



Lessard-Sams Outdoor Heritage Council

Dakota County Habitat Protection/Restoration Phase VI
Laws of Minnesota 2018 Accomplishment Plan

General Information

Date: 02/01/2024

Project Title: Dakota County Habitat Protection/Restoration Phase VI

Funds Recommended: \$2,288,000

Legislative Citation: ML 2018, Ch. 208, Art. 1, Sec. 2, subd 5(f)

Appropriation Language: \$2,288,000 the second year is to the commissioner of natural resources for an agreement with Dakota County to acquire permanent conservation easements and lands in fee and to restore and enhance riparian and other habitats in Dakota County. A list of proposed land acquisitions and restorations and enhancements must be provided as part of the required accomplishment plan.

Additional Legislative Changes: ML 21 COVID

Manager Information

Manager's Name: Lisa West

Title: Senior Project Manager

Organization: Dakota County

Address: 14955 Galaxie Avenue

City: Apple Valley, MN 55124

Email: lisa.west@co.dakota.mn.us

Office Number: 952-891-7018

Mobile Number: 651-587-8278

Fax Number: 952-891-7031

Website: www.co.dakota.mn.us

Location Information

County Location(s): Dakota.

Eco regions in which work will take place:

- Metro / Urban
- Southeast Forest

Activity types:

- Protect in Easement
- Protect in Fee
- Restore

Priority resources addressed by activity:

- Wetlands
- Prairie
- Forest
- Habitat

Narrative

Abstract

This project will emphasize restoring and enhancing approximately 948 acres of various permanently protected habitats, and acquiring approximately 209 acres of permanent conservation easements or fee title. Project sites include Lake Byllesby Regional Park, land adjacent to Regional Park Reserves and Regional Greenways, Chub and Marcott Lakes, rivers and streams, and hydric soil areas. Habitats will include forest, grassland, wetland, and riparian areas throughout the County. This initiative will provide initial targeted and anticipated projects, and also provide flexibility for opportunities that cannot be anticipated at the time of submittal.

Design and Scope of Work

Historic settlement, modern-day suburban development, and modern agriculture have replaced, degraded and fragmented natural resource systems throughout Dakota County. Nearly every monitored waterbody in the County is impaired, and many larger scale habitats have been reduced to small remnants. These large-scale impacts and trends require a comprehensive, collaborative, long-term approach to maintain and improve the County's natural resource heritage and associated benefits. Approved County plans have identified the a two-year, self-funded highest quality natural areas and key connections, integrated sound fiscal and ecological approaches that attempts to balance the interests, rights and responsibilities of private landowners, to address the public's concerns about water and habitat.

The County has effectively worked with a variety of agencies, jurisdictions, organizations, and private landowners to implement comprehensive habitat protection since 2003 when it began implementing its Farmland and Natural Areas Protection Plan. The 2008 Vermillion River Corridor Plan provided a basis for riparian system land protection. These and other programs are now blended into a comprehensive Land Conservation Program that includes regional parks and multi-purpose greenways, natural areas, shoreland, and agricultural lands. The County developed conservation policy, increased staff, and refined project evaluation criteria and practices. The County has provided funding to assist the DNR in establishing new Wildlife Management Areas, Aquatic Management Areas and Scientific and Natural Areas and has acquired 112 conservation easements. Excluding additional habit in newly acquired park and greenway land, the County has now protected over 11,282 acres.

All easements require Natural Resource Management Plans (NRMPs) that reflect existing ecosystem health and recommend potential restoration management strategies, including work plans and budgets. A Management Agreement is signed by the landowner and County, identifying NRMP priorities, activities, responsibilities, costs and schedules. The proposed habitat restoration and enhancement projects in this funding request are based on these these and new work plans. On May 23, 2017, the County Board approved a two-year, self-funded, Natural Resource Management System Plan for significantly investing additional County funds to increase management within all park, greenways and easements. The NRMSP will have direct and indirect benefits to fish, game and wildlife, beyond the increased and interconnected terrestrial habitat.

