

m DEPARTMENT OF NATURAL RESOURCES

February 26, 2021

Mr. Mark Johnson, Executive Director
Lessard-Sams Outdoor Heritage Council
95 State Office Building
Saint Paul, Minnesota 55155
mark.johnson@lsohc.leg.mn

Dear Mr. Johnson:

I am writing in response to a question you raised regarding the disposition of land sale proceeds as described in my January 26, 2020, letter to you seeking Lessard-Sams Outdoor Heritage Council approval of a land sale to resolve a minor trespass.

In that letter I indicated that proceeds from the sale would remain under control of the Commissioner of Natural Resources and would be used to acquire other wildlife management area (WMA) land. This is in accordance with MS 94.16 Subd 3 (a) which directs that proceeds from sale of lands classified as part of the Outdoor Recreation System be credited to the Land Acquisition Account in the Natural Resources Fund.

This, however, may be in conflict with parts of MS 97A.056 and you raised this question, noting that in past conveyances the Council has generally directed that it prefers the proceeds are returned to the Outdoor Heritage Fund for future recommendation by the Council and reallocation by the Legislature.

We have discussed the matter and are comfortable with returning the sale proceeds in this case to the Outdoor Heritage Fund given the ambiguity between the two statutes and the past practice of returning proceeds to the Outdoor Heritage Fund.

If this is acceptable, please continue to process the request for approval to sell the lands described in my January 26, 2020, letter and please feel free to contact me or Department of Natural Resources staff with further questions.

Sincerely,



David P. Olfelt, Director
Division of Fish and Wildlife
DNR Building – 500 Lafayette Road
Saint Paul, Minnesota 55155-4020
651-259-5180
Dave.Olfelt@state.mn.us

DPO/RW/jls

c Mr. Bob Meier, Assistant Commissioner for Policy and Government Relation, DNR
Mr. Mike Larson, Acting Manager, Section of Wildlife, MN DNR Division of Fish and Wildlife
Ms. Kelly Wilder, Liaison to Lessard-Sams Outdoor Heritage Council, MN DNR Division of Fish and Wildlife