



## 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.*

### Final Minutes

State Board of Land Commissioners Regular Meeting

August 20, 2024

The regular meeting of the Idaho State Board of Land Commissioners was held on Tuesday, August 20, 2024 at the State Capitol, Senate Hearing Room WW55, Lower Level, West Wing, 700 W. Jefferson Street, Boise, Idaho, and via webinar. The meeting began at 9:00 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

All Land Board members were present. Governor Little, Secretary of State McGrane, Attorney General Labrador, and Superintendent Critchfield attended at the physical location. Controller Woolf attended via Zoom webinar.

## Reports

### 1. Department Report – Presented by Dustin Miller, Director

#### Trust Land Revenue

- A. Timber Sales – July 2024
- B. Leases and Permits – July 2024

**Discussion:** None.

#### Status Updates

- C. Fire Season Report
- D. Land Revenue Forecast
- E. Resource Protection and Assistance Report

**Discussion:** Governor Little asked if the transfer of navigable waterways dedicated funds is automatic or does it require action. Mr. Chollett replied that everything over \$2 million automatically transfers to the waterways improvement fund at the end of the fiscal year.

*[Editor's note: the Discussion portions, if any, for agenda items may be written in first-person format. This is not a verbatim transcript.]*

## **Consent—Action Item(s)**

### **2. Payette Readiness Center Surplus Property (Idaho Military Division) – Presented by Zane Lathim, Section Manager-Real Estate**

**Recommendation:** Direct the Department to offer the 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 Property at public auction in Payette or Ada County.

**Discussion:** Secretary of State McGrane acknowledged that Payette County has interest in the property and asked if any state agencies have expressed interest. Mr. Lathim said he is not aware of any at this time. Superintendent Critchfield was curious why this facility will not be utilized anymore. Mr. Lathim answered the Readiness Center Transformation Master Plan calls for consolidating smaller centers into 9 larger regional centers and the Payette center will no longer be necessary. Superintendent Critchfield wondered how many other centers the Department will bring to the Land Board in the future. Bryant Adelson, Real Property Manager for the Idaho Army National Guard, answered there were around 28 originally, now down to about 21, and the goal is to consolidate to 9. A directive came from the Department of Defense to implement the Readiness Center Transformation Master Plan. In order to secure federal funds for future large construction, progress must be made on this plan. Consolidation reduces operations and maintenance costs and provides a more efficient and better training environment for soldiers. Mr. Adelson remarked the City of Payette, and the mayor, have been very supportive of the military. Governor Little asked if those soldiers would go to a center in Caldwell or Nampa. Mr. Adelson said that is correct.

### **3. Approval of Draft Minutes – July 16, 2024 Regular Meeting (Boise)**

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

## **Regular—Action Item(s)**

### **4. Endowment Fund Investment Board Report – Presented by Chris Anton, EFIB Manager of Investments**

- A. Manager's Report
- B. Investment Report
- C. FY2026 Beneficiary Distributions and Transfers

**Recommendation:** The Endowment Fund Investment Board recommends that the State Board of Land Commissioners (Land Board) approve FY2026 beneficiary distributions of \$110,371,200 and transfers to the Permanent Fund of \$134,270,000. The transfers to the Permanent Fund will not be included in the Gain Benchmark.

**Discussion:** Mr. Anton stated the portfolio started off strong during the new fiscal year. The fund was up 1.8% during the month of July, and after volatile times in early August, it recovered and is now up 3% for the fiscal year through yesterday [August 19]. Mr. Anton remarked one driving factor is good progress on inflation. At one point CPI inflation reached 9.1%; it is down to 2.9%. The Federal Reserve uses PCE inflation [Personal Consumption Expenditures] which is down to 2.6%. Taking out price increases related to real property and housing, it is drawing close to the Federal Reserve's 2% target. The Federal Reserve has an impetus to begin to reduce rates with the labor market starting to soften. The U.S. was at 3.7% unemployment, now up to 4.3%. The focus will shift from inflation to employment to begin to reduce rates, and that has the financial markets excited; it has helped boost up bond prices and improve equity markets. Markets anticipate the beginning of rate cuts in September. Mr. Anton then went through the presentation and recommended action for the FY2026 Beneficiary Distributions and Transfers.

