

**M.L. 2013 Project Abstract**

For the Period Ending June 30, 2016

**PROJECT TITLE:** MeCC7: Dakota County Lakeshore and Riparian Protection

**PROJECT MANAGER:** Lisa West

**AFFILIATION:** Dakota County

**MAILING ADDRESS:** 14955 Galaxie Avenue

**CITY/STATE/ZIP:** Apple Valley, MN 55124

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**FUNDING SOURCE:** Environment and Natural Resources Trust Fund

**LEGAL CITATION:** M.L. 2013, Chp. 52, Sec. 2, Subd. 04d2.6/3.7, MeCC7: Dakota County Lakeshore and Riparian Protection

**APPROPRIATION AMOUNT:** \$368,000

**Overall Project Outcomes and Results**

The project goal was to acquire permanent conservation easements or land along rivers, streams, and undeveloped lakeshore in Dakota County; prepare Natural Resource Management Plans (NRMPs) for conservation easements; and restore/enhance protected land. The project scope encompassed some of the best natural resource features found in the metropolitan region. A sound fiscal and ecological conservation approach was taken, while attempting to balance the interests, rights and responsibilities of private landowners, with public concerns about water, wildlife habitat, outdoor recreation, and climate change.

In November 2011, Dakota County adopted a comprehensive Land Conservation Vision that includes establishing permanent vegetative buffers along all rivers, streams and undeveloped lakeshore, and protecting quality natural areas. The County's land conservation programs targeted specific areas in the County and mailings were issued to determine landowner interest. Program applications were reviewed and evaluated using County Board-approved criteria; and top-ranking projects were considered for permanent protection. Appraisals were conducted for recommended projects. NRMPs and baseline Property Reports were prepared for projects where landowners accepted purchase offers; and landowners agreed to cash or in-kind restoration and management contributions. Restoration projects were also completed on existing easement and fee title properties.

The project goals were to acquire an estimated five permanent conservation easements and one fee title property, totaling 235 acres, and restoring/enhancing 40 acres of protected land. In spite of significant County efforts, a wide variety of issues prevented projects from being completed. Landowner inflated value expectations, lack of family agreement to move forward, and inability to make timely decisions delayed and derailed projects. Subsequently, the County didn't meet its acquisition goals, but exceeded its restoration goals, and overall, accomplished the following:

Project Name	Acres	Miles of Shoreline	Ecological Significance	Activity Description	ENRTF Cost
Cemstone	61.7	1.7	Designated trout stream area on Vermillion River	Fee title acquisition	\$104,932
Ruppe	17.2	0.5	Chub Creek riparian area	Easement acquisition	\$25,450
Schweich	20.7	0.3	Chub Creek riparian area/upland	Easement acquisition	\$60,400
Cemstone	19	1.7	Designated trout stream riparian area/upland	Initial site preparation, seeding and first phase restoration of formerly cultivated and disturbed areas	\$4,845

Malecha	27	0.9	Wetland restoration	Wetland berm construction and initial seeding	\$6,000
Ruppe	NA	0.5	Chub Creek riparian area	Natural Resource Management Plan (NRMP) completed	\$5,625
Schweich	15	0.3	Chub Creek riparian area, and formerly cultivated upland area	NRMP completed and buffer seeded	\$4,238 (NRMP only)

### **Project Results Use and Dissemination**

Information about the specific projects funded through this State appropriation is integrated with information about the County's comprehensive land conservation efforts that were initiated in 1998, with a farmland and natural areas protection plan partially funded by the Environment and Natural Resources Trust Fund. Implementation of the initial plan and subsequent revisions resulted in the permanent protection of 11,244 acres of natural areas and agricultural land and over 51 miles of shoreland outside of the regional park and greenway system.

This project informed and improved internal and external County land conservation practices, procedures and policies. County staff has provided numerous local, regional and national presentations about how Dakota County has developed and implemented its successful programs. Information has appeared on TV and radio, as well as metropolitan newspapers and residential newsletters. Information can also be found on the County's web site at:

<https://www.co.dakota.mn.us/Environment/LandConservation/Pages/default.aspx>



## Environment and Natural Resources Trust Fund (ENRTF) M.L. 2013 Work Plan Final Report

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**Date of Status Update Report:** August 12, 2016

**Final Report**

**Date of Work Plan Approval:** May 20, 2013

**Project Completion Date:** June 30, 2016

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### **PROJECT TITLE: MeCC7: Dakota County Lakeshore and Riparian Protection**

