

STATE BOARD OF LAND COMMISSIONERS

February 20, 2024

Consent Agenda

Subject

Authorization to purchase the Forest Legacy Program easement, known as Baldy, comprising 918 acres of privately-owned forestland in Boundary County

Question Presented

Shall the Land Board authorize the Department to accept the Baldy tract into Idaho's Forest Legacy Program?

Background

- The Idaho State Board of Land Commissioners (Land Board) authorizes the Idaho Department of Lands (Department) to acquire such interests by voluntary, cooperative means and to create a Forest Legacy easement pursuant to Idaho Code Title 55, Chapter 21.
- The Cooperative Forestry Assistance Act (the "Act") of 1978 (16 U.S.C. 2101 et. seq.), as amended by Section 1217 and Title XII of the Food, Agriculture, Conservation Trade Act of 1990 (16 U.S.C. 2103c), established the federal Forest Legacy Program to protect environmentally important forestlands threatened with conversion to non-forest use.
- The Forest Legacy Program is funded through congressional authorizations and offshore oil drilling royalties.

The Forest Legacy Program (FLP) is a voluntary initiative. It empowers private landowners to safeguard their forestland for perpetual timber production. Under the program, landowners voluntarily sell their development rights at market value, but retain land ownership, management, and revenue from their land while continuing to pay property taxes. Federal grants allow Idaho's FLP to purchase the development rights, preventing the land being converted to non-forest uses. (Attachment 1-FLP Fact Sheet).

With a growing Idaho, many large tracts of forestland are threatened by subdivision and development. Forest Legacy helps prevent sprawl into the Wildland Urban Interface or WUI, while ensuring a steady, reliable sawlog and fiber supply for industry and future mill infrastructure investments.

All properties participating in the Forest Legacy Program have a Forest Stewardship Plan, keeping the forests healthy and managed, which helps mitigate wildfire risk.

The Forest Legacy projects are not funded through Idaho's General Fund. Funding stems from congressional authorizations and offshore oil drilling royalties. Idaho competes for the money in the form of grants that are passed through the US Forest Service. Participating landowners contribute a 25% match, typically via tax-deductible donations.

The Baldy tract is part of the Moyie River Corridor FLP Project (Attachment 2- Map). There are six properties in this project; Baldy would be the second to close, with the remainder of the project expected to close within the next couple months. Manulife Investment Management Timberland and Agriculture Inc (MIMTA), on behalf of its client landowner Hancock Timberland X, wishes to convey the development rights of this property by way of a conservation easement to the Department to conserve this forestland in perpetuity, thereby protecting the economic and environmental values while keeping the property in private ownership. The 25% non-federal match for this acquisition will consist of donated easement value. The table below summarizes the costs.

Landowner	Appraised CE Value	Landowner Donation	FLP Contribution
Hancock Timberland X	\$3,528,000	\$882,000	\$2,646,000

The Baldy acquisition is consistent with the goals and objectives of Idaho's FLP and will protect the following significant conservation values:

- **Timber:** Idaho's Forest Action Plan identifies the area where the project lands are located as one of the highest priority areas for forestland protection in the state. According to Boundary County's Comprehensive Plan, the harvest of timber and other products from forestland in Boundary County is essential to the local economy.
- **Wildlife Habitat:** Project lands contain some of the most valuable wildlife habitat in Idaho, supporting an abundant assortment of game and non-game species including federally-listed threatened species such as Canada lynx.
- **Public Recreation:** The conservation easement terms ensure that these lands will remain accessible to the general public for non-commercial, non-motorized recreational uses including hunting, trapping, fishing, biking, hiking, cross-country skiing and wildlife viewing.
- **Landscape Scale Conservation Impact:** The Moyie River Corridor project is located in a high priority area. There are over 20 properties participating in the FLP within 10 miles of this property.

The project has garnered broad public support by various public and private entities (Attachment 3-Public Support). These forestlands have substantial and significant conservation and economic values that are of great importance to the people of Idaho. The protection of these values will yield a significant public benefit.

Recommendation

Authorize the Idaho Department of Lands to accept the Baldy tract into the Forest Legacy Program by way of conservation easement.

Board Action

Attachments

1. FLP Fact Sheet
2. Map
3. Public Support

FOREST LEGACY PROGRAM (FLP)

Helping private landowners keep their working forests working.

FLP, a voluntary initiative, enables landowners to safeguard their forestland for perpetual timber production, offering financial incentives similar to selling for development. Owners retain their land, pay property taxes, and manage timber harvesting.

What land qualifies for the Forest Legacy Program?

Eligible properties must be privately owned, over 5 acres, 75% forested, and within Idaho's priority landscape areas, as per the Idaho Forest Action Plan. Funding is awarded through a competitive, nationwide process.