The acquisition projects proposed and anticipated within this funding request involve riparian areas along the Mississippi River, Cannon River (including Dutch, Mud, Chub, Darden and Pine Creeks, and Trout Brook) and Vermillion River (including North, Middle and South Creeks, the South Branch and their tributaries). Additional habitat focuses include Marcott and Chub lakes, Hampton and McMenomy Woods, hydric soil areas, and other high quality habitat areas.

Environmental Audits and/or Phase I Assessments are completed for all projects. Each easement is annually monitored with information is entered into a temporary land management data base that is in the process of being updated.

Restoration and enhancement activities would occur immediately on existing protected land; and for new acquisitions, would begin appropriately in the spring or fall following acquisition.

The Dakota County Board approved this proposal submission by Resolution No. 17-287 on May 23, 2017.

How does the plan address habitats that have significant value for wildlife species of greatest conservation need, and/or threatened or endangered species, and list targeted species?

The proposal integrates a number of state, regional County plans involving different aspects of habitat and wildlife. The County Board recently approved a Natural Resource Management System Plan (NRMSP) for all regional parks, regional greenways and conservation easements located throughout the County. Vegetation, water and wildlife were the three main elements for each land type. The NRMSP identified rare and endangered species, and species of greatest conservation need throughout the County based on different data sources. The NRMSP includes different Natural Resource Management Plan (NRMP) templates of each property type that will provide much more detail for individual sites which typically include a variety of habitat and plant community types. The County will prioritize the habitats preferred by these species for acquisition, restoration and enhancement activities. These habitats and associated species include, but are not limited to: Forest - northern long-eared bat, American woodcock, oven bird, rose-breasted grosbeak, least flycatcher, red-shouldered hawk; Prairies and Grasslands - badger, Franklin's ground squirrel, prairie vole, loggerhead shrike, eastern meadowlark, grasshopper sparrow and regal fritillary; Lakes, Ponds and Rivers - common snapping turtle and smooth soft shell turtle; Wetlands - sedge

wren, sand hill crane, Blanding's turtle and dragonflies. The County is assembling baseline data and will prioritize the habitats preferred by these species for acquisition, restoration and enhancement activities.

Describe how the plan uses science-based targeting that leverages or expands corridors and complexes, reduces fragmentation or protects areas identified in the MN County Biological Survey:

There was significant overlap between the County Biological Survey, the 2002 Farmland and Natural Area Protection Plan and the Metro Conservation Corridors in identifying habitat complexes and key corridors. Based on updated land cover mapping, DNR rare species data, Vermillion Corridor Plan, new SNA analysis, previously protected areas, County and local comprehensive plans, watershed plans and park and greenway plans, the County has refined its priority natural areas and the Metro Conservation Corridor Focus Areas. Using Dakota County's premier Geographic Information Systems (GIS) tools and expertise, County staff can further prioritize areas where important protection and improvement opportunities exist using other available data layers such as ownership parcels, soils, aspect, historical photography, and LIDAR. Project selection criteria have been revised to reflect this refined vision.

Which two sections of the Minnesota Statewide Conservation and Preservation Plan are most applicable to this project?

- H1 Protect priority land habitats
- H5 Restore land, wetlands and wetland-associated watersheds

Which two other plans are addressed in this program?

- Minnesota's Wildlife Management Area Acquisition - The Next 50 Years
- Outdoor Heritage Fund: A 25 Year Framework

Which LSOHC section priorities are addressed in this program?

Metro / Urban

- Protect habitat corridors, with emphasis on the Minnesota, Mississippi, and St. Croix rivers (bluff to floodplain)

Southeast Forest

- Protect, enhance, and restore habitat for fish, game, and nongame wildlife in rivers, cold-water streams, and associated upland habitat

Outcomes

Programs in metropolitan urbanizing region:

- A network of natural land and riparian habitats will connect corridors for wildlife and species in greatest conservation need ~ *The County has developed an integrated, long-term habitat protection system involving public and private land to provide multiple public benefits. Enlarging and improving existing protected habitat complexes and providing key connections will continue to be a focus. The County will prioritize its land protection and improvement efforts, based in part, on wildlife species by devoting staff time and resources to create baseline wildlife and habitat quality information, and monitor indicator and other species seasonally/annually to determine if County efforts are producing the desired results over time and to adapt or re-prioritize as appropriate.*

