

LEGISLATIVE REFERENCE LIBRARY

HD243.M6 E93 1989

Exchange of school trust lands in



3 0307 00052 8797

2 copies

890685

This document is made available electronically by the Minnesota Legislative Reference Library as part of an ongoing digital archiving project. <http://www.leg.state.mn.us/lrl/lrl.asp>
(Funding for document digitization was provided, in part, by a grant from the Minnesota Historical & Cultural Heritage Program.)

Exchange of School Trust Lands in State Parks

An Interim Report
to the
Legislative Commission on Minnesota Resources



October 16, 1989

Minnesota Department of Natural Resources, Bureau of Real Estate Management

HD
243
.M6
E93
1989

LEGISLATIVE REFERENCE LIBRARY
615 State Office Building
Saint Paul, Minnesota 55155

TABLE OF CONTENTS

Report on Program to Accelerate Land Exchange	1
Figures	5
Tables	13
Appendix A - Trust Acreage Descriptions and Maps by Park	15
Appendix B - Attorney General's Correspondence	55
Appendix C - Issues by Park	65
Appendix D - Operational Order 89	83
Appendix E - Procedure for Exchanging State Owned & Managed Land ..	107

Report on

Program to Accelerate Land Exchange
and Improve Land Management

LCMR REPORT ON PROGRAM TO ACCELERATE LAND EXCHANGE AND IMPROVE LAND MANAGEMENT

I. INTRODUCTION

This report describes the progress made toward accomplishing goals established by the DNR for the 1987-89 LCMR appropriation. The general purpose of the LCMR program was to "accelerate land exchange transactions so larger amounts of land change hands, including multiple public agency exchanges and state park trust land title transfers. This includes accelerated improvement of land records and development of a submerged land management program". The focus of this report will be on the exchange of School Trust Land out of management units which allow little or no income potential for the Permanent School Fund.

A. School Trust Land

The DNR manages approximately 2,520,000 acres of State School Trust land acquired from the Federal government. Any proceeds from these lands are to be deposited in the Permanent School Fund. Income generated by this trust fund is dedicated to the state public school system. Due to renewed interest in the integrity of the trust responsibility, the state has initiated activities to increase the income potential of the school trust land. The LCMR program is an attempt to accomplish this, in part, through the Land Exchange Program. The status of School Trust Land in State Parks, Waysides and Recreational areas is to be exchanged for other DNR managed Acquired (non-trust) land outside these management areas, as well as the exchange of School Trust land in the BWCA for U.S. Forest Service land outside the BWCA.

B. Accelerated Land Exchange

In 1985, the LCMR funded the "Accelerated Land Exchange and Improved Land Management" program for the 1985-1987 period. Part of this project was to facilitate an assessment of automated land record and natural resource information which could be used to accelerate the exchange process. This assessment was conducted by the Office of Planning. Another project objective was to continue land exchange activities at an accelerated rate. With the support of LCMR funding, the Bureau of Real Estate Management now has automated record data and other automated capabilities that have greatly improved the identification and management of land exchange proposals.

The Land Exchange initiative of the 1985-87 biennium overlaps the 1987-89 agenda for land exchange with a primary objective to accelerate the transfer of School Trust land out of management units with no income potential. The following information outlines the processes being used to complete this task.

II. IDENTIFICATION OF EXCHANGE PARCELS

A. School Trust Land in State Parks, Waysides and Recreational Areas

There are 10,807.63 acres of School Trust Land within eighteen State Parks, Waysides, and Recreational facilities (Figs.1&2). The majority of these facilities are located in the northern part of the state; Region I (1,916.91 acres), Region II (4,973.93 acres), and Region III (3,456.00

acres). Region V in the southeastern part of the state has 460.79 acres (Table I). This acreage reflects data from the DNR Land Record System which has been automated to facilitate inquiries on DNR and County land ownership records. A comprehensive search was conducted to identify School Trust Land in State Parks, Waysides and Recreational areas by cross-referencing the geocodes which fit within the facility boundaries and the "Means of Acquisition" and the "Land Type" code that indicates that a parcel is School Trust Land. Once this was done a spread sheet was prepared, identifying by quarter-quarter parcel or government lot the School Trust Land in the mentioned facilities with associated land record information (Appendix A). This enabled the sorting of information by Facility, DNR Region, County and Forestry Area. These breakdowns are essential in the administration of the exchange, as the exchange will be processed by various administrative units with overlapping jurisdictions (Fig.3-7).

B. Non-Trust Land Available for Exchange

A search of the automated land record files was undertaken to identify all Acquired non-trust land administered by the Division of Forestry, as this is the most likely land type to generate income for the trust (Fig.8). This information was used to determine whether there was adequate acreage available for exchange within appropriate counties and forestry areas (Table II). A spread sheet report was produced with land record information by geocode in preparation for the review and final selection.

Before selection of the non-trust land could proceed, a determination had to be made regarding the types of Acquired non-trust Forestry administered land that could be transferred to trust status. An Attorney General's opinion was requested by the DNR Commissioner's Office to determine what legal restrictions might exist to prevent an exchange involving Acquired land (Appendix B). The general opinion expressed by the AG's office was that, other than certain deed restrictions, the major restrictions might be in statutory requirements that related to fiscal obligations to the counties for profits derived from certain lands. This represents a political problem that will have to be addressed on a case by case basis.

In the counties with School Trust land in the state facilities targeted for exchange, there are approximately 909,271 non-trust acres available for possible exchange. It is understood that much of this land will not meet certain requirements that will be in the best interest of the trust but the identification of this information provides us with a data base to start the selection process.

III. SELECTION PROCESS

A. Coordination

The DNR Bureau of Real Estate Management has been charged, through the LCMR program, with coordinating the School Trust exchanges addressed in this report. In this capacity the Bureau has prepared information that will be used to facilitate the selection and administration of the exchange.

Each park lies within an area of multiple administrative jurisdictions. The primary administrative bodies with an interest in the park exchanges are the DNR Regions, Forestry Areas and the counties in which lie the State Parks, Waysides and Recreational Areas with School Trust land. With the identifi-

cation of acquired land available for exchange, breakdowns of facility and trust acres by county, DNR Region and Forestry Area were made to establish administrative jurisdictions as they related to the locations of the parks (Fig.3-7).

Each DNR Region has a Regional Realty Specialist who is involved with various aspects of land exchange. For this reason and the fact that the Regional Realty Specialist is in the field and familiar with the local land base, the exchange proposal will be generated from the regional office. Depending on the park and the region, the realty specialist will be involved with everything from the selection of the non-trust land for exchange to the appraisal. Because the administrator of the school trust land is the Division of Forestry, the Area Foresters will be responsible for the selection of the non-trust land to be exchanged. The Regional Realty Specialist will work closely with the Area Forester to develop the final exchange proposals.

The counties will be impacted by the School Trust Exchanges as their in-lieu tax payments may be affected. Therefore, early involvement of the county land commissioners is important to a successful exchange.

Additionally, it is important that the Permanent School Fund Advisory Committee be involved in all aspects of the exchange process. This includes a review of exchange proposals prior to the appraisal of proposed lands as well as a review of completed appraisals and an analysis of title information on state land to which trust status will be transferred.

B. Issues

There are numerous issues that have come to light that will affect the selection of non-trust land for exchange. Issues that relate to each park have been identified (Appendix C), and exchange priorities have been set by region based on this information (Fig.1).

The following issues have been identified as having some impact on the selection and implementation of School Trust exchanges:

- Undefined park boundaries
- Land record/actual acreage discrepancies
- Pending or possible boundary changes
- County objections to selection of Consolidated Conservation or County Board Resolution land
- County in-lieu of tax payment issues
- Federal Aid funding
- Deed restrictions
- Mineral leases on selected land

IV. EXCHANGE PROCESS

While the State Park exchange project is actually an internal transfer of School Trust status of land in state parks etc. with Forestry administered land with non-trust status, the project will be treated as an exchange. This will be done to insure that suitable lands of equivalent value with good income potential are selected.

The proposed exchange packages will be submitted to the Bureau of Real Estate Management for processing under existing Operational Order 89 Guidelines (Appendix D). Because of the nature of these exchanges, major constitutional and legislative changes had to be made.

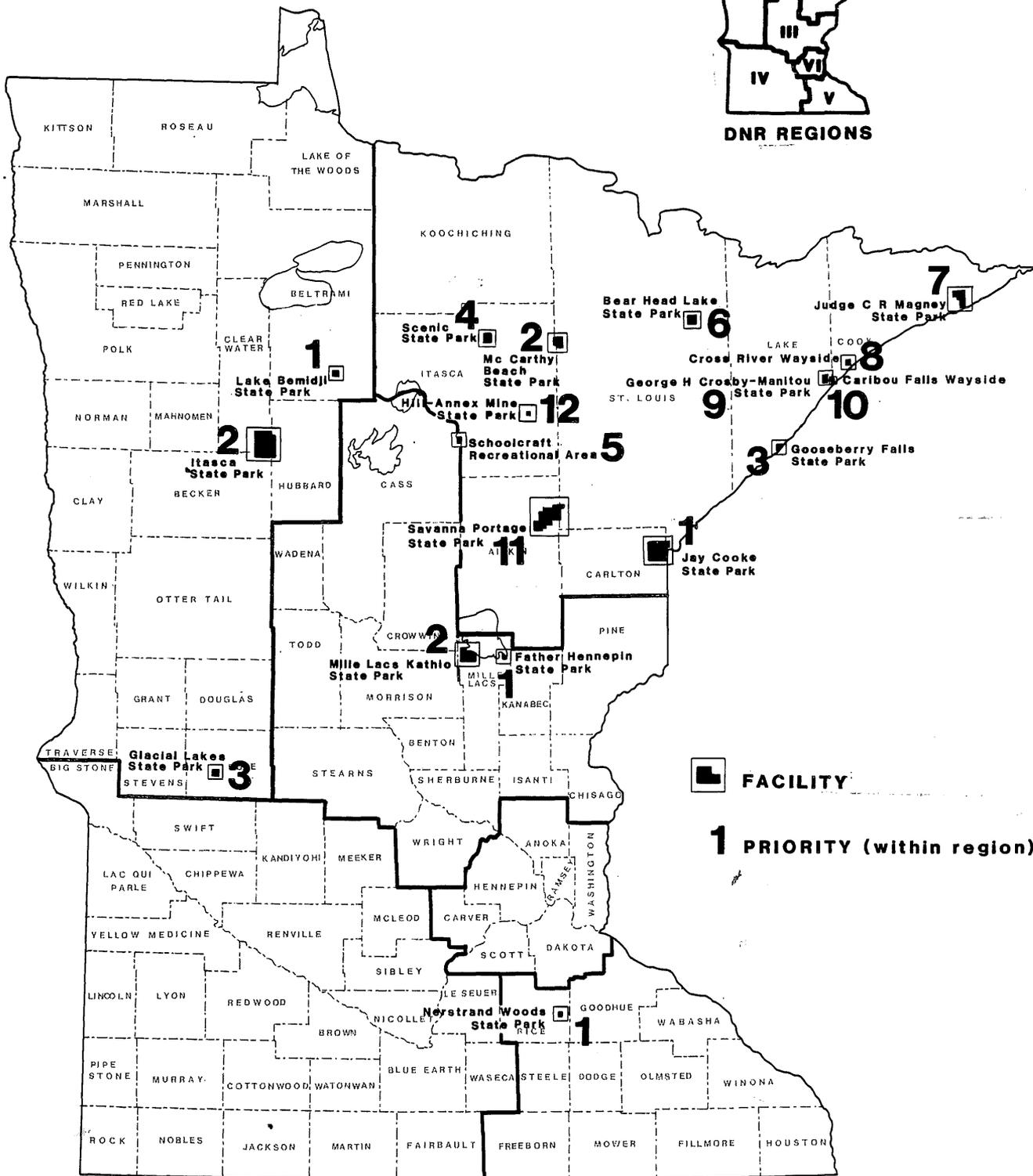
The 1988 legislature passed legislation that will enable the School Trust Exchanges pursuant to Article XI, Section 10 of the State Constitution as amended in 1984, and Minnesota Statute 92.121. The 1988 legislature passed several amendments impacting land exchange statutes which clarified some issues regarding the State Park Exchanges.

By act of the 1988 Legislature, Minnesota Statute 94.342 was amended to add a subdivision (Subd.4) which requires that the Permanent School Fund Advisory Committee be appointed as temporary trustee (the DNR is the regular trustee) of any School Trust land involved in a land exchange for other state land. At its October 4, 1989 meeting the Minnesota Land Exchange Board (comprised of the Governor, Attorney General and State Auditor) appointed the PSF Advisory Committee as temporary trustee of the School Trust land in State Parks for the purpose of facilitating this land exchange project.

Because the state land base will not be altered physically, the riparian statute (MS 94.342 Subd.3) will not be adhered to in these exchanges. This will be helpful in expediting the process though there will still be a need to identify riparian issues as they will effect the valuation of the property. Additionally, the review process will not be as extensive as the process usually demands.

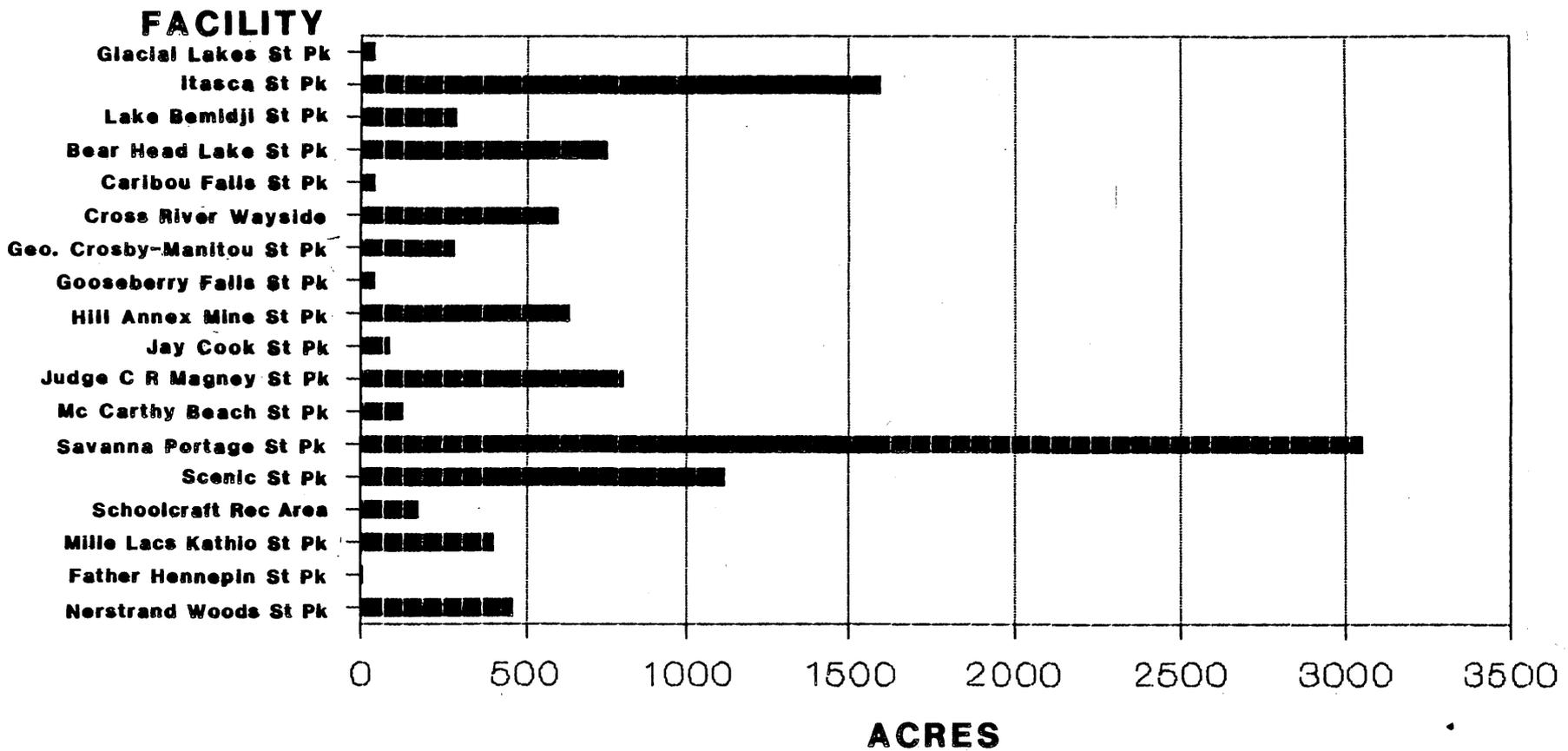
MFRC89/EXREPORTS/LNDLIB/1600-2

Figures



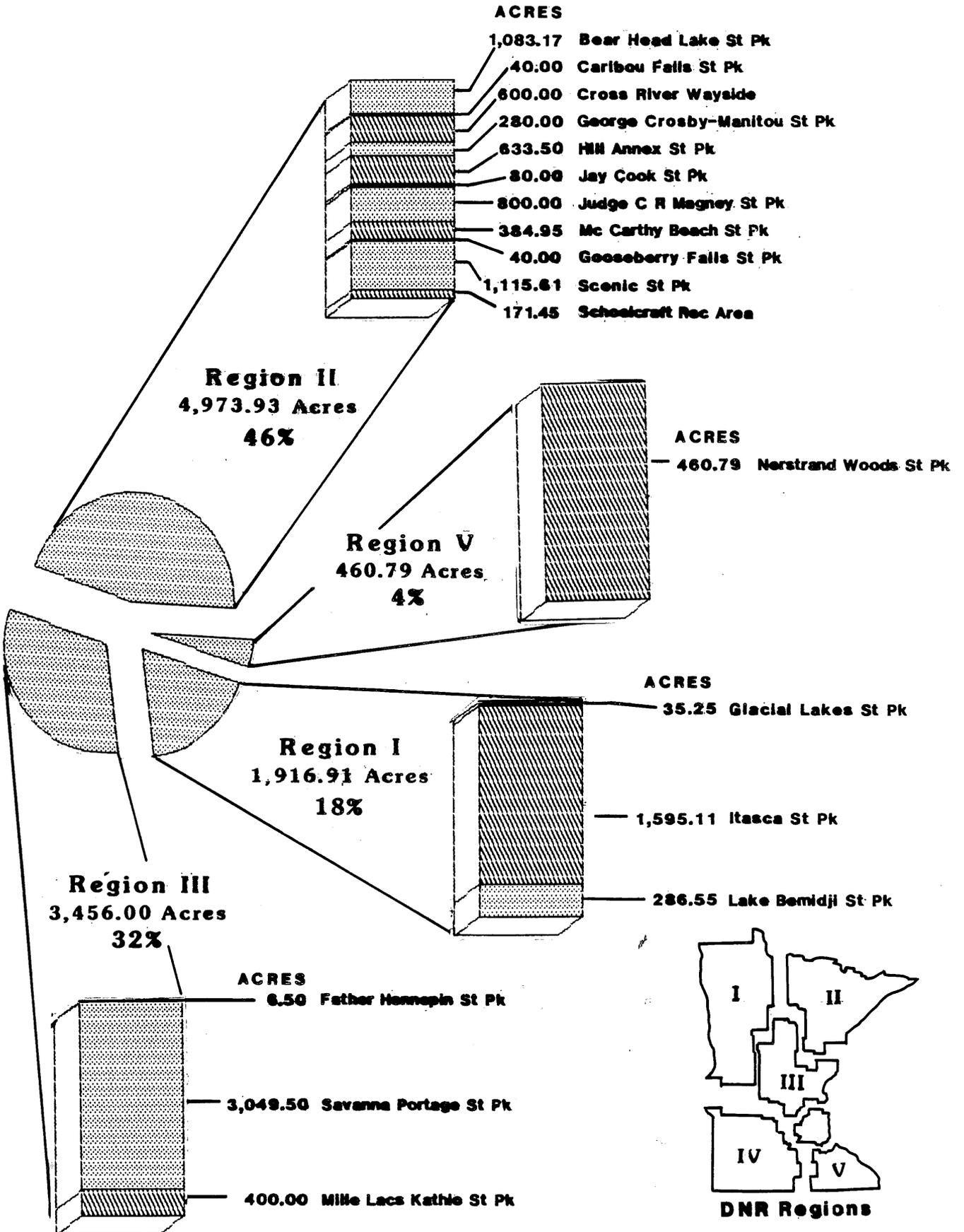
State Facilities Impacted by School Trust Land

Figure 1



**Acres School Trust
Land In Facilities
Impacted**

**Figure
2**

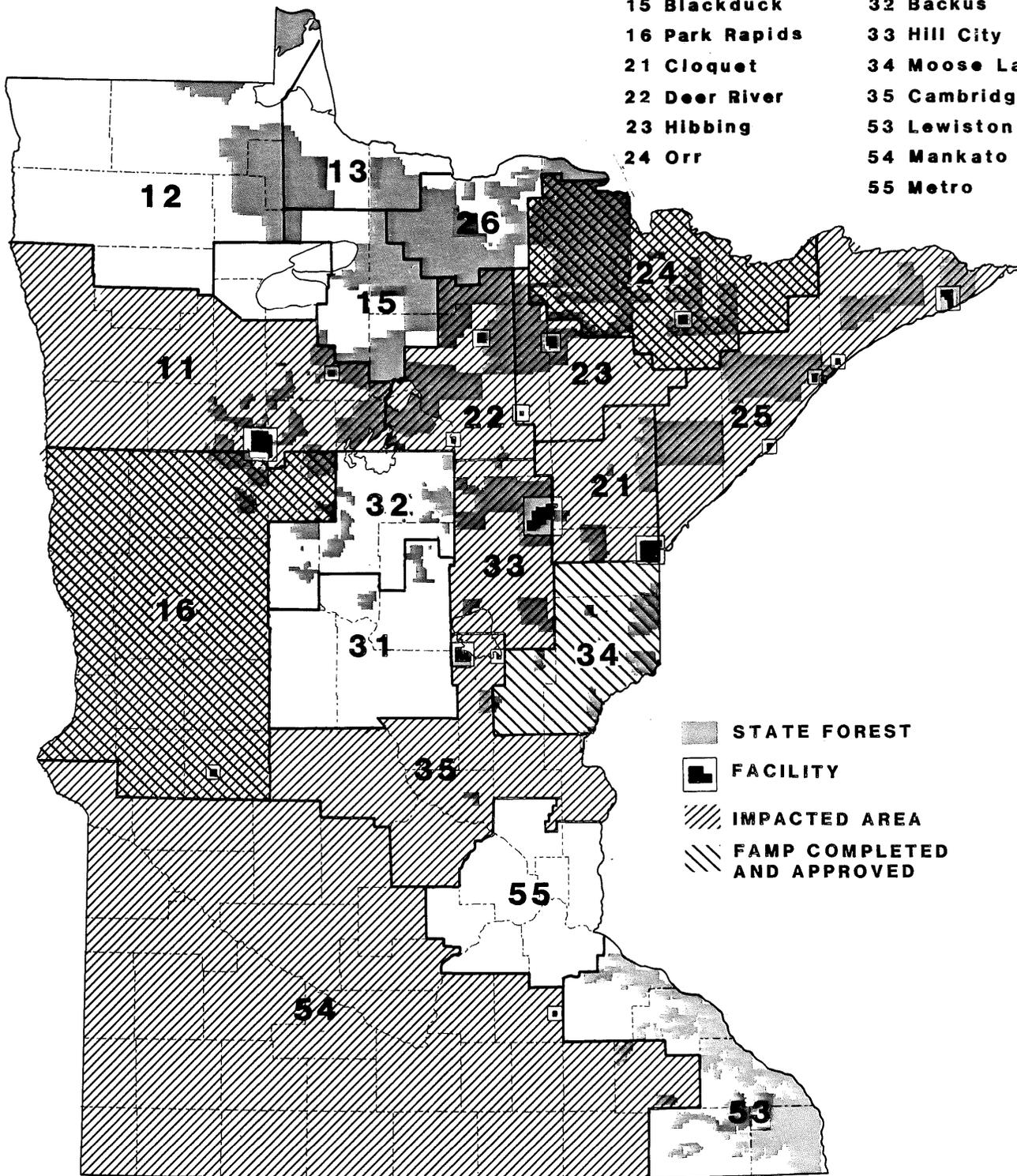


Facility Breakdown of School Trust Land By Region

Figure 3

FORESTRY AREA

- | | |
|----------------|----------------|
| 11 Bemidji | 25 Duluth |
| 12 Warroad | 26 Little Fork |
| 13 Baudette | 31 Brainerd |
| 15 Blackduck | 32 Backus |
| 16 Park Rapids | 33 Hill City |
| 21 Cloquet | 34 Moose Lake |
| 22 Deer River | 35 Cambridge |
| 23 Hibbing | 53 Lewiston |
| 24 Orr | 54 Mankato |
| | 55 Metro |

