

Lessard-Sams Outdoor Heritage Council

Laws of Minnesota 2015 Accomplishment Plan



Date: October 16, 2014

Program or Project Title: Protecting Forest Wildlife Habitat in the Wild Rice River Watershed

Funds Recommended: \$ 2,188,000

Manager's Name: Lorena Vogt
Title: Tribal Land Manager
Organization: White Earth Nation
Address: P.O. Box 495
City: White Earth, MN 56591
Office Number: 218-983-4650
Email: lorennav@whiteearth.com
Website: www.whiteearth.com

Legislative Citation:

Appropriation Language:

County Locations: Clearwater

Regions in which work will take place:

- Northern Forest

Activity types:

- Protect in Fee

Priority resources addressed by activity:

- Forest
- Prairie
- Wetlands

Abstract:

This project will protect forest wildlife habitat and prevent forest fragmentation through the fee acquisition of 2,034 acres of forestland, riparian corridors, and meadows adjacent to public land, encompassing over 6,500 feet of the Wild Rice River and its tributaries.

Design and scope of work:

I. Overview

This project will protect forest wildlife habitat and prevent forest fragmentation through White Earth Nation's fee acquisition of the Conservation Project Area, which consists of 2,034 acres of forestland, riparian corridors, and open meadows, encompassing 6,500 feet of the Wild Rice River and its tributaries. The Conservation Project Area is adjacent to thousands of acres of state, county, and tribal lands, creating contiguous forestland and wildlife corridors. There is great urgency to this project. The industrial forest owner that owns this land is actively marketing for sale more than 1,500 acres of the property.

II. The Diverse Landscape of the White Earth Reservation

White Earth Reservation encompasses approximately 829,000 acres in Clearwater, Becker, and Mahnommen Counties, of which

approximately 63,000 acres are tribally owned and managed. White Earth Reservation is at the heart of one of the most diverse transition ecological zones in North America, encompassing three LSOHC ecological regions: Prairie, Prairie/Forest Transition, and Northern Forest. White Earth Reservation contains the 160,000-acre White Earth State Forest. Tamarac National Wildlife Refuge, a significant refuge for migratory birds and other wildlife, is situated along the southern boundary of the reservation. Itasca State Park – the source of the headwaters of the Mississippi River -- is along southeastern boundary of the reservation. The diversity of habitat of White Earth Reservation presents significant conservation opportunities, including the 2,034 acres that would be protected through this project.

III. The Habitat of the Conservation Project Area

The 2,034-acre Conservation Project Area consists forestland, riparian corridors, and open meadows. The Conservation Project Area is adjacent to thousands of acres of forestland owned by the state, county, and tribe. Virtually all of the Conservation Project Area is within White Earth State Forest. Protecting the Conservation Project Area will maintain this intact forestland and the wildlife habitat corridors that are threatened by the potential sale of these properties.

The Conservation Project Area is adjacent to Perch Lake State Wildlife Management Area (WMA), which features an open-water bog. The Conservation Project Area contains similar wetlands, providing additional habitat for migratory waterfowl. The Conservation Project Area includes over 6,500 feet of the Wild Rice River and its tributaries and is less than two miles from Lower Rice Lake, the largest lake on the reservation and the most significant rice-growing lake on the reservation, producing 200,000 pounds of wild rice each year. Lower Rice Lake is one of the finest rice-producing lakes in all of Minnesota. Protecting the Conservation Project Area will expand the buffer that protects Lower Rice Lake.

The Conservation Project Area has excellent habitat for migratory waterfowl, bald eagle, whitetail deer, ruffed grouse, woodcock, black bear, gray wolf, and the golden-winged warbler.

IV. Management of the Conservation Project Area

White Earth Nation has substantial experience in land management and collaboration with other conservation partners. The 829,000-acre White Earth Reservation includes 360,000 acres of forests, 48,000 acres of lakes, and 53,000 acres of wetlands. Of the 63,000 acres that are tribally owned and managed, approximately 55,000 acres are forested.

In 2002, White Earth Nation adopted an Integrated Resource Management Plan (IRMP) to guide its work and establish priorities. Based on the IRMP, in 2013, White Earth Nation adopted a Forest Management Plan. Acquiring the Conservation Project Area is consistent with the priorities of the IRMP and Forest Management Plan. In recent years, White Earth Nation has acquired the land surrounding Lower Wild Rice Lake to protect wildlife habitat. White Earth Nation manages Lower Rice Lake as a WMA. Acquiring the Conservation Project Area is a logical extension of the conservation work along the shores of Lower Wild Rice Lake.

