



## Lessard-Sams Outdoor Heritage Council

### Working Lands for Habitat (Grazing) Laws of Minnesota 2023 Accomplishment Plan

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#### General Information

**Date:** 09/24/2024

**Project Title:** Working Lands for Habitat (Grazing)

**Funds Recommended:** \$2,709,000

**Legislative Citation:** ML 2023, Ch. 40, Art. 1, Sec. 2, subd. 2(e )

**Appropriation Language:** \$2,709,000 the first year is to the Board of Water and Soil Resources to acquire permanent conservation easements that allow long-term grazing while also protecting wildlife habitat and water quality under Minnesota Statutes, sections 103F.501 to 103F.531. Grazing plans must be developed before grazing is allowed. Of this amount, up to \$46,000 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:** Kevin Roth

**Title:** Easement Programs Coordinator

**Organization:** BWSR

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#### Location Information

**County Location(s):** Todd.

**Eco regions in which work will take place:**

- Prairie
- Southeast Forest
- Northern Forest
- Forest / Prairie Transition

**Activity types:**

- Protect in Easement

**Priority resources addressed by activity:**

- Forest
- Prairie
- Habitat
- Wetlands

**Narrative****Abstract**

Producer driven inquiries and significant land conversion pressure away from grazing lands has developed growing interest from SWCD's and conservation partners to develop a program that keeps cattle on the landscape while maintaining and improving wildlife habitat and protecting and improving water quality. RIM easements that allow long-term grazing coupled with approved grazing plans that take wildlife and water quality into consideration will be utilized to protect approximately 716 acres. Prioritization criteria are developed to give the highest return on conservation investment, water quality benefits, large block connectivity of grassland complexes and implementation of Comprehensive Watershed Management Plan priorities.

**Design and Scope of Work**

Loss of grasslands, particularly grass grazed by large ungulates is of significant concern to the natural resource management community. Although CRP provides significant tall grassland habitat (yet CRP has declined dramatically in MN since the 2000's) it is generally not hayed or grazed sufficiently to benefit shorter-grass species like bobolink, meadowlark, and longspurs. These species are all in decline. Likewise overgrazed pasture can negatively affect both wildlife and water quality. Properly managed grazing is essential to maintaining grassland health and diversity. The intent of this program is to protect, enhance and restore properly managed grasslands that provide not only improved grassland habitat and water quality but continuing long-term economic benefit for landowners. RIM easements that allow long-term grazing coupled with approved grazing plans that take wildlife and water quality into consideration will be utilized to protect approximately 716 acres. In addition to improving grassland quality there will be a focus on getting cattle out of sensitive water bodies by fencing and providing alternate water sources. This will reduce erosion, improve water quality and improve downstream fish habitat in rivers and lakes. Prioritization criteria are developed to give the highest return on conservation investment, water quality benefits, large block connectivity of grassland complexes and implementation of Comprehensive Watershed Management Plan priorities. A local technical advisory committee made up of BWSR, SWCD, agency and NGO partners will score, rank and identify priority parcels. This partnership will solicit applications from willing landowners and work collaboratively to share multiple-agency conservation program availability in what is intended to be a sustained long-term protection program. This program will encourage a working lands approach while prioritizing grassland multiple benefit protection values. Significant detail regarding the resource being protected will be identified in the management plans to include but not limited to a grazing management plan that protects the form and function of grassland ecological values, ground water and surface water hydrology management, adaptations for changing environmental conditions, promotion of soil health, and allowance for other compatible conservation practices over time. Our intent is to make this a statewide program, however if insufficient funding is secured we may scale back to targeted areas of the state. Although these areas have not been chosen yet we expect significant demand from northwest, central and southeast portions of the state Minnesota. In addition several SWCDs have expressed interest in developing grazing plan writing and implementation capacity

which can be facilitated via this program. In 2020 BWSR received \$1M in Capitol Investment (Bonding) funds to implement a working lands program in three watersheds in north central Minnesota. This program is an outgrowth of that program and much of the work necessary to design and implement these programs has already been completed. Although limited both geographically and financially, there seems to be significant interest by producers that are committed to environmentally sensitive grazing management so they can keep their family farms.

