

Lessard-Sams Outdoor Heritage Council

MEMO: Agenda Item #6

DATE: October 7, 2019

SUBJECT: ML 2017, Ch. 91, Art. 1, Sec. 2, Subd 3(c) SE MN Protection & Restoration - Phase V

PRESENTER: Kris Larson and Wayne Ostlie, Minnesota Land Trust

Suggested Motion:

Motion to approve/deny the request by MLT to proceed with an easement (Elba Township) in Winona 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 76 acre easement in Winona County, adjacent to the North Branch Unit of the Whitewater WMA.

At issue with the acquisition is an existing CREP easement on 52.5 of the acres that went into effect July 2007 and expires in 2052. The letter states, "The landowner intends to donate all value associated with the permanent conservation easement." OHF monies will be used to pay for title work, survey, habitat plan and stewardship fund money.

The supplemental benefits of acquiring the easement, and acknowledgement of considering the access easement value within the appraisal are provided in the attached letter. This has been identified as an area that contains state-endangered species and a key habitat area.

Attachments:

- September 9, 2019 letter from Nick Bancks, MLT with request and parcel maps.