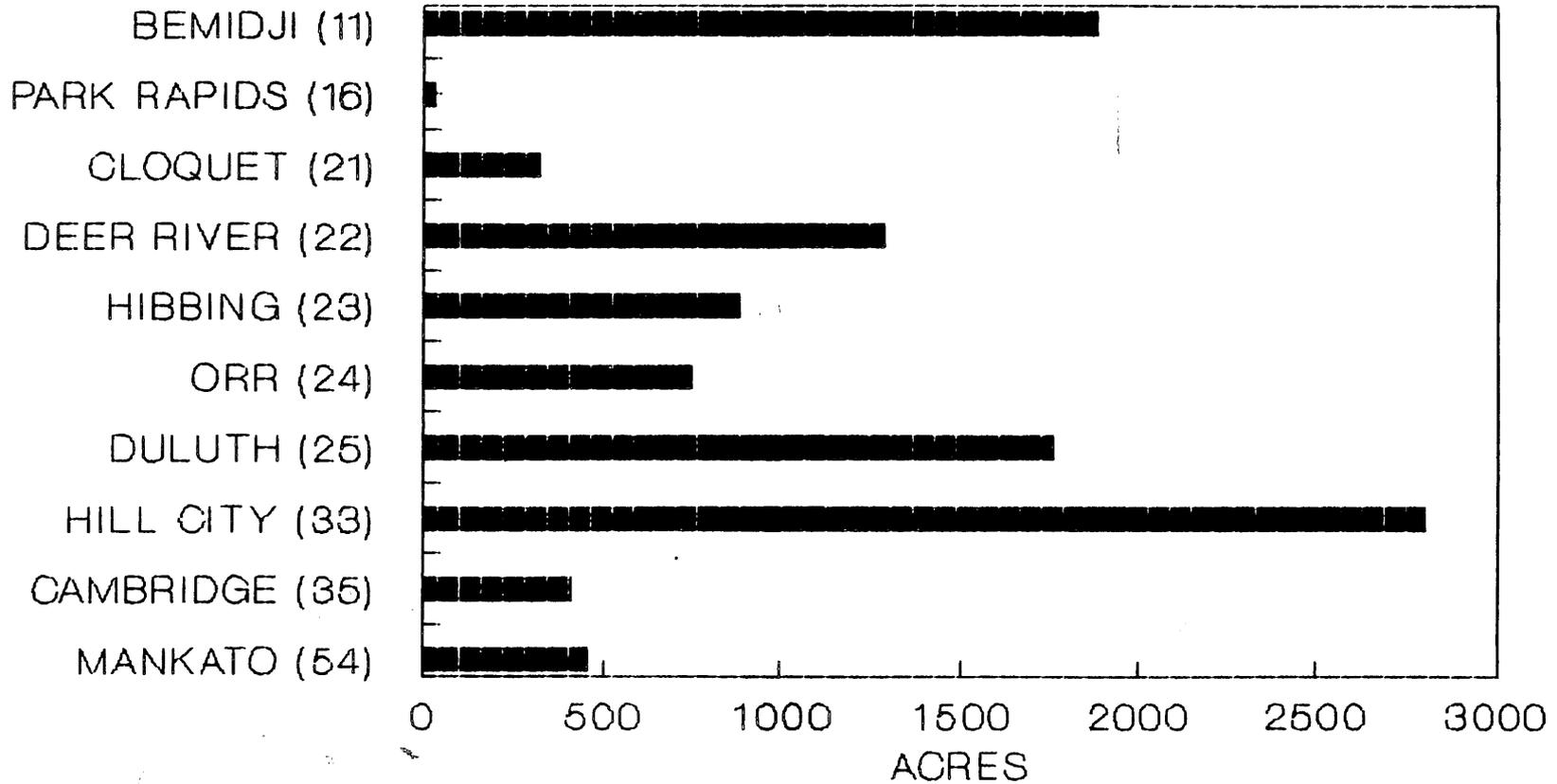


- STATE FOREST
- FACILITY
- IMPACTED AREA
- FAMP COMPLETED AND APPROVED

State Forestry Areas Impacted by School Trust Land

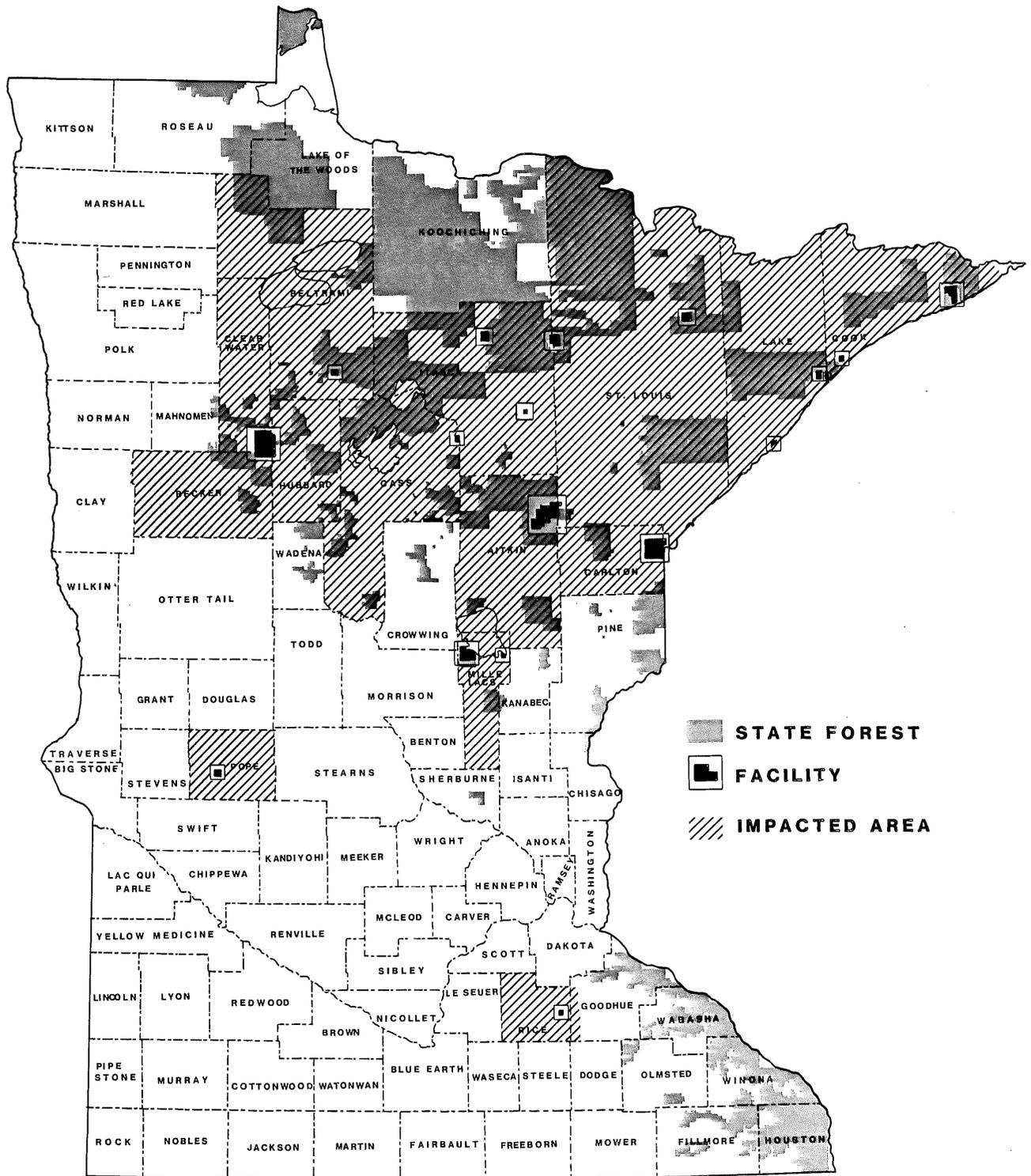
Figure
4

FORESTRY AREA



**Acres School-Trust
Land in State Forestry
Areas Impacted**

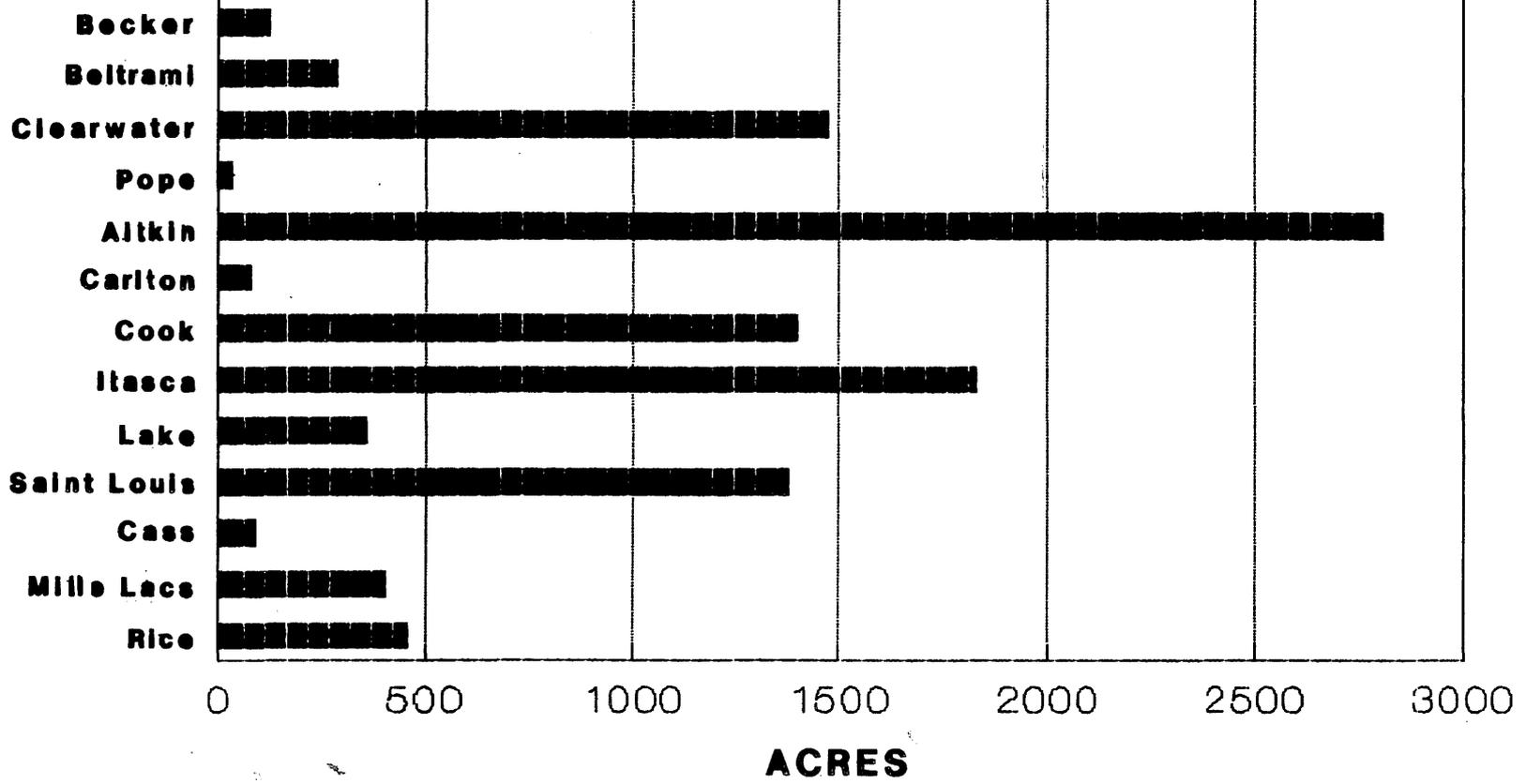
**Figure
5**



Counties Impacted by School Trust Land

Figure 6

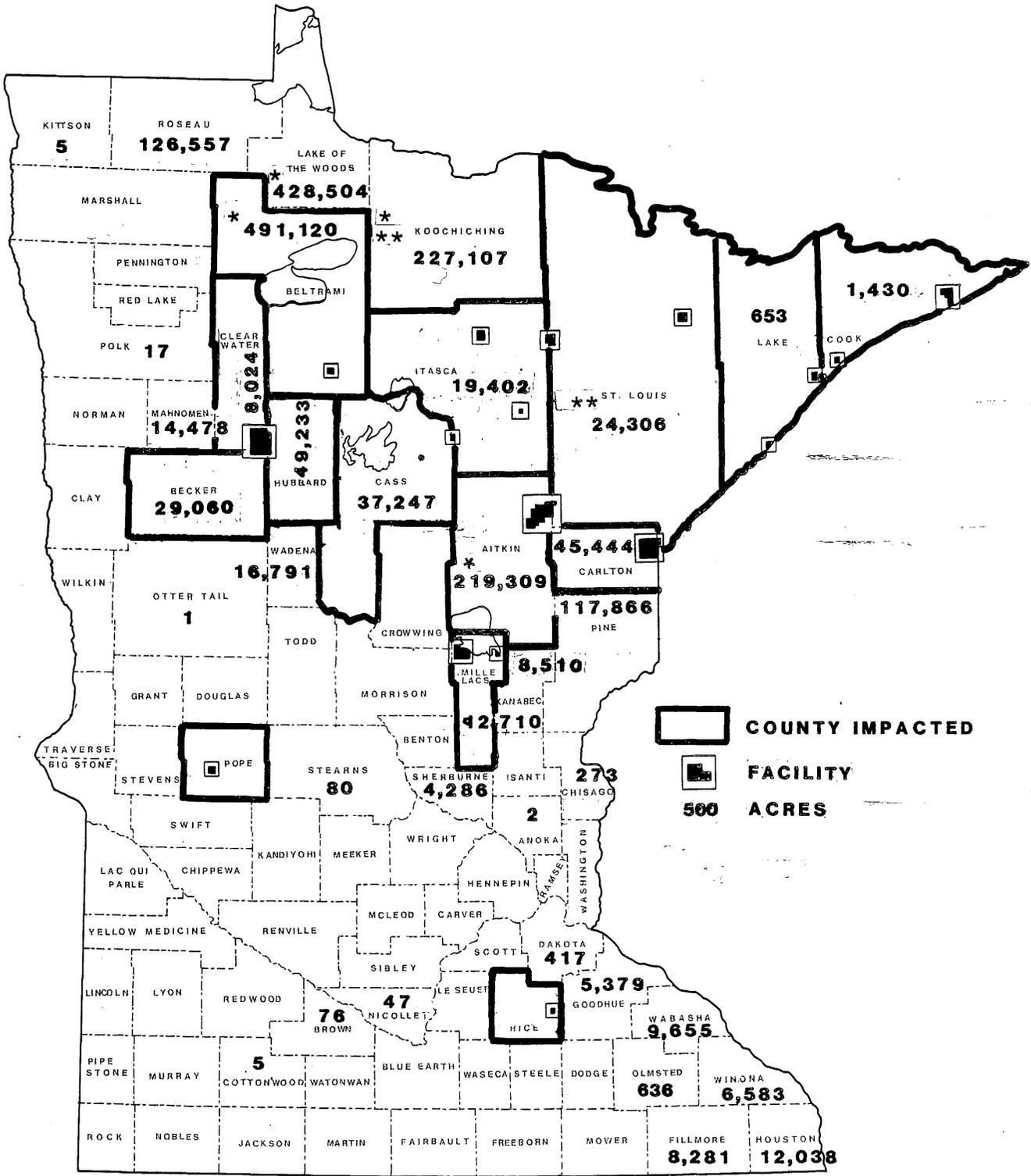
COUNTY



**Acres School Trust
Land In Counties
Impacted**

**Figure
7**

11



 COUNTY IMPACTED
 FACILITY
 500 ACRES

* Includes Con-Con Land
 ** Acquired Federal Land Excluded

Non-Trust Acquired Land Administered By Division of Forestry

Figure 8

Tables

TABLE I.
 SCHOOL TRUST LAND IN STATE FACILITIES IMPACTED - BREAKDOWN BY
 REGION TO ADMINISTER EXCHANGE

	TOTAL ACRES	PERCENT REGION	PERCENT TOTAL
REGION I =====			
GLACIAL LAKES ST PK	35.25	1.84%	0.33%
ITASCA ST PK	1,595.11	83.21%	14.76%
LAKE BEMIDJI ST PK	286.55	14.95%	2.65%
	-----	-----	-----
TOTAL REGION I	1,916.91	100.00%	17.74%
REGION II =====			
BEAR HEAD LAKE ST PK	1,083.17	21.78%	10.02%
CARIBOU FALLS WAYSIDE	40.00	0.80%	0.37%
CROSS RIVER WAYSIDE	600.00	12.06%	5.55%
GEO.CROSBY-MANITOU ST PK *	280.00	5.63%	2.59%
GOOSEBERRY FALLS ST PK	40.00	0.80%	0.37%
HILL-ANNEX ST PK	633.50	12.74%	5.86%
JAY COOK ST PK	80.00	1.61%	0.74%
JUDGE C R MAGNEY ST PK	800.00	16.08%	7.40%
MC CARTHY BEACH ST PK	130.20	2.62%	1.20%
SCENIC ST PK	1,115.61	22.43%	10.32%
SCHOOLCRAFT REC AREA	171.45	3.45%	1.59%
	-----	-----	-----
TOTAL REGION II	4,973.93	100.00%	46.02%
REGION III =====			
FATHER HENNEPIN ST PK	6.50	0.19%	0.06%
MILLE LACS KATHIO ST PK	400.00	11.57%	3.70%
SAVANNA PORTAGE ST PK	3,049.50	61.31%	28.22%
	-----	-----	-----
TOTAL REGION III	3,456.00	100.00%	31.98%
REGION V =====			
NERSTRAND WOODS ST PK	460.79	100.00%	4.26%
	-----	-----	-----
TOTAL REGION V	460.79	100.00%	4.26%
TOTAL FACILITY ACRES	10,807.63		

TABLE II
DNR DIVISION OF FORESTRY ADMINISTERED ACQUIRED LAND IN COUNTIES
IMPACTED BY SCHOOL TRUST LAND IN STATE PARKS - BY REGION

COUNTY	ACQUIRED ACRES	IMPACTED ACRES
=====		
REGION I		
=====		
Becker (2)	29,060.17	122.09
Beltrami (4)	* 491,120.15	286.55
Clearwater (15)	8,024.19	1,473.02
Pope (61)	0.00	35.25
	=====	=====
TOTAL REGION I	528,204.51	1,916.91
REGION II		
=====		
Aitkin (1)	* 219,379.55	2,806.98
Carlton (9)	45,444.01	80.00
Cook (16)	1,430.04	1,400.00
Itasca (31)	19,402.78	1,828.41
Lake (38)	653.55	360.00
St. Louis (69)	* 44,474.82	1,710.64
	=====	=====
TOTAL REGION II	330,784.75	8,186.03
REGION III		
=====		
Cass (11)	37,247.62	92.15
Mille Lacs (48)	12,710.15	406.50
	=====	=====
TOTAL REGION III	49,957.77	498.65
REGION V		
=====		
Rice (66)	0.00	460.79
	=====	=====
TOTAL REGION V	0.00	460.79
STATE TOTAL	908,947.03	11,062.38
	=====	=====

* Includes Consolidated Conservation Land
** Land acquired by Federal grant extracted

Appendix A

Trust Acreage Descriptions and Maps by Park

KEY TO TABLES OF TRUST LAND DESCRIPTIONS

Location Information

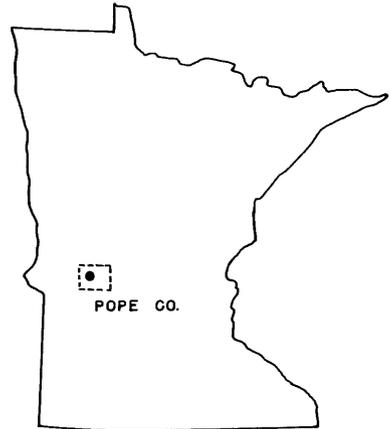
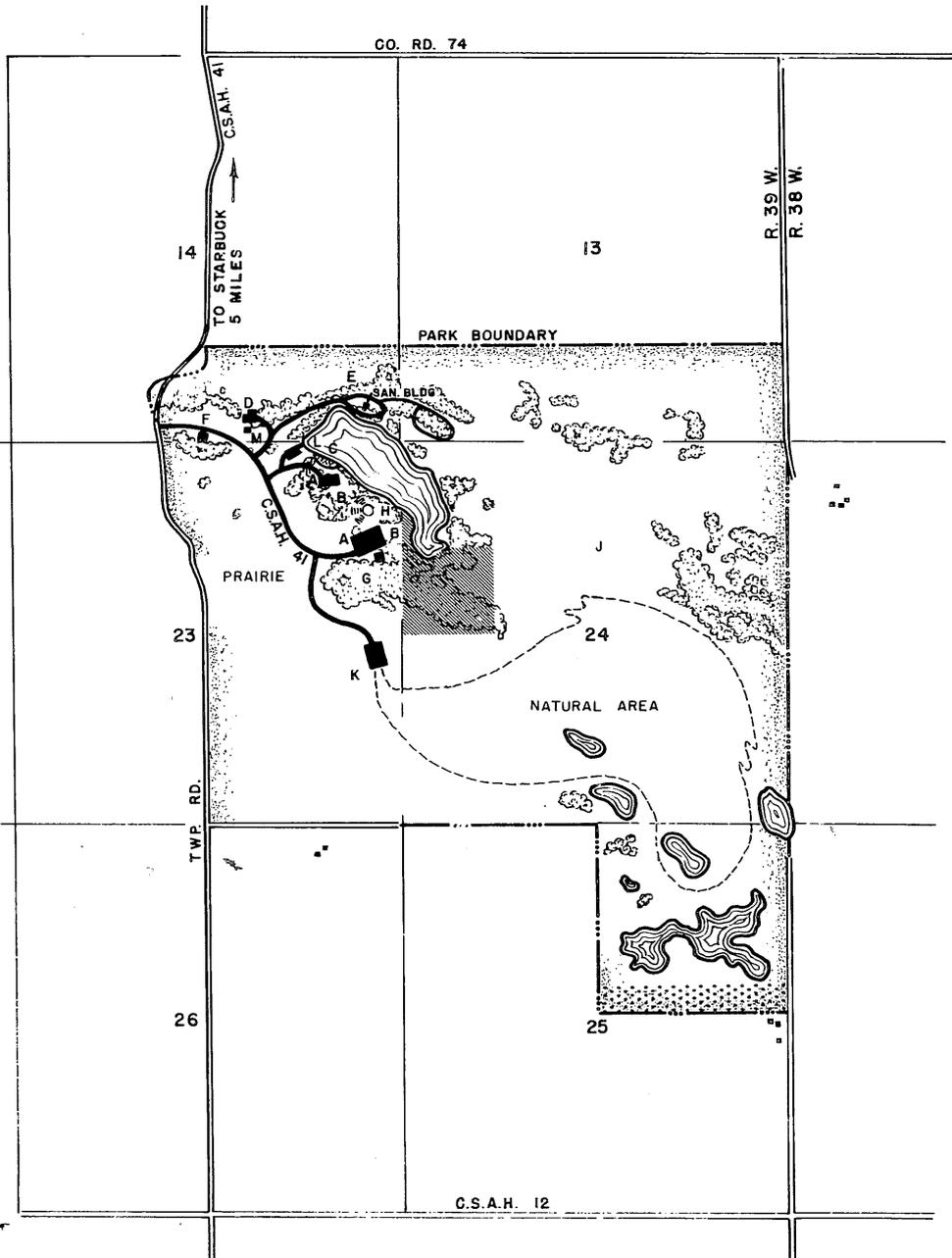
DNR RGN DNR Region
FRST AREA Forestry Area
CO County Code Number
TWP Township
RNG Range
SEC Section
FORTY Forty
LOT Government Lot
(QR-QR) Quarter Quarter; 40 acre parcel description

PARCEL INFORMATION

LAND TYPE Statutory Land Class
#1-5 indicates: (1) School
(2) Indemnity School
(3) Swamp
(4) Internal Improvement
(5) University
ACQ U indicates land was acquired by congressional grant
SUR Y indicates the state owns the surface rights
MIN Y indicates the state owns the sub-surface or mineral rights
WO Water Orientation - indicates whether parcel is adjacent to water or not.
LAKE ID If parcel is adjacent to water, this identifies the water body.

STATE SCHOOL TRUST LAND IMPACTED BY STATE PARKS AND RECREATIONAL FACILITIES, AND WAYSIDES - FACILITY BREAKDOWN
 REGION I GLACIAL LAKES STATE PARK

FACILITY	DNR	FRST	CO	TWP	RNG	SEC	FORTY	LOT (QR-QR)	ACRES	LAND				LAKE ID	
	RGN	AREA								TYPE	ACQ	SUR	MIN		WO
GLACIAL LAKES ST PK	I	16	61	124	39	24	23	02 (SWNW)	35.25	2	U	Y	Y	M	610149
GLACIAL LAKES ST PK									=====						
TOTAL IMPACTED ACRES									35.25						



-  STATE LAND
-  PRIVATE LAND
-  TRUST FUND LAND
-  EXISTING DEVELOPMENT

SCALE : 3"=1 MILE (APPROX.)
 STATUTORY BOUNDARY 1345 ACRES (APPROX.)

- KEY -

- A. PARKING
- B. PICNIC AREA
- C. BEACH
- D. SERVICE AREA
- E. CAMPGROUND
- F. CONTACT STATION
- G. SHELTER
- H. AMPHITHEATER
- J. PRIMITIVE CAMP SITES
- K. TRAIL CENTER
- L. BOAT RAMP
- M. RESIDENCE

MINNESOTA
 DEPARTMENT OF NATURAL RESOURCES
 DIVISION OF PARKS AND RECREATION
 STATE PARK SITE
 GLACIAL LAKES STATE PARK
 POPE CO. - NR. STARBUCK

DRAWN GLC 1-15-62	BUREAU OF ENGINEERING	T. 124 N. R. 39 W. 5 TH. P.M.
CHECKED MMH 1-17-62	REVISOR SVF 7-20-78	SURVEY 1951 AIR PHOTO DATUM
<i>R. JOHNSON</i> 1-16-62 CHIEF ENGINEER		

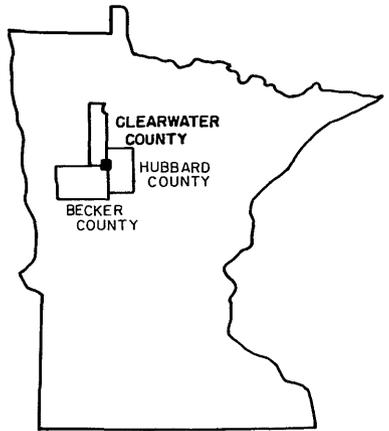
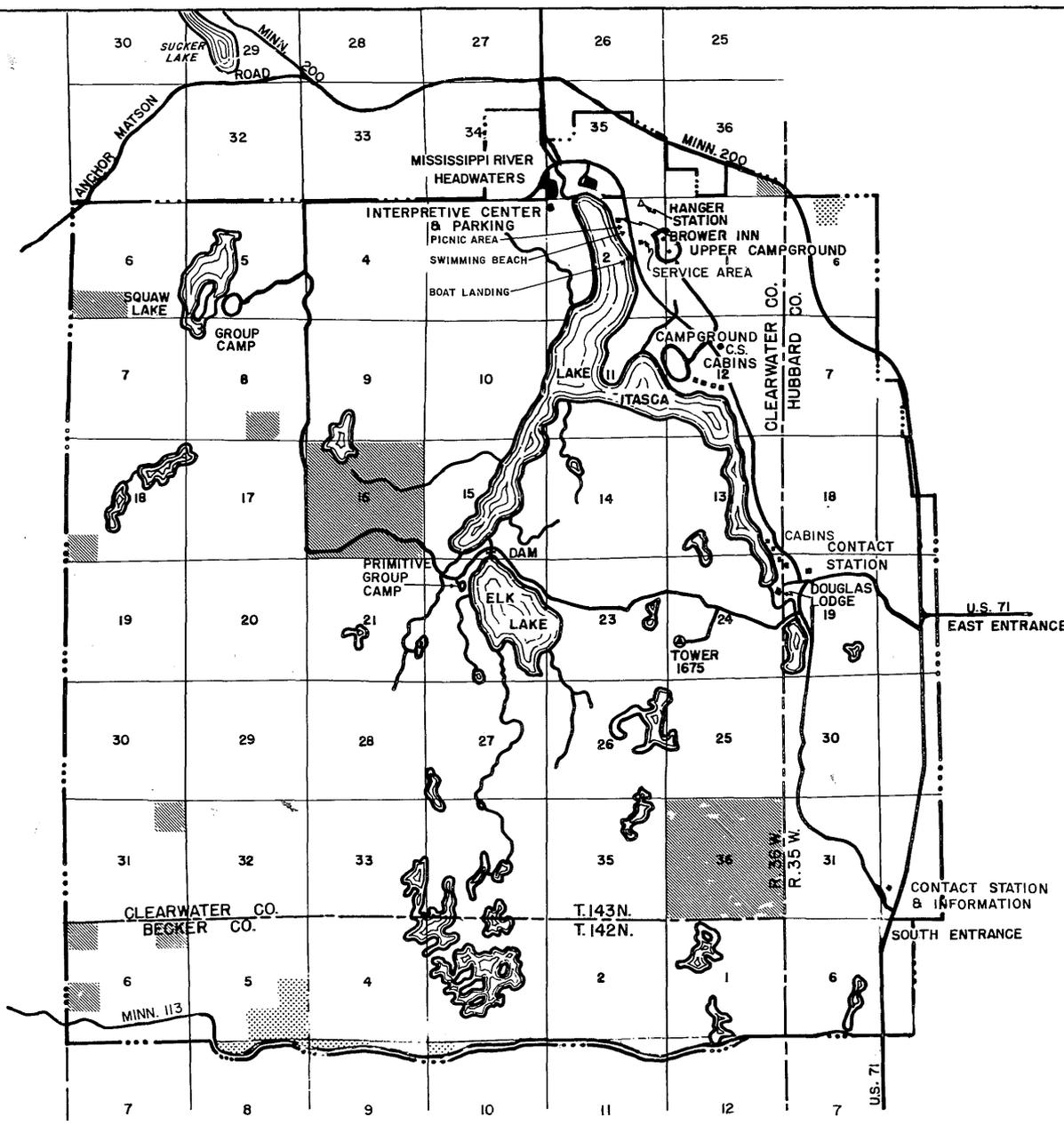
OWNERSHIP REV. RES 11-30-70	REQ. 63-30	SHEET 22	FILE P.088.00.01
--------------------------------	---------------	-------------	---------------------

STATE SCHOOL TRUST LAND IMPACTED BY STATE PARKS AND RECREATIONAL FACILITIES, AND WAYSIDES - FACILITY BREAKDOWN
 REGION I ITASCA STATE PARK

FACILITY	DNR	FRST								LAND						LAKE ID
	RGN	AREA	CO	TWP	RNG	SEC	FORTY	LOT (QR-QR)	ACRES	TYPE	ACQ	SUR	MIN	WO		
ITASCA ST PK	I	11	3	142	36	06	11	01 (NENE)	41.40	2	U	Y	Y	3		
ITASCA ST PK	I	11	3	142	36	06	22	04 (NWNW)	40.50	3	U	Y	Y	0		
ITASCA ST PK	I	11	3	142	36	06	32	06 (NWSW)	40.19	3	U	Y	Y	0		
ITASCA ST PK	I	11	15	143	36	06	33	07 (SWSW)	37.02	2	U	Y	Y	0		
ITASCA ST PK	I	11	15	143	36	06	34	00 (SESW)	40.00	2	U	Y	Y	0		
ITASCA ST PK	I	11	15	143	36	08	43	00 (SWSE)	40.00	2	U	Y	Y	0		
ITASCA ST PK	I	11	15	143	36	16	11	00 (NENE)	40.00	1	U	Y	Y	0		
ITASCA ST PK	I	11	15	143	36	16	12	00 (NWNE)	40.00	1	U	Y	Y	0		
ITASCA ST PK	I	11	15	143	36	16	13	00 (SWNE)	40.00	1	U	Y	Y	0		
ITASCA ST PK	I	11	15	143	36	16	14	00 (SENE)	40.00	1	U	Y	Y	0		
ITASCA ST PK	I	11	15	143	36	16	21	00 (NENW)	40.00	1	U	Y	Y	N	150009	
ITASCA ST PK	I	11	15	143	36	16	22	00 (NWNW)	40.00	1	U	Y	Y	N	150009	
ITASCA ST PK	I	11	15	143	36	16	23	00 (SWNW)	40.00	1	U	Y	Y	3		
ITASCA ST PK	I	11	15	143	36	16	24	00 (SENW)	40.00	1	U	Y	Y	0		
ITASCA ST PK	I	11	15	143	36	16	31	00 (NESW)	40.00	1	U	Y	Y	0		
ITASCA ST PK	I	11	15	143	36	16	32	00 (NWSW)	40.00	1	U	Y	Y	3		
ITASCA ST PK	I	11	15	143	36	16	33	00 (SWSW)	40.00	1	U	Y	Y	3		
ITASCA ST PK	I	11	15	143	36	16	34	00 (SESW)	40.00	1	U	Y	Y	0		
ITASCA ST PK	I	11	15	143	36	16	41	00 (NESE)	40.00	1	U	Y	Y	0		
ITASCA ST PK	I	11	15	143	36	16	42	00 (NWSE)	40.00	1	U	Y	Y	0		
ITASCA ST PK	I	11	15	143	36	16	43	00 (SWSE)	40.00	1	U	Y	Y	0		
ITASCA ST PK	I	11	15	143	36	16	44	00 (SESE)	40.00	1	U	Y	Y	3		
ITASCA ST PK	I	11	15	143	36	18	33	08 (SWSW)	36.00	2	U	Y	Y	0		
ITASCA ST PK	I	11	15	143	36	31	11	00 (NENE)	40.00	2	U	Y	Y	3		
ITASCA ST PK	I	11	15	143	36	36	11	00 (NENE)	40.00	1	U	Y	Y	N		
ITASCA ST PK	I	11	15	143	36	36	12	00 (NWNE)	40.00	1	U	Y	Y	N		
ITASCA ST PK	I	11	15	143	36	36	13	00 (SWNE)	40.00	1	U	Y	Y	0		
ITASCA ST PK	I	11	15	143	36	36	14	00 (SENE)	40.00	1	U	Y	Y	3		
ITASCA ST PK	I	11	15	143	36	36	21	00 (NENW)	40.00	1	U	Y	Y	0		
ITASCA ST PK	I	11	15	143	36	36	22	00 (NWNW)	40.00	1	U	Y	Y	3		
ITASCA ST PK	I	11	15	143	36	36	23	00 (SWNW)	40.00	1	U	Y	Y	3		
ITASCA ST PK	I	11	15	143	36	36	24	00 (SENW)	40.00	1	U	Y	Y	3		
ITASCA ST PK	I	11	15	143	36	36	31	00 (NESW)	40.00	1	U	Y	Y	3		
ITASCA ST PK	I	11	15	143	36	36	32	00 (NWSW)	40.00	1	U	Y	Y	3		
ITASCA ST PK	I	11	15	143	36	36	33	00 (SWSW)	40.00	1	U	Y	Y	3		
ITASCA ST PK	I	11	15	143	36	36	34	00 (SESW)	40.00	1	U	Y	Y	3		
ITASCA ST PK	I	11	15	143	36	36	41	00 (NESE)	40.00	1	U	Y	Y	3		
ITASCA ST PK	I	11	15	143	36	36	42	00 (NWSE)	40.00	1	U	Y	Y	3		
ITASCA ST PK	I	11	15	143	36	36	43	00 (SWSE)	40.00	1	U	Y	Y	3		
ITASCA ST PK	I	11	15	143	36	36	44	00 (SESE)	40.00	1	U	Y	Y	3		
ITASCA ST PK	I	11	15	144	36	36	44	00 (SESE)	18.00	1	U	Y	Y	0		

