

**Environment and Natural Resources Trust Fund  
2011-2012 Request for Proposals (RFP)**

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**Subd: 04i2.7/3.7**

**Project Title:** 2.7 / 3.7 - MeCC 6 - Dakota County Riparian and Lakeshore Protection

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**Category:** D. Land Acquisition for Habitat and Recreation

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**Total Project Budget: \$** 1,035,000

**Proposed Project Time Period for the Funding Requested:** 3 yrs, July 2011 - June 2014

**Other Non-State Funds (secured): \$** 485,000

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**Summary:**

Acquire permanent, riparian easements and develop natural resource management plans on 310 acres within the Vermillion and Cannon river systems and along Marcott Lake and Lake Marion in Dakota County.

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**Sponsoring Organization:** Dakota County

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**Location:**

**Region:** Metro

**Ecological Section:** Paleozoic Plateau (222L), Minnesota and NE Iowa Morainal (222M)

**County Name:** Dakota

**City / Township:** Multiple

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# 2011-2012 MAIN PROPOSAL

**PROJECT TITLE:** MeCC6: Dakota County Lakeshore and Riparian Protection

## I. PROJECT STATEMENT

The long history of settlement and long-accepted agricultural land use has resulted in the loss, degradation and fragmentation of our natural resource systems. In Dakota County, only 3% of the pre-settlement plant communities remain. Despite, increased public awareness of water quality issues and improvement methods and multi-agency efforts to assist landowners, nearly every river, stream and lake is officially impaired in some fashion. In recent decades, the County has experienced tremendous residential development. That development is attracted to the remaining natural features - especially lakes and rivers. The County has a wealth of high quality soils and a vibrant agricultural economy, and with recently high commodity prices, the pressure to plant corn and soybeans fence row to fence row has never been greater. This combination of large-scale impacts and trends must be approached comprehensively, long-term and collaboratively if we are to maintain and improve our natural resource heritage and its many associated benefits. At the same time, there are tremendous opportunities to proactively and successfully address these challenges. The economic downturn has halted residential development for now and significantly lowered land prices. Sound plans have been developed and adopted which collectively focus on protecting and improving our natural infrastructure. The County has an excellent track record of working effectively with a wide variety of agencies, jurisdictions and organizations and has the capacity to acquire and manage conservation easements and implement increased natural resource stewardship.

The project will acquire an estimated 34 permanent conservation easements, totaling 270 acres from willing landowners, along the Vermillion River and North, Middle and South Creek, South Branch and their tributaries; the Cannon River and its primary tributaries within the County (Dutch, Mud, Chub, Darden and Pine Creeks, and Trout Brook); and acquire permanent easements totaling 40 acres along Marcott Lakes in Inver Grove Heights. The scale and scope of this project is both doable and significant. It encompasses some of the best natural resource features found in the metropolitan region across a combination of urban, suburban and rural landscapes. It takes a precise and sound fiscal and ecological systems approach to conservation while attempting to balance the interests, rights and responsibilities of private landowners with the public's concerns about water, wildlife habitat, outdoor recreation, and climate change.

## II. DESCRIPTION OF PROJECT ACTIVITIES

**Activity 1:** Acquisition of Conservation Easements

**Budget:** \$ 899,000

The recently completed LCCMR-funded Vermillion River Corridor Plan will provide the basis for land protection within the Vermillion River system. The plan integrates and prioritizes the combined protection and improvement of water quality, wildlife habitat and appropriate outdoor recreational opportunities. A system of established criteria including reducing non-point pollution; improving stream channel, floodplain and wetland functions; ecological quality and size; length of shoreline; proximity to other protected land; landowner commitment to current and future stewardship; cost and leveraged funds; improving appropriate outdoor recreational opportunities; and other considerations will be used to evaluate and rank projects. The easements do not require public access, but projects including public access receive higher scores. In addition, payment for public access easements, similar to the DNR Angler Access Easement Program, will be available to landowners. Easements will be written in a way so as to not preclude public trails at a future date to reflect changes in demographics and local land use.

