

# Lessard-Sams Outdoor Heritage Council

## Laws of Minnesota 2017 Accomplishment Plan



**Date:** October 07, 2016

**Program or Project Title:** Wild Rice Shoreland Protection - Phase V

**Funds Recommended:** \$ 750,000

**Manager's Name:** Dan Steward

**Title:** Watershed/Private Forest Management Program Coordinator

**Organization:** Minnesota Board of Water and Soil Resources

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**Legislative Citation:** ML 2017, Ch. X, Art. X, Sec. X

**Appropriation Language:**

**County Locations:** Not Listed

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

- Forest / Prairie Transition
- Northern Forest

**Activity types:**

- Protect in Easement

**Priority resources addressed by activity:**

- Forest

### Abstract:

This Phase 5 continuation of the Wild Rice Shoreland Protection Program will utilize permanent conservation easements to protect 500 acres, translating to approximately 3 miles of wild rice shoreland habitat. Sites are selected through an integrative ranking process that considers development risk, surrounding land use, habitat value, and numerous other criteria. BWSR will utilize the RIM Easement process in partnership with 12 local SWCDs within the Northern Forest and Forest/Prairie Transition Sections during the appropriation term.

### Design and scope of work:

Historically, wild rice occurred throughout Minnesota and extended into northern Iowa. Wild rice has since been extirpated from most of its southern range due to human impacts including changes to water quality and chemistry, sedimentation, drainage, flow alteration, boat traffic and competition from introduced aquatic invasive species. Today, the heart of the state's wild rice acreage falls within this project work area comprised of 12 counties -- Aitkin, Becker, Beltrami, Carlton, Cass, Clearwater, Crow Wing, Hubbard, Itasca, St. Louis, Todd and Wadena.

Recent well-documented population and development trends pose a serious threat to wild rice habitat. This population and development boom has reduced the availability of developable shoreline on recreational lakes, resulting in shallow lakes, rivers, and shallow bays containing wild rice being increasingly targeted for shoreline development. This wild rice shoreland complex remains intact with good water quality, but it is subject to intense development pressure that, if allowed, will degrade the resource.

Voluntary, incentive-based conservation protection options for shoreland landowners are few. Unlike the prairie portion of the state where state funded easement options exist for conservation-minded landowners, private land protection options are limited for wild rice shoreland in the forest due to funding constraints. Further, many easement programs are targeted for restoration and not protection. In the northern forest, lower land values allow conservation dollars to stretch further while also leveraging existing public lands. Most public waters offer some form of public access. This proposal will continue to fill a need for shoreland protection on key water bodies supporting wild rice in the Northern Forest Section.

The BWSR's Reinvest in Minnesota (RIM) Program will protect 500 acres through permanent conservation easements that restrict development and maintain existing vegetative cover. Utilizing permanent conservation easements, BWSR and 12 local Soil and Water Conservation Districts (SWCDs) will continue to offer permanent shoreland protection on the shallow lakes, rivers and shallow bays producing wild rice.

Through the local SWCD offices, BWSR will purchase RIM easements using rates set by BWSR. Tracts will be selected based on the degree to which they help permanently protect all the land around a given wild rice water body. The RIM easements will be acquired through a sign-up process similar to BWSR's other easement programs. SWCD generated landowner applications will be reviewed and parcels ranked by the project committee with guidance provided by the "Wild Rice Shoreland Protection Criteria Sheet" (attached). Shoreland protection for wild rice lakes and rivers enjoys widespread support from tribal interests, SWCDs, and other habitat conservation partners.

### **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:**

Wild rice shoreland encompasses a complex of shallow lakes, rivers, and shallow bays of deeper lakes that support rice and provide some of the most important habitat for wetland-dependent wildlife species in Minnesota. Wild rice habitat is especially important to Minnesota's migrating and breeding waterfowl. More than 17 species of wildlife listed as Species of Greatest Conservation Need (SGCN) use wild rice areas as habitat for breeding, migration, and/or foraging.