In recent years, White Earth Nation has worked collaboratively with the Natural Resources Conservation Service (NRCS) and staff from Tamarac National Wildlife Refuge to restore habitat on 240 acres of tribal land encompassing the Wild Rice River just north of Lower Wild Rice Lake and very near the Conservation Project Area. The restoration activities in this collaboration include wetland impoundments for waterfowl habitat, prescribed burns for prairie restoration, and diversifying the forest habitat by establishing different age classes of trees. White Earth Nation would seek to establish similar collaborations with NRCS and U.S. Fish & Wildlife Service with respect to the Conservation Project Area.

White Earth Nation will manage the Conservation Project Area to maximize the wildlife habitat values. White Earth Nation will create diversity in tree species and age classes to expand the diversity of wildlife and enhance the resiliency of the forest. Openings and young-forest habitat will be established along the edges of older forest stands, providing excellent habitat for the golden-winged warbler and woodcock. Existing meadows will be planted with native forbs to promote pollinators. Upland areas will be replanted predominantly in red and white pine to restore the forest to pre-settlement conditions, along with stands of aspen and hardwoods.

V. There Is Great Urgency for This Project

There is great urgency for this project. Potlatch Timber Company, the industrial forest owner of the land, is actively marketing for sale more than 1,500 acres of the project site, including producing a promotional video to market one of the parcels for sale.

VI. Fee-to-Trust Process

After White Earth Nation acquires the Conservation Project Area, it will seek to transfer the land from “fee land” to “trust land” in which title is held by the United States government, while White Earth Nation retains the beneficial use of and full management responsibilities for the land. It is the overriding policy objective of the federal government to move tribal land into trust status. White Earth Nation is well aware that, to receive LSOHC funds, restrictions will be placed on the title to the Conservation Project Area to protect permanently the natural resources on the property. These restrictions will continue to remain in place after the land is in trust

status.

Crops:

Will there be planting of corn or any crop on OHF land purchased or restored in this program - **No**

How does the request address MN habitats that have: historical value to fish and wildlife, wildlife species of greatest conservation need, MN County Biological Survey data, and/or rare, threatened and endangered species inventories:

The Conservation Project Area has habitat to support the following Minnesota Special Concern Species: acadian flycatcher, cerulean warbler, northern goshawk, red-shouldered hawk, and trumpeter swan.

The Conservation Project Area has habitat to support the following Minnesota Wildlife Species in Greatest Conservation Need: Franklin's ground squirrel, American badger, LeConte's sparrow, northern pintail, lesser scaup, American bittern, Swainson's hawk, whip-poor-will, common nighthawk, veery, northern harrier, mash wren, olive-sided flycatcher, eastern wood pewee, black throated blue warbler, least flycatcher, common loon, wood thrush, red-headed woodpecker, swamp sparrow, black crowned night heron, rose breasted grosbeak, horned grebe, red-necked grebe, American woodcock, ovenbird, brown thrasher, and golden-winged warbler.

Bald eagles nest in the area. There is a healthy gray wolf population around Lower Rice Lake with at least one pack.

White Earth Nation will manage Conservation Project Area to create young forest openings on the edge of older forest stands, providing excellent habitat for the golden-winged warbler, whose population has been in dramatic decline in recent years. White Earth Nation will plant red and white pine in upland areas of the Conservation Project Area to establish pre-settlement forest conditions of the historic coniferous forest.

What is the nature of urgency and why it is necessary to spend public money for this work as soon as possible:

There is great urgency to this project. Potlatch Timber Company, the large industrial forest owner that owns the Conservation Project Area, is actively marketing for sale more than 1,500 acres of the property, including preparing a promotional sales video for one of the parcels.

Describe the science based planning and evaluation model used:

This acquisition is a high priority for White Earth Nation because: (1) the property is adjacent to thousands of acres of forestland already owned by the tribe, state, and county; (2) the close proximity of the property to Lower Rice Lake; (3) the opportunity to protect permanently significant wildlife corridors.

