



# *Department of Natural Resources Fact Sheet*



## **2010 POLICY FACT SHEET DNR Lands Bill**

### **CONTENT**

Lands addressed by the bill possess characteristics that statutorily restrict their purchase or sale (riparian lands, lands located within certain management units such as state parks, or sales directed to a specific individual or governmental unit). These land transactions must be reviewed and approved by the legislature.

### **OVERVIEW**

#### **Section 1**

Frequently the DNR seeks legislative approval to purchase lands adjacent to or in close proximity to existing state parks, in order to better manage the parklands and enhance their recreational value. These lands often include parcels where the owner at one time did not want the land included within the park but has since reversed that decision. This language would provide the DNR with authority to purchase lands within or adjacent to existing designated parks if their ownership would enhance the park's recreational value. The bill directs the DNR to amend the boundaries of any park thus modified, using existing statutory procedures.

#### **Section 2**

This language is a technical change, recognizing that McCarthy Beach State Park lies in both Itasca and St. Louis Counties.

#### **Section 3**

This language clarifies the legislative intent regarding future mineral development at the Hill-Annex Mine (a site listed on the National Register of Historic Places, that is located on School Trust Land). Minnesota's Constitution directs that School Lands be managed to generate income while M.S. 138.665 subdivision 2 requires protection of physical features and historic character of the iron mine.

#### **Section 4**

On occasion, the DNR seeks legislative approval to purchase lands adjacent to or in close proximity to existing state forests in order to better manage the forestlands and enhance their timber and recreational values. This language would give the DNR authority to purchase or sell lands within or adjacent to existing designated state forests if their ownership would enhance natural resource values. The bill would also direct the DNR to amend the boundaries of any state forests, thus modified, using existing statutory authorized procedures.

## **Section 5**

This is a technical change clarifying that state forestlands may be acquired subject to or not subject to mineral reservation.

## **Section 6**

This language allows the commissioner of natural resources to purchase lands within the boundaries of Lake Vermilion State Park for up to \$18 million.

## **Section 7**

The DNR proposes to expand the boundaries of 4 state parks in order to better protect natural resources:

- Forestville Mystery Cave SPK by 460 acres in Fillmore County;
- Judge Magney SPK by 120 acres in Cook County;
- Split Rock Lighthouse SPK by 80 acres in Lake County;
- Tettegouche SPK by 48 acres in Lake County

## **Section 8**

This language proposes to remove parcels that no longer meet the criteria for inclusion in the state park system:

- Afton SPK by 14 acres in Washington County
- Crow Wing SPK by 80.62 acres in Crow Wing County.
- Frontenac SPK by 1.39 acres in Goodhue County
- Hayes Lake SPK by 0.17 acres in Rouseau County
- McCarthy Beach SPK by 27 acres in St. Louis and Itasca Counties
- Maplewood SPK by 13.71 acres in Otter Tail County
- Split Rock SPK by 40 acres in Lake County

## **Section 9**

This language proposes to expand the boundaries of Lyons State Forest by 640 acres in Cass County in order to better protect natural resources.

## **Section 10**

This language authorizes the DNR to sell certain lands for less than their appraised value in order to meet the budget balancing requirements of the 2005 law that required the sale of state-owned lands.

***Sections 11 to 35 authorize the sale of DNR administered land. Legislation is required for the sales because the parcels either border water, a direct sale is being proposed or the proceeds from the sale would be directed to the general fund.***

## **Section 11**

### **Aitkin County**

Authorizes that proceeds from the sale of 84.25 acres designated as Kimberly Marsh WMA, be used as a budget balancing measure, by directing land sales revenue to the general fund, notwithstanding M.S. 86A.055. The DNR acquired the land by County Board Resolution (1962).