Programs in southeast forest region:

- Healthier populations of endangered, threatened, and special concern species as well as more common species ~ *A small portion of the County is included in this region. The County will prioritize its land protection and improvement efforts, based in part, on priority wildlife species. The County will devote staff time and resources to create baseline wildlife and habitat quality information, and monitor indicator and other species seasonally/annually to determine if County efforts are producing the desired results over time and to adapt or re-prioritize as appropriate.*

Does this program include leveraged funding?

-

Non-OHF Appropriations

Year	Source	Amount
ML 2012	County Match	\$16,274
ML 2013	County Match	\$1,332,536
ML 2014	County Match	\$2,925
2002-2012	County Bond Funds	\$20,000,000
2003-2015	Federal FRPP/ACEP	\$12,842,418
2008-2009	Metro Greenways	\$47,778
2003-2015	Landowner Donation	\$25,728,061
ML 2011	ENRTF	\$288,230
ML 2013	ENRTF	\$218,612

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

The County Board has shown a remarkable commitment to land conservation for the last fifteen years and continues to include "Clean and Green" as one of its four priority goals. Its ongoing commitment to adopting a comprehensive land conservation vision, maintaining a dedicated staff, reorganizing departments and staff to more effectively achieve its land conservation goals, approving current and future capital improvement program budgets, and providing an operating budget for annual monitoring inspections, are further evidence that the County has the interest, capacity and commitment to sustain this work.

The majority of the land protection and restoration work will occur on private lands and is designed to achieve maximum conservation benefits with fiscal efficiency. Relationship building, developing and implementing each NRMP, strategic assistance, and subsequent annual monitoring provide opportunities to share updated natural resource information and best management practices with landowners and achieve a higher likelihood of increased private stewardship. The recently approved Natural Resource Management System Plan using a public/private funding formula is further testament to this commitment. This comprehensive wildlife habitat and water quality approach on public and private lands provides the best opportunity to effectively protect and improve these community assets.

Actions to Maintain Project Outcomes

Year	Source of Funds	Step 1	Step 2	Step 3
2018	State grant, County match and landowner contribution	Restore existing protected lands and acquire easements and/or fee title	Monitor easements and restoration projects and use adaptive management for restoration and enhancement activities	-
2019	State grant, County match and landowner contribution	Restore existing and newly protected lands and acquire easements and fee title	Monitor easements and restoration projects and use adaptive management for future restoration and enhancement activities	-
2020	State grant, County match and landowner contribution	Restore existing and newly protected lands and easements and/or fee title	Monitor easements and restoration projects and use adaptive management for future restoration and enhancement activities	-
2021	State grant, County match, landowner contribution	Restore existing and newly protected lands and acquire easements and or appropriate fee title	Monitor easements and restoration projects and use adaptive management for future restoration and enhancement activities	-

Activity Details

Requirements

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

Yes

Will local government approval be sought prior to acquisition?

No

Describe any measures to inform local governments of land acquisition under their jurisdiction:

The County has excellent working relationships with its' cities and townships. Coordination takes place for each project with the respective jurisdiction. However, the County Board has historically not required respective jurisdictional approval if a private landowner desires to convey an easement to the County.

Is the land you plan to acquire (fee title) free of any other permanent protection?

Yes

Is the land you plan to acquire (easement) free of any other permanent protection?

Yes

Who will manage the easement?

Dakota County will manage the easement, along with the landowner as appropriate.

Who will be the easement holder?

Dakota County

Will restoration and enhancement work follow best management practices including MS 84.973 Pollinator Habitat Program?

Yes

Is the restoration and enhancement activity on permanently protected land per 97A.056, Subd 13(f), tribal lands, and/or public waters per MS 103G.005, Subd. 15 or on lands to be acquired in this program?

Yes

Where does the activity take place?

