



# *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.”

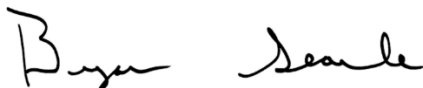
Taken together, these three executive orders make it clear that the President of the United States, the Secretary of the USDA, and Governor Little all strongly support the efforts authorized by the legislature in 38-1304, Idaho Code, to require federal agencies to aggressively mitigate wildfire hazards 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