Governor Little inquired why the transfer of \$134 million to the permanent fund is not included in the gain benchmark; adding to the permanent fund results in a larger number to determine payout. Mr. Anton explained the transfer will become part of the permanent fund and will be included in the distribution calculation. Governor Little asked what is the difference between the permanent fund and the gain benchmark. Mr. Anton described that the gain benchmark is a technical calculation that adds deposits to the permanent fund and inflation every year, and it cumulatively grows over time. If this transfer is made part of the gain benchmark, when there are periods of volatility, any excess money could not be moved into the earnings reserve funds. For example, three years ago the fund was up 30% and the Land Board moved \$350 million to the permanent fund. The next year the market backed off, down 14%. If the \$350 million had been made part of the gain benchmark, the next year when the fund was down, it would have taken years to fill that hole back up, and by statute the permanent fund must be made whole. Mr. Anton noted that the permanent fund must be consistent with the gain benchmark. The Land Board cannot distribute if the permanent fund drops below the gain benchmark. That does not mean distributions will not grow, but they cannot if the permanent fund drops below the gain benchmark. It is a way of preserving flexibility. Mr. Anton said he does not see any downside risk, and it is consistent with supporting the endowment beneficiaries. Governor Little asked if the Investment Board was in total agreement with the two recommendations. Mr. Anton answered yes, the Investment Board reviewed the recommendations last Thursday [August 15] and approved presenting them to the Land Board.

**Board Action:** A motion was made by Superintendent Critchfield that the Land Board approve FY2026 beneficiary distributions of \$110,371,200 and transfers to the Permanent Fund of \$134,270,000. The transfers to the Permanent Fund will not be included in the Gain Benchmark. Secretary of State McGrane seconded the motion. The motion carried on a vote of 5-0.

**5. FY2026 Department of Lands Budget Enhancements – Presented by Dustin Miller, Director**

**Recommendation:** Direct the Department to include the enhancement requests as outlined in Attachment 1 in the Fiscal Year 2026 budget proposal due on August 30, 2024.

**Discussion:**

**Governor Little:** How does that cost share work with the BLM and the Forest Service?

**Director Miller:** I do not know exactly, but we do cooperate and coordinate on who is putting cameras where and it is our intent to continue to build upon the success we have had with this program.

**Secretary of State McGrane:** Line item 15 is the timber protective associations. That is an enhancement, but that will cover the full anticipated costs related to our partnership with the TPAs?

**Director Miller:** The TPAs collect their assessments just like we do. Those assessments have exceeded the annual appropriation; we are just asking for the increase in the trustee and benefits category to cover those actual assessments.

**Controller Woolf:** Last year the TPAs budgets were not included with the Department's budget, where they had always been in the past. How can we make sure the TPAs actual budgets are not forgotten through the whole budget process? What can we do to help going forward.

**Director Miller:** We have had ongoing conversations with the TPAs, with the Governor's office, and with industry partners on how we can do this differently moving forward in the budget process. There are not significant line-item requests for the TPAs this year, mostly inflationary adjustments as well as CEC. If they are not included in our budget, we continue to advocate for the TPAs and their line-item requests. Without the TPAs, those are districts that IDL would have to stand up, we would have to provide the resources, do the assessments and cover those districts. The TPAs are not forgotten at all in their budgeting processes; we are working through all of that right now.

**Governor Little:** When you come back in September, this item and the rest of those line items, describe what the consequences are of the pending federal action which is going to raise wildland fire fighter pay by \$20,000 a pop. What that will do to both our TPAs and your program.