- Permanently Protected Conservation Easements
- County/Municipal
- Public Waters

Land Use

Will there be planting of any crop on OHF land purchased or restored in this program, either by the proposer or the end owner of the property, outside of the initial restoration of the land?

Yes

Explain what will be planted and include the maximum percentage of any acquired parcel that would be planted into foodplots by the proposer or the end owner of the property:

There may be situations where portions of the property may be cultivated. As part of a negotiated sale, the owner may be allowed to continue cultivating the same land for a short defined period of time as defined and allowed in the Natural Resource Management Plan (NRMP). In other situations it may be advantageous to allow a final soybean crop which can enhance the restoration process, by reducing weeds and residue.

Are any of the crop types planted GMO treated?

False

Is this land currently open for hunting and fishing?

Yes

Describe any variation from the State of Minnesota regulations:

Private lands with easements may be open for hunting and fishing at the discretion of the landowner but are subject to local ordinances.

Will the land be open for hunting and fishing after completion?

Yes

Describe any variation from the State of Minnesota regulations:

Land protected through partial OH funding may be open to hunting and fishing as appropriate, based on whether or not it remains in private ownership or becomes public land. Individual landowner consent would be required on private lands. In all cases, the types of hunting (i.e., bow or firearm) and fishing will be allowed only per local ordinances.

Who will eventually own the fee title land?

Private lands with easements may be open for hunting and fishing at the discretion of the landowner but are

subject to local ordinances. In the case of a fee title acquisition, ultimate ownership could vary; it may be Dakota County, it may be a city, or it may be the State of Minnesota via the Department of Natural Resources.

Will the eased land be open for public use?

Yes

Describe the expected public use:

Generally not, but the County has acquired some easements that are open for limited public use. In all cases, the decision to allow public use is determined by the landowner.

Are there currently trails or roads on any of the proposed acquisitions?

Yes

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

In some cases there are existing soft-surface trails and non-paved roads used for personal recreational use or to access portions of the property for various purposes.

Continued use is allowed, as defined by the easement and the Natural Resource Management Plan (NRMP), provided that such use does not compromise the conservation intent of the easement or the NRMP.

Will the trails or roads remain and uses continue to be allowed after OHF acquisition?

Yes

How will maintenance and monitoring be accomplished?

Existing soft-surface roads or trails may be retained, improved, removed or relocated. The new underlying fee owner of public land will be responsible for all maintenance and as included in a jointly developed NRMP. On easement land, the underlying fee owner is responsible for maintenance, but any changes to the existing trails or road are subject to review and approval by the County. Review of trails and roads are part of the County's annual monitoring process.

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:

Two acquisition projects may result in the creation of passive, nature-based open space where a limited amount of new, soft surface trails may be established, in part to assist in natural resource management.

How will maintenance and monitoring be accomplished?

The new underlying fee owner of public land will be responsible for all maintenance. A jointly developed NRMP will determine any changes to trails and roads. Review of trails and roads are part of the County's annual monitoring process.

Timeline

Activity Name	Estimated Completion Date
Restoration - Lake Byllesby Regional Park	June 30, 2023
Restoration - Land Conservation	June 30, 2023
Easement or Fee Title Acquisition	June 30, 2022

Date of Final Report Submission: 11/01/2023

Availability of Appropriation: Subd. 7. Availability of Appropriation

Money appropriated in this section may not be spent on activities unless they are directly related to and necessary for a specific appropriation and are specified in the accomplishment plan approved by the Lessard-Sams Outdoor Heritage Council. Money appropriated in this section must not be spent on indirect costs or other institutional overhead charges that are not directly related to and necessary for a specific appropriation. Unless otherwise provided, the amounts in this section are available until June 30, 2021. For acquisition of real property, the amounts in this section are available until June 30, 2022, if a binding agreement with a landowner or purchase agreement is entered into by June 30, 2021, and closed no later than June 30, 2022. Funds for restoration or enhancement are available until June 30, 2023, or five years after acquisition, whichever is later, in order to complete initial restoration or enhancement work. If a project receives at least 15 percent of its funding from federal funds, the time of the appropriation may be extended to equal the availability of federal funding to a maximum of six years if that federal funding was confirmed and included in the second draft accomplishment plan. Funds appropriated for fee title acquisition of land may be used to restore, enhance, and provide for public use of the land acquired with the appropriation. Public-use facilities must have a minimal impact on habitat in acquired lands.

