

GROUNDWORK



FIRST ANNUAL REPORT OF THE FOOTHILLS CONSERVATION ADVISORY COMMITTEE



May, 2002



*Submitted By: Foothills Conservation Advisory Committee
Chas. F. McDevitt, Chairman*

MISSION STATEMENT

The Foothills Conservation Advisory Committee shall make recommendations to the Mayor and City Council for permanent protection of natural open space in the Boise Foothills, consistent with the open space serial levy passed by the voters on May 22, 2001, and will work to ensure that the levy funds are spent wisely.





Charles F. McDevitt, Chair



Suki Molina, Vice Chair



Tom Baskin



Kipp Bedard



Mike Boren



Margaret Buchanan



Sue Chelstrom



Anne Hausrath



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Helen Lowder



Ken Pursley



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recreation trails or protect habitat is of little value to the effort, while 1,000 acres that connect important trails and habitats are invaluable.

The Committee's efforts to conserve public open space for wildlife, recreation, viewshed and protection of riparian areas are dependent upon the important relationships that are being established with willing land owners. Development will still occur in the Foothills according to the demands of the free market and the ability to extend services to the Foothills (i.e., sewer, water, roads, fire protection, etc). The Committee has laid important groundwork for a new future in the foothills, one in which open space conservation has a seat at the table. The Committee looks forward to conservation successes that will occur in the coming year.

INTRODUCTION

The city of Boise and its surrounding Foothills are a special place. Our high quality of life is, in no small part, due to the City's proximity to open space in the foothills. By passing a \$10 million levy in May 2001, the citizens of Boise showed tremendous support for protecting open space in the foothills.

While public land conservation is an exceedingly complex process, communities nationwide are taking up the challenge to protect cherished landscapes. Boise's efforts will be successful only if the City takes a collaborative approach to open space protection by engaging elected officials, other public agencies, non-profit conservation groups, private landowners and the citizens of Boise. This kind of process has never before been undertaken in Idaho, especially on this scale.



PUBLIC INVOLVEMENT

The Committee wants to hear what the public thinks about its first year of progress. Please address your comments

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The Foothills Conservation Advisory Committee is pleased to present to the Mayor and city Council, the Committee's first Annual Report detailing the accomplishments over the last year. The Committee is proud of its efforts in prioritizing conservation parcels, coordinating with land management agencies, and partnering with conservation organizations to maximize leverage of levy funds. These efforts have laid the groundwork for conservation success in the foothills.

BACKGROUND

The two-year property tax serial levy passed by Boise voters on May 22, 2001 will raise \$10 million for conservation efforts in the Boise Foothills. Beginning in November 2001, the City included the two-year levy in property taxes for commercial, residential and industrial property. The \$10 million will accrue in four installments, the first of which came in January 2002 (as a result of tax notices sent in November, 2001). Subsequent installments will occur in June 2002, January 2003 and June 2003. The levy automatically ends in 2003 following collection of the \$10 million.

Between the time that funds are collected and then spent on conservation activities, the City invests in various securities. Interest from these securities stays in a specific account, generating additional funds that can be used for conservation purposes.

Only the Mayor and City Council can approve expenditures from the serial levy for conservation easements or land acquisition. In order to guide their conservation efforts, the Mayor and City Council approved Chapter 2-23 of Boise Municipal Code, which established the organizational structure, duties and responsibilities of the Foothills Conservation Advisory Committee.

The Committee consists of 12 citizens appointed by the Mayor and confirmed by the City Council, with each member serving a three-year term. The duties of the committee are to create a mission statement, direct the activities of City staff assigned to the Foothills open space conservation program, develop a list of conservation priorities and make recommendations to the Mayor and City Council in acquiring interests in real property for Foothills open space stewardship. The Committee's meetings are conducted in accordance with Idaho Open Meetings Laws, however land acquisition negotiations, whether public or private, are usually done with the benefit of confidentiality. If the parties and negotiations were made public, other potential sellers would unfairly benefit from this knowledge. Recommendations from the Committee must be forwarded to the Mayor and City Council for approval, the details of which must be made public when completed, thus insuring accountability.



