

## State Board of Land Commissioners Open Meeting Checklist

Meeting Date: December 19, 2023

### Regular Meetings

12/6/2023	Meeting Notice posted in prominent place in IDL's Boise Director's office five (5) or more calendar days before meeting.
12/6/2023	Meeting Notice posted in prominent place in IDL's Coeur d'Alene area/staff office five (5) or more calendar days before meeting.
12/6/2023	Meeting Notice posted in prominent place at meeting location five (5) or more calendar days before meeting.
12/6/2023	Meeting Notice published on Townhall Idaho website <a href="https://townhall.idaho.gov">https://townhall.idaho.gov</a> five (5) or more calendar days before meeting.
12/6/2023	Meeting Notice posted electronically on IDL's public website <a href="https://www.idl.idaho.gov">https://www.idl.idaho.gov</a> five (5) or more calendar days before meeting.
12/15/2023	Revised Agenda posted in prominent place in IDL's Boise Director's office forty-eight (48) hours before meeting.
12/15/2023	Revised Agenda posted in prominent place in IDL's Coeur d'Alene area/staff office forty-eight (48) hours before meeting.
12/15/2023	Revised Agenda posted in prominent place at meeting location forty-eight (48) hours before meeting.
12/15/2023	Revised Agenda published on Townhall Idaho website <a href="https://townhall.idaho.gov">https://townhall.idaho.gov</a> forty-eight (48) hours before meeting.
12/15/2023	Revised Agenda posted electronically on IDL's public website <a href="https://www.idl.idaho.gov">https://www.idl.idaho.gov</a> forty-eight (48) hours before meeting.
1/3/2023	Land Board annual meeting schedule posted – Boise Director's office, Coeur d'Alene area/staff office, and IDL's public website <a href="https://www.idl.idaho.gov">https://www.idl.idaho.gov</a> .

### Special Meetings

	Meeting Notice and Agenda posted in a prominent place in IDL's Boise Director's office twenty-four (24) hours before meeting.
	Meeting Notice and Agenda posted in a prominent place in IDL's Coeur d'Alene area/staff office twenty-four (24) hours before meeting.
	Meeting Notice and Agenda posted at meeting location twenty-four (24) hours before meeting.
	Meeting Notice and Agenda published on Townhall Idaho website <a href="https://townhall.idaho.gov">https://townhall.idaho.gov</a> twenty-four (24) hours before meeting.
	Meeting Notice and Agenda posted electronically on IDL's public website <a href="https://www.idl.idaho.gov">https://www.idl.idaho.gov</a> twenty-four (24) hours before meeting.
	Emergency situation exists – no advance Meeting Notice or Agenda needed. "Emergency" defined in Idaho Code § 74-204(2).

### Executive Sessions *(If only an Executive Session will be held)*

	Meeting Notice and Agenda posted in IDL's Boise Director's office twenty-four (24) hours before meeting.
	Meeting Notice and Agenda posted in IDL's Coeur d'Alene area/staff office twenty-four (24) hours before meeting.
	Meeting Notice and Agenda posted at meeting location twenty-four (24) hours before meeting.
	Meeting Notice and Agenda published on Townhall Idaho website <a href="https://townhall.idaho.gov">https://townhall.idaho.gov</a> twenty-four (24) hours before meeting.
	Meeting Notice and Agenda posted electronically on IDL's public website <a href="https://www.idl.idaho.gov">https://www.idl.idaho.gov</a> twenty-four (24) hours before meeting.
	Notice contains reason for the executive session and the applicable provision of Idaho Code § 74-206 that authorizes the executive session.

*Renée Jacobsen*

Recording Secretary

December 15, 2023

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 2023

The Idaho State Board of Land Commissioners will hold a Regular Meeting on Tuesday, December 19, 2023 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 (Mountain).

*Please note 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.**

Members of the public may register to attend the Zoom webinar through this link:

[https://idl.zoom.us/webinar/register/WN\\_ybzamsVSSxe6mjj0hS87fQ](https://idl.zoom.us/webinar/register/WN_ybzamsVSSxe6mjj0hS87fQ)

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***Please join Land Board members and staff prior to the scheduled meeting for carols and refreshments in the State Capitol 2nd floor Rotunda at 8:30 AM***

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**Note:** Garden Level entrances into the Capitol from 6th Street and 8th Street are closed.

Open public entrances are located on Jefferson Street and State Street.

There are first and second floor entries on the east and west sides of the Capitol.

First Notice Posted: 12/6/2023-IDL Boise; 12/6/2023-IDL CDA

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, 208.334.0242



## Idaho State Board of Land Commissioners

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State Board of Land Commissioners Regular Meeting

December 19, 2023 – 9:00 AM (MT)

Revised Final Agenda

Capitol, Lincoln Auditorium (WW02), Lower Level, West Wing, 700 W. Jefferson St., Boise, Idaho

*Please note location.*

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*Please join us @ 8:30 AM for carols and refreshments.*

*Capitol Rotunda, 2nd Floor*

- 
- 8:30 AM in the 2nd Floor Capitol Rotunda
    - Capital Singers High School Choir
    - Big Check Presentation: Public School Endowment FY2024 Distributions
    - Refreshments
  
  - 9:00 AM in the Lincoln Auditorium (WW02)
    - Department of Lands' Year-in-Review Video Presentation

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

**Trust Land Revenue**

- A. Timber Sales – November 2023
- B. Leases and Permits – November 2023

**2. Endowment Fund Investment Board** – Presented by Chris Anton, Manager of Investments

- A. Manager's Report
- B. Investment Report

### **Consent—Action Item(s)**

3. **Results of November 9, 2023 Mineral Lease Live Auction** – *Presented by Mike Murphy, Program Manager-Minerals Leasing*
4. **Approval of Draft Minutes** – November 21, 2023 Regular Meeting (Boise)

### **Regular—Action Item(s)**

5. **Statement of Investment Policy Annual Review** – *Presented by Bill Haagenson, Deputy Director*
6. **Strategic Reinvestment Plan Review** – *Presented by Bill Haagenson, Deputy Director*

### **Information**

7. **Endowment Land Commercial Ground Leasing Policy** – *Presented by Jim Elbin, Division Administrator-Trust Lands Management*

### **Executive Session**

None

The logo for the Idaho Department of Lands is centered on the page. It features a stylized mountain range in the background with a sun or starburst at the top. In the foreground, there is a large, light-colored diamond shape containing a green field with wavy lines representing water. A horizontal banner across the middle of the diamond contains the text "IDAHO DEPARTMENT OF LANDS" in white, uppercase letters.



# Idaho Statutes

Idaho Statutes are updated to the web 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 19, 2023

Trust Land Revenue

**Timber Sales**

During November 2023, the Department of Lands sold five endowment timber sales at auction. Two sales had competitive bidding. Two endowment timber sales did not sell at auction. The net sale value represents a 9% up bid 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
Dry Sky Ton	PAY	6,745			\$ 733,303.39	\$ 733,303.39	\$108.72	Tamarack Mill
Found In Space	MC	5,540	90		\$ 785,701.50	\$ 1,035,305.00	\$183.89	IFG Timber LLC
East Elmira Cedar	POL	3,970			\$ 1,422,173.50	\$ 1,870,855.00	\$471.25	Alta Forest Prod
Cougar Track	CLW	6,385			\$ 788,983.50	\$ 788,983.50	\$123.57	IFG Timber LLC
Benedict Cedar	POND	8,750			\$ 3,764,303.00	\$ 3,764,303.00	\$430.21	Stella-Jones Corp
<b>Endowment</b>		<b>31,390</b>	<b>90</b>	<b>0</b>	<b>\$ 7,494,464.89</b>	<b>\$ 8,192,749.89</b>	<b>\$260.25</b>	

**PROPOSED TIMBER SALES FOR AUCTION**

Sale Name	Volume MBF	Advertised Net Value	Area	Estimated Auction Date
<b>North Operations</b>				
Sundance Kid	4,900	\$ 1,499,923.50	POL	12/19/2023
Careywood Chop Cedar	5,395	\$ 2,317,895.50	POL	12/19/2023
Boehls Cabeza	4,420	\$ 484,314.50	SJ	12/20/2023
Bear Basin	6,095	\$ 1,099,534.50	MICA	12/21/2023
<b>TOTALS</b>	<b>20,810</b>	<b>\$ 5,401,668.00</b>		
<b>South Operations</b>				
School Section OSR Cedar	3,460	\$ 627,382.00	MC	12/27/2023
<b>TOTALS</b>	<b>3,460</b>	<b>\$ 627,382.00</b>		

**VOLUME UNDER CONTRACT as of November 30, 2023**

	Public School	Pooled	Total	3 Year Avg.
Active Contracts			<b>173</b>	174
Total Residual MBF Equivalent	363,830	174,344	<b>538,174</b>	534,291
Estimated residual value	\$107,923,498	\$55,291,878	<b>\$163,215,376</b>	\$142,123,085
Residual Value (\$/MBF)	\$296.63	\$317.14	<b>\$303.28</b>	\$266.00

	TIMBER HARVEST RECEIPTS				
	November		FY to date	December Projected	
	Stumpage	Interest	Harvest Receipts	Stumpage	Interest
<b>Public School</b>	\$ 5,678,298.85	\$ 548,166.85	\$ 27,638,446.03	\$ 3,245,231.45	\$ 320,994.82
<b>Pooled</b>	\$ 2,917,785.64	\$ 179,464.41	\$ 14,956,820.78	\$ 1,884,015.96	\$ 126,555.90
<b>General Fund</b>	\$ 0.66	\$ 0.00	\$ 5.18	\$ 0.66	\$ 0.00
<b>TOTALS</b>	<b>\$ 8,596,085.15</b>	<b>\$ 727,631.26</b>	<b>\$ 42,595,271.99</b>	<b>\$ 5,129,248.07</b>	<b>\$ 447,550.72</b>

Status of FY2023 Timber Sale Program						
	MBF Sawlog			Number Poles		
	Public School	Pooled	All Endowments	Public School	Pooled	All Endowments
Sold as of November 30, 2023	208,880	108,778	317,658	22,222	5,933	28,155
Currently Advertised	4,420	0	4,420	0	0	0
In Review	0	0	0	0	0	0
Did Not Sell*	3,970	0	3,970	0	0	0
<b>TOTALS</b>	<b>217,270</b>	<b>108,778</b>	<b>326,048</b>	<b>22,222</b>	<b>5,933</b>	<b>28,155</b>
FY2023 Sales Plan			326,000			20,000
Percent to Date			100%			141%

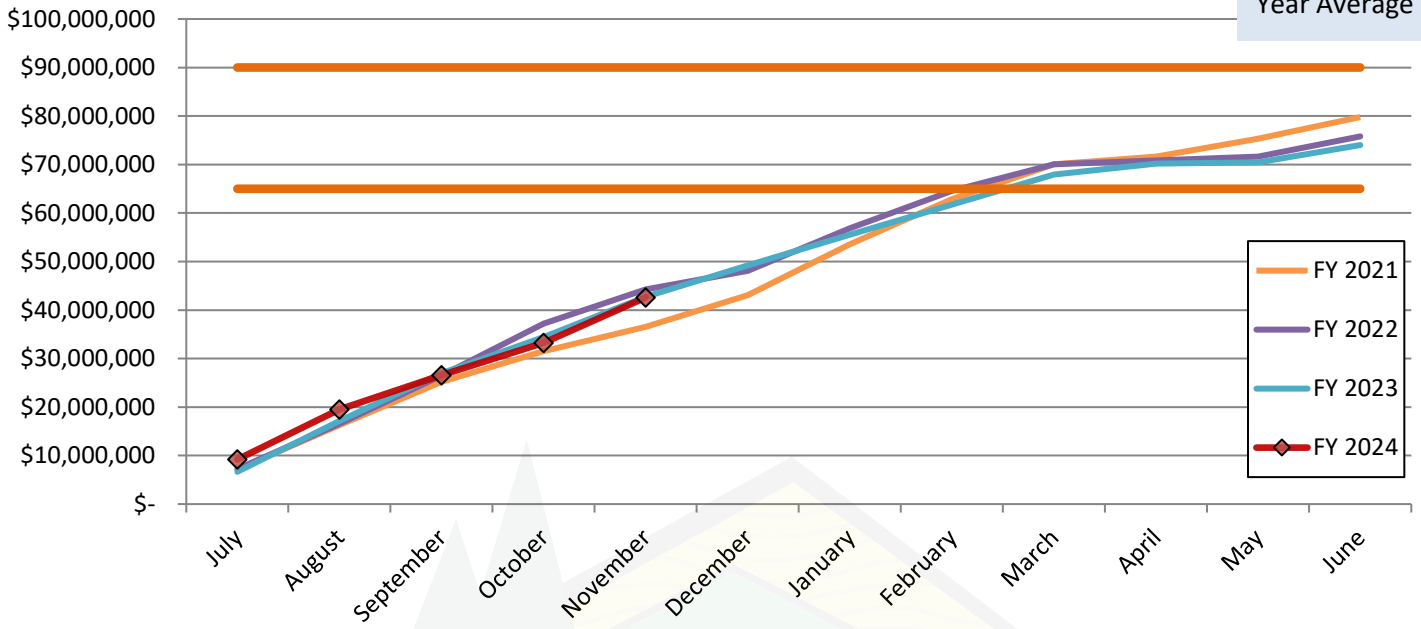
\* After three attempts at auction.

Status of FY2024 Timber Sale Program						
	MBF Sawlog			Number Poles		
	Public School	Pooled	All Endowments	Public School	Pooled	All Endowments
Sold as of November 30, 2023	75,362	29,272	104,634	12,945	3,520	16,465
Currently Advertised	13,813	10,037	23,850	359	71	430
In Review	44,950	10,845	55,795	5,437	847	6,284
Did Not Sell*	0	0	0	0	0	0
<b>TOTALS</b>	<b>134,125</b>	<b>50,154</b>	<b>184,279</b>	<b>18,741</b>	<b>4,438</b>	<b>23,179</b>
FY2024 Sales Plan			328,000			20,000
Percent to Date			56%			116%

\* After three attempts at auction.

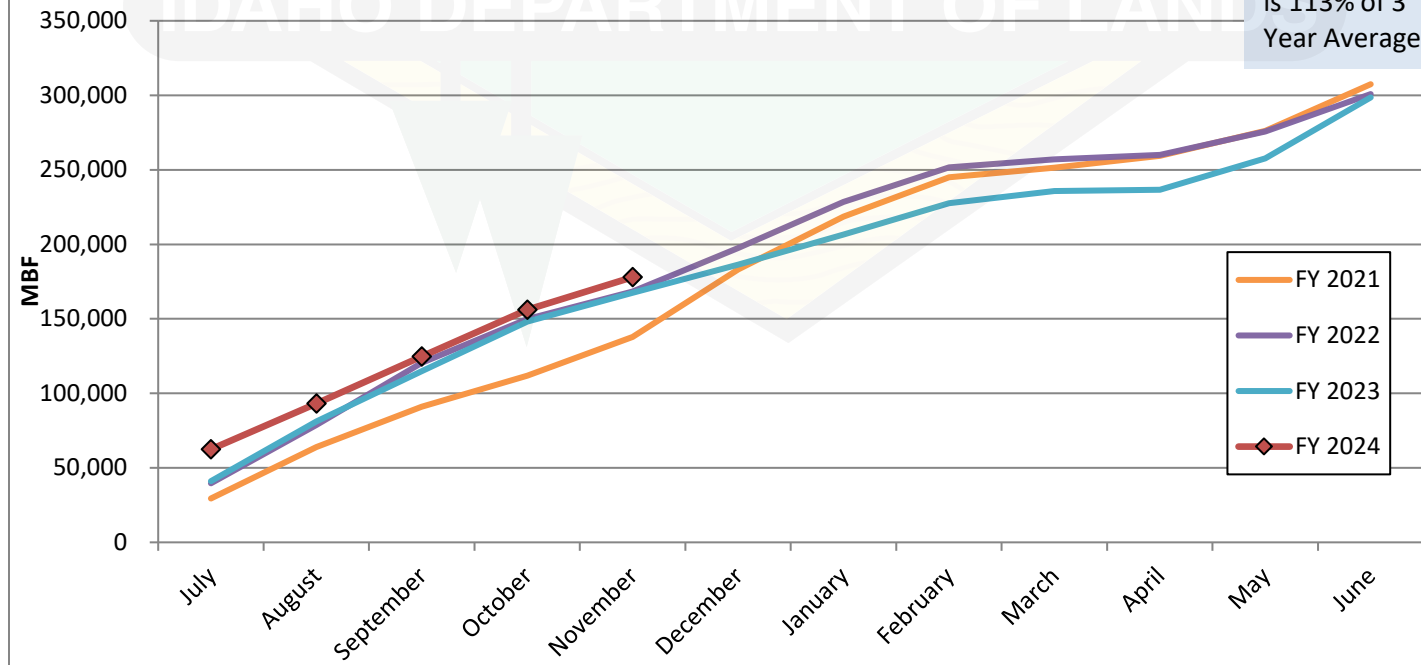
## Cumulative Harvest Receipts

Current FYTD is 103% of 3 Year Average



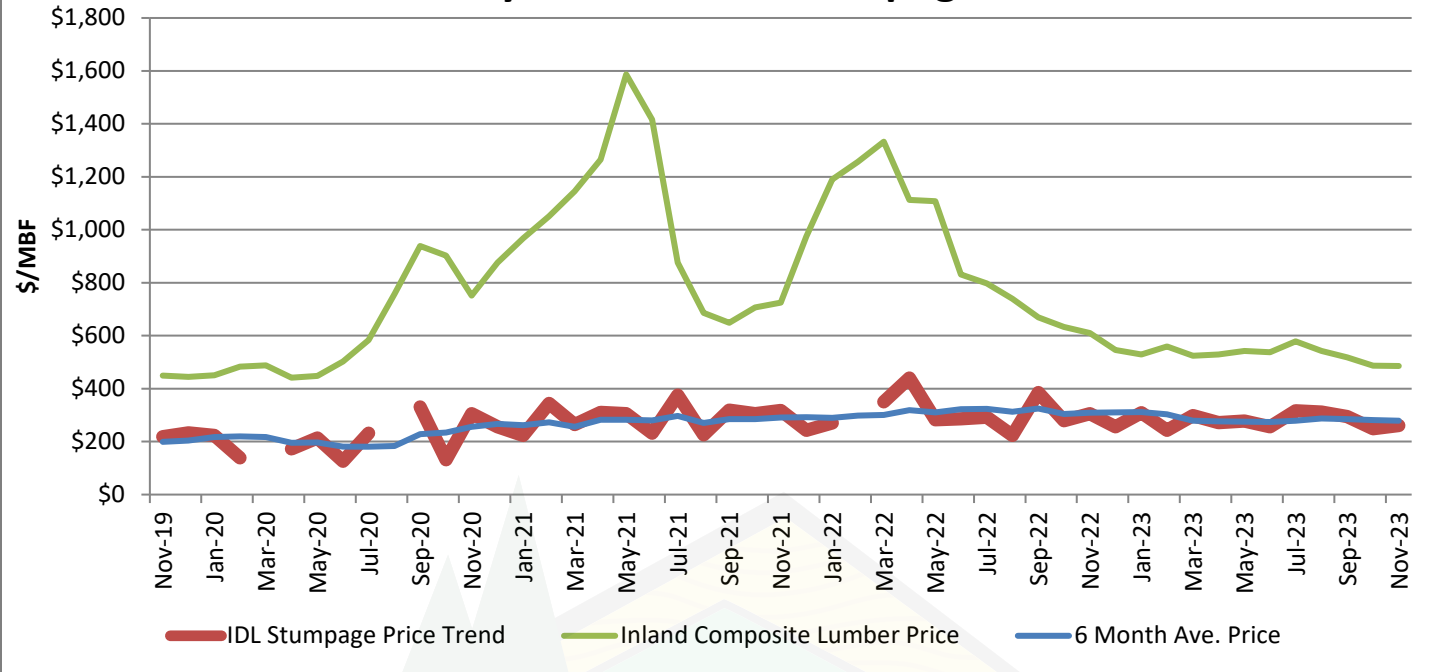
## Cumulative Harvest Volume

Current FYTD is 113% of 3 Year Average





## Monthly Lumber and Stumpage Price

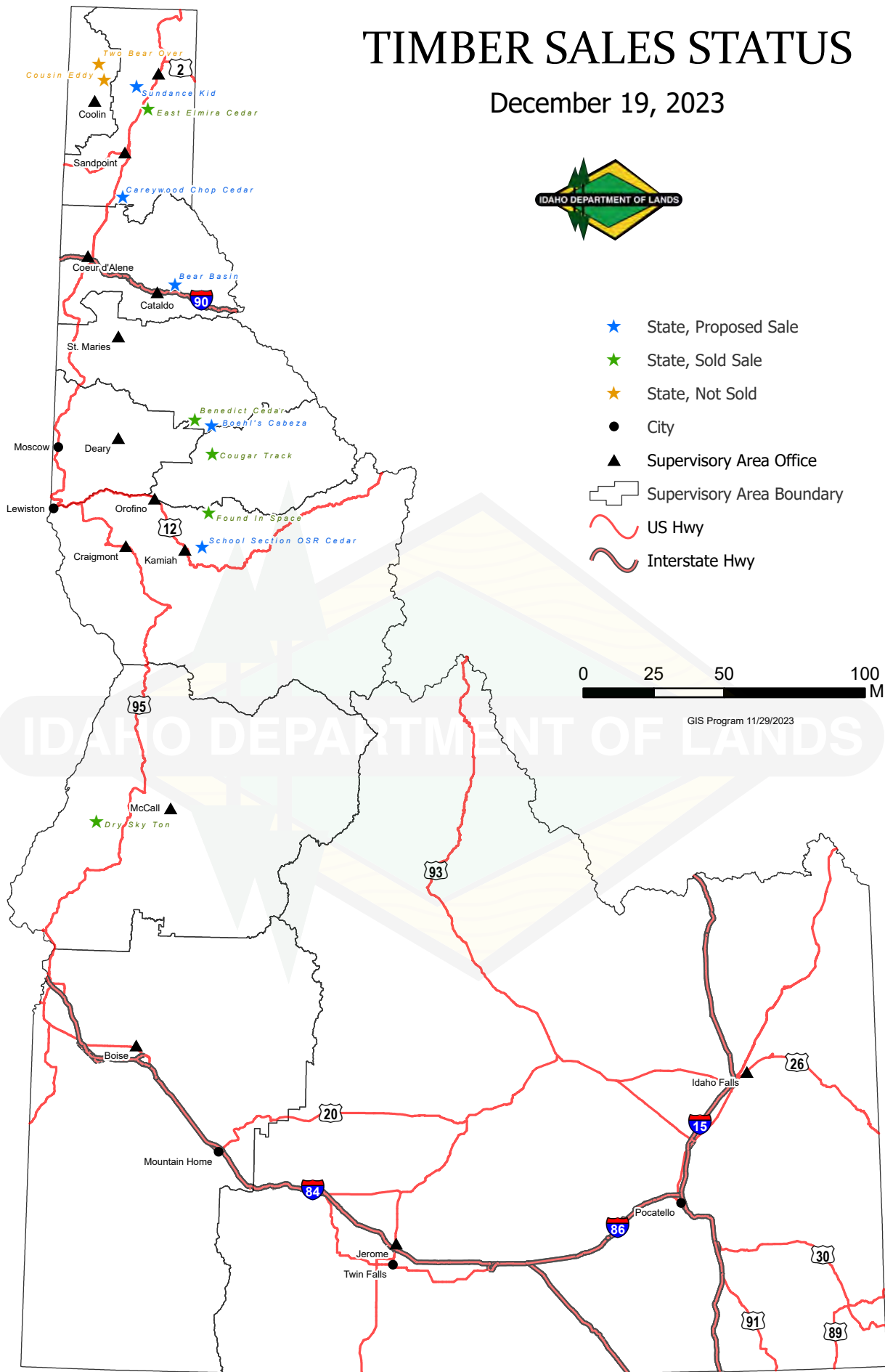


November 2023 6-month average price is \$278.55.  
 November 2022 6-month average price was \$308.91.



