

Lessard-Sams Outdoor Heritage Council

MEMO: Agenda Item #11

DATE: November 15, 2018

SUBJECT: ML 2018, Ch. 208, Art. 1, Sec. 2, Subd 3(b) SE MN Protection and Restoration, Phase 6

PRESENTER: Kris Larson, Minnesota Land Trust

Suggested Motion:

Motion to approve/deny the request by MLT to proceed with an easement (Wildcat Creek - Scanlan) in Houston County. An affirmative vote of 9 members is required.

Per MS 97A.056, Subd. 9, Lands in the Public Domain.

Money appropriated from the outdoor heritage fund shall not be used to purchase any land in fee title or a permanent conservation easement if the land in question is fully or partially owned by the state of Minnesota or a political subdivision of the state, unless: (1) the purchase creates additional direct benefit to protect, restore, or enhance the state's wetlands, prairies, forests, or habitat for fish, game, and wildlife; and (2) the purchase is approved by an affirmative vote of at least nine members of the council.

Background:

MLT is in the process of acquiring a 106 acre easement in Houston County that falls within the Root River Watershed Conservation Focus area.

At issue with the acquisition is an existing 10 acre trout stream angler access easement held by the State of MN. Due to this State-held easement, this parcel would need approval under 97A.056, subd. 9.

The supplemental benefits of acquiring the easement, and acknowledgement of considering the access easement value within the appraisal are provided in the attached letter.

Attachments:

- October 26, 2018 letter from Kris Larson, MLT with request and parcel maps.



Memorandum

To: Lessard Sams Outdoor Heritage Council

From: Kris Larson, Executive Director, Minnesota Land Trust

Date: October 26, 2018

Re: Conservation easement over property w/DNR trout stream easement in SE MN

The Minnesota Land Trust is working on a conservation easement in Houston County under the Southeast Minnesota Protection and Restoration - Phase VI grant, which is funded through the ML 2018, Ch. 208, Art. 1, Sec. 2, subd 3(b). This easement will cover approximately 106 acres of forests, wetlands and grasslands, representing the high biodiversity that makes southeast Minnesota so unique. The predominant land cover is mesic hardwood forest which covers the steep bluff sides on the property. Two small goat prairies are present on the south-facing bluffs of the property. Grasslands are present on the relatively level terrace which is prominently featured within the interior of the property. Finally, there are approximately 21 acres of wetlands on the property draining directly into the trout streams.

The property falls within the Root River Watershed Conservation Focus Area of the MN DNR's Wildlife Action Network and Audubon's Blufflands-Root River Important Bird Area. There are five Minnesota Land Trust easements within ten miles of the protected property and numerous other state and federal easements or fee ownership within three miles.

Wildcat Creek, a perennial state-designated trout stream, flows through the property and eventually drains into the Mississippi River just southeast of Brownsville. There is approximately 3,400 feet of Wildcat Creek shoreline on the property. An unnamed intermittent stream, which is also a designated trout stream tributary, flows into Wildcat Creek near the center of the property and contains approximately 2,500 feet of shoreline.

