

2022 Lands Bill



Why is this bill needed?

The Minnesota Department of Natural Resources (DNR) currently lacks legal authority to waive or assume fees or costs imposed by statute upon an applicant requesting either an easement over state land or a release of an easement that the state holds on the applicant's land. The DNR needs such authority in circumstances where grant of the easement or easement release will benefit the state's land management interests.

It is important that the DNR have the ability to enter into 30-year leases of DNR facilities even if they are not associated with recreational trails. This bill amends current law to clarify that this authority exists.

Legislative authorization is required for the DNR to make changes to state park and state forest boundaries, to sell certain surplus state riparian land, to sell surplus state land by private sale or to sell surplus land for less than market value. The bill includes provisions authorizing the addition of lands to a state park boundary and the addition and deletion of lands from state forest boundaries. It authorizes the public sale of three parcels of

surplus state riparian lands, the private sale of one parcel of surplus state land, and the private sales of two parcels of surplus riparian state land for less than market value.

Major program elements

The bill would amend Minnesota Statutes, sections 84.63, 84.631, and 84.632 to include language that would allow the commissioner of natural resources to assume the application fee and waive or assume some or all of the other fees or costs provided in those sections, instead of requiring payment by the applicant, when the commissioner determines that the easement or easement release will benefit the state's land management interests. For example, this may be appropriate where the DNR needs to move a landowner's existing access because of a DNR project and the landowner will need an easement to cross state land for legal access in the future.

The bill would amend Minn. Stat. sec. 92.502 to clarify that 30-year leases of DNR facilities are permitted even if they are not associated with recreational trails.

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The bill also authorizes the addition of land to a state park boundary, the addition and deletion of lands from state forest boundaries, and the sale of specific parcels of surplus state land.

Fiscal impacts

Authorizing the DNR to cover some or all of the fees or costs imposed on an applicant in connection with applications for easements will have small fiscal impacts, but the amounts are unknown. It is expected that the option to cover fees and costs will only rarely be used. If sales of state land authorized by the bill occur, there will be revenues from the sales.

Statute Proposal

Sec. 1. Amends Minn. Stat. § 84.63 to allow the commissioner of natural resources to assume the application fee and waive or assume some or all of the remaining fees or costs imposed under this section upon the United States, a federally recognized Indian Tribe, or the state of Minnesota or any of its subdivisions when the commissioner determines that the requested easement across state land will benefit the state's land management interests.

Sec. 2. Amends Minn. Stat. § 84.631 to allow the commissioner of natural resources to assume the application fee and waive or assume some or all of the remaining fees or costs imposed under this section upon a private person when the commissioner determines that the requested easement across state land will benefit the state's land management interests.

Sec. 3. Amends Minn. Stat. § 84.632 to allow the commissioner of natural resources to assume the application fee and waive or assume some or

all of the remaining fees or costs imposed under this section upon a landowner who requests the release of an easement acquired by the state when the commissioner determines that the requested easement release will benefit the state's land management interests.

Sec. 4. Amends Minn. Stat. § 92.502 to clarify that 30-year leases of DNR facilities are permitted even if they are not associated with recreational trails.

Sec. 5. Adds 11.50 acres to the boundary of Myre-Big Island State Park, Freeborn County.

Sec. 6. Deletes 7,482 acres from the boundary of Cloquet Valley State Forest, St. Louis County. The deleted acres have been designated as portions of the Riverlands State Forest, St. Louis County.

Sec. 7. Adds 121.5 acres to Riverlands State Forest, St. Louis County.

Sec. 8. Authorizes the public sale of 29.6 acres of surplus riparian state land in Cass County.

Sec. 9. Authorizes the public sale of 9.53 acres of surplus riparian state land in Fillmore County.

Sec. 10. Authorizes the private sale of approximately .55 acres of surplus riparian state land in Hennepin County to a local unit of government for less than market value.

Sec. 11. Authorizes the public sale of 59.0 acres of surplus riparian state land in Itasca County.

Sec. 12. Authorizes the private sale of 2.0 acres of surplus state land in Pine County.

Sec. 13. Authorizes the private sale of .05 acres of surplus riparian state land in Sherburne County for less than market value.

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