

Management of North Dakota's School Lands

Michael D. Brand, Margaret M. Moore, and Richard P. Williams

North Dakota owns about 708,000 acres of land dedicated to the support of schools and institutions in the state. The vast majority of this land (98%) is leased as rangeland. The remainder (2%) is leased as cropland. Little management information was available before 1980, and the land was not actively managed by the state. Therefore, an inventory program was initiated in 1980 to serve as a basis for implementation of the first coordinated land management program. To understand why a management program was not initiated earlier, it is important to understand the history of school lands.

Passive to Active Lessor

Public support of schools in the United States through grants of land dates back to the colonial period. Tracts of land were often set aside to be used to fund schools and to pay teachers. This philosophy carried through the 1800's when Congress followed the practice of reserving school sections and granting them to states at statehood (Hibbard 1965). In North Dakota, the Enabling Act of 1889 (the act which formed North Dakota, South Dakota, Montana, and Washington) granted sections 16 and 36 in every township to the state for the support of the common schools, a total of 2,523,384 acres. Other sections were granted "in lieu" of sections 16 and 36 when they were unavailable for reasons such as previous settlement, rivers, or lakes. In addition, 668,388 acres were granted for the support of universities and other public institutions. These lands are collectively known as "school and institution lands", or more simply as "school lands". School lands were placed under the administrative authority of the North Dakota Board of University and Schools Lands and are managed on a day-to-day basis by the State Land Department. The Board includes the Governor, Secretary of State, State Treasurer, Attorney General, and Superintendent of Public Instruction.

An early priority was the sale of school lands. The money from land sales was invested in a permanent trust fund with the interest to be used to support schools and institutions. Land management was a low priority from 1889 until the late 1970's, when land sales virtually ceased. During the land sale period, approximately 74% of the school land acreage was sold. The more productive lands were readily sold while the less productive rangeland remained in state ownership. Unsold lands were leased to the highest bidder at public auction, generally for a 5-year term and without management guidelines. In 1985, only 657,404 acres remained of the original grant along with an additional 50,113 acres acquired

through foreclosure. The remaining lands were located in scattered tracts, generally 640 acres or less, in the western two-thirds of the state.

With an end to land sales in the late 1970's, there was a realization that active management by the state would be necessary for the long-term maintenance and improvement of school lands. Three professional employees have been hired since 1979, to develop and implement a coordinated land management program.

Inventory

The earliest inventories of school lands by the State Land Department were used only to establish minimum selling prices. The North Dakota Game and Fish Department completed a wildlife habitat and recreational study in 1970 that rated 418 tracts in satisfactory condition and 1,389 tracts as overgrazed (Morgan 1971). This rating was more applicable to wildlife habitat than range condition. The State Land Department later funded a range condition study in 1978 and 1979 with North Dakota State University. Selected tracts were intensively sampled for range site and condition information. This study was limited but it did provide the first indication that school lands were in better condition than commonly believed.

The 1978/79 study was expanded in 1980, into a 10-year range inventory and analysis program. Baseline information on range condition (Dyksterhuis 1949), range trend, noxious weeds, wildlife habitat, and various management concerns has been collected on 271,670 acres (38%) of school lands in 18 counties from 1980-1985 (Fig. 1). An added advantage of

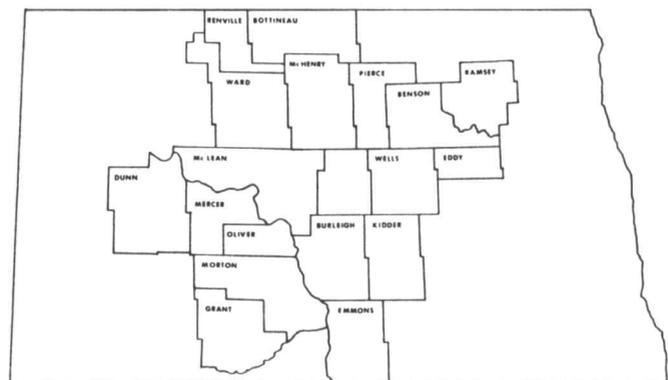


Fig. 1. North Dakota counties inventoried from 1980-1985.

this program was that the lessees were personally contacted by field representatives of the State Land Department. For many lessees, this was the first time that they had seen state employees on the lands that they leased. Budget constraints

Authors are director, surface management, North Dakota Department of University and School Lands, Bismarck 58505; assistant professor, School of Forestry, Northern Arizona University, Flagstaff 86011; and research associate, Animal and Range Science Department, North Dakota State University, Fargo 58105. During this study, Margaret M. Moore was graduate research assistant, Botany Department, North Dakota State University, Fargo 58105.

have caused the program to be extended to 15 years with an anticipated completion date of 1995.

