

# Lessard-Sams Outdoor Heritage Council

## Laws of Minnesota 2017 Accomplishment Plan



**Date:** October 17, 2016

**Program or Project Title:** Critical Shoreland Habitat Protection Program - Phase IV

**Funds Recommended:** \$ 1,700,000

**Manager's Name:** Wayne Ostlie  
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**Legislative Citation:** ML 2017, Ch. X, Art. X, Sec. X

**Appropriation Language:**

**County Locations:** Cook, Koochiching, Lake, and St. Louis.

**Regions in which work will take place:**

- Northern Forest

**Activity types:**

- Protect in Easement

**Priority resources addressed by activity:**

- Forest
- Habitat
- Wetlands

### Abstract:

This project will protect 1 mile of critical shoreland and 330 acres associated high-quality wildlife habitats in Minnesota's Northeast region by securing permanent conservation easements in strategic locations along priority lakes and rivers, creating protected habitat complexes.

### Design and scope of work:

The natural shoreline around Minnesota's celebrated lakes and rivers comprises one of the most biologically important systems in the state for fish, game and wildlife. It is also one of its most threatened. In order to preserve this important component of Minnesota's natural heritage, the Minnesota Land Trust proposes to implement Phase 4 of its Critical Shoreland Habitat Protection Program to protect important lakeshore and stream-side habitat. This project will build on the success of Phases 1-3 of this program and help fulfill the goals of the DNR's Aquatic Management Area program, the State Wildlife Action Plan, and many other state priorities.

In this fourth phase of the program, the Minnesota Land Trust will strategically concentrate its activity on important aquatic resources and associated forest habitat within northeast Minnesota, including DNR-designated high priority trout streams along the North Shore, sensitive shoreline along the deep-water border lakes and other high-quality aquatic habitats in the region. The Land Trust will protect 1 mile and 330 acres of threatened shoreline habitat by acquiring permanent conservation easements from willing landowners. The

program will continue to target projects that help complete gaps in existing public ownership, contain the highest-quality habitat, and provide the greatest leverage to the state. The Land Trust will seek donated easements in these areas whenever possible but also may purchase easements that help complete key complexes as necessary.

The development and disturbance of the state's remaining sensitive shoreland habitat continues to be a threat identified in many of the State's resource protection plans. Science conducted by the DNR and others indicate that the shoreland zone is one of the most biologically diverse and important habitat types for a variety of wildlife species. It is also one of Minnesota's most threatened resources due to the intensity of shoreline development and non-compatible management. Fortunately, there is an opportunity to address this threat. Outreach conducted under Phases 1-3 of this program has generated significant landowner interest; Phase 4 will provide the resources to meet this demand.

Conservation easements secured under this program will be perpetual and drafted to further prevent the fragmentation and destruction of existing habitat. These easements will ensure that the sensitive shoreline habitat will remain ecologically viable and productive for fish, game and wildlife by prohibiting land uses that negatively impacts the important habitat values and requiring habitat management plans to maximize the benefits of the shoreland and associated forested uplands.

Outcomes from this project include: 1) healthy populations of trout and other fish species, waterfowl, and other species in greatest conservation need; 2) maintaining water quality of aquatic resources; 3) increased participation of private landowners in habitat projects; and 4) enhancement of prior state and local investments made in shoreland and forest conservation in the region. The Land Trust will strategically target complexes of protect lands in which these outcomes are maximized.

### **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 natural shoreline around Minnesota's celebrated lakes and rivers comprises one of the most biologically important systems in the state for fish, game and wildlife and is also one of its most threatened. Phase 4 of this program will preserve critical shoreland habitats in northeast Minnesota - an important component of the state's natural heritage - essential to maintaining healthy populations of the region's fish and wildlife populations (trout and other fish, waterfowl, and other species in greatest conservation need) and maintaining water quality of aquatic resources. The protection of these habitats has been identified in numerous plans as a conservation priority for Minnesota, including the Minnesota Biological Survey, the DNR's Aquatic Management Area program, the State Conservation and Preservation Plan, Minnesota DNR Strategic Conservation Agenda, and the Outdoor Heritage Fund: A 25 Year Framework. The central goal of this program is to protect high quality critical shoreland habitat by securing permanent conservation easements in strategic locations along priority lakes and rivers, leaving a lasting legacy of protected habitat complexes.

