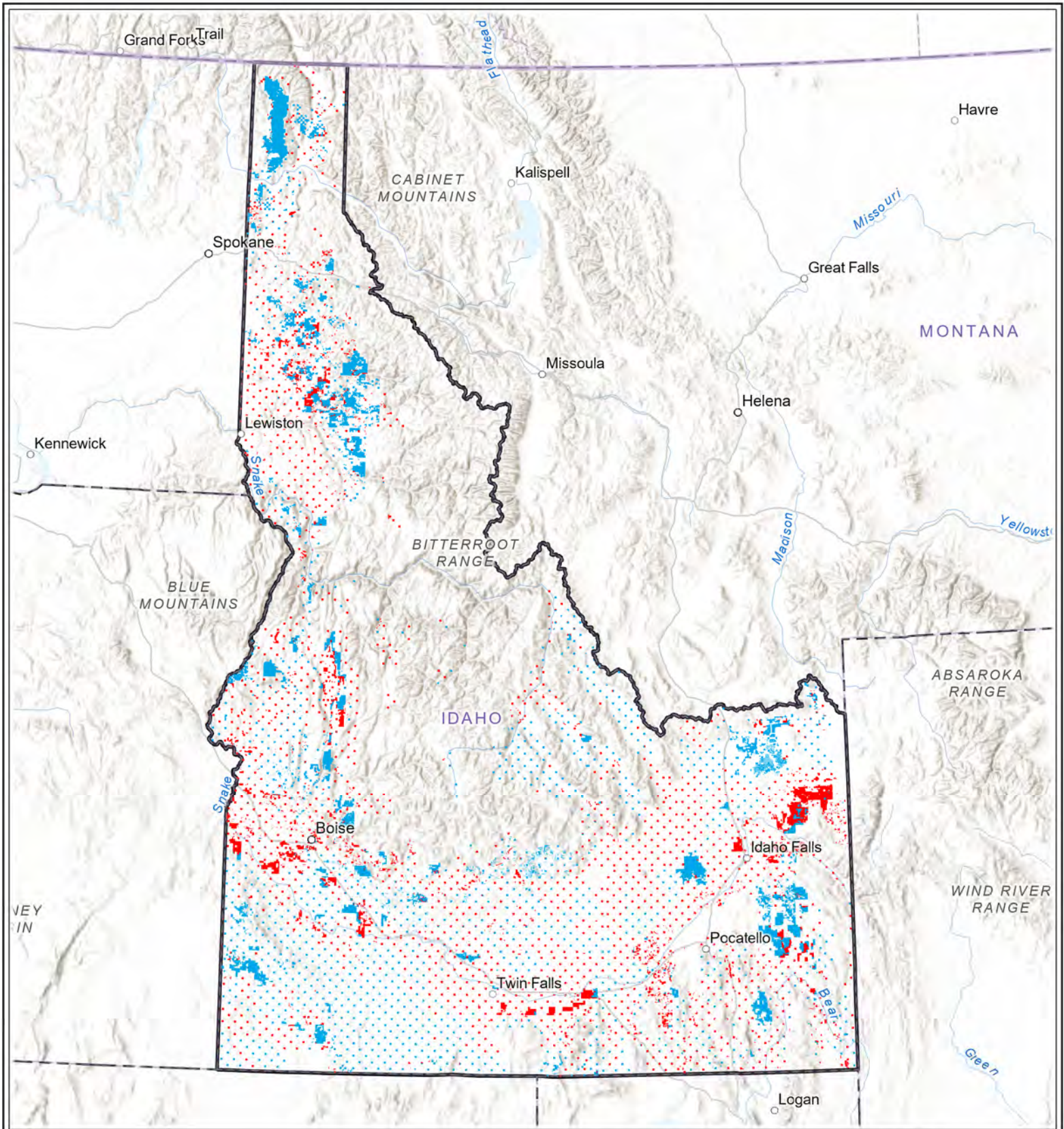
#### Map Notes

Projection: Idaho Transverse Mercator, NAD 83  
Map Notes and Data Sources

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#### Vicinity Map

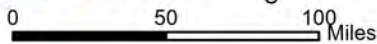




### Historic Ownership Map Series

Map 13: 2010 to 2020  
Created: 11/17/2025

- Acquired State Lands
- Disposed State Lands



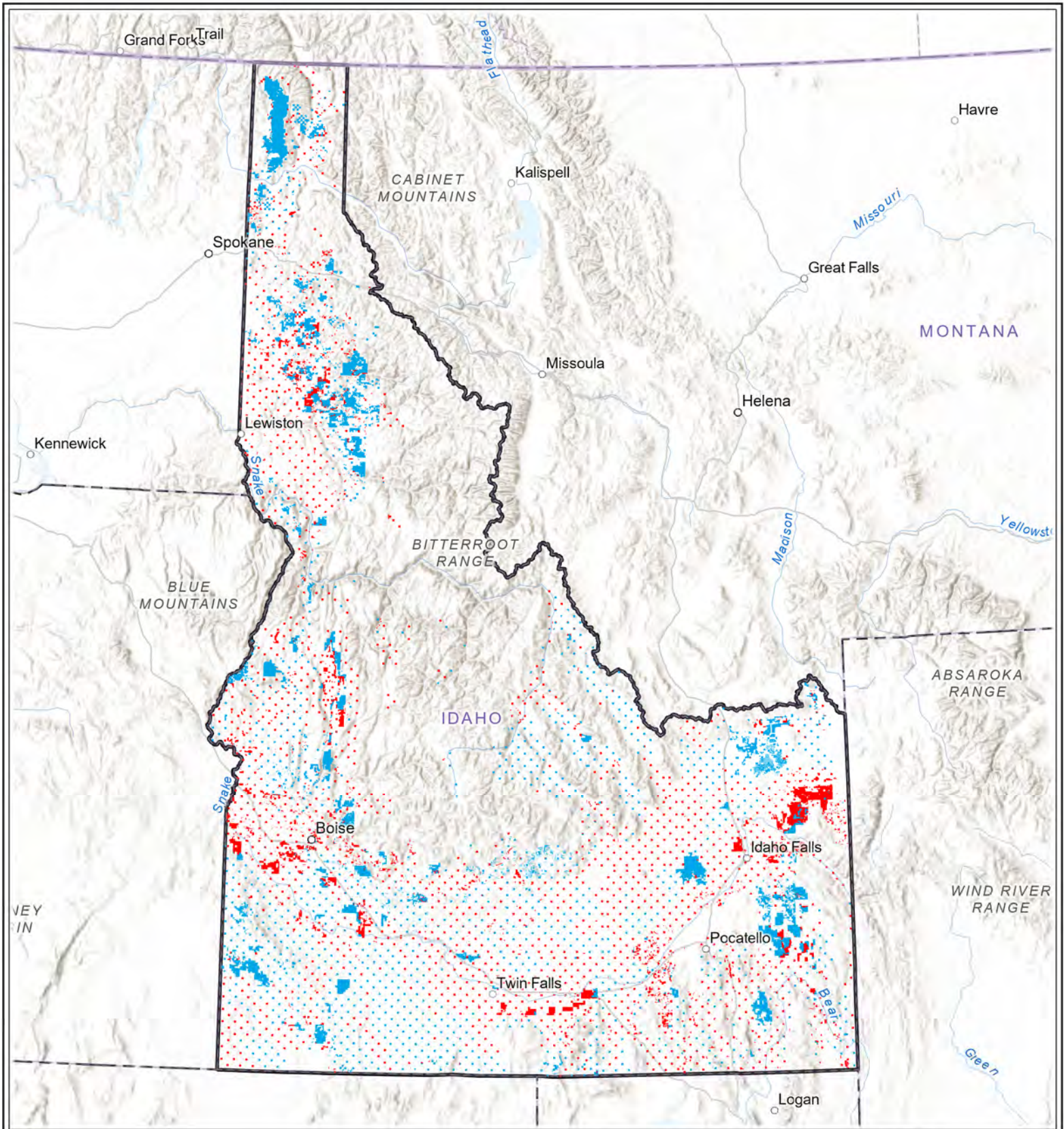
#### Map Notes

Projection: Idaho Transverse Mercator, NAD 83  
Map Notes and Data Sources

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#### Vicinity Map

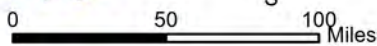




### Historic Ownership Map Series

Map 14: 2020 to 2025  
Created: 11/17/2025

- Acquired State Lands
- Disposed State Lands



#### Map Notes

Projection: Idaho Transverse Mercator, NAD 83  
Map Notes and Data Sources

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#### Vicinity Map



# **IDAHO ENDOWMENT LANDS AND THE IDAHO CONSTITUTION**

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## THE ENDOWMENT AND THE CONSTITUTION

The Idaho Constitutional Convention convened in Boise on July 4, 1889. The delegates at the convention were expecting Congress to grant endowment lands upon admission, and included a plan for the management of those lands in six sections of Article IX, the Education and School Lands Article. Sections 7 and 8 created the Board of Land Commissioners and charged them with the duty of managing the endowment lands. Sections 3, 4 and 11 created the public school fund, made it inviolate and restricted the investments that could be made by the fund. Section 10 governed the management of the University endowment lands.