# TIMBER SALES STATUS

December 19, 2023



STATE BOARD OF LAND COMMISSIONERS

December 19, 2023

Endowment Transactions

**Leases and Permits**

FISCAL YEAR 2024 – LEASING & PERMITTING TRANSACTIONS BY MONTH													
through November 30, 2023													
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	1	2	-	-	2	-	-	-	-	-	-	-	5
<i>Assignments</i>	-	-	-	-	-	-	-	-	-	-	-	-	0
Grazing	-	-	-	1	-	-	-	-	-	-	-	-	1
<i>Assignments</i>	-	3	-	-	2	-	-	-	-	-	-	-	5
Residential	-	-	-	7	3	-	-	-	-	-	-	-	10
<i>Assignments</i>	1	-	-	3	-	-	-	-	-	-	-	-	4
<b>COMMERCIAL</b>													
Alternative Energy	-	-	-	-	-	-	-	-	-	-	-	-	0
Industrial	1	-	-	-	-	-	-	-	-	-	-	-	1
Military	-	-	-	-	-	-	-	-	-	-	-	-	0
Office/Retail	-	-	-	-	-	-	-	-	-	-	-	-	0
Recreation	-	-	-	-	-	-	-	-	-	-	-	-	0
<i>Assignments</i>	-	-	-	-	-	-	-	-	-	-	-	-	0
<b>OTHER</b>													
Conservation	-	-	-	-	-	-	-	-	-	-	-	-	0
<i>Assignments</i>	-	-	-	1	-	-	-	-	-	-	-	-	1
Geothermal	-	-	-	-	-	-	-	-	-	-	-	-	0
Minerals	2	1	1	-	2	-	-	-	-	-	-	-	6
<i>Assignments</i>	-	-	-	2	-	-	-	-	-	-	-	-	2
Exploration Location	-	-	32	-	-	-	-	-	-	-	-	-	32
Non-Comm Recreation	2	-	-	-	-	-	-	-	-	-	-	-	2
Oil & Gas	-	-	-	-	-	-	-	-	-	-	-	-	0
<b>PERMITS</b>													
Land Use Permits	1	9	10	9	2	-	-	-	-	-	-	-	31
<b>TOTAL INSTRUMENTS</b>	<b>9</b>	<b>15</b>	<b>43</b>	<b>23</b>	<b>11</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>101</b>

**Real Estate**

FISCAL YEAR 2024 – REAL ESTATE TRANSACTIONS BY MONTH – through November 30, 2023													
ACTIVITY	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	FYTD
Deeds Acquired	-	-	1	-	-	-	-	-	-	-	-	-	1
Deeds Granted	-	-	4	3	-	-	-	-	-	-	-	-	7
Deeds Granted - Surplus	-	-	-	-	-	-	-	-	-	-	-	-	0
Easements Acquired	1	-	-	-	-	-	-	-	-	-	-	-	1
Easements Granted	-	-	1	-	1	-	-	-	-	-	-	-	2
<i>Notes: Easement granted to Syringa Networks LLC for Fiber Optic Cable in Elmore County.</i>													

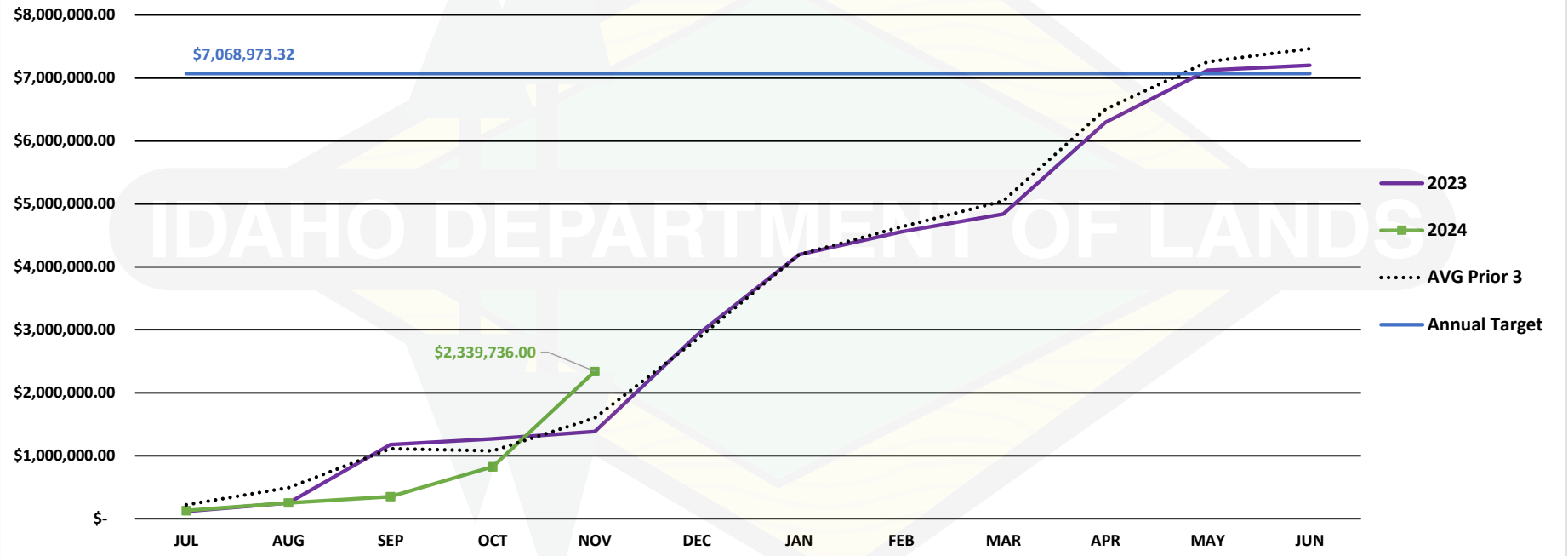
**TRUST LAND MANAGEMENT DIVISION**  
**FY2024 GROSS REVENUE (non-timber) - ACTUAL AND FORECASTED**  
**through November 30, 2023**

	REVENUE AS OF 11.30.2023	REVENUE EXPECTED BY 11.30.2023*	REVENUE EXPECTED BY 06.30.2024
<b>SURFACE</b>			
AGRICULTURE	\$ 371,557	\$ 64,625	\$ 592,000
COMMUNICATION SITES	\$ 325,520	\$ 60,000	\$ 1,190,000
GRAZING	\$ 49,031	\$ 8,700	\$ 1,680,200
RESIDENTIAL LEASES	\$ 167,343	\$ -	\$ 1,017,395
<b>COMMERCIAL</b>			
COMMERCIAL ENERGY RESOURCES	\$ 2,250	\$ 95,840	\$ 95,840
COMMERCIAL INDUSTRIAL	\$ 69,103	\$ 6,000	\$ 142,000
COMMERCIAL MILITARY FACILITIES	\$ -	\$ 7,000	\$ 151,000
COMMERCIAL OFFICE/RETAIL LEASES	\$ 636,768	\$ 617,000	\$ 991,600
COMMERCIAL RECREATION	\$ 112,236	\$ 479,000	\$ 1,014,000
<b>OTHER</b>			
CONSERVATION LEASES	\$ 9,389	\$ 500	\$ 73,000
GEOHERMAL	\$ 250	\$ -	\$ 5,012
MINERAL LEASES	\$ 588,065	\$ 2,750	\$ 113,000
OIL AND GAS LEASES	\$ 8,223	\$ 351	\$ 3,926
<b>Sub Total</b>	<b>\$ 2,339,736</b>	<b>\$ 1,341,766</b>	<b>\$ 7,068,973</b>
REAL ESTATE SERVICES (ER)	\$ -	**	
<b>Grand Total - Earnings Reserve</b>	<b>\$ 2,339,736</b>		

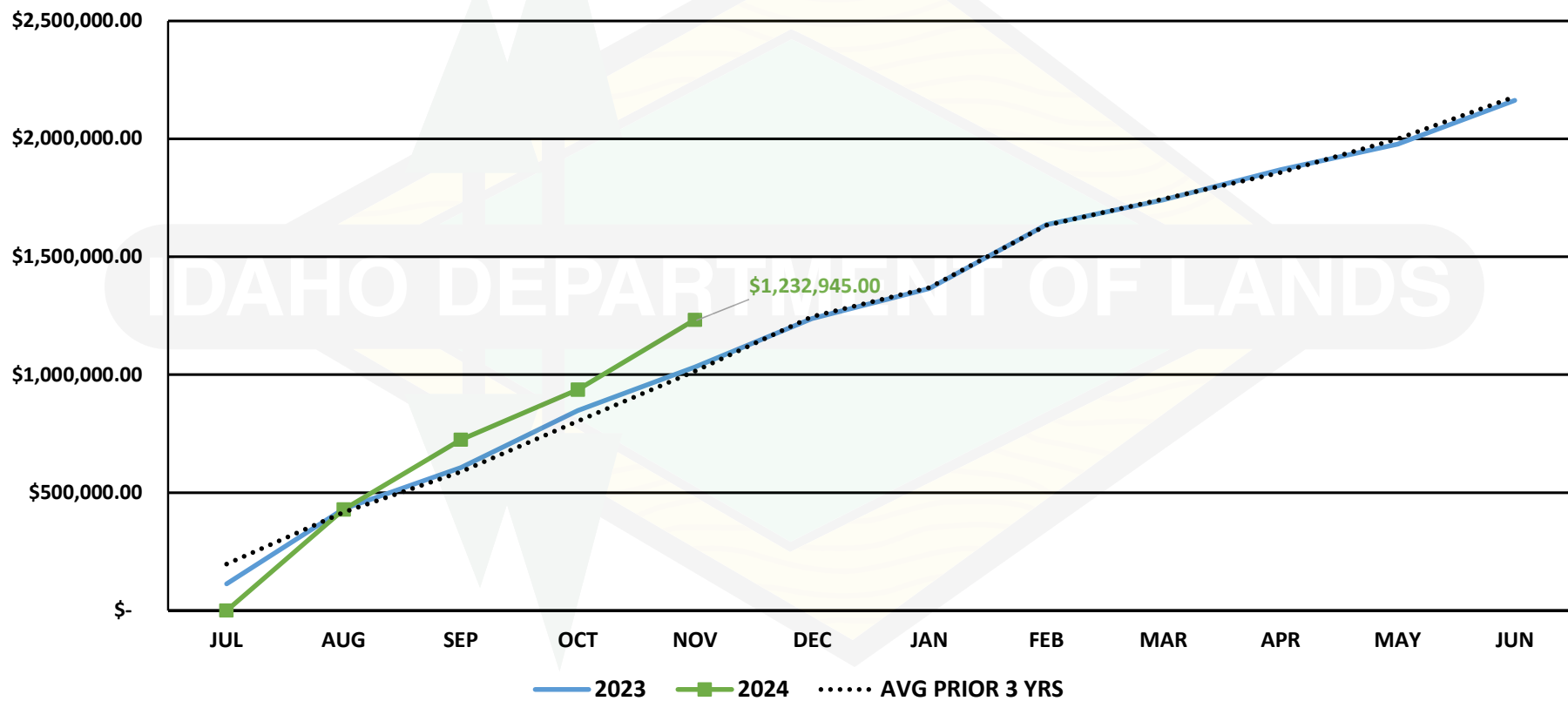
<b>PERMANENT FUND REVENUE</b>	
<b>MINERALS (PF)</b>	<b>\$ 1,232,945</b> ***

\*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  
FY 2023 - FYTD 2024**



### Trust Land Permanent Fund Revenue & Royalties (Excluding Land Bank and Timber Program) FY2023 - FYTD2024





Thomas J. Wilford :: Chairman  
Jerry F. Aldape                      Mary Pat Thompson  
Robert M. Donaldson              Chuck Winder  
Joseph Forney                      Kenny Wroten  
Irving Littman                      Brian Yeargain  
  
Chris J. Anton :: Manager of Investments

## Monthly Report to the Board of Land Commissioners

### Investment performance through November 30, 2023

**Month: 7.0%**      **Fiscal year: 0.4%**

Inflation continued its downward trajectory in November with headline inflation dropping to 3.2%. High costs associated with shelter appear to be the primary impediment to approaching the Fed's inflation target of 2.0% and trends in market rents point to a rapid deceleration in shelter inflation during the next 6-12 months. The improving inflation data should give the Fed solid support to pause its interest rate hiking campaign. Financial markets now anticipate the Fed will reverse course and begin cutting interest rates in the middle of next year. This perspective drove the yield on ten-year U.S. Treasuries from 5.0% to 4.3% and provided a nice boost to equity markets. Santa arrived early this year.

### Status of endowment fund reserves

Distributions for FY2024 and FY2025 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:* None

### Upcoming issues/events

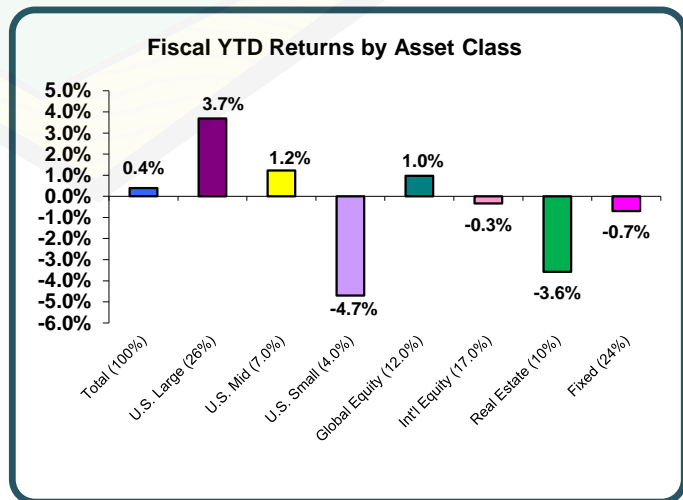
Board Meeting – February 15, 2024

	<u>Month</u>	<u>FYTD</u>
<b>Beginning Value of Fund</b>	<b>2,752,489,086</b>	<b>\$ 2,947,604,447</b>
Distributions to Beneficiaries	(8,359,583)	(42,047,915)
Land Revenue net of IDL Expenses	(4,551,020)	14,754,124
Change in Market Value net of Investment Mgt. Expenses	204,483,843	23,751,671
<b>Current Value of Fund</b>	<b>\$ 2,944,062,326</b>	<b>\$ 2,944,062,326</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>	7.0%	8.4%	0.4%	5.4%	3.3%	7.6%	6.9%
<i>Total Fund Benchmark*</i>	7.2%	9.9%	1.1%	6.9%	3.5%	7.2%	6.7%
<b>Total Fixed</b>	4.7%	1.9%	-0.7%	1.5%	-3.9%	1.0%	1.5%
<i>BBG U.S. Agg. (Ag)</i>	4.5%	1.6%	-0.4%	1.2%	-4.0%	1.0%	1.5%
<b>Total Equity</b>	8.9%	14.4%	1.3%	9.7%	6.0%	10.5%	9.0%
<i>57% R3 29% Ax 14% AC</i>	9.2%	16.4%	2.2%	11.6%	6.1%	9.5%	8.6%
<b>Domestic Equity</b>	9.0%	15.8%	2.3%	9.6%	7.3%	11.3%	10.7%
<i>Russell 3000 (R3)</i>	9.3%	19.6%	3.0%	12.6%	8.3%	11.8%	11.2%
<b>Global Equity</b>	8.3%	15.2%	1.0%	11.7%	5.8%	11.2%	7.7%
<i>MSCI ACWI (AC)</i>	9.2%	16.6%	2.3%	12.0%	5.7%	9.1%	7.6%
<b>Int'l. Equity</b>	9.1%	11.2%	-0.3%	9.0%	3.4%	8.5%	5.6%
<i>MSCI ACWI ex-US (Ax)</i>	9.0%	10.1%	0.6%	9.3%	1.7%	5.1%	3.4%
<b>Real Estate</b>			-3.6%	-12.1%	5.0%	4.6%	
<i>NCRIEF ODSE Index</i>			-2.7%	-10.0%	8.0%	6.5%	

\* Benchmark: 38% Russell 3000 19% ACWI ex-US 9% AC 24% BB Agg. 10% OD

	<u>Mkt Value</u>	<u>Allocation</u>
<b>Domestic Equity</b>	<b>\$ 1,098.9</b>	<b>37.3%</b>
Large Cap	781.8	26.6%
Mid Cap	206.0	7.0%
Small Cap	111.2	3.8%
<b>Global Equity</b>	<b>355.5</b>	<b>12.1%</b>
<b>Int'l Equity</b>	<b>496.6</b>	<b>16.9%</b>
<b>Fixed Income</b>	<b>718.6</b>	<b>24.4%</b>
<b>Real Estate</b>	<b>259.3</b>	<b>8.8%</b>
<b>Cash</b>	<b>15.7</b>	<b>0.5%</b>
<b>Total Fund</b>	<b>\$ 2,944.1</b>	<b>100.0%</b>



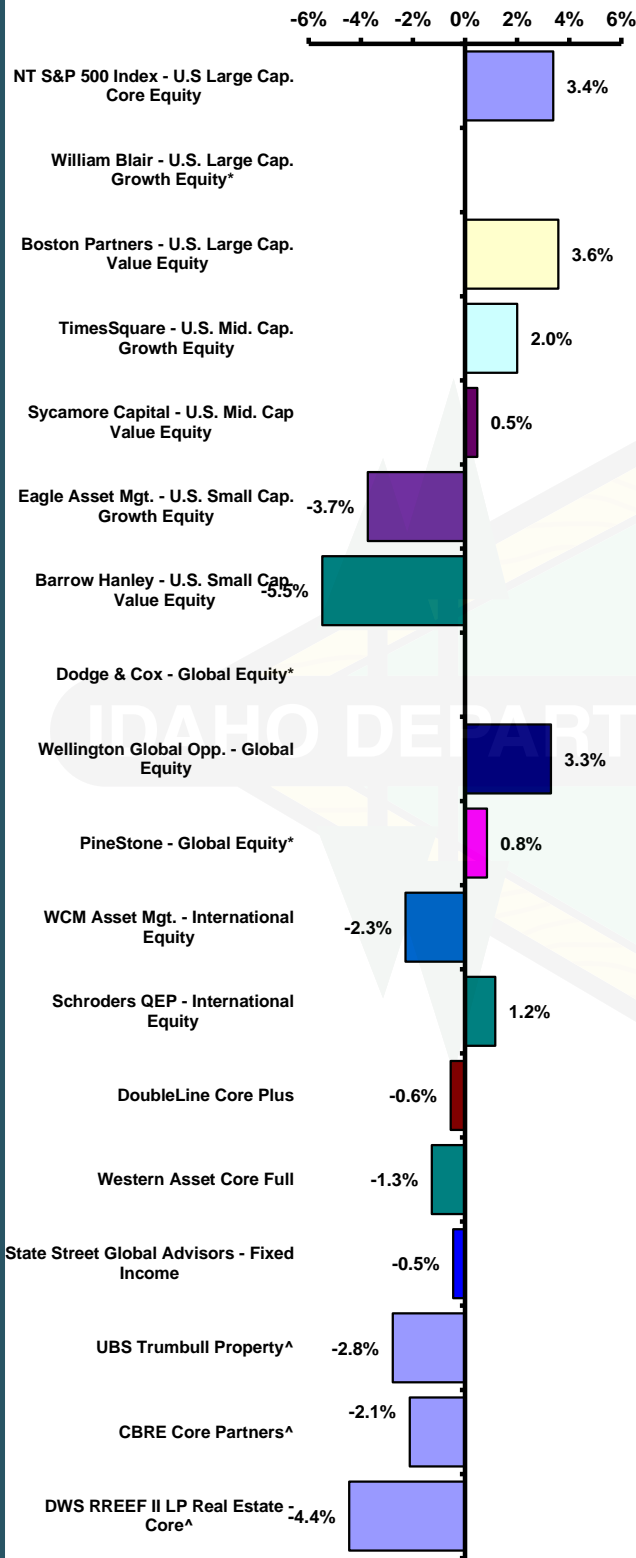
### Endowment Fund Staff Comments:

Inflation continued its downward trajectory in November with headline inflation dropping to 3.2%. High costs associated with shelter appear to be the primary impediment to approaching the Fed's inflation target of 2.0% and trends in market rents point to a rapid deceleration in shelter inflation during the next 6-12 months. The improving inflation data should give the Fed solid support to pause its interest rate hiking campaign. Financial markets now anticipate the Fed will reverse course and begin cutting interest rates in the middle of next year. This perspective drove the yield on ten-year U.S. Treasuries from 5.0% to 4.3% and provided a nice boost to equity markets. Santa arrived early this year.

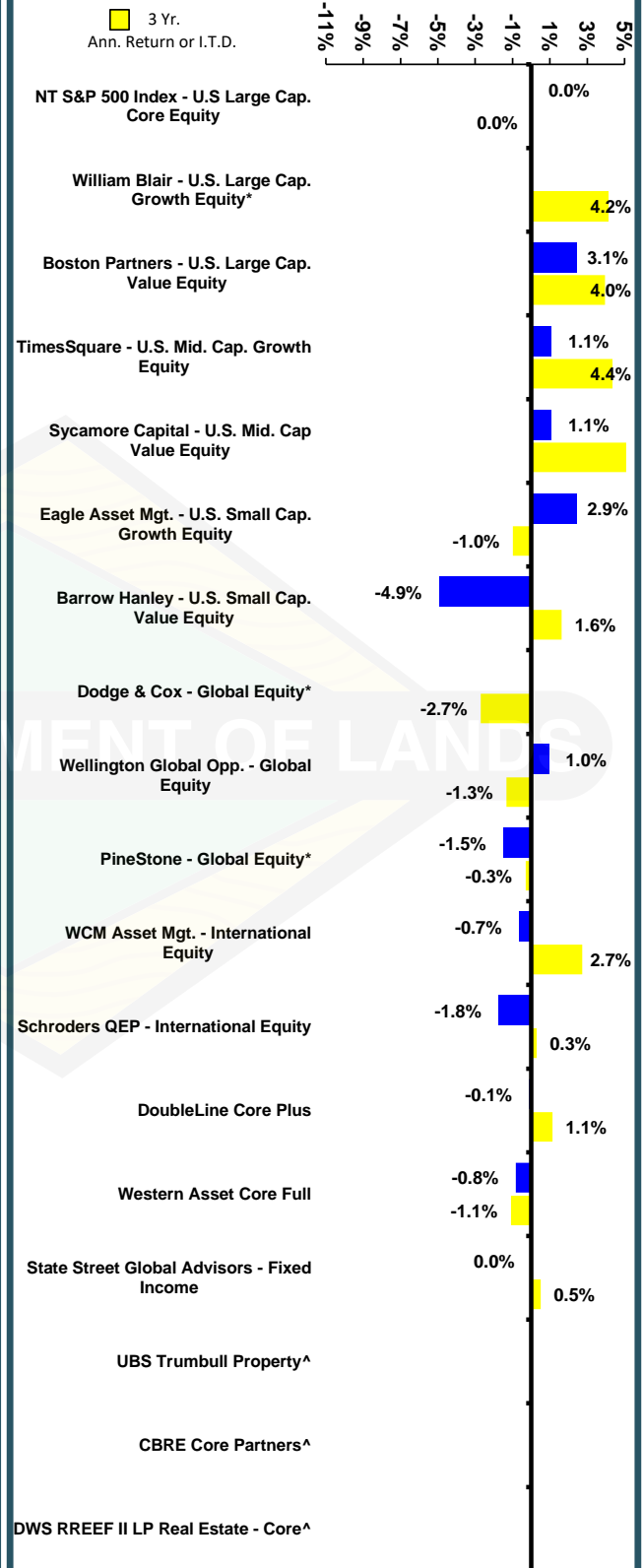


# INVESTMENT REPORT

## FYTD Manager Returns



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



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

# STATE BOARD OF LAND COMMISSIONERS

December 19, 2023

Consent Agenda

## Subject

Mineral Lease Live Auction – November 9, 2023

## Question Presented

Shall the Land Board direct the Department to award the mineral lease to the high bidder at the live auction?