Are Forest Legacy projects funded by Idaho's General Fund?

No. Funding stems from congressional authorizations and offshore oil drilling royalties. Participating landowners contribute a 25% match, typically via tax-deductible donations.

Will there be more working forestlands enrolled in Forest Legacy in the future?

Yes. Idaho's industrial forestland owners are eager to expand private land enrollment in FLP. Idaho is ready to compete for a share of the \$700 million national fund allocated for FLP projects.

How would a property owner start the process?

Reach out to your local land trust, a non-profit specializing in land acquisition for public benefit, as all FLP applications need a land trust sponsor.

Why is Forest Legacy important?

FLP ensures a steady supply of industry sawlogs and fiber, mitigates wildfire risks, and prevents sprawl in the Wildland Urban Interface (WUI). It bolsters local economies by safeguarding rural jobs and enhancing recreational access, while preserving wildlife habitat, water quality, and scenic landscapes.

How does FLP safeguard the supply of fiber for industry?

FLP keeps working forests working, helping to ensure a reliable fiber supply for industry and future mill infrastructure investments. Together with endowment forestland, FLP helps sustain long-term fiber availability for mill operations, as well as sustaining jobs within our communities.

How does Forest Legacy work?

Under FLP, forestland owners sell their development rights but retain ownership, management, and profits from their land, while reducing development in the WUI. Idaho holds these rights in trust and counties still receive tax revenues from these lands.

What does FLP do to help sustain wildlife habitat?

Priority areas in FLP often overlap with crucial habitats for threatened species. Maintaining forested land supports wildlife habitats and creates corridors for movement, aiding in the recovery of species like the Bull Trout. Fewer residential structures in these areas also minimize wildlife-human conflicts.

What does FLP have to do with mitigating fire risk?

FLP requires a Forest Stewardship Plan and sustainable management per Idaho's Forest Practices Act, which reduces vulnerability to catastrophic fires. By limiting WUI expansion, it helps ensure fire protection can be provided with fewer resources.

How does FLP improve recreational access?

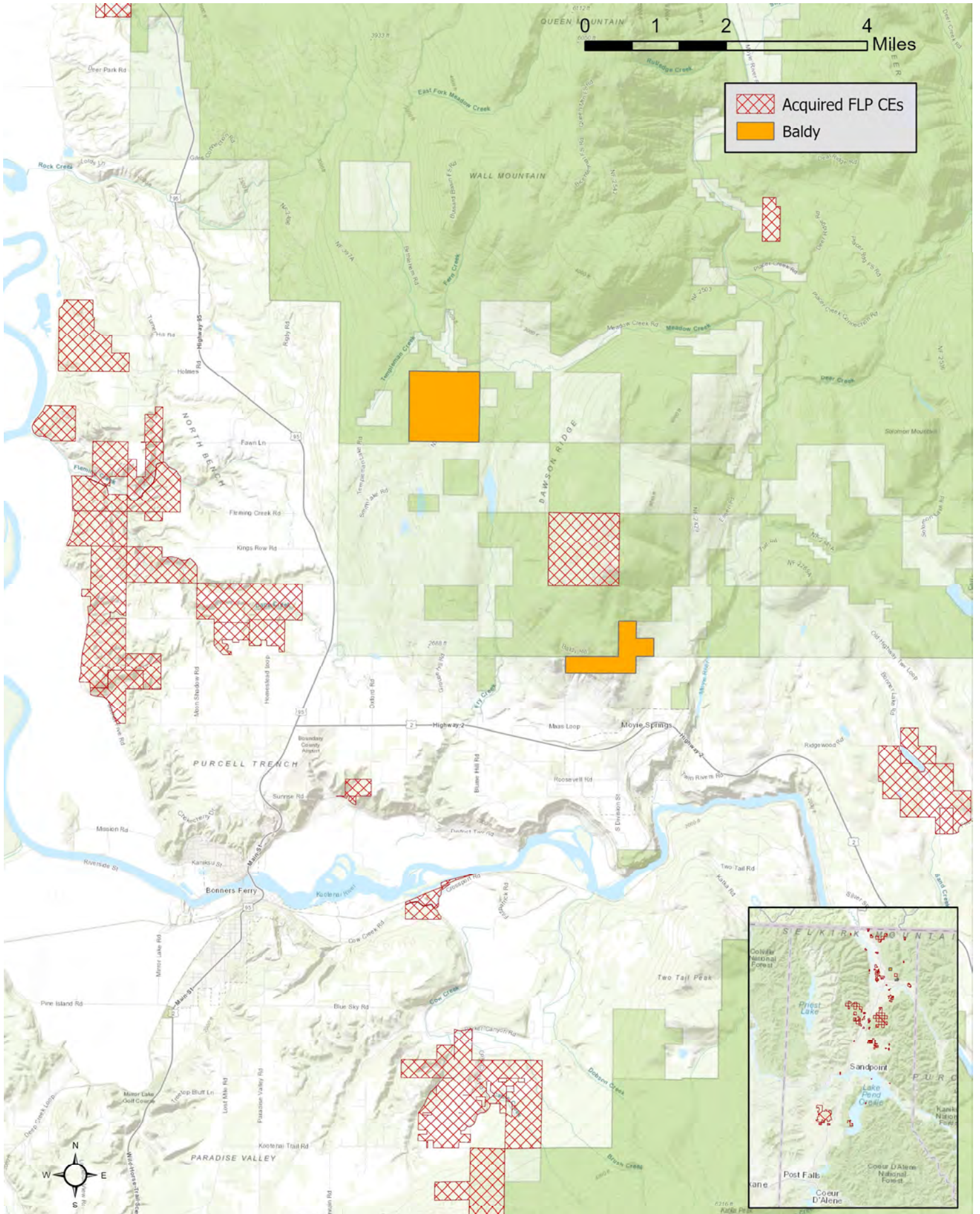
Since 2003, FLP has made 93,339 of its 103,252 timberland acres (90%) available for public recreation. As Idaho grows and demand for recreation access increases, FLP incentivizes private landowners to offer public access in line with their forest management goals.