A similar plan and criteria system is being developed for the north Cannon River system. A citizen Advisory Committee will review and rank projects and forward recommendations to the County Board for approval.

Easement values for projects in cities or with an estimated cost exceeding \$50,000 will be based upon an independent fair market appraisal. Due to the lack of comparables for small riparian easements in the metro region and increased staff and financial efficiency, a formula based on rural agricultural tax assessed value and variably adjusted according to regulatory conditions, floodplain, amount of cultivated land taken out of production, and vegetation types will be used to determine per acre easement value. Updated aerial photography and Minnesota Land Cover Classification System data, official FEMA floodplain boundaries, and site visits will be used to determine the respective acreage components of each easement. These acreages will then be multiplied by the relevant valuation amount to determine the value of each respective component to produce the overall easement value. Payment for public access will be based upon \$5/foot for stream length or lakeshore within the easement.

Environmental assessments will be completed for all projects and all solid waste will have to be removed as a condition of participation. Easements are surveyed by the County Surveyor's Office and the resulting information is used for legal documents and boundary markers. Baseline Property Reports, referenced in the easement deed, are reviewed and signed by the landowner and the County and completed prior to acquisition. All information is entered into a land management data base. As previously adopted by the County Board, the County's standard practice is to monitor each easement on an annual basis. A combination of remotely reviewing the easement using available technology and then scheduling a site visit is used for determining easement compliance. Each written monitoring report is reviewed and signed by the landowner and the County and then entered into the data base. Monitoring and future enforcement, if necessary, is an ongoing County obligation and is budgeted accordingly.

All easements require the completion of a Natural Resource Management Plan (NRMP) jointly developed by the County and the landowner. The NRMP describes the current and preferred habitat and other conditions with recommendations on how to achieve mutual goals. A detailed, three-year work plan, describing priority activities and responsibilities, is also completed as a core element of the NRMP. Due to the two-year time constraint and staff limitations, an estimated 50 percent of the easements will have final NRMPs completed by June 30, 2013 with the remaining 50 percent having preliminary NRMPs. Easement deed language requires completion of the final NRMP within six months of closing and funds are escrowed until the plan is completed.

Outcome	Completion Date
1. Permanent protection of estimated 32 properties totaling an estimated 310 acres of high priority natural resource lands	June 30, 2013

**Activity 2: Restoration**

**Budget: \$136,000**

Outcome	Completion Date
1. Final Natural Resource Management Plans and work plans for 150 acres of new easement acquisitions. Preliminary Natural Resource Management Plans for 150 acres for new easement acquisitions.	June 30, 2013
2. Restoration and Enhancement of 75 acres of previously protected areas or early easement acquisitions.	June 30, 2013

### **III. PROJECT STRATEGY**

#### **A. Project Team/Partners**

This proposal will be part of the Metro Conservation Corridor Partnership proposal. Dakota County has used a very collaborative approach to its land conservation efforts over the past seven years. All land acquisition has been done on the basis of willing sellers- most often on a bargain sale basis. The cities of Lakeville, and Hastings, Farmington and the Vermillion River Watershed Joint Powers Organization have contributed funds or in-kind services on past and current projects and are likely to continue those productive partnerships during this project phase. All eleven townships have been very supportive. The Soil and Water Conservation District and the Friends of the Mississippi River have been a critical partner in providing outreach, technical assistance and easement monitoring services. The County has worked very cooperatively with the DNR on a number of land conservation projects from contributing funds for state acquisitions and transferring County lands for a new WMA to jointly managing the Vermillion Highlands complex. The Natural Resource Conservation Service has been a critical partner in facilitating the use of over \$10M of federal Farm and Ranch Lands Protection Program (FRPP) funds to the County for acquiring permanent easements along waterways each year since 2003. Budgeted 2011 FRPP funds are available for conservation corridor projects.

#### **B. Timeline Requirements**

With the Vermillion River Corridor Plan already in place, completion of model implementation projects, development of selection criteria and the process for project evaluation and selection, project implementation in the Vermillion River watershed can begin with completing previously selected projects after July 1, 2011. Funding will require two years or until June 30, 2013.

