

MINUTES
REGULAR MEETING OF THE BOARD OF LAND COMMISSIONERS
Monday, December 21, at 9:00 a.m.
State Capitol, Room 303
Helena, MT

Please note: *The Land Board has adopted the audio recording of its meetings as the official record, as allowed by [2-3-212, MCA](#). These minutes provide an abbreviated summary of the Land Board discussion, public testimony, action taken, and other activities. The time designations listed are approximate and may be used to locate the referenced discussion on the audio recording of this meeting. Access to an electronic copy of these minutes and the audio recording is provided from the Land Board webpage at <http://dnrc.mt.gov/LandBoard>. The written minutes summary, along with the audio recordings, are listed by meeting date on the Land Board Archive webpage.*

Members Present

Governor Steve Bullock
Attorney General Tim Fox
Commissioner of Securities and Insurance Monica Lindeen
Secretary of State Linda McCulloch
Superintendent of Public Instruction Denise Juneau

Members Absent

None

Testifying Staff

John Tubbs, DNRC Director
Darlene Edge, Department of Fish, Wildlife and Parks (FWP) Lands Program Manager
Shawn Thomas, DNRC Trust Land Management Division (TLMD) Administrator
Monte Mason, DNRC Minerals Management Bureau Chief
Debra LaFontaine, Department of Military Affairs

Attachments

Related Materials, Attachment 1 – Sign-in sheet
Related Materials, Attachment 2 – Submitted by Steve Morehouse
Related Materials, Attachment 3 – Submitted by Jefferson River Canoe Trail

Call to Order

00:00:00 Governor Bullock called the meeting to order.
00:00:02 Mr. Fox moved to approve the November 16, 2015, minutes. The motion was seconded by Ms. Juneau and carried unanimously.

Business Considered

1215-1 FWP: Conservation Easement – Haskill Basin Watershed

00:00:03 Mr. Tubbs gave an overview of the item.
00:00:23 Ms. Edge
00:03:18 Governor Bullock

Public Comment

00:03:35 Nick Gevock, Montana Wildlife Federation Conservation Director
00:04:29 Chuck Rody, F.H. Stoltz Land and Lumber Company Vice-President
00:05:19 John Muhlfeld, City of Whitefish Mayor
00:07:29 Dick Dolan, Northern Rockies Trust for Public Lands Director

Board Discussion/Comments

00:09:06 Governor Bullock
00:09:09 Ms. Lindeen moved to approve item 1215-1. The motion was seconded by Ms. Juneau.
00:09:13 Governor Bullock
00:09:16 Ms. Lindeen
00:09:38 Ms. Juneau
00:09:55 Governor Bullock
00:10:09 The motion to approve item 1215-1 carried unanimously.

1215-2 Department of Military Affairs: 351 Transfer

00:10:16 Mr. Tubbs gave an overview of the item.
00:10:31 Ms. LaFontaine
00:11:36 Governor Bullock

Public Comment

00:11:42 Frank DePriest, Blaine County Commissioner Chair

Board Discussion/Comments

00:12:11 Governor Bullock
00:12:18 Mr. Fox moved to approve item 1215-2. The motion was seconded by Ms. Juneau.
00:12:28 Governor Bullock
00:12:45 The motion to approve item 1215-2 carried unanimously.

1215-3 Timber Sales

A. Black Mountain

B. Cowan Ranch

C. South Fitzsimmons 2

00:12:58 Mr. Tubbs gave an overview of items 1215-3A through 1215-3C.
00:14:58 Governor Bullock
00:15:09 Ms. McCulloch moved to approve items 1215-3A through 1215-3C. The motion was seconded by Ms. Lindeen and carried unanimously.

1215-4 Administrative Rule Proposal – DNRC Conservation Strategies

00:15:30 Mr. Tubbs gave an overview of the item.
00:15:59 Governor Bullock
00:16:11 Mr. Fox moved to approve item 1215-4. The motion was seconded by Ms. Juneau and carried unanimously.

1215-5 Communitization Agreement: Mott 1-16H Well

00:16:31 Mr. Tubbs gave an overview of the item.
00:17:02 Governor Bullock
00:17:09 Ms. Juneau moved to approve item 1215-5. The motion was seconded by Ms. Lindeen and carried unanimously.

1215-6 Oil and Gas Lease Sale (December 1, 2015)

00:17:23 Mr. Tubbs gave an overview of the item.
00:18:19 Governor Bullock
00:18:26 Ms. McCulloch moved to approve item 1215-6. The motion was seconded by Ms. Juneau.

