

IDAHO BOARD OF SCALING PRACTICES

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**MEMBERS OF THE SCALING BOARD**

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Memorandum

Date: August 11, 2010

To: Purchasers Paying the Scaling Assessment

From: Ernie Bauer, Executive Director 

Subject: **Clarification of Tribal Lands Scaling Assessment Applicability**

Questions have surfaced regarding applicability of the scaling assessment on the scale of forest products harvested from Tribal Lands within the borders of Idaho. Previous instruction from our office directed the purchaser to include the scale of forest products harvested from "Tribal Lands" with "Private Lands" volume. This instruction requires clarification.

Types of Tribal Lands within the borders of Idaho include:

- Land held in trust for a tribe by the United States ("Tribal Trust Land").
- Land owned in fee by a tribe.

Forest products harvested from Tribal Trust Land are not subject to the timber owner scaling assessment, but they are subject to timber purchaser scaling assessment. Include any scale volume from Tribal Trust Land with "Federal Lands" (Line 3 of Scaling Assessment Payment Record form).

The Board is unaware of any active forest product removals from lands whose fee title is held by a tribe that fall within the "Private Lands" assessment category. It recommends that a purchaser anticipating acquiring forest products from such lands contact the Executive Director for further guidance concerning imposition of the "timber owner" scaling assessment.

Timber sale contracts involving purchase of Tribal forest product will identify the source of timber origin (i.e., type of Tribal Lands) and should be examined in order to determine proper designation. Attached with this memo is a newly revised Form #4 – Scaling Assessment Payment Record that reflects these distinctions (entry info for Lines 1 and 3).

Newly revised Form #4 is available at our website (www.ibsp.idaho.gov) as either a "blank form" for manual computation, or an automated MS Excel version.

cc: Board Members