**Director Miller:** Absolutely, Governor, we can take a look at that and provide an update.

**Secretary of State McGrane:** I want to clarify the payments for the TPAs. It is not a question of actually making the distribution to the TPAs, it is the assurances when they see it in the budget books that it is going to be covered. It is making sure the record reflects it, not an actual allocation of funding, if I follow it correctly.

**Director Miller:** One thing that we are looking at and working with the Associated Logging Contractors is possible legislation being driven by the Associated Logging Contractors to ensure that the TPAs line items are included in our budget. We are having those conversation, having conversation with the Governor's staff, too, about that particular piece of legislation and does that resolve any issues and any concern about the TPAs budgets being handled separately than the Department's budget.

**Board Action:** A motion was made by Superintendent Critchfield that the Land Board direct the Department to include the enhancement requests as outlined in Attachment 1 in the Fiscal Year 2026 budget proposal due on August 30, 2024. Secretary of State McGrane seconded the motion. For the record, Governor Little abstained from voting. The motion carried on a vote of 4-0.

6. **2024 Forest Asset Management Plan** – Presented by David Greenwood, Bureau Chief-Forest Management

**Recommendation:** Adopt annual average harvest levels of 329 MMBF statewide with an annual allowance of plus or minus 5 percent for fiscal years 2026 through 2030.

**Discussion:**

**Superintendent Critchfield:** First a comment and then a question. I appreciate Jim and others coming and spending time with me and other Board members to give time to really get into this. I am assuming this does not lock us into something. Should new information or conditions or the market, whatever it is that presents itself, we could say that was then, but this is what makes sense now.

**Mr. Greenwood:** Appreciate the question. No, it does not lock us into any specific plan; as you said, it changes. This is our projected harvest level for the next five years. It is important to look at that, but also look long term, too. The next five years we are looking at revenue projections, as Jim presented early on. When we are looking at net revenue, what is that? We have almost half a billion board feet under contract at \$160 million, but what does that look like. It is important to show that we are expecting a drop. We will continue to refine our plans and models as we go forward, but be transparent with the Land Board that timber revenue is expected to drop and is there alternative revenue generation from lands, or what do we expect that to be in the future. It can change; we bring our annual sales plan to the Board in April and if there was damage or different market conditions, at that time we would present something to you.

**Secretary of State McGrane:** One of the assumptions built into this is keeping the valuation flat over the 5 years, and that perplexes me, because we know we are going to harvest timber. In addition to market conditions, we are going to also cut down trees and therefore we will not have the value of those trees. Can you walk me through again why we keep that flat versus making some assumptions.

**Mr. Greenwood:** With our harvest analysis that Jim presented last month, we looked at the maximum net present value, that is what we always do on these models, and then the model we choose and what is the opportunity cost to lower it from that net present value. There is no way to harvest as much as we can right now, what net present value tells us, because it would tell us to cut everything right now and put it in the bank. What we are doing with this flat level here is saying that over the next 10 years we would maintain that cash flow for the beneficiaries and then it would go down. But as you go in the future you see some of the investments that we are making on our property, when we are getting plantations up with good stocking levels, and those investments gives a return to that asset.

**Secretary of State McGrane:** You are assuming that they offset each other.

**Mr. Greenwood:** I think you are running it against the discount rate of 4% and saying do these investments in herbicide prep spray and plantations offset that. We did that with the model and when we look at our projections of whether they do offset, then you are going to make that decision if it is a positive value per acre. Maybe Jim has something to add.

**Jim Elbin:** The valuation side gets revisited every 3 years, and we are due to do that now. To David's point, when I do the revenue projection, it does smooth out, but we run 500 simulations per year, and we have max/mins in there. I could show you the simulator and what it does every time, and it bounces all over the place. We try to show something that we are comfortable with where it falls within. If you look way back in the past on that first graph, we have hit the bottom a couple of times. We are aware that variability is there, but we have also had pretty good success long term in staying within those bounds. It is not that we hold it steady, it is just stumpage, interest rate, and all those kinds of things are not as volatile as other parts of the market.

