



## Lessard-Sams Outdoor Heritage Council

Upper Sioux Community Habitat Restoration Phase I  
Laws of Minnesota 2023 Accomplishment Plan

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### General Information

**Date:** 06/08/2023

**Project Title:** Upper Sioux Community Habitat Restoration Phase I

**Funds Recommended:** \$966,000

**Legislative Citation:** ML 2023, Ch. 40, Art. 1, Sec. 2, subd. 5(q)

**Appropriation Language:** \$966,000 the first year is to the commissioner of natural resources for an agreement with the Upper Sioux Community to restore and enhance oak savanna, forest, prairie, and other wildlife habitats on Tribal lands. A list of proposed restorations and enhancements must be provided as part of the required accomplishment plan.

### Manager Information

**Manager's Name:** Daniel Ellenbecker

**Title:** Interim Environmental Director

**Organization:** Upper Sioux Community

**Address:** 5722 Travers Lane

**City:** Granite Falls, MN 56241

**Email:** danielle@uppersiouxcommunity-nsn.gov

**Office Number:** 3205646337

**Mobile Number:** 13205646337

**Fax Number:**

**Website:** <https://www.uppersiouxcommunity-nsn.gov/>

### Location Information

**County Location(s):** Yellow Medicine.

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

- Prairie

**Activity types:**

- Enhance
- Restore

**Priority resources addressed by activity:**

- Habitat
- Forest
- Prairie

## Narrative

### Abstract

The 2,165 acres of the Upper Sioux Indian Community are impacted by invasive species and are heavily infested with invasive buckthorn. The Tribe is requesting funds to restore and enhance 144 acres of oak savanna, floodplain forest, forested bluff lands, and granite outcroppings on tribal lands. Activities include buckthorn removal and installation and enhancement of native and culturally significant plants.

### Design and Scope of Work

The Upper Sioux Community (USC) will focus removal, restoration, and enhancement activities on Tribal land where invasive species, with a special emphasis on buckthorn can be found in near-continuous stands throughout the understory of forest canopies dominated by native oaks, oak savanna, natural granite outcrops and springs. Locations along the river including where all the work proposed in this plan is located, are used by Tribal Members as a place to hold ceremonies and harvest cultural plants and wildlife.

If funded, the Tribe will utilize grant funds to focus on Phase I of a multi-phase project. Phase I includes the treatment and restoration of the Tribe's forested lands, primarily targeting common buckthorn as well as other invasive plant species such as honeysuckle and other established and pioneering invasive species, which have overtaken the forest's understory. Phase I will treat 50% of the Tribe's Community lands. Phase I of this project will be implemented over a 5-year period. During Phase I the Tribe will be treating invasive species utilizing cut/stump methods followed by subsequent years of spot spraying the restoration areas to target the regrowth of buckthorn and other target species.

Oak savanna has lost over 99% of its historic range in Minnesota, the Tribe would like to focus on restoring oak savanna, one of the most endangered habitats in the state. Oak savannas are dependent on a natural fire regiment and the Tribe would conduct prescribed burns to enhance and restore oak savanna and suppress re-growth of buckthorn. Buckthorn and other woody invasive species will be cut, treated with herbicide and where possible chipped or piled and burned by the BIA. Treated areas will also be seeded with Minnesota native and cultural significant plants to restore the natural habitat. Restoration and enhancement work is expected to be largely conducted by hand due to the sensitive habitat, significant native and cultural plant species present, and numerous cultural artifact sites present throughout the proposed treatment area. Phase I will be funded utilizing Lessard-Sams Outdoor Heritage Funds (OHF funding) and the Bureau of Indian Affairs (BIA) grant funding.

Phase II will consist of applying for an additional 5-years of OHF and BIA grant funding. The second phase will include similar planning and implementation activities within Phase I but will be conducted on the final 50% of Tribal lands impacted by invasive species. The tribe has spent 15+ years dedicated to invasive species removal, habitat restoration, and a special focus on oak savanna restoration, if Phase II is not funded by OHF funding the Tribe will utilize funding from the (BIA) to maintain the work completed under Phase I.

### 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 targeted area for invasive species treatment and habitat enhancement are oak savannas, prairies, and woodlands. Oak savanna is one of Minnesota's most endangered habitats with less than 2% remaining. The USC has been actively working on removing buckthorn and other invasive species to restore oak savanna areas over the past 10 years. By continuing invasive species removal, specifically, buckthorn removal, and enhancement activities in the oak savanna the USC will be preserving this highly endangered habitat.