### **Describe the science based planning and evaluation model used:**

All lands protected by Phase 4 have been identified as part of high priority shoreland projects through planning processes by public and private entities, including the Minnesota Land Trust, the Minnesota DNR, and others.

### **Which sections of the Minnesota Statewide Conservation and Preservation Plan are applicable to this program:**

- H1 Protect priority land habitats
- H2 Protect critical shoreland of streams and lakes

### **Which other plans are addressed in this program:**

- Minnesota DNR Strategic Conservation Agenda
- Tomorrow's Habitat for the Wild and Rare

### **Which LSOHC section priorities are addressed in this program:**

#### **Northern Forest:**

- Protect shoreland and restore or enhance critical habitat on wild rice lakes, shallow lakes, cold water lakes, streams and rivers, and spawning areas

### **Relationship to other funds:**

- Not Listed

**Describe the relationship of the funds:**

Not Listed

**How does this program include leverage in funds or other effort to supplement any OHF appropriation:**

The Land Trust encourages private landowners to fully or partially donate the appraised value of their conservation easement, thereby receiving less than the appraised value might otherwise allow. This donated value is shown as leveraged funds in the proposal. The Land Trust has a long track record in incentivizing landowners to participate in this fashion.

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

Appropriation Year	Source	Amount
2009	Environment and Natural Resources Trust Fund	210,000
2011	Environment and Natural Resources Trust Fund	450,000

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

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 and insured 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.

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

Year	Source of Funds	Step 1	Step 2	Step 3
2021 (and in perpetuity)	MLT Stewardship & Enforcement Fund	Annual monitoring of property in perpetuity	Enforcement as needed	

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

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

Who will manage the easement?

Minnesota Land Trust

Who will be the easement holder?

Minnesota Land Trust

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:

Most conservation easements are established on private lands, many of which have driveways, field roads and trails located on them. Often, these established trails and roads are permitted in the terms of the easement and can be maintained for personal use if their use does not significantly impact the conservation values of the property. Creation of new roads/trails or expansion of existing ones is not allowed.

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

How will maintenance and monitoring be accomplished:

Existing trails and roads are identified in the project baseline report and will be monitored annually as part of the Land Trust's stewardship and enforcement protocols. Maintenance of permitted roads/trails will be the responsibility of the landowner.

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

### Accomplishment Timeline:

Activity	Approximate Date Completed
Acquire conservation easements: 1) identify landowners; 2) negotiate, draft and complete easements; 3) dedicate funds for stewardship	June 30, 2020

**Date of Final Report Submission:** 11/1/2020

### 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 *This program will permanently protect 330 acres of strategic northern forest region habitats and approximately 1 miles of undeveloped shoreline. Measure: Acres protected.*

# 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 outputs of the grant have been reduced proportional to the reduced allocation relative to the original proposal.

**Total Amount of Request: \$ 1700000**

**Budget and Cash Leverage**

Budget Name	LSOHC Request	Anticipated Leverage	Leverage Source	Total
Personnel	\$90,000	\$0		\$90,000
Contracts	\$39,000	\$0		\$39,000
Fee Acquisition w/ PILT	\$0	\$0		\$0
Fee Acquisition w/o PILT	\$0	\$0		\$0
Easement Acquisition	\$1,298,400	\$230,000	Private Landowners	\$1,528,400
Easement Stewardship	\$120,000	\$0		\$120,000
Travel	\$10,000	\$0		\$10,000
Professional Services	\$112,000	\$0		\$112,000
Direct Support Services	\$25,600	\$25,600	MLT	\$51,200
DNR Land Acquisition Costs	\$0	\$0		\$0
Capital Equipment	\$0	\$0		\$0
Other Equipment/Tools	\$0	\$0		\$0
Supplies/Materials	\$5,000	\$0		\$5,000
DNR IDP	\$0	\$0		\$0
<b>Total</b>	<b>\$1,700,000</b>	<b>\$255,600</b>		<b>\$1,955,600</b>