**Governor Little:** The exercise shows the biggest decrease in the Ponderosa field office, and I just flew over a lot of black timber in the Ponderosa field office, quite a bit of it is private. The mills are probably getting calls from those landowners right now wanting to preserve that value in those no so pretty trees that are out there today.

**Mr. Greenwood:** Every time we have a burn we try to harvest as quickly as possible. There was minimal impact on endowment ground, I believe it was mostly from the Texas Fire. The Ponderosa area is Deary, and that goes out to Elk River, Bovill, and up towards that Harvard and Princeton area. Their harvest increased the highest back in 2009 by 33% and that is why you are seeing them get back down to a harvest level that we expected them to get to 5 years ago, but we were able to extend it a little longer.

**Controller Woolf:** I do not think anyone on the Board and anyone in the room wants to see a reduction and that is our vision or hope. At what interval of time over the next 5 years will we know the confidence level of having to do a reduction in the harvest and volume.

**Mr. Greenwood:** Based upon the data that we have today, that is what it is showing us. That is why it is important to revisit it every 5 years to see exactly what it does. We will continue to collect data, and that growth is going to be a big thing, and also what we are selling. We are constantly looking at this and we will be in communication with the Board as we go through this.

**Controller Woolf:** You said every 5 years, but I am sure you are checking this every year, and if you had more and more data, would that be beneficial to give more confidence of knowing exactly where we are going to target for the future?

**Mr. Greenwood:** Yes, more data is better. We are moving to more remote sensing data, which is going to be full coverage for our ownership. That is going to help a lot. A big thing that contributes to this is the growth and what is your forest growing. Those older stands that we are targeting right now have either a minimal growth per acre, or a negative because they are dying and falling apart. As we move into that and we start getting these faster growing stands, again that will hopefully trail into more harvest levels in these earlier periods. Every year we check what our standing volume inventory number is and what has changed from the previous year.

**Mr. Elbin:** Remember that this model says we want to hold at our current volume for as long as we can; we did the 10- and 20-year, and then it says we do not ever want to see the harvest go down below a certain point. Depending on growth and yield going forward there are other model scenarios we could run that could lessen that effect. I will say it on the record, I am pretty confident that number is low. Where it is being very conservative, and as we fine tune this, if we

run a model that is consistent with how we are modeling now, that drop is not going to be as low. I would guess harvest levels will be over 250, probably around 270.

**Secretary of State McGrane:** The forces that are playing into this, how much of that is the market forces and concerns of demand, some of the discussions that we have had, versus what you said in terms of the old growth timber, the stands and the health of what we have.

**Mr. Greenwood:** It is a little bit of both. We want to harvest as much as we can right now and put that money in the bank, that is where that maximum net present value comes in, but you also want to take those older decadent stands and convert them to higher faster growing stands. Another important consideration when we look in the future, 5, 10 years out, you have seen what our neighboring states' milling has done, there have been mills shut down in Oregon and Montana. We have to look at what that does for us and where do we want to be, besides what the forest is doing, but what are those mills capable of, how many are there, things like that.

**Secretary of State McGrane:** I recognize we have some older timber, and looking at everything you just said, but also those market conditions is obviously a big factor that impacts all of us.