Removing the dense invasive species/buckthorn stands and enhancing the native oak savanna and forest will create wildlife movement corridors and serve as an attractant for many of the native insects, wildlife, and plants such as the endangered Rusty Patched bumblebee, endangered burrowing owl, threatened Blanding's turtle, endangered Dakota skipper butterfly, endangered and cultural significant Indian plantain, endangered and cultural significant slender leaf scurf pea, as well as other pollinators and wildlife. Removing invasive species from the woodlands will open the understory to allow seeding of both native and cultural and medicinal plants benefiting the entire ecosystem including wildlife, pollinators, and Tribal members. Plants that would be targeted for seeding would be Minnesota native and cultural significant plants including cottonwood trees, milkweed, sage, sweetgrass, prairie turnip, and yellow medicine.

### **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 tribe will follow the Integrated Invasive Species Management Plan (ISMP) it has developed to guide the treatment and enhancement activities. The plan includes buckthorn and other invasive species coverage data and GIS maps that will allow for effective and targeted treatment work including information on the most effective treatment methods for each invasive species identified within the proposed land parcels for Phase I. The ISMP also includes which areas to target with the greatest infestation to achieve continuous habitat corridors. USC Tribal land is within the Minnesota River Valley flyway and this continuous habitat corridor is significantly important as a resource for migrating species. Some endangered and threatened species will benefit from these restoration/enhancement activities according to the MN Biological Survey include the endangered Rusty Patched bumblebee, endangered burrowing owl, threatened Blanding's turtle, endangered Dakota skipper butterfly, endangered and cultural significant Indian plantain, and the endangered and cultural significant slender leaf scurf pea.

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

- H1 Protect priority land habitats
- H3 Improve connectivity and access to recreation

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

- Other : Tribal Specific Plans: Upper Sioux Community Integrated Invasive Species Management Plan (2021) and USC BIA Forest Inventory Plan (2021)

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

#### **Prairie**

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

## **Outcomes**

### **Programs in prairie region:**

- Other ~ *Enhance oak savanna, prairie, riparian, and forested areas which will be GIS mapped and tracked annually per acre enhanced and restored. These efforts will be tracked on an annual basis to effectively determine the success of the goals in this proposal. In addition, ongoing surveys and research on cultural and*

*medicinal plants, invasive plants, and wildlife will allow the Tribe to track local responses to these restoration and enhancement efforts.*

## Does this program include leveraged funding?

Yes

### Explain the leverage:

BIA Biofuels Reduction funding has been provided to the USC through a multi-year workplan from 2015-2021. These funds were utilized in 2015-2017 to remove buckthorn within a 7-acre oak savanna remnant site along the Minnesota River. The heavily infested 7-acres of oak savanna was first cleared all invasive species using cutting and burning to reduce chemical use in culturally significant locations. In 2018, the Tribe used goats to try to reduce invasive species pressure but the goat program was unsuccessful due to unforeseeable circumstances such as goats falling out of trees, getting attacked by eagles, and escaping their enclosed areas and roaming the country-side. In the fall of 2018 the Tribe determined that goats were not a good fit for our project work due to the time and expense of maintaining them. In 2019, the Tribe began mechanical and stump/cut and herbicide to clear all the understory of the oak savanna and begin a full restoration of the site. In 2020, several follow up herbicide treatments were conducted for any invasive re-growth and the sites were seeded in with winter wheat. In 2021, the 7-acres was seeded with a native oak savanna and pollinator seed mix to complete the restoration/enhancement process. In 2022, the USC planted additional culturally important plants including chokecherry, raspberry, and other fruiting trees/shrubs for both a native food forest as well as habitat enhancement. In 2021, the USC also targeted 20-acres of heavily infested forested area adjacent to the oak savanna, this area was also treated using the cut/stump and herbicide method to reduce re-introduction of buckthorn the bluff slope and oak savanna restoration site. Activities to continue to address these areas and additional lands have been proposed to the BIA for funding, the Tribe is waiting to learn if this proposal has been funded. The Tribe has conducted prescribed burns throughout the Community over many years in partnership with BIA for habitat management and will continue to conduct these prescribed burns to compliment the work conducted under OHF. BIA funds will continue to be utilized for buckthorn and invasive species removal in 2022 and throughout the proposed project period and the years that follow. The USC is also open to applying for supportive funding from other sources as listed above such as the Clean Water Fund and Environmental and Natural Resources Trust Fund. The USC would also be interested in partnering with the Upper Sioux Agency State Park to create a more contiguous corridor of restored bluff lands along the Minnesota River Corridor which would enhance habitat for flora and fauna to an even greater extent.

### 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 is for a new project and not a substitution of previous or existing funding. OHF will greatly accelerate the Tribe's ability to complete the proposed work and enhance activities that have been ongoing through the funding that the USC receives from the BIA.

