Lessard-Sams Outdoor Heritage Council

Laws of Minnesota 2017 Accomplishment Plan

General Information

Date: 10/07/2021

Project Title: RIM Buffers for Wildlife and Water - Phase VII

Funds Recommended: $5,333,000

Legislative Citation: ML 2017, Ch. 91, Art. 1, Sec. 2, subd. 2(g)

Appropriation Language: $5,333,000 in the first year is to the Board of Water and Soil Resources to acquire permanent conservation easements and restore habitat under Minnesota Statutes, section 103F.515 in order to protect, restore, and enhance habitat by expanding the clean water fund riparian buffer program for at least equal wildlife benefits from buffers on private land. Of this amount, up to $858,000 is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of permanent conservation easements must be provided as part of the final report.

Manager Information

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Location Information

County Location(s): Wilkin, Rock, Renville, Redwood, Nobles, Nicollet, Murray, Mower, Meeker, McLeod, Lyon, Lac qui Parle, Jackson, Cottonwood and Brown.

Eco regions in which work will take place:

- Forest / Prairie Transition
- Prairie
- Metro / Urban
- Southeast Forest

Activity types:

- Protect in Easement
- Restore

Priority resources addressed by activity:

- Prairie

Narrative

Abstract

Utilizing the new CREP III partnership to secure permanent conservation easements, this Phase 7 continuation of the RIM Buffers Program will protect and restore riparian buffer areas, totaling 2,670 acres on approximately 38 easements. This Program will continue to utilize a science-based ranking and selection process and be implemented locally, working with SWCD, NRCS, and FSA staff in the 54 county CREP area. It is estimated that $1 of OHF will be leveraged with $1 of Clean Water Funds and at least $2 of Federal funds through CREP.

Design and Scope of Work

The project area will consist of the 54 County CREP area and the expected results are a total of 2,670 acres of expanded habitat buffers on approximately 38 easements through this request. RIM Buffers uniquely leverages the Clean Water Fund and the Outdoor Heritage Fund to expand basic water quality buffers into high quality wildlife habitat. Outdoor Heritage Funds will double the size of Clean Water Fund (CWF) easements to provide additional wildlife benefits on areas that are not required by law or rule to have buffers, enhancing protection values from a water quality focus to a multi-benefit habitat-oriented corridor.

Due to the unique nature of the State's CWF/OHF match, each dollar of OHF is leveraged by 3:1, with two Federal and one CWF dollar leveraged for each OHF dollar. OHF funded buffers, when linked to CWF buffers, will yield a total of 2,760 acres of buffers. Due to guidance from LSOHC, only the acres (1,335) and funding ($5,333,000) from OHF have been displayed in the Output Tables.

Minnesota continues to see a net loss of grasslands and CRP acres each year. This exodus is being driven by high land prices, increased pressure for alternative uses, and declining federal budgets for conservation programs. Minnesota's primary strategy to mitigate the loss of CRP is to target expiring contracts for enrollment into Continuous CRP practices (like buffers) and permanent easements.

RIM Buffer easements will be secured via Conservation Reserve Enhancement Program (CREP) permanent easement acquisition, utilizing both a 15 year CRP contract and permanent RIM easement. This will be Minnesota's third CREP, and is able to offer a large-scale impact due to the unique opportunity to utilize a substantial federal match. Over the five year CREP period, we look to enroll permanently protected buffers using a combination of the USDA Conservation Reserve Program (CRP) and the Reinvest in Minnesota (RIM) Reserve Program.

RIM Buffers is a partnership delivered locally by Soil and Water Conservation Districts (SWCDs) and at the State level by BWSR. In addition, the CREP partnership is possible through collaboration among many local, state and federal partners including the USDA-Farm Service Agency (FSA), USDA-Natural Resources Conservation Service (NRCS), Pheasants Forever (PF), the Minnesota Department of Natural Resources (MNDNR), Minnesota Department of Agriculture (MDA), Minnesota Pollution Control Agency (MPCA), Minnesota Department of Health (MDH), and over 70 supporting organizations and agencies.

