

Lessard-Sams Outdoor Heritage Council

MEMO: Agenda Item #7

DATE: March 13, 2015

SUBJECT: ML 2009, Ch. 172, Art. 1, Sec. 2, Subd. 3 Forest for the Future conversion

PRESENTER: Richard Peterson, DNR

Suggested Motion:

Motion by Councilmember X to approve the conversion as presented and direct the deposit of the proceeds into the Outdoor Heritage Fund.

No motion by the Council is denying the conversion.

Background:

The Department of Natural Resources has received notice from St. Louis County that it intends to undertake a road/bridge project that will impact the outdoor heritage funded conservation easement held on land owned by Blandin Paper Co.

Details of the road/bridge project, acres and parcels affected, and the estimated payment back to the OHF is outlined in the attached letter. No compensatory lands have been offered.

In the attached letter, pursuant to MS 97A.056, subd 15, notice has been given to “the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over the outdoor heritage fund at least 15 business days before approval under this paragraph.”

Attachments: letter and maps from R. Peterson

Background:

In addition, Council procedures (see attached) allows the Executive Director to approve minor conversions and conveyances. If in the future, the Council would like the Director to approve minor conversions and conveyances for programs a motion should be made to that effect.

Suggested Motion:

Motion by Councilmember X to allow the Executive Director per the Operating Procedures to approve minor conveyances and conversions and report back to the Council at future meeting as part of the Director’s report.

No motion by the Council is continuing the process of bringing each of these before the Council and having managers testify.

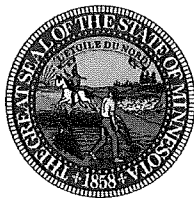
6. Land Acquisition Restrictions – Council Process

1. Duties of Land Holders

Holders of an interest in real property must submit a written application to alter land at least 60 days prior to a proposed change occurring. The application will describe the land being altered, the parties involved and any replacement plans.

2. Council Process

- a. **Minor conversions or conveyances.** The executive director of the L-SOHC is granted the discretion to approve applications for minor conversions or conveyances and report minor approvals to the council and the proposed replacement plans. The chairs and ranking minority members of the committees with jurisdiction over the Outdoor Heritage Fund must be notified 15 business days before issuing such approval.
- 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.
- c. **All Other Conversions or Alterations.** In the case of major conversions or conveyances, the executive director will forward the application to the council for review and approval and notify the chairs and ranking minority members of the committees with jurisdiction over the Outdoor Heritage Fund that the council will consider of the alteration and any replacement plans at the next meeting of the council 15 business days from the date of notification.



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

June 25, 2015

Sen. John Marty
Minnesota Senate
323 Capitol
75 Rev. Dr. Martin Luther King, Jr. Blvd.
St. Paul, MN 55155

Rep. Denny McNamara
Minnesota House of Representatives
365 State Office Building
100 Rev. Dr. Martin Luther King, Jr. Blvd.
St. Paul, MN 55155-4010

Sen. David Tomassoni
Minnesota Senate
G-9 Capitol
75 Rev. Dr. Martin Luther King, Jr. Blvd.
St. Paul, MN 55155

Rep. Dean Urdahl
Minnesota House of Representatives
473 State Office Building
100 Rev. Dr. Martin Luther King, Jr. Blvd.
St. Paul, MN 55155

Pursuant to M.S. 97A.056, Subdivision 15, please accept this letter as notification that the Lessard-Sams Outdoor Heritage Council has received notice from Minnesota Department of Natural Resources regarding a St. Louis County road project that will impact a conservation easement funded in part by the Outdoor Heritage Fund on forestland. The states interest in the land was purchased in MN Laws 2009, Ch. 172, Art. 1, Sec. 2, Subd. 3.

The attached letter from Richard Peterson, Forest Legacy Coordinator, DNR, describes the action. Approval of the proposed exchange will be a decision item on the Council's agenda for August 11, 2015. Please contact me if you have questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Wm. Johnson".

Mark Wm. Johnson
Executive Director

cc: Sen. David Osmek, Sen. Bill Ingebrigtsen, Rep. Phyllis Kahn, Rep. Rick Hansen

Minnesota Department of Natural Resources

1810 – 30th St. NW Faribault, MN 55021



June 19, 2015

Mark Johnson Executive Director
Lessard-Sams Outdoor Heritage Council
100 Rev. Dr. Martin Luther King Jr. Blvd.
State Office Building, Room 95
St. Paul, MN 55155

Mark:

St. Louis County is proposing one County Road project in the summer of 2015 that will impact lands owned by Blandin Paper Company over which the State holds a conservation easement funded in part by the Outdoor Heritage Fund which will result in a conversion of forestland to highway right of way and a conveyance of a permanent highway right of way easement to St. Louis County. The State's easement will remain in effect on the land.