### Non-OHF Appropriations

Year	Source	Amount
2009	BIA Fuels-Hazardous Fuels Reduction: Prescribed burning of prairie and forested lands	\$12,000
2010	BIA Fuels-Hazardous Fuels Reduction: Buckthorn removal and prescribed burning of prairie and forested lands	\$8,250
2021	BIA Fuels-Hazardous Fuels Reduction:	\$9,800

	Buckthorn removal both by hand along bluff slopes, stump cut treatment, revisit sites to spot treat from previous years, prescribed burning and re-seeding areas with native seed mixes	
2020	BIA Fuels-Hazardous Fuels Reduction: Buckthorn removal both by hand and mechanical means, stump cut treatment, prescribed burning and re-seeding areas with winter wheat cover crops and native seed mixes	\$25,600
2019	BIA Fuels-Hazardous Fuels Reduction: Buckthorn removal both by hand and mechanical means, stump cut treatment, prescribed burning and re-seeding areas with winter wheat cover crops	\$25,600
2018	BIA Fuels-Hazardous Fuels Reduction: Buckthorn removal using goats, mechanical removal, and prescribed burning	\$25,600
2017	BIA Fuels-Hazardous Fuels Reduction: Buckthorn removal and prescribed burning of prairie and forested lands	\$25,600
2015	BIA Fuels-Hazardous Fuels Reduction: Buckthorn removal and prescribed burning of prairie and forested lands	\$25,600
2014	BIA Fuels-Hazardous Fuels Reduction: Buckthorn removal and prescribed burning of prairie and forested lands	\$15,000
2013	BIA Fuels-Wildland Fire Preparedness: Prescribed burning of prairie and forested lands	\$18,000
2012	BIA Fuels-Wildland Fire Preparedness: Prescribed burning of prairie and forested lands including	\$51,500
2011	BIA Fuels-Hazardous Fuels Reduction: Buckthorn removal and prescribed burning of prairie and forested lands	\$8,205

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

The Tribe is dedicated to continuing the restoration and enhancement of its Trust and Fee lands as it has been doing before the OHF funding. The Tribe will continue to utilize BIA funding as well as Tribal funding to continue this important habitat restoration work on Tribal lands. The Tribe has submitted for and is waiting on approval of a multi-year workplan proposal to the BIA to continue to maintain its native habitat through invasive plant species work. The BIA Biofuels Reduction funding will be utilized as a match for the OHF funding. This funding targets invasive plant species treatment and prescribed burns. The Tribe has submitted a \$150,000.00 multi-year proposal to the BIA. BIA has approved \$74,000.00 for woody invasive species removal, habitat restoration, and burns for 2022-2023. Work began at the end of September 2022 to cut 36 acres of buckthorn, retreat 28 acres of previously removed invasive woody species, and burn (October 18, 2022). The USC was also awarded BIA end of the year funds: \$57,945.00 for invasive species control and native species plantings for 2023.

### Actions to Maintain Project Outcomes

Year	Source of Funds	Step 1	Step 2	Step 3
2023-2026	BIA Fuels	Remove and treat	Burn/chip woody	Enhance and restore

		invasive plants	materials	treated areas
2023-2024	BIA End of Year	Remove and treat invasive plants	Burn woody materials	Enhance and restore treated areas

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

All of the activities in this plan will be conducted on the Upper Sioux Community’s Tribal lands and will benefit the Tribal members residing on these lands. The Tribal members live among these habitats as well as utilize them for recreational purposes such as harvesting the cultural and medicinal plants and wildlife.

**Activity Details**

**Requirements**

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

Yes

**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 : Upper Sioux Community Tribal Lands

**Land Use**

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

No

**Timeline**

<b>Activity Name</b>	<b>Estimated Completion Date</b>
USC Parcel 5 Enhancement	Year 5 (December 2027)
USC Parcel 4 Enhancement	Year 4 (December 2026)
USC Parcel 3 Enhancement	Year 3 (December 2025)
USC Parcel 2 Enhancement	Year 2 (December 2024)
USC Parcel 1 Enhancement	Year 1 (December 2023)

**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	-	-	-	-
Contracts	\$692,600	\$207,900	Bureau of Indian Affairs	\$900,500
Fee Acquisition w/ PILT	-	-	-	-
Fee Acquisition w/o PILT	-	-	-	-
Easement Acquisition	-	-	-	-
Easement Stewardship	-	-	-	-
Travel	-	-	-	-
Professional Services	-	-	-	-
Direct Support Services	\$111,400	-	-	\$111,400
DNR Land Acquisition Costs	-	-	-	-
Capital Equipment	-	-	-	-
Other Equipment/Tools	-	-	-	-
Supplies/Materials	\$162,000	-	N/A	\$162,000
DNR IDP	-	-	-	-
<b>Grand Total</b>	<b>\$966,000</b>	<b>\$207,900</b>	-	<b>\$1,173,900</b>

**Amount of Request:** \$966,000

**Amount of Leverage:** \$207,900

**Leverage as a percent of the Request:** 21.52%

**DSS + Personnel:** \$111,400

**As a % of the total request:** 11.53%

**Easement Stewardship:** -

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

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

The USC has reduced the number of targeted acres to accommodate the reduced appropriation recommendation from the original proposed requested amount and will seek outside funding to continue to address the identified areas of concern to still meet the overall project goals.

