

Lessard-Sams Outdoor Heritage Council

Laws of Minnesota 2017 Accomplishment Plan



Date: October 18, 2016

Program or Project Title: Bushmen Lake

Funds Recommended: \$ 3,000,000

Manager's Name: Emilee Nelson

Organization: The Conservation Fund

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Legislative Citation: ML 2017, Ch. X, Art. X, Sec. X

Appropriation Language:

County Locations: St. Louis

Regions in which work will take place:

- Northern Forest

Activity types:

- Protect in Fee

Priority resources addressed by activity:

- Forest

Abstract:

The Land and Water Conservation Fund (LWCF) has ranked this acquisition as Number 6 nationally, and has included \$3.5 million in the President's FY 2017 Budget to acquire 2,250 acres of inholdings along Bushmen Lake, bordering the Boundary Water Canoe Area Wilderness (BWCAW) on three sides. The Conservation Fund has been asked by the U.S. Forest Service to assist with the acquisition and requests funds from the LSOHC to permanently protect this habitat to secure over 4 miles of legal access to Superior National Forest and provide critical habitat for moose and Canada Lynx.

Design and scope of work:

This 2,250-acre inholding owned by the Potlatch Corporation, known as the Bushmen Lake parcel, is surrounded on three sides by the BWCAW and lies within the Superior National Forest. It has been a critical acquisition for the U.S. Forest Service (USFS) for years, and has recently become extremely vulnerable due to changing land uses in northern MN. The property contains over 4-miles of vital road access to the BWCAW and a private sale would cut off USFS authority to control access points and enforce recreation permits, which limit access to the BWCAW.

Potlatch is a real estate investment trust (REIT) with a fiduciary mandate to liquidate their holdings for the maximum value attainable and pass those dividends on to their shareholders. If not purchased by a mining company, the land would be suitable for carving up into residential lots. In an area with a strong and healthy real estate market, Potlatch has already invested a considerable amount of money and is marketing this pristine lakeshore as a resort destination "on the edge of the wilderness" directly adjacent to Minnesota's most remote and treasured wilderness escapes.

We cannot think of a more threatened and valuable property in Minnesota. The USFS agrees with us, and in an unprecedented move, this project rocketed to the top of the acquisition list (a list that normally follows a prescribed chronology of waiting years for a project to march its way to the top) and received the highest-possible grant recommendation amount ever given to a site in the Superior National Forest: \$3.5M. The Conservation Fund has been asked to assist the USFS to acquire and protect this property from Potlatch, with whom a relationship has been established on previous large-scale projects.

The biggest threats to the Bushmen Lake property are private development or mining interests. Although this property is in an area of low economic mineral potential, it is unique in that the mineral rights are still united with the surface rights and would be included in the purchase. We know of no other property adjacent to the BWCAW, of this size, that still has the mineral rights and is not owned by a mining company or the state for potential mineral exploration.

How does the request address MN habitats that have: historical value to fish and wildlife, wildlife species of greatest conservation need, MN County Biological Survey data, and/or rare, threatened and endangered species inventories:

Within a 3-mile radius of the parcel there are 20 occurrences of documented rare species or threatened communities according to the Natural Heritage Database, updated by MCBS staff (see Attachment 2). The protection of this parcel will increase the likelihood of the existence of these rare species by providing an additional buffer from aggressive mining practices that are occurring less than four miles from Bushmen Lake.

Describe the science based planning and evaluation model used:

The Bushmen Lake parcel is surrounded on three sides by the BWCAW, which is a contiguous 1.1 million acres that his home to moose, Canada lynx, grey wolf and many bird species documented by the MN County Biological Survey, including the boreal owl (see Attachment 2). The USFS has identified this property as highly vulnerable due to the threat of fragmentation of controlled access points to protect these corridors into the BWCAW from private access that would be extremely difficult and expensive to patrol. Mineral potential surveys have also identified areas within mere miles of the Bushmen Lake property as highly likely for potential mineral extraction, as proven by the new proposed mine only four miles from Bushmen Lake to the southeast.

Which sections of the Minnesota Statewide Conservation and Preservation Plan are applicable to this program:

- H3 Improve connectivity and access to recreation
- LU8 Protect large blocks of forest land

Which other plans are addressed in this program:

- Moose Advisory Committee Report to the Minnesota DNR
- Superior National Forest Land and Resource Management Plan

Which LSOHC section priorities are addressed in this program:

Northern Forest:

- Protect shoreland and restore or enhance critical habitat on wild rice lakes, shallow lakes, cold water lakes, streams and rivers, and spawning areas

Relationship to other funds:

- Not Listed

Describe the relationship of the funds:

Not Listed

How does this program include leverage in funds or other effort to supplement any OHF appropriation:

This project will leverage \$3.5 million in federal funds, to be awarded in Spring 2017. The Conservation Fund will pursue additional sources of available funding for the remaining \$1.6 million to complete the project.