Board Discussion/Comments

00:18:31 Ms. Lindeen
00:18:47 Mr. Mason

00:21:24 Governor Bullock
00:21:39 Ms. Juneau
00:22:07 Governor Bullock
00:22:16 The motion to approve item 1215-6 carried unanimously.

1215-7 Sale of Cabin and Home Sites: Final Approval for Sale – Sale 760

00:22:23 Mr. Tubbs gave an overview of item 1215-7.
00:22:50 Governor Bullock
00:22:53 Ms. Lindeen moved to approve item 1215-7. The motion was seconded by Mr. Fox and carried unanimously.

1215-8 Land Banking Acquisition: Preliminary Approval for Purchase

00:23:08 Mr. Tubbs gave an overview of item 1215-8.
00:23:52 Governor Bullock
00:23:59 Ms. Juneau moved to approve item 1215-8. The motion was seconded by Ms. McCulloch and carried unanimously.

1215-9 Land Exchange: Preliminary Approval – SRI River Holdings

00:24:16 Mr. Tubbs gave an overview of item 1215-9.
00:26:00 Governor Bullock

Public Comment

00:26:18 Stephen Morehouse
00:29:05 Thomas Elpel, Jefferson River Canoe Trail Association
00:34:41 Dr. James Pappenfus, Jefferson River Canoe Trail Association
00:35:38 Janet Zimmerman, Jefferson River Canoe Trail Association
00:38:03 Gail Clifford, Headwaters Chapter Lewis & Clark Trail Heritage Foundation
00:38:34 Bonnie Hammer, Lewis & Clark Trail Heritage Foundation Treasurer

Board Discussion/Comments

00:39:10 Governor Bullock
00:39:19 Ms. McCulloch moved to approve item 1215-9.
00:39:27 Mr. Fox
00:39:34 Governor Bullock
00:40:00 Mr. Tubbs
00:42:06 Governor Bullock
00:42:12 Mr. Tubbs
00:42:28 Ms. McCulloch
00:42:38 Mr. Tubbs
00:43:36 Ms. McCulloch
00:43:48 Mr. Tubbs
00:44:12 Governor Bullock
00:44:19 Mr. Tubbs
00:44:45 Mr. Fox
00:45:48 Mr. Thomas
00:46:44 Mr. Fox
00:47:03 Governor Bullock
00:47:22 Mr. Tubbs
00:48:21 Ms. Lindeen
00:48:50 Governor Bullock
00:48:55 The motion to approve item 1215-9 was approved with a three-two vote with Ms. Lindeen and Ms. Juneau dissenting.

1215-10 Easements

A. Easements

B. Reciprocal Access Agreement – Lower Thompson – Jones (Plum Creek)

00:49:28 Mr. Tubbs gave an overview of items 1215-10A through 1215-10B.

00:50:36 Governor Bullock

00:50:47 Ms. McCulloch moved to approve items 1215-10A through 1215-10B. The motion was seconded by Ms. Juneau and carried unanimously.