## Background

The Idaho Department of Lands (Department) received application for a new sand, gravel, and basalt mineral lease located southeast of Boise, just west of the Blacks Creek Public Shooting Range along Kuna-Mora Road (site maps included as Attachment 1). Pursuant to Idaho Code § 58-310 and Department procedure, the public auction was advertised and held to determine the high bidder for the lease. Auction participants, including the original applicant for the lease, were required to register for the live auction one week prior to the auction date. Department staff conducted the live auction.

## Discussion

For the purposes of securing a single lessee for the mineral lease, a live auction was held on November 9, 2023, at the Department's Southwest Area office. ASG Resources, LLC submitted the successful premium bid of \$550,000 for mineral lease E600119 (an 89.2-acre parcel). Six parties registered for this auction, including the original applicant (Premier, LLC). The lease includes a 10-year term for the extraction of sand, gravel and basalt, including annual rent of \$268.00 (\$3.00 per acre); a minimum annual royalty payment of \$7,500; and a royalty rate of \$0.95 per short ton. Attachment 2 summarizes the results of the live auction.

Idaho Code § 58-310(4) provides that the State Board of Land Commissioners (Land Board) has the right to reject any bid made at a live auction where fraud or collusion are present, or for any reason, all within the sole discretion of the Land Board. The Department completed the lease auction process in accordance with existing statute and procedures and did not observe any indication of fraud or collusion related to this process.

## Recommendation

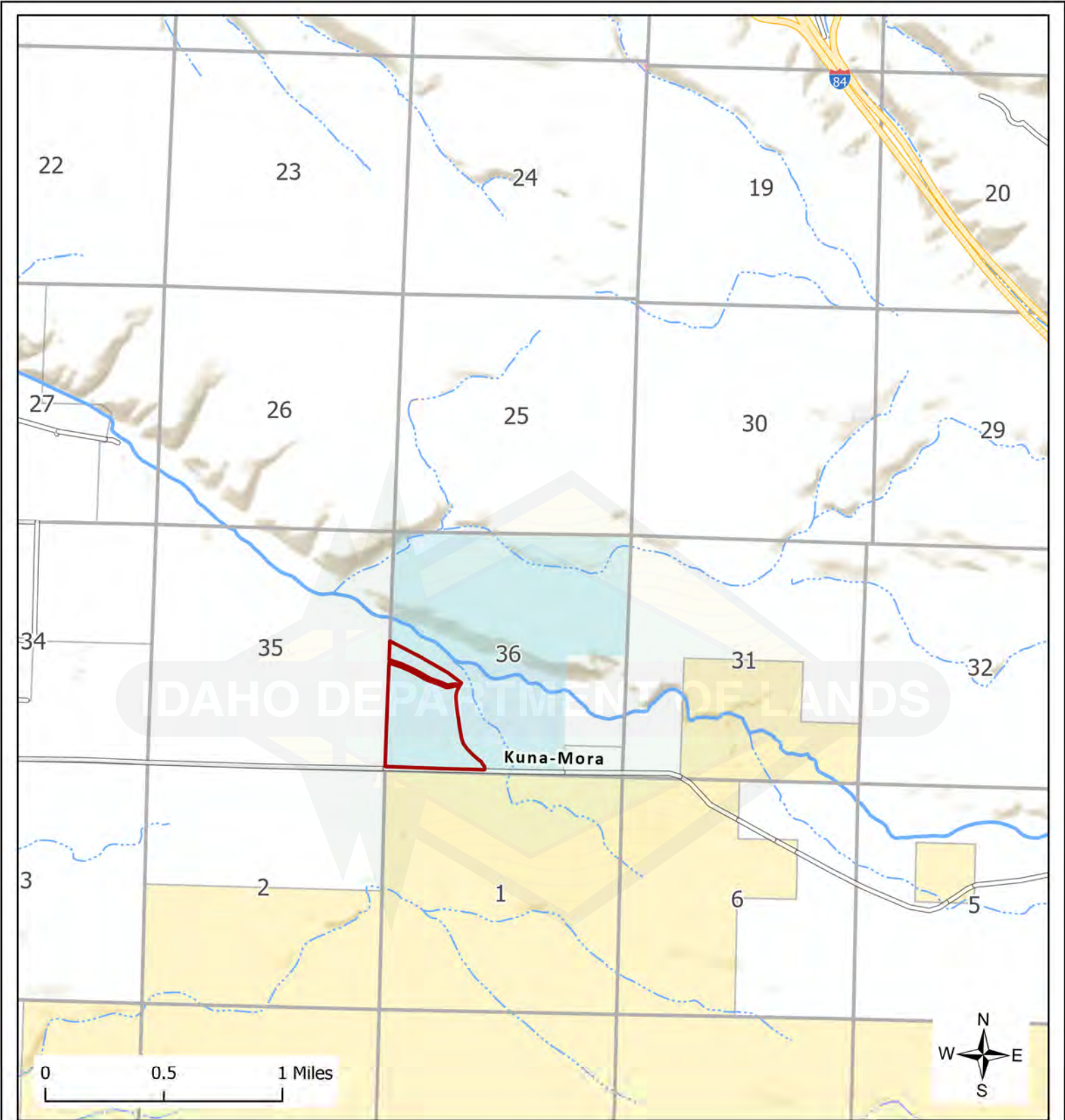
Direct the Department to award mineral lease E600119 to ASG Resources, the high bidder at the auction.

## **Board Action**

## **Attachments**

1. Site Maps
2. Summary of Auction Results



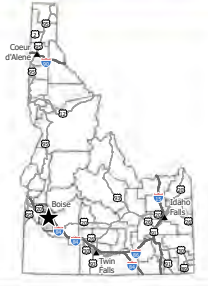


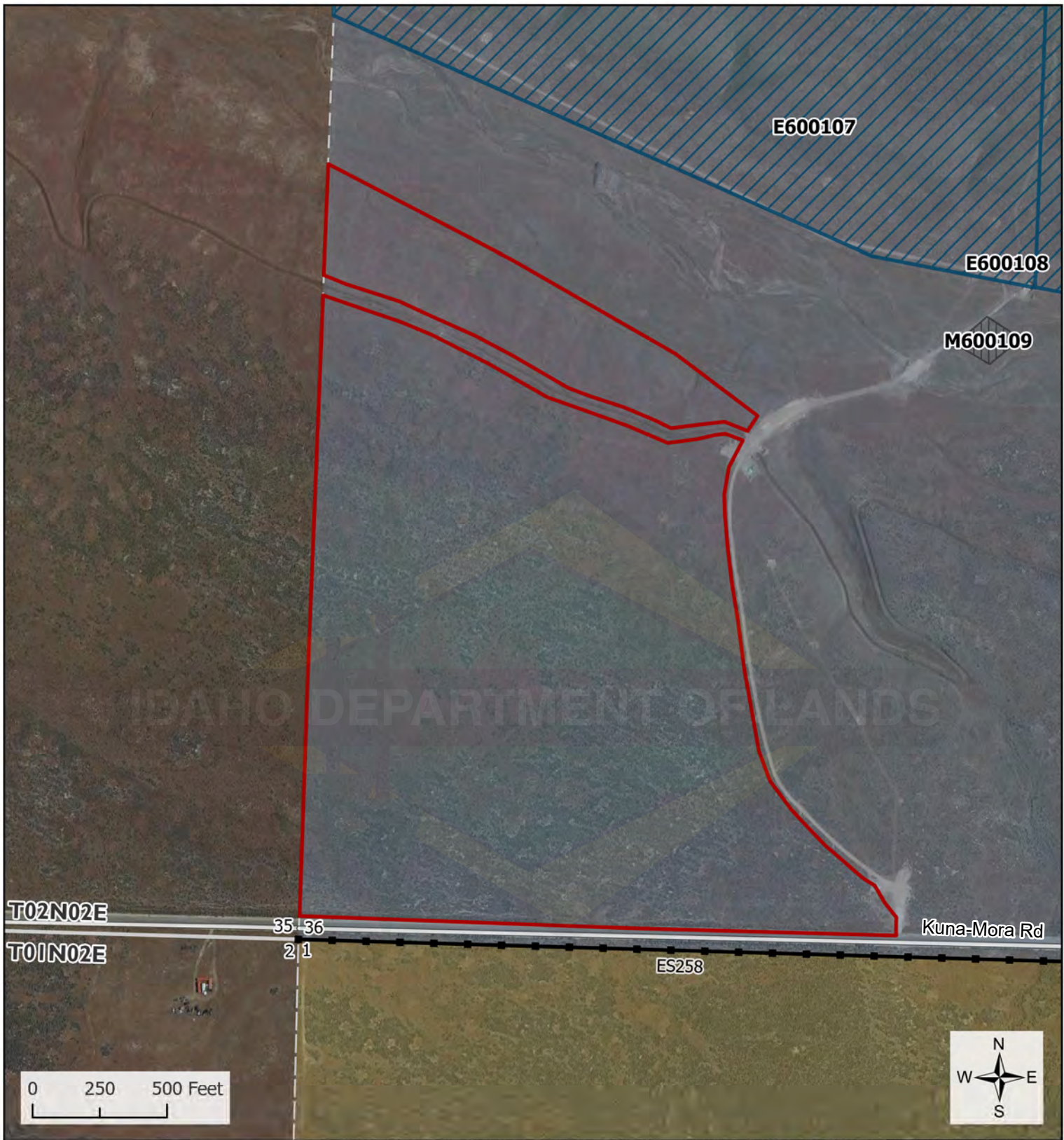
-  Subject Lease
-  Interstate
-  Roads
-  BLM
-  State
-  Private

**E600119 - Overview**  
 Sec. 36  
 T02N - R02E  
 Ada County, Idaho  
 8/17/2023



**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.





IDAHO DEPARTMENT OF LANDS

- Subject Lease
- Mineral Lease
- Misc. Lease
- Existing Easement
- Roads
- BLM
- State
- Private

**E600119**  
 Sec. 36  
 T02N - R02E  
 Ada County, Idaho  
 8/17/2023



**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.



**Summary of November 9, 2023 Mineral Lease Live Auction**

Supervisory Area	Lease Number	Endowment	Lease Term (Years)	Acres	Commodity	# of Participants	# of Bids	High Bid Amount	High Bidder
Southwest	E600119	PS	10	89.20	Sand, Gravel, Basalt	6	27	\$550,000	ASG Resources, LLC

**Total: \$550,000**





## 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 21, 2023

The regular meeting of the Idaho State Board of Land Commissioners was held on Tuesday, November 21, 2023 at the State Capitol, Lincoln Auditorium WW02, Lower Level, West Wing, 700 West Jefferson St., 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

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

For the record, a motion was made by Secretary of State McGrane to amend the agenda pursuant to Idaho Code § 74-204(4)(c) to move agenda item 7 *Statement of Investment Policy Annual Review*, and item 8 *Strategic Reinvestment Annual Review*, from the Regular section to the Information section. Secretary of State McGrane explained his reason for the change is that these two items represent main responsibilities of the Land Board and determine the Department's plan for the year; a majority of Land Board members are new this year and have not delved deeply into these documents. Moving these from action items to informational items will give members time to more thoroughly review both documents, and the Land Board will revisit these as action items at the next meeting. Governor Little stated the motion will be treated as unanimous consent. No objections were made; Governor Little so ordered.

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

##### **Trust Land Revenue**

- A. Timber Sales – October 2023
- B. Leases and Permits – October 2023

**Discussion:** None.

**2. Endowment Fund Investment Board** – Presented by Tom Wilford, Chairman, and Chris Anton, Manager of Investments

**Introduction:** Mr. Wilford introduced members of the Endowment Fund Investment Board who were present at the meeting, including Bob Donaldson, Joe Forney, Irv Littman, Mary Pat Thompson, Rep. Kenny Wroten, and Brian Yeargain. Mr. Wilford noted that Jerry Aldape and Sen. Chuck Winder were not able to attend. Mr. Wilford also mentioned EFIB staff who were present: Chris Anton, Chris Halvorson, and Kathy Van Vactor. Mr. Wilford turned the time over to Mr. Anton to discuss the reports.

- A. FY2023 Annual Report
- B. Land Board Audit Committee Report
- C. Manager's Monthly Report

**Discussion:** Mr. Anton began with the FY2023 annual report, stating that fiscal year 2023 was a very good year for the fund, which grew by 8.2% (\$223 million) and ended the year with a balance of \$2,947,000,000 as of June 30, 2023. In addition, reserves were very strong at the end of the year. All but Public School and State Hospital South had balances above their target reserve levels and that allowed the Land Board, subsequent to year end at the August meeting, to approve the transfer of \$28.1 million from earnings reserves into the permanent fund. The endowment fund had investment gains of 10.9% during the year which ranked in the top 22nd percentile in Callan's public fund sponsored database. Costs to manage the fund totaled \$11.4 million or 0.39% of assets, an extremely competitive level. Land revenue declined by 5.8% to \$53.2 million. Still, there was a significant increase in beneficiary distributions of 13.9% to \$100.3 million. Attorney General Labrador asked how distributions increased with the decline in revenue. Mr. Anton explained that revenue from lands comes into the fund, but distributions are 5% of the year-end balance. Although revenue coming in went down, there were investment gains; the fund balance grew during the fiscal year which allowed an increase in distributions. It is a three year average of the balance at fiscal year-end; over that time the balance has grown. Governor Little remarked that State Hospital South is the only fund with more than a 5% distribution and given the fact that they are below target, is the Investment Board considering making a recommendation to the Land Board on the payout. State Hospital South is a beneficiary of rental income from the cabin sites and cabin sites have been largely disposed; is the Investment Board considering changing that recommendation to the Land Board? Mr. Anton responded that EFIB has not done that analysis at this point. The reserves have stayed very strong, but EFIB will take that under advisement and look into that.

Mr. Anton moved onto the Land Board Audit Committee report. Members of the Land Board Audit Committee include Tom Wilford, Brian Yeargain, Jerry Aldape from EFIB; Robin Lockett from the Attorney General's Office and State Controller Brandon Woolf. Mr. Anton stated that each year the Endowment Fund Investment Board commissions an independent audit of its financial results, and the Idaho Department of Lands conducts certain agreed upon procedures to ensure accurate financial reporting, solid internal controls, and transparency to all of its stakeholders. The Land Board Audit Committee met twice during the fiscal year with representatives from CliftonLarsonAllen, EFIB's independent auditor, as well as EFIB and Department staff, on April 25, 2023 to plan the audit and again on August 17, 2023 to review the results of the audit. EFIB's audited financial statements and the Department's agreed upon procedures were reviewed and accepted by the Land Board Audit Committee. CliftonLarsonAllen



provided an unmodified, or clean, opinion of the financial statements. These opinions are representation by a professional independent third party that the financial statements are presented fairly in all material respects for the fiscal years ended June 30, 2023 and 2022. In addition, CliftonLarsonAllen tested the agency's internal controls over financial reporting and compliance with certain provisions of law, regulations, and contracts and found no issues to report. CliftonLarsonAllen conducted certain agreed upon procedures for the Idaho Department of Lands and had no findings to report. It was a very clean report for both agencies. Mr. Anton advised that every five years, per policy, EFIB issues a Request for Proposal (RFP) for audit services. This was the fifth year of CliftonLarsonAllen's contract. In late September EFIB distributed an RFP to five different audit firms. Two submitted proposals, received by EFIB on November 15th. An Audit Committee meeting is scheduled on December 8th to review those proposals.

Going through the monthly reports, Mr. Anton mentioned a big change from October to November. Through October 31st the fund was down -2.7% for the month, and down -6% fiscal year-to-date. Through yesterday, 11/20, the fund is down -0.2%. During the month of October, economic data was very strong; GDP was 4.9% and a significant amount of treasuries were put onto the market. The Federal Reserve is reducing its balance sheet; the Treasury, with the large deficit the nation is running, has been selling a large number of long-term bonds. That put pressure on the treasury markets, drove down prices and drove up yields. With higher bond yields, bonds were down, and the stock market was down as well for three consecutive months. The view was that the economy would stay strong, it would be difficult for the Federal Reserve to fight inflation, the rates would be high for a long time, and it would push the economy into a recession. That was the outlook in August, September, and October, pushing the market down. When the Federal Reserve met at the beginning of November, they kept the Federal Reserve fund's rate flat, but more importantly, determined the rate is balanced, just about right to taper inflation without pushing the country into recession. Raise rates more, it might quickly slow inflation but hurt employment. Cut rates too soon, inflation might come back. That perspective was confirmed later in the month when headline inflation came out at flat month over month, and at 3.2% year over year. Inflation continues to moderate, a little softening in the labor market although it is still healthy, and the market flipped its viewpoint: inflation is coming down, maybe rates will come down sooner than anticipated, and that caused this reversal in the market. EFIB is pleased to be back to a healthier place. Mr. Anton referred to the red and the green colors in the investment report. There is more red than normal in this report, which implies that fund performance is below the benchmark. For the most part managers have exceeded the benchmark, but it has been a strange market: most of the investment returns on the equity side have been driven by the S&P 500 top seven large high-growth companies; they are up 50-60%; the bottom 493 are flat. That suggests investing in things other than large cap growth will not do as well as the benchmark. On the domestic equity side, all EFIB managers beat their benchmarks, but are considerably below, particularly on the one-year number, because the endowment fund has an overweight to mid and small cap relative to the Russell 3000 benchmark. It is an intentional overweight on behalf of the Investment Board to mid and small cap because over the long term those companies have the ability to grow more quickly than the large companies and add better return. This is an odd period of time dominated by large cap growth companies.

**3. Performance Review of Total Endowment** – Presented by Dustin Miller, Director

**Discussion:** None.

**Consent—Action Item(s)**

**4. Results of October 4, 2023 Commercial Recreation Lease Live Auction** – Presented by Jason Laney-  
Section Manager-Real Estate

**Discussion:** None.

**Recommendation:** Direct the Department to award commercial recreation lease M300014 to the high bidder, Bryan Peterson.

**5. Results of October 4, 2023 Residential Cottage Site Lease Live Auction** – Presented by Jason Laney-  
Section Manager-Real Estate

**Discussion:** None.

**Recommendation:** Direct the Department to award residential cottage site lease R100406 to the high bidder, Kristina France.

**6. Approval of Draft Minutes** – October 17, 2023 Regular Meeting (Boise)

**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. Disclaimer of Interest Request DI200000-Fodge Pulp, Inc., Kootenai River** – Presented by Mick  
Thomas, Division Administrator-Minerals, Navigable Waterways, Oil and Gas

**Recommendation:** Direct the Department to issue a Disclaimer of Interest for two parcels totaling 5.121 acres of the former bed of the Kootenai River, to Fodge Pulp, Inc. following their payment to the Department of the remaining processing fee of \$300.

**Discussion:** Governor Little noted the remaining fee is \$300 and inquired if additional costs will be addressed considering the applicant would like to close this expeditiously. Mr. Thomas replied that any additional costs will be tracked by the Department and passed on to the applicant.

**Board Action:** A motion was made by Controller Woolf that the Land Board approve the recommendation and direct the Department to issue a Disclaimer of Interest for two parcels totaling 5.121 acres of the former bed of the Kootenai River, to Fodge Pulp, Inc. following their payment to the Department of the remaining processing fee of \$300. Secretary of State McGrane seconded the motion. The motion carried on a vote of 5-0.

**8. Adoption of Pending Fee Rule IDAPA 20.03.01, Rules Governing Dredge and Placer Mining Operations in Idaho** – Presented by Eric Wilson, Bureau Chief-Resource Protection and Assistance

**Recommendation:** Adopt the pending fee rule for IDAPA 20.03.01 *Rules Governing Dredge and Placer Mining Operations in Idaho*.

**Discussion:** Secretary of State McGrane noticed the memo says no written comments received and inquired if the substantive comments attached to the memo were questions asked by stakeholders in the meetings; is that document a summary of those conversations. Mr. Wilson responded that those were comments received during the negotiated rulemaking process from people who attended the meetings. Secretary of State McGrane wondered if it was safe to say those comments were deemed not specifically relevant to the rule changes at hand. Mr. Wilson replied that some of the comments were pertinent, but the Department believed some of the changes would violate statute and some were directly against the Zero-Based Regulation guidance the Department received.

**Board Action:** A motion was made by Controller Woolf that the Land Board adopt the pending fee rule. Governor Little seconded the motion. The motion carried on a vote of 5-0.

**9. Adoption of Pending Fee Rule IDAPA 20.03.03, Rules Governing Administration of the Reclamation Fund** – Presented by Eric Wilson, Bureau Chief-Resource Protection and Assistance

**Recommendation:** Adopt the pending fee rule for IDAPA 20.03.03 *Rules Governing Administration of the Reclamation Fund*.

**Discussion:** None.

**Board Action:** A motion was made by Controller Woolf that the Land Board adopt the pending fee rule. Superintendent Critchfield seconded the motion. The motion carried on a vote of 5-0.

**10. Adoption of Pending Fee Rule IDAPA 20.03.05, Navigable Waterways Mineral Leasing in Idaho** – Presented by Eric Wilson, Bureau Chief-Resource Protection and Assistance

**Recommendation:** Adopt the pending fee rule for IDAPA 20.03.05 *Navigable Waterways Mineral Leasing in Idaho*.

**Discussion:** None.

**Board Action:** A motion was made by Controller Woolf that the Land Board adopt the pending fee rule. Superintendent Critchfield seconded the motion. The motion carried on a vote of 5-0.

Governor Little asked Director Miller if raising these fees means decreasing the appropriations for the Department of Lands and commented it ought to show up somewhere in the budget process. The narrative is the Department is raising fees because permittees and lessees are not covering agency costs, which indicates that those costs are being covered out of other Land Board functions. Governor Little observed the Department will likely get this question at the legislature. Director Miller said the Department is cognizant of the costs, and what increasing these fees means for citizens of the state. The goal is to ensure sufficient funds in dedicated accounts to run these

programs. Eric and his team have done a great job analyzing the costs and making sure the Department is charging the right amount while being very prudent with those dollars. Governor Little remarked he is not opposed to the fee increases, just anticipating some of the debate.

**11. Adoption of Pending Rule IDAPA 20.05.01, Recreational Use of Endowment Land** – Presented by Todd Wernex, Program Manager-Recreation

**Recommendation:** Adopt the pending rule for IDAPA 20.05.01 *Rules Pertaining to the Recreational Use of Endowment Land*.

**Discussion:** None.

**Board Action:** A motion was made by Superintendent Critchfield that the Land Board adopt the pending rule. Controller Woolf seconded the motion. The motion carried on a vote of 5-0.