These targeted SGCN are as follows:

Common Loon, Trumpeter Swan, Bald Eagle, American Bittern, Least Bittern, Red-necked Grebe, Sora Rail, Virginia Rail, Yellow Rail, Black Tern, Rusty Blackbird, Sedge Wren, Lesser Scaup, Northern Pintail, and American Black Duck.

Wild rice is some of the most important habitat for wetland-dependent wildlife species in Minnesota as noted in the MNDNR's Natural Wild Rice in Minnesota report to the legislature (2008). Important game species supported by wild rice include the Ring-necked Duck, Mallard, Blue-winged Teal, Scaup, and Bufflehead.

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

To target sites, aerial photos of wild rice lakes are reviewed during a preliminary screening to find those that are the most intact, provide the most wild rice, with the most waterfowl use, and can be protected for the least cost. Lakes are sorted into Low, Medium and High categories. Once the lakes have been ranked the SWCD then contacts landowners on the high and some of the medium priority lakes.

Easement selection occurs with a goal of maximum wild rice habitat complex protection along all shoreland of a lake. Easement parcels are further targeted and prioritized by adjacency to current protected lands/public lands and a low level of current lake development. The following additional factors are considered to ensure site selection reflects current science-based measures for wild rice habitat protection: feet of shoreline protected, development potential of site, acquisition urgency, depth from shore, watershed considerations, easement size relative to the parcel, and an analysis of stakeholder support. Sites that contain a wild rice lake outlet are also prioritized for potential DNR management of water levels to ensure protection.

SWCD generated landowner applications will be reviewed and parcels ranked by the project committee with guidance provided by the "Wild Rice Shoreland Protection Criteria Sheet" attached to this proposal. Shoreland protection for wild rice lakes and rivers enjoys widespread support from tribal interests, SWCDs, and other habitat conservation partners.

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

- H2 Protect critical shoreland of streams and lakes
- H6 Protect and restore critical in-water habitat of lakes and streams

## Which other plans are addressed in this program:

- Outdoor Heritage Fund: A 25 Year Framework
- Natural Wild Rice in Minnesota (2008)

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

### Forest / Prairie Transition:

- 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

### 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:

- Environmental and Natural Resource Trust Fund

### Describe the relationship of the funds:

The Farm Bill Assistance Partnership (FBAP) with BWSR, DNR, PF, NRCS, MASWCD, and SWCDs as primary partners, provides funding to SWCDs to utilize technicians to promote the conservation provisions of the Federal Farm Bill and other conservation program opportunities to private landowners. The Environmental and Natural Resources Trust Fund (ENRTF) via LCCMR recommendations provided \$1.0M in FY10-11, \$625,000 in FY12-13, \$3.0M in FY 14-15 and \$1.0M in FY 16-17.

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

This proposal seeks to build on the previous successes that Wild Rice Shoreland Protection Phases 1-4 were able to provide. Numerous OHF appropriations have been made in support of migratory wildlife habitat, and an abundance of habitat in this Northern Forest portion of the Mississippi Flyway is important.

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

Not Listed

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

Once a RIM easement is acquired, BWSR is responsible for maintenance, inspection and monitoring into perpetuity. The BWSR partners with local SWCDs to carry-out oversight, monitoring and inspection of its conservation easements. 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 and partners' staff document findings. A non-compliance procedure is implemented when potential violations or problems are identified.

Perpetual monitoring and stewardship costs have been calculated at \$6,500 per easement. This value is based on using local SWCD staff for monitoring and landowner relations and existing enforcement authorities. The amount listed for Easement Stewardship covers costs of the SWCD regular monitoring, BWSR oversight, and enforcement.

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

Year	Source of Funds	Step 1	Step 2	Step 3
2017 - Ongoing	Stewardship Account	Compliance Checks first 5 years then every 3rd year.	Corrective actions of any violations	Enforcement action by MN Attorney General Office
2017 - Ongoing	Landowner Responsibility	Maintain compliance with easement terms.		

