

Lessard-Sams Outdoor Heritage Council

Laws of Minnesota 2014 Accomplishment Plan

Date: October 22, 2013

Program or Project Title: Wild Rice Shoreland Protection Phase III

Funds Recommended: \$ 1,060,000

Manager's Name: Dan Steward

Title: Board Conservationist

Organization: Minnesota Board of Water and Soil Resources

Street Address: 1601 Minnesota Drive

City: Brainerd, MN 56401

Telephone: 218-828-2598

E-Mail: dan.steward@state.mn.us

Organization Web Site: bwsr.state.mn.us

Legislative Citation:

Appropriation Language:

County Locations: Aitkin, Carlton, Cass, Crow Wing, Hubbard, Itasca, St. Louis, and Wadena.

Ecological Planning Regions:

- Northern Forest

Activity Type:

- Protect in Easement
- Protect in Fee

Priority Resources Addressed by Activity:

- Forest

Abstract:

This Phase III continuation of the Wild Rice Shoreland Protection project will acquire 680 acres translating to 4.5 miles of wild rice shoreland habitat through permanent conservation easements or fee-title acquisition in the Northern Forest Section.

Design and Scope of Work:

Wild rice is the "State Grain" of Minnesota. Minnesota remains the epicenter of this plant's natural range supporting more habitat than any other state in the U.S. This Phase III project will continue critical habitat protection that will help to keep this legacy intact.

Wild rice shoreland encompasses a complex of shallow lakes, rivers, and shallow bays of deeper lakes that support rice and provide some of the most important habitat for wetland-dependent wildlife species in Minnesota. Wild rice habitat is especially important to Minnesota's migrating and breeding waterfowl and provides Minnesotans with unique recreation opportunities: hunting waterfowl and harvesting the rice itself for food. Wild rice is also spiritually important to Native Americans and is a part of Minnesota's rich natural and cultural heritage.

Historically, wild rice occurred throughout Minnesota and extended into northern Iowa. Wild rice has since been extirpated from most of its southern range due to human impacts including changes to water quality and chemistry, sedimentation, landscape drainage, flow alteration, boat traffic and competition from introduced aquatic invasive species. Today, the heart of the state's wild rice acreage falls within this project work area comprised of eight counties Aitkin, Carlton, Cass, Crow Wing, Hubbard, Itasca, St. Louis, and Wadena. These counties also account for 70% of harvesting trips for state licensed harvesters.

This wild rice shoreland complex exists primarily in the state's Northern Forest Section and remains intact with good water quality, but it is subject to intense development pressure that, if allowed, will degrade the resource. Recent well-documented population and development trends pose a serious threat to wild rice habitat in the Northern Forest Section. This population and development boom has reduced the availability of developable shoreline on recreational lakes, resulting in shallow lakes, rivers, and shallow bays containing wild rice being increasingly targeted for shoreline development.

Shallow lakes and rivers in the forest are very susceptible to the impacts of shoreline development. The alteration of shoreline vegetation, construction of impervious surfaces, placement of in-lake structures, and increased boat and water based recreation can result in a reduction in emergent and floating plant abundance; mixing of bottom sediments, increased nutrient loading (including substantial changes in phosphorous) and shoreline erosion. Further, expectations of new shoreline homeowners may conflict with wildlife management strategies designed to maximize wild rice production and improve waterfowl habitat. The impact of development is cumulative, and over time, such changes can severely reduce wild rice production, water quality and waterfowl use of these important water bodies.

Beyond public ownership, current shoreline protection on wild rice shoreland is limited to county shoreland ordinances and zoning, and limited conservation efforts by non-governmental organizations. Variances to land use rules aimed at preserving the state's most valuable resource, our lakes and rivers, are at times allowed. Further, even the most stringent shoreland ordinances still allow for some subdivision and development, which is detrimental to the wild rice shoreland complex.