## **Section 12**

### **Anoka County**

Authorizes the DNR to sell, by private sale, 80 acres of land to a local unit of government for wetland mitigation purposes. The Rice Creek Watershed District will be repairing Anoka County Ditch 15 and Judicial Ditch 4 in the vicinity of Forest Lake. This project also involves property discussed in Section 31 of this bill.

## **Section 13**

### **Becker County**

Authorizes that proceeds from the sale of 37.75 acres bordering Wolf Lake within Smokey Hills State Forest, be used as a budget balancing measure, by directing land sales revenue to the general fund, notwithstanding M.S. 86A.055. The DNR acquired the land by County Board Resolution (1967).

## **Section 14**

### **Beltrami County**

Authorizes that the DNR sell by public sale approximately 18 acres of land bordering Cass Lake. The land was acquired for northern pike spawning but has not been used for that purpose for over 30 years. Land was acquired by purchase with Federal money (1967).

## **Section 15**

### **Carlton County**

Authorizes that the DNR sell by private sale 9.324 acres. The land houses the DNR Cloquet Forestry Office and is no longer needed for natural resource purposes. The DNR acquired the land through a land exchange.

## **Section 16**

### **Cass County**

Authorizes the DNR to sell by private sale 98.7 acres of land bordering Nellie Lake to the Longville Independent School District 118 to continue the operation of an educational unit managed forest. The School land portion of the parcel will be exchanged for private land prior to the sale. The land may be sold to a school district for less than the value of the land, subject to reversion if the school district abandons public use. This parcel is School Land but will be acquired forestry land at the time of sale.

## **Section 17**

### **Cass County**

Authorizes the DNR to sell by private or public sale 0.54 acres of land bordering Woman Lake. If the sale is to a local unit of government, the parcel may be sold for less than the value of the land, subject to a reversion if the local unit fails to provide for public use or abandons the public use of the land. Land was transferred from the Federal government via U.S. Farmers Home Administration (QCD 1993). No payment was involved.

## **Section 18**

### **Cook County**

Authorizes that proceeds from the sale of 80 acres, designated as an AMA, be used as a budget balancing measure, by directing land sales revenue to the general fund, notwithstanding M.S. 86A.055. Acquired by County Board Resolution (1950).

**Section 19****Douglas County**

Authorizes that proceeds from the sale of 5 acres, designated as Hudson Pit WMA #21006, be used as a budget balancing measure, by directing land sales revenue to the general fund, notwithstanding M.S. 86A.055. The land was transferred from MnDOT (1971).

**Section 20****Goodhue County**

Authorizes that the DNR sell 2.6 acres of land bordering Spring Creek to an adjacent landowner, who inadvertently trespassed on the land. The sale will be subject to an easement that allows angling access for the public to the creek. The DNR acquired the land by purchase.

**Section 21****Grant County**

Authorizes that proceeds from the sale of 4 acres, designated as Hoffman WMA, be used as a budget balancing measure, by directing land sales revenue to the general fund, notwithstanding M.S. 86A.055. Land was transferred from MnDOT (1971).

**Section 22****Hennepin County**

Authorizes the DNR to sell 13.92 acres to a local unit of government for a storm water runoff program. The DNR may sell the land for less than the value of the land. The sale of the land shall be subject to a reversion if the local unit fails to provide for public use or abandons the public use of the land. The DNR acquired the land by gift.

**Section 23****Hubbard County**

Authorizes that proceeds from the sale of 30 acres of Forestry administered land, be used as a budget balancing measure, by directing land sales revenue to the general fund, notwithstanding M.S. 86A.055. The land was acquired by County Board Resolution (1950).

**Section 24****Martin County**

Authorizes that proceeds from the sale of 5.75 acres, designated as Krahmer WMA be used as a budget balancing measure, by directing land sales revenue to the general fund, notwithstanding M.S. 86A.055. The land was transferred from MnDOT (1981).

