

*** DNR POLICIES & PROCEDURES ***

26.26-06 - REVIEW OF LAND TRANSACTION APPLICATIONS (Issued **DRAFT 07/11/2005**)

Supersedes

- DNR Department Procedure 2606.06 - Review of Land Transaction Applications, Issued 03/01/2002.

**NOTE: The content of this document has not been revised since 03/01/2002.
The only change involves the conversion and numbering to the current DNR Policies & Procedures Manual Structure.**

Supersedes

- DNR Department Procedure 2606.6 – Lands – Land Exchanges For All DNR Lands in Regions I and II, Except State Parks (January 1, 1977)
- Rescinded DNR Commission Policy adopted as Department Procedure 2606 – Lands – Land Exchanges For All DNR Lands in Regions I and II, Except State Parks (3/11/1999)

AUTHORITY:

Part 5 of The Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, provides the authority to the DNR to buy, sell or exchange land.

BACKGROUND:

Staff of Forest, Mineral and Fire Management Division (FMFMD), Parks and Recreation Bureau (PRB), Wildlife Division (WD) and Fisheries Division (FD) of the Department of Natural Resources (DNR) are required to review and provide comments on Land Transaction Applications (LTAs). These LTAs are normally requests made by the public for State-owned land, which include requests for land exchanges, conveyances of State-owned land for public purposes, land sales and the sale of private easements.

PURPOSE:

Staff of the DNR reviews hundreds of LTAs annually. The review of these LTAs needs to be coordinated and handled in a consistent manner. This provides a process to assist DNR staff in evaluating LTAs.

DEFINITIONS:

First Level Field Managers:

FMFMD - Unit Manager
PRB - Park/Unit Supervisor
WD - Area Wildlife Biologist
FD – Area Fish Biologist

Mid-level Field Managers:

FMFMD – Forest Supervisor
PRB – District Supervisor

WD – Management Unit Supervisor
 FD – Unit Supervisor

WHO	DOES WHAT
APPLICATION PREPARATION SECTION:	
Division/Office land liaison	
	1. Continuously provides updated Division/Office organization chart and personnel list to the Office of Property Management (OPM) for any changes in Division/Office organization/personnel.
OPM	
	2. Receives LTA, reviews for completeness, requests additional information from applicant when necessary.
	3. Sends a copy of complete LTA to Minerals and Land Management Section (MLMS), FMFMD for mineral review.
MLMS, FMFMD	
	4. Evaluates mineral potential & values of LTA, returns completed mineral review to OPM.
FIELD REVIEW SECTION:	
OPM	
	5. Distributes complete LTA, including mineral review, as follows:
	a) sends copy to first level field manager of <u>lead</u> land managing bureau/division.
	b) sends copy to the other land managing Division/Office first level field managers.
	c) sends copy to Recreation Section, PRB, for trail related comments.
	d) sends copy to Natural Heritage Unit, WD, for threatened, endangered and special concern species review.
	e) sends copy to <u>lead</u> land managing Division/Office land liaison.
	f) sends copy to <u>lead</u> land managing Division/Office mid- level field manager.
First Level Field Managers for <u>non-lead</u> land managing Division/Office	
	6. Within 6 weeks of receiving LTA, provides input on LTA to first level field manager of the <u>lead</u> land managing Division/Office by GroupWise (GW) note or hard copy.
Recreation Section in PRB	

7. Within 6 weeks of receiving LTA, provides input on LTA directly to the first level field manager of the lead land managing Division/Office (lead reviewer) by GW note or hard copy.

Natural Heritage Unit in WD

8. Within 6 weeks of receiving LTA, reviews threatened and endangered species on lands involved in LTA and provides input to first level field manager in WD by GW note or hard copy.

First Level Field Manager of lead land managing Division/Office

9. Receives comments from other land managing bureau/division/programs and attempts to reach concurrence. Within 3 weeks of receiving comments:
 - A. CONCURRENCE: Prepares recommendation for LTA where there is concurrence and forwards recommendation, comments and LTA to mid-level field manager of the lead land managing bureau/division.
 - B. NON-CONCURRENCE: When there is not concurrence, prepares background information and sends to mid-level field manager of lead land managing bureau/division.