Describe the source and amount of non-OHF money spent for this work in the past:

Appropriation Year	Source	Amount
2016	Federal - Land & Water Conservation Fund	\$3,500,000

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

The land acquired will be owned and managed by the United States Forest Service and will be part of the Superior National Forest and will not be included in the BWCAW. However, the USFS will adhere to OHF Notice of Funding Restrictions per the grant agreement on this property which mandates that the property be managed for its habitat values and allowing for public access and hunting on the property. The USFS will assume all management costs and responsibility.

Explain the things you will do in the future to maintain project outcomes:

Year	Source of Funds	Step 1	Step 2	Step 3
2018	Federal	Develop Management Plan		
2019	Federal	Implement Management Plan		

Activity Details:

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

Will there be planting of corn or any crop on OHF land purchased or restored in this program - **No**

Will local government approval be sought prior to acquisition - **Yes**

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

Is this land currently open for hunting and fishing - **No**

Will the land be open for hunting and fishing after completion - **Yes**

Once in USFS ownership, the land will be open to hunting and fishing.

Who will eventually own the fee title land?

The U.S. Forest Service will eventually own the fee title land.

Are there currently trails or roads on any of the acquisitions on the parcel list - **Yes**

Describe the types of trails or roads and the allowable uses:

A relatively small amount of forest access roads are currently on the property. As logging has been limited in this area, the road network is minimal. USFS will undertake restoration of any scars of development as funds are available.

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

How will maintenance and monitoring be accomplished:

The trails will be maintained for walk-in access and limited vehicular access. The USFS will maintain and monitor trail use upon ownership, as they have done in the Superior National Forest since it was established in 1909.

Will new trails or roads be developed or improved as a result of the OHF acquisition - **No**

Accomplishment Timeline:

Activity	Approximate Date Completed
Acquire 2,250 acres	August 2017
Transfer ownership to USFS	September 2017

Date of Final Report Submission: 11/1/2020

Federal Funding:

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

Are the funds confirmed - **Yes**

Documentation

What are the types of funds?

Cash Match - \$3500000

In-Kind Match - \$

Other -

Outcomes:

Programs in the northern forest region:

- Landlocked public properties have increased access for land managers *The Bushmen Lake tract is surrounded on three sides by the BWCAW and contains over 4-miles of access to the pristine wilderness. The permanent protection of this property would allow for simpler management and access for land managers, and failure to protect this property could increase trespass and reduce access for management activities to occur.*

Budget Spreadsheet

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

How will this program accommodate the reduced appropriation recommendation from the original proposed requested amount

Although the reduced recommendation puts the project at risk, The Conservation Fund will pursue additional funds that may be available to complete the protection of this property.

Total Amount of Request: \$ 3000000

Budget and Cash Leverage

BudgetName	LSOHC Request	Anticipated Leverage	Leverage Source	Total
Personnel	\$60,000	\$0		\$60,000
Contracts	\$0	\$0		\$0
Fee Acquisition w/ PILT	\$0	\$0		\$0
Fee Acquisition w/o PILT	\$2,892,000	\$5,111,500	Federal (\$3.5M), Private (\$1.611M)	\$8,003,500
Easement Acquisition	\$0	\$0		\$0
Easement Stewardship	\$0	\$0		\$0
Travel	\$3,000	\$0		\$3,000
Professional Services	\$30,000	\$0		\$30,000
Direct Support Services	\$15,000	\$0		\$15,000
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	\$0	\$0		\$0
Total	\$3,000,000	\$5,111,500		\$8,111,500

Personnel

Position	FTE	Over # of years	LSOHC Request	Anticipated Leverage	Leverage Source	Total
MN State Director	0.20	1.00	\$30,000	\$0		\$30,000
MN Real Estate Associate	0.40	1.00	\$30,000	\$0		\$30,000
Total	0.60	2.00	\$60,000	\$0		\$60,000

Amount of Request: \$3,000,000

Amount of Leverage: \$5,111,500

Leverage as a percent of the Request: 170.38%

DSS + Personnel: \$75,000

As a % of the total request: 2.50%

How did you determine which portions of the Direct Support Services of your shared support services is direct to this program:

Our real estate support staff keeps hourly time sheets to track direct time spent on projects by grant source. We have used those past metrics to estimate the costs for this grant.

