

# Lessard-Sams Outdoor Heritage Council Laws of Minnesota 2013 Accomplishment Plan

**Date: October 17, 2012**

**Program or Project Title:** Critical Shoreland Habitat Protection Program: Phase 2

**Funds Recommended: \$820,000**

**Manager's Name:** Kris Larson

**Title:** Executive Director

**Organization:** Minnesota Land Trust

**Street Address:** 2356 University Ave. W.

**City:** St. Paul, MN 55114

**Telephone:** 651-647-9590

**E-Mail:** klarson@mnland.org

**Organization Web Site:** mnland.org

**Legislative Citation:** (to be completed when signed by Governor)

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

**Ecological Planning Regions:**

- Northern Forest

**Activity Type:**

- Protect in Easement

**Priority Resources Addressed by Activity:**

- Habitat

## Abstract:

This project will protect up to 700 acres of critical shoreland and high-quality wildlife habitats in Minnesota's Northeast region by securing permanent conservation easements in strategic locations along priority lakes and rivers, leaving a lasting legacy of protected habitat complexes.

## Activity Detail

### 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 2 of its Critical Shoreland Habitat Protection Program to protect important lakeshore and stream-side habitat. This project will build on the success of Phase 1 of this program and help fulfill the goals of the DNR's Aquatic Management Area program, the State Conservation and Preservation Plan, and many other state priorities.

In this second 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 more than three miles of threatened shoreline habitat by acquiring conservation easements from willing landowners that will permanently protect a rich mosaic of naturally vegetated shoreline, forest habitat and wetlands on approximately 700 acres. 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—from high ground through the water's edge and into the shallow submerged areas—is one of the most biologically diverse and important habitat types for a variety of wildlife species, including fish and waterfowl. Because so much shoreline habitat is on private land, 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 by working with private landowners in northeast Minnesota who are ready and willing to grant conservation easements on exceptional shoreline habitat, thus providing high-leverage, immediately-tangible protection for these diminishing habitat types. The lull in the real-estate market has given many landowners an opportunity to reflect on the future of their lands, thus providing a narrow window of time to invest in these shoreland protection projects at a fraction of the cost of full fair market acquisition.

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.

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 under easement will remain ecologically viable and productive for fish, game and wildlife. The

conservation easements acquired will prohibit land uses or development that negatively impacts the important habitat values and will require habitat management plans to ensure that long-term management will maximize the benefits of the shoreland and associated forested uplands. Furthermore, the Land Trust will seek opportunities to work with the landowners and other organizations to conduct restoration activities and secure angler access if appropriate.

Proposed activities under this grant include:

- 1) contacting and negotiating with interested landowners;
- 2) drafting and completing perpetual conservation easements;
- 3) documenting property conditions and requiring habitat management plans as appropriate;
- 4) dedicating funds for the perpetual monitoring and enforcement of those easements.

The Land Trust works only with conservation easements that are perpetual. These easements prohibit land uses or development that negatively affect important habitat and other conservation values. These easements are monitored annually and enforced as necessary under the Land Trust's comprehensive conservation easement stewardship program.

We also anticipate working in partnership with appropriate public agencies, non-profit organizations and other stakeholders in the region. In particular on the North Shore trout streams, we will coordinate with the DNR and Trout Unlimited in exploring angler access and in-stream restoration activities as needs are identified.

The Minnesota Land Trust is a nationally-accredited conservation organization with a twenty-year history of protecting Minnesota's most sensitive shoreland and unique wildlife habitats around the state.

## Planning

### **MN State-wide Conservation Plan Priorities:**

- H1 Protect priority land habitats
- H2 Protect critical shoreland of streams and lakes
- H7 Keep water on the landscape

### **Plans Addressed:**

- Long Range Plan for Fisheries Management
- Minnesota DNR AMA Acquisition Plan
- Minnesota DNR Strategic Conservation Agenda
- Minnesota Forest Resource Council Landscape Plans
- Minnesota Sustainability Framework
- Outdoor Heritage Fund: A 25 Year Framework

- The Nature Conservancy's Superior Mixed Forest Ecoregional Plan
- Tomorrow's Habitat for the Wild and Rare

