

Trust Fund 2008 Work Program and Trust Fund 2009 Work Program

Date of Report: May 8, 2009

Date of Next Status Report: August 1, 2009

	M.L. 2008	M.L. 2009
Date of Work program Approval:	June 10, 2008	June xx, 2009
Project Completion Date:	June, 30 2010	June 30, 2011

I. PROJECT TITLE: Metro Conservation Corridors - Phase IV
Protect Significant Habitat by Acquiring Conservation Easements [M.L. 2008]
Metro Conservation Corridors – Phase V
Protect Significant Habitat by Acquiring Conservation Easements [M.L. 2009]

Project Manager: Jane Prohaska, President and Executive Director
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Location: Within mapped corridors (see map included with overall work program) in the counties of Anoka, Carver, Chisago, Dakota, Goodhue, Hennepin, Isanti, LeSueur, Nicollet, Ramsey, Rice, Scott, Sherburne, Sibley, Washington and Wright.

Total Trust Fund Project Budget:	M.L. 2008	M.L. 2009	Total
Trust Fund Appropriation:	\$225,000	\$250,000	\$475,000
Minus Amount Spent:	\$139,253	\$0	\$139,253
Equal Balance:	\$85,747	\$250,000	\$335,747

Legal Citation:

ML 2008, Chapter 367, Section 2, Subdivision 3(a)

Appropriation Language:

\$3,150,000 is from the trust fund to the commissioner of natural resources for the fourth appropriation for acceleration of agency programs and cooperative agreements. Of this appropriation, \$1,915,000 is for Department of Natural Resources agency programs and \$1,235,000 is for agreements as follows: \$475,000 with the Trust for Public Land; \$92,000 with Friends of the Mississippi River; \$111,000 with Great River Greening; \$225,000 with Minnesota Land Trust; \$225,000 with Minnesota Valley National Wildlife Refuge Trust, Inc.; and \$107,000 with Friends of the Minnesota Valley for the purposes of planning, restoring, and protecting important natural areas in the metropolitan area, as defined under

Minnesota Statutes, section 473.121, subdivision 2, and portions of the surrounding counties, through grants, contracted services, conservation easements, and fee title acquisition. Land acquired with this appropriation must be sufficiently improved to meet at least minimum management standards as determined by the commissioner of natural resources. Expenditures are limited to the identified project corridor areas as defined in the work program. This appropriation may not be used for the purchase of residential structures, unless expressly approved in the work program. All conservation easements must be perpetual and have a natural resource management plan. Any land acquired in fee title by the commissioner of natural resources with money from this appropriation must be designated as an outdoor recreation unit under Minnesota Statutes, section 86A.07. The commissioner may similarly designate any lands acquired in less than fee title. A list of proposed restorations and fee title and easement acquisitions must be provided as part of the required work program. All funding for conservation easements must include a long-term stewardship plan and funding for monitoring and enforcing the agreement.

Legal Citation: M.L. 2009, Chapter 143, Section 2, Subdivision 4e(3.2)

Appropriation Language:

\$3,375,000 is from the trust fund to the commissioner of natural resources for the fifth appropriation for acceleration of agency programs and cooperative agreements. Of this appropriation, \$2,185,000 is for Department of Natural Resources agency programs and \$1,190,000 is for agreements as follows: \$380,000 with the Trust for Public Land; \$90,000 with Friends of the Mississippi River; \$155,000 with Great River Greening; \$250,000 with Minnesota Land Trust; \$225,000 with Minnesota Valley National Wildlife Refuge Trust, Inc.; and \$90,000 with Friends of the Minnesota Valley for the purposes of planning, restoring, and protecting important natural areas in the metropolitan area, as defined under Minnesota Statutes, section 473.121, subdivision 2, and portions of the surrounding counties, through grants, contracted services, technical assistance, conservation easements, and fee title acquisition. Land acquired with this appropriation must be sufficiently improved to meet at least minimum management standards as determined by the commissioner of natural resources. Expenditures are limited to the identified project corridor areas as defined in the work program. This appropriation may not be used for the purchase of residential structures, unless expressly approved in the work program. All conservation easements must be perpetual and have a natural resource management plan. Any land acquired in fee title by the commissioner of natural resources with money from this appropriation must be designated as an outdoor recreation unit under Minnesota Statutes, section 86A.07. The commissioner may similarly designate any lands acquired in less than fee title. A list of proposed restorations and fee title and easement acquisitions must be provided as part of the required work program. All funding for conservation easements must include a long-term stewardship plan and funding for monitoring and enforcing the agreement. To the maximum extent practical, consistent with contractual easement or fee acquisition obligations, the recipients shall utilize staff resources to identify future projects and shall maximize the implementation of biodiverse, quality restoration projects in the project proposal into the first half of the 2010 fiscal year.

