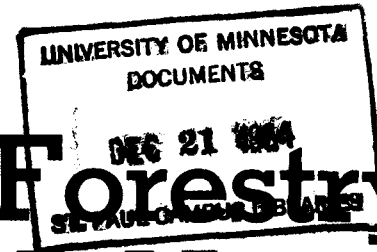
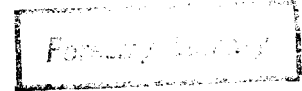


Minnesota Forestry Research Notes



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Minnesota County Forests: Land Ownership Policies*

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ABSTRACT

County governments in northeastern Minnesota manage nearly 2.8 million acres of tax-forfeited land (Minnesota DNR, 1978) down from 6 million acres in the 1930's (Dana, Allison, and Cunningham, 1960, p. 162). Although land disposal slowly continues, counties plan to retain most of their land for uses such as timber, wildlife, recreation, minerals, waterway frontage, and access to other public land. They may dispose of land suited for agriculture, housing developments, commercial uses, and industrial sites. They retain land which, if sold, would require additional public services (Baughman, 1982; Baughman, 1983; Baughman and Ellefson, 1983).

State Statutes

According to Minnesota law (MN Statute §282.01 (1)): "It is the general policy of this state to encourage the best use of tax-forfeited lands, recognizing that some lands in public ownership should be retained and managed for public benefits while other lands should be returned to private ownership." County boards must classify tax-forfeited land as either conservation or nonconservation land, a process that considers the present use of adjacent land; soil productivity; character of forest or other vegetation; accessibility to established roads, schools and other public services; suitability or desirability for particular uses; and suitability of forest resources for multiple-use sustained yield management. Conservation land is to be retained by the county or transferred to the Department of Natural Resources and managed for forestry, water conservation, flood control, parks, game refuges, controlled game management areas, public shooting grounds, or other public recreation or conservation uses. Land

suitable primarily for forestry may be sold, if it is in an area zoned for restricted uses (MN Statute §282.01 (2)). Nonconservation land is to be disposed of if the county board deems it advisable considering accessibility, proximity to existing public improvements, and the effect of sale and occupancy on the public burdens (MN Statute §282.01 (3)).

Counties may not sell mineral rights to tax-forfeited land (MN Statutes §282.12, §282.225) or sell surface rights to land which is in a designated state mining unit or under a mining permit or lease (MN Statute §282.01 (8)). When tax-forfeited land borders on a meandered lake or river, the county must retain a strip of land at least 2 rods in width for public travel. Any parcel which has less than 50 feet of waterfront may be sold if it is in the public interest and sale is approved by the commissioner of Natural Resources (MN Statute §282.018). The State Commissioner of Natural Resources must approve the classification and sale of nonconservation area land which is suitable for forestry but recommended for sale by the county board (MN Statute §282.01 (2)). The Department of Natural Resources has developed a land classification system which many counties use to make judgments about disposal or retention (Carlson, 1978).

If tax-forfeited land is allocated within the boundaries of any organized town with taxable valuation over \$20,000 or in any incorporated municipality, the town board or governing body has a right to approve land classification and the selection of land to be sold (MN Statute §282.01 (1)). Any tax-forfeited land may be sold by the county board to any organized or incorporated governmental subdivision of the state for any public purpose for which the subdivision is authorized to acquire property (MN Statute §282.01 (1)).

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County Policies

Within statutory guidelines, counties have flexibility to sell tax-forfeited land. Factors which guide such decisions include: potential residential, commercial, or industrial use; opportunity for mining and recreation; access by road; and adjacent land use and ownership (Table 1). With one exception, counties intend to retain most of their tax-forfeited land (Table 2). Land most likely to be retained includes that designated as memorial forest, land bordering lakes and streams, parcels having mineral deposits, and land having substantial potential for the production of timber and wildlife. Counties generally avoid selling land for residential use if such sales create a scattering of dwellings which increase public service costs.

Land that may well be disposed of by county governments is that which is best suited for agriculture, and land appropriate for commercial and industrial development, especially if near an urban area with existing public services (e.g., roads, schools, police and fire protection). Parcels less than 40 acres in size are likely to be sold if they are distant from blocks of county or other public land.

In summary, counties are legally bound to classify tax-forfeited land according to its conservation potential. Where such potential does not exist, the land is to be sold if deemed in the public interest by county boards. State statute prohibits sale of tax-forfeited land having mineral resources or land adjacent to lakes and rivers.

