



Lessard-Sams Outdoor Heritage Council

Wild Rice Shoreland Protection - Phase VII
Laws of Minnesota 2021 Accomplishment Plan

General Information

Date: 10/31/2024

Project Title: Wild Rice Shoreland Protection - Phase VII

Funds Recommended: \$1,251,000

Legislative Citation: ML 2021, First Sp. Session, Ch. 1, Art. 1, Sec. 2, subd. 4(e)

Appropriation Language: \$1,251,000 the first year is to the Board of Water and Soil Resources to acquire permanent conservation easements on shoreland habitat of wild-rice lakes for protecting native wild rice beds. Of this amount, up to \$78,000 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 permanent conservation easements must be provided as part of the final report.

Manager Information

Manager's Name: Bill Penning
Title: Conservation Programs Coordinator
Organization: BWSR
Address: 394 S Lake Ave #403
City: Duluth, MN 55802
Email: bill.penning@state.mn.us
Office Number:
Mobile Number: 651-262-6403
Fax Number:
Website: BWSR.state.mn.us

Location Information

County Location(s): Otter Tail, Itasca, Hubbard, Aitkin and Cass.

Eco regions in which work will take place:

- Northern Forest
- Forest / Prairie Transition

Activity types:

- Protect in Easement

Priority resources addressed by activity:

- Wetlands
- Forest

Narrative**Abstract**

This Phase 7 continuation of the Wild Rice Shoreland Protection Program will utilize permanent conservation easements to protect 660 acres and approximately 3.5 miles of wild rice shoreland habitat. Development trends pose a serious threat to wild rice habitat, and sites are selected through an integrative ranking process that considers development risk, surrounding land use, habitat value, and numerous other criteria. BWSR will utilize the RIM Easement process in partnership with 14 local SWCDs within the Northern Forest and Forest Prairie Transition. Previous phases of this project have protected 4,831 acres and exceeded goals by 27%.

Design and Scope of Work

Historically, wild rice occurred throughout Minnesota and extended into northern Iowa. Wild rice has since been extirpated from most of its southern range due to human impacts including changes to water quality and chemistry, sedimentation, drainage, flow alteration, boat traffic and competition from introduced aquatic invasive species. Today, the heart of the state's wild rice acreage falls within this project work area comprised of 14 counties -- Aitkin, Becker, Beltrami, Carlton, Cass, Clearwater, Crow Wing, Hubbard, Itasca, Otter Tail, St. Louis, Stearns, Todd, and Wadena.

Recent well-documented population and development trends pose a serious threat to wild rice habitat. This population and development boom has reduced the availability of developable shoreline on recreational lakes, resulting in shallow lakes, rivers, and shallow bays containing wild rice being increasingly targeted for shoreline development. Many of these wild rice shoreland complexes currently remain intact with good water quality, but are subject to development pressure that, if allowed, will degrade the resource.

Voluntary, incentive-based conservation protection options for shoreland landowners are few. Unlike the prairie portion of the state where state funded easement options exist for conservation-minded landowners, private land protection options are limited for wild rice shoreland in the forest due to funding constraints. Further, many easement programs are targeted for restoration and not protection. In the northern forest, lower land values allow conservation dollars to stretch further while also leveraging existing public lands. Most wild rice lakes are public waters and offer some form of public access. This proposal will continue to fill a need for shoreland protection on key water bodies supporting wild rice in the Northern Forest and Forest Prairie Transition Sections.

Utilizing permanent conservation easements the Minnesota Board of Water & Soil Resources (BWSR) and the fourteen local Soil and Water Conservation Districts (SWCDs) will continue to offer permanent shoreland protection on shallow lakes, rivers and shallow bays producing wild rice. The BWSR's Reinvest in Minnesota (RIM) Program will acquire 660 acres through permanent conservation easements.

Through the local SWCD offices, BWSR will purchase RIM easements using rates set by the BWSR Board. Tracts will be selected based on the degree to which they help permanently protect all the land around a given wild rice water body. RIM easements will be acquired through a sign-up process similar to BWSR's other easement programs. SWCD generated landowner applications will be reviewed and parcels ranked by the project committee with guidance provided by the "Wild Rice Shoreland Protection Criteria Sheet" (attached).

