



Lessard-Sams Outdoor Heritage Council

Bone Lake South Wetland Acquisition Laws of Minnesota 2023 Accomplishment Plan

General Information

Date: 11/17/2023

Project Title: Bone Lake South Wetland Acquisition

Funds Recommended: \$1,942,000

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

Appropriation Language: \$1,942,000 the first year is to the commissioner of natural resources for an agreement with the Comfort Lake-Forest Lake Watershed District to acquire in fee and restore and enhance lands for wildlife and water quality purposes in the Bone Lake watershed. A list of proposed acquisitions must be provided as part of the required accomplishment plan.

Manager Information

Manager's Name: Mike Kinney

Title: District Administrator

Organization: Comfort Lake-Forest Lake Watershed District

Address: 44 Lake Street South Suite A

City: Forest Lake, MN 55025

Email: michael.kinney@clflwd.org

Office Number: 6513955855

Mobile Number:

Fax Number:

Website: www.clflwd.org

Location Information

County Location(s): Washington.

Eco regions in which work will take place:

- Northern Forest

Activity types:

- Protect in Fee

Priority resources addressed by activity:

- Wetlands
- Habitat
- Prairie

Narrative

Abstract

Comfort Lake-Forest Lake Watershed District will acquire in fee and perpetually protect 148 acres containing high priority wetland and upland habitat south of Bone Lake in the northern metro Washington County. This proposal will protect habitat for the Blanding's turtle and other native species, keep water on the landscape, improve water quality, and protect groundwater. These multiple potential water resource benefits make this site a high priority in the District's 10-Year Watershed Management Plan. The landowner intends to sell to the District, if the District can close immediately once the grant is available.

Design and Scope of Work

This project will perpetually protect 148 acres of land including 90 acres of upland habitat and 58 acres of wetland habitat in the high priority Bone Lake South Wetland area, as identified in the District's Watershed Management Plan. The District identified this area for protection/enhancement due to the site's presence of the threatened Blanding's turtle and Rusty-patched bumblebee; native plant communities, including wet meadow/shrub carr and forested wetland; wetland habitat; water storage potential; potential for upland habitat restoration; water quality impact on Bone Lake, which is impaired for eutrophication; and high pollution sensitivity of near-surface materials. The District will purchase the property from the current owner, a private resident who has indicated their willingness to sell to the District and signed a letter of support for this application. Due to the growing development demand in the 7-county Twin Cities Metro Area, and past developer offers on this property, there is a high degree of urgency to acquire and protect this site before it is parceled off and developed for housing. The 317-acre site is split into seven parcels, one of which contains a residential house and accessory structures; all of which are in good condition. Prior to closing on the property, the District will work with the landowner, county, city to re-delineate parcel boundaries in order to separate the homestead from the rest of the property. OHF will be used to acquire the 148 acres of the property containing the cropland to be converted to native upland habitat and the wetland. The landowner has informed the District that he would like to retain ownership of the homestead portion of the site. The undeveloped portion of the site, to be acquired using OHF, will remain under Watershed District ownership in perpetuity. This OHF grant proposal is for fee title acquisition only and does not include restoration/enhancement work. The District will seek alternate funding sources in order to implement wetland enhancement and native upland habitat restoration (prairie or oak savanna) in the future; this may take the form of a Phase 2 proposal to the FY25 Outdoor Heritage Fund. The land management plan for this site will include a grazing management plan.

Protection of this land will be part of the District's greenway corridor initiative which seeks to increase habitat quality and connectivity and protect key water resources surrounding the District's nine priority lakes (including Bone Lake). Earlier in 2022 the District received a Conservation Partners Legacy grant in the amount of \$400,000 for the purchase/protection of a property adjacent to Forest Lake, just 3 miles east of the proposed Bone Lake South Wetland property. The District closed on the property, completed grant reporting, and received full grant reimbursement within 3 weeks of grant agreement execution. In 2022 the District will complete a District-wide Natural Resource Inventory and Assessment in order to further target and gather information on sites like this; this effort will entail a desktop review of available data layers as well as targeted field surveys to ground-truth information and collect additional data on key parcels.