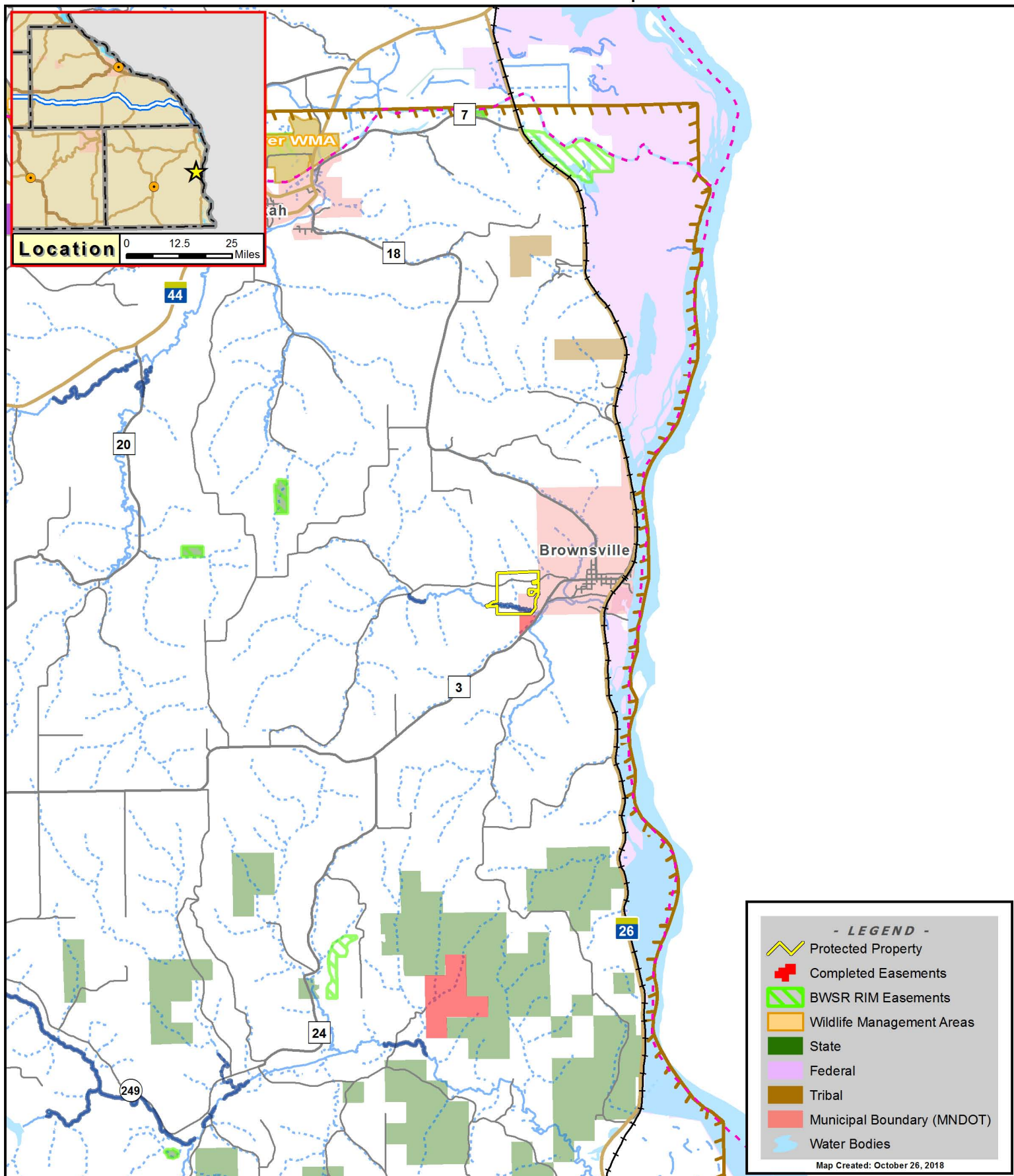
In examining the title work, we discovered that the 3,400 feet of Wildcat Creek is covered by a DNR held trout stream easement established in 2011. This easement runs 66' on either side of the creek and allows for public use and access of the corridor for fishing purposes only and allows the DNR access for habitat improvement. Overall, this State's trout stream easement covers 9.92 acres of the proposed 106 acre conservation easement, or 9.3 percent. Please see the attached exhibit map.

As such, the overall conservation gains afforded with this conservation easement dramatically enhances the prior state investment in the trout stream access corridor. The overall wildlife habitat values of the property include forests, goat prairies, wetlands and grasslands which are essential to the diverse wildlife populations in SE Minnesota and add substantial benefits to the public. The conservation easement's purpose is much broader than the trout stream and impacts a wide range of terrestrial, avian and aquatic species. Moreover, the property's natural land cover, and wetlands in particular, add greatly to the water quality and temperature of the trout stream, thereby helping to maintain its ecological integrity.

The appraisal of the proposed conservation easement will take into consideration any impacts of the State's trout stream access easement to the value of the proposed MLT conservation easement. However, because the access easement covers such only a small portion of the property, we anticipate that any impacts would be negligible.

The Minnesota Land Trust respectfully requests approval by the Lessard Sams Outdoor Heritage Council of the proposed conservation easement on Wildcat Creek.

Reference Map



Map Resource Information

Protected Property & Other MLT CE's created by Community GIS Services Inc. State Ownership Land information derived from MN DNR dissolved GAP data. All information overlaid MNDOT highway maps.

Users of the map agree and acknowledge that Community GIS Services Inc. and the Minnesota Land Trust cannot be held liable for accuracy of GIS material provided. GIS materials should not be relied upon to establish legal title, boundary lines, or locations of improvements.

