

# Lessard-Sams Outdoor Heritage Council

## Agenda Item Memo

DATE December 11, 2012  
SUBJECT: UPM Blandin/Great River Energy Condemnation

---

### Background

Minnesota Statutes 97A.056, subdivision 15 requires the LSOHC to “establish procedures to review requests from recipients to alter the use of or convey interest in real property.” The Department of Natural Resources has received notice from Great River Energy, a Minnesota utility company, that they have exercised their right to eminent domain for the purpose of procuring an easement and right-of-way on lands over which state holds a conservation easement paid for, in part, with the outdoor heritage fund. This is a conveyance of interest in an easement bought from UPM Blandin.

Great River Energy has prepared a statement of compensation, totaling \$21,985. The easement’s share of the compensation is estimated to be \$8,976. Of that amount, \$6,976 (the approximate value of the state’s interest in the easement) will revert to the outdoor heritage fund.

The Council procedures for condemnation are:

### **8. Land Acquisition Restrictions – Council Process**

#### **2. Council Process**

*b. Condemnations. The executive director will notify council members and the chairs and ranking minority members of the committees with jurisdiction over the Outdoor Heritage Fund upon learning of condemnation of Outdoor Heritage Fund property. In the case of condemnation, the condemnation process will proceed without council consideration. Following the completion of the condemnation proceedings, the condemned party will notify the council of the settlement terms and replacement plans. The council may a) accept the replacement plans; or b) instruct the condemned party to deposit the state’s share of the proceeds of condemnation in the Outdoor Heritage Fund.*

Staff recommends accepting the DNR proposed return of funds to the Outdoor Heritage Fund.

### **Motion**

“Motion to recognize transfer of an interest in an easement purchased with the appropriation in M.L. 2009, Chapter 172, Article 1, Section 2, Subdivision 3. Forests, and the return of condemnation proceeds to the outdoor heritage fund.”

Once motion is before the Council, it is up for discussion, amendments and final passage.

### **Attachments**

Operating Procedures  
R. Peterson’s November 2, 2012 letter  
W. Becker’s November 6, 2011 (*sic*) letter

**Agenda Item: 7**

# Minnesota Department of Natural Resources

1810 – 30<sup>th</sup> St. NW Faribault, MN 55021



November 2, 2012

William H. Becker  
Executive Director  
Lessard-Sams Outdoor Heritage Council


Bill:

Great River Energy (GRE), an electric cooperative corporation located in Maple Grove, Minnesota, is preparing to exercise the use of eminent domain for the purpose of procuring an easement and right of way on Blandin Paper Company lands over which the State holds a conservation easement funded in part with Outdoor Heritage Funds. GRE intends to construct a new high voltage transmission line in the resulting right of way. The State conservation easement will remain in place after the condemnation action.

The affected parcels are located Section 22 Township 62N R26W and Sections 33, 34, & 35 of Township 58N R23W of Itasca, County (see map). The total area impacted is approximately 11.09 acres and the new power line will cross approximately 2 miles of eased Blandin property, largely along existing roads with a minimum amount of additional land clearing expected. This project will result in the construction of approximately  $\frac{3}{4}$  mile of new transmission line and  $1 \frac{1}{4}$  mile of replacement transmission line.

