

Lessard-Sams Outdoor Heritage Council

MEMO: Agenda Item #9 A

DATE: May 26, 2021

SUBJECT: ML 2020, Ch. 104, Art. 1, Sec. 2, subd 4(b)
Shallow Lake and Wetland Protection and Restoration Program, Phase IX

PRESENTER: Jon Schneider, Ducks Unlimited

Suggested Motion:

Motion by Member XX to approve/deny the parcel request and retroactive accomplishment plan amendment by Ducks Unlimited to purchase two land acquisitions parcels that contain some existing protection of RIM Conservation Easements.

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:

- Lowville WMA Tract 5, 41 acres of the 63-acre tract are protected by an existing state RIM Conservation Easement.
- Chen Bay WMA Tract 6A, 24.5 acres of the 157-acre tract are protected by state RIM Conservation Easement.

In each case, DU will not use OHF grant funds to pay for the value of the acres previously protected by the state. OHF grant funds will be used to pay for the unprotected acres and ask the landowners to donate the value of the acres with existing RIM conservation easement protection.

No work has begun on the Lowville WMA Tract 5 parcel. However, DU respectfully request retroactive funding approval back to March 12, 2021, as recommended to DU by Minnesota DNR OMB Grants Manager on March 31, 2021.

March 12, 2021 is the date DU staff found Tract 6A at Chen Bay WMA listed on Edina Realty (date of last LSOHC meeting) and DU needed to survey, appraise, and make a purchase offer prior to the next LSOHC meeting on May 26 due to the realty listing and other pending offers. Had DU not moved fast and

begun work, the land would have sold in the meantime had we waited to appraise until after LSOHC amendment approval on May 26.

This land was determined to be of critical importance to both DU and MNDNR as an addition to the Chen Bay WMA since it borders much of the shallow 148-acre Pickeral Lake that DU previously enhanced for MNDNR in 2015 through another OHF appropriation.

Attachments:

Chen Bay WMA Map 1

Chen Bay WMA Map 2