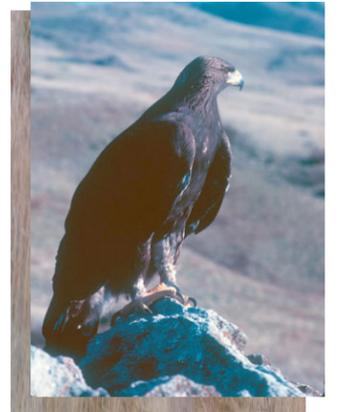
How does the serial levy work?

What is the process for approving expenditures?

What is the Foothills Conservation Advisory Committee?

LOOKING FORWARD

In its first year of operation, the Committee has set the stage for responsible, sensible public open space conservation. Land acquisition by its nature is a lengthy and detail-intensive process. The Committee and its partners, are working carefully and deliberately to conserve public open space. The public should expect success to result from the solid foundation that has been laid by the Committee over the past year. Full realization of the Committee's efforts will unfold in the years ahead.



In the coming year, the Committee will focus its efforts on the following tasks:

- Continue to provide advice and recommendations to the Mayor and City Council on parcels to be acquired;
- Oversee the work of TPL to ensure critical parcels are receiving top priority;
- Oversee the efforts of TPL to find sources for leveraging the serial levy money.
- Facilitate the efforts to complete a land exchange of 6,000 acres between the BLM and Idaho Department of Lands This exchange is very complex and is anticipated to take years to complete, after thorough environmental, financial and cultural reviews;
- Keep the public informed about the progress of this effort, including annual audits, annual reports, news releases, meetings, etc.

Another \$5 million is anticipated to be collected for the fund over the next 12 months. There is no requirement that the money be spent in the year that it was generated, nor is it required to be spent at the end of the two-year serial levy period. Funds from the serial levy remain available for conservation or property acquisition until spent. The collection of property tax dollars for public open space preservation automatically ends after the final installment in 2003 and no additional funds will be generated from property tax without a vote of the citizens of Boise.

Within the \$10 million limit, the conservation of land will not be bound by the availability of funds. If the parcels are important enough, the City could draw against its reserves, knowing it would be paid back from the serial levy money.

The city hopes to leverage another \$10 million in the form of donations, grants, easements and land exchanges. That way, the \$10 million from the serial levy will be matched to purchase a total of \$20 million in land preservation.

The Committee's efforts have laid the groundwork for successful conservation of open space in the foothills. Success will be judged on quality of connected open space, not sheer number of acres conserved. Ten thousand acres that don't connect with

How much money will come from leveraged sources?

How many acres do you expect to conserve?

review of title, evaluation of easements, and the appraisal process typically take months to complete prior to final purchase negotiations, even when both parties are motivated to complete a transaction. Second, land owned by multiple parties, either as family members or corporate partners, will require consensus to enter into agreements, and this often takes considerable time. Lastly, people have not always been kind to the Foothills. Some sites may have environmental concerns and this must be investigated prior to potential purchase to assess potential liability. In the end, success in conserving privately-owned open space will be measured in on-the-ground conservation, not expediency, in spending the \$10 million.



In addition to private property, the Committee has focused conservation efforts on State Endowment lands in the Foothills. Under State Constitution, endowment lands must be managed in a manner that maximizes sustainable revenue for state schools. This mandate does not guarantee protection of these lands as public open space. There are approximately 6,000 acres of state endowment lands in the Foothills under management of the state land board and the Idaho Department of Lands. Recognizing both the conservation potential and the increased benefit to public schools resulting from a land exchange, the Committee has devoted considerable effort to facilitating the exchange of these parcels with the Bureau of Land Management.

On January 9, 2002, the Committee forwarded to the Mayor and City Council a draft resolution to the Governor and Congressional delegation urging their support authorizing and supporting the exchange concept. These efforts resulted in unanimous approval of the concept by the State Land Board on March 12, 2002 directing the Idaho Department of Lands to enter into a Memorandum of Understanding to develop an exchange package with the Bureau of Land Management. The state/federal land exchange process is a very detailed process that requires significant staff resources and often takes several years to complete. The Committee is working with IDL and BLM to identify work that can be completed by private organizations in support of this effort. Once this work has been identified, the Committee will seek partnerships that will help facilitate this process.

