

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

**Date: October 25, 2012**

**Program or Project Title:** Minnesota Landscape Arboretum Acquisition of Property Surrounding Lake Tamarack

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

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

**County Locations:** Carver,

**Ecological Planning Regions:**

- Metro / Urban

**Activity Type:**

- Restore
- Enhance
- Protect in Fee

**Priority Resources Addressed by Activity:**

- Wetlands
- Forest
- Prairie
- Habitat

**Abstract:**

The Arboretum, consistent with the priorities of the LSOHC, proposes to purchase an 18 acre portion of a 78 acre site adjacent to Arboretum property. The purchase will fully protect the deepest lake in Carver County and valuable habitat.

## Activity Detail

### Design and Scope of Work:

The Arboretum, consistent with the uses and priorities of the Outdoor Heritage Fund, proposes to purchase an 18 acre portion of 78 acres of land, located adjacent to the Arboretum's Horticultural Research Center, on the north side of Highway 5 and east of Bavaria Road in Carver County (the "Site"). The Site contains approximately 20 acres of wetlands, as well as 1,300 feet of lakeshore on Lake Tamarack, the deepest lake in Carver County. The Site also contains areas of big woods, oak savanna, and upland meadow. The Site is the final piece of property that has been identified for acquisition in the Arboretum's overall master plan. Purchase of the Site will provide the Arboretum, the state, and the public multiple significant outcomes, including:

- Protecting the water quality of Lake Tamarack, while encouraging a healthy fishery, waterfowl habitat and native flora and fauna. Public access to the Site will include fishing opportunities, walking and biking connections and educational programming.
- Protecting majestic stands of oak, maple and basswood, as well as an upland meadow and wetlands, providing habitat for a diverse population of birds, mammals, amphibians and native plants.
- Providing a wildlife corridor linking the 1,137 acres of the Arboretum with the Site, a property that will otherwise be developed as single-family homes.
- Securing the Site for restoration of sections of the property, including big woods, oak savanna, upland meadow and wetlands – all deteriorated due to a century of farming.
- Providing additional recreational and educational opportunities and access to the Arboretum by extending an existing City of Victoria paved trail from the south; in addition, an existing Hennepin County Transit Authority Trail will provide access through a proposed City of Victoria Park on the north side of Lake Tamarack.
- Securing land for possible future University of Minnesota research projects including restoration ecology and wildlife habitat research.

The Arboretum provides a unique opportunity to connect the best practices of research and restoration with the larger community. The Arboretum has seen massive visitor growth each year and now welcomes nearly 340,000 visitors annually. While enjoying the beautiful gardens, guests can also explore engaging conservation models on the site. The Arboretum also hosts a wide variety of educational programming throughout the year to help connect visitors with their surroundings.

The Arboretum has significant experience with the protection, research and restoration of ecosystems.

### **Relationship to the *Minnesota Conservation and Preservation Plan* and Other Published Resource Management Plans.**

#### ***Minnesota Conservation and Preservation Plan***

This project will protect habitat in an urbanizing area that is facing ongoing

development pressure. Acquisition of this parcel will allow for continuity of protection of a large area of greenspace and create a conservation corridor that meets priorities of the *Minnesota Conservation and Preservation Plan (the "Plan")*.

The *Plan* specifically states in Habitat Recommendation 2A that "[t]he highest priority shorelands.....should be permanently protected through acquisition. This is one essential component of a multi-strategy approach to preserving the clean water legacy that Minnesota's citizens and visitors are used to experiencing." The Arboretum's purchase of this property would permanently protect the shoreline of Lake Tamarack, the deepest lake in Carver County, and one of the most pristine lakes in the Metropolitan Urbanizing Area Section.

In addition to the relationship this project has to the *Plan*, the project has also received strong support within the City of Victoria Master Plan for Parks, which describes in detail a potential Lake Tamarack Park Preserve that would allow public access and use and also protect the entire perimeter of Lake Tamarack. The creation of this preserve would not only limit future residential development around this lake, it would serve to protect Lake Tamarack's water quality, and in turn the surrounding flora and fauna.

Finally, the protection of critical stands of oak, maple and basswood forest, as well as upland meadow and wetlands will extend the habitat corridor provided by the Arboretum. The Arboretum intends to utilize this property for a variety of research and educational programming, helping citizens to understand the connectivity between environments and the critical nature of conservation in an urbanizing area.

### ***LSOHC 25-Year Framework***

This proposal meets a number of priorities for the Metropolitan Urbanizing Area Section set forth in the *LSOHC 25-Year Framework*. If not acquired by the Arboretum, this property will be developed into single-family residential parcels. Loss of habitat and connectivity for wildlife will result, as well as the degradation of one of the most pristine lakes in the Metro Area. The lakeshore portion of the new 78 acres, combined with the 1,597 feet already owned by the University of Minnesota, and 1,875 feet owned by the City of Victoria will completely protect this 24 acre, 82 feet deep lake.

