

Lessard-Sams Outdoor Heritage Council

Laws of Minnesota 2018 Accomplishment Plan



Date: October 12, 2017

Program or Project Title: Critical Shoreland Habitat Program - Phase V

Funds Recommended: \$ 1,094,000

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Legislative Citation: ML 2018, Ch. X, Art. 1, Sec. 2, subd XX

Appropriation Language:

County Locations: Carlton, Cook, Koochiching, Lake, Pine, and St. Louis.

Regions in which work will take place:

- Northern Forest

Activity types:

- Protect in Easement

Priority resources addressed by activity:

- Forest
- Habitat
- Wetlands

Abstract:

Phase 5 of the Minnesota Land Trust's Critical Shoreland Habitat Program will protect approximately 0.6 miles of critical shoreland and 225 acres of associated high-quality habitat in Minnesota's Northeast region by securing permanent conservation easements. This phase will build off major successes of previous phases which have protected approximately 2,500 acres and 75,500 feet of shoreland, leveraging \$5.4M in landowner donation in the process. Easements will be secured in strategic locations along priority lakes and rivers, creating larger protected habitat complexes benefitting our state's fish, game and wildlife species that depend on these aquatic habitats.

Design and scope of work:

The natural shoreland around northeast Minnesota's celebrated lakes and rivers comprises one of the most biologically important systems in the state for fish, game and wildlife. It is also one of its most threatened. In order to preserve this important component of Minnesota's natural heritage, the Minnesota Land Trust proposes to implement Phase 5 of its Critical Shoreland Habitat Protection Program to protect through conservation easement important lakeshore and stream-side habitat. This proposed work will build on the success demonstrated in Phases 1-3 of this program and help fulfill the goals of the DNR's Aquatic Management Area program, the State Wildlife Action Plan, and many other state priorities.

In this fifth phase of the program, the Minnesota Land Trust will strategically concentrate its activities on important aquatic resources and associated forest habitat within northeast Minnesota, including DNR-designated high priority trout streams along the North Shore, sensitive shoreland along the deep-water border lakes and other high-quality aquatic habitats in the region. The Land Trust will protect 0.6 miles and 225 acres of threatened shoreland habitat by acquiring permanent conservation easements from willing landowners. The program will continue to target projects that help complete gaps in existing protected land, contain the highest-quality habitat, and provide the greatest leverage to the state. The Land Trust will seek donated easements in these areas whenever possible but also may purchase easements that help complete key complexes as necessary.

The development and disturbance of the state's remaining sensitive shoreland habitat continues to be a threat identified in many of the State's resource protection plans. Science conducted by the DNR and others indicate that the shoreland zone is one of the most biologically diverse and important habitat types for a variety of wildlife species. It is also one of Minnesota's most threatened resources due to the intensity of shoreland development and non-compatible management. Fortunately, there is an opportunity to address this threat. Outreach conducted under Phases 1 -3 of this program has generated significant landowner interest that will be met through Phases 4 (beginning in FY2018) and 5 (FY2019).

Conservation easements secured under this program will be perpetual and drafted to further prevent the fragmentation and destruction of existing habitat. These easements will ensure that the sensitive shoreland habitat will remain ecologically viable and productive for fish, game and wildlife by prohibiting land uses that negatively impact the important habitat values and requiring habitat management plans to maximize the benefits of shoreland and associated forested uplands.

Outcomes from this project include: 1) healthy populations of trout and other fish species, waterfowl, and other species in greatest conservation need; 2) maintaining water quality of aquatic resources; 3) increased participation of private landowners in habitat projects; and 4) enhancement of prior state and local investments made in shoreland and forest conservation in the region. The Land Trust will strategically target complexes of protect lands in which these outcomes are maximized.