**Personnel**

Position	FTE	Over # of years	LSOHC Request	Anticipated Leverage	Leverage Source	Total
Protection and Legal Staff	0.33	3.00	\$90,000	\$0		\$90,000
<b>Total</b>	<b>0.33</b>	<b>3.00</b>	<b>\$90,000</b>	<b>\$0</b>		<b>\$90,000</b>

Amount of Request: \$1,700,000  
 Amount of Leverage: \$255,600  
 Leverage as a percent of the Request: 15.04%  
 DSS + Personnel: \$115,600  
 As a % of the total request: 6.80%

**How did you determine which portions of the Direct Support Services of your shared support services is direct to this program:**

Like all conservation entities, the Minnesota Land Trust has direct support expenses which are essential to complete a conservation project, which include such costs as administrative support staff, office space, printing and office supplies. This proposal accounts for these critical expenses which are consistent with the Land Trust's current application for a federal indirect expense rate. However, we included only 50% of these direct support costs in this proposal, with the other 50% coming as leverage and paid for through the Land Trust's fundraising.

**Does the amount in the contract line include R/E work?**

No. They are for habitat management plans that we have completed for each conservation easement (budgeted at 6 easements @ \$6,500 per easement).

**Describe and explain leverage source and confirmation of funds:**

The Land Trust encourages landowners to fully or partially donate the value of conservation easements to ensure the perpetual protection of these important lands and waters. The leverage portion of the easement acquisition line item is a conservative estimate of value we expect to see donated to the Land Trust.

## 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	0	0	330	330
Enhance	0	0	0	0	0
Total	0	0	0	330	330

**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	\$0	\$0	\$0	\$0	\$0
Protect in Easement	\$0	\$0	\$0	\$1,700,000	\$1,700,000
Enhance	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$1,700,000	\$1,700,000

**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	0	330	330
Enhance	0	0	0	0	0	0
Total	0	0	0	0	330	330

**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	\$0	\$0
Protect in Easement	\$0	\$0	\$0	\$0	\$1,700,000	\$1,700,000
Enhance	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$1,700,000	\$1,700,000

**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	\$0	\$0	\$0	\$0
Protect in Easement	\$0	\$0	\$0	\$5152
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	\$0
Protect in Easement	\$0	\$0	\$0	\$0	\$5152
Enhance	\$0	\$0	\$0	\$0	\$0

**Target Lake/Stream/River Feet or Miles**

1 mile

## 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

Cook

Name	TRDS	Acres	Est Cost	Existing Protection?	Hunting?	Fishing?
Lake Superior 1	05805201	23	\$425,000	No	No	

Koochiching

Name	TRDS	Acres	Est Cost	Existing Protection?	Hunting?	Fishing?
Rainy Lake	07122219	28	\$250,000	No	No	

Lake

Name	TRDS	Acres	Est Cost	Existing Protection?	Hunting?	Fishing?
Lake Superior 2	05309206	5	\$0	No	No	
Lake Superior 3	05211215	66	\$0	No	No	
Long Lake	05511232	400	\$600,000	No	No	
Silver Creek	05709208	2,000	\$2,000,000	No	No	
Skunk Creek	05409203	880	\$1,320,000	No	No	

St. Louis

Name	TRDS	Acres	Est Cost	Existing Protection?	Hunting?	Fishing?
Burntside Lake	06413235	90	\$1,070,000	No	No	
Burntside River 1	06313230	205	\$410,000	No	No	
Burntside River 2	06313226	80	\$160,000	No	No	
Burntside River 3	06313232	39	\$0	No	No	
King Lake	05412210	230	\$575,000	No	No	
Lake Vermillion Pine Island	06215205	33	\$0	No	No	
Little Fork River	06321230	165	\$0	No	No	
Low Lake	06412235	125	\$1,000,000	No	No	
Pelican River	06419208	93	\$20,000	No	No	
Thompson Lake 1	05314212	45	\$0	No	No	
Thompson Lake 2	05314211	10	\$0	No	No	