Lastly, the Committee has directed City staff to work with TPL in identifying matching funds for conservation efforts. This includes state, federal and private sources of funding. Although land conservation has become more common place, Boise is competing with other cities, state and federal agencies nationwide for increasingly competitive federal conservation funding.

The Committee has been charged with developing a set of priorities for levy expenditures. In general, the Committee seeks to protect open space by accomplishing a variety of conservation objectives, including:

- Preservation of important wildlife habitat and movement corridors;
- Protection of riparian areas;
- Protection of scenic views, historic properties, and archaeological resources; and
- Enhancement of recreational opportunities.

The Mayor and Council appointed the Committee members in June 2001. In general, Committee members were selected for their interest in public recreation issues, leadership, individual areas of expertise and their willingness to devote long hours with no monetary recompense. In establishing an independent advisory committee, the Mayor and City Council have created an open process that draws on diverse community values in implementing foothills conservation efforts.



Foothills Conservation Advisory Committee – Timeline of Activities

- May 22, 2001, Foothills Levy approved by 59% of Boise voters
- June 5, 2001 - Mayor and City Council adopt Ordinance 6066 (04-40B-01) creating the Foothills Conservation Advisory Committee and appointed the 12-member Foothills Conservation Advisory Committee
- June 20, 2001 - Foothills Conservation Advisory Committee holds initial meeting, reviews charter, begins work on mission statement, reviews resource conservation efforts of land management agencies in the foothills, reviews selection committee findings and identifies partnership opportunities.
- June 27, 2001- meets to work on mission statement, review of on-going resource conservation efforts, past selection committee findings and potential partnership opportunities..
- July 11, 2001 - meets with Boise Planning Development Services and Ridge to Rivers Trail program.
- July 18, 2001 - meets with The Trust for Public Land concerning potential partnership.
- July 25, 2001 - begins partnership negotiations with TPL, meets with ACHD staff.
- August 8, 2001 - meets with US Fish & Wildlife Service and Idaho Department of Fish and Game staff.
- August 15, 2001 - meets with Bureau of Land Management, Boise National, and Boise Planning Development Services staff.
- August 22, 2001 - meets with Idaho Department of Lands staff.
- August 29, 2001 - meets with Boise City budget office regarding City properties potentially suitable for trade, TPL presents update on draft Memorandum of Understanding.
- September 5, 2001 - meets to develop conservation priorities
- October 10, 2001 - develops new language for TPL Memorandum of Understanding.
- October 17, 2001 - meets to develop conservation priorities
- October 24, 2001 - meets to develop conservation priorities, recommends that MOU between Boise City and TPL be forwarded to Mayor and City Council for approval.

PROGRESS

This is a critical time for public open space conservation in the Boise foothills. If land in-between developed property and existing public land is cutoff, connectivity is removed and public open space becomes fragmented. The Committee’s work over the past 10 months has laid a solid foundation for future land conservation so that Boiseans will forever enjoy a well-planned system of connected open space.

Initially the Committee devoted its attention to reviewing existing data and meeting with officials from Idaho Department of Fish and Game, U.S. Bureau of Land Management, U.S. Forest Service, Boise National Forest, Idaho Department of Lands, Ada County Highway District, Ridge to Rivers Trails Program, and Boise City Planning and Zoning. The

What are the goals and conservation priorities of the Committee?

Committee built upon years of Foothills open space planning efforts including the Foothills Open Space Management Plan and the Mayor’s Foothills Open

Space Selection Committee - November 2000 Report.

At the conclusion of this effort, the Committee prioritized 63 parcels of land totaling approximately 10,200 acres of existing open space. To create and protect connectivity of public open space and to maximize the

Who has the committee brought in to assist in the conservation effort and how can they help us preserve public open space

effectiveness of limited funding, the Committee selected parcels within the three priority areas identified in past planning efforts. These priority areas are commonly referred to as:

- Table Rock/Warm Springs Priority Area,
- Hulls Gulch/Military Reserve Priority Area, and Dry Creek/West Foothills Priority Area.

