

Lessard-Sams Outdoor Heritage Council

Laws of Minnesota 2016 Accomplishment Plan



Date: October 14, 2016

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

Funds Recommended: \$ 2,188,000

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Legislative Citation: ML 2016, Ch. 172, Art. 1, Sec. 2, Subd. 3(j)

Appropriation Language: \$2,188,000 the second year is to the commissioner of natural resources for an agreement with the White Earth Band of Ojibwe to acquire lands in fee in Clearwater County to be managed for wildlife habitat purposes. A list of proposed land acquisitions must be provided as part of the required accomplishment plan. As a condition of receiving the grant under this paragraph, the White Earth Band of Ojibwe shall: (1) ensure that current access roads and trails on the property are maintained and open to continue the current access to adjoining lands; (2) ensure that the property remains open to hunting and fishing for individuals of the public who are not members of a federally recognized tribe in a manner consistent with current law; and (3) not transfer fee interest in whole or in part to the United States either directly or through an intermediary in trust for the White Earth Band of Ojibwe. Failure to comply with the provisions of this paragraph shall trigger the reversion provisions of Minnesota Statutes, section 97A.056, subdivision 15.

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, prairie, and riparian corridors in the Wild Rice River watershed.

Design and scope of work:

I. Overview

White Earth Nation will protect forest wildlife habitat and prevent forest fragmentation through the fee acquisition of the Conservation Project Area, which consists of 2,034 acres of forestland, prairie, and riparian corridors, 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 was actively marketing 1,500 acres of the property until White Earth Nation entered into a purchase agreement for the land.

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 the habitat on the 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, prairie, and riparian corridors. 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. 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 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 this conservation work.

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 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. It is anticipated that upland areas will be replanted predominantly in red and white pine to restore the forest to pre-settlement conditions.

V. There Is Great Urgency for this Project

There is great urgency for this project. Prior to White Earth Nation entering into a purchase agreement for the property, Potlatch Corporation, the industrial forest owner of the land, was actively marketing for sale more than 1,500 acres of the project site.

VI. Fee Land

White Earth Nation shall not transfer fee interest in the property in whole or in part to the United States government, either directly or through an intermediary, to own in trust for White Earth Nation.

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 trumpeter swan has been sighted in the area.

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 anticipating planting red and white pine in upland areas of the Conservation Project Area to establish pre-settlement forest conditions of the historic coniferous forest.

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 program:

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

Which other plans are addressed in this program:

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

Which LSOHC section priorities are addressed in this program:

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

Describe the relationship of the funds:

Not Listed

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

An 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 Lower Rice Lake. Receiving the LSOHC grant will enable White Earth Nation to seize the unique opportunity created when Potlatch put up for sale more than 1,500 acres of forestland in the vicinity of Lower Rice Lake. Acquisition of the Conservation Protection Area will enable White Earth Nation to accelerate its efforts to 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
2018	White Earth Nation general funds	Conduct natural resources inventory and evaluation		
2019	White Earth Nation general funds	Develop an ecological and restoration management plan that defines management zones on the property		
2019	White Earth Nation general funds	Initiate implementation of management practices on approximately 200 acres per year		

Activity Details:

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

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

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 - **No**

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. In accordance with White Earth Nation hunting regulations, there will be no wolf hunting on the Conservation Project Area.

Are there currently trails or roads on any of the acquisitions on the parcel list - **Yes**

Describe the types of trails or roads and the allowable uses:

White Earth Nation is committed to protecting the conservation values and wildlife habitat of the 2,034-acre Conservation Project Area. There are no state-designated ATV or snowmobile trails on the property and White Earth Nation will not permit designated ATV or snowmobile trails on the property.

Jackson Road and Auginaugh Road are lightly-used public roads that cross the Conservation Project Area. In addition, there are logging roads on the property that have been used in conjunction with Potlatch Corporation’s timber operations. The logging roads also provide access to adjacent lands owned by Clearwater County and the State of Minnesota, which also conduct timber operations on

their lands. White Earth Nation is dedicated to being a good neighbor and will continue to permit Clearwater County and the State of Minnesota to use the logging roads on the Conservation Project Area to access county and state lands.