**12. Adoption of Pending Rule IDAPA 20.01.01, Rules of Practice and Procedure Before the State Board of Land Commissioners** – Presented by Dustin Miller, Director

**Recommendation:** Adopt the pending rule for IDAPA 20.01.01 *Rules of Practice and Procedure Before the State Board of Land Commissioners*.

**Discussion:** None.

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

## Information

**13. Statement of Investment Policy Annual Review** – Presented by Bill Haagenson, Deputy Director

**Discussion:** Controller Woolf pointed to page 23, Transition of Lands, and recalled that transition refers to asset classes where, for example, it may be initially identified as timberland, but might have a higher and better use if changed to a different asset class. What is the process? How is the public made known, how does it work through the Department, and when does it end at the Land Board making the decision on that change. Mr. Haagenson indicated the Department wants to revisit that process with the Board in terms of how it will play out in the future. The most important asset to address is timberland. The Department must be clear on any reclassifications of timberland into a different asset class because there is a statute that may be applicable regarding the sale of timberland. In the near future, the Department will present a request for Land Board direction on how to move forward with reclassifications. Secretary of State McGrane mentioned his interest in further conversation, including history of this policy and prioritization of what asset classes the Land Board wanted to invest in versus what it may not want to invest in, and how this reflects Land Board direction moving forward. Governor Little stated the Land Board will review the Investment Policy at its next meeting.

**14. Strategic Reinvestment Plan Review** – Presented by Bill Haagenson, Deputy Director

**Discussion:** None.

## Executive Session

None

There being no further business before the Land Board, at 9:57 a.m. a motion to adjourn was made by Controller Woolf. Secretary of State McGrane seconded the motion. The motion carried on a vote of 5-0.



# STATE BOARD OF LAND COMMISSIONERS

December 19, 2023

Regular Agenda

## Subject

Annual Review of Statement of Investment Policy

## Question Presented

Shall the Land Board approve the revised Statement of Investment Policy for the combined Endowment assets?

## Background

In November 2014, the State Board of Land Commissioners (Land Board) accepted the Asset Allocation and Governance Review from Callan Associates (Callan). The report included a recommendation to develop:

A comprehensive Investment Policy Statement...for the combined Trust that identifies the investment objectives, risk management processes, risk tolerance (including connecting the risk taken in the asset allocation with that expressed in the distribution policy), the adopted asset allocation and rebalancing ranges, decision-making and the roles of each party involved in the investment process, how performance will be monitored and measured for each asset type, and the establishment of appropriate metrics and peer groups where relevant for both the land and financial assets.

Callan, working with the Idaho Department of Lands (Department) and the Endowment Fund Investment Board (EFIB), developed a Statement of Investment Policy for the combined Endowment assets, which was approved by the Land Board at the May 17, 2016 meeting. The Statement of Investment Policy and appendices are subject to annual review and approval by the Land Board's Investment Subcommittee and the Land Board.

## Discussion

The Department worked with EFIB and Callan to review and revise the Statement of Investment Policy and appendices (Attachment 1), previously approved at the November 15, 2022 Land Board meeting, to make corrections, align with current practices, and provide clarity. The following items were among the revisions:

- Asset class valuations and percentages of total portfolio as of June 30, 2023.
- Minor revisions to text throughout the document to provide clarity or make corrections.
- Revisions to asset class descriptions for farmland and rangeland to remove reinvestment-related information.

The changes to the Statement of Investment Policy were approved by the Investment Subcommittee on October 31, 2023.

### **Recommendation**

Approve the revised Statement of Investment Policy.

### **Board Action**

### **Attachments**

1. Revised Statement of Investment Policy and appendices



# Statement of Investment Policy

## Idaho Land Grant Endowments


As overseen by the:

**Idaho Board of Land Commissioners**



IDAHO ENDOWMENT FUND  
INVESTMENT BOARD

INCLUDES FUNDS MANAGED BY THE ENDOWMENT FUND INVESTMENT BOARD



IDAHO DEPARTMENT OF LANDS

INCLUDES LAND MANAGED BY THE IDAHO DEPARTMENT OF LANDS

~~November 15, 2022~~ December 19, 2023

This Statement of Investment Policy was initially published May 17, 2016 and is updated annually.



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F.	EFIB’s Distribution Principles.....	<a href="#">474745</a>

## I. Introduction

The State Board of Land Commissioners (Land Board) hereby establishes this Statement of Investment Policy (Statement) for the investment and management of the land grant endowment assets (Endowment Assets or Endowment) of the State of Idaho. The Endowment Assets were created by The Idaho Admissions Act in 1889 which granted the new state approximately 3,600,000 acres of land for the sole purpose of funding fourteen specified beneficiaries including nine different trusts or endowments.

This Statement provides policies for the investment and management of financial and land assets which together comprise the Endowment Assets. Financial Assets consist primarily of the invested revenues from the endowment lands (collectively, Financial Assets). Land Assets include timberland, rangeland, farmland, commercial real estate, residential (cabin sites) real estate, minerals, and oil and gas (collectively, Land Assets) located in Idaho.

## II. Purpose

This Statement of Investment Policy is set forth by the Land Board to accomplish the following:

- Establish a clear understanding for all involved parties regarding the management and investment goals and objectives for the Endowment Assets.
- ~~Offer~~ Establish guidance and limitations to all involved parties regarding the management and investment of Endowment Assets.
- Define and assign the responsibilities of participants involved in the investment process.
- Establish a basis for evaluating investment and management results.
- Manage Endowment Assets according to prudent standards as established in the Idaho Constitution and trust law.
- Establish the relevant investment horizon for which the Endowment Assets will be managed.

## III. Constitutional and Statutory Requirements

The investment and management of the Endowment Assets will be in accordance with the Idaho Constitution, all applicable laws of the State of Idaho, and other pertinent legal restrictions. In the event this Statement is inconsistent with Constitutional or Statutory Requirements (Requirements), those Requirements will control.

### A. Land Board

Article IX, Section 7 of the Constitution establishes the Land Board: “The governor, superintendent of public instruction, secretary of state, attorney general and state controller 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.”

## **B. Sole Interest of the Beneficiaries**

All Endowment Assets of the State of Idaho must be managed “in such manner as will secure the maximum long-term financial return” to the trust beneficiaries.

## **C. Prudent Investments and Fiduciary Duties**

The Land Board and its agents, including staff, the Idaho Department of Lands (IDL), the Endowment Fund Investment Board (EFIB), consultants, advisors, and investment managers shall exercise the judgment and care of a prudent investor as required under the prudent investor rule set forth in the Uniform Prudent Investor Act (Act), Idaho Code §§ 68-501 to 68-514.

Endowment Assets shall be invested and managed with the care, skill, prudence, and diligence under the circumstances then prevailing that a prudent expert acting in like capacity and familiar with such matters would use in the investment and management of assets of like character with like aims.

The Act states, in part, that: “A trustee shall invest and manage trust assets as a prudent investor would, by considering the purposes, terms, distribution requirements and other circumstances of the trust. In satisfying this standard, the trustee shall exercise reasonable care, skill, and caution”; and, “A trustee’s investment and management decisions respecting individual assets must be evaluated not in isolation but in the context of the trust portfolio as a whole and as a part of an overall investment strategy having risk and return objectives reasonably suited to the trust.”

The duty of prudence requires trustees to bring the appropriate level of expertise to the administration of the trust. An implied duty of trustees is also to preserve and protect the assets with a long-term perspective sensitive to the needs of both current and future beneficiaries.

## **D. Sales, Exchanges, and the Land Bank**

Article IX, Section 8 of the Idaho Constitution includes the following restrictions regarding the sale of lands:

- All land disposals must occur via public auction
- A maximum of 100 sections (64,000 acres) of state lands may be sold in any year
- A maximum of 320 acres may be sold to any one individual, company, or corporation (160 acres for University endowment lands per Article IX, Section 10)
- No state lands may be sold for less than the appraised price
- Granted or acquired lands may be exchanged on an equal value basis with other lands subject to certain restrictions
- Forest and certain other land may not be sold per Idaho Code § 58-133, which states, “All state-owned lands classified as chiefly valuable for forestry, reforestation, recreation, and watershed protection are reserved from sale and set aside as state forests.”

Article IX, Section 4 of the Idaho Constitution provides for the deposit of the proceeds from the sale of school lands into a land bank fund to be used to acquire other lands within the state for the benefit of endowment beneficiaries, subject to a time limit established by the legislature.

Idaho Code § 58-133 provides conditions for use of the Land Bank Fund. In summary, the Land Bank Fund exists to hold the proceeds from the sale of state endowment land pending the purchase of other land in Idaho for the benefit of the endowment beneficiaries. Funds in the Land Bank, including earnings, are continually appropriated to the Land Board. If the funds have not been utilized for land acquisition within five years, they are transferred to the permanent endowment fund of the respective endowment. The Land Board may transfer any portion of the funds in the Land Bank to the Permanent Fund at any time.

## **E. Other Constitutional Requirements and Statutes**

Additional constitutional articles and state statutes are described throughout this Statement. [Appendix B](#) includes the entirety of the constitutional articles and statutes that apply to the investment and management of Endowment Assets.

## **IV. Investment Goals**

### **A. General Objective**

The stated mission for Endowment Assets is to provide a perpetual stream of income to the beneficiaries by managing assets with the following objectives:

- Maximize long-term financial return at a prudent level of risk.
- Provide relatively stable and predictable distributions to the beneficiaries.
- Ensure distributions maintain financial equity for current and future generations of beneficiaries. ~~Constrain distributions to protect future generations' purchasing power.~~
- Maintain sufficient liquidity for anticipated expenditures and anticipated/expected distributions.?

### **B. Considerations**

Primary considerations impacting the fulfillment of the investment mission and objectives include the following:

- Constitutional and statutory requirements as noted previously. Constitutional restrictions are considered permanent given the process required to amend the Constitution (approval by a two-thirds majority in the House of Representatives and Senate followed by ratification by the citizens of Idaho via a general election ballot or a constitutional convention).
- Managing revenue and profit-generating activities within a government agency.

- Each trust holds its Financial Assets in a commingled pool (with shares owned by several trusts) but its Land Assets in specific and unique tracts.

## C. Investment Return Objective

As perpetual assets, per State Constitution and statute, the Endowment has a perpetual investment horizon. The investment return objective for the Endowment Assets is to earn over a long period an annualized real return, net of fees, expenses, and costs, above spending and inflation (per Idaho Code § 57-724) as well as population growth (per Land Board policy). Given the current financial and land asset mix, the Endowment is expected to earn a real net return of 4.2% ~~3.6%~~ annually over the long term.

## D. Distribution Policy

The Distribution Policy adopted by the Land Board (further described in Section VIII) sets annual distributions to beneficiaries. The interaction of investment and distribution policies should balance the needs of current and future beneficiaries. The Land Board's policy is to distribute a conservative estimate of long-term sustainable income and hold sufficient reserves of undistributed income to absorb down cycles in endowment earnings. It is a priority to avoid reductions in distributions because most beneficiaries depend on endowment distributions to fund ongoing operations.

# V. Investment Risk and Strategic Asset Allocation

## A. Asset Class Diversification Asset Classes

Risk, as it relates to stability of distributions, shall be managed primarily by holding reserves of undistributed income. Risk, as it relates to the volatility of earnings of the Endowment Assets, shall be managed primarily through diversification. Subject to land disposal restrictions ~~and the statutory prohibition on selling timberland~~, the Endowment Assets will be diversified both by asset class and within asset classes to the extent practical. The purpose of diversification is to provide reasonable assurance that no single asset class will have a disproportionate impact on the Endowment. Both quantitative measures and qualitative judgment will be used in assessing and managing risk.

## B. Review of Asset Classes and Asset Allocation

In setting strategic asset allocations, the Land Board will focus on ensuring the Endowment Assets' expected long-term returns will be sufficient to meet expected long-term obligations with a prudent level of risk. Approximately every eight years, the Land Board will evaluate the asset allocation mix and conduct an asset allocation study (last completed in 2022) to determine the long-term strategic allocations to meet risk/return objectives.

Significant changes in capital market assumptions, portfolio characteristics, timber income expectations, or the Distribution Policy may cause the Land Board to accelerate the timing of an asset allocation study.

For example, the illiquidity of much of the Land Assets may require the target asset mix of the Financial Assets be adjusted due to significant land sales or acquisitions or the appreciation of the Financial Assets at a faster or slower rate than the appreciation of the Land Assets.

EFIB will review the Distribution Policy annually. When key assumptions in the Distribution Policy, such as expected earnings and volatility change, EFIB will recalculate the risk of shortfalls in future distributions and provide recommendations on policy adjustments to the Land Board.

### C. Strategic Asset Allocation

In 2022, the Land Board commissioned an update of the asset allocation study based on the schedule directed by this investment policy statement. The purpose was to update the return forecasts for land and financial assets and the expected return and risk for the total endowment trust. The update was accepted by the Land Board in June 2022. ~~The updated asset allocation study eliminated the desired percentage ranges and target allocations for each asset class in the total endowment because specifying ranges and target allocations implies the ability to move assets in a frictionless way.~~

The current asset mix for the total endowment is presented in Exhibit 1 below:

**Exhibit 1: Asset Allocation**

Asset Class	Actual Asset Allocation June 30, <del>2022</del> 2023	Valuation June 30, <del>2022</del> 2023
Financial Assets	<del>59.83%</del> 61.62%	<del>\$2,706,071,292</del> \$2,950,630,761
Timberland*	<del>34.49%</del> 33.64%	<del>\$1,610,439,200</del> \$60,000,000
Rangeland*	<del>1.40%</del> 1.32%	\$63,385,840
Cash Equivalents (Land Bank)	<del>2.33%</del> 1.56%	<del>\$105,463,601</del> \$74,523,631
Residential Real Estate	<del>0.41%</del> 0.14%	<del>\$18,762,500</del> \$6,657,313
Commercial Real Estate	<del>0.80%</del> 0.75%	\$36,044,000
Farmland	<del>0.73%</del> 0.96%	<del>\$32,853,400</del> \$46,107,680
Total	100%	<del>\$4,522,580,633</del> \$4,787,788,425
Expected Return (net)	<del>6.05</del> 6.71%	
Expected Risk (Standard Deviation)	<del>10.11</del> 9.61%	
Inflation Assumption	<del>2.25%</del> 2.50	

Percent may not total ~~exactly to~~ 100% due to rounding

Based on Callan’s ~~2022-2023~~ Capital Market Expectations, over a 10-year period, the current asset allocation is expected to generate a nominal return in excess ~~of 6.16.7%~~ net of fees. Using an inflation assumption of ~~2.50~~2.5% results in an expected real net return of ~~3.854.21~~%. The volatility level (standard deviation) associated with this asset mix is approximately ~~10.1~~9.6%. The Land Board recognizes the actual 10-year return ~~can may~~ deviate significantly from this expectation—both positively and negatively.

The Land Board acknowledges the link between the asset allocation and the Distribution Policy. If an asset allocation mix is selected that deviates from the risk and return ~~in~~of the current asset allocation, the Land Board, in consultation with EFIB, will assess the impact on the Distribution Policy and change the Distribution Policy as necessary. In broad terms, changes in long-term expected return will impact the estimated level of sustainable distributions while changes in risk, as measured by volatility of returns, will impact the desired level of reserves.

EFIB will review the asset allocation for the Financial Assets per the EFIB Investment Policy and present it to the Land Board as an informational item.

## **D. Strategic Policies**

In addition to asset allocation, the Land Board may from time to time authorize or adopt strategic policies. “Strategic Policies” are actions by the Land Board to allow investment in asset types that have not been singled out as “asset classes” in the asset allocation process, to overweight a particular sector within an asset class, or to employ particular strategies in the investment of the Endowment Assets. The purposes of these actions are either to increase the return above the expected return or to reduce risk. Any such policy would include consideration of the change in risk, the change in return, and the impact on the Distribution Policy.

## **VI. Investment Governance Structure**

The Idaho Constitution provides that the endowment funds are held in trust and administered by the Land Board as trustees. The Constitution further provides that the Idaho Legislature may establish a statutory structure for administration that is consistent with the nature of the trusts. Accordingly, the Idaho Legislature created a structure that established EFIB as the manager of the Financial Assets, established the appropriations process for the payment of trust management expenses, and created IDL to serve as the manager of the Idaho Land Assets of each trust. The constitutional and statutory provisions, together with Land Board policy, establish the governance structure for Endowment Assets.

### **A. Land Board Responsibility**

Management of the Endowment Assets is entrusted to the Land Board which serves as the sole fiduciary of both the Land Assets and Financial Assets. The Land Board is ultimately responsible for all management and investment activities. The powers and duties of the Land Board are fully described in Idaho Code § 58-104.

In exercising these responsibilities, in addition to EFIB and IDL, the Land Board may hire personnel and agents and delegate investment functions to those personnel and agents consistent with constitutional and statutory provisions. Where the Land Board does not or cannot delegate investment powers or duties, the Land Board will either satisfy itself that it is familiar with such matters or will retain persons who are familiar with such matters to consult or assist the Land Board in the exercise of those responsibilities. Where the Land Board delegates a responsibility, it will be delegated to a person who is



familiar with such matters, and the Land Board will monitor and review the actions of those to whom responsibilities are delegated.

## **1. General Roles and Responsibilities**

The Land Board's general role and responsibilities regarding investments include, but are not limited to the following:

- Direct and oversee the conduct and operations of EFIB and IDL.
- Appoint and consult with expert advisors (including EFIB and IDL) for each critical function for which the Land Board has responsibility. In this context, the term "expert advisor" shall mean a person engaged in the business for which he holds himself out to be an expert and who is experienced in that field.
- Plan and establish strategic policies to coordinate the management of state endowment lands with the management of the endowment funds.
- Provide reports on the status and performance of state endowment lands and the respective endowment funds to the state affairs committees of the Senate and the House of Representatives within fourteen days after a regular session of the legislature convenes.
- Make strategic decisions, primarily concerning asset allocation, and establish and/or approve endowment land asset investment and management policies and strategies.
- Periodically review this master investment policy and any sub-policies.
- Monitor the compliance of EFIB and IDL with the investment policies and strategy determined by the Land Board and the execution of the strategy.
- Hire agents in addition to IDL and EFIB to assist the Land Board in the implementation of strategy or investment policies.
- Approve the IDL annual budget request for consideration by the governor and legislature (including review of appropriation requests to IDL from Earnings Reserves).
- Approve allocation of Earnings Reserve Funds as provided in Idaho Code § 57-723A (Distribution Policy), specifically how much is: distributed annually to beneficiaries; retained for future distribution; and, transferred to the Permanent Fund to build corpus.
- Approve the annual timber sale plan and certain timber sales that fall outside of the IDL director's authority.
- Review the IDL director's monthly timber sale activity report showing the proposed sales for the next month.
- Approve large routine land investment decisions that exceed the authority of the IDL director.
- Approve certain other land investment decisions that exceed the authority delegated to the IDL director.
- Approve rulemaking and legislation for IDL.
- Review decisions of the IDL director upon appeal in contested matters.

## **2. Land Board Investment Subcommittee**

### ***a) Structure of the Investment Subcommittee***

The Land Board established and authorized the Subcommittee in December 2014. The current composition of the Subcommittee is one EFIB member (selected by the EFIB chair), the EFIB manager of investments, and the IDL director.

***b) General Roles and Responsibilities of the Investment Subcommittee***

The Investment Subcommittee provides review and advice to the Land Board. The primary purpose of the Investment Subcommittee is to coordinate ~~consideration of~~ investment issues that cross both the Land Assets and the Financial Assets, including the following:

- Administer the contract for the general consultant and other consultants, as assigned by the Land Board.
- Work with the general consultant to identify the Land Board’s advisor(s) and consultants, including the Land Investment Advisor(s), Land Acquisition Advisor(s), Commercial Real Estate Broker, and the Land Board’s Commercial Real Estate Investment Advisor.
- Work with the general consultant and recommend the Statement of Investment Policy and Asset Management Plan to the Land Board.
- Recommend policy regarding implementation of land exchanges on endowment lands.
- Recommend policy (consistent with Idaho Code § 58-133) regarding the use of proceeds from the disposal of assets (e.g., cabin sites, commercial real estate, grazing lands). This may include deposit in the Permanent Fund or holding of proceeds in the Land Bank Fund to acquire additional endowment land assets in Idaho (excluding commercial buildings consistent with past Land Board decision), access to currently owned endowment lands, or to block-up ownership of endowment lands.

**3. Use of Outside Experts**

The Land Board employs outside advisors and consulting firms to provide specialized expertise, assist IDL with transactions, and verify or review IDL’s and EFIB’s investment and operational activities and procedures.

***a) Non-Discretionary Investment Consultants***

The Land Board may hire a qualified independent consultant or consultants (including a general consultant) for strategic and annual plan reviews, review of new investment initiatives, investment policy development and review, asset allocation, advisor selection and monitoring, and performance measurement. Investment consultants will be fiduciaries with respect to the services provided and will act in a non-discretionary capacity with no decision-making authority.

***b) Commercial Real Estate Advisor***

The Land Board may use a commercial real estate advisor to advise on the Idaho commercial property portfolio or transition properties. The commercial real estate advisor will provide analysis and management expertise on the retention, leasing, disposition, and management of the properties. The commercial real estate advisor will be a fiduciary with respect to the services provided and act in a non-discretionary capacity with no decision-making authority.

***c) Land Acquisition Advisors***

The Land Board may use land acquisition advisors to source land acquisitions, facilitate completion of due diligence work, and make recommendations. Due diligence services may include appraisals, review appraisals, timber cruise and check cruise, financial evaluation, mineral and water right identification, encumbrance review, survey, and title review. Land acquisition advisors will be fiduciaries with respect to the services provided and act in a non-discretionary capacity with no decision-making authority.

**d) Land Investment Advisor**

The Land Board may use a land investment advisor(s) to independently review certain land investment decisions proposed by IDL (land disposal, land acquisition, exchange, and new tenant improvements) that are over ~~\$100,000~~ \$250,000. The land investment advisor will review the post-audit completed by IDL for transactions over \$1,000,000. The land investment advisor may be used for independent review of IDL procedures. The land investment advisor will be a fiduciary with respect to the services provided and act in a non-discretionary capacity with no decision-making authority.

**e) Auditor**

Idaho Code § 57-720 requires the Financial Assets of the endowment be reviewed by an independent auditor. The independent auditor also reviews the application of agreed upon procedures for the IDL income statement. To oversee this process, and any other audits it deems prudent, the Land Board has established the Land Board Audit Committee, consisting of the attorney general (or designee), the state controller (or designee), and three members of EFIB, appointed by its Chair.

## **B. Investment Governance and Investment Policy for the Financial Assets**

Idaho Code § 57-718 created EFIB which formulates policy for and manages the investment of the Financial Assets, which consists primarily of the invested revenues from the endowment lands. As permitted in Idaho Code § 57-720, the fund assets of all nine endowments, both Permanent Funds and Earnings Reserve Funds, may be combined in a single investment pool.

### **1. Mission of EFIB**

The mission of EFIB is to provide professional investment management services to its stakeholders consistent with its constitutional and statutory mandates.

### **2. Structure of EFIB**

Per Idaho Code § 57-718, EFIB consists of nine members appointed by the governor and confirmed by the Senate. These members are one state senator, one state representative, one professional educator, and six members of the public familiar with financial matters.

### **3. General Roles and Responsibilities of EFIB and Agents**

With a citizen board and small staff, EFIB will make strategic allocations and generally avoid making tactical calls. The Board and staff will concentrate on the following activities:

- Making strategic decisions, primarily concerning asset allocation.
- Establishing investment policy for the funds.