ITASCA ST PK
 TOTAL IMPACTED ACRES

=====
 1,595.11



KEY

- STATE LAND
- PRIVATE LAND
- TRUST FUND LAND
- EXISTING DEVELOPMENT

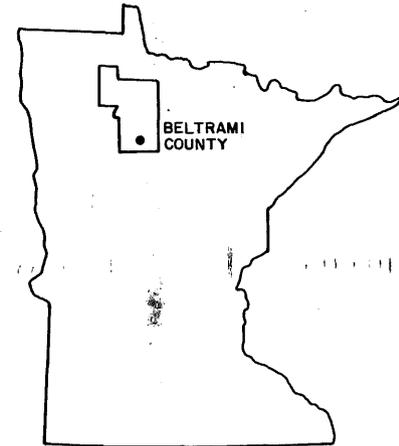
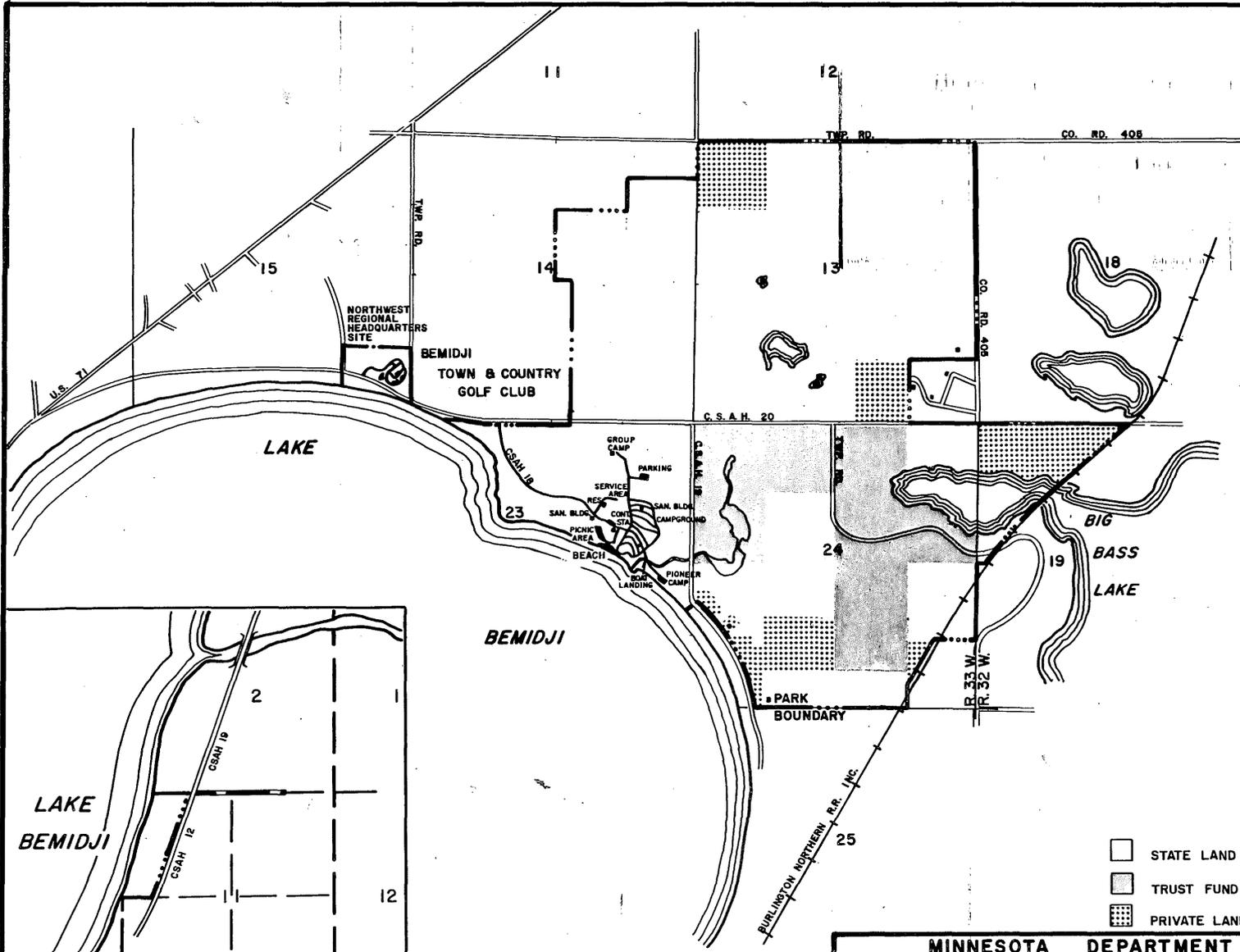
SCALE: 1" = 5000'
 STATUTORY BOUNDARY 30,694 ACRES
 WATER 2325 ACRES

MINNESOTA DEPARTMENT OF NATURAL RESOURCES DIVISION OF PARKS AND RECREATION STATE PARK SITE		
ITASCA STATE PARK BECKER, CLEARWATER & HUBBARD CO'S.		
T.142-144 N.	R. 35, 36 W.	5 TH P. M.
DRAWN JHP 12-10-62	BUREAU OF ENGINEERING	SURVEY
CHECKED HRP 12-10-62		DATUM
REVISED LRP 5-9-80	<i>A. J. Goussard</i> 21722 CHIEF ENGINEER	

Ownership Revision	REQ.	SHEET	FILE
	57 - 6	11	P.021.00.01

STATE SCHOOL TRUST LAND IMPACTED BY STATE PARKS AND RECREATIONAL FACILITIES, AND WAYSIDES - FACILITY BREAKDOWN
 REGION I LAKE BEMIDJI STATE PARK

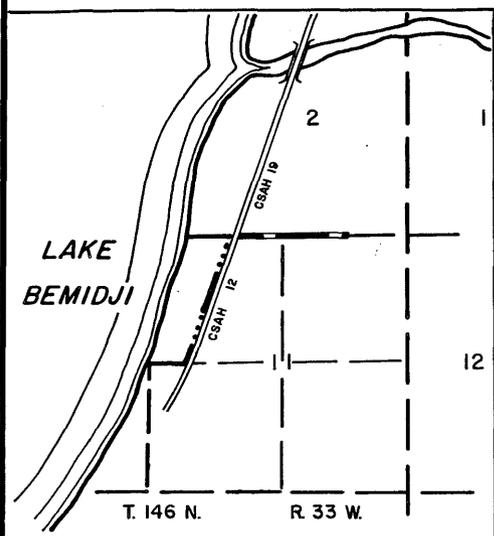
FACILITY	DNR	FRST	CO	TWP	RNG	SEC	FORTY	LOT (QR-QR)	ACRES	LAND					LAKE ID
	RGN	AREA								TYPE	ACQ	SUR	MIN	WO	
LAKE BEMIDJI ST PK	I	11	4	147	33	24	12	02 (NWNE)	36.30	3	U	Y	Y	M	40132
LAKE BEMIDJI ST PK	I	11	4	147	33	24	13	03 (SWNE)	39.60	3	U	Y	Y	M	40132
LAKE BEMIDJI ST PK	I	11	4	147	33	24	14	04 (SENE)	30.65	3	U	Y	Y	M	40132
LAKE BEMIDJI ST PK	I	11	4	147	33	24	21	00 (NENW)	40.00	3	U	Y	Y	5	
LAKE BEMIDJI ST PK	I	11	4	147	33	24	22	00 (NWNW)	40.00	3	U	Y	Y	5	
LAKE BEMIDJI ST PK	I	11	4	147	33	24	23	00 (SWNW)	40.00	3	U	Y	Y	4	
LAKE BEMIDJI ST PK	I	11	4	147	33	24	42	00 (NWSE)	40.00	3	U	Y	Y	0	
LAKE BEMIDJI ST PK	I	11	4	147	33	24	43	00 (SWSE)	20.00	3	U	Y	Y	0	
LAKE BEMIDJI ST PK									=====						
TOTAL IMPACTED ACRES									286.55						



SCALE: 1" = 2000'
 STATUTORY BOUNDARY 1688 ACRES (APPROX.)

KEY

- STATE LAND
- TRUST FUND LAND
- PRIVATE LAND
- EXISTING DEVELOPMENT



DETACHED PARK AREA
 (WILDERNESS CAMP)
 SCALE 2 IN = 1 MILE

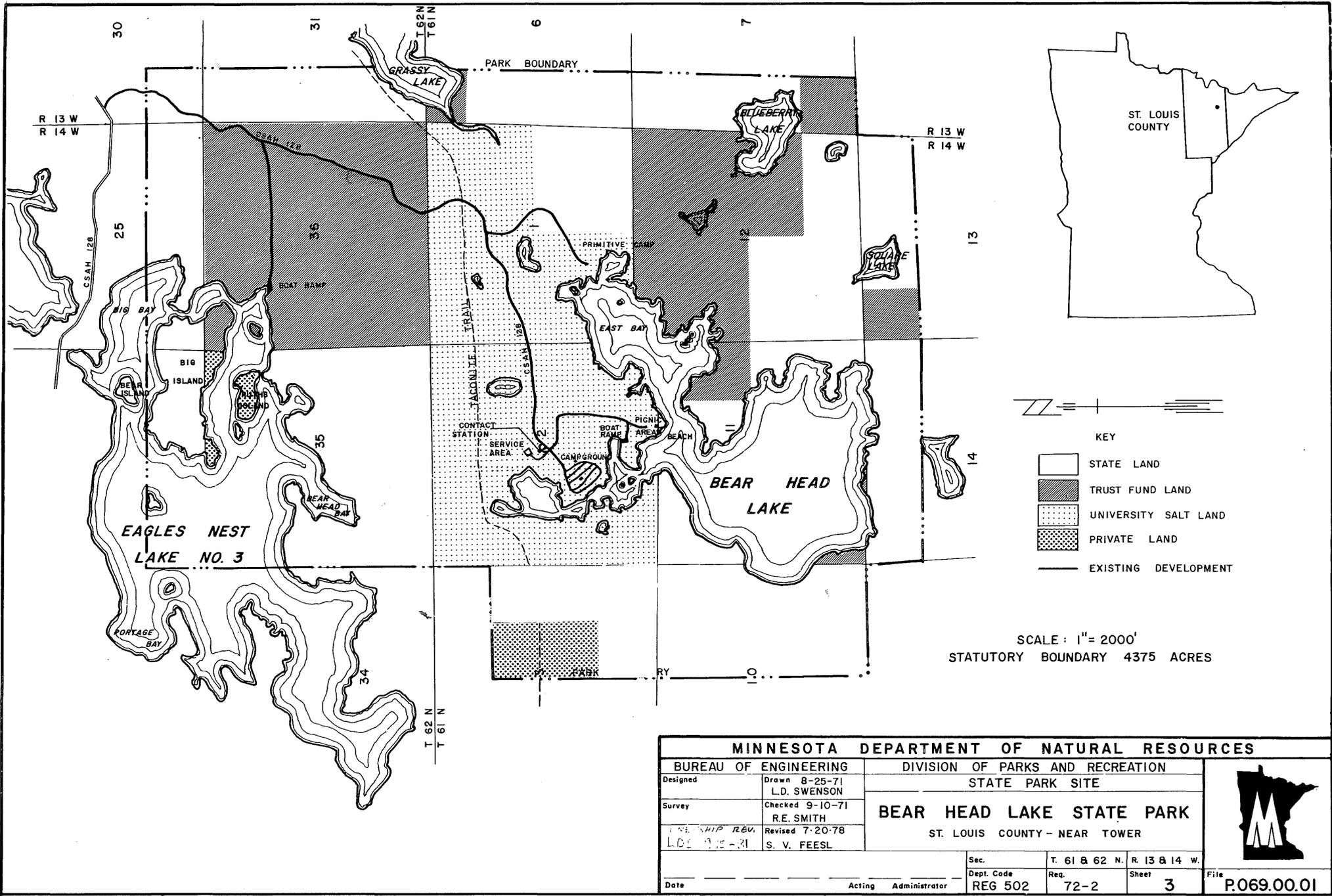
MINNESOTA DEPARTMENT OF NATURAL RESOURCES			
BUREAU OF ENGINEERING		DIVISION OF PARKS AND RECREATION	
STATE PARK SITE			
LAKE BEMIDJI STATE PARK			
BELTRAMI COUNTY - NEAR BEMIDJI			
Designed	Drawn 7-20-77		
	S. V. FEESL		
Survey	Checked 7-21-77		
	R. E. SMITH		
Ownership Rev.	Revised 6-14-79		
	L. D. SWENSON		
Date		Sec.	T. 146, 147 N. R. 32, 33 W.
Administrator		Dept. Code	Reg.
		300142	77-02
		Sheet	8
		File	P.027.00.01

STATE SCHOOL TRUST LAND IMPACTED BY STATE PARKS AND RECREATIONAL FACILITIES, AND WAYSIDES - FACILITY BREAKDOWN
 REGION II BEAR HEAD LAKE STATE PARK

FACILITY	DNR	FRST								LAND						LAKE ID
	RGN	AREA	CO	TWP	RNG	SEC	FORTY	LOT (QR-QR)	ACRES	TYPE	ACQ	SUR	MIN	WO		
BEAR HEAD LAKE ST PK	II	24	69	61	13	06	22	04 (NWNW)	34.97	3	U	Y	Y	M	690216	
BEAR HEAD LAKE ST PK	II	24	69	61	13	07	33	04 (SWSW)	30.50	3	U	Y	Y	0		
BEAR HEAD LAKE ST PK	II	24	69	61	14	11	14	06 (SENE)	31.75	2	U	Y	Y	M	690254	
BEAR HEAD LAKE ST PK	II	24	69	61	14	11	33	03 (SWSW)	7.00	2	U	Y	Y	M	690254	
BEAR HEAD LAKE ST PK	II	24	69	61	14	12	11	00 (NENE)	40.00	5	U	Y	Y	0		
BEAR HEAD LAKE ST PK	II	24	69	61	14	12	12	00 (NENE)	40.00	5	U	Y	Y	3		
BEAR HEAD LAKE ST PK	II	24	69	61	14	12	13	00 (SWNE)	40.00	5	U	Y	Y	3		
BEAR HEAD LAKE ST PK	II	24	69	61	14	12	14	03 (SENE)	39.00	5	U	Y	Y	M	690215	
BEAR HEAD LAKE ST PK	II	24	69	61	14	12	21	01 (NENW)	58.25	5	U	Y	Y	M	690254	
BEAR HEAD LAKE ST PK	II	24	69	61	14	12	23	02 (SWNW)	30.25	5	U	Y	Y	M	690254	
BEAR HEAD LAKE ST PK	II	24	69	61	14	12	24	00 (SENW)	40.00	5	U	Y	Y	0		
BEAR HEAD LAKE ST PK	II	24	69	61	14	12	42	04 (NWSE)	46.50	5	U	Y	Y	M	690215	
BEAR HEAD LAKE ST PK	II	24	69	61	14	11	34	04 (SESW)	0.50	2	U	Y	Y	M	690254	
BEAR HEAD LAKE ST PK	II	24	69	61	14	13	22	00 (NWNW)	40.00	1	U	Y	Y	0		
BEAR HEAD LAKE ST PK	II	24	69	62	14	36	11	00 (NENE)	40.00	1	U	Y	Y	0		
BEAR HEAD LAKE ST PK	II	24	69	62	14	36	12	00 (NWNE)	40.00	1	U	Y	Y	0		
BEAR HEAD LAKE ST PK	II	24	69	62	14	36	13	00 (SWNE)	40.00	1	U	Y	Y	0		
BEAR HEAD LAKE ST PK	II	24	69	62	14	36	14	00 (SENE)	40.00	1	U	Y	Y	0		
BEAR HEAD LAKE ST PK	II	24	69	62	14	36	21	01 (NENW)	39.50	1	U	Y	Y	0		
BEAR HEAD LAKE ST PK	II	24	69	62	14	36	22	04 (NWNW)	12.00	1	U	Y	Y	I		
BEAR HEAD LAKE ST PK	II	24	69	62	14	36	23	03 (SWNW)	33.00	1	U	Y	Y	M	690825	
BEAR HEAD LAKE ST PK	II	24	69	62	14	36	24	02 (SENW)	39.95	1	U	Y	Y	M	690825	
BEAR HEAD LAKE ST PK	II	24	69	62	14	36	31	00 (NESW)	40.00	1	U	Y	Y	0		
BEAR HEAD LAKE ST PK	II	24	69	62	14	36	32	00 (NWSW)	40.00	1	U	Y	Y	0		
BEAR HEAD LAKE ST PK	II	24	69	62	14	36	33	00 (SWSW)	40.00	1	U	Y	Y	0		
BEAR HEAD LAKE ST PK	II	24	69	62	14	36	34	00 (SESW)	40.00	1	U	Y	Y	0		
BEAR HEAD LAKE ST PK	II	24	69	62	14	36	41	00 (NESE)	40.00	1	U	Y	Y	0		
BEAR HEAD LAKE ST PK	II	24	69	62	14	36	42	00 (NWSE)	40.00	1	U	Y	Y	0		
BEAR HEAD LAKE ST PK	II	24	69	62	14	36	43	00 (SWSE)	40.00	1	U	Y	Y	0		
BEAR HEAD LAKE ST PK	II	24	69	62	14	36	44	00 (SESE)	40.00	1	U	Y	Y	0		

BEAR HEAD LAKE ST PK
 TOTAL IMPACTED ACRES

=====
 1,083.17



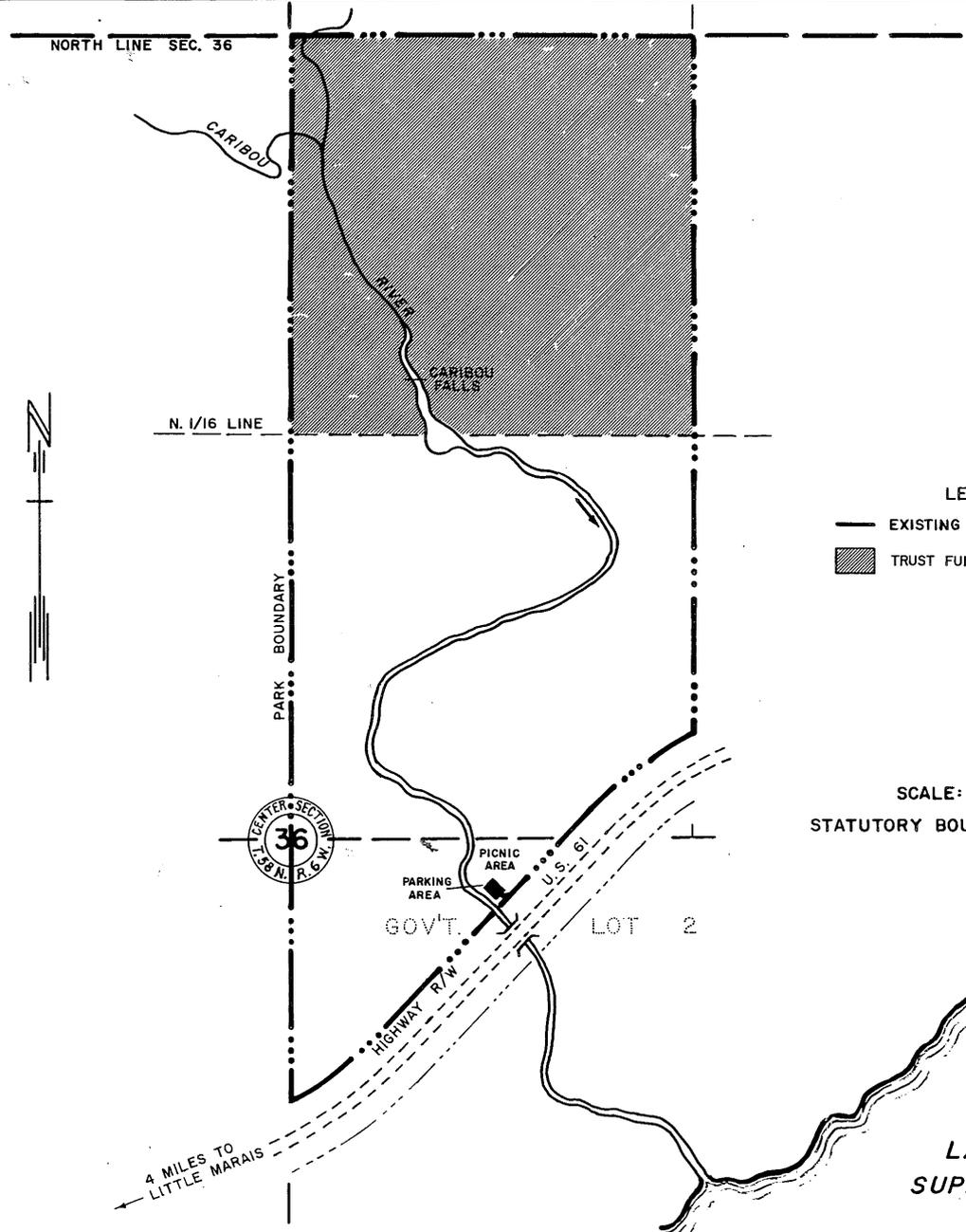
MINNESOTA DEPARTMENT OF NATURAL RESOURCES					
BUREAU OF ENGINEERING		DIVISION OF PARKS AND RECREATION			
Designed	Drawn 8-25-71 L.D. SWENSON	STATE PARK SITE			
Survey	Checked 9-10-71 R.E. SMITH	BEAR HEAD LAKE STATE PARK			
REVISION REV. LDC 11-21-71	Revised 7-20-78 S. V. FEESL	ST. LOUIS COUNTY - NEAR TOWER			
Date	Acting Administrator	Sec. Dept. Code REG 502	T. 61 & 62 N. Req. 72-2	R. 13 & 14 W. Sheet 3	File P.069.00.01



23

STATE SCHOOL TRUST LAND IMPACTED BY STATE PARKS AND RECREATIONAL FACILITIES, AND WAYSIDES - FACILITY BREAKDOWN
 REGION II CARIBOU FALLS WAYSIDE

FACILITY	DNR	FRST								LAND					
	RGN	AREA	CO	TWP	RNG	SEC	FORTY	LOT (QR-QR)	ACRES	TYPE	ACQ	SUR	MIN	WO	LAKE ID
CARIBOU FALLS WAYSIDE	II	25	38	58	06	36	12	00 (NWNE)	40.00	1	U	Y	Y	0	
CARIBOU FALLS WAYSIDE									=====						
TOTAL IMPACTED ACRES									40.00						



LEGEND
 — EXISTING DEVELOPMENT
 ▨ TRUST FUND LAND



NOTE
 NO PRIVATE LAND
 WITHIN PARK BOUNDARY

SCALE: 1" = 400'
 STATUTORY BOUNDARY 88 ACRES



MINNESOTA DEPARTMENT OF NATURAL RESOURCES DIVISION OF PARKS AND RECREATION STATE PARK SITE			
CARIBOU FALLS STATE WAYSIDE LAKE CO. - NEAR LITTLE MARAIS			
SEC. 36	T. 58 N.	R. 6 W.	4TH P.
DRAWN DAD 4-11-63	BUREAU OF ENGINEERING		SURVEY
CHECKED AFR 5-15-63			DATUM
REVISED RES 8-5-69	<i>[Signature]</i> 5-27-73 CHIEF ENGINEER		
REQ. 54-21	SHEET 4	FILE P.073.00.01	

STATE SCHOOL TRUST LAND IMPACTED BY STATE PARKS AND RECREATIONAL FACILITIES, AND WAYSIDES - FACILITY BREAKDOWN
 REGION II CROSS RIVER WAYSIDE

FACILITY	DNR	FRST	CO	TWP	RNG	SEC	FORTY	LOT (QR-QR)	ACRES	LAND					LAKE ID
	RGN	AREA								TYPE	ACQ	SUR	MIN	WO	
CROSS RIVER WAYSIDE	II	25	16	59	05	36	11	00 (NENE)	40.00	1	U	Y	Y	0	
CROSS RIVER WAYSIDE	II	25	16	59	05	36	12	00 (NWNE)	40.00	1	U	Y	Y	0	
CROSS RIVER WAYSIDE	II	25	16	59	05	36	13	00 (SWNE)	40.00	1	U	Y	Y	0	
CROSS RIVER WAYSIDE	II	25	16	59	05	36	14	00 (SENE)	40.00	1	U	Y	Y	0	
CROSS RIVER WAYSIDE	II	25	16	59	05	36	21	00 (NENW)	40.00	1	U	Y	Y	0	
CROSS RIVER WAYSIDE	II	25	16	59	05	36	22	00 (NWNW)	40.00	1	U	Y	Y	2	
CROSS RIVER WAYSIDE	II	25	16	59	05	36	23	00 (SWNW)	40.00	1	U	Y	Y	2	
CROSS RIVER WAYSIDE	II	25	16	59	05	36	24	00 (SENW)	40.00	1	U	Y	Y	2	
CROSS RIVER WAYSIDE	II	25	16	59	05	36	31	00 (NESW)	40.00	1	U	Y	Y	2	
CROSS RIVER WAYSIDE	II	25	16	59	05	36	32	00 (NWSW)	40.00	1	U	Y	Y	0	
CROSS RIVER WAYSIDE	II	25	16	59	05	36	33	00 (SWSW)	40.00	1	U	Y	Y	0	
CROSS RIVER WAYSIDE	II	25	16	59	05	36	34	00 (SESW)	40.00	1	U	Y	Y	2	
CROSS RIVER WAYSIDE	II	25	16	59	05	36	41	00 (NESE)	40.00	1	U	Y	Y	0	
CROSS RIVER WAYSIDE	II	25	16	59	05	36	42	00 (NWSE)	40.00	1	U	Y	Y	2	
CROSS RIVER WAYSIDE	II	25	16	59	05	36	43	00 (SWSE)	40.00	1	U	Y	Y	2	

