



STATE BOARD OF LAND COMMISSIONERS

C. L. "Butch" Otter, Governor and President of the Board
Ben Ysursa, Secretary of State
Lawrence G. Wasden, Attorney General
Donna M. Jones, State Controller
Tom Luna, Superintendent of Public Instruction

George B. Bacon, Secretary to the Board

State Board of Land Commissioners
Regular Land Board Meeting – October 20, 2009
Summary Minutes

Video Conference Meeting Held Off-Site at University of Idaho, Moscow and Boise

On October 20, 2009 the State Board of Land Commissioners held their second off-site meeting of the calendar year. Due to budget constraints, the meeting was held by video conference between the University of Idaho, Moscow, and the University of Idaho, Water Center, Boise.

Governor Otter opened the session by welcoming University of Idaho President M. Duane Nellis. President Nellis expressed his appreciation for the economic assistance brought to higher education through the diligent efforts of the State Board of Land Commissioners, the Department of Lands and the Endowment Fund Investment Board.

As part of the State Land Board's educational outreach, Governor Otter provided additional information, historical and financial, about Idaho's endowment land management.

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The regular meeting of the Idaho State Board of Land Commissioners began at 9:19 a.m. (Pacific). All members of the Land Board and Director George Bacon, Secretary to the Board, participated in the meeting from the University of Idaho, Moscow. Additional Land Board and Department of Lands' staff participated from the University of Idaho, Water Center, Boise. The Honorable Governor C. L. "Butch" Otter presided at the Moscow location.

The following State Land Board members were present at the Moscow location:

- Honorable Governor C. L. "Butch" Otter
- Honorable Secretary of State Ben Ysursa
- Honorable Attorney General Lawrence Wasden
- Honorable State Controller Donna Jones
- Honorable Superintendent of Public Instruction Tom Luna

For the record, Governor Otter recognized the presence of a quorum.

Minutes of Land Board Meetings: Summary minutes are preliminary minutes prepared by the Idaho Department of Lands as a courtesy. Summary minutes have not been approved by the State Board of Land Commissioners and do not constitute the official minutes of the meeting. The Land Board typically approves official minutes within one to three months of the meeting at which the minutes were taken. Should you have any questions regarding these minutes, please contact Susan Terry, Office of the Director, Idaho Department of Lands, (208) 334-0242 or e-mail sterry@idl.idaho.gov.

STATE BOARD OF LAND COMMISSIONERS
October 20, 2009 Regular Meeting
University of Idaho, Moscow and Boise Sites

• **CONSENT**

A motion was made by Attorney General Wasden to adopt the Consent Agenda in its entirety. Secretary of State Ysursa seconded the motion. The motion carried on a vote of 5-0.

1. Director's Report – approved

- A. Interest Rate on Department Transactions – October 2009
- B. Timber Sale Activity Report
- C. Timber Sale Official Transactions – September 2009
- D. Legal Matter Summary
- E. Bureau of Surface and Mineral Resources Official Transactions – September 2009
- F. Fire Settlement Information
- G. Fire Season Report

2. Timber Sales – Staffed by Roger Jansson, Operations Chief-North, and Kurt Houston, Operations Chief-South – approved

NORTH OPERATIONS

| | | | | | <u>COUNTY</u> | <u>AREA OFFICE</u> |
|---------------------|------------|---------|-----|--|---------------|----------------------|
| A. Childs Creek OSR | CR-30-0564 | 2,685 | MBF | | Shoshone | St. Joe (St. Maries) |
| B. No Bowl Pole | CR-30-0568 | 375 | MBF | | Clearwater | St. Joe (St. Maries) |
| | | 167,840 | LF | | | |
| C. Bull Run Creek | CR-31-0014 | 1,585 | MBF | | Kootenai | Cataldo (Kingston) |

SOUTH OPERATIONS

| | | | | | | |
|---------------------|------------|--------|-----|--|------------|-----------------------|
| D. North Gulch Pulp | CR-42-5030 | 16,470 | MBF | | Clearwater | Maggie Creek (Kamiah) |
|---------------------|------------|--------|-----|--|------------|-----------------------|

3. Disclaimer of Interest for the Former Bed of the Salmon River, Idaho County (City of Riggins) – approved

DEPARTMENT RECOMMENDATION: That the Board direct the Department to issue a disclaimer of interest for one parcel totaling 0.742 acres of the former bed of the Salmon River and require the City of Riggins to pay the remaining processing fee of \$300 to the Department of Lands for this transaction.