Administrative rules guiding sale of tax-forfeited land have to be established by counties. Such rules are highly variable. Nearly all county governments intend to retain land under their jurisdiction, except where doing so is not consistent with agreed to criteria.

LITERATURE CITED

- Baughman, M.J. Minnesota county forest land: alternative policies for program funding, timber sales, and land ownership. Ph.D. dissertation. University of Minnesota. 1982.
- Baughman, M.J. Minnesota county forests: policy options and their impacts for program funding, timber sales, and land ownership. (Staff Paper Series No. 35). University of Minnesota, Department of Forest Resources. 1983.
- Baughman, M.J. and P.V. Ellefson. Minnesota's county forests: A delphi study of options for program funding, sale of timber, and land ownership (Station Bulletin AD-SB-2194). University of Minnesota, Agricultural Experiment Station. 1983.
- Carlson, D.M. DNR land ownership/classification system update, office memorandum to land record users. Department of Natural Resources, St. Paul, MN. November 8, 1978.
- Dana, S.T., J.H. Allison, and R.N. Cunningham. Minnesota Lands. The American Forestry Association, Washington, D.C. 1960.
- Minnesota Statutes. §84A.20 (1982); §84A.31 (1982); §282.01 (1) (1982); §282.01 (2) (1982); §282.01 (3) (1982); §282.01 (8) (1982); §282.018 (1982); §282.019 (1982); §282.14 (1982); §282.225 (1982).

Table 1. Relative importance of factors which influence county land ownership decisions, 1980.

	Very to Moderately Important	Slightly to Not Important
	(Percent of land commissioners)	
Timber productivity potential	79	21
Agriculture potential	64	36
Mining potential	71	29
Intensive recreation potential	86	14
Residential, commercial and Industrial site potential	93	7
Fish and wildlife habitat quality	93	7
Parcel size	64	36
Present use of adjacent land	71	29
Adjacent ownership (e.g., state government, forest industry)	79	21
Distance to a public road	86	14
Distance to school, police, and fire service	64	36
Distance to a large block of county land	57	43

Table 2. Land ownership policies by factors which influence decisions and by counties, 1980.

County	Policy
<u>TIMBER PRODUCTIVITY POTENTIAL</u>	
Aitkin	Retain better land; dispose of poorer land
Becker	Retain most land unless well-suited for agriculture
Beltrami	Retain better land; dispose of poorer land, isolated 40's and 80's, land well-suited for agriculture, industrial sites
Carlton	Retain better land; dispose of poorer land
Cass	Retain better land; dispose of poorer land
Clearwater	Retain better land; dispose of poorer land
Cook	Not important; most land is in BWCA where timber cannot be cut
Crow Wing	Not important; retain most land
Hubbard	Retain most land; retain better land; may dispose of poorer land
Itasca	Retain better land; dispose of poorer land and land near town suited for residential or commercial use
Koochiching	Not important; retain better land
Lake	Retain better land; dispose of poorer land
Pine	Retain better land; dispose of poorer land
St. Louis	Retain better land, dispose of poorer land
<u>AGRICULTURAL POTENTIAL</u>	
Aitkin	Dispose of agricultural land; dispose of forest land for agricultural use to expand nearby farms
Becker	Retain small agricultural areas if parcel mostly forest; dispose of agricultural land to expand nearby farms
Beltrami	Dispose of agricultural land to nearby farms
Carlton	Dispose of agricultural land to expand nearby farms
Cass	Not important; already disposed of land with agricultural potential
Clearwater	Dispose of agricultural land to expand nearby farms
Cook	Not important; no land with agricultural potential is owned by county
Crow Wing	Retain agricultural land if over 40 acres; dispose of smaller parcels
Hubbard	Dispose of agricultural land, including forest land suited for agriculture, to expand nearby farms
Itasca	Retain and lease land for agriculture if in memorial forest; dispose of agricultural land outside of memorial forest
Koochiching	Dispose of agricultural land, including forest land suited for agriculture, to expand nearby farms
Lake	Dispose of land well-suited for agriculture
Pine	Retain land in memorial forests; dispose of agricultural land outside of memorial forests
St. Louis	Dispose of land well-suited for agriculture; dispose of forest land for agriculture in some cases
<u>MINING POTENTIAL</u>	
Aitkin	Retain minerals, gravel, peat
Becker	Not important; little mineral potential; retain gravel
Beltrami	Retain minerals
Carlton	Retain minerals
Cass	Not important; little mineral potential
Clearwater	Not important; little mineral potential, retain gravel
Cook	Not important; mineral potential high, but most land is in BWCA where mining is not permitted
Crow Wing	Retain minerals
Hubbard	Retain minerals
Itasca	Dispose of land with good mineral potential to mining company
Koochiching	Retain minerals
Lake	Dispose of land with good mineral potential to mining company
Pine	No policy developed yet
St. Louis	Retain minerals or exchange land to dispose of minerals

