

**REGULAR MEETING OF THE BOARD OF LAND COMMISSIONERS**  
**AGENDA**  
**April 15, 2024, 9:00 a.m.**  
**Supreme Court Chambers, Mazurek Justice Building**  
**Helena, MT**

**ACTION ITEMS**

**0424-1 Timber Sales Approved 5-0**

**A. Cliff Lake**

*Location: Flathead County*

*Benefits: Public Buildings, MSU 2<sup>nd</sup> Grant, Eastern College-MSU/Western College-U of M,  
School for the Deaf & Blind*

**B. Olney North**

*Location: Flathead County*

*Benefits: School for the Deaf & Blind, State Reform School, Montana Tech, Public Buildings,  
MSU 2<sup>nd</sup> Grant*

**C. The Other Side**

*Location: Mineral County*

*Benefits: Common Schools and Montana State University*

**0424-2 Land Banking Parcel: Preliminary Approval for Sale Approved 5-0**

*Location: Fergus County*

*Benefits: Common Schools*

**0424-3 Easements**

*Location: Flathead, Meagher, Teton, and Wheatland Counties*

*Benefits: Common Schools and School for the Deaf & Blind*

Approved 5-0

**0424-4 Informational Item: Department of Natural Resources and Conservation**

*Location: State of Montana*

*Benefits: N/A*

**0424-5 Informational Item: Department of Natural Resources and Conservation**

*Location: State of Montana*

*Benefits: N/A*

**PUBLIC COMMENT**

# 0424-1

## TIMBER SALES:

- A. Cliff Lake
- B. Olney North
- C. The Other Side

**Land Board Agenda Item  
April 15, 2024**

**0424-1A Timber Sale: Cliff Lake**

**Location: Flathead County - Sections 19, 29, 30, 31, T30N, R22W**

**Trust Beneficiaries: Public Buildings (30%), MSU 2<sup>nd</sup> Grant (4%), Eastern College-MSU/Western College-U of M (38%), School for the Deaf & Blind (28%)**

**Trust Revenue: \$897,980 (estimated, minimum bid)**

**Item Summary**

**Location:** The project is located approximately 9 miles northwest of Kalispell, Montana.

**Size and Scope:** The sale includes 2 harvest units (*474 acres*) of ground-based tractor logging.

**Volume:** The estimated harvest volume is 32,023 tons (*4.9 MMBF*) of sawlogs.

**Estimated Return:** The minimum bid is \$28.04 per ton, which would generate approximately \$897,980 for the Public Buildings, MSU 2<sup>nd</sup> Grant, Eastern College – MSU/Western College – U of M, and School for the Deaf & Blind Trusts and approximately \$131,244 in Forest Improvement fees.

**Prescription:** This sale would utilize an individual tree selection prescription that will improve the health and vigor of residual trees, capture the value of insect infested trees, and provide opportunities for regeneration of western larch.

**Road Construction/Maintenance:** The Department of Natural Resources and Conservation (DNRC) is proposing 1.0 mile of new road construction and 4.9 miles of road maintenance.

**Access:** Access is obtained through State managed roads.

**Public Comments:** Five public comments were received. Three comments of support for the timber sale were received from logging industry representatives and a nearby landowner. Montana Department of Fish, Wildlife & Parks (FWP) expressed concern regarding impacts to white-tailed deer winter range due to the removal of mature Douglas-fir. DNRC wildlife biologist worked closely with FWP biologist to come up with mitigations to lessen the impacts on white-tailed deer winter range. The Northern Cheyenne Tribe requested an archeological review of the project area. A Class I literature review was conducted by the DNRC staff archaeologist for the area of potential effect.

**DNRC Recommendation**

The DNRC recommends the Land Board direct DNRC to sell the Cliff Lake Timber Sale.

# State Trust Land Vicinity Map

## Kalispell Unit

CLIFF LAKE PROJECT  
VICINITY MAP

**Project Name:** Cliff Lake  
Timber Harvest

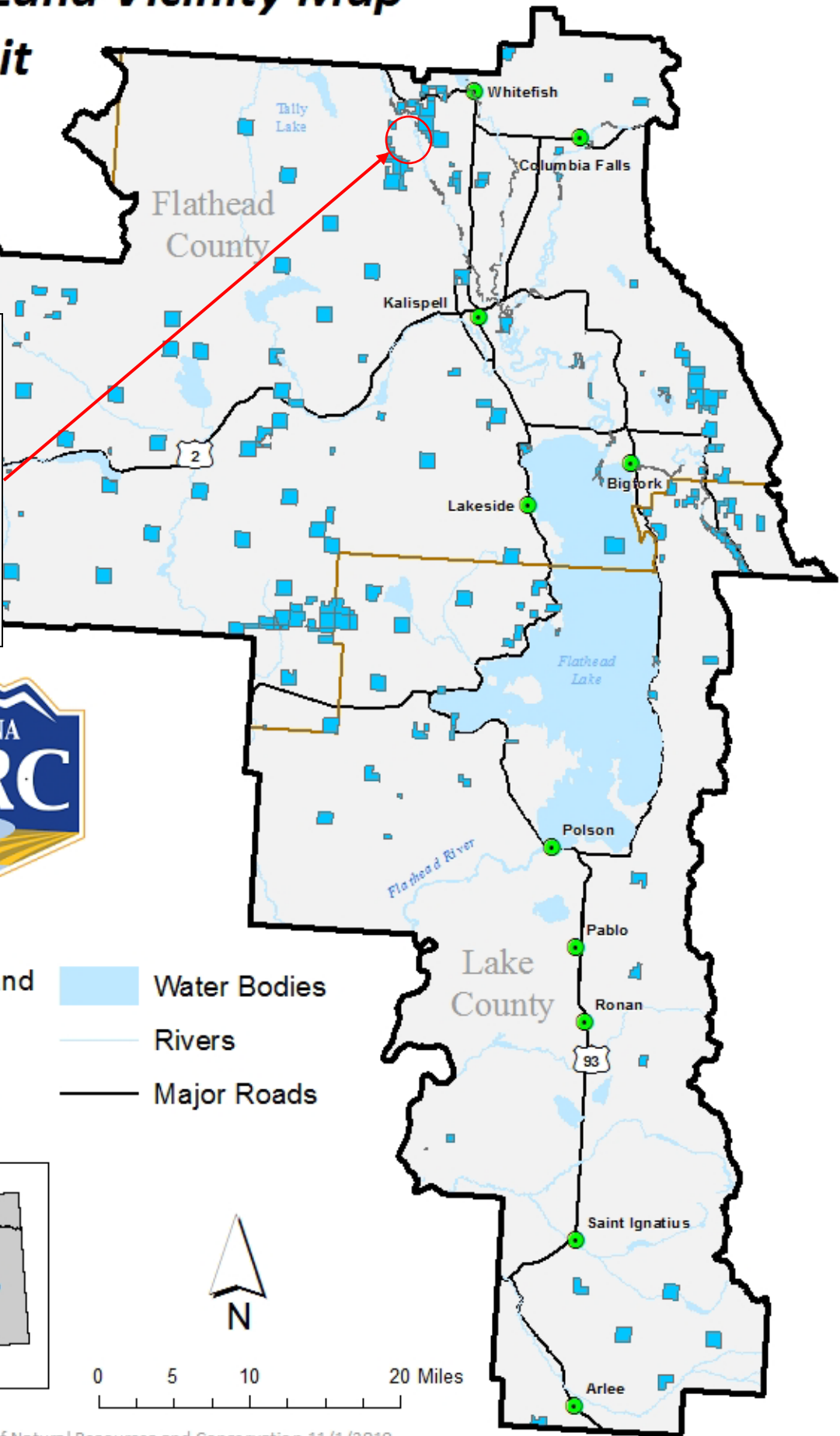
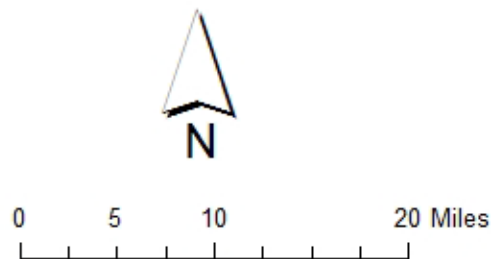
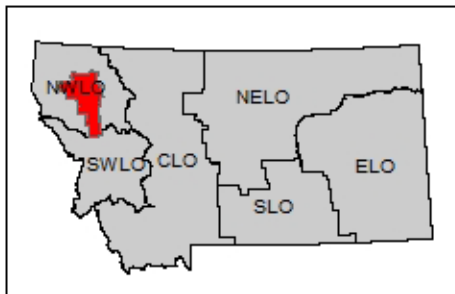
**Project Location:** northwest  
of Kalispell, MT