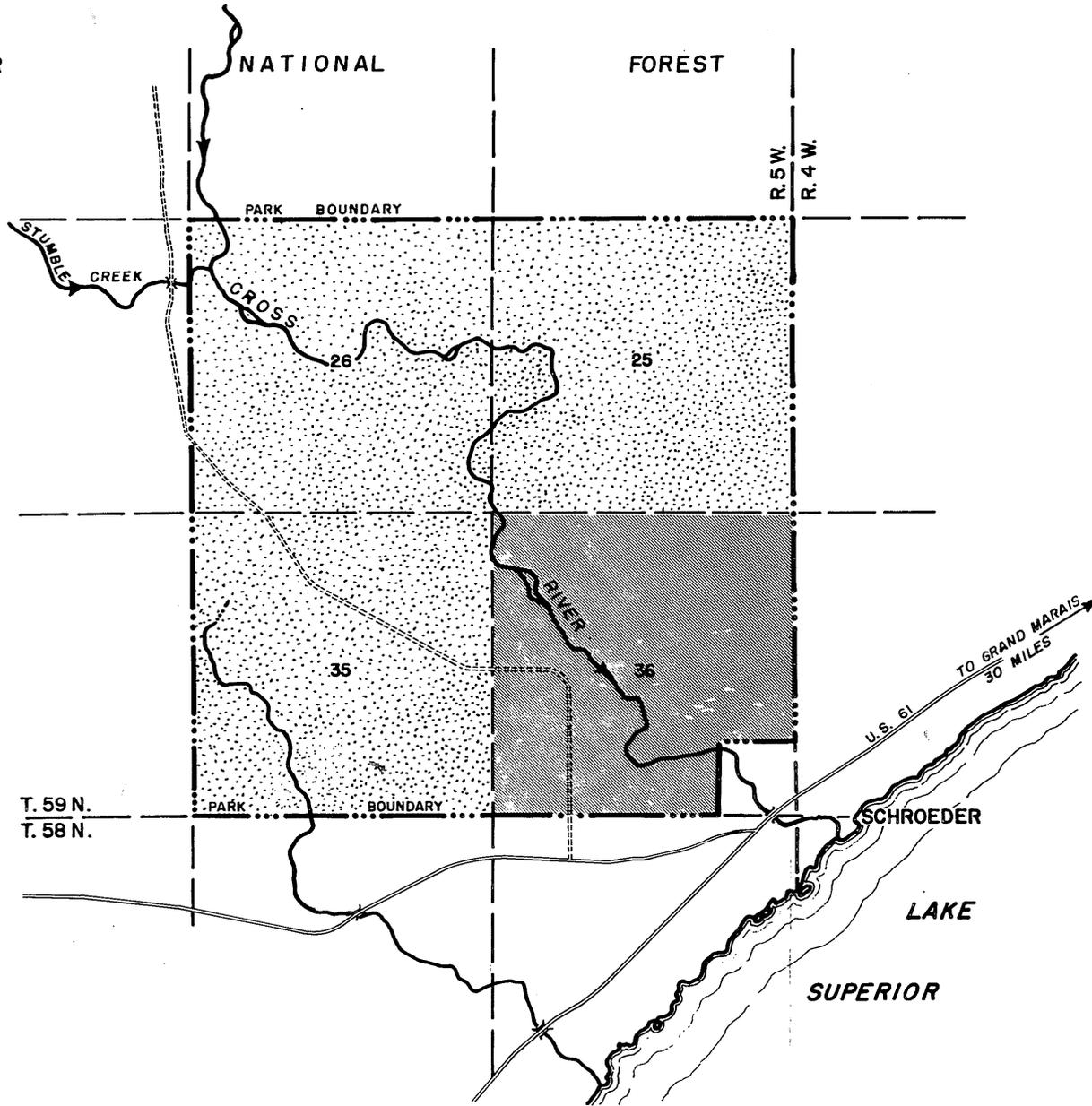
CROSS RIVER WAYSIDE
 TOTAL IMPACTED ACRES

=====
 600.00

SUPERIOR

NATIONAL

FOREST



LOCATION MAP

KEY

-  TRUST FUND LAND
-  PRIVATE LAND
-  FEDERAL LAND

SCALE: 1" = 2000' (APPROX.)
 STATUTORY BOUNDARY 2560 ACRES

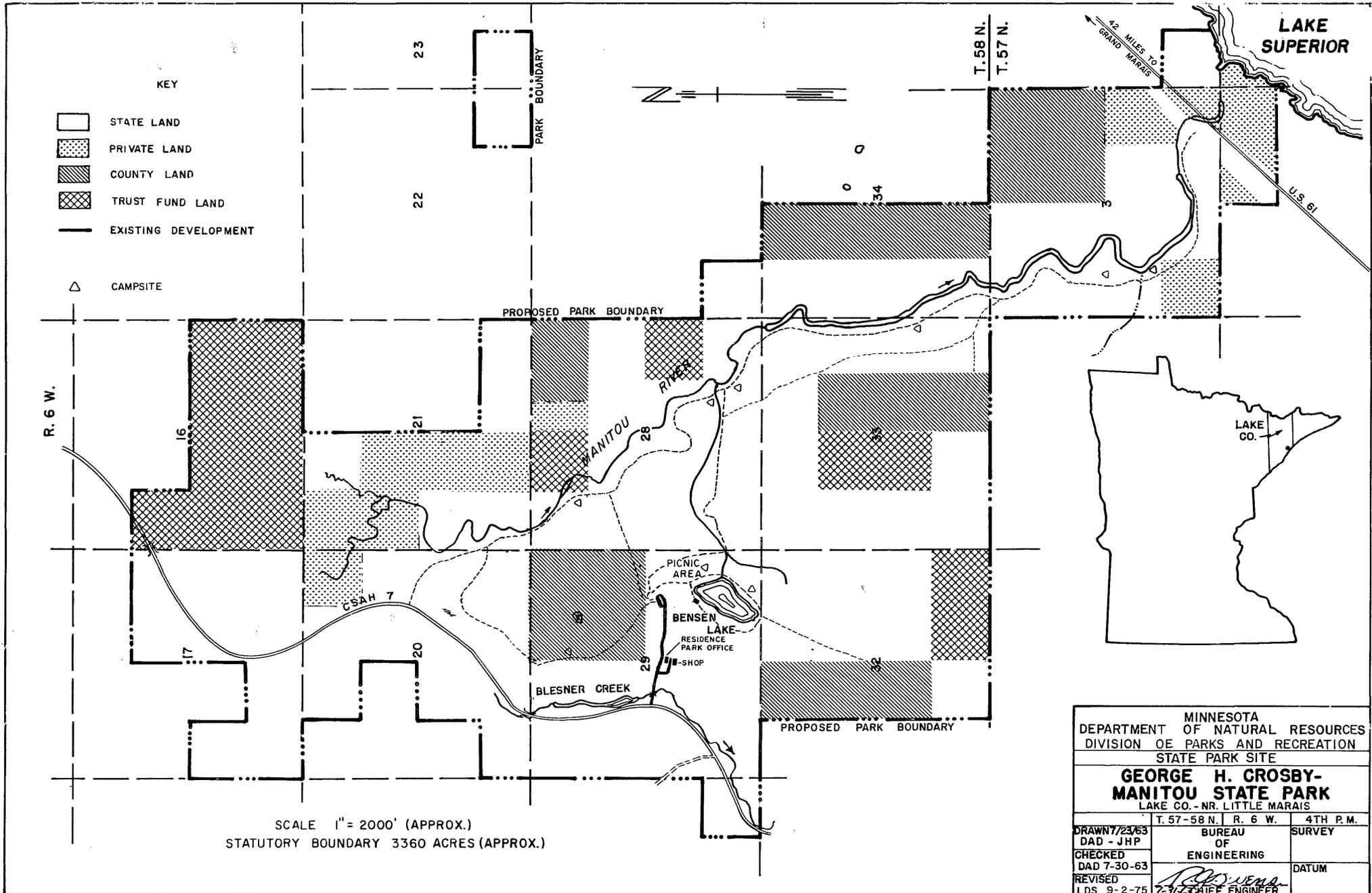
MINNESOTA DEPARTMENT OF NATURAL RESOURCES DIVISION OF PARKS AND RECREATION			
STATE PARK SITE			
CROSS RIVER STATE WAYSIDE			
COOK CO. - NR. SCHROEDER			
SEC25263536	T. 59 N.	R. 5 W.	4TH P.M.
DRAWN JHP 7-22-63	BUREAU OF ENGINEERING		SURVEY
CHECKED DAD 7-29-63			DATUM
REVISED SVF 8-25-77	<i>A. J. JENSEN</i> 237-28 CHIEF ENGINEER		
REQ. 60-35	SHEET 2	FILE P.074.00.01	

SCHROEDER
LAKE
SUPERIOR
U.S. 61
TO GRAND MARAIS
30 MILES



STATE SCHOOL TRUST LAND IMPACTED BY STATE PARKS AND RECREATIONAL FACILITIES, AND WAYSIDES - FACILITY BREAKDOWN
 REGION II GEORGE CROSBY-MANITOU STATE PARK

FACILITY	DNR	FRST							LAND						
	RGN	AREA	CO	TWP	RNG	SEC	FORTY	LOT (QR-QR)	ACRES	TYPE	ACQ	SUR	MIN	WO	LAKE ID
GEO.CROSBY-MANITOU ST PK II	25	38	58	06	27	24	00 (SENW)	40.00	2	U	Y	Y	0		
GEO.CROSBY-MANITOU ST PK II	25	38	58	06	28	21	00 (NENW)	40.00	2	U	Y	Y	2		
GEO.CROSBY-MANITOU ST PK II	25	38	58	06	28	41	00 (NESE)	40.00	2	U	Y	Y	5		
GEO.CROSBY-MANITOU ST PK II	25	38	58	06	32	43	00 (SWSE)	40.00	2	E	Y	U	0		
GEO.CROSBY-MANITOU ST PK II	25	38	58	06	32	44	00 (SESE)	40.00	2	E	Y	U	0		
GEO.CROSBY-MANITOU ST PK II	25	38	58	06	33	24	00 (SENW)	40.00	2	E	Y	U	0		
GEO.CROSBY-MANITOU ST PK II	25	38	58	06	33	31	00 (NESW)	40.00	2	E	Y	U	0		
GEO.CROSBY-MANITOU ST PK									=====						
TOTAL IMPACTED ACRTES									280.00						

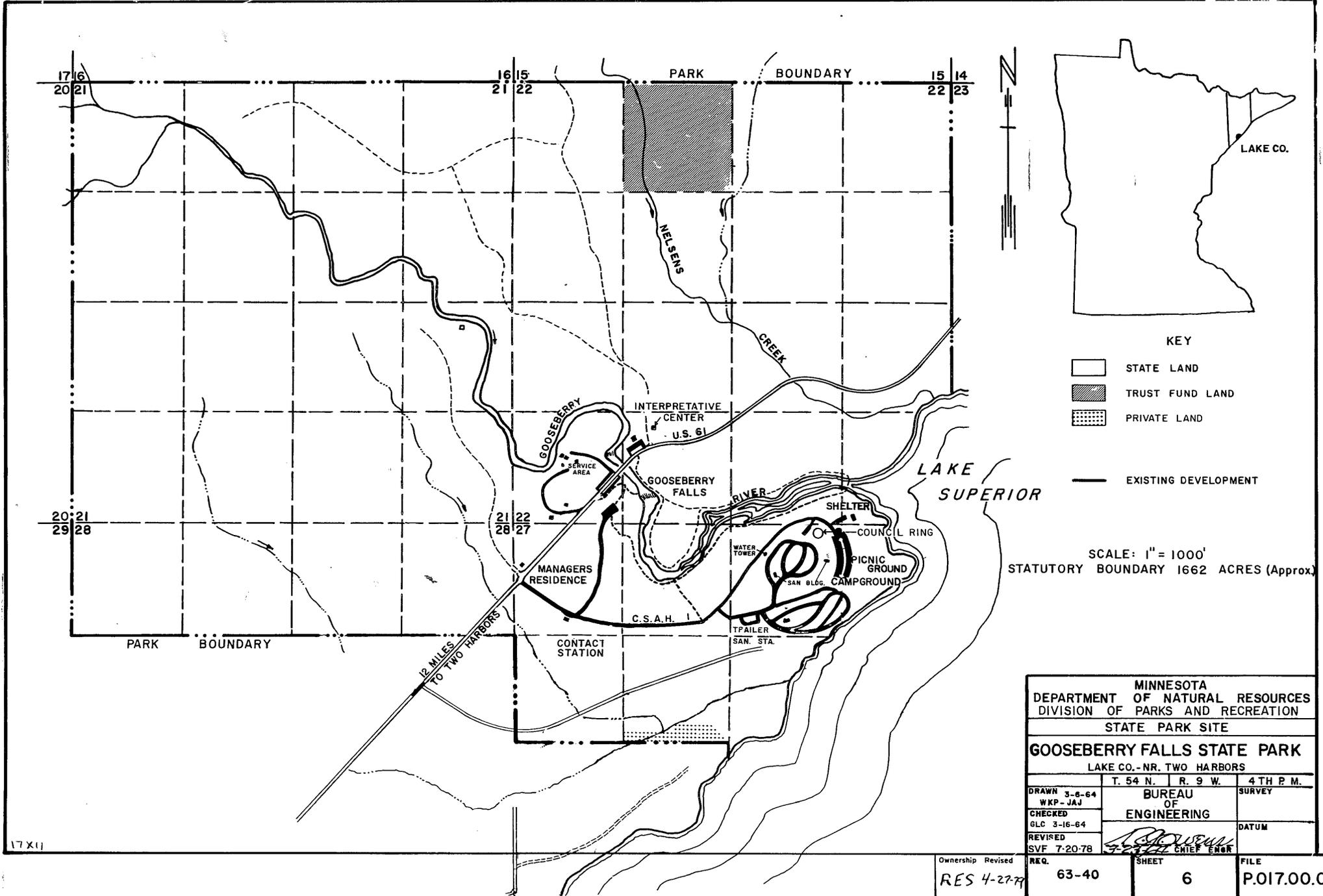


SCALE 1" = 2000' (APPROX.)
 STATUTORY BOUNDARY 3360 ACRES (APPROX.)

MINNESOTA DEPARTMENT OF NATURAL RESOURCES DIVISION OF PARKS AND RECREATION STATE PARK SITE		
GEORGE H. CROSBY- MANITOU STATE PARK LAKE CO. - NR. LITTLE MARAIS		
T. 57-58 N.	R. 6 W.	4TH P.M.
DRAWN/23/63 DAD - JHP	BUREAU OF ENGINEERING	SURVEY
CHECKED DAD 7-30-63		DATUM
REVISED LDS 9-2-75	<i>[Signature]</i> 7-3-75 CHIEF ENGINEER	
REQ.	SHEET	FILE
54-63	4	P.064.00.01

STATE SCHOOL TRUST LAND IMPACTED BY STATE PARKS AND RECREATIONAL FACILITIES, AND WAYSIDES - FACILITY BREAKDOWN
 REGION II GOOSEBERRY FALLS STATE PARK

FACILITY	DNR	FRST								LAND					
	RGN	AREA	CO	TWP	RNG	SEC	FORTY	LOT (QR-QR)	ACRES	TYPE	ACQ	SUR	MIN	WO	LAKE ID
GOOSEBERRY FALLS ST PK	II	25	38	54	09	22	21	00 (NENW)	40.00	1	E	Y	U	0	
GOOSEBERRY FALLS ST PK									=====						
TOTAL IMPACTED ACRES									40.00						



- KEY
- STATE LAND
 - TRUST FUND LAND
 - PRIVATE LAND
 - EXISTING DEVELOPMENT

SCALE: 1" = 1000'
 STATUTORY BOUNDARY 1662 ACRES (Approx.)

MINNESOTA DEPARTMENT OF NATURAL RESOURCES DIVISION OF PARKS AND RECREATION STATE PARK SITE GOOSEBERRY FALLS STATE PARK LAKE CO. - NR. TWO HARBORS			
	T. 54 N.	R. 9 W.	4 TH P. M.
DRAWN 3-8-64 WKP-JAJ	BUREAU OF ENGINEERING		SURVEY
CHECKED GLC 3-16-64			DATUM
REVISED SVF 7-20-78	 CHIEF ENGINEER		
Ownership Revised RES 4-27-77	REQ. 63-40	SHEET 6	FILE P.O17.00.01

31

17 X 11

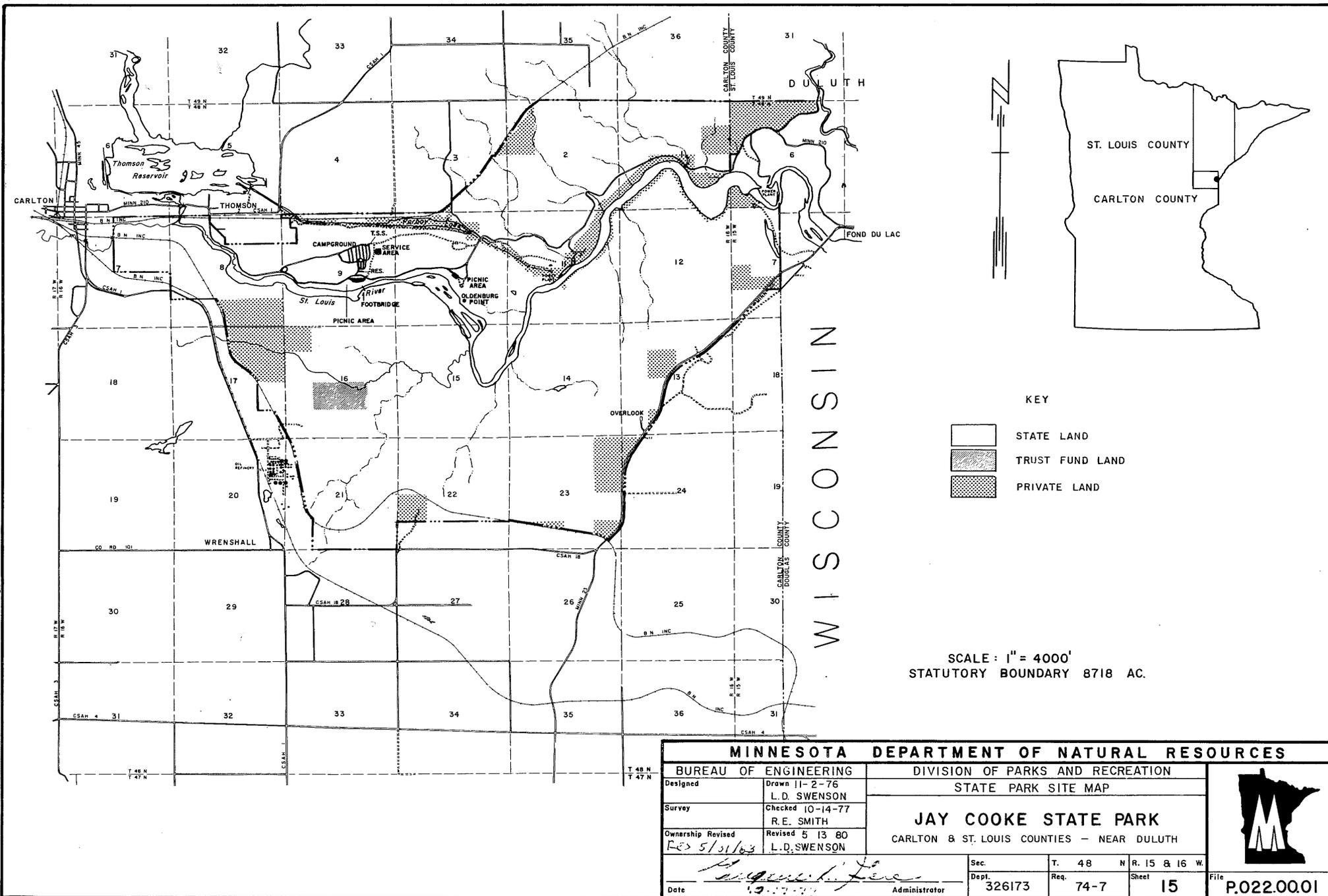
SCHOOL TRUST LAND IMPACTED BY STATE PARKS AND RECREATIONAL FACILITIES, AND WAYSIDES - COUNTY BREAKDOWN
 REGION II ITASCA COUNTY

FACILITY	DNR	FRST							LAND					
	RGN	AREA	CO	TWP	RNG	SEC	FORTY	LOT (QR-QR)	ACRES	TYPE	ACQ	SUR	MIN	WO
HILL-ANNEX MINE ST PK	II	23	31	56	23	16	11	00	40.00	1 U	Y	Y		0
HILL-ANNEX MINE ST PK	II	23	31	56	23	16	12	00	40.00	1 U	Y	Y		0
HILL-ANNEX MINE ST PK	II	23	31	56	23	16	13	00	40.00	1 U	Y	Y		0
HILL-ANNEX MINE ST PK	II	23	31	56	23	16	14	00	40.00	1 U	Y	Y		0
HILL-ANNEX MINE ST PK	II	23	31	56	23	16	21	00	40.00	1 U	Y	Y		0
HILL-ANNEX MINE ST PK	II	23	31	56	23	16	22	00	40.00	1 U	Y	Y		0
HILL-ANNEX MINE ST PK	II	23	31	56	23	16	23	00	40.00	1 U	Y	Y		0
HILL-ANNEX MINE ST PK	II	23	31	56	23	16	24	00	40.00	1 U	Y	Y		0
HILL-ANNEX MINE ST PK	II	23	31	56	23	16	31	00	40.00	1 U	Y	Y		0
HILL-ANNEX MINE ST PK	II	23	31	56	23	16	32	00	40.00	1 U	Y	Y		0
HILL-ANNEX MINE ST PK	II	23	31	56	23	16	33	00	33.50	1 U	Y	Y		0
HILL-ANNEX MINE ST PK	II	23	31	56	23	16	34	00	40.00	1 U	Y	Y		0
HILL-ANNEX MINE ST PK	II	23	31	56	23	16	41	00	40.00	1 U	Y	Y		0
HILL-ANNEX MINE ST PK	II	23	31	56	23	16	42	00	40.00	1 U	Y	Y		0
HILL-ANNEX MINE ST PK	II	23	31	56	23	16	43	00	40.00	1 U	Y	Y		0
HILL-ANNEX MINE ST PK	II	23	31	56	23	16	44	00	40.00	1 U	Y	Y		0

MAP UNAVAILABLE
FOR
HILL-ANNEX MINE STATE PARK

STATE SCHOOL TRUST LAND IMPACTED BY STATE PARKS AND RECREATIONAL FACILITIES, AND WAYSIDES - FACILITY BREAKDOWN
 REGION II JAY COOK STATE PARK

FACILITY	DNR	FRST							LAND						
	RGN	AREA	CO	TWP	RNG	SEC	FORTY	LOT (QR-QR)	ACRES	TYPE	ACQ	SUR	MIN	WO	LAKE ID
JAY COOK ST PK	II	21	9	48	16	16	31	00 (NESW)	40.00	1	U	Y	Y	5	
JAY COOK ST PK	II	21	9	48	16	16	42	00 (NWSE)	40.00	1	U	Y	Y	5	
JAY COOK ST PK									=====						
TOTAL IMPACTED ACRES									80.00						



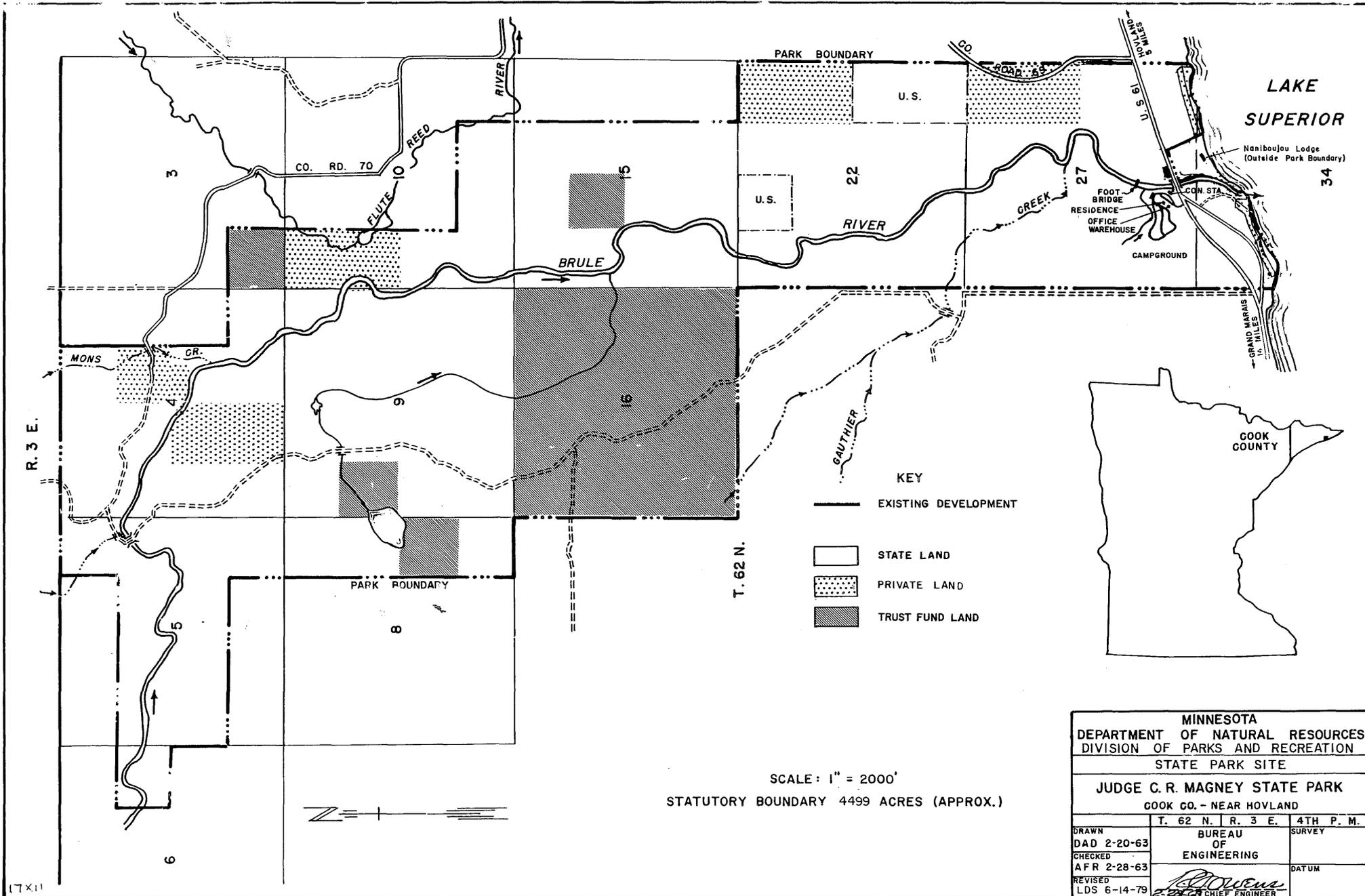
35

STATE SCHOOL TRUST LAND IMPACTED BY STATE PARKS AND RECREATIONAL FACILITIES, AND WAYSIDES - FACILITY BREAKDOWN
 REGION II JUDGE C R MAGNEY STATE PARK

FACILITY	DNR	FRST	CO	TWP	RNG	SEC	FORTY	LOT (QR-QR)	ACRES	LAND						LAKE ID
	RGN	AREA								TYPE	ACQ	SUR	MIN	WO		
JUDGE C R MAGNEY ST PK	II	25	16	62	03	03	33	00 (SWSW)	40.00	3	E	Y	U	0		
JUDGE C R MAGNEY ST PK	II	25	16	62	03	08	41	00 (NESE)	40.00	3	E	Y	U	N	160016	
JUDGE C R MAGNEY ST PK	II	25	16	62	03	09	23	00 (SWNW)	40.00	3	E	Y	U	3	160016	
JUDGE C R MAGNEY ST PK	II	25	16	62	03	15	24	00 (SENW)	40.00	3	E	Y	U	0		
JUDGE C R MAGNEY ST PK	II	25	16	62	03	16	11	00 (NENE)	40.00	1	U	Y	Y	0		
JUDGE C R MAGNEY ST PK	II	25	16	62	03	16	12	00 (NUNE)	40.00	1	U	Y	Y	0		
JUDGE C R MAGNEY ST PK	II	25	16	62	03	16	13	00 (SWNE)	40.00	1	U	Y	Y	0		
JUDGE C R MAGNEY ST PK	II	25	16	62	03	16	14	00 (SENE)	40.00	1	U	Y	Y	0		
JUDGE C R MAGNEY ST PK	II	25	16	62	03	16	21	00 (NENW)	40.00	1	U	Y	Y	0		
JUDGE C R MAGNEY ST PK	II	25	16	62	03	16	22	00 (NWNW)	40.00	1	U	Y	Y	0		
JUDGE C R MAGNEY ST PK	II	25	16	62	03	16	23	00 (SWNW)	40.00	1	U	Y	Y	0		
JUDGE C R MAGNEY ST PK	II	25	16	62	03	16	24	00 (SENW)	40.00	1	U	Y	Y	0		
JUDGE C R MAGNEY ST PK	II	25	16	62	03	16	31	00 (NESW)	40.00	1	U	Y	Y	0		
JUDGE C R MAGNEY ST PK	II	25	16	62	03	16	32	00 (NWSW)	40.00	1	U	Y	Y	0		
JUDGE C R MAGNEY ST PK	II	25	16	62	03	16	33	00 (SWSW)	40.00	1	U	Y	Y	5		
JUDGE C R MAGNEY ST PK	II	25	16	62	03	16	34	00 (SESW)	40.00	1	U	Y	Y	0		
JUDGE C R MAGNEY ST PK	II	25	16	62	03	16	41	00 (NESE)	40.00	1	U	Y	Y	0		
JUDGE C R MAGNEY ST PK	II	25	16	62	03	16	42	00 (NWSE)	40.00	1	U	Y	Y	0		
JUDGE C R MAGNEY ST PK	II	25	16	62	03	16	43	00 (SWSE)	40.00	1	U	Y	Y	0		
JUDGE C R MAGNEY ST PK	II	25	16	62	03	16	44	00 (SESE)	40.00	1	U	Y	Y	0		

JUDGE C R MAGNEY ST PK
 TOTAL IMPACTED ACRES

=====
 800.00



SCALE: 1" = 2000'
 STATUTORY BOUNDARY 4499 ACRES (APPROX.)