How does the plan address habitats that have significant value for wildlife species of greatest conservation need, and/or threatened or endangered species, and list targeted species?

Wild rice shoreland encompasses a complex of shallow lakes, rivers, and shallow bays of deeper lakes that support rice and provide some of the most important habitat for wetland-dependent wildlife species in Minnesota. Wild rice habitat is especially important to Minnesota's migrating and breeding waterfowl. More than 17 species of wildlife listed as Species of Greatest Conservation Need (SGCN) use wild rice areas as habitat for breeding, migration, and/or foraging.

Targeted SGCN are as follows: Common Loon, Trumpeter Swan, Bald Eagle, American Bittern, Least Bittern, Red-necked Grebe, Sora Rail, Virginia Rail, Yellow Rail, Black Tern, Rusty Blackbird, Sedge Wren, Lesser Scaup, Northern Pintail, and American Black Duck.

Wild rice is some of the most important habitat for wetland-dependent wildlife species in Minnesota as noted in the MNDNR's Natural Wild Rice in Minnesota report to the legislature (2008). Important game species supported by wild rice include the Ring-necked Duck, Mallard, Blue-winged Teal, Scaup, and Bufflehead.

Describe how the plan uses science-based targeting that leverages or expands corridors and complexes, reduces fragmentation or protects areas identified in the MN County Biological Survey:

To target sites, aerial photos of wild rice lakes are reviewed during a preliminary screening to find those that are the most intact, provide the most wild rice, with the most waterfowl use, and can be protected for the least cost. Lakes are sorted into Low, Medium and High categories. Once the lakes have been ranked the SWCD then contacts landowners on the high and some of the medium priority lakes.

Easement selection occurs with a goal of maximum wild rice habitat complex protection along all shoreland of a lake. Easement parcels are further targeted and prioritized by adjacency to current protected lands/public lands and a low level of current lake development. The following additional factors are considered to ensure site selection reflects current science-based measures for wild rice habitat protection: DNR wildricelakedesignation, feet of shoreline protected, development potential of site, acquisition urgency, depth from shore, watershed considerations, easement size relative to the parcel, and an analysis of stakeholder support. Sites that contain a wild rice lake outlet are also prioritized for potential DNR management of water levels to ensure protection.

SWCD generated landowner applications will be reviewed and parcels ranked by the project committee with guidance provided by the "Wild Rice Shoreland Protection Criteria Sheet" attached to this proposal. Shoreland protection for wild rice lakes and rivers enjoys widespread support from tribal interests, SWCDs, and other habitat conservation partners.

Which two sections of the Minnesota Statewide Conservation and Preservation Plan are most applicable to this project?

- H2 Protect critical shoreland of streams and lakes
- H6 Protect and restore critical in-water habitat of lakes and streams

Which two other plans are addressed in this program?

- Minnesota's Wildlife Action Plan 2015-2025
- Outdoor Heritage Fund: A 25 Year Framework

Which LSOHC section priorities are addressed in this program?

Forest / Prairie Transition

- Protect, enhance, and restore wild rice wetlands, shallow lakes, wetland/grassland complexes, aspen parklands, and shoreland that provide critical habitat for game and nongame wildlife

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

Outcomes

Programs in forest-prairie transition region:

- Protected, restored, and enhanced nesting and migratory habitat for waterfowl, upland birds, and species of greatest conservation need ~ *Healthy populations of endangered, threatened, and special concern species as well as more common species. A summary of the total number of wetland acres and associated forest land secured under easement through this appropriation will be reported. We expect sustained populations of endangered, threatened, special concern and game species as these easements are secured. On-site inspections are performed every three years and compliance checks are performed in the other two years to ensure maintained outcomes.*

Programs in the northern forest region:

- Forestlands are protected from development and fragmentation ~ *Healthy populations of endangered, threatened, and special concern species as well as more common species. A summary of the total number of wetland acres and associated forest land secured under easement through this appropriation will be reported. We expect sustained populations of endangered, threatened, special concern and game species as these easements are secured. On-site inspections are performed every three years and compliance checks are performed in the other two years to ensure maintained outcomes.*

Does this program include leveraged funding?

