

Lessard-Sams Outdoor Heritage Council Laws of Minnesota 2010 Final Report

Date: September 16, 2013

Program or Project Title: Dakota County Riparian and Lakeshore Protection and Restoration, Phase 2

Funds Recommended: \$2,097,000

Manager's Name: Al Singer

Title:

Organization: Dakota County

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Legislative Citation: ML 2010, Ch. 361, Art. 1, Sec. 2, Subd. 5(d)

Appropriation Language: \$2,097,000 in fiscal year 2011 is to the commissioner of natural resources for an agreement with Dakota County for acquisition of permanent easements and enhancement and restoration of aquatic and associated upland habitat. A list of proposed acquisitions and restorations must be provided as part of the required accomplishment plan. The accomplishment plan must include an easement stewardship plan. All restorations must comply with subdivision 9, paragraph (b).

County Locations: Dakota

Ecological Planning Regions:

- Southeast Forest
- Metro / Urban

Activity Type:

- Protect in Easement
- Restore
- Enhance

Priority Resources Addressed by Activity:

- Habitat

Abstract:

Dakota County protected 103 acres of rolling terrain consisting of grasslands, deciduous forest, open water, and wetlands through a conservation easement, while receiving a donation of land value in excess of \$1.5 million.

Activity Detail

Design and Scope of Work:

Dakota County has experienced significant residential growth over the last two decades and the most highly desirable locations in suburban and rural areas are near rivers, lakes and other natural areas. In Dakota County, only three percent of the pre-settlement plant communities remain. According to Metropolitan Council data, between 1970 and 2005, Dakota County lost more than 7,500 acres of non-urbanized land (undeveloped, agricultural, steeply sloped or wetland); added 3,592 acres for major four-lane highways and nearly tripled its residential acreage from 20,150 to 58,455. Through the Farmland and Natural Areas Program (FNAP), Dakota County has been protecting natural areas for wildlife habitat and water quality improvement outside of the regional park system since 2004.

As a result of this Lessard-Sams Outdoor Heritage Council (LSOHC) grant, through a conservation easement, Dakota County protected 103 acres of rolling terrain consisting of grassland, deciduous forest, open water, and wetlands, encompassing 6,964 feet of shoreline in the Marcott Lake chain of lakes in Inver Grove Heights, while receiving a donation of land value in excess of \$1.5 million.

As with many conservation efforts, during the term of this grant there have been modifications to accommodate evolving circumstances. In our Final Report for M.L. 2009, Dakota County protected 568 acres of high-quality habitat, exceeding the goal in our initial plan of 350 acres. For this Final Report for M.L. 2010, Dakota County focused on the acquisition of a conservation easement on a 103-acre property in the Marcott Lake chain of lakes. The acquisition of this conservation easement was a long-standing objective of Dakota County's FNAP based on ecological factors and its habitat attributes. The proximity of this Marcott Lake property in the Metro Area resulted in appraised value of over \$3.7 million. Fortunately, Dakota County was able to secure a donation of land value of more than \$1.5 million, bringing the overall cost of the project to \$2.2 million of which \$1,777,878 is to be funding by LSOHC.

The acquisition of this conservation easement on the Marcott Lake chain of lakes is a conservation success that is intended to create a "domino effect" on adjoining properties. Specifically, Dakota County is engaged in negotiations with an adjoining private landowner to secure a conservation easement on approximately 118 acres on which a nature center would be established to foster an understanding and love of the outdoors in children. This additional Marcott Lake conservation easement acquisition is to be funded by a M.L. 2013 LSOHC grant to Dakota County.