Describe and explain leverage source and confirmation of funds:

3.5 million, exclusively for this project, is included in the President Obama-approved FY'17 USFS Budget using the Federal Land and Water Conservation Fund. Funds will be awarded in Spring 2017. The remaining budgeted acquisition amount of \$1,611,500 will be pursued by The Fund to complete the project.

Output Tables

Table 1a. 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	0	0	0
Protect in Fee W/O State PILT Liability	0	0	2,250	0	2,250
Protect in Easement	0	0	0	0	0
Enhance	0	0	0	0	0
Total	0	0	2,250	0	2,250

Table 2. Total 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	\$0	\$0	\$0
Protect in Fee W/O State PILT Liability	\$0	\$0	\$3,000,000	\$0	\$3,000,000
Protect in Easement	\$0	\$0	\$0	\$0	\$0
Enhance	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$3,000,000	\$0	\$3,000,000

Table 3. Acres within each Ecological Section

Type	Metro Urban	ForestPrairie	SE Forest	Prairie	N Forest	Total
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	2,250	2,250
Protect in Easement	0	0	0	0	0	0
Enhance	0	0	0	0	0	0
Total	0	0	0	0	2,250	2,250

Table 4. Total Funding within each Ecological Section

Type	Metro Urban	ForestPrairie	SE Forest	Prairie	N Forest	Total
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	\$3,000,000	\$3,000,000
Protect in Easement	\$0	\$0	\$0	\$0	\$0	\$0
Enhance	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$3,000,000	\$3,000,000

Table 5. Average Cost per Acre by Resource Type

Type	Wetlands	Prairies	Forest	Habitats
Restore	\$0	\$0	\$0	\$0
Protect in Fee with State PILT Liability	\$0	\$0	\$0	\$0
Protect in Fee W/O State PILT Liability	\$0	\$0	\$1333	\$0
Protect in Easement	\$0	\$0	\$0	\$0
Enhance	\$0	\$0	\$0	\$0

Table 6. Average Cost per Acre by Ecological Section

Type	Metro/Urban	Forest/Prairie	SE Forest	Prairie	Northern Forest
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	\$1333
Protect in Easement	\$0	\$0	\$0	\$0	\$0
Enhance	\$0	\$0	\$0	\$0	\$0

Target Lake/Stream/River Feet or Miles

0

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

St. Louis

Name	TRDS	Acres	Est Cost	Existing Protection?	Hunting?	Fishing?
Tract 1	06412202	42	\$82,080	No	Full	Full
Tract 10	06412203	41	\$82,080	No	Full	Full
Tract 11	06412203	41	\$82,080	No	Full	Full
Tract 12	06412203	42	\$82,080	No	Full	Full
Tract 13	06412203	42	\$82,080	No	Full	Full
Tract 14	06412203	41	\$82,080	No	Full	Full
Tract 15	06412203	41	\$82,080	No	Full	Full
Tract 16	06412203	41	\$82,080	No	Full	Full
Tract 17	06412204	42	\$82,080	No	Full	Full
Tract 18	06412204	21	\$82,080	No	Full	Full
Tract 19	06412204	42	\$82,080	No	Full	Full
Tract 2	06412202	42	\$82,080	No	Full	Full
Tract 20	06412204	41	\$82,080	No	Full	Full
Tract 21	06412204	42	\$82,080	No	Full	Full
Tract 22	06412204	42	\$82,080	No	Full	Full
Tract 23	06412202	42	\$82,080	No	Full	Full
Tract 24	06412202	41	\$82,080	No	Full	Full
Tract 25	06412202	41	\$82,080	No	Full	Full
Tract 26	06412204	42	\$82,080	No	Full	Full
Tract 27	06412204	41	\$82,080	No	Full	Full
Tract 28	06412208	40	\$82,080	No	Full	Full
Tract 29	06412208	40	\$82,080	No	Full	Full
Tract 3	06412202	41	\$82,080	No	Full	Full
Tract 30	06412208	39	\$82,080	No	Full	Full
Tract 31	06412208	40	\$82,080	No	Full	Full
Tract 32	06412209	40	\$82,080	No	Full	Full
Tract 33	06412209	40	\$82,080	No	Full	Full
Tract 34	06412209	39	\$82,080	No	Full	Full
Tract 35	06412209	40	\$82,080	No	Full	Full
Tract 36	06412209	40	\$82,080	No	Full	Full
Tract 37	06412209	40	\$82,080	No	Full	Full
Tract 38	06412209	40	\$82,080	No	Full	Full
Tract 39	06412209	40	\$82,080	No	Full	Full
Tract 4	06412203	42	\$82,080	No	Full	Full
Tract 40	06412209	40	\$82,080	No	Full	Full
Tract 41	06412209	40	\$82,080	No	Full	Full
Tract 42	06412209	39	\$82,080	No	Full	Full
Tract 43	06412209	40	\$82,080	No	Full	Full
Tract 44	06412209	37	\$82,080	No	Full	Full
Tract 45	06412209	37	\$82,080	No	Full	Full
Tract 46	06412210	40	\$82,080	No	Full	Full
Tract 47	06412210	40	\$82,080	No	Full	Full
Tract 48	06412210	40	\$82,080	No	Full	Full
Tract 49	06412210	41	\$82,080	No	Full	Full
Tract 5	06412203	42	\$82,080	No	Full	Full
Tract 50	06412210	41	\$82,080	No	Full	Full
Tract 51	06412210	40	\$82,080	No	Full	Full
Tract 52	06412210	41	\$82,080	No	Full	Full
Tract 53	06412210	41	\$82,080	No	Full	Full
Tract 54	06412211	40	\$82,080	No	Full	Full
Tract 55	06412211	40	\$82,080	No	Full	Full
Tract 56	06412211	41	\$82,080	No	Full	Full
Tract 6	06412203	41	\$82,080	No	Full	Full
Tract 7	06412203	41	\$82,080	No	Full	Full
Tract 8	06412203	41	\$82,080	No	Full	Full
Tract 9	06412203	41	\$82,080	No	Full	Full

