

Lessard-Sams Outdoor Heritage Council

MEMO: Agenda Item #7

DATE: January 11, 2021

SUBJECT: Acquisition of Parcels with Existing Partial State / Federal Ownership

PRESENTER: Joe Pavelko, Assistant Director (Program managers will be available for questions.)

Suggested Motion:

Motion to approve/deny the acquisition of presented parcels with existing partial state / federal ownership. An affirmative vote of 9 members is required.

Per MS 97A.056, Subd. 9, Lands in the Public Domain.

Money appropriated from the outdoor heritage fund shall not be used to purchase any land in fee title or a permanent conservation easement if the land in question is fully or partially owned by the state of Minnesota or a political subdivision of the state, unless: (1) the purchase creates additional direct benefit to protect, restore, or enhance the state's wetlands, prairies, forests, or habitat for fish, game, and wildlife; and (2) the purchase is approved by an affirmative vote of at least nine members of the council.

Background:

In light of the previous discussion of Subd. 9 during the December Council meeting and in accordance with 97A.056, Subd. 9, project managers have brought forward parcels with existing partial state / federal ownership for the Council to review and approve for acquisition. These parcels need to be approved by at least 9 affirmative votes of the Council to be in compliance with the Subd. 9 requirements.

Attached is a spreadsheet that includes the specific details for each parcel. Staff has reviewed the parcel list and are recommending that Council approve the parcels. Historically these parcels would likely not come before the Council for approval because the partners have used other funds to acquire the existing state / federal ownership (easements). In light of new interpretation of Subd. 9 and an overabundance of caution, staff requested program managers get approval for these parcels from the Council. Until the Subd. 9 language is revised, this process will be followed in the future.

Attachments:

- Parcel list spreadsheet