

## Trust Fund 2009 Work Program and Trust Fund 2010 Work Program

**Date of Report:** April 20, 2010

**Date of Next 2009 & 2010 Status Report:** August 1, 2010

	<b>M.L. 2009</b>	<b>M.L. 2010</b>
<b>Date of Work program</b>	June 16, 2009	
<b>Approval:</b>		
<b>Project Completion Date:</b>	June, 30 2011	June 30, 2012

**I. PROJECT TITLE:** Metro Conservation Corridors – Phase V  
Protect Significant Habitat by Acquiring Conservation Easements [M.L. 2009]  
Metro Conservation Corridors – Phase V Supplemental  
Protect Significant Habitat by Acquiring Conservation Easements [M.L. 2010]

**Project Manager:** Sarah Strommen, Conservation Director, Central Region  
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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. 2009	M.L. 2010	Total
<b>Trust Fund Appropriation:</b>	<b>\$250,000</b>	<b>\$485,000</b>	<b>\$735,000</b>
<b>Minus Amount Spent:</b>	<b>\$5,817</b>	<b>\$0</b>	<b>\$5,817</b>
<b>Equal Balance:</b>	<b>\$244,183</b>	<b>\$485,000</b>	<b>\$729,183</b>

**Legal Citation:**

**M.L. 2009, Chp. 143, Sec. 2, Subd. 4(f)**

**Appropriation Language:**

\$3,375,000 is from the trust fund to the commissioner of natural resources for the sixth appropriation for acceleration of agency programs and cooperative agreements. Of this appropriation, \$770,000 is for the Department of Natural Resources agency programs and \$2,605,000 is for agreements as follows: \$450,000 with Pheasants Forever; \$50,000 with Minnesota Deer Hunters Association;

\$895,000 with Ducks Unlimited, Inc.; \$85,000 with National Wild Turkey Federation; \$365,000 with the Nature Conservancy; \$210,000 with Minnesota Land Trust; \$350,000 with the Trust for Public Land; \$100,000 with Minnesota Valley National Wildlife Refuge Trust, Inc.; \$50,000 with the United States Fish and Wildlife Service; and \$50,000 with Friends of Detroit Lakes Watershed Management District 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 a 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. 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.

**Legal Citation:**

**M.L. 2010, Chp. 362, Sec. 2, Subd. 4(g)**

**Appropriation Language:**

\$1,750,000 is added to Laws 2009, chapter 143, section 2, subdivision 4, paragraph (f), from the trust fund to the commissioner of natural resources for acceleration of agency programs and cooperative agreements. Of this appropriation, \$1,750,000 is for agreements as follows: \$890,000 with the Trust for Public Land; \$485,000 with Minnesota Land Trust; \$325,000 with Minnesota Valley National Wildlife Refuge Trust, Inc.; and \$50,000 with Friends of the Minnesota Valley for 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.

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

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.

M.L. 2010: The Minnesota Land Trust proposes to use its 2010 allocation of \$485,000 as a supplement to the 2009 phase of this grant to complete 1-2 urgent projects that require capital funding. The Minnesota Land Trust will protect up to 40-80 acres of high-quality forest and wetland habitats by securing permanent conservation easements and dedicating funds for the perpetual monitoring, management, and enforcement of those easements. One of the easements is anticipated to be co-held with the Anoka Conservation District.

## **III. PROGRESS SUMMARY AS OF APRIL 19, 2010 AND AMENDMENT REQUEST:**

M.L. 2009

<b>2009 Goal:</b>	<b>150 acres</b>
<b>Number of Easements Completed:</b>	
<b>Total Acres of Easements Completed:</b>	
<b>Total Acres of Potential Easements:</b>	<b>3,328 acres</b>

The Land Trust began work on Phase 5 of this grant in December 2009. To date we have continued negotiations with several landowners whose projects were initiated in earlier phases and continued to identify and contact new landowners. An updated project list is attached. Additionally, we have determined that a budget amendment is necessary in order to be able to supplement our existing staff capacity with professional contact services. The request is detailed below in the Project Results section and on Attachment A.

