



Environment and Natural Resources Trust Fund (ENRTF) M.L. 2011 Work Plan

Date of Status Update:

Date of Next Status Update: 12/1/2011

Date of Work Plan Approval: 6/23/2011

Project Completion Date: 6/30/2014

Is this an amendment request? _____

Project Title: Conservation Easement Stewardship and Enforcement Program - Phase II

Project Manager: Susan Damon

Affiliation: MN DNR

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Location:

Counties Impacted: Statewide

Ecological Section Impacted: Lake Agassiz Aspen Parklands (223N), Minnesota and Northeast Iowa Morainal (222M), North Central Glaciated Plains (251B), Northern Minnesota and Ontario Peatlands (212M), Northern Minnesota Drift and lake Plains (212N), Northern Superior Uplands (212L), Paleozoic Plateau (222L), Red River Valley (251A), Southern Superior Uplands (212J), Western Superior Uplands (212K)

Total ENRTF Project Budget:

ENRTF Appropriation \$: 500,000

Amount Spent \$: 0

Balance \$: 500,000

Legal Citation: M.L. 2011, First Special Session, Chp. 2, Art.3, Sec. 2, Subd. 04m

Appropriation Language:

\$250,000 the first year and \$250,000 the second year are from the trust fund to the commissioner of natural resources to accelerate the implementation of the Phase I Conservation Easement Stewardship Plan being developed with an appropriation from Laws 2008, chapter 367, section 2, subdivision 5, paragraph (h).

I. PROJECT TITLE: Conservation Easement Stewardship & Enforcement Program, Phase II

II. PROJECT SUMMARY:

This is Phase II of a two-phase project. Phase I (July 1, 2008 – June 30, 2011) included an inventory of DNR's conservation easements, an assessment of DNR's needs to bring its conservation easements up to minimum standards and development of a conservation easement stewardship plan for both DNR's existing conservation easements and future acquisitions. Minimum standards require baseline property reports for all easements, regular monitoring, regular contact with landowners, record keeping and enforcement to address violations. Phase II accelerates implementation of DNR's plan with respect to its existing conservation easements (974 per the inventory). Project goals are to monitor and complete baseline property reports for at least 180 existing conservation easements; to refine a new computer application for conservation easement administration, which was developed during Phase I; to train DNR staff whose duties include conservation easement stewardship or administration; to develop and implement agency-wide conservation easement enforcement protocols; to identify all fee owners of existing conservation easements and develop a process for future updates to fee ownership information. Project activities will include: on-site monitoring and baseline data collection; completing baseline reports which document, in text, photographs and maps, property conditions in relation to easement terms; evaluation of the computer application and refinement of the application as necessary; developing a training program and conducting training sessions for staff; and developing conservation easement enforcement protocols with input from key agency staff. Activities will be coordinated with divisional staff to support their simultaneous implementation of the plan with respect to all DNR easements.

III. PROJECT STATUS UPDATES:

Project Status as of December 31, 2011:

Project Status as of June 30, 2012:

Project Status as of December 31, 2012:

IV. PROJECT ACTIVITIES AND OUTCOMES:

ACTIVITY 1: Conservation Easement Monitoring, Baseline Data Collection and Baseline Property Report Preparation; Computer Application Utilization and Refinement

Description: Project staff and a contractor will monitor at least 180 existing conservation easements (primarily Trout Stream, Wild and Scenic River and Native Prairie Bank). Monitoring will include on-site visits to the easements, evaluation of compliance with easement terms, documentation of any violations and completion of monitoring reports using report forms developed in Phase I. Monitors will collect baseline data (e.g., photographs, location information on specific features) during the monitoring visit if a baseline property report has not been previously completed for the easement. Where applicable, staff will conduct off-site research to obtain additional relevant baseline data (e.g., review of acquisition records, Minnesota County Biological Survey data). Baseline property reports, tailored to the easement type, will be completed for at least 180 conservation easements (which may or may not be the same as those monitored). The reports will document, in text, photos and maps, the condition of the properties in relation to the easements' terms. In connection with easement monitoring and baseline report preparation, project staff will utilize the DNR's new computer application for conservation easement administration developed during Phase I. Monitoring data and baseline property reports will be entered into and stored in the land records system. Based on project staff's experience gained through utilization of the conservation easement application, the application will be refined as necessary by a land records system developer. The project manager, in collaboration with divisional easement

coordinators and administrators, will review monitoring records and reports for quality. Project staff will test refinements to the land records system.

