

STATE BOARD OF LAND COMMISSIONERS

March 19, 2024

Consent Agenda

Subject

Authorization to purchase the Forest Legacy Program easements known as MRC-JTO and East Dawson, comprising approximately 1,893 acres of privately-owned forestland in Boundary County.

Question Presented

Shall the Land Board authorize the Department to accept the MRC-JTO and East Dawson tracts 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, they 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 U.S. Forest Service. Participating landowners contribute a 25% match, typically via tax-deductible donations.

The MRC-JTO tract is part of the Moyie River Corridor FLP Project. The Baldy tract that was approved by the Land Board in February 2024 is a part of this project. The East Dawson tract is part of the Boundary Connections 2 FLP Project, and this is the final tract to close for that project. (Attachment 2-Map). Molpus Woodlands Group, on behalf of its client landowners Jackson Timberland Opp-Tristar and Jamestown Forestlands LLC, wish to convey the development rights of their respective properties by way of conservation easements to the Department to conserve these forestlands 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 and additional match. The Idaho Department of Fish and Game and The Nature Conservancy have also contributed funds towards completion of this project. The table below summarizes the costs.

Tract	Landowner	Appraised CE Value	Landowner Donation	FLP Contribution
MRC-JTO	Jackson Timberland Opp-Tristar	\$4,357,000	\$1,077,250	\$3,279,750
East Dawson	Jamestown Forestlands LLC	\$1,814,000	\$441,500	\$1,375,500

These acquisitions are 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 these properties.

The project has garnered broad public support by various public and private entities (Attachment 3-Public Support). The Boundary County Commissioners met on February 12, 2024 and expressed support for the project. 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 MRC-JTO and East Dawson tracts into the Forest Legacy Program by way of conservation easements.

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?

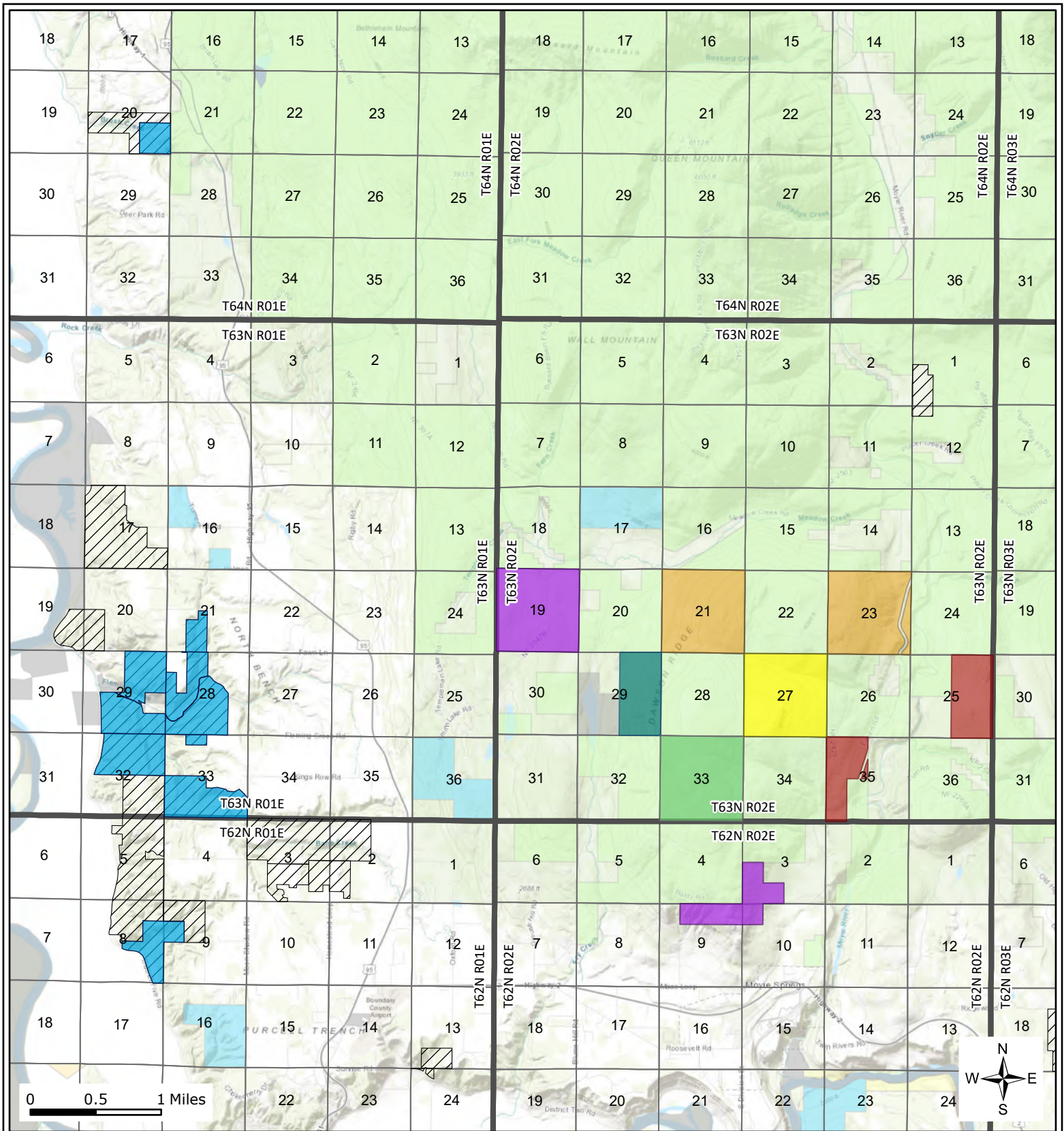
Since 2003, FLP has made 93,339 of its 103,252 timberland acres (90%) available for public recreation. As Idaho grows and demand for recreation access increases, FLP incentivizes private landowners to offer public access in line with their forest management goals.



