

**Lessard-Sams Outdoor Heritage Council
FY 2011 Recommendation
Accomplishment Plan**

Date: December 21, 2009

Project or Program Title: Riparian and Lakeshore Protection in Dakota County

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	Council Recommendation Funding	Out-Year Projections of Needs		
		FY 2011	FY 2012	FY 2013
Funds Recommended (\$000s)				
Outdoor Heritage Fund	2,097,000	\$2,500,000	\$2,500,000	\$2,500,000

Appropriation Language

Abstract

This project initiates a comprehensive approach to protecting, restoring and enhancing wildlife habitat and water quality by working with willing landowners to establish permanent conservation easements totaling 620 acres along the Vermillion River and including North, Middle and South Creeks, the South Branch and their tributaries; the Cannon River and its primary tributaries within Dakota County (Dutch, Mud, Chub, Darden and Pine Creeks, and Trout Brook); and to acquire permanent easements on 84 acres along Marcott Lake in Inver Grove Heights, Lake Marion in Lakeville, and Chub Lake in Eureka Township.

Narrative

The long history of settlement and long-accepted agricultural land use practices have resulted in the loss, degradation and fragmentation of our natural resource systems. In Dakota County, only three percent of the pre-settlement plant communities remain. Despite increased public awareness of water quality issues and improvement methods, as well as multi-agency efforts to assist landowners in protecting the environment, nearly every river, stream and lake in the County that has been monitored is officially impaired in some fashion. According to Metropolitan Council data, between 1970 and 2005, Dakota County lost more than 7,500 acres of non-urbanized land (undeveloped, agricultural, steeply sloped or wetland); added 3,592 acres for major four-lane highways and nearly tripled its residential acreage from 20,150 to 58,455. Not coincidentally, this new development is attracted to the remaining natural features - especially lakes and rivers. Yet, most of this land is privately owned and does not provide close-to-home public access for most residents to hunt, fish or enjoy other

outdoor recreational activities. The county has a wealth of high quality soils and a vibrant agricultural economy, and with recently high commodity prices, the pressure to plant corn and soybeans from fence row to fence row has never been greater. Under even conservative scenarios, the potential changes that could be wrought by climate change need to be considered. This combination of large-scale impacts and trends must be approached comprehensively, long-term and collaboratively if we are to maintain and improve our natural resource heritage and its many associated benefits. At the same time, there are tremendous opportunities to proactively and successfully address these challenges. The downturn in the economy has halted residential development for now and significantly lowered land prices. Sound plans have been developed and adopted which collectively focus on protecting and improving our natural infrastructure.

All proposed easements include a Natural Resource Management Plan. For some riparian easements, it will mean restoring currently cultivated areas using a variety of native species depending upon site conditions, habitat potential, strategic corridor interconnectivity, and opportunities to increase ecological resiliency. For other easements, it will be a combination of protecting and managing the current vegetation and restoring cultivated portions of the site with native species. In still other sites, the project will permanently protect and enhance the shoreline, riparian zone and associated uplands and wetlands. This project has direct benefits to fish, game and wildlife beyond the increased and interconnected terrestrial habitat. Working with landowners to increase and improve buffers and better manage drain tile will reduce runoff containing excess nutrients, chemicals and warm water. The resulting water quality improvements will enhance the entire aquatic ecosystem.

The scale and scope of this project is both doable and significant. It encompasses some of the best natural resource features found in the metropolitan region across a combination of urban, suburban and rural landscapes. It takes a sound fiscal and ecological systems approach to conservation, while attempting to balance the interests, rights and responsibilities of private landowners with the public's concerns about water and habitat quality, outdoor recreation and climate change.

The County has an excellent track record of working effectively with a wide variety of agencies, jurisdictions and organizations including the Natural Resources Conservation Service, MN Department of Natural Resources, Soil and Water Conservation District, Vermillion River Watershed Joint Powers Organization, Cannon River Watershed Partners, Friends of the Mississippi River, Trout Unlimited and others. Through the successful Farmland and Natural Areas Program, the County has developed program policy and practices to acquire, monitor and administer 37 current conservation easements with many new easement projects underway. In association with these easements, the County implements short- and long-term natural resource management and restoration.

The County has been implementing the Farmland and Natural Areas Program for six years with two years of planning, public outreach and participation prior to its inception. The recent approval of township, city and county comprehensive and local water plans was the culmination of significant involvement by stakeholders and the general public. The LCCMR-funded Vermillion River Corridor Project has involved over 220 people in a series of public workshops over the past six months.

