



Lessard-Sams Outdoor Heritage Council

Critical Shoreland Habitat Protection Program - Phase IV

Laws of Minnesota 2017 Final Report

General Information

Date: 11/09/2022

Project Title: Critical Shoreland Habitat Protection Program - Phase IV

Funds Recommended: \$1,700,000

Legislative Citation: ML 2017, Ch. 91, Art. 1, Sec. 2, subd. 3(f)

Appropriation Language: \$1,700,000 in the first year is to the commissioner of natural resources for an agreement with the Minnesota Land Trust to acquire permanent conservation easements along rivers and lakes in the northern forest region. Of this amount, up to \$120,000 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 proposed permanent conservation easements must be provided as part of the required accomplishment plan.

Manager Information

Manager's Name: Wayne Ostlie

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Location Information

County Location(s): St. Louis and Lake.

Eco regions in which work will take place:

- Northern Forest

Activity types:

- Protect in Easement

Priority resources addressed by activity:

- Wetlands

- Forest
- Habitat

Narrative

Summary of Accomplishments

Through this grant, the Minnesota Land Trust protected approximately 8.25 miles of critical shoreland and 1,095 acres of high-quality fish and wildlife habitat in northeast Minnesota by securing four permanent conservation easements in strategic locations along priority lakes and rivers, exceeding our land protection goals by 332% and shoreland protection goals by 825%. Conservation easements secured under this program are perpetual and will prevent fragmentation and destruction of existing habitat. These easements ensure that sensitive habitat will remain ecologically viable and productive for fish, game, and other wildlife by prohibiting land uses that negatively impact important habitat values.

Process & Methods

The natural shoreland around Minnesota's lakes and rivers comprises one of the most biologically important systems in the state for fish, game and wildlife; due to the intensity of shoreland development and non-compatible management, it is also one of its most threatened. In order to preserve this important component of Minnesota's natural heritage, the Minnesota Land Trust implemented Phase 4 of its Critical Shoreland Habitat Protection Program to protect important lakeshore and stream-side habitat. This project built on the success of Phases 1-3 of this program and helped fulfill the goals of the DNR's Aquatic Management Area program, the State Wildlife Action Plan, and many other state priorities.

Development and disturbance of the state's remaining sensitive shoreland habitat is a priority 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. Landowner outreach conducted under Phases 1-3 of this program generated significant landowner interest; this Phase 4 provided additional resources to meet this demand.

In Phase 4 of the program, the Land Trust strategically concentrated its activity on important aquatic resources and associated forest habitat within northeast Minnesota, including DNR-designated high priority trout streams along the North Shore, sensitive shoreline along the deep-water border lakes and other high-quality aquatic habitats in the region. Through the grant, the Land Trust protected 8.25 miles and 1,095 acres of threatened shoreline habitat through permanent conservation easements.

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

Outcomes from this project included: 1) healthy populations of trout and other fish species, waterfowl, and other Species in Greatest Conservation Need; 2) maintained 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.

How did the program address habitats of significant value for wildlife species of greatest conservation need, threatened or endangered species, and/or list targeted species?

The natural shoreline 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 4 of the Land Trust's Critical Shoreland program preserved critical shoreland habitats in northeast Minnesota - an important component of the state's natural heritage. These habitats are essential to maintaining healthy populations of the region's fish and wildlife populations (trout and other fish, waterfowl, and Species in Greatest Conservation Need) and maintaining water quality of associated 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 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 our Critical Shoreland 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.

How did the program use science-based targeting that leveraged or expanded corridors and complexes, reduced fragmentation, or protected areas in the MN County Biological Survey.

All lands protected by Phase 4 were identified as part of high priority shoreland projects through planning processes by public and private entities, including the Minnesota Land Trust, Minnesota DNR, and others.

Four conservation easement projects were completed in this program phase:

The Skunk Creek (LaBounty) conservation easement protected 947 acres of forest, headwater wetland, and riparian habitats in Lake County, and more than 7 miles of shoreland habitat, including 5 miles of designated trout stream habitat. Twelve high-quality native plant communities occur on the property, some considered vulnerable or imperiled in Minnesota.

The Burntside Lake (TPL) conservation easement in St. Louis County protected the entirety of Gusty Island, an undeveloped island in Burntside Lake that is part of a larger chain of islands including Snellman Island, Gaul Island, and Pine Island (among others), all of which are part of Burntside Island Scientific and Natural Area. Prior to completion of the easement, Gusty Island was one of the few islands in the chain lacking permanent protection. The project protected 4.5 acres of island habitat including a pine forest community nearing old-growth status as well as nearly 1,500 feet of shoreline on Burntside Lake.