## 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?

BWSR will be the responsible party for monitoring & enforcing easements.

Who will be the easement holder?

BWSR will be the easement holder.

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:

This appropriation is funding a program that will have a parcel list identified at a later time. Roads or trails are typically excluded from the easement area if they serve no beneficial purpose to easement maintenance, monitoring, or enforcement. Existing trails and roads are identified during the easement acquisition process. Some roads and trails, such as agricultural field accesses, are allowed to remain.

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

How will maintenance and monitoring be accomplished:

The easements secured under this project will be managed as part of the MN Board of Water and Soil Resources (BWSR) RIM Reserve Program that has over 6,500 easements currently in place. Easements are monitored annually for each of the first 5 years and then every 3rd year after that. BWSR, in cooperation with Soil and Water Conservation Districts (SWCD), implement a stewardship process to track, monitor quality and assure compliance with easement terms.

Under the terms of the Reinvest In Minnesota (RIM) Easement Program, landowners are required to maintain compliance with the easement. A conservation plan is developed with the landowner and maintained as part of each easement. Basic easement compliance costs are borne by the landowner, periodic enhancements may be cost shared from a variety of sources.

Will new trails or roads be developed or improved as a result of the OHF acquisition - **Yes**

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

Though uncommon, there could be a potential for new trails to be developed, if they contribute to easement maintenance or benefit the easement site (e.g. firebreaks, berm maintenance, etc). Unauthorized trails identified during the monitoring process are in violation of the easement.

How will maintenance and monitoring be accomplished:

The easements secured under this project will be managed as part of the MN Board of Water and Soil Resources (BWSR) RIM Reserve Program that has over 6,500 easements currently in place. Easements are monitored annually for each of the first 5 years and then every 3rd year after that. BWSR, in cooperation with Soil and Water Conservation Districts (SWCD), implement a stewardship process to track, monitor quality and assure compliance with easement terms.

Under the terms of the Reinvest In Minnesota (RIM) Easement Program, landowners are required to maintain compliance with the easement. A conservation plan is developed with the landowner and maintained as part of each easement. Basic easement compliance costs are borne by the landowner, periodic enhancements may be cost shared from a variety of sources.

### Accomplishment Timeline:

Activity	Approximate Date Completed
RIM easements secured on 500 acres	June 30, 2021
Final report submitted	November 1, 2021

**Date of Final Report Submission:** 11/1/2021

## Federal Funding:

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

## Outcomes:

### Programs in the northern forest region:

- Healthy populations of endangered, threatened, and special concern species as well as more common species *A summary of the total of wetland acres and associated forest land secured under easement through this appropriation will be reported. On-site inspections are performed every three years and compliance checks are performed in the other two years to ensure maintained outcomes. Sustained habitat availability within a certain region is expected to maintain the carrying capacity of associated wildlife within that region. This would affect both game and nongame species. We expect sustained populations of endangered, threatened, special concern and game species as these easements are secured.*

### Programs in forest-prairie transition region:

- Improved aquatic habitat vegetation *A summary of the total of wetland acres and associated forest land secured under easement through this appropriation will be reported. On-site inspections are performed every three years and compliance checks are performed in the other two years to ensure maintained outcomes. Sustained habitat availability within a certain region is expected to maintain the carrying capacity of associated wildlife within that region. This would affect both game and nongame species. We expect sustained populations of endangered, threatened, special concern and game species as these easements are secured.*

# 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

A reduction in funding has reduced outputs proportionally. Program management costs are the exception, due to program management & oversight remaining consistent regardless of appropriation amount.