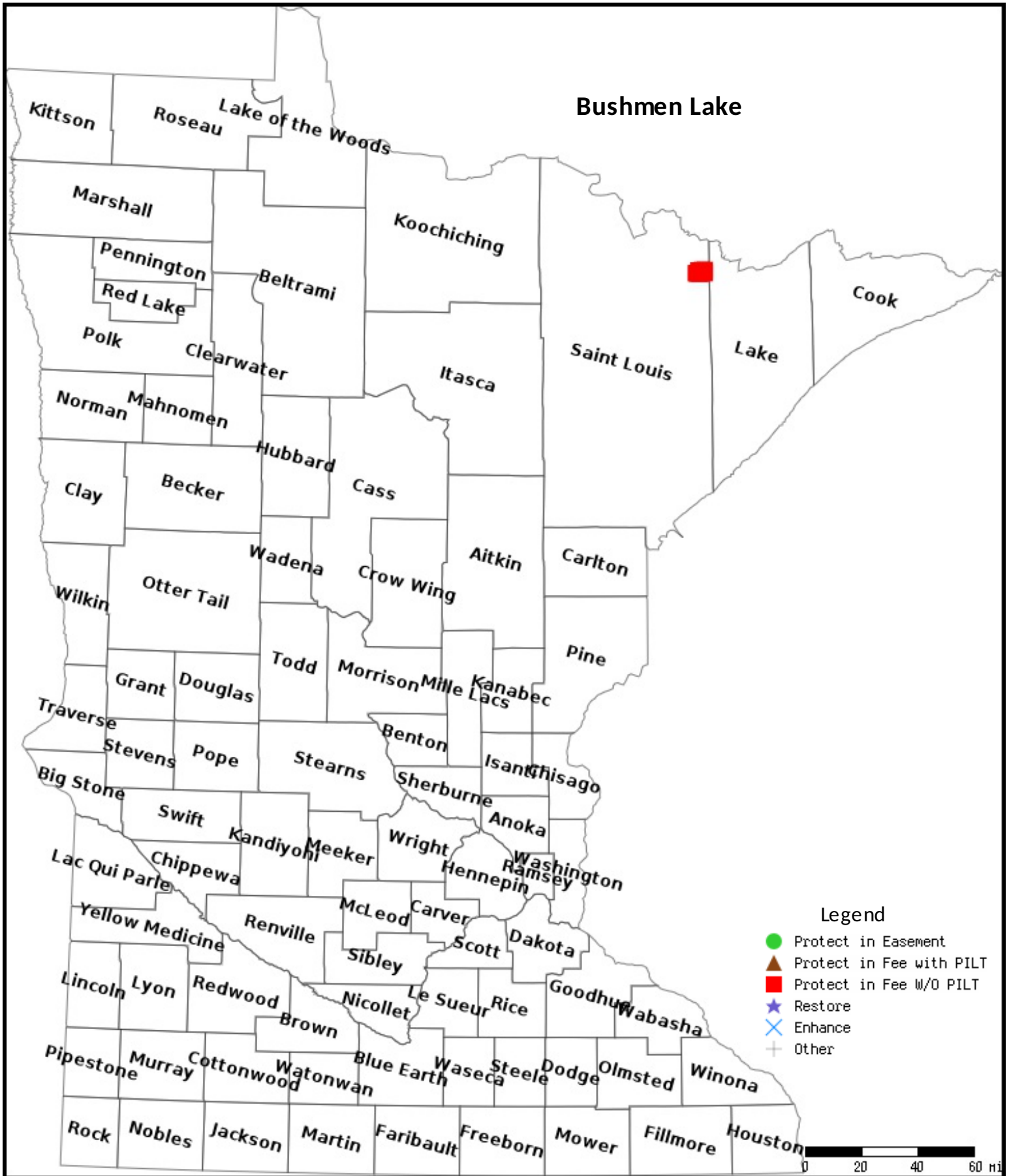
Section 2a - Protect Parcel with Bldgs

No parcels with an activity type protect and has buildings.

Section 3 - Other Parcel Activity

No parcels with an other activity type.

Parcel Map



Data Generated From Parcel List

Lessard-Sams Outdoor Heritage Council Comparison Report

Program Title: 2017 - Bushmen Lake
Organization: The Conservation Fund
Manager: Emilee Nelson

Budget

Requested Amount: \$4,611,500
 Appropriated Amount: \$3,000,000
 Percentage: 65.05%

Budget Item	Total Requested		Total Appropriated		Percentage of Request	
	LSOHC Request	Anticipated Leverage	Appropriated Amount	Anticipated Leverage	Percentage of Request	Percentage of Leverage
Personnel	\$60,000	\$0	\$60,000	\$0	100.00%	-
Contracts	\$0	\$0	\$0	\$0	-	-
Fee Acquisition w/ PILT	\$0	\$0	\$0	\$0	-	-
Fee Acquisition w/o PILT	\$4,500,000	\$3,500,000	\$2,892,000	\$5,111,500	64.27%	146.04%
Easement Acquisition	\$0	\$0	\$0	\$0	-	-
Easement Stewardship	\$0	\$0	\$0	\$0	-	-
Travel	\$3,000	\$0	\$3,000	\$0	100.00%	-
Professional Services	\$30,000	\$0	\$30,000	\$0	100.00%	-
Direct Support Services	\$15,000	\$0	\$15,000	\$0	100.00%	-
DNR Land Acquisition Costs	\$3,500	\$0	\$0	\$0	0.00%	-
Capital Equipment	\$0	\$0	\$0	\$0	-	-
Other Equipment/Tools	\$0	\$0	\$0	\$0	-	-
Supplies/Materials	\$0	\$0	\$0	\$0	-	-
DNR IDP	\$0	\$0	\$0	\$0	-	-
Total	\$4,611,500	\$3,500,000	\$3,000,000	\$5,111,500	65.05%	146.04%