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:

The natural shoreland around Minnesota's celebrated lakes and rivers comprises one of the most biologically important systems in the state for fish, game and wildlife and is also one of its most threatened. Phase 5 of this program will preserve critical shoreland habitats in northeast Minnesota - an important component of the state's natural heritage - essential to maintaining healthy populations of the region's fish and wildlife populations (trout and other fish, waterfowl, and other species in greatest conservation need) and maintaining water quality of aquatic resources. The protection of these habitats has been identified in numerous plans as a conservation priority for Minnesota, including the Minnesota Biological Survey, the Minnesota Wildlife Action Plan, the DNR's Aquatic Management Area program, the State Conservation and Preservation Plan, Minnesota DNR Strategic Conservation Agenda, and the Outdoor Heritage Fund: A 25 Year Framework. The central goal of this program is to protect high quality critical shoreland habitat by securing permanent conservation easements in strategic locations along priority lakes and rivers, leaving a lasting legacy of protected habitat complexes.

Describe the science based planning and evaluation model used:

Project solicitation, identification and evaluation utilize criteria and recommended actions from existing science-based conservation plans. These plans include Minnesota's Wildlife Action Plan 2015-2025, the Scientific and Natural Area (SNA) Strategic Land Protection Plan, Watershed Protection and Restoration Strategies, and others. Working with these plans and strategies as a base, the Minnesota Land Trust identified Priority Conservation Program Areas where conservation easements could be targeted to complement existing and ongoing protection actions or fill gaps in existing conservation program areas. Project specific evaluation of potential projects utilizes data from DNR and others for prioritizing projects and for establishing conservation values to be protected in easements. Data sources used include Minnesota Biological Survey (sites of significant biodiversity, native plant communities, lakes of significant biodiversity), Natural Heritage Information System (rare features data), hydrologic information and classification of streams and lakes (e.g., trout streams, sensitive shorelands, cold water refuge lakes, wild rice lakes), land ownership and administration (to determine adjacency of other conservation lands and opportunities to establish complexes and buffers), and public water access locations. Incorporating these data in project evaluation allows prioritization of conservation easements on lands with known high quality resources (e.g., MBS areas) and with importance from the perspective of landscape context (e.g., corridors, complexes, and reduced fragmentation).

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

- H1 Protect priority land habitats
- H2 Protect critical shoreland of streams and lakes

Which other plans are addressed in this program:

- Minnesota DNR Strategic Conservation Agenda
- Minnesota's Wildlife Action Plan 2015-2025

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:

- Environmental and Natural Resource Trust Fund

Describe the relationship of the funds:

Funds through ENRTF (in 2009 and 2011) were for the acquisition of conservation easements on sensitive shoreline through the Habitat Conservation Partnership.

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

The Land Trust encourages private landowners to fully or partially donate the appraised value of their conservation easement, thereby receiving less than the appraised value might otherwise allow. A conservative estimate of the donative value we expect to realize through this grant is shown as leveraged funds in the proposal. The Land Trust has a long track record in incentivizing landowners to participate in this fashion. Through the first three phases of this OHF-funded program, landowner donation has accounted for 62% of total easement value (\$5.4M donated versus \$3.3M funded by OHF).

Per MS 97A.056, Subd. 24, Any state agency or organization requesting a direct appropriation from the OHF must inform the LSOHC at the time of the request for funding is made, whether the request is supplanting or is a substitution for any previous funding that was not from a legacy fund and was used for the same purpose:

This request does not supplant or substitute for any previous funding not from a legacy fund.

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

Appropriation Year	Source	Amount
2009	Environment and Natural Resources Trust Fund	210,000
2011	Environment and Natural Resources Trust Fund	450,000

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

The land protected through conservation easements will be sustained through the best standards and practices for conservation easement stewardship. The Minnesota Land Trust is a nationally-accredited and insured land trust with a very successful stewardship program that includes annual property monitoring, effective records management, addressing inquiries and interpretations, tracking changes in ownership, investigating potential violations and defending the easement in case of a true violation. Funding for these easement stewardship activities is included in the project budget.

In addition, the Land Trust prepares for each landowner a habitat management plan that provides recommendations for use in ecologically managing the property over time. The Land Trust actively encourages landowners to manage their properties in line with the conservation easement, and works with landowners to address any financial or informational obstacles that stand in the way of them doing so.

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

Year	Source of Funds	Step 1	Step 2	Step 3
2021	MLT Long-Term Stewardship & Enforcement Fund	Annual monitoring of property in perpetuity	Enforcement as necessary	

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 the eased land be open for public use - **No**

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

Who will manage the easement?

Minnesota Land Trust

Who will be the easement holder?