The Thompson Lake (Haney) conservation easement encompasses 11 high-quality native plant communities along Thompson Lake in St. Louis County, ranging from rock-outcrop and cliff communities to bog and wetland communities. The property is located within a larger Site of Outstanding Biodiversity Significance, the highest level recognized by the State of Minnesota. The site is recognized as an important habitat hotspot for wood turtle, a threatened species in Minnesota and a major target for conservation actions. The project protected 38 acres and 4,304 feet of shoreline.

Echo Trail (Spencer) - This 105-acre conservation easement protected a mix of exceptionally high-quality rock outcrops, cliffs, upland forest, wetlands, and lakeshore including several native plant communities listed as vulnerable or imperiled in Minnesota. The native plant communities protected by this conservation easement provide habitat to 25 Species in Greatest Conservation Need. The project protects and 609 feet of shoreland along Regenbogen Lake in St. Louis County.

Explain Partners, Supporters, & Opposition

The program benefitted from involvement of government agencies and non-governmental organizations (NGOs). This included Minnesota DNR, Board of Water and Soil Resources, Soil and Water Conservation Districts, and local county staff.

Partnerships with organizations including the Trust for Public Land, The Nature Conservancy, Encampment Forest Association, Listening Point Foundation, and others led to cooperative relationships that has fostered collaboration on conservation opportunities. Minnesota Land Trust's expertise and capacity to complete conservation easements has been recognized by partners and led to identification of high-quality potential projects. Past conservation easement work in the program area also has created a network of landowners that are advocates for conservation to their neighbors and friends.

Landowner outreach was conducted with the support of local NGO, county, DNR and BWSR staff, and community members at large. Outreach was conducted via in-person conversations, referrals from partner organizations, and social media promotion.

Exceptional challenges, expectations, failures, opportunities, or unique aspects of program

Minnesota Land Trust far exceeded the acreage and shoreline goals for this program due to competing a large project which took several years to develop. This project was initiated due to outreach from an earlier project phase and landowner engagement activities sustained over an extended timeframe.

One project on the shore of Lake Superior was developed and slated to close at the end of the program period; unfortunately, the landowner decided to withdraw from the process just prior to closing. Because conservation easements are voluntary and rely on the willing participation of the landowner, Minnesota Land Trust anticipates that not all highly ranked projects will be completed. However, in this case, the timing of the landowner's withdrawal and its unexpected nature late in the process was such that funds identified for acquisition could not be reallocated.

What other fund may contribute to this program?

- N/A

What is the plan to 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 was provided through the grant, and is now included within the Land Trust's Monitoring and Enforcement Fund.

In addition, the Land Trust assisted landowners in the development of comprehensive habitat management plans to help ensure that the land will be managed for its wildlife and water quality benefits. Depending upon the property, opportunities for restoration and enhancement in the future will be explored on a case-by-case basis. The Land Trust will assist landowners in procuring funding for these activities or otherwise connecting with appropriate agencies as such needs and opportunities arise.

Actions to Maintain Project Outcomes

Year	Source of Funds	Step 1	Step 2	Step 3
2022 and Beyond	MLT Stewardship Endowment	Monitor properties annually.	Enforce the terms of the easements as necessary.	-

Budget

Totals

Item	Requested	AP Amount	Spent	Antic. Leverage	Received Leverage	Leverage Source	Original Total	Final Total
Personnel	\$90,000	\$130,000	\$127,400	-	-	-	\$90,000	\$127,400
Contracts	\$39,000	\$116,600	\$111,100	-	-	-	\$39,000	\$111,100
Fee Acquisition w/ PILT	-	-	-	-	-	-	-	-
Fee Acquisition w/o PILT	-	-	-	-	-	-	-	-
Easement Acquisition	\$1,298,400	\$1,253,000	\$903,000	\$230,000	\$303,900	Private Landowners	\$1,528,400	\$1,206,900
Easement Stewardship	\$120,000	\$88,000	\$68,000	-	-	-	\$120,000	\$68,000
Travel	\$10,000	\$4,600	\$4,700	-	-	-	\$10,000	\$4,700
Professional Services	\$112,000	\$67,000	\$63,300	-	-	-	\$112,000	\$63,300
Direct Support Services	\$25,600	\$34,800	\$34,400	\$25,600	-	MLT	\$51,200	\$34,400
DNR Land Acquisition Costs	-	-	-	-	-	-	-	-
Capital Equipment	-	-	-	-	-	-	-	-
Other Equipment/Tools	-	-	-	-	-	-	-	-
Supplies/Materials	\$5,000	-	-	-	-	-	\$5,000	-
DNR IDP	-	\$6,000	\$6,000	-	-	-	-	\$6,000
Grand Total	\$1,700,000	\$1,700,000	\$1,317,900	\$255,600	\$303,900	-	\$1,955,600	\$1,621,800

