

## Lessard-Sams Outdoor Heritage Council

**MEMO:** Agenda Item 6

**DATE:** September 27, 2018

**SUBJECT:** Fee-Title Acquisition of Parcel with Existing Protection: ML 2017, Chapter 91, Article 1, Sec. 2, Subd. 3(c) Southeast Minnesota Protection and Restoration Phase V, ML 2018, Ch. 208, Art. 1, Sec. 2, Subd. 3(b) Southeast Minnesota Protection and Restoration Phase VI

**PRESENTER:** Bob McGillivray – The Trust for Public Land, Senior Project Manager

---

### **Suggested Motion:**

Move approval of the fee-title acquisition of the “Choice WMA North 2” parcel as presented. (An affirmative vote of at least nine members of the council is required.)

### **Background:**

The Trust for Public Land is seeking approval from the Council to allow the use of OHF funding to acquire in fee-title an addition onto the Choice WMA in Fillmore County, which includes a DNR-held Trout Stream Angler Access easement on a portion of the property.

MS 97A.056, Subd. 9 states:

*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.*

The approximately 3,290-foot easement on Maple Creek, is a small portion of the larger 140-acre fee-title acquisition. Soon after the purchase is complete, TPL will transfer the property to the DNR as a Wildlife Management Area. This existing easement was considered in the appraisal.

The supplemental benefits of acquiring in fee-title the entire property will “protect and improve water quality and fish habitat in the stream about and beyond the protection provided by the narrow easement. Protection and restoration of the forested hillsides and grassland that drain into the stream will help insure quality fish habitat and water quality.” (see attached letter from TPL).

**Attachments:** TPL Letter, Recorded Trout Stream Easement, Map