Budget

Budget reallocations up to 10% do not require an amendment to the Accomplishment Plan.

Totals

Item	Funding Request	Leverage	Leverage Source	Total
Personnel	-	\$277,500	Dakota County	\$277,500
Contracts	\$1,324,500	\$530,600	Dakota County	\$1,855,100
Fee Acquisition w/ PILT	\$25,000	-	-	\$25,000
Fee Acquisition w/o PILT	\$446,000	\$115,000	Dakota County	\$561,000
Easement Acquisition	\$461,000	\$117,000	Dakota County	\$578,000
Easement Stewardship	-	-	-	-
Travel	-	-	-	-
Professional Services	\$29,000	-	-	\$29,000
Direct Support Services	-	-	-	-
DNR Land Acquisition Costs	\$2,500	-	-	\$2,500
Capital Equipment	-	-	-	-
Other Equipment/Tools	-	-	-	-
Supplies/Materials	-	-	Dakota County	-
DNR IDP	-	-	-	-
Grand Total	\$2,288,000	\$1,040,100	-	\$3,328,100

Personnel

Position	Annual FTE	Years Working	Funding Request	Leverage	Leverage Source	Total
Multiple positions from multiple County Departments	3.0	3.0	-	\$277,500	Dakota County	\$277,500

Amount of Request: \$2,288,000

Amount of Leverage: \$1,040,100

Leverage as a percent of the Request: 45.46%

DSS + Personnel: -

As a % of the total request: 0.0%

Easement Stewardship: -

As a % of the Easement Acquisition: -

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

Dakota County will further refine project target areas and re-prioritize projects. Restoration: Projects for which restoration is more critical will be addressed first. Acquisition: Projects for which easement or fee title acquisition is less urgent will be eliminated from the list or shifted to a lower priority.

Describe and explain leverage source and confirmation of funds:

The leverage source is Dakota County Board funds in its 2018 budget to match the OHF ML18 grant. The proposed matching funds were reduced following the reduction in requested grant funds.

Contracts

What is included in the contracts line?

Yes. The total amount in the Contract line is for restoration/enhancement work.

Federal Funds

Do you anticipate federal funds as a match for this program?

No

Output Tables**Acres by Resource Type (Table 1)**

Type	Wetland	Prairie	Forest	Habitat	Total Acres
Restore	71	97	79	633	880
Protect in Fee with State PILT Liability	0	0	10	0	10
Protect in Fee w/o State PILT Liability	0	0	0	38	38
Protect in Easement	0	6	4	122	132
Enhance	0	0	0	0	0
Total	71	103	93	793	1,060

Total Requested Funding by Resource Type (Table 2)

Type	Wetland	Prairie	Forest	Habitat	Total Funding
Restore	\$107,600	\$68,000	\$177,000	\$1,003,400	\$1,356,000
Protect in Fee with State PILT Liability	-	-	\$25,000	-	\$25,000
Protect in Fee w/o State PILT Liability	-	-	-	\$446,000	\$446,000
Protect in Easement	-	\$25,000	\$6,000	\$430,000	\$461,000
Enhance	-	-	-	-	-
Total	\$107,600	\$93,000	\$208,000	\$1,879,400	\$2,288,000

Acres within each Ecological Section (Table 3)

Type	Metro/Urban	Forest/Prairie	SE Forest	Prairie	N. Forest	Total Acres
Restore	581	0	299	0	0	880
Protect in Fee with State PILT Liability	0	0	10	0	0	10
Protect in Fee w/o State PILT Liability	38	0	0	0	0	38
Protect in Easement	128	0	4	0	0	132
Enhance	0	0	0	0	0	0
Total	747	0	313	0	0	1,060

Total Requested Funding within each Ecological Section (Table 4)