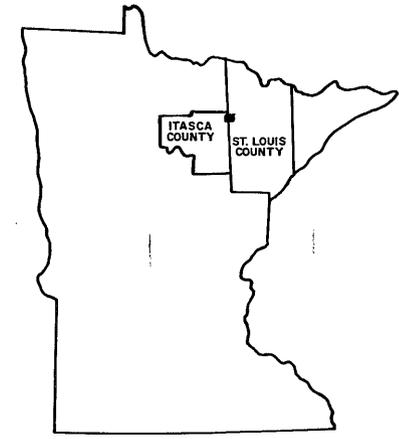
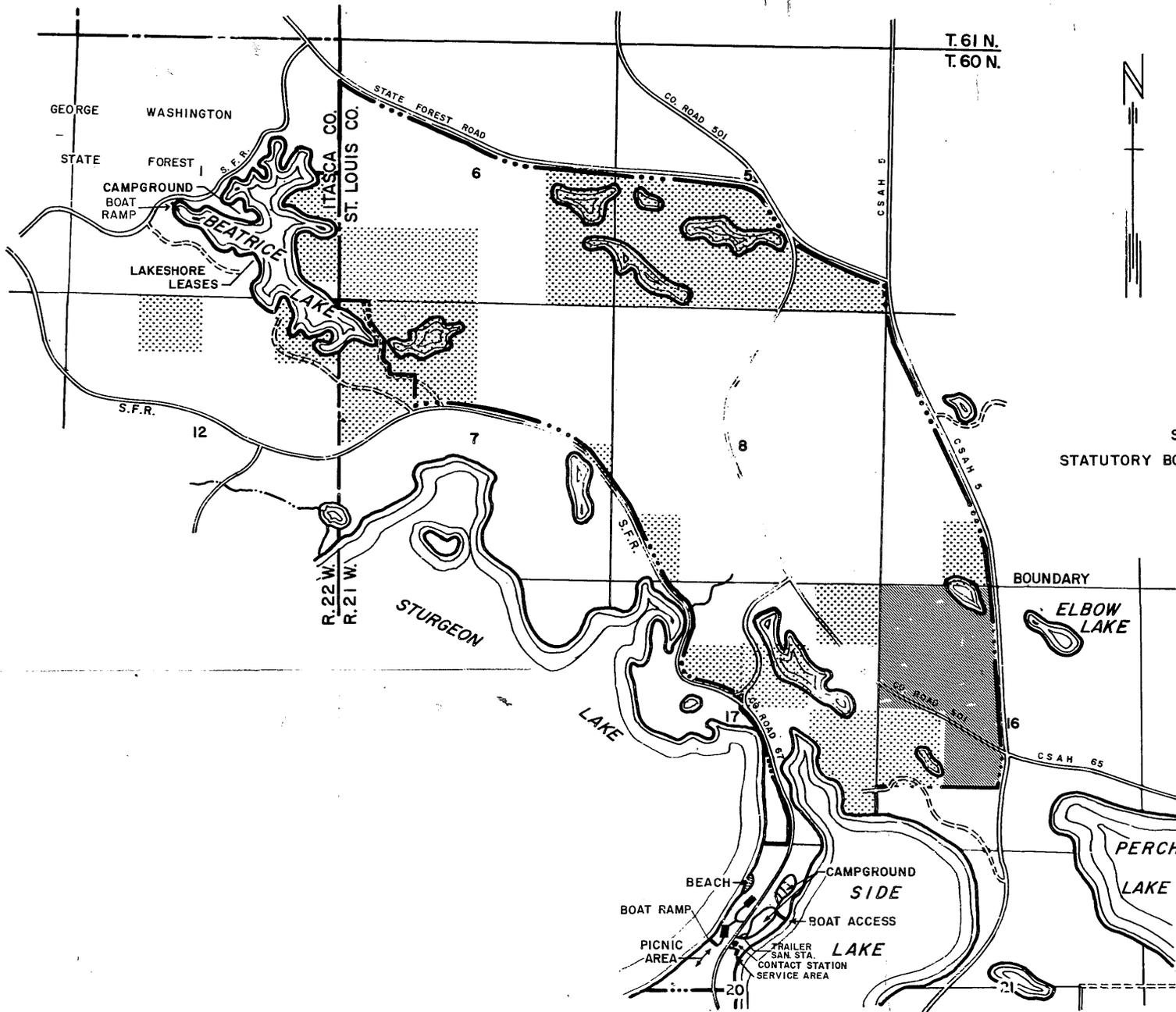
MINNESOTA DEPARTMENT OF NATURAL RESOURCES DIVISION OF PARKS AND RECREATION STATE PARK SITE		
JUDGE C. R. MAGNEY STATE PARK COOK CO. - NEAR HOVLAND		
T. 62 N.	R. 3 E.	4TH P. M.
DRAWN DAD 2-20-63 CHECKED AFR 2-28-63 REVISED LDS 6-14-79	BUREAU OF ENGINEERING <i>[Signature]</i> CHIEF ENGINEER	SURVEY DATUM
REQ. 61-41	SHEET 2	FILE P.071.C.C.O.

37

17x11

STATE SCHOOL TRUST LAND IMPACTED BY STATE PARKS AND RECREATIONAL FACILITIES, AND WAYSIDES - FACILITY BREAKDOWN
 REGION II MC CARTHY BEACH STATE PARK

FACILITY	DNR	FRST								LAND						LAKE ID
	RGN	AREA	CO	TWP	RNG	SEC	FORTY	LOT (QR-QR)	ACRES	TYPE	ACQ	SUR	MIN	WO		
MC CARTHY BEACH ST PK	II	23	69	60	21	16	22	04 (NWNW)	41.50	1	U	Y	Y	M	690930	
MC CARTHY BEACH ST PK	II	23	69	60	21	16	23	00 (SWNW)	40.00	1	U	Y	Y	0		
MC CARTHY BEACH ST PK	II	23	69	60	21	16	24	00 (SENW) *	23.70	1	U	Y	Y	M	690930	
MC CARTHY BEACH ST PK	II	23	69	60	21	16	31	00 (NESW) *	25.00	1	U	Y	Y	3		
MC CARTHY BEACH ST PK									=====							
TOTAL IMPACTED ACRES									130.20							



SCALE: 1"=2000'
 STATUTORY BOUNDARY 2566 ACRES (APPROX.)

- KEY**
- STATE LAND
 - PRIVATE LAND
 - TRUST FUND LAND
 - EXISTING DEVELOPMENT

MINNESOTA DEPARTMENT OF NATURAL RESOURCES DIVISION OF PARKS AND RECREATION		
STATE PARK SITE		
MCCARTHY BEACH STATE PARK		
ITASCA AND ST. LOUIS CO. - NEAR SIDE LAKE		
T. 60 N. R. 21, 22 W. 4 TH P.M.		
DRAWN JAJ 3-23-65	BUREAU OF ENGINEERING	SURVEY
CHECKED DAD 3-26-65 REVISED 7-20-78	S.V.F. 5-22-78 CHIEF, ENGINEER	DATUM
OWNERSHIP REV. R/S 42877	SHEET 9	FILE P.031.00.01

STATE SCHOOL TRUST LAND IMPACTED BY STATE PARKS AND RECREATIONAL FACILITIES, AND WAYSIDES - FACILITY BREAKDOWN
 REGION II SAVANNA PORTAGE STATE PARK

FACILITY	DNR RGN	FRST AREA	CO	TWP	RNG	SEC	FORTY	LOT (QR-QR)	LAND						
									ACRES	TYPE	ACQ	SUR	MIN	WO	LAKE ID
SAVANNA PORTAGE ST PK II 33 1 50 22 01 11 01 (NENE)	40.08	3	E	Y	U	5									
SAVANNA PORTAGE ST PK II 33 1 50 22 01 12 02 (NWNE)	40.28	2	E	Y	U	5									
SAVANNA PORTAGE ST PK II 33 1 50 22 01 14 00 (SENE)	40.00	2	E	Y	U	5									
SAVANNA PORTAGE ST PK II 33 1 50 22 01 23 00 (SWNW)	40.00	2	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 22 01 32 00 (NWSW)	40.00	2	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 22 01 41 00 (NESE)	40.00	2	E	Y	U	5									
SAVANNA PORTAGE ST PK II 33 1 50 22 01 42 00 (NWSE)	40.00	3	E	Y	U	5									
SAVANNA PORTAGE ST PK II 33 1 50 22 02 12 02 (NWNE)	41.85	3	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 22 02 21 03 (NENW)	42.55	3	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 22 02 22 04 (NWNW)	43.25	3	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 22 02 23 01 (SWNW)	40.00	3	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 22 02 31 00 (NESW)	40.00	3	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 22 02 32 00 (NWSW)	40.00	3	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 22 02 41 00 (NESE)	40.00	3	E	Y	U	5									
SAVANNA PORTAGE ST PK II 33 1 50 22 03 11 01 (NENE)	43.45	3	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 22 03 12 02 (NWNE)	43.15	3	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 22 03 13 00 (SWNE)	40.00	3	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 22 03 14 00 (SENE)	40.00	3	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 22 03 21 03 (NENW)	42.85	3	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 22 03 22 04 (NWNW)	42.55	3	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 22 03 23 00 (SWNW)	40.00	3	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 22 03 41 00 (NESE)	40.00	3	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 22 03 42 00 (NWSE)	40.00	3	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 22 04 11 01 (NENE)	42.05	3	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 22 04 12 02 (NWNE)	41.35	3	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 22 04 13 00 (SWNE)	40.00	3	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 22 04 14 00 (SENE)	40.00	3	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 22 04 21 03 (NENW)	40.65	3	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 22 04 22 04 (NWNW)	39.95	3	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 22 04 23 00 (SWNW)	40.00	3	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 22 04 24 00 (SENW)	40.00	2	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 22 04 31 00 (NESW)	40.00	2	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 22 04 32 00 (NWSW)	40.00	2	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 22 04 42 00 (NWSE)	40.00	2	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 22 05 11 01 (NENE)	39.62	3	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 22 05 12 02 (NWNE)	45.17	3	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 22 05 13 00 (SWNE)	40.00	2	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 22 05 14 00 (SENE)	40.00	2	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 22 05 23 04 (SWNW)	11.60	3	E	Y	U	M	10019								
SAVANNA PORTAGE ST PK II 33 1 50 22 05 24 03 (SENW)	21.50	2	E	Y	U	M	10019								
SAVANNA PORTAGE ST PK II 33 1 50 22 05 41 00 (NESE)	40.00	2	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 22 05 42 00 (NWSE)	40.00	2	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 22 06 14 11 (SENE)	17.20	3	E	Y	U	M	10019								
SAVANNA PORTAGE ST PK II 33 1 50 22 18 41 00 (NESE)	40.00	3	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 22 18 44 00 (SESE)	40.00	3	E	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 23 12 12 00 (NWNE)	40.00	C	F	Y	U	0									
SAVANNA PORTAGE ST PK II 33 1 50 23 12 13 00 (SWNE)	40.00	1	E	Y	U	0									

SAVANNA PORTAGE	ST PK	II	33	1	50	23	12	14	00 (SENE)	40.00	1	E	Y	U	0
SAVANNA PORTAGE	ST PK	II	33	1	50	23	12	21	00 (NENW)	40.00	1	E	Y	U	0
SAVANNA PORTAGE	ST PK	II	33	1	50	23	12	24	00 (SENW)	40.00	1	E	Y	U	0
SAVANNA PORTAGE	ST PK	II	33	1	50	23	12	33	02 (SWSW)	7.80	3	E	Y	U	0
SAVANNA PORTAGE	ST PK	II	33	1	50	23	12	42	00 (NWSE)	40.00	1	E	Y	U	0
SAVANNA PORTAGE	ST PK	II	33	1	50	23	12	44	05 (SESE)	0.08	1	E	Y	U	0
SAVANNA PORTAGE	ST PK	II	33	1	50	23	24	11	00 (NENE)	40.00	3	U	Y	Y	0
SAVANNA PORTAGE	ST PK	II	33	1	50	23	24	14	00 (SENE)	40.00	3	U	Y	Y	5
SAVANNA PORTAGE	ST PK	II	33	1	50	23	24	34	00 (SESW)	40.00	3	U	Y	Y	5
SAVANNA PORTAGE	ST PK	II	33	1	50	23	24	42	00 (NWSE)	40.00	3	U	Y	Y	5
SAVANNA PORTAGE	ST PK	II	21	69	51	21	30	11	00 (NENE)	40.00	3	U	Y	Y	2
SAVANNA PORTAGE	ST PK	II	21	69	51	21	30	12	00 (NWNW)	40.00	3	U	Y	Y	2
SAVANNA PORTAGE	ST PK	II	21	69	51	21	30	13	00 (SWNE)	40.00	3	U	Y	Y	2
SAVANNA PORTAGE	ST PK	II	21	69	51	21	30	31	00 (NESW)	40.00	3	U	Y	Y	2
SAVANNA PORTAGE	ST PK	II	21	69	51	21	30	32	03 (NWSW)	40.77	3	U	Y	Y	2
SAVANNA PORTAGE	ST PK	II	21	69	51	21	30	33	04 (SWSW)	41.75	3	U	Y	Y	2
SAVANNA PORTAGE	ST PK	II	33	1	51	22	36	11	00 (NENE)	40.00	1	U	Y	Y	0
SAVANNA PORTAGE	ST PK	II	33	1	51	22	36	12	00 (NWNW)	40.00	1	U	Y	Y	0
SAVANNA PORTAGE	ST PK	II	33	1	51	22	36	13	00 (SWNE)	40.00	1	U	Y	Y	0
SAVANNA PORTAGE	ST PK	II	33	1	51	22	36	14	00 (SENE)	40.00	1	U	Y	Y	0
SAVANNA PORTAGE	ST PK	II	33	1	51	22	36	21	00 (NENW)	40.00	1	U	Y	Y	0
SAVANNA PORTAGE	ST PK	II	33	1	51	22	36	22	00 (NWNW)	40.00	1	U	Y	Y	0
SAVANNA PORTAGE	ST PK	II	33	1	51	22	36	23	00 (SWNW)	40.00	1	U	Y	Y	0
SAVANNA PORTAGE	ST PK	II	33	1	51	22	36	24	00 (SENW)	40.00	1	U	Y	Y	0
SAVANNA PORTAGE	ST PK	II	33	1	51	22	36	31	00 (NESW)	40.00	1	U	Y	Y	0
SAVANNA PORTAGE	ST PK	II	33	1	51	22	36	32	00 (NWSW)	40.00	1	U	Y	Y	0
SAVANNA PORTAGE	ST PK	II	33	1	51	22	36	33	00 (SWSW)	40.00	1	U	Y	Y	2
SAVANNA PORTAGE	ST PK	II	33	1	51	22	36	34	00 (SESW)	40.00	1	U	Y	Y	2
SAVANNA PORTAGE	ST PK	II	33	1	51	22	36	41	00 (NESE)	40.00	1	U	Y	Y	0
SAVANNA PORTAGE	ST PK	II	33	1	51	22	36	42	00 (NWSE)	40.00	1	U	Y	Y	0
SAVANNA PORTAGE	ST PK	II	33	1	51	22	36	43	00 (SWSE)	40.00	1	U	Y	Y	0
SAVANNA PORTAGE	ST PK	II	33	1	51	22	36	44	00 (SESE)	40.00	1	U	Y	Y	2

SAVANNA PORTAGE ST PK
TOTAL IMPACTED ACRES

=====
3,049.50

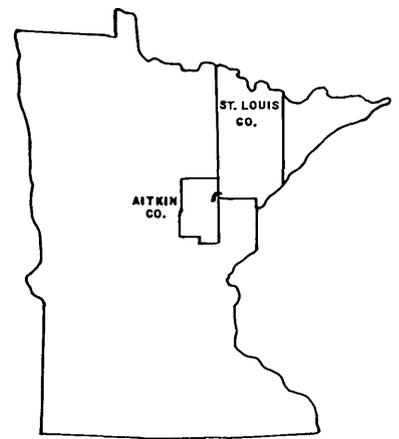
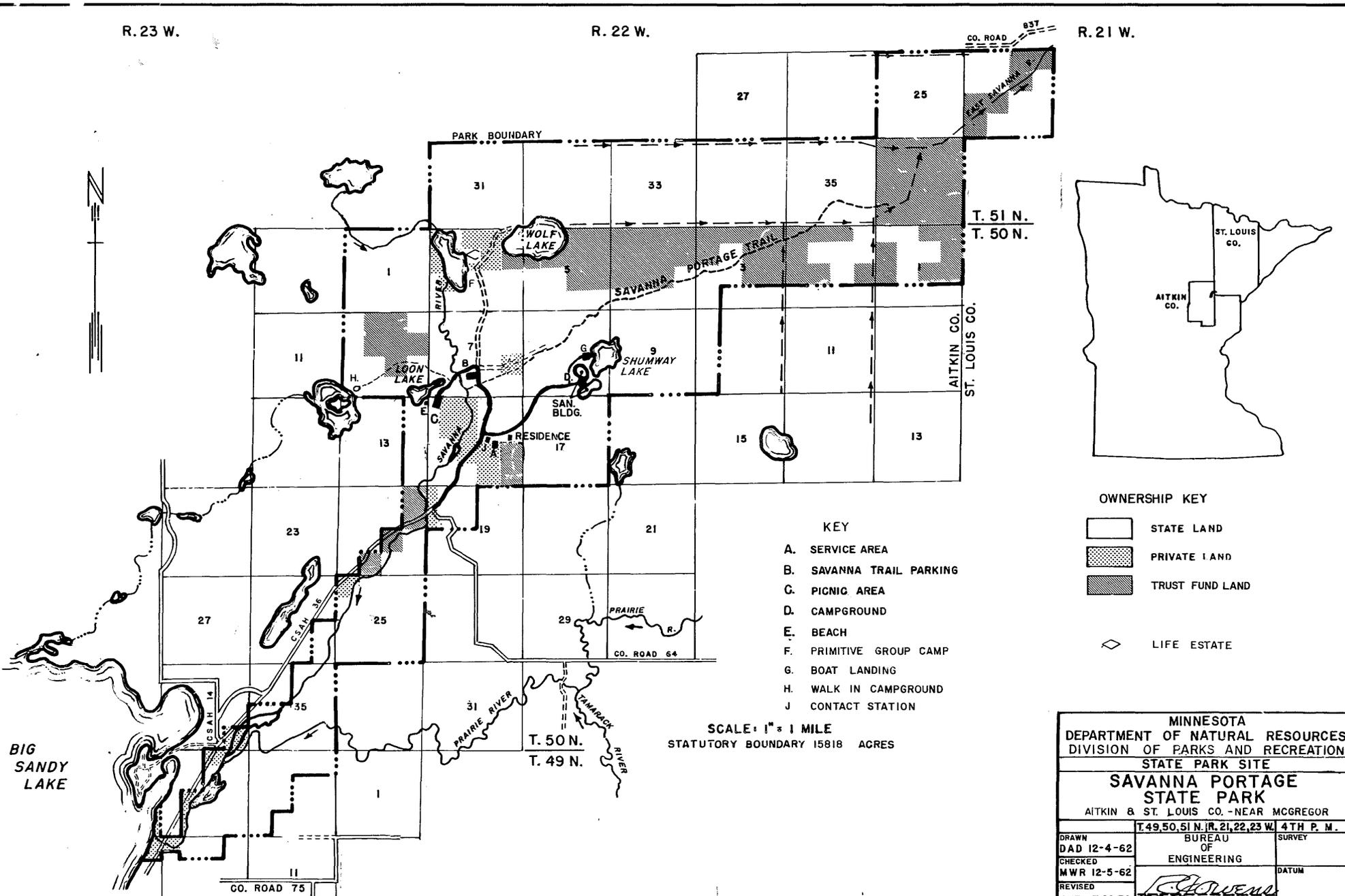
R. 23 W.

R. 22 W.

R. 21 W.



PARK BOUNDARY



OWNERSHIP KEY

-  STATE LAND
-  PRIVATE LAND
-  TRUST FUND LAND
-  LIFE ESTATE

KEY

- A. SERVICE AREA
- B. SAVANNA TRAIL PARKING
- C. PICNIC AREA
- D. CAMPGROUND
- E. BEACH
- F. PRIMITIVE GROUP CAMP
- G. BOAT LANDING
- H. WALK IN CAMPGROUND
- J. CONTACT STATION

SCALE: 1" = 1 MILE
STATUTORY BOUNDARY 15818 ACRES

BIG SANDY LAKE

MINNESOTA DEPARTMENT OF NATURAL RESOURCES DIVISION OF PARKS AND RECREATION STATE PARK SITE		
SAVANNA PORTAGE STATE PARK		
AITKIN & ST. LOUIS CO. - NEAR MCGREGOR		
T. 49, 50, 51 N. R. 21, 22, 23 W. 4 TH P. M.		
DRAWN DAD 12-4-62	BUREAU OF ENGINEERING	SURVEY
CHECKED MWR 12-5-62		DATUM
REVISED SVF 7-20-78	 72-762 CHIEF ENGINEER	
OWNERSHIP REV. REQ.	SHEET	FILE
61-6	19	F.068.00.0i

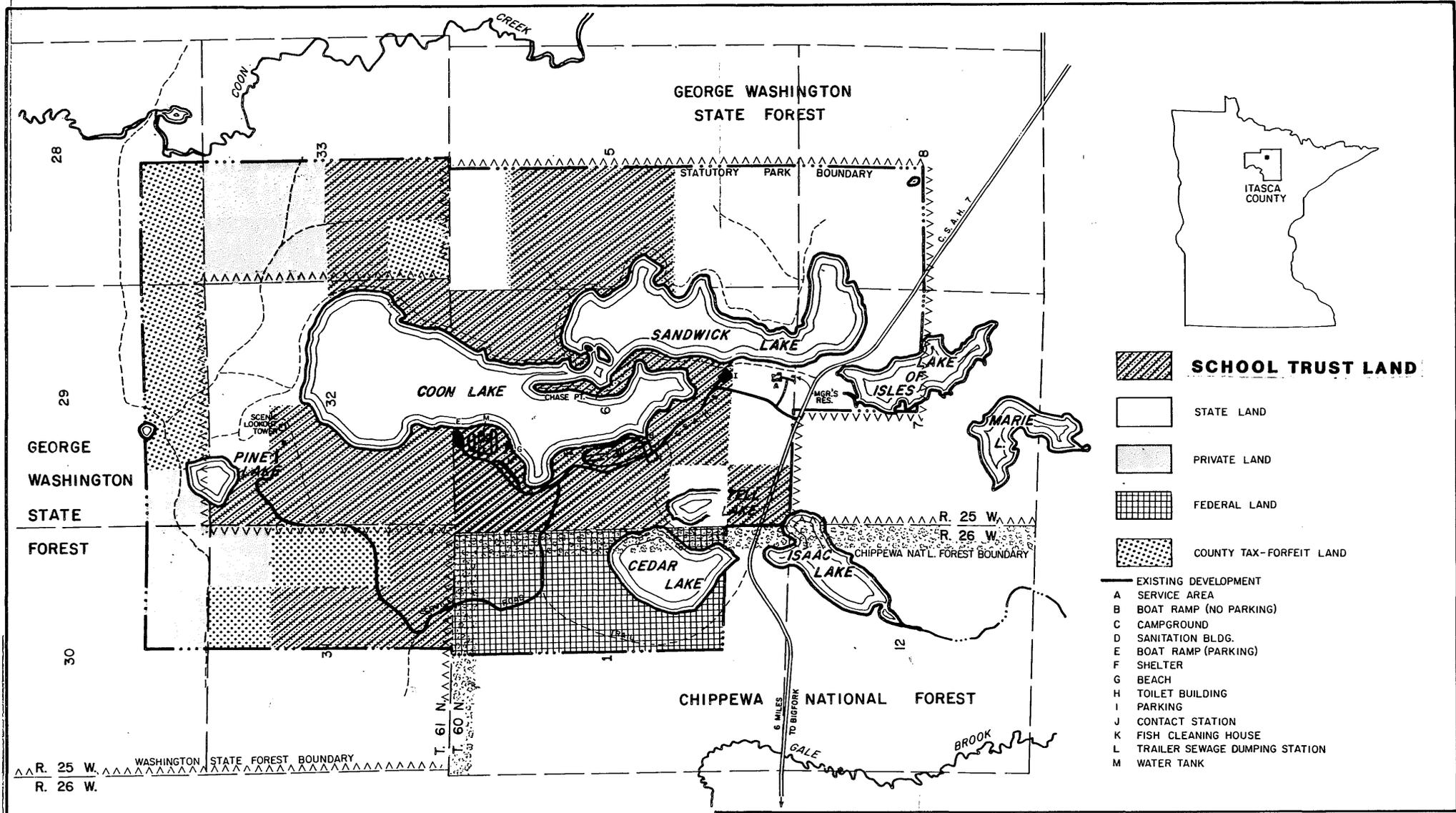
43

STATE SCHOOL TRUST LAND IMPACTED BY STATE PARKS AND RECREATIONAL FACILITIES, AND WAYSIDES - FACILITY BREAKDOWN
 REGION II SCENIC STATE PARK

FACILITY	DNR	FRST								LAND						LAKE ID
	RGN	AREA	CO	TWP	RNG	SEC	FORTY	LOT (QR-QR)	ACRES	TYPE	ACQ	SUR	MIN	WO		
SCENIC ST PK	II	22	31	60	25	05	21	11 (NENW)	35.75	3	U	Y	Y	M	310524	
SCENIC ST PK	II	22	31	60	25	05	24	12 (SENW)	45.50	3	U	Y	Y	M	310524	
SCENIC ST PK	II	22	31	60	25	05	63	05 (SESE)	47.25	3	U	Y	Y	M	310524	
SCENIC ST PK	II	22	31	60	25	05	64	06 (SESE)	40.00	3	U	Y	Y	0		
SCENIC ST PK	II	22	31	60	25	06	12	07 (NWNW)	33.75	2	U	Y	Y	M	310524	
SCENIC ST PK	II	22	31	60	25	06	14	09 (SENE)	7.50	2	U	Y	Y	M	310524	
SCENIC ST PK	II	22	31	60	25	06	21	06 (NENW)	23.75	2	U	Y	Y	M	310524	
SCENIC ST PK	II	22	31	60	25	06	22	05 (NWNW)	29.75	3	U	Y	Y	M	310688	
SCENIC ST PK	II	22	31	60	25	06	23	12 (SWNW)	34.25	3	U	Y	Y	M	310524	
SCENIC ST PK	II	22	31	60	25	06	24	11 (SENW)	31.00	2	U	Y	Y	M	310524	
SCENIC ST PK	II	22	31	60	25	06	31	14 (NESW)	39.25	2	U	Y	Y	M	310524	
SCENIC ST PK	II	22	31	60	25	06	33	15 (SWSW)	34.00	2	U	Y	Y	M	310689	
SCENIC ST PK	II	22	31	60	25	06	42	10 (NWSE)	27.25	2	U	Y	Y	M	310524	
SCENIC ST PK	II	22	31	60	25	06	51	01 (SESE)	17.25	3	U	Y	Y	M	310524	
SCENIC ST PK	II	22	31	60	25	06	54	08 (SESE)	34.25	3	U	Y	Y	M	310524	
SCENIC ST PK	II	22	31	60	25	06	61	02 (SESE)	26.25	3	U	Y	Y	M	310524	
SCENIC ST PK	II	22	31	60	25	06	62	03 (SESE)	36.36	3	U	Y	Y	0		
SCENIC ST PK	II	22	31	60	25	06	63	04 (SESE)	31.00	3	U	Y	Y	M	310524	
SCENIC ST PK	II	22	31	61	25	31	13	00 (SWNE)	40.00	3	U	Y	Y	0		
SCENIC ST PK	II	22	31	61	25	31	42	00 (NWSE)	40.00	2	U	Y	Y	0		
SCENIC ST PK	II	22	31	61	25	31	43	00 (SWSE)	40.00	2	U	Y	Y	0		
SCENIC ST PK	II	22	31	61	25	31	44	00 (SESE)	40.00	3	U	Y	Y	0		
SCENIC ST PK	II	22	31	61	25	32	22	00 (NWNW)	40.00	2	U	Y	Y	0		
SCENIC ST PK	II	22	31	61	25	32	23	00 (SWNW)	40.00	2	U	Y	Y	0		
SCENIC ST PK	II	22	31	61	25	32	24	03 (SENW)	35.50	3	U	Y	Y	M	310524	
SCENIC ST PK	II	22	31	61	25	32	32	04 (NWSW)	47.50	3	U	Y	Y	M		
SCENIC ST PK	II	22	31	61	25	32	33	00 (SWSW)	40.00	3	U	Y	Y	0		
SCENIC ST PK	II	22	31	61	25	32	34	07 (SESW)	15.50	3	U	Y	Y	M	310524	
SCENIC ST PK	II	22	31	61	25	32	41	05 (NESE)	13.50	3	U	Y	Y	M	310524	
SCENIC ST PK	II	22	31	61	25	32	44	06 (SESE)	29.50	3	U	Y	Y	M	310524	
SCENIC ST PK	II	22	31	61	25	33	31	00 (NESW)	40.00	3	U	Y	Y	0		
SCENIC ST PK	II	22	31	61	25	33	32	00 (NWSW)	40.00	3	U	Y	Y	0		
SCENIC ST PK	II	22	31	61	25	33	34	00 (SESW)	40.00	3	U	Y	Y	0		

SCENIC ST PK
 TOTAL IMPACTED ACRES

=====
 1,115.61

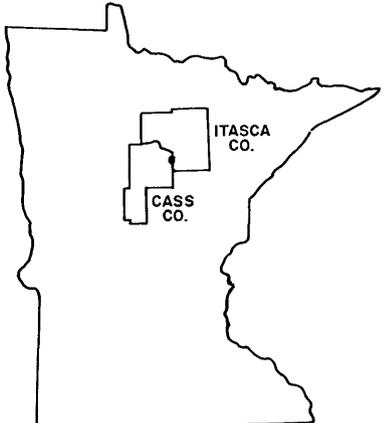
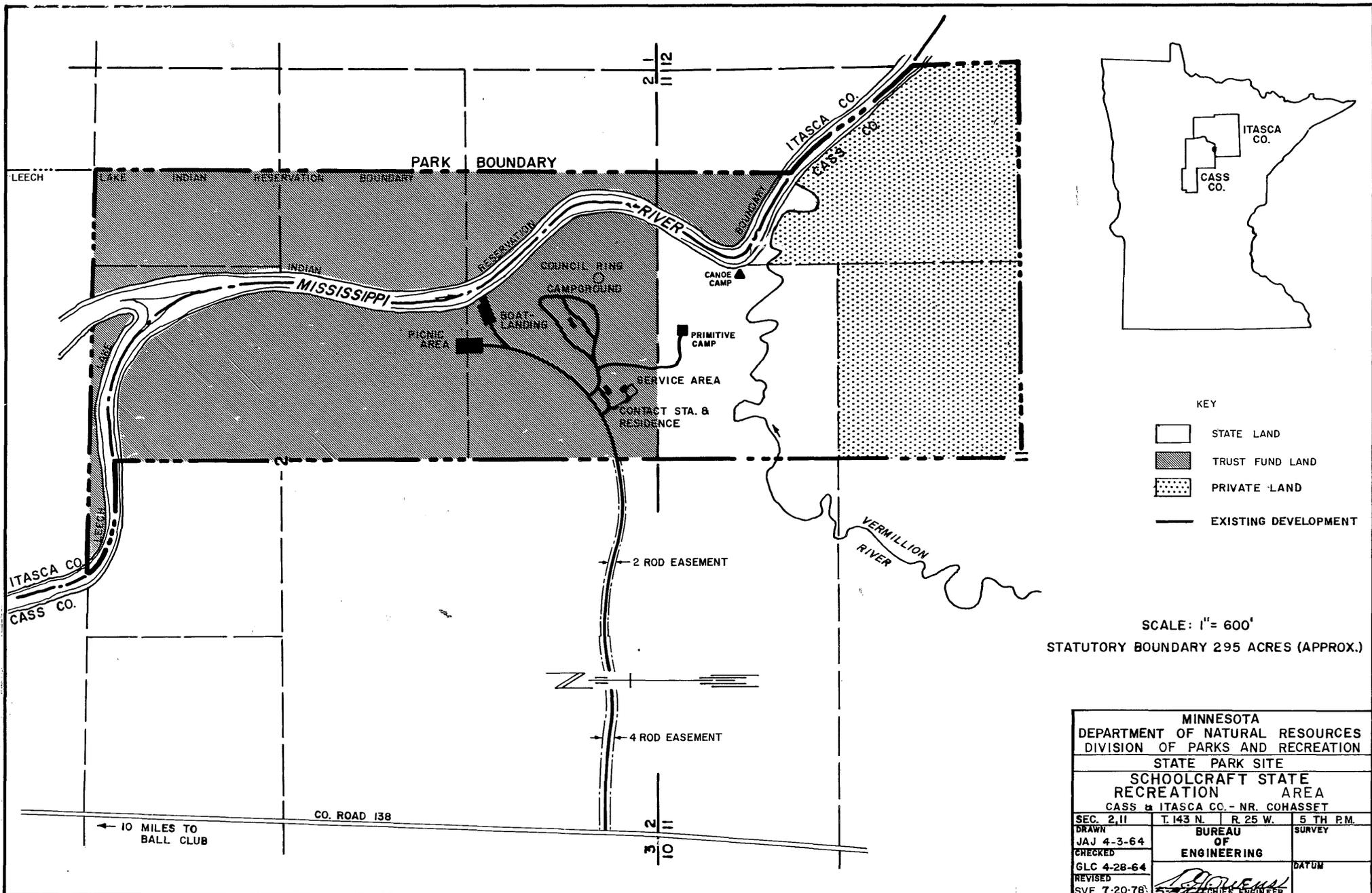


SCALE: 1" = 2000'
 STATUTORY BOUNDARY: 2922 ACRES



MINNESOTA DEPARTMENT OF NATURAL RESOURCES

BUREAU OF ENGINEERING		DIVISION OF PARKS AND RECREATION			
Designed	Drawn 5-14-80 C. A. BOULA	STATE PARK SITE MAP			
Survey	Checked 5-16-80 L. D. SWENSON	SCENIC STATE PARK ITASCA CO. - NEAR BIG FORK			
Ownership Revised	Revised				
<i>Ruel C. Englebry</i> Date 4-9-80 Acting Administrator		Sec. VARIOUS	T. 60,61 N.	R. 25, 26 W.	 File P042.00.01
		Dept. Code 325845	Req. 80-1-1	Sheet 11	



- KEY
- STATE LAND
 - TRUST FUND LAND
 - PRIVATE LAND
 - EXISTING DEVELOPMENT

SCALE: 1" = 600'
 STATUTORY BOUNDARY 295 ACRES (APPROX.)