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

- H1 Protect priority land habitats
- LU8 Protect large blocks of forest land

Which other plans are addressed in this proposal:

- Outdoor Heritage Fund: A 25 Year Framework
- The Nature Conservancy's Superior Mixed Forest Ecoregional Plan

Which LSOHC section priorities are addressed in this proposal:

Northern Forest:

- Provide access to manage habitat on landlocked public properties or protect forest land from parcelization and fragmentation through fee acquisition, conservation or access easement

Relationship to other funds:

- Not Listed

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

A LSOHC grant will not displace existing White Earth Nation funding for conservation and natural resource management. Instead, the LSOHC grant will enable White Earth Nation to accelerate and expand its conservation efforts. White Earth Nation has acquired several properties in recent years to protect the shoreline of Wild Rice Lake. Receiving the LSOHC grant will enable White Earth Nation to seize the unique opportunity created when Potlatch Timber Company put up for sale more than 1,500 acres of forestland in the vicinity of Wild Rice Lake. Acquisition of the Conservation Protection Area will enable White Earth Nation to accelerate its efforts to diversify the type and age class of forestland and restore the pre-settlement red and white pine forest cover on the reservation.

Describe the source and amount of non-OHF money spent for this work in the past:

Appropriation Year	Source	Amount
2009-13	White Earth Nation general funds and settlement funds	\$283,500 used to purchase 300 acres

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

White Earth Nation is not seeking any Outdoor Heritage Funds to support the personnel time that will be required to implement this project. Instead, White Earth Nation will implement this project using its existing staff funded through established sources. Since sustaining management of the Conservation Project Area is not dependent upon Outdoor Heritage Funds, White Earth Nation will be able to maintain its forest and natural resources management work after Outdoor Heritage Funds are used to purchase the Conservation Project Area.

Explain the things you will do in the future to maintain project outcomes:

Year	Source of Funds	Step 1	Step 2	Step 3
2017	White Earth Nation general funds	Conduct natural resources inventory and evaluation		
2018	White Earth Nation general funds	Develop ecological and restoration management plan that defines management zones on the property		
2018	White Earth Nation general funds	Initiate implementation of management practices on approximately 200 acres per year		

Activity Details:

If funded, this proposal will meet all applicable criteria set forth in MS 97A.056 - **Yes**

Will local government approval be sought prior to acquisition - **No**

None.

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

Is this land currently open for hunting and fishing - **Yes**

The land is not open to public hunting. The current industrial landowner leases out some of its properties for private hunting, but the project area is not open to public hunting.

Will the land be open for hunting and fishing after completion - **Yes**

White Earth Nation strongly supports hunting and fishing. The Conservation Project Area will be open to public hunting and fishing to tribal and non-tribal members. Since the Conservation Project Area is within the boundaries of White Earth Reservation and would be tribally-owned, there will be no wolf hunting on the properties in accordance with White Earth Nation hunting regulations.

Accomplishment Timeline:

Activity	Approximate Date Completed
Negotiate with the landowner and enter into a purchase agreement.	August 1, 2015
Conduct due diligence for acquisition of the properties (appraisal, title work, environmental assessment).	November 1, 2015
DNR completes review of appraisal of the properties.	April 1, 2016
Acquire fee title to the properties.	June 1, 2016

Federal Funding:

Do you anticipate federal funds as a match for this program - **No**

Outcomes:

Programs in the northern forest region:

- Forestlands are protected from development and fragmentation *White Earth Nation will evaluate the effectiveness in protecting forestland from fragmentation by measuring: (1) the total acreage of forestland that is transferred from private ownership to tribal ownership and (2) the acreage of forestland that is acquired by White Earth Nation that is adjacent to existing tribal, state or county lands that serve as wildlife corridors.*

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

The LSOHC has recommended to fully fund this project.

Total Amount of Request: \$ 2188000

Budget and Cash Leverage

BudgetName	LSOHC Request	Anticipated Leverage	Leverage Source	Total
Personnel	\$0	\$120,000	White Earth Nation	\$120,000
Contracts	\$0	\$70,000	White Earth Nation	\$70,000
Fee Acquisition w/ PILT	\$0	\$0		\$0
Fee Acquisition w/o PILT	\$2,180,000	\$0		\$2,180,000
Easement Acquisition	\$0	\$0		\$0
Easement Stewardship	\$0	\$0		\$0
Travel	\$0	\$0		\$0
Professional Services	\$8,000	\$8,000	White Earth Nation	\$16,000
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
Total	\$2,188,000	\$198,000		\$2,386,000

Personnel

Position	FTE	Over # of years	LSOHC Request	Anticipated Leverage	Leverage Source	Total
various personnel	0.00	0.00	\$0	\$120,000	White Earth Nation	\$120,000
Total	0.00	0.00	\$0	\$120,000		\$120,000

Amount of Request: \$2,188,000

Amount of Leverage: \$198,000

Leverage as a percent of the Request: 9.05%

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	199	40	1,795	0	2,034
Protect in Easement	0	0	0	0	0
Enhance	0	0	0	0	0
Total	199	40	1,795	0	2,034