#### **C. Long-Term Strategy and Future Funding Needs**

The County will complete an ambitious, comprehensive, long-term approach to land and water conservation vision and strategic implementation plan in early 2011. This plan will integrate acquisition of regional park in-holdings, development of a 200-mile multi-purpose greenway system, and protecting and improving riparian and lakeshore buffers, and natural area and agricultural conservation zones. County staff has preliminarily estimated an additional 15,000 acres will need to be protected and managed to fully achieve a variety of public benefits at an estimated cost of \$45M.

Protection of approximately 2,200 acres through the County's Farmland and Natural Areas Program and FY 2010 and 2011 Outdoor Heritage funding are currently underway. The County purposely withheld the use of project implementation funds from the FY 2009 LCCMR appropriation to the County until the Vermillion Corridor plan was completed. On November 2, 2010, the County Board adopted the process for selecting projects that will utilize the current \$509,965 Environment and Natural Resource Trust Fund balance to protect an additional 125 acres and restore 40 acres.

The County Board of Commissioners recently adopted the protection of riparian and lakeshore buffers as one of its top 25 county wide goals for 2011 and has included an additional \$2 million of Environmental Fund balance over the next five years to augment the \$1.3M of remaining Farmland and Natural Areas Program bond funds.

The County will continue to work proactively with landowners and numerous partners to strategically protect the highest quality natural resource lands providing multiple public benefits.

## 2011-2012 Detailed Project Budget

### IV. TOTAL TRUST FUND REQUEST BUDGET 2 years

BUDGET ITEM	AMOUNT
<b>Personnel:</b>	
<b>Contracts:</b> 50 percent of a .4 FTE contracted Real Estate Specialist for acquiring riparian easements for two years @ \$22,500/year from July 1, 2011, to June 30, 2013. Consultants will be selected on the basis of a County RFP process. Fifty percent of a .4 FTE contracted Natural Resource Specialist for developing and implementing natural resource management plans on all easement projects @	\$ 181,000
<b>Equipment/Tools/Supplies:</b> Not Applicable	\$ -
<b>Acquisition (Fee Title or Permanent Easements):</b> An estimated 30 riparian easements totaling 270 acres and two shoreland easements totaling an estimated 40 acres on Marcott Lakes will be held by Dakota County.	\$ 854,000
<b>Additional Budget Items:</b> Not Applicable	\$ -
<b>TOTAL ENVIRONMENT &amp; NATURAL RESOURCES TRUST FUND \$ REQUEST</b>	<b>\$ 1,035,000</b>

### V. OTHER FUNDS

SOURCE OF FUNDS	AMOUNT	Status
Dakota County (capital and two .5 FTE staff)	\$485,000	Secured
Vermillion River Watershed Joint Powers Organization	\$100,000	Pending
Federal Farm and Ranch Lands Protection Program (estimate based on receiving all of the state allocations during past eight years)	\$250,000	Pending
Landowner Donation (estimate based upon a conservative, five-year track record)	\$200,000	Pending
<b>Other State \$ Being Applied to Project During Project Period:</b> NA	\$0	
<b>In-kind Services During Project Period:</b> Minimally, this includes related County staff-time for Administration, GIS, Survey, County Attorney's Office, Environmental Assessments, and Property Documentation.	\$140,000	
<b>Remaining \$ from Current ENRTF Appropriation:</b> \$400,000 from the ENRTF for the "Vermillion River Corridor Acquisition and Restoration in Dakota County" in 2008. In addition, \$149,965 from the 1998 Chub Lake appropriation was transferred to this project in 2008. The \$40,000 planning component will be expended by October 30, 2010.	\$ 509,965	Unspent
<b>Funding History: Environment and Natural Resource Trust Funds</b> Phase I and Phase II of the Farmland and Natural Areas Program in 1998 and 2002	\$293,000	