**Project Manager:** Lisa West  
**Affiliation:** Dakota County  
**Mailing Address:** 14955 Galaxie Avenue  
**City/State/Zip Code:** Apple Valley, MN 55124  
**Telephone Number:** (952) 891-7018  
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**Web Address:** www.co.dakota.mn.us

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**Location:** Dakota County – natural areas along the Vermillion and Cannon rivers and their tributaries

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<b>Total ENRTF Project Budget:</b>	<b>ENRTF Appropriation: \$368,000</b>
	<b>Amount Spent: \$218,612</b>
	<b>Balance: \$149,388</b>

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**Legal Citation:** M.L. 2013, Chp. 52, Sec. 2, Subd. 04d2.6/3.7

**Appropriation Language:** \$2,000,000 the first year is from the trust fund for the acceleration of agency programs and cooperative agreements. Of this appropriation, \$10,000 is to the commissioner of natural resources for agency programs and \$1,990,000 is to the commissioner of natural resources for agreements as follows: \$304,000 with Friends of the Mississippi River; \$368,000 with Dakota County; \$208,000 with Great River Greening; \$310,000 with Minnesota Land Trust; \$400,000 with Minnesota Valley National Wildlife Refuge Trust, Inc.; and \$400,000 with the Trust for Public Land for planning, restoring, and protecting priority natural areas in the metropolitan area, as defined under Minnesota Statutes, section 473.121, subdivision 2, and portions of the surrounding counties, through 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 plan. This appropriation may not be used for the purchase of habitable residential structures, unless expressly approved in the work plan. 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 plan. Lands that would require payments in lieu of taxes under Minnesota Statutes, section 97A.061 or 477A.12, shall not be

acquired with money from this appropriation. Up to \$54,000 is for use by Minnesota Land Trust in a monitoring and enforcement fund as approved in the work plan and subject to subdivision 16. An entity that acquires a conservation easement with appropriations from the trust fund must have a long-term stewardship plan for the easement and a fund established for monitoring and enforcing the agreement. Money appropriated from the trust fund for easement acquisition may be used to establish a monitoring, management, and enforcement fund as approved in the work plan. An annual financial report is required for any monitoring, management, and enforcement fund established, including expenditures from the fund. This appropriation is available until June 30, 2016, by which time the project must be completed and final products delivered.

## **I. PROJECT TITLE: MeCC7: Dakota County Lakeshore and Riparian Protection**

### **II. PROJECT STATEMENT:**

The long history of settlement and long-accepted agricultural land use practices have 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, improvement methods, and multi-agency efforts to assist landowners, most of the natural areas throughout the County have been negatively affected. In recent decades, the County has experienced tremendous residential development. This development is attracted to the remaining natural features - especially lakes and rivers.

In 2003, Dakota County embarked on an ambitious program to protect farmland and natural areas through the voter-approved, \$20 million, Farmland and Natural Areas Program. Since the program began, the County is on track to have completed more than 95 projects protecting over 9,700 acres, with an estimated value of \$80 million. 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 goal of this project will be to acquire land or permanent conservation easements, from willing landowners, along the Vermillion River and its main branches and tributaries, and the Cannon River and its primary tributaries (Chub, Darden, Dutch, Mud, and Pine creeks, and Trout Brook); to prepare natural resource management plans; and to restore/enhance publically owned or permanently protected property.

The scale and scope of this project is feasible and significant. It encompasses some of the best natural resource features found in the metropolitan area, across 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.

### **III. PROJECT STATUS UPDATES:**

#### **Project Status as of February 1, 2014:**

The County is committed to preserving the Marcott Lakes area in Inver Grove Heights, one of the few significant areas in a well-developed suburban community that has high natural resource values. Acquisition of the Lindberg parcel (103.1-acres with 13.2-acre lake) was a major step forward to ensure protection of the Marcott Lakes area into the future. The County previously acquired a 16.7-acre easement on one of the Grannis family parcels, which included substantial shoreline and a pond. Additional Grannis parcels include substantial additional shoreland and high-quality habitat. Plans for the area's future include development of an outdoor skills visitor center and an assisted living facility (both to be located outside the easement) that would provide some of the necessary operating funds for the outdoor skills center.

Vance Grannis worked with the City of Inver Grove Heights on a revision of the current comprehensive plan that would allow the proposed visitor center and an assisted living facility. The draft appraisal of

the Grannis property was completed in August and required significant revisions. It was revised and the County and the landowners met in late September to discuss values. The landowners were not pleased with the methodology and resulting easement value. The Grannis family requested that the County Board to release the full appraisal by specific Board Resolution, which the Board did in early November. The landowners have now contracted for a separate appraisal, and the County has contracted for a new appraisal that will include a residential subdivision plan to assist the County in better determining fair market value for this unique property. This appraisal should be completed in March.