**Sections:** 19, 29, 30, 31  
**Township:** 30N  
**Range:** 22W

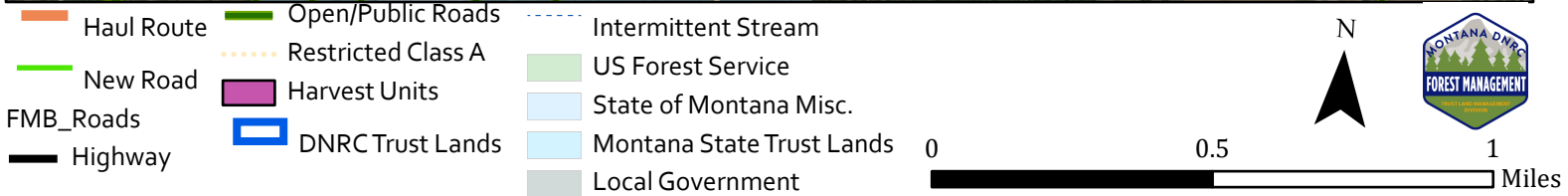
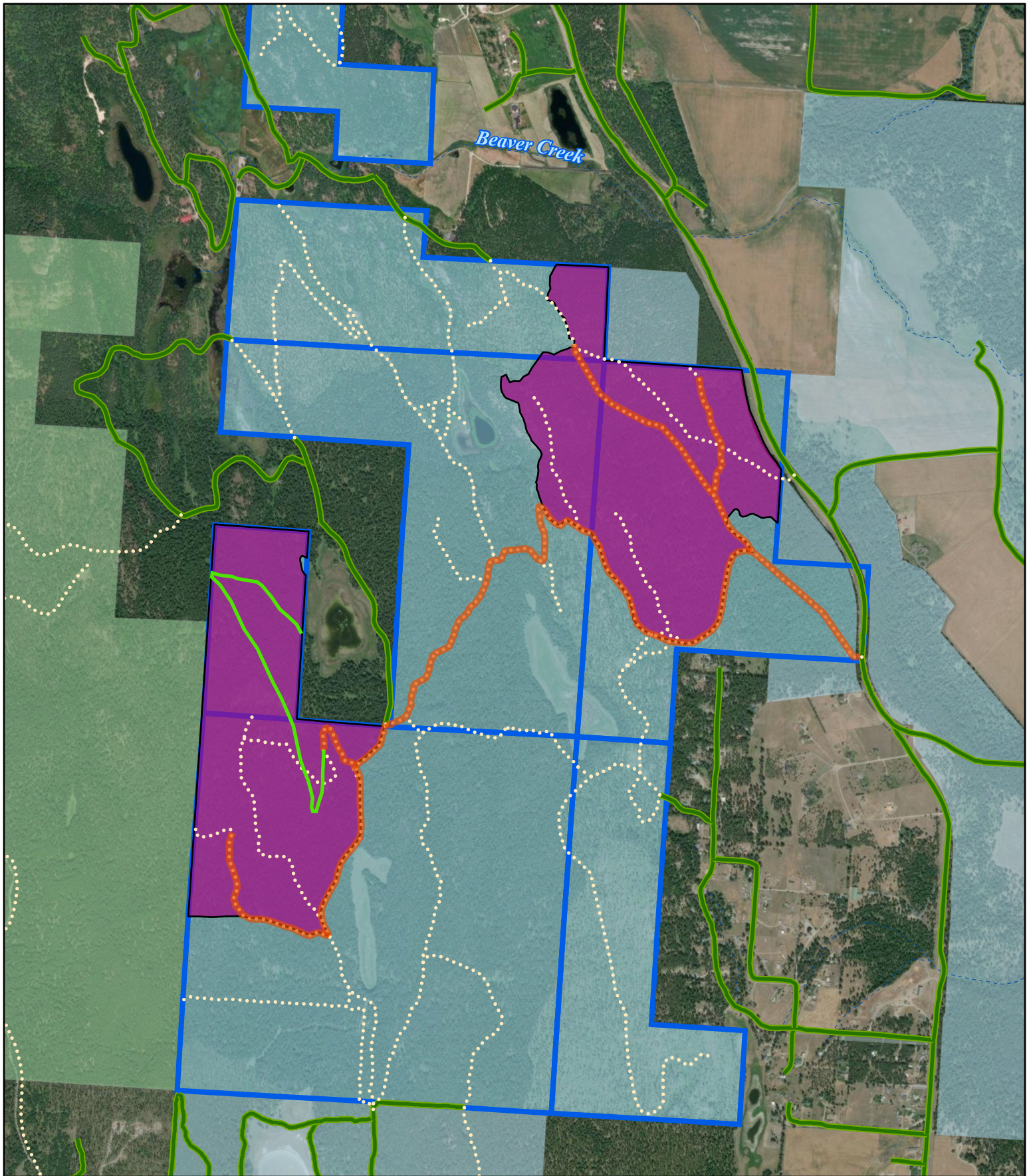
**County:** Flathead



- State Trust Land
- Water Bodies
- Towns
- Rivers
- County Lines
- Major Roads



# Cliff Lake Timber Sale HaulRoute and Harvest Units



**Land Board Agenda Item  
April 15, 2024**

**0424-1B Timber Sale: Olney North**

**Location: Flathead County - Section 33 T33N, R23W  
Sections 5 – 8, and 17 T32N, R23W**

**Trust Beneficiaries: School for the Deaf and Blind (16%), State Reform School (26%), Montana Tech (32%), Public Buildings (12%), and MSU 2<sup>nd</sup> Grant (14%)**

**Trust Revenue: \$792,773 (estimated, minimum bid)**

**Item Summary**

**Location:** The Olney North Timber Sale is located approximately 1.5 miles north of Olney, Montana.

**Size and Scope:** The sale includes 21 harvest units (*753 acres*) of ground-based logging.

**Volume:** The estimated harvest volume is 32,729 tons (*4.98 MMBF*) of sawlogs.

**Estimated Return:** The minimum bid is \$24.22 per ton, which would generate approximately \$792,773 for the Trust beneficiaries and approximately \$132,473 in Forest Improvement fees.

**Prescription:** This sale would utilize commercial thinning, individual tree selection, shelterwood, overstory removal, and seed tree harvest prescriptions. These harvest prescriptions are designed to promote the development of a new age class of trees, regenerate/maintain a multi-aged stand structure, remove overstory on regenerated stands, and reduce stand densities to improve growth and forest health.

**Road Construction/Maintenance:** Department of Natural Resources and Conservation (DNRC) is proposing 0.8 miles of new road construction, 0.7 miles of road reclamation, and 8.6 miles of road maintenance.

**Access:** Access is obtained through State owned roads.

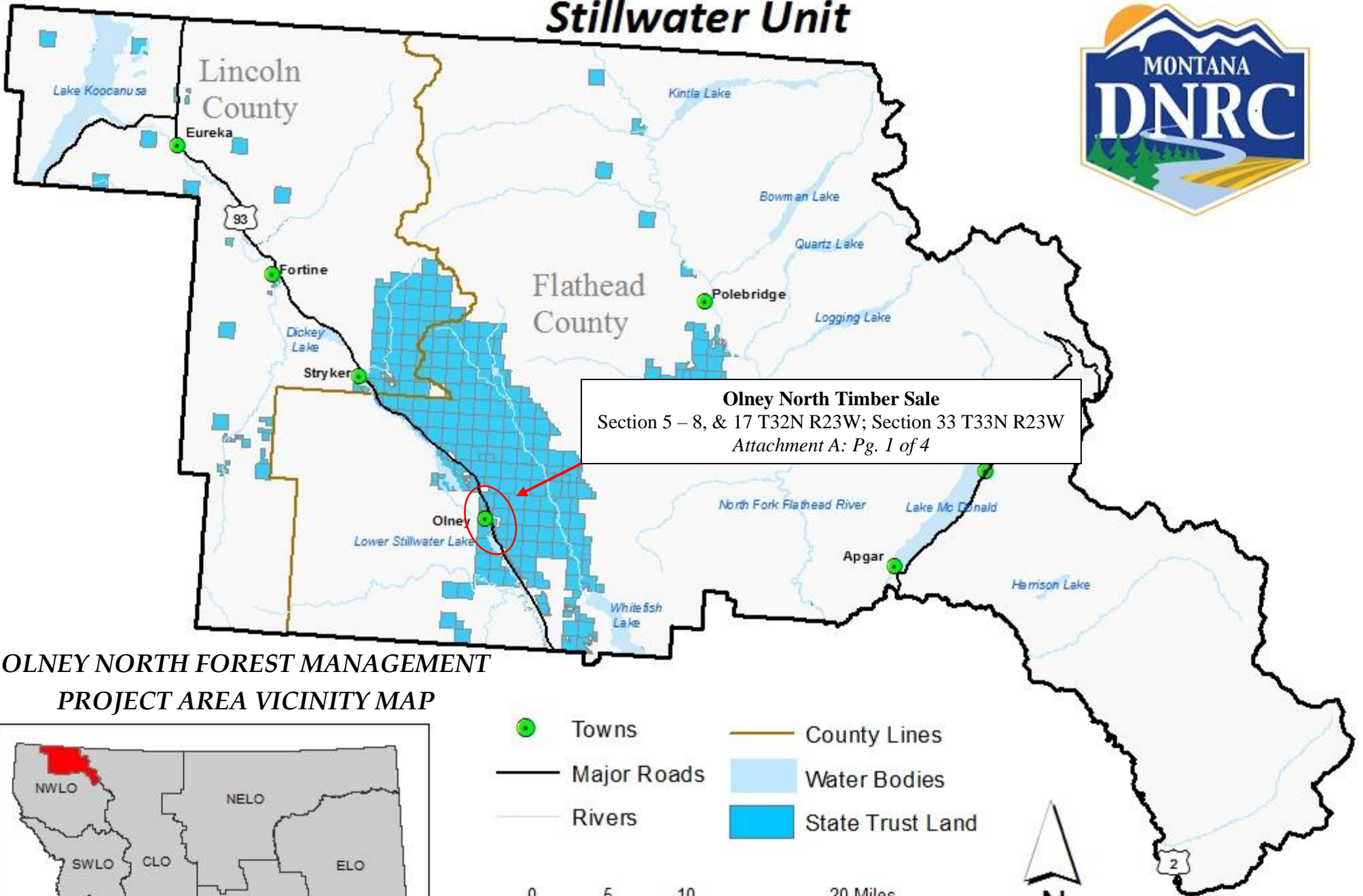
**Public Comments:** Seven public comments were received. Two comments were received from industry representatives in support of the project. One comment from Lincoln Electric was received encouraging tree removal near power line infrastructure. Two comments from nearby landowners expressed concern about aesthetics and noise from the project. One comment was received from a private landowner inquiring about doing a land swap with the DNRC, which was dismissed as this issue was deemed to be outside of the scope of this project. One comment from a commercial lessee expressed concerns about impacts to roads and trails. One comment was received from Cheyenne Nation requesting a cultural resources report. All public concerns were addressed in the Olney North Environmental Assessment document.