### **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?**

Minnesota grasslands provide important habitat for a wide range of Species of Greatest Conservation Need (SGCN). Consistent with guidance in The Minnesota Wildlife Action Plan and Minnesota Prairie Conservation Plan, strategic site selection will be conducted as well as efforts to minimize landscape stressors and plan for plant diversity and long-term resiliency of project sites. More than 150 SGCN use grasslands for breeding, migration, and/or foraging. Species expected to benefit include: Greater prairie chicken, Sharp-tailed grouse, Eastern meadowlark, Western meadowlark, Upland sandpiper, Grasshopper sparrow, Northern pintail, Northern black duck, Burrowing owl, Chestnut collared longspur, Bobolink, Wilson's phalarope, Sedge wren, Plains hog-nosed snake, American badger, Prairie vole, Plains pocket mouse, Eastern spotted skunk, Dakota skipper, Monarch butterfly, Powesheik skipper, Regal fritillary, and Rusty patched bumble bee.

### **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:**

Pastures, both native and planted, are often part of large complexes of restored prairies, grasslands, and wetlands. These complexes will be the top priority for this project. The scoring and ranking process (see attached score sheet) evaluates a number of factors such as adjacency to permanently protected land, size, feet of shoreline, habitat score, resiliency, TMDLS, and other factors to ensure that the parcels that can maximize habitat values by building on existing complexes, being in high value wildlife areas, improving downstream water quality and aquatic habitat, are enrolled into the program. A local technical team composed of SWCD, BWSR, agency (such as NRCS grazing experts), NGO, and other experts as appropriate will vet each application and make funding recommendations to BWSR.

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

- H1 Protect priority land habitats
- H5 Restore land, wetlands and wetland-associated watersheds

### **Which two other plans are addressed in this program?**

- Minnesota Prairie Conservation Plan
- Minnesota's Wildlife Action Plan 2015-2025

### **Which LSOHC section priorities are addressed in this program?**

#### **Forest / Prairie Transition**

- Protect, restore, and enhance habitat for waterfowl, upland birds, and species of greatest conservation need

## 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

## Prairie

- Protect, enhance, or restore existing wetland/upland complexes, or convert agricultural lands to new wetland/upland habitat complexes

## Southeast Forest

- Restore forest-based wildlife habitat that has experienced substantial decline in area in recent decades

## Outcomes

### Programs in forest-prairie transition region:

- Protected, restored, and enhanced aspen parklands and riparian areas ~ *A summary of the total acres acquired through this appropriation will be reported. On-site inspections are performed every three years and compliance checks are performed during the other two years to ensure maintained outcomes. An increase of grassland habitat availability within aspen parklands is expected to increase the carrying capacity of grassland-dependent wildlife. This would have a positive impact on both game and non game species. We expect more abundant populations of endangered, threatened, special concern and game species as these complexes are restored.*

### Programs in the northern forest region:

- Increased availability and improved condition of riparian forests and other habitat corridors ~ *A summary of the total acres acquired through this appropriation will be reported. On-site inspections are performed every three years and compliance checks are performed during the other two years to ensure maintained outcomes. An increase of grassland habitat and improved riparian habitat availability is expected to increase the carrying capacity of grassland-dependent and riparian wildlife as well as downstream aquatic resources. This would have a positive impact on both game and non-game species. We expect more abundant populations of endangered, threatened, special concern and game species as these complexes are protected and properly managed.*

### Programs in prairie region:

- Key core parcels are protected for fish, game and other wildlife ~ *A summary of the total acres acquired through this appropriation will be reported. On-site inspections are performed every three years and compliance checks are performed during the other two years to ensure maintained outcomes. Protection of grazing lands that create wildlife corridors linking habitat blocks such as those identified in the Prairie Plan will be prioritized. This would have a positive impact on both game and non-game species. We expect more abundant populations of endangered, threatened, special concern and game species as these complexes are protected and properly managed.*

### Programs in southeast forest region:

- Rivers, streams, and surrounding vegetation provide corridors of habitat ~ *A summary of the total acres acquired through this appropriation will be reported. On-site inspections are performed every three years and compliance checks are performed during the other two years to ensure maintained outcomes. An increase of*