- Recommending Distribution Policy and transfers of Earnings Reserves to the Land Board.
- Establishing Distribution Policy for the Capitol Permanent Fund.
- Selecting, monitoring, and terminating investment managers, consultants, and custodians.
- Selecting and directing staff.
- Approving an investment management expense budget from Earnings Reserves for consideration by legislative appropriation.
- Overseeing a credit enhancement process to reduce interest rates on Idaho school bonds through the pledge of certain assets of the Public School Endowment Fund.
- Maintaining a reporting system that provides a clear picture of the status of the Financial Assets.

#### **4. Professional Staff**

EFIB will maintain a staff with investment expertise, including a Manager of Investments (MOI) who is a fiduciary to EFIB. The MOI is responsible for directing and monitoring the investment management of the Financial Assets.

#### **5. Use of Outside Experts**

The Financial Assets will be invested by professional investment firms. No funds will be managed internally. EFIB will also employ one or more outside consulting firms to provide specialized expertise and assist in, among other things, asset allocation, manager selection and monitoring, and performance measurement.

#### **6. Investment Policy Statement for Financial Assets**

EFIB will maintain a detailed Investment Policy that pertains specifically to the management and investment of the Financial Assets ([Appendix C](#)). The Land Board is not required to approve this investment policy as this duty is delegated to EFIB.

### **C. Investment Governance for Land Assets**

Idaho Code § 58-101 created IDL to serve as the internal investment and asset manager of the Land Assets of each trust. This role includes authorization to make certain investment decisions consistent with the established governance structure and includes day-to-day operating responsibilities for the Land Assets. This is in contrast to the EFIB structure where implementation and day-to-day decision making is delegated to external investment managers subject to approved guidelines and contracts.

The Land Assets include timberland, rangeland, farmland, commercial real estate, residential real estate, minerals, and oil and gas (collectively “Land Assets”) located in Idaho.

#### **1. Mission of IDL**

The mission of IDL is to professionally and prudently manage Idaho’s Land Assets to maximize long-term financial returns to public schools and other trust beneficiaries and to provide professional assistance to the citizens of Idaho to use, protect, and sustain their natural resources. ~~IDL also has various regulatory, technical assistance, and resource protection roles.~~

## 2. Structure of IDL

IDL operates under the direction of the Land Board and is the administrative arm of the Idaho Oil and Gas Conservation Commission. IDL is led by a director who is employed by and is directed by the Land Board. The director's staff includes a deputy director, a division administrator for Forestry and Fire (currently serves as State Forester), a division administrator for Trust Land Management, a division administrator for Minerals, Navigable Waters, and Oil & Gas, a division administrator for Operations, ~~a division administrator for Business Services~~, and a policy and communications chief—collectively, the executive staff. Each of the positions identified above supervises various professional, technical, and administrative support staff.

## 3. General Roles and Responsibilities

IDL manages more than 2.4 million acres of Idaho Land Assets (and additional acreage of retained mineral rights) under a constitutional mandate to maximize long-term financial returns for the sole benefit of public schools and certain other state institutions enumerated in statute.

The director and staff will concentrate on the following investment-related activities:

- Serving as the instrumentality of the Land Board.
- Implementing the strategic direction established by the Land Board concerning Land Assets.
- Making strategic decisions (where authorized) and providing recommendations to the Land Board concerning management of Land Assets.
- Establishing policies and procedures for IDL programs.
- Selecting and directing staff.
- Developing a land and resource management expense budget from Earnings Reserves for Land Board approval and consideration for legislative appropriation. Earnings Reserves is only a portion of the IDL budget.
- Monitoring and reporting progress toward strategic goals, including preparing an annual income statement following agreed upon procedures and calculating annual returns for major asset classes and all asset classes combined.

Decision-making authority for endowment land asset management resides with the Land Board except as delegated to the IDL director. Program management resides with the director's staff and their subordinates. IDL establishes policies and procedures for routine programmatic activities at the bureau and program levels.

IDL has delegated authority to approve the following:

- Normal timber sales that fall within established Land Board policies and salvage sales.
  - Exceptions include sales with clear-cut harvests over 100 acres; sales with development credits exceeding 50% of the net appraised value or 33% of the gross appraised value; and sales with written citizen concerns.

- Approval of certain routine land investment decisions. Routine land investment decisions include access acquisition, forest and range improvements, reforestation, and building maintenance.
  - Transactions <~~\$500,000~~ \$1,250,000 the IDL director may authorize.
  - Transactions >~~\$500,000~~ \$1,250,000 require Land Board approval.
- Approval of certain other land investment decisions. Other land investment decisions include land disposal, land acquisition, and new tenant improvements.
  - Transactions <~~\$100,000~~ \$250,000 the IDL director may authorize.
  - Transactions >~~\$100,000~~ \$250,000 require Land Board approval.

#### **4. Professional Staff**

IDL staff consists of trained professionals and technical experts in various fields, such as forestry, range, real estate, minerals, oil & gas, fire, accounting, finance, procurement, GIS, IT, and other specialties. IDL staff members who are involved with management of Endowment Assets or related accounting or financial management are fiduciaries.

#### **5. Use of Outside Experts**

IDL may use outside experts at its discretion and the Land Board's discretion. IDL may use the Land Board's expert advisors when in need of the special expertise provided by the advisors and when the use of a specific advisor will not conflict with the Land Board's use of the advisor. IDL may review information and recommendations provided to the Land Board by outside experts including the Commercial Real Estate Investment Advisor, Commercial Real Estate Broker, Land Acquisition Advisor(s), and the Land Investment Advisor(s). The chart in [Appendix D](#) below depicts the relationship between the Land Board, IDL, and outside experts.

### **D. Role of the Legislature**

The Idaho Legislature is responsible for the following:

- Enacting laws to establish the methodology for restoring losses to the Public School and Agricultural College funds.
- Appropriating Earnings Reserve Funds for operation of IDL and EFIB.
- Considering approved endowment distributions in setting beneficiary appropriations.
- Establishing the statutory structure for administration of endowment assets that is consistent with the nature of the trusts and the constitutional duties of the Land Board.

## **VII. Asset Class Policies for Land Assets**

### **A. Investment Objective for the Land Assets**

The primary objective for the Land Assets is the generation of maximum long-term return at a prudent level of risk using traditional land grant asset types. The Land Assets diversify the Financial Assets given

the low correlations of timberland and rangeland to public capital markets. The Land Assets also lower the volatility of the total investment portfolio considering timberland and rangeland returns have historically exhibited lower volatility than equity asset classes. During periods of negative financial returns, Land Assets can provide a positive revenue stream to help maintain Earnings Reserves and stable Endowment distributions.

Investment objectives are long-term return objectives. The investment objective for the land portfolio recognizes that timberland is a primary driver of the overall return for land and that income from timberland and, to a lesser degree, all other lands are the primary generator of investment returns. The individual investment objectives for timberland, rangeland, and farmland reflect the long-term investment characteristics (return, correlation, and volatility) compared to other asset classes. Investment objectives also consider the existing base of land holdings along with management constraints, notably sales restrictions, acreage limitations, and the rent-setting and leasing processes. The return objectives should not be viewed in isolation but in relationship to one another.

The Land Assets are managed to achieve a real net return target of at least 3% over a long-term holding period (Land Assets Return Objective). The Land Assets Return Objective includes both income and appreciation, is net of all asset level expenses and fees, net of internal management costs (e.g., the cost of IDL management), net of all fees and costs of program management (e.g., legal and audit), and net of inflation as measured by the Consumer Price Index. While the Land Assets Return Objective includes both income and appreciation, the return is expected to be generated primarily from income.

Specific investment objectives and guidelines for each land category are summarized below. The Land Board shall review periodically its expectations for the land categories and assess how the updated expectations affect the probability that the Endowment will achieve the established investment objectives.

## **B. Key Elements of the Land Strategy**

### **1. Active and Profitable Management**

Land Assets are actively managed based on profitability, which means that some parcels will be managed more intensively than others. The portfolio is managed by IDL and, except in unusual circumstances, no external managers are used. Active management includes the following primary activities:

- Maximize net income while protecting and enhancing the long-term value and productivity of the Land Assets. (IDL shall produce a quarterly income statement which allows for evaluation of income versus management and operating expenses by trust beneficiary, program, and asset class as a way to evaluate returns and profitability.)
- Acquire, through purchase or trade, land whose expected risk adjusted return meets or exceeds the return objectives outlined in this Statement and whose uses are aligned with IDL's management expertise.

- Dispose, through sale or trade, land whose expected long-term return does not meet the return objectives outlined in this Statement.
- Make incremental investments to enhance the value of existing assets when the expected risk adjusted return is favorable.

## **2. Leverage is Prohibited**

Debt is not used in acquisition of Land Assets. All assets are unencumbered by debt.

## **3. Diversification**

There is limited ability to diversify the Land Assets by geography, land type, investment style, investment manager (IDL is the sole manager), or vintage year since most Land Assets were acquired at statehood. Diversification of income source shall be pursued by encouraging multiple bidders for timber sales. There is limited opportunity to actively diversify the tenant base in rangeland, commercial real estate, residential real estate, farmland, and other land types that are leased since leases are simply awarded to the highest bidder.

Timberland shall be managed for age class and species diversity across the timberland asset to maximize long-term returns. An individual timber stand may have trees of similar age, but other timber stands represent other age classes, ensuring a relatively even flow of forest products over time. An even flow of various forest products is considered a priority to maintain a vibrant and diverse customer base to maximize the sale prices of timber over time and resulting income distributions. Offering a variety of timber sale sizes, types, and locations across the state also helps to maintain a diverse customer base. Geographic diversity of the land base and intensive forest management provide some protection against catastrophic fire, disease, and insect outbreak.

## **4. Illiquidity and Rebalancing**

Land Assets represent a large part of the total Endowment portfolio and are illiquid compared to publicly traded equities. Strategic rebalancing to maintain the total Endowment portfolio within the desired asset allocation ranges will be actively pursued where possible through sales, exchanges, and acquisitions. However, constitutional and statutory requirements regarding land sales and exchanges limit the ability to rebalance the Land Asset portion of the portfolio.

# **C. Timberland**

## **1. Definition**

Timberland is defined as land capable of growing successive crops of commercial forest products for harvest.

## **2. Overall Financial Objective and Benchmark**

The return on timberland comes from biological growth, upward product class movement, timber price appreciation and land price appreciation. The overall objective of timberland investments is to attain a real net income return of at least 3.35% over a long-term holding period. The net return target is net of



all asset level expenses and fees, net of internal management costs (e.g., the cost of IDL management), and net of all fees and costs of program management (e.g., legal and audit).

### **3. Allowable Investments**

Timberland in Idaho and investments in timberland improvements, including but not limited to planting seedlings, spraying, pre-commercial thinning, fertilization, intermediate silvicultural treatments, road construction, and maintenance projects are allowed, as are investments in easements or other means of achieving cost-effective access to productive timberlands.

New timberland acquisitions shall be subject to a thorough due diligence process (by IDL or a land advisor, consistent with the established governance structure) to determine the following:

- If the expected financial return generated by income exceeds the minimum hurdle rate of 3.35% real net;
- Whether the return profile is sufficient relative to the risk taken, including an analysis of the transaction in terms of long-term financial return and risk to the Endowment;
- Whether the transaction would facilitate improved management or improve the overall Endowment land ownership pattern in the area;
- The existence of any potential risks, including but not limited to environmental or title-related issues.

Parcels posing any significant risk as described in the due diligence analysis and those not meeting the minimum hurdle rate shall be avoided. The presence of minerals including sand and gravel can enhance the net return from timberland. Land Bank funds used for acquisition can only to be used on behalf of the endowment from which the funds originated. The minimum return requirement for new investments will be reviewed and updated as necessary based on the Strategic Reinvestment Plan.

New investments in timberland must be owned 100% by the endowment. Joint ventures are not allowed. Acquisition of land with a conservation easement in place is allowed provided the Land Board has full decision-making authority regarding implementation of land management practices.

### **4. Considerations**

Idaho Code § 58-133 requires that all state-owned lands classified as chiefly valuable for forestry, reforestation, recreation, and watershed protection be reserved from sale and set aside as state forests. Timberland can be exchanged but only for other timberland.

IDL has an established public involvement process, approved by the Land Board, which requires that annual timber sale plans be published and public comment opportunities be made available. Small sales (less than 1,000,000 board feet or less than \$150,000 in value) and salvage sales are exempt from the policy.

### **5. Management**

Timberland is directly managed by IDL. Management shall comply with all applicable laws, such as the Idaho Forest Practices Act. Management objectives include the following:

- Manage the timberland asset prudently, efficiently, and with accountability to the beneficiaries.
- Reduce risk and increase prospects for sustainable annual income.
- Achieve a rate of return consistent with policy objectives.
- Produce forest products that meet market demands.
- Identify and acquire additional timberlands that maintain or enhance the value of the timberland asset class.
- Identify and dispose of or transition underperforming timberland assets to increase economic performance and improve land asset diversity.
- Achieve financial and forest health objectives identified in the Asset Management Plan and the Forest Asset Management Plan.

## **6. Valuation**

The land expectation value (LEV) method (constant real annual cash flow / real annual discount rate) approach or other commercially acceptable methods approved by the Land Board shall be used for the valuation of the timberland asset class. The timberland asset class shall be valued using the LEV method every three years by an independent expert for the purpose of calculating program returns, not for the purpose of acquisition or disposition of specific timberland parcels. MAI appraisals must be used for valuation of individual parcels in the event of an exchange.

## **7. Monitoring Standards**

IDL will report cash flows for the timberland asset class to the general consultant for performance reporting purposes. The reporting will follow institutional reporting standards and conventions. Income, appreciation (based on LEV), and total return shall be calculated by the general consultant. All return calculations will be net of all fees and expenses of managing the asset class. The most recent independent valuation will be adjusted for capital expenditures, sales, and acquisitions during the reporting period.

## **D. Rangeland**

### **1. Definition**

Rangeland is defined as lands supporting natural vegetation—generally grasses, forbs, and small brush suitable for grazing by domestic livestock and wildlife.

### **2. Overall Financial Objective and Benchmark**

The overall objective of rangeland investments is to attain a positive real net return over a long-term holding period. The positive real net rate of return includes primarily income and is net of all asset level expenses and fees, net of internal management costs (e.g., the cost of IDL management), net of all fees and costs of program management (e.g., legal and audit) and net of inflation as measured by the Consumer Price Index. Given its low expected return, rangeland is not an institutional asset class.

### **3. Allowable Investments**

Additional investment may take the form of investments in rangeland improvements and easements or other means of access to improve productivity. Rangeland improvements refers to actions that improve

the manageability and productivity of the asset including but not limited to fencing, weed control, access improvement, and water development.

New investments in Rangeland are not anticipated or being actively targeted. Should a new investment opportunity arise, it shall be subject to a thorough due diligence process (by IDL or a land advisor, consistent with the established governance structure) to determine the following:

- ~~If the expected financial return generated by income exceeds the minimum hurdle rate of a 3.35% real net return;~~
- Whether the return profile is sufficient relative to the risk taken, including an analysis of the transaction for long-term financial return and risk to the Endowment;
- Whether the transaction would facilitate improved management or improve the overall Endowment land ownership pattern in the area;
- The existence of any potential risks, including but not limited to environmental or title-related issues.

Parcels posing any significant risk as described in the due diligence analysis shall be avoided, and those not meeting the minimum hurdle rate shall be avoided. Land Bank funds used for acquisition can only to be used on behalf of the endowment from which the funds originated. ~~The minimum return requirement for new investments will be reviewed and updated as necessary based on the Strategic Reinvestment Plan.~~

#### **4. Considerations**

Idaho Code § 58-138 requires that the written agreement of a lessee be obtained prior to entering into an exchange involving leased lands.

Rangeland may ~~be sold or exchanged~~ exchanged or sold subject to acreage limitations—a lifetime maximum of 320 acres may be sold to any one individual, company, or corporation. For rangeland, this limitation is a significant barrier to repositioning or reducing the size of the rangeland portfolio given its size at over 1.4 million acres. Any disposal of rangeland should consider its optionality for future conversion to a higher and better use, including reclassification and potential mineral extraction. Some endowments are restricted to a lifetime maximum of 160 acres sold to any one individual, company, or corporation. Article IX of the Idaho Constitution describes the limitations on the sale of endowment land.

#### **5. Management**

Rangeland is directly administered by IDL. Livestock forage productivity and availability varies significantly across the state due to factors such as climate, vegetation types, topography, and access to water. Some Endowment parcels are of sufficient size and productivity to stand alone as a grazing unit; however, most are managed in a manner consistent with adjoining federal and private lands because of normal livestock and grazing management practices. Some rangeland parcels are leased in combination with timberland uses. The presence of minerals such as sand and gravel can enhance the net return from rangeland. Management objectives for rangeland include the following:

- Manage the rangeland asset prudently, efficiently, and with accountability to the beneficiaries.
- Develop and manage long-term grazing leases that achieve a rate of return consistent with policy objectives and market rates.
- Identify and dispose of or transition underperforming rangeland assets to increase economic performance and improve land asset diversity.
- Minimize contractual and environmental risks.
- Identify programmatic or statutory changes that maximize income.
- Achieve objectives identified in the Asset Management Plan and the Grazing Program Business Plan.

## **6. Valuation**

The land expectation value (LEV) method (constant real annual cash flow/real annual discount rate) approach shall be used for the valuation of rangeland. Rangeland shall be valued using the LEV method every three years by an independent expert. MAI appraisals must be used for individual parcels in the event of an exchange or sale.

## **7. Monitoring Standards**

IDL will report cash flows for the rangeland asset class to the general consultant for performance reporting purposes. The reporting will follow institutional reporting standards and conventions. Income, appreciation, and total return shall be calculated by the general consultant. All return calculations will be net of all fees and expenses of managing the asset class. The most recent independent value will be adjusted for capital expenditures, sales, and acquisitions during the reporting period.

## **E. Residential Real Estate**

### **1. Definition**

Idaho has leased residential sites since 1932. These properties are vacant endowment land where lessees are authorized to construct and own improvements, typically cabins and single-family homes. Parcels in asset classes such as timberland and rangeland may transition to residential real estate and be reclassified as development occurs in the vicinity.

### **2. Overall Financial Objective and Benchmark**

Leases shall be at least 4% of the appraised value depending on the length of the lease term. The overall objective of residential real estate investments is to attain, for each sale, net distributions to the endowment that are at or above appraised value and cover all costs of the sale and internal management costs.

### **3. Allowable Investments**

The Land Board and IDL are implementing a disposition strategy for the residential portfolio subject to a long-term plan that was approved in December 2010 ~~and subsequently~~, revised in 2016, and revised again in 2022. Future investment in cottage sites is not allowed with the exception that current land may be transitioned to residential real estate.

#### **4. Considerations**

While the Land Board has directed a disposition strategy for the residential portfolio, complete disposition is unlikely in the next five years. The viability of an ongoing lease program, with consideration of ongoing related expenses, shall be evaluated by IDL and reviewed by the Land Board as the current disposal process is completed. As stated previously, land currently in other asset classes may transition to residential real estate, resulting in an ongoing portfolio of residential real estate.

#### **5. Management**

Cottage sites are directly managed by IDL. Management objectives include the following:

- Execute the approved Cottage Site Plan to unify the estate in a business savvy manner to maximize return to the endowments.
- For the duration of the cottage site leasing program, develop and manage residential leases that appropriately compensate the endowments.
- Identify additional high-value (undeveloped) residential real estate for potential auction to maximize return to the endowments.
- Identify and transition residential real estate that may return more value to the trust if transitioned to a higher and better use.

#### **6. Valuation**

All properties will be appraised to establish lease rates prior to sale. Until reappraisal, existing appraisal data will be used for valuation of the asset class.

#### **7. Monitoring Standards**

IDL will report cash flows for the residential real estate asset class to the general consultant for performance reporting purposes. The reporting will follow institutional reporting standards and conventions. Income, appreciation, and total return shall be calculated by the general consultant. All return calculations will be net of all fees and expenses of managing the asset class. The most recent independent value will be adjusted for capital expenditures, sales, and acquisitions during the reporting period.

### **F. Farmland**

#### **1. Definition**

Farmland is defined as land under cultivation or capable of being cultivated. The farmland asset includes lands used for cultivating grains, vegetables, and hay, as well as vineyards and orchards.

#### **2. Overall Financial Objective and Benchmark**

The overall objective of farmland investments is to attain a real net return of 4% over a long-term holding period. The rate of return includes both income and appreciation, is net of all asset level expenses and fees, net of internal management costs (e.g., the cost of IDL management), net of all fees and costs of program management (e.g., legal and audit), and net of inflation as measured by the Consumer Price Index.

### 3. Allowable Investments

Investments in Idaho farmland, improvements such as irrigation or structures, and easements or other means of access to productive farmlands are allowed.

New investments in farmland are not anticipated ~~or being actively targeted; however, opportunistic purchases will be considered.~~ Should a new investment opportunity arise, it ~~New investments~~ shall be subject to a thorough due diligence process (by IDL or a land advisor, consistent with the established governance structure) to determine: ~~if the expected financial return from income and appreciation exceeds the minimum hurdle rate of 4.5% real net and~~

- Whether the return profile is sufficient relative to the risk taken, including an analysis of the transaction for long-term financial return and risk to the Endowment;
- The existence of any potential risks, including but not limited to environmental or title-related issues.

~~whether the return profile is sufficient relative to the risk taken. The due diligence process includes an analysis of to analyze the transaction in terms of long-term financial return and risk to the Endowment and determines the existence of any potential risks including but not limited to environmental or title-related issues.~~ Parcels posing any significant risk as described in the due diligence analysis ~~and those not meeting the minimum hurdle rate~~ shall be avoided.

Land Bank funds used for acquisition can only to be used on behalf of the endowment from which the funds originated. ~~The minimum return requirement for new investments will be reviewed and updated as necessary based on the Strategic Reinvestment Plan.~~

Investments in farmland must be owned 100% by the Endowment. Joint ventures are not allowed. Acquisition of land with a conservation easement in place is allowed provided the Land Board has full decision-making authority regarding implementation of land management practices.

### 4. Considerations

Farmland may be sold or exchanged subject to acreage limitations—a lifetime maximum of 320 acres may be sold to any one individual, company, or corporation (160 acres for the University endowment). Article IX of the Idaho Constitution describes the limitations on the sale of endowment land.

### 5. Management

The asset class is directly managed by IDL through agriculture leases which may be cash, crop share, or flex with adjustment based on yield or price. Some agriculture parcels are leased in combination with grazing uses. Management objectives include the following:

- Achieve return consistent with policy objective.
- Focus on income and current cash yield through the management of existing properties. Cash lease structure will be preferred.
- Enroll endowment lands in federal agricultural programs when appropriate.

- Achieve objectives identified in the Asset Management Plan for Endowment Assets (and any related plans developed) and the Farmland Program Business Plan.

## **6. Valuation**

The portfolio will be valued using NASS Farmland Data. This is appropriate as farmland holdings are a small portion of the Endowment Assets. All properties shall be valued by an MAI appraiser prior to sale.

## **7. Monitoring Standards**

IDL will report cash flows for the farmland asset class to the general consultant for performance reporting purposes. The reporting will follow institutional reporting standards and conventions. Income, appreciation, and total return shall be calculated by the general consultant. All return calculations will be net of all fees and expenses of managing the asset class. The most recent independent value will be used adjusted for capital expenditures, sales, and acquisitions during the reporting period.

