

Lessard-Sams Outdoor Heritage Council Laws of Minnesota 2009 Final Report

Date: August 13, 2013

Program or Project Title: Shallow Lake Critical Shoreland, Phase 1

Funds Recommended: \$450,000

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Legislative Citation: ML 2009, Ch. 172, Art. 1, Sec. 2, Subd. 4(e)

Appropriation Language: \$450,000 in fiscal year 2010 is to the commissioner of natural resources for an agreement with Ducks Unlimited, Inc. or successor to protect habitat by acquiring land associated with shallow lakes. A list of proposed acquisitions must be provided as part of the required accomplishment plan. The commissioner of natural resources must agree to each proposed acquisition.

County Locations: Freeborn, and Lincoln.

Ecological Planning Regions:

- Prairie

Activity Type:

- Protect in Fee

Priority Resources Addressed by Activity:

- Wetlands
- Prairie

Abstract:

Ducks Unlimited acquired unprotected shoreland in fee-title for Minnesota DNR on two shallow lakes managed for wildlife, including 40 acres along Biggs Lake on the Shaokatan WMA in Lincoln County, and 23 acres along State Line Lake in Freeborn County.

Activity Detail

Design and Scope of Work:

As some of the only wetlands that remain in prairie Minnesota, shallow lakes and large marshes suffer from turbid water quality and often exist in a degraded ecological condition. This is primarily caused by two human-induced factors: intensively drained and cultivated agricultural watersheds that contribute excessive water runoff and nutrient loading, and over-abundant invasive fish that have improved access via drainage networks and improved ability to over winter due to high, stable water levels and infrequent fish winterkill conditions. These factors combined with naturally fertile prairie soils result in turbid water conditions over prolonged periods which reduce aquatic plant and invertebrate abundance upon which wetland wildlife depend in our remaining prairie wetlands and shallow lakes.

As a result, conservation agency wildlife managers are left with few options to improve and protect our remaining public water wetlands and shallow lakes. These tools primarily include acquiring and restoring land around our remaining wetlands and shallow lakes to buffer them from the effects of highly degraded and drained agricultural landscapes, and actively managing water levels in them to periodically induce temporary drought conditions to winterkill fish and rejuvenate the aquatic ecology of aquatic plants and invertebrates in them upon which waterfowl and other wetland-depending migratory birds rely.

Through our Living Lakes Initiative, Ducks Unlimited (DU) strives to help Minnesota Department of Natural Resources (DNR) and U.S. Fish & Wildlife Service buffer and improve our remaining shallow lakes and large wetland marshes. This Outdoor Heritage Fund (OHF) grant funded program specifically funded DU efforts to help Minnesota DNR acquire and restore key tracts of land within approved state Wildlife Management Area (WMA) boundaries to help buffer our remaining wetlands and give DNR wildlife managers the legal riparian flowage rights they need to actively manage water levels, where needed. Through another OHF grant funded program for shallow lake and wetland enhancements, DU biologists and engineers design and construct water control structures and fish barriers that allow agency resource managers to improve water quality and habitat conditions for wildlife through temporary water level draw-downs.

However, acquiring, restoring and protecting adjacent shorelands is important to compliment the long-term

management of our remaining public water shallow lakes and wetlands. Protecting and restoring shoreland via fee-title acquisition permanently increases wildlife benefits for both upland and wetland wildlife, and also helps managers maintain improved shallow lake habitat conditions for longer periods of time. Permanent protection of shorelands along managed shallow lakes helps assure that these lakes will continue to provide excellent waterfowl and wildlife habitat into the future, and it also provides public access and gives Minnesota DNR a vested landownership stake to justify their management actions for the public good. Permanent shoreland protection also eliminates the chance of future subdivision and development, thereby reducing disturbance to wildlife and the real possibility that lake-use expectations of new shoreline owners will conflict with water level management strategies for wetland wildlife.

This OHF grant funded program allowed DU to secure fee-title land acquisitions for the Minnesota DNR to restore shoreland wildlife habitat along shallow lakes and large wetlands, and help assure management of shallow lakes are marshes for waterfowl and other wetland-dependent wildlife in the future. The OHF grant reimbursed DU for fund fee-title purchase acquisition and related professional service costs such as appraisals and boundary survey, in addition to DU staff for time spent working with private landowners, conducting initial property inspections, performing due diligence, and grant administration.

