

## Environment and Natural Resources Trust Fund (ENRTF) 2010 Work Program

**Date of Report:** November 24, 2009  
**Date of Next Progress Report:** November 2010  
**Date of Work Program Approval:**  
**Project Completion Date:** June 30, 2012

### **I. PROJECT TITLE: HCP Phase VI Supplemental Shoreland Protection Project (3a)**

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**Location:** HCP Project Areas 2, 4, 5, and 3-7-8

<b>Total ENRTF Project Budget:</b>	<b>ENRTF Appropriation</b>	<b>\$102,000</b>
	<b>Minus Amount Spent:</b>	<b>\$ 0</b>
	<b>Equal Balance:</b>	<b>\$102,000</b>

**Legal Citation: M.L. 2010, Chp. 362, Sec. 2, Subd. 4f3a**

#### **Appropriation Language:**

\$1,344,000 is added to Laws 2009, chapter 143, section 2, subdivision 4, paragraph (e), from the trust fund for the acceleration of agency programs and cooperative agreements. Of this appropriation, \$308,000 is to the commissioner of natural resources for agency programs and \$1,036,000 is for agreements as follows: \$425,000 with Ducks Unlimited, Inc.; \$50,000 with National Wild Turkey Federation; \$164,000 with the Nature Conservancy; \$102,000 with Minnesota Land Trust; \$200,000 with the Trust for Public Land; \$45,000 with Friends of Detroit Lakes Wetland Management District; and \$50,000 to the Leech Lake Band of Ojibwe to plan, restore, and acquire fragmented landscape corridors that connect areas of quality habitat to sustain fish, wildlife, and plants. The United States Department of Agriculture Natural Resources Conservation Service is an authorized cooperating partner in the appropriation. Expenditures are limited to the project corridor areas as defined in the work program. Land acquired with this appropriation must be sufficiently improved to meet at least minimum habitat and facility management standards as determined by the commissioner of natural resources. 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.

## **II. PROJECT SUMMARY AND RESULTS:**

The Minnesota Land Trust proposes to use its 2010 allocation of \$102,000 as a supplement to the 2009 phase of this grant to complete 1-2 urgent projects that require a small amount of capital funding. Therefore, the Land Trust will acquire 1-2 perpetual conservation easements protecting 100-150 acres of critical shoreline habitat.

We have already identified three potential projects in northern Minnesota that represent high-leverage projects and also are rare opportunities to protect important shoreline habitat.

We will work only with perpetual conservation easements. These easements will prohibit those land uses or development that harm or negatively affect important riparian and other habitat values, require natural resource habitat management plans where appropriate, and direct the use of native vegetation where appropriate in conjunction with any required restoration.

These easements will be monitored and enforced under the Land Trust's comprehensive conservation easement stewardship program funded in part through our Stewardship and Enforcement Fund.

Activities under this grant include: negotiating with interested landowners, drafting and completing the easements, documenting property conditions, and dedicating funds for the perpetual monitoring, management and enforcement of those easements.

Funds will be used for direct payments to landowners and transactional expenses such as appraisals, title review, and mapping. Funds may also be requested for our dedicated Stewardship and Enforcement Fund on a project-by-project basis. We will estimate anticipated annual expenses for each project and the investment needed in order to generate annual income sufficient to cover these expenses in perpetuity--all in accordance with our policies and procedures—and request funds to cover all or part of the needed amount, depending upon whether other funding is available. 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 as well as complete any other necessary annual reporting.

## **III. PROGRESS SUMMARY AS OF:**

## **IV. OUTLINE OF PROJECT RESULTS:**

**RESULT/ACTIVITY 1:** Protect Critical Shorelands through Conservation Easements

**Description:** The Minnesota Land Trust will protect critical riparian habitats by negotiating and completing 1-2 perpetual conservation easements (including documenting property conditions and creating management plans as appropriate) on up to 100-150 acres of land and dedicating funds for long-term monitoring, management and enforcement of the easements.

These acreage and project numbers are estimated based upon the amount of time anticipated to complete the identified potential projects and the approximate acreage of those potential projects. Actual completed project acreages and numbers will vary.

This phase of the project anticipates purchasing easements (likely at a price below market value). We currently have identified three projects, as described on the attached list. One or more of these potential projects may not be completed at all as they are further evaluated by the Land Trust or as landowners choose not to pursue protection options. If other urgent projects are identified, the Land Trust may add them to the list according to the LCCMR list update process. We will continually evaluate all projects to maximize conservation.

**Summary Budget Information for Result/Activity 1:**

<b>ENRTF Budget:</b>	<b>\$102,000</b>
<b>Amount Spent:</b>	<b>\$ 0</b>
<b>Balance:</b>	<b>\$102,000</b>

<b>Deliverable/Outcome</b>	<b>Completion Date</b>	<b>Budget</b>
<b>1.</b> Protect up to 100-150 acres of land by: <ul style="list-style-type: none"> <li>a. completing all components of 1-2 conservation easement projects</li> <li>b. dedicating funds to ensure long-term easement sustainability.</li> </ul>	Activity will be ongoing with projects completed by June 2012	\$102,000

**Result Completion Date:** Estimated as 6/30/2011 but no later than 6/30/2012. Status of individual projects will be reported on the attached project list.