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	\$221,000	\$56,000	\$1,911,000	\$0	\$2,188,000
Protect in Easement	\$0	\$0	\$0	\$0	\$0
Enhance	\$0	\$0	\$0	\$0	\$0
Total	\$221,000	\$56,000	\$1,911,000	\$0	\$2,188,000

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	2,034	2,034
Protect in Easement	0	0	0	0	0	0
Enhance	0	0	0	0	0	0
Total	0	0	0	0	2,034	2,034

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	\$2,188,000	\$2,188,000
Protect in Easement	\$0	\$0	\$0	\$0	\$0	\$0
Enhance	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$2,188,000	\$2,188,000

Table 5. Average Cost per Acre by Resource Type

Type	Wetlands	Prairies	Forest	Habitats
Restore	\$0	\$0	\$0	\$0
Protect in Fee with State PILT Liability	\$0	\$0	\$0	\$0
Protect in Fee W/O State PILT Liability	\$1111	\$1400	\$1065	\$0
Protect in Easement	\$0	\$0	\$0	\$0
Enhance	\$0	\$0	\$0	\$0

Table 6. Average Cost per Acre by Ecological Section

Type	Metro/Urban	Forest/Prairie	SE Forest	Prairie	Northern Forest
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	\$1076
Protect in Easement	\$0	\$0	\$0	\$0	\$0
Enhance	\$0	\$0	\$0	\$0	\$0

Target Lake/Stream/River Feet or Miles

5

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

Clearwater

Name	TRDS	Acres	Est Cost	Existing Protection?	Hunting?	Fishing?
Parcel 112050500	14538205	114	\$137,000	No	Limited	Full
Parcel 112070200	14538207	160	\$168,000	No	Limited	Full
Parcel 112170200	14538217	440	\$528,000	No	Limited	Full
Parcel 112170300	14538217	40	\$48,000	No	Limited	Full
Parcel 112190200	14538219	200	\$182,000	No	Limited	Full
Parcel 112200100	14538220	480	\$436,000	No	Limited	Full
Parcel 112210200	14538221	40	\$48,000	No	Limited	Full
Parcel 112290200	14538229	160	\$145,000	No	Limited	Full
Parcel 112300100	14538230	120	\$109,000	No	Limited	Full
Parcel 130290500	14537229	280	\$379,000	No	Limited	Full

Section 2a - Protect Parcel with Bldgs

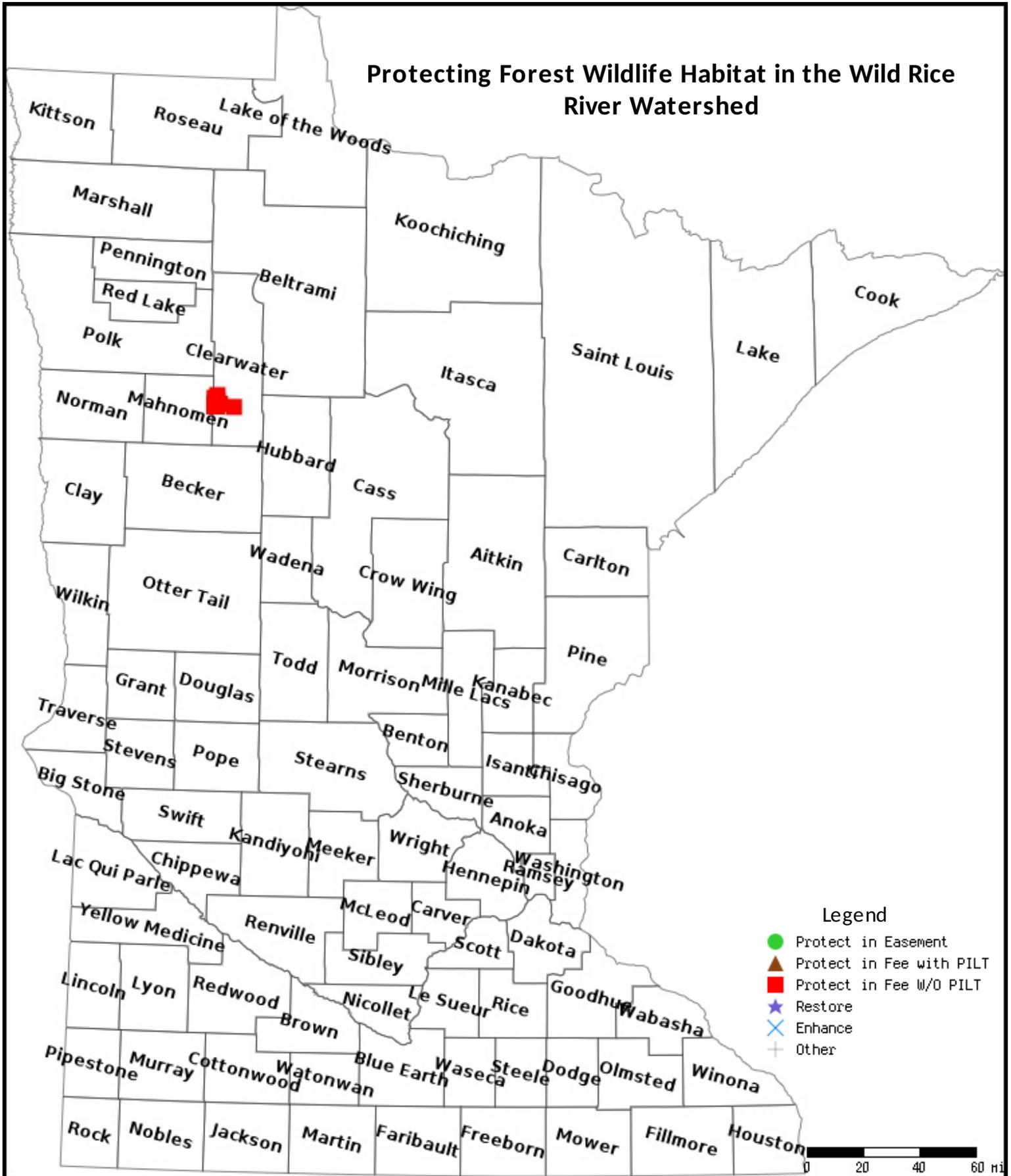
No parcels with an activity type protect and has buildings.