M.L. 2010

<b>2010 Goal:</b>	<b>40-80 acres</b>
<b>Number of Easements Completed:</b>	
<b>Total Acres of Easements Completed:</b>	
<b>Total Acres of Potential Easements:</b>	

**IV. OUTLINE OF PROJECT RESULTS:**

**Result/Activity 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.

The 2010 grant is supplemental to the 2009 grant. With this supplemental funding, the Land Trust will complete 1-2 urgent projects that require capital funding. The Minnesota Land Trust will protect up to 40-80 acres of high-quality forest and wetland habitats by securing permanent conservation easements and dedicating funds for the perpetual monitoring, management, and enforcement of those easements.

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

	<b>M.L. 2009</b>	<b>M.L. 2010</b>	<b>Total</b>
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<b>Trust Fund Budget:</b>	<b>\$225,000</b>	<b>\$485,000</b>	<b>\$735,000</b>
<b>Amount Spent:</b>	<b>\$5,817</b>	<b>\$0</b>	<b>\$5,817</b>
<b>Balance:</b>	<b>\$244,183</b>	<b>\$485,000</b>	<b>\$729,183</b>

<b>Deliverable/Outcome</b>	<b>Completion Date</b>	<b>Budget</b>
<b>1. M.L. 2009:</b> Protect up to 150 acres by: <ul style="list-style-type: none"> <li>a. identifying and contacting landowners</li> <li>b. completing 4-6 conservation easements</li> <li>c. dedicating funds to ensure long-term easement sustainability</li> </ul>	June 30, 2011	\$250,000 <ul style="list-style-type: none"> <li>a. included in personnel</li> <li>b. included in CE acquisition costs, travel, and personnel</li> <li>c. estimated at \$60,000</li> </ul> All as outlined in Attachment A.
<b>2. M.L. 2010:</b> Protect up to 40-80 acres by: <ul style="list-style-type: none"> <li>a. completing 1-2 conservation easements</li> <li>b. dedicating funds to ensure long-term easement sustainability</li> </ul>	June 30, 2012	\$485,000 <ul style="list-style-type: none"> <li>a. included in CE acquisition costs, and personnel</li> <li>b. estimated at \$30,000</li> </ul> All as outlined in Attachment A.

**Completion Date:** M.L. 2009: June 30, 2011; M.L. 2010: June 30, 2012

**Amendment Request:**

The Land Trust has determined that completing the anticipated deliverables will require the Land Trust to contract for project services to supplement our existing staff capacity. We anticipate contracting with Lee Markell, or other individuals familiar with conservation easements. Work tasks would include negotiating and drafting conservation easements and/or completing easement baseline documentation. This change does not affect the overall deliverables. It does, however, require that we create a new budget item (contracts). This proposed budget change is shown on Attachment A and in Section V. Total Trust Fund Project Budget. Budget amendment approved on: April 26, 2010.

**Result Status as of February 1, 2010:**

M.L. 2009: The Land Trust only recently (December 2009) commenced this phase of the grant. We are continuing to work on several projects started under previous phases. We anticipate three projects to close by June 30, 2010. Additionally, we continue to identify new landowners. An updated project list is attached.

M.L. 2010: This phase is pending action from the Minnesota Legislature.

**Result Status as of August 1, 2009:**

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

**Result Status as of May 1, 2009:**

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

**Result Status as of August 1, 2010:**

**Result Status as of February 1, 2011:**

**M.L. 2009 Final Report Summary:**

**Result Status as of August 1, 2011:**

**Result Status as of February 1, 2012:**

**M.L. 2010 Final Report Summary:**

**V. TOTAL TRUST FUND PROJECT BUDGET:**

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.

**Contracts:** \$18,000 for land protection project professional services, including negotiating and drafting conservation easements and/or completing easement baseline documentation

**Acquisition, including easement:** \$100,000 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**

M.L. 2010

**Personnel:** \$20,000 to cover a portion of the salaries and related benefits of staff working on projects funded under this grant

**Acquisition, including easements:** \$435,000

**Stewardship:** \$30,000 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 2010 TRUST FUND PROJECT BUDGET: \$485,000**

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

## **VI. OTHER FUNDS & PARTNERS:**

**A. Project Partners:** Project partners for 2009 and 2010 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 Spent/Proposed to be Spent during the Project Period:** By working to acquire donated conservation easements, or easements through bargain purchases, 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 one million dollars in leverage for 2009. For 2010, the Land Trust, working with Anoka County, has secured \$200,000 through the Metro Greenways Program.