BWSR staff will coordinate with federal partners on the overall CREP process and program oversight and will be responsible for easement acquisition. Local staff will promote CRP contracts and RIM easements, assist with easement processing and provide key essential technical assistance and project management services. Due to the reliance on local staff for implementation, the Farm Bill Assistance Partnership (FBAP) is included as a component in the RIM Buffers Program. There is increased local workload expected with CREP signup and implementation, as a significantly increased number of easements will be secured within the CREP III area throughout the CREP timeframe.

How does the plan address habitats that have significant value for wildlife species of greatest conservation need, and/or threatened or endangered species, and list targeted species?

Buffers are commonly viewed as simply a water quality practice, but buffers have notable positive impacts on wildlife due their unique upland and riverine habitat interaction. This is especially true for expanded width buffers enrolled through this Program. Not only are upland grasslands protected or restored, detrimental impacts to stream-reliant biota is reduced. Many species of amphibians, such as southern MN's Northern Cricket Frog (endangered) rely on aquatic habitat during the breeding season and then spend most of their lives in upland habitat. In Southeastern MN, reptiles such as the Blanding's Turtle (endangered) rely on meandering streams, rivers, and adjacent lands.

The Sedge wren, a Species of Greatest Conservation Need (SGCN) most commonly associated with grassland habitat, is encountered in buffer areas. Bird use is influenced by buffer width, with greater widths experiencing greater abundance and diversity of birds and grassland species. However, bird use is negatively associated by the amount of edge exposure. As an effort to limit this exposure through this Program's scoring and ranking process, sites which may serve as corridors or expand current complexes are most desirable.

Diverse vegetation, access to a water resource, and protection from pesticides are important to Minnesota's native pollinator species. BWSR's native vegetation guidelines and pollinator initiative have outlined the RIM Program's commitment to protecting native pollinators. Complexes and corridors targeted through RIM Buffers provide areas that are safe from pesticides and are natural passageways for pollinators. Targeted pollinator species include the Monarch Butterfly and solitary bee species including Leafcutter Bees, Mason Bees, and Yellow-faced Bees.

Of the nearly 1200 known wildlife species in Minnesota, 292 species, or approximately one-fourth, are at risk because they are rare; their populations are declining due to loss of habitat. SGCN in the RIM Buffers area include the Five-lined Skink, Two-spotted Skipper, Northern Pintail, American Black Duck, Grasshopper Sparrow, Upland Sandpiper, Sedge Wren, Dickcissel, and Western Grebe. In addition to the SGCN, the threatened or endangered species targeted in this proposal include the Dakota Skipper and Poweshiek Skipperling.

Describe how the plan uses science-based targeting that leverages or expands corridors and complexes, reduces fragmentation or protects areas identified in the MN County Biological Survey:

Through a combination of targeted outreach, eligibility screening, and a scoring and ranking process, each site is considered on its benefits to the surrounding landscape, as well as the site-specific features which highlight the benefits of selection for permanent protection.

During the application process, a review of adjacent permanent habitat and easement size is conducted to indicate a site's usefulness as a corridor or extension to an existing habitat complex. In addition, other examples of the science-based targeting used include: drainage to shallow lakes, buffering along lakeshore, planned vegetative diversity, and proximity to land open to public hunting.

As we implement CREP we will utilize similar science-based considerations that have been historically used by the RIM Buffers Program. The scoresheet used for CREP Buffer applications is included with this proposal.

Which two sections of the Minnesota Statewide Conservation and Preservation Plan are most applicable to this project?

- H2 Protect critical shoreland of streams and lakes
- H7 Keep water on the landscape

Which two other plans are addressed in this program?

- Long Range Plan for the Ring-Necked Pheasant in MN
- Outdoor Heritage Fund: A 25 Year Framework

Which LSOHC section priorities are addressed in this program?

