



# United States Department of the Interior

BUREAU OF INDIAN AFFAIRS  
Midwest Regional Office  
Norman Pointe II  
5600 West American Boulevard, Suite 500  
Bloomington, MN 55437

**AUG 24 2017**

IN REPLY REFER TO:  
Real Estate Services  
Mogren Property

## NOTICE OF (NON-GAMING) LAND ACQUISITION APPLICATION

Pursuant to the Code of Federal Regulations, Title 25, INDIANS, Part 151, notice is given of the application filed by the Prairie Island Indian Community of Minnesota to have real property accepted "in trust" for said applicant by the United States of America. The determination whether to acquire this property "in trust" will be made in the exercise of discretionary authority which is vested in the Secretary of the Interior, or his authorized representative, U.S. Department of Interior. To assist us in the exercise of that discretion, we invite your comments on the proposed acquisition. In order for the Secretary to assess the impact of the removal of the subject property from the tax rolls, and if applicable to your organization, we also request that you provide the following information:

- 1) If known, the annual amount of property taxes currently levied on the subject property allocated to your organization;
- 2) Any special assessments, and amounts thereof, that are currently assessed against the property in support of your organization;
- 3) Any governmental services that are currently provided to the property by your organization; and
- 4) If subject to zoning, how the intended use is consistent or inconsistent with the zoning.

We provide the following information regarding this application:

### **Applicant**

Prairie Island Indian Community of Minnesota

### **Legal Land Description/Site Location:**

*Tract 1 (Tax Parcel 31-029-20-32-0001):*

The North  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$  of Section 31, Township 29, Range 20, Washington County, Minnesota, except that part conveyed for highway purposes described as Parcel 3 of Washington County Right of Way Plat No. 36 and Parcel 47 of Minnesota Department of Transportation Right of Way Plat No. 82-36.

Together with Driveway Easement Agreement dated August 27, 2007, filed September 10, 2007, as Document Number 3661102.

*Tract 2 (Tax Parcel 31-029-20-43-0001):*

That part of the SW 1/4 of the SE 1/4 of Section 31, Township 29, Range 20, Washington County, Minnesota, described as follows: Beginning at the northwest corner thereof; thence North 89 degrees 15 minutes 53 seconds East, bearings oriented to the Minnesota State Plane Coordinate System, along the north line of said Southwest 1/4 of Southeast 1/4 a distance of 715 feet; thence South 00 degrees 38 minutes 20 seconds East, parallel with the West line of said Southwest 1/4 of Southeast 1/4 a distance of 5.00 feet; thence southerly along a tangential curve concave to the west, having a radius of 500.00 feet and a central angle 13 degrees 38 minutes 50 seconds a distance of 119.09 feet; thence South 13 degrees 00 minutes 30 seconds West, tangent to last described curve, a distance of 71 .06 feet; thence southerly along a tangential curve concave to the east, having a radius of 500.00 feet and a central angle of 13 degrees 38 minutes 50 seconds a distance of 119.09 feet; thence South 00 degrees 38 minutes 20 seconds East, tangent to last described curve, a distance of 872.34 feet to the north line of Parcel 478 as shown on Minnesota Department of Transportation Right-of-Way Plat No. 82-45, recorded as Document No. 435935 in the Office of County Recorder, Washington County; thence South 87 degrees 07 minutes 37 seconds West along said right-of-way line 670.47 feet to right-of-way boundary corner No. B608 as shown on said Minnesota Department of Transportation Right-of-Way Plat No. 82-45, said point being on the west line of said Southwest 1/4 of Southeast 1/4; thence northerly along said west line to the point of beginning.

*Tract 3 (Tax Parcels 31-029-20-42-0016, 31-029-20-42-0015, 31-029-20-42-0014, and 31-029-20-42-0013):*

That part of the North Half of the Southeast Quarter of Section 31, Township 29, Range 20, Washington County, Minnesota, which lies West of a line 685.00 feet Easterly of, when measured at right angles with, and parallel with the West line of said North Half of said Southeast Quarter.

*All containing 112.65 acres, more or less.*

**Project Description/Proposed Land Use:**

The Midwest Regional Office has under consideration an application for the transfer of real property held by the Prairie Island Indian Community of Minnesota to be transferred to the United States in trust for the benefit of the Prairie Island Indian Community of Minnesota.

The Community's application states that "the current agricultural use of the subject property remains unaltered" and "will continue for the next several years." The Community has also stated that any future change in use "will be consistent with the purposes permitted by [Minnesota Statutes Section 216B.1645]," but "no plans exist and none are being developed."<sup>1</sup>

<sup>1</sup> Supplement to Application Letter, July 6, 2017, at page 13-14, on file at BIA Midwest Regional Office

For the purposes of 25 CFR § 151.10(c), which requires the BIA to consider the purpose for which the land will be used, and 25 CFR § 151.10(h), which requires compliance with NEPA, we have made a preliminary determination that no change in land use is anticipated in the foreseeable future. Notice of the BIA's final determination will be served on all interested parties once that final determination is made.

As indicated above, the purpose for seeking your comments regarding the proposed trust land acquisition is to obtain sufficient data that would enable an analysis of the potential impact on local/state government, which may result from the removal of the subject property from the tax roll and local jurisdiction.

This notice does not constitute, or replace, a notice that might be issued for the purpose of compliance with the National Environmental Policy Act of 1969.

Your written comments should be addressed to the Bureau of Indian Affairs office listed at the top of this notice. Any comments received within thirty days of your receipt of this notice will be considered and made a part of our record. You may be granted one thirty day extension of time to furnish comments, provided you submit a written justification requesting such an extension within thirty days of receipt of this letter. Copies of all timely received comments will be provided to the applicant for a response. You will be notified of the decision to approve or deny the application.

If any party receiving this notice is aware of additional governmental entities that may be affected by the subject acquisition, please forward a copy to said party.

A copy of the application, excluding any documentation exempted under the Freedom of Information Act, is available for review at the above address. A request to make an appointment to review the application, or questions regarding the application, may be directed to Diane Baker, Realty Officer, at (612) 725-4586.

Sincerely,

A handwritten signature in black ink, consisting of a stylized, elongated oval shape with a horizontal line through it, positioned above the typed name.

**Acting**  
Regional Director

BY CERTIFIED MAIL:

Office of the Governor, State of Minnesota      91 7199 9991 7036 7200 8106  
116 Veterans Service Building  
20 W 12th St  
St. Paul, MN 55155

Washington County Administrator      91 7199 9991 7036 7200 8090  
P.O. Box 6  
14949 62<sup>nd</sup> Street North  
Stillwater, MN 55082-6132

West Lakeland Township      91 7199 9991 7036 7200 8083  
P.O. Box 447  
Lake Elmo, MN 55042

Minnesota Department of Transportation      91 7199 9991 7036 7200 8076  
Attn: Director of Aeronautics  
22 E. Plato Blvd.  
Saint Paul, MN 55107-1618

Marie Brenden      91 7199 9991 7036 7200 8069  
545 Midwest Trail N  
Lake Elmo, MN 55042

BY FIRST CLASS MAIL:

Honorable Shelly Buck, Chairwoman  
Prairie Island Indian Community  
5636 Sturgeon Lake Road  
Welch, MN 55089

Joseph F. Halloran  
Jacobson Law Group  
180 East Fifth Street, Suite 940  
Saint Paul, MN 55101