

Lessard-Sams Outdoor Heritage Council

Laws of Minnesota 2013 Accomplishment Plan



Date: January 29, 2016

Program or Project Title: Grasslands for the Future

Funds Recommended: \$ 2,000,000

Manager's Name: Tim Koehler
Title: Acting Conservation Easement Section Manager
Organization: Board of Water and Soil Resources
Address: 520 Lafayette Road North
City: St. Paul, MN 55155
Office Number: 651-296-6745
Email: tim.koehler@state.mn.us
Website: www.bwsr.state.mn.us

Legislative Citation: ML 2013, Ch. 137, Art. 1, Sec. 2, Subd. 2(a)

Appropriation Language: \$2,000,000 in the first year is to the Board of Water and Soil Resources for a pilot project to acquire permanent conservation easements on grasslands in cooperation with the Minnesota Land Trust and the Conservation Fund. Up to \$1,850,000 may be used for agreements with the Minnesota Land Trust to acquire permanent conservation easements and up to \$75,000 may be used for establishing monitoring and enforcement funds with the Minnesota Land Trust and the Board of Water and Soil Resources, as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. Up to \$75,000 may be used for an agreement with the Conservation Fund for professional services. Easements funded under this appropriation are not subject to emergency haying and grazing orders. Any net proceeds accruing to a project partner from real estate transactions related to this project must be used for the purposes outlined in this appropriation. A must be provided as part of the required accomplishment plan.

County Locations: Chippewa, Murray, and Pope.

Regions in which work will take place:

- Prairie

Activity types:

- Protect in Easement

Priority resources addressed by activity:

- Habitat
- Prairie

Abstract:

This pilot project will test the feasibility and cost-effectiveness of acquiring grassland conservation easements and will protect 500-600 acres of critical and threatened grassland habitat. Through partner coordination, this proposal contributes to implementation of the Minnesota Prairie Conservation Plan.

Design and scope of work:

A Conservation Legacy in Jeopardy

Native grasslands are the most threatened ecosystem in Minnesota. The LSOHC defined Prairie Section has suffered the greatest habitat loss of any of the five sections examined by the Council. Furthermore, only a third of the remaining habitat in the Prairie Section is permanently protected. To compound the problem, in the next five years approximately 800,000 acres of Minnesota's conservation lands enrolled in the federal Conservation Reserve Program (CRP) will expire. Unless action is taken to continue protection of these lands by using a combination of conservation programs, many will likely be converted to cropland, eliminating most of the wildlife habitat and associated ecosystem benefits.

This project will pilot new and innovative approaches to securing conservation easements to permanently protect large assemblages of critical grassland habitat. The need for this private lands approach in the Prairie Section is essential because ownership patterns in this landscape include many private landowners with smaller parcels that require custom-tailored conservation solutions. These solutions often involve crafting easements that assure conservation of the grasslands while also working with the landowner to make the management of the grasslands profitable and therefore, sustainable.

Lands targeted for protection through this pilot will meet the following criteria:

Near or within the Core Areas identified in the Prairie Plan.

Within approximately two miles of permanently protected land (e.g. WMA, WPA, CREP, TNC preserves, etc.).

Establishing connections to permanently protected land wherever possible.

Within approximately five miles of a viable producer with a proven track record of managing grasslands with livestock and willing to own land protected by a permanent easement mandating grassland conservation management methods and practices.

Low production cropland.

Once these priority grassland complexes have been identified, the project partners will then test three important protection elements in order to determine how to best implement a cost-effective grasslands program at a larger scale. First, landowners within these identified complexes will be offered a menu of land protection options to assess what is of greatest interest or application in this landscape.