**Total Amount of Request: \$ 750000**

### Budget and Cash Leverage

Budget Name	LSOHC Request	Anticipated Leverage	Leverage Source	Total
Personnel	\$93,000	\$0		\$93,000
Contracts	\$18,000	\$0		\$18,000
Fee Acquisition w/ PILT	\$0	\$0		\$0
Fee Acquisition w/o PILT	\$0	\$0		\$0
Easement Acquisition	\$568,400	\$0		\$568,400
Easement Stewardship	\$58,500	\$0		\$58,500
Travel	\$1,300	\$0		\$1,300
Professional Services	\$0	\$0		\$0
Direct Support Services	\$8,300	\$0		\$8,300
DNR Land Acquisition Costs	\$0	\$0		\$0
Capital Equipment	\$0	\$0		\$0
Other Equipment/Tools	\$1,900	\$0		\$1,900
Supplies/Materials	\$600	\$0		\$600
DNR IDP	\$0	\$0		\$0
Total	\$750,000	\$0		\$750,000

### Personnel

Position	FTE	Over # of years	LSOHC Request	Anticipated Leverage	Leverage Source	Total
Program Management	0.12	5.00	\$68,800	\$0		\$68,800
Easement Processing	0.12	3.00	\$24,200	\$0		\$24,200
Total	0.24	8.00	\$93,000	\$0		\$93,000

Amount of Request: \$750,000

Amount of Leverage: \$0

Leverage as a percent of the Request: 0.00%

DSS + Personnel: \$101,300

As a % of the total request: 13.51%

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

BWSR calculates direct support services costs that are directly related to and necessary for each request based on the type of work being done.

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

No. The contract line amount will be used for payments to SWCD staff for easement implementation.

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

N/A

## 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	500	0	500
Enhance	0	0	0	0	0
Total	0	0	500	0	500

**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	\$750,000	\$0	\$750,000
Enhance	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$750,000	\$0	\$750,000

**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	50	0	0	450	500
Enhance	0	0	0	0	0	0
Total	0	50	0	0	450	500

**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	\$75,000	\$0	\$0	\$675,000	\$750,000
Enhance	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$75,000	\$0	\$0	\$675,000	\$750,000

**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	\$1500	\$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	\$0
Protect in Easement	\$0	\$1500	\$0	\$0	\$1500
Enhance	\$0	\$0	\$0	\$0	\$0

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

3 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

No parcels with an activity type protect.