BOARD ACTION: Approved.

4. Request for Approval of Lease Adjustment to Communication site Lease M8066 held by Aircell, LLC, including the Sublease of a Portion of M8066 to T-Mobile West Corporation – approved

DEPARTMENT RECOMMENDATION: That the Board direct the Department to approve the sublease approval lease adjustment to communications site lease M8066, including the change in annual rental adjustment method.

BOARD ACTION: Approved.

5. **Minutes – approved**

A. Regular Land Board Meeting – September 15, 2009

• **REGULAR**

6. **Endowment Fund Investment Board Manager’s Report** – *Presented by Larry Johnson, Manager of Investments, EFIB*

- A. Monthly Report
- B. Investment Report

BOARD ACTION: A motion was made by Controller Jones to adopt the Endowment Fund Investment Board Manager’s Report. Attorney General Wasden seconded the motion. The motion carried on a vote of 5-0.

7. **Disclaimer of Interest for the Former Bed of the Snake River, Twin Falls County (D & J Miller, LLC)** – *Presented by Kurt Houston, Operations Chief-South*

RECOMMENDATION: Direct the Department to issue a disclaimer of interest for one parcel totaling 2.26 acres of land that is not part of the bed of the Snake River and to require D & J Miller, LLC, to pay the remaining processing fee of \$300 to the Department of Lands for this transaction. As a further condition, D & J Miller, LLC, shall grant to the State of Idaho an easement twenty-five feet in width for a public use right-of-way along and adjacent to the existing Ordinary High Water Mark of the Snake River.

BOARD ACTION: A motion was made by Attorney General Wasden to direct the Department of Lands to issue a disclaimer of interest for one parcel totaling 2.26 acres of land that is not part of the bed of the Snake River and to require D & J Miller, LLC, to pay the remaining processing fee of \$300 to the Department of Lands for this transaction. As a further condition, D & J Miller, LLC, shall grant to the State of Idaho an easement twenty-five feet in width for a public use right-of-way along and adjacent to the existing Ordinary High Water Mark of the Snake River. Secretary of State Ysursa seconded the motion. The motion carried on a vote of 5-0.

8. **Authorization to Submit IDAPA 20.03.14, Rules Governing Grazing, Farming, Conservation, Noncommercial Recreation and Communication Site Leases, as a Pending Rule** – *Presented by Bob Brammer, Assistant Director, Lands, Minerals, Range*

DEPARTMENT RECOMMENDATION: (1) That the Board direct the Department to submit the revised IDAPA 20.03.14, “Rules Governing Grazing, Farming, Conservation, Noncommercial Recreation and Communication Site Leases” to the 2010 legislative session as a pending rule; (2) Direct the Department to return to the Land Board at the November 2009 meeting with proposed recommendations addressing the rental rate structure for grazing, farming, conservation, noncommercial recreation and communications site leases and any necessary definitions.

BOARD ACTION: A motion was made by Attorney General Wasden to move adoption of the Department recommendation. Controller Jones seconded the motion. The motion carried on a vote of 5-0.

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Summary Minutes

Regular Land Board Meeting – October 20, 2009 – Off-site Land Board Meeting – Moscow / Boise
Page 3 of 4

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- **INFORMATION**

Background information was provided by the presenters indicated below. No Land Board action is required on the Information Agenda.

9. **Review of Grazing Program Accounting** – Presented by Patrick Hodges, Division Administrator, Support Services and Jae Hallett, Eide Bailley
10. **Update on Idaho Department of Lands' American Recovery & Reinvestment Act (ARRA – aka "Federal Stimulus") Projects** – Presented by David Groeschl, Assistant Director, Forestry and Fire

- **EXECUTIVE SESSION**

None

There being no further business to come before the Board, at 10:40 a.m. (Pacific) a motion was made by Attorney General Wasden to adjourn. Superintendent Luna seconded the motion. The motion carried on a vote of 5-0. Meeting adjourned.