



Lessard-Sams Outdoor Heritage Council
The State of Minnesota

State Office Building, Room G95 100 Dr. Rev. Martin Luther King Jr. Blvd. Saint Paul, Minnesota 55155

April 12, 2022

Sen. Bill Ingebrigtsen
Minnesota Senate
Minnesota Senate Bldg., Room 3207
95 University Avenue W.
St. Paul, MN 55155

Rep. Rick Hansen
Minnesota House of Representatives
407 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
Saint Paul, MN 55155

Sen. Carrie Rudd
Minnesota Senate
Minnesota Senate Bldg., Room 3233
95 University Avenue W.
St. Paul, MN 55155

Rep. Leon Lillie
Minnesota House of Representatives
367 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
Saint Paul, MN 55155

Pursuant to M.S. 97A.056, Subdivision 15, this letter notifies you that the Lessard-Sams Outdoor Heritage Council has received a notice from the Nature Conservancy (TNC) concerning the recording of a permanent utility easement (fiber optic) along the south side of Section 23 of Township 157N, Range 47W, Marshall County, Minnesota containing an Outdoor Heritage Funded interest in real property. The easement will total approximately 3 acres of land. No repayment will be made to the Outdoor Heritage Fund because TNC and Council staff has determined that "the installation and maintenance of this line will have virtually no impact on the preserve and local community value is high."

The state interest in the land was originally purchased The Nature Conservancy with Outdoor Heritage Funds (ML2017, Ch. 91, Art. 1, Sec 2, Subd. 2(c), MN Prairie Recovery Project, Phase VII). The final report for this program can be found at the following website: https://www.lsohc.mn.gov/FY2018/accomp_plans/2c.pdf. The attached supporting documents received from TNC, further describes the action.

Pursuant to statute and the council's approved operating procedures, and in the absence of disapproval by leadership by May 4, 2022, I will approve the conveyance and forward notification to Mr. Neal Feeken of TNC so the conveyance can take place.

Please contact me if you have questions regarding this matter. I will withhold final notification until May 5, 2022, to hear from you, if you have concerns.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark Wm. Johnson".

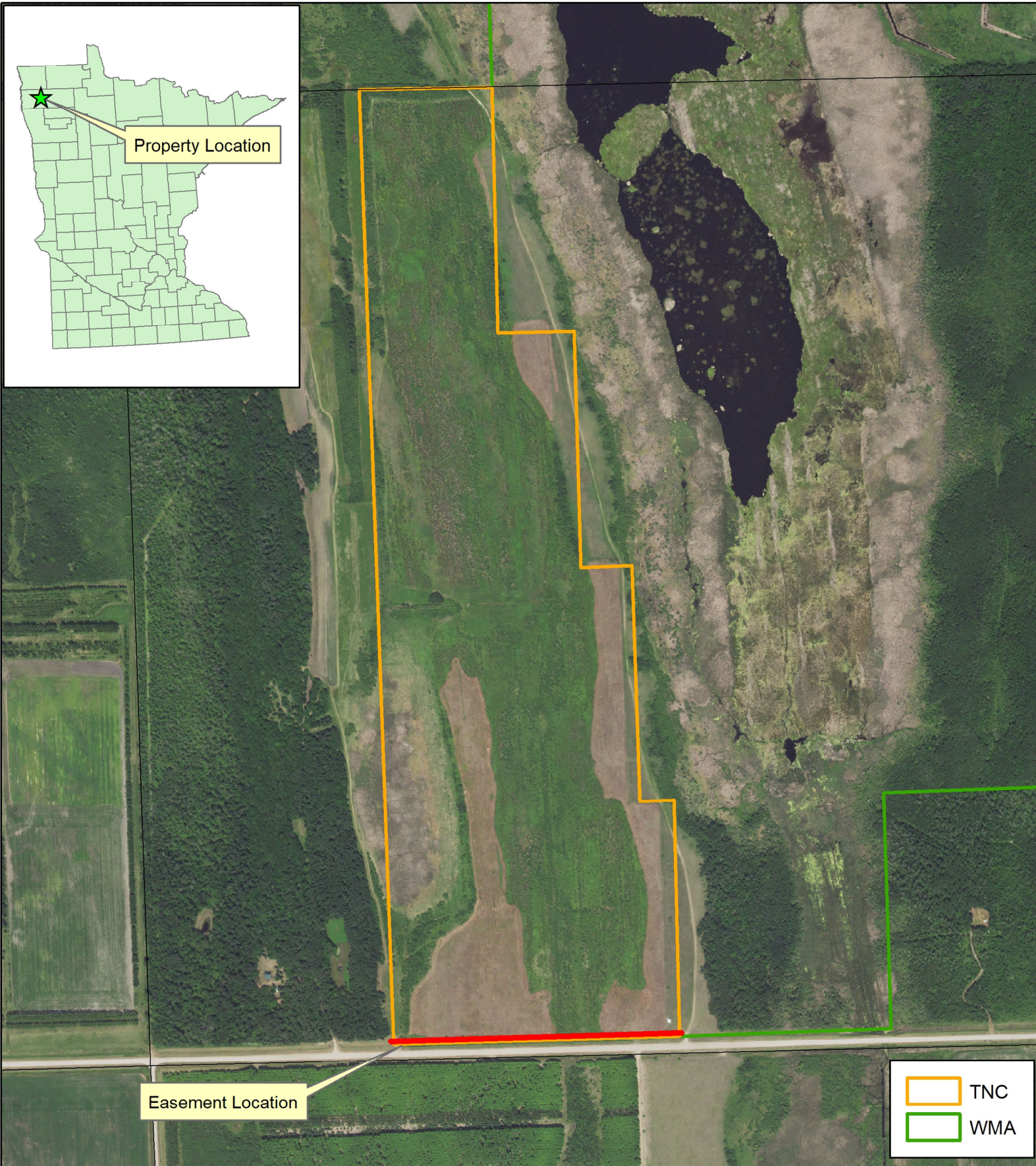
Mark Wm. Johnson
Executive Director, Lessard-Sams Outdoor Heritage Council