The County Board approved the MeCC VII Dakota County Lakeshore and Riparian Protection grant agreement with DNR on January 21, 2014. A preliminary Natural Resources Management Plan for the entire property was developed in cooperation with the landowners. No restoration/enhancement activities occurred during the reporting period.

A legal description of the proposed easement was prepared based on a survey completed by the County. The easement deed was drafted (without LCCMR-related language), the Purchase Agreement was drafted without the acquisition cost, the Natural Resource Management Plan was drafted, and the environmental assessment was completed with no issues.

#### **Project Status as of August 1, 2014:**

Due to a number of issues raised by LCCMR staff, and presumably Commission members, and Outdoor Heritage Fund staff, use of Trust Funds for this project is on hold until further review by the Commission. General issues include using public funds to pay for easements when the easement value is close to the fee title value and the lack of or acceptable levels of public access/use. These concerns are further heightened by its complex nature, expense, uncertainty about the viability of the Darvan Acres Outdoor Skills Center and the potential future use of the three proposed easement exception areas.

Although funding is on-hold, a number of activities have continued. As referenced in the previous status report, the County and the Grannis family each contracted with new appraisers to determine the Before, After, and Conservation Easement Values of the 134-acre Grannis family property. County staff, including the Assessor's Office, concluded that it was in the public interest to complete a second appraisal and to base the new appraisal on a residential subdivision plan to provide additional quantitative analysis to determine the highest and best use of the property, as opposed to using qualitative adjustments to other "comparable" properties.

The County's appraiser and the Grannis family contracted with the same private development company to develop a legally, physically and financially feasible sub-development plan that would likely be approved by the City of Inver Grove Heights (and Dakota County, since the potential development would directly connect to a County road). The development plan would then be used by both appraisers to determine the location, size and number of lots and also estimate the associated development costs. An issue arose during the County Plat Commission review of the plan and the Plat Commission determined that two proposed cul-de-sacs would have to be connected to meet transportation guidelines. This resulted in the loss of a three potential lots and added development expenses thereby reducing both the gross and Before Value of the property.

The appraisers would choose one of three residential development scenarios ranging between 29 and 39 lots with two outlots and use the following considerations to determine the Before Value: number and value of the lots less the site development costs, time for city approval, absorption rate, taxes, closing costs, insurance, contingency, profit (risk during permitting, development and marketing), discount rate and internal rate of return. The After Value would be based on the value of the land with the proposed easement in place. This value would be based on removing development potential for all portions of the property either not encumbered by the 16.8-acre existing easement or the proposed exception areas and the types of uses still allowed by the easement. The difference between the Before Value and the After Value is the Easement Value.

County staff reviewed this appraisal and found it acceptable. After a closed session with the County Board to discuss this project on May 20, 2014, the County Board authorized the release of the second appraisal to the Grannis family and also authorized the release of the first and second Grannis property appraisals to the LCCMR and the LSOHC for review, by Resolution on July 8, 2014. The County is waiting for the Grannis appraisal to be completed and available for County review before sharing its appraisal.

The County requested that Mr. Grannis provide a status update on the Darvan Acres Outdoor Skills Center. He provided the following:

- Incorporation approved as 501c3 by IRS and State of MN
- City Of Inver Grove Heights resolution supporting the easement and approval of Local Comp Plan amendments to allow proposed facilities.
- Contracted with the Carlson School of Management at U of M to review business plan. Their conclusion was that this was a viable plan, but begin operating before major capital investments
- Renovated 1,700 sq. ft. building located in one of the proposed exception areas that included new concrete floor with in-floor heat, insulation, incinerating toilet, glass doors, gravel parking area, energy efficient lighting, and donated furnishings.
- Completed preliminary design plans for visitor center
- Discussions with three different companies/organizations for the proposed Independent Senior Center and Pre-School to be located within one of the proposed exception areas. Further studies are on-hold until the land can be secured.)
- Held discussions with the Independent School District 199 Superintendent. Her comment was "If you build it, we will fill it."
- The Board of Directors of both the Dodge Nature Center and Carpenter Nature Center are interested in partnering or potentially operating the Center.
- 5.9 miles of trails are being maintained.
- There is ongoing natural resource management with materials taken to St. Paul District Energy
- The Wildlife Resource Center in Roseville is considering making investments in the existing barns to allow for the rehabilitation and release of wildlife on the property.
- On-site programs have been conducted for Simley High School, Inver Hills Community College, Boy Scouts, youth turkey hunts, and DNR gun safety classes. On April 30, 2014, 44 neighbors attended a program on Center plans and habitat restoration on the property and habitat suggestions for their properties.