### **LSOHC Statewide Priorities:**

- Are ongoing, successful, transparent and accountable programs addressing actions and targets of one or more of the ecological sections
- Produce multiple enduring conservation benefits
- Are able to leverage effort and/or other funds to supplement any OHF appropriation
- Address conservation opportunities that will be lost if not immediately acted on
- Use a science-based strategic planning and evaluation model to guide protection, restoration and enhancement, similar to the United States Fish and Wildlife Service's Strategic Habitat Conservation model
- Address wildlife species of greatest conservation need, Minnesota County Biological Survey data, and rare, threatened and endangered species inventories in land and water decisions, as well as permanent solutions to aquatic invasive species
- Ensures activities for "protecting, restoring and enhancing" are coordinated among agencies, non profits and others while doing this important work
- Target unique Minnesota landscapes that have historical value to fish and wildlife

### **LSOHC Northern Forest Section Priorities:**

- Protect shoreland and restore or enhance critical habitat on wild rice lakes, shallow lakes, cold water lakes, streams and rivers, and spawning areas
- Protect forestland through acquisition or easement to prevent parcelization and fragmentation and to provide the ability to access and manage landlocked public properties

### **Relationship to Other Constitutional Funds:**

- No Relationships Listed

### **Accelerates or Supplements Current Efforts:**

The majority of financial support to the Minnesota Land Trust must be raised on an annual basis. Capital funds are expended only when a priority opportunity becomes available and project-specific funds are obtained to complete the acquisition. Therefore, work proposed under this grant will accelerate our efforts in this region, and these grant funds will not substitute for or supplant other funding sources.

### **Sustainability and Maintenance:**

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 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.

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

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

### **Accomplishment Timeline**

<b>Activity</b>	<b>Approximate Date Completed</b>
Acquire conservation easements: 1) Identify landowners, 2) Negotiate, draft, complete easements, 3) Dedicate funds for easement stewardship	June 30, 2016

### **Outcomes**

#### **Programs in the northern forest region:**

- Forestlands are protected from development and fragmentation
- Healthy populations of endangered, threatened, and special concern species as well as more common species

# Budget Spreadsheet

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

**Total Amount of Request: \$820,000**

## Budget and Cash Leverage

Budget Name	LSOHC Request	Anticipated Cash Leverage	Cash Leverage Source	Total
Personnel	\$145,000	\$0		\$145,000
Contracts	\$0	\$0		\$0
Fee Acquisition w/ PILT	\$0	\$0		\$0
Fee Acquisition w/o PILT	\$0	\$0		\$0
Easement Acquisition	\$435,000	\$0		\$435,000
Easement Stewardship	\$160,000	\$0		\$160,000
Travel (in-state)	\$5,000	\$0		\$5,000
Professional Services	\$75,000	\$0		\$75,000
Direct Support Services	\$0	\$0		\$0
DNR Land Acquisition Costs	\$0	\$0		\$0
Capital Equipment	\$0	\$0		\$0
Other Equipment/Tools	\$0	\$0		\$0
Supplies/Materials	\$0	\$0		\$0
DNR IDP	\$0	\$0		\$0
<b>Total</b>	<b>\$820,000</b>	<b>\$0</b>	<b>-</b>	<b>\$820,000</b>

## Personnel

Position	FTE	Over # of years	LSOHC Request	Anticipated Cash Leverage	Cash Leverage Source	Total
Conservation and Legal Staff	0.67	3.00	\$145,000	\$0		\$145,000
<b>Total</b>	<b>0.67</b>	<b>3.00</b>	<b>\$145,000</b>	<b>\$0</b>	<b>-</b>	<b>\$145,000</b>

## Output Tables

Table 1. 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	700	700
Enhance	0	0	0	0	0
Total	0	0	0	700	700

Table 2. Total Requested 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	\$820,000	\$820,000
Enhance	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$820,000	\$820,000

Table 3. Acres within each Ecological Section

Type	Metro/Urban	Forest/Prairie	SE Forest	Prairie	Northern 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	700	700
Enhance	0	0	0	0	0	0
Total	0	0	0	0	700	700

Table 4. Total Requested Funding within each Ecological Section

Type	Metro/Urban	Forest/Prairie	SE Forest	Prairie	Northern 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	\$820,000	\$820,000
Enhance	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$820,000</b>	<b>\$820,000</b>

Table 5. Target Lake/Stream/River Miles

0 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

Carlton

Name	TRDS	Acres	Est Cost	Existing Protection?	Hunting?	Fishing?
Bear Lake	04618206	80	\$0	No	Not Applicable	Not Applicable
West Kettle	04720219	100	\$0	No	Not Applicable	Not Applicable