Following are sections 7 and 8, showing both the original 1890 language and the sections as they read today.

§ 7. The governor, superintendent of public instruction, secretary of state, and attorney general shall constitute the state board of land commissioners, who shall have the direction, control and disposition of the public lands of the state, under such regulations as may be prescribed by law.

§ 8. It shall be the duty of the state board of land commissioners to provide for the location, protection, sale or rental of all the school lands heretofore, or which may hereafter be granted to the state by the general government, under such regulations as may be prescribed by law, and in such manner as will secure the maximum possible amount therefor **long term financial return to the institution to which granted or to the state if not specifically granted.** Provided, that no school state lands shall be sold for less than ~~ten (\$10) dollars per acre~~ **the appraised price.** Provided, that no law shall ever be passed by the legislature granting any privileges to persons who may have settled upon any such public lands subsequent to the survey thereof by the general government, by which the amount to be derived by the sale or other disposition of such lands shall be diminished, directly or indirectly. The legislature shall at the earliest practicable period provide by law that the general grants of land made by congress to the state shall be judiciously located and carefully preserved and held in trust, subject to disposal at public auction for the use and benefit of the respective objects for which said grants of land were made, and the legislature shall provide for the sale of said lands from time to time, and for the faithful application of the proceeds thereof in accordance with the terms of such grants; provided that not to exceed ~~twenty-five (25)~~ **one hundred** sections will be sold in any one (1) year, and to be sold in subdivisions of not to exceed ~~one hundred and sixty (160)~~ **three hundred and twenty** acres to any one individual, company or corporation.

## THE CONFLICTING VIEWS

Idaho's Founders had three conflicting views about the best management of the endowment to be received. The Education and School Lands Committee

recommended that the management be left almost entirely to the Legislature, that the lands should be sold as quickly as possible. The proceeds from these sales would be put into the public school fund which in turn would be invested in first mortgages on improved agricultural land. The interest on these loans would be used to support public education. William J. McConnell (R-Latah), the Committee Chair, and John S. Gray (R-Ada) were the strongest proponents.

JAMES M. SHOUP (R-Custer): And as regards this question of saving this school land for future generations, that is all nonsense. We now propose to sell these lands right now, or as soon as we can, at the most convenient time. But there is no question but what this land is more valuable now than it will be hereafter after it has been cultivated and completely worn out by renters. We will then reserve for the future and for the people that live after us the cash this land brings, and give that to them as a perpetual fund which they shall keep forever, instead of giving them a lot of worthless and wornout land that is of no value to anyone, and in a part of the territory where irrigation is necessary and all the water rights taken up and owned by someone else.

CHARLES M. HAYS (R-Owyhee): I do not believe that the majority of this convention think that these lands should be held for twenty years. I believe they should be sold as rapidly as possible, in order that it may be some inducement to outsiders to purchase these lands and bring water upon them. If you do not, if you hold them for twenty years, you will have them forever.

The Committee's proposal was strongly opposed by William H. Claggett (R-Shoshone), the President of the Convention, Aaron F. Parker (D-Idaho), and others. These delegates thought that the land should never be sold and that the lease proceeds should go into an education fund, the interest from this fund to be used to support education.

AARON F. PARKER (D-Idaho): Let us hold on to them, let us freeze to them, to every acre of it, and not sell them now at a minimum price to land grabbers and speculators, and deprive our children of their common heritage. Let us hold on to them, and as our territory develops these lands will increase in value and we shall be able to get money for school purposes without calling upon the people for direct taxation for money for educational purposes, as they have to in our neighboring common wealth of Oregon today.

There was a third view at the Convention. That view was the middle; sell some of the lands and keep others. Limit the power of the legislature by requiring a minimum price per acre and limiting the amount of land that could be sold.