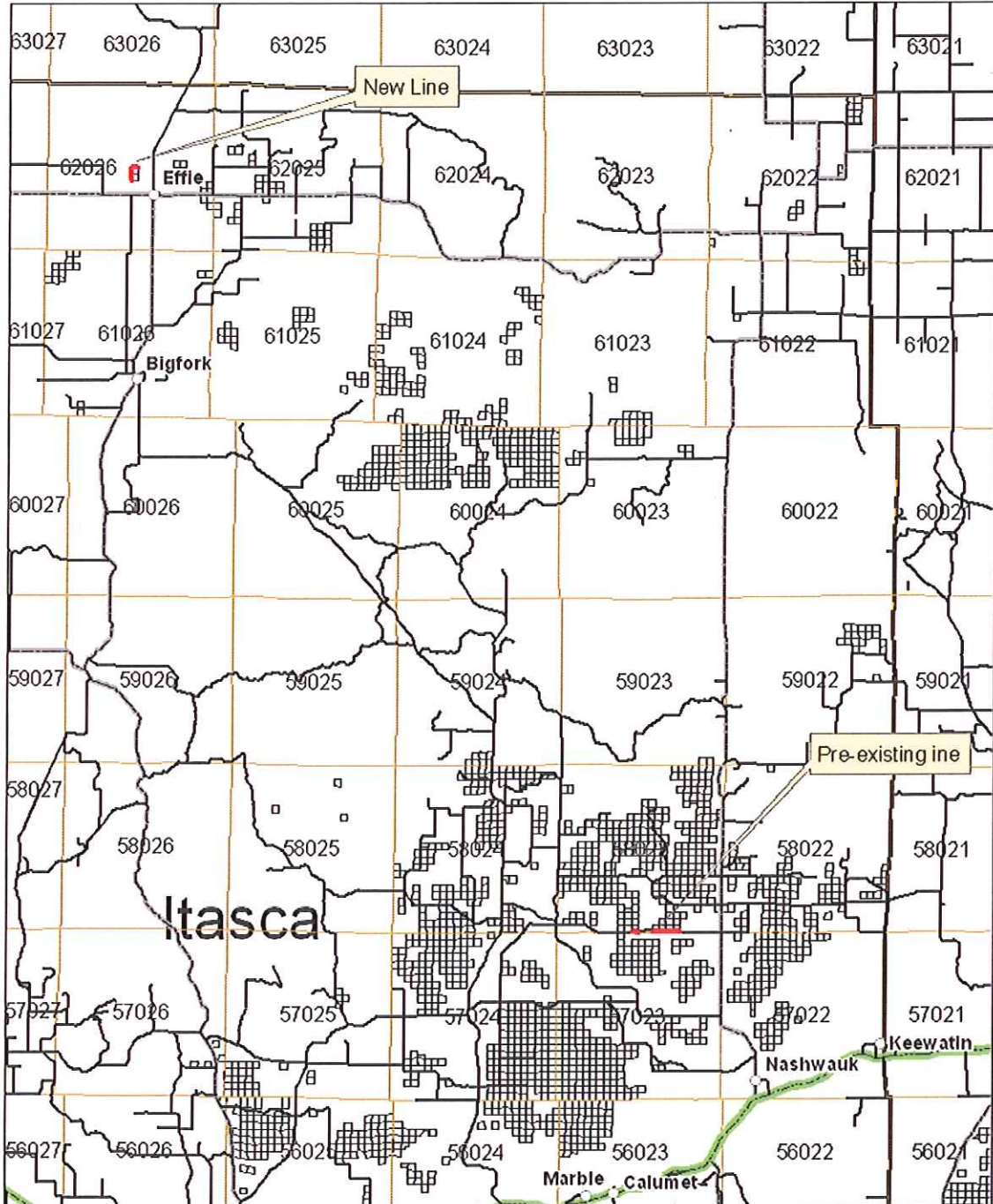
GRE has prepared a Statement of Compensation that shows that total expected compensation paid out from this action to be \$21,985. The easement's share of the total compensation is estimated to be approximately \$8,976 ( $0.4082954 \times \$21,985$ ). We do not anticipate that the affected lands will be replaced by other conservation lands and propose that approximately 77.7% of the \$8,976 or \$6,974 be repaid to the Outdoor Heritage Fund (OHF provided approximately 77.7% of the acquisition costs and private funds contributed approximately 22.3%).

Please contact me if you have any questions and I will be happy to provide additional information or answer questions from the Council as requested.

Sincerely,  
  
Richard Peterson  
Forest Legacy Coordinator  
1810-30<sup>th</sup> St. NW  
Faribault, MN 55021

# Minnesota Department of Natural Resources

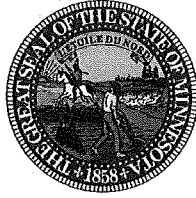
1810 – 30<sup>th</sup> St. NW Faribault, MN 55021



**Blandin Paper Company** □  
**Proposed GRE Power Line** —



Map 10/30/12 rp



Lessard-Sams Outdoor Heritage Council  
The State of Minnesota

State Office Building, Room G95 100 Dr. Rev. Martin Luther King Jr. Blvd. Saint Paul, Minnesota 55155

November 6, 2011

Rep. Dennis McNamara  
Minnesota House of Representatives  
375 State Office Building  
100 Rev. Dr. Martin Luther King, Jr. Blvd.  
St. Paul, MN 55155

Sen. Linda Higgins  
Minnesota Senate  
27 State Office Building  
100 Rev. Dr. Martin Luther King, Jr. Blvd.  
St. Paul, MN 55155-4010

Sen. Bill Ingebrigtsen  
Minnesota Senate  
303 Capitol  
75 Rev. Dr. Martin Luther King, Jr. Blvd.  
St. Paul, MN 55155

Rep. Jean Wagenius  
Minnesota House of Representatives  
251 State Office Building  
100 Rev. Dr. Martin Luther King, Jr. Blvd.  
St. Paul, MN 55155

Pursuant to M.S. 97A.056, Subdivision 15, this letter notifies you that the Lessard-Sams Outdoor Heritage Council has received notice from the Minnesota Department of Natural Resources concerning a condemnation by a public utility of interest in land funded with Outdoor Heritage Funds (MN Laws 2009, Ch. 172, Art. 1, Sec. 2, Subd. 3). The attached letter from Mr. Richard Peterson, Minnesota Department of Natural Resources Forest Legacy Coordinator, describes the action. Deposit of the proceeds of condemnation (\$6,974.00) into the Outdoor Heritage Fund will be a decision item on the Council's agenda for December 11, 2012. Please contact me if you have questions regarding this matter.

Sincerely,

William H. Becker  
Executive Director

CC: LSOHC Members

Attachment: Letter from Richard Peterson to William H. Becker, November 2, 2012