Voluntary, incentive-based conservation protection program options for shoreland landowners are few. Unlike the prairie portion of the state where agency-backed easement options exist for conservation-minded landowners, private land protection options are limited for wild rice shoreland in the forest due to funding constraints. Further, many easement programs are targeted for restoration and not protection. In the northern forest, there is much less need for restoration, thus this Phase III proposal is again focused on habitat protection. This proposal will continue to fill a need for shoreland protection on key water bodies supporting wild rice in the Northern Forest Section.

Phase I of this project began with 2012 Lessard-Sams Outdoor Heritage Council (LSOHC) funding by providing wild rice lake shoreline landowners with expanded protection options through permanent shoreland conservation easements and, where needed, fee-title acquisition. This extremely successful effort is poised to exceed project goals with over eight miles of important shoreland habitat proposed for permanent protection from development. The supply of offered quality easements exceeded available funds. To-date, 16 easements totaling over \$900,000 have been funded and acquisitions are nearing completion. In addition, Minnesota DNR completed their fee-title goal.

Building on Phase I, Phase II was approved in MN Laws 2013 and will provide for continued efforts by protecting another 1,240 acres through permanent easements and fee-title acquisitions. Phase II dollars are available and a sign-up is ongoing.

Utilizing permanent conservation easements and fee-title acquisitions, the Minnesota Board of Water & Soil Resources (BWSR), Minnesota Department of Natural Resources – Section of Wildlife (DNR Wildlife), and the eight local Soil and Water Conservation Districts (SWCDs) will continue to offer permanent shoreland protection on the shallow lakes, rivers and shallow bays producing wild rice. The BWSR's Reinvest in Minnesota (RIM) program will acquire 500 acres through permanent conservation easements and DNR Wildlife will acquire approximately 180 acres through fee-title acquisition.

Emphasis for Phase III will again be placed on securing permanent conservation easements rather than fee-title acquisition, which will keep land in private ownership and on local and county tax rolls. Fee-title acquisition will be offered in cases where land is for sale and conservation easements are not an option, or where a tract is public land or is a desirable addition to adjacent public land. Fee-title acquisitions will provide public access.

Through the eight local SWCD offices, BWSR will purchase RIM easements using rates set by the BWSR Board.

Tracts will be selected based on the degree to which they help permanently protect all the land around a given wild rice water body. The BWSR RIM easements will be acquired through a signup process similar to the BWSR's RIM-WRP program. SWCD generated landowner signups received by the project committee will be reviewed and parcels ranked with guidance provided by the "Wild Rice Shoreland Protection Criteria Sheet" (attached).

Shoreland protection for wild rice lakes and rivers enjoys widespread support from tribal interests, SWCDs, Laurentian Resource Conservation and Development Council (LRCD), Minnesota Forestry Association, outdoor clubs, and other wild rice stakeholders in north-central Minnesota.

Planning:

MN State-wide Conservation Plan Priorities:

- H2 Protect critical shoreland of streams and lakes
- H3 Improve connectivity and access to recreation
- H4 Restore and protect shallow lakes
- H5 Restore land, wetlands and wetland-associated watersheds
- H6 Protect and restore critical in-water habitat of lakes and streams
- H7 Keep water on the landscape
- LU8 Protect large blocks of forest land
- LU10 Support and expand sustainable practices on working forested lands

Plans Addressed:

- Ducks Unlimited Living Lakes Initiative
- Long Range Duck Recovery Plan
- Managing Minnesota's Shallow Lakes for Waterfowl and Wildlife
- Minnesota DNR Strategic Conservation Agenda
- Minnesota Forest Resource Council Landscape Plans
- North American Waterbird Conservation Plan
- North American Waterfowl Management Plan
- Outdoor Heritage Fund: A 25 Year Framework
- Upper Mississippi River and Great Lakes Region Projects Joint Ventures Plan
- Natural Wild Rice in Minnesota

LSOHC Statewide Priorities:

- Address Minnesota landscapes that have historical value to fish and wildlife, wildlife species of greatest conservation need, Minnesota County Biological Survey data, and rare, threatened and endangered species inventories in land and water decisions, as well as long-term or permanent solutions to aquatic invasive species
- Are ongoing, successful, transparent and accountable programs addressing actions and targets of one or more of the ecological sections
- Ensures activities for "protecting, restoring and enhancing" are coordinated among agencies, non profits and others while doing this important work; provides the most cost-effective use of financial resources; and where possible takes into consideration the value of local outreach, education, and community engagement to sustain project outcomes
- Leverage effort and/or other funds to supplement any OHF appropriation
- Produce multiple enduring conservation benefits
- Provide Minnesotans with greater public access to outdoor environments with hunting, fishing and other outdoor recreation opportunities

LSOHC Northern Forest Section Priorities:

- Protect shoreland and restore or enhance critical habitat on wild rice lakes, shallow lakes, cold water lakes, streams and rivers, and spawning areas
- Provide access to manage habitat on landlocked public properties or protect forest land from parcelization and fragmentation through fee acquisition, conservation or access easement

Relationship to Other Constitutional Funds:

- No Relationships Listed

Wild Rice has significant cultural importance to Minnesota's Native Americans.

Accelerates or Supplements Current Efforts:

Phase III funding will continue work to protect wild rice lake and river shoreland begun by Phase I and continued with Phase II efforts. When work started on Phase I, it was unknown how much interest there would be on the part of landowners on wild rice lakes to permanently protect these important habitats. Over the past few years field staff with DNR, BWSR, the SWCDs, and Ducks Unlimited (DU) have all found continued strong interest on the part of landowners. Permanently protecting wild rice lake shoreland also compliments ongoing efforts to manage water levels on wild rice lakes. Wild rice plants are very susceptible to rising water levels when they are in the floating leaf stage in June. Permanent protection of wild rice shoreland adds a protection element to the ongoing maintenance effort that together make a comprehensive program for wild rice lakes recommended by the Wild Rice Working Group.

Sustainability and Maintenance:

RIM easements will be secured and permanently monitored and enforced by the BWSR and county SWCDs professional field staff. Easements are inspected for the first five consecutive years beginning in the year after the easement is recorded. Thereafter on-site inspections are performed every three years and compliance checks are performed in the other two years. Stewardship costs are part of this project and are calculated at \$5,000/easement. BWSR is in the process of reassessing stewardship costs based upon perpetual costs. Accomplishment plan amendments will be requested if costs change significantly.

Land acquired in fee-title by DNR will be held by DNR for permanent ownership and management.

Government Approval:

Will local government approval be sought prior to acquisition? - **No**

Easement acquisitions are decided using a scoring and ranking process. However, county board approval will be obtained by DNR Wildlife for fee-title acquisitions.

Permanent Protection:

Is the land you plan to acquire free of any other permanent protection? - **Yes**

Hunting and Fishing Plan:

Is this land open for hunting and fishing? - **Yes**

Land acquired by DNR Wildlife through fee-title will be open to hunting and fishing. The underlying fee-title for lands with RIM easements, however, continues to be privately held after the easement is acquired. Therefore, they will not be open to hunting or fishing unless the landowner chooses to grant that right to individuals on a case-by-case basis.

Public Use:

Will the eased land be open for public use? - No

Permanent Protection:

Is the land you plan to acquire free of any other permanent protection? - Yes

Accomplishment Timeline

| Activity | Approximate Date Completed |
|--|----------------------------|
| RIM easements secured on 500 acres | June 30, 2017 |
| DNR Wildlife fee-title acquisitions completed on 180 acres | June 30, 2017 |

Outcomes

Programs in the northern forest region:

- Forestlands are protected from development and fragmentation ; *Shoreland under protection adjacent to wildrice waters will be permanently protected from development and fragmentation.*
- Healthy populations of endangered, threatened, and special concern species as well as more common species ; *Wild rice lakes provide critical habitat for migratory waterfowl.*
- Improved aquatic habitat indicators ; *Protected shoreline will maintain water quality critical for wild rice.*
- Increased availability and improved condition of riparian forests and other habitat corridors ; *Forest Stewardship Plans will be required for all easement areas.*
- Greater public access for wildlife and outdoors-related recreation ; *DNR Wildlife fee-title acquisitions are open to the public.*
- Improved availability and improved condition of habitats that have experienced substantial decline ; *Wild rice shoreland throughout the state has experienced a significant decline over the years. This initiative helps to protect remaining wild rice lakes and habitat.*

Budget Spreadsheet

Budget reallocations up to 10% do not require an amendment to the Accomplishment Plan

Total Amount of Request: \$ 1060000

Budget and Cash Leverage

| Budget Name | LSOHC Request | Anticipated Leverage | Leverage Source | Total |
|----------------------------|---------------|----------------------|-----------------|-------------|
| Personnel | \$52,400 | \$0 | | \$52,400 |
| Contracts | \$0 | \$0 | | \$0 |
| Fee Acquisition w/ PILT | \$170,000 | \$0 | | \$170,000 |
| Fee Acquisition w/o PILT | \$0 | \$0 | | \$0 |
| Easement Acquisition | \$697,900 | \$0 | | \$697,900 |
| Easement Stewardship | \$70,000 | \$0 | | \$70,000 |
| Travel | \$0 | \$0 | | \$0 |
| Professional Services | \$61,000 | \$0 | | \$61,000 |
| Direct Support Services | \$2,300 | \$0 | | \$2,300 |
| DNR Land Acquisition Costs | \$0 | \$0 | | \$0 |
| Capital Equipment | \$0 | \$0 | | \$0 |
| Other Equipment/Tools | \$0 | \$0 | | \$0 |
| Supplies/Materials | \$0 | \$0 | | \$0 |
| DNR IDP | \$6,400 | \$0 | | \$6,400 |
| Total | \$1,060,000 | \$0 | | \$1,060,000 |

Personnel

| Position | FTE | Over # of years | LSOHC Request | Anticipated Leverage | Leverage Source | Total |
|----------------------------------|------|-----------------|---------------|----------------------|-----------------|----------|
| Project Management | 0.05 | 3.00 | \$15,000 | \$0 | | \$15,000 |
| Easement Processing/GIS/Database | 0.13 | 3.00 | \$25,400 | \$0 | | \$25,400 |
| Program Management | 0.05 | 2.00 | \$12,000 | \$0 | | \$12,000 |
| Total | 0.23 | 8.00 | \$52,400 | \$0 | | \$52,400 |

Budget and Cash Leverage by Partnership

| Budget Name | Partnership | LSOHC Request | Anticipated Leverage | Leverage Source | Total |
|----------------------------|--------------------|----------------------|-----------------------------|------------------------|--------------|
| Personnel | DNR Wildlife | \$0 | \$0 | | \$0 |
| Contracts | DNR Wildlife | \$0 | \$0 | | \$0 |
| Fee Acquisition w/ PILT | DNR Wildlife | \$170,000 | \$0 | | \$170,000 |
| Fee Acquisition w/o PILT | DNR Wildlife | \$0 | \$0 | | \$0 |
| Easement Acquisition | DNR Wildlife | \$0 | \$0 | | \$0 |
| Easement Stewardship | DNR Wildlife | \$0 | \$0 | | \$0 |
| Travel | DNR Wildlife | \$0 | \$0 | | \$0 |
| Professional Services | DNR Wildlife | \$19,000 | \$0 | | \$19,000 |
| Direct Support Services | DNR Wildlife | \$2,300 | \$0 | | \$2,300 |
| DNR Land Acquisition Costs | DNR Wildlife | \$0 | \$0 | | \$0 |
| Capital Equipment | DNR Wildlife | \$0 | \$0 | | \$0 |
| Other Equipment/Tools | DNR Wildlife | \$0 | \$0 | | \$0 |
| Supplies/Materials | DNR Wildlife | \$0 | \$0 | | \$0 |
| DNR IDP | DNR Wildlife | \$6,400 | \$0 | | \$6,400 |
| Total | | \$197,700 | \$0 | | \$197,700 |