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

Funding has been received/allocated by the BIA for this project in the past, and we anticipate another similar award. According to staff at the BIA, funding has been released at intervals to the Bureau and will provide funding agreement information once project proposals are approved.

**Contracts**

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

Contracted work will include hiring a contractor for project management, hiring local crews with an emphasis on



Tribal member employment; all treatment and enhancement activities will be managed through the contract with the Upper Sioux Community.

## **Direct Support Services**

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

The Upper Sioux Community has a federal indirect cost rate of 11.53% as of October 2022. Indirect Cost Rate was sent to the Department of Interior on September 9, 2022. Additional documentation is available upon request.

Please note that this was omitted by mistake in the original draft proposal and that this is being updated now. The USC will continue to pursue other funding sources for restoration efforts and was granted an additional \$57,000 for invasive species work through BIA in late 2022 (which has also been updated since the original proposal was submitted). The USC also expects to continue to receive project support from BIA for fuels reductions through burning and brush removal and is working with the power companies to brush remove buckthorn from beneath powerlines within the project area to reduce project costs and increase project capacity.

## **Federal Funds**

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

Yes

#### **Are the funds confirmed?**

No

#### **What is the approximate date you anticipate receiving confirmation of the federal funds?**

According to staff at the BIA, funding has been released at intervals to the Bureau and Project Officers will provide funding agreement information once project proposals are approved. \$85,508 awarded in 2022 and \$60,223 for 2022-2023. Additional funds are expected to be approved in 2023.

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

Type	Wetland	Prairie	Forest	Habitat	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	-	-	-	-	-
Enhance	-	14	130	0	144
<b>Total</b>	-	<b>14</b>	<b>130</b>	<b>0</b>	<b>144</b>

**How many of these Prairie acres are Native Prairie? (Table 1b)**

Type	Native Prairie (acres)
Restore	0
Protect in Fee with State PILT Liability	-
Protect in Fee w/o State PILT Liability	-
Protect in Easement	-
Enhance	14
<b>Total</b>	<b>14</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	-	-	-	-	-
Enhance	-	\$93,700	\$872,300	-	\$966,000
<b>Total</b>	-	<b>\$93,700</b>	<b>\$872,300</b>	-	<b>\$966,000</b>

**Acres within each Ecological Section (Table 3)**

Type	Metro/Urban	Forest/Prairie	SE Forest	Prairie	N. Forest	Total Acres
Restore	-	-	-	0	-	0
Protect in Fee with State PILT Liability	-	-	-	-	-	-
Protect in Fee w/o State PILT Liability	-	-	-	-	-	-
Protect in Easement	-	-	-	-	-	-
Enhance	-	-	-	144	-	144
<b>Total</b>	-	-	-	<b>144</b>	-	<b>144</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	-	-	-	-	-	-
Enhance	-	-	-	\$966,000	-	\$966,000
<b>Total</b>	-	-	-	<b>\$966,000</b>	-	<b>\$966,000</b>

**Average Cost per Acre by Resource Type (Table 5)**

Type	Wetland	Prairie	Forest	Habitat
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Restore	-	-	-	-
Protect in Fee with State PILT Liability	-	-	-	-
Protect in Fee w/o State PILT Liability	-	-	-	-
Protect in Easement	-	-	-	-
Enhance	-	\$6,692	\$6,710	-

**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	-	-	-	-	-
Enhance	-	-	-	\$6,708	-

**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?

No

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

The USC Environmental Director utilized the Tribe's Invasive Species Management Plan to identify the areas for treatment. The most dense and mature stands are targeted first in order to reduce the seed distribution to non-infested lands. Parcels in the multi-year plan are selected adjacent to previously treated areas to reduce re-infestation to allow habitat restoration with native species to establish and to develop a corridor for wildlife.

### Restore / Enhance Parcels

Name	County	TRDS	Acres	Est Cost	Existing Protection
USC Parcel 1	Yellow Medicine	11538219	35	\$234,792	Yes
USC Parcel 2	Yellow Medicine	11539224	20	\$134,167	Yes
USC Parcel 3	Yellow Medicine	11539224	22	\$147,581	Yes
USC Parcel 4	Yellow Medicine	11539224	36	\$241,505	Yes
USC Parcel 5	Yellow Medicine	11538219	31	\$207,955	Yes

### Parcel Map



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