

**Easement Alteration Summary for LSOHC - Request to release 0.98 acres from CREP Floodplain Easement (Funded with L16R)**

RIM Easement #72-01-17-01 recorded 7/31/2018

Notice of Funding Restrictions recorded 4/16/2019

The MN Department of Transportation is undertaking the reconstruction of a segment of State Highway 93 from the intersection of US Highway 169 to the City of Henderson. This reconstruction will include a significant grade raise of the roadway to mitigate the reoccurring road closures due to flooding of the Minnesota and Rush Rivers along this corridor. With the roadway being raised, additional right of way is needed to maintain standard slopes and ditches for the safety of the traveling public. MnDOT is requesting the release of 0.98 acres from RIM easement #72-01-17-01 (known as MnDOT Parcel 40) to accommodate for the new right-of-way.

The supporting map shows the existing RIM easement and the area proposed for release.

BWSR's Easement Alteration Policy for public benefitted projects allows for release of land from the easement if the public entity compensates BWSR for the released acres at two times the current RIM payment rate, plus reimbursement of state funds paid for conservation practices, and a \$500 administrative fee. The request will be presented to the RIM Reserve Committee on November 13 for recommendation to the BWSR Board on December 14.

MnDOT has agreed to compensate BWSR according to the following calculations:

(2x current CREP cropland rate for Henderson Township) = \$10602.05/acre x 2 = \$21,204.1/acre

\$21,204.1 x 0.98 acres to be released = \$20,780.02

\$20,780.02 x 20.05% (BWSR portion of CREP payment) = \$4,166.39

Cost for conservation practice payments paid by state on release area: \$62.06/acre (BWSR portion) for seeding x 0.98 acres = \$60.62

Application fee for BWSR staff processing of easement alteration request = \$500

Total cost due to BWSR for Easement Alteration: \$4,727.01

BWSR Return of funds to OHF:

Total RIM payment to landowner: \$62,687.21 for 42.18 acres = \$1,486.18/acre

OHF funds expended for acquisition on 0.98 acres = \$1,456.46

OHF funds expended on conservation practices on 0.98 acres = \$60.62 (calculated above)

Total OHF funds expended on release area to be returned to OHF: \$1,517.08

Remaining compensation to be used for future easement acquisition:

$\$4,727.01 - 500 - 1,517.08 = \underline{\$2,709.93}$