ORLANDO B. BATTEN (D-Alturas): Now the discussion has taken this turn, and we must adopt one or the other of two courses; either preserve our lands intact for all time, and so that we may derive a never-failing source of revenue from them, keep them as old landed estates are preserved in England, or sell them at once or very

soon, to realize some immediate revenue. Now it strikes me there is a middle ground between the two course, that we can test the merits of both by some provisions.

#### TO PROTECT FROM POLITICIANS AND SPECULATORS

Those opposing the sale of the endowment lands were convinced from their experience that if politicians were given the power to sell the lands, the endowment would be pillaged.

AARON F. PARKER (D-Idaho): I have lived in Oregon, and I have seen the state school lands of that commonwealth sold and frittered away for a dollar and a quarter an acre to speculators, and the state of Oregon has no school fund today to amount to anything in the treasury; but our school system is a foremost necessity in this whole undeveloped territory of Idaho.

LYCURGUS VINEYARD (D-Alturas): If we adopt now a system that will provide for the frittering away of these school lands to Tom, Dick and Harry, to syndicates and corporations, simply going for the pittance of a dollar and a quarter an acre, in twenty years there will be no school lands in this state. The school fund of Oregon Deteriorated. It happened by the bad management of the board of school land commissioners in that state in marketing those lands, a great many of them, for a small sum; they went to work and marketed these lands away until that fund really amounted to nothing – it didn't amount to anything. The charge that the mismanagement of those school lands is chargeable to a democratic administration in the state - I am not inclined to hold with my friend McConnell on that subject. I don't think it was because the governor was a candidate for the United States senate that the school lands of Oregon melted away and the money was frittered away. It was long before L.F. Grover was governor of the state. In some way it afterward melted away under the management of Sam May and his coadjutors. That is all there is about that - bad management of both parties of frittering away the entire school lands of that state. I am in favor of leasing these lands.

I think if these lands are thrown open to indiscriminate sale, that there are any amount of land grabbers to be found, any amount of syndicates can be organized to gobble them up at ten dollars an acre, and in twenty years the school fund of this state would be impoverished by it.

PETER J. PEFLEY (D-Ada): I was heartily in favor of selling the lands when I heard the explanation of the chairman of the committee that the money was stolen to send a man to the United States senate, but if we have such offenses in prospect now, and a good many politicians in the country, I think we had better keep the lands and not sell them, for fear they will be used for the same purpose.

ALEXANDER E. MAYHEW (D-Shoshone): Now if there are going to be any politicians, let them be republicans or democrats, that are going to steal this money, let us put this property in these lands in a condition that neither democrat nor republican can take it. It is no argument to me that because a democrat has done that once that there are not a great many republicans that will do it in the future if they have an opportunity – I think that is no argument at all; but the question before the convention now is how and in what manner we are going to best perpetuate the funds of the schools of this territory.

#### TRUST THE LEGISLATURE

Many other delegates had a more optimistic view of Idaho's future politicians. They were willing to trust the board of land commissioners and legislature they were creating.

WILLIAM J. McCONNELL (R-Latah): Allow the legislature discretion to sell these lands. The gentlemen who come here year after year are not all dishonest. They are as much interested as we are in the preservation of these lands and this fund. Many of them are husbands and fathers, and those who are not doubtless soon expect to be, and they will take as much pains with this fund's preservation – just as much as we.

JOHN S. GRAY (R-Ada): But it seems that the basis of all this argument is that the legislature will be composed of men of no sense at all. They will not have the interests of the territory at all at heart; they will not come here for that purpose, only for the purpose of stealing something, or getting rid of something, or disposing of the public property to some land-grabbing syndicate -- which I do not believe.

While the Article IX Committee thought it wise to vest the Board and Legislature with the power to sell the endowment lands, the Committee also thought it wise to protect those lands and the proceeds from those lands from political influences. The land was to be held "in trust." The land was to be managed "in such manner as will secure the maximum possible amount therefore" and was to be "disposed of at public auction." § 8. The Legislature was made the guarantor of the public school fund: "The state shall apply all losses thereof that may in any manner occur." § 3. The Committee planned to support education with the profits from these lands to relieve taxpayers from the burden.

#### THE PROFIT FROM LEASING

All of the delegates at the Convention accepted the proposition that the endowment lands should be managed "in such manner as will secure the maximum possible amount therefor." However, the delegates sharply disagreed as to how this would be best accomplished. Some thought leasing was the more profitable.

