

# Lessard-Sams Outdoor Heritage Council Laws of Minnesota 2013 Accomplishment Plan

**Date: October 17, 2012**

**Program or Project Title:** Wetland Habitat Protection Program

**Funds Recommended: \$1,980,000**

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**Legislative Citation:** (to be completed when signed by Governor)

**County Locations:** Douglas, Meeker, Otter Tail, Pope, and Todd.

**Ecological Planning Regions:**

- Forest / Prairie Transition
- Prairie

**Activity Type:**

- Protect in Easement

**Priority Resources Addressed by Activity:**

- Wetlands

## Abstract:

Protect approximately 1,100 acres of high priority wetland habitat complexes in Minnesota's Forest-Prairie transition area by securing permanent conservation easements within scientifically determined and prioritized complexes using a cost-effective approach to maximize conservation benefit and leverage.

## Activity Detail

### Design and Scope of Work:

Of all of Minnesota's wildlife habitat types, wetlands and shallow lakes provide the essential backbone for the survival of waterfowl and other important wildlife species. In fact, more than 50% of the amphibians and birds listed in Minnesota's Comprehensive Wildlife Conservation Strategy as species in greatest conservation need (SGCN) use wetlands during their life cycle. Most of the plans developed to protect Minnesota's wildlife—including Minnesota's Comprehensive Wildlife Conservation Strategy, the Statewide Conservation and Preservation Plan, and the Long Range Duck Recovery Plan—cite the protection and restoration of the state's remaining wetlands as one of the top priorities to achieve the State's conservation goals. Moreover, these plans cite the use of conservation easements on private lands as one of the primary strategies to protect important wetland and shallow lake habitat.

The Land Trust proposes to complete 11-14 new conservation easements protecting approximately 1,100 acres of important wetland and associated habitat within its Edge of the Prairie Critical Landscape. This landscape, which extends from Meeker County northwest to Becker County, is located at the edge of the once vast prairies of western Minnesota as they transition to the woods and forests that dominate the eastern portion of the State. The prairie pothole lakes and associated wetlands within this landscape form the backbone of one of the continent's most important flyways for migratory waterfowl.

The Edge of the Prairie Critical Landscape encompasses two of Minnesota's Ecological Classification System Subsections, The Hardwood Hills and Minnesota River Prairie. Before European settlement, the predominant land cover in the Minnesota River Prairie subsection was tallgrass prairie and wetlands. Today, row-crop agriculture is the primary land use, and the ditching and draining of small wetlands is a concern for wildlife habitat and water quality. Within this subsection, 116 SGCN are known or predicted to occur. Shallow lakes and wetlands both are identified as "key habitats" in Minnesota's Comprehensive Wildlife Conservation Strategy, with 17 and 41 SGCN using those habitats respectively. The Hardwood Hills subsection originally was characterized by maple-basswood forest interspersed with oak savanna, oak forest and tall grass prairie. The subsection also contains numerous lakes, wetlands, and prairie potholes. Similar to the Minnesota River Prairie subsection, the predominant land use today is agriculture, and wetland loss is a primary conservation concern. Eighty-five SGCN are known or predicted to occur within this subsection. And, as with the Minnesota River Prairie subsection, shallow lakes and wetlands are identified as "key habitats" within the Hardwood Hills, with 16 and 39 SGCN using those habitats respectively.

Although the Land Trust has been active in this landscape for more than 15 years, we now have a unique window of time to deepen our commitment and conservation impact to protect important wetland complexes in this landscape. With an aging landowner population and organizational momentum, the time is now to implement a robust wetland protection and restoration program for this region. To focus our work, we have completed an initial analysis to identify important wetland complexes in the Edge of the Prairie landscape based on where agricultural lands, high-quality habitat, and existing protected areas intersect. These complexes include a mosaic of wetland, prairie/grassland, and forest habitats, as well as agricultural land. Protection of these complexes will produce the following outcomes: 1) nesting and migratory habitat for waterfowl, upland birds, and species in greatest conservation

need; 2) improved water quality; 3) increased participation of private landowners in habitat projects; and 4) enhancement of prior public investment in wetland protection and restoration.

Our protection work will be implemented through a novel ranking system and market approach for purchasing conservation easements, which was developed through our work with St. John's University in the Avon Hills. Under this system, potential parcels for easement purchase are prioritized based on their value to wetland protection, proximity to other protected parcels, MCBS data and other appropriate criteria while allowing targeted landowners to select the price necessary for them to protect their property with an easement. Those properties with the best ratio of environmental benefits to easement cost become the highest priority for acquisition. The attached project list includes parcels where we have had interested landowners in the past. The list will be revised as we initiate the ranking and bidding process.