*grassland habitat and improved riparian habitat availability is expected to increase the carrying capacity of grassland-dependent and riparian wildlife as well as downstream aquatic resources. This would have a positive impact on both game and non-game species. We expect more abundant populations of endangered, threatened, special concern and game species as these complexes are protected and properly managed.*

### **Does this program include leveraged funding?**

Yes

### **Explain the leverage:**

One million dollars of Capital Investment funds are in-hand and have been allocated to develop a grazing program in central Minnesota. Additionally, we expect the program will utilize grazing plans written primarily by NRCS staff and EQIP funds will partially fund infrastructure such as fencing and alternative water sources that facilitate rotational grazing and keeping cattle from sensitive water bodies.

### **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 monitoring and enforcement into perpetuity. BWSR partners with local SWCDs 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 document findings. A non-compliance procedure is implemented when potential violations or problems are identified.

Perpetual monitoring and enforcement costs are calculated at \$10,000 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 any enforcement necessary.

### **Provide an assessment of how your program celebrates cultural diversity or reaches diverse communities in Minnesota, including reaching low- and moderate-income households:**

For our statewide programs, BWSR will pilot designating a percentage of the easement acquisition budget line for applicants who self-certify as emerging farmers or from underserved populations, including Black, Indigenous, or People of Color (BIPOC). If funds remain at the end of a predetermined number of scoring/ranking periods and there are no additional applicants, the remaining funds would be added to the larger easement acquisition pool of funding.

## **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 and BWSR

**Who will be the easement holder?**

State of MN through BWSR

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

7

## 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:**

For the most part lands enrolled will be currently grazed working lands. As such, field access roads and trails are likely to be present.

**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 which has over 7,250 individual easements currently in place. Easements are monitored annually for each of the first five years and then every third 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. Grazing plans have maps that can be referred to that show all existing and approved infrastructure such as roads and fences.

**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:**

There could potentially be new field roads created if conservation grazing management needs change. For example a field road to access a watering facility that keeps cattle from sensitive water resources.

**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 which has over 7,250 individual easements currently in place.

Easements are monitored annually for each of the first five years and then every third 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. Grazing plans have maps that can be referred to that show all existing and approved infrastructure such as roads and fences.

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

Yes

Some parcels could potentially be replanted or managed to improve grasslands.

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

Yes

**Timeline**

Activity Name	Estimated Completion Date
Implementation of grazing plans	No later than June 30th, 2031
Enroll 620 acres into the RIM private land easement program	June 30th, 2028

**Date of Final Report Submission:** 11/01/2028

**Availability of Appropriation:** Subd. 7. Availability of Appropriation

(a) 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. Money appropriated to acquire land in fee 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.

(b) Money appropriated in this section is available as follows:

- (1) money appropriated for acquiring real property is available until June 30, 2027;
- (2) money appropriated for restoring and enhancing land acquired with an appropriation in this act is available for four years after the acquisition date with a maximum end date of June 30, 2031;
- (3) money appropriated for restoring or enhancing other land is available until June 30, 2028;
- (4) notwithstanding clauses (1) to (3), money appropriated for a project that receives at least 15 percent of its funding from federal funds is available until a date sufficient to match 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; and
- (5) money appropriated for other projects is available until the end of the fiscal year in which it is appropriated.



**Budget**

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

**Totals**

Item	Funding Request	Leverage	Leverage Source	Total
Personnel	\$60,200	\$34,400	Capital Improvement	\$94,600
Contracts	\$14,000	\$8,000	Capital Improvement	\$22,000
Fee Acquisition w/ PILT	-	-	-	-
Fee Acquisition w/o PILT	-	-	-	-
Easement Acquisition	\$2,555,700	\$944,400	Capital Improvement	\$3,500,100
Easement Stewardship	\$46,000	-	-	\$46,000
Travel	\$4,100	\$1,800	Capital Improvement	\$5,900
Professional Services	-	-	Capital Improvement	-
Direct Support Services	\$20,400	\$8,100	Capital Improvement	\$28,500
DNR Land Acquisition Costs	-	-	-	-
Capital Equipment	-	-	-	-
Other Equipment/Tools	\$6,600	\$2,500	Capital Improvement	\$9,100
Supplies/Materials	\$2,000	\$800	Capital Improvement	\$2,800
DNR IDP	-	-	-	-
<b>Grand Total</b>	<b>\$2,709,000</b>	<b>\$1,000,000</b>	<b>-</b>	<b>\$3,709,000</b>