## **G. Idaho Commercial Real Estate**

### **1. Definition**

Idaho Commercial Real Estate is a discrete portfolio of office buildings, parking lots, retail, and other transition land properties located in Idaho.

### **2. Overall Financial Objective and Benchmark**

The majority of the Idaho Commercial Real Estate portfolio was sold as recommended by the Commercial Real Estate Advisor and approved by the Land Board in February 2016. Of the properties identified in the 2016 sales plan that did not sell, IDL will continue to pursue prudent disposition as recommended. Certain properties may be retained by the Land Board for strategic purposes. Additional properties may transition to the commercial real estate portfolio from other asset classes.

### **3. Allowable Investments**

~~Effective~~ Per Land Board direction from December 2014, no new Idaho Commercial Real Estate properties may be acquired. There may be expenditures to maintain or re-position existing properties in preparation for sale or lease. Leasing of existing endowment lands for commercial and industrial purposes will continue, as will transition of lands into commercial real estate from other asset classes.

### **4. Management**

The portfolio is overseen by IDL and managed primarily through outside agents, including hiring and oversight of property managers and leasing agents, approving leases and budgets, approving capital expenditures, and executing capital plans. The Commercial Real Estate Advisor may be used to assist in advising, hiring, and managing property managers.

### **5. Valuation**

All properties will be valued by appraisal prior to sale. In the interim, the value established by the Commercial Real Estate Advisor will be used for performance measurement and evaluation purposes.

## **6. Monitoring Standards**

IDL will report cash flows for the commercial real estate asset class to the general consultant for performance reporting purposes. The reporting will follow institutional reporting standards and conventions. Income, appreciation, and total return shall be calculated by the general consultant. All return calculations will be net of all fees and expenses of managing the asset class. Property will be valued using a combination of appraised values and values established by the Commercial Real Estate Advisor. The most recent independent value will be adjusted for capital expenditures, sales, and acquisitions during the reporting period.

## **H. Minerals/Oil & Gas**

### **1. Definition**

Mineral resources are concentrations of materials that are of economic interest in or on the crust of the earth. Oil and gas reserves and resources are defined as volumes that will be commercially recovered in the future.

### **2. Overall Financial Objective and Benchmark**

The asset class will be managed prudently to maximize financial return while complying with all applicable laws and regulations. Royalty payments are transferred to the Permanent Fund while other payments, such as lease or bonus payments, go to the Earnings Reserve Fund.

### **3. Allowable Investments**

Acquisition of mineral rights together with or independent of surface rights is allowed. Acquisition of mineral rights together with surface rights is preferred to avoid a split estate. Acquisition of mineral rights is expected to occur primarily through land exchanges.

### **4. Management**

The asset class is directly managed by IDL, and management shall comply with all applicable federal and state statutes, such as the federal Clean Water Act, Idaho Surface Mining Act, Oil and Gas Conservation Act, and Idaho Dredge and Placer Mining Protection Act. Management objectives include the following:

- Manage the mineral asset prudently, efficiently, and with accountability to the endowments.
- Minimize contractual and environmental risks associated with extractive industries.
- Lease lands for potential mineral products that capitalize on market demands.
- Retain mineral rights when land parcels are disposed.
- Seek opportunities to unify the mineral estate.
- Identify programmatic or statutory changes that maximize income from mineral assets.

### **5. Valuation**

The value of Idaho's mineral estate is unknown at this time. Determining the type and volume of locatable minerals in Idaho could be achieved with a cooperative effort between the Idaho Department of Lands, Idaho Geological Survey, and the mineral industry.



## **6. Monitoring Standards**

IDL will report cash flows for the minerals asset class to the general consultant for performance reporting purposes. All net income calculations will be net of all fees and expenses of managing the asset class. Because receipts from minerals extracted flow directly to the Permanent Fund, they are not included in IDL's report of return on assets. The receipts are reported in IDL's annual report.

### **I. Transition of Lands**

#### **1. Definition**

Lands within traditional asset classes already owned by the Endowment may become suitable for a higher and better use than the current asset classification. Often these properties exhibit high property values and low annual revenues and may be encroached upon by urban development. The major data sources used to identify lands suitable for transition may include:

- Appraised values above the value normally indicative of the current use.
- Regional land-use planning studies.
- Resource trends and demographic changes.

#### **2. Overall Financial Objective and Benchmark**

The objective for lands identified as potential transition lands will be to lease the parcels, typically for commercial and/or industrial uses, or sell the parcels. Evaluation of the options for lease or sale will be completed on a case-by-case basis. Once the land is transitioned, it will be included under the predominant revenue producing asset class.

#### **3. Allowable Investments**

Lands suited for transition are those currently owned by the endowments. Lands should not be acquired where the primary reason for acquisition is transition, though transition lands may exist within an acquisition. In select cases, improvements such as obtaining zoning and other entitlements may be pursued for ground leasing purposes, to maximize value, or to ready the parcel for sale.

Investment in improvements shall be subject to a thorough due diligence process (by IDL or a land advisor, consistent with the established governance structure) to determine the long-term financial return and risk to the Endowment; whether the return profile is sufficient relative to the risk taken; whether the transaction would facilitate improved management; and the existence of any potential risks including but not limited to environmental or title-related issues. Investments in improvements posing any significant risk as described in the due diligence analysis shall be avoided.

#### **4. Management**

Transitional activities will focus first on land at the high-end of market values (best markets) and then on land possessing best market potential within the next five to ten years (emerging markets). Transition plans will identify land holdings in the best markets, identify emerging markets, and, to the extent practical, parcels held in these markets. Land holdings in the best markets will also include a plan for achieving value potential. Timely disposition of parcels suitable for transition will be a management

objective to increase asset value and, where the parcels are not income-producing, reduce their “drag” on performance.

Underperforming assets may also present transition opportunities. IDL will identify and analyze such lands to determine the best solution to resolve the underperformance. Such analysis will consider:

- Whether management costs can be minimized;
- Whether the lands can be managed differently to increase performance;
- Whether the parcel has the potential for a higher and better use; and
- Whether the endowment is the best long-term owner of the asset.

## **5. Valuation**

Properties suitable for transition will be valued based on the traditional asset class to which they belong or as transitioned. Properties will be valued by appraisal prior to sale or on a predetermined schedule pursuant to the terms of the lease or other approved plan.

## **6. Monitoring Standards**

IDL will report cash flows for the lands suitable for transition, together with the asset class in which the lands currently exist, to the general consultant for performance reporting purposes. Lands with potential for transition currently classified as rangeland will be monitored and reported as part of the rangeland asset class. The reporting will follow institutional reporting standards and conventions. Income, appreciation, and total return shall be calculated by the general consultant. All return calculations will be net of all fees and expenses of managing the asset class. The most recent independent value will be used adjusted for capital expenditures, sales, and acquisitions during the reporting period.

## **J. Land Bank**

### **1. Definition**

The Land Bank Fund (Land Bank) exists to hold the proceeds from the sale of state endowment land (pending the purchase of other land) or to transfer to the Financial Assets for the benefit of the endowment beneficiaries, per Idaho Code § 58-133.

### **2. Overall Financial Objective and Benchmark**

The Land Board does not control the investment of the funds held in the Land Bank. The Land Bank is invested by the State Treasurer under a financial objective or benchmark established by the Treasurer.

### **3. Considerations**

Funds deposited in the Land Bank, including interest, are continually appropriated to the Land Board. If the funds have not been utilized for land acquisition within five years, they are transferred to the Permanent Fund of the appropriate endowment unless the five-year time limit is extended by the legislature.

Land Bank funds may be used to acquire lands within traditional asset classes. Land Bank funds may also be used to secure access to endowment lands through purchase of easements or parcels of land. When purchasing a parcel of land to obtain access, the acquired parcel may in some cases produce minimal financial return. An easement may represent an expense without any resulting income directly related to the acquisition. In those cases, the evaluation of the acquisition and the projected returns would consider the additional net income that can be attributed to the access secured, rather than the financial return of only the access parcel.

#### **4. Allowable Investments**

Land Bank funds are invested by the State Treasurer in the IDLE pool. IDLE funds are invested according to the IDLE Investment Policy.

#### **5. Management**

IDL, in its capacity as the administrative arm of the Land Board, manages deposits to and withdrawals from the Land Bank. Fees for investment management are deducted by the Treasurer.

#### **6. Valuation**

The Land Bank is valued by the State Treasurer.

#### **7. Monitoring Standards**

IDL will report balances and cash flows for the Land Bank to the general consultant for performance reporting purposes. The reporting will follow institutional reporting standards and conventions. Income, appreciation, and total return shall be calculated by the general consultant. All return calculations will be net of all fees and expenses of managing the asset class. Transaction history will be used to account for expenditures and deposits into the Land Bank. For purposes of transparency, the balance in the Land Bank shall be reported as a contingent asset in the notes of the financial statements for the Financial Assets.

## **VIII. Distribution Policy**

### **A. Objectives**

The ultimate purpose of Idaho's land grant endowments is to provide a perpetual stream of income to the beneficiaries. To guide the determination of future distributions for Idaho endowments, the following objectives, in priority order, are established by the Land Board:

- Avoid reductions in total endowment distributions.
- Maintain adequate Earnings Reserves to protect distributions from temporary income shortfalls.
- Grow distributions and permanent corpus faster than inflation and population growth.

## **B. Considerations**

In determining distributions, the Land Board, with assistance from EFIB, considers the following for each endowment:

- Actual and expected return on the fund and income from the land.
- Expected volatility of fund and land income.
- Adequacy of distributable reserves to compensate for volatility of income.
- Each beneficiary's ability to tolerate declines in distributions.
- Need for inflation and purchasing power protection for future beneficiaries.
- Legal restrictions on spending principal.

## **C. Policy Description**

Based on the above objectives and considerations and the expected returns of the entire portfolio (lands and funds), the Land Board establishes the following Distribution Policy:

- Distributions are determined individually for each endowment (currently 5% for all endowments except State Hospital South at 7%).
- Distributions are calculated as a percent of the three-year rolling average Permanent Fund balance for the most recently completed three fiscal years. The Land Board may adjust this amount depending on the amount in the Earnings Reserves, transfers to the Permanent Fund, and other factors.
- The levels of Earnings Reserves deemed adequate for future distributions are:
  - 7 years – All endowments (Public School, Agricultural College, Charitable Institutions, Normal School, Penitentiary, School of Science, State Hospital South, and University of Idaho)
- The Land Board may transfer any balance in an Earnings Reserve Fund in excess of an adequate level to the corresponding Permanent Fund and designate whether the transfer will or will not increase the Gain Benchmark.
- The principal of the permanent endowment funds, adjusted for inflation, will never be distributed, to protect the future purchasing power of the beneficiaries.

The Distribution Policy was developed based on many analyses, assumptions, and constraints, and its administration requires interpretation of nuances. EFIB has documented these in the Distribution Principles included in [Appendix F](#).

# **IX. Monitoring and Reporting**

## **A. Philosophy**

The Land Board and its agents shall use a variety of compliance, verification, and performance measurement tools to monitor, measure, and evaluate how well the Endowment Assets are being

managed. Monitoring, reporting, and evaluation frequencies shall range from real-time performance to daily, weekly, monthly, quarterly, semi-annual, and annualized performance.

The Land Board seeks to answer three fundamental fiduciary questions through the performance monitoring and reporting system:

- Are the assets being prudently managed? More specifically, are assets being managed in accordance with established laws, policies, and procedures, and are IDL and EFIB (and by extension the EFIB's investment managers) in compliance with established policies and their mandates?
- How have the assets performed relative to Land Board approved investment objectives?
- Are the assets being profitably managed? More specifically, has performance affected distributions positively and advanced security of the corpus?

## **B. Deviation from Policies**

If there is a deviation from Land Board investment policies, the IDL and EFIB staff are required to provide the Land Board with a report explaining how the deviation was discovered, the reasons for the deviation, and the impact on endowment performance, if any, and steps taken to mitigate future instances.

## **C. Financial Assets**

### **1. Reporting at EFIB Level<sup>1</sup>**

The EFIB Investment Policy requires that performance reports be generated by the investment consultant at least quarterly and communicated to EFIB staff and the EFIB Board. The investment performance of the total Financial Assets, as well as asset class components, will be measured against commonly accepted performance benchmarks as outlined in the EFIB Investment Policy. Consideration shall be given to the extent to which the investment results are consistent with the investment objectives, goals, and guidelines as set forth in this statement.

Investment managers shall be reviewed regularly, by EFIB staff and the general fund consultant, regarding performance, personnel, strategy, research capabilities, organizational and business matters, and other qualitative factors that may impact their ability to achieve the desired investment results.

### **2. EFIB Reporting to the Land Board**

Each month, EFIB staff will provide the following to the Land Board:

- Investment performance, both absolute and relative to benchmark.
- An evaluation of the sufficiency of Earnings Reserve balances (measured by coverage ratio: reserve balance divided by the distribution).
- A summary of any significant actions by EFIB.

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<sup>1</sup> EFIB Investment Policy (see [Appendix C](#)). Management and approval of this policy is a duty delegated to EFIB.

- Any compliance/legal issues, areas of concern, or upcoming events.

Part-way through the fiscal year, typically at the May meeting, EFIB shall provide the Land Board with a brief financial summary of fiscal year-to-date activity.

After the end of the fiscal year, typically at the November meeting, EFIB shall provide the Land Board with the following:

- A financial summary for the recently completed fiscal year.
- The report of the Land Board Audit Committee regarding control deficiencies identified by the independent auditor.
- An update on EFIB's Strategic Plan.
- Investment performance for the fund versus strategic (longer-term) measures.
- A report on EFIB meetings, including number of meetings and attendance.

## **D. Land Assets**

### **1. IDL Internal Processes**

IDL staff shall report to the director using the standard reports as described below that are provided to the Land Board. All of the information is reviewed by the director prior to submission to the Land Board.

Each program administered by IDL is managed by a bureau chief and a program manager. Policies and procedures governing daily activities are in place at the bureau or program level but are generally implemented by operations staff.

Decisions related to routine investment and management decisions are typically made at the area office level (or program level) with review by both the operations chiefs and bureau chiefs, subject to the established governance structure.

In the case of more complex investment and management decisions, staff involvement typically includes area office staff, operations chiefs, bureau chiefs, and executive staff to assure adequate due diligence and independent review. More than one member of the executive staff is likely to be involved in the analysis of the information and the final decision. Where necessary, the director retains final decision-making authority as delegated by the Land Board and described in the established governance structure.

### **2. IDL Reporting to the Land Board**

Each month, IDL reports the following:

- Trust Land Management Division activity and information including timber sale revenue and activity and non-timber revenue and activity.
- Updates for ongoing special projects as needed.
- Legal and compliance issues and their status.
- Information necessary for Land Board review and approval of specific items.

IDL also reports the Land Bank Fund balance to the Land Board quarterly.

As previously described, IDL functions under the authority of the Land Board with the Land Board having final approval of many of IDL's policies and management decisions, up to and including review and approval of the IDL budget request prior to submission.

Each month, IDL brings matters forward for Land Board review and approval. Items are discussed first with senior Land Board staff members then placed on the consent agenda, where routine items may be approved without discussion, or the regular agenda, which addresses policy and programmatic items the Land Board may wish to discuss prior to making a decision.

Certain confidential matters may be presented for the Land Board in executive session at the discretion of the Land Board, pursuant to Idaho Code § 74-206.

IDL also produces an annual report to the Land Board, the state affairs committees of the legislature, as well as the public. IDL's overall strategic plan is updated annually and presented to the Land Board prior to submission to the Division of Financial Management.

The Land Board requires IDL staff to prepare and deliver an Asset Management Plan and Business Plans for each land type that explain how the Land Assets will be managed to achieve the Land Board approved investment objectives. This provides the Land Board a focused opportunity to:

- Question and comment on IDL staff's investment and management plans.
- Request additional information and support about IDL staff's investment and management intentions.
- Express its confidence and approval in the Strategic Plan, Asset Management Plan, and Business Plans.

The Land Board requires certain IDL procedures to be audited every 3-5 years:

- Land Transactions >\$1,000,000 shall be subject to a post-audit every ~~three (3)~~ five (5) years, and the Land Board's Land Investment Advisor shall review such post-audit and provide a report to the Land Board.

## **E. Total Endowment**

Performance reports generated by the general consultant shall be compiled annually for review by the Land Board. The investment performance of the Endowment, as well as asset class components, will be measured against performance benchmarks outlined in this Statement of Investment Policy and the EFIB Investment Policy.

## X. Key Documents

To assist the Land Board, EFIB Staff, and IDL Staff, the following key documents will be produced or reviewed according to the schedule in Exhibit 2.

### Exhibit 2: Key Documents

Document Name	Document Source	Review Schedule
<b>Performance Review of Fund</b>	General Consultant and EFIB Staff	Monthly and Quarterly
<b>Performance Review Total Endowment</b>	General Consultant, IDL Staff, and EFIB Staff	Annually
<b>Statement of Investment Policy</b>	General Consultant, IDL Staff, and EFIB Staff <i>Reviewed by Investment Sub-Committee</i>	Annually
<b>IDL Program Business Plans</b>	IDL Staff	1-5 Years as specified in each plan
<b>IDL Asset Management Plan</b>	IDL Staff	Every 5 Years
<b>Strategic Reinvestment Plan</b>	General Consultant <i>Reviewed by Investment Sub-Committee</i>	Every 3 Years
<b>IDL Strategic Plan</b>	IDL Staff	Annually
<b>Asset Allocation</b>	General Consultant	Every 8 years
<b>Monthly Timber Sale Activity Report</b>	IDL Staff	Monthly
<b>Annual Timber Sale Plan</b>	IDL Staff	Annually
<b>Ten Year Forecast of Land Income</b>	IDL Staff	Annually
<b>IDL Annual Budget</b>	IDL Staff	Annually
<b>EFIB Strategic Plan</b>	EFIB Staff	Annually
<b>EFIB Meeting Report</b>	EFIB Staff	Annually
<b>Audit Committee Report</b>	Audit Committee	Annually



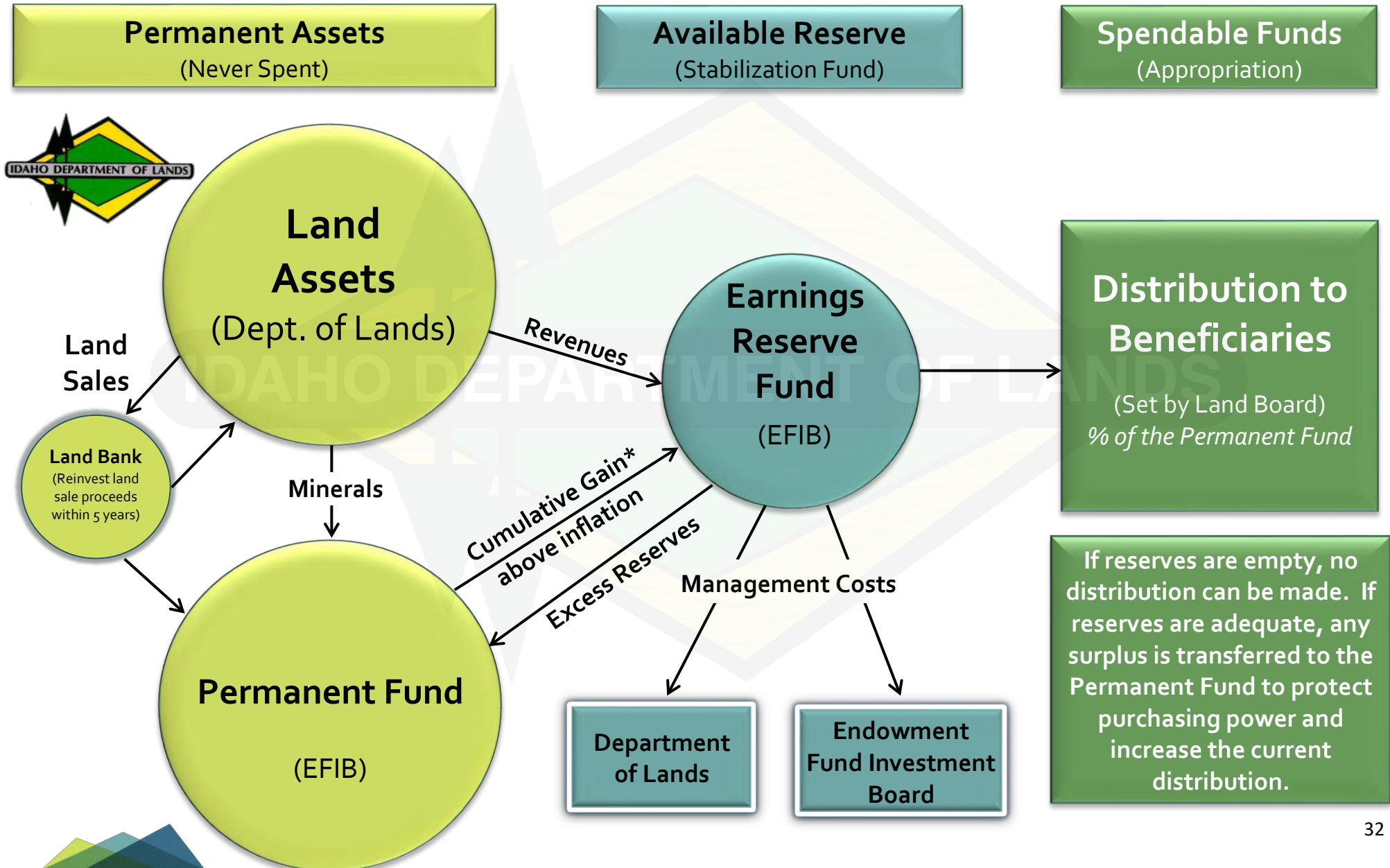
## **XI. Appendices:**

- A. Structure of the Endowment**
- B. Constitution and State Statutes**
- C. EFIB Investment Policy**
- D. Use of External Advisors**
- E. Decision-Making Structure Chart**
- F. EFIB's Distribution Principles**

The logo for the Idaho Department of Lands is centered on the page. It features a stylized mountain range in the background, with a central diamond shape containing a green field and yellow wavy lines representing water. A horizontal banner across the middle of the logo contains the text "IDAHO DEPARTMENT OF LANDS" in white, uppercase letters.