One of the options will include a model in which a non-profit partner, such as The Conservation Fund (TCF), would use its revolving fund to acquire land in fee from a landowner not interested in maintaining their land as a working grassland. TCF would hold ownership until funds are available to sell a conservation easement to an easement holder such as Minnesota Land Trust (MLT) or the Board of Water and Soil Resources (BWSR). Once the easement is in place, TCF would subsequently sell the underlying fee, now reduced in value by the conservation easement, to a pre-identified local producer. This approach allows TCF to act quickly to acquire land that would otherwise be sold and converted to row crops. The value of the easement, and the value of the land sold to the local producer, will be determined by an appraisal. Another option is for the landowner to sell a conservation easement directly to the BWSR or the MLT. All easement acquisition funds will be allocated to BWSR. Once specific easements and their respective holders have been identified, BWSR will contribute the funds necessary to MLT to complete their acquisition(s).

The second element being tested is how to best implement grasslands protection in a private, working landscape. This will include developing conservation easements and management plans that protect the important grassland and prairie habitats while simultaneously providing the agricultural producers with residual economic value through restricted grazing or haying. This will be a critical issue for the ultimate success of the Minnesota Prairie Conservation Plan.

Finally, this pilot project will also explore how BWSR and non-profit partners can most cost effectively value and secure these unique conservation easements. This will include an evaluation of all of the costs, potential leverage of federal programs, timing and landowner interest in the easements' value to bring a program to scale.

This pilot project will work with local producers who are interested in promoting conservation compatible agriculture and who are interested in conservation easements that allow them to remain competitive in

today's climate of escalating agricultural land prices. This approach allows state conservation funds to potentially leverage current or future federal funding via the Farm & Ranchland Protection Program, Grassland Reserve Program, or CRP. Management costs for maintaining grassland habitat will be largely borne by the local producer as part of their operation rather than be a continuous financial burden on the government. Finally, this approach also keeps land on the local tax rolls and helps to promote a diversified local economy.

The project partners include BWSR, TCF and MLT. BWSR will administer the project and hold conservation easements, depending upon landowner interest. TCF will identify landowners, conduct outreach and potentially be an interim fee title holder of the conservation property, using their own private funds to conduct the fee title transactions. MLT will negotiate and hold conservation easements with landowners who prefer to work with a non-profit entity. All partners will be involved in the development of the project and its subsequent evaluation.

Crops:

Will there be planting of corn or any crop on OHF land purchased or restored in this program - **Not Listed**

Which sections of the Minnesota Statewide Conservation and Preservation Plan are applicable to this project:

- H1 Protect priority land habitats
- H2 Protect critical shoreland of streams and lakes
- H3 Improve connectivity and access to recreation
- H4 Restore and protect shallow lakes
- H5 Restore land, wetlands and wetland-associated watersheds
- H7 Keep water on the landscape

Which other plans are addressed in this proposal:

- A Vision for Wildlife and Its Use -- Goals and Outcomes 2006-2012
- Grassland Bird Conservation Area
- Grassland Conservation Plan for Prairie Grouse
- Long Range Duck Recovery Plan
- Long Range Plan for the Ring-Necked Pheasant in MN
- Long Range Plan for the Wild Turkey
- Managing Minnesota's Shallow Lakes for Waterfowl and Wildlife
- Minnesota DNR Strategic Conservation Agenda
- Minnesota Prairie Conservation Plan
- National Audubon Society Top 20 Common Birds in Decline
- North American Waterbird Conservation Plan
- North American Waterfowl Management Plan
- Northern Tallgrass Prairie Ecoregion: A River and Stream Conservation Portfolio
- Northern Tallgrass Prairie Habitat Preservation Area (HPA) Final Environmental Impact Statement
- Outdoor Heritage Fund: A 25 Year Framework
- Partners in Flight Conservation Plans for States and Physiographic Regions
- Partners in Flight Grassland Bird Plan
- Tomorrow's Habitat for the Wild and Rare
- U.S. Prairie Pothole Joint Venture Plan

Which LSOHC state-wide priorities are addressed in this proposal:

- Address conservation opportunities that will be lost if not immediately acted on
- Address wildlife species of greatest conservation need, Minnesota County Biological Survey data, and rare, threatened and endangered species inventories in land and water decisions, as well as permanent solutions to aquatic invasive species
- Are able to leverage effort and/or other funds to supplement any OHF appropriation
- Are ongoing, successful, transparent and accountable programs addressing actions and targets of one or more of the ecological sections
- Ensures activities for "protecting, restoring and enhancing" are coordinated among agencies, non profits and others while doing this important work
- Produce multiple enduring conservation benefits
- Target unique Minnesota landscapes that have historical value to fish and wildlife
- Use a science-based strategic planning and evaluation model to guide protection, restoration and enhancement, similar to the United States Fish and Wildlife Service's Strategic Habitat Conservation model

Which LSOHC section priorities are addressed in this proposal:

Prairie:

- Protect, enhance, or restore existing wetland/upland complexes, or convert agricultural lands to new wetland/upland habitat complexes
- Protect, enhance, and restore remnant native prairie, Big Woods forests, and oak savanna
- Convert agricultural land to wetland/upland to protect, enhance, or restore existing habitat complexes, such as WMAs
- Protect expiring CRP lands
- Protect, enhance, and restore migratory habitat for waterfowl and related species, so as to increase migratory and breeding success

Relationship to other funds:

- Environmental and Natural Resource Trust Fund
- Clean Water Fund

The pilot project will integrate with many other Outdoor Heritage Fund (OHF) projects such as The RIM-WRP Partnership and Buffers for Wildlife, which is funded 50% with Clean Water Funds. In addition, the Farm Bill Assistance Partnership (FBAP) with BWSR, the Natural Resources Conservation Service (NRCS), the Department of Natural Resources (DNR), Pheasants Forever (PF) and the Soil and Water Conservation Districts (SWCDs) provides for SWCDs to have farm bill technicians to promote the conservation provisions of the Federal Farm Bill and other conservation program opportunities with private landowners. The Environmental and Natural Resources Trust Fund (ENRTF) provided \$1,000,000 via a Legislative-Citizen Commission on Minnesota Resources (LCCMR) recommendation in FY10-11, and another \$625,000 in FY12-13. This funding includes partial funding for the Farm Bill Assistance Partnership efforts.

How does this proposal accelerate or supplement your current efforts in this area:

BWSR, MLT and TCF all work with landowners to secure easements for the preservation of grassland habitat. This pilot would supplement existing grassland conservation efforts by adding another tool to expand upon the tremendous success of Conservation Reserve Enhancement Program (CREP) and the RIM-WRP Partnership as well as the great work of organizations such as PF, DU and TNC. This initiative is being coordinated with these organizations in keeping with the Implementation Plan for the Minnesota Prairie Conservation Plan.

This pilot will test the feasibility and cost-effectiveness of acquiring grassland easements where the focus is grassland production that must also provide habitat for grassland dependent species. If this prototype is successful, its adoption throughout the prairie landscape will enable conservation partners to significantly leverage their resources and accelerate conservation efforts at a time when we are losing the race to protect our grasslands.

How will you sustain and/or maintain this work after the Outdoor Heritage Funds are expended:

BWSR partners with local SWCDs to carryout oversight monitoring and inspection of its conservation easements. BWSR held easements are inspected for the first five consecutive years beginning in the year after the easement is recorded. Thereafter, on-site inspections are performed every three years and compliance checks are performed in the other two years. SWCDs report to BWSR on each site inspection conducted. A non-compliance procedure is implemented when potential violations or problems are identified. Any lands protected by the MLT will be sustained through the best standards and practices for conservation easement stewardship including annual site inspections.

MLT is a nationally accredited land trust with a very successful stewardship program that includes annual property monitoring, effective records management, addressing inquiries and interpretations, tracking changes in ownership, investigating potential violations and defending the easement in case of a true violation.