| Budget Name | Partnership | LSOHC Request | Anticipated Leverage | Leverage Source | Total |
|----------------------------|--------------------|----------------------|-----------------------------|------------------------|--------------|
| Personnel | BWSR | \$52,400 | \$0 | | \$52,400 |
| Contracts | BWSR | \$0 | \$0 | | \$0 |
| Fee Acquisition w/ PILT | BWSR | \$0 | \$0 | | \$0 |
| Fee Acquisition w/o PILT | BWSR | \$0 | \$0 | | \$0 |
| Easement Acquisition | BWSR | \$697,900 | \$0 | | \$697,900 |
| Easement Stewardship | BWSR | \$70,000 | \$0 | | \$70,000 |
| Travel | BWSR | \$0 | \$0 | | \$0 |
| Professional Services | BWSR | \$42,000 | \$0 | | \$42,000 |
| Direct Support Services | BWSR | \$0 | \$0 | | \$0 |
| DNR Land Acquisition Costs | BWSR | \$0 | \$0 | | \$0 |
| Capital Equipment | BWSR | \$0 | \$0 | | \$0 |
| Other Equipment/Tools | BWSR | \$0 | \$0 | | \$0 |
| Supplies/Materials | BWSR | \$0 | \$0 | | \$0 |
| DNR IDP | BWSR | \$0 | \$0 | | \$0 |
| Total | | \$862,300 | \$0 | | \$862,300 |

Personnel - BWSR

| Position | FTE | Over # of years | LSOHC Request | Anticipated Leverage | Leverage Source | Total |
|----------------------------------|------------|------------------------|----------------------|-----------------------------|------------------------|--------------|
| Project Management | 0.05 | 3.00 | \$15,000 | \$0 | | \$15,000 |
| Easement Processing/GIS/Database | 0.13 | 3.00 | \$25,400 | \$0 | | \$25,400 |
| Program Management | 0.05 | 2.00 | \$12,000 | \$0 | | \$12,000 |
| Total | 0.23 | 8.00 | \$52,400 | \$0 | | \$52,400 |

Output Tables

Table 1. Acres by Resource Type

| Type | Wetlands | Prairies | Forest | Habitats | Total |
|--|----------|----------|--------|----------|-------|
| Restore | 0 | 0 | 0 | 0 | 0 |
| Protect in Fee with State PILT Liability | 0 | 0 | 180 | 0 | 180 |
| Protect in Fee W/O State PILT Liability | 0 | 0 | 0 | 0 | 0 |
| Protect in Easement | 0 | 0 | 500 | 0 | 500 |
| Enhance | 0 | 0 | 0 | 0 | 0 |
| Total | 0 | 0 | 680 | 0 | 680 |

Table 2. Total Requested Funding by Resource Type

| Type | Wetlands | Prairies | Forest | Habitats | Total |
|--|----------|----------|-------------|----------|-------------|
| Restore | \$0 | \$0 | \$0 | \$0 | \$0 |
| Protect in Fee with State PILT Liability | \$0 | \$0 | \$197,700 | \$0 | \$197,700 |
| Protect in Fee W/O State PILT Liability | \$0 | \$0 | \$0 | \$0 | \$0 |
| Protect in Easement | \$0 | \$0 | \$862,300 | \$0 | \$862,300 |
| Enhance | \$0 | \$0 | \$0 | \$0 | \$0 |
| Total | \$0 | \$0 | \$1,060,000 | \$0 | \$1,060,000 |