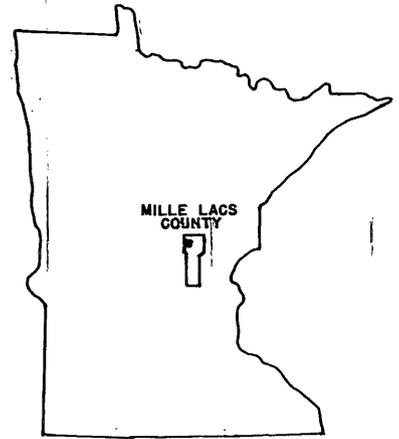
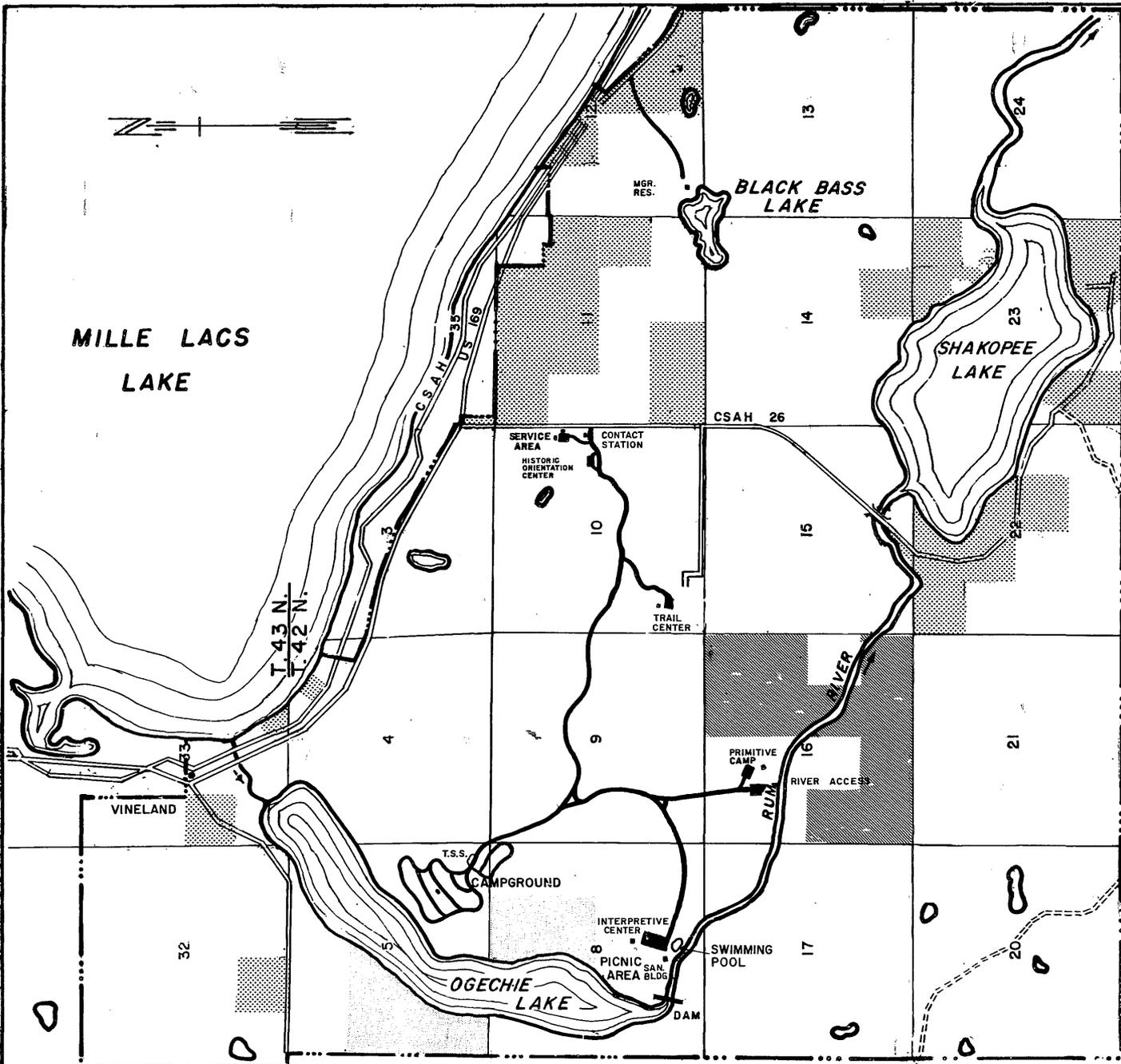
MINNESOTA DEPARTMENT OF NATURAL RESOURCES DIVISION OF PARKS AND RECREATION STATE PARK SITE SCHOOLCRAFT STATE RECREATION AREA CASS & ITASCA CO. - NR. COHASSET			
SEC. 2, 11	T. 143 N.	R. 25 W.	5 TH. P.M.
DRAWN JAJ 4-3-64	BUREAU OF ENGINEERING		SURVEY
CHECKED GLC 4-28-64			DAYUM
REVISED SVF 7-20-78	<i>[Signature]</i> CHIEF ENGINEER		

OWN REVISED RES 7-2-74	REQ. 64-175	SHEET 4	FILE P.067.00.01
---------------------------	-------------	---------	------------------

47

STATE SCHOOL TRUST LAND IMPACTED BY STATE PARKS AND RECREATIONAL FACILITIES, AND WAYSIDES - FACILITY BREAKDOWN
 REGION III MILLE LACS KATHIO STATE PARK

FACILITY	DNR	FRST								LAND					
	RGN	AREA	CO	TWP	RNG	SEC	FORTY	LOT (QR-QR)	ACRES	TYPE	ACQ	SUR	MIN	WO	LAKE ID
MILLE LACS KATHIO ST PK	III	35	48	42	27	16	11	00 (NENE)	40.00	1	U	Y	Y	0	
MILLE LACS KATHIO ST PK	III	35	48	42	27	16	12	00 (NWNE)	40.00	1	U	Y	Y	0	
MILLE LACS KATHIO ST PK	III	35	48	42	27	16	13	00 (SWNE)	40.00	1	U	Y	Y	2	
MILLE LACS KATHIO ST PK	III	35	48	42	27	16	14	00 (SENE)	40.00	1	U	Y	Y	0	
MILLE LACS KATHIO ST PK	III	35	48	42	27	16	32	00 (NWSW)	40.00	1	U	Y	Y	0	
MILLE LACS KATHIO ST PK	III	35	48	42	27	16	33	00 (SWSW)	40.00	1	U	Y	Y	0	
MILLE LACS KATHIO ST PK	III	35	48	42	27	16	34	00 (SESW)	40.00	1	U	Y	Y	0	
MILLE LACS KATHIO ST PK	III	35	48	42	27	16	42	00 (NWSE)	40.00	1	U	Y	Y	2	
MILLE LACS KATHIO ST PK	III	35	48	42	27	16	43	00 (SWSE)	40.00	1	U	Y	Y	0	
MILLE LACS KATHIO ST PK	III	35	48	42	27	16	44	00 (SESE)	40.00	1	U	Y	Y	2	
MILLE LACS KATHIO ST PK									=====						
TOTAL IMPACTED ACRES									400.00						



- KEY
- STATE LAND
 - PRIVATE LAND
 - TRUST FUND
 - INDIAN LAND
 - EXISTING DEVELOPMENT

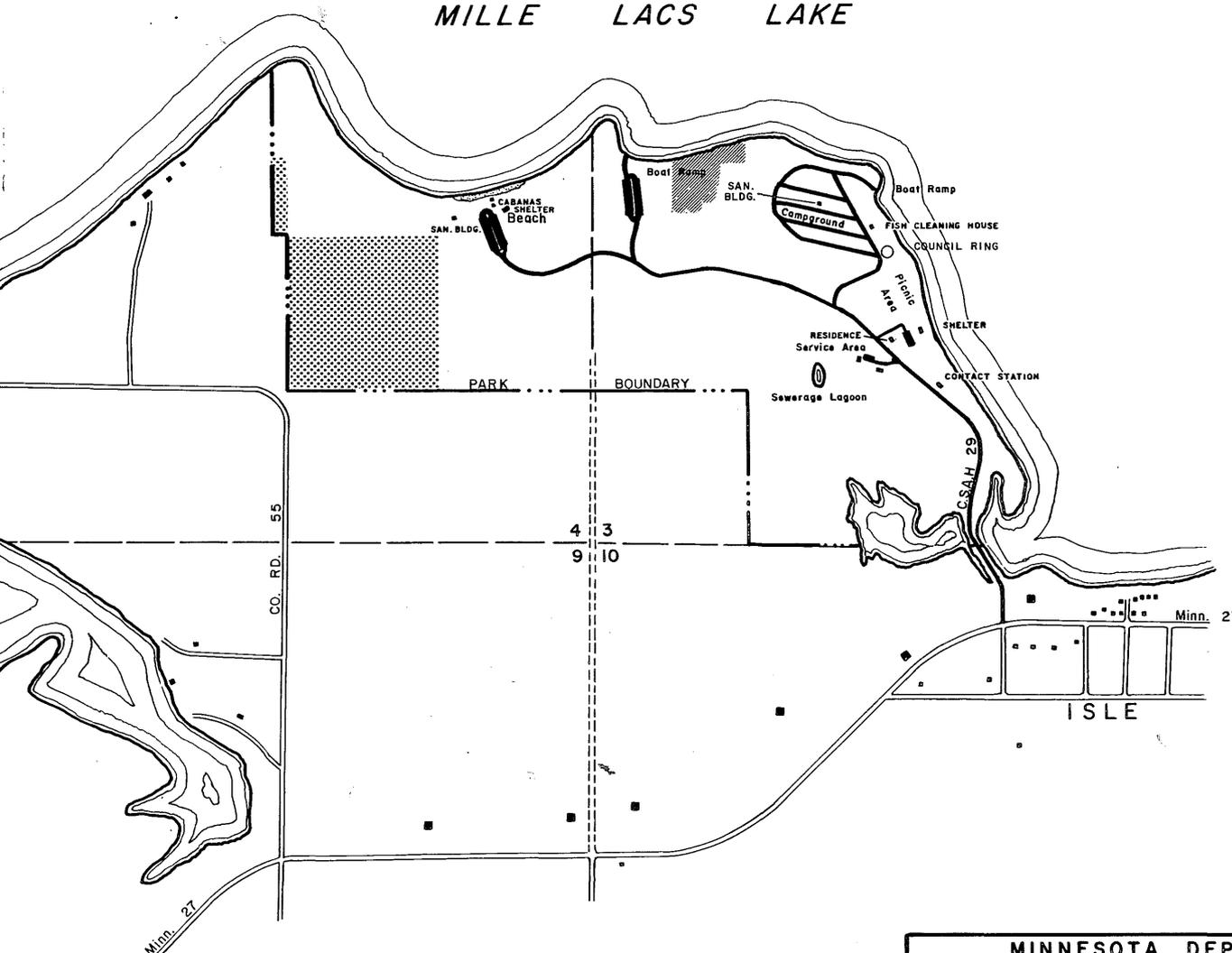
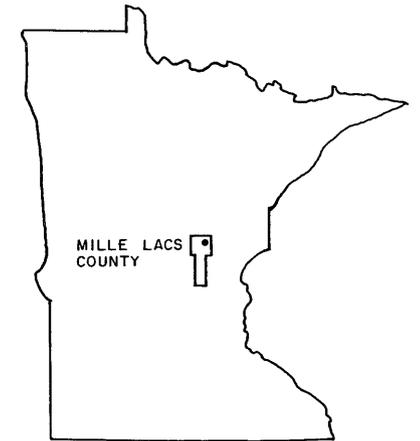
SCALE 2" = 1 MILE
 STATUTORY BOUNDARY 10824 ACRES

MINNESOTA DEPARTMENT OF NATURAL RESOURCES DIVISION OF PARKS AND RECREATION STATE PARK SITE			
MILLES LACS KATHIO STATE PARK MILLES LACS CO. - NEAR ONAMIA			
SEC.	T. 42, 43 N.	R. 27 W.	4 TH P.M.
DRAWN DAD 11-8-62	BUREAU OF ENGINEERING		SURVEY
CHECKED HJN 11-9-62			DATUM
REVISED LRP 5-13-80	 T. J. BROWN CHIEF ENGINEER		

STATE SCHOOL TRUST LAND IMPACTED BY STATE PARKS AND RECREATIONAL FACILITIES, AND WAYSIDES - FACILITY BREAKDOWN
 REGION III FATHER HENNEPIN STATE PARK

FACILITY:	DNR	FRST	CO	TWP	RNG	SEC	FORTY	LOT (QR-QR)	ACRES	LAND					
	RGN	AREA								TYPE	ACQ	SUR	MIN	WO	LAKE ID
FATHER HENNEPIN ST PK	III	35	48	42	25	03	23	01 (SWNW)	6.50	1	E	Y	U	M	480002
FATHER HENNEPIN ST PK									=====						
TOTAL IMPACTED ACRES									6.50						

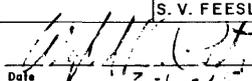
MILLE LACS LAKE



KEY

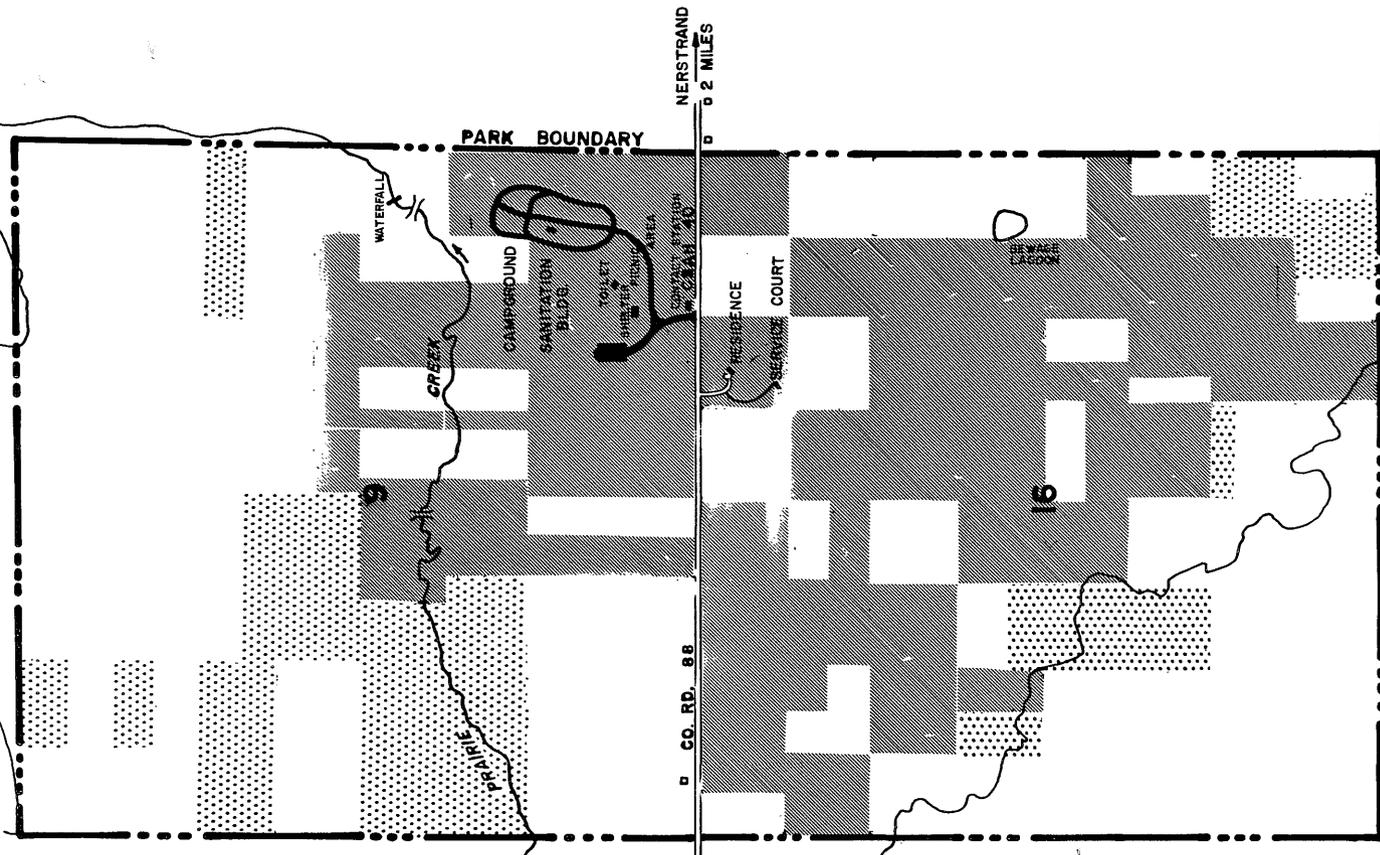
-  TRUST FUND LAND
-  STATE LAND
-  PRIVATE LAND
-  EXISTING DEVELOPMENT

SCALE: 1" = 1000'
 STATUTORY BOUNDARY 316 ACRES

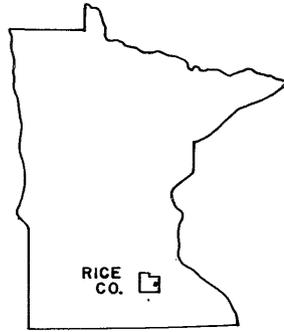
MINNESOTA DEPARTMENT OF NATURAL RESOURCES							
BUREAU OF ENGINEERING				DIVISION OF PARKS AND RECREATION			
Designed		Drawn 11-26-74 L.D. SWENSON		STATE PARK SITE			
Survey		Checked 11-27-74 R.E. SMITH		FATHER HENNEPIN STATE PARK			
		Revised 7-20-78 S.V. FEESL		MILLE LACS COUNTY - NEAR ISLE			
		 Acting Administrator		Sec. 3,4,9&10	T. 42	N. R. 25	W.
Date	12-1-74	Dept. Code	326298	Req.	75-22	Sheet	8
							 File P.013.00.01

STATE SCHOOL TRUST LAND IMPACTED BY STATE PARKS AND RECREATIONAL FACILITIES, AND WAYSIDES - FACILITY BREAKDOWN
 REGION V NERSTRAND WOODS STATE PARK

FACILITY	DNR RGN	FRST AREA	CO	TWP	RNG	SEC	FORTY	LOT (QR-QR)	LAND						
									ACRES	TYPE	ACQ	SUR	MIN	WO	LAKE ID
NERSTRAND WOODS	ST PK	V	54	66	110	19	09	13 00 (SWNE)	10.00	3	E	Y	U	0	
NERSTRAND WOODS	ST PK	V	54	66	110	19	09	14 00 (SENE)	5.00	3	E	Y	U	0	
NERSTRAND WOODS	ST PK	V	54	66	110	19	09	31 00 (NESW)	23.00	3	E	Y	U	0	
NERSTRAND WOODS	ST PK	V	54	66	110	19	09	34 00 (SESW)	10.00	3	E	Y	U	0	
NERSTRAND WOODS	ST PK	V	54	66	110	19	09	41 00 (NESE)	20.00	3	E	Y	U	0	
NERSTRAND WOODS	ST PK	V	54	66	110	19	09	42 00 (NWSE)	19.00	3	E	Y	U	0	
NERSTRAND WOODS	ST PK	V	54	66	110	19	09	43 00 (SWSE)	40.00	3	E	Y	U	0	
NERSTRAND WOODS	ST PK	V	54	66	110	19	09	44 00 (SESE)	40.00	3	E	Y	U	0	
NERSTRAND WOODS	ST PK	V	54	66	110	19	16	11 00 (NENE)	19.75	1	E	Y	U	0	
NERSTRAND WOODS	ST PK	V	54	66	110	19	16	12 00 (NWNE)	19.78	1	E	Y	U	0	
NERSTRAND WOODS	ST PK	V	54	66	110	19	16	13 00 (SWNE)	37.26	3	E	Y	U	0	
NERSTRAND WOODS	ST PK	V	54	66	110	19	16	13 00 (SWNE)	2.48	3	E	Y	U	0	
NERSTRAND WOODS	ST PK	V	54	66	110	19	16	14 00 (SENE)	19.90	1	E	Y	U	0	
NERSTRAND WOODS	ST PK	V	54	66	110	19	16	21 00 (NENW)	34.81	1	E	Y	U	0	
NERSTRAND WOODS	ST PK	V	54	66	110	19	16	22 00 (NWNW)	27.45	1	E	Y	U	0	
NERSTRAND WOODS	ST PK	V	54	66	110	19	16	23 00 (SWNW)	14.92	1	E	Y	U	2	
NERSTRAND WOODS	ST PK	V	54	66	110	19	16	24 00 (SENW)	19.87	1	E	Y	U	2	
NERSTRAND WOODS	ST PK	V	54	66	110	19	16	31 00 (NESW)	10.01	1	E	Y	U	2	
NERSTRAND WOODS	ST PK	V	54	66	110	19	16	41 00 (NESE)	9.50	3	E	Y	U	0	
NERSTRAND WOODS	ST PK	V	54	66	110	19	16	41 00 (NESE)	21.09	3	E	Y	U	0	
NERSTRAND WOODS	ST PK	V	54	66	110	19	16	42 00 (NWSE)	26.97	1	E	Y	U	2	
NERSTRAND WOODS	ST PK	V	54	66	110	19	16	43 00 (SWSE)	19.98	1	E	Y	U	2	
NERSTRAND WOODS	ST PK	V	54	66	110	19	16	44 00 (SESE)	10.02	1	E	Y	U	0	
NERSTRAND WOODS ST PK									=====						
TOTAL IMPACTED ACRES									460.79						



- KEY
-  STATE LAND
 -  TRUST FUND LAND
 -  PRIVATE LAND
 -  EXISTING DEVELOPMENT



SCALE: 1" = 1000'
 STATUTORY BOUNDARY 1280 ACRES (APPROX.)

MINNESOTA DEPARTMENT OF NATURAL RESOURCES DIVISION OF PARKS AND RECREATION STATE PARK SITE			
NERSTRAND WOODS STATE PARK RICE CO - NR. NERSTRAND			
SEC. 9,16	T 110 N	R 19 W	5 TH. P.M.
DRAWN JAJ 3-30-64	BUREAU OF ENGINEERING		SURVEY
CHECKED GLC 4-7-64			DATUM
REVISED SVF 7-20-78	<i>[Signature]</i> CHIEF ENGINEER		

OWNERSHIP REV. REQ.	REQ.	SHEET	FILE
LDS 2-20-80	60-35	14	P.035.00.01

Appendix B

Attorney General's Correspondence

Mike H.

DEPARTMENT ATTORNEY GENERAL
NATURAL RESOURCES

STATE OF MINNESOTA

Office Memorandum

DATE : FEBRUARY 23, 1989

TO : STEVE THORNE, DEPUTY COMMISSIONER
THROUGH: JAMES S. SCHOESSLER *JMS*
ASSISTANT ATTORNEY GENERAL

FROM : CARL M. CONNEY *CMC*
SPECIAL ASSISTANT
ATTORNEY GENERAL

PHONE : 296-0692

SUBJECT : LEGISLATIVE CHANGE
LAND EXCHANGE STATUTES



You have asked whether a legislative change is needed in order for school trust land bordering on public waters within a state park to be exchanged for non-riparian state land outside the park. Based on my reading of the land exchange statutes, and considering that no riparian lands will leave state ownership in such exchange, I conclude that no change in the statutes is necessary in order for such exchange to take place. You may initiate such exchanges under current law.

CMC:cjn
cc: Eugene Gere



STATE OF
MINNESOTA
DEPARTMENT OF NATURAL RESOURCES

500 LAFAYETTE ROAD • ST. PAUL, MINNESOTA • 55155-40 50

DNR INFORMATION
(612) 296-6157

OFFICE MEMORANDUM

DATE December 14, 1988
TO Jim Schoessler, Assistant Attorney General
FROM Steve Thorne, Deputy Commissioner
PHONE 296-2540
SUBJECT Exchange of Trust Fund Lands

The Land Exchange section of the Bureau of Real Estate Management is currently working on an LCMR funded project involving the use of land exchange to remove school trust lands from state parks.

The intent of this is to exchange these trust lands with other DNR administered lands in an effort to transfer the trust status to land better able to generate income for the school trust.

The exchange staff are prepared to move ahead with the selection of lands suitable for exchange with the school trust lands. However, there is some question regarding which types of DNR administered lands would be capable of accepting the trust status.

The DNR administers many different types of land including Consolidated Conservation, County Board Resolution, Volstad land and lands acquired by purchase. Would you please provide us with an Attorney General's opinion regarding which DNR administered lands would be capable of receiving the school trust status through land exchange. If possible, we would like a response to this request by January 13, 1989.

M26/MM/LNDLIB/DL

DEPARTMENT : ATTORNEY GENERAL
NATURAL RESOURCES

DATE : FEBRUARY 3, 1989

TO : STEVE THORNE, DEPUTY COMMISSIONER
THROUGH: C. PAUL FARACI, DEPUTY ATT
AND JAMES S. SCHOESSLER, ASSISTANT AS

FROM : CARL M. CONNEY *CMC*
SPECIAL ASSISTANT
ATTORNEY GENERAL

PHONE : 296-0692

SUBJECT : EXCHANGE OF TRUST FUND LAND IN STATE

In your recent memorandum to this office, you inquired as to what types of state lands administered by the Commissioner could be exchanged for school trust lands located within the boundaries of state parks.

I. EXCHANGEABLE LANDS - IN GENERAL

The Commissioner may exchange any Class A lands with "any publicly held or privately owned lands" under Minn. Stat. § 94.343, subd. 1. In general, the same type of Class A lands that are exchangeable with private parties and other government units are exchangeable for school trust lands. The types of Class A land that are exchangeable are discussed in some detail in the document entitled "Commissioner's Procedural Guidelines for Land Exchanges." They are discussed again here to focus on your concerns relating to exchanges of trust lands out of state parks.

Class A land is defined by Minn. Stat. § 94.342, subd. 1, which states:

All land owned by the state and controlled or administered by the Commissioner or by any division or agency of the department of natural resources shall be known as Class A land for the purposes of sections 94.341 to 94.347. Class A land shall include school, swamp, internal improvement, and other land granted to the state by acts of congress, state forest land, tax-forfeited land held by the state free from any trust in favor of taxing districts, and other land acquired by the state in any manner and controlled or administered as aforesaid; but this enumeration shall not be deemed exclusive.

The Commissioner, under this definition of Class A land, may exchange all lands owned by the state and controlled or administered by the Commissioner, unless there is some other restriction. This is a broad definition.

The exchange of Class A lands for school trust land is subject to the statutory procedures, restrictions and requirements of the land exchange statute found in Minn. Stat. §§ 94.341-94.348. One such exchange requirement to note is the reuniting of surface and mineral interests whenever possible, and consideration of the Land Exchange Board of the impact of mineral severance in any land exchange; Minn. Stat. § 94.342, subd. 6. The former statutory prohibition against exchanging state land within state parks was changed in 1988 to permit the exchange of school trust land within state parks for Class A and C land located outside state parks. Minn. Stat. § 94.342, subd. 4. As in any other land exchange, the statutory land exchange procedures, restrictions and requirements must be complied with unless there is a specific exception provided for in the statutes.