**DNRC Recommendation**

The DNRC recommends the Land Board direct DNRC to sell the Olney North Timber Sale.

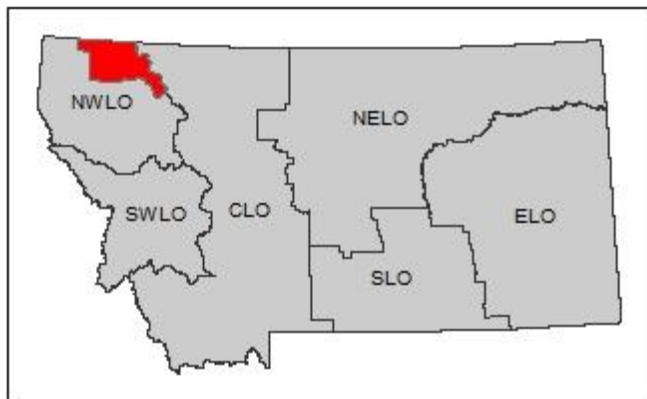
# State Trust Land Vicinity Map

## Stillwater Unit

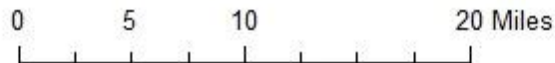


**Olney North Timber Sale**  
 Section 5 – 8, & 17 T32N R23W; Section 33 T33N R23W  
*Attachment A: Pg. 1 of 4*

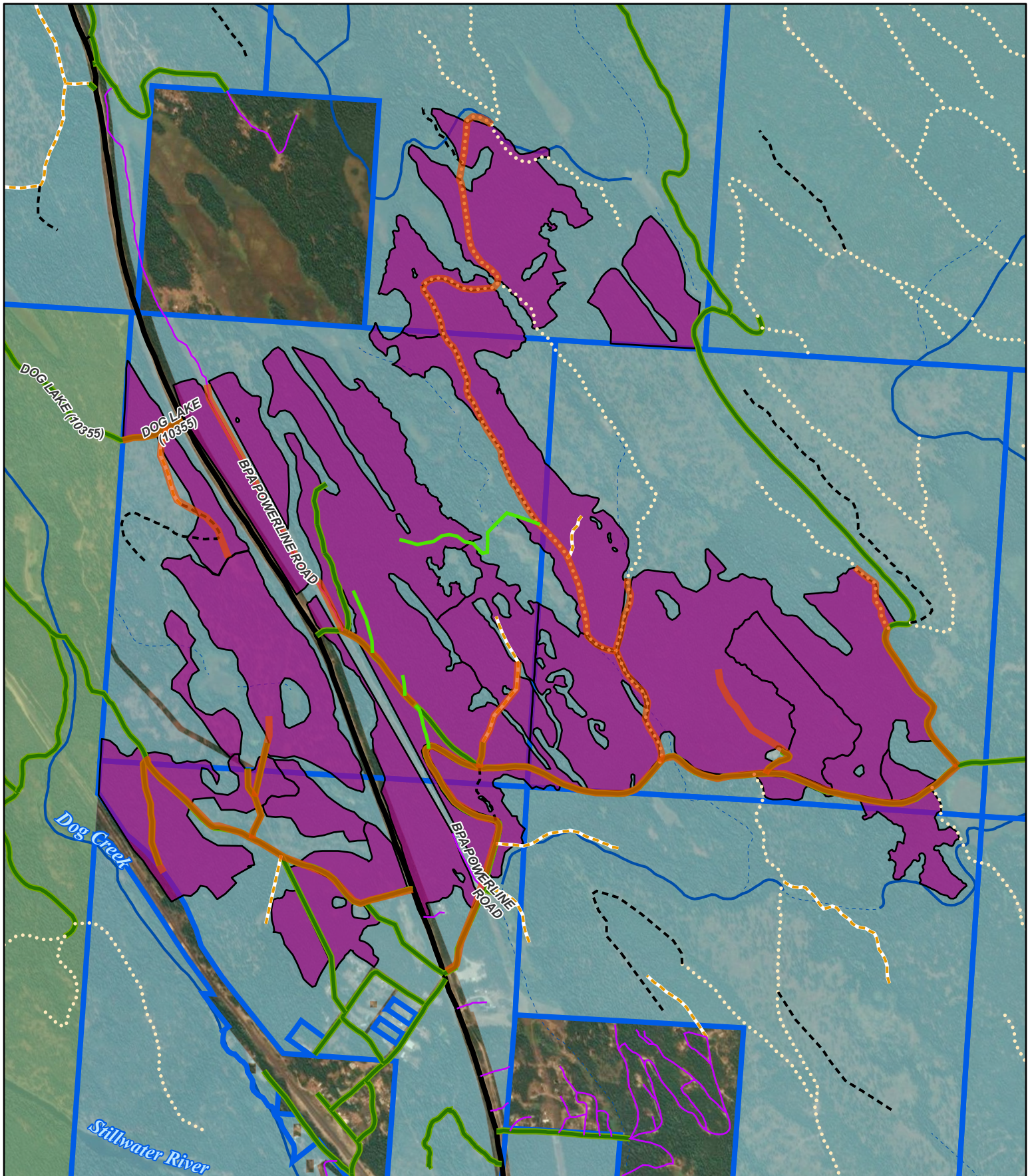
### OLNEY NORTH FOREST MANAGEMENT PROJECT AREA VICINITY MAP



- Towns
- County Lines
- Major Roads
- Rivers
- Water Bodies
- State Trust Land



# Olney North Timber Sale Haul Route and Harvest Units



- |                   |                          |                           |
|-------------------|--------------------------|---------------------------|
| Haul Route        | Restricted Class A       | DNRC Trust Lands          |
| New Road          | Restricted Class B       | Perennial Stream          |
| FMB_Roads         | Abandoned or Reclaimed   | Intermittent Stream       |
| Highway           | Pvt Access or Admin Site | Harvest Units             |
| Open/Public Roads | US Forest Service        | Montana State Trust Lands |
| Harvest Units     |                          |                           |

N

0      0.25      0.5  
Miles



**Land Board Agenda Item  
April 15, 2024**

**0424-1C Timber Sale: The Other Side**

**Location: Mineral County - Sections 16, 20 & 21 T18N R27W**

**Trust Beneficiaries: Common Schools (98.5%), Montana State University (1.5%)**

**Trust Revenue: \$122,408 (estimated, minimum bid)**

**Item Summary**

**Location:** The Other Side Timber Sale is located approximately 3 miles northeast of St. Regis, Montana.

**Size and Scope:** The sale includes 5 units of tractor logging (228 acres) and 1 unit of skyline logging (104 acres).

**Volume:** The estimated harvest volume is 12,276 tons (1.8 MMBF) of sawlogs.

**Estimated Return:** The minimum bid is \$9.97 per ton, which would generate approximately \$122,408 for the Trust Beneficiaries (*Common Schools, Montana State University*) and approximately \$39,911 in Forest Improvement fees.

**Prescription:** This sale would utilize an individual tree selection prescription to reduce stand density and remove shade-tolerant species and to improve stand vigor and bring stands closer to historical conditions.

**Road Construction/Maintenance:** Department of Natural Resources and Conservation (DNRC) is proposing 1.0 miles of new road construction, 1.1 mile of road reconstruction, and 7.2 miles of road maintenance.