**Result Status as of November 2010:**

**Result Status as of May 2011:**

**Result Status as of November 2011 (if needed):**

**Result Status as of May 2012 (if needed):**

**Final Report Summary:**

**V. TOTAL ENRTF PROJECT BUDGET:**

**Personnel:** \$ 0 from this phase. We anticipate using 2009 ENRTF dollars to cover personnel for these projects.

**Acquisition (Permanent Easements):** \$ 71,000

**Travel:** \$ 1,000

**Easement Stewardship:** \$ 30,000

**TOTAL ENRTF PROJECT BUDGET: \$102,000**

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

## **VI. PROJECT STRATEGY:**

**A. Project Partners:** This program is part of the Habitat Conservation Partnership Phase VI Supplemental. Please see the overall work program for a complete list of partners involved. In addition to these partners, the many private landowners of lands protected by conservation easements completed under this project remain responsible for the use and management of their lands to preserve and protect the identified conservation values, making these landowners long-term partners in the preservation and protection of these critical areas.

**B. Project Impact and Long-term Strategy:** The focus of the Minnesota Land Trust's activities under this project is on shorelands—fragile and ecologically important areas that have been recognized in the *Statewide Conservation and Preservation Plan* as among the most threatened natural systems in the State and in need of protection, conservation, and restoration.

This project is also a component of the Minnesota's Land Trust's long-term, strategic conservation agenda which guides the Land Trust's conservation work throughout the State. The conservation agenda sets out the specific conservation focus of the Land Trust which includes, among other things, the preservation of lakeshores, rivers and streams for their importance as habitat, for their relationship to water quality, and for the scenic values that have long been associated with Minnesota's beauty. The conservation agenda also identifies a suite of critical landscapes throughout the State that embody the natural and cultural features that make Minnesota unique. Many of these critical landscapes substantially overlap with the project areas identified by the Habitat Conservation Partnership.

Each individual conservation easement project completed by the Land Trust is evaluated to make sure that there are important conservation features that can be protected in perpetuity through the conservation easement being contemplated and that protection of these features provides significant public benefits. Additionally, the Land Trust places priority on projects that complement existing protected lands and connect important habitat areas, thereby amplifying the ecological value and public benefits achieved by an individual project.

**C. Other Funds Proposed to be Spent during the Project Period:** By purchasing easements at a bargain sale price, the Minnesota Land Trust will be able to protect lands at a fraction of what it would cost to purchase comparable lands in fee. Although

the donated value of easements is difficult to predict, we anticipate leveraging approximately \$500,000 in donated value from landowners.

Because this project is supplemental to the 2009 grant, we anticipate using the 2009 grant to cover personnel costs, and to use the 2010 funds only for easement acquisition costs and easement stewardship. We anticipate approximately \$20,000 of 2009 dollars will be used for personnel. Additional funds will be spent from the Land Trust's operating fund to cover costs associated with this project that are not covered by the grant.

**D. Spending History:** This project is part of the Land Trust's ongoing shoreland program. In addition to Land Trust operating funds spend on the project, we have received previous ENRTF appropriations over the past two years as follows: Minnesota Laws 2008, Chapter 367, Section 2, Subdivision 3(c): \$210,000; Minnesota Laws 2009, Chapter 143, Section 2, Subdivision 4(e): \$210,000.

**VII. DISSEMINATION:** The Minnesota Land Trust holds more conservation easements than any other private conservation organization in the State, making it one of the most experienced organizations working with this unique conservation tool. As we learn from our experiences in protecting land with conservation easements, we will continue to share our knowledge and techniques with others working in this area. Results will be disseminated by the Minnesota Land Trust in our publications and on our web page ([www.mnland.org](http://www.mnland.org)). We will work to publicize completed projects in the media, targeting communities in which the lands are located. We will also participate when possible in larger dissemination and publicity efforts of the Habitat Corridors Partnership.

**VIII. REPORTING REQUIREMENTS:** Periodic work program progress reports will be submitted not later than November 2010, May 2011, November 2011 (if needed), and May 2012 (if needed). A final work program report and associated products will be submitted between June 30 and August 1, 2011 as requested by the LCCMR.

**IX. RESEARCH PROJECTS:** N/A

**Minnesota Land Trust  
LCCMR Habitat Corridors Partnership  
2010 (Phase VII) Potential Project List**

The following is a list of projects the Minnesota land Trust currently is considering or pursuing for this phase of the grant. Other projects may be added to the list as we identify other projects requiring purchase funds. Some of the projects on the list may not be completed.

<b>Site</b>	<b>Acres</b>	<b>Water Body</b>	<b>Shoreline Feet</b>	<b>County</b>	<b>Status</b>
North Shore	74	Lake Superior	1,900	Lake	New project
Three Lakes	790	Fischer, Murphy and Albertson Lakes	41,000	Becker	Negotiations initiated
Cooks Lake	495	Cooks Lake	6,433	Otter Tail	New project

Attachment A: Budget Detail for 2010 Projects									
<b>Project Title:</b>									
Minnesota's Habitat Conservation Partnership--Phase VI supplemental Minnesota Land Trust - Shoreland Protection Project (3a)									
<b>Project Manager Name:</b> Sarah Strommen									
<b>Trust Fund Appropriation:</b> \$ 102,000									
2010 Trust Fund Budget	<u>Result 1 Budget:</u>	<b>Amount Spent</b> <i>(date)</i>	<b>Balance</b> <i>(date)</i>	<b>Total Budget</b>	<b>Total Balance</b>				
	Protect Critical Shorelands through Conservation Easements								
<b>BUDGET ITEM</b>									
<b>Easement acquisition costs:</b> purchase price of conservation easement(s); title work, title insurance, and closing fees, etc.; maps, GIS (including project mapping by Community GIS); Other, including appraisals and surveys	71,000			71,000					
<b>Travel expenses in Minnesota</b>	1,000			1,000					
<b>Easement Stewardship</b>	30,000			30,000					
<b>COLUMN TOTAL</b>	<b>\$102,000</b>	<b>\$0</b>	<b>\$102,000</b>	<b>\$102,000</b>	<b>\$0</b>				