Because of Lake Tamarack's depth, if acquired, the Arboretum will explore opportunities to work with the DNR and the City of Victoria to enhance and restore coldwater fish species to Lake Tamarack, including Rainbow Trout. Already a quality fishery, this effort would provide a valuable educational tool and important habitat within the metro for coldwater fish while meeting a significant LSOHC goal for the Metropolitan Urbanizing Area Section.

In addition, non-motorized boating access will be provided to Lake Tamarack. Fishing opportunities will also be available on shore and the existing dock. Handicap access will be provided. Archery hunting for deer and turkey will also be possible.

This property has become an important nesting area for waterfowl and a critical connection for wildlife in the area. The opportunity to engage the public through

education and conservation outreach through the unique features of this property make it worthwhile to protect in perpetuity through acquisition.

## Planning

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

- H1 Protect priority land habitats
- H2 Protect critical shoreland of streams and lakes
- H3 Improve connectivity and access to recreation
- H5 Restore land, wetlands and wetland-associated watersheds
- H6 Protect and restore critical in-water habitat of lakes and streams
- LU6 Reduce Upland and gully erosion through soil conservation practices
- LU8 Protect large blocks of forest land

### **Plans Addressed:**

- Long Range Duck Recovery Plan
- Long Range Plan for Fisheries Management
- Long Range Plan for the Ring-Necked Pheasant in MN
- Minnesota Sustainability Framework
- National Audubon Society Top 20 Common Birds in Decline
- National Fish Habitat Action Plan
- North American Waterbird Conservation Plan
- Outdoor Heritage Fund: A 25 Year Framework

### **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
- Allow public access. This comes into play when all other things about the request are approximately equal
- Address conservation opportunities that will be lost if not immediately acted on
- Provide Minnesotans with greater public access to outdoor environments with hunting, fishing and other outdoor recreation opportunities
- 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 Metro Urban Section Priorities:**

- Protect, enhance, and restore remnant native prairie, Big Woods forests, and oak savanna with an emphasis on areas with high biological diversity
- Protect habitat corridors, with emphasis on the Minnesota, Mississippi, and St. Croix rivers (bluff to floodplain)

- Enhance and restore coldwater fisheries systems
- Protect, enhance, and restore riparian and littoral habitats on lakes to benefit game and nongame fish species

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

- Environmental and Natural Resource Trust Fund

A proposal for \$2,000,000 from the ENRTF has been recommended by the LCCMR to acquire a 35 acre portion of the Site. It is the Arboretum's goal to make this acquisition in partnership with the LCCMR, the LSOHC, the University of Minnesota and the Minnesota Landscape Arboretum Foundation.

This is the final acquisition identified in the Arboretum's Master Plan. Additional investment by the Arboretum related to restoration and rehabilitation of the Site, as well as the development of educational programming will occur once the acquisition is complete. The Arboretum will also work with the surrounding local governments to ensure trail connections are completed on the Site and that public access is provided for fishing on Lake Tamarack.

This funding request is timely given development pressure on the Site. Carver County has been one of the fastest growing communities in Minnesota, almost doubling in population over the past 16 years. Continued growth is expected, and the Site is guided for medium-density residential development in the City of Victoria's Comprehensive Plan. This would allow over 100 homes to be built on the Site. Even utilizing best practices for stormwater management and erosion control, Lake Tamarack will be impacted and the surrounding big woods, wetlands and oak savanna will be permanently lost.

Habitat preservation and restoration, the opportunity for the expansion of fruit research, as well as expanded public access and fishing opportunities on Lake Tamarack make the acquisition of this site critical to the Arboretum and the region and is in keeping with the goals and requirements of the LCCMR and LSOHC. As acquisition costs and development pressure on this parcel have started to rise as the economy begins to return, the Arboretum feels that it is necessary to move forward now to protect Lake Tamarack and the surrounding property.

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

This proposal is the final acquisition identified in the Arboretum's Master Plan. Additional investment by the Arboretum related to restoration and rehabilitation of the Site, as well as the development of educational programming will occur once the acquisition is complete. The Arboretum will work with the surrounding local governments to ensure trail connections are completed on the Site and that public access to Lake Tamarack is developed.

Carver County has been one of the fastest growing communities in Minnesota, almost doubling in population over the past 16 years. The City of Victoria's population increased by 2.5 times over the same time period. Continued growth is expected at a slower pace in the next five years. With the population of the Twin

Cities metro area expected to increase by 1 million people over the next 20 years, housing needs will continue to evolve and expand.