II. PROJECT SUMMARY AND RESULTS:

M.L. 2008: The Minnesota Land Trust will protect up to 150 acres of land by acquiring 4-6 conservation easements in various project focus areas.

M.L. 2009: The Minnesota Land Trust will protect up to 150 acres of land by acquiring 4-6 conservation easements in various project focus areas.

These acreage and project goals are based on estimates of 25-40 acres per project. Actual project acreages and numbers will vary. Potential projects are identified on the attached list.

We will work with landowners willing to protect their land through perpetual conservation easements drafted to: prohibit land uses that could negatively impact identified important riparian, habitat, or scenic values, require natural resource habitat management plans where appropriate, and direct the use of native vegetation where appropriate in conjunction with any required restoration.

We will work with donated easements whenever possible and will purchase easements where necessary.

The budget incorporates the critical components of an easement program: identifying and negotiating with landowners, drafting and completing easements, documenting property conditions, and monitoring and enforcing easements in perpetuity by dedicating funds for long-term easement stewardship.

Funds will be used for staff time, direct payments to landowners, and transactional expenses such as appraisals, title review, and mapping. Funds also may be requested for the Stewardship and Enforcement Fund to provide for the long-term management and enforcement of easements on a project-by-project basis. We will estimate anticipated annual expenses for each project and the investment needed to generate annual income sufficient to cover expenses in perpetuity--all in accordance with our policies and procedures. The Land Trust will report to LCCMR annually on the status of the Stewardship and Enforcement Fund and the easements acquired with funds from this grant.

III. PROGRESS SUMMARY AS OF MAY 8, 2009:

M.L. 2008

2008 Goal:	150 acres
Number of Easements Completed:	1
Total Acres of Easements Completed:	193
Total Acres of Potential Easements:	

The Minnesota Land Trust began work on Phase 4 of the Metro Conservation Corridors grant in late fall 2008. To date we have completed one conservation easement project, which was described in detail in the February 1, 2009 Result Status update below and on the attached Summary of Purchased Easements. In addition, we have approximately 34 landowners with whom we are in contact. We are actively negotiating several projects, and in many cases continuing negotiations that had been initiated in previous phases of this program. We have identified new

potential projects since initiating this phase, and therefore an updated project list is attached.

M.L. 2009

2009 Goal: 150 acres

Number of Easements Completed:

Total Acres of Easements Completed:

Total Acres of Potential Easements:

We have not yet started the 2009 phase of this grant.

IV. OUTLINE OF PROJECT RESULTS:

Result 1: Protect Significant Habitat by Acquiring Conservation Easements

Description: For both the 2008 and 2009 phases of the Metro Conservation Corridors, the Minnesota Land Trust will protect critical habitat the mapped corridors by identifying and contacting interested landowners, negotiating and completing 4-6 permanent conservation easements on up to 150 acres of land, and dedicating funds for the perpetual monitoring, management and enforcement of the easements.

The Land Trust will work in any of the mapped corridors and currently has numerous projects pending. Current potential projects are identified on the attached list and map. We will continually evaluate these projects and pursue those that protect the highest quality habitat, maximize public benefit, and would be most appropriate to complete each of the two phases of the grant. While some of these projects may not be completed at all, new projects will be added as landowners are identified.

Summary Budget Information for Result 1:

	M.L. 2008	M.L. 2009	Total
Trust Fund Budget:	\$225,000	\$250,000	\$475,000
Amount Spent:	\$139,253	\$0	\$139,253
Balance:	\$85,747	\$250,000	\$335,747

Deliverable	Completion Date	Budget
1. M.L. 2008: Identify and contact landowners	June 30, 2010	\$25,000
2. M.L. 2008: Negotiate, draft, and complete 4-6 easements, including completion of baseline documentation.	June 30, 2010	\$140,000
3. M.L. 2008: Dedicate funds for easement stewardship	June 30, 2010	\$60,000
4. M.L. 2009: Protect up to 150 acres by: a. identifying and contacting landowners b. completing 4-6 conservation easements c. dedicating funds to ensure long-term easement sustainability	June 30, 2011	\$250,000 a. included in personnel b. included in CE acquisition costs, travel, and personnel

		c. estimated at \$60,000 All as outlined in Attachment A.
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Completion Date: M.L. 2008: June 30, 2010; M.L. 2009: June 30, 2011

Result Status as of May 1, 2009:

M.L. 2008: We have not completed additional projects since the last update. We do, however, continue to negotiate with approximately 36 landowners. We anticipate closing three projects by June 30, 2009 and four more by December 31, 2009. An updated project list is attached. Also attached is a list of purchased easements that includes funding detail.