Forest / Prairie Transition

- Protect, enhance, and restore wild rice wetlands, shallow lakes, wetland/grassland complexes, aspen parklands, and shoreland that provide critical habitat for game and nongame wildlife

Metro / Urban

- Protect habitat corridors, with emphasis on the Minnesota, Mississippi, and St. Croix rivers (bluff to floodplain)

Prairie

- Protect expiring CRP lands

Southeast Forest

- Protect, enhance, and restore habitat for fish, game, and nongame wildlife in rivers, cold-water streams, and associated upland habitat

Does this program include leveraged funding?

-

Non-OHF Appropriations

Year	Source	Amount
2009 to 2015	Clean Water Fund	59,650,000
2008, 2011, 2012 and 2014	Bonding	17,640,206

How will you sustain and/or maintain this work after the Outdoor Heritage Funds are expended?

Once a RIM easement is acquired, BWSR is responsible for maintenance, inspection and monitoring into perpetuity. The BWSR partners with local SWCDs to carry-out oversight, monitoring and inspection of its conservation easements. 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. SWCDs report to BWSR on each site inspection conducted and partners' staff document findings. A non-compliance procedure is implemented when potential violations or problems are identified.

Perpetual monitoring and stewardship costs have been calculated at $6,500 per easement. This value is based on using local SWCD staff for monitoring and landowner relations and existing enforcement authorities. The amount listed for Easement Stewardship covers costs of the SWCD regular monitoring, BWSR oversight, and enforcement.

Actions to Maintain Project Outcomes

Year	Source of Funds	Step 1	Step 2	Step 3
2017-Ongoing	Stewardship Account	Compliance Checks first 5 years then every 3rd year.	Corrective actions of any violations	Enforcement action taken by MN Attorney General office
2017-Ongoing	Landowner Responsibility	Maintain compliance with easement terms	-	-

Activity Details

Requirements

If funded, this program will meet all applicable criteria set forth in MS 97A.056?
Yes

Is the land you plan to acquire (easement) free of any other permanent protection?
Yes

Who will manage the easement?
BWSR will be the responsible party for monitoring and enforcing easements.

Who will be the easement holder?
BWSR will be the easement holder.

Will restoration and enhancement work follow best management practices including MS 84.973 Pollinator Habitat Program?
Yes

Is the restoration and enhancement activity on permanently protected land per 97A.056, Subd 13(f), tribal lands, and/or public waters per MS 103G.005, Subd. 15?
Yes

Where does the activity take place?

- Other : RIM Perpetual Easements

Land Use

Will there be planting of any crop on OHF land purchased or restored in this program?
Yes

Explain what will be planted:
In certain circumstances food plots for wildlife are an allowable use on RIM easements and must be part of an approved Conservation Plan. Food plots on narrow buffers, steep slopes and wet areas are not allowed. RIM policy limits food plots to 10% of the total easement area or 5 acres whichever is smaller. There is no cost share for establishment of food plots and upon termination the landowners must reestablish the vegetation as prescribed in the Conservation Plan at their own expense. Food plots are a rarely selected option by landowners, to date only 2.2% of RIM easements have food plots.

Are any of the crop types planted GMO treated?
False

Will the eased land be open for public use?
No

Are there currently trails or roads on any of the proposed acquisitions?
Yes

Describe the types of trails or roads and the allowable uses:
This appropriation is funding a program that will have a parcel list identified at a later time. Roads or trails are typically excluded from the easement area if they serve no beneficial purpose to easement maintenance, monitoring, or enforcement. Existing trails and roads are identified during the easement acquisition process. Some roads and trails, such as agricultural field accesses, are allowed to remain.

Will the trails or roads remain and uses continue to be allowed after OHF acquisition?
Yes

How will maintenance and monitoring be accomplished?
The easements secured under this project will be managed as part of the MN Board of Water and Soil Resources (BWSR) RIM Reserve Program that has over 6,500 easements currently in place. Easements are monitored annually for each of the first 5 years and then every 3rd year after that. BWSR, in cooperation with Soil and Water Conservation Districts (SWCD), implement a stewardship process to track, monitor quality and assure compliance with easement terms.

