

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

Trust Land Management Division

STEVE BULLOCK, GOVERNOR

1625 ELEVENTH AVENUE



STATE OF MONTANA

DIRECTOR'S OFFICE: (406) 444-2074
FAX: (406) 444-2684

P.O. BOX 201601
HELENA, MONTANA 59620

June 3, 2019

**RE: Fox Farm Trust Land Property
Solicitation for Letters of Conservation Intent In Lieu of Property Development**

Dear Conservation Entities and Interested Parties:

The Montana Department of Natural Resources and Conservation (DNRC) is undertaking the process of exploring the development potential of ±83 acres of trust land that is generally described as Government Lot 6 and Lot 7, of Section 23, T20N, R3E. The property is commonly referred to as "Fox Farm". The Fox Farm property is bordered to the north by the City of Great Falls, Fox Farm Road to the West, 45th Avenue SW to the South, and Lot 6 is adjacent to the Missouri River (see attached map). Prior to any development on this site, the land may require annexation into the City of Great Falls and zoning change approvals.

The purpose of this letter is to solicit interest in pursuing conservation strategies in lieu of development, in accordance with the Real Estate Management Programmatic Plan (2005), and Administrative Rule 36.25.910.

Trust Lands Background:

The DNRC Trust Lands Management Division, through the Montana Board of Land Commissioners (Land Board), administers approximately 5.2 million surface acres of the State of Montana's trust land resources. Trust lands were granted to Montana by the United States in trust for the support of public schools and other institutions under the Enabling Act of the Montana Constitution. The Montana Constitution and the Enabling Act require the State to act with undivided loyalty in the interest of the trust beneficiaries in matters involving trust property, to carry out the intentions of the grantor of the trust, to make the trust economically productive, and to be accountable to the beneficiary. The DNRC has a fiduciary duty to generate revenue on trust lands for trust beneficiaries. The DNRC generates revenue for trust beneficiaries through four primary programs: agriculture and grazing management, forest management, minerals management, and real estate management, including commercial development and easements.

Conservation:

Conservation of any or all the Fox Farm property would require a permanent easement for a "public park", which must be held by a public entity. The cost of the easement would be the full market appraised value of the easement area. As part of this solicitation, DNRC may also consider ideas for

reasonable setbacks, public access, or designated open space suggestions in the planning process for a potential commercial development.

Process:

Conservation entities have 60 days from the date of this letter to submit a letter of conservation intent for any or all the Fox Farm property. After the close of the 60-day period, entities that submitted a letter of conservation intent will have an additional 45 days to formally apply to the department for an easement. The department may require bonding, letter of credit, or nonrefundable deposit as part of the application for a conservation use. An entity that makes application within the 45-day period then has 12 months to secure the conservation easement. Securing the easement requires approval of the easement from the Land Board, and payment in full. The department reserves the right to approve or deny a proposal for a conservation use.

The DNRC may move forward with development of the Fox Farm property if the department receives no letter of intent within the 60-day period; or a conservation entity submits a letter of intent within the 60 days but fails to apply to the department within the subsequent 45 days; or a conservation entity submits a letter of intent and application within the applicable periods but fails to secure an easement on the subject property within 12 months.

Submitting a Letter of Conservation Intent:

The DNRC has contacted you as a part of the scoping process as a party that may have an interest in conservation of this site. If your organization has an interest in pursuing conservation strategies for the Fox Farm property, send your letter of conservation intent so that it is received by DNRC by 5:00p.m., **August 5, 2019.**

Your letter of intent can be sent to Andy Burgoyne via email at jburgoyne@mt.gov, or mail at:

DNRC Central Land Office
Attn: Andy Burgoyne
8001 N. Montana Ave
Helena, MT 59602