Minnesota Land Trust

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:

Most conservation easements are established on private lands, many of which have driveways, field roads and trails located on them. Often, these established trails and roads are permitted in the terms of the easement and can be maintained for personal use if their use does not significantly impact the conservation values of the property. Creation of new roads/trails or expansion of existing ones is typically not allowed.

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

How will maintenance and monitoring be accomplished:

Existing trails and roads are identified in the project baseline report and will be monitored annually as part of the Land Trust's stewardship and enforcement protocols. Maintenance of permitted roads/trails in line with the terms of the easement will be the responsibility of the landowner.

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

Accomplishment Timeline:

Activity	Approximate Date Completed
Acquire conservation easements: 1) identify priority landowners; 2) negotiate, draft and complete easements; 3) dedicate funds for stewardship	June 30, 2021

Date of Final Report Submission: 11/1/2021

Federal Funding:

Do you anticipate federal funds as a match for this program - **No**

Outcomes:

Programs in the northern forest region:

- Forestlands are protected from development and fragmentation *This program will permanently protect 1,100 acres of strategic northern forest region habitats and approximately 3 miles of undeveloped shoreline. Measure: Acres protected.*

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

The deliverables of the program were reduced proportional to the amount of funding recommended by LSOHC.

Total Amount of Request: \$ 1094000

Budget and Cash Leverage

Budget Name	LSOHC Request	Anticipated Leverage	Leverage Source	Total
Personnel	\$81,000	\$0		\$81,000
Contracts	\$30,000	\$0		\$30,000
Fee Acquisition w/ PILT	\$0	\$0		\$0
Fee Acquisition w/o PILT	\$0	\$0		\$0
Easement Acquisition	\$744,100	\$165,000	Private landowner donation of easement value	\$909,100
Easement Stewardship	\$120,000	\$0		\$120,000
Travel	\$6,000	\$0		\$6,000
Professional Services	\$90,000	\$0		\$90,000
Direct Support Services	\$21,900	\$0		\$21,900
DNR Land Acquisition Costs	\$0	\$0		\$0
Capital Equipment	\$0	\$0		\$0
Other Equipment/Tools	\$1,000	\$0		\$1,000
Supplies/Materials	\$0	\$0		\$0
DNR IDP	\$0	\$0		\$0
Total	\$1,094,000	\$165,000		\$1,259,000

Personnel

Position	FTE	Over # of years	LSOHC Request	Anticipated Leverage	Leverage Source	Total
MLT Protection Staff	0.30	3.00	\$81,000	\$0		\$81,000
Total	0.30	3.00	\$81,000	\$0		\$81,000

Amount of Request: \$1,094,000

Amount of Leverage: \$165,000

Leverage as a percent of the Request: 15.08%

DSS + Personnel: \$102,900

As a % of the total request: 9.41%

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

In a process that was approved by the DNR on March 17, 2017, Minnesota Land Trust determined our direct support services rate to include all of the allowable direct and necessary expenditures that are not captured in other line items in the budget, which is similar to the Land Trust's proposed federal indirect rate. We will apply this DNR-approved rate only to personnel expenses to determine the total amount of direct support services.

Does the amount in the contract line include R/E work?

No. The funding shown in the contract line is for the writing of habitat management plans for easement lands.

Describe and explain leverage source and confirmation of funds:

We provide a conservative estimate (\$165,000) - under Easement Acquisition - of landowner donative value we expect to be put forward by those participating in the program.

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	0	0	0
Protect in Easement	0	0	0	225	225
Enhance	0	0	0	0	0
Total	0	0	0	225	225

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	\$0	\$0	\$0
Protect in Easement	\$0	\$0	\$0	\$1,094,000	\$1,094,000
Enhance	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$1,094,000	\$1,094,000

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	0	0
Protect in Easement	0	0	0	0	225	225
Enhance	0	0	0	0	0	0
Total	0	0	0	0	225	225

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	\$0	\$0
Protect in Easement	\$0	\$0	\$0	\$0	\$1,094,000	\$1,094,000
Enhance	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$1,094,000	\$1,094,000