Proposed activities under this grant include:

- 1) contacting and negotiating with interested landowners;
- 2) drafting and completing perpetual conservation easements;
- 3) documenting property conditions and requiring habitat management plans as appropriate;
- 4) dedicating funds for the perpetual monitoring and enforcement of those easements.

The Land Trust works only with conservation easements that are perpetual. These easements prohibit land uses or development that negatively affect important habitat and other conservation values. These easements are monitored annually and enforced as necessary under the Land Trust's comprehensive conservation easement stewardship program.

We also anticipate working in partnership with appropriate public agencies, non-profit organizations and other stakeholders, including BWSR and Ducks Unlimited, who can advance conservation goals. In particular we envision coordinating with partners who can implement restoration and enhancement activities as needs are identified.

As noted above, this proposal helps further a number of goals from various state plans. Specifically, our work addresses the following:

- Provide protection opportunities to interested individuals and organizations (Tomorrow's Habitat for the Wild and Rare)
- Restore and protect shallow lakes (Statewide Conservation and Preservation Plan)
- Restore land, wetlands and wetland-associated watersheds (Statewide Conservation and Preservation Plan)
- Maximize management of shallow lakes for waterfowl and wildlife that are adjacent to public lands managed specifically for wildlife or public lands with wildlife habitat value (Managing Minnesota's Shallow Lakes for Waterfowl and

Wildlife)

The Minnesota Land Trust is a nationally-accredited conservation organization with a twenty-year history of protecting Minnesota's most unique wildlife habitats around the state.

## Planning

### **MN State-wide Conservation Plan Priorities:**

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

### **Plans Addressed:**

- Ducks Unlimited Living Lakes Initiative
- Long Range Duck Recovery Plan
- Managing Minnesota's Shallow Lakes for Waterfowl and Wildlife
- Minnesota DNR Strategic Conservation Agenda
- Minnesota Prairie Conservation Plan
- Minnesota Sustainability Framework
- North American Waterfowl Management Plan
- Tomorrow's Habitat for the Wild and Rare
- U.S. Prairie Pothole Joint Venture Plan

### **LSOHC Statewide Priorities:**

- Are ongoing, successful, transparent and accountable programs addressing actions and targets of one or more of the ecological sections
- Produce multiple enduring conservation benefits
- Are able to leverage effort and/or other funds to supplement any OHF appropriation
- Address conservation opportunities that will be lost if not immediately acted on
- 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
- 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
- Ensures activities for "protecting, restoring and enhancing" are coordinated among agencies, non profits and others while doing this important work
- Target unique Minnesota landscapes that have historical value to fish and wildlife

### **LSOHC Prairie Section Priorities:**

- 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
- Protect, restore, and enhance shallow lakes
- Protect, enhance, and restore migratory habitat for waterfowl and related species, so as to increase migratory and breeding success

### **LSOHC Forest Prairie Transition Section Priorities:**

- Protect, enhance, and restore wild rice wetlands, shallow lakes, wetland/grassland complexes, aspen parklands, and shoreland that provide critical habitat for game and nongame wildlife
- Protect, enhance, and restore migratory habitat for waterfowl and related species, so as to increase migratory and breeding success

### **Relationship to Other Constitutional Funds:**

- Environmental and Natural Resource Trust Fund

The Minnesota Land Trust is a partner in the Habitat Conservation Partnership (HCP), which has been receiving grants from the Minnesota Environment and Natural Resources Trust Fund, as recommended by the Legislative-Citizen Commission on Minnesota Resources (LCCMR), since 2001. This proposed OHF grant accelerates the Land Trust's work protecting critical habitat in the Edge of the Prairie landscape and does not supplant any existing funding sources, including ENRTF.

### **Accelerates or Supplements Current Efforts:**

The majority of financial support to the Minnesota Land Trust must be raised on an annual basis. Capital funds are expended only when a priority opportunity becomes available and project-specific funds are obtained to complete the acquisition. Therefore, work proposed under this grant will accelerate our efforts in this region, and these grant funds will not substitute for or supplant other funding sources.

### **Sustainability and Maintenance:**

The land protected through conservation easements will be sustained through the best standards and practices for conservation easement stewardship. The Minnesota Land Trust 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. Funding for these easement stewardship activities is included in the project budget.