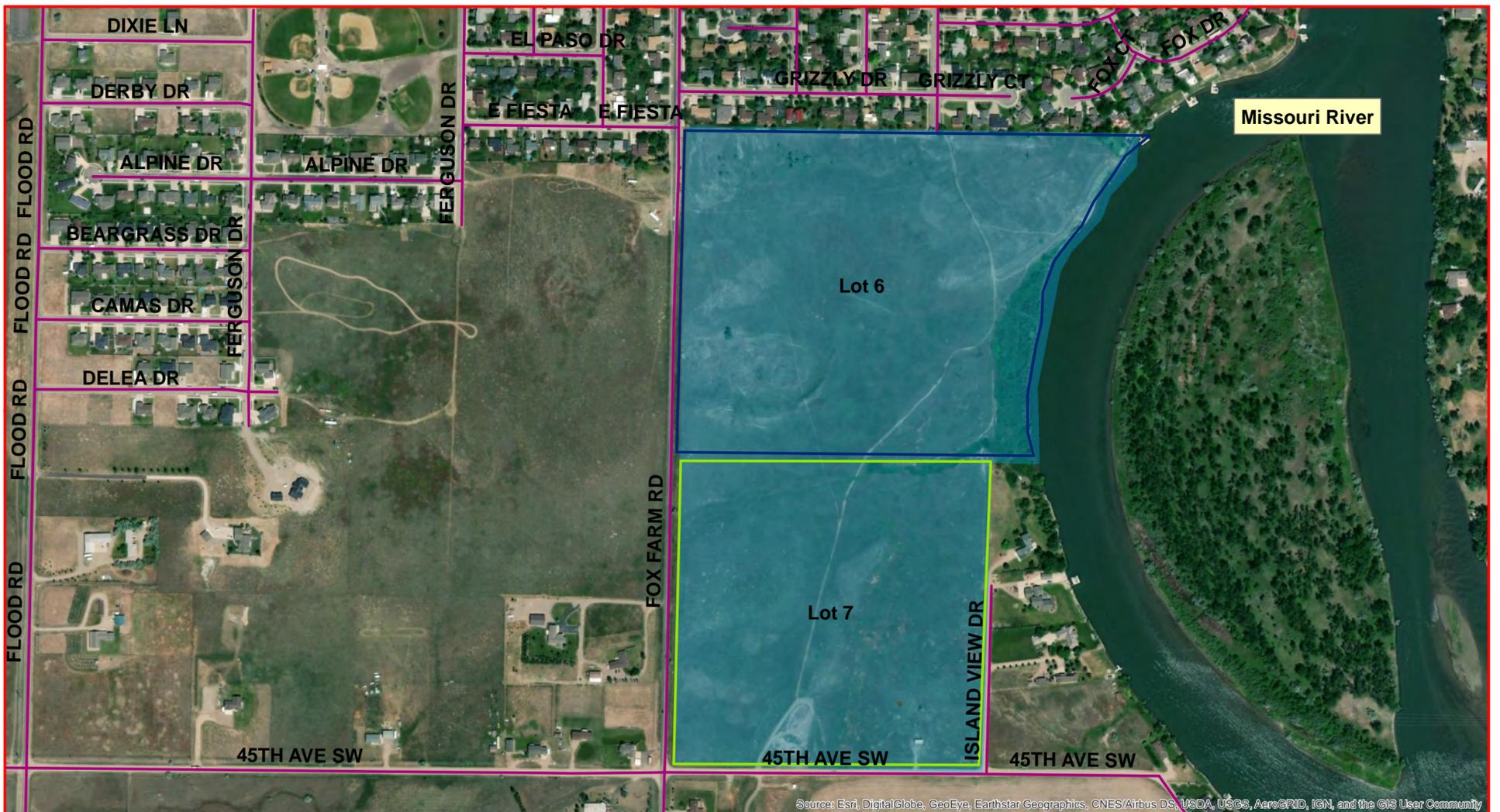
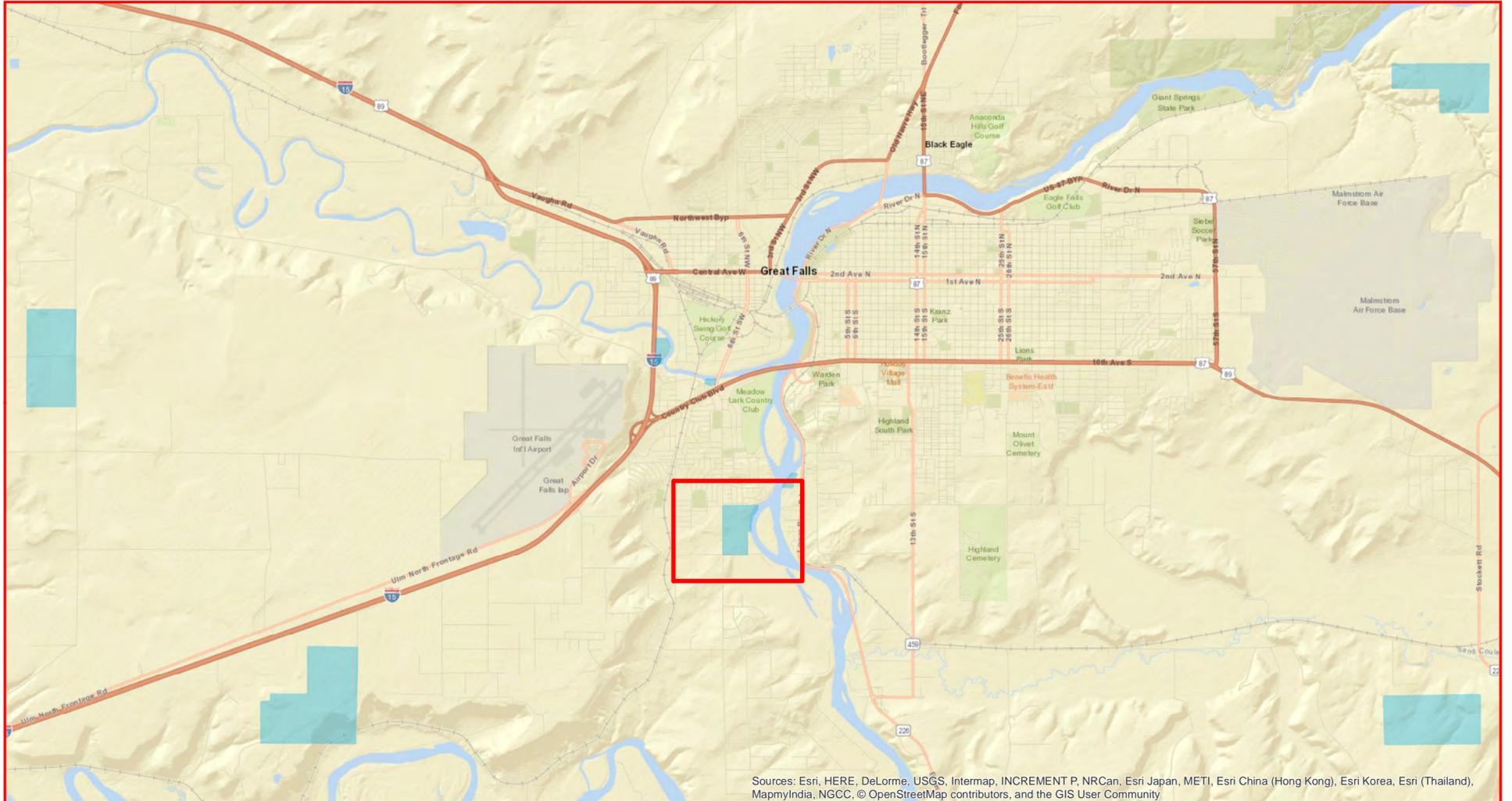
Please feel free to contact me with any questions.

Sincerely,

Andy Burgoyne
Trust Land Program Manager
Central Land Office
406-458-3517
jburgoyne@mt.gov

Enc: Trust Land Fox Farm Property Map

Trust Land Fox Farm Property - Great Falls, MT



Legend

- Gov't Lot 6
- Gov't Lot 7
- Roads
- Trust Lands

Location: Cascade County, MT
 Date: 5-30-2019
 Prepared By: REMB Staff Member
 Projection: NAD83 Montana State Plane



Inset Area from top map shown in bottom map