A revised easement deed, containing LCCMR recommended language, was drafted.

#### **Project Status as of May 15, 2015:**

Based on discussions with LCCMR staff in late March, County staff will not seek ENRTF funding for the Grannis project and is withdrawing the project from this appropriation Workplan and associated Acquisition and Restoration lists. Per LCCMR staff discussions, County staff will determine appropriate projects that could be added to this appropriation Workplan and Acquisition and Restoration lists through an approved amendment.

#### **Amendment Request (5/15/15)**

##### **Conservation Easement Acquisition**

The M.L. 2011 appropriation ends June 30, 2015. The County requests that the general river and stream reaches from the M.L. 2011 appropriation acquisition list be added to the Acquisition List for this M. L. 2013 appropriation, and be inserted as part of Activity 1 in this Workplan: Vermillion River Headwaters and Western Main Stem; Vermillion River Central Main Stem and South, Middle and North Creeks; Vermillion River South Branch; Vermillion River Eastern Main Stem; Cannon River; Chub, Dutch and Mud Creeks; Darden and Pine Creeks; and Trout Brook.

The County requests that these new projects, not carried forward from the M.L. 2011 appropriation, be added to the Acquisition List for this M.L. 2013 appropriation: Betzold – Parcel 2 (46.6 acres; 0.8 miles of shoreline along the Vermillion River); and Odette (55.2 acres; 0.5 miles of shoreline along Chub

Creek). Project summary information, estimated costs, and maps are provided in Attachment B to this status report.

#### Restoration

The M.L. 2011 appropriation ends June 30, 2015. The County requests that the general river and stream reaches from the M.L. 2011 appropriation acquisition list be added to the Restoration List for this M. L. 2013 appropriation, and be inserted as part of Activity 2 in this Workplan: Vermillion River Headwaters and Western Main Stem; Vermillion River Central Main Stem and South, Middle and North Creeks; Vermillion River South Branch; Vermillion River Eastern Main Stem; Cannon River; Chub, Dutch and Mud Creeks; Darden and Pine Creeks; and Trout Brook.

Amendment approved by the LCCMR May 18, 2015.

#### **Amendment Request (5/21/15)**

Fee Title Acquisition.

The County requests that the following project be approved as an addition to the Acquisition List and inserted in Activity 1 in this workplan: Fee title acquisition of the 61.7-acre Cemstone property that includes 1.7 miles of the Vermillion River. Project summary information, estimated costs, and maps are provided in Attachment B to this status update report.

Dakota County's original proposal and M.L. 2013 workplan was specific to acquiring a permanent conservation easement and completing natural resource restoration and management on the Grannis property in Inver Grove Heights. The County has removed the Grannis project from this appropriation and consolidated its Grannis project funding request within a current Outdoor Heritage Fund appropriation to the County that already includes the Grannis project. This change provides an opportunity to add new projects to the acquisition and restoration lists for this appropriation, resulting in the need to request this amendment to add a new fee acquisition project.

Dakota County has been working with the Minnesota DNR to acquire the 424-acre Cemstone property located between the Vermillion Highlands Research, Recreation and Wildlife Management Area and the Vermillion River. Public protection of this critical property would provide water quality, wildlife habitat and outdoor recreation benefits. The property has been included in the County's Park and Greenway System Plan to protect and manage a long-range, multi-purpose water quality, wildlife habitat and paved recreational trail corridor between the cities of Farmington and Hastings along the Vermillion River. Cemstone had an informal agreement with Empire Township to provide a paved trail corridor. The County and Township strongly desired to preserve a future trail option. However, Cemstone was not interested in selling an easement, the DNR Division of Fish and Wildlife did not want a paved recreational trail through the proposed Wildlife Management Area (WMA) addition, and the Outdoor Heritage Funds being used to acquire most of the Cemstone property for the WMA expansion generally prevents paved trails. In order to protect the entire Cemstone property, meet the DNR, County and Township goals, as well as State funding requirements, there was agreement that the County would acquire the 61.7-acre corridor along the Vermillion River to accommodate a future trail and the DNR would acquire the remaining 362 acres. The County and the DNR would continue to cooperatively manage the former Cemstone property as part of the larger 4,000-acre Vermillion Highlands complex.