cc: Members of the LSOHC
Neal Feeken, TNC, Director of Land Conservation

Attachments: Supporting materials from TNC

Proposed Wiktel Fiber Easement for Florian Addition

Easement to be on the south side of Section 23 of T157N R47W, Marshall County MN



Joe Pavelko

To: Neal Feeken; Mark Johnson
Cc: Jonathan Eerkes
Subject: RE: PRP parcel easement request

From: Neal Feeken
Sent: Thursday, March 3, 2022 1:46 PM
To: Mark Johnson <mark.johnson@lsohc.mn.gov>
Cc: Joe Pavelko <Joe.Pavelko@lsohc.mn.gov>; Sandy Smith <sandy.smith@lsohc.mn.gov>; Amanda Schnabel <amanda.schnabel@lsohc.mn.gov>; Jonathan Eerkes <jeerkes@TNC.ORG>
Subject: PRP parcel easement request

Hi Mark,

Sorry for the delay getting back to you on your questions. Please see below and if you need more information please don't hesitate to ask. I'd be happy to present the request at the next Council meeting if that would help. Thanks again for your consideration. –Neal

1. What appropriation's monies were used to acquire this parcel?
 - a. The property was acquired through the MN Prairie Recovery Phase 7 - M.L. 2017, [Chapter 91 Article 1, Section 2](#)
2. Please provide a map that details the affected area of OHF acquired land as well as an arial map that details the location.
 - a. [See attached map](#)
3. Please provide detail as to the width and length of the affected conveyance are as well a calculation of the cumulative acreage.
 - a. [Approximately 1550 feet in length, the easement will likely need to be 80 feet from the centerline of the gravel road on the south of the unit. This would put the new line between the power poles on the south side of the unit and the road. Approximately 3 acres affected.](#)
4. It appears that there is currently no easement in effect on this particular portion of the OHF acquired parcel. If this is indeed to be a new conveyance, the value of the conveyed/eased land will need to be returned to the fund. If the value is judged to be zero, please provide the rationale for such valuation.
 - a. [There is no expected valuation for this easement. The installation and maintenance of this line will have virtually no impact on the preserve and the local community value is high.](#)
5. Will the eased property, after work has been completed, be restored back to previous habitat positive conditions? If not, why and what will that future condition be? If so, what will that condition entail and will native species included in that restored condition.
 - a. [There will be little to no impact to the preserve with the installation of this line. The property is currently planned to be planted to native prairie species in the fall of 2022, so any installation impacts will be masked by TNC restoration activities.](#)
6. If future additional utility work is performed by Wickstrom on the requested eased portion of the parcel, will all future such incursions be subsequently restored to habitat positive conditions?
 - a. [Yes](#)
7. As the land manager, does TNC have any reservations to this easement and its approval?
 - a. [No. We have granted these easements multiple times in the past and have had no problems. We have observed little to no impact to the site when fiber cable is installed.](#)

Neal Feeken

The Nature Conservancy

Director, Land Conservation
nfeeken@tnc.org
(612) 331-0738 – Office
(651) 357-2161 - Mobile

MN/ND/SD Chapter
1101 West River Pkwy
Suite 200
Minneapolis, MN 55415



nature.org

From: Neal Feeken <nfeeken@TNC.ORG>

Sent: Friday, February 4, 2022 9:24 AM

To: Mark Johnson <mark.johnson@lsohc.mn.gov>

Cc: Joe Pavelko <Joe.Pavelko@lsohc.mn.gov>; Sandy Smith <sandy.smith@lsohc.mn.gov>; Amanda Schnabel <amanda.schnabel@lsohc.mn.gov>

Subject: PRP parcel easement request

Dear Mr. Johnson,

We have received a request from Wickstrom Telephone company of Karlstad, MN for a utility easement on a property purchased with LSOHC funding. The property in question is located in Kittson county and is part of the Florian WMA habitat complex. It was purchased through the Prairie Recovery Project Phase 7 in 2018 and is being managed by TNC. The easement is proposed to run adjacent to the road right-of-way for the purpose of installing fiber optic cable to upgrade telephone and high-speed internet service for the local communities and residents. Because the line will run along the very southern edge of the property next to the existing road right-of-way we believe any ecological impact will be negligible. I have attached a copy of the proposed easement including a map of the general area in question. Consistent with the Notice of Funding Restrictions placed on the property we are seeking your permission to grant the easement. TNC does not anticipate receiving monetary compensation for granting the easement as it is a public utilities request.

Please advise on next steps. Thanks for your consideration and please let me know if you have any questions. –Neal

Neal Feeken
Director Land Conservation
nfeeken@tnc.org
(612) 331-0738 – Office
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