Under the terms of the Reinvest In Minnesota (RIM) Easement Program, landowners are required to maintain compliance with the easement. A conservation plan is developed with the landowner and maintained as part of each easement. Basic easement compliance costs are borne by the landowner, periodic enhancements may be cost shared from a variety of sources.

Will new trails or roads be developed or improved as a result of the OHF acquisition?
Yes

Describe the types of trails or roads and the allowable uses:
Though uncommon, there could be a potential for new trails to be developed, if they contribute to easement maintenance or benefit the easement site (e.g. firebreaks, berm maintenance, etc). Unauthorized trails identified during the monitoring process are in violation of the easement.

How will maintenance and monitoring be accomplished?
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Under the terms of the Reinvest In Minnesota (RIM) Easement Program, landowners are required to maintain compliance with the easement. A conservation plan is developed with the landowner and maintained as part of each easement. Basic easement compliance costs are borne by the landowner, periodic enhancements may be cost shared from a variety of sources.

Timeline

Activity Name	Estimated Completion Date
Obtain applications from eligible landowners	June 30, 2022
Allocations to specific parcels	July 31, 2022
Easements recorded	June 30, 2024
Restorations completed	June 30, 2026

Date of Final Report Submission: 11/01/2026

Budget

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

Totals

Item	Funding Request	Antic. Leverage	Leverage Source	Total
Personnel	$271,500	$271,500	Clean Water Fund, Clean Water Fund, Clean Water Fund	$543,000
Contracts	$144,900	$144,900	Clean Water Fund	$289,800
Fee Acquisition w/ PILT	-	-	-	-
Fee Acquisition w/o PILT	-	-	-	-
Easement Acquisition	$4,707,700	$15,535,400	Clean Water Fund, USDA-FSA-CRP	$20,243,100
Easement Stewardship	$123,500	$123,500	Clean Water Fund	$247,000
Travel	$9,400	$9,400	Clean Water Fund	$18,800
Professional Services	-	-	-	-
Direct Support Services	$58,700	$58,700	Clean Water Fund	$117,400
DNR Land Acquisition Costs	-	-	-	-
Capital Equipment	-	-	-	-
Other Equipment/Tools	$13,300	$13,300	Clean Water Fund	$26,600
Supplies/Materials	$4,000	$4,000	Clean Water Fund	$8,000
DNR IDP	-	-	-	-
Grand Total	**$5,333,000**	**$16,160,700**	**-**	**$21,493,700**

Personnel

Position	Annual FTE	Years Working	Funding Request	Antic. Leverage	Leverage Source	Total
Engineering/Eco Services	0.26	3.0	$92,500	$92,500	Clean Water Fund	$185,000
Easement Staff	3.38	5.0	$179,000	$179,000	Clean Water Fund	$358,000

Amount of Request: $5,333,000
Amount of Leverage: $16,160,700
Leverage as a percent of the Request: 303.03%
DSS + Personnel: $330,200
As a % of the total request: 6.19%
Easement Stewardship: $123,500
As a % of the Easement Acquisition: 2.62%

How will this program accommodate the reduced appropriation recommendation from the original proposed requested amount?
A reduction in funding has reduced outputs proportionally. Program management costs are the exception, due to program management & oversight remaining consistent regardless of appropriation amount.

Describe and explain leverage source and confirmation of funds:
On January 17, 2017, Governor Mark Dayton signed a $500 million Minnesota Conservation Reserve Enhancement

Program (CREP) Agreement with the United States Department of Agriculture. The $500 million investment for the MN CREP consists of approximately $350 million from USDA.

Contracts

What is included in the contracts line?
No. The contract line amount will be used for payments to SWCD staff for easement implementation (includes Farm Bill Assistance Partnership). Estimated restoration costs are included in the easements acquisition line. We estimate that LSOHC Costs for restoration will amount to $430,100.