## 2011-2012 Acquisition List for Environment and Natural Resources Trust Fund Proposal

**Project Title:** MeCC 6: Dakota County Riparian and Lakeshore Protection

**Project Manager Name:** Alan Singer

**Environment and Natural Resources Trust Fund \$ Request:** \$899,000


**Final Title Holder(s):** Dakota County

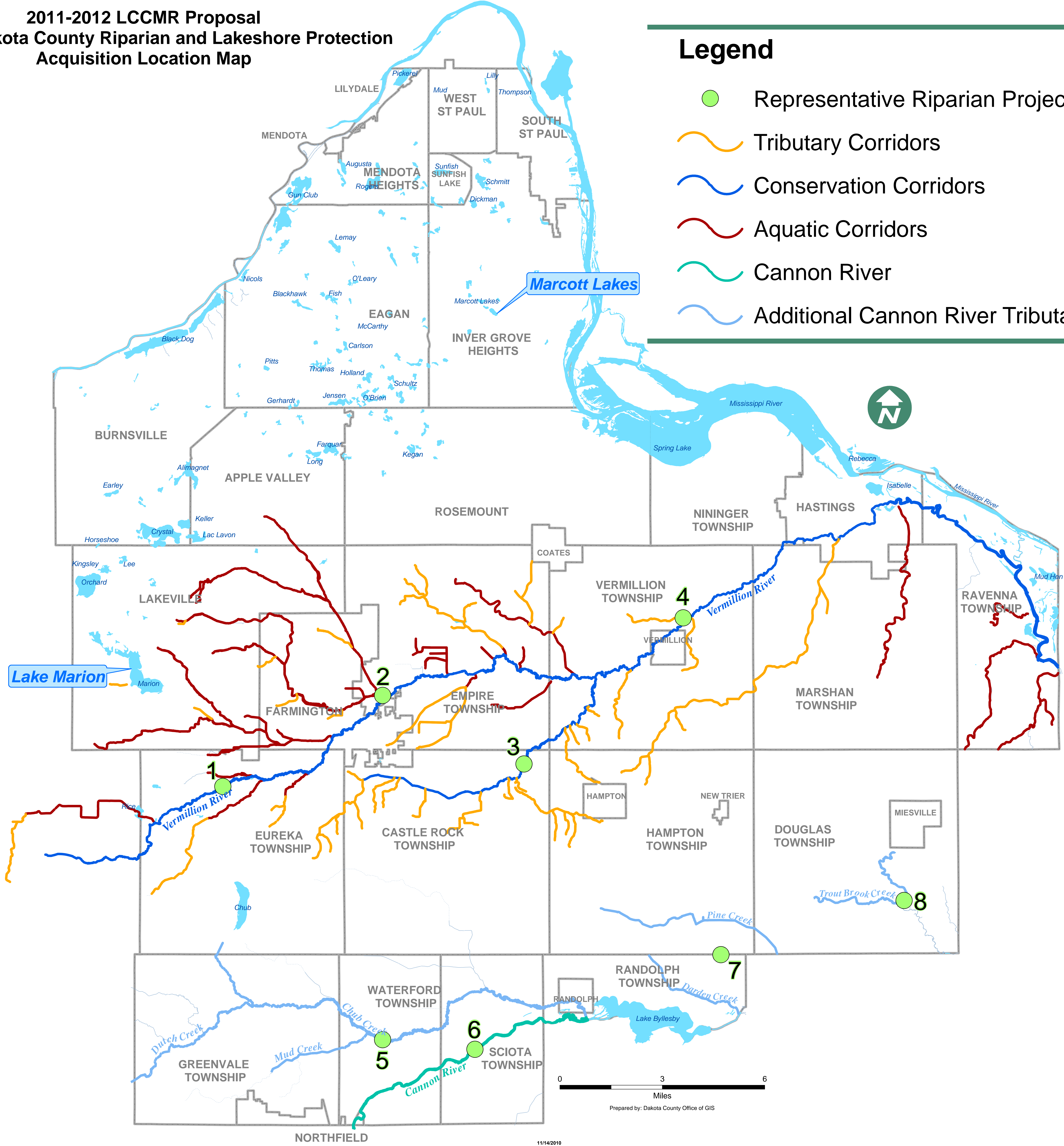
#	Parcel Name	Acquisition Type (Fee-Title OR Conservation Easement)	County	Estimated # of Acres	Geographical Coordinates (Provide Latitude/Longitude OR UTM-X/UTM- Latitude Longitude)	
					Latitude	Longitude
1	<b>Lakeshore</b>					
2	A. Marcott Lake	Easement (possible fee)	Dakota	80	44°48'58.355"N	93°4'3.402"W
3	B. Lake Marion	Easement (possible fee)	Dakota	14	44°39'41.956"N	93°16'47.092"W
5	<b>River/Stream *</b>					
6	1. Vermillion River Headwaters and western Main Stem	Easement	Dakota	200	44°36'53.022"N	93°13'44.82"W
7	2. South, Middle, and North Creek and central Main Stem of the Vermillion River	Easement	Dakota	100	44°39'13.485"N	93°8'2.475"W
9	3. Vermillion River South Branch	Easement	Dakota	200	44°37'27.688"N	93°3'1.348"W
	4. Eastern Main Stem of the Vermillion River	Easement	Dakota	100	44°41'9.871"N	92°57'18.638"W
	5. Chub, Dutch, and Mud Creeks	Easement	Dakota	200	44°30'26.843"N	93°8'4.189"W
	6. Cannon River	Easement	Dakota	40	44°30'12.29"N	93°4'47.368"W
	7. Pine and Darden Creeks	Easement	Dakota	50	44°32'35.935"N	92°56'1.554"W
10	8. Trout Brook	Easement	Dakota	40	44°33'56.491"N	92°49'29.346"W