The results of all of these efforts have led to wide-spread alignment and support for riparian easements that can accomplish multiple benefits while compensating and protecting private landowners. The Dakota County Board of Commissioners approved the submission of this proposal by Resolution No. 09-549 on October 20, 2010. The proposed acquisitions will take place in as many as eight cities and twelve townships. While these local jurisdictions have been very supportive of

previous County easement acquisitions from willing landowners and for projects that match approved local plans, they have not formally approved any specific acquisition at this point. Our intention is to discuss this project at the Dakota Township Officers meeting in March 2010 to elicit comments and concerns. This proposal will also be discussed during an early 2010 meeting with all city managers within the county. Any project involving current or future city land will be approved by the respective city staff or council prior to any expenditure within those jurisdictions.

Relationship to *Minnesota Conservation and Preservation Plan* and other published resource management plans.

This proposal is based on a number of scientifically-based assessments. On a higher level, there is wide agreement that taking a watershed, point/non-point pollution approach to management is the only way to truly protect and improve stream health, and that well designed vegetated buffers can effectively provide a variety of benefits. There is also a wealth of documentation on the importance of contiguous ecological corridors to ensure the ecological viability of plant and animal communities.

Statewide

A. *Conservation and Preservation Plan*

Under Habitat Action, this project directly addresses the following actions:

- H 1 Protect priority land habitats identified in a variety of plans*
- H 2 Protect critical shoreline of streams and lakes*
- H 5 Restore land, wetlands and wetland associated watersheds*
- H 7 Keep water on the landscape by increasing, restoring and enhancing shoreline vegetation and promoting best practices on other lands*

Under Land Use Action, this project directly addresses the following actions:

- LU 2 Support local and regional conservation-based community planning by providing funding in recognition of leadership and excellence*
- LU 3 Ensure protection of water resources in urban areas Dakota County
Contains significant amount of the metro regions groundwater drinking water supply*
- LU 4 As much as possible, transition renewable fuel feedstock to perennial crops. A component of the conversion of conventional agricultural land is to grow perennial biofuels that also provides wildlife habitat*
- LU 6 Reduce streambank erosion through peak flows reduction. This project is but one of a series of strategies to reduce runoff.*

B. A Fifty-Year Vision: Conservation for Minnesota's Future

Under Land and Habitat, this project directly addresses the following actions:

- *Project is based on a very finely focused natural resource inventories and scientifically-identified ecological stressors*

Under Lakes, Rivers Wetlands and Streams, this project directly addresses the following:

- *Monitoring has already been completed and waters have been listed as impaired by the MPCA. We are awaiting the TMDL for Lake Pepin before being able to proceed with individual TMDLs.*
- *Have already undertaken a systematic inventory of private septic systems offering incentives and mandates for repairs.*

- *The easement is part of an overall strategy to provide incentives for stabilizing and restoring identified streambank issues and encourage a variety of best management practices on agricultural, rural and commercial lands*

Regional

The primary framework for land conservation in the metropolitan urbanizing section is the individual focus areas developed through the collaborative Metro Conservation Corridors Initiative. All of the proposed projects would be located within the Vermillion River Focus Area, the Lower Mississippi River Focus Area or the Chub Lake/Cannon River Focus Area. Specifically, this project is designed to protect, connect and enhance extensive habitat corridors and enhance and restore cold water fishery systems. This includes protection and enhance of a “trophy” trout stream within the region and providing a sport fishing opportunity for the population center of the state.

Local

More specifically, Dakota County was the first entity to complete the Minnesota Land Cover Classification System which became the basis for the development of the County’s Farmland and Natural Areas Protection Plan. The Vermillion River Watershed Joint Powers Organization has conducted in-depth, cutting edge scientific studies along the river to help focus the type and location of projects. Each of the individual township and city comprehensive plans includes desired protection for these riparian and shoreline areas.

Project Design and Evaluation

Project Scope	Wetlands and Wetland Systems	Prairies and Prairie Systems	Forests and Forest Systems	Habitats for Fish, Game and Wildlife (Include Description in Footnote)
Restore				385 acres
Protect				704 acres
Enhance				153 acres

Counties in which activities will take place	Wetlands and Wetland Systems	Prairies and Prairie Systems	Forests and Forest Systems	Habitats for Fish, Game and Wildlife
Restore				Dakota
Protect				Dakota
Enhance				Dakota

Acres Within Each Ecological Section	Metropolitan-Urbanizing Area	Forest-Prairie Transition	Southeast Forest	Prairie Region	Northern Forest
Restore	365		20		
Protect	644		60		
Enhance	143		10		

Funding Per Ecological Section	Metropolitan-Urbanizing Area	Forest-Prairie Transition	Southeast Forest	Prairie Region	Northern Forest
Restore	\$86,900		\$8,100		
Protect	\$1,856,200		\$115,800		
Enhance	\$26,900		\$3,100		