Easement Stewardship

What is the number of easements anticipated, cost per easement for stewardship, and explain how that amount is calculated?

Travel

Does the amount in the travel line include equipment/vehicle rental?
-

Explain the amount in the travel line outside of traditional travel costs of mileage, food, and lodging

I understand and agree that lodging, meals, and mileage must comply with the current MMB Commissioner Plan:
No

Direct Support Services

How did you determine which portions of the Direct Support Services of your shared support services is direct to this program?
BWSR calculates direct support services costs that are directly related to and necessary for each request based on the type of work being done.

Federal Funds

Do you anticipate federal funds as a match for this program?
Yes

Are the funds confirmed?
Yes

Is Confirmation Document attached?
Yes

- Cash : $10,827,700

Output Tables

Acres by Resource Type (Table 1)

Type	Wetland	Prairie	Forest	Habitat	Total Acres
Restore	0	0	0	0	0
Protect in Fee with State PILT Liability	0	0	0	0	0
Protect in Fee w/o State PILT Liability	0	0	0	0	0
Protect in Easement	0	1,335	0	0	1,335
Enhance	0	0	0	0	0
Total	**0**	**1,335**	**0**	**0**	**1,335**

Total Requested Funding by Resource Type (Table 2)

Type	Wetland	Prairie	Forest	Habitat	Total Funding
Restore	-	-	-	-	-
Protect in Fee with State PILT Liability	-	-	-	-	-
Protect in Fee w/o State PILT Liability	-	-	-	-	-
Protect in Easement	-	$5,333,000	-	-	$5,333,000
Enhance	-	-	-	-	-
Total	**-**	**$5,333,000**	**-**	**-**	**$5,333,000**

Acres within each Ecological Section (Table 3)

Type	Metro/Urban	Forest/Prairie	SE Forest	Prairie	N. Forest	Total Acres
Restore	0	0	0	0	0	0
Protect in Fee with State PILT Liability	0	0	0	0	0	0
Protect in Fee w/o State PILT Liability	0	0	0	0	0	0
Protect in Easement	133	133	133	936	0	1,335
Enhance	0	0	0	0	0	0
Total	**133**	**133**	**133**	**936**	**0**	**1,335**

Total Requested Funding within each Ecological Section (Table 4)

Type	Metro/Urban	Forest/Prairie	SE Forest	Prairie	N. Forest	Total Funding
Restore	-	-	-	-	-	-
Protect in Fee with State PILT Liability	-	-	-	-	-	-
Protect in Fee w/o State PILT Liability	-	-	-	-	-	-
Protect in Easement	$531,300	$531,300	$531,300	$3,739,100	-	$5,333,000
Enhance	-	-	-	-	-	-
Total	**$531,300**	**$531,300**	**$531,300**	**$3,739,100**	**-**	**$5,333,000**

Average Cost per Acre by Resource Type (Table 5)

Type	Wetland	Prairie	Forest	Habitat
Restore	-	-	-	-
Protect in Fee with State PILT Liability	-	-	-	-
Protect in Fee w/o State PILT Liability	-	-	-	-
Protect in Easement	-	$3,994	-	-
Enhance	-	-	-	-

Average Cost per Acre by Ecological Section (Table 6)

Type	Metro/Urban	Forest/Prairie	SE Forest	Prairie	N. Forest
Restore	-	-	-	-	-
Protect in Fee with State PILT Liability	-	-	-	-	-
Protect in Fee w/o State	-	-	-	-	-

PILT Liability					
Protect in Easement	$3,994	$3,994	$3,994	$3,994	-
Enhance	-	-	-	-	-

Target Lake/Stream/River Feet or Miles

39 miles

Outcomes

Programs in forest-prairie transition region:

- Protected, restored, and enhanced aspen parklands and riparian areas ~ *A summary of the total acres acquired through this appropriation will be reported. On-site inspections are performed every three years and compliance checks are performed in the other two years to ensure maintained outcomes. An increase of native grassland habitat availability within a certain region is expected to increase the carrying capacity of grassland-dependent wildlife within that region. This would have a positive impact on both game and nongame species. We expect more abundant populations of endangered, threatened, special concern and game species as these complexes are restored.*