**IDAHO DEPARTMENT OF LANDS**

# STRUCTURE OF IDAHO'S ENDOWMENT ASSETS



## **B. Constitution and State Statutes**

### **Constitution of the State of Idaho**

#### [ARTICLE IX](#) EDUCATION AND SCHOOL LANDS

[SECTION 3](#) PUBLIC SCHOOL PERMANENT ENDOWMENT FUND TO REMAIN INTACT

[SECTION 4](#) PUBLIC SCHOOL PERMANENT ENDOWMENT FUND DEFINED

[SECTION 7](#) STATE BOARD OF LAND COMMISSIONERS

[SECTION 8](#) LOCATION AND DISPOSITION OF PUBLIC LANDS

[SECTION 10](#) STATE UNIVERSITY – LOCATION, REGENTS, TUITION, FEES, AND LANDS

[SECTION 11](#) INVESTING PERMANENT ENDOWMENT FUNDS

### **Idaho Statutes**

#### [TITLE 57](#) PUBLIC FUNDS IN GENERAL

[CHAPTER 7](#) INVESTMENT OF PERMANENT ENDOWMENT AND EARNINGS RESERVE FUNDS

#### [TITLE 58](#) PUBLIC LANDS

[CHAPTER 1](#) DEPARTMENT OF LANDS

[CHAPTER 2](#) INDEMNITY LIEU LAND SELECTIONS

[CHAPTER 3](#) APPRAISEMENT, LEASE, AND SALE OF LANDS

[CHAPTER 4](#) SALE OF TIMBER ON STATE LANDS

[CHAPTER 5](#) STATE PARKS AND STATE FORESTS

[CHAPTER 6](#) RIGHTS OF WAY OVER STATE LANDS

[CHAPTER 12](#) PUBLIC TRUST DOCTRINE

[CHAPTER 13](#) NAVIGATIONAL ENCROACHMENTS

**c. EFIB Investment Policy** Note: Entire policy updated with 2023 version

**ENDOWMENT FUND INVESTMENT BOARD**

**D. Commingled Pool Investment Policy**

**Date Established: 2000**

**Last Reviewed: September 2023**

**Last Revised: September 2023**

**This Statement of Investment Policy is applicable to:**

Public School Permanent Fund and Earnings Reserve Fund

Agricultural College Permanent Fund and Earnings Reserve Fund

Charitable Permanent Fund and Earnings Reserve Fund

Normal Schools Permanent Fund and Earnings Reserve Fund

Penitentiary Permanent Fund and Earnings Reserve Fund

School of Science Permanent Fund and Earnings Reserve Fund

State Hospital South Permanent Fund and Earnings Reserve Fund

University Permanent Fund and Earnings Reserve Fund

Capitol Permanent Fund and Maintenance Reserve Fund

Department of Environmental Quality Bunker Hill Endowment Fund Trust

Department of Environmental Quality Asarco Endowment Fund Trust

Department of Environmental Quality Hecla Endowment Fund Trust

Department of Fish & Game Southern Idaho Mitigation Endowment Trust

Department of Fish & Game Craig Mountain Wildlife Mitigation Trust

Department of Fish & Game Blackfoot Wildlife Mitigation Trust

Department of Fish & Game North Idaho Wildlife Mitigation Trust

Department of Fish & Game North Idaho Wildlife Mitigation Operational Trust

Department of Parks & Recreation Ritter Island Endowment Fund

Department of Parks & Recreation Trail of the Coeur d'Alene's Endowment Fund

Idaho Department of Lands - Forest Legacy Stewardship Endowment Funds

### **Statement of Philosophy**

This statement of investment policy is set forth by the Endowment Fund Investment Board (EFIB) to:

- Define and assign the responsibilities of all involved parties;
- Establish a clear understanding for all involved parties of the investment goals and objectives of Fund assets;
- Offer guidance and limitations to all involved parties regarding the investment of Fund assets;
- Establish a basis for evaluating investment results;
- Manage Fund assets according to the prudent investor rule; and,
- Establish the relevant investment horizon for which the Fund assets will be managed.

### **Statement of Investment Policy**

To assure continued relevance of the guidelines, objectives, financial status and capital market expectations as established in this statement of investment policy, the EFIB will review the policy annually.

### **Investment Objectives**

In order to meet its objectives, the investment strategy of the EFIB is to emphasize total return; that is, the aggregate return from capital appreciation, dividend and interest income. The primary objectives are:

- To maintain the purchasing power of the Fund. In order to maintain fair and equitable inter-generational funding, state statute has mandated that the real value of the corpus be protected from inflation;
- To maximize total return over time at an acceptable level of risk;
- To provide relatively smooth and predictable distributions to the beneficiaries; and
- To maintain sufficient liquidity for anticipated expenditures.

## General Investment Principles

- Investments shall be made solely in the interest of the beneficiaries of the Funds;
- The Funds shall be invested with the care, skill, prudence, and diligence under the circumstances then prevailing that a prudent expert acting in like capacity and familiar with such matters would use in the investment of a fund of like character and with like aims;
- Investment of the Funds shall be diversified as to minimize the risk of large permanent losses.
- The EFIB will employ one or more investment managers of varying styles and philosophies to support the Funds' objectives;
- Cash is to be employed productively at all times by investment in short-term cash equivalents to provide safety, liquidity, and return; and,
- The investment manager(s) should at all times be guided by the principles of "best execution" when trading securities and acting in the Funds' best interests are the primary consideration.

## Assignment of Responsibility

- Responsibility of the Manager of Investments ("MOI") - The MOI serves as a fiduciary and is empowered by the Board to make certain decisions and take appropriate action regarding investment of the Funds' assets. The responsibilities of the MOI include:
  - Developing a sound and consistent investment policy;
  - Establishing reasonable investment objectives;
  - Selecting qualified investment managers after consultation with the Investment Consultant;
  - Communicating the investment policy guidelines and objectives to the investment managers and clients;
  - Monitoring and evaluating performance results to assure that the policy guidelines are being met;
  - Selecting and appointing custodian(s);
  - Discharging investment managers after consultation with the Investment Consultant; and,
  - Taking any other appropriate actions.
- Responsibility of the Investment Consultant(s) - The investment consultant shall be hired by the EFIB. The consultant serves as a non-discretionary advisor to the EFIB. The consultant will offer advice concerning the investment management of the Funds' assets. The investment consultant will act as a fiduciary with respect to the services it provides. The advice will be consistent with the investment objectives, policies, guidelines and constraints as established in this statement. Specific responsibilities of the investment consultant include, but are not limited to:
  - Assisting in the development and on-going review of the investment policy, asset allocation strategy, performance of the investment managers, and objectives and guidelines;
  - Supporting portfolio optimization and other investment techniques to determine the appropriate return/risk characteristics of the Funds;

- Conducting investment manager searches when requested by the MOI and Board;
  - Monitoring the performance of the investment manager(s) to provide both the MOI and Board with the ability to determine the progress toward achieving investment objectives;
  - Communicating matters of policy, manager research, and manager performance to the MOI and Board;
  - Reviewing the Funds' investment history, historical capital markets performance and the contents of this investment policy statement with any newly appointed members of the Board.
- Responsibility of the Investment Manager(s) - As a fiduciary, each investment manager will have full discretion to make all investment decisions for the assets placed under its jurisdiction, while observing and operating within all policies, guidelines, constraints, and philosophies as outlined in either this statement or in their specific Manager Guidelines.

### Delegation of Authority

The MOI is a fiduciary to the EFIB and is responsible for directing and monitoring the investment management of Funds' assets. As such, the MOI is authorized to delegate certain responsibilities to professional experts in various fields. These include, but are not limited to:

- Investment Managers - Investment managers hired by the EFIB must be registered with the Securities and Exchange Commission under the Investment Act of 1940, unless inapplicable, or in the case of a banking organization with the Office of the Comptroller of the Currency. Investment managers have discretion to purchase, sell, or hold the specific securities that will be used to meet the Funds' investment objectives. This includes mutual fund or any collective fund portfolio managers.
- Custodian - Any custodian hired by the EFIB will maintain possession of securities owned by the Fund, collect dividend and interest payments, redeem maturing securities, and affect receipt and delivery following purchases and sales. Any custodian will also perform regular accounting of all assets owned, purchased, or sold, as well as movement of assets into and out of the Fund accounts. Any custodian will provide at a minimum monthly reporting of assets and transactions to the MOI and provide the MOI with any additional data requests. Any custodian will administer proxy statements and corporate action claims on behalf of EFIB.

Additional specialists may be employed by the MOI with approval by the EFIB to assist in meeting its responsibilities and obligations to administer Fund assets prudently.

Managers will be held responsible and accountable to achieve the objectives outlined in their specific guidelines. While it is not believed the limitations will hamper investment manager decisions, each manager should request in writing any modifications they deem appropriate.

All expenses for such experts must be customary and reasonable.

### **Marketability of Assets**

Based on the Fund's long-term liquidity requirements, the EFIB desires securities with readily ascertainable market values that trade in liquid markets but recognizes that some allowable assets are valued less frequently by industry established appraisal methods, and may be reported on a lagged basis.

### **Investment Guidelines**

#### **Allowable Assets**

Cash Equivalents or other Liquid Assets:

Treasury bills; money market funds; STIF funds; commercial paper; banker's acceptances; repurchase agreements; certificates of deposit.

Fixed Income:

US government and agency securities; bank loans; corporate notes and bonds; residential mortgage backed bonds (agency and non-agency); commercial mortgage backed bonds; municipal bonds, infrastructure securities, USD and non-USD fixed income securities of foreign governments and corporations; planned amortization class collateralized mortgage obligations; or other "early tranche" CMO's; Sequential pay CMO's; collateralized loan obligations, asset backed securities; convertible notes and bonds; Securities defined under Rule 144 A and Section 4(2) of the Securities Act of 1933; or any other fixed income securities eligible for inclusion in the Bloomberg Barclays Aggregate Bond Index.



Equities: Common stocks; convertible preferred stocks; preferred stocks; REITS; American depository receipts (ADR's); stocks of non-US companies (ordinary shares);

Real Estate: Domestic, private, open-end, core commingled funds, REITS

ETF's, Mutual or Collective Funds: ETF's, Mutual Funds, and Collective Funds which invest in securities as allowed in this statement or as permitted in Investment Manager Guidelines. Investment managers will advise the MOI of their intent to utilize ETFs prior to their purchase, what specific ETFs they intend to use and the purposes they serve.

Futures, Options and Swaps: The EFIB may approve the use of financial index futures and options in order to adjust the overall effective asset allocation of the entire portfolio or it may use swaps, futures or options to hedge interest rate or currency exposure. For example, S&P 500 and 10-Year Treasury futures are used to equitize idle cash and to passively rebalance the portfolio. Futures and options positions are not to be used for speculation, and the EFIB must specifically approve the program for each type of use. Derivative exposure must have sufficient cash, cash equivalents, offsetting derivatives or other liquid assets to cover such exposures.

### **Derivatives:**

Derivative securities are defined as synthetic securities whose price and cash flow characteristics are based on the cash flows and price movements of other underlying securities. Most derivative securities are derived from equity or fixed income securities and are packaged in the form of options, futures, and interest rate swaps, among others. The EFIB will take a conservative posture on derivative securities in order to maintain its risk averse nature. Since it is anticipated that new derivative products will be created each year, it is not the intention of this document to list specific derivatives that are prohibited from investment, rather it will form a general policy on derivatives. Unless a specific type of derivative security is allowed in the Investment Manager Guidelines, the Investment Manager(s) must seek written permission from the EFIB to include derivative investments in the Fund's portfolio. The Investment

Manager(s) must present detailed written information as to the expected return and risk characteristics of such investment vehicles.

### **Prohibited Assets**

Prohibited investments include, but are not limited to the following:

- Commodities
- Futures Contracts except as described in previous section “Futures, Options and Swaps”;
- Naked Options;
- Residual Tranche CMOs; and
- Purchases of securities on margin and short-sale transactions are prohibited.

The logo for the Idaho Department of Lands is centered on the page. It features a stylized landscape with a green mountain peak, a yellow sun, and a blue sky. The text "IDAHO DEPARTMENT OF LANDS" is written in white, bold, uppercase letters across a horizontal grey bar that spans the width of the logo.

**IDAHO DEPARTMENT OF LANDS**

## Asset Allocation Guidelines

Investment management of the assets of the commingled endowment pool shall be in accordance with the following asset allocation guidelines:

- Total Fund Asset Allocation Guidelines (at market value)

Asset Class	Range	Target	Rebalance Point	Benchmark
Equities	61% - 71%	66%	+/-5%	MSCI All Country World Index
Domestic Equities	32% - 42%	37%	+/-5%	Russell 3000 Index
Large Cap	22% - 30%	26%	+/-4%	Russell 1000 Index
Growth		5%		Russell 1000 Growth Index
Core		16%		S&P 500 Index
Value		5%		Russell 1000 Value Index
Mid Cap	4% - 10%	7.0%	+/-3%	Russell Mid Cap Index
Growth		3.5%		Russell Mid Cap Growth
Value		3.5%		Russell Mid Cap Value
Small Cap	2% - 6%	4%	+/-2%	Russell 2000 Index
Growth		2%		Russell 2000 Growth Index
Value		2%		Russell 2000 Value Index
International Equities	13% - 21%	17.0%	+/-4%	MSCI ACWI ex-US
Growth		8.5%		MSCI ACWI ex-US Growth
Value		8.5%		MSCI ACWI ex-US Value
Global Equity	8% - 16%	12%	+/-4%	MSCI All Country World Index
Manager		4%		MSCI All Country World Index
Manager		4%		MSCI All Country World Index
Manager		4%		MSCI All Country World Index
Real Estate	7% - 13%	10%	+/-3%	NCREIF ODCE Index
Fixed Income	21% - 27%	24%	+/-3%	Bloomberg Aggregate Bond Index
Core Plus Bond Active		13%		Bloomberg Aggregate Bond Index
Aggregate Bond Index		11%		Bloomberg Aggregate Bond Index
Cash and Equivalents		0%		3-month Treasury Bill Index

## Rebalancing of Fund Assets

Understanding that different asset classes will perform at different rates, the MOI and the investment consultant will closely monitor the asset allocation shifts caused by performance. Therefore:

- The MOI will review the relative market values of the asset classes whenever there is to be a net contribution to the Fund and will generally place the new monies under investment in the category(ies) which are furthest below the target allocation in this policy and/or use the opportunity to rebalance the portfolio; and,
- The MOI and investment consultant will review the asset allocation quarterly and during periods of severe market change to assure that the target allocation is maintained. If an asset class is outside the allowable range, the MOI will take appropriate action to redeploy assets taking into account timing, costs and other investment factors.

#### **Guidelines for Fixed Income Investments and Cash Equivalents**

- The average credit quality of the fixed income portfolio must be investment grade or higher. Individual fixed income securities may be rated below investment grade.
- The average duration of the fixed income portfolio should be +/- 2 years of the Bloomberg Aggregate index.
- Money Market Funds selected shall contain securities whose credit rating at the absolute minimum would be rated investment grade by Standard and Poor's, and/or Moody's.

## **IDAHO DEPARTMENT OF LANDS**

#### **Investment Performance Review and Evaluation**

Performance reports generated by the investment consultant shall be compiled at least quarterly and presented to the EFIB for review. The investment performance of the total Fund, as well as asset class components, will be measured against commonly accepted performance benchmarks. Consideration shall be given to the extent to which the investment results are consistent with the investment objectives, goals, and guidelines as set forth in this statement. The EFIB intends to evaluate investment managers over at least a three-year period.

Each manager shall maintain a portfolio consistent with characteristics similar to those of the composite utilized for their retention. Investment performance will be measured on a total return basis, which is defined as dividend and interest income plus realized and unrealized capital gains. Each manager will be evaluated in part by regular comparison to a peer group of other managers employing statistically similar investment style characteristics. It is expected that each manager will perform above the peer group median and the appropriate index over rolling three-year periods with respect to both return and risk.

Investment managers shall be reviewed regularly regarding performance, personnel, strategy, research capabilities, organizational and business matters, and other qualitative factors that may impact their

ability to achieve the desired investment results. The EFIB reserves the right to terminate a manager for any reason.

### **GASB 40 Reporting Requirements**

Purpose: The Governmental Accounting Standards Board has identified that state and local governments have deposits and investments which are exposed to risks that may result in losses. GASB Statement number 40 (GASB 40) is intended to inform users of the financial statements about the risks that could affect the ability of a government entity to meet its obligations. GASB 40 has identified general deposit and investment risks as credit risk, including concentration of credit risk and custodial credit risk, interest rate risk, and foreign currency risk and requires disclosures of these risks and of policies related to these risks. This portion of the Investment Policy addresses the monitoring and reporting of those risks.

In general, the risks identified in GASB 40, while present, are diminished when the entire portfolio is viewed as a whole. Specifically, the risks identified and the measurements required is poorly transferable, if at all, to portfolios like the EFIB, which is dominated by equity exposure.

It is the policy of the EFIB that the risks addressed in GASB 40 are to be monitored and addressed primarily through the guidelines agreed to by those managers, and by regular disclosures in reports by managers of levels of risks that may exceed expected limits for those portfolios.

- **Credit Risk:** The risk that an issuer or other counterparty to an investment will not fulfill its obligations to the EFIB. GASB 40 requires disclosure of credit quality ratings of investments in debt securities as described by nationally recognized statistical rating organizations.

Policy: The Investment Guidelines section of this Investment Policy provides credit quality and maturity guidelines for fixed income and cash equivalent investments. Managers are required to comply with the Investment Policies set forth by the EFIB.

- **Custodial Credit Risk:** The risk that in the event of a financial institution or bank failure, the Fund would not be able to recover the value of their deposits and investments that are in the possession of an outside party.

Policy: The EFIB minimizes exposure to custodial credit risk by requiring that investments, to the extent possible, be clearly marked as to the EFIB ownership and further to the extent possible, be held in the Fund' name.

- Concentration of Credit Risk: The risk of loss that may be attributed to the magnitude of a government's investment in a single issue.

Policy: Managers will provide the EFIB with expected concentration of credit risk exposures in their portfolio guidelines. If the concentration of credit risk exceeds expectations, managers are to be required to report these occurrences to Staff and these disclosures are to be made available to the Board. For the portfolio as a whole, staff will report to the Board at a regular Board meeting if the exposure to a non-US government guaranteed credit exceeds 5% of the total EFIB portfolio.

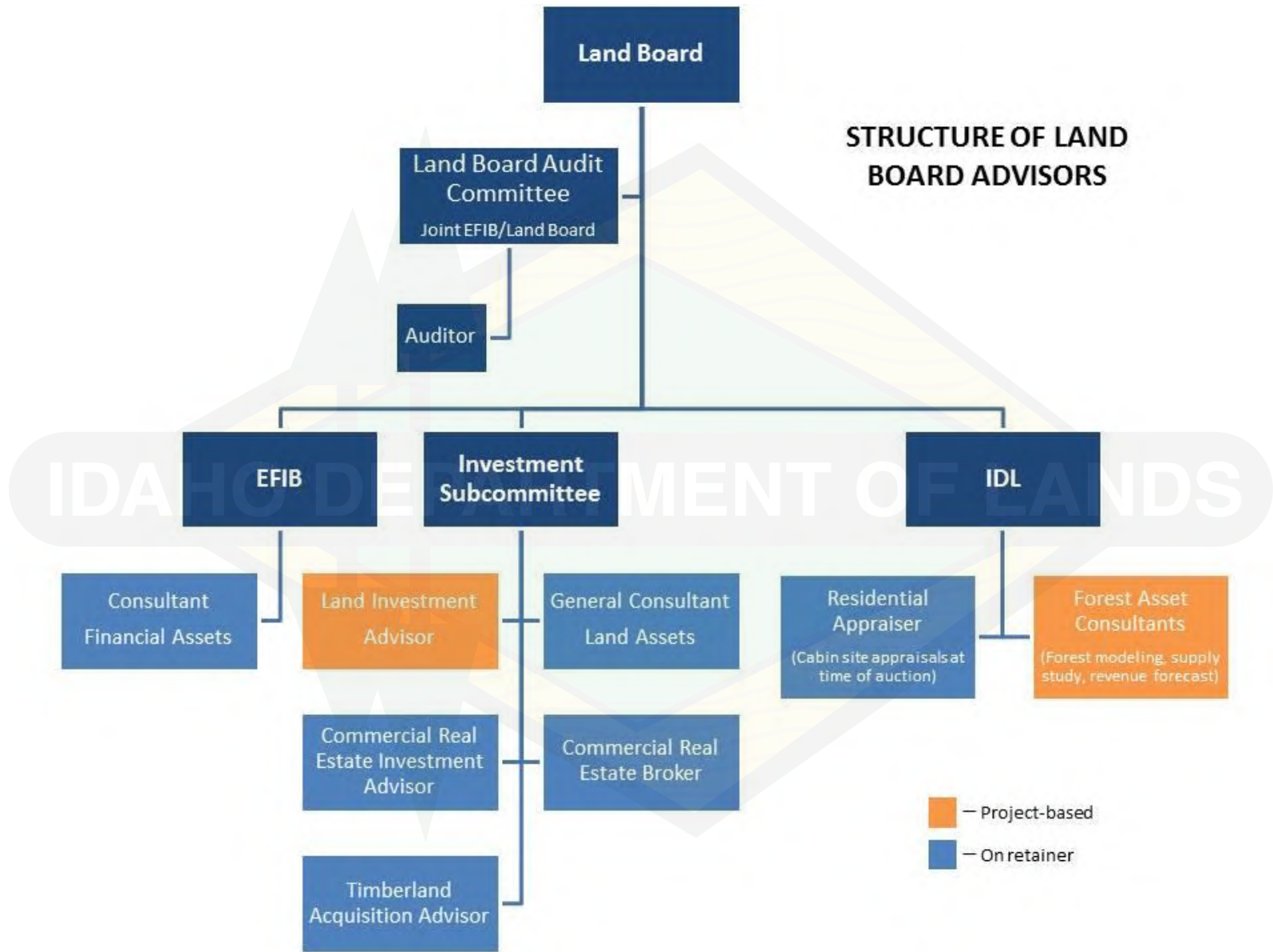
- Interest Rate Risk: The risk that changes in interest rates will adversely affect the fair value of an investment. Interest rate risk to the EFIB's fixed income portfolio is monitored using the effective duration methodology. Effective duration measures the volatility of the price of a bond given a change in interest rates, taking into account any optionality in the underlying bond.

Policy: Managers will provide the EFIB with the expected portfolio duration in their portfolio guidelines. If the duration of the portfolio differs from expectations, managers are to be required to report these occurrences to Staff and these disclosures are to be made available to the Board.

- Foreign Currency Risk: The risk that changes in exchange rates will adversely impact the fair value of an investment. The EFIB's currency risk exposures, or exchange rate risk, reside within the international equity and fixed income investment holdings.

Policy: The EFIB permits investing up to 40% of the total portfolio in international securities. The EFIB recognizes that international investments (equity or fixed income) will have a component of currency risk associated with them. The individual manager guidelines will outline the expected currency exposures (either specifically or through ranges of security exposures to particular currency areas) of the underlying portfolio and if the actual currency exposure differs from the expected, managers are to be required to report these occurrences to Staff, and these disclosures are to be made available to the Board.