White Earth Nation will permit vehicles, ATVs, and snowmobiles onto the property for logging operations and habitat management. White Earth Nation will also permit the use of ATVs on the property as incidental use by both tribal and non-tribal members in conjunction with hunting or gathering wild rice, berries, and other plants, but these ATVs will be restricted to logging roads and cannot be ridden "off road" in order to prevent negative impacts on wildlife habitat. Other than the above permitted uses, other forms of motorized use, such as dirt bikes, will not be permitted on the property.

There are also informal foot trails on the property that typically follow game trails or tractor trails associated with past farming operations. White Earth Nation will not improve these trails for active recreation, but may maintain them for habitat management.

Will the trails or roads remain and uses continue to be allowed after OHF acquisition - **Yes**

How will maintenance and monitoring be accomplished:

White Earth Nation's Natural Resources Department will be responsible for maintaining and monitoring the use of the logging roads and informal foot trails on the project site.

Will new trails or roads be developed or improved as a result of the OHF acquisition - **No**

Accomplishment Timeline:

Activity	Approximate Date Completed
Negotiate with the landowner and enter into a purchase agreement.	Completed
Conduct due diligence for acquisition of the properties (appraisal, title work, environmental assessment).	November 1, 2016
DNR review of appraisal of the properties.	February 1, 2017
Acquire fee title to the properties.	April 1, 2017

Date of Final Report Submission: 11/1/2017

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 forestlands from fragmentation by measuring the total acreage of contiguous forestland that is transferred from private ownership to tribal ownership. In addition, to measure the added value of protecting land adjacent to existing protected lands or in areas of heightened habitat importance (such as riparian corridors), White Earth Nation will break out and measure subsets of the total acreage of protected forestland that are adjacent to existing protected lands or are in areas of special habitat value (e.g., in riparian 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

Not applicable.

Total Amount of Request: \$ 2188000

Budget and Cash Leverage

Budget Name	LSOHC Request	Anticipated Leverage	Leverage Source	Total
Personnel	\$5,000	\$120,000	White Earth Nation, White Earth Nation, White Earth Nation	\$125,000
Contracts	\$0	\$70,000	White Earth Nation	\$70,000
Fee Acquisition w/ PILT	\$0	\$0		\$0
Fee Acquisition w/o PILT	\$2,136,000	\$0		\$2,136,000
Easement Acquisition	\$0	\$0		\$0
Easement Stewardship	\$0	\$0		\$0
Travel	\$0	\$0		\$0
Professional Services	\$41,900	\$8,000	White Earth Nation	\$49,900
Direct Support Services	\$0	\$0		\$0
DNR Land Acquisition Costs	\$5,000	\$0		\$5,000
Capital Equipment	\$0	\$0		\$0
Other Equipment/Tools	\$0	\$0		\$0
Supplies/Materials	\$100	\$0		\$100
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
Tribal Land Manager	0.25	2.00	\$0	\$45,000	White Earth Nation	\$45,000
Forester	0.10	3.00	\$0	\$25,000	White Earth Nation	\$25,000
Wildlife Manager	0.20	3.00	\$0	\$50,000	White Earth Nation	\$50,000
Tribal Attorney	0.05	1.00	\$5,000	\$0		\$5,000
Total	0.60	9.00	\$5,000	\$120,000		\$125,000

Amount of Request: \$2,188,000

Amount of Leverage: \$198,000

Leverage as a percent of the Request: 9.05%

DSS + Personnel: \$5,000

As a % of the total request: 0.23%

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 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 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	Full	Full
Parcel 112070200	14538207	160	\$168,000	No	Full	Full
Parcel 112170200	14538217	440	\$528,000	No	Full	Limited
Parcel 112170300	14538217	40	\$48,000	No	Full	Full
Parcel 112190200	14538219	200	\$182,000	No	Full	Full
Parcel 112200100	14538220	480	\$436,000	No	Full	Full
Parcel 112210200	14538221	40	\$48,000	No	Full	Full
Parcel 112290200	14538229	160	\$145,000	No	Full	Full
Parcel 112300100	14538230	120	\$109,000	No	Full	Full
Parcel 130290500	14537229	280	\$379,000	No	Full	Full