Activity Details:

Will the eased land be open for public use - **No**

Is the land you plan to acquire free of any other permanent protection - **Yes**

Are there currently trails or roads on any of the acquisitions on the parcel list - **Not Listed**

Will new trails or roads be developed as a result of the OHF acquisition - **Not Listed**

Accomplishment Timeline:

Activity	Approximate Date Completed
Identify Landowners	June 30, 2016
Negotiate, Draft and Complete easements	June 30, 2016
Dedicate funds for easement stewardship	June 30, 2016

Date of Final Report Submission: 11/1/2017

Federal Funding:

Do you anticipate federal funds as a match for this program - **Not Listed**

Outcomes:

Programs in prairie region:

- Core areas protected with highly biologically diverse wetlands and plant communities, including native prairie, Big Woods, and oak savanna
- Expiring CRP lands are permanently protected
- Increased participation of private landowners in habitat projects
- Protected, restored, and enhanced habitat for waterfowl, upland birds, and species of greatest conservation need
- Protected, restored, and enhanced shallow lakes and wetlands
- Remnant native prairies and wetlands are permanently protected and are part of large complexes of restored prairie, grasslands, and large and small wetlands
- Water is kept on the land

Budget Spreadsheet

Budget reallocations up to 10% do not require an amendment to the Accomplishment Plan

How will this program accommodate the reduced appropriation recommendation from the original proposed requested amount

Not Listed

Total Amount of Request: \$ 2000000

Budget and Cash Leverage

Budget Name	LSOHC Request	Anticipated Leverage	Leverage Source	Total
Personnel	\$30,500	\$0		\$30,500
Contracts	\$0	\$0		\$0
Fee Acquisition w/ PILT	\$0	\$0		\$0
Fee Acquisition w/o PILT	\$0	\$0		\$0
Easement Acquisition	\$1,882,900	\$0		\$1,882,900
Easement Stewardship	\$38,000	\$0		\$38,000
Travel	\$2,500	\$0		\$2,500
Professional Services	\$46,100	\$0		\$46,100
Direct Support Services	\$0	\$0		\$0
DNR Land Acquisition Costs	\$0	\$0		\$0
Capital Equipment	\$0	\$0		\$0
Other Equipment/Tools	\$0	\$0		\$0
Supplies/Materials	\$0	\$0		\$0
DNR IDP	\$0	\$0		\$0
Total	\$2,000,000	\$0		\$2,000,000

Personnel

Position	FTE	Over # of years	LSOHC Request	Anticipated Leverage	Leverage Source	Total
Conservation, legal and project staff - MLT	0.10	3.00	\$17,000	\$0		\$17,000
Conservation, legal and project staff - BWSR	0.05	3.00	\$13,500	\$0		\$13,500
Total	0.15	6.00	\$30,500	\$0		\$30,500

Budget and Cash Leverage by Partnership

Budget Name	Partnership	LSOHC Request	Anticipated Leverage	Leverage Source	Total
Personnel	MLT	\$17,000	\$0		\$17,000
Contracts	MLT	\$0	\$0		\$0
Fee Acquisition w/ PILT	MLT	\$0	\$0		\$0
Fee Acquisition w/o PILT	MLT	\$0	\$0		\$0
Easement Acquisition	MLT	\$695,500	\$0		\$695,500
Easement Stewardship	MLT	\$25,000	\$0		\$25,000
Travel	MLT	\$1,500	\$0		\$1,500
Professional Services	MLT	\$17,000	\$0		\$17,000
Direct Support Services	MLT	\$0	\$0		\$0
DNR Land Acquisition Costs	MLT	\$0	\$0		\$0
Capital Equipment	MLT	\$0	\$0		\$0
Other Equipment/Tools	MLT	\$0	\$0		\$0
Supplies/Materials	MLT	\$0	\$0		\$0
DNR IDP	MLT	\$0	\$0		\$0
Total		\$756,000	\$0		\$756,000

Personnel - MLT

Position	FTE	Over # of years	LSOHC Request	Anticipated Leverage	Leverage Source	Total
Conservation, legal and project staff - MLT	0.10	3.00	\$17,000	\$0		\$17,000
Total	0.10	3.00	\$17,000	\$0		\$17,000