Programs in metropolitan urbanizing region:

- A network of natural land and riparian habitats will connect corridors for wildlife and species in greatest conservation need ~ *A summary of the total acres acquired through this appropriation will be reported. On-site inspections are performed every three years and compliance checks are performed in the other two years to ensure maintained outcomes. An increase of native grassland habitat availability within a certain region is expected to increase the carrying capacity of grassland-dependent wildlife within that region. This would have a positive impact on both game and nongame species. We expect more abundant populations of endangered, threatened, special concern and game species as these complexes are restored.*

Programs in prairie region:

- Expiring CRP lands are permanently protected ~ *A summary of the total acres acquired through this appropriation will be reported. On-site inspections are performed every three years and compliance checks are performed in the other two years to ensure maintained outcomes. An increase of native grassland habitat availability within a certain region is expected to increase the carrying capacity of grassland-dependent wildlife within that region. This would have a positive impact on both game and nongame species. We expect more abundant populations of endangered, threatened, special concern and game species as these complexes are restored.*

Programs in southeast forest region:

- Rivers, streams, and surrounding vegetation provide corridors of habitat ~ *A summary of the total acres acquired through this appropriation will be reported. On-site inspections are performed every three years and compliance checks are performed in the other two years to ensure maintained outcomes. An increase of native grassland habitat availability within a certain region is expected to increase the carrying capacity of grassland-dependent wildlife within that region. This would have a positive impact on both game and nongame species. We expect more abundant populations of endangered, threatened, special concern and game species as these complexes are restored.*

Parcels

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.

Parcel Information

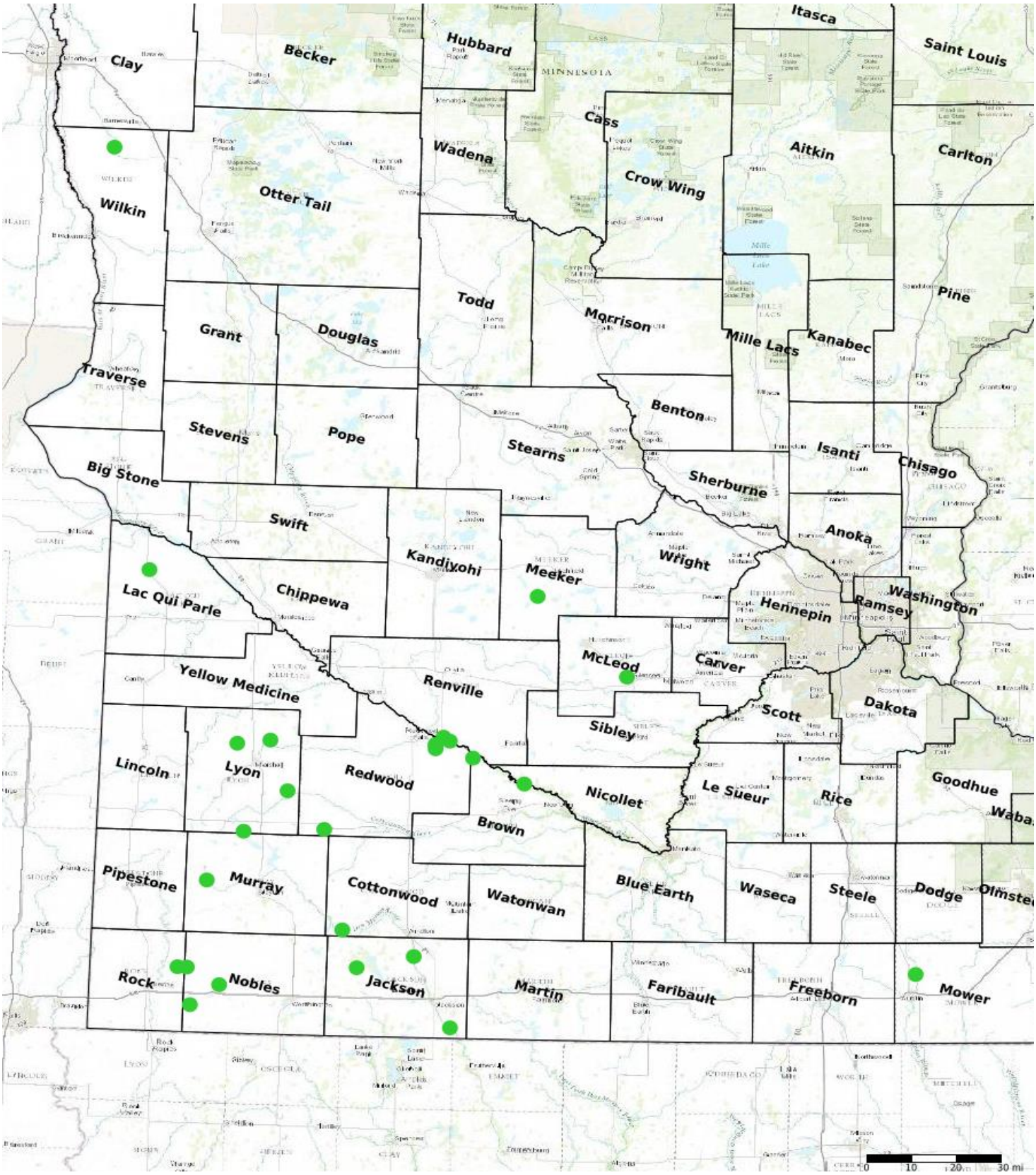
Sign-up Criteria?