**Personnel**

Position	Annual FTE	Years Working	Funding Request	Leverage	Leverage Source	Total
Easemen Staff	0.1	6.0	\$60,200	\$34,400	Capital Improvement	\$94,600

**Amount of Request:** \$2,709,000

**Amount of Leverage:** \$1,000,000

**Leverage as a percent of the Request:** 36.91%

**DSS + Personnel:** \$80,600

**As a % of the total request:** 2.98%

**Easement Stewardship:** \$46,000

**As a % of the Easement Acquisition:** 1.8%

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

Acres have been scaled accordingly.

**Describe and explain leverage source and confirmation of funds:**

Matching funds are from 2019 Capital Improvement (Bonding) and are in hand.

**Does this project have the ability to be scalable?**

Yes



## If the project received 50% of the requested funding

### **Describe how the scaling would affect acres/activities and if not proportionately reduced, why?**

A 30% reduction in funding would reduce outputs proportionally. Program management costs are the exception (which are a small but important part of the overall ask), due to program management & oversight remaining consistent regardless of appropriation amount.

### **Describe how personnel and DSS expenses would be adjusted and if not proportionately reduced, why?**

BWSR calculates direct support services costs that are directly related to and necessary for each request based on the type of work being done. DSS is proportionately reduced.

## Personnel

### **Has funding for these positions been requested in the past?**

No

## Contracts

### **What is included in the contracts line?**

The contracts line amount will be used for payments to SWCD staff for easement implementation. Estimated restoration costs are included in the easements acquisition line.

## Easement Stewardship

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

7 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 landowner relations and existing enforcement authorities. The amount listed for Easement Stewardship covers costs of the SWCD regular monitoring, BWSR oversight, and any enforcement necessary.

## Travel

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

No

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

### **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?**

BWSR calculates and annually reviews and updates direct support services costs that are directly related to and necessary for each request based on the type of work being done.

### **Other Equipment/Tools**

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

Steel posts and signs to mark the easement boundaries.

### **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	179	179	179	179	716
Enhance	-	-	-	-	-
<b>Total</b>	<b>179</b>	<b>179</b>	<b>179</b>	<b>179</b>	<b>716</b>

**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	\$677,200	\$677,400	\$677,200	\$677,200	\$2,709,000
Enhance	-	-	-	-	-
<b>Total</b>	<b>\$677,200</b>	<b>\$677,400</b>	<b>\$677,200</b>	<b>\$677,200</b>	<b>\$2,709,000</b>

**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	-	179	179	179	179	716
Enhance	-	-	-	-	-	-
<b>Total</b>	<b>-</b>	<b>179</b>	<b>179</b>	<b>179</b>	<b>179</b>	<b>716</b>

**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	-	\$677,200	\$677,400	\$677,200	\$677,200	\$2,709,000
Enhance	-	-	-	-	-	-
<b>Total</b>	<b>-</b>	<b>\$677,200</b>	<b>\$677,400</b>	<b>\$677,200</b>	<b>\$677,200</b>	<b>\$2,709,000</b>

**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	\$3,783	\$3,784	\$3,783	\$3,783
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	-	\$3,783	\$3,784	\$3,783	\$3,783
Enhance	-	-	-	-	-

