

## Community Forest Trust

A Pilot Project to Compliment

Secure Rural Schools and Community Self Determination Act Reauthorization

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Proposed by:

Boundary County, Idaho  
Clearwater County, Idaho  
Idaho County, Idaho  
Shoshone County, Idaho  
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## **Summary**

Idaho counties with significant federal lands inside their borders are proposing a Community Forest Trust pilot project in Idaho. The pilot project will provide a pathway for counties to successfully transition away from federal transfer payments under the Secure Rural Schools (SRS) Act. The proposal is for Community Forests to be designated from federal forest lands within Idaho and managed in trust by the state for the benefit of county governments and local communities. Professional forest management would be provided by the Idaho Department of Lands under the environmental laws that apply to all Idaho state forest trust lands. Proceeds from management of the Community Forest Trust lands would be distributed to counties receiving Secure Rural Schools funding in lieu of transfer payments from the federal treasury, after having first reimbursed the Idaho Department of Lands for land management costs. Management of the Community Forest Trust lands would be overseen by an Idaho Community Forest Trust Board consisting of five elected county commissioners from the counties with the most significant proportion of federal forest land within the state.

## **Background**

The U.S. Congress has perpetually recognized special obligations to local governments and communities where the federal government has extensive land ownership. When federal forests were first established, the premise and promise was that local communities would welcome federal ownership as they would benefit both from the economic activity on federal forest lands and would receive a portion of the revenues generated from the sale of timber and other resources on those federal lands. Federal law required that 25% of the receipts from national forest resource sales be returned to the counties where those lands were located.

Beginning in 2000, the U.S. Congress recognized that revenues from national forest activities had declined significantly and moved to meet the obligation to local governments and communities by enacting the Secure Rural School and

County Self Determination Act (SRS). This law established transfer payment schedules for federal monies to be paid from the U.S. Treasury directly to the counties, proportionate to funds lost from timber harvest revenues, in order to meet the obligations of federal ownership. Since 2000, this law has been reauthorized twice and is now up for reauthorization again.

The SRS funding was always intended to be an interim measure that would be in place only until new programs on federal forest lands were established that would provide reliable and sustainable revenue to local counties. That transition has not come to pass. Instead, federal forest management has declined, and with it, so too has the revenue to the U.S. treasury and local counties. New Forest Service programs targeted at landscape level forest restoration and fuels reduction have faltered or not come to fruition.

This paper outlines a new way to restore much needed forest management on federal land as well as a way to generate a more reliable source of revenue for counties in Idaho that have historically depended on receipts from federal forest management activities. Authorizing a Community Forest Trust in Idaho will advance a reliable, sustainable and environmentally responsible forest management process that will also provide revenue to county governments to help pay for schools, road maintenance and other essential services.

### **Community Forest Trust**

The Community Forest Trust concept is offered as a long term solution to meeting the federal government's obligations to counties and communities with federal lands inside their borders. The goal ultimately is for the U.S. Congress to designate specific federal forest lands within Idaho as a Community Forest Trust that would be managed in trust for local counties and communities. Professional management of the Community Forest would be provided by the state's professional land management agency, the Idaho Department of Lands, for the legislatively defined purposes of supporting county governments and providing sustainable forest stewardship. The Community Forest Trust lands would remain the property of the United States government but would be managed in trust for

county governments under environmental laws as they apply to state lands. Elected representatives from the federal land counties would be appointed by the Governor to a Community Forest Board that would ultimately be responsible for land management decisions. Management costs would be deducted from the revenue earned from land management activities and paid back to the Idaho Department of Lands.

Net revenue generated from management of the Community Forests would be pooled and distributed under a mutually agreeable distribution formula to all counties within the state that are currently receiving SRS funding. These payments would offset any SRS payments from the federal government. Further, any net revenue generated from the Community Forests would not impact other county payments under the Payment in Lieu of Taxes (PILT) program.

### **Requirements**

Sustainability: Community Forests will be required to have a resource sustainability plan and must be managed to protect the long term productivity of soil and water.

Public access: Public access will be provided to all Community Forest lands in a manner that best facilitates access and use and that protects environmental values.

Environmental Laws: Environmental laws will apply to the management of the Community Forest lands as they are applied to the management of forest lands managed by the State of Idaho.

Wildfire: The federal government will retain firefighting responsibility for the Community Forest Trust lands.

### **Environmental Standards**

Each of the counties proposing the Community Forest Trust concept is currently engaged in ongoing multi-stakeholder collaborative efforts on federal land projects that include Native American tribes and environmental organizations.

The Community Forest Trust Board and individual participating counties will seek advice from established collaboratives and/or functioning Resource Advisory Committees (RACs) on how Community Forest Trust land management programs can best accomplish support for counties, communities and multi-stakeholder interests that are consistent with the purposes of the Community Forest Trust concept.

### **Community Forest Trust – Pilot Project**

The immediate proposal is for the U.S. Congress to approve a 200,000-acre Community Forest Trust pilot project in Idaho to demonstrate how the project would function and to evaluate and fine-tune the concept. The pilot would continue for at least five years or for the duration of the next SRS reauthorization, whichever is longer.

Monitoring: Effective environmental and performance monitoring is key to the success of the Community Forest Trust pilot. Idaho State Best Management Practices (BMPs) and water quality monitoring programs will be required on all Community Forest Trust pilot lands in the same manner that they occur on existing state forest lands. Further, the Community Forest Trust Board will consider and implement additional monitoring programs that they determine necessary to properly evaluate the pilot program. Implementation of these monitoring activities will also be funded by revenue generated through Community Forest Trust management activities.

Other monitoring programs from federal government and/or other third party interests are encouraged and permitted provided that the program designs are approved by the Idaho Department of Lands and the Community Forest Trust Board and that independent funding is provided.

### **Designation of Community Forest Trust Lands**

The designation of lands included in the Idaho Community Forest Trust pilot project will occur by federal law as part of the SRS Act reauthorization. The Idaho

Department of Lands will use Forest Service data and recommendations to identify lands that best meet the purpose of the Community Forest Trust pilot.

The following criteria will apply:

1. Roadless lands identified in the Idaho Roadless Rule cannot be included in the pilot project unless they are classified as General Forest by the Rule.
2. Selected lands will be in contiguous “blocks,” efficiently sized for management purposes and among the Idaho counties with established Idaho Department of Lands management offices. To the extent practicable, lands will be selected that include different forest types and landscape conditions to evaluate differing opportunities within the state.
3. To the extent consistent with the purposes of the Community Forest Trust concept, preference will be given to lands that meet the following criteria:
  - a. Are within the Wildland-Urban Interface (WUI) or otherwise identified by the counties as critical for community protection.
  - b. Are classified as forest health condition Class 2 or 3 by the Forest Service.
  - c. Are consistent with management goals for endangered species.