Personnel

Position	Annual FTE	Years Working	Funding Request	Antic. Leverage	Leverage Source	Total
Protection and Legal Staff	0.28	5.0	\$127,400	-	-	\$127,400

Direct Support Services

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

Like all conservation entities, the Minnesota Land Trust has direct support services expenses which are essential to complete a conservation project, which include such costs as administrative support staff, office space, printing and office supplies. The proposal included a request for DSS representing half of actual expected DSS, with the other 50% shown as leverage. During the course of the grant, the Land Trust updated its DSS calculation format, which was approved by LSOHC staff. As such, no leverage was realized through this budget line. The \$25,600 proposed for DSS leverage was compensated for by excess leverage within the Easement Acquisition line.

Explain any budget challenges or successes:

Unexpended acquisition funds resulted from a landowner's unexpected withdrawal from the program near end of the grant period, which prevented funds from being reallocated to another project. The anticipated donated value (leverage) stemming from this uncompleted project was also not realized due to the late withdrawal.

That said, we were able to significantly over-achieve on our acreage goals due to three projects with full or partial donations of easement value, allowing the Land Trust to do more with the funds at its disposal.

Total Revenue: \$0

Revenue Spent: \$0

Revenue Balance: \$0

Of the money disclosed above, what are the appropriate uses of the money:

- E. This is not applicable as there was no revenue generated.

Output Tables

Acres by Resource Type (Table 1)

Type	Wetland (AP)	Wetland (Final)	Prairie (AP)	Prairie (Final)	Forest (AP)	Forest (Final)	Habitat (AP)	Habitat (Final)	Total Acres (AP)	Total Acres (Final)
Restore	0	0	0	0	0	0	0	0	0	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	330	1,094	330	1,094
Enhance	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	330	1,094	330	1,094

Total Requested Funding by Resource Type (Table 2)

Type	Wetland (AP)	Wetland (Final)	Prairie (AP)	Prairie (Final)	Forest (AP)	Forest (Final)	Habitat (AP)	Habitat (Final)	Total Funding (AP)	Total Funding (Final)
Restore	-	-	-	-	-	-	-	-	-	-
Protect in Fee with State PILT Liability	-	-	-	-	-	-	-	-	-	-
Protect in Fee w/o State PILT Liability	-	-	-	-	-	-	-	-	-	-
Protect in Easement	-	-	-	-	-	-	\$1,700,000	\$1,317,900	\$1,700,000	\$1,317,900
Enhance	-	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	\$1,700,000	\$1,317,900	\$1,700,000	\$1,317,900

Acres within each Ecological Section (Table 3)

Type	Metro / Urban (AP)	Metro / Urban (Final)	Forest / Prairie (AP)	Forest / Prairie (Final)	SE Forest (AP)	SE Forest (Final)	Prairie (AP)	Prairie (Final)	N. Forest (AP)	N. Forest (Final)	Total (AP)	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	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	0	0	0	0	0	0	0	0	330	1,094	330	1,094
Enhance	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	330	1,094	330	1,094

Total Requested Funding within each Ecological Section (Table 4)

Type	Metro / Urban (AP)	Metro / Urban (Final)	Forest / Prairie (AP)	Forest / Prairie (Final)	SE Forest (AP)	SE Forest (Final)	Prairie (AP)	Prairie (Final)	N. Forest (AP)	N. Forest (Final)	Total (AP)	Total (Final)
Restore	-	-	-	-	-	-	-	-	-	-	-	-
Protect in Fee with State PILT Liability	-	-	-	-	-	-	-	-	-	-	-	-
Protect in Fee w/o State PILT Liability	-	-	-	-	-	-	-	-	-	-	-	-
Protect in Easement	-	-	-	-	-	-	-	-	\$1,700,000	\$1,317,900	\$1,700,000	\$1,317,900
Enhance	-	-	-	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	\$1,700,000	\$1,317,900	\$1,700,000	\$1,317,900

Target Lake/Stream/River Feet or Miles

8.25 miles

Outcomes

Programs in the northern forest region:

- Forestlands are protected from development and fragmentation ~ *This program permanently protected 1,094 acres of strategic northern forest region habitats and approximately 8.25 miles of undeveloped shoreline.*

Measure: Acres protected.