After pursuing several other tracts unsuccessfully in Murray County for Minnesota DNR where private landowners declined to sell, DU successfully acquired two tracts of land in Lincoln County and Freeborn County. DU purchased 40 acres from private landowner Remerowski adjacent to the outlet of Biggs Lake on the Shaokatan WMA in Lincoln County was purchased in fall 2011 and transferred to Minnesota DNR in late 2012. The acquisition of this shoreland represented the last private parcel needed by DNR to completely own and protect all the land around Biggs Lake, and outlet dam structure on Biggs Lake was subsequently replaced by DU with a variable-crest water control weir structure in fall 2012 via a 2012 OHF grant to DU. The land acquired was farmed in 2012 and 2013 to prepare it for prairie restoration, and will be seeded by Minnesota DNR in fall 2013 or spring 2014, depending on weather and timing of crop harvest.

DU also used funds from this grant to purchase 23 acres on State Line Lake from private landowner Brackey, including the outlet of that shallow lake as well. The outlet is a very old, dysfunctional fixed-crest dam structure owned by Freeborn County, and will be removed and replaced with a variable-crest water control structure by DU through a 2012 OHF grant to DU in fall/winter 2013. The land, along with 22 acres purchased from Brackey in conjunction using 2010 OHF grant funds, is enrolled in the USDA's Conservation Reserve Program (CRP) and was in native grasses, so no restoration was required although Minnesota DNR plans to conduct prescribed burning, forb interseeding, and possibly small wetland restoration in late 2013 and 2014. The land is being processed by the state for transfer to Minnesota DNR in late 2013 or spring 2014. Both Lincoln and Freeborn Counties were notified of these acquisitions by DU and Minnesota DNR, and both properties are open for public hunting and other compatible public outdoor recreational uses.

Although the acquisition of 100 acres of land as originally envisioned for this 2009 OHF grant was not achieved due to rapidly rising crop and land prices, the successful acquisition of these two parcels totaling 63 acres on two key shallow lakes managed by Minnesota DNR represents important shoreland protection outcomes and allowed for the replacement of two old shallow lake dam structures with new variable crest water control structures that would not have otherwise been possible had DU not acquired these two critical tracts of land for Minnesota DNR.

Planning

MN State-wide Conservation Plan Priorities:

- H4 Restore and protect shallow lakes

Plans Addressed:

- Ducks Unlimited Living Lakes Initiative
- Long Range Duck Recovery Plan
- Managing Minnesota's Shallow Lakes for Waterfowl and Wildlife
- Minnesota Prairie Conservation Plan
- Minnesota's Wildlife Management Area Acquisition - The Next 50 Years
- North American Waterfowl Management Plan
- Outdoor Heritage Fund: A 25 Year Framework
- Tomorrow's Habitat for the Wild and Rare
- U.S. Fish and Wildlife Service Strategic Habitat Conservation Model

LSOHC Statewide Priorities:

- Allow public access. This comes into play when all other things about the request are approximately equal
- Are ongoing, successful, transparent and accountable programs addressing actions and targets of one or more of the ecological sections
- Produce multiple enduring conservation benefits
- Restore or enhance habitat on state-owned WMAs, AMAs, SNAs, and state forests
- Target unique Minnesota landscapes that have historical value to fish and wildlife
- Use a science-based strategic planning and evaluation model to guide protection, restoration and enhancement, similar to the United States Fish and Wildlife Service's Strategic Habitat Conservation model

LSOHC Prairie Section Priorities:

- Protect, enhance, or restore existing wetland/upland complexes, or convert agricultural lands to new wetland/upland habitat complexes
- Protect, restore, and enhance shallow lakes
- Protect expiring CRP lands
- Protect, enhance, and restore migratory habitat for waterfowl and related species, so as to increase migratory and breeding success

Relationship to Other Constitutional Funds:

- No Relationships Listed

Sustainability and Maintenance:

These properties will be managed in perpetuity by the Minnesota DNR as state Wildlife Management Areas. The DNR Section of Wildlife field staff will carry out periodic management practices such as invasive species control and prescribed burning to maintain the restored grassland in a quality state as outlined in the Initial Development Plan. The state will make Payment In Lieu of Tax payments to counties as directed and funded by the legislature.