The District is in coordination with the City of Scandia, Washington County, MN Land Trust, and Pheasants Forever. It has and will continue to engage local stakeholders primarily through the Bone Lake Association.

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?

The project will permanently protect a variety of upland and wetland plant community types including an area of southern tamarack swamp (FPs63) which is rare in the State (S2/S3). The existing matrix of wetland and upland plant communities contained within the project area are known to support Blanding's turtles which are listed as threatened in Minnesota. Once the property is acquired, the District will perform a thorough ecological assessment and inventory of the property followed by the preparation of targeted and rigorous restoration and management plan. The District will seek alternative grant sources in order to execute the management plan with an overarching goal of restoring high quality and diverse native species dominated plant communities. This work will maximize the potential for biodiversity within the site and provided greater opportunity to support SGCN.

Restoration/enhancement work is not included in this OHF proposal.

About 1/3 of the site is mapped as MCBS of biodiversity significance polygons (tamarack swamp, rich fen, shrub swamp) with a ranking of "below". This indicates presence of native plant communities and habitats with high potential and great need for restoration and management.

The District believes that additional SGCN or additional state-listed species may be detected within the area as a result of planned protection activities. Based on similar restoration projects within similar habitats in and around Washington County, the area has the potential to support additional rare or unique species which depend on biodiverse, native plant communities. The following species could occur: *Rubus fulleri* (threatened), *Rubus semisetosus* (threatened), *Rubus stipulatus* (endangered), *Gaylussacia baccata* (threatened), *Viola lanceolata* (threatened), Red shouldered hawk (special concern). These species are reappearing within similar habitats that are being restored in eastern Anoka and northern Washington Counties. A record of *Epidemia epixanthe michiganensis*, Bog Copper is associated with a nearby southern tamarack swamp; this butterfly species is Tracked in the MN heritage database and is included as a species of greatest conservation need in Tomorrow's Habitat for the Wild and Rare.

The District is committed to managing the site in perpetuity.

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:

The parcels proposed for acquisition constitute a major portion of a Regionally Significant Ecological Area (RSEA) corridor and area with the highest priority ranking (3). This RSEA connects Bone Lake to the larger Hardwood Creek Corridor to the southwest and Big Marine Lake Corridor to the south. The MCBS polygons proposed for acquisition constitute the center of this highest priority RSEA area.

This property represents one of the last areas, especially within the Metro, with 200+ acres of contiguous habitat with a largely intact wetland habitat. The wetland resides almost entirely within the property and thus offers an excellent opportunity to enhance hydrology and impound additional water without affecting multiple adjacent landowners.

The District engaged in both desktop review and on-site data collection in order to target this priority site. Data layers include MCBS, NWI, Native Plant Communities Connected with Groundwater, and Pollution Sensitivity of Near-Surface Materials. NHIS identified the presence of the threatened Blanding's turtle in the area. The District conducted a diagnostic study in 2015, collecting flow and water quality samples at the outflow of this wetland complex. Monitoring indicates this tributary contributes 75 lb/yr of phosphorus to Bone Lake. The District took wetland sediment cores, identifying areas with elevated phosphorus concentrations, likely due to historic cattle operations adjacent to the wetland.

Protection of the uplands directly affects the quality of the MCBS-mapped rich fens and minerotrophic tamarack swamps with regard to water quality, water temperature, and timing/frequency of water entering the wetland

system via surface water runoff (rapidly) or groundwater infiltration (slowly over long durations). This has direct implications on these groundwater-dependent wetland plant communities and habitat quality.

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

- H1 Protect priority land habitats
- H7 Keep water on the landscape

Which two other plans are addressed in this program?

- Other : Comfort Lake-Forest Lake Watershed District 2022-2031 Watershed Management Plan, and Lower St. Croix 1W1P 2021-2030 Comprehensive Watershed Management Plan
- Outdoor Heritage Fund: A 25 Year Framework

Which LSOHC section priorities are addressed in this program?

Northern Forest

- Restore and enhance habitat on existing protected properties, with preference to habitat for rare, endangered, or threatened species identified by the Minnesota County Biological Survey

Outcomes

Programs in the northern forest region:

- Healthy populations of endangered, threatened, and special concern species as well as more common species ~ *Performance measures: The District will report on acreage of wetland and prairie habitat protected, including quantity of habitat protected for the monarch butterfly, Blanding's turtle, trumpeter swan, mallard, white-tail deer, and Rusty-patched bumblebee.*

Does this program include leveraged funding?