II. EXCHANGEABLE LANDS - SPECIFIC TYPES

In your memorandum, you questioned whether several specific types of state owned land are available for exchange for school trust lands. My comments on these types of state lands are as follows:

A Consolidated Conservation Area Land.

Consolidated Conservation area lands are those tax-forfeited state lands included in the areas described in Minn. Stat. ch. 84A, which are held by the state free from the trust in favor of the taxing districts, and are administered by the Commissioner. Class A lands by definition, Minn. Stat. § 94.342, subd. 1, include "tax-forfeited land held by the state free from any trust in favor of taxing districts." As Class A lands, conservation lands are exchangeable for private or public land, including school trust land.

Care must be used in exchanging conservation lands in order to comply with Minn. Stat. § 94.343, subd. 2. Among the requirements of this section is the requirement that the exchange of state land within conservation areas shall be made to consolidate or fill out the state's holdings of land within those areas, and not materially to reduce them. An exception to this requirement is found in Minn. Stat. § 84.157, which authorizes the exchanges of conservation land within certain named areas for land within or without the conservation area, even though the exchange may reduce the land holdings of the state within the area.

If there is an exchange of school trust lands within state parks for state land outside the parks, consolidated conservation area land will then be

located within state parks. Although there appear no statutory restrictions on placing consolidated conservation area land within state parks, it may create a practical administration problem for the Commissioner. The problem involves loss of income to the counties from conservation land. The state is required to pay one-half of the income received from consolidated conservation area land to the county containing the conservation area land under Minn. Stat. § 84A.51, subd. 3. Because of this income requirement, counties may either object to placing conservation land within state parks since the land will not produce any income from normal commercial sources, or they may demand a portion of the parks income since the conservation land composes part of the parks land bases which generates income from park visitors. In addition, in lieu of tax payments to a county may be less than the payments the county would receive under Minn. Stat. § 84A.51. Finally, the above problems are compounded if the state park is in one county and the consolidated conservation area land is in another county.

B. County Board Resolution Land

1. "Subdivision 2" Lands

County board resolution lands are tax-forfeited state lands that the county board by resolution classifies as conservation land and frees from the trust in favor of the taxing districts, and that the Commissioner accepts by certificate for management and development purposes under Minn. Stat. § 282.01, subd. 2. Title to these lands is held by the state free from any trust in favor of the taxing districts. Such lands are within the definition of Class A lands and are therefore eligible for exchange for any private or publicly owned lands, including school trust lands. They may be used for park purposes under the terms of section 282.01, subd. 2.

2. "Subdivision 1" Lands

A different situation exists for lands acquired by the Commissioner for the purpose of wildlife habitat, public access and trails under subdivision 1 of section 282.01. Care must be used in distinguishing between tax-forfeited lands acquired by the Commissioner under subdivisions 1 and 2 of Minn. Stat. § 282.01. Under subdivision 1, tax-forfeited land may be conveyed by the Commissioner of Revenue by deed to the Commissioner of Natural Resources free from the trust in favor of the taxing districts. When this

conveyance is without consideration, the deed contains restrictions as to the type of public use and a provision for reversion in case the public use is discontinued. Both the county board and Commissioner of Revenue must approve of any change or discontinuance of the public use described in the deed. Unlike the tax-forfeited land acquired by the Commissioner pursuant to county board resolution under subdivision 2, the tax-forfeited land acquired under subdivision 1 is not likely to be exchangeable, due to the above described deed restrictions, unless the restrictive covenant and reverter are removed. An additional factor to be considered in exchanging either subdivision 1 or subdivision 2 lands is the possible requirement of payment of a portion of the income from these lands to the counties in which they are located.

C. Volstead Act Lands

By the Volstead Act of May 20, 1908, (35 Stat. 169) Congress authorized the establishment of liens on unperfected homesteads and other federal lands for drainage projects created in certain drainage districts. When the drainage districts and affected counties failed to pay the indebtedness, the state assumed the indebtedness and succeeded to ditch liens on the lands. On those lands where the state has acquired a patent from the federal government pursuant to the Act of Congress dated May 1, 1958, Public Law 85-387, (72 Stat. 99) and Minn. Laws 1961, Chapter 472, as amended by Laws 1963, Chapter 390, and the lands are administered or controlled by the Commissioner, the lands qualify as Class A. As Class A lands, they are exchangeable for private and public lands, including school trust lands.

However, Minn. Laws 1961, Chapter 472, Section 3, provides that "[a]ll income derived from the sale, leasing, or other use of this [Volstead] land or its products shall be credited to the [state forest] fund provided in Minnesota Statutes 1957, Section 89.035." Additionally, Minn. Laws 1963, Chapter 390, Section 1 (amending Laws 1961, Chapter 472) specifically requires that fifty percent of the Volstead land income so deposited in the state forest fund be appropriated to the county in which the land is located. Therefore the insertion of Volstead lands into state parks will create the same practical problems described above under "1. Consolidation Conservation Area Lands."

D. Acquired Lands

The Commissioner administers state lands acquired by purchase, gift and condemnation. In general, such

lands qualify as Class A lands, and therefore may be exchanged for school trust lands. By definition, Class A lands include, "lands acquired by the state in any manner and controlled or administered by the Commissioner." Minn. Stat. § 94.342, subd. 1. Various factors, however, may affect the ability of the state to exchange easily certain acquired lands.

1. "Forest Purpose" Lands

Minn. Stat. § 89.035 provides:

"All income which may be received from lands acquired by the state heretofore or hereafter for state forest purposes by gift, purchase or eminent domain and tax-forfeited lands to which the county has relinquished its equity to the state for state forest purposes shall be paid into the state treasury and credited to a fund designated as the state forest fund except where the conveyance to and acceptance by the state of lands for state forest purposes provides for other disposition of receipts."

Minn. Stat. § 89.036 requires that fifty percent of the gross receipts in the state forest fund be paid annually to the county in which the lands are located. Therefore the insertion of acquired state forest lands into state parks will create the same practical problems described above under "II.A. Consolidated Conservation Area Land."

2. Restrictive Covenant Problems

The deed conveying the land to the state may contain limitations or restrictions on the use of the land. These are common in donations of land to the state. For example, a deed from George Crosby to the state required that the land be used only for the creation of a state park. Such restrictive covenants may prevent the land from being exchanged. A case by case examination of the restrictive covenants should be done before proposing any such land for exchange. Since such restrictions are derived from the deed and not the statutes, it may be possible in some cases to remove the restrictive covenants with the consent of the grantor or the heirs.

3. Restrictions Imposed By Federal Grants

In some state acquisitions the federal government provide all or part of the funds used in the purchase of the land or for improvements on state land. Federal

grants usually carry with them certain restrictions regarding the use and disposal of such land. Examples of federal laws containing restrictions are LAWCON, PITTMAN-ROBERTSON, and DINGELL-JOHNSON laws. The restrictions are derived from the grant agreement, rather than by state statute or restrictions in the deed. Generally, state lands acquired or improved with federal funds can be disposed of or exchanged only with the approval of the federal government. Such approval normally requires mitigation or replacement.

4. Marketable Title Problems

Consideration of the condition of the title to the state land being offered in an exchange for school trust land is critical. The title to the state land the trust receives must be good and marketable, free from all liens and encumbrances as required by Minn. Stat. § 94.343, subd. 9. No matter what type of Class A land is proposed to be exchanged for school trust land, the state must have good and marketable title to the Class A land. If the title is unmarketable, the Commissioner must either correct the title defect or find alternative land to exchange.

III. TRUST FUND COMPATIBILITY

In all exchanges for school trust land, consideration must also be given to Minn. Stat. § 92.121. This section requires that the land to be received as school trust land outside the park must be compatible with the goal of the permanent school fund. The goal of the permanent school fund found in Minn. Stat. § 120.85 is:

"to secure the maximum long-term economic return from the school trust lands consistent with the fiduciary responsibilities imposed by the trust relationship established in the Minnesota Constitution with sound natural resource conservation and management principles, and with other specific policy provided in state law."

Such compatibility must be demonstratable to the Permanent School Fund Advisory Committee, as the temporary trustee pursuant to Minn. Stat. § 94.342, subd. 5.

IV. CONCLUSION

In conclusion, should it be so decided, state land which qualifies as Class A land may be exchanged for private or public lands, including school trust lands. All statutory procedures and requirements must be followed. Restrictive covenants, federal grant restrictions, department policies and marketable title must also be

considered in any exchange for school trust lands.
Finally, the state land must be compatible with the goal of
the permanent school fund.

Should you have additional questions or comments please
contact me.

NOTE: THIS IS NOT A FORMAL OPINION OF THE ATTORNEY GENERAL.

CMC:cjn

cc: Joseph Alexander, Commissioner

Appendix C

Issues by Park

Facility: GLACIAL LAKES ST PK	Trust Acres: 35.25	Acres Available
County: POPE (61)	Park Acres: 1,345.00	To Exchange:
DNR Region: I	Percent	
Forestry Area: PARK RAPIDS (16)	Park in Trust: 2.62%	POPE CO 0.00

ISSUES: No land available in Pope County for exchange
 Search in Hubbard and Becker Co. for Acquired land
 Mark Carlstrom - Park Rapids Assist Area Forest Supervisor
 PRIORITY 3

Facility: ITASCA ST PK	Trust Acres: 1,595.11	Acres Available
County: BECKER (3), CLEARWATER (15)	Park Acres: 30,533.00	To Exchange:
DNR Region: I	Percent	BECKER CO 29,060.17
Forestry Area: BEMIDJI (11)	Park in Trust: 5.22%	CLEARWATER CO 8,024.19

=====

ISSUES: In-lieu payments to County may be an issue for County
 Will probably have to select more acquired land than trust to equalize values.
 Good quality timber available in Becker county.
 Exchange with Clearwater county for land in park may be an issue in Trust exchange.
 Minerals may have some concerns over acquired land selections
 Forestry will get timber values from Phase II for appraiser.
 Forestry will proceed with rough selection of acquired land and will finalize after
 value for Trust land established.
 Forestry to get acquired list together one month after appraisal done.
 Don Hanson - Bemidji Assit Area Forest Supervisor
 PRIORITY 1 in Region I

Facility: LAKE BEMIDJI ST PK	Trust Acres: 286.55	Acres Available
County: BELTRAMI (4)	Park Acres: 1,598.00	To Exchange:
DNR Region: I	Percent	
Forestry Area: BEMIDJI (11)	Park in Trust: 17.93%	* BELTRAMI CO 492,020.15

ISSUES: Avoid gravel lands

Appraisal to be done at same time as Itasca St PK
 Forestry can make selection one month after appraisal done
 Forestry will get timber values from Phase II for appraiser
 Don Hanson - Bemidji Assist Area Forest Supervisor
 PRIORITY 2 in Region I

Facility: BEAR HEAD LAKE ST PK	Trust Acres: 1,083.17	Acres Available
County: ST. LOUIS (69)	Park Acres: 4,375.00	To Exchange:
DNR Region: II	Percent	
Forestry Area: ORR (24)	Park in Trust: 24.76%	ST LOUIS CO 23,972.78

ISSUES:

Minerals may have issue with acquired land
 No acquired land selections made, will be made after appraisal.

PRIORITY 6

Facility: CARIBOU FALLS WAYSIDE	Trust Acres: 40.00	Acres Available
County: LAKE (38)	Park Acres: 88.00	To Exchange:
DNR Region: II	Percent	
Forestry Area: DULUTH (25)	Park in Trust: 45.45%	LAKE CO 653.55

=====

ISSUES: Minerals may have issue with acquired land
 No acquired land selections made, will be made after appraisal
 In Temperence Park plan to be added to statutory park boundaries
 Parks may decide to do away with wayside excluding it from Park jurisdiction
 PRIORITY 10

Facility: CROSS RIVER WAYSIDE	Trust Acres: 600.00	Acres Available
County: COOK (25)	Park Acres: 2,560.00	To Exchange:
DNR Region: II	Percent	
Forestry Area: DULUTH (25)	Park in Trust: 23.44%	COOK CO 1,430.04

=====

ISSUES:

Minerals may have issue with acquired land
 No acquired land selections made, will be made after appraisal

Parks interested in exchanging Federal land out of park
 Minerals may have issue with acquired land selected
 PRIORITY 8

Facility: GOOSEBERRY FALLS ST PK	Trust Acres: 40.00	Acres Available
County: LAKE (38)	Park Acres: 1,662.00	To Exchange:
DNR Region: II	Percent	
Forestry Area: DULUTH (25)	Park in Trust: 2.41%	LAKE CO 653.55

=====

ISSUES: Ross Cass will do appraisal on parks land
 Acquired selection rejected by minerals, another selection to be made
 PRIORITY 3 in Region II

Facility: GEORGE CROSBY-MANITOU ST PK	Trust Acres: 280.00	Acres Available
County: LAKE (38)	Park Acres: ?	To Exchange:
DNR Region: II	Percent	
Forestry Area: DULUTH (25)	Park in Trust: ?	LAKE CO 653.55

ISSUES: Undefined boundaries

Lake county interested in land west of Hwy 7

Boundary and county issues may not be solved for 1 to 2 years

PRIORITY 9

Facility: HILL-ANNEX MINE ST PK	Trust Acres: 633.50	Acres Available
County: ITASCA (31)	Park Acres: 633.50	To Exchange:
DNR Region: II	Percent	
Forestry Area: HIBBING (23)	Park in Trust: 100.00%	ITASCA CO 19,402.78

ISSUES: Final determination of state park status will be made by 1991 legislature
(currently has 3 year provisional status)
PRIORITY 12

Facility: JAY COOK ST PK	Trust Acres: 80.00	Acres Available
County: CARLTON (9),	Park Acres: 11,266.00	To Exchange:
DNR Region: II	Percent	
Forestry Area: CLOQUET (21)	Park in Trust: 0.71%	CARLTON CO 45,444.01

ISSUES: Appraisal will be done by Ross Cass
 Acquired land selections made
 Approved by minerals
 PRIORITY 1 in Region II

Facility: JUDGE C R MAGNEY ST PK	Trust Acres: .800.00	Acres Available
County: COOK (16)	Park Acres: 11,266.00	To Exchange:
DNR Region: II	Percent	
Forestry Area: DULUTH (25)	Park in Trust: 7.10%	COOK CO 1,430.04

=====

ISSUES: Possible exchange for Fisheries acquired land
Exchange with Consolidated Paper Inc. may conflict with acquired land base
PRIORITY 7

Facility: MC CARTHY BEACH ST PK	Trust Acres: 130.20	Acres Available
County: ST. LOUIS (69)	Park Acres: 2,566.00	To Exchange:
DNR Region: II	Percent	
Forestry Area: HIBBING (23)	Park in Trust: 5.07%	ST LOUIS CO 23,972.78

=====

ISSUES: Appraisal will be done by Ross Cass
 Acquired land selections made
 Approved by minerals
 Shannon lake parcels have been excluded from the park through 1989 legislation
 PRIORITY 2 in Region II

Facility: SCENIC ST PK	Trust Acres: 1,115.61	Acres Available
County: ITASCA	Park Acres: 2,922.00	To Exchange:
DNR Region: II	Percent	
Forestry Area: DEER RIVER (22)	Park in Trust: 38.18%	ITASCA CO 19,402.78

=====

ISSUES: Acquired land selections approved by minerals
 Current lake shore considerably different than original GLO maps
 PRIORITY 4

Facility: SCHOOLCRAFT REC AREA	Trust Acres: 171.45	Acres Available
County: CASS (11), ITASCA (31)	Park Acres: 295.00	To Exchange:
DNR Region: II	Percent	CASS CO 37,247.62
Forestry Area: DEER RIVER (22)	Park in Trust: 58.12%	ITASCA CO 19,402.78

ISSUES: Acquired land selection approved by minerals
 No acquired land in Cass Co./ Deer River Area
 Will have to make acquired selections from Washburn Area Reg III
 PRIORITY 5

Facility: SAVANNA PORTAGE ST PK	Trust Acres: 3,049.50	Acres Available
County: AITKIN (1), ST. LOUIS (69)	Park Acres: 15,818.00	To Exchange:
DNR Region: II	Percent	* AITKIN CO 219,379.56
Forestry Area: HILL CITY (33)	Park in Trust: 19.28%	ST LOUIS CO 23,972.78

=====

ISSUES: Park plan will not be done for two years
 Acquired land in Aitkin county mostly Con-Con
 County may have problems with in-lieu payment changes
 Changing park boundaries to exclude portage area a possibility
 Parks will check on the feasibility of boundary changes
 Legislation will be necessary to effect exclusion
 Questions of Federal protection requirements need to be addressed regarding the portage/fs
 Hold appraisal assignment til boundary issue resolved
 PRIORITY 11

Facility: FATHER HENNEPIN STATE PARK	Trust Acres: 6.50	Acres Available
County: MILLE LACS (48)	Park Acres: 316.00	To Exchange:
DNR Region: III	Percent	
Forestry Area: CAMBRIDGE (35)	Park in Trust: 2.06%	MILLE LACS CO 12,710.15

=====

ISSUES: Most acquired land is 50/50 in Mille Lacs Co.
 Check in-lieu payment status for different types of land
 Mille Lacs may have concerns regarding in-lieu payment changes
 PRIORITY 1 in Region III

Facility: MILLE LACS KATHIO STATE PARK	Trust Acres: 400.00	Acres Available
County: MILLE LACS (48)	Park Acres: 10,747.00	To Exchange:
DNR Region: III	Percent	
Forestry Area: CAMBRIDGE (35)	Park in Trust: 3.72%	MILLE LACS CO 12,710.15

ISSUES: Possibility of deleting all land south and west of the Rum River
Parks will check on possible boundary changes
Will proceed with park trust appraisal
PRIORITY 2 in Region III

Facility: NERSTRAND WOODS STATE PARK	Trust Acres: 460.79	Acres Available
County: RICE (66)	Park Acres: 1,280.00	To Exchange:
DNR Region: V	Percent	
Forestry Area: MANKATO (54)	Park in Trust: 36.00%	RICE CO 0.00

=====

ISSUES: No acquired land in Rice County

Appendix D

Operational Order 89

DEPARTMENT OF NATURAL RESOURCES

OPERATIONAL ORDER NO. 89

DECEMBER, 1988

SUBJECT: GUIDELINES for LAND EXCHANGES
 and OTHER DUTIES RELATING TO THE
 LAND EXCHANGE TOGETHER WITH
 RELATED HISTORICAL INFORMATION

[Funded in part by appropriations recommended by the Legislative Commission on Minnesota Resources.]

TABLE OF CONTENTS

	Page
I. Purpose	3
II. Responsibilities	4
A. Initiation of an Exchange; Who May Propose	4
B. Delays; Conflict Resolution	4
III. Policies	4
A. General Policy Statement	4
B. Priorities for Land Exchange	4
C. Guidelines for Land Exchange	5
1. Early review; PERT-approved management plan	5
2. Overall time schedule	5
3. Management activities during an exchange	5
4. Exchanges over 640 acres; preliminary approval by the Board ..	5
5. Conflicts of interest	6
6. Lands in management units	6
7. School Trust land	6
8. Consolidated Conservation Area lands	7
9. Lands acquired by the Department by gift, purchase, or condemnation; limitations on use or disposal	7
10. Hardwood Memorial Forest	7
11. Isolated lands administered by the Department	8
12. Boundaries, political or departmental; crossing in an exchange	8
13. Undivided fractional interests	8
14. Minerals	8
a. Mineral and water power reservations by the state; notice to other party to the exchange	8
b. Mineral reservations	8
c. State land on Iron Ranges and known non-ferrous metallic mineral areas	9
d. Other areas of mineral potential	9
15. Peat	9
16. Sand and Gravel.....	10
17. Water and riparian land.....	10
18. Endangered, threatened, rare, or unique resources	10
19. Improvements	10
20. Special agreements relating to fencing, grading, etc.	10

	Page
21. Trespass	10
22. Easements	11
23. Ditch liens	11
IV. Procedures	11
A. Early Involvement	11
B. Processing of Land Exchanges	11
Step 1. Bureau of Real Estate Management as coordinator of exchange process; central recordkeeper.....	11
Step 2. Initial screening; notice of problem to landowner	12
Step 3. Notice of land exchange proposal to units of Department and to counties	12
Step 4. Regional personnel duties	12
Step 5. Evaluation by disciplines	12
Step 5a. Division Directors' duties	14
Step 5b. Field staff duties	14
Step 6. Resolution of differences by Regional Administrators; recommendations	14
Step 7. Coordinated recommendation to Commissioner; Commissioner's review; conflict resolution	14
Step 8. Commissioner's determination	15
Step 9. Appraisal initiation	15
Step 10. Land surveys	15
Step 11. Appraisals	15
Step 12. Title examination	16
Step 13. Public hearing	16
Step 14. Resolution of problems arising at public hearings	16
Step 15. Commissioner's recommendation to the Board; notice of Board meeting	16
Step 16. Land Exchange Board approval; deeds; land status	16
V. Appendices	17
Appendix A: Constitutional Authority for Land Exchange	17
Appendix B: Statutory Authority for Land Exchange	18
Appendix C: Other Duties Relating to the Land Exchange Board	19
Appendix D: Minnesota Statute 94.342 Classes of Land.....	20

I. PURPOSE

The purpose of this document is to provide guidance to personnel of the Department of Natural Resources in carrying out land exchange duties assigned to the Commissioner by statute and by directive of the Minnesota Land Exchange Board. If any question arises under this document, the Constitution and statutes are controlling.

Land exchange provides a mechanism by which state, federal, and private land-owners may rearrange, through exchange, certain ownership interests in real estate for purposes not prohibited or limited by Minnesota Constitution or statute. This transfer of real property interests requires the unanimous approval of the Board. Other duties relating to the Land Exchange Board, such as approval of certain federal land acquisitions, are discussed in Appendix C.

Land exchanges are initiated by the State, counties, the federal government, and by private parties for a variety of purposes, ranging from consolidation of lands in forests, to acquisition of lands needed for such diverse purposes as mining operations, protecting rare and endangered plants and wildlife, or public recreation. Each exchange is considered by the Board on an individual basis.

Land exchange was first authorized in 1929, pursuant to Chapter 246, Section 2, which required the approval of the State Executive Council. Because questions arose as to whether trust fund lands could constitutionally be exchanged pursuant to the 1929 statute, an amendment was proposed to the State Constitution and adopted in 1938. This amendment continues to serve as the fundamental authority for land exchange. It is presently found in Minnesota Constitution, Article XI, Section 10. In 1941, pursuant to Chapter 393, statutory procedures for land exchange were enacted into law. (Earlier unsatisfactory procedures enacted by Laws 1939, Chapter 382, were repealed in 1941.) The 1941 statutes continue to provide the basic framework for land exchange. They are presently coded in Minnesota Statutes, Sections 94.341 to 94.348. A Land Exchange Review Board, established by Laws 1967, Chapter 909, functioned as an advisory body to the Land Exchange Board until July 1, 1975.

The Department of Natural Resources has completed several studies relating to land exchange. Summary reports include: "The Land Exchange Study Report of 1969", a supplement, entitled "Land Use Classification, Northern Minnesota, Pilot Study Progress Report", June 1969, and "Land Exchange Study Conclusions and Recommendations", 1988 draft report, which summarized the work completed in a study funded by the Legislative Commission on Minnesota Resources. These studies examined problem areas such as: state-county relations; federal-state relations; land classification; and alleged obstacles to land exchange such as procedural bottlenecks, land title quality, forest industry opposition, and mineral values. The reports made suggestions and recommendations, many of which have since been adopted. The reports are useful to a further understanding of the land exchange process. Copies are on file in the Department of Natural Resources, and in the Legislative Reference Library.

II. RESPONSIBILITIES

- A. Initiation of an exchange; who may propose. Land exchanges may be proposed by any private party, or public agency, including the Department of Natural Resources. Within the Department of Natural Resources, Class A or C land exchanges may originate at any level within the Department, but shall be processed through appropriate administrative channels. The Department will insure that all disciplines participate at the earliest possible opportunity. All disciplines shall be given an opportunity to assist with the initial identification of parcels for exchange consideration. (Land exchange proposals relating to Class B land are submitted to the appropriate county board and are processed by the county, under the supervision of the Commissioner, as is discussed where appropriate, in this document. However, in the exchange of Class B for Class A or C land, the Department will process the exchange.)
- B. Delays; conflict resolution. No unit of the Department of Natural Resources shall unreasonably delay action on a proposed land exchange. The proposal shall be forwarded to the next step in the process with comments or specific recommendations. When disagreements arise within the Department that cannot be resolved at the Division Directors' level, the proposed exchange shall be referred to the Planning and Environmental Review Team of the Department (PERT). In addition, disagreements with county boards or county land classification committees that have not been resolved up to the Division Directors' level shall be referred to PERT, which will review the problem and forward its recommendations for resolution of any conflict to the Commissioner's Office.

III. POLICIES

A. General Policy Statement

It is the Department's policy to use land exchange, when appropriate, as a tool to improve the pattern of public land ownership for the management of natural resources. A variety of land tenure patterns are needed to manage the State's diverse resources. Consolidated and dispersed land holdings respectively benefit the management of different resources. Therefore, the Department's policy recognizes the benefits of both dispersed and consolidated holdings. Land exchange will be used to address specific resource management objectives according to approved unit plans or, lacking those, on a case-by-case basis.

B. Priorities for Land Exchange

The Department will give highest priority to the following exchange opportunities (A = highest priority, etc.).

Priority

- A Exchange of state school trust lands located within the BWCAW for federally-owned lands outside the BWCAW.

- A Exchange of school trust lands located in DNR management units precluded from generating revenue for the Trust for DNR-administered non-Trust lands capable of generating revenue for the Trust.
- A Exchange opportunities identified by the Department in approved unit management plans (e.g., wildlife management area plans, forest unit plans, park plans, etc.).
- B Exchange to acquire unique resources.
- B Exchange to reunite surface ownership and mineral rights in areas of high mineral potential.
- C Exchanges not included in approved management plans.

The Department will continue to address exchanges initiated by private landowners or other public agencies, and give high priority to unusual circumstances where there is a "narrow window" of opportunity.

C. Guidelines for Land Exchange

1. Early review; PERT-approved management plans. All parcels proposed for exchange in a PERT-approved management plan are considered approved, in principle, for the purpose of these procedures. This approval will continue in effect until such time as conditions change that require plan revisions affecting the disposition of lands.

All disciplines will be notified and asked for comments before final action is taken on parcels recommended in an approved management plan. Only new information shall be considered in evaluating the parcels' value to the Department.
2. Overall time schedule. In the ordinary course of business, the Department should complete the processing of a land exchange within one (1) year following initiation of a written proposal. Land exchanges requiring a land survey may require an additional time period of up to 6 months. Proposals not completed within these time periods should be periodically reassessed to determine whether it is desirable to continue with the exchange.
3. Management activities during an exchange. The Department of Natural Resources should avoid engaging in management activities, including, but not limited to the issuance of leases, which may affect land values on lands to be exchanged, once appraisals have been completed. However, if it appears there is little likelihood of completing the land exchange, the question of engaging in management activities and leases should be reassessed.
4. Exchanges of over 640 acres; preliminary approval by the Board. Pursuant to Resolution adopted June 22, 1960, the Land Exchange Board requires that any proposal to exchange more than 640 acres of state

land must first be submitted to the Board and its approval obtained prior to initiation of field examination, appraisal, and public hearing.

5. Conflicts of interest. Land exchanges with state employees are not prohibited by law. However, they are not encouraged, particularly with employees of the Department of Natural Resources, because of the appearance of conflict of interest. Land exchanges with state employees, in the past, have usually involved some sort of hardship or unique circumstance best resolved for the state and the private landowner through exchange. Outside appraisers shall be used in these exchanges.

6. Lands in management units. As discussed in Appendix B, land designated by law as a state park is not eligible for exchange unless the land is School Trust land that is exchanged for Class A or Class C land located outside a state park (Minn. Stat. Sec. 94.342, Subd. 3.). Minn. Stat. Sec. 94.343, Subd. 2, provides that Class A land devoted to a specific public use (other than a state park) is eligible for exchange if the use is discretionary and the authority in charge approves the exchange, or if the Commissioner, with the Board's approval, determines that the exchange will not materially curtail the activity or project for which the land is used. Section 94.343, Subd. 2, also provides that exchanges of land belonging to any state forest, game preserve, conservation area, or other territory designated by law for particular purposes shall be made so as to consolidate or fill out the state's holdings of land therein, and not materially reduce the same. Minn. Stat. Sec. 84.157 specifically authorizes exchanges of lands in certain named conservation areas and projects, and certain named state forests, to be exchanged for lands within or without the areas, even though state land holdings within these named areas may be reduced by the exchange.

7. School Trust land. Lands granted to the state as a condition of statehood, such as school trust lands, and lands subsequently granted to the state by the federal government, such as swamp lands and internal improvement lands, are commonly referred to as School Trust lands and, under the provisions of Minnesota's Constitution, Article XI, Sec. 8, may be sold only at public auctions or may be exchanged pursuant to Article XI, Sec. 10 as amended in 1984. Except for School Trust land in state forests (where the Constitution, Article XI, Sec. 11, provides that trust lands in the forests may be managed on forestry principles, and the net income derived therefrom used for purposes for which the lands were granted), all income from School Trust lands must be deposited in the Permanent School Fund where its earnings are dedicated to public school purposes; Minn. Const. Art. XI, Sec. 8. As a consequence, School Trust land should generally not be traded into an area or management unit where the potential for the production of income is substantially reduced or eliminated, with a possible consequence that the Trust may be frustrated. However, if an acceptable plan of action to compensate the Permanent School Fund is approved by the Commissioner prior to an exchange, such an exchange may be recommended for approval.

One method used to compensate the Trust is the condemnation of trust lands. Condemnation of trust lands was approved as legally equivalent to a public auction sale by the Minnesota Supreme Court in the case of In re Condemnation of Lands in St. Louis County, Independent School District of Virginia v. State, 1914, 124 Minn. 271, 144 N.W. 960.