**NOTES:** These listed locations are generalized reference points. Acquisition and restoration projects will be funded in multiple locations along these identified rivers and streams.

**2011-2012 LCCMR Proposal**  
**MeCC 6: Dakota County Riparian and Lakeshore Protection**  
**Acquisition Location Map**

**Legend**

-  Representative Riparian Project Locations
-  Tributary Corridors
-  Conservation Corridors
-  Aquatic Corridors
-  Cannon River
-  Additional Cannon River Tributary Creeks



# Project Manager Qualifications for Alan Singer

## **1978 to 1991 Dodge Nature Center Interpretive Naturalist and Program Manager**

- Teaching and facilitating 40,000 student visits and 10,000 adult and family program participants per year
- Supervising ten staff and fifty adult volunteers

## **1991 to 1998 Minneapolis Park and Recreation Board Environmental Program Manager**

- Development of first, comprehensive Environmental Policy for the Park Board
- Developing and implementing the master plan and improvements for Cedar Lake Park and Trail and Loring Park
- Development and implementation of a system-wide reduced mowing initiative and off-leash dog exercise area program
- Management of the J.D. Rivers Outdoor Discovery Center and Eloise Butler Wildflower Garden
- Management or Involvement in the following LCMR projects:
  - Urban Rangers
  - Multi-use Urban Green Space Project
  - Cedar Lake Trail
  - Longfellow House Interpretive Center

## **1998 to 2003 MN DNR Metro Greenways Coordinator**

- Provided \$1 million in 50:50 matching funds for planning projects involved over 70 partners in 60 cities and towns in the metro region
- Secured and expended \$10M of state funds that leveraged an additional \$17M of non-state funds for land protection and restoration throughout the region
- Project Manager several LCMR-funded Metro Greenways allocations and the Initial Metro Wildlife (now Conservation) Corridors project

## **2003 to Present Dakota County Land Conservation Manager**

- Expended or committed over \$18M of County funds to permanently protect more than 8,700 acres with a value of \$75 million as an outcome of two successive LCMR-funded projects in 1999 and 2001.
- Program Manager for 2008 LCCMR “Vermillion River Corridor Acquisition and Restoration in Dakota County” project to develop comprehensive plan, acquire a minimum of 156 acres and restore 70 acres.

## Organization Description

Dakota County is Local Government Unit bordered by the Minnesota, Mississippi and Cannon Rivers with almost the entire Vermillion River located within in its boundaries. Nearly 400,000 people live in the county that that is comprised of 14 fully developed and rapidly developing suburbs; six small, rural towns; and 13 mostly rural townships.