Concurrent with its prioritization efforts, the Committee assessed the City’s ability to access the latest conservation tools and techniques. Advances in conservation in recent years have yielded a sophisticated system of financing requiring expertise in tax law, estate planning, grant writing and capital leverage. The Committee’s assessment determined a need to partner with conservation organizations in order for the City to access the latest conservation tools and techniques.

In December, the Committee finalized details on a unique partnership with the Trust for Public Land (TPL), a nationwide conservation organization with 30 years of conservation experience. TPL is dedicated to preserving land for public benefit and has worked to conserve 1.2 million acres in states throughout the nation. The

Committee’s recommendation to partner with TPL was accepted by the Mayor and City Council on December 4, 2001. TPL brings to Boise the expertise to offer the latest conservation techniques as well as access to other sources of capital. TPL has years of experience in securing public funds and working with private foundations, corporations and individuals interested in donating to open space preservation.

The City’s partnership with TPL is unique and multi-faceted. The City and TPL have created a revolving fund where donations of land value and matching funds will be placed, from which TPL will be reimbursed for its direct expenses, with City approval. After exhausting serial levy funds, any money remaining in this revolving fund will be split evenly between the city and TPL. The City has committed to apply these monies to additional Foothills conservation, while TPL must use its share for land acquisition in Idaho.

TPL, under direction of the Committee, has focused efforts on conservation easements and acquisitions in the priority areas. In working with private land owners, TPL uses their expertise to acquire options for conservation easements or acquisition. These options are brought before the Committee for consideration, however, the Committee is not bound by any agreement TPL may enter into. The Committee will only recommend to the Mayor and City Council those opportunities that meet the campaign goals of the levy.

Prior to the levy, the City relied on the generosity of land owners or the planning of future development to

conserve open space in the Foothills, and this still did not guarantee that open space would remain public. Now, with the availability of conservation funding from the City combined with the estate planning and conservation expertise of the Committee’s partner, TPL, the Committee is reaching out to private land owners and providing new opportunities for conservation outcomes in the three priority areas of the Foothills. This effort has made an immediate impact on the conservation potential within the three priority areas and is anticipated to improve as the dialogue with land owners accelerate.

Many of the land acquisitions are very complicated and will take years to accomplish due to a number of factors not unique to Boise. First,

Private landowners are key to this process; what are you doing to work with them?

- October 30, 2001 - Submits priorities to Mayor and City Council in executive session. City Council approves MOU between the City of Boise and TPL.
- November 28, 2001 - meets to discuss details of professional services agreement with TPL.
- December 4, 2001 - City Council approves Professional Services Agreement with TPL.
- December 12, 2001 - receives update from staff on Idaho Department of Lands exchange procedures, finalized selection of Foothills Acquisition Coordinator with Boise Parks and Recreation Department Director.
- January 9, 2001 - approves draft resolution for the Mayor and City Council to forward to the Governor and the Idaho Congressional Delegation urging their support of land exchanges in the Boise Foothills between the Idaho Department of Lands and the Bureau of Land Management.
- January 23, 2002 - receives update from TPL on negotiations with private land owners.
- February 13, 2002 - receives update from TPL on negotiations with private land owners.
- March 12, 2002 - Idaho State Land Board directs the Idaho Department of Lands to enter into an MOU with BLM to exchange state endowment lands in the foothills.
- March 13, 2002 - receives update from TPL on negotiations with private land owners.
- March 13, 2002 - considers options for facilitating IDL/BLM land exchange.
- April 3, 2002 - meets with the Nature Conservancy and American Public Land Exchange regarding assistance with public land exchanges such as the exchange between TDL and BLM in the foothills
- April 13, 2002 - receives update from TPL on negotiations with private landowners.
- May 8, 2002 - receives update from staff on land exchange facilitation meetings, receives update from TPL on negotiations with private land owners.
- May 21, 2002 - update to Mayor and City Council on past years’ progress and goals for coming year.