Outcomes

Programs in prairie region:

- No Programs Listed

Budget Spreadsheet

Total Amount: \$450,000

Budget and Cash Leverage

Budget Name	Request	Spent	Cash Leverage (anticipated)	Cash Leverage (received)	Leverage Source	Total (original)	Total (final)
Personnel	\$28,000	\$59,700	\$0	\$24,800		\$28,000	\$84,500
Contracts	\$39,000	\$0	\$0	\$0		\$39,000	\$0
Fee Acquisition w/ PILT	\$378,000	\$342,600	\$0	\$0		\$378,000	\$342,600
Fee Acquisition w/o PILT	\$0	\$0	\$0	\$0		\$0	\$0
Easement Acquisition	\$0	\$0	\$0	\$0		\$0	\$0
Easement Stewardship	\$0	\$0	\$0	\$0		\$0	\$0
Travel	\$5,000	\$2,600	\$0	\$500	Ducks Unlimited	\$5,000	\$3,100
Professional Services	\$0	\$25,100	\$0	\$0		\$0	\$25,100
Direct Support Services	\$0	\$0	\$0	\$0		\$0	\$0
DNR Land Acquisition Costs	\$0	\$20,000	\$0	\$0		\$0	\$20,000
Capital Equipment	\$0	\$0	\$0	\$0		\$0	\$0
Other Equipment/Tools	\$0	\$0	\$0	\$0		\$0	\$0
Supplies/Materials	\$0	\$0	\$0	\$1,200	Ducks Unlimited	\$0	\$1,200
DNR IDP	\$0	\$0	\$0	\$0		\$0	\$0
Total	\$450,000	\$450,000	\$0	\$26,500	-	\$450,000	\$476,500

Personnel

Position	FTE	Over # of years	Spent	Cash Leverage	Leverage Source	Total
Conservation Program Mgr.	0.16	3.00	\$16,600	\$7,700	Ducks Unlimited	\$24,300
Biologists	0.43	3.00	\$43,100	\$17,100	Ducks Unlimited	\$60,200
Total	0.59	6.00	\$59,700	\$24,800	-	\$84,500

Output Tables

Table 1. Acres by Resource Type

Type	Wetlands (original)	Wetlands (final)	Prairies (original)	Prairies (final)	Forest (original)	Forest (final)	Habitats (original)	Habitats (final)	Total (original)	Total (final)
Restore	0	0	50	0	0	0	0	0	50	0
Protect in Fee with State PILT Liability	10	5	90	58	0	0	0	0	100	63
Protect in Fee W/O State PILT Liability	0	0	0	0	0	0	0	0	0	0
Protect in Easement	0	0	0	0	0	0	0	0	0	0
Enhance	0	0	0	0	0	0	0	0	0	0
Total	10	5	140	58	0	0	0	0	150	63

Table 2. Total Requested Funding by Resource Type

Type	Wetlands (original)	Wetlands (final)	Prairies (original)	Prairies (final)	Forest (original)	Forest (final)	Habitats (original)	Habitats (final)	Total (original)	Total (final)
Restore	\$0	\$0	\$31,500	\$0	\$0	\$0	\$0	\$0	\$31,500	\$0
Protect in Fee with State PILT Liability	\$41,600	\$35,700	\$374,400	\$414,300	\$0	\$0	\$0	\$0	\$416,000	\$450,000
Protect in Fee W/O State PILT Liability	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Protect in Easement	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Enhance	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$41,600	\$35,700	\$405,900	\$414,300	\$0	\$0	\$0	\$0	\$447,500	\$450,000