BudgetName	Partnership	LSOHC Request	Anticipated Leverage	Leverage Source	Total
Personnel	TCF	\$0	\$0		\$0
Contracts	TCF	\$0	\$0		\$0
Fee Acquisition w/ PILT	TCF	\$0	\$0		\$0
Fee Acquisition w/o PILT	TCF	\$0	\$0		\$0
Easement Acquisition	TCF	\$0	\$0		\$0
Easement Stewardship	TCF	\$0	\$0		\$0
Travel	TCF	\$0	\$0		\$0
Professional Services	TCF	\$24,800	\$0		\$24,800
Direct Support Services	TCF	\$0	\$0		\$0
DNR Land Acquisition Costs	TCF	\$0	\$0		\$0
Capital Equipment	TCF	\$0	\$0		\$0
Other Equipment/Tools	TCF	\$0	\$0		\$0
Supplies/Materials	TCF	\$0	\$0		\$0
DNR IDP	TCF	\$0	\$0		\$0
Total		\$24,800	\$0		\$24,800

BudgetName	Partnership	LSOHC Request	Anticipated Leverage	Leverage Source	Total
Personnel	BWSR	\$13,500	\$0		\$13,500
Contracts	BWSR	\$0	\$0		\$0
Fee Acquisition w/ PILT	BWSR	\$0	\$0		\$0
Fee Acquisition w/o PILT	BWSR	\$0	\$0		\$0
Easement Acquisition	BWSR	\$1,187,400	\$0		\$1,187,400
Easement Stewardship	BWSR	\$13,000	\$0		\$13,000
Travel	BWSR	\$1,000	\$0		\$1,000
Professional Services	BWSR	\$4,300	\$0		\$4,300
Direct Support Services	BWSR	\$0	\$0		\$0
DNR Land Acquisition Costs	BWSR	\$0	\$0		\$0
Capital Equipment	BWSR	\$0	\$0		\$0
Other Equipment/Tools	BWSR	\$0	\$0		\$0
Supplies/Materials	BWSR	\$0	\$0		\$0
DNR IDP	BWSR	\$0	\$0		\$0
Total		\$1,219,200	\$0		\$1,219,200

Personnel - BWSR

Position	FTE	Over # of years	LSOHC Request	Anticipated Leverage	Leverage Source	Total
Conservation, legal and project staff - BWSR	0.05	3.00	\$13,500	\$0		\$13,500
Total	0.05	3.00	\$13,500	\$0		\$13,500

Output Tables

Table 1a. Acres by Resource Type

Type	Wetlands	Prairies	Forest	Habitats	Total
Restore	0	0	0	0	0
Protect in Fee with State PILT Liability	0	0	0	0	0
Protect in Fee W/O State PILT Liability	0	0	0	0	0
Protect in Easement	0	500	0	0	500
Enhance	0	0	0	0	0
Total	0	500	0	0	500

Table 1b. How many of these Prairie acres are Native Prairie?

Type	Native Prairie
Restore	0
Protect in Fee with State PILT Liability	0
Protect in Fee W/O State PILT Liability	0
Protect in Easement	0
Enhance	0
Total	0

Table 2. Total Requested Funding by Resource Type

Type	Wetlands	Prairies	Forest	Habitats	Total
Restore	\$0	\$0	\$0	\$0	\$0
Protect in Fee with State PILT Liability	\$0	\$0	\$0	\$0	\$0
Protect in Fee W/O State PILT Liability	\$0	\$0	\$0	\$0	\$0
Protect in Easement	\$0	\$2,000,000	\$0	\$0	\$2,000,000
Enhance	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$2,000,000	\$0	\$0	\$2,000,000