Site: Wildcat Creek - Tract: Scanlan

Houston County - Twp. 103 N Rng. 4 W Sec. 27

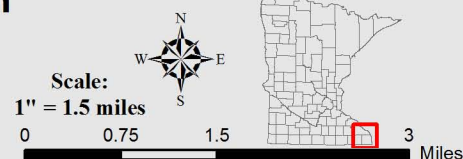
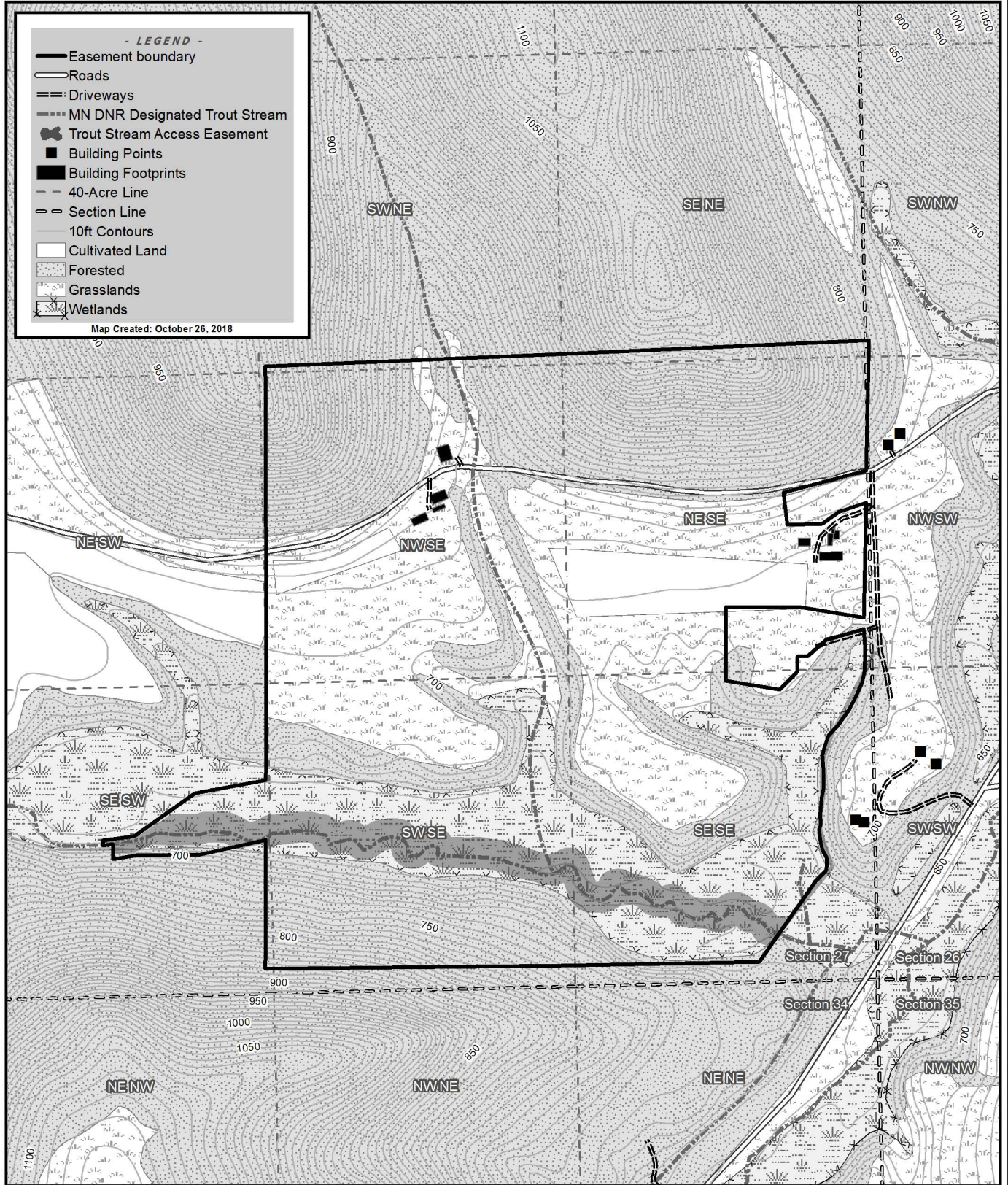


Exhibit B: Property Map



Map Resource Information

Protected Property, Section Lines, Buildings, Roads, Driveways & Minor Roads, Contours, Grasslands, Forests, Woodlands, Wetlands & Water created by Community GIS Services Inc.

Users of this map agree and acknowledge that Community GIS Services Inc. and the Minnesota Land Trust cannot be held liable for accuracy of GIS material provided. GIS materials should not be relied upon to establish legal title, boundary lines, or locations of improvements.

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Houston County - Twp. 103 N Rng. 4 W Sec. 27



Scale:
1" = 600'
0 150 300 600 Feet