Type	Metro/Urban	Forest/Prairie	SE Forest	Prairie	N. Forest	Total Funding
Restore	\$928,300	-	\$427,700	-	-	\$1,356,000
Protect in Fee with State PILT Liability	-	-	\$25,000	-	-	\$25,000
Protect in Fee w/o State PILT Liability	\$446,000	-	-	-	-	\$446,000
Protect in Easement	\$455,000	-	\$6,000	-	-	\$461,000
Enhance	-	-	-	-	-	-
Total	\$1,829,300	-	\$458,700	-	-	\$2,288,000

Average Cost per Acre by Resource Type (Table 5)

Type	Wetland	Prairie	Forest	Habitat
Restore	\$1,515	\$701	\$2,240	\$1,585
Protect in Fee with State PILT Liability	-	-	\$2,500	-
Protect in Fee w/o State PILT Liability	-	-	-	\$11,736
Protect in Easement	-	\$4,166	\$1,500	\$3,524
Enhance	-	-	-	-

Average Cost per Acre by Ecological Section (Table 6)

Type	Metro/Urban	Forest/Prairie	SE Forest	Prairie	N. Forest
Restore	\$1,597	-	\$1,430	-	-
Protect in Fee with State PILT Liability	-	-	\$2,500	-	-
Protect in Fee w/o State PILT Liability	\$11,736	-	-	-	-
Protect in Easement	\$3,554	-	\$1,500	-	-
Enhance	-	-	-	-	-

Target Lake/Stream/River Feet or Miles

Several anticipated projects involve shoreline. However, the feet or miles are undetermined at this time and will be updated when projects are finalized.

Parcels

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.

Parcel Information

Sign-up Criteria?

No

Explain the process used to identify, prioritize, and select the parcels on your list:

Restore / Enhance Parcels

Name	County	TRDS	Acres	Est Cost	Existing Protection
Toohy	Dakota	11319201	10	\$80,000	Yes
Pine Bend Bluffs SNA	Dakota	02722227	17	\$22,400	Yes
Loretto	Dakota	11220224	6	\$90,000	Yes
Wicklund	Dakota	11219218	122	\$377,000	Yes
Adelmann	Dakota	11420236	38	\$125,000	Yes
Ag Society	Dakota	11319206	65	\$3,000	Yes
Weiss	Dakota	11517221	5	\$10,300	Yes
Sunset Sanctuary	Dakota	11319202	40	\$160	Yes
Grannis	Dakota	02722220	80	\$75,000	Yes
Bakken	Dakota	11219214	44	\$400	Yes
Boucher	Dakota	11418215	11	\$1,450	Yes
Hoffman/McNamara	Dakota	11418212	20	\$43	Yes
ISD 200	Dakota	11418215	15	\$160	Yes
MN River Valley Wetland and Floodplain	Dakota	02723218	10	\$17,300	Yes
Johnson	Dakota	11220210	15	\$520	Yes
Callister	Dakota	11317231	5	\$28,000	Yes
Melbo	Dakota	11319201	4	\$53,867	Yes
Lake Byllesby	Dakota	11218211	253	\$228,800	Yes
Jennings	Dakota	11320233	40	\$9,600	Yes
Ruppe	Dakota	11220211	17	\$93,900	Yes
Sipe-Schumacher	Dakota	11318228	32	\$65,000	Yes
Betzler	Dakota	11416232	3	\$800	Yes
Finden	Dakota	11419230	28	\$73,300	Yes

Fee Parcels

Name	County	TRDS	Acres	Est Cost	Existing Protection
Adelmann	Dakota	11420236	38	\$446,000	No
Toohy	Dakota	11319201	10	\$25,000	No

