

Lessard-Sams Outdoor Heritage Council

MEMO: Agenda Item #10

DATE: November 15, 2018

SUBJECT: ML 2017, Ch. 91, Art. 1, Sec. 2, Subd 3(f) Critical Shoreland Habitat Protection Program, Phase 4

PRESENTER: Kris Larson, Minnesota Land Trust

Suggested Motion:

Motion to approve/deny the request by MLT to proceed with an easement (Skunk Creek – Weideman) in Lake County. An affirmative vote of 9 members is required.

Per MS 97A.056, Subd. 9, Lands in the Public Domain.

Money appropriated from the outdoor heritage fund shall not be used to purchase any land in fee title or a permanent conservation easement if the land in question is fully or partially owned by the state of Minnesota or a political subdivision of the state, unless: (1) the purchase creates additional direct benefit to protect, restore, or enhance the state's wetlands, prairies, forests, or habitat for fish, game, and wildlife; and (2) the purchase is approved by an affirmative vote of at least nine members of the council.

Background:

MLT is in the process of acquiring a 947 acre easement in Lake County that is largely surrounded by public administered lands and will contribute to a significant wildlife corridor.

At issue with the acquisition is an existing 4 acre trout stream angler access easement held by the State of MN. Due to this State-held easement, this parcel would need approval under 97A.056, subd. 9.

The supplemental benefits of acquiring the easement and acknowledgement of considering the access easement values within the appraisal are provided in the attached letter.

Attachments:

- October 24, 2018 letter from Kris Larson, MLT with request and parcel maps.



Memorandum

To: Lessard Sams Outdoor Heritage Council

From: Kris Larson, Executive Director, Minnesota Land Trust

Date: October 24, 2018

Re: Conservation easement over property w/DNR trout stream easement

The Minnesota Land Trust is working on a conservation easement in Lake County under the Critical Shoreland Habitat Protection Program - Phase IV grant, which is funded through the ML 2017, Ch. 91, Art. 1, Sec. 2, subd. 3(f). This easement will cover approximately 947 acres of forests, wetlands and streams, and will help protect a significant wildlife habitat corridor between Split Rock State Park and Gooseberry Falls State Park. It is also largely surrounded by public lands administered by Lake County and therefore contributes to a larger block of protected lands. The property contains 38,069 feet of shoreline and more than 300 acres of wetlands in the headwaters of the Gooseberry River. This includes more than 23,000 feet on state-designated trout streams, including Skunk Creek. Overall, with more than seven miles of shoreline and nearly 1,000 acres of northern forest habitat, this easement represents an outstanding candidate for the Critical Shoreland Habitat Program.

In examining the title work, we discovered that a small portion of Skunk Creek (roughly 14%) is covered by a DNR held angler access easement established in 1992. This easement runs 66' on either side of the creek and allows for public use and access of the corridor for fishing purposes only and allows the DNR access for habitat improvement. Overall, this State's trout stream access easement covers 4.12 acres of the proposed 947 acres conservation easement, or 0.4% percent. Please see the attached reference map and exhibit maps.