### Section 2a - Protect Parcel with Bldgs

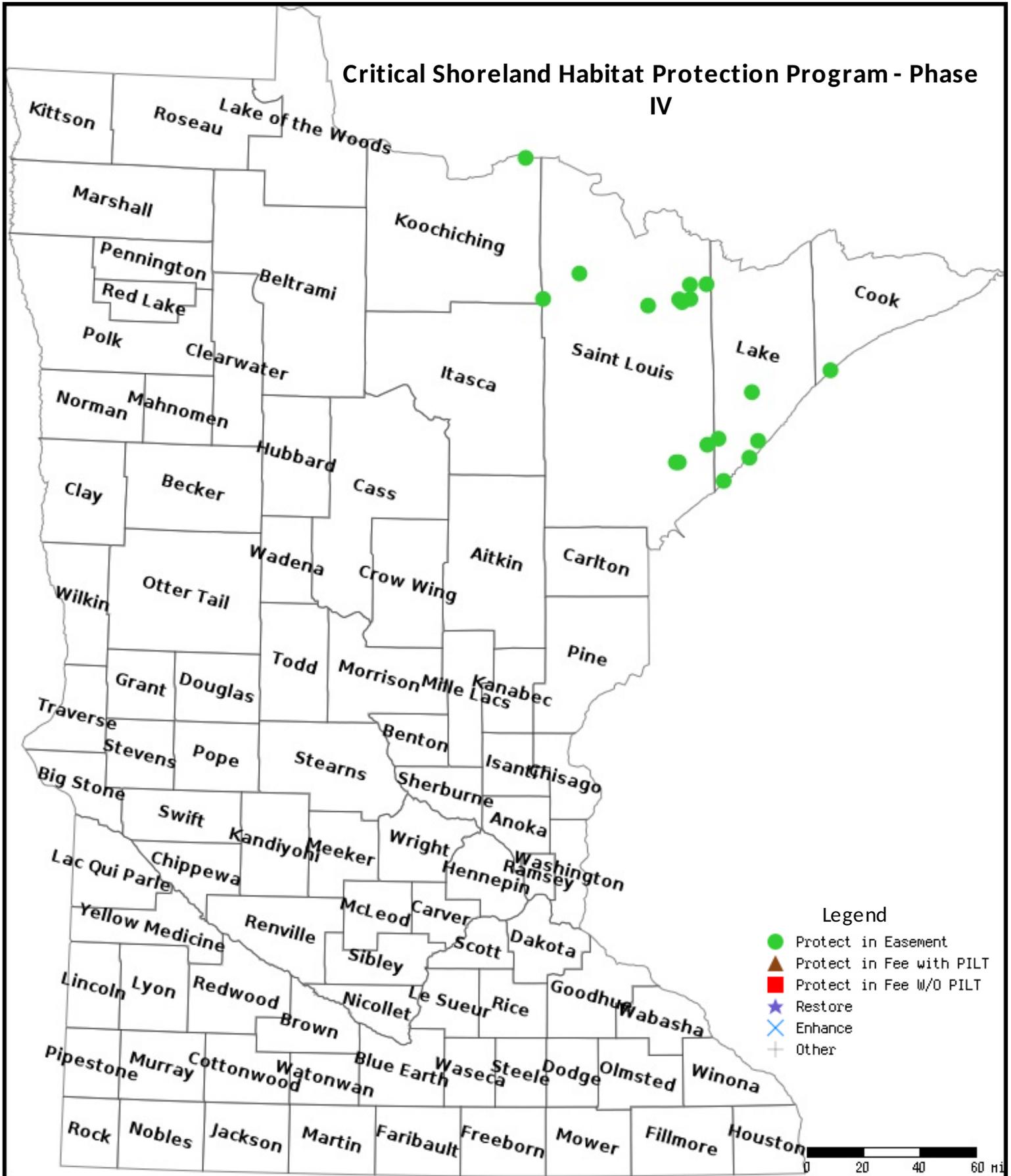
No parcels with an activity type protect and has buildings.