M.L. 2009: We have not yet started the 2009 phase of this grant.

Result Status as of February 1, 2009:

Northwest:

We are working on a number of projects in this area, including a 40-acre project on the Rum River. We have negotiated the terms of the easement and expect to complete a first draft soon.

Central:

We have worked to identify and contact landowners in this area.

East:

We continue to work on the Sunfish Lake Park and are close to finalizing the easement and baseline property report. We also are working on two Valley Creek projects. One of these projects will involve a purchase of a conservation easement, and we recently completed the appraisal. We are close to completing a first draft of the easement for the second project. We also received inquiries and had initial discussions with two new landowners in this project area.

Southwest:

We do not have any current activity in this project area.

Southeast:

We completed one conservation easement, protecting 193 acres in Goodhue County near Red Wing. This is the second conservation easement completed by the Flueger family. The protected property contains relatively undisturbed natural areas with high quality examples of terrestrial communities including hardwood forest and dry bluff prairie. The forested bluffs, native prairies, and agricultural fields and pastures on the property provide a historically typical scenic view of rural land visible to the public from Flower Valley and Flueger Roads and from the public hike/bike trail that

runs along Flower Valley Road. The property also includes 2,957 feet of shoreline along an intermittent stream that flows directly into Bullard Creek, a MN DNR-designated trout stream. We will be dedicating LCCMR funds for stewardship on this project but have not yet requested reimbursement.

We also are working with the City of Red Wing to protect 195 acres of City-owned land that includes significant Mississippi River shoreline with a conservation easement. Other active projects include a 475-acre conservation easement project near Red Wing and a 500+-acre project, a portion of which will involve conservation easements.

Result Status as of August 1, 2009:

Result Status as of February 1, 2010:

M.L. 2008 Final Report Summary:

Result Status as of August 1, 2010:

Result Status as of February 1, 2011:

M.L. 2009 Final Report Summary:

V. TOTAL TRUST FUND PROJECT BUDGET:

M.L. 2008

Staff or Contract Services: \$50,000 to cover a portion of the salaries and related benefits of staff working on projects funded under this grant--approximately .50 FTE conservation program staff and .25 FTE conservation, legal and other support staff.

Acquisition, including easements: \$115,000 to acquire 4-6 conservation easements protecting up to 150 acres of land to be held by the Minnesota Land Trust. A limited amount of approximately \$75,000-\$100,000 is budgeted for the direct cost of acquiring easements where landowners are not be able to donate the full value of an easement. The remaining funds will be used for related transaction costs such as for appraisals, surveys, title work, mapping, etc. NOTE: Exact amounts are not known at this time. Transaction costs are higher for purchases than donations and amounts will be allocated as specific projects are identified for completion under this grant.

Stewardship: \$60,000 to be dedicated to the Stewardship and Enforcement Fund. Actual amounts committed for stewardship will depend upon the number and nature of specific projects completed and the availability of other funds. Currently, typical stewardship fund requests are approximately \$12,000-15,000 per project.

TOTAL 2008 TRUST FUND PROJECT BUDGET: \$ 225,000

M.L. 2009

Personnel: \$70,000 to cover a portion of the salaries and related benefits of staff working on projects funded under this grant—approximately .75 FTE conservation program staff and .25 legal and other support staff.

Acquisition, including easement: \$118,000 to acquire 4-6 conservation easements protecting up to 150 acres of land to be held by the Minnesota Land Trust. A limited amount may be used for the direct cost of acquiring easements where landowners are not be able to donate the full value of an easement. The remaining funds will be used for related transaction costs such as for appraisals, surveys, title work, mapping, etc. NOTE: Exact amounts are not known at this time. Transaction costs are higher for purchases than donations and amounts will be allocated as specific projects are identified for completion under this grant.

Travel: \$2,000 to cover mileage and related travel expenses in Minnesota.

Stewardship: \$60,000 to be dedicated to the Stewardship and Enforcement Fund. Actual amounts committed for stewardship will depend upon the number and nature of specific projects completed and the availability of other funds. Currently, typical stewardship fund requests are approximately \$12,000-15,000 per project.