**Target Lake/Stream/River Feet or Miles**

## Parcels

### Parcel Information

#### Sign-up Criteria?

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

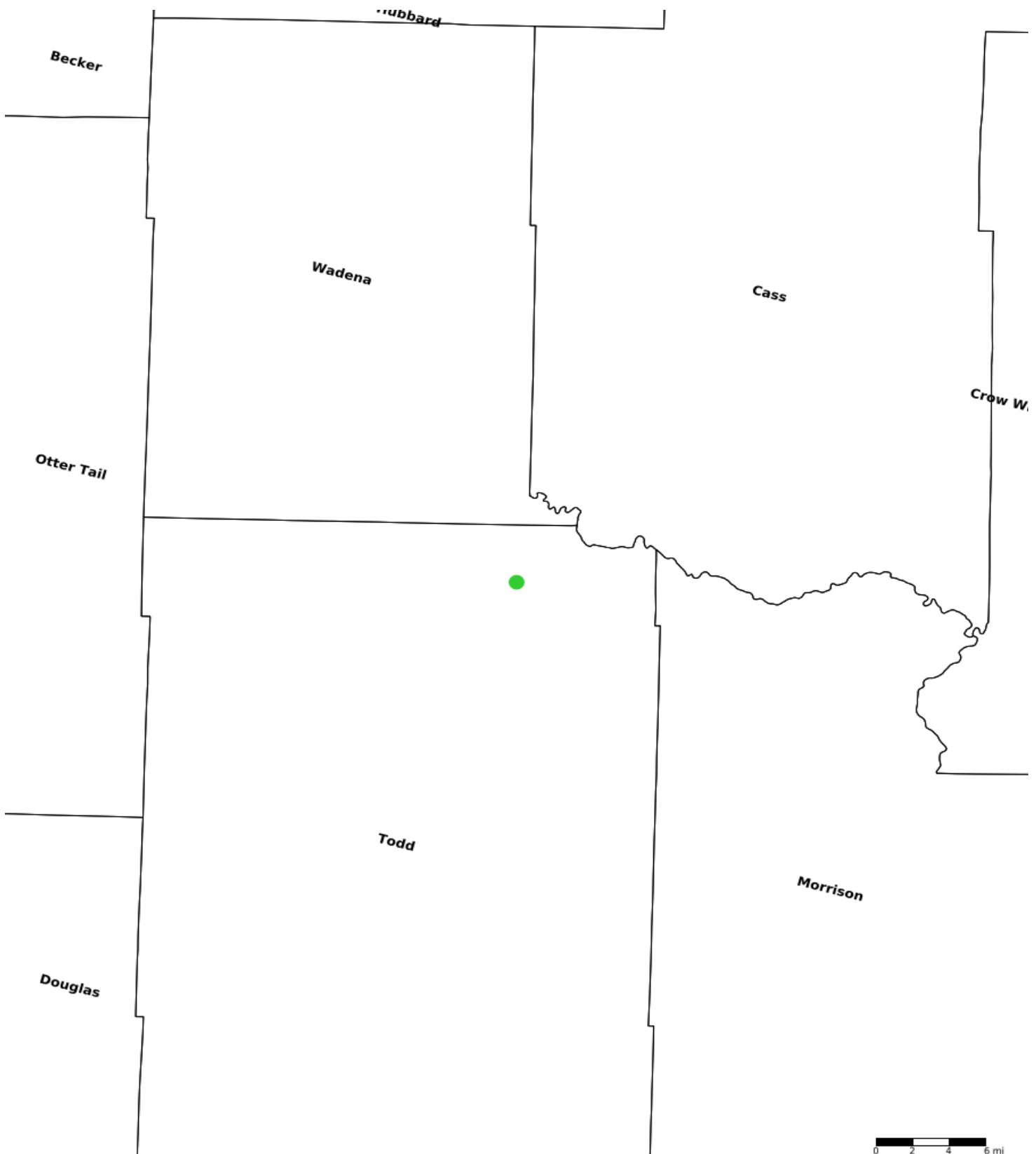
#### Explain the process used to identify, prioritize, and select the parcels on your list:

Through a combination of eligibility screening and a scoring and ranking process, each application will be assessed on its potential to restore functions and values (optimize wildlife habitat benefits) and to provide other landscape benefits. Each site is considered on its benefits to the surrounding landscape, as well as the site-specific features which highlight the benefits of selection for permanent protection. During the application process, a review of adjacent permanent habitat and easement size is conducted to indicate a site's usefulness as a corridor or extension to an existing habitat complex. Landowners with existing but not implemented grazing plans will be given priority.

### Easement Parcels

Name	County	TRDS	Acres	Est Cost	Existing Protection
77-01-23-24- -	Todd	13333224	479	\$436,893	No

## Parcel Map



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