



Department of Natural Resources Fact Sheet



2008 POLICY FACT SHEET Land Exchange Policies Bill

It is needed because

The Department of Natural Resources (DNR) and several northern and central Minnesota counties are interested in conducting large land exchanges to consolidate landownership for forest management purposes. This will reduce management costs and help reduce forest fragmentation. There needs to be statutory changes related to valuation and title requirements to make the process more efficient and less costly in light of the fact that public land is being exchanged.

A second portion of the bill addresses the method that is to be used to resolve disagreements between the DNR and counties with regard to wetlands that the DNR proposes to acquire for wildlife management purposes. The current statute requires dispute resolution to be determined by district court. The DNR proposes that any dispute resolution could be more efficiently conducted, at a lower cost to the public, by the Land Exchange Board.

Major elements

Expedited Exchanges

Since the DNR has already received numerous land exchange requests from local units of government, and expects even more if the proposed bill becomes law, it is important to meet county expectations, especially with regard to having the transaction process be efficient and cost effective. The bill in effect creates an "Expedited Exchange" process.

One of the most time and cost consuming processes related to land exchange can be the use of a formalized appraisal process to determine current land value. The DNR believes that alternative evaluation methods that

include long-term timber resource values, not just current land values, will help both the DNR and the counties meet their goals of improved forest management and associated increased income generation. The DNR is therefore proposing that several alternative methods of determining comparable values of exchange lands be approved for use.

To ensure appropriate oversight of these exchanges, the DNR proposes that unanimous approval of the Land Exchange Board be required. As an additional safeguard to future abuse of the exchange agreement, the bill requires reversionary interest if either party conveys the land within 40 years of the exchange.

Wetlands for Wildlife

A second part of the bill addresses procedures associated with the DNR's acquisition of wetlands to be managed for wildlife, under M.S. 97A.145. The current law provides approval authority to a county if the DNR proposes such an acquisition. If the county does not agree with the acquisition of such land, the current statute requires resolution through the courts. As a cost savings alternative the DNR is proposing that any future disputes be resolved by the Land Exchange Board rather than tying up the courts.

Priority-setting

Decisions on expedited land exchanges will have to be proposed by the DNR, a county or other governmental unit. The DNR and its partner in the exchange will have to negotiate all conditions of the exchange and present the proposal to the Land Exchange Board for final approval.

Project locations

Expedited Exchanges could occur in any county but are more likely to occur in counties that have an active

land management program administered by a county land department. Such counties are mainly located in northern and central Minnesota.

Dispute resolution for wetlands acquired by DNR for wildlife purposes is likely to occur with any county of the state.

Key measures and outcomes

It is currently unclear as to the number of expedited exchanges will occur. However, several counties have indicated an interest in this proposal.

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