Table 3. Acres within each Ecological Section

Type	Metro Urban	ForestPrairie	SE Forest	Prairie	N Forest	Total
Restore	0	0	0	0	0	0
Protect in Fee with State PILT Liability	0	0	0	0	0	0
Protect in Fee W/O State PILT Liability	0	0	0	0	0	0
Protect in Easement	0	0	0	500	0	500
Enhance	0	0	0	0	0	0
Total	0	0	0	500	0	500

Table 4. Total Requested Funding within each Ecological Section

Type	Metro Urban	ForestPrairie	SE Forest	Prairie	N Forest	Total
Restore	\$0	\$0	\$0	\$0	\$0	\$0
Protect in Fee with State PILT Liability	\$0	\$0	\$0	\$0	\$0	\$0
Protect in Fee W/O State PILT Liability	\$0	\$0	\$0	\$0	\$0	\$0
Protect in Easement	\$0	\$0	\$0	\$2,000,000	\$0	\$2,000,000
Enhance	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$2,000,000	\$0	\$2,000,000

Target Lake/Stream/River Feet or Miles

0

Parcel List

For restoration and enhancement programs ONLY: Managers may add, delete, and substitute projects on this parcel list based upon need, readiness, cost, opportunity, and/or urgency so long as the substitute parcel/project forwards the constitutional objectives of this program in the Project Scope table of this accomplishment plan. The final accomplishment plan report will include the final parcel list.

Section 1 - Restore / Enhance Parcel List

No parcels with an activity type restore or enhance.

Section 2 - Protect Parcel List

Chippewa

Name	TRDS	Acres	EstCost	Existing Protection?	Hunting?	Fishing?
12-01-14-14--	11942210	46	\$220,900	No	No	No

Murray

Name	TRDS	Acres	EstCost	Existing Protection?	Hunting?	Fishing?
51-01-14-14--	10839220	130	\$907,100	No	No	No

Pope

Name	TRDS	Acres	EstCost	Existing Protection?	Hunting?	Fishing?
Berge	12337231	284	\$695,500	No	No	No

Section 2a - Protect Parcel with Bldgs

No parcels with an activity type protect and has buildings.

