



Lessard-Sams Outdoor Heritage Council

Core Functions in Partner-led OHF Land Acquisitions Laws of Minnesota 2023 Accomplishment Plan

General Information

Date: 06/08/2023

Project Title: Core Functions in Partner-led OHF Land Acquisitions

Funds Recommended: \$668,000

Legislative Citation: ML 2023, Ch. 40, Art. 1, Sec. 2, subd. 6(d)

Appropriation Language: \$668,000 the first year is to the commissioner of natural resources to administer the initial development, restoration, and enhancement of fee title acquisitions funded through the outdoor heritage fund. Money may be used for land acquisition costs incurred by the department as part of conveying parcels to the Department of Natural Resources and for initial development activities on fee title acquisitions. This appropriation is available until June 30, 2026.

Manager Information

Manager's Name: Jennifer Olson

Title: Initial Development Coordinator

Organization: Minnesota Department of Natural Resources

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Location Information

County Location(s):

Eco regions in which work will take place:

- Forest / Prairie Transition
- Northern Forest
- Southeast Forest
- Metro / Urban
- Prairie

Activity types:

- Protect in Fee

Priority resources addressed by activity:**Narrative****Abstract**

The Minnesota Department of Natural Resources (DNR) currently partners with seven non-governmental organizations to strategically acquire new fee title land from willing sellers that meets state land-management goals. A detailed set of criteria is used to determine whether a proposed acquisition meets DNR goals. With every fee title land acquisition that is conveyed to the DNR, core functions make sure the parcel is legally acquired and meets minimal development standards for public access and cultural resource protection. These core functions will be covered in a single OHF administrative appropriation thereby replacing the multiple partner released funds to DNR.

Design and Scope of Work

Currently, seven conservation related non-governmental organizations coordinate and communicate with the Minnesota DNR to strategically acquire fee title land from willing sellers. The seven NGOs include: 1) Pheasants Forever, 2) Ducks Unlimited, 3) Trust for Public Land, 4) The Nature Conservancy, 5) Northern Waters Land Trust, 6) The Conservation Fund, and 7) Fox Lake Conservation League, Inc. Some of the parcels being acquired by these NGOs will be conveyed to the Minnesota DNR to become part of the state's Wildlife Management Area (WMA), Aquatic Management Area (AMA), Scientific and Natural Area (SNA) and/or State Forest system.

It is the DNR's responsibility to ensure the state's interests are protected against future liabilities. Real estate professionals in the DNR Land and Mineral Division review every partner-led acquisition that is conveyed to the DNR to ensure the appraisal is up to state standards, the land survey is up to state standards, the title review is up to state standards, along with reviewing any agreements or encumbrances that run with the land (drainage, access, Conservation Reserve Program, etc.). Every partner-led acquisition being conveyed to the DNR also has property taxes, deed taxes and recording fees that are paid out of the partner-led Outdoor Heritage Fund appropriation. The time spent paying, reviewing and managing partner conveyed acquisitions is included in DNR Land Acquisition Costs in the OHF budget table.

Within the Division of Fish and Wildlife (FAW), an approved Initial Development Plan (IDP) is required for all land acquisitions, regardless of whether they are being acquired by DNR or one of our partners. The IDP is intended to identify the needs and funding source to develop a piece of property to the minimum standards (FAW Directive #070605 – Development Standards for WMA/AMAs). An approved IDP must be in place before a parcel is conveyed to FAW. For purposes of this proposal, only the core IDP functions DNR is best positioned to complete are proposed here:

- Cultural resource review – Compliance with the Minnesota Field Archaeology Act and Minnesota Historic Sites Act (MN Statutes 138.40 and 138.655)
- Boundary posts – purchased by DNR in large orders, freight cost savings for delivery to Area offices
- DNR signs and hardware (DNR metal and wood routed signs, bolts, nuts, washers, etc.) – sign specifications required, have to wait until parcel conveys to DNR before signs are installed
- Grazing fence, if needed
- Access/parking lots – constructed to a sufficient standard to minimize future maintenance costs (geotextile fabric, posts, gates, gravel thickness, approach, culvert, etc.)