Project Description: The St. Louis County Public Works Department is planning to replace County Bridge # 859 spanning an unnamed creek on the South Townline Road (County Road 442) south of Hibbing. The replacement will be at the existing location. To complete this project (County Project # 229632), the County will need to acquire a small easement for additional highway right of way across Blandin Paper property. The two specific parcels involved will be the SE 1/4 of the SW 1/4, Section 32, T56N, R20W (P.I.N. 141-0010-05480) and Government Lot 3, Section 5, T55N, R20W (P.I.N. 420-0030-00660). In addition, two temporary easements will also be required for work to occur. Each of the two permanent easements is approximately 0.04 acres. Each of the temporary easements is approximately 0.26 acres.

The estimated value of this acquisition is:

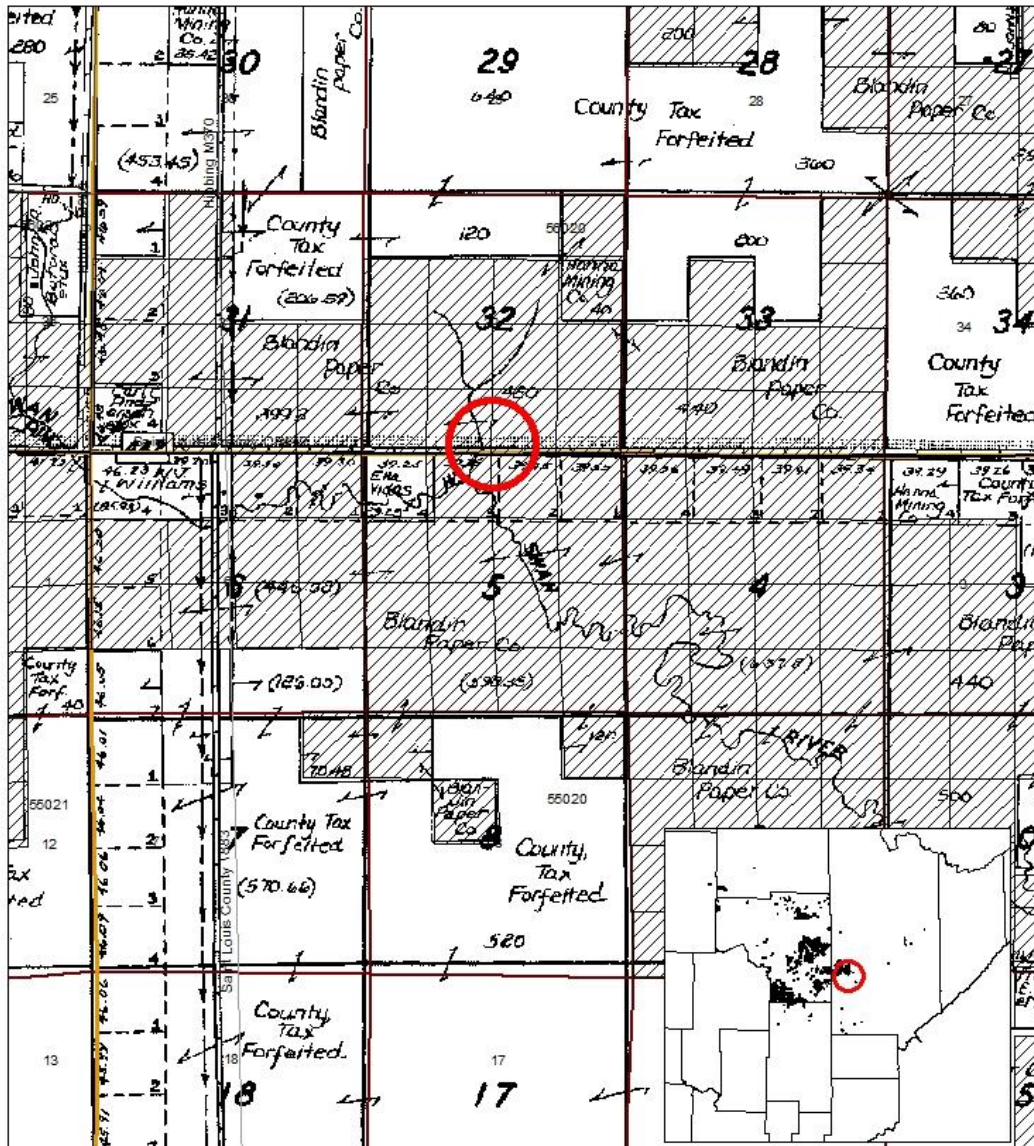
Permanent Easements	=	\$300/Easement.
Total Value:		\$600
Easement Share:	$(\$600) \times (0.4082954) =$	\$245
OHF Share:	$(\\$245) \times (0.777) =$	\$190

We do not anticipate that the affected lands will be replaced by other conservation lands and propose that approximately \$190 be repaid to the Outdoor Heritage Fund (OHF provided approximately 77.7% of the acquisition costs).



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

Minnesota Department of Natural Resources

1810 – 30th St. NW Faribault, MN 55021



Legend

-  Blandin Ownership
-  Area of Interest
S32 -T56N-R20W &
Government Lot 3,
S5-T55N-R20W

0 0.25 0.5 1 Miles



St. Louis County Bridge Project 2015 UPM BLANDIN CE

www.mndnr.gov

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