County	Policy
<u>INTENSIVE RECREATION POTENTIAL</u>	
Aitkin	Retain good sites
Becker	Retain good sites, especially if near urban area or if very unique; dispose of some sites for commercial development
Beltrami	Retain good sites; dispose of some sites for commercial development
Carlton	Not important; not much known potential
Cass	Retain good sites
Clearwater	Retain good sites; especially water areas
Cook	Retain good sites, especially if near roads and urban areas
Crow Wing	Retain waterfront land
Hubbard	Retain good sites
Itasca	Retain good sites
Koochiching	Retain good sites
Lake	Retain good sites; dispose of some sites for commercial development
Pine	Dispose of sites suitable for commercial development
St. Louis	Retain good sites or dispose of to another public agency
<u>RESIDENTIAL, COMMERCIAL, INDUSTRIAL SITE POTENTIAL</u>	
Aitkin	Dispose of land for these purposes, especially if close to urban area, roads, county services
Becker	Dispose of land for these purposes, especially if close to urban area, roads, county services
Beltrami	Dispose of land for these purposes, especially if close to urban area, roads, county services
Carlton	Dispose of land for these purposes, especially if close to urban area, roads, county services
Cass	Dispose of land for these purposes, especially if close to urban area, roads, county services
Clearwater	Dispose of land for these purposes, especially if close to urban area, roads, county services
Cook	Dispose of land for these purposes, especially if close to urban area, roads, county services
Crow Wing	Dispose of land for these purposes, especially if close to urban area, roads, county services
Hubbard	Retain most land, but may dispose of some land for these purposes, especially if close to urban area, roads, county services
Itasca	Dispose of land for these purposes if not needed for recreation, wildlife, memorial forest
Koochiching	Retain and lease industrial sites; dispose of residential plots if close to urban area, roads, county services
Lake	Dispose of land for these purposes
Pine	No policy developed yet
St. Louis	Dispose of land for these purposes if close to urban area, roads, county services
<u>FISH AND WILDLIFE HABITAT QUALITY</u>	
Aitkin	Retain better quality land, especially water areas; dispose of some small parcels if there is plenty of good habitat in vicinity
Becker	Retain better quality land
Beltrami	Retain better quality land
Carlton	Retain better quality land, especially near trout streams
Cass	Retain better quality land
Clearwater	Retain better quality land, especially water areas
Cook	Not important; retain some parcels for access to good hunting areas
Crow Wing	Retain better quality land
Hubbard	Retain better quality land
Itasca	Retain better quality land
Koochiching	Not important; retain waterfowl areas
Lake	Retain better quality land
Pine	Retain better quality land
St. Louis	Retain better quality land

<u>ACCESS TO A PUBLIC ROAD</u>	
Aitkin	Dispose of small parcels not accessible from road
Becker	Retain parcels not accessible from road unless adjacent owner wants it
Beltrami	Retain parcels not accessible from road unless adjacent owner wants it
Carlton	Retain parcels not accessible from road unless adjacent owner wants it
Cass	Retain parcels not accessible from road
Clearwater	Retain parcels not accessible from road
Cook	Retain parcels with road access; dispose of parcels not accessible from road
Crow Wing	Not important; access is good
Hubbard	Retain parcels not accessible from road
Itasca	Not important; access is good; retain land in memorial forests; dispose of other land
Koochiching	Retain parcels not accessible from road; dispose of parcels with road access
Lake	Retain parcels not accessible from road unless adjacent owner wants it
Pine	Retain inaccessible parcels unless adjacent owner wants it
St. Louis	Retain parcels not accessible from road