This proposal would eliminate individual Use of Funds from partner NGOs and replace with one OHF appropriation to cover all DNR Land Acquisition Costs and core DNR IDP activities. We propose the new single appropriation will pay for DNR acquisition costs and DNR IDP costs immediately, regardless of the appropriation year the acquisition originated in. Parcel lists would be maintained by the partners in their direct OHF appropriations. Use of Funds letters would be required from partners that wish DNR to complete habitat related IDP work.

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?

N/A

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:

N/A

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?

- Minnesota DNR Strategic Conservation Agenda
- Minnesota's Wildlife Management Area Acquisition - The Next 50 Years

Which LSOHC section priorities are addressed in this program?

Outcomes

Programs in forest-prairie transition region:

- Other ~ *Greater public access for wildlife and outdoors-related recreation - could be measured and evaluated by looking at how many partner-led fee title land acquisition acres were successfully acquired by non-governmental organizations AND conveyed to the Minnesota DNR in the forest-prairie transition region.*

Programs in metropolitan urbanizing region:

- Other ~ *Greater public access for wildlife and outdoors-related recreation - could be measured and evaluated by looking at how many partner-led fee title land acquisition acres were successfully acquired by non-governmental organizations AND conveyed to the Minnesota DNR in the metropolitan urbanizing region.*

Programs in the northern forest region:

- Greater public access for wildlife and outdoors-related recreation ~ *Could be measured and evaluated by looking at how many partner-led fee title land acquisition acres were successfully acquired by non-governmental organizations AND conveyed to the Minnesota DNR in the northern forest region.*

Programs in prairie region:

- Other ~ *Greater public access for wildlife and outdoors-related recreation - could be measured and evaluated by looking at how many partner-led fee title land acquisition acres were successfully acquired by non-governmental organizations AND conveyed to the Minnesota DNR in the prairie region.*

Programs in southeast forest region:

- Other ~ *Greater public access for wildlife and outdoors-related recreation - could be measured and evaluated by looking at how many partner-led fee title land acquisition acres were successfully acquired by non-governmental organizations AND conveyed to the Minnesota DNR in the southeast forest region.*

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 request is for work related to OHF fee title acquisition appropriations given to non-governmental organizations. It would not be implemented but for these appropriations. If funded, these costs would no longer be accounted for in partner direct OHF appropriations.

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

According to DNR Fish and Wildlife Directive #070605 - Development Standards for WMA/AMAs - Wildlife Management Areas (WMAs) and Aquatic Management Areas (AMAs) will be developed to at least minimum standards within two years of acquisition for facility and habitat development that will provide basic asset preservation, public access and safety, environmental and cultural resource protection and soil and water resource conservation. Initial development efforts can extend 2-3 years beyond the "minimum standard" time table to establish high quality native plant communities. Funding for minimum development should be included with the acquisition funding. WMA/AMAs acquired through donation from conservation organizations may obligate the Division to significant initial development costs to develop the unit to the minimal standards. These donations are above and beyond the Division's traditional acquisition activity.

Long term maintenance and habitat management costs on WMA/AMAs are covered by a combination of funding sources including, but not limited to, Game and Fish funds, Heritage Enhancement funds, small game Surcharge funds, RIM funds, Outdoor Heritage Funds, federal grants, etc.

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

DNR's OHF projects aim to serve all Minnesotans. At the same time, we are bringing more focus in all our work to BIPOC and diverse communities. The Minnesota DNR has adopted advancing diversity, equity and inclusion (DEI) as a key priority in its 2020-22 strategic plan. The plan focuses on increasing the cultural competence of our staff, creating a workforce that is reflective of Minnesota, continuing to strengthen tribal consultation and building partnerships with diverse communities.