For more info scan the code or visit

<https://www.idl.idaho.gov/about-forestry/forest-legacy-program/>





Public Support of the FY 2020-21 Moyie River Corridor Project in Boundary County

The following local, state and federal governmental agencies and local, state and regional conservation organizations provided written letters in support of the purchase of the development rights, by way of conservation easement, on the Moyie River Corridor project properties:

- City of Bonners Ferry
- City of Moyie
- Foust Logging, Inc.
- Idaho Department of Fish and Game
- Idaho Forest Owner Association
- Idaho Forest Group
- Inland Forest Management
- Stimson Lumber Co.
- Trans-border Grizzly Bear Project
- US Fish and Wildlife Service
- US Forest Service – Idaho Panhandle National Forest
- Vital Ground Foundation
- Yellowstone to Yukon Conservation Initiative

The Boundary County Commissioners have received intermittent updates on the project through the process, with the most recent update given on February 12, 2024 by Kennon McClintock with The Nature Conservancy, and Jennifer Barker, the Forest Legacy Program Manager with IDL. Present were Commissioners Wally Cossairt and Tim Bertling, who expressed support for the project. Commissioner Ben Robertson was absent due to illness, however the materials were left for his review.

Commissioners' Meeting Agenda - Week of February 12, 2024

Date:

Wednesday, February 7, 2024 - 17:00 to Friday, February 16, 2024 - 17:00

All times are tentative unless identified as a specific appointment or public hearing & the Board will address items on the agenda as they are completed, which may either shorten or lengthen the times for which items are addressed on the agenda. Claims Review & Approval, Indigent Matters and Junior College Tuition Forms will be discussed & approved and Resolutions will be adopted as time allows. Commissioners' meetings are held in their chambers, Room 28, in the Boundary County Courthouse, unless otherwise stated. For Commissioners' meetings that are held at the County Annex Conference Room, that address is 6566 Main Street, Bonners Ferry, Idaho.

Monday, February 12, 2024

9:00 a.m.: Kennon McClintock with The Nature Conservancy – Update on the Dawson Ridge conservation easement.

9:30 a.m. to 10:00 a.m.: County Civil Attorney – Update on various matters. Motion to sign Certificates of Residency. Motion to sign Commissioner meeting minutes. Cancel/extend various taxes. Motion to sign New Private Road Name Request Forms. Discussion/motion regarding ARPA, ARPA projects and possible motion to adopt ARPA resolutions. Motion to adopt resolution regarding disposition of records of the Treasurer's Office. Claims approval. ACTION ITEMS.

10:00 a.m.: Boundary County Ambulance Service District Governing Board meeting.

10:30 a.m.: Kootenai Tribe of Idaho Administrative Director/Kootenai Valley Resource Initiative (KVRI) Facilitator Theresa Wheat and Bonners Ferry District Forest Ranger (USFS) Kevin Knauth – Update on KVRI and USFS matters.

1:30 p.m. to 2:30 p.m.: Road and Bridge Department report. Discussion/possible motion regarding Idaho Transportation Department Local Road Mileage Report. Discussion/motion regarding piggyback quote for Durapatch oil and any associated documents. Motion regarding letter of commitment/resolution for the Federal Bridge Investment Program Application for Naples area planning and any other required application signatures. Motion to sign Idaho Transportation Department Cooperative Agreement for Traffic Signal, US 2- 95 & Tobe Way, Permit #01-23-005-A. ACTION ITEMS.

<https://boundarycounty.us/site-page/board-commissioners>