**Public Comment:**

**Tom Schultz:** Governor, members of the Board, Tom Schultz, VP of Resources for Idaho Forest Group. I am here to offer support and also offer some thoughts on what the impact would mean. IFG supports IDL's sustainability goals as outlined in the FAMP to right size with milling infrastructure, reduce holding and biological risks, and diversify revenue streams. This volume that we are talking about is roughly 30% of the total volume harvested in IFG's wood basket. IDL volume that is harvested has replaced the diminishing harvest from private lands post-recession. If you go back 20, 25 years, private lands, the non-industrial private lands, were contributing between 35-40% of the harvest and at that time the state lands were contributing somewhere between 15-20%, so there has been a complete flip in terms of where the harvest comes from, with the state being somewhere between 30-35% statewide and the non-industrial lands have dropped to that 20% range. IDL is critical to the forest products manufacturing infrastructure, the woods contractors, and vast related service industries. The 2009 FAMP predicted harvest level at 247 million feet by 2013 with a desired standing volume of 5 billion board feet. You heard testimony today that the standing volume is still in excess of 7 billion board feet. The FAMP in 2009 projected an increase to 260 million feet in 2019, an increase to 271 million in 2020. The Department has done exactly what they said they would do. The 2019 FAMP cycle increased harvest levels to 328 million feet by 2024 with a desired standing volume of 4.5-5 billion board feet. So again, bringing down that overall level to that amount, 4.5-5 billion. In 2019, the FAMP said that the growth yield model predicts that the new annual sale volume is sustainable for about 20 years given the excess inventory available for harvest. The plan before you today proposes to maintain harvest levels at 328 million, plus or minus 5% of that number, for the next 10 years. After approximately 10 years the harvest level will drop back to pre-2009 levels of 230 million feet for roughly 30 years. While we support and understand the need to manage these lands sustainably, it is important the Land Board understand how a 100 million feet drop in harvest would impact the industry. A 30% drop in IDL's harvest level equates to 170 million feet of lost lumber production. For reference, that is roughly the production forecast for IFG's mill in Grangeville in 2025. Unless the Forest Service and the GNA program steps up to fill the gap, that reduction would most likely mean curtailing a mill in Idaho. According to the University of Idaho,

for every million board feet of harvest, that provides direct and indirect jobs of about 30. A reduction of 100 million feet would equate to a loss of about 3,000 jobs, mostly in small rural communities. Specific to the Board, the modeled 100 million feet reduction at \$200 stumpage would mean \$20 million in lost revenue for the endowments. That is 20% of the current distributions to the endowments from all sources, and 27% from the annual timber revenue. As stated in the 2024 FAMP materials, the endowments do benefit from a strong forest products industry and local economies. Without a robust industry, not only will IDL's timber revenue decrease, but the value of its land asset is significantly diminished. The manufacturing base cannot be immediately turned on and off; once it is gone, it is unlikely to come back. We would highly recommend that the Land Board and IDL continue to refine its inventories and use LiDAR and other advancements in the field, while also investing in silvicultural practices to improve productivity, improve genetic stock for planting, and continue to acquire lands that expand the State's timberland portfolio. A couple of weeks ago, I met with Jim and some of the GIS and inventory staff, reviewing the LiDAR work that they are doing. I give them kudos; they are doing a good job. They have used minimal budget to advance as far if not further than anybody in the state with regard to a statewide inventory with LiDAR. They have a million acres LiDARed, so kudos to what they have done, but I think we can continue to improve on that, and try to measure the small trees as was testified by David and Jim both. If we do not have a good inventory of the younger trees, the model is going to miss those as it is forecasting what is going to be available in the future. All of these activities will help lessen the impact to the forest products industry and the state's economy when the fall back in IDL's harvest level occurs, whether that is in the next 10 or the next 20 years. Thanks for the opportunity to speak.

**Board Action:** A motion was made by Superintendent Critchfield that the Land Board adopt annual average harvest levels of 329 MMBF statewide with an annual allowance of plus or minus 5 percent for fiscal years 2026 through 2030. Attorney General Labrador seconded the motion. The motion carried on a vote of 5-0.

**7. Approval of Timber Sales with Clearcut Harvest Units–Westwood and Lower Eagle Cedar –**  
*Presented by David Greenwood, Bureau Chief-Forest Management*

**Recommendation:** Approve the Westwood and Lower Eagle Cedar Timber Sales.

**Discussion:** None.

**Board Action:** A motion was made by Superintendent Critchfield that the Land Board approve the Westwood and Lower Eagle Cedar Timber Sales. Secretary of State McGrane seconded the motion. The motion carried on a vote of 5-0.

