

Conservation Easement Stewardship Discussion
 Lessard-Sams Outdoor Heritage Council, June 21, 2011

Definition of Conservation Easement Stewardship: All aspects of a [holder's] management of a conservation easement after its acquisition, including monitoring; landowner relations; recordkeeping; processing landowner notices, requests for approval and amendments; managing stewardship funds; and enforcement and defense.

Bouplon, R.J. & Lind, B., Conservation Easement Stewardship (The Land Trust Alliance 2008)

Key Components of Monitoring Plans by Easement Type: Existing DNR Conservation Easements				
Easement Type	Administrator	Primary monitor	Monitoring type(s)	Monitoring frequency
ACUB	Multiple	Area Eco/Waters staff	Walk-through, fly-over	Annual
Aquatic Mgmt Area	Fisheries Section	Area Fisheries staff	Walk-through, boat-by	Annual
Cave	Parks & Trails	Park Manager	Walk-through	Every other year
Forest Legacy	Forestry	Forest Legacy Coordinator	Walk-through, remote sensing, records review	Annual
Minn. Forests for the Future	Forestry	Forest Legacy Coordinator/Forestry staff	Walk-through, remote sensing, fly-over, records review	Annual
Metro Greenways	Being re-assigned	Being re-assigned	Walk-through	Every 3 years
Native Prairie Bank	Eco/Waters (SNA Program)	SNA Program regional staff	Walk-through	Every 3 years
Northern Pike Spawning	Fisheries Section	Area Fisheries staff	Walk-through	Every 3 years
Other Conservation	Fisheries Section	Area Fisheries staff	Walk-through, boat-by	Annual
Other Conservation	Forestry	Area Foresters	Walk-through	Annual
Other Conservation	NW Regional Operations	NW Regional Operations staff	Walk-through, boat-by	Annual
Other Conservation	Parks & Trails	Park Managers	Walk-through	Every other year
Other Conservation	Wildlife Section	Area Wildlife Managers	Walk-through	Annual
SNA Conservation, Other Conservation	Eco/Waters (SNA Program)	SNA Program regional staff	Walk-through	Every 3 years
Trout Stream	Fisheries Section	Area Fisheries staff	Walk-through	Average of every 3 years
Water Bank	Eco/Waters	Area Wildlife Managers	Walk-through	Annual
Wild & Scenic River	Parks & Trails	Scenic Easements Coordinator, Area Parks & Trails staff	Walk-through, or abbreviated site visit	Every other year

**DNR's Conservation Easement Stewardship and Enforcement Program Plan
Final Report, Feb. 28, 2011***

Conservation Easement Stewardship Cost Estimates

1. Calculation for Routine Costs

Assumptions:

- * Staff rate of \$45/hr (includes wages & benefits; rate based on mid-range salary of Natural Resources Program Coordinator job class)
- * Annual hours of staff time per easement include:
 - Preparation time for monitoring (file review, prepare easement-specific monitoring form, create maps for easements without baseline property reports)
 - Annual communications with landowner
 - Site visits per the monitoring schedule for the specific easement type (with annual visits for 20% of easements that have two- or three-year monitoring schedules due to possible violations, new landowners, or other issues)
 - Landowner meetings in conjunction with site visits for all easement types except Trout Stream
 - Monitoring report preparation/records maintenance
- * Subdivisions of easement properties (Wild & Scenic River and Trout Stream) will increase staff time needed for stewardship

Estimates:

- * Hours of staff time per easement in site visit years: 8-16
- * Hours of staff time per easement in other years: 2-2.5

Formula:

Annualized cost = Number of easements (by type or program) x total staff hours per easement over monitoring cycle x staff rate ÷ number of years in monitoring cycle

2. Other Potential Costs Not Included in Calculation

A. Issue resolution costs such as:

- * Staff time to address violations
- * Staff time to answer new landowner questions/address concerns
- * Landowner requests for approval under easement terms
- * Boundary location questions/erroneous legal descriptions
- * Conservation easement amendments

B. Legal fees for enforcement:

- * Only two DNR conservation easement enforcement actions have been filed
 - One case settled after the complaint was filed (legal fees were \$8,687.00)
 - One case went to trial in district court but was not appealed (legal fees were \$44,003.50)

*http://files.dnr.state.mn.us/lands_minerals/conservation_easement_stewardship_final_report.pdf

Susan Damon, Project Consultant, Minnesota Department of Natural Resources