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	\$0	\$0
Protect in Easement	\$0	\$0	\$0	\$4862
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	\$0
Protect in Easement	\$0	\$0	\$0	\$0	\$4862
Enhance	\$0	\$0	\$0	\$0	\$0

Target Lake/Stream/River Feet or Miles

0.6 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

Carlton

Name	TRDS	Acres	Est Cost	Existing Protection?	Hunting?	Fishing?
Blackhoof River	04717203	120	\$110,000	No	No	No

Cook

Name	TRDS	Acres	Est Cost	Existing Protection?	Hunting?	Fishing?
Lake Superior 1	05805201	23	\$425,000	No	No	No

Koochiching

Name	TRDS	Acres	Est Cost	Existing Protection?	Hunting?	Fishing?
Rainy Lake	07122219	28	\$250,000	No	No	No

Lake

Name	TRDS	Acres	Est Cost	Existing Protection?	Hunting?	Fishing?
Encampment River	05410234	160	\$120,000	No	No	No
Lake Superior 2	05309206	5	\$0	No	No	No
Long Lake	05511232	400	\$0	No	No	No
Silver Creek	05709208	2,000	\$2,000,000	No	No	No
Skunk Creek	05409203	880	\$1,320,000	No	No	No

Pine

Name	TRDS	Acres	Est Cost	Existing Protection?	Hunting?	Fishing?
Lake Eleven	04519211	80	\$96,000	No	No	No

St. Louis

Name	TRDS	Acres	Est Cost	Existing Protection?	Hunting?	Fishing?
Burntside River 1	06313230	205	\$410,000	No	No	No
Burntside River 2	06313226	205	\$410,000	No	No	No
Burntside River 3	06313232	39	\$0	No	No	No
Lake Vermillion Pine Island	06215205	33	\$0	No	No	No
Low Lake	06412235	125	\$1,000,000	No	No	No
Pelican River	06419208	93	\$20,000	No	No	No
Thompson Lake 1	05314212	45	\$0	No	No	No
Thompson Lake 2	05314211	10	\$0	No	No	No

Section 2a - Protect Parcel with Bldgs

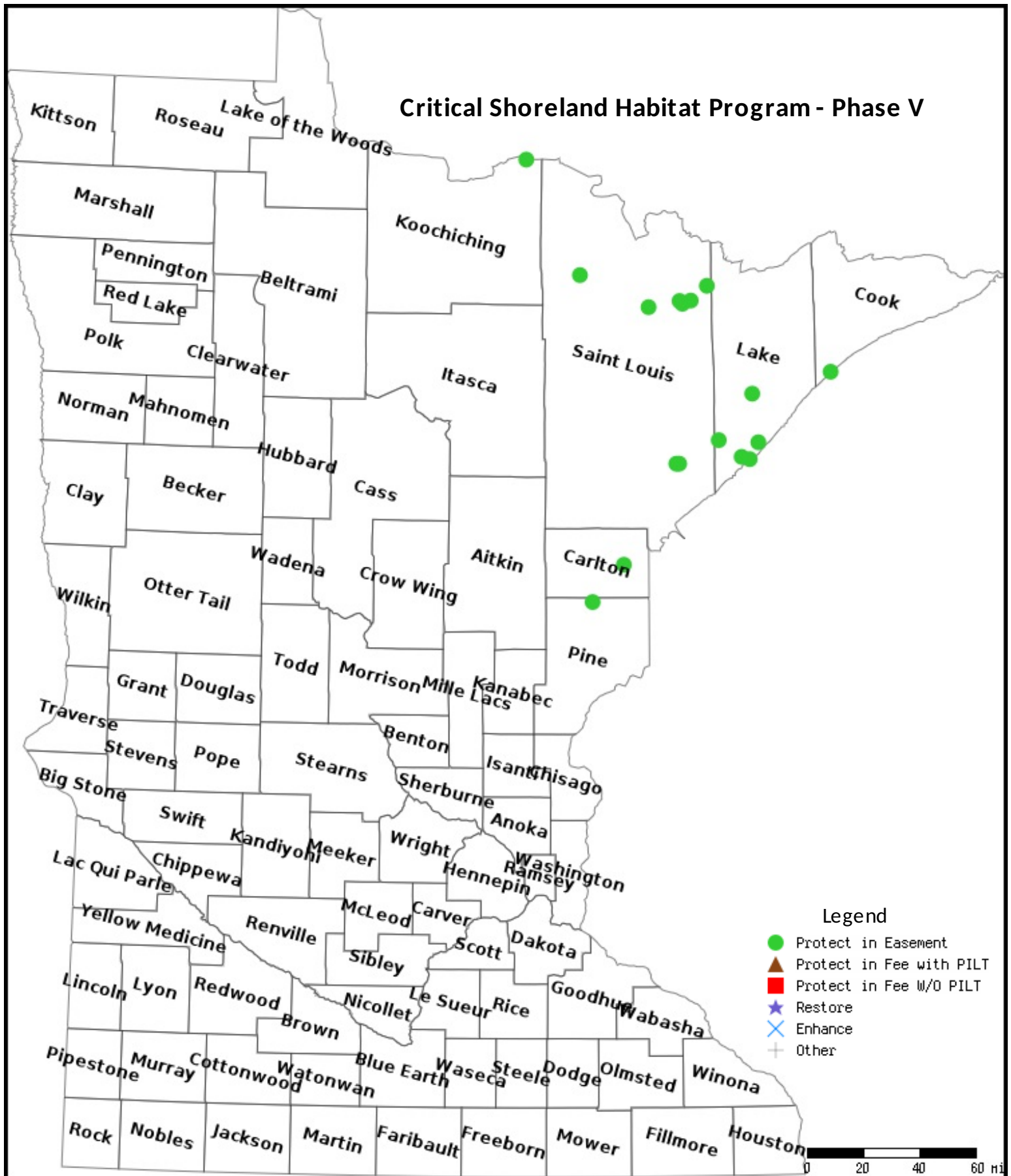
No parcels with an activity type protect and has buildings.