WILLIAM H. CLAGGETT (R-Shoshone): Assuming these school lands or any portion of them are sold, then what is going to be done with the money. In order to secure the fund from future loss, you will necessarily have to invest it in some form of security which is regarded as perfectly safe, and any form of security which is regarded as perfectly safe, sound security, necessarily bears a low rate of interest. Now let me ask a question right here, and that is, whether any of these lands can be sold at any price within the next ten or twenty years which will bring as large a rental, or rather as large an interest upon a perfectly secure investment, as you can get from these same lands by renting them out from year to year, and then have your whole principal intact at the end.

This spring I was down in eastern Washington. I found that nearly half the land that was settled upon there was settled upon by renters, and I found that the customary trade made there – by inquiry among the farmers, was that they gave half the gross crop, they gave that as an annual rental to the proprietor.

When these large irrigating canals are constructed, then they will be serviceable, not only to the lands of private proprietors but to other lands of the state as well, and therefore if you simply leave them in that condition where they are until these canals are constructed, then you give them an immense value.

#### THE LAND CAN'T BE LEASED

Many delegates took the floor to take issue with Claggett. It was their contention that the endowment lands could not be leased at all. King argued that the timber land could not be leased because it was subject to timber theft.

G.W. KING (D-Shoshone): In Kootenai county originally it was mostly timbered. If we adopt the system of leasing it will be impracticable there, for these reasons, that the timber land would naturally be cut off and destroyed more or less, and it would be impossible to keep any track of the wood destroyed. They go on and cut the timber off. I have been there four times within the last year, and the railroad company cuts a couple of hundred thousand ties every year; wherever it is most suitable for that purpose, they go there and take it. And you have to stand there with the sheriff to fight them off.

Others thought the lands on the Palouse could not be rented because of wild oats and cockle burrs.

A.S. CHANEY (D-Latah): Having been a rancher myself in northern Idaho for several years, I think I should at least be taken as some authority as to the rental and leasing of lands. Good farmers in our portion of the country have quit renting or leasing their lands entirely. They prefer to let them lie idle, by reason of the fact that if they rent them or lease them, in three or four years they become so foul with wild oats or cockle seed that they are no account any more.

Claggett's strongest opposition came from those who argued that the sagebrush lands of southern Idaho could not be leased.

JAMES M. SHOUP (R-Custer): Who is going to reclaim all these lands? I suppose that nine-tenths of the school land of this territory will now be arid land, land that cannot be cultivated without irrigations, and a great deal of it lies long distances from these large canals the gentleman from Shoshone speaks about.

WILLIAM J. McCONNELL (R-Latah): In the year 1883 there were surveyed in this territory 1378 sections of school land. Perhaps 75 sections would be all that would now be available for cultivation without irrigation, which would leave 1303 sections of land left out in the wilderness. What will any gentleman pretend to say these 1303 sections of land would rent for, as they are now situated, without any water on them today? Now by placing it in the power of the legislature to provide for the sale of these lands, parties will come in and buy the lands, bring on irrigating ditches, improve them and build up homes.

ROBERT ANDERSON (D-Bingham): I have been estimating a little, and I find that on a section of land, at the ordinary cost – and if these figures are overdrawn I hope any practical farmer in this convention will correct me – I find that on a section of land it takes about an average of \$2,500 to clear the sagebrush off; to put a fence around that land, say \$600; to plow it up, at something like \$2 an acre, \$1,300; if you pay the water rent, at a dollar an acre, \$600; to put on a house and stable and the necessary improvements would require some \$500, say, making a total of \$5,500. It strikes me that no prudent man is going to invest the four or five thousand dollars in permanent improvements necessary to be made on a piece of land he is not the owner of.

#### A BETTER BUSINESS PROPOSITION

McConnell argued that, as a business proposition, it made more sense to sell all the lands as soon as possible. The greatest income for the schools could be gotten by investing the proceeds of these sales in first mortgage loans on agricultural lands.

WILLIAM J. McCONNELL (R-Latah): Now we don't want to look upon this matter as a question of theory. We have a great many theoretical farmers. But if you gentlemen will take your pencils and a piece of paper I will give you the arithmetic of the problem. There are not more than 35 sections of land in northern Idaho and I doubt whether there are over 40 sections of land in southern Idaho, making 75 in toto. Mr. Claggett, have you your pencil. At an estimated value of \$15 an acre, which I guarantee it can be placed at today, it would amount to the sum total of \$720,000, if my figures are correct. Now it is unnecessary to say that this \$720,000 can be loaned on first-class farm security at 8 per cent. In fact, I know it can be loaned for 10 per cent, and so does any gentleman who is familiar with the process of loaning money in this territory. Now that would bring an annual income, at 8 percent of

\$57,000. Now you can take the rental, and you will have an income of \$12,000 from this land. You have \$45,600 per annum in favor of selling the land and loaning the money.