### Section 3 - Other Parcel Activity

No parcels with an other activity type.

# Parcel Map

## Critical Shoreland Habitat Protection Program - Phase IV



Data Generated From Parcel List



# Lessard-Sams Outdoor Heritage Council Comparison Report

**Program Title:** 2017 - Critical Shoreland Habitat Protection Program - Phase IV

**Organization:** Minnesota Land Trust

**Manager:** Wayne Ostlie

## Budget

Requested Amount: \$5,226,500

Appropriated Amount: \$1,700,000

Percentage: 32.53%

Budget Item	Total Requested		Total Appropriated		Percentage of Request	
	LSOHC Request	Anticipated Leverage	Appropriated Amount	Anticipated Leverage	Percentage of Request	Percentage of Leverage
Personnel	\$202,500	\$0	\$90,000	\$0	44.44%	-
Contracts	\$60,000	\$0	\$39,000	\$0	65.00%	-
Fee Acquisition w/ PILT	\$0	\$0	\$0	\$0	-	-
Fee Acquisition w/o PILT	\$0	\$0	\$0	\$0	-	-
Easement Acquisition	\$4,500,000	\$700,000	\$1,298,400	\$230,000	28.85%	32.86%
Easement Stewardship	\$200,000	\$0	\$120,000	\$0	60.00%	-
Travel	\$15,000	\$0	\$10,000	\$0	66.67%	-
Professional Services	\$196,000	\$0	\$112,000	\$0	57.14%	-
Direct Support Services	\$48,000	\$48,000	\$25,600	\$25,600	53.33%	53.33%
DNR Land Acquisition Costs	\$0	\$0	\$0	\$0	-	-
Capital Equipment	\$0	\$0	\$0	\$0	-	-
Other Equipment/Tools	\$0	\$0	\$0	\$0	-	-
Supplies/Materials	\$5,000	\$0	\$5,000	\$0	100.00%	-
DNR IDP	\$0	\$0	\$0	\$0	-	-
<b>Total</b>	<b>\$5,226,500</b>	<b>\$748,000</b>	<b>\$1,700,000</b>	<b>\$255,600</b>	<b>32.53%</b>	<b>34.17%</b>

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

The outputs of the grant have been reduced proportional to the reduced allocation relative to the original proposal.

# Output

**Table 1a. Acres by Resource Type**

Type	Total Proposed	Total in AP	Percentage of Proposed
Restore	0	0	-
Protect in Fee with State PILT Liability	0	0	-
Protect in Fee W/O State PILT Liability	0	0	-
Protect in Easement	1,000	330	33.00%
Enhance	0	0	-

**Table 2. Total Funding by Resource Type**

Type	Total Proposed	Total in AP	Percentage of Proposed
Restore	0	0	-
Protect in Fee with State PILT Liability	0	0	-
Protect in Fee W/O State PILT Liability	0	0	-
Protect in Easement	5,226,500	1,700,000	32.53%
Enhance	0	0	-

**Table 3. Acres within each Ecological Section**

Type	Total Proposed	Total in AP	Percentage of Proposed
Restore	0	0	-
Protect in Fee with State PILT Liability	0	0	-
Protect in Fee W/O State PILT Liability	0	0	-
Protect in Easement	1,000	330	33.00%
Enhance	0	0	-

**Table 4. Total Funding within each Ecological Section**

Type	Total Proposed	Total in AP	Percentage of Proposed
Restore	0	0	-
Protect in Fee with State PILT Liability	0	0	-
Protect in Fee W/O State PILT Liability	0	0	-
Protect in Easement	5,226,500	1,700,000	32.53%
Enhance	0	0	-