The OHF funds high quality habitat projects that provide ecosystem services like clean water and carbon sequestration that support environmental justice. OHF also supports public access and recreational opportunities on these lands. OHF projects and outcomes benefit BIPOC and diverse communities through recreational opportunities that are close-to-home, culturally responsive and accessible to Minnesotans with disabilities.

The DNR has diversity, equity and inclusion strategies that benefit all OHF projects:

- Multilingual and culturally specific hunting and fishing education programs take place on public lands.
- All hiring is equal opportunity, affirmative action, and veteran-friendly. Contracting seeks out Targeted Group, Economically Disadvantaged and Veteran-Owned businesses.
- Public engagement seeks out BIPOC voices and involves diverse communities. Outreach and marketing of projects has this focus as well.
- Partnerships are at the center of all projects. Tribes in particular are consulted in all pertinent areas of the DNR's work, under EO 19-24.

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)?**

No

Describe any measures to inform local governments of land acquisition under their jurisdiction:

According to Statute 97A.056 subd 13(j), Non-governmental organizations must notify in writing the county board and town board where the land is located and furnish them a description of the land to be acquired. NGOs do not have to seek formal approval prior to the acquisition. In cases where there is interest, NGOs are willing to attend county or township meetings to communicate their interest in the parcel and answer questions.

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

No

Describe the permanent protection and justification for additional protection:

A limited number of partner-led acquisitions may have federal or state easements on a portion of the desired tract. If a parcel has one of these encumbrances, and it is still deemed a high priority by the partnership, we will follow guidance established by the Outdoor Heritage Fund to proceed, or use non-OHF funding to acquire the residual value of the protected portion of the property.

Land Use

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

Yes

Explain what will be planted:

The primary purpose of WMAs are to develop and manage for the production of wildlife and for compatible outdoor recreation. To fulfill those goals, the DNR may use limited farming specifically to enhance or benefit the management of state lands for wildlife. Initial development plans (IDPs) may use farming to prepare cropland for native plant seeding. This is a standard practice across the Midwest to prepare the seedbed for native seed planting. Vegetation removal is not necessary on annual crop fields, provided native seed is planted in the winter after harvest. Crop fields require little seedbed preparation, unless crop residue is heavy enough to interfere with seeding. Soybean fields are the preferred crop "start state" for native prairie enhancement because they are essentially ready to seed. On a small percentage of WMA (less

than 2.5%), DNR uses farming to provide a winter source of food for a variety of wildlife species in agriculture-dominated landscapes largely devoid of winter food sources.

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:

All Wildlife Management Area (WMA) lands to be acquired will be open for hunting and fishing with no variations from State of Minnesota regulations.

Any Scientific and Natural Area (SNA) lands that are acquired would be open to the most appropriate types of hunting for the particular parcel. Priority will be given to acquiring lands that are open to all hunting, trapping and fishing.

All fee title Aquatic Management Area (AMA) and State Forest lands to be acquired will be open for hunting and fishing with no variations from State of Minnesota regulations.

Who will eventually own the fee title land?

- State of MN

Land acquired in fee will be designated as a:

- WMA
- AMA
- SNA
- State Forest

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

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

No

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?

-

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:

This administrative proposal specifically focuses on the DNR land acquisition costs and core DNR IDP activities associated with partner-led acquisitions. There are no restoration or enhancement funds

provided. If a partner wants to conduct restoration or enhancement on the parcel they acquired, they will fund that work out of their acquisition OHF grant. Partners can conduct the habitat work themselves or if they would like the DNR to complete the habitat work, a Use of Funds letter will be required to transfer the funds to DNR.