If the Arboretum does not secure this property, it will be sold to a developer for the construction of private residences. Land immediately to the east of the property has been developed into single-family detached homes. Land to the north is zoned for residential use and will most likely be built out in the near future.

## **Sustainability and Maintenance:**

The immediate benefit of acquiring this parcel will be to protect the property from residential development. The City of Victoria Comprehensive Plan guides this parcel for Medium Density Residential, which would allow over 100 homes to be built on the property. Even with a good erosion control plan, adequate wetland buffers and proper maintenance of streets and stormwater management structures, the amount of new impervious surfaces that would come about as a result of development on this parcel would impact Lake Tamarack and reduce the amount of potential aquifer recharge. In addition to immediate and permanent protection of the property, the acquisition would have significant long-term benefits for habitat and provide fishing, hunting and public recreation opportunities on the Site. Finally, protecting the water quality of Lake Tamarack, vigorously preventing water pollution and encouraging a healthy fishery, waterfowl habitat, and native flora and fauna through restoration and maintenance will be ongoing.

*Will local government approval be sought prior to acquisition?* - **No**

The Arboretum Director has met with the Victoria Mayor, City Administrator and City Planner and has explained why the acquisition is important to the University of Minnesota. The city understands the reasons and is happy that this land is adjacent to the new Lake Tamarack Park. They also see the value of maintaining high water quality in the lake. In addition the city admits it would be difficult and expensive to provide city utilities and road access to this parcel. The City Council is unlikely to formally approve this acquisition but the U of M is not legally required to receive city approval.

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

*Is this land open for hunting and fishing?* - **Yes**

Lake Tamarack will be open for fishing. The Arboretum will renovate an old, primitive, boat ramp on the site to provide public access to the Lake. The Arboretum is working with the South Metro DNR Wildlife Manager Diana Regenscheid on how to utilize the Site for a turkey bow hunt in fall 2013. Regenscheid has confirmed that bow hunting for both turkey and deer will work well on the site. The Arboretum has allowed up to 20 bow hunters to hunt deer

on the Arboretum property for over 20 years and this program will be extended into the Site as well. However, because of the proximity to residential development, City of Victoria firearms ordinances and a U of M Regents ban on firearms hunting with rifles and shotguns will not be allowed.

*Is the activity on permanently protected land and/or public waters per MS 103G.005, Subd. 15? - **Yes (Public Waters)***

## Accomplishment Timeline

Activity	Approximate Date Completed
Purchase Agreement ( Letter of Intent)	December 1, 2012
Environmental Assessment	December 1, 2012
Purchase Offer	December 15, 2012
Acquire the Site	

## 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
- Core areas protected with highly biologically diverse wetlands and plant communities, including native prairie, Big Woods, and oak savanna
- Improved aquatic habitat indicators
- Protected habitat will allow Lake Tamarack to be open for fishing.

## Budget Spreadsheet

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

Total Amount of Request: \$1,000,000

### Budget and Cash Leverage

Budget Name	LSOHC Request	Anticipated Cash Leverage	Cash Leverage Source	Total
Personnel	\$0	\$0		\$0
Contracts	\$0	\$0		\$0
Fee Acquisition w/ PILT	\$0	\$0		\$0
Fee Acquisition w/o PILT	\$1,000,000	\$3,450,000	ENTRF, University of Minnesota and Minnesota Landscape Arboretum Foundation	\$4,450,000
Easement Acquisition	\$0	\$0		\$0
Easement Stewardship	\$0	\$0		\$0
Travel (in-state)	\$0	\$0		\$0
Professional Services	\$0	\$0		\$0
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>\$1,000,000</b>	<b>\$3,450,000</b>	-	<b>\$4,450,000</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	10	8	18
Protect in Easement	0	0	0	0	0
Enhance	0	0	0	0	0
Total	0	0	10	8	18

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	\$570,200	\$429,800	\$1,000,000
Protect in Easement	\$0	\$0	\$0	\$0	\$0
Enhance	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$570,200	\$429,800	\$1,000,000

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	18	0	0	0	0	18
Protect in Easement	0	0	0	0	0	0
Enhance	0	0	0	0	0	0
Total	18	0	0	0	0	18

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

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

No parcels with an activity type protect.

### Section 2a - Protect Parcel with Bldgs

Carver

Name	TRDS	Acres	Est Cost	# Bldgs?	Bldg Improve Desc	Value of Bldg	Disposition of Improvements
Lano/Burau	11623W07	78	\$4,500,000	4	Old farm buildings in very poor condition	\$0	Demolish

### Section 3 - Other Parcel Activity

No parcels with an other activity type.