How will this program accommodate the reduced appropriation recommendation from the original proposed requested amount?

Although the reduced recommendation puts the project at risk, The Conservation Fund will pursue additional funds that may be available to complete the protection of this property.

Output

Table 1a. Acres by Resource Type

Type	Total Proposed	Total in AP	Percentage of Proposed
Restore	0	0	-
Protect in Fee with State PILT Liability	0	0	-
Protect in Fee W/O State PILT Liability	2,250	2,250	100.00%
Protect in Easement	0	0	-
Enhance	0	0	-

Table 2. Total Funding by Resource Type

Type	Total Proposed	Total in AP	Percentage of Proposed
Restore	0	0	-
Protect in Fee with State PILT Liability	0	0	-
Protect in Fee W/O State PILT Liability	4,611,500	3,000,000	65.05%
Protect in Easement	0	0	-
Enhance	0	0	-

Table 3. Acres within each Ecological Section

Type	Total Proposed	Total in AP	Percentage of Proposed
Restore	0	0	-
Protect in Fee with State PILT Liability	0	0	-
Protect in Fee W/O State PILT Liability	2,250	2,250	100.00%
Protect in Easement	0	0	-
Enhance	0	0	-

Table 4. Total Funding within each Ecological Section

Type	Total Proposed	Total in AP	Percentage of Proposed
Restore	0	0	-
Protect in Fee with State PILT Liability	0	0	-
Protect in Fee W/O State PILT Liability	4,611,500	3,000,000	65.05%
Protect in Easement	0	0	-
Enhance	0	0	-