



Lessard-Sams Outdoor Heritage Council

RIM Wetlands - Restoring the Most Productive Habitat in Minnesota, Phase 12
Laws of Minnesota 2023 Accomplishment Plan

General Information

Date: 06/07/2023

Project Title: RIM Wetlands - Restoring the Most Productive Habitat in Minnesota, Phase 12

Funds Recommended: \$4,122,000

Legislative Citation: ML 2023, Ch. 40, Art. 1, Sec. 2, subd. 4(a)

Appropriation Language: \$4,122,000 the first year is to the Board of Water and Soil Resources to acquire permanent conservation easements and to restore wetlands and native grassland habitat under Minnesota Statutes, section 103F.515. Of this amount, up to \$72,000 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

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Location Information

County Location(s):

Eco regions in which work will take place:

- Forest / Prairie Transition
- Prairie
- Metro / Urban

Activity types:

- Protect in Easement
- Restore

Priority resources addressed by activity:

- Wetlands
- Prairie

Narrative

Abstract

RIM Wetlands - Restoring the most productive habitat in Minnesota will protect and restore approximately 495 acres of previously drained wetlands and adjacent native grasslands on approximately 11 easements across the State to restore wetlands and associated uplands for habitat and associated benefits. The Board of Water and Soil Resources (BWSR) will utilize the Reinvest in Minnesota (RIM) easement program in partnership with local Soil and Water Conservation District (SWCDs) to target, protect and restore high priority habitat. The program will utilize a ranking and selection process and be implemented locally by SWCD staff.

Design and Scope of Work

Wetlands are a home to many species of migratory and resident birds, reptiles and amphibians, fish, insects, and plants. They also benefit society by storing floodwaters, filtering pollutants, serving as a carbon sink, and providing recreation sites for boating and fishing. Minnesota has lost an estimated 42% of its original 16 million acres of wetlands to drainage or fill activities. The loss of wetlands is most severe in the prairie regions of the state (approximately 90% loss).

Up to one-half of North American bird species nest or feed in wetlands and provide a home to at least one third of all threatened and endangered species. "Prairie potholes are highly productive ecosystems of unparalleled importance to breeding waterfowl and many other species of wetland wildlife. Moreover, they are important nutrient sinks, store runoff that reduces flooding, sequester carbon, and provide other environmental and socioeconomic values" The past, present, and future of prairie potholes in the United States. May 2008 Journal of Soil and Water Conservation 63(3).

The typical sites this program prioritizes and targets are drained and farmed wetlands and associated uplands that offer little habitat or ecological benefits in their current state. Through a combination of eligibility screening and a scoring and ranking process, the program evaluates and selects applications that provide the greatest habitat and environmental benefit after restoration and protection via a BWSR RIM easement.

RIM Wetlands is a local-state partnership delivered by SWCDs and BWSR. BWSR staff provide program oversight and manage the easement acquisition process and restoration design. Local staff promote RIM easements, assist with easement processing and provide technical assistance and project management services.

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?

Tomorrow's Habitat for the Rare and Wild (MN DNR) states "A statewide look at the species-habitat relationships show that prairies, rivers, and wetlands are the three habitats used by the most Species of Greatest Conservation Need." This proposal targets wetlands and prairies, two of the three most important habitats used by the Species of Greatest Conservation Need (SGCN). An expansion of wetland and prairie habitat through this program will

alleviate pressure on those species that are most sensitive to habitat changes occurring on the landscape.

SGCN in the proposal areas include the Five-lined Skink, Two-spotted Skipper, Northern Pintail, American Black Duck, Grasshopper Sparrow, Upland Sandpiper, Sedge Wren, Dickcissel, and Western Grebe. In addition to the SGCN, the threatened or endangered species targeted in this proposal include the Blanding's Turtle, Dakota Skipper, Poweshiek Skipperling, and Rusty Patched Bumble Bee.

Prairie wetlands are particularly important for migratory waterfowl. Although the North American prairie pothole region contains only about 10% of the waterfowl nesting habitat on the continent, it produces 70% of all North American waterfowl. The extensive loss of Minnesota's prairie and wetland habitat has led to the decline of many wildlife and plant species. The RIM Wetlands program continues to restore this habitat and protect it through perpetual easements.

Diverse vegetation, access to water, and protection from pesticides are important to Minnesota's native pollinator species. BWSR's native vegetation guidelines and pollinator initiative demonstrate a commitment to protecting native pollinators. Complexes and corridors targeted through RIM Wetlands provide natural passageways and habitat for pollinators. Targeted pollinator species include the Monarch Butterfly and several solitary bee species.

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:

Science-based considerations historically used by the RIM Wetlands program will continue to be used. Through a combination of targeted outreach, eligibility screening, and a scoring and ranking process, the RIM Wetlands program evaluates each application on its potential to restore wetland/upland functions and values to optimize wildlife habitat and provide other benefits, including water quality. Each site is evaluated on its benefits to the surrounding landscape, ability to build upon existing corridors and complexes, and site-specific features that highlight the benefits of selection for permanent protection and habitat and associated environmental benefits.