1215-11 Fiscal Year 2016 Highlights

00:51:36 Mr. Thomas

Board Discussion/Comments

01:07:20 Governor Bullock

01:07:29 Ms. McCulloch

01:08:34 Mr. Fox

01:09:11 Governor Bullock

01:09:23 Ms. Lindeen

01:09:29 Ms. Juneau

01:09:48 Governor Bullock

General Public Comment

01:11:26 Sam Bolton

Adjournment

01:20:25 Adjournment

PRESIDENT

ATTEST

/s/ Steve Bullock
Steve Bullock, Governor

/s/ John E. Tubbs
John E. Tubbs, DNRC Director

LAND BOARD MEETING SIGN-IN SHEET
December 21, 2015

| NAME | AFFILIATION | E-MAIL | Check to be added to the interested parties list. |
|---------------------|----------------------------------|-------------------------|---|
| Chuck Roan | F.H. Stoltz Lumber Co., C. Falls | chuckroan@mtlumber.com | ✓ |
| Nick Gavock | MT Wildlife Federation | ngavock@mtwlf.org | ✓ |
| Thomas J. Elford | Jefferson River Trail | thomasjelford@gmail.com | |
| James M Pappertus | Jeff. River Trail | jpappertus@mac.com | ✓ |
| Bonnie Hammar | Manhattan, Mt. | saddlepk@gmail.com | ✓ |
| Wayne Clifford | Three Falls, mt | len302@yahoo.com | ✓ |
| Stephen L Morehouse | Jefferson River Trail | morehouse@bresnan.net | ✓ |
| Barrell Byker | American Political | | |
| Tony Chonick | | | |
| LARRY THUMAS | ANACONDA SPORTSMAN | | |
| TOM POZEGAL | ANACONDA SPORTSMAN | T5POZEGAL@Q.COM | |
| ROY MORRIS | LGTH | ROY@MONTANA.COM | |
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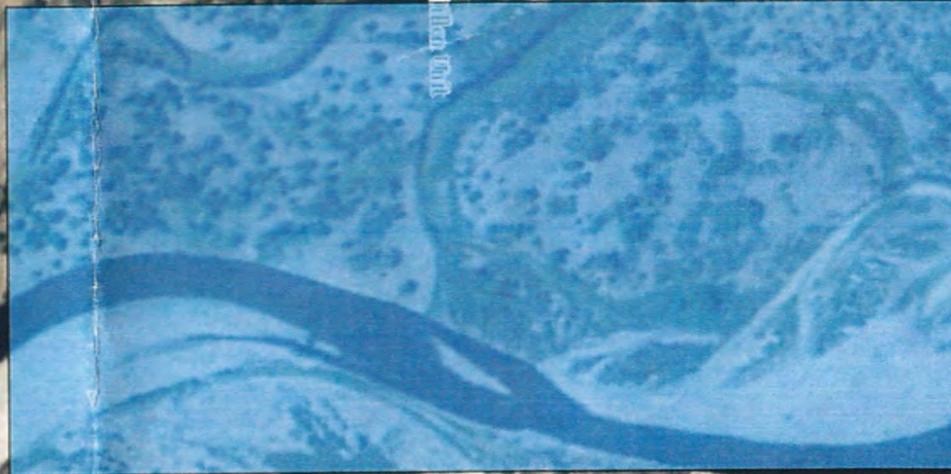
Contact Lucy Richards at lrichards@mt.gov or indicate on this sign-in sheet if you would like to be placed on the Land Board interested parties list.

This sign-in sheet is a public record under Title 2, Chapter 6 of the Montana Code Annotated, but may not be reproduced or distributed for use as a mailing list without the permission of the named individuals under 2-6-1017, MCA.



Central Land Office

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She exhibited no grief in relating this event, nor any joy in the prospect of meeting her relatives and friends. Lewis thought that if she had enough to eat and a few trinkets she would be happy anywhere.

The middle and west forks were so nearly of the same size that the captains agreed that it would not be right to call either of them the Missouri. They decided to discontinue the name Missouri and to designate the west fork as the Jefferson for the President, the middle fork as the Madison for the Secretary of State, and the east fork as the Gallatin for the Secretary of the Treasury. 1805

July 30, the observations having been completed, the canoes were reloaded and the ascent of the Jefferson was begun. Clark was weak from his recent sickness and took charge of the boats, while Lewis, with Sergeant Gass and interpreters Drewyer and Charbonneau, scouted ahead on foot in the hope of sighting a band of Shoshones. Captain Lewis adopted the plan of giving the tributaries of the Jefferson River the names which to him represented the noblest attributes of the President. The first branch from the south, now known as Willow Creek, was called Philosophy River. The middle fork was allowed to retain its Indian name, which translated into English meant Beaverhead. The west branch was named Wisdom, now best known as the Big Hole and the east branch, called the Philanthropy River, is now the Ruby. At the forks of the Jefferson, Lewis was puzzled as to which to follow. The one discharging from the northwest carried the largest volume of water and came from the direction in which the expedition wanted to travel to reach a branch of the Columbia, but the current was too swift for canoeing. The middle fork had a gentle flow, appeared to be navigable, and after investigation was chosen as the route to follow.

The current was so swift, however, that the oars would not force the boats upstream. Only ten miles could be conquered in a day and the men were in the water all of the time. Every

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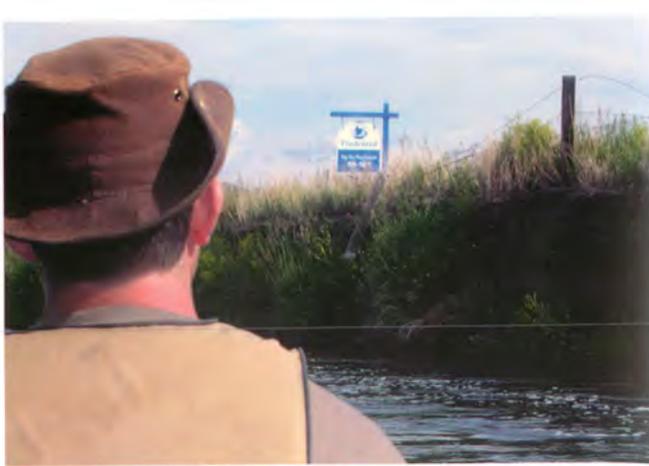
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Conservation

Wouldn't it be great if every person who floated the Jefferson River could experience it as wild and pristine as it was in the days of Lewis and Clark?