Claggett offered his own calculation.

WILLIAM H. CLAGGETT (R-Shoshone): I say that it is the most foolish policy that we could pursue, to destroy this magnificent fund, this endowment of the general government which is given to us here for the benefit of our children for not only now but for all time to come; and the gentleman can figure and figure until he can use up all the paper and pencils he can get in the town of Boise, and he can't change the practical result of the operation of this measure.

#### GENERATIONS OF POSTERITY NOT YET BORN

Aaron Parker was convinced that land was the basis of all wealth and greatness, and wanted to keep it for the "generations of posterity not yet born."

AARON F. PARKER (D-Idaho): The university of the state of California today derives all its princely revenue from the land grants bequeathed to it in the early time, and which they had the sense and sagacity to hold on to. Senator Stanford, also of California, bequeathed that magnificent land grant of Palo Alto to the state for special purposes, in trust forever. So in the great universities of the east, Girard College, Harvard and Yale Universities, derive their revenue from their landed possessions. So in the old country Oxford and Cambridge. So in the great charities, Bellevue Hospital in New York, and St. Bartholomew and Christ Church Hospitals in the city of London.

#### WHAT ABOUT THE POOR PIONEERS

Grey and others was more concerned about the poor pioneers than about the generations of posterity.

J.W. POE (D-Nez Perce): But while we are considering the benefit of future generations we should for a moment consider that there is a present generation that requires aid from this school land, that is, the men who have come into this country and reclaimed it from the wilderness, that are living here, as it were, in poverty, on account of having left their homes in the east and come here for the purpose of building up a new country.

#### IDAHO'S FUTURE

The Convention delegates based their endowment land policy, in part, on what they saw in the future for Idaho. McConnell foresaw declining land values.

WILLIAM J. McCONNELL (R-Latah): But this theory that land will be worth in fifty years, or twenty years, from now, \$100 an acre, or \$400 an acre is all conjecture. There are certain instances where land has enhanced very materially in value; take for instance such as real estate in the vicinity of prosperous cities; but take the lands all over the United States, and it is a notorious fact today, a well known fact to political economists who have made a study of this proposition, that lands are not so valuable by ten or fifteen per cent today as they were 25 years ago.

Claggett and Parker, on the other hand, foresaw the closing of the American frontier and nothing but development and prosperity.

WILLIAM H. CLAGGETT (R-Shoshone): I utterly deny the proposition of my friend from Latah that lands in the United States are depreciating in value. The very moment that it came to be understood generally throughout the country that the land was practically exhausted, from that moment, six or seven years ago, there has been a constant increase, going up year by year, almost in geometrical ration, in the value of lands all over the country, and everybody who is familiar with the facts of the case knows it to be true.

AARON F. PARKER (D-Idaho): I see coming over the Oregon Short Line and Northern Pacific hundreds and hundreds of emigrants almost every day in the year; not a day passed but there are at least five cars of emigrants coming from the eastern states. I believe, Mr. President, as Senator Hearst said on the floor of the United States senate chamber, that there will be a population of two million souls in the great Snake River valley, and while you and I may not live to see it, we must bear in mind that we are laying the foundations of a state, not for ourselves, but for our children and our children's children, and for generation yet unborn. I say that neither I nor you have any definite idea of what this land is worth today which lies under the sun of Idaho or what it is going to be worth in the future. And, Mr. Chairman, when it is advocated here to sell these lands for the little sum of five or ten or fifteen dollars an acre, I say that we are looking at the value of these lands through the big end of the telescope.

#### THE BOTTOM LINE

At the end of the day, the middle of the road view prevailed at the Convention. At the end of the debates concerning the endowment lands, the Convention adopted the following principles:

The majority of the delegates were willing to trust the Board of Land Commissioners and the Legislature with the power to decide the future of the endowment lands, but thought it wise to impose limitations on those powers. The lands were to be held in trust for the beneficiaries of the endowment. The land was to be managed according to private trust law and free from political influence and considerations. The land was to be disposed of, sold or rented, at public auction. The lands should be managed to secure the maximum possible amount therefor. No lands were to be

sold for less than \$10 per acre. No pre-emption right of settlers should be recognized. No more than 25 sections were to be sold in any one year. The land was to be sold in subdivisions not to exceed 160 acres to any one individual, company or corporation.