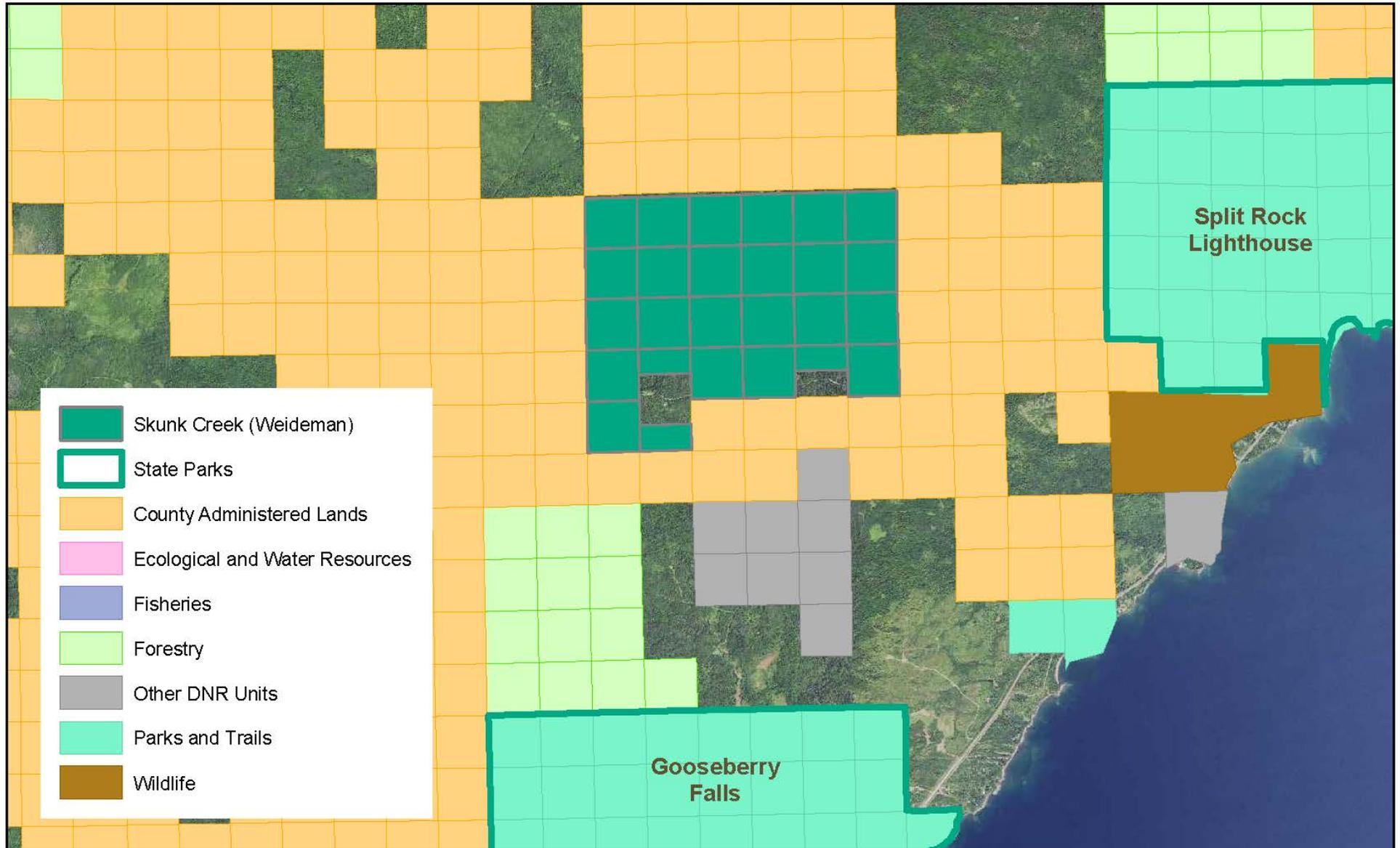
As such, the overall conservation gains afforded with this conservation easement dramatically enhances the prior state investment in the trout stream access. Protecting the surrounding forest and wetland complexes is essential to maintaining the cool water temperature and ecological integrity of North Shore trout streams like the Gooseberry River. These North Shore trout streams are fed primarily by

overland flow (versus groundwater fed), which makes them very susceptible to disturbances to the land cover, wetlands and soils. Thus protecting the property from detrimental forest practices, residential development and other impacts not only protects the high quality wildlife habitat on the property itself, but also the overall quality of the Gooseberry River downstream.

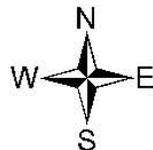
The appraisal of the proposed conservation easement will take into consideration any impacts of the State's trout stream access easement to the value of the proposed MLT conservation easement. However, because the access easement covers such a minute portion of the property, we anticipate that any impacts would be negligible.

The Minnesota Land Trust respectfully requests approval by the Lessard Sams Outdoor Heritage Council of the proposed conservation easement on Skunk Creek.