Section 3 - Other Parcel Activity

No parcels with an other activity type.

Parcel Map

Critical Shoreland Habitat Program - Phase V



Data Generated From Parcel List

Lessard-Sams Outdoor Heritage Council Comparison Report

Program Title: 2018 - Critical Shoreland Habitat Program - Phase V

Organization: Minnesota Land Trust

Manager: Wayne Ostlie

Budget

Requested Amount: \$5,296,200

Appropriated Amount: \$1,094,000

Percentage: 20.66%

Budget Item	Total Requested		Total Appropriated		Percentage of Request	
	LSOHC Request	Anticipated Leverage	Appropriated Amount	Anticipated Leverage	Percentage of Request	Percentage of Leverage
Personnel	\$202,500	\$0	\$81,000	\$0	40.00%	-
Contracts	\$72,000	\$0	\$30,000	\$0	41.67%	-
Fee Acquisition w/ PILT	\$0	\$0	\$0	\$0	-	-
Fee Acquisition w/o PILT	\$0	\$0	\$0	\$0	-	-
Easement Acquisition	\$4,500,000	\$1,000,000	\$744,100	\$165,000	16.54%	16.50%
Easement Stewardship	\$240,000	\$0	\$120,000	\$0	50.00%	-
Travel	\$15,000	\$0	\$6,000	\$0	40.00%	-
Professional Services	\$207,000	\$0	\$90,000	\$0	43.48%	-
Direct Support Services	\$54,700	\$0	\$21,900	\$0	40.04%	-
DNR Land Acquisition Costs	\$0	\$0	\$0	\$0	-	-
Capital Equipment	\$0	\$0	\$0	\$0	-	-
Other Equipment/Tools	\$5,000	\$0	\$1,000	\$0	20.00%	-
Supplies/Materials	\$0	\$0	\$0	\$0	-	-
DNR IDP	\$0	\$0	\$0	\$0	-	-
Total	\$5,296,200	\$1,000,000	\$1,094,000	\$165,000	20.66%	16.50%

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

The deliverables of the program were reduced proportional to the amount of funding recommended by LSOHC.

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	0	0	-
Protect in Easement	1,100	225	20.45%
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	0	0	-
Protect in Easement	5,296,200	1,094,000	20.66%
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	0	0	-
Protect in Easement	1,100	225	20.45%
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	0	0	-
Protect in Easement	5,296,200	1,094,000	20.66%
Enhance	0	0	-