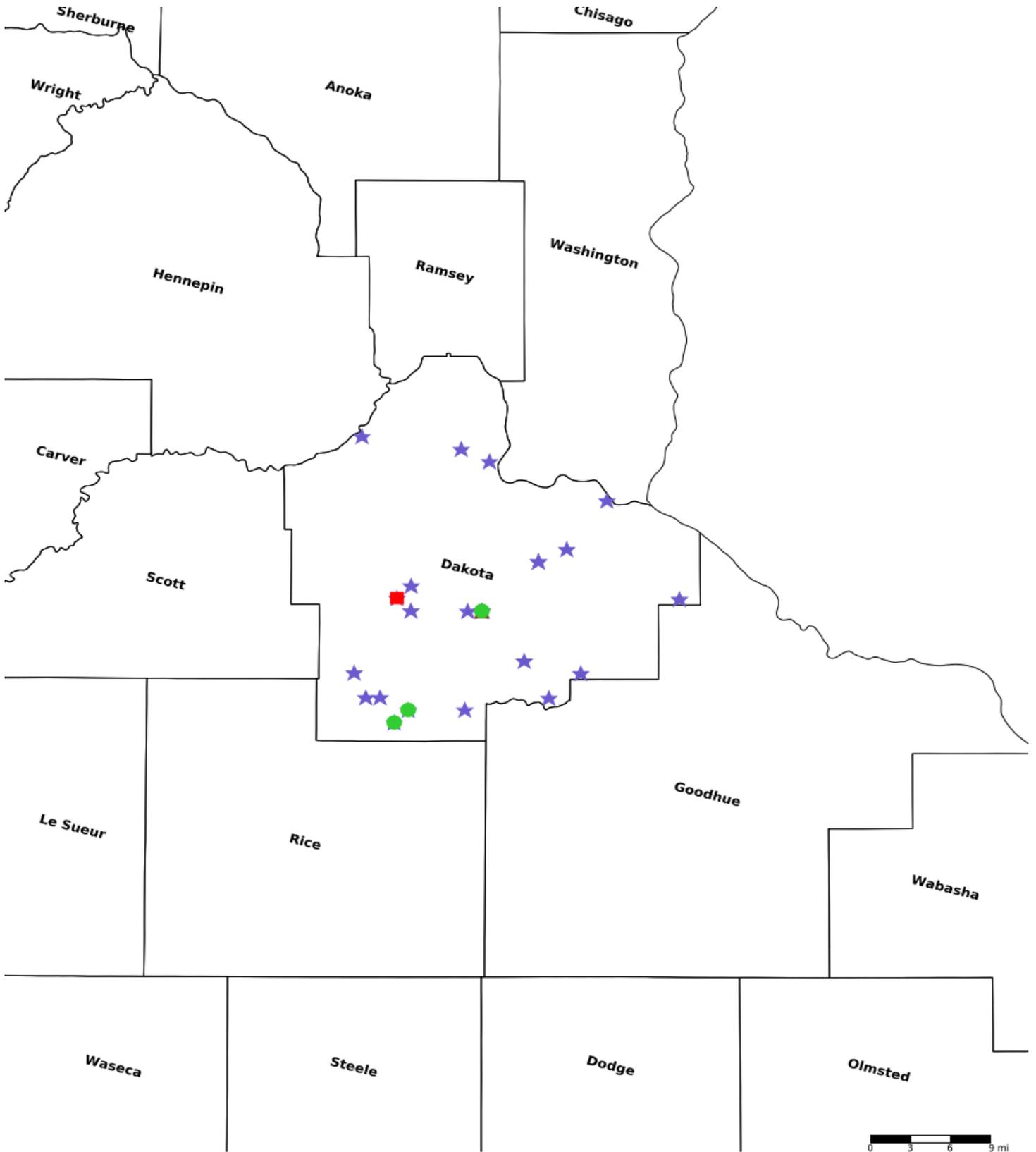
Easement Parcels

Name	County	TRDS	Acres	Est Cost	Existing Protection
Loretto	Dakota	11220224	6	\$25,000	No
Wicklund	Dakota	11219218	122	\$430,000	No

Easement Parcels with Buildings

Name	County	TRDS	Acres	Est Cost	Existing Protection	Buildings	Value of Buildings
Melbo	Dakota	11319201	4	\$6,000	No	1	\$7,500

Parcel Map



- Protect in Easement
- ▲ Protect in Fee with PILT
- Protect in Fee W/O PILT
- ★ Restore
- ✕ Enhance
- ⊕ Other