STATE BOARD OF LAND COMMISSIONERS

October 20, 2026
Regular Agenda

Subject

Endowment Land Management Notification Policy

Question Presented

Shall the Land Board adopt the proposed Endowment Land Management Notification Policy?

Background

Notification and advertising of endowment land management and leasing has evolved in recent years. In March 2019 the Board directed that the Department, "…in association with the Office of the Attorney General (OAG), examine current auction and leasing processes and determine how they could be improved, and in fulfilling the Board's fiduciary duty."

In September 2019 the Board approved the Department's revised lease advertising and auction process intended to facilitate greater public awareness regarding lease auction opportunities and provide increased opportunities for alternative proposals and competitive bidding. While ensuring continued adherence to requirements in statute and rule related to leasing processes, the revised leasing process required the following:

- Leases to be advertised in the newspaper of record for the appropriate county for at least four weeks
- Lease advertisements posted in the Supervisory Area Office
- Expiring leases and lease advertisements posted on the Department's website with detailed information
- Certain leases or lease types advertised in industry-appropriate media
- Properties being promoted for lease application may have signs posted on the property

The Department may provide additional notification, such as to neighboring landowners, though that is not done for every land management or leasing project.

Discussion

At the July 2026 meeting the Board indicated desire for a stronger, more comprehensive notification process. The Board also recognized the need to provide the Department with clear direction.

In response, the Department has drafted an Endowment Land Management Notification Policy for Board consideration (Attachment 1). The draft policy is intended to provide the Department with clear intent of the Board. The Department would then develop the internal procedures necessary to ensure the Board's intent is followed.

The draft Board policy includes:

- Background information about endowment land management, the responsibilities of the Board, and the Board's support for transparency
- Guiding principles
- A tiered notification system for two tiers of land management actions
- Notification timeframes for each tier of actions
- Scope and limitations for the policy
- Direction for the Department to develop and maintain procedures

Recommendation

Adopt the Endowment Land Management Notification Policy and direct the Department to develop procedures for implementation.

Board Action

Attachments

1. Draft Endowment Land Management Notification Policy

Endowment Land Management Notification Policy - DRAFT

This guidance document is not a new law. This is an interpretation of existing law, except as authorized by Idaho Code or incorporated into a contract.

1. Agency Contact

Director

2. Purpose

This policy directs a consistent, transparent, and impact-based process for providing reasonable advanced notice of endowment land management activities.

3. Background and Intent

The State of Idaho holds approximately 2.5 million acres of endowment land in trust for the support public schools and other designated public institutions. Under the Idaho Constitution, the Idaho State Board of Land Commissioners serves as trustee of the endowment trust and is directed to manage these lands to "secure the maximum long-term financial return" to the beneficiaries. As trustee, the Land Board must manage endowment lands in a manner consistent with its fiduciary obligations to the beneficiaries as well as the specific terms of the trust as outlined in the Idaho Admissions Act and Idaho Constitution.

To that end, the Land Board is obligated to manage the assets of the trust with a duty of undivided loyalty to the trust beneficiaries. Under this trust framework, revenue generating actives on endowment lands and earnings invested funds provide millions of dollars annually in support of Idaho's public school system and numerous other state of Idaho institutions.

While endowment lands are managed exclusively for the interests of the trust beneficiaries, the Land Board recognizes that specific management activities on endowment land may impact adjacent landowners, local governments, and stakeholders or may otherwise attract interest from members of the public.

The Land Board supports a general policy of transparency in endowment land management and, while these individuals or groups may not hold legal rights

within the endowment trust framework, they may nonetheless have practical, informational, or situational interests in upcoming management activities.

To acknowledge these important interests and advance transparency in endowment management, this policy provides standard processes for advance notification of certain management activities on endowment lands in a manner consistent with the Land Board's constitutional and fiduciary obligations.

4. Associated Policies

TBD

5. Definitions

None

6. Policy

a. Guiding Principles

- *Transparency* – Notifications provide clear and accurate information regarding endowment land management actions.
- *Consistency* – Notifications provide similar information across varied actions and locations.
- *Timeliness* – Ensure notifications occur with sufficient time in advance of Land Board action.
- *Proportionality* – The level of notification aligns with the significance of the action.
- *Operational Efficiency* – Notification practices support efficient implementation of endowment land management actions.
- *Mission Alignment* – Notification practices remain consistent with the Idaho constitutional mandate to manage endowment lands in a manner to secure maximum long-term financial returns to the endowment beneficiaries and with the fiduciary obligations of the Land Board as trustees of the endowment.

b. Tiered Notification System

Tier 1 – Routine Actions

Traditional land and resource management actions such as:

- Timber sales
- Leases consistent with past use
- Acquisition/grants of access

Notifications shall include website posting and adjacent landowner notification via mail or direct contact.

Routine actions shall be considered Tier 2 when located within communities or reasonably expected to receive high public interest and in those cases Tier 2 notification requirements shall apply.

Tier 2 – Change of Use/High Interest Actions

Actions that differ from past use or are likely to be of high interest due to the location or the nature of the action, such as:

- Leases that differ from past use and/or include significant development
- New developed recreation projects
- Actions affecting public access to or across endowment land on more than a temporary basis
- Land exchanges or dispositions
- Actions within communities
- Actions that can reasonably be expected to be of high local interest

Notifications shall include website posting, site signage, GovDelivery email, notification of adjacent landowners, issuing press releases, social media posts, and notifications to local officials and stakeholder groups.

c. Notification Timeframes

Tier 1 - Routine Actions
Notice when advertised.

Tier 2 - Change of Use/High Interest Actions
Notice when the new activity is advertised and prior to any required Land Board action.

Notification timeframe must be flexible based on the specific action; notification shall always allow the Land Board to be informed of the notification actions taken and any feedback received prior to a Land Board agenda item requiring action.

d. Scope and Limitations

This policy is intended to promote transparency and provide advance information regarding endowment management activities to potentially interested or affected parties. In accordance with trust principles and

fiduciary obligations of the Land Board, the notice described in this policy is informational only and does not create any right to comment, negotiate, consent, influence, or otherwise participate in Land Board or Idaho Department of Lands endowment management decisions, all of which must remain firmly directed toward fulfilling the trust's duty to the beneficiaries.

Failure to receive notice of any endowment land management activity will not be independently sufficient grounds for delay, reconsideration, alteration, or invalidation of endowment land management decisions or activities.

7. Procedures

The Department shall develop and maintain procedures sufficient to ensure that endowment land management actions are appropriately and consistently noticed.

8. Revision History (Board Action)