8. Consolidated Conservation Area lands. Conservation lands are those tax-forfeited lands included in areas described in Minn. Stat. Ch. 84A, which are free of the trust in favor of the taxing districts, and are administered by the Commissioner of Natural Resources. These lands are commonly referred to as Consolidated Conservation Area lands. As noted in paragraph III.C.6., conservation area lands are eligible for exchange under the conditions specified in Minn. Stat. Sec. 94.343, Subd. 2. In addition, Minn. Stat. Sec. 84.157 specifically authorizes the exchange of Consolidated Conservation Area lands for lands within or without named conservation areas even if state holdings in the area are reduced. However, attention should be given to the fact that when an exchange of Consolidated Conservation Area lands results in the new state lands being located in a county other than the county where the state lands were originally located, the county or original location loses payments made under Minn. Stat. Sec. 84A.51. As discussed in III.C.12., there are no specific legal restrictions against exchanging lands across political boundaries.
9. Lands acquired by the Department by gift, purchase, or condemnation; limitations on use or disposal. A land exchange proposal involving lands that the Department has acquired by gift, purchase, or condemnation, usually for a specific purpose, will in most cases be subject to special conditions or limitations imposed by the terms of the gift or by state or federal law relating to the acquisition. An example of a state law under which limitations may have been imposed is the law relating to transfers of custodial control. Examples of federal laws containing certain limitations are LAWCON and Pittman-Robertson laws. Investigation should be made early in the exchange process to identify any conditions or limitations that may affect the exchange, so that any problems may be resolved or, if unresolvable, other lands may be chosen for the exchange. The administering discipline will be responsible for expediting the resolution of problems.
10. Hardwood Memorial Forest. Minn. Stat. Sec. 89.022 authorizes the exchange or sale of acquired state-owned land located within the Richard J. Dorer Hardwood Memorial Forest that contains more than ten contiguous acres of tillable land adjacent to other tillable land, or to a maintained public road, or to certain farm residences, under certain limited conditions. By memo dated September 17, 1981, the Deputy Attorney General assigned to the Department of Natural Resources advised the Commissioner's Office that this statute by necessary implication authorizes the Commissioner to exchange or sell a legally described tillable subportion of a state-owned parcel of land. In so doing, however, the following matters must be taken into consideration: (a) a major purpose for the creation of the Hardwood

Memorial Forest was to reduce stream bank erosion by removing steeply sloped stream banks from agricultural production, and (b) any tillable riparian land being considered for exchange is subject to the limitations of Minn. Stat. 94.342, Subd. 3.

11. Isolated lands administered by the Department. When identifying state land available for exchange, isolated tracts outside designated units should be favorably considered and examined to determine whether there are any serious reasons that preclude or render an exchange undesirable, such as location, size, or the presence of significant natural resource values.
12. Boundaries, political or departmental; crossing in an exchange. There are no specific legal prohibitions against crossing political boundaries, such as county or town lines, or Department boundaries, such as district, area, or regional lines. However, as discussed in III.C.6., 8. and 9., legal as well as practical limitations on exchanges across these boundary lines should be identified and considered early in the exchange process.
13. Undivided fractional interests. When considering any exchange that involves undivided fractional interests, in most cases, it is desirable to include all third parties owning an interest in the property in the exchange.
14. Minerals.
 - a. Mineral and water power reservations by the state; notice to other party to the exchange. As early as possible in any land exchange, notice should be given to the party seeking to exchange land with the state that the state reserves minerals and mineral rights, and water power rights. Notice also should be given the other party to the exchange that if they or their predecessor in interest have or intend to reserve minerals, any mineral reservation more extensive than that of the state may be unacceptable to the state, because the state may not be getting equal value in the exchange. At the earliest possible time in the exchange, the party giving land in exchange to the state should be requested to supply the state with an abstract setting forth any mineral reservation and other encumbrances existing in the land to be given in exchange to the state. Abstracts will be examined by the state, prior to the public hearing, unless exceptional circumstances exist, in which case abstracts will be examined at the earliest possible opportunity.
 - b. Mineral reservations. The existence of a mineral reservation in land to be received in an exchange is not an automatic bar to the exchange (see Minn. Stat. Secs. 94.343, Subd. 4, and 94.344, Subd. 4.). However, as discussed in III.C.14.a., an overextensive mineral reservation on land to be given to the state in an exchange may raise legal barriers to the exchange. These problems are usually discovered during examination of the abstract. Resolution of problems relating to such mineral

reservations must be made in consultation with the Attorney General's Office, together with Minerals' staff. Some of the common mineral reservation problems are as follows. If a mineral reservation existing in the land to be given in exchange to the state provides a right to use the surface without compensation for damage to the surface or includes a right to repurchase the surface estate, the mineral reservation is usually unacceptable to the state. Thereafter, the exchange customarily will proceed in regard to these lands only if the problem is resolved, for example through modification, by the owner of the reservation to remove the objectionable language. If a mineral reservation existing in the land to be given in exchange to the state is not objectionable for the reason given above, but is more extensive than that reserved by the state, and is silent on the subject of compensation for surface damages, the matter should be discussed with the Attorney General's and Minerals' staff, and alternatives such as the following should be considered: (i) Modification of the reservation to remove the objectionable language; (ii) On the basis of available geologic evidence determine the probability of damage to the surface and make necessary adjustments in surface values so as to ensure that the state will get equal value in the exchange; (iii) Obtain a non-disturbance agreement or some sort of security from the party giving land in exchange to the state to protect the value of the surface interest that the state will acquire.

- c. State land on Iron Ranges and known non-ferrous metallic mineral areas. Consistent with the requirements discussed in III.C.6., when considering a proposal to exchange state land located on an Iron Range or a known non-ferrous metallic mineral area, primary consideration should be given to receiving other lands on or in proximity to those mineral resources. To the maximum extent possible, whenever another resource base is involved in the exchange (forestry, wildlife, or fisheries, for example), replacement lands should be sought that have or will have the potential of mitigating any potential loss relating to the other resource.
 - d. Other areas of mineral potential. The fact that there is mineral potential in an area where state land is being considered for exchange is not a bar to the proposed exchange, but must be considered and evaluated as early as possible in the exchange process.
15. Peat. The existence of peat in commercial quantities on any state land being proposed for exchange should be identified as early as possible in the exchange process. Land that is chiefly valuable by reason of deposits of peat in commercial quantities is generally not exchanged because of the prohibition against the sale of such lands in Minn. Stat. 92.461. On March 31, 1982, the Attorney General's Office advised the Aitkin County Board that tax-forfeited land under the control of county authorities for classification, appraisal, and sale, which is chiefly valuable because of peat deposits in commercial

quantities, is not exchangeable; Op. Atty. Gen. 983M, March 31, 1982.

16. Sand and Gravel. Where sand and gravel deposits are known or suspected on a specific tract, a specific site investigation should be requested. The value of these resources should be included in appraisals.
17. Water and riparian land. Limitations on exchanges involving state lands bordering on water are set forth in Minn. Stat. 94.342, Subd. 3 (see Appendix D), and are discussed in Appendix A, Op. A.G. 370-B, January 22, 1954, and Appendix B, 4.
18. Endangered, threatened, rare, or unique resources. The existence on state land proposed for exchange of documented endangered, threatened, rare, or unique plant or animal species and communities, or unique geologic, archaeological, or historic features as identified pursuant to state or federal law, or, for example, by the Natural Heritage Program, or the Non-Game Wildlife Program, is not an automatic or absolute bar to a land exchange, but must be identified and seriously weighed when considering any exchange.
19. Improvements. Where an improvement exists on land proposed to be received by the state in an exchange, any unique relationship between the improvement and the value of the land should be noted.

In the usual course of business land exchanges have not been considered by the Land Exchange Board where any significant amount of the value of the property to be received by the state in the exchange consists of improvements. The letter relating to Land Exchange B-90, Lake County, dated March 5, 1982, from the Commissioner's Office to Lake County District 3, provides a more detailed analysis of this concern, and the fundamental principle that the land exchange laws are intended primarily for exchange of land, not improvements.

20. Special agreements relating to fencing, grading, etc. Special agreements relating to fencing, grading, landscaping, etc., shall be dealt with in separate agreements between the involved parties. These agreements shall be separate from the land exchange proposal. Such agreements shall be approved through normal administrative channels.
21. Trespass. Land exchange is not to be encouraged as a means of resolving trespass. Land exchange is but one method that may be considered to resolve a trespass problem on state lands. Other methods, such as litigation, leasing, sale, or eviction of use or occupancy, must also be considered. Reasons for using land exchange in the past to resolve trespass problems have included, but not been limited to the following: (a) The owner made a reasonable effort (for example, legal survey or contact with local state land manager) to properly locate property lines before constructing a building on, or otherwise using, adjacent state-owned lands; and (b) when an error has been made due to ambiguity in a deed, a wrong legal description is recorded, or an error has occurred in a previous survey.

22. Easements. Minn. Stat. Sec. 84.63 authorizes the granting of easements for roads, flowage, and other authorized purposes. Where easements are desired as part of an exchange, private individuals should be informed that they may request a local unit of government to apply for the easements.
23. Ditch liens. Ditch liens are an encumbrance on the land to be considered in the valuation process. In the usual course of business, the Department does not pay ditch liens assessed before the exchange.

IV. PROCEDURES

A. Early Involvement.

When exchanges are considered by field staff, regional realty specialists will include appropriate regional, central or field office representatives from each affected resource managing discipline in initial discussions of proposed exchanges prior to the official submittal of an exchange proposal.

B. Processing of Land Exchanges.

Step 1. Bureau of Real Estate Management as coordinator of exchange process; central recordkeeper. All proposals for land exchange, regardless of where they originate (within the Department through discipline administrative channels, or outside the agency), shall be forwarded to the Bureau of Real Estate Management, St. Paul, for logging in and for:

- a. a status check of the Department lands which shall include a determination of the land category (i.e., School Trust, acquired, etc.), administering discipline, leases, mineral ownership status, easements, limitations on use or disposal of acquired lands, or other encumbrances, whether public waters are involved;
- b. an evaluation of any trust impacts anticipated from the land exchange;
- c. a preliminary evaluation to determine if there may be legal questions raised;
- d. an evaluation to determine compliance with state and federal laws; and
- e. an attempt to identify potential problems with the lands to be received, such as mineral reservations, easements, encumbrances, etc.

If problems or issues arise, go to Step 2. If no problems or issues arise, go to Step 3.

- Step 2. Initial screening; notice of problems to landowner. As a part of the initial screening process, the Bureau of Real Estate Management will provide landowners information on any problems or issues such as mineral rights that are involved in the land exchange. If the problems preclude the opportunity to complete the exchange this will be stated in the correspondence with the landowner and no other steps will be taken. If there is still an opportunity to exchange the land, proceed to Step 3.
- Step 3. Notice of land exchange proposals to units of Department and to counties. Within two (2) weeks of receipt of a proposal, the Bureau of Real Estate Management shall forward proposals to the Assistant Commissioners, Division Directors, appropriate Unit Heads, Bureau Administrators, Regional Administrators, and to county boards or their designees. Information on land exchange proposals will be supplied to others upon request.
- Step 4. Regional personnel duties. The Regional Administrator, acting through the Regional Realty Specialist, shall forward proposals to Regional Supervisors/Managers within one (1) week of receipt of a written proposal. The Regional Supervisors shall submit proposals to field staff for review. The Regional Administrator, acting through the Regional Realty Specialist, shall coordinate the field review consistent with established Department guidelines and shall notify existing land classification committees.
- Step 5. Evaluation by disciplines. Each discipline or unit of the Department of Natural Resources that is requested to evaluate or comment on a proposed land exchange shall analyze the exchange on the basis of the following considerations, and shall provide to the Bureau of Real Estate Management, in regard to each item on the list, all information it possesses that relates to the exchange. If parcels offered by the Department have already been approved for exchange through a PERT-approved management plan, only new information shall be considered in evaluating the parcel's value to the Department. Recommendations on any exchange proposal will be developed after weighing all factors. Each land exchange proposal initiated or received shall be assessed relative to, but not limited to the following considerations:
- a. How does the proposed exchange affect the duties of the discipline?
 - b. What are the short- and long-range implications of the exchange?
 - c. What are the economic implications of the exchange proposal, particularly in regard to trust lands.
 - d. Does the proposal solve a particular management problem?
 - e. What are the effects relative to:

- (i) forest protection and production.
 - (ii) impact on surrounding lands, e.g., timber harvest, reforestation, herbicides, mineral exploration and mining, other resource management activities, recreational use, water, and access to other state lands or minerals.
 - (iii) trespass, e.g., grazing, farming; increase or decrease.
 - (iv) boundaries; increased need for signing, survey requirements to establish legal descriptions.
 - (v) erosion.
 - (vi) drainage, e.g., runoff affecting surrounding water.
 - (vii) undesirable increase in uncontrolled use of public lands.
 - (viii) equal opportunity for access to the same public waters or other public waters in the general vicinity when water and riparian lands are involved. (NOTE: See the discussion in Appendix A, Op. A.G. 370-B, January 22, 1954.)
 - (ix) detrimental effects on minerals, peat, gravel, fish, wildlife, forestry, surface and ground water and other resources.
 - (x) scenic and aesthetic values.
 - (xi) county and local zoning ordinances.
 - (xii) present uses and intensity of use on state lands?
- f. Are there alternatives to land exchange, e.g., sale, lease, that should be considered?
 - g. Are the lands to be received accessible for resource management purposes?
 - h. Are they accessible to the public for recreation and other uses?
 - i. Are there management liabilities, e.g., easements, restrictions, etc., on the lands to be received?
 - j. What is the potential for completing an exchange considering land values, title problems, land survey costs and other factors?
 - k. Is it feasible and desirable to enter into a long-term cooperative management agreement, rather than an exchange?

- Step 5a. Division Directors' duties. The Division Directors shall be responsible for ensuring compliance with established Department and division duties and assessing potential effects to resources that are their management responsibility. All Division Directors, Unit Heads, and Bureau Administrators shall submit to the Regional Realty Specialist or appropriate regional supervisor, any information about land resource conditions, or statewide program objectives and priorities not available in the regions (e.g., mineral potential, occurrence of rare or endangered species, and plant communities, federal aid program requirements) within 2 weeks of receipt of a proposal. The Division Directors' positions and recommendations shall be forwarded to the Bureau of Real Estate Management by the specified due date.
- Step 5b. Field staff duties. Field staff shall be responsible for ensuring compliance with established Department and division duties and assessing potential effects to resources that are their management responsibility. This includes identification of trespass and problems related to the trespass, and any other problems that may exist. In addition, field staff are responsible for ensuring that a review is conducted of exchange parcels. Comments from Regional Supervisors and field staff, developed through discipline administrative channels, shall be returned to the Regional Administrator within four (4) weeks of receipt of a proposal, with copies sent to the appropriate Division Director. If there is no disagreement on the exchange recommendation, go to Step 7. If differences of opinion exist, go to Step 6.
- Step 6. Resolution of differences by Regional Administrators; recommendations. The Regional Administrator shall attempt to resolve any differences of opinion at the Regional Supervisor's level within one (1) week after receipt of recommendations. The Regional Administrator shall forward a recommendation on the proposal along with any disagreements that were not resolved at the Regional Supervisor's level to the Bureau of Real Estate Management. All Division Directors, and the Assistant Commissioner for Planning shall be sent copies of the memo of transmittal.
- Step 7. Coordinated recommendation to Commissioner; Commissioner's review; conflict resolution. The Bureau of Real Estate Management shall coordinate the recommendations and comments of the Regional Administrator and those of the Division Directors on each land exchange proposal.
- a. Any changes in the legal description of lands involved in the exchange shall cause the exchange proposal to be referred to Step 3, for reconsideration.
 - b. Within three days of the date of agreement on a land exchange proposal, the Bureau of Real Estate Management shall forward the proposal, together with its coordinated summary of responses to the proposal, to the Commissioner for review and approval or disapproval.

c. When there is disagreement between divisions, the Bureau of Real Estate Management shall attempt to resolve the conflict within two (2) weeks. Disagreements that have not been resolved within this period will be immediately referred by the Bureau of Real Estate Management to PERT, which will review the problem and forward its recommendations for resolution to the Commissioner.

- Step 8. Commissioner's determination. In the usual course of business, it is anticipated that the Commissioner will make a decision on the proposal within one (1) week after receipt of the proposal, unless the Commissioner requests further information. The Commissioner's determination shall be returned to the Bureau of Real Estate Management. Unless otherwise directed by the Commissioner, and within one (1) week after receiving the Commissioner's determination, the Bureau of Real Estate Management shall notify the Assistant Commissioners, Division Directors, appropriate Unit Heads, Bureau Administrators, Regional Administration, and landowner(s) of the Commissioner's determination.
- Step 9. Appraisal initiation. Proposals on which there is agreement and that have been given preliminary approval by the Commissioner shall be assigned to an appraiser within three (3) days of receipt of approval. At the same time, the Bureau of Real Estate Management will request abstracts from the landowner. If tax-forfeited land is being offered to the state, a check should be made as early as possible in the process to determine that the Auditor's Certificate of Forfeiture has been recorded at least one year, and a copy obtained for legal review.
- Step 10. Land surveys. The Bureau of Real Estate Management will notify the Bureau of Engineering of potential land surveys concurrent with Step 3. The Bureau of Real Estate Management will submit a request to the Bureau of Engineering to initiate necessary land surveys concurrent with Step 9. The Bureau of Engineering shall attempt to complete its survey and make its report within nine (9) months of receipt of a request. If a survey and report cannot be accomplished in nine (9) months, the survey should be contracted out. Contracted survey costs are to be paid by the party requesting an exchange.
- Step 11. Appraisals. Within two (2) months of receipt of a request, a Regional Realty Specialist or others, as necessary, shall prepare appraisals of lands involved to determine whether values are comparable. Landowners shall be notified when an appraisal is to be initiated. A Regional Realty Specialist, when scheduling appraisals, shall notify Regional Supervisors so that further management activities on lands to be exchanged can be assessed. If an appraisal cannot be made in this time period, the Bureau of Real Estate Management should be notified. At least three comparable land sales should be used to establish values. These should be submitted with the appraisal to the Bureau of Real Estate Management, St. Paul. Appraisals of Class B lands,

approved by a county board, must also be approved by the Commissioner.

- Step 12. Title examination. In Class B exchanges, the Bureau of Real Estate Management receives title opinions and abstracts from the county attorney. Within three (3) days, the Bureau shall forward them to the Attorney General's Office for approval. In Class A and C exchanges, the Attorney General's Office will complete title review within one (1) month.
- Step 13. Public hearing. Within one (1) month of completion of the appraisal, legal review, and compliance with federal aid requirements, when applicable, the Bureau of Real Estate Management shall conduct public hearing(s) at a location(s) recommended by the Regional Administrator. Notice of these hearings shall be posted in the county auditor's office and published in a legal county newspaper.
- Step 14. Resolution of problems arising at public hearings. The Bureau of Real Estate Management shall confer with Division Directors and Regional Administrators on the resolution of problems that arise at public hearings. Problems that cannot be resolved at this level within two (2) weeks shall be referred to PERT.
- Step 15. Commissioner's recommendation to the Board; notice of Board meeting. In the normal course of business, the Commissioner, through the Bureau of Real Estate Management, shall thereafter make recommendations on the land exchange, including certification on land status, to the next regularly scheduled meeting of the Land Exchange Board. The landowner shall be notified of the meeting by the Bureau of Real Estate Management.
- Step 16. Land Exchange Board approval; deeds; land status. Upon unanimous approval of a land exchange by the Land Exchange Board, the Attorney General's office, in the normal course of business in exchanges processed by the Commissioner, will complete the transfer of deeds within two (2) months, when not prevented from doing so by problems discovered during title examination or arising thereafter. In exchanges processed by a county board, the deed is prepared by the Commissioner of Revenue at the request of the Commissioner. Also, land status certified to the Board by the Commissioner, and approved by the Board, is assigned by the Bureau of Real Estate Management to the lands received by the state in the exchange.



Commissioner of Natural Resources
December, 1988

V. APPENDICES

Appendix A: Constitutional Authority for Land Exchange.

Minnesota Constitution, Article XI, Section 10, provides as follows:

"As the legislature may provide, any of the public lands of the state, including lands held in trust for any purpose, may be exchanged for any publicly or privately held lands with the unanimous approval of the governor, the attorney general and the state auditor. Lands so acquired shall be subject to the trust, if any, to which the lands exchanged therefor were subject. The state shall reserve all mineral and water power rights in lands transferred by the state."

Notice the Constitutional requirements:

1. Any public lands of the state (not just those administered by the Commissioner of Natural Resources), and including trust lands, may be exchanged;
2. The Land Exchange Board is composed of the Governor, the Attorney General, and the State Auditor;
3. Unanimous approval of the Board is required for an exchange;
4. Land acquired in an exchange is subject to the same trust as the lands given in an exchange; and
5. The state is required to reserve mineral and water power rights when it exchanges land.

The Attorney General has issued several opinions relating to this land exchange section of the Constitution. Among the more significant opinions are the following:

Op. A.G. 370-B, January 22, 1954. The bed of public waters and land riparian to it may be exchanged by the state for beds of water and riparian lands elsewhere. Examples are as follows: (a) The exchange of Minnehaha Creek bed and banks in St. Louis Park, for the bed and banks to a new relocated channel (Land Exchange 67); (b) The exchange with Hanna Mining Company of O'Brien Lake, Little O'Brien Lake, and other lakes and streams for Carey Lake and related riparian lands (Land Exchange 199); (c) The exchange with Pickands-Mather and Company of the bed of Rock Lake for lands riparian to the Vermilion River (Land Exchange 260); and (d) The land exchange with Reserve Mining Company relating to the development of an on-land disposal site in Lake County for Reserve's tailings (Land Exchange 404).

Op. A.G. 700D-13, September 4, 1956. Minerals reserved to the state cannot be exchanged for minerals or any other lands.

Appendix B: Statutory Authority for Land Exchange.

Minnesota Statutes, Sections 94.341 through 94.348 set forth the statutory requirements for land exchange. Some of the important provisions of these statutes are as follows:

1. The Governor shall chair the Board, the State Auditor is the secretary and recorder of proceedings, Sec. 94.341;
2. An exchange may be initiated by the state (or county in the case of Class B lands) or by the owner of any private or public land, Secs. 94.343, Subd. 8, and 94.344, Subd. 8;
3. The Commissioner of Natural Resources processes the exchanges of state land (Class A and C land). County boards, under the supervision of the Commissioner and the Attorney General, process exchanges of tax-forfeited (Class B) land held in trust for the taxing districts and administered by county authorities, Secs. 94.342 and 94.344. However, in the case of exchanges of Class B land for Class A or C land, the Commissioner is responsible for processing the exchange, Sec. 94.344, Subds. 3, 7, 10.
4. Except where otherwise prohibited, all state land is eligible for exchange. Exceptions are land in a state park (unless the land is School Trust land exchanged for Class A or C land) and land bordering meandered or other public water unless riparian land is received in exchange, or if the other party to the exchange is the federal government, Sec. 94.342, Subd. 3. Land in management units may be given in exchange, under certain circumstances and with certain approvals, Sec. 94.343, Subd. 2. Class B land withdrawn from sale and certain Class B lands in restricted use zones may not be exchanged, Sec. 94.344, Subd. 2;
5. Land received by the state in the exchange must be substantially equal in value to the state land, based on appraisals by state appraisers using fair market value, Sec. 94.343, Subd. 3. County appraisals of Class B lands must be approved by the Commissioner, Sec. 94.344, Subd. 3. Price differentials are settled as follows: If the state land is more valuable than the land to be received in exchange, the other party to the exchange must pay the difference; if the state land is less valuable than the land to be received in exchange, the other party to the exchange can waive the difference, or the state, under certain circumstances, may pay the difference, Sec. 94.343, Subds. 5 and 6. Similar limitations exist in relation to Class B exchanges; Sec. 94.344, Subds. 3, 5, and 6;

6. Mineral and water power rights must be reserved by the state, and other conditions may be imposed by the state, such as timber harvesting in certain areas and rights to public travel on shorelands, Secs. 94.343, Subd. 4, 94.344, Subd. 4, and 94.342, Subd. 3;
7. Before approving an exchange, a public hearing must be held by the Board or its designees at St. Paul or some place in the general vicinity of the lands involved. Posted and published notice of this hearing is required, Sec. 94.343, Subd. 7. Similar requirements for hearing and notice are imposed upon the county boards in Class B exchanges, Sec. 94.344, Subd. 7;
8. The Attorney General is required to give an opinion as to marketability of title to property to be received by the state in exchanges supervised by the Commissioner, Sec. 94.343, Subd. 9, and must approve the county attorney's title opinion in Class B land exchanges, Sec. 94.344, Subds. 9 and 10;
9. Following unanimous approval of a land exchange by the Board, the Commissioner executes deeds prepared by the Attorney General in Class A or C exchanges, Sec. 94.343, Subd. 10, and the Commissioner of Revenue executes deeds in Class B exchanges, Sec. 94.344, Subd. 10. Deeds are thereafter recorded, Secs. 94.343, Subd. 10, and 94.344, Subd. 10. Thereafter, land status of land received by the state in Class A and C exchanges is certified by the Commissioner, Sec. 94.343, Subd. 11, and the County Board makes necessary payments to taxing districts in Class B exchanges, Sec. 94.344, Subd. 11.

Appendix C: Other Duties Relating to the Land Exchange Board.

Federal Land Acquisitions; Consent by the State Through the Land Exchange Board; Commissioner's Duties. Pursuant to Minn. Stat. Sec. 1.041, Subd. 2, the Land Exchange Board is authorized to provide the state's consent, by majority vote, to federal land acquisitions where consent has not otherwise been provided by Minn. Stat. Sec. 1.042 or elsewhere.

One category of federal acquisitions for which state consent has not been given by statute is federal wetland acquisitions. The federal Duck Stamp Act requires state approval of federal wetland acquisitions. Therefore, in 1962, an agreement was entered into under Minn. Stat. Sec. 1.041, Subd. 2, by the Land Exchange Board, the Minnesota Department of Natural Resources, and the U.S. Fish and Wildlife Service, Bureau of Sport Fisheries and Wildlife, in relation to the federal acquisition of specified acreages of wetland areas for waterfowl production in Minnesota.

The 1962 agreement has been amended from time-to-time, primarily in regard to acquisition goals. The purpose of the agreement is to provide a procedure for consideration of federal wetland acquisition proposals by the Department of Natural Resources and the Land Exchange Board, which is the state entity authorized to grant the state's consent under Sec. 1.041, Subd. 2. The Commissioner's duties under the agreement include field analysis by state game personnel and preparation of recommendations and agenda by the Bureau of Real Estate Management for the Board. If favorable county board action has not been given for a proposed federal acquisition, but federal authorities wish to continue with the acquisition, the Commissioner is usually requested by the Board to investigate the circumstances surrounding any dispute and to report his findings to the Board for its determination. In November of 1977, the Association of Minnesota Counties passed a resolution requesting member counties to act on federal requests within 60 days after formal presentation of an acquisition proposal by the United States to a county board.

Appendix D: Minnesota Statute 94.342 Classes of Land.

Subdivision 1. [Class A.] All land owned by the state and controlled or administered by the Commissioner or by any division or agency of the Department of Natural Resources shall be known as Class A land for the purposes of Sections 94.341 to 94.347. Class A land shall include school, swamp, internal improvement, and other land granted to the state by acts of congress, state forest land, tax-forfeited land held by the state free from any trust in favor of taxing districts, and other land acquired by the state in any manner and controlled or administered as aforesaid; but this enumeration shall not be deemed exclusive.

Subdivision 2. [Class B.] All land heretofore or hereafter acquired by the state through tax-forfeiture, held subject to a trust in favor of taxing districts, and under the control of county authorities for classification, appraisal, and sale shall be known as Class B land for the purposes of Sections 94.341 to 94.347.

Subdivision 3. [Class C.] Land bordering on or adjacent to any meandered or other public waters and withdrawn from sale by law is Class C land. Class C land may not be given in exchange unless expressly authorized by the legislature or unless through the same exchange the state acquires land on the same or other public waters in the same general vicinity affording at least equal opportunity for access to the waters and other riparian use by the public; provided, that any exchange with the United States or any agency thereof may be made free from this limitation upon condition that the state land given in exchange bordering on public waters shall be subject to reservations by the state for public travel along the shores as provided by Minnesota Statutes 1945, Section 92.45, and that there shall be reserved by the state such additional rights of public use upon suitable portions

of such state land as the commissioner of natural resources, with the approval of the land exchange board, may deem necessary or desirable for camping, hunting, fishing, access to the water, and other public uses. In regard to Class B land that is contained within that portion of the Superior National Forest that is designated as the Boundary Waters Canoe Area Wilderness and is also located within Cook county, the condition that state land given in exchange bordering on public waters must be subject to the public travel reservations provided in Minnesota Statutes, section 92.45, may be waived by the land exchange board upon the recommendation of the county board which has the concurrence of the Commissioner of Natural Resources.

Subdivision 4. [State Park Land.] Land specifically designated by law as a state park may not be given in exchange unless the land is school trust land that is exchanged for Class A or Class C land located outside a state park.

Subdivision 5. [School Trust Land.] School trust land may be exchanged with other state land only if the permanent school fund advisory committee is appointed as temporary trustee of the school trust land for purposes of the exchange. The committee shall provide independent legal counsel to review the exchanges.

Subdivision 6. [Reuniting and Severing of Surface and Mineral Interests].

- (a) When making a land exchange, a goal of the land exchange board shall be to reunite the surface interest with the mineral interest whenever possible.
- (b) If mineral interests are severed in an exchange, the land exchange board must consider the impact of severed mineral interests on minerals management.

Appendix E

Procedure for Exchanging State Owned & Managed Land

PROCEDURE FOR EXCHANGING STATE-OWNED AND MANAGED LAND