### Section 2a - Protect Parcel with Bldgs

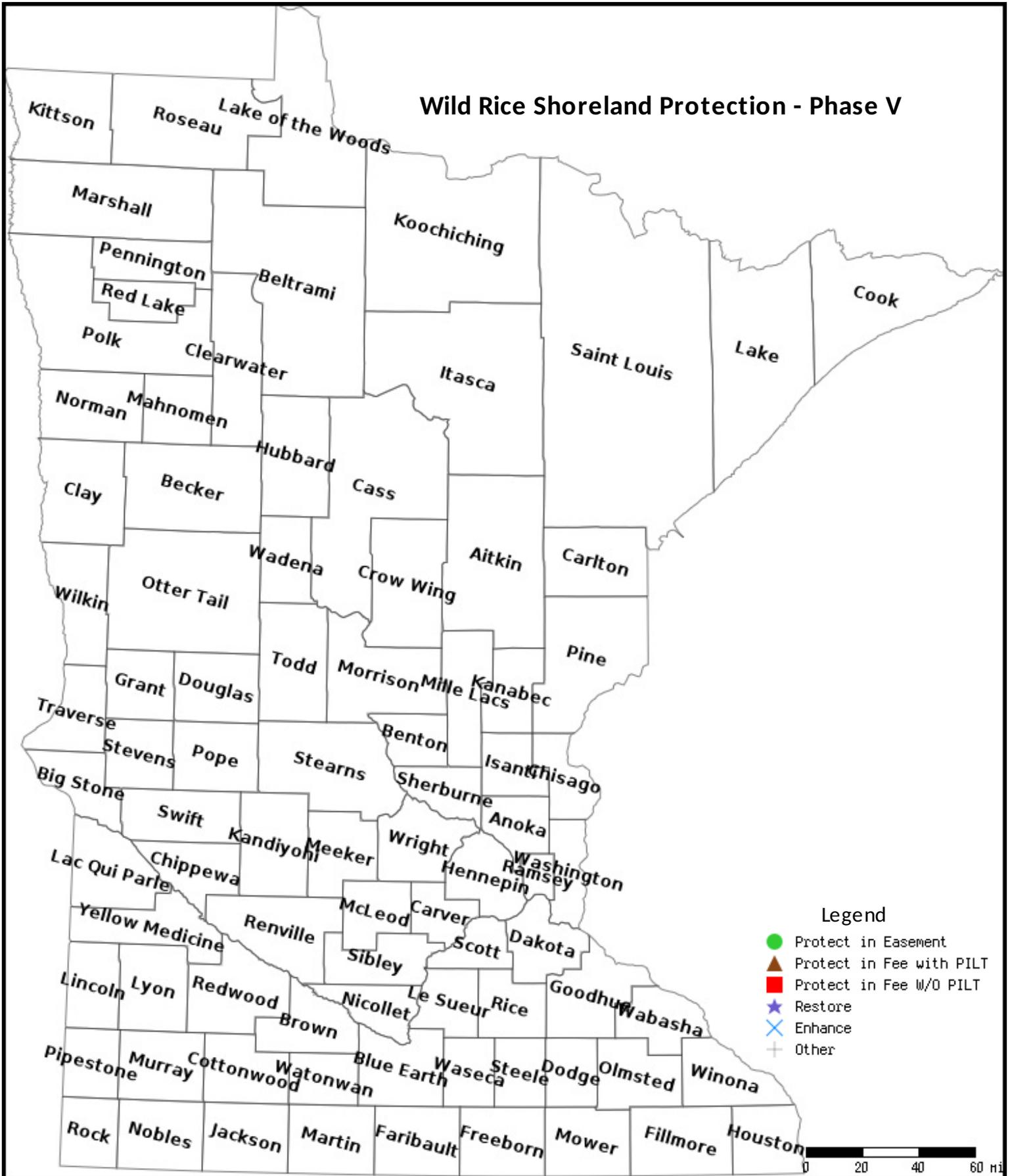
No parcels with an activity type protect and has buildings.

### Section 3 - Other Parcel Activity

No parcels with an other activity type.