**8. Adoption of Pending Rule IDAPA 20.03.13, Administration of Cottage Site Leases on State Lands**  
*– Presented by Roger Hall, Bureau Chief-Real Estate*

**Recommendation:** Adopt the pending rule for IDAPA 20.03.13 *Administration of Cottage Site Leases on State Lands*.

**Discussion:** None.



**Board Action:** A motion was made by Secretary of State McGrane that the Land Board adopt the pending rule for IDAPA 20.03.13 *Administration of Cottage Site Leases on State Lands*. Superintendent Critchfield seconded the motion. The motion carried on a vote of 5-0.

**9. Adoption of Pending Rule IDAPA 20.03.14, Rules Governing Grazing, Farming, and Conservation Leases** – Presented by Roger Hall, Bureau Chief-Real Estate

**Recommendation:** Adopt the pending rule for IDAPA 20.03.14 *Rules Governing Grazing, Farming, and Conservation Leases*.

**Discussion:**

**Attorney General Labrador:** When you removed the non-commercial recreation and communication site leases, are you just removing language? We still have that responsibility? Are we actually reducing government or are we just reducing words?

**Mr. Hall:** The rules in this particular section really are written for grazing and the Department found that some of the language that references herd stock is not necessarily appropriate for a communication site. There was not a lot in the rules that were governing activities strictly for communication sites, so we did not see the need to have those activities governed by this particular rule since it was so steered towards grazing.

**Attorney General Labrador:** Just to be clear though, we still have those responsibilities under other rules, we are just removing them from this section.

**Mr. Hall:** That is correct. Thank you for your question.

**Governor Little:** When I read the rules and comments, if somebody wants to lease one acre in the middle of a thousand-acre grazing lease, it says the Department will have the authority to say it is not scalable, or something to that point. I do not disagree with that. I think it would be good if there was notice from the staff to the Land Board and their staff when that happens, because it really gives you the authority to veto any request, and I think there ought to be a little more transparency if you do that. I fully understand where somebody could say I want a 1/4-acre hot dog stand in the middle of a big lease, that just does not work for the operation and the long-term return. But if somebody makes that application, the Board ought to be notified.

**Director Miller:** Governor, we can do that.

**Board Action:** A motion was made by Superintendent Critchfield that the Land Board adopt the pending rule for IDAPA 20.03.14 *Rules Governing Grazing, Farming, and Conservation Leases*. Attorney General Labrador seconded the motion. The motion carried on a vote of 5-0.

**10. Adoption of Pending Fee Rule 20.03.15, Rules Governing Geothermal Leasing on Idaho State Lands** – Presented by Roger Hall, Bureau Chief-Real Estate

**Recommendation:** Adopt the pending fee rule for IDAPA 20.03.15 *Rules Governing Geothermal Leasing on Idaho State Lands*.

**Discussion:** None.

**Public Comment:**

**Scott Nichols:** Governor, members of the Board, Scott Nichols with Ormat Technologies. I will keep it brief. I first began presenting in front of the Board when John Evans was Governor in 1986; it has been a while. Good to be back in front of you. I just wanted to say Ormat Technologies is the largest geothermal producer in the U.S.; we are a fully integrated company. We have operations everywhere from lease acquisition – with the Department of Lands hopefully – all the way through operations and electricity distribution to the grid. We own and operate the Raft River geothermal power plant, also own and operate the Neal Hot Springs geothermal power plant in Vale, Oregon, which narrowly escaped the Cow Creek fire. The Department did a really good job in the negotiated rulemaking process. We had some comments, we had some really thoughtful discussion. Mr. Murphy did a good job incorporating those comments with staff into the rules; they are something that we can work with, and we look forward to working in Idaho. The geothermal industry is the most difficult natural resource development enterprise that can be developed, pursued, on our private or public lands. And the reason it is difficult is that you cannot see it, you cannot touch it, you cannot feel it, you have to go find it. And the low hanging fruit in this northern edge of the Great Basin, in the southern end of the Idaho Batholith, has been found. The low hanging fruit was Raft River and Neal Hot Springs, so the future is the low temperature geothermal resources that we have. There is a consortium of folks working with Boise City to really promote that low temperature, mid temperature geothermal. We will hear more about that later. I have to describe geothermal energy, as the regulatory affairs manager for Ormat Technologies, and the most difficult thing to do is to describe what has not been engineered or designed, for the public who envisions what will never occur. Thank you.