Funding Resource Type	Wetlands	Prairies	Forests	Habitats for Fish, Game and Wildlife
Restore				\$95,000
Protect				\$1,972,000
Enhance				\$30,000

Acquisition and Tax Data	Wetlands	Prairies	Forests	Habitats for Fish, Game and Wildlife
Acquired in Fee with State PILT Liability				
Acquired in Fee without State PILT Liability				
Permanent Easement				704 acres

Budget

Budget Item	Fiscal Year 11	Fiscal Year 12	Fiscal Year 13
Personnel	\$80,000	\$0	
Contracts	\$60,000	\$0	
Equipment/Tools	\$5,000	\$1,000	
Materials/Supplies	\$2,000	\$2,000	
Fee Acquisition	\$0	\$0	
Easement Acquisition	\$1,100,000	\$767,000	
Easement Stewardship	\$10,000	\$50,000	\$20,000
Travel	\$0	\$0	
Additional Budget Items	\$0	\$0	
TOTAL	\$1,257,000	\$820,000	\$20,000

Relationship to Current Budget

The County’s approved 2010 Operating and Capital Improvement budget is \$366,500,000. The Park and Open Space (POS) Department budget is \$22 million. This project represents an additional nine percent of the POS budget. Currently, the department has \$9.5 million allocated for 22 land conservation projects totaling 2,600 acres. Approximately five FTE county staff are directly involved in completing these projects. We are anticipated that many of these projects will be completed in 2010 and that most of this funding will be expended by early 2011. This funding allows the orderly transition from these current projects to new projects.

Some of this existing funding, as well as the use of in-kind or contracted staff, is being used to match this project. Their involvement in this project will prevent them from being assigned to other duties. However, the numerous small parcels involved in the riparian easements will require the addition of two additional (1.6 FTE) staff.

Personnel

Position	Name	Amount
Real Estate Specialist	New hire	\$80,000
Natural Resource Specialist	New hire	\$60,000

Leverage

SOURCE	FY 11		FY 12		FY 13	
	In hand	Anticipated	In hand	Anticipated	In hand	Anticipated
Dakota County						
Cash	\$550,000			\$150,000		
In-kind	\$225,000			\$100,000		
City of Lakeville	\$800,000					
Vermillion River JPO	\$153,000			\$200,000		
Landowner Donation		\$100,000		\$200,000		
TOTAL	\$1,728,000	\$100,000		\$650,000		

Leverage	State				Non-State			
	Wetland and Wetland Systems	Prairie and Prairie Systems	Forest and Forest Systems	Habitat for Fish, Game and Wildlife	Wetland and Wetland Systems	Prairie and Prairie Systems	Forest and Forest Systems	Habitats for Fish, Game and Wildlife
Restore								\$375,000
Protect								\$1,950,000
Enhance								\$153,000

Accomplishment Timeline

<i>Milestones</i>	FY 2011	FY 2012	FY 2013	Budgetary Expenditure
Adopted Evaluation Criteria and Program Guidelines; Hire staff; Complete Landowner Outreach	7/1/2010			\$0
Landowner Meetings and Easement Applications	8/15/2010			\$8,000
Preliminary Project Approval	9/30/2010			\$5,000
Easement Valuation and Negotiations	11/30/2010			\$20,000
Final project reviewed and recommended by Advisory Committee and approval by County Board	1/15/2011			\$10,000
Complete Title Work, Environmental Assessment, Survey, Property Report, and Natural Resource Management Plan for each Project	4/15/2011			\$57,000
Begin Acquiring Easements	5/30/2011	7/1/2011		\$1,917,000
Restoration and Enhancement		7/1/2011	7/1/2012	\$80,000

Maintenance and Sustainability

Please describe how lasting improvement will be maintained/ sustained. For easement acquisitions and fee acquisitions, explain how maintenance and sustaining costs will be paid.

All acquisition will be in the form of permanent conservation easements on private land. Each of the easements will require the development of individual Natural Resource Management Plans (NRMP) that will assess current conditions and recommend prioritized restoration activities. Associated Work Plans between the landowners and the County will also be developed as part of the negotiations and cited in the easement deed. The County will provide initial restoration assistance with long-term management of the respective easements being the responsibility of the landowners. As part of this initiative, a stewardship fund will be created for each easement using a portion of the donated easement value. The County will operate this fund and also commit to monitoring the easements on an annual basis.

As with all private lands, it will be up to the current and future landowners to uphold their responsibilities. However, we believe this initial relationship-building, the NRMP, strategic assistance, and subsequent monitoring will provide opportunities to share updated natural resource information and best management practices with landowners and achieve a higher likelihood of stewardship. This comprehensive watershed and corridor approach will provide the best opportunity to effectively protect this community asset and public investment.