Float the Canoe Trail and you will discover you find that much of the viewshed from the river remains intact. Most existing development is away from the river enough that you see only cottonwood groves and swamps along the river, against a backdrop of undeveloped mountains in the distance.

Still, the unfortunate reality is that the Jefferson River is gradually getting chopped to pieces, and could one day become a channel lined with houses on both sides. All it takes is one more person building just one more house... there is always just one more house!

JRCT is educating builders to build new houses farther away from the water and encouraging landowners to adopt conservation easements along the river to protect it for future generations.



Recreation

Float the Jefferson River Canoe Trail! The Jefferson is a great river with great scenery, abundant wildlife, family-friendly floating opportunities, and an essential stake in our nation's history.

The Jefferson River Canoe Trail retraces by water an essential segment of the Lewis & Clark National Historic Trail from the three forks of the Missouri at Headwaters State Park up the Jefferson River to its origin at the forks of the Big Hole and Beaverhead Rivers near Twin Bridges.

Most present-day travelers will prefer to follow the trail in reverse, floating down the Jefferson River, instead of towing their canoes upstream. The Jefferson River is great for half- or full-day floats, or multi-day trips to experience the entire journey.

Maps of the Canoe Trail are available for a suggested donation of \$20. This is a "no-trace" canoe trail. Please apply appropriate backcountry etiquette to leave the area as nice as you found it.



Related Materials
Attachment 3

Join Us!

Email Discussion List: No charge.

Chapter Annual Membership: \$49

(Includes membership in the L&C Trail Heritage Foundation)

Canoe Trail Maps (suggested donation): \$20

Additional Donation: _____

TOTAL ENCLOSED: _____

Name: _____

Address: _____

City, State, ZIP: _____

Phone: _____

Email: _____

JRCT • PO Box 697 • Pony, MT 59747





Background

Founded by local author and wilderness survival skills instructor, Thomas J. Elpel, the Jefferson River Canoe Trail takes a holistic perspective of conservation and recreation along the Jefferson, viewing the entire river system as a unified regional park. The Canoe Trail includes the entire length of the Jefferson along with the associated formal and informal fishing access sites, campsites, hiking trails, conservation easements, state lands and state parks, as well as adjacent BLM and Forest Service lands.



Our Mission

The JRCT seeks to preserve the land and history of the Jefferson River and neighboring segments of the Lewis & Clark National Historic Trail, including:

- Acquiring land for floaters campsites along the Canoe Trail.
- Preserving the undeveloped character of the landscape as Lewis and Clark would have found it.
- Improving public access, trails, and recreational opportunities along the river for hiking, camping, fishing, birding, mushrooming, hunting, and horseback riding.
- Protecting the natural biodiversity of this landscape.
- Promoting public awareness and interest in the history of the Lewis and Clark Expedition.