Table 3. Acres within each Ecological Section

| Type | Metro Urban | Forest Prairie | SE Forest | Prairie | N Forest | Total |
|--|-------------|----------------|-----------|---------|----------|-------|
| Restore | 0 | 0 | 0 | 0 | 0 | 0 |
| Protect in Fee with State PILT Liability | 0 | 0 | 0 | 0 | 180 | 180 |
| Protect in Fee W/O State PILT Liability | 0 | 0 | 0 | 0 | 0 | 0 |
| Protect in Easement | 0 | 0 | 0 | 0 | 500 | 500 |
| Enhance | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 0 | 0 | 0 | 0 | 680 | 680 |

Table 4. Total Requested Funding within each Ecological Section

| Type | Metro Urban | Forest Prairie | SE Forest | Prairie | N Forest | Total |
|--|-------------|----------------|-----------|---------|-------------|-------------|
| Restore | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Protect in Fee with State PILT Liability | \$0 | \$0 | \$0 | \$0 | \$197,700 | \$197,700 |
| Protect in Fee W/O State PILT Liability | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Protect in Easement | \$0 | \$0 | \$0 | \$0 | \$862,300 | \$862,300 |
| Enhance | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Total | \$0 | \$0 | \$0 | \$0 | \$1,060,000 | \$1,060,000 |

Table 5. Target Lake/Stream/River Miles

5 miles

Parcel List

For restoration and enhancement programs ONLY: Managers may add, delete, and substitute projects on this parcel list based upon need, readiness, cost, opportunity, and/or urgency so long as the substitute parcel/project forwards the constitutional objectives of this program in the Project Scope table of this accomplishment plan. The final accomplishment plan report will include the final parcel list.

Section 1 - Restore / Enhance Parcel List

No parcels with an activity type restore or enhance.

Section 2 - Protect Parcel List

Aitkin

| Name | TRDS | Acres | Est Cost | Existing Protection? | Hunting? | Fishing? |
|-----------------|------|-------|----------|----------------------|----------|----------|
| Wild Rice Lakes | 2 | 0 | \$0 | | | |

Carlton

| Name | TRDS | Acres | Est Cost | Existing Protection? | Hunting? | Fishing? |
|-----------------|------|-------|----------|----------------------|----------|----------|
| Wild Rice Lakes | 2 | 0 | \$0 | | | |

Cass

| Name | TRDS | Acres | Est Cost | Existing Protection? | Hunting? | Fishing? |
|-----------------|------|-------|----------|----------------------|----------|----------|
| Wild Rice Lakes | 2 | 0 | \$0 | | | |

Crow Wing

| Name | TRDS | Acres | Est Cost | Existing Protection? | Hunting? | Fishing? |
|-----------------|------|-------|----------|----------------------|----------|----------|
| Wild Rice Lakes | 2 | 0 | \$0 | | | |

Hubbard

| Name | TRDS | Acres | Est Cost | Existing Protection? | Hunting? | Fishing? |
|-----------------|------|-------|----------|----------------------|----------|----------|
| Wild Rice Lakes | 2 | 0 | \$0 | | | |

Itasca

| Name | TRDS | Acres | Est Cost | Existing Protection? | Hunting? | Fishing? |
|-----------------|------|-------|----------|----------------------|----------|----------|
| Wild Rice Lakes | 2 | 0 | \$0 | | | |

St. Louis

| Name | TRDS | Acres | Est Cost | Existing Protection? | Hunting? | Fishing? |
|-----------------|-------------|--------------|-----------------|-----------------------------|-----------------|-----------------|
| Moose Lake | 60019226 | 110 | \$150,000 | No | Full | Full |
| Wild Rice Lakes | 2 | 0 | \$0 | | | |

Wadena

| Name | TRDS | Acres | Est Cost | Existing Protection? | Hunting? | Fishing? |
|-----------------|-------------|--------------|-----------------|-----------------------------|-----------------|-----------------|
| Wild Rice Lakes | 2 | 0 | \$0 | | | |
| Yaeger Lake WMA | 13734209 | 180 | \$235,000 | No | Full | Full |

Section 2a - Protect Parcel with Bldgs

No parcels with an activity type protect and has buildings.

Section 3 - Other Parcel Activity

No parcels with an other activity type.