**Section 25****Martin County**

Authorizes the DNR to sell 1.6 acres of land to an adjacent landowner for improvement of access to the adjacent landowner's property. In addition, the language authorizes that the proceeds from the sale of the land that is currently designated as Ceylon WMA, be used as a budget balancing measure by directing land sales revenue to the general fund notwithstanding M.S. 86A.055.

**Section 26****Murray County**

Authorizes the DNR to exchange lands it in part acquired with a bonding appropriation for the lands of an adjacent landowner. The exchange will provide the state with more wildlife acres and increased water frontage than currently exist on the state owned land.

**Section 27****Nobles County**

Authorizes that proceeds from the sale of 4.83 acres designated as Aid-Pit WMA and 5 acres designated as the Ells-Pit WMA be used as a budget balancing measure, by directing land sales revenue to the general fund, notwithstanding Minnesota Statutes 86A.055. The land was transferred from MnDOT (1972).

**Section 28****Pipestone County**

Authorizes that proceeds from the sale of 11.36 acres, designated as Pit WMA be used as a budget balancing measure by directing land sales revenue to the general fund notwithstanding Minnesota Statutes 86A.055. The land was transferred from MnDOT (1971).

**Section 29****Roseau County**

Authorizes the DNR to sell by public sale 0.15 acres of school trust land bordering the Warroad River. This parcel is not contiguous with any other state land. This parcel is School Land.

**Section 30****Roseau County**

Authorizes Roseau County, with approval by the DNR, to sell two parcels of Con-Con land. One parcel is 0.75 acres the other is 10 acres in size. Neither of these parcels is contiguous with other state owned land. This parcel is Con-Con Land.

**Section 31****Wadena County**

Authorizes that proceeds from the sale of 40 acres, designated as Huntersville State Forest be used as a budget balancing measure, by directing land sales revenue to the general fund, notwithstanding Minnesota Statutes 86A.055. The land was acquired by County Board Resolution (1963).

**Section 32****Washington County**

Authorizes the DNR to sell 57.2 acres of land to a local governmental unit to use for wetland mitigation. The DNR has determined that the state's land management interests will best be served if the land is conveyed to the local unit of government.

**Section 33****Washington County**

Authorizes the DNR to sell 13.5 acres of land to an adjacent landowner. The land to be sold does not have legal access to a public road and therefore does not meet the state's land management interests. The DNR acquired the land by custodial transfer.

### **Section 34**

#### **Wilkin County**

Authorizes that proceeds from the sale of 3.0 acres, designated as Wolverton WMA be used as a budget balancing measure by directing land sales revenue to the general fund notwithstanding M.S. 86A.055. Land was transferred from MnDOT (1971).

### **Section 35**

#### **Winona County**

Grants custodial control to the DNR over lands to be used for conservation purposes. The land was owned by the Rushford Area Drainage and Conservancy District in Winona County and is now owned by the state in accordance with Laws 1987, chapter 239, section 140.

### **Section 36**

#### **Effective Date**

The effective date of the land sales is to be the day following final enactment.

#### **IT IS NEEDED BECAUSE**

The DNR must receive legislative approval to conduct certain land transactions that have been restricted as a result of previous legislative actions.

#### **PROJECT LOCATIONS**

The counties impacted by each section of the bill are specifically identified in the previous sections. A list of the impacted counties follows: Aitlin, Anoka, Becker, Beltrami, Carlton, Cass, Cook, Crow Wing, Douglas, Fillmore, Goodhue, Grant, Hennepin, Hubbard, Itasca, Lake, Martin, Murray, Nobles, Otter Tail, Pipestone, Roseau, St. Louis, Wadena, Washington, Wilkin, Winona.

#### **IMPACT ON OPERATING BUDGET**

The costs of conducting land sales are normally collected as a separate part of the land's purchase price and are used to cover the reasonable costs associated with the sale. Staff costs to set up the sales are part of the DNRs normal operating budget.

#### **FOR FURTHER INFORMATION CONTACT:**

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