Yes

Explain the process used to identify, prioritize, and select the parcels on your list:

Protect Parcels

Name	County	TRDS	Acres	Est Cost	Existing Protection
08-02-20-01- -	Brown	11233230	19	$105,500	No
17-05-20-01- -	Cottonwood	10538227	115	$361,000	No
32-02-20-01- -	Jackson	10134221	10	$44,200	No
32-03-20-01- -	Jackson	10337207	20	$93,100	No
32-05-20-01- -	Jackson	10435230	13	$48,100	No
37-01-20-01- -	Lac qui Parle	11945222	69	$132,100	No
42-05-20-01- -	Lyon	11241212	53	$322,000	No
42-01-20-01- -	Lyon	10941231	32	$113,000	No
42-03-20-01- -	Lyon	11242214	15	$68,900	No
42-06-20-01- -	Lyon	11040210	38	$107,700	No
43-01-20-01- -	McLeod	11528216	21	$59,900	No
47-05-20-01- -	Meeker	11831208	6	$14,200	No
50-01-20-01- -	Mower	10318211	23	$61,500	No
51-04-20-01- -	Murray	10743235	52	$86,000	No
52-05-20-01- -	Nicollet	11132225	64	$249,100	No
53-06-20-01- -	Nobles	10243232	30	$137,200	No
53-04-20-01- -	Nobles	10242205	52	$233,200	No
53-05-20-01- -	Nobles	10343218	65	$203,900	No
64-10-20-01- -	Redwood	11235211	28	$107,800	No
64-05-20-01- -	Redwood	11235214	10	$53,300	No
64-09-20-01- -	Redwood	11235211	9	$48,400	No
64-11-20-01- -	Redwood	10939225	4	$15,800	No
65-11-20-01- -	Renville	11234205	15	$51,800	No
65-12-20-01- -	Renville	11334231	3	$10,200	No
67-02-20-01- -	Rock	10344214	41	$149,000	No
84-02-20-01- -	Wilkin	13646230	121	$144,500	No



Protect in Easement
Protect in Fee with PILT
Protect in Fee W/O PILT
Restore
Enhance
Other

Parcel Map
RIM Buffers for Wildlife and Water - Phase VII
(Data Generated From Parcel List)