No

Per MS 97A.056, Subd. 24, Please explain 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 funding request is not supplanting existing funding or a substitution for any previous funding.

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

Once a RIM easement is acquired, BWSR is responsible for maintenance, inspection and monitoring into perpetuity. The BWSR partners with local SWCDs to carry-out oversight, monitoring and inspection of its conservation easements. Easements are inspected for the first five consecutive years beginning in the year after the easement is recorded. Thereafter, on-site inspections are performed every three years and compliance checks are performed in the other two years. SWCDs report to BWSR on each site inspection conducted and partners’ staff document findings. A non-compliance procedure is implemented when potential violations or problems are identified.

Perpetual monitoring and stewardship costs have been calculated at \$6,500 per easement. This value is based on using local SWCD staff for monitoring and landowner relations and existing enforcement authorities. The amount listed for Easement Stewardship covers costs of the SWCD regular monitoring, BWSR oversight, and enforcement.

Actions to Maintain Project Outcomes

Year	Source of Funds	Step 1	Step 2	Step 3
2025-Ongoing	Stewardship Account	Compliance Checks first 5 years then every 3rd year.	Corrective actions of any violations	Enforcement action by MN Attorney General Office
2025-Ongoing	Landowner Responsibility	Maintain compliance with easement terms	-	-

Activity Details

Requirements

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

Yes

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

Yes

Who will manage the easement?

The landowner

Who will be the easement holder?

BWSR

What is the anticipated number of easements (range is fine) you plan to accomplish with this appropriation?

Approximately 11

Land Use

Will there be planting of any crop on OHF land purchased or restored in this program, either by the proposer or the end owner of the property, outside of the initial restoration of the land?

No

Will the eased land be open for public use?

No

Are there currently trails or roads on any of the proposed acquisitions?

Yes

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

Though uncommon, there could be a potential for new trails to be developed, if they contribute to easement maintenance or benefit the easement site (e.g. firebreaks, berm maintenance, etc). Unauthorized trails identified during the monitoring process are in violation of the easement.

Will the trails or roads remain and uses continue to be allowed after OHF acquisition?

Yes

How will maintenance and monitoring be accomplished?

The easements secured under this project will be managed as part of the MN Board of Water and Soil Resources (BWSR) RIM Reserve Program that has nearly 7,000 easements currently in place. Easements are monitored annually for each of the first 5 years and then every 3rd year after that. BWSR, in cooperation with Soil and Water Conservation Districts (SWCD), implement a stewardship process to track, monitor quality and assure compliance with easement terms. Under the terms of the Reinvest In Minnesota (RIM) Easement Program, landowners are required to maintain compliance with the easement. A conservation plan is developed with the landowner and maintained as part of each easement. Basic easement compliance costs are borne by the landowner, periodic enhancements may be cost shared from a variety of sources.

Will new trails or roads be developed or improved as a result of the OHF acquisition?

Yes

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

Though uncommon, there could be a potential for new trails to be developed, if they contribute to easement maintenance or benefit the easement site (e.g. firebreaks, berm maintenance, etc). Unauthorized trails identified during the monitoring process are in violation of the easement.

How will maintenance and monitoring be accomplished?

The easements secured under this project will be managed as part of the MN Board of Water and Soil Resources (BWSR) RIM Reserve Program that has over 7,000 easements currently in place. Easements are monitored annually for each of the first 5 years and then every 3rd year after that. BWSR, in cooperation with Soil and Water Conservation Districts (SWCD), implement a stewardship process to track, monitor quality and assure compliance with easement terms. Under the terms of the Reinvest In Minnesota (RIM) Easement Program, landowners are required to maintain compliance with the easement. A conservation plan is developed with the landowner and maintained as part of each easement. Basic easement compliance costs are borne by the landowner, periodic enhancements may be cost shared from a variety of sources.

Will the acquired parcels be restored or enhanced within this appropriation?

No

This program is primarily targeted at protecting existing high quality habitat.

Will the land that you acquire (fee or easement) be restored or enhanced within this program's funding and availability?