# Parcel Map

## Wild Rice Shoreland Protection - Phase V



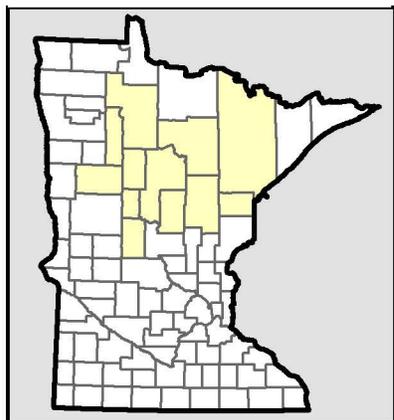
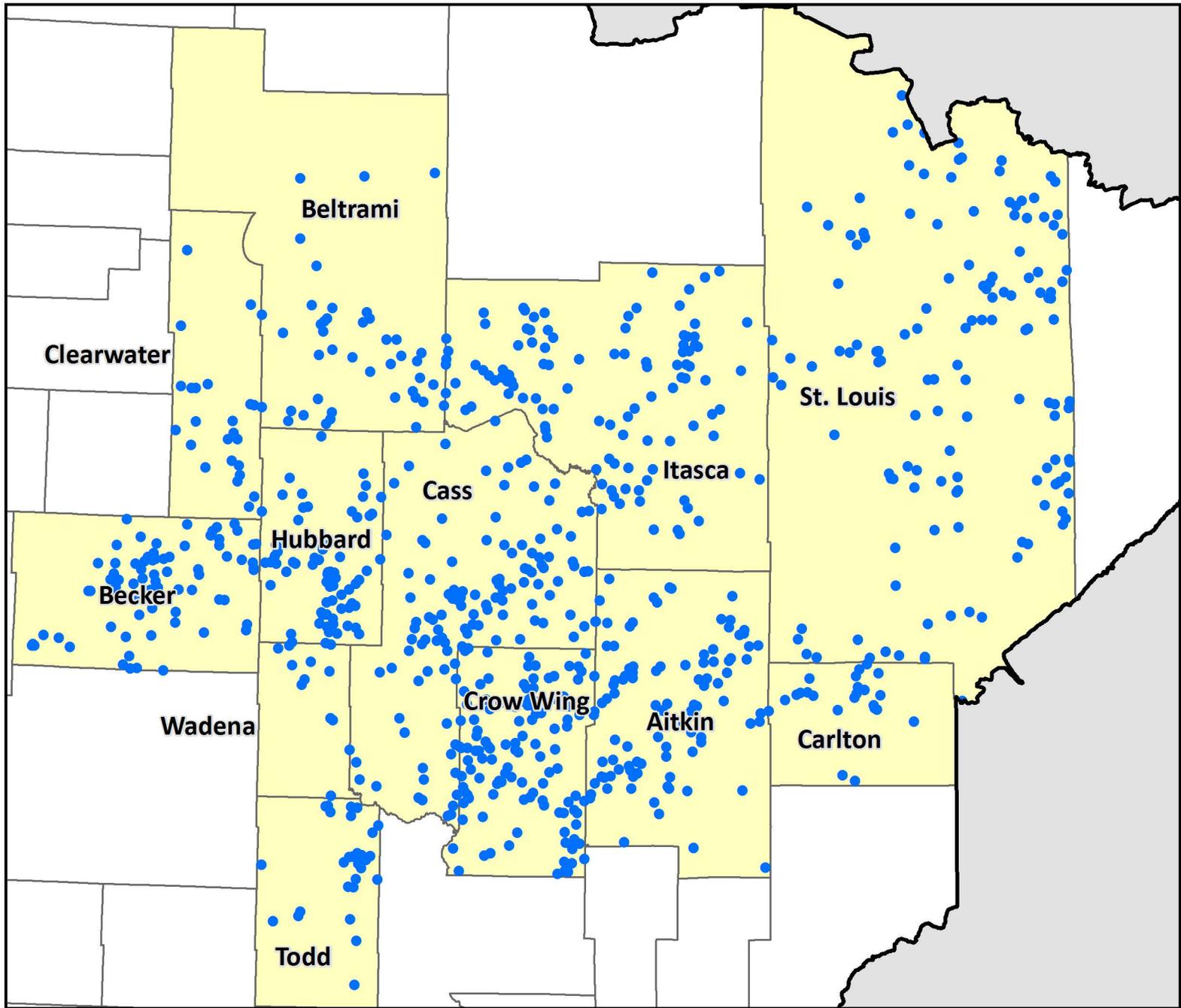
Data Generated From Parcel List