DISTANCE TO SCHOOL, POLICE, FIRE SERVICES

Aitkin	Retain land far from public services
Becker	Not important; retain land not on winter maintained road
Beltrami	Not important
Carlton	Not important
Cass	Retain land far from public services
Clearwater	Retain land far from public services
Cook	Retain land close to public services; dispose of land far from public services to U.S. Forest Service
Crow Wing	Not important
Hubbard	Retain land far from public services
Itasca	Not important
Koochiching	Retain land far from public services
Lake	Not important; retain land far from public services
Pine	Not important
St. Louis	Retain land far from public services

DISTANCE TO LARGE BLOCK OF COUNTY LAND

Aitkin	Not important; retain parcels near a large block and any in memorial forest or good for recreation; dispose of isolated parcels
Becker	Not important; retain parcels near a large block; dispose of scattered 80's good for agriculture
Beltrami	Not important; retain parcels near a large block and any good for recreation and wildlife; dispose of scattered parcels
Carlton	Retain parcels over 40 acres; dispose of isolated parcels less than 40 acres
Cass	Retain parcels over 40 acres; dispose of isolated parcels less than 40 acres
Clearwater	Not important; retain parcels near a large block and any good for recreation and wildlife; dispose of small, isolated parcels
Cook	Retain parcels over 40 acres; dispose of isolated parcels less than 40 acres
Crow Wing	Retain parcels near a large block of public land; dispose of small, isolated parcels
Hubbard	Retain parcels over 40 acres; dispose of isolated parcels less than 40 acres
Itasca	Retain parcels near a large block of public land; dispose of small, isolated parcels
Koochiching	Not important
Lake	Retain parcels over 40 acres; dispose of isolated parcels less than 40 acres
Pine	Retain parcels over 40 acres; dispose of isolated parcels less than 40 acres
St. Louis	Not important; want to maintain intermingling of public land

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PARCEL SIZE

Aitkin	Not important; dispose of some small, scattered parcels
Becker	Not important; dispose of some small, scattered parcels
Beltrami	Dispose of parcels less than 80 acres for expansion of farms, businesses, residential areas
Carlton	Dispose of parcels less than 20 acres
Cass	Not important
Clearwater	Dispose of parcels less than 40 acres if many miles from larger block of county land
Cook	Dispose of parcels less than 40 acres
Crow Wing	Dispose of platted lots
Hubbard	Not important; dispose of lots near towns
Itasca	Dispose of parcels less than 10 acres if not in memorial forest
Koochiching	Dispose of most parcels less than 5 acres and some others up to 80 acres
Lake	Dispose of parcels less than 40 acres
Pine	Dispose of parcels less than 40 acres
St. Louis	Dispose of parcels less than 40 acres

PRESENT USE OF ADJACENT LAND

Aitkin	Dispose of land to expand adjacent farms, housing developments
Becker	Dispose of land to expand adjacent farms, housing developments
Beltrami	Dispose of land to expand adjacent farms, Industries
Carlton	Dispose of land to expand adjacent farms (except retain forest land), housing developments
Cass	Decide on case-by-case basis
Clearwater	Dispose of land to expand adjacent farms, housing developments, Industries
Cook	Dispose of land to U.S. Forest Service to consolidate federal ownership
Crow Wing	Dispose of parcels less than 80 acres to expand adjacent farms, housing developments
Hubbard	Dispose of land to expand adjacent farms
Itasca	Dispose of land to expand adjacent farms if not in memorial forest
Koochiching	Dispose of land to expand adjacent farms
Lake	Decide on case-by-case basis
Pine	Dispose of land to expand adjacent farms, housing developments, Industries
St. Louis	Dispose of land to expand adjacent farms, Industries

ADJACENT OWNERSHIP (e.g., state government, forest Industry)

Aitkin	Retain land which helps create blocks of public land; dispose of isolated parcels surrounded by private land
Becker	Retain land which helps create blocks of public land
Beltrami	Dispose (exchange of land to other agencies or forest Industries to consolidate their ownerships
Carlton	Dispose of land to other owners to consolidate their ownerships if county has no other land in area
Cass	Dispose of land to other owners to consolidate their ownerships if county has no other land in area
Clearwater	Dispose of scattered parcels to state to create blocks of state ownership
Cook	Dispose (exchange) of land to U.S. Forest Service to create blocks of federal ownership; dispose of land to expand housing developments unless needed for a park
Crow Wing	Retain land which helps create blocks of public land; dispose of isolated tracts to forest Industries to consolidate their ownerships
Hubbard	Retain land which helps create blocks of public land; dispose of isolated 40's to forest Industries to consolidate their ownerships
Itasca	Retain land which helps create blocks of public land