Timeline

Activity Name	Estimated Completion Date
Submit final report	November 2028
Continue paying on core IDP costs on new partner-led fee title acquisitions that will be conveyed to DNR.	July 2028
Submit status report	February 2028
-	August 2027
Continue paying for DNR land acquisition costs and core IDP costs on new partner-led fee title acquisitions that will be conveyed to DNR. End of fourth fiscal year.	July 2027
Submit status report	February 2027
Submit status report	August 2026
Continue paying for DNR land acquisition costs and begin paying on core IDP costs on new partner-led fee title acquisitions that will be conveyed to DNR. End of third fiscal year.	July 2026
Submit status report	February 2026
Submit status report	August 2025
Continue paying for DNR land acquisition costs on new partner-led fee title acquisitions that will be conveyed to DNR. End of second fiscal year.	July 2025
Submit status report	February 2025
Submit status report	August 2024
Begin paying for any DNR land acquisition costs on new partner-led fee title acquisitions that will be conveyed to DNR. End of first fiscal year.	July 2024
Appropriation becomes available for use	July 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	\$98,500	\$24,600	Game & Fish funds	\$123,100
Contracts	\$65,400	-	-	\$65,400
Fee Acquisition w/ PILT	-	-	-	-
Fee Acquisition w/o PILT	-	-	-	-
Easement Acquisition	-	-	-	-
Easement Stewardship	-	-	-	-
Travel	\$500	-	-	\$500
Professional Services	\$427,200	-	-	\$427,200
Direct Support Services	\$11,000	-	-	\$11,000
DNR Land Acquisition Costs	-	-	-	-
Capital Equipment	-	-	-	-
Other Equipment/Tools	-	-	-	-
Supplies/Materials	\$65,400	-	-	\$65,400
DNR IDP	-	-	-	-
Grand Total	\$668,000	\$24,600	-	\$692,600

Personnel

Position	Annual FTE	Years Working	Funding Request	Leverage	Leverage Source	Total
Initial Development Plan Coordinator	0.8	3.0	\$98,500	\$24,600	Game & Fish funds	\$123,100

Amount of Request: \$668,000

Amount of Leverage: \$24,600

Leverage as a percent of the Request: 3.68%

DSS + Personnel: \$109,500

As a % of the total request: 16.39%

Easement Stewardship: -

As a % of the Easement Acquisition: -

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

The reduction of \$6,300 was taken out of the Professional Services budget line.

Describe and explain leverage source and confirmation of funds:

0.2 FTE of the Initial Development Plan Coordinator position will be covered by State Game & Fish Funds. This covers time for non-OHF activities such as chronic wasting disease deer check station work, State Fair DNR building staffing, etc.

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?

The first two years of the IDP Coordinator position was under the ML19 DNR WMA & SNA acquisition - Phase XI grant. The third year, the IDP Coordinator position was then moved to a stand alone ML22 Initial Development Plan Coordinator grant.

Contracts

What is included in the contracts line?

Core initial development activities which may include contracting for parking lots, fence removal, fence installation, gravel, cultural resource reviews, etc.

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?

I worked with our Budget Analyst, Michelle Mitchell, in DNR Office of Management & Budget. She has a calculator tool and reviews/approves all Direct & Necessary calculations.

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	-	-	-	-	-
Enhance	-	-	-	-	-
Total	-	-	-	-	-

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	-	-	-	-	-
Total	-	-	-	-	-

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	0	0	0	0	0	0
Protect in Fee w/o State PILT Liability	-	-	-	-	-	-
Protect in Easement	-	-	-	-	-	-
Enhance	-	-	-	-	-	-
Total	0	0	0	0	0	0

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	\$133,600	\$133,600	\$133,600	\$133,600	\$133,600	\$668,000
Protect in Fee w/o State PILT Liability	-	-	-	-	-	-
Protect in Easement	-	-	-	-	-	-
Enhance	-	-	-	-	-	-
Total	\$133,600	\$133,600	\$133,600	\$133,600	\$133,600	\$668,000

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	-	-	-	-
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	-	-	-	-	-
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?

No

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

Currently, seven conservation related non-governmental organizations (NGOs) coordinate and communicate with the Minnesota DNR to strategically acquire fee title land from willing sellers. The NGOs will maintain the fee title parcel lists in their respective OHF acquisition grants. The DNR will ensure the parcel is on the NGO parcel list before OHF funds are spent.