Section 3 - Other Parcel Activity

No parcels with an other activity type.

Parcel Map

Protecting Forest Wildlife Habitat in the Wild Rice River Watershed



Data Generated From Parcel List

**WHITE EARTH RESERVATION TRIBAL COUNCIL
A/K/A WHITE EARTH BUSINESS COMMITTEE
WHITE EARTH BAND OF CHIPPEWA INDIANS**

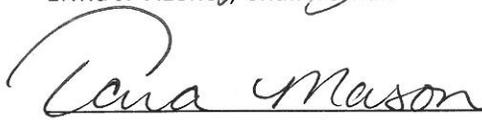
Resolution No. 001-15-021

- WHEREAS,** the White Earth Reservation Tribal Council is the duly elected governing body of the White Earth Reservation pursuant to Article IV, Section 1, of the revised constitution of the Minnesota Chippewa Tribe, as amended, and organized under Section 16, of the Act of June 18, 1934 (48 Stat. 984), and
- WHEREAS,** the White Earth Reservation Tribal Council, also known as the White Earth Reservation Business Committee, is the duly authorized governing body of the White Earth Band, and
- WHEREAS,** the White Earth Reservation Tribal Council is responsible for and is authorized to engage in business activities that will further the economic well-being of members of the White Earth Reservation; and
- WHEREAS,** the White Earth Reservation Tribal Council has set as a priority of the Tribal government the acquisition of lands within the exterior boundaries of the Reservation so as to increase the White Earth Nation's land lease; and
- WHEREAS,** the White Earth Reservation Tribal Council previously applied through the Lessard-Sams Outdoor Heritage Council for financial assistance with respect to the purchase of an approximately 2,000 acre contiguous tract of land located in Clearwater County and offered for sale by the Potlatch Corporation; but the application was ultimately not accepted; and
- WHEREAS,** it is possible for the White Earth Reservation Tribal Council to re-submit its application for financial assistance through the Lessard-Sams Outdoor Heritage Council for the purchase of the 2,000 acre parcel of land located in Clearwater County.

NOW THEREFORE IT BE RESOLVED, that the White Earth Reservation Tribal Council of the White Earth Nation strongly supports an application to the Lessard-Sams Outdoor Heritage Council for funds through the Outdoor Heritage Fund to protect forest wildlife habitat and prevent forest fragmentation through the fee acquisition of approximately 2,000 acres of forestland, riparian corridors and meadows.

We do hereby certify that the foregoing resolution was adopted by a vote of 4 for, 0 against, 0 silent, a quorum being present at a special meeting of the White Earth Reservation Tribal Council held on June 22, 2015 in White Earth Minnesota.


Erma J. Vizenor, Chairwoman


Tara Mason, Secretary/Treasurer