Section 2a - Protect Parcel with Bldgs

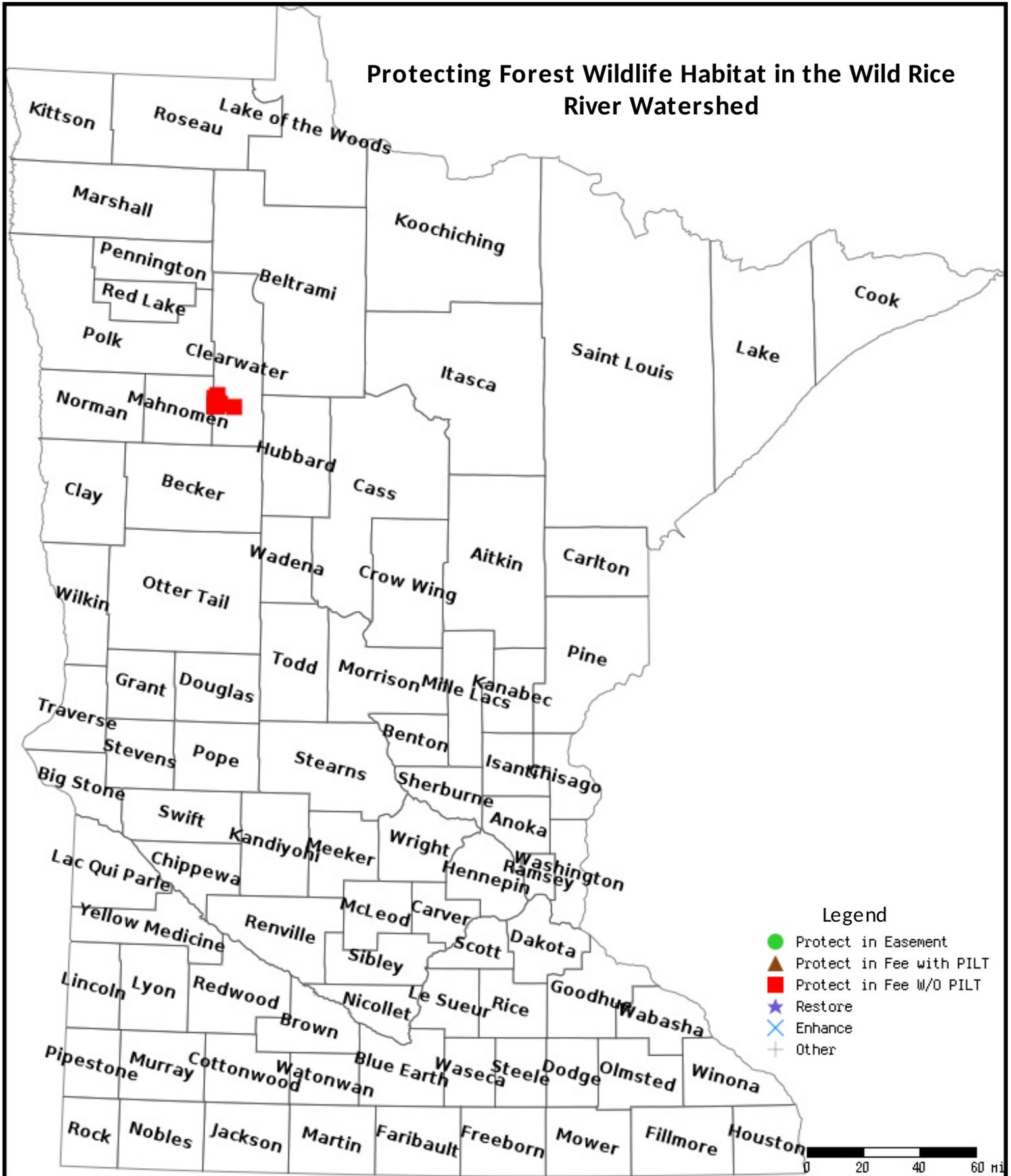
No parcels with an activity type protect and has buildings.

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