Summary Budget Information for Activity 1:

ENRTF Budget: \$ 384,000
Amount Spent: \$ 0
Balance: \$ 384,000

Activity Completion Date:

Outcome	Completion Date	Budget
<i>1. Monitor at least 180 of DNR's conservation easements and collect baseline data for those without existing baseline property reports</i>	6/30/2013	\$ 177,000
<i>2. Complete baseline reports for at least 180 conservation easements</i>	6/30/2013	\$ 177,000
<i>3. Utilize and refine conservation easement administration application</i>	6/30/2012	\$ 30,000

Activity Status as of December 31, 2011:

Activity Status as of June 30, 2012:

Activity Status as of December 31, 2012:

Final Report Summary:

ACTIVITY 2: Conservation Easement Stewardship Training Program

Description: A training program will be developed for DNR staff whose duties include conservation easement administration and/or stewardship. Project staff will collaborate with DNR divisional staff who have experience in conservation easement stewardship to design the training program. Training will address conservation easement monitoring, preparation and use of baseline property reports, use of the DNR's new computer application for conservation easement administration, record keeping, landowner relations, resolving violations and handling enforcement issues. Project staff will conduct at least 10 workshops for DNR staff at DNR offices throughout the state.

Summary Budget Information for Activity 2:

ENRTF Budget: \$ 50,000
Amount Spent: \$ 0
Balance: \$ 50,000

Activity Completion Date:

Outcome	Completion Date	Budget
<i>1. Develop conservation easement stewardship training program</i>	6/30/2012	\$ 25,000
<i>2. Conduct at least 10 workshops</i>	6/30/2013	\$ 25,000

Activity Status as of December 31, 2011:

Activity Status as of June 30, 2012:

Activity Status as of December 31, 2012:

Final Report Summary:

ACTIVITY 3: Conservation Easement Enforcement Protocol Development

Description: Project staff, in collaboration with DNR management and other key staff, will develop and implement agency-wide conservation easement enforcement protocols. The protocols will provide guidance to staff about addressing potential violations by outlining steps to take when a possible violation of a conservation easement is detected. Topics covered by the protocols will include documentation of suspected violations, confirmation of the existence of violations, responding to complaints about possible violations, communication with the landowner, and reporting to supervisors, other agency staff and legal counsel.

Summary Budget Information for Activity 3:

ENRTF Budget: \$ 15,000
Amount Spent: \$ 0
Balance: \$ 15,000

Activity Completion Date:

Outcome	Completion Date	Budget
<i>1. Develop and implement conservation easement enforcement protocols</i>	<i>12/31/2012</i>	<i>\$ 15,000</i>

Activity Status as of December 31, 2011:

Activity Status as of June 30, 2012:

Activity Status as of December 31, 2012:

Final Report Summary:

ACTIVITY 4: Fee Ownership Research; Process for Future Updates

Description: Project staff will conduct research to verify and update fee ownership and owner contact information for all existing DNR conservation easements (974, based on the Phase I inventory). This Activity is a continuation of work to identify the property parcels and fee owners of trout stream easements that was begun under the January 27, 2011 Work Program Amendment in Phase I. Project staff will use county parcel data and other electronic records to the extent possible to determine fee ownership of easements and subdivisions of the easements. Information obtained through these means will be supplemented through records searches at counties. In coordination with DNR's Land Records System Project, project staff will develop a process to regularly update this information in the land records system in the future.

Summary Budget Information for Activity 4:

ENRTF Budget: \$ 51,000
Amount Spent: \$ 0
Balance: \$ 51,000

Activity Completion Date:

Outcome	Completion Date	Budget
<i>1. Research ownership and contact information for all DNR conservation easements, update LRS as necessary and develop process for future updates to LRS</i>	<i>6/30/2012</i>	<i>\$ 51,000</i>

Activity Status as of December 31, 2011:

Activity Status as of June 30, 2012:

Activity Status as of December 31, 2012:

Final Report Summary:

V. DISSEMINATION:

Enforcement protocols will be published on DNR's Intranet site where they will be accessible to all agency staff. The protocols will be submitted to the LCCMR as an attachment either to a status report or to the final report.

Written training materials will be distributed to participants in training sessions. Written materials and any PowerPoints or videos created for the Conservation Easement Stewardship Training Program will be published on the DNR's Intranet site. Training materials will be submitted to the LCCMR as attachments to either a status report or the final report.

Monitoring data and baseline property reports created as part of this project will be entered into and stored in DNR's land records system, where they will be accessible to staff who monitor or administer conservation easements. Examples of monitoring records and baseline property reports will be submitted to the LCCMR as attachments to either a status report or the final report.