During the application process, a review of adjacent permanent habitat and easement size is conducted to determine a site's importance as a corridor or as an extension to existing habitat complexes. Other examples of the science-based targeting used include proximity to threatened and endangered species, contributing watershed area, proximity to DNR Protected Waters, and the USFWS Habitat and Population Evaluation Team's (HAPET) Wildlife Habitat Potential Model. The HAPET model is a consolidation of models representing an array of migratory birds that use the Minnesota Prairie Pothole Region for breeding or migration.

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

- H5 Restore land, wetlands and wetland-associated watersheds
- H7 Keep water on the landscape

Which two other plans are addressed in this program?

- Long Range Duck Recovery Plan
- 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

Metro / Urban

- Protect, enhance, and restore remnant native prairie, Big Woods forests, and oak savanna with an emphasis on areas with high biological diversity

Prairie

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

Outcomes

Programs in forest-prairie transition region:

- Wetland and upland complexes will consist of native prairies, restored prairies, quality grasslands, and restored shallow lakes and wetlands ~ *A summary of wetland acres and associated native grasslands acquired through this appropriation will be reported. On-site inspections are performed every three years and compliance checks are performed in the other two years to ensure outcomes are maintained. An increase of wetland and associated grassland habitat are expected to increase the carrying capacity of wetland and grassland dependent wildlife. This has a positive impact on both game and non-game species. We expect more abundant populations of endangered, threatened, special concern and game species as complexes are restored.*

Programs in metropolitan urbanizing region:

- Core areas protected with highly biologically diverse wetlands and plant communities, including native prairie, Big Woods, and oak savanna ~ *A summary of wetland acres and associated native grasslands acquired through this appropriation will be reported. On-site inspections are performed every three years and compliance checks are performed in the other two years to ensure outcomes are maintained. An increase of wetland and associated grassland habitat are expected to increase the carrying capacity of wetland and grassland dependent wildlife. This has a positive impact on both game and non-game species. We expect more abundant populations of endangered, threatened, special concern and game species as complexes are restored.*

Programs in prairie region:

- Protected, restored, and enhanced shallow lakes and wetlands ~ *A summary of wetland acres and associated native grasslands acquired through this appropriation will be reported. On-site inspections are performed every three years and compliance checks are performed in the other two years to ensure outcomes are maintained. An increase of wetland and associated grassland habitat are expected to increase the carrying capacity of wetland and grassland dependent wildlife. This has a positive impact on both game and non-game species. We expect more abundant populations of endangered, threatened, special concern and game species as complexes are restored.*

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.

Non-OHF Appropriations

Year	Source	Amount
2009-2012	Federal Wetlands Reserve Program	-
2008, 2011, 2012, 2014	Bonding	-

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

BWSR is responsible for monitoring and enforcement of RIM easements. BWSR partners with local SWCDs to carry out oversight, monitoring and inspection of conservation easements. Easements are inspected every year for the first five years beginning 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 document findings and report to BWSR on each site inspection conducted. A non-compliance procedure is implemented when potential violations are identified.

Perpetual monitoring and enforcement costs have been calculated at \$6,500 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.

Actions to Maintain Project Outcomes

Year	Source of Funds	Step 1	Step 2	Step 3
2021-Ongoing	Landowner Responsibility	Maintain compliance with easement terms	-	-
2021-Ongoing	Stewardship Account	Inspection every year for the first 5 years; then every 3rd year	Corrective actions on any violations	Enforcement action taken by MN Attorney General office

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 The Minnesota Board of Water and Soil Resources

Who will be the easement holder?

The Minnesota Board of Water and Soil Resources

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

This proposal will protect and restore approximately 430 acres of previously drained wetlands and adjacent native grasslands on approximately 10 easements across the State to restore wetlands and associated uplands for habitat and associated benefits.

Will restoration and enhancement work follow best management practices including MS 84.973 Pollinator Habitat Program?

Yes

Is the restoration and enhancement activity on permanently protected land per 97A.056, Subd 13(f), tribal lands, and/or public waters per MS 103G.005, Subd. 15 or on lands to be acquired in this program?

Yes

Where does the activity take place?

- Other : RIM Perpetual Easements

Land Use

Will there be planting of any crop on OHF land purchased or restored in this program?

Yes

Explain what will be planted:

In certain circumstances, wildlife food plots are an allowable use on RIM easements as part of an approved Conservation Plan. Food plots on narrow buffers, steep slopes and wet areas are not allowed. RIM policy limits food plots to 10% of the total easement area or 5 acres, whichever is smaller. There is no cost share for establishment of food plots and upon termination the landowners must re-establish vegetation as prescribed in the Conservation Plan at their expense. Food plots are infrequently used by landowners, to date less than 3% of RIM easements have food plots.

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:

Existing trails and roads are identified during the easement acquisition process and are often excluded from the easement area if they serve no purpose to easement maintenance, monitoring or enforcement. Some roads and trails, such as agricultural field accesses, are allowed to remain.

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

Yes

How will maintenance and monitoring be accomplished?

Under the terms of the RIM Easement, landowners are required to maintain compliance with the easement. Easements are monitored annually by SWCDs in cooperation with BWSR for the first five years and then every third year after easement acquisition to assure compliance with easement terms.