Yes

Explain the leverage:

Comfort Lake-Forest Lake Watershed District is seeking partnerships with MN Land Trust and Washington County which may result in additional leveraged dollars. All CLFLWD staff time costs will be leveraged as well.

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 request does not supplant or substitute for any other funding.

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

Comfort Lake-Forest Lake Watershed District levies approximately \$1.6 million annually in order to support ongoing operations including a full-time permanent staff of 10 employees and regular land management inspections and maintenance actions. The District will leverage local dollars and staff time to develop a restoration and management plan for the site, which will include a schedule for inspection and maintenance activities. The restoration and management plan will be in compliance with MS 97A.056, Subd. 13., paragraph (c), including identification of sufficient funding for implementation.

Actions to Maintain Project Outcomes

Year	Source of Funds	Step 1	Step 2	Step 3
2023-Ongoing	CLFLWD Tax Levy	Annual inspection	Necessary maintenance actions identified from inspection	-

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

Comfort Lake-Forest Lake Watershed District has a strong commitment to diversity, equity, and inclusion. We seek to use diversity, equity, and inclusion as a lens in project, partner, and contractor selection. District staff is in the process of developing a Comprehensive Education & Outreach Plan, which will include a plan/policy for diversity, equity, and inclusion. The District will seek input on the plan from a variety of diverse organizations and experts on the topic of DEI. District staff attends a monthly interagency workgroup to discuss DEI’s intersection with watershed management. The land area where this project is located will be open to all members of the public for hiking, bird watching, hunting, and other outdoor recreational activities. The District will also implement access/information/educational signs in several languages so as to encourage use of the property by underserved/underrepresented populations. Target languages, based on communities present in the Twin Cities area, include Spanish, Hmong, and Somali. The public can also provide comments to the Board of Managers of the Comfort Lake-Forest Lake Watershed District by attending monthly Board meetings.

Activity Details

Requirements

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

Yes

Will county board or other local government approval be formally sought prior to acquisition, per 97A.056 subd 13(j)?**

Yes

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

Yes

Land Use

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

No

Is this land currently open for hunting and fishing?

No

Will the land be open for hunting and fishing after completion?

Yes

Describe any variation from the State of Minnesota regulations:

City of Scandia does not have any specific hunting ordinances. Hunting regulations align with State of Minnesota statutes. There is some open water wetland present on the site, but fishing is not a likely use.

Who will eventually own the fee title land?

- Local Unit of Government

Land acquired in fee will be designated as a:

- Other

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

1

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

Yes

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

Farm trail system and crossings throughout the property.

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

Yes

How will maintenance and monitoring be accomplished?

Trail system will remain in place, but will not be maintained or improved and will revert back to natural state over time and/or be used as foot path/hiking access through the property for hunting and recreation.

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

No

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

No

The original proposal budget contained \$975,000 of requested OHF dollars for the purpose of restoration/enhancement. The recommended allocation by the council is 38% of the original total grant request of \$4,475,000. This proposal has been revised to remove the restoration/enhancement work and only include the fee title acquisition. The District will seek alternate funding sources in order to implement restoration/enhancement work in the future; this may take the form of a Phase 2 proposal to the FY25 Outdoor Heritage Fund. Since the original proposal, the landowner has changed his mind about selling the entire property. Now, the landowner will retain 10-25 acres including all developed structures, reducing the estimated purchase price.

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:

The original proposal budget contained \$975,000 of requested OHF dollars for the purpose of restoration/enhancement. The recommended allocation by the council is 38% of the original total grant request of \$4,475,000. This proposal has been revised to remove the restoration/enhancement work and only include the fee title acquisition. The District will seek alternate funding sources in order to implement restoration/enhancement work in the future; this may take the form of a Phase 2 proposal to the FY25 Outdoor Heritage Fund. Since the original proposal, the landowner has changed his mind about selling the

entire property. Now, the landowner will retain 10-25 acres including all developed structures, reducing the estimated purchase price.