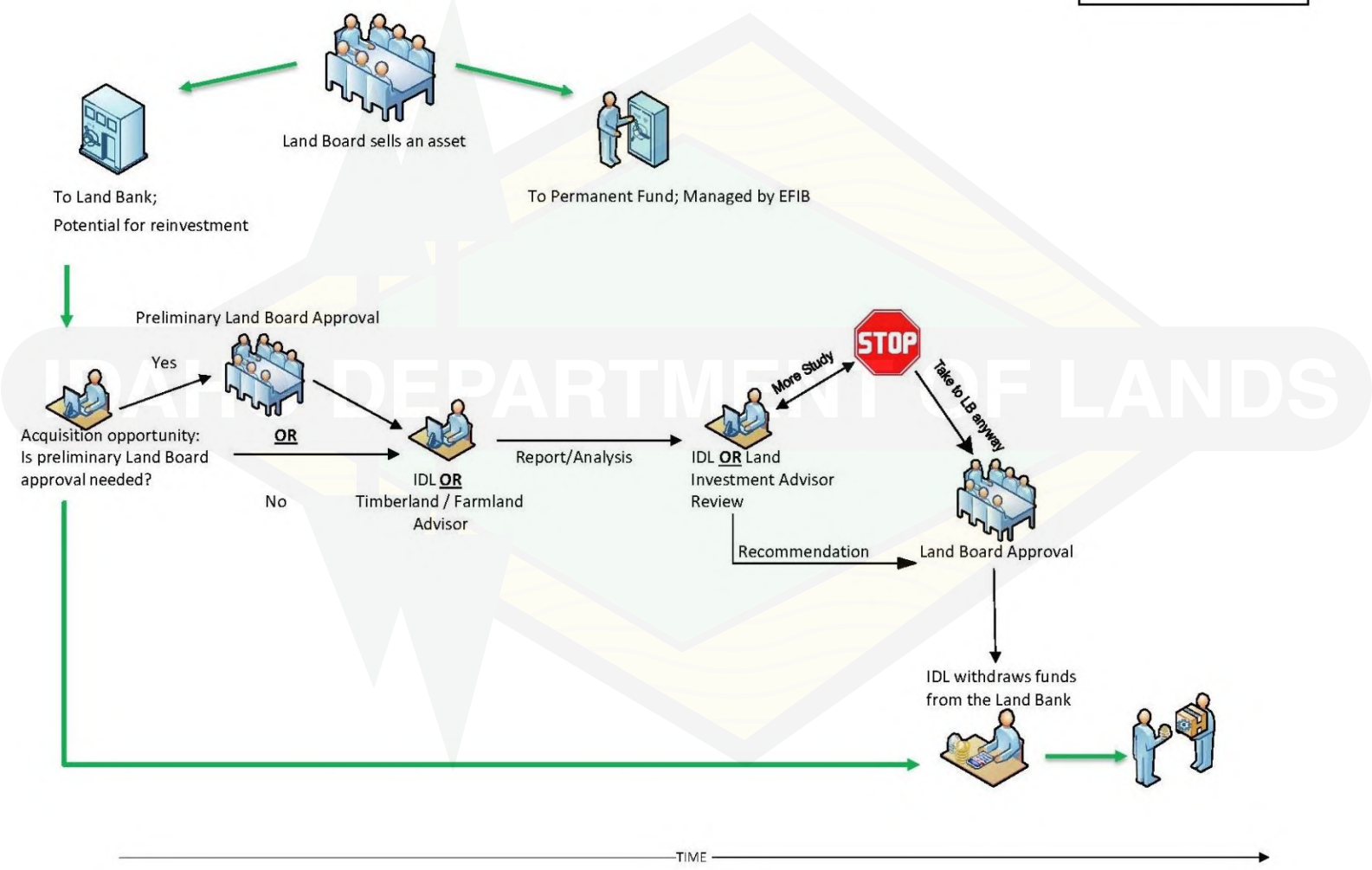
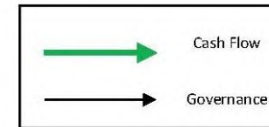
## D. Use of External Advisors



# E. Decision-Making Structure Chart

10/18/2016

## Endowment Assets – Reinvestment in Real Assets Revised Governance & Cash Flow Model Other (non-routine) Investments



v1014



## G. EFIB's Distribution Principles

### Summary of Idaho Endowment Fund Distribution Principles, Policy, and Background

By the Endowment Fund Investment Board – Updated July 17, 2018

#### **Mission of Idaho Endowments: Provide a Perpetual Stream of Income<sup>i</sup>**

To achieve this mission, Distribution Policy must balance four conflicting objectives:

- Maximize total return over time at a prudent level of risk
- Provide relatively stable and predictable distributions
- Constrain distributions to protect future generations' purchasing power
- Maintain sufficient liquidity for anticipated expenditures

#### **Priorities for Allocating Income**

To balance the interests of current and future beneficiaries, the Land Board established the following priorities for allocating endowment revenues and gains:

- First Priority: Avoid reductions in total endowment distributions
- Second Priority: Maintain adequate Earnings Reserves to protect the current level of distributions from temporary income shortfalls
- Last Priority: Increase both distributions and Permanent Fund corpus faster than inflation and population growth

#### **Distribution Policy Management Principles**

- Distribute a conservative estimate of long-term sustainable income every year
- Maintain distributions when income temporarily falls below long-term expectations by saving up income in a reserve when it exceeds expectations
- Grow both distributions and permanent corpus proportionately, more than offsetting losses from inflation and dilution from population growth by reinvesting sufficient income back into principal

#### **Constraints on Wasting Principal (Corpus Growth Objectives)**

A major risk any endowment faces is that assets will be depleted to satisfy the beneficiary's current needs at the expense of long-term needs. Many states have succumbed to pressure to spend down their endowment funds. Idaho has several protections in place to mitigate this pressure: <sup>ii</sup>

- Federal law and state Constitution: Prohibits spending original principal, including the proceeds of land sales
- State statute: Requires that principal grow at least at the rate of inflation before any market appreciation of the Permanent Fund can be considered distributable income<sup>iii</sup>
- Land Board policy objective: Requires that principal grow faster than the rate of inflation and population growth<sup>iv</sup>

## Determining Annual Distributions<sup>v</sup>

Distributions are initially calculated as a percent (the policy distribution rate<sup>vi</sup>), multiplied by the Permanent Fund balance<sup>vii</sup> (three-year-average to partly smooth variation in the equity markets)

- Current policy distribution rates are 5% for all endowments except State Hospital South (7%)

Distributions may be further adjusted, up or down, to reflect the reserve balance (and any other relevant factors):

- If reserves are adequate, distributions are maintained even when the Permanent Fund shrinks (actual rate > policy rate)
- If reserves are not fully sufficient (not at target), distributions are maintained even when the Permanent Fund rises (actual rate < policy rate)
- If reserves are unusually low, distributions may be reduced (actual rate < policy rate)

## Honoring Beneficiaries' Strong Preference for Sustainable Distributions

Beneficiaries and legislators clearly indicate that a reduction in distributions (if actual income turns out to be low) is much more difficult for them to adjust to than it is to temporarily forego an increase if actual income turns out higher than a conservative expectation. Therefore, it is prudent to base both the policy distribution rate and the annual distribution on a conservative expectation of fund and land earnings<sup>viii</sup>.

## Determining Transfers to the Permanent Fund<sup>ix</sup>

Excess income is converted to (transferred to) Permanent Fund corpus when reserves are deemed fully sufficient: i.e., exceed targeted years<sup>x</sup> of the planned distribution (six years for Public School and seven years for all other endowments).

## Measuring the Balance of Current and Future Beneficiaries' Interests

Over time, balance is achieved when all (and only all) "real" income is distributed.

Balance is specifically measured by the following relationship:<sup>xi</sup>

- o Actual distributions *plus* growth in reserves  
*equals*
- o Actual income (land & fund), *minus* income converted to principal

## Earnings Reserves Serve Two Roles

The Earnings Reserve is not a "rainy day" fund to be drawn down when other state revenues falter. Its purpose is to be a:

1. Buffer against volatility in land income and fund return – a bank for unusually high earnings to be used to maintain distributions in lean times
2. Benchmark to determine when spendable reserves are fully sufficient so that any additional earnings can be reinvested in permanent principal (to maintain purchasing power and sustainably increase distributions)

## Investment of the Earnings Reserve Fund

Because the fund intends to hold an adequate level of reserves into perpetuity, this long investment horizon allows reserves to be invested in the same risk/return portfolio mix as the Permanent Fund

- In extreme cases, low reserves may require moving the reserves to a more conservative asset mix (which may lock in losses)

### **Role of Endowment Distributions in the Overall Appropriation Process**

Endowment distributions only satisfy a small portion of each beneficiary's annual spending needs, so those needs are essentially irrelevant in determining distributions. The EFIB recommends the Legislature address total beneficiary needs and short-term variations in tax receipts<sup>xii</sup> so that distributions can be stable and growing, based solely on the long-term earning capacity of the endowment. A consistent, high-returning asset mix cannot be maintained if distributions vary based on tax revenues.

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## **Endnotes**

<sup>i</sup> The Mission can also be restated in a more measurable form:

The Idaho Endowments will maximize the prudent distribution if they:

- Earn strong real income in the fund and from the land
- Maintain adequate reserves to prevent reductions in distributions
- Reinvest income to protect future purchasing power

<sup>ii</sup> To ensure these strict legal protections of the future beneficiary do not overrule the interests of the current beneficiary, Land Board policy requires that distributions grow proportionately with principal over the long term.

<sup>iii</sup> The statutory method for achieving inflation protection is measured by the "Gain Benchmark" (June 2000 original principal, adjusted for deposits and inflation). The cumulative total appreciation below inflation must be retained in the Permanent Fund, but any excess (measured at fiscal year-end) flows to Earnings Reserve as income, generally in September (this can be a large amount in one year or zero for several years).

<sup>iv</sup> The Land Board policy objective of keeping up with population growth:

- Makes real per capital distributions equivalent, current vs. future
- Is achieved by transferring (reinvesting) sufficient excess retained income from Reserves to Permanent Fund principal so it can never be spent

The current assumed population growth is 1.8% per year, except for Public School which is assumed to be 1.0% per year.

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<sup>v</sup> Distributions can be changed at any time, but to facilitate the budget process, are usually determined annually at the August Land Board meeting for the following fiscal year.

<sup>vi</sup> The policy distribution rate is based primarily on a conservative estimate of expected total income. When expected long-term earnings change significantly, the policy distribution rate should change (see note 10). However, to protect the corpus, the policy rate should not be raised (i.e., distributions constrained) if Permanent Fund balance objectives have not been achieved.

<sup>vii</sup> Calculating distributions as a percentage of the Permanent Fund is both a mechanism and an incentive to balance the interests of current and future beneficiaries. This structure ensures that:

- In normal conditions, distributions to current beneficiaries increase proportionately with the permanent fund balance
- Increases in distributions are sustainable (supported by sufficient permanent assets)
- Holding excess reserves is discouraged

Transfers from Earnings Reserve, both historical and approved but not completed, are added to the annual amounts used in calculating the three-year average Permanent Fund balance.

<sup>viii</sup> To reflect the desired conservative bias in setting policy distribution rates:

- Policy distribution rates should be increased only based on a conservative “downside” forecast of long-term income: e.g., 25<sup>th</sup> percentile fund earnings and 20<sup>th</sup> percentile land revenue forecasts
- Policy distribution rates should be reduced if the current rate can only be justified with optimistic earnings and revenue forecasts. Ideally, the reduction in the rate would be accomplished by holding the distribution (in dollars) constant for a long period. However, an immediate cut in the absolute dollars would be required if reserves are low.

To reflect a conservative bias in setting annual distributions, the viability of a proposed distribution is tested by forecasting the coverage ratio over the next three years based on a “low” forecast of timber earnings and a 2% fund return.

It is impossible to eliminate the possibility of a reduction in distributions, but the policy is designed to allow at least two years warning of a potential reduction, consistent with the time lags inherent in the state budgeting process. If a fund is unable to make an appropriated distribution, that would be considered a catastrophic failure of the process. In the past, three endowments have experienced catastrophic failures (i.e., had insufficient reserves to pay promised distributions): Public School (2003), Ag College (2005) and Charitable Institutions (2005).

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<sup>ix</sup> Transfers of excess reserves to the Permanent Fund are generally approved annually at the August Land Board meeting, based on balances as of the previous year end and approved distributions for the next fiscal year, but actually done in September

Requiring that reserves which exceed a sufficient or target level be converted to corpus (i.e., transferred to the Permanent Fund) reduces the temptation to:

- Make large, one-time distributions of accumulated income to the detriment of future beneficiaries
- Hoard income to avoid an increase in distributions that would automatically result from a conversion

<sup>x</sup> The determination of how many years of reserves is sufficient was based on the combined volatility of fund returns and net land revenues, which is heavily influenced by the fact that in a severe equity downturn (once every 25 years), no distributable income would be available from the Permanent Fund for about five years because the Permanent Fund would retain all of its income to rebuild the corpus. A temporary increase in the years of reserve, above the targeted level, may be called for if there is a temporary reduction in expected income (e.g., timber harvest is predicted to be unusually low). Reserves for the three endowments with cabin site dispositions will be allowed to rise up to a year above target, pending an update of the distribution models to reflect the impact of the dispositions on the desired reserve levels.

<sup>xi</sup> There will always be temporary deviations from this balance because actual income after inflation will vary from the expectations used to establish the distribution rate.

<sup>xii</sup> The Land Board has the legal authority to consider a beneficiaries' other sources of revenue in setting distributions and therefore could attempt to adjust distributions in response to changes in tax receipts or fund income. However, only the Legislature has the Constitutional responsibility and authority to balance a beneficiary's total spending in excess of endowment distributions with tax revenues. When endowment distributions decline, the Legislature can choose to provide tax revenues to maintain the total level of spending they believe is appropriate. When endowment distributions rise, the Legislature can choose to reduce tax revenues to maintain the level of total spending they believe is optimal. The Land Board has no control over tax revenues and would be unable, without the Legislature's consent, to adjust distributions in response to changes in tax receipts. Also, the Legislature is in a better position than the Land Board to balance a beneficiary's unfunded needs with all other expenditure requests and options to increase or decrease tax revenues.

# STATE BOARD OF LAND COMMISSIONERS

December 19, 2023

Regular Agenda

## Subject

Review of Strategic Reinvestment of Land Bank Funds

## Question Presented

Shall the Land Board approve continued strategic reinvestment of land bank funds through acquisition of suitable and acceptable timberland and proactive transfer to the permanent fund when land transactions are not available?

## Background

In May 2016, the State Board of Land Commissioners' (Land Board) general consultant Callan Associates (Callan) developed a Strategic Reinvestment Plan to help inform the Land Board's decisions regarding reinvestment of land bank funds. The Strategic Reinvestment Plan considered the whole trust, described alternatives to reinvestment, and provided recommendations to the Land Board. The recommendation was to reinvest land bank funds in timberland and farmland provided target hurdle rates could be met or exceeded and an institutional investment process was followed. The Strategic Reinvestment Plan was approved by the Land Board on May 17, 2016, and is subject to review every three years.

The most recent Land Board review of strategic reinvestment occurred in May of 2020. The direction provided by the Land Board was to "focus on acquisitions that increase the total amount of working forests in Idaho consistent with the Land Board's fiduciary duty."

Since implementation of the Strategic Reinvestment Plan, approximately 54,100 acres of productive timberland has been acquired using over \$99.7 million in land bank funds. Timberland acquisitions were completed in 2016, 2017, 2018, and 2023 and all have exceeded the current hurdle rate of 3.35% net real.

In the past nine years, over \$133.3 million of land bank funds has been transferred to the permanent fund for investment in financial assets by the Endowment Fund Investment Board. Of the transferred amount, approximately \$123.7 million was principal and approximately \$9.7 million was interest. Transfers to the permanent fund were completed in 2014, 2015, 2021, 2022, and 2023.

The land bank balance through September 30, 2023, was \$74,964,143, including \$73,209,322 in principal and \$1,754,821 in interest (Attachment 1). There is an obligation of \$17.25 million of Ag College funds for the University of Idaho's CAFE center which reduces the effective balance of the land bank to about \$57.7 million, including interest. The earliest expiration date is the first quarter of fiscal year 2026.

## **Discussion**

The Idaho Department of Lands (Department) continues to work to implement Land Board direction to invest land bank funds in working timberland, provided transactions are available and will exceed the hurdle rate for reinvestment. The flow of transactions is unpredictable and significant potential acquisitions can become available with little notice. The Department has streamlined its acquisition process to remain competitive. Third party expert advisors are used to assist with evaluating potential acquisitions. The hurdle rate for timberland investment is currently 3.35% net real.

The Department reviews the availability of potential transactions and the land bank aging report and has recommended transfers to the permanent fund when the available information indicates that land bank funds may expire before they can be invested in timberland. The Department has been proactive in recommending transfers to the permanent fund to ensure funds are invested and working for the beneficiaries. Recommended transfers to the permanent fund are approved by the Land Board's Investment Subcommittee before presentation to the Land Board.

Implementation of strategic reinvestment has expended only principal, with the associated interest transferred periodically to the permanent fund. Use of land bank interest to purchase land is allowed, but it has not been used to date. Interest is associated with specific land bank deposits, which are the result of specific sales of endowment land assets.

On October 31, 2023, the Investment Subcommittee reviewed and approved continued reinvestment in working timberland and proactive transfer of land bank funds to the permanent fund.

## **Recommendation**

Approve continued reinvestment of land bank principal and interest through acquisition of suitable and acceptable working timberland that exceeds the hurdle rate and proactive transfers of land bank funds to the permanent fund for investment in financial assets when timberland transactions are not available.

## **Board Action**

## **Attachments**

1. Land Bank Aging Report

**LAND BANK AGING REPORT**

**Current Remaining Principal Balance By Quarter Received - As of September 30, 2023**

<b>FY Quarter IN</b>	<b>Public School</b>	<b>Agriculture College</b>	<b>Normal Schools</b>	<b>State Hospital South</b>	<b>University of Idaho</b>	<b>All Endowments</b>	<b>FY Quarter EXPIRES</b>
2019-01	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	2024-01
2019-02	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	2024-02
2019-03	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	2024-03
2019-04	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	2024-04
2020-01	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	2025-01
2020-02	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	2025-02
2020-03	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	2025-03
2020-04	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	2025-04
2021-01	\$ 1,639,575	\$ -	\$ -	\$ -	\$ -	\$ 1,639,575	2026-01
2021-02	\$ 6,595,000	\$ -	\$ -	\$ -	\$ -	\$ 6,595,000	2026-02
2021-03	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	2026-03
2021-04	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	2026-04
2022-01	\$ 1,500,720	\$ -	\$ -	\$ -	\$ -	\$ 1,500,720	2027-01
2022-02	\$ 10,140,720	\$ 17,237,620	\$ -	\$ -	\$ -	\$ 27,378,340	2027-02
2022-03	\$ 9,890,500	\$ -	\$ -	\$ -	\$ -	\$ 9,890,500	2027-03
2022-04	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	2027-04
2023-01	\$ 6,125,000	\$ -	\$ -	\$ -	\$ -	\$ 6,125,000	2028-01
2023-02	\$ 9,848,000	\$ -	\$ -	\$ 432,187	\$ -	\$ 10,280,187	2028-02
2023-03	\$ 9,800,000	\$ -	\$ -	\$ -	\$ -	\$ 9,800,000	2028-03
2023-04	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	2028-04
2024-01	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	2029-01
<b>TOTAL PRINCIPAL REMAINING</b>	<b>\$ 55,539,515</b>	<b>\$ 17,237,620</b>	<b>\$ -</b>	<b>\$ 432,187</b>	<b>\$ -</b>	<b>\$ 73,209,322</b>	

<b>LAND BANK CASH BALANCE (with Interest)</b>	<b>\$ 56,745,248</b>	<b>\$ 17,758,306</b>	<b>\$ 11,836</b>	<b>\$ 448,754</b>	<b>\$ -</b>	<b>\$ 74,964,143</b>
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# STATE BOARD OF LAND COMMISSIONERS

December 19, 2023

Information Agenda

## Subject

Endowment Land Commercial Ground Leasing Policy

## Background

As part of ongoing efforts to fulfill fiduciary responsibilities to endowment beneficiaries, the State Board of Land Commissioners (Land Board) tasked the Idaho Department of Lands (Department) to regularly review and recommend necessary policies and procedures for leasing activities on endowment lands. The Department recognized the need for a policy governing commercial ground leasing practices. The implementation of such a policy will improve efficiencies and allow for increased activity in the commercial leasing portfolio.

## Discussion

Over the past two months, Department staff worked internally, and with the Office of the Attorney General (through redline, providing comments, and approval of terms), to review the Department's commercial ground leasing process and develop a policy for commercial ground leasing activities on endowment lands. The commercial ground leasing policy identifies some of the activities that the Department deems commercial uses (as defined in Idaho Code § 58-307(5)), details how the Department will proceed with lease applications initiated by a proponent versus parcels internally nominated for advertisement and describes criteria for when to implement a Request for Proposal (RFP) process rather than following the traditional lease advertisement process.

The Department's goal is to provide a streamlined, uniform way to perform commercial leasing transactions while abiding by all applicable statutes. This will allow the Department to explore additional opportunities to increase revenue generating activity on endowment lands. The commercial ground leasing policy and related procedures will foster the greatest level of competition between proponents, identify highest and best use potential of transition lands, and work with existing leasing programs to explore further ways to meet the fiduciary mission of endowment lands.

## Attachments

1. Commercial Ground Leasing Policy draft



## Commercial Ground Leasing Policy

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### **Purpose**

This policy describes and delegates certain decision-making authority to the Director for matters related to commercial ground leasing on endowment lands.

### **Agency Contact**

Bureau Chief - Real Estate Services

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### **Policy**

#### **I. Allowed Types of Commercial Leases**

- A. The Department has the discretion to evaluate commercial ground lease applications, initiate the Request for Proposal (RFP) process, and create and maintain leasing processes for activities falling within the purview of an existing commercial ground leasing portfolio. These include ground leases for industrial enterprises, retail sales outlets, business and professional office buildings, hospitality enterprises, commercial recreational activities, multifamily residential developments, and other similar businesses.
- B. The Department may consider proposals for ground leasing for multifamily residential developments such as apartments or townhome complexes only when there is no direct lease agreement between the residential occupants and the Department; and, the residential occupants do not own any improvements (all improvements will be owned by the commercial lessee).
- C. The Department will not consider joint-venture or partnership agreements or similar arrangements with private entities in violation of Art. VIII, § 4, Id. Const.

#### **II. Criteria for Seeking Land Board Approval of Commercial Lease or RFP Proposals**

- A. Proposed activities on commercial properties that are likely to elicit public involvement or complaints, that are politically sensitive in nature, or could otherwise be problematic for the Department, will be brought to the Land Board for approval.
- B. Novel, complex commercial use proposals that do not fit within the existing leasing portfolio will be brought to the Land Board for approval before the Department proceeds with the leasing or RFP process.

#### **III. RFP Versus Traditional Lease Application Process**

- A. The Department will have discretion as to which lease opportunities are best suited for RFP versus the traditional lease advertisement process. The Department (Area and Bureau staff) will consider various factors when making that decision, including, but not limited to, prevailing market conditions, recent expressions of interest in leasing opportunities, ongoing development activities in the vicinity, the strategic objectives outlined by Department

leadership, the project's public perception, managerial complexities, and whether the concerned lands are in transition.

- B. The Land Board's commercial property advisor may be utilized in this process.
- C. Factors that favor an RFP include: a novel commercial use, substantial outside interest, desire for long-term lease (more than 20 years), availability for multiple uses, and/or uncertainty as to highest and best use.
- D. Factors that favor the traditional lease process include: an existing commercial activity that is generating market revenue; or characteristics of the property that result in a high degree of certainty there will not be competition for competing uses (properties with poor access, properties located in areas with limiting geographic features, limiting environmental or zoning factors, etc.).
- E. If a proponent applies for a use that is consistent with what the Department has determined to be the highest and best use for a parcel that has not already been nominated for an RFP process, the Department will initiate the traditional lease application process. The initial terms of the lease, including rent, will be communicated to applicants during the advertisement period. At the end of the advertisement period, if there is only one applicant, the lease will be awarded to that applicant. If the lease has more than one applicant during the advertisement period, the lease will be offered in the form of a live auction among the applicants. The bidding during the live auction will determine a one-time premium bid for the right to execute the lease.
- F. Bureau or Area staff may identify a parcel to nominate as a candidate for a lease through the RFP process. The highest and best use will be determined by analyzing the responses to the RFP and the financial offering from the proponents. At the end of the RFP period, a lease will be negotiated by Bureau and Area staff with input from the selected proponent of the RFP. Once lease terms have been agreed upon, the resulting lease and land will be publicly advertised as available for lease. If there is only one applicant, then the applicant will be offered the lease. If there are two or more applicants, then a live auction will be held among the applicants.
- G. All leases will be reviewed and approved by the Office of the Attorney General prior to being executed by the Office of the Governor and notarized by the Office of the Secretary of State.

### **Revision History (Board Action)**

DATE                      First approved iteration of this policy.