Planning

MN State-wide Conservation Plan Priorities:

- H1 Protect priority land habitats
- H2 Protect critical shoreland of streams and lakes
- H5 Restore land, wetlands and wetland-associated watersheds
- H7 Keep water on the landscape

Plans Addressed:

- Minnesota DNR Strategic Conservation Agenda
- Minnesota Sustainability Framework
- Minnesota's Wildlife Management Area Acquisition - The Next 50 Years

LSOHC Statewide Priorities:

- Address conservation opportunities that will be lost if not immediately acted on
- Are able to leverage effort and/or other funds to supplement any OHF appropriation
- Are ongoing, successful, transparent and accountable programs addressing actions and targets of one or more of the ecological sections
- 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 Metro Urban Section Priorities:

- Protect, enhance, and restore remnant native prairie, Big Woods forests, and oak savanna with an emphasis on areas with high biological diversity
- Protect habitat corridors, with emphasis on the Minnesota, Mississippi, and St. Croix rivers (bluff to floodplain)
- Protect, enhance, and restore riparian and littoral habitats on lakes to benefit game and nongame fish species

LSOHC Southeast Forest Section Priorities:

- No Southeast Forest Priorities Listed

Relationship to Other Constitutional Funds:

- Environmental and Natural Resource Trust Fund

The Environment and Natural Resources Trust Fund contributed \$151,122 toward this project.

Sustainability and Maintenance:

Each easement meets or exceeds the standards set by the Land Trust Alliance and includes a baseline report to document conditions at the time the property was encumbered with the easement. The County conducts monitoring to ensure compliance with the terms of the easement. All easements are included in a sophisticated GIS land management database. The County Attorney's Office is responsible for enforcing any significant easement violations.

For this project, Dakota County has completed a natural resources management plan (NRMP), which is attached to this Final Report as the stewardship plan. The landowner is responsible for complying with the terms of the easement and conducting management activities. Under Section 4.3 of the conservation easement, the landowner has agreed to contribute up to \$50,000 in cash or in-kind services over a five-year period to implement the NRMP.

The original budget included \$80,000 for easement stewardship on the basis on acquiring a number of smaller easements throughout the County, requiring significant monitoring expenses. Since the funds were used to acquire one significant conservation easement located near an existing easement, the County will incur no significant additional monitoring costs. Consequently, the County is not seeking reimbursement for easement stewardship.

Outcomes

Programs in metropolitan urbanizing region:

- No Programs Listed

Programs in southeast forest region:

- No Programs Listed

Budget Spreadsheet

Total Amount: \$2,097,000

Budget and Cash Leverage

Budget Name	Request	Spent	Cash Leverage (anticipated)	Cash Leverage (received)	Leverage Source	Total (original)	Total (final)
Personnel	\$140,000	\$0	\$0	\$0		\$140,000	\$0
Contracts	\$0	\$0	\$700,000	\$271,000	Dakota County (cash)	\$700,000	\$271,000
Fee Acquisition w/ PILT	\$0	\$0	\$325,000	\$0	Dakota County linkind)	\$325,000	\$0
Fee Acquisition w/o PILT	\$0	\$0	\$800,000	\$0		\$800,000	\$0
Easement Acquisition	\$1,867,000	\$1,777,900	\$353,000	\$0	RIM	\$2,220,000	\$1,777,900
Easement Stewardship	\$80,000	\$0	\$300,000	\$1,584,000	Landowner Donation	\$380,000	\$1,584,000
Travel	\$0	\$0	\$0	\$0		\$0	\$0
Professional Services	\$0	\$0	\$0	\$0		\$0	\$0
Direct Support Services	\$0	\$0	\$0	\$0		\$0	\$0
DNR Land Acquisition Costs	\$0	\$0	\$0	\$0		\$0	\$0
Capital Equipment	\$0	\$0	\$0	\$0		\$0	\$0
Other Equipment/Tools	\$1,000	\$0	\$0	\$0		\$1,000	\$0
Supplies/Materials	\$9,000	\$0	\$0	\$0		\$9,000	\$0
DNR IDP	\$0	\$0	\$0	\$0		\$0	\$0
Total	\$2,097,000	\$1,777,900	\$2,478,000	\$1,855,000		\$4,575,000	\$3,632,900

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	0	0	0	0	385	0	385	0
Protect in Fee with State PILT Liability	0	0	0	0	0	0	0	0	0	0
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	704	103	704	103
Enhance	0	0	0	0	0	0	153	0	153	0
Total	0	0	0	0	0	0	1,242	103	1,242	103