The majority of the delegates thought that the immediate sale of the school lands would provide the most revenue for public education in Idaho, while a minority thought that leasing would provide the most long-term revenue. Both sought the greatest return from the endowment in order to reduce the burden on the taxpayer. In the end, the Convention did not decide on a policy of selling, or renting. Instead, the Convention left that decision for the generations to follow by empowering the Board of Land Commissioners and Legislature to sell or rent the public lands.

# THE FOUNDERS AND THE “DISPOSAL AT PUBLIC AUCTION” ISSUE

Article IX, § 8 of the Idaho Constitution states in part:

The legislature shall at the earliest practicable period provide by law that the general grants of land made by congress to the state shall be judiciously located and carefully preserved and held in trust, *subject to disposal at public auction* for the use and benefit of the respective objects for which said grants of land were made . . . (emphasis added).

The question is: Did Idaho’s Founders intend to include the leasing of the lands held in trust in the phrase *disposal at public auction*?

It is clear from the language of Article IX and from *The Proceedings and Debates* that the delegates were using “disposal” broadly to include leases as well as sales. Section 8 refers to “disposal” at public auction; the language does not say “sale” at public auction.

The Article IX Committee Report repeatedly used the “disposal” language. The Board of Land Commissioners was to have the “direction, control and *disposition* of the public lands.” § 7. The Board of Land Commissioners was charged with the duty of providing for the “location, protection, sale or *disposition*” of the public lands. § 8.

The delegates at the Convention discussed the meaning of “disposal” being used by the Committee. J.W. Reid (D-Nez Perce) moved to amend the Committee Report by adding: “Provided, that no school lands shall be sold except at public auction for less than ten dollars per acre.” A. J. Pinkham (R-Alturas), a member of the Article IX Committee pointed out that the section already provided that “no land shall be sold except at public auction.” Delegate Reid then posed the question: Does disposal include leases?

All I want to provide is that all lands shall be sold at public auction; and I will inquire of the chairman of the committee, in the second line there, what do you mean by “the sale or other disposition?” Do you mean leasing, or some other way, mortgaging it to secure money on it? I suppose that term would mean that they could be leased, mortgaged and money borrowed on them for the use of the school fund.

Before Pinkam could answer, the Chair (Weldon Heyburn) cut off the discussion. *Proceedings and Debates*, p. 708.

The same question arose later the same day: Did the Committee mean to limit “disposal at public auction” to “sale at public auction?” William H. Claggett was

complaining about the Committee Report, saying that it required a “sale at public auction,” and therefore prevented sales on installment plans, which would help the poor man and foreclose the speculators:

The Convention has provided right in here that no poor man shall ever buy any of these lands, that they shall be turned over to the speculators and syndicates. If you want to obtain a price for your land, sell it to the poor man on the installment plan and let him pay for it in twenty years’ time, and allow the purchase money to bear interest.

McConnell, the spokesman for the Committee, immediately assured Claggett that “disposal” was being used in a broad way and would include installment contracts.

It can be sold on the installment plan.

*Proceedings and Debates*, p. 755.

J.W. Reid quickly took the floor to state that Pinkham had given him the same answer given by McConnell. “Disposition at public auction” included installment contracts, leases and other disposals.

By the amendment adopted this morning – which seems to have been adopted, there is full power given to this board to sell, how? At public auction. The sale has got to be in that way, which is the only limitation. The preceding section and this section itself give to the board the right to sell and dispose – “or other disposition.” I asked the gentleman this morning for an explanation. He was about to give it, and the chairman of the committee, Mr. Pinkham, explained it, that they could sell, if they saw fit, in that way. Now this gives power to sell and dispose of these lands by sale, lease or any other way.

*Proceedings and Debates*, pp. 755-756.