Timeline

Activity Name	Estimated Completion Date
Activity 2 - Close on acquisition	July/August 2023
Activity 1 - Execute purchase agreement	July 2023

Date of Final Report Submission: 12/31/2023

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	-	\$15,000	CLFLWD Tax Levy	\$15,000
Contracts	-	-	-	-
Fee Acquisition w/ PILT	-	-	-	-
Fee Acquisition w/o PILT	\$1,932,000	\$1,558,000	CLFLWD Tax Levy or loan, and/or partnership	\$3,490,000
Easement Acquisition	-	-	-	-
Easement Stewardship	-	-	-	-
Travel	-	-	-	-
Professional Services	-	-	-	-
Direct Support Services	-	-	-	-
DNR Land Acquisition Costs	\$10,000	-	-	\$10,000
Capital Equipment	-	-	-	-
Other Equipment/Tools	-	-	-	-
Supplies/Materials	-	-	-	-
DNR IDP	-	-	-	-
Grand Total	\$1,942,000	\$1,573,000	-	\$3,515,000

Personnel

Position	Annual FTE	Years Working	Funding Request	Leverage	Leverage Source	Total
Land Management Specialist	0.03	1.0	-	\$3,200	CLFLWD Tax Levy	\$3,200
Project Coordinator	0.03	1.0	-	\$4,400	CLFLWD Tax Levy	\$4,400
Planning Coordinator	0.01	1.0	-	\$700	CLFLWD Tax Levy	\$700
District Administrator	0.03	1.0	-	\$6,700	CLFLWD Tax Levy	\$6,700

Amount of Request: \$1,942,000

Amount of Leverage: \$1,573,000

Leverage as a percent of the Request: 81.0%

DSS + Personnel: -

As a % of the total request: 0.0%

Easement Stewardship: -

As a % of the Easement Acquisition: -

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

Removed restoration work from budget. Will acquire smaller portion of property (1/3 or more) with this proposal.

Seeking partnership with organizations like MLT to leverage additional dollars to make up balance of the acquisition cost. Landowner will retain the developed portion of the site, which also reduces the acquisition cost.

Describe and explain leverage source and confirmation of funds:

District will leverage local tax levy dollars in order to provide personnel time to oversee and manage project, and provide long-term staffing and perpetual site management. Seeking partnership with organizations like MLT and Washington County to leverage additional funding.

Fee Acquisition

What is the anticipated number of fee title acquisition transactions?

1

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	58	49	-	41	148
Protect in Easement	-	-	-	-	-
Enhance	-	-	-	-	-
Total	58	49	-	41	148

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	\$757,700	\$636,700	-	\$547,600	\$1,942,000
Protect in Easement	-	-	-	-	-
Enhance	-	-	-	-	-
Total	\$757,700	\$636,700	-	\$547,600	\$1,942,000

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	-	-	-	-	148	148
Protect in Easement	-	-	-	-	-	-
Enhance	-	-	-	-	-	-
Total	-	-	-	-	148	148

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	-	-	-	-	\$1,942,000	\$1,942,000
Protect in Easement	-	-	-	-	-	-
Enhance	-	-	-	-	-	-
Total	-	-	-	-	\$1,942,000	\$1,942,000

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	\$13,063	\$12,993	-	\$13,356
Protect in Easement	-	-	-	-
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	-	-	-	-	\$13,121
Protect in Easement	-	-	-	-	-
Enhance	-	-	-	-	-

Target Lake/Stream/River Feet or Miles

Bone Lake

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?