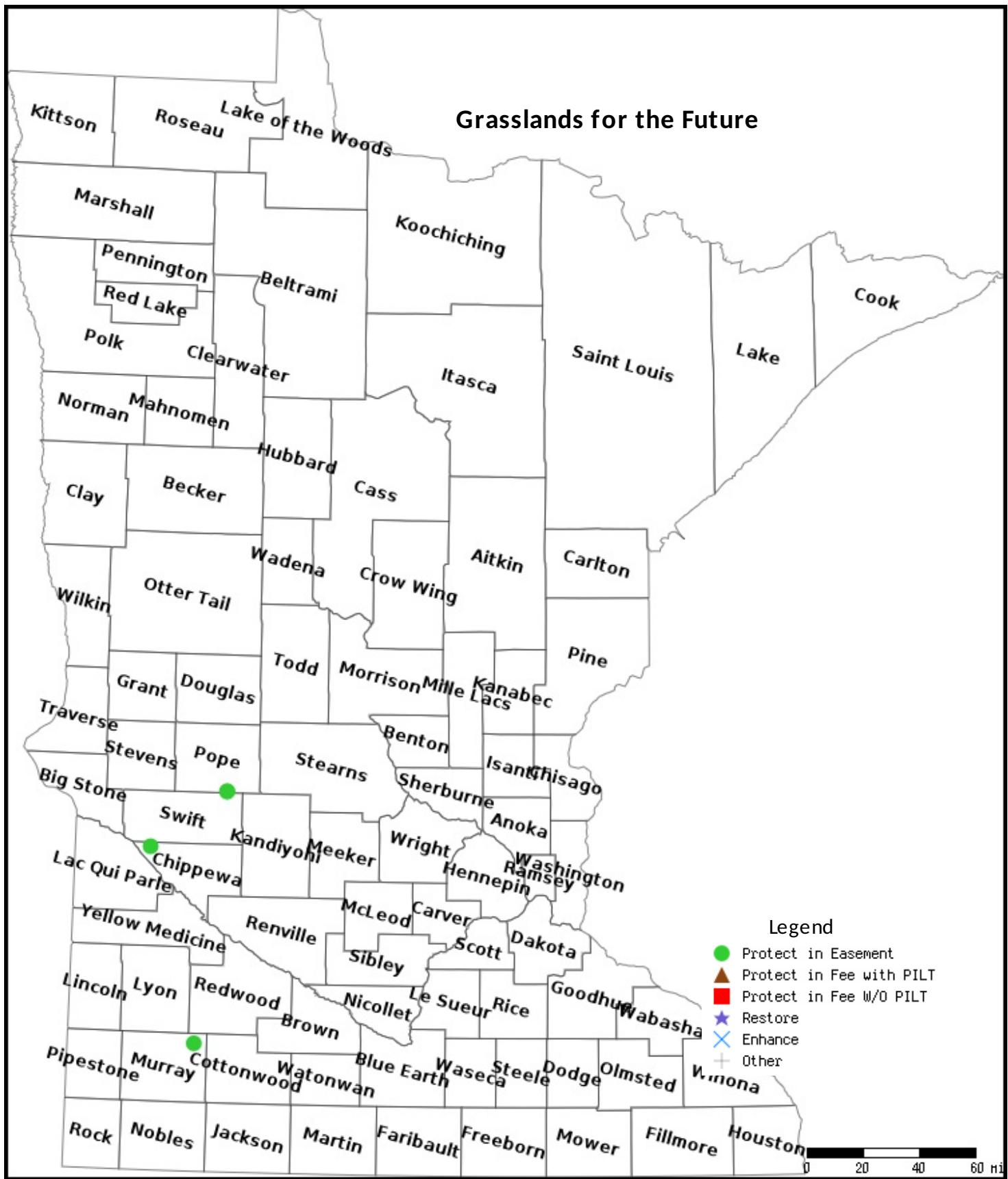
Section 3 - Other Parcel Activity

No parcels with an other activity type.

Completed Parcel: Berge

# of Total Acres:	284
County:	Pope
Township:	123
Range:	37
Direction:	2
Section:	31
# of Acres: Wetlands/Upland:	
# of Acres: Forest:	
# of Acres: Prairie/Grassland:	284
Amount of Shoreline:	(Linear Feet)
Name of Adjacent Body of Water (if applicable):	
Has there been signage erected at the site:	Yes
Annual Reporting Organization Name:	Minnesota Land Trust
Annual Reporting Manager Name:	Kris Larson
Annual Reporting Address:	2356 University Ave. West, Suite 240
Annual Reporting City:	St. Paul
Annual Reporting State:	MN
Annual Reporting Zip:	55114
Annual Reporting Email:	klarson@mnland.org
Annual Reporting Phone:	651-647-9590
Purchase Date:	March 09, 2015
Purchase Price:	\$695,500
Appraised Value:	\$695,500
Professional Service Costs:	\$17,431
Assessed Value:	\$683,100
Total Project Cost:	\$712,931
Easement Holder Organization Name:	Minnesota Land Trust
Easement Holder Manager Name:	Kris Larson
Easement Holder Address:	2356 University Ave. West, Suite 240
Easement Holder City:	St. Paul
Easement Holder State:	MN
Easement Holder Zip:	55114
Easement Holder Email:	klarson@mnland.org
Easement Holder Phone:	651-647-9590
Responsible Organization Name:	Minnesota Land Trust
Responsible Manager Name:	Kris Larson
Responsible Address:	2356 University Ave. West, Suite 240
Responsible City:	St. Paul
Responsible State:	MN
Responsible Zip:	55114
Responsible Email:	klarson@mnland.org
Responsible Phone:	651-647-9590
Underlying Fee Owner:	Jess & Tamara Berge

Parcel Map



Data Generated From Parcel List