**Phase 2 RIM Ranking Sheet**  
**Shallow Lake Shoreland Protection Easements: Wild Rice Lakes**

11/6/2013

<u>Max Score</u>	<u>Criteria</u>	<u>Guidelines:</u>
30	# Feet of Shoreline	5 points for minimal shoreland on wild rice lake (<500ft) 10 points for at least 500 - 999 feet of shoreland on a wild rice lake 15 points for 1,000 - 2,000 feet of shoreland on a wild rice lake 20 points for 2,000 - 3,000 feet of shoreline on a wild rice lake 30 points for more than 3,000 feet of shoreland on a wild rice lake
15	% of Tract Developable	1-15 points base on the proportion of the tract that is developable (10%=1.5pts)
10	Wetland fringe width	1-10 points based on the distance between upland & the bank/water (0'=10pts, 300'=0pts, -1pt/30' wet)
20	Urgency	Property opportunity is likely to be lost if we do not act quickly
20	Depth from shore	5 points for easments > 300 feet deep along wild rice lake shore 10 points for easments > 500 feet deep along wild rice lake shore 20 points for easments > 900 feet deep along wild rice lake shore
15	Adjoining Applications	15 points for land adjoining another application
15	Adjoining Public Land	15 points for land adjoining public land on the wild rice lake, or adjoining land permanently protected by other easement program
10	Habitat Value	1-10 points based on the habitat value of the property, uniqueness, and lack of existing development and shoreline alterations
10	% of Parcel/Tract	1-10 points based on the proportion of the parcel enrolled (10% = 1 pt)
10	% of Lake Undeveloped	1-10 points based on the proportion of lake currently undeveloped (10% = 1 pt)
15	Lake Outlet	15 points for tracts containing land on the outlet of a wild rice lake & access granted for water level mngmt
15	Watershed	15 points for tracts with majority acres draining into the wild rice lake
15	Stakeholder Support	Up to 15 points for level of landowner support for shoreland protection and wild rice management (e.g. lake mgt plan that prioritizes wild rice protection in lake)
<b>200</b>	<b>TOTAL GROSS SCORE</b>	*Other factors may raise or lower the priority of a parcel
<b>100</b>	<b>Final Score (Total / 2)</b>	

# Identified Wild Rice Lakes



This map portrays all identified wild rice lakes. Lakes are further prioritized on a scale of high to low in consultation with DNR staff. Marketing and easement acquisition is targeted on high and some medium priority lakes. A project committee reviews easement applications and selects those that provide the greatest public benefit.

# Lessard-Sams Outdoor Heritage Council Comparison Report

**Program Title:** 2017 - Wild Rice Shoreland Protection - Phase V

**Organization:** Minnesota Board of Water and Soil Resources

**Manager:** Dan Steward

## Budget

Requested Amount: \$1,400,000

Appropriated Amount: \$750,000

Percentage: 53.57%

Budget Item	Total Requested		Total Appropriated		Percentage of Request	
	LSOHC Request	Anticipated Leverage	Appropriated Amount	Anticipated Leverage	Percentage of Request	Percentage of Leverage
Personnel	\$172,500	\$0	\$93,000	\$0	53.91%	-
Contracts	\$0	\$0	\$18,000	\$0	-	-
Fee Acquisition w/ PILT	\$0	\$0	\$0	\$0	-	-
Fee Acquisition w/o PILT	\$0	\$0	\$0	\$0	-	-
Easement Acquisition	\$1,043,500	\$0	\$568,400	\$0	54.47%	-
Easement Stewardship	\$123,500	\$0	\$58,500	\$0	47.37%	-
Travel	\$2,500	\$0	\$1,300	\$0	52.00%	-
Professional Services	\$38,000	\$0	\$0	\$0	0.00%	-
Direct Support Services	\$15,400	\$0	\$8,300	\$0	53.90%	-
DNR Land Acquisition Costs	\$0	\$0	\$0	\$0	-	-
Capital Equipment	\$0	\$0	\$0	\$0	-	-
Other Equipment/Tools	\$3,500	\$0	\$1,900	\$0	54.29%	-
Supplies/Materials	\$1,100	\$0	\$600	\$0	54.55%	-
DNR IDP	\$0	\$0	\$0	\$0	-	-
<b>Total</b>	<b>\$1,400,000</b>	<b>\$0</b>	<b>\$750,000</b>	<b>\$0</b>	<b>53.57%</b>	<b>-</b>

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

A reduction in funding has reduced outputs proportionally. Program management costs are the exception, due to program management & oversight remaining consistent regardless of appropriation amount.

# 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	500	50.00%
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	1,400,000	750,000	53.57%
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	500	50.00%
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	1,400,000	750,000	53.57%
Enhance	0	0	-