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, new trails could be developed if they contribute to easement maintenance or benefit the easement site (e.g. fire breaks, berm maintenance). Unauthorized trails 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 BWSR's RIM Reserve Program that has over 7,000 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 SWCDs, 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?

Yes

After the easement is secured the conservation plan will restore and enhance the site to the highest and best possible use for habitat.

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
Restorations complete	June 30, 2030
Easements recorded	June 30, 2027
Obtain applications from eligible landowners	June 30, 2024

Date of Final Report Submission: 11/25/2030

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	\$321,500	-	-	\$321,500
Contracts	\$38,500	-	-	\$38,500
Fee Acquisition w/ PILT	-	-	-	-
Fee Acquisition w/o PILT	-	-	-	-
Easement Acquisition	\$3,632,500	-	-	\$3,632,500
Easement Stewardship	\$71,500	-	-	\$71,500
Travel	\$7,000	-	-	\$7,000
Professional Services	-	-	-	-
Direct Support Services	\$38,000	-	-	\$38,000
DNR Land Acquisition Costs	-	-	-	-
Capital Equipment	-	-	-	-
Other Equipment/Tools	\$10,000	-	-	\$10,000
Supplies/Materials	\$3,000	-	-	\$3,000
DNR IDP	-	-	-	-
Grand Total	\$4,122,000	-	-	\$4,122,000

Personnel

Position	Annual FTE	Years Working	Funding Request	Leverage	Leverage Source	Total
Engineering	0.2	7.0	\$188,100	-	-	\$188,100
Easements	0.3	6.0	\$133,400	-	-	\$133,400

Amount of Request: \$4,122,000

Amount of Leverage: -

Leverage as a percent of the Request: 0.0%

DSS + Personnel: \$359,500

As a % of the total request: 8.72%

Easement Stewardship: \$71,500

As a % of the Easement Acquisition: 1.97%

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

A reduction in funding would reduce outputs proportionally. Program management costs are the exception, due to program management & oversight remaining consistent regardless of appropriation amount.

Personnel

Has funding for these positions been requested in the past?

Yes

Please explain the overlap of past and future staffing and position levels previously received and how that is coordinated over multiple years?

This is Phase 12 of an ongoing program. These funds will pay for staff time spent on new easements associated with this phase.

Contracts

What is included in the contracts line?

The contract 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?

Perpetual monitoring and enforcement costs have been calculated at \$6,500 per easement and 10 easements are anticipated to be completed. 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.

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

The travel line only includes 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 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?

None anticipated at this time but we keep a small amount in this budget line for contingencies.

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	0	0	-	-	0
Protect in Fee with State PILT Liability	-	-	-	-	-
Protect in Fee w/o State PILT Liability	-	-	-	-	-
Protect in Easement	130	365	-	-	495
Enhance	-	-	-	-	-
Total	130	365	-	-	495

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	\$1,078,600	\$3,043,400	-	-	\$4,122,000
Enhance	-	-	-	-	-
Total	\$1,078,600	\$3,043,400	-	-	\$4,122,000

Acres within each Ecological Section (Table 3)

Type	Metro/Urban	Forest/Prairie	SE Forest	Prairie	N. Forest	Total Acres
Restore	0	0	-	0	-	0
Protect in Fee with State PILT Liability	-	-	-	-	-	-
Protect in Fee w/o State PILT Liability	-	-	-	-	-	-
Protect in Easement	30	100	-	365	-	495
Enhance	-	-	-	-	-	-
Total	30	100	-	365	-	495

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	\$842,500	-	\$3,154,400	-	\$4,122,000
Enhance	-	-	-	-	-	-
Total	\$125,100	\$842,500	-	\$3,154,400	-	\$4,122,000

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	\$8,296	\$8,338	-	-
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	\$4,170	\$8,425	-	\$8,642	-
Enhance	-	-	-	-	-

Target Lake/Stream/River Feet or Miles

Parcels

For restoration and enhancement programs ONLY: Managers may add, delete, and substitute projects on this parcel list based upon need, readiness, cost, opportunity, and/or urgency so long as the substitute parcel/project forwards the constitutional objectives of this program in the Project Scope table of this accomplishment plan. The final accomplishment plan report will include the final parcel list.

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 targeted outreach and eligibility screening followed by a scoring and ranking process, the RIM Wetlands program evaluates each application on the potential to restore wetland/upland functions and values; optimizing wildlife habitat benefits and providing other benefits including water quality. Each site is evaluated on its benefits to the surrounding landscape, ability to build upon existing corridors and complexes, and site-specific features that highlight the benefits of permanent protection and habitat.

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. Other examples of the science-based targeting used include proximity to threatened and endangered species, contributing watershed area, proximity to DNR Protected Waters, and use of the USFWS Habitat and Population Evaluation Team's (HAPET) Wildlife Habitat Potential Model for environmental evaluation.

BWSR will continue to utilize similar science-based considerations that have been historically used by the RIM Wetlands program. The current scoring and ranking criteria for CREP wetland practices is attached as an example of the score sheet and criteria that will be used.