For more info scan the code or visit

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





Boundary Connections 2

- East Dawson
- BC2 Conservation Easement (acquired)
- Moyie River Corridor**
- Baldy (approved)
- Dawson
- Skin Creek
- South Dawson Ridge
- MRC-JTO

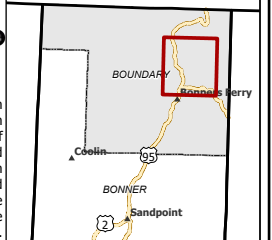
- Acquired Conservation Easements
- Idaho Surface Management Agency**
- Private
- BLM
- State
- USFS
- Tribal
- Other

Moyie River Corridor Boundary Connections 2

3/13/2024



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.



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 Minutes - Week of February 12, 2024

***Monday, February 12, 2024, at 9:00 a.m., Commissioners met in regular session with Chairman Tim Bertling, Commissioner Wally Cossairt, Clerk Glenda Poston, and Deputy Clerk Michelle Rohrwasser. Commissioner Ben Robertson was out of the office.

Commissioners said the Pledge of Allegiance.

9:00 a.m., Kennon McClintock with The Nature Conservancy and Idaho Department of Lands Forest Legacy Program Manager Jennifer Barker joined the meeting to update Commissioners on the Dawson Ridge conservation easement. This particular project started in year 2018. Mr. McClintock said the appraisals have been done and they're looking forward to closing those parcels. They will go to the Land Board in order to get approval and then the properties will be closed and protected. Those present reviewed a map of the project areas. The project size originally consisted of 6,000 acres, but it's now reduced to 4,400 acres left between Hancock and Molpus. These easements are working forest lands and they won't have buildings on them, according to Mr. McClintock.

Mr. McClintock pointed out area #33, which is the area that houses the communications tower on Molpus property. The tower can stay at that location as long as it needs to, according to Mr. McClintock. Mr. McClintock reviewed where logs came from in year 2022 with 40.4% coming from private industrial land, 22.5% comes from small private parcels and 2.4% comes from British Columbia. The State contributed 22.3% and it is mostly Idaho, but could also include Washington State and Montana. Federal logs are at 12.3%. Included in the chart are the following mills: Idaho Forest Group in Moyie Springs, LaCleda and Chilco, Alta in Naples, and Stimson in Priest River and Plummer. Mr. McClintock said the amounts have been dropping every year and we will see fewer logs coming off of industrial lands. State logs have increased from 13% in 2017 to 22% in 2022.

Ms. Barker asked Commissioners if they are okay if she informs the Land Board that Commissioners support the project. Chairman Bertling said yes.

The meeting with Mr. McClintock and Ms. Barker ended at 9:22 a.m.

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