No

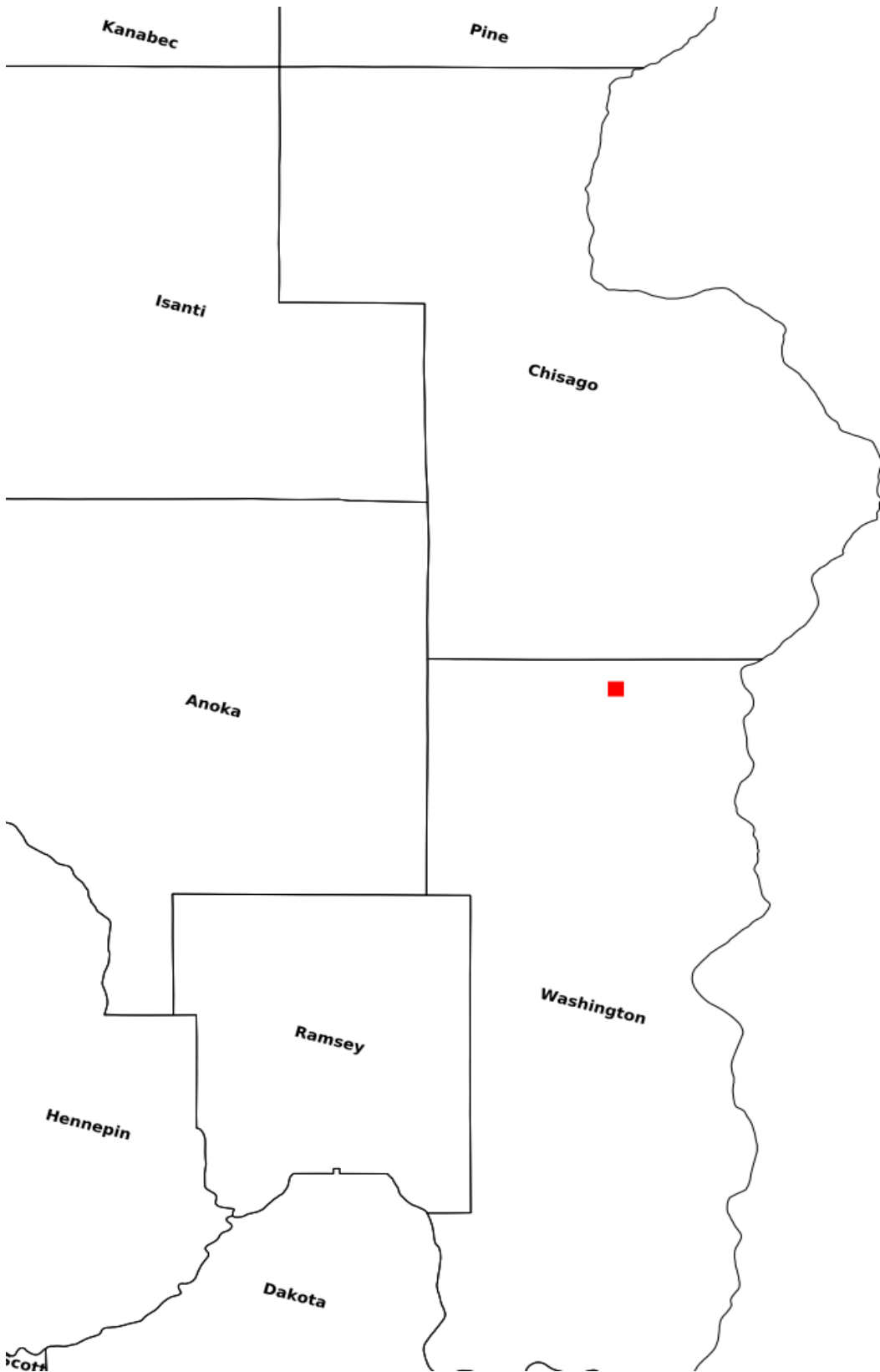
Explain the process used to identify, prioritize, and select the parcels on your list:

These parcels are located within the high priority Bone Lake South Wetland area, which is identified in the District's 2022-2031 Watershed Management Plan. The District identified this high priority area for protection/enhancement due to the site's presence of the threatened Blanding's turtle; presence of native plant communities connected with groundwater, including wet meadow/shrub carr and forested wetland; presence of wetland habitat and water storage potential; potential for prairie habitat restoration; proximity to Bone Lake, which is impaired for aquatic recreation due to eutrophication; and high pollution sensitivity of near-surface materials. MCBS native plant communities include shrub swamp, rich fen (transition), and tamarack swamp minerotrophic subtype. The project will permanently protect a variety of upland and wetland plant community types including an area of southern tamarack swamp (FPs63) which is rare in the State (S2/S3).

Fee Parcels

Name	County	TRDS	Acres	Est Cost	Existing Protection
Larson Property	Washington	03220208	305	\$3,500,000	No

Parcel Map



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