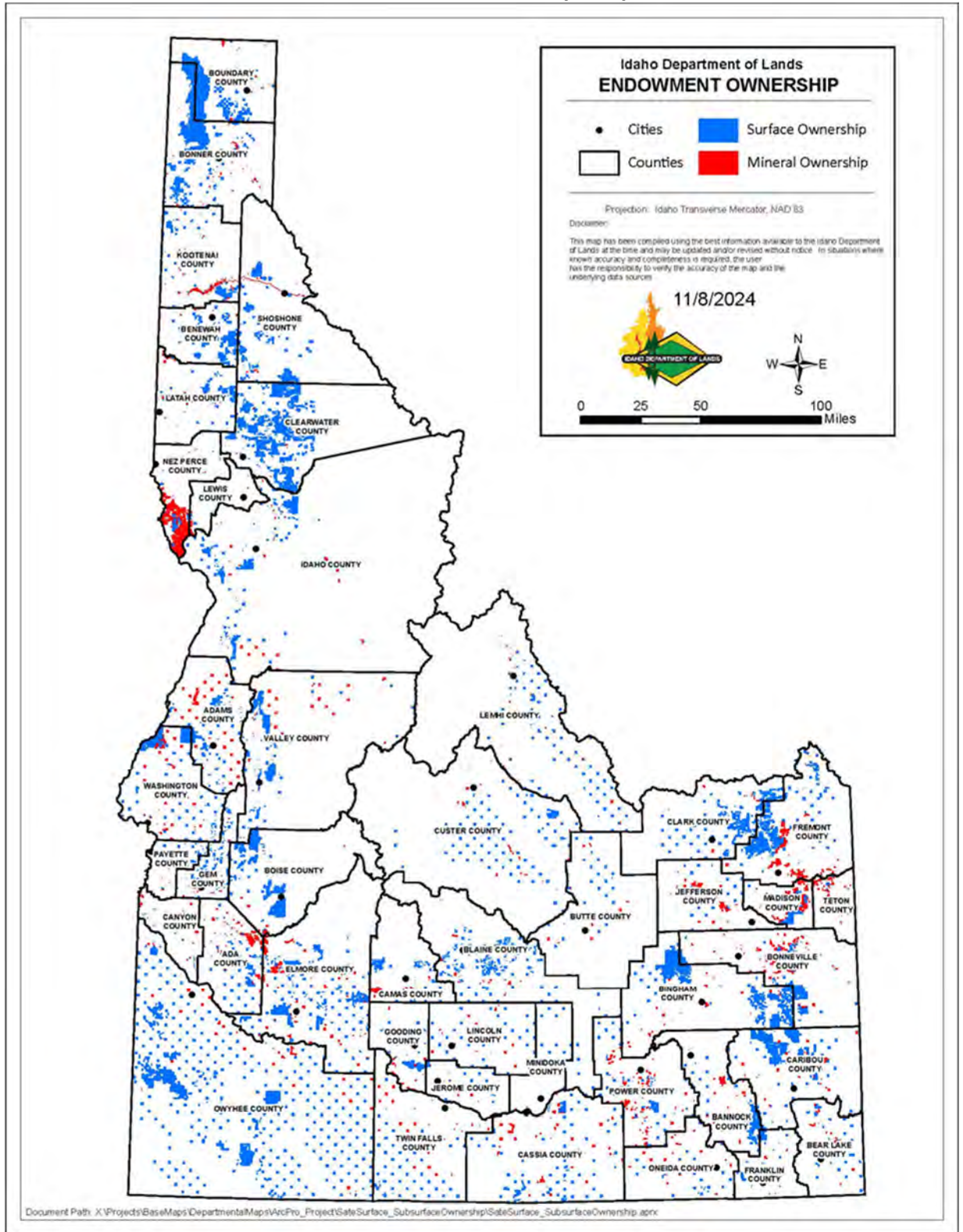
Shortly thereafter, John S. Gray moved to amend by striking “other disposition” in the first sentence of the section and substituting “rental.” Gray was worried that “other disposition” being used broadly would include the power to mortgage, which he did not want. He said:

The phrase “or other disposition” is a little too uncertain. . . . I object to those words “or other disposition”. I don’t wish the legislature to have the power to mortgage them.

The amendment was quickly put to vote and passed. *Proceedings and Debates*, p. 762.

As can be seen in the endowment land ownership map below, the ownership pattern is very scattered and disjointed due to the original public school land grants, the selection process for replacement, in lieu and other endowment lands, and the sale, exchange, and acquisition of various lands.

### Endowment Land Ownership Map



State Board of Land Commissioners  
Regular Meeting—December 16, 2025

Agenda Item 7  
Remote Sensing (LiDAR)

PowerPoint Presentation Only  
No Board Materials

State Board of Land Commissioners  
Regular Meeting—December 16, 2025

Agenda Item 8  
Logging Day with  
Constitutional Officers

Video Presentation Only  
No Board Materials