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	\$0	\$0	\$0	\$0	\$95,000	\$0	\$95,000	\$0
Protect in Fee with State PILT Liability	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
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	\$1,972,000	\$1,777,900	\$1,972,000	\$1,777,900
Enhance	\$0	\$0	\$0	\$0	\$0	\$0	\$30,000	\$0	\$30,000	\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0	\$2,097,000	\$1,777,900	\$2,097,000	\$1,777,900

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	365	0	0	0	20	0	0	0	0	0	385	0
Protect in Fee with State PILT Liability	0	0	0	0	0	0	0	0	0	0	0	0
Protect in Fee W/O State PILT Liability	0	0	0	0	0	0	0	0	0	0	0	0
Protect in Easement	644	103	0	0	60	0	0	0	0	0	704	103
Enhance	143	0	0	0	10	0	0	0	0	0	153	0
Total	1,152	103	0	0	90	0	0	0	0	0	1,242	103

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	\$86,900	\$0	\$0	\$0	\$8,100	\$0	\$0	\$0	\$0	\$0	\$95,000	\$0
Protect in Fee with State PILT Liability	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Protect in Fee W/O State PILT Liability	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Protect in Easement	\$1,856,200	\$1,777,900	\$0	\$0	\$115,800	\$0	\$0	\$0	\$0	\$0	\$1,972,000	\$1,777,900
Enhance	\$26,900	\$0	\$0	\$0	\$3,100	\$0	\$0	\$0	\$0	\$0	\$30,000	\$0
Total	\$1,970,000	\$1,777,900	\$0	\$0	\$127,000	\$0	\$0	\$0	\$0	\$0	\$2,097,000	\$1,777,900

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

0 miles

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

6,964 miles

Parcel List

Section 1 - Restore / Enhance Parcel List

No parcels with an activity type restore or enhance.

Section 2 - Protect Parcel List

Dakota

Name	TRDS	Acres	Est Cost	Existing Protection?	Hunting?	Fishing?
Lindberg	02722217	103	\$1,777,900	Yes	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.

Completed Parcel: Lindberg

# of Total Acres:	103
County:	Dakota
Township:	027
Range:	22
Direction:	2
Section:	17
# of Acres: Wetlands/Upland:	49.9
# of Acres: Forest:	28.1
# of Acres: Prairie/Grassland:	25.3
Amount of Shoreline:	6964 (Linear Feet)
Name of Adjacent Body of Water (if applicable):	Marcott Lakes chain
Has there been signage erected at the site:	Yes
Annual Reporting Organization Name:	Dakota County
Annual Reporting Manager Name:	Al Singer
Annual Reporting Address:	14955 Galaxie Avenue
Annual Reporting City:	Apple Valley
Annual Reporting State:	MN
Annual Reporting Zip:	55124
Annual Reporting Email:	al.singer@co.dakota.mn.us
Annual Reporting Phone:	952-891-7001
Purchase Date:	August 06, 2012
Purchase Price:	\$2,200,000
Appraised Value:	\$3,734,400
Professional Service Costs:	\$4,680
Total Project Cost:	\$2,204,680
Donations:	\$1,534,000
Easement Holder Organization Name:	Dakota County
Easement Holder Manager Name:	Al Singer
Easement Holder Address:	14955 Galaxie Avenue
Easement Holder City:	Apple Valley
Easement Holder State:	MN
Easement Holder Zip:	55124
Easement Holder Email:	al.singer@co.dakota.mn.us
Easement Holder Phone:	952-891-7001
Responsible Organization Name:	Dakota County
Responsible Manager Name:	Al Singer
Responsible Address:	14955 Galaxie Avenue
Responsible City:	Apple Valley
Responsible State:	MN
Responsible Zip:	55124
Responsible Email:	al.singer@co.dakota.mn.us
Responsible Phone:	952-891-7001
Underlying Fee Owner:	E. Leland Lindberg and Mary Lou Lindberg