Mid-Level Field Manager of lead land managing Division/Office

10. Receives and evaluates staff recommendation/background information. Within 3 weeks of receiving information:
 - A. CONCURRENCE: If concurrence exists, reviews recommendation. If in agreement with recommendation, signs off and sends to land liaison of lead land managing Division/Office and sends a copy of recommendation to each land managing Division/Office field coordinator.
 - B. NON-CONCURRENCE: If not in agreement with recommendation, or if no concurrence has been reached by the first level field managers, attempts to reach concurrence. If concurrence is not achieved, provides mid-level field managers of the non-lead land managing bureau/divisions with copies of comments and recommendations, seeking input.

Field Coordinators

11. For LTAs where concurrence was reached by the first level field managers, receives staff recommendation from mid-level manager of lead land managing bureau/division, reviews recommendation and, if necessary, provides comments to land liaison of lead land managing bureau/division. If supportive of recommendation, comments to land liaison are not required.

IF CONCURRENCE HAS BEEN REACHED AT STEP 10A, GO TO STEP 18.

Mid-level Field Manager of non-lead land managing Division/Office

12. For LTAs where concurrence was not reached by the first level field managers, reviews application and staff comments and provides recommendations to lead land managing Division/Office mid-level field manager.

Mid-level Field Manager for lead land managing bureau/division

13. Receives comments from other bureau/divisions' mid-level field managers, attempts to reach concurrence.
 - A. CONCURRENCE: Prepares recommendation for LTAs where there is concurrence at the mid-management level and sends to Field Coordinator of the lead land managing bureau/division.
 - B. NON-CONCURRENCE: In cases where there is not concurrence by the mid-level field managers, prepares background information and sends to Field Coordinator of the lead land managing bureau/division.

Field Coordinator for the lead land managing Division/Office

14. Reviews comments/recommendations.
 - A. CONCURRENCE: If approves and there is concurrence by the mid-level field managers, sends approved recommendation and background information to land liaison of lead land managing Division/Office with copies to the other land managing Division/Office field coordinators.
 - B. NON-CONCURRENCE: If not in agreement with recommendation or there is not concurrence, sends LTA and comments to the Field Coordinators of the other land managing bureau/divisions.

IF CONCURRENCE HAS BEEN REACHED AT STEP 14A, GO TO STEP 18.

Field Coordinator for non-lead land managing Division/Office

15. Reviews comments/recommendations.
 - A. CONCURRENCE: Reviews recommendation, provides comments (if necessary) to land liaison of the lead land managing bureau/division.
 - B. NON-CONCURRENCE: provides comments to lead land managing Division/Office Field Coordinator.

Field Coordinator for lead land managing bureau/division

16. Receives comments from non-lead land managing Division/Office Field Coordinators.
 - A. CONCURRENCE: If supportive of recommendation and there is concurrence among non-lead land managing Division/Office Field Coordinators, submits comments and recommendation to either UP Deputy or Resource Management Deputy (for LP applications).
 - B. NON-CONCURRENCE: If not in agreement with recommendation or there is no concurrence between field coordinators, attempts to reach concurrence. If no concurrence is achieved, submits LTA and comments to either UP Deputy or Resource Management Deputy (for LP applications).

Deputy

17. Reviews recommendation, approves or prepares amended final field recommendation on LTA and sends to land liaison of lead land managing bureau/division.

Land liaison for lead land managing Division/Office

18. Notifies OPM that review package has been received. Within 3 weeks of receiving completed field review, evaluates recommendation package for consistency, etc., makes any adjustments, if necessary (in consultation with land liaisons of the other land managing bureau/divisions) and sends final recommendation to OPM.

OPM

19. Receives recommendation package and prepares package for the Land Exchange Review Committee meeting.