Condition and Management

Approximately 73% of the rangeland was in good to excellent condition on a scale of poor-fair-good-excellent (Table 1). The remaining 27% was in low good to poor condition and should be improved. This contradicts the common misconception that school lands are generally abused. The majority

Table 1. Percent (%) of grasslands in various range condition classes in eighteen North Dakota counties as determined in 1980-1985.

County	Condition			Acres	
	Poor/- Fair	Low Good	Good/- Excellent	Crop- land	Grass- land
	-----%-----				
Benson	7	16	77	789	10,201
Bottineau	19	4	77 ¹	202	2,552
Burleigh	5	16	79	1,486	26,486
Dunn	8	10	82	0	25,977
Eddy	8	23	69	652	9,640
Emmons	13	23	64	442	13,261
Grant	14	21	65	598	32,886
Kidder	10	20	70	273	28,049
McHenry	14	12	74	230	21,915
McLean	11	14	75	608	20,429
Mercer	0	6	94	242	14,825
Morton	17	24	59	374	17,301
Oliver	5	16	79	163	7,677
Pierce	8	18	74	963	13,354
Ramsey	5	13	82	1,095	962
Renville	34	8	58	25	1,886
Ward	0	22	78	0	11,039
Wells	14	27	59	242	4,846
Average	10	17	73		

¹includes 1,120 acres of woodland.

of the lessees have taken good care of the land. However, there were a significant number of abused tracts which substantiated a need for active management by the state.

There were two basic reasons for the misuse of school lands: (1) lack of management knowledge by the lessees and (2) intentional mismanagement to discourage competition for the lease. Lack of management knowledge was probably the most common cause of misuse. To overcome this problem, the State Land Department began publishing a biannual lessee newsletter in 1983 on management and policy information.

The improvement of school lands has required direct management input. Changes in the season of use, reduced

stocking rates, and total range rest have been used in a cooperative effort with lessees to improve range condition and production on numerous tracts. As range condition improves, stocking rates can be adjusted. Additional management problems included noxious weeds, clubmoss, cultivation of marginal lands, illegal trash dumping, lack of adequate stockwater facilities, and deterioration of woody habitat. A program has been successfully implemented for controlling noxious weeds. Leafy spurge, a perennial noxious weed, is the most severe rangeland weed problem in North Dakota and infests more than 11,000 acres of school land. This weed is very difficult to eradicate and severely reduces forage production on infested rangelands. Leafy spurge is sprayed by lessees on a 50% cost share basis with the State Land Department. Approximately 4,500 acres were sprayed in 1985, which was a 20% increase from the 1984 level. The amount of control has been steadily increasing each year since 1981.

Erosion control and reclamation also have been emphasized on marginal cropland, gravel pits, pipelines, powerlines, and roads. The State Land Department leases 17,099 acres of cropland including numerous highly erodible tracts. About 300 acres of marginal cropland were seeded with grass by lessees in 1984 and 1985. This should provide erosion control and increase long-term production. Surface disturbances such as gravel pits, and pipeline and road construction also are actively being reclaimed.

Plans for the Future

North Dakota's school lands are a valuable public resource which, if managed wisely, can provide continuing and increasing support for schools and institutions in the state. These lands also provide forage for livestock, wildlife habitat, sources of minerals, and contain examples of unique natural areas. Significant progress has been made in managing these resources since the late 1970's and further refinements will be made as the range inventory and analysis is completed. The recent shift from an active sale policy to active resource management should enhance the long-term value and productivity of these lands for the people of North Dakota.

Literature Cited

- Dyksterhuis, E.J. 1949.** Condition and management of rangeland based on quantitative ecology. *J. Range Manage.* 2:104-115.
- Hibbard, Benjamin H. 1965.** A history of the public land policies. The Univ. of Wisconsin Press. Madison.
- Morgan, Robert L. 1971.** Wildlife, environmental, and recreational aspects of university and school lands. *North Dakota Outdoors* 33(10):1-7.