TOTAL 2009 TRUST FUND PROJECT BUDGET: \$ 250,000

Explanation of Capital Expenditures Greater Than \$3,500: N/A

VI. OTHER FUNDS & PARTNERS:

A. Project Partners: Project partners for 2008 and 2009 include Metro Conservation Corridors partners (please see overall MeCC work program for list of project partners) and private landowners, local governments, regional, state and federal agencies, nonprofit organizations and citizen groups.

B. Other Funds Proposed to be Spent during the Project Period: By working to acquire donated conservation easements, the Minnesota Land Trust will be able to protect lands at a fraction of what it would cost to purchase comparable lands in fee. This funding will leverage millions of dollars of value in easements on lands protected through this grant. Additional funds will be spent by the Minnesota Land Trust to cover costs associated with the project not covered by the grant.

The value of donated easements is difficult to predict, but we expect at least a one-to-one match of LCCMR funds to other funds for 2008 and at least one million dollars in leverage for 2009. Note: under prior phases of this project, the Land Trust has accepted easements with known values of over \$8,300,000 with the donated value at well over \$8,000,000. The cost to the State of Minnesota to complete these projects was just over \$426 per acre.

C. Past Spending: The Minnesota Land Trust has received the following from past Metro Corridors grants: \$ 230,000 in 2003; \$ 230,000 in 2005; \$134,000 in 2007; and \$225,000 in 2008.

D. Time: For the 2008 phase, funds are anticipated to be spent in one year, but may extend over the two years of the grant, starting approximately July 1, 2008. For the 2009 phase, funds will extend over the two years of the grant, starting approximately July 1, 2009 until June 30, 2011. Both the 2008 and 2009 phases are a continuation of the Minnesota Land Trust's existing Metro Conservation Corridors Partnership project. Components were designed to be overlapping so that activities could continue seamlessly. For example, we may initiate work with a landowner in one phase of the grant, but the project may not be completed until the next phase.

E. Project Impact and Long-Term Strategy: This project is part of the Land Trust's long-term, strategic conservation agenda. The conservation agenda sets out the specific conservation focus of the Minnesota Land Trust. This focus includes natural habitats for wildlife, fish and plants, lakeshores, rivers and streams, and scenic landscapes accessible or visible to the public. The conservation agenda also identifies a suite of critical landscapes throughout Minnesota that embody the natural and cultural features that make Minnesota unique. The Metropolitan Conservation Corridors is one of the Land Trust's identified critical landscapes – one that addresses the unique conservation challenges that exist in a largely developed area.

VII. DISSEMINATION: The Land Trust will disseminate results in our publications and on our web page. We will work to publicize completed projects in the media, targeting communities in which projects are located. Additionally, we will participate when possible in broader efforts of the Metro Conservation Corridors Partnership. These efforts may include emails to people on the Embrace Open Space (EOS) database, through the EOS quarterly meetings and jointly held county meetings, and on the partnership website.

VIII. REPORTING REQUIREMENTS:

Periodic work program progress reports will be submitted not later than February 1st and August 1st of each year. A final work program report and associated products for the 2008 appropriation will be submitted no later than August 1, 2010 and a final work program report and associated products for the 2009 appropriation will be submitted no later than August 1, 2011.

IX. RESEARCH PROJECTS: N/A

Minnesota Land Trust
2008 and 2009 LCCMR Metro Corridors Phase 4 and Phase 5 Project List
 May 7, 2009

The following is a list of projects the Minnesota Land Trust currently is considering. Other projects may be added to the list as new landowners are contacted. Many projects on the list will not be completed. Projects not completed under the 2008 phase will be moved to the 2009 phase. We have not yet initiated the 2009 phase.

PROJECTS:

Northwest Area: Wright, Sherburne, Isanti and Anoka Counties

Site/County	Approximate Acres	Water Body	STATUS
Deer Lake Anoka County	34	Deer Lake	On Hold
Emmans Farm Anoka County	80		On Hold
Rum River Isanti County	36	Rum River	On Hold
Rum River Isanti County	65	Rum River	On Hold
Rum River Isanti County	40	Rum River	On Hold
Rum River Isanti County	40	Rum River	Closing anticipated by end of 2009
Elk River Sherburne County	128	Elk River	On Hold
Elk River Sherburne County	150	Elk River	New project. Conducting initial project review.
TOTAL	573		