Cook

Name	TRDS	Acres	Est Cost	Existing Protection?	Hunting?	Fishing?
Dyers Lake	05805209	264	\$0	No	Not Applicable	Not Applicable
Elbow Lake	06201215	40	\$0	No	Not Applicable	Not Applicable
Farquhar Creek	06304234	686	\$0	No	Not Applicable	Not Applicable
Flute River	06203203	40	\$0	No	Not Applicable	Not Applicable
Greenwood Lake	06402223	264	\$0	No	Not Applicable	Not Applicable
Kemo Lake	06301227	16	\$0	No	Not Applicable	Not Applicable
Lake Superior	05805201	40	\$0	No	Not Applicable	Not Applicable
Moosehorn Lake	06304230	226	\$0	No	Not Applicable	Not Applicable
Myhr Creek	06103223	80	\$0	No	Not Applicable	Not Applicable
Superior Vista	06202232	30	\$0	No	Not Applicable	Not Applicable

## Itasca

<b>Name</b>	<b>TRDS</b>	<b>Acres</b>	<b>Est Cost</b>	<b>Existing Protection?</b>	<b>Hunting?</b>	<b>Fishing?</b>
Big Too Much Lake	14825212	85	\$0	No	Not Applicable	Not Applicable
Eagle Lake	05925201	35	\$0	No	Not Applicable	Not Applicable
Eagle Lake	05925202	34	\$0	No	Not Applicable	Not Applicable
Hale Lake	03525217	75	\$0	No	Not Applicable	Not Applicable
Horseshoe Lake	05925210	25	\$0	No	Not Applicable	Not Applicable
Martin Woods	06025229	280	\$0	No	Not Applicable	Not Applicable

## Koochiching

<b>Name</b>	<b>TRDS</b>	<b>Acres</b>	<b>Est Cost</b>	<b>Existing Protection?</b>	<b>Hunting?</b>	<b>Fishing?</b>
Big Fork	15225224	22	\$0	No	Not Applicable	Not Applicable
Rainy Lake	07122219	25	\$0	No	Not Applicable	Not Applicable
Rainy Lake	07122219	13	\$0	No	Not Applicable	Not Applicable
Rainy Lake	07123226	16	\$0	No	Not Applicable	Not Applicable

## Lake

<b>Name</b>	<b>TRDS</b>	<b>Acres</b>	<b>Est Cost</b>	<b>Existing Protection?</b>	<b>Hunting?</b>	<b>Fishing?</b>
Carlson	05311224	76	\$0	No	Not Applicable	Not Applicable
Castle Danger	05409233	44	\$0	No	Not Applicable	Not Applicable
Encampment River	05210203	40	\$0	No	Not Applicable	Not Applicable
French River	05213228	158	\$0	No	Not Applicable	Not Applicable
Knife River	05311231	40	\$0	No	Not Applicable	Not Applicable
Knife River	05411229	80	\$0	No	Not Applicable	Not Applicable
Stewart River	05411234	35	\$0	No	Not Applicable	Not Applicable

St. Louis

<b>Name</b>	<b>TRDS</b>	<b>Acres</b>	<b>Est Cost</b>	<b>Existing Protection?</b>	<b>Hunting?</b>	<b>Fishing?</b>
Burntside Lake	06313229	15	\$0	No	Not Applicable	Not Applicable
Burntside Lake	06313223	29	\$0	No	Not Applicable	Not Applicable
Burntside River	06313226	205	\$0	No	Not Applicable	Not Applicable
Echo Trail	06412218	102	\$0	No	Not Applicable	Not Applicable
Lake Vermilion	06215215	5	\$0	No	Not Applicable	Not Applicable
Lake Vermilion	06215205	35	\$0	No	Not Applicable	Not Applicable
Lake Vermilion	06316232	93	\$0	No	Not Applicable	Not Applicable
Lake Vermilion	06215205	440	\$0	No	Not Applicable	Not Applicable
Petrel Creek	05612203	40	\$0	No	Not Applicable	Not Applicable
St. Louis/Embarrass	05716220	298	\$0	No	Not Applicable	Not Applicable
St. Louis River	05618219	85	\$0	No	Not Applicable	Not Applicable
Sucker River	05112210	14	\$0	No	Not Applicable	Not Applicable

**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.