No

Explain how, when, and source of the R/E work:

See above

Timeline

Activity Name	Estimated Completion Date
RIM easements secured on 660 acres	June 30, 2025
Final Report Submitted	November 1, 2025

Date of Final Report Submission: 11/03/2025**Availability of Appropriation:** Subd. 7. Availability of Appropriation

Money appropriated in this section may not be spent on activities unless they are directly related to and necessary for a specific appropriation and are specified in the accomplishment plan approved by the Lessard-Sams Outdoor Heritage Council. Money appropriated in this section must not be spent on indirect costs or other institutional overhead charges that are not directly related to and necessary for a specific appropriation. For acquiring real property, the amounts in this section are available until June 30, 2025. Money for restoration or enhancement is available until June 30, 2026. Money for restoration and enhancement of land acquired with an appropriation in this article is available for four years after the acquisition date with a maximum end date of June 30, 2029. If a project receives at least 15 percent of its funding from federal funds, the time of the appropriation may be extended to equal the availability of federal funding to a maximum of six years if the federal funding was confirmed and included in the original approved draft accomplishment plan. Money appropriated for acquiring land in fee title may be used to restore, enhance, and provide for public use of the land acquired with the appropriation. Public-use facilities must have a minimal impact on habitat in acquired lands.

Budget

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

Totals

Item	Funding Request	Leverage	Leverage Source	Total
Personnel	\$177,000	-	-	\$177,000
Contracts	\$25,200	-	-	\$25,200
Fee Acquisition w/ PILT	-	-	-	-
Fee Acquisition w/o PILT	-	-	-	-
Easement Acquisition	\$950,100	-	-	\$950,100
Easement Stewardship	\$78,000	-	-	\$78,000
Travel	\$2,200	-	-	\$2,200
Professional Services	-	-	-	-
Direct Support Services	\$14,500	-	-	\$14,500
DNR Land Acquisition Costs	-	-	-	-
Capital Equipment	-	-	-	-
Other Equipment/Tools	\$3,100	-	-	\$3,100
Supplies/Materials	\$900	-	-	\$900
DNR IDP	-	-	-	-
Grand Total	\$1,251,000	-	-	\$1,251,000

Personnel

Position	Annual FTE	Years Working	Funding Request	Leverage	Leverage Source	Total
Program Mgmt	0.2	3.0	\$72,000	-	-	\$72,000
Easement Processing	0.5	3.0	\$105,000	-	-	\$105,000

Amount of Request: \$1,251,000

Amount of Leverage: -

Leverage as a percent of the Request: 0.0%

DSS + Personnel: \$191,500

As a % of the total request: 15.31%

Easement Stewardship: \$78,000

As a % of the Easement Acquisition: 8.21%

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

We've scaled back the number of easements and acres we will accomplish

Personnel

Has funding for these positions been requested in the past?

Yes

Contracts

What is included in the contracts line?

Services performed by SWCDs that help us acquire easements.

Easement Stewardship

What is the number of easements anticipated, cost per easement for stewardship, and explain how that amount is calculated?

We are estimating approximately 11 easements. As of July 1, 2024, perpetual monitoring and enforcement costs have been calculated at \$10,000 per easement. This value is based on using local SWCD staff for monitoring and existing enforcement authorities. The amount listed for Easement Stewardship includes costs of SWCD regular monitoring, BWSR oversight and any enforcement necessary.

Travel

Does the amount in the travel line include equipment/vehicle rental?

Yes

Explain the amount in the travel line outside of traditional travel costs of mileage, food, and lodging

none

I understand and agree that lodging, meals, and mileage must comply with the current MMB Commissioner Plan:

Yes

Direct Support Services

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

This is based upon an agency policy developed by BWSR Administrative staff and approved by the BWSR Executive Team.

Other Equipment/Tools

Give examples of the types of Equipment and Tools that will be purchased?

Mostly signs, posts and hardware.

Federal Funds

Do you anticipate federal funds as a match for this program?