Fee title acquisition is included in the M.L. 2013, Chp. 52, Sec. 2, Subd. 04d2.6/3.7, appropriation language. This acquisition protects a high quality natural resource and will accommodate public access and use.

Amendment approved by the LCCMR June 11, 2015.

#### **Project Status as of August 1, 2015:**

To date, none of the three projects listed for this appropriation have closed. The County is awaiting Minnesota Department of Natural Resources Commissioner approval of the Cemstone fee title acquisition. The Betzold and Odette project appraisals were ordered in July and are underway. No amendment requests have been submitted for restoration projects to date.

### **Amendment Request (1/27/16)**

#### **Easement Acquisition.**

The County requests the following three projects be approved as additions to the Acquisition List and inserted in Activity 1 in this workplan: permanent conservation easement acquisitions on 17.2 acres of the Ruppe property that includes 0.5 miles of Chub Creek; 20.7 acres of the Schweich property that includes 0.3 miles of Chub Creek; and 7.2 acres of the Smith property that includes 0.3 miles of a tributary of North Creek of the Vermillion River. Project summary information, estimated costs, and maps are provided in Attachment B to this status update report.

Dakota County selects land conservation projects through a long-time process of advertising application rounds to seek voluntary participation in its land conservation program. Preliminary applications trigger an initial landowner meeting where the County's program is explained in detail and landowners are encouraged to ask questions about the program and permanent conservation easements. If informed landowners are still interested in participating, they are required to complete a final application form and submit it by a County Board-approved deadline. Applications received by the deadline are evaluated using Board-approved criteria. Projects are scored and ranked by a County and SWCD staff review committee, and a certain number of high-ranking projects are recommended for further consideration. Easement projects are appraised using DNR guidelines and offers presented to landowners for consideration. Accepted offers are submitted to the County Board for final funding approval. Title Work, Natural Resource Management Plans (NRMPs) and baseline Property Reports (PRs) are completed for each County Board-approved project; NRMPs and PRs are reviewed and signed by the landowners and the County. Landowner agreements are developed that outline easement natural resource restoration and maintenance responsibilities into the future.

The easement acquisition projects the County is requesting to add have gone through the previously described process and easement purchase offers were accepted by the three landowners. The County will not request reimbursement for acquisition costs that preceded this amendment request.

#### **Restoration Activities.**

The County requests the following six projects be approved as additions to the Restoration List and inserted in Activity 2 in this workplan: NRMP completion and/or initial restoration work is planned for the 46.6-acre Betzold easement that includes 0.8 miles of a designated trout stream portion of the Vermillion River; the 61.2-acre former Cemstone property that includes 1.7 miles of a designated trout stream portion of the Vermillion River on property now owned by Dakota County; the 55.2-acre Odette easement that includes a high-quality pond, 0.5 miles of a Chub Creek tributary, and a 13-acre cultivated area to be restored to a natural area for wildlife habitat; the 17.2-acre Ruppe easement that includes 0.5 miles of Chub Creek; the 20.7-acre Schweich easement that includes 0.3 miles of Chub Creek, a majority of which is cultivated land that will be restored to natural vegetation to buffer Chub Creek; and the 7.2-acre Smith easement that includes 0.3 miles of a tributary of North Creek of the Vermillion River that will prevent residential development and create a buffer along the stream.

The permanent easements, for which landowner offers are accepted, require preparation of NRMPs that must be completed prior to closing as a part of Activity 2. The acquired, former Cemstone property and easement has initial restoration work that will be completed by June 30, 2016. Project summary information, estimated costs, and maps are provided in Attachment B to this status update report.

Amendment approved by the LCCMR February 9, 2016.

### **Amendment Request (2/29/16)**

The County requests the following project be approved as an addition to the Restoration List and inserted in Activity 2 in this workplan: a 27-acre wetland restoration of cultivated land on the Malecha property. Initial restoration work for this project will be completed by June 30, 2016.

The 180.3-acre Malecha property is located in the west-central portion of Greenvale Township. The 177.8-acre agricultural conservation easement includes altered/non-native dominated seasonally flooded shrubland, about a 20-acre seasonally flooded cattail marsh, mixed emergent marsh,



seasonally flooded altered/non-native dominated emergent vegetation, short grasses and mixed trees, about 36 acres of temporarily flooded altered/non-native dominated grassland, tilled cropland, and straddles approximately 900 feet of Hazelwood Creek, a tributary of Chub Creek. The easement will permanently protect the riparian area and buffers already established by the landowners along both sides of the creek, as well as the existing wetland areas on the property. Additionally, the easement will enable the restoration of an additional 27-acre wetland area. Existing natural areas and the restored wetland area cannot be cultivated in the future. The conservation easement prohibits all future types of development.