Skunk Creek (Weideman) Conservation Context



Imagery: 2017 WMS Aerial
Source: MN Geospatial Commons
Projection: NAD 1983 UTM 15

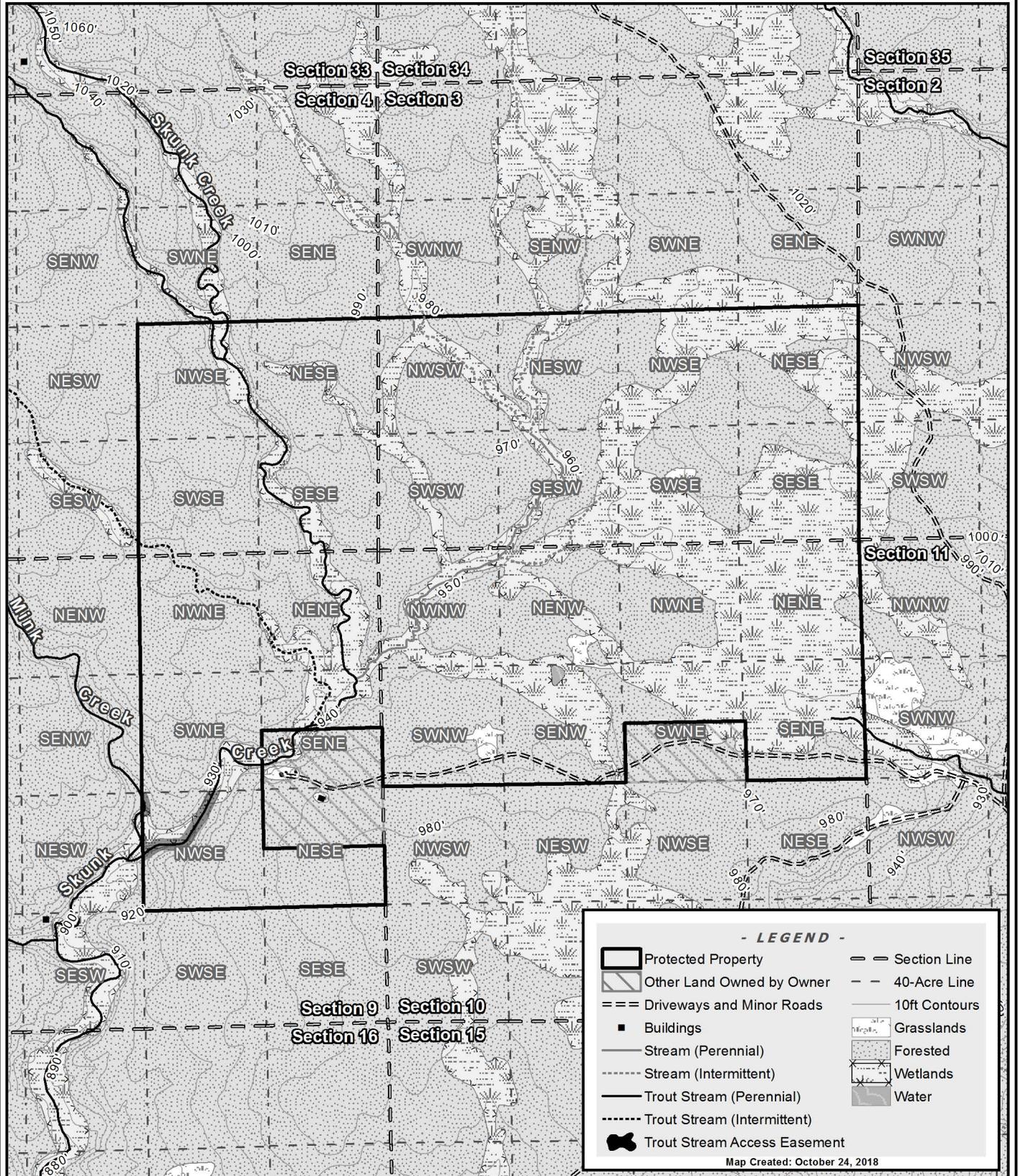


0 0.75 1.5 Miles



Map Created By:
Mark van der Linden
Minnesota Land Trust
October 4, 2018

Exhibit B: Property Map



Map Resource Information

Protected Property, Building Envelope, Section Lines, Buildings, Roads, Driveways & Minor Roads, Contours, Grasslands, Forested, Woodlands, Wetlands and Water created by Community GIS Services Inc.

Users of this map agree and acknowledge that Community GIS Services Inc. and the Minnesota Land Trust cannot be held liable for accuracy of GIS material provided. GIS materials should not be relied upon to establish legal title, boundary lines, or locations of improvements.

Site: Skunk Creek - Tract: Weideman

Lake County
Twp. 54 N Rng. 9 W
Sec. 3, 4, 9 & 10