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

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

## Accomplishment Timeline

Activity	Approximate Date Completed
Acquire conservation easements: 1) identify landowners; 2) negotiate, draft, complete easements; 3) dedicate funds for easement stewardship	June 30, 2016

## Outcomes

### Programs in forest-prairie transition region:

- Protected, restored, and enhanced aspen parklands and riparian areas
- Protected, restored, and enhanced nesting and migratory habitat for waterfowl, upland birds, and species of greatest conservation need
- Wetland and upland complexes will consist of native prairies, restored prairies, quality grasslands, and restored shallow lakes and wetlands
- Water is kept on the land

### Programs in prairie region:

- 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*

**Total Amount of Request: \$1,980,000**

### Budget and Cash Leverage

<b>Budget Name</b>	<b>LSOHC Request</b>	<b>Anticipated Cash Leverage</b>	<b>Cash Leverage Source</b>	<b>Total</b>
Personnel	\$216,000	\$0		\$216,000
Contracts	\$0	\$0		\$0
Fee Acquisition w/ PILT	\$0	\$0		\$0
Fee Acquisition w/o PILT	\$0	\$0		\$0
Easement Acquisition	\$1,364,000	\$0		\$1,364,000
Easement Stewardship	\$280,000	\$0		\$280,000
Travel (in-state)	\$10,000	\$0		\$10,000
Professional Services	\$110,000	\$0		\$110,000
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
<b>Total</b>	<b>\$1,980,000</b>	<b>\$0</b>	<b>-</b>	<b>\$1,980,000</b>

### Personnel

<b>Position</b>	<b>FTE</b>	<b>Over # of years</b>	<b>LSOHC Request</b>	<b>Anticipated Cash Leverage</b>	<b>Cash Leverage Source</b>	<b>Total</b>
Conservation and Legal Staff	0.80	3.00	\$216,000	\$0		\$216,000
<b>Total</b>	<b>0.80</b>	<b>3.00</b>	<b>\$216,000</b>	<b>\$0</b>	<b>-</b>	<b>\$216,000</b>

## Output Tables

Table 1. 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	1,100	0	0	0	1,100
Enhance	0	0	0	0	0
Total	1,100	0	0	0	1,100

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	\$1,980,000	\$0	\$0	\$0	\$1,980,000
Enhance	\$0	\$0	\$0	\$0	\$0
Total	\$1,980,000	\$0	\$0	\$0	\$1,980,000

Table 3. Acres within each Ecological Section

Type	Metro/Urban	Forest/Prairie	SE Forest	Prairie	Northern 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	700	0	400	0	1,100
Enhance	0	0	0	0	0	0
Total	0	700	0	400	0	1,100

Table 4. Total Requested Funding within each Ecological Section

Type	Metro/Urban	Forest/Prairie	SE Forest	Prairie	Northern 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	\$1,260,000	\$0	\$720,000	\$0	\$1,980,000
Enhance	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$1,260,000</b>	<b>\$0</b>	<b>\$720,000</b>	<b>\$0</b>	<b>\$1,980,000</b>

Table 5. Target Lake/Stream/River Miles

0 miles

## 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

Douglas

Name	TRDS	Acres	Est Cost	Existing Protection?	Hunting?	Fishing?
Albert Lake	12940231	144	\$0	No	Not applicable	Not applicable
North Lake Oscar	12740201	142	\$0	No	Not applicable	Not applicable

Meeker

Name	TRDS	Acres	Est Cost	Existing Protection?	Hunting?	Fishing?
Crow River	12031233	247	\$0	No	Not applicable	Not applicable

Otter Tail

Name	TRDS	Acres	Est Cost	Existing Protection?	Hunting?	Fishing?
Dane Lake	13241208	254	\$0	No	Not applicable	Not applicable
Folden Woods Marsh	13238228	80	\$0	No	Not applicable	Not applicable
Sampson Lake	13139208	134	\$0	No	Not applicable	Not applicable
Twin Lakes	13440219	46	\$0	No	Not applicable	Not applicable

Pope

Name	TRDS	Acres	Est Cost	Existing Protection?	Hunting?	Fishing?
Chippewa River	12540228	116	\$0	No	Not applicable	Not applicable

Todd

<b>Name</b>	<b>TRDS</b>	<b>Acres</b>	<b>Est Cost</b>	<b>Existing Protection?</b>	<b>Hunting?</b>	<b>Fishing?</b>
Juergens Lake	12834226	71	\$0	No	Not applicable	Not applicable

### **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.