No

Output Tables**Acres by Resource Type (Table 1)**

Type	Wetland	Prairie	Forest	Habitat	Total Acres
Restore	-	-	-	-	-
Protect in Fee with State PILT Liability	-	-	-	-	-
Protect in Fee w/o State PILT Liability	-	-	-	-	-
Protect in Easement	-	-	720	-	720
Enhance	-	-	-	-	-
Total	-	-	720	-	720

Total Requested Funding by Resource Type (Table 2)

Type	Wetland	Prairie	Forest	Habitat	Total Funding
Restore	-	-	-	-	-
Protect in Fee with State PILT Liability	-	-	-	-	-
Protect in Fee w/o State PILT Liability	-	-	-	-	-
Protect in Easement	-	-	\$1,251,000	-	\$1,251,000
Enhance	-	-	-	-	-
Total	-	-	\$1,251,000	-	\$1,251,000

Acres within each Ecological Section (Table 3)

Type	Metro/Urban	Forest/Prairie	SE Forest	Prairie	N. Forest	Total Acres
Restore	-	-	-	-	-	-
Protect in Fee with State PILT Liability	-	-	-	-	-	-
Protect in Fee w/o State PILT Liability	-	-	-	-	-	-
Protect in Easement	-	70	-	-	650	720
Enhance	-	-	-	-	-	-
Total	-	70	-	-	650	720

Total Requested Funding within each Ecological Section (Table 4)

Type	Metro/Urban	Forest/Prairie	SE Forest	Prairie	N. Forest	Total Funding
Restore	-	-	-	-	-	-
Protect in Fee with State PILT Liability	-	-	-	-	-	-
Protect in Fee w/o State PILT Liability	-	-	-	-	-	-
Protect in Easement	-	\$125,100	-	-	\$1,125,900	\$1,251,000
Enhance	-	-	-	-	-	-
Total	-	\$125,100	-	-	\$1,125,900	\$1,251,000

Average Cost per Acre by Resource Type (Table 5)

Type	Wetland	Prairie	Forest	Habitat
Restore	-	-	-	-
Protect in Fee with State PILT Liability	-	-	-	-
Protect in Fee w/o State PILT Liability	-	-	-	-
Protect in Easement	-	-	\$1,737	-
Enhance	-	-	-	-

Average Cost per Acre by Ecological Section (Table 6)

Type	Metro/Urban	Forest/Prairie	SE Forest	Prairie	N. Forest
Restore	-	-	-	-	-
Protect in Fee with State PILT Liability	-	-	-	-	-
Protect in Fee w/o State PILT Liability	-	-	-	-	-
Protect in Easement	-	\$1,787	-	-	\$1,732
Enhance	-	-	-	-	-

Target Lake/Stream/River Feet or Miles

3.5 miles

Parcels

Parcel Information

Sign-up Criteria?

[Yes - Sign up criteria is attached](#)

Explain the process used to identify, prioritize, and select the parcels on your list:

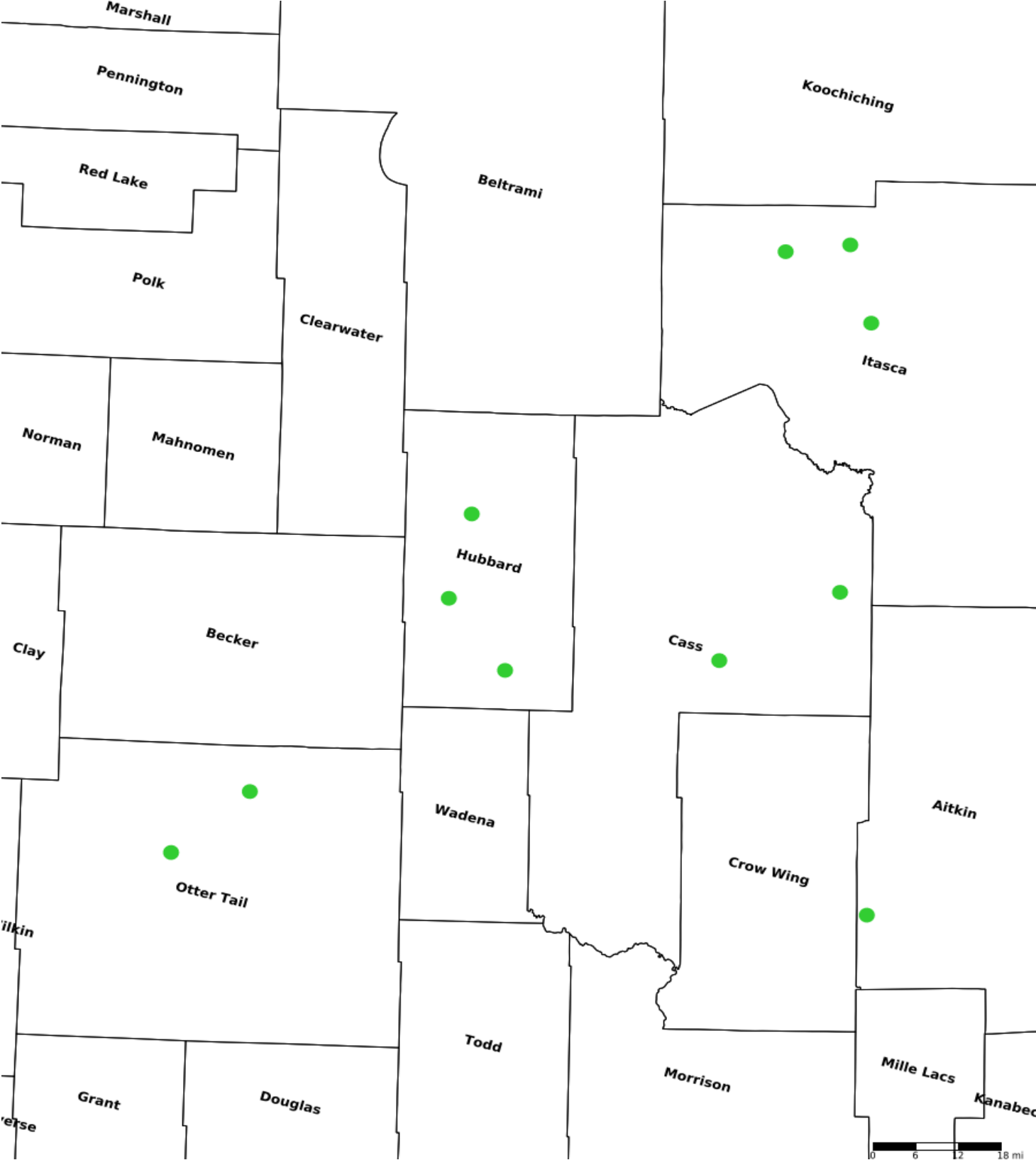
The Wild Rice Shoreland Protection Program utilizes a two tiered screening process to find the wild rice parcels with the highest quality habitat. First we meet on a county by county basis with DNR Wildlife staff to rank wild rice lakes. At this preliminary screening we use aerial photos to sort through rice lakes to find those that are the most intact, provide the most wild rice, with the most waterfowl use, and can be protected for the least cost. Lakes are sorted into Low, Medium and High categories. We also drop or add lakes to the lake list as better information becomes available. Once the lakes have been ranked, the SWCD then contacts landowners on the high and some of the medium priority lakes.

Once the SWCD has an interested landowner, they bring the parcel to the project committee for comments and recommendations. This committee reviews proposals and sorts through them for the parcels that provide the greatest public benefit possible. We always look for areas with high quality wild rice habitat, where a limited public investment can leverage a larger area of public land. The result is an increase in resiliency to the habitat base. The parcels that rank the highest tend to be adjacent to public lands, in a river corridor, or both.

Easement Parcels

Name	County	TRDS	Acres	Est Cost	Existing Protection
01-01-22-13- -	Aitkin	04527208	37	\$38,198	No
11-01-21-13- -	Cass	14028228	75	\$43,763	No
11-02-22-13- -	Cass	14125205	37	\$55,304	No
29-01-22-13- -	Hubbard	14134218	87	\$109,879	No
29-01-23-13- -	Hubbard	14334215	18	\$135,741	No
29-07-22-13- -	Hubbard	13933204	42	\$41,364	No
31-01-21-13- -	Itasca	14825225	53	\$53,382	No
31-01-23-13- -	Itasca	14927201	29	\$25,851	No
31-02-20-13- -	Itasca	15025233	136	\$101,254	No
56-01-22-13-E-	Otter Tail	13541222	61	\$162,162	No
56-01-23-13-E-	Otter Tail	13639204	35	\$97,725	No

Parcel Map



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