Jefferson River Canoe Trail
PO Box 697
Pony, MT 59747
www.JeffersonRiver.org

Related Materials Attachment 3

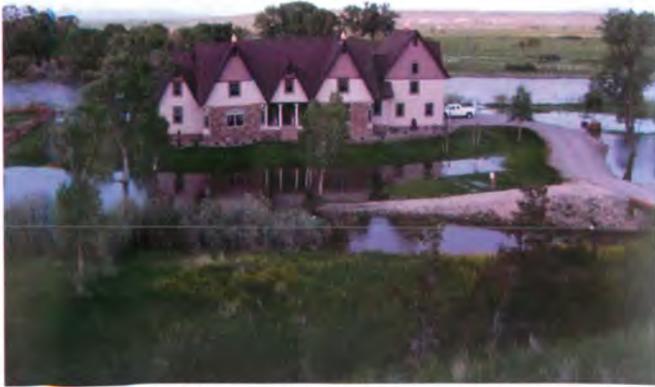


Lewis & Clark National Historic Trail JEFFERSON RIVER CANOE TRAIL

A Chapter of the Lewis & Clark Trail Heritage Foundation

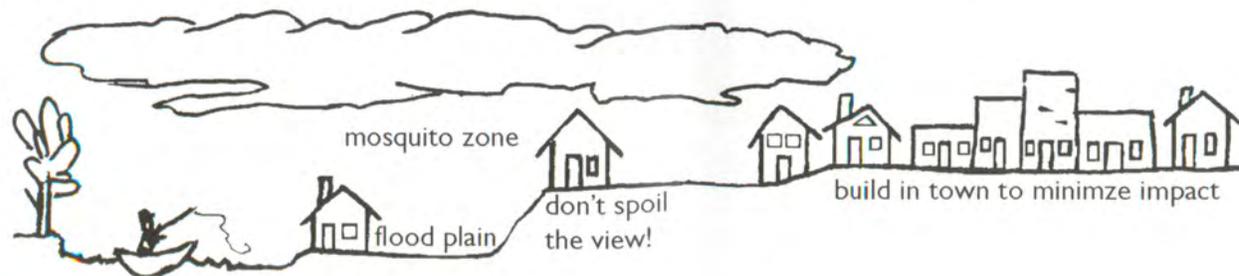
*Sustaining the Montana Traditions
of Open Space and Open Access*





What NOT To Do

- Do not build in the flood plain.
- Do not build anywhere that will require ugly, expensive rip-rapping along the bank to protect the house from the river.
- Avoid building in the mosquito belt along the river.
- Avoid fragmenting wildlife habitat in the green zone along the river.
- Avoid impacting the viewshed from the river. Montanans sneer at McMansions.
- Keep in mind that cold air settles into the lowest point, making the valley bottom up to 10° cooler than the foothills on frigid winter nights.



Best Choice: Build in Town

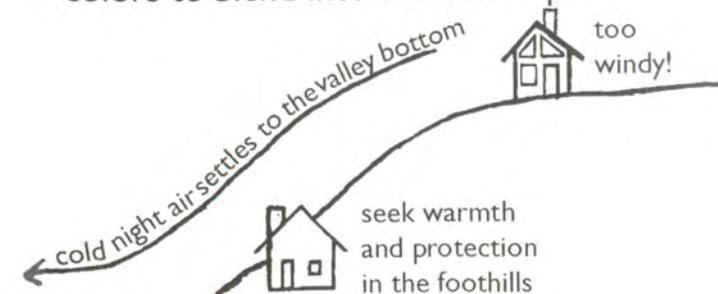
- Be a hero! Build or buy within existing towns to minimize sprawl and preserve open space along the Jefferson River.
- Build in town to preserve wildlife habitat and the hunting and fishing opportunities we all love.
- Build in town to be close to schools, coffee shops, the post office and more.
- Save money. Rising demand for oil, combined with falling production rates, destabilizes the price of gasoline, making the future uncertain. Build in town to reduce transportation costs, potentially saving thousands of dollars a year.



Related Materials
Attachment 3

Out of Town? Seek Shelter

- Build above the valley floor where nighttime temperatures are warmest.
- Avoid the hill-tops. Hill-top houses ruin everyone's view. Hill-top houses are also exposed to the wind, raising heating costs and making the outside unlivable.
- Snuggle into the foothills for optimal protection from wind, winter cold, and summer mosquitoes.
- Keep a low-profile and choose natural colors to blend into the landscape.



- Earth-sheltered houses (covered with earth or at least built into the hill) are the most efficient and blend in the best.



Lewis & Clark National Historic Trail

Jefferson River Canoe Trail

A Chapter of the Lewis & Clark Trail Heritage Foundation

Builder's Guide

*Commonsense
Do's and Don'ts for Building a Home
along the Jefferson River*



What's in a Name?

In 1804 and 1805, at the direction of President Thomas Jefferson, explorers and co-captains Meriwether Lewis and William Clark led the Corps of Discovery from Saint Louis up the Missouri River on an epic journey of discovery to explore the newly acquired Louisiana Purchase, document its wonders, and search for a navigable water route to the Pacific Ocean.

At the Missouri headwaters, Lewis and Clark saw the west fork as the most navigable route forward and named it the Jefferson River to honor the President.

Today, the Jefferson River is part of the Lewis & Clark National Historic Trail. It is like having a long, skinny national park right in our own backyards.



Jefferson River Canoe Trail
PO Box 697
Pony, MT 59747
www.JeffersonRiver.org

Our Last Best Chance

Our species has the unfortunate habit of destroying what we love. In our effort to get close to nature, we discover Eden, then bulldoze it to put a house there.

The Jefferson River is being loved to death. It is easy to imagine that one house won't really change anything, but it doesn't work that way. There is always one more house. The Jefferson is at risk of becoming a rip-rapped channel lined with houses.

The U.S. Census Bureau projects that the nation's population will double, triple, or quadruple this century. Where are all those people going to go? Now is our last best chance to sustain the open space, wildlife habitat, and history along the Jefferson River for future generations.

If you are considering new construction along the Jefferson River, please use the guidelines outlined in this pamphlet to help minimize impact and maximize comfort.