**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; \$225,000 in 2008; and \$250,000 in 2009.

**D. Time:** For the 2009 phase, funds will extend over the two years of the grant, starting approximately July 1, 2009 until June 30, 2011. For the 2010 phase, funds are anticipated to be spent in one year, starting approximately July 1, 2010. The 2009 and 2010 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:** For 2009 and 2010 the Land Trust will continue to 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:**

For the 2009 and 2010 appropriations, periodic work program progress reports will continue to be submitted February 1<sup>st</sup> and August 1<sup>st</sup> of each year. A final work program report and associated products for the 2009 appropriation will be submitted not later than August 1, 2011. A final work program report and associated products for the 2010 appropriation will be submitted not later than August 1, 2012.

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



**Minnesota Land Trust**  
**2008, 2009, and 2010 LCCMR Metro Corridors Phase 4, Phase 5, and Phase 5 Supplemental Project List**  
 November 24, 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 planned for potential purchase of easement through the 2010 supplemental grant are marked with an \* in the status column.

**PROJECTS:**

**Northwest Area: Wright, Sherburne, Isanti and Anoka Counties**

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

**Central Area: Hennepin and Ramsey Counties**

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

**East Area: Chisago and Washington Counties**

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

<b>Little Lake</b> Chisago County	330	Little Lake	On Hold
<b>Square Lake Park</b> Washington County	34		On Hold
<b>Sunfish Lake Park</b> Washington County	<b>250</b>	<b>Sunfish Lake</b>	<b>Completed</b>
<b>Wild River State</b> Chisago County	10		On Hold
<b>Wild River State Park</b> Chisago County	40		Ongoing*
<b>Valley Creek</b> Washington County	126	Ponds, Lake Edith	Closing anticipated by end of 2009
<b>Valley Creek</b> Washington County	<b>13</b>	<b>Valley Creek</b>	<b>Completed</b>
<b>Valley Creek</b> Washington County	TBD	<b>Valley Creek</b>	New Project*
<b>TOTAL</b>	<b>813</b>		

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

Site/County	Approximate Acres	Water Body	STATUS
<b>Savage Fen</b> Scott County	10		On Hold
<b>Oak Lake</b> Carver County	106	Oak Lake	Ongoing*
<b>TOTAL</b>	<b>116</b>		

**Southeast Area: Dakota and Goodhue Counties**

Site/County	Approximate Acres	Water Body	STATUS
<b>Akron Woods</b> Dakota County	160		On Hold
<b>Westerberg</b> Dakota County	16		On Hold
<b>Bullard Creek</b> Goodhue County	<b>193</b>	<b>Bullard Creek</b>	<b>Completed</b>
<b>Bullard Creek</b> Goodhue County	60	Bullard Creek	On Hold
<b>Hay Creek</b> Goodhue County	140		On Hold
<b>Hok-si-la</b> Goodhue County	10		On Hold
<b>Red Wing</b> Goodhue County	200		Closing anticipated by end of 2009
<b>Red Wing</b> Goodhue County	475		Closing anticipated by end of 2009
<b>Richard Dorer Memorial Forest</b> Goodhue County	111		On Hold
<b>Vermillion Bottoms</b> Goodhue County	500		On Hold
<b>Wacouta Beach</b> Goodhue County	16		On Hold
<b>Covill Park</b> Goodhue County	5		On Hold
<b>Belle Creek</b> Goodhue County	80		On Hold
<b>Wells Creek</b> Goodhue County	50		New project. Conducting initial project review.

<b>TOTAL</b>	<b>2016</b>		
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**Attachment A: Budget Detail for 2010Projects**

**Project Title:** *Metro Conservation Corridors - Phase V Protect Significant Habitat by Acquiring Conservation Easements (3.2)*

**Project Manager Name:** *Sarah Strommen*

**Trust Fund Appropriation:** \$ 485,000

<b>2010 Trust Fund Budget</b>	<b><u>Result 1 Budget:</u></b>	<b>Amount Spent (date)</b>	<b>Balance (date)</b>
	<i>Acquiring Conservation Easements</i>		
<b>BUDGET ITEM</b>			
<b>Personnel:</b> 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:	20,000		20,000
<b>Conservation Easement Acquisition Costs</b> ( <i>less than fee</i> )	435,000		435,000
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.)			
<b>Easement Stewardship:</b> funds dedicated to perpetually monitoring, managing, and enforcing acquired easements	30,000		30,000
<b>COLUMN TOTAL</b>	<b>\$485,000</b>	<b>\$0</b>	<b>\$485,000</b>