Status as of December 31, 2011:

Status as of June 30, 2012:

Status as of December 31, 2012:

Final Report Summary:

VI. PROJECT BUDGET SUMMARY:

A. ENRTF Budget:

Budget Category	\$ Amount	Explanation
Personnel:	\$ 420,623	Project Manager (.5 FTE): Provides overall project coordination, conducts quality control on project work, conducts research for and edits baseline property reports, develops staff training program, conducts training sessions, facilitates agency meetings to develop and implement conservation easement enforcement protocols, prepares status reports and the final project report
		Project Specialist (.5 FTE): Conducts research for and prepares baseline property reports, evaluates, in collaboration with field and divisional staff, the conservation easement administration computer application and recommends refinements, conducts fee ownership research, develops process for future ownership updates in land records system

		Field Staff/Project Specialist (2 FTE's): Monitors conservation easements, collects baseline data, prepares baseline property reports
Professional/Technical Contracts:	\$ 25,000	Information technology contract with land records system developer to refine the conservation easement administration computer application
Service Contracts	\$ 41,377	Contract to monitor and collect baseline data on conservation easements
Travel Expenses in MN:	\$ 13,000	Mileage, lodging and meals.
TOTAL ENRTF BUDGET:	\$ 500,000	

Explanation of Use of Classified Staff: n/a

Explanation of Capital Expenditures Greater Than \$3,500: n/a

Number of Full-time Equivalent (FTE) funded with this ENRTF appropriation: 3

B. Other Funds:

Source of Funds	\$ Amount Proposed	\$ Amount Spent	Use of Other Funds
Non-state			
	\$ 0	\$ 0	
State			
General fund and other funds as appropriate	\$ 32,010	\$ 0	Shared Services Costs. Shared services (operations support governance) are services that DNR relies on in order to conduct business and support the work of the department. These services are more efficient when shared.
General fund and other funds as appropriate	\$ 37,000	\$ 0	Additional divisional support costs. These are divisional costs that are not included in the shared services calculation listed above.
Unknown	\$ unknown	\$ 0	If necessary, other state funds may be used to supplement the travel budget proposed under this ENRTF appropriation. Sources of such funds are not known at this time.
TOTAL OTHER FUNDS:	\$60,010	\$ 0	

VII. PROJECT STRATEGY:

A. Project Partners: Project staff in the Lands and Minerals Division will be responsible for overall project coordination, quality control, report writing, some baseline report preparation and all of Activities 2-4. Field staff, who may be based in DNR area offices, and a contractor will be hired for most monitoring and baseline data collection. A land records system developer will perform computer application refinement. Project staff will collaborate with DNR conservation easement administrators as they implement the Program Plan developed in Phase I, and with DNR's Land Records Project.

B. Project Impact and Long-term Strategy:

C. Spending History:

Funding Source	M.L. 2005 or FY 2006-07	M.L. 2007 or FY 2008	M.L. 2008 or FY 2009	M.L. 2009 or FY 2010	M.L. 2010 or FY 2011
A \$15,000 appropriation from the Legislature partially funded a minimum standards report.		Ch. 57, art. 1, § 4, subd. 2			
A \$520,000 appropriation from the ENRTF funded the Conservation Easement Stewardship and Enforcement Program Plan—DNR (Phase I)			Ch. 367, § 2, subd. 5(h)		

