

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

**Date of Report:** February 10, 2010  
**Date of Next Progress Report:** January 2011  
**Date of Work Program Approval:**  
**Project Completion Date:** June 30, 2013

**I. PROJECT TITLE: Conserving Sensitive and Priority Shorelands in Cass County**

**Project Manager:** John Ringle, Cass County ESD Director  
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**Location:** All easements obtained in Cass County, Minnesota

<b>Total Trust Fund Project Budget:</b>	<b>Trust Fund Appropriation</b>	<b>\$300,000</b>
	<b>Minus Amount Spent:</b>	<b>\$</b>
	<b>Equal Balance:</b>	<b>\$ 300,000</b>

**Legal Citation:** M.L. 2009, Chp. 362, Sec. 2, Subd. 4h

**Appropriation Language:**

\$300,000 is from the trust fund to the commissioner of natural resources for an agreement with Cass County to provide assistance for the donation of perpetual conservation easements to protect sensitive shoreland parcels for long-term protection of recreation, water quality, and critical habitat in north central Minnesota. This appropriation is available until June 30, 2013, by which time the project must be completed and final products delivered.

**II. PROJECT SUMMARY AND RESULTS:**

Cass County's 500+ high quality lakes provide critical habitat for fish and wildlife and are the focal points for many Minnesotan's recreational enjoyment. They are also the economic engines that sustain local communities. The future quality of these water resources is threatened by increasing population growth and shoreland development. In 2008, the Leech Lake Area Watershed Foundation and Cass County conducted a mapping project of the County's 55 most developed lakes and found that approximately 38% of the shorelands on those lakes (1,487 parcels; 228 miles of shoreland) are large, undeveloped or minimally developed, privately owned parcels that have "high conservation potential." The criteria used to identify the 1,487 parcels in the mapping project were: 1) all parcels were undeveloped or minimally developed to insure the natural state of the resource was intact; and 2) the amount of shoreland (400 feet or more); or 3) total amount of riparian land per

parcel (5 acres or more); or 4) the parcel had both 400+ feet of shoreland and 5+ acres of riparian land. Of the 55 lakes mapped, 17 of these lakes are included in the DNR's Sensitive Lakeshore Identification Pilot Project (see Exhibit A) to identify sensitive shorelands that are the most vulnerable to development. Thirteen (13) natural resource attributes were used by the DNR to determine the sensitive shoreland.

Additional sorting criteria will be used to identify and prioritize targeted parcels among the 1,487 previously identified parcels to determine the 12-15 easements to be assisted by this project. When the reports are finished on the 17 lakes in the DNR's Sensitive Shoreland study (anticipated completion date of mid-2010), a subset of parcels will be identified that are both within the original 1,487 "high conservation potential" parcels and lie within the sensitive shoreland areas on those 17 lakes. The landowners of this subset of sensitive shoreland parcels (to be determined) will be contacted by letter to explain this project and the benefits of a conservation easement and invited to an informational meeting where they can learn more and ask questions. The landowners that then show positive interest in donating a conservation easement will be the highest priority for easement assistance. Landowners on the other 38 lakes mapped in Cass County will be considered if they meet the natural resources criteria developed by the DNR for sensitive shoreland and only if enough easements are not secured on the 17 priority lakes to complete the project. Cass County will provide LCCMR an updated listing of landowners and parcels being considered for donated easements as part of the periodic status reporting.

If there are more landowners willing to donate easements than the project can accommodate, further criteria will be applied, the highest priority being given to parcels with higher amounts of shoreland and/or higher ranking of natural resource attributes, either of which would provide greater conservation value.

Lake associations will be a key partner in the initial contact with targeted landowners and promoting conservation easements. Permanent protection of 1,200-1,500 acres of riparian land in Cass County, including 3-5 miles of sensitive and/or "high conservation potential" priority shorelands, will be achieved through the donation of 12-15 permanent conservation easements.

### III. PROGRESS SUMMARY AS OF

### IV. OUTLINE OF PROJECT RESULTS:

**Result/Activity 1:** Permanent protection of 1,200-1,500 acres of riparian land, including 3-5 miles of sensitive and/or priority shorelands through the donation of 12-15 conservation easements from riparian landowners.

**Description:** Available GIS maps of riparian parcels of "high conservation priority" in Cass County correlated with the sensitive shorelands identified by the DNR/Cass County Sensitive Lakeshore Identification Pilot Project will be used to target critical parcels for conservation easements. The easements will be held by either Cass County or the nonprofit Minnesota Land Trust, whichever the landowner prefers and is appropriate to the landowner's conservation goals. Landowners are offered a choice of easement holders because some landowners do not want their easement held by a government agency. A Land Conservation Specialist will work with the County and local lake associations to contact the owners of these parcels to educate them about the benefits of conservation easements. The Specialist will help interested landowners to explore their conservation



## V. TOTAL TRUST FUND PROJECT BUDGET:

**Contracts:** \$68,500 –Land Conservation Specialist \$15,000—Minnesota Land Trust for project assistance, including review of the easement, conservation values assessment and other related documents for each project. Will review for compliance with IRS requirements and other easement standards. Costs are estimated at \$1,000 per project on average; however, actual costs per project may vary depending on needs.

**Equipment/Tools/Supplies:** \$-0-

**Acquisition, including easements:** \$-0-

**Travel:** \$ 1,500 for mileage expenses to meet with landowners

**Other:** \$ 185,000 Professional Services for closing costs on donated conservation easements. Average costs per donated easement will include:

- Initial site visit by appraiser \$1500
- Abstract update \$ 500
- Legal opinion on title \$ 750
- Pre-easement appraisal \$4000
- Post-easement appraisal \$4000
- Conservation Values Assessment \$1000
- Incidental expenses \$ 500

MLT Stewardship Fees: For MLT-held easements only, these funds may be used for their required stewardship and enforcement fund (estimated at up to \$15,000 per project depending upon size, location and complexity) and are capped at \$30,000. If these funds are not needed for MLT stewardship, they will be used to pay closing costs for additional County-held easement(s).

**TOTAL TRUST FUND PROJECT BUDGET: \$300,000**

## VI. PROJECT STRATEGY:

### A. Project Partners:

Leech Lake Area Watershed Foundation (contractor)

Minnesota Land Trust (contractor)

### B. Project Impact and Long-term Strategy:

This project is a model for cost-effective, long-term protection of recreational opportunities, water quality, and critical land and aquatic habitats on the most highly developed and sensitive lakeshores in Cass County and throughout North Central Minnesota. This project will insure that while the population continues to grow and communities prosper, a legacy of quality natural resources and abundant recreational opportunities for many Minnesotans will be maintained for future generations to enjoy. Ongoing monitoring of easements will be

conducted annually to assure that the conservation values and restrictions identified in the easement contract and supporting documentation are being preserved and observed. Cass County Environmental Services staff will inspect County-held easements at County expense. The Minnesota Land Trust will monitor easements conveyed to them under their established policies.

**C. Other Funds Proposed to be spent during the project period:**

**D. Spending History:**

LCCMR-funded (\$235,000 in two grants)--Cass County/DNR Intra-Lake Zoning Project identified sensitive shorelands for protection. This work will be used to prioritize sensitive shorelands and target landowners for conservation easements funded by this project.

**VII. DISSEMINATION:** Information on this project will be disseminated via the Cass County website at [www.co.cass.mn.us](http://www.co.cass.mn.us) as well as the Leech Lake Watershed Foundation website at [www.leechlakewatershed.org](http://www.leechlakewatershed.org) . Conservation easement information, conservation potential maps, and articles will be published in lake association newsletters and the Association of Cass County Lakes E-newsletter.

**VIII. REPORTING REQUIREMENTS:** Periodic work program progress reports will be submitted not later than December 2010, September 2011, June 2012, December 2012, June 30, 2013. A final work program report and associated products will be submitted between June 30 and August 1, 2013 as requested by the LCCMR.

# EXHIBIT A

## Conserving Sensitive and Priority Shorelands in Cass County

### LOCATION MAP



Attachment A: Budget Detail for 2010 Projects - Summary and a Budget page for each partner (if applicable)					
Project Title: Conserving Sensitive and Priority Shorelands in Cass County					
Project Manager Name: John P. Ringle, Cass County Environmental Services Director					
Trust Fund Appropriation: \$ 300,000					
2010 Trust Fund Budget	Result 1 Budget:	Amount Spent (date)	Balance (date)	TOTAL BUDGET	TOTAL BALANCE
	12-15 Donated Conservation Easements				
<b>BUDGET ITEM</b>					
<b>PERSONNEL:</b>					
<b>Contracts</b>					
<b>Professional/technical:</b> Leech Lake Area Watershed Foundation (LLAWF) for a land conservation specialist to work with landowners and prepare baseline conservation values documentation for donated conservation easements to be held by Cass County.	68,500	0	68,500	68,500	68,500
<b>Professional Services:</b> Donated conservation easements will primarily be held by Cass County or, as an alternative, with the Minnesota Land Trust (MLT) if the landowner prefers to donate to a non-government entity. LCCMR grant funds to be used to pay costs associated with donated easement closing, such as land title research, appraisals, easement drafting and legal review, conservation value assessment, and recording fees.	185,000	0	185,000	185,000	185,000
<b>MLT Stewardship Fees:</b> For MLT-held easements only, these funds may be used for their required stewardship and enforcement fund (estimated at up to \$15,000 per project depending upon size, location and complexity) and are capped at the listed amount. If these funds are not needed for MLT stewardship, they will be used to pay closing costs for additional County-held easement(s).	30,000	0	30,000	30,000	30,000
<b>Other contracts:</b> Minnesota Land Trust for technical review of all donated conservation easement documents. Amount based on an estimate of approximately \$1000 per easement.	15,000	0	15,000	15,000	15,000
<b>Travel expenses in Minnesota:</b> To visit with landowners regarding donated conservation easements	1,500	0	1,500	1,500	1,500
<b>COLUMN TOTAL</b>	<b>\$300,000</b>	<b>\$0</b>	<b>\$300,000</b>	<b>\$300,000</b>	<b>\$300,000</b>