**Governor Little:** Thank you. I would add that this is an example where negotiated rulemaking, where we put out the rules on a regular basis, which was the intent of the legislature when they adopted my proposal, and the public gets to look at it and we make this, through the negotiated rules process, the best for the public and for safety.

**Board Action:** A motion was made by Secretary of State McGrane that the Land Board adopt the pending fee rule for IDAPA 20.03.15 *Rules Governing Geothermal Leasing on Idaho State Lands*. Superintendent Critchfield seconded the motion. The motion carried on a vote of 5-0.

**11. Adoption of Pending Fee Rule 20.03.16, Rules Governing Oil and Gas Leasing on Idaho State Lands – Presented by Roger Hall, Bureau Chief-Real Estate**

**Recommendation:** Adopt the pending fee rule for IDAPA 20.03.16 *Rules Governing Oil and Gas Leasing on Idaho State Lands*.

**Discussion:** None.

**Board Action:** A motion was made by Superintendent Critchfield that the Land Board adopt the pending fee rule for IDAPA 20.03.16 *Rules Governing Oil and Gas Leasing on Idaho State Lands*. Secretary of State McGrane seconded the motion. The motion carried on a vote of 5-0.

## 12. Approval of General Counsel – Presented by Dustin Miller, Director

**Recommendation:** Approve the Director's selection to serve as the Department's general counsel.

### **Discussion:**

**John Richards:** Thank you, Director Miller, Governor, members of the Land Board. As Director Miller mentioned, my name is John Richards, and I am the hopeful new guy. You have been provided a copy of my résumé; I will provide a little more information about myself. I come from a ranching family down in Owyhee County; my family is still out there, heavily involved in public lands grazing and that is what first peaked my interest in natural resources law. I went to College of Idaho, go Yotes, always with an eye towards law school and that natural resources realm. I selected to go to Lewis & Clark Law School over in Portland, particularly because it was the top natural resources law school in the country. I graduated from there with a certificate in natural resources, environmental, and energy law, and then happily came back to Idaho from Portland. After a brief stint with Agri Beef here in Boise, I got my first job in natural resources with the State, working for Governor Little and the Governor's Office of Species Conservation. When folks ask me what I did there, I tell them Sage-grouse and salmon was 90% of my time. I was heavily involved in the Sage-grouse planning and the Governor's salmon work group was going on while I was there. From there, I wanted to get into a position where I could develop my civil litigation skills, so I looked into private practice. I found Sawtooth Law Offices here in Boise and have been there for nearly 3 years, working primarily in civil litigation and focusing on agricultural clients. I saw this position posted and thought that it fit well with my background and experience, particularly with my interest in natural resources law. I applied and interviewed; I am very honored that the hiring committee had confidence in me to extend and offer, and should the Land Board choose to approve, I look forward to working with you and the Department of Lands. For the sake of brevity, I will stop there and stand for any questions the Land Board may have.

**Governor Little:** We love brevity around here. Very good; welcome.

**Board Action:** A motion was made by Secretary of State McGrane that the Land Board approve the hiring of John Richards to be general counsel for the Idaho Department of Lands. Superintendent Critchfield seconded the motion. The motion carried on a vote of 5-0.

### **Information**

None

### **Executive Session**

None

There being no further business before the Land Board, at 10:31 a.m. a motion to adjourn was made by Superintendent Critchfield. Governor Little stated the motion was in order and non-debatable. The motion carried on a vote of 5-0.