Central Area: Hennepin and Ramsey Counties

Site/County	Approximate Acres	Water Body	STATUS
Schendel Lake Hennepin County	TBD	Schendel Lake	On Hold
Wood-Rill Hennepin County	20		Negotiations ongoing.
Crow River Hennepin County	28	Crow River	On Hold
Wood-Rill Hennepin County	1		On Hold
Doug's Prairie Hennepin County	92	Mooney Lake + ponds	Closing anticipated by end of 2009
Hennepin County			On Hold
TOTAL	141		

East Area: Chisago and Washington Counties

Site/County	Approximate Acres	Water Body	STATUS
Cree Park Washington County	10		Working on initial project review

Little Lake Chisago County	330	Little Lake	On Hold
Square Lake Park Washington County	34		On Hold
Sunfish Lake Park Washington County	250	Sunfish Lake	Closing anticipated by June of 2009
Wild River State Chisago County	10		On Hold
Wild River State Park Chisago County	40		New project. Working on initial project review.
Valley Creek Washington County	126	Ponds, Lake Edith	Closing anticipated by end of 2009
Valley Creek Washington County	12	Valley Creek	Closing anticipated by June of 2009
TOTAL	846		

Southwest Area: Carver, Scott, Sibley, LeSueur, Nicollet Counties

Site/County	Approximate Acres	Water Body	STATUS
Savage Fen Scott County	10		On Hold
TOTAL	10		

Southeast Area: Dakota and Goodhue Counties

Site/County	Approximate Acres	Water Body	STATUS
Akron Woods Dakota County	160		On Hold
Westerberg Dakota County	16		On Hold
Bullard Creek Goodhue County	193	Bullard Creek	Completed
Bullard Creek Goodhue County	60	Bullard Creek	On Hold
Hay Creek Goodhue County	140		On Hold
Hok-si-la Goodhue County	10		On Hold
Red Wing Goodhue County	200		Closing anticipated by end of 2009
Red Wing Goodhue County	475		Closing anticipated by end of 2009
Richard Dorer Memorial Forest Goodhue County	111		On Hold
Vermillion Bottoms Goodhue County	500		On Hold
Wacouta Beach Goodhue County	16		On Hold
Covill Park Goodhue County	5		On Hold
Belle Creek Goodhue County	80		On Hold
TOTAL	1966		

Minnesota Land Trust: Metro Conservation Corridors – 2008 (Phase 4)
 Summary of Purchased Easements – May 2009

Project	Acres	Funding Type	Funds Use	Funding Amount
Bullard Creek Goodhue County	140	ENTF – 2008 Land Trust allocation	Purchase price of conservation easement	\$100,000
		Doris Duke Foundation	Purchase price of conservation easement	\$150,000
		Minnesota Land Trust acquisition fund	Purchase price of conservation easement	\$75,000
		Landowner donation	Donated value of conservation easement	\$276,200
		ENTF – 2008 Land Trust allocation	Stewardship	\$15,000

In addition to the expenses listed above, staff time and professional services expenses covering closing costs, title review, etc. were incurred and covered by the Land Trust’s 2008 Metro Conservation Corridors allocation. The Land Trust does not allocate staff time or professional services expenses to specific conservation projects.

Attachment A: Budget Detail for 2009 Projects

Project Title: *Metro Conservation Corridors - Phase V: Minnesota Land Trust*

Project Manager Name: *Jane Prohaska*

Trust Fund Appropriation: \$ 250,000

2009 Trust Fund Budget	<u>Result 1 Budget:</u>	Amount Spent (date)	Balance (date)
	<i>Aquiring Conservation Easements</i>		
BUDGET ITEM			
Personnel: wages and benefits: Staff expenses including salaries, benefits (FICA,FUTA. SUI, worker's comp health insurance, 401 (k), etc.) and related costs for approximately 1 FTE for one year as follows:	70,000		70,000
Conservation directors or other land protection staff (aproximately .75 FTE)			
Staff attorney and other support staff (approximately .25 FTE)			
Conservation Easement Acquisition Costs (less than fee)	118,000		118,000
Purchase price of conservation easement(s)			
Title work, insurance, etc.			
Maps, GIS (including project mapping by Community GIS)			
Film			
Other (including appraisals, survey, recording fees, etc.)			
Travel: mileage and related travel expenses in Minnesota	2,000		2,000
Easement Stewardship: funds dedicated to perpetually monitoring, managing, and enforcing acquired easements	60,000		60,000
COLUMN TOTAL	\$250,000	\$0	\$250,000