Parcels

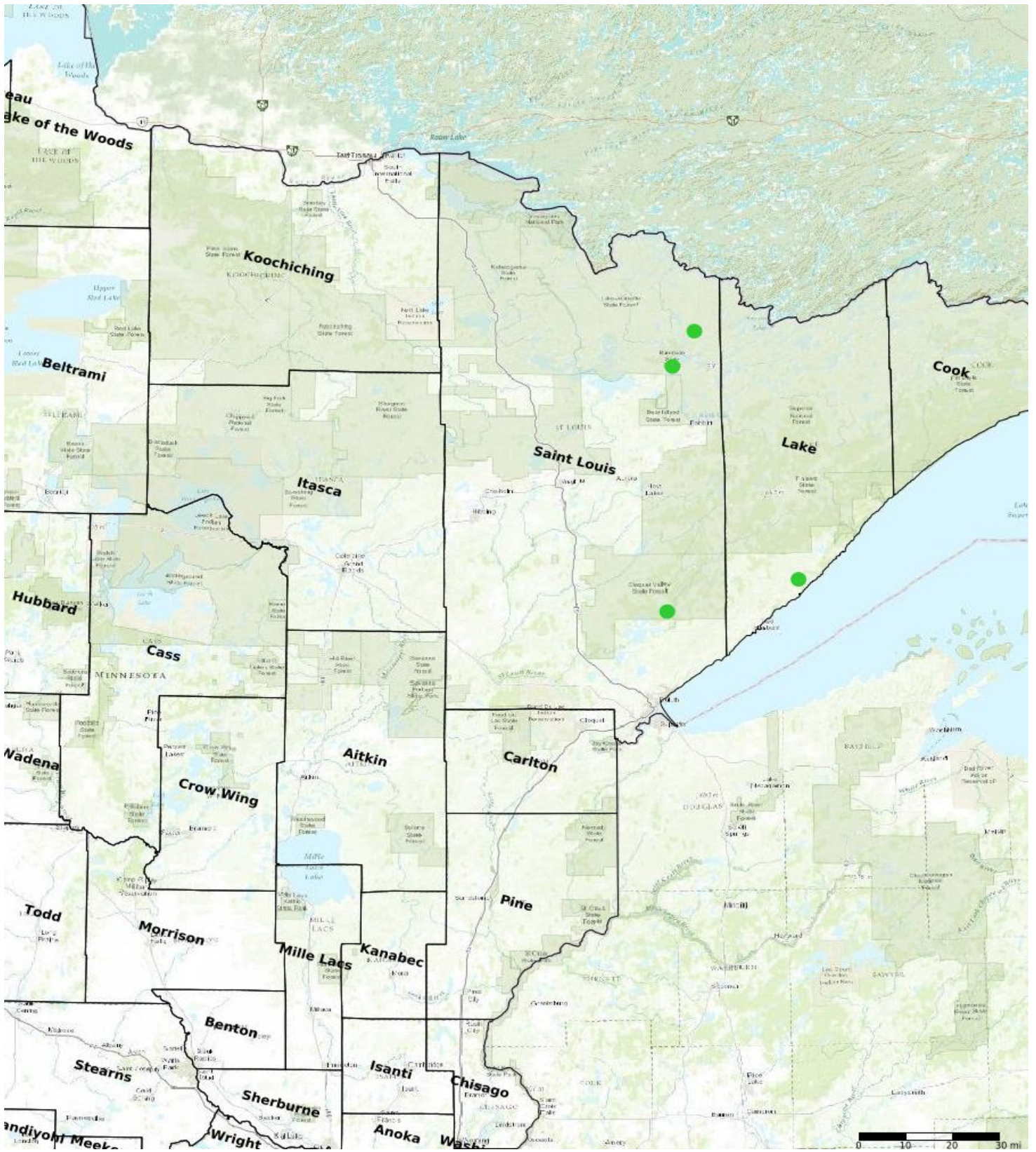
Sign-up Criteria?

No

Protect Parcels

Name	County	TRDS	Acres	Est Cost	Existing Protection
Skunk Creek (LaBounty)	Lake	05409203	947	\$623,900	No
Burntside Lake (TPL)	St. Louis	06313229	4	\$279,000	No
Echo Trail (Spencer)	St. Louis	06412218	105	\$0	No
Thompson Lake (Haney)	St. Louis	05314212	38	\$0	No

Parcel Map



- Protect in Easement
- ▲ Protect in Fee with PILT
- Protect in Fee W/O PILT
- ★ Restore
- ✦ Enhance
- ⊕ Other