Recorded easement language that speaks to the permanent preservation of existing natural areas, and to the creation and maintenance of the restored wetland area is found in Section 1, Recitals: "Approximately 27 acres of existing agricultural soils will be restored to wetland." Section 3, Purpose, states: "It is the purpose of this Easement to assure that the Protected Property will be retained forever substantially unchanged from its present condition as agricultural, natural and open space and to prevent any use of the Protected Property that will significantly impair or interfere with the Conservation Values of the Protected Property." Section 4.2 specifies Stewardship Plan and revision requirements, and outlines the buffers required for the easement property. The work plan included in the Malecha Stewardship Plan outlines the scheduled restoration work and responsibilities. Section 8.2 states the purpose of the baseline Property Report that records the condition of the easement at the time it is conveyed to the County. The Malecha Property Report and Stewardship Plan specifically reflect the wetland restoration; and both documents are referenced in the easement deed to ensure compliance. Dakota County, and in this case, the U.S. Department of Agriculture (USDA) will ensure that the wetland restoration is completed and remains uncultivated in perpetuity per Section 4.14 that outlines required easement and Stewardship Plan compliance through annual County monitoring, and per Section 6 that specifies when the USDA would exercise its right of enforcement authority to ensure compliance with the conservation easement.

There is no easement acquisition cost. The permanent easement was acquired by Dakota County on November 12, 2015, with a landowner donation of value, partial federal Farm and Ranch Lands Protection Program (FRPP) funds, and County funds. FRPP funds were available to apply to this type of conservation easement, so the County used those funds to assist in paying for the easement.

Approximately 27 acres of cultivated land in the north-central portion of the Malecha easement, about 64 percent of the non-prime soils on the property, will be restored to a wetland. Dakota County is an area that has less than 50% of previously existing wetlands, which makes this project especially attractive. When also considering this area's proximity to Chub Creek and the potential water quality benefits of having an additional wetland in the watershed, as well as the landowner contributions, this project becomes even more attractive and compelling. The draft Watershed Restoration and Protection Strategies (WRAPS) for the Cannon River Watershed, to be approved later this spring, show phosphorus as an impairment on Chub Creek. The restoration of wetlands in this area will have a positive impact on the phosphorus loading in the area of this reach of Chub Creek, and ultimately the Cannon River.

The removal of agricultural tile and restoration/enhancement of a naturally functioning wetland will benefit wildlife and water quality. This is the first landowner enrolled in the County's permanent easement program to agree to restore a wetland area. Additional cropland adjacent to the restored wetland area may also be added to the restored area as the project proceeds.

A Wetland Restoration Concept Plan was completed, along with an overall Stewardship Plan for this permanent conservation easement. The wetland restoration was designed and will be coordinated with the Dakota County Soil and Water Conservation District. The estimated restoration cost of the initial phase of the wetland restoration includes berm construction, removal of tiling and moving a pump station, and the initial seeding of portions of the wetland restoration area. Note: The landowner is paying the total cost of the tile and pump station work, and some of the seed cost. No State or County dollars will be spent on the tile or pump station work. See Attachment B for cost estimates and maps of the Malecha property.

Amendment approved by the LCCMR March 1, 2016.

**Project Status as of February 1, 2016:**

The County purchased a 61.7-acre portion of the former Cemstone property on July 22, 2015. County reporting staff was not informed that the purchase was complete prior to the last status report submittal for August 1, 2015; the Cemstone information for that status update was incorrect. The appraisals for the Betzold and Odette permanent conservation easements are complete; and the landowners accepted County offers to purchase permanent conservation easements. County Board approval will be sought in early to mid-February 2016, for these two easement projects. Regarding restoration, an amendment request to identify specific restoration work is part of this status update report. NRMPs will be prepared for five easement projects. Initial restoration work is planned for the former Cemstone property.

**Project Status as of June 30, 2016:**

The County purchased permanent conservation easements on portions of the Ruppe and Schweich properties, on April 4, 2016, and June 13, 2016, respectively. Although the landowners accepted offers from the County to purchase permanent conservation easements on portions of their properties, unfortunately, the Betzolds and Odettes withdrew their