Table 3. Acres within each Ecological Section

Type	Metro Urban (original)	Metro Urban (final)	Forest Prairie (original)	Forest Prairie (final)	SE Forest (original)	SE Forest (final)	Prairie (original)	Prairie (final)	N Forest (original)	N Forest (final)	Total (original)	Total (final)
Restore	0	0	0	0	0	0	0	0	0	0	0	0
Protect in Fee with State PILT Liability	0	0	0	0	0	0	0	63	0	0	0	63
Protect in Fee W/O State PILT Liability	0	0	0	0	0	0	0	0	0	0	0	0
Protect in Easement	0	0	0	0	0	0	0	0	0	0	0	0
Enhance	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	63	0	0	0	63

Table 4. Total Requested Funding within each Ecological Section

Type	Metro Urban (original)	Metro Urban (final)	Forest Prairie (original)	Forest Prairie (final)	SE Forest (original)	SE Forest (final)	Prairie (original)	Prairie (final)	N Forest (original)	N Forest (final)	Total (original)	Total (final)
Restore	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Protect in Fee with State PILT Liability	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$450,000	\$0	\$0	\$0	\$450,000
Protect in Fee W/O State PILT Liability	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Protect in Easement	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Enhance	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$450,000	\$0	\$0	\$0	\$450,000

Table 5. Target Lake/Stream/River Miles (original)

0 miles

Table 5. Target Lake/Stream/River Miles (final)

0 miles

Parcel List

Section 1 - Restore / Enhance Parcel List

No parcels with an activity type restore or enhance.

Section 2 - Protect Parcel List

Freeborn

Name	TRDS	Acres	Est Cost	Existing Protection?	Hunting?	Fishing?
State Line Lake WMA - Brackey Tract	10122233	23	\$158,600	No	Full	Full

Lincoln

Name	TRDS	Acres	Est Cost	Existing Protection?	Hunting?	Fishing?
Shaokatan WMA - Remerowski Tract	11146204	40	\$220,300	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.

Completed Parcel: Shaokatan WMA - Remerowski Tract

# of Total Acres:	40
County:	Lincoln
Township:	111
Range:	46
Direction:	2
Section:	04
# of Acres: Wetlands/Upland:	3
# of Acres: Forest:	
# of Acres: Prairie/Grassland:	37
Amount of Shoreline:	(Linear Feet)
Name of Adjacent Body of Water (if applicable):	Biggs Lake
Has there been signage erected at the site:	Yes
Annual Reporting Organization Name:	Minnesota DNR Section of Wildlife
Annual Reporting Manager Name:	Kim Hennings
Annual Reporting Address:	500 Lafayette Road
Annual Reporting City:	St. Paul
Annual Reporting State:	MN
Annual Reporting Zip:	55155
Annual Reporting Email:	kim.hennings@state.mn.us
Annual Reporting Phone:	651-259-5210
Purchase Date:	December 16, 2011
Purchase Price:	\$195,000
Appraised Value:	\$178,000
Professional Service Costs:	\$5,735
Total Project Cost:	\$220,252
Fees Received:	\$0
Donations:	\$0
Property Managed By:	DNR - Wildlife Management Area -
Name of the unit area or location government unit or land manager:	Shaokatan WMA

Completed Parcel: State Line Lake WMA - Brackey Tract

# of Total Acres:	23
County:	Freeborn
Township:	101
Range:	22
Direction:	2
Section:	33
# of Acres: Wetlands/Upland:	2
# of Acres: Forest:	
# of Acres: Prairie/Grassland:	21
Amount of Shoreline:	(Linear Feet)
Name of Adjacent Body of Water (if applicable):	State Line Lake
Has there been signage erected at the site:	Yes
Annual Reporting Organization Name:	Minnesota DNR Section of Wildlife
Annual Reporting Manager Name:	Kim Hennings
Annual Reporting Address:	500 Lafayette Road
Annual Reporting City:	St. Paul
Annual Reporting State:	MN
Annual Reporting Zip:	55155
Annual Reporting Email:	kim.hennings@state.mn.us
Annual Reporting Phone:	651-259-5210
Purchase Date:	June 22, 2012
Purchase Price:	\$273,000
Appraised Value:	\$249,000
Professional Service Costs:	\$4,350
Total Project Cost:	\$161,090
Fees Received:	\$0
Donations:	\$0
Property Managed By:	DNR - Wildlife Management Area -
Name of the unit area or location government unit or land manager:	State Line Lake WMA