VIII. ACQUISITION/RESTORATION LIST: n/a**IX. MAP(S):** n/a**X. RESEARCH ADDENDUM:** n/a**XI. REPORTING REQUIREMENTS:**

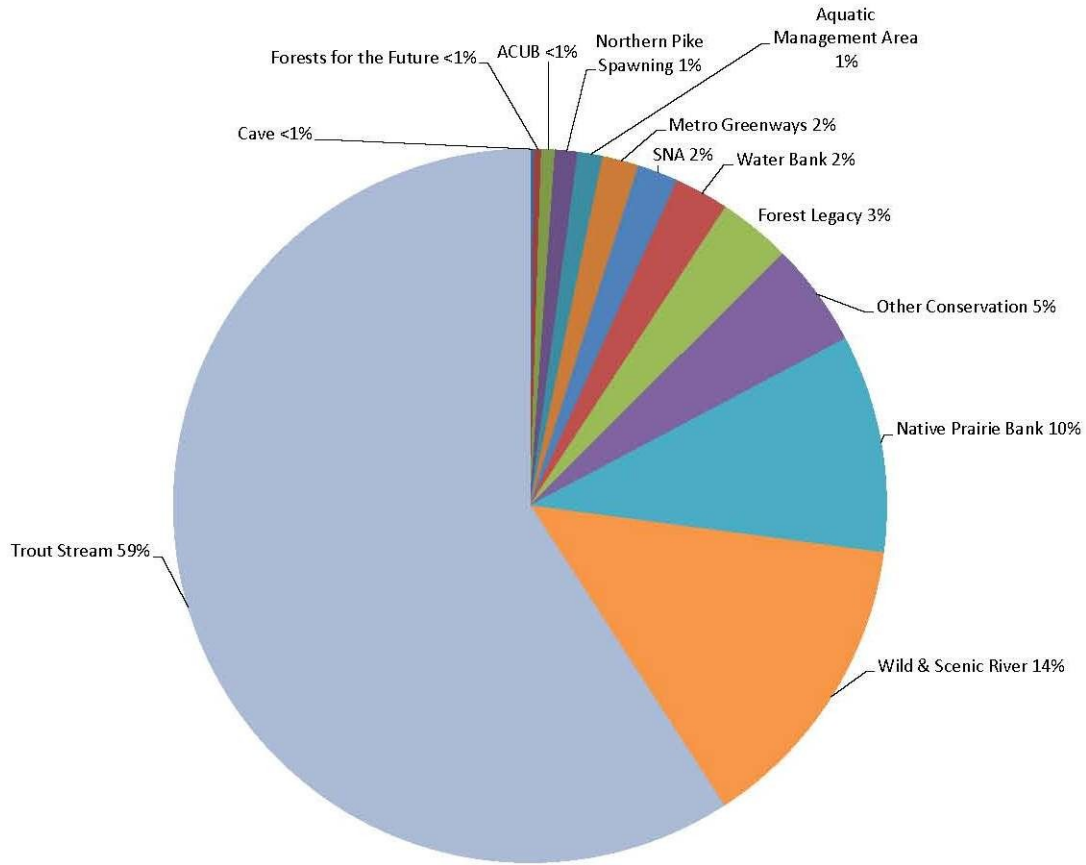
Periodic work plan status update reports will be submitted not later than December 31, 2011, June 30, 2012, and December 31, 2012. A final report and associated products will be submitted between June 30 and August 1, 2013 as requested by the LCCMR.

Attachment A: Budget Detail for M.L. 2011 (FY 2012-13) Environment and Natural Resources Trust Fund Projects

Project Title: Conservation Easement Stewardship & Enforcement Program, Phase II															
Legal Citation:															
Project Manager: Susan Damon															
M.L. 2011 (FY 2012-13) ENRTF Appropriation: \$ 500,000															
Project Length and Completion Date: Two years; Completion Date: June 30, 2013															
Date of Update:															
ENVIRONMENT AND NATURAL RESOURCES TRUST FUND BUDGET															
	Activity 1 Budget	Amount Spent	Balance	Activity 2 Budget	Amount Spent	Balance	Activity 3 Budget	Amount Spent	Balance	Activity 4 Budget	Amount Spent	Balance	TOTAL BUDGET	TOTAL BALANCE	
BUDGET ITEM	<i>Conservation Easement Monitoring, Baseline Data Collection and Baseline Property Report Preparation; Computer Application Utilization and Refinement</i>			<i>Conservation Easement Stewardship Training Program</i>			<i>Conservation Easement Enforcement Protocol Development</i>			<i>Fee Ownership Research; Process for Future Updates</i>					
Personnel (Wages and Benefits)	\$306,623			\$49,000			\$15,000			\$50,000			\$420,623		
Project Manager: \$85,125 (72% salary, 28% benefits) 50% FTE															
Project Specialist: \$64,710 (67% salary, 33% benefits) 50% FTE															
Field Staff/Project Specialist: \$147,812 (70% salary, 30% benefits) 100% FTE															
Field Staff/Project Specialist: \$ 122,976 (66% salary, 34% benefits) 100% FTE															
Professional/Technical Contracts													\$25,000		
Land records system developer: conservation easement administration computer application refinemeni	\$25,000														
Service contracts													\$41,377		
Conservation Corp Minnesota: Conservation easement monitoring, field data collection	\$41,377														
Travel expenses in Minnesota <i>(Specify types of travel expenses, e.g., mileage, lodging, meals. Per diems are not allowed.)</i>	\$11,000			\$1,000						\$1,000			\$13,000		
Other <i>(Describe the activity and cost - be specific)</i>															
COLUMN TOTAL	\$384,000			\$50,000			\$15,000			\$51,000			\$500,000	\$500,000	

Conservation Easement Stewardship & Enforcement Program, Phase II

Percentage of Total DNR Conservation Easements by Type



Baseline Property Reports