**Access:** Access to the timber sale is through cost share roads with the United States Forest Service.

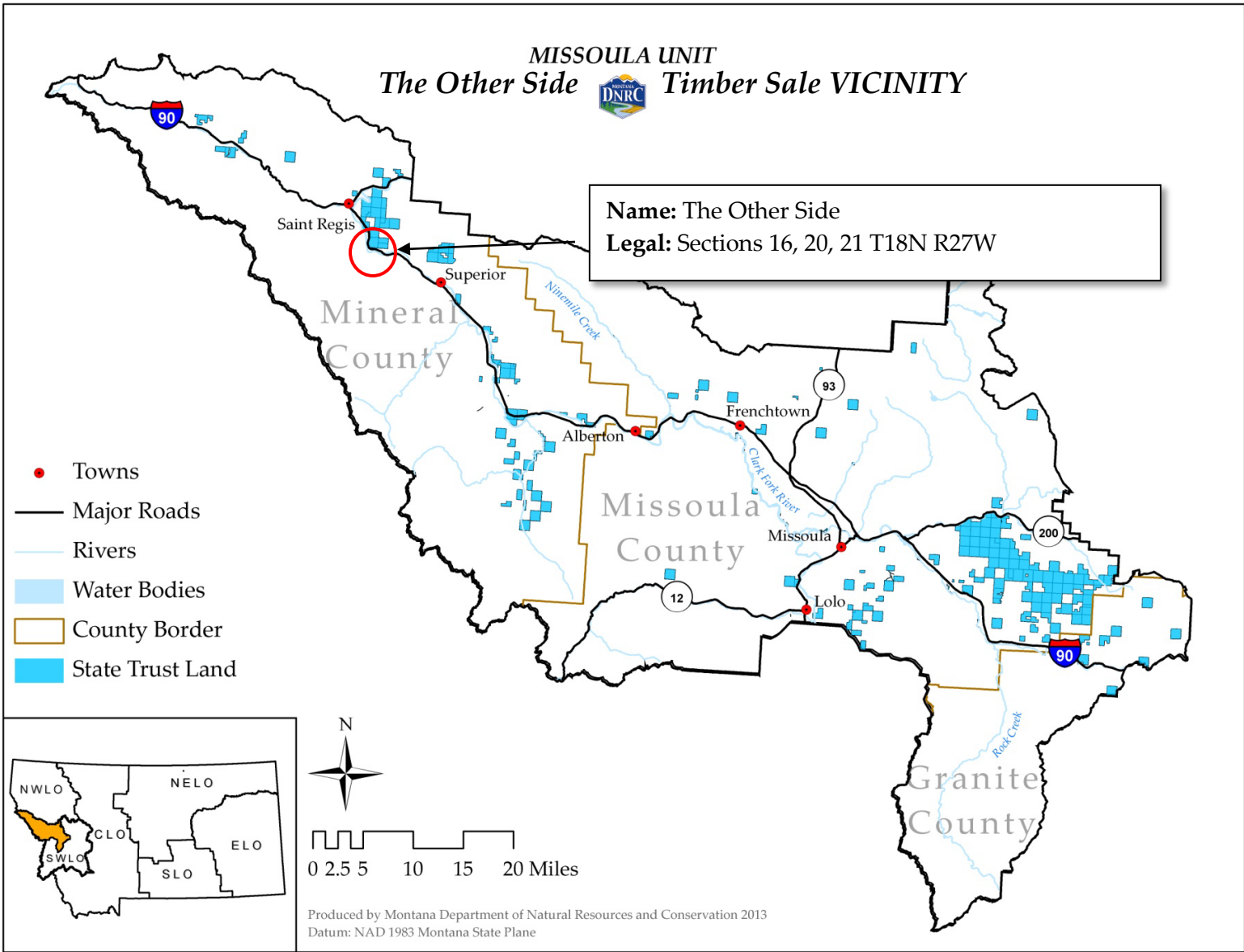
**Public Comments:** Four public comments were received. A nearby landowner expressed concerns about truck traffic. DNRC explained the duration and intensity of truck traffic, which diminished the landowner's concerns. Another nearby landowner commented that he was not opposed to the project. Montana Fish, Wildlife & Parks expressed concerns about wildlife and plant species of concerns. Issues related to wildlife and species of concern were addressed in the environmental assessment. Mineral County Resource Coalition supported the project and were interested in changes to motorized use on project roads. The DNRC explained that roads would remain closed following project completion.

**DNRC Recommendation**

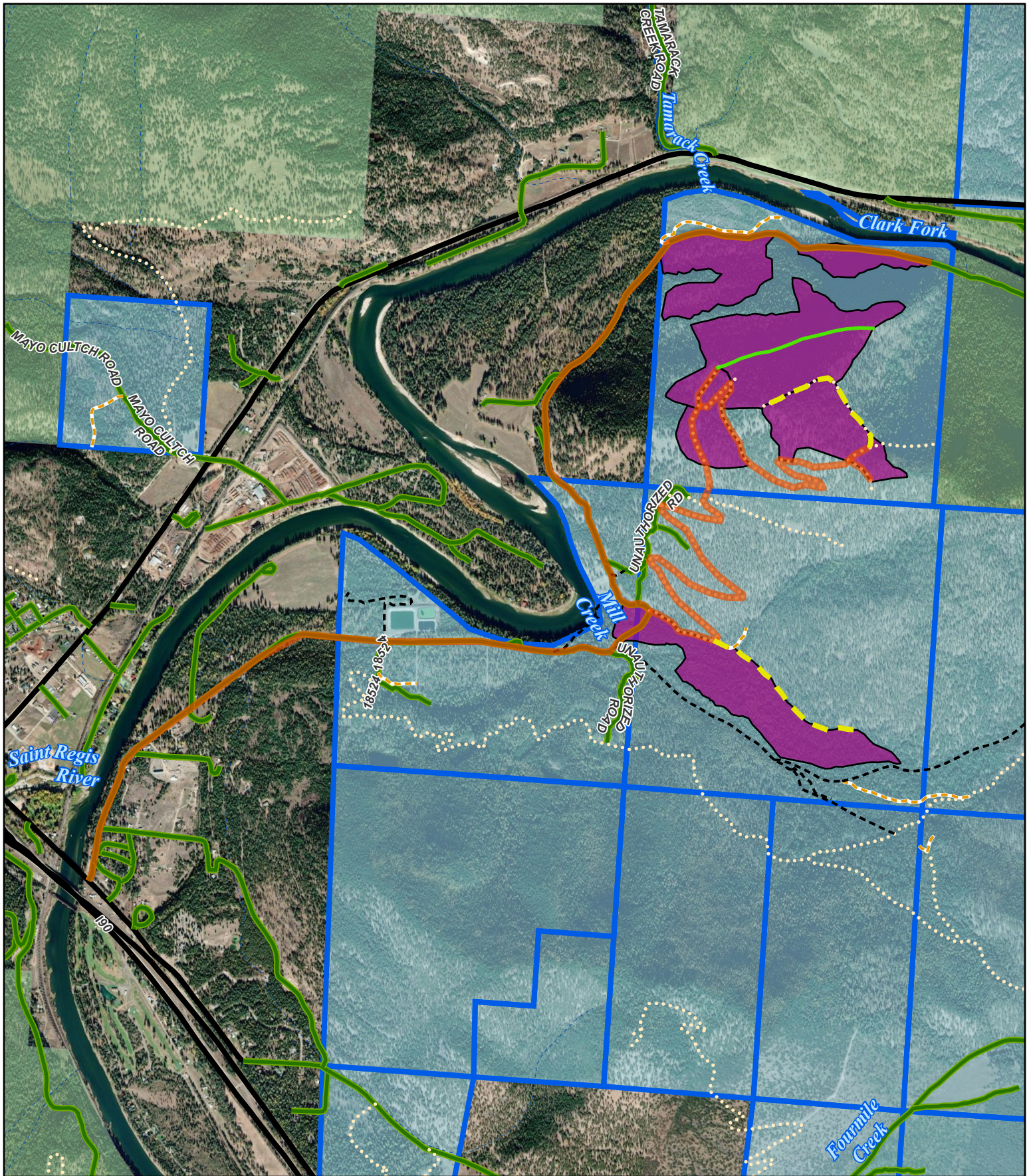
The DNRC recommends the Land Board direct DNRC to sell The Other Side Timber Sale.

MISSOULA UNIT  
*The Other Side*  *Timber Sale VICINITY*

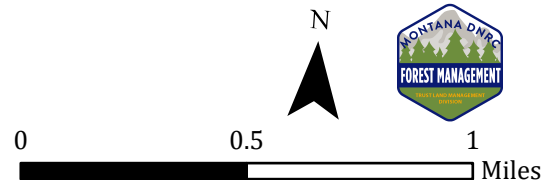
**Name:** The Other Side  
**Legal:** Sections 16, 20, 21 T18N R27W



# The Other Side Timber Sale Haul Route and Harvest Units



- Haul Route
- New Road
- Reconstruction of Existing Road
- FMB\_Roads
- Highway
- Open/Public Roads
- ⋯ Restricted Class A
- - - Restricted Class B
- - - Abandoned or Reclaimed
- HarvestUnits
- HarvestUnits
- DNRTrust Lands
- Perennial Stream
- - - Intermittent Stream
- US Forest Service
- Montana State Trust Lands
- Local Government



# 0424-2

LAND BANKING PARCEL:  
Preliminary Approval for Sale

**Land Board Agenda Item  
April 15, 2024**

**0424-2 Land Banking Parcel: Preliminary Approval for Sale**

**Location: Fergus County**

**Trust Benefits: Common Schools**

**Trust Revenue: Appraisal to be completed after preliminary approval**

**Item Summary**

The Department of Natural Resources and Conservation (DNRC) is requesting preliminary approval to sell one parcel totaling approximately 640 acres nominated for sale in Fergus County. The sale was nominated by the lessee and is located approximately 24 miles north of Winnett, Montana.

<b>Sale #</b>	<b># of Acres</b>	<b>Legal</b>	<b>Nominator</b>	<b>Trust</b>
2064	640±	ALL of Sec.36 T19N-R26E,	Charles Oke	Common Schools

The sale parcel has been used primarily for livestock grazing purposes and has below average productivity for agricultural and grazing lands statewide.

Sale No. 2064 is entirely surrounded by private land and is not legally accessible by the public. The sale of this parcel would not restrict or eliminate access to adjacent private land.

MEPA scoping has been completed, and no potentially negative issues related to the sale of this parcel have been identified. Public comments include one reply from a Fergus County Commissioner stating the parcel should remain in agricultural production. Other public comments received were informational inquiries.

With the Land Board's preliminary approval to sell this parcel, DNRC can continue the due diligence necessary to fully evaluate this parcel and process it for sale.

**DNRC Recommendation**

The DNRC recommends preliminary approval to sell this parcel.

# Lewistown Unit - Sale No. 2064 Land Banking Sale Nomination



Land Banking Sale 2064

Map created by REMB staff March 2024

MT Land  
Ownership  
 DNRC Trust Lands

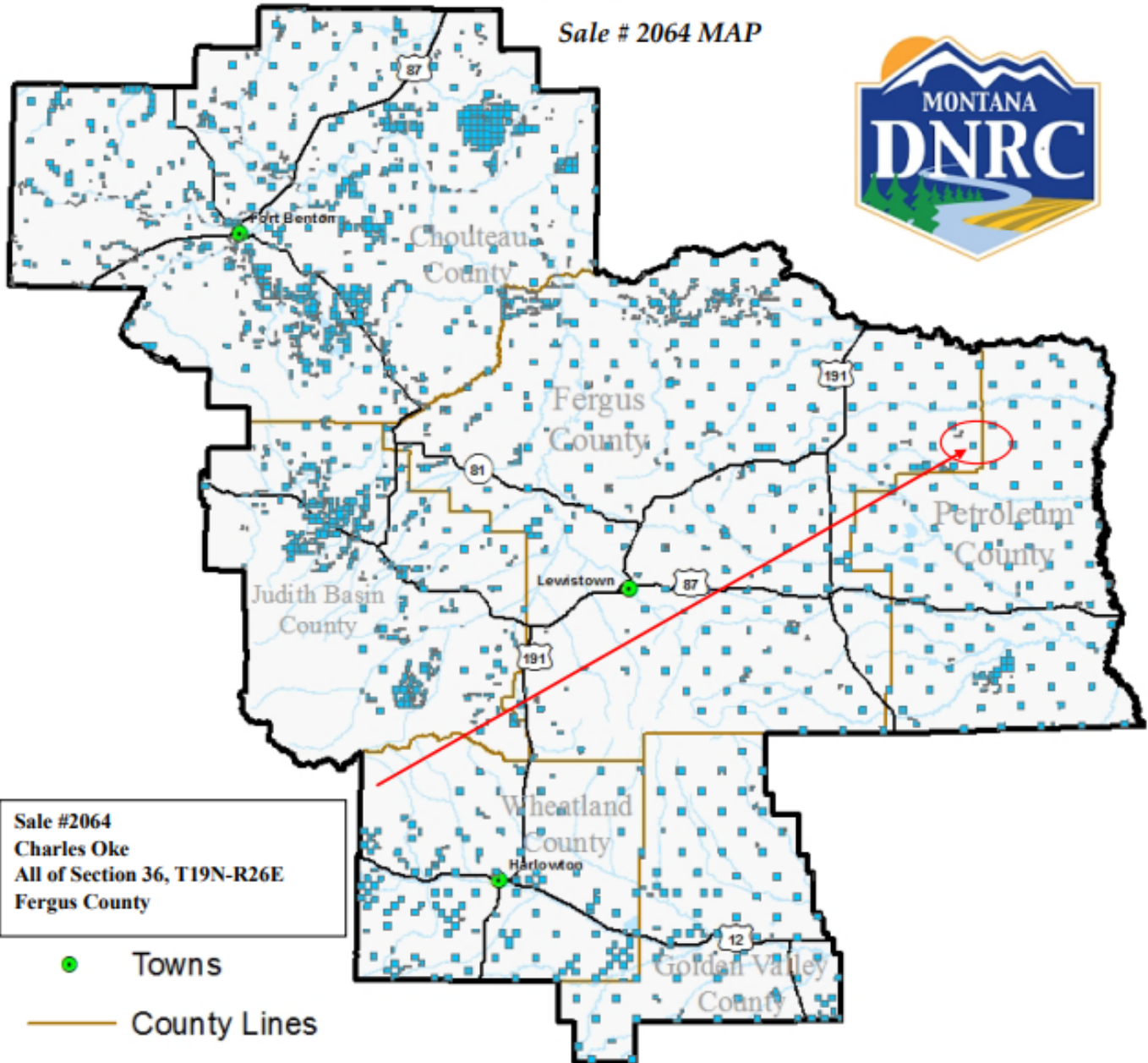
Fergus County  
All of Section 36  
T19N-R26E



# State Trust Land Vicinity Map

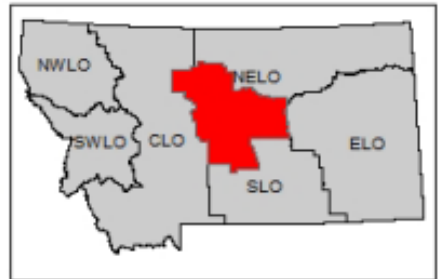
## Lewistown Unit

Sale # 2064 MAP



Sale #2064  
 Charles Oke  
 All of Section 36, T19N-R26E  
 Fergus County

- Towns
- County Lines
- Major Roads
- Rivers
- State Trust Land
- Water Bodies



Produced by Montana Department of Natural Resources and Conservation 11/1/2019  
 Datum: NAD 1983 StatePlane

# 0424-3

EASEMENTS



**Land Board Agenda Item  
April 15, 2024**

**0424-3 Easements**

**Location: Flathead, Meagher, Teton and Wheatland Counties**

**Trust Benefits: Common Schools and School for the Deaf & Blind**

**Trust Revenue: Common Schools = \$7,706  
Deaf & Blind School = \$463,511**

**Item Table of Contents**

<b>Applicant</b>	<b>Right-of-Way Purpose</b>	<b>Term</b>	<b>Page(s)</b>
Eagle Rock Road Users Association	Private Access Road	Permanent	18-19
Triangle Telephone Cooperative Association, Inc.	Buried Fiber Optic Cable	Permanent	20-27
Merle D. Morris, Rosanna G. Moris, & Tucker J. Morris	Private Access Road	Permanent	28-29
Fergus Electric Cooperative, Inc.	Overhead Electrical Powerline	Permanent	30-31

## APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant: Eagle Rock Road Users Association  
59 Crestwood Dr.  
Whitefish, MT 59937

Application No.: 19582  
R/W Purpose: a private access road to seven (7) parcels of land for the purpose of accessing one single family residence and associated outbuildings per dominant tenement parcel and to conduct normal resource management activities

Lessee Agreement: N/A (Unleased)  
Acreage: 7.78  
Compensation: \$457,271.00  
Legal Description: 40-foot strip through W2SW4, E2SW4, Sec. 33, Twp. 32N, Rge. 22W, Flathead County  
Trust Beneficiary: School for Deaf & Blind

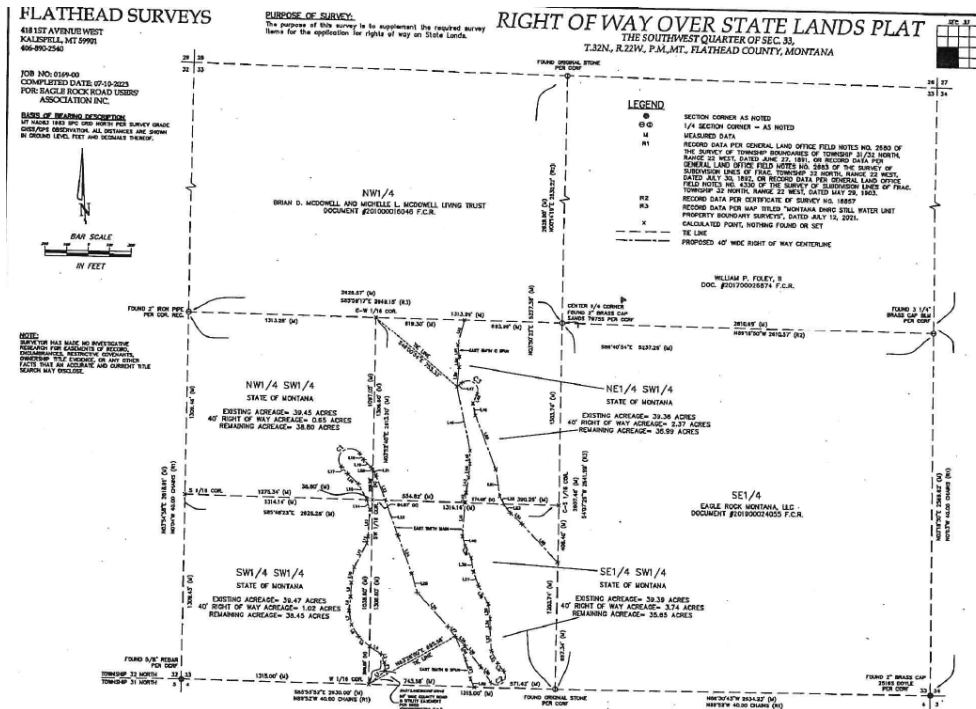
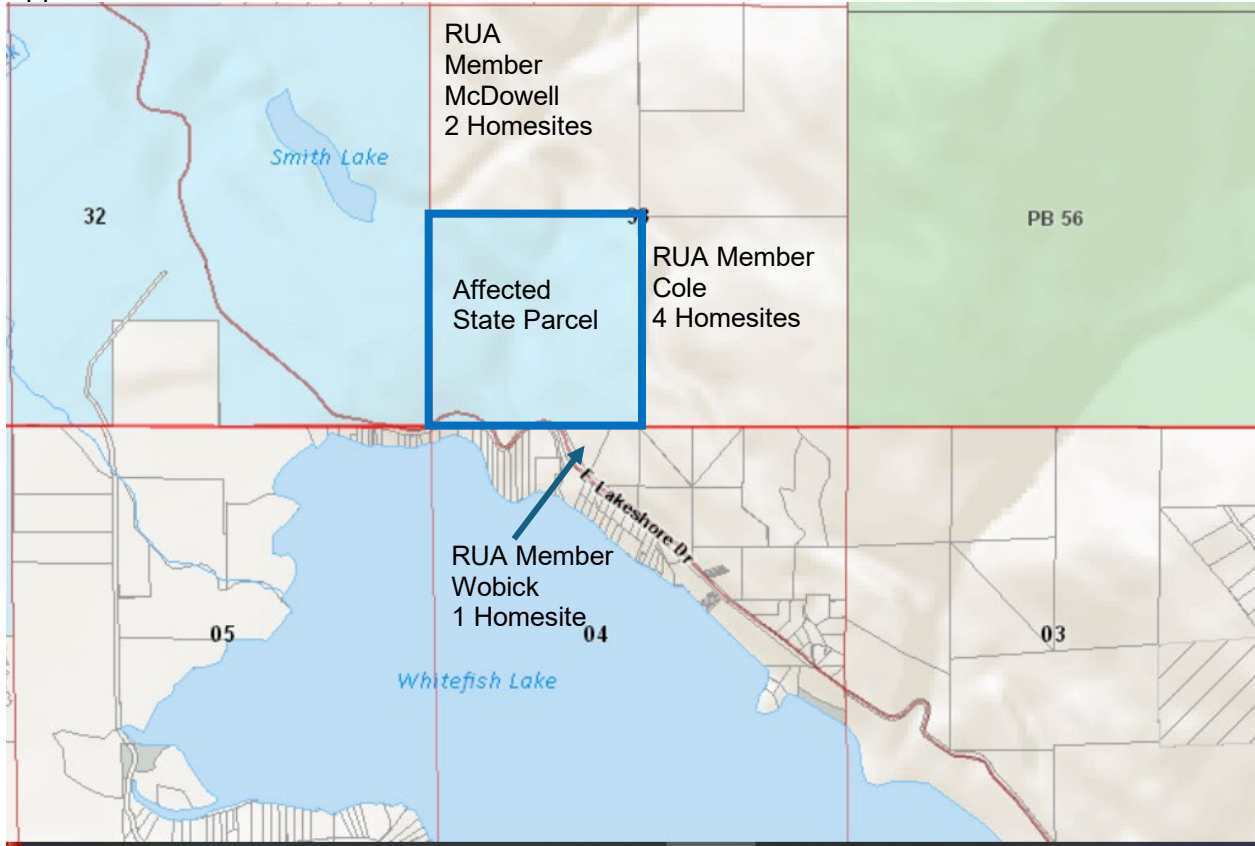
### Item Summary

Eagle Rock Road Users Association is requesting a private access easement to access the membership's private lands. The proposed road is new construction on State Lands. The State Land is legally accessible through East Lakeshore Road, a public county road, located along the south section line; the private lands are either currently inaccessible or have limited access due to terrain or permitting through the Forest Service. The construction of this new road will provide for increased access for timber sale opportunities on this tract of land, as well as provide access to the adjacent private lands. The State Land tract was appraised by a certified general appraiser in November 2023 who established a land value of \$334,500 for the easement. Two of the landowners within the RUA have requested access for potential future homesites which requires an additional conveyance fee assessment per the Land Board's Access Road Policy. This assessment is applied to requested homesites in excess of the traditional one single-family homesite allowed per Policy. A total of seven homesites were requested, with six being assessed a conveyance fee. The conveyance fee costs associated with this easement add an additional \$122,771 to the cost of the easement.

The Department conducted scoping in July 2021 and October 2022 with the October scoping addressing questions received from the July scoping, and providing updates to the proposal. Comments received that are directly related to the scope of the current proposal included various concerns regarding ingress/egress onto the County road; limiting the number of private residences on the private land; aligning the proposal to future development of the Whitefish Trail system; public access on the private road and requiring the RUA to provide access across their lands to the adjoining subdivision. These comments have been incorporated in and addressed through the Environmental Assessment Checklist completed by DNRC in February 2024.

### DNRC Recommendation

The DNRC recommends approval of the application of Eagle Rock Road Users Association.



## APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant: Triangle Telephone Cooperative Association, Inc.  
PO Box 1220  
Havre, MT 59501

Application No.: 19638  
R/W Purpose: a buried fiber optic cable  
Lessee Agreement: ok  
Acreage: 2.62  
Compensation: \$3,930.00  
Legal Description: 20-foot strip through S2SW4, NE4SW4, N2SE4, Sec. 16,  
Twp. 8N, Rge. 11E, Meagher County  
Trust Beneficiary: Common Schools

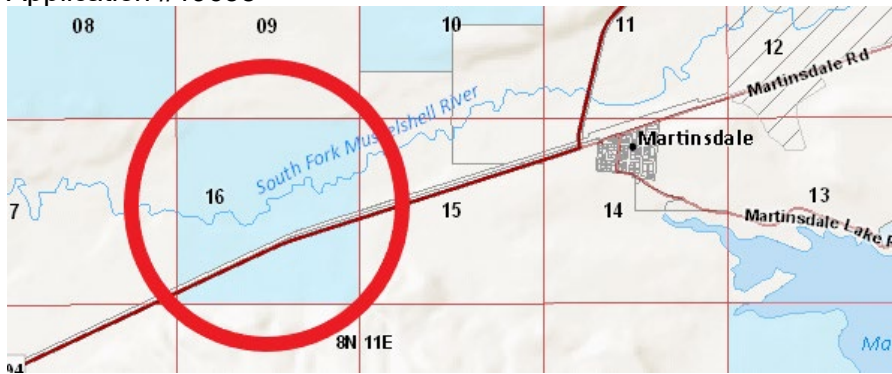
### Item Summary

Triangle Telephone Cooperative Association, Inc. is requesting an easement to install fiber optic cables in the Martinsdale exchange area. The existing buried copper facilities are reaching capacity to serve the area due to growth but will be retained in place. The new fiber optic cable will offer state-of-the-art telecommunications toll and distribution facilities, as well as provide for future growth capabilities. The proposed route is the most direct route between terminus locations while also providing access to existing and future network considerations. The proposed route is also primarily along existing roadways.

### DNRC Recommendation

The DNRC recommends approval of the application of Triangle Telephone Cooperative Association, Inc

Application #19638



## APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant: Triangle Telephone Cooperative Association, Inc.  
PO Box 1220  
Havre, MT 59501

Application No.: 19639  
R/W Purpose: a buried fiber optic cable  
Lessee Agreement: ok  
Acreage: 1.58  
Compensation: \$2,370.00  
Legal Description: 20-foot strip through SW4NW4, N2NW4, NW4SE4, Sec. 24,  
Twp. 8N, Rge. 11E, Meagher County  
Trust Beneficiary: School for Deaf & Blind

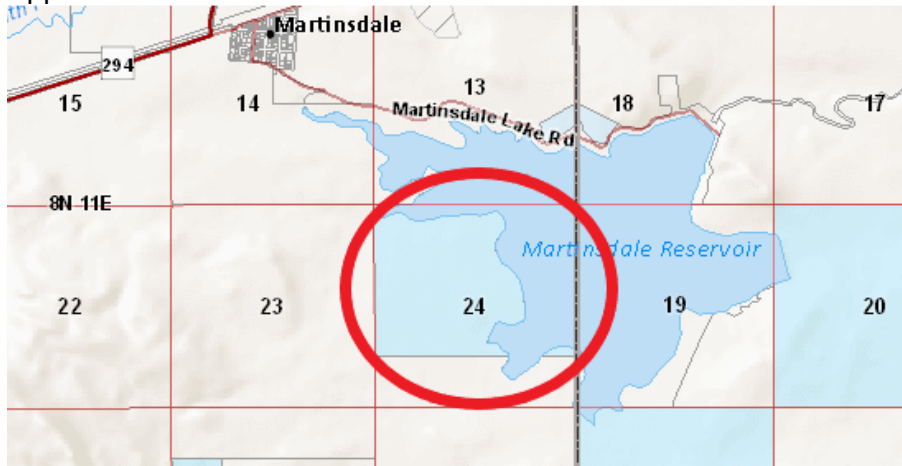
### Item Summary

Continuation of Triangle Telephone Cooperative Association, Inc. applications.

### DNRC Recommendation

The DNRC recommends approval of the application of Triangle Telephone Cooperative Association, Inc.

Application #19639



APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant: Triangle Telephone Cooperative Association, Inc.  
PO Box 1220  
Havre, MT 59501

Application No.: 19640  
R/W Purpose: a buried fiber optic cable  
Lessee Agreement: ok  
Acreage: 2.44  
Compensation: \$3,660.00  
Legal Description: 20-foot strip through E2E2, Sec. 15, Twp. 9N, Rge. 11E,  
Meagher County  
Trust Beneficiary: School for Deaf & Blind

Item Summary

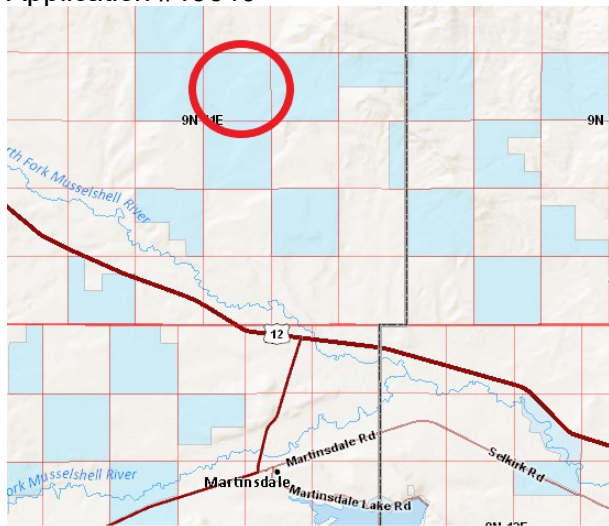
Continuation of Triangle Telephone Cooperative Association, Inc. applications.

DNRC Recommendation

The DNRC recommends approval of the application of Triangle Telephone Cooperative Association, Inc.



Application #19640



## APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant: Triangle Telephone Cooperative Association, Inc.  
PO Box 1220  
Havre, MT 59501

Application No.: 19641  
R/W Purpose: a buried fiber optic cable  
Lessee Agreement: ok  
Acreage: 0.14  
Compensation: \$210.00  
Legal Description: 20-foot strip through NE4NE4, Sec. 22, Twp. 9N, Rge. 11E,  
Meagher County  
Trust Beneficiary: School for Deaf & Blind

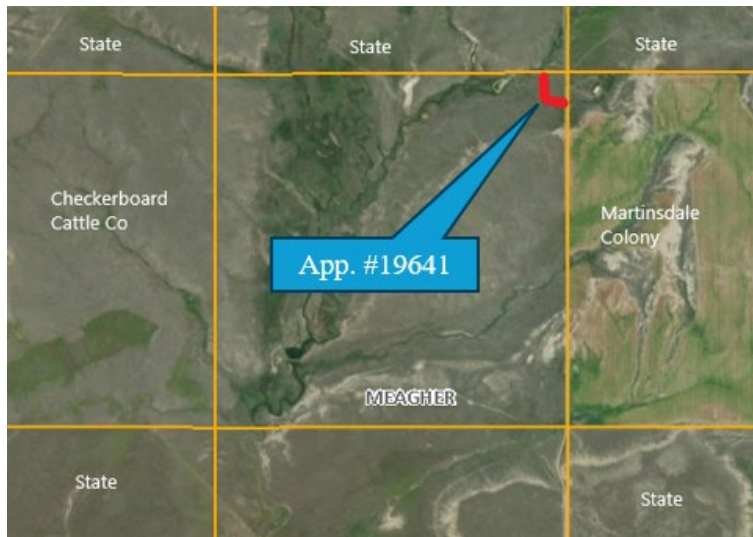
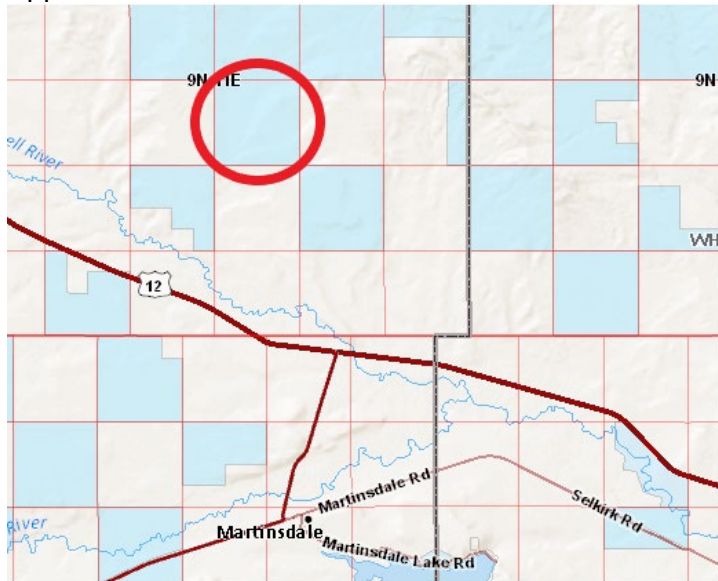
### Item Summary

Continuation of Triangle Telephone Cooperative Association, Inc. applications.

### DNRC Recommendation

The DNRC recommends approval of the application of Triangle Telephone Cooperative Association, Inc.

Application #19641



## APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant: Merle D. Morris, Rosanna G. Morris, & Tucker J. Morris  
PO Box 513  
Choteau, MT 59422

Application No.: 19644  
R/W Purpose: a private access road to a single-family residence and associated outbuildings and to conduct normal farming and ranching operations.

Lessee Agreement: N/A (Historic)  
Acreage: 1.41  
Compensation: \$1,410.00  
Legal Description: 30-foot strip through SW4NW4, NW4SW4, Sec. 17, Twp. 22N, Rge. 7W, Teton County  
Trust Beneficiary: Common Schools

### Item Summary

Merle D. Morris, Rosanna G. Morris, & Tucker J. Morris are requesting an easement across state land for the purpose of accessing a single family residence and to conduct normal farming and ranching operations. The Morris family property is separated by an intervening 120-acre parcel of Trust Land over which the existing road traverses. Due to terrain and water courses, the two-track trail on the State Land has been the route used historically to access the properties.

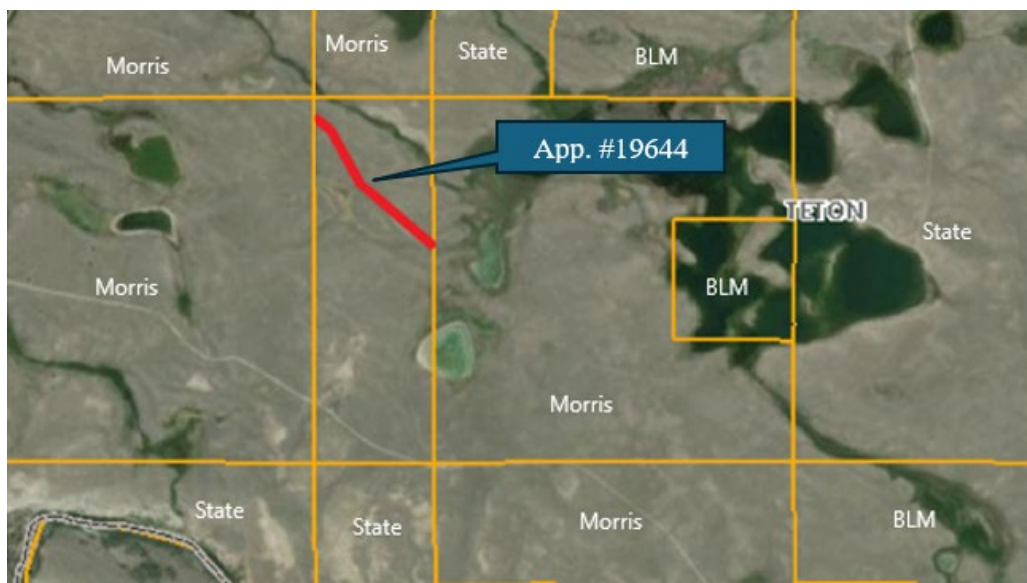
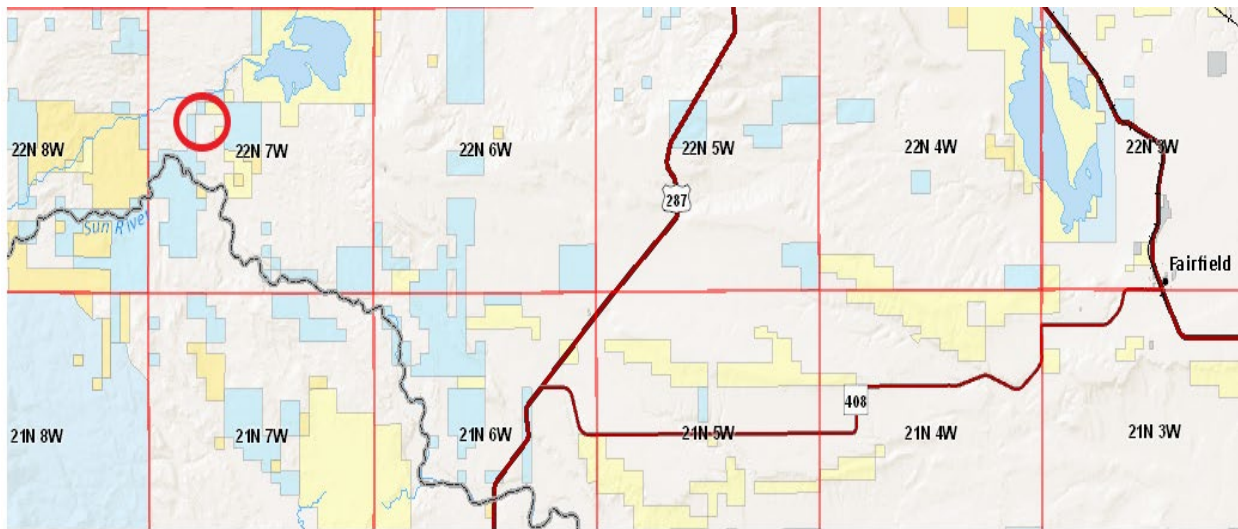
Merle D. Morris, Rosanna G. Morris, & Tucker J. Morris's private land to be accessed is described as follows:

- S2NE, SENW, E2SW, NWSE, S2SE, Section 17, Township 22 North, Range 7 West

### DNRC Recommendation

The DNRC recommends approval of the application of Merle D. Morris, Rosanna G. Morris, & Tucker J. Morris.

Application #19644



## APPLICANTS AND RIGHTS OF WAY INFORMATION

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Applicant: Fergus Electric Cooperative, Inc.  
84423 US HWY 87  
Lewistown, MT 59457

Application No.: 19645  
R/W Purpose: a 100kV overhead electric line  
Lessee Agreement: ok  
Acreage: 3.64  
Compensation: \$2,366.00  
Legal Description: 30-foot strip through S2S2, Sec. 34, Twp. 6N, Rge. 18E,  
Wheatland County  
Trust Beneficiary: Common Schools

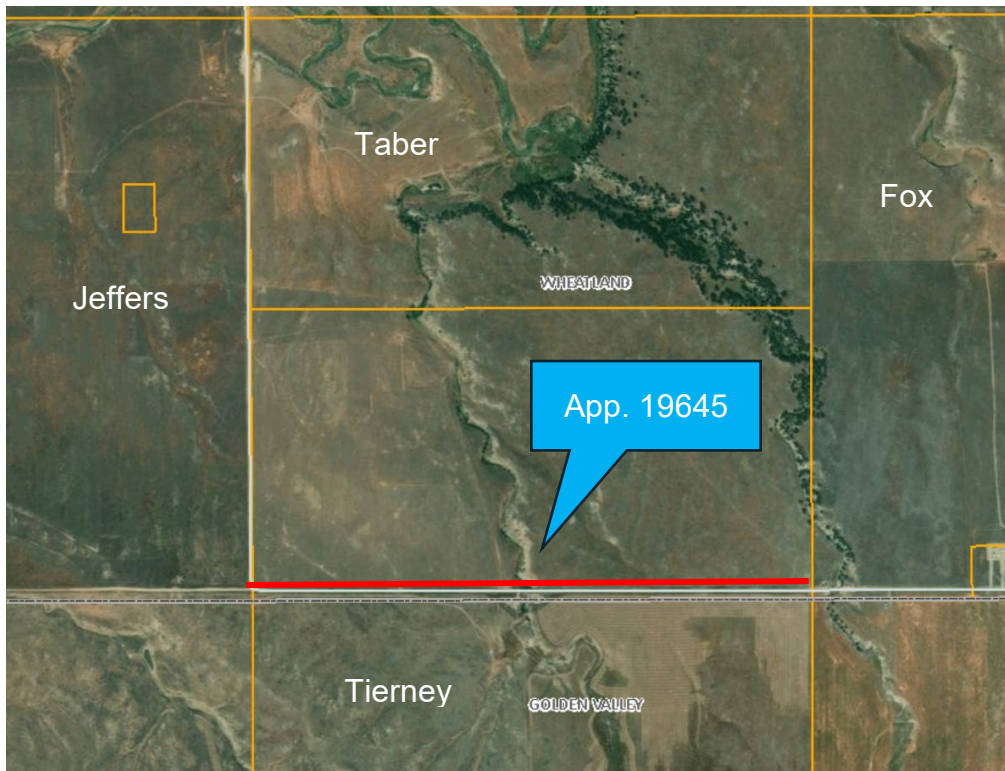
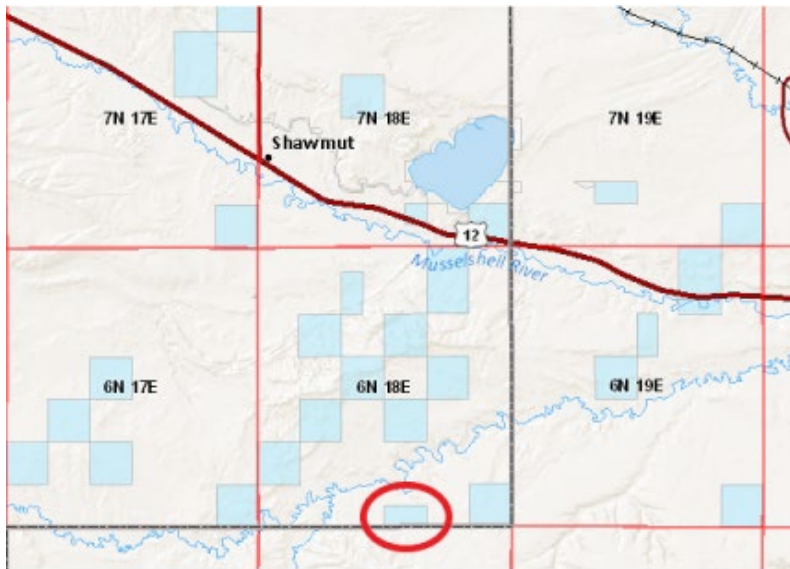
### Item Summary

Fergus Electric Cooperative, Inc. is requesting an easement to install a 100kV overhead transmission line. This would be an extension of an existing 100kV transmission line to serve the new pumping station near Ryegate, MT, as requested by CHS Inc. The proposed route is the least intrusive and would be installed close to the fenceline using 18 power poles. No other infrastructure would be buried in the ground on the state property.

### DNRC Recommendation

The DNRC recommends approval of the application of Fergus Electric Cooperative, Inc.

Application #19645



# 0424-4

INFORMATIONAL ITEM:

Department of Natural Resources and  
Conservation



**Land Board Agenda Item  
April 15, 2024**

**0424-4 Informational Item – Department of Natural Resources and Conservation**

**Location: State of Montana**

**Trust Benefits: N/A**

**Trust Revenue: N/A**

**Item Summary**

Summary from the Department of Natural Resources and Conservation (DNRC) about how state trust lands benefit Montana's schools.

# 0424-5

INFORMATIONAL ITEM:

Department of Natural Resources and  
Conservation

**Land Board Agenda Item  
April 15, 2024**

**0424-5 Informational Item – Department of Natural Resources and Conservation**

**Location: State of Montana**

**Trust Benefits: N/A**

**Trust Revenue: N/A**

**Item Summary**

Full briefing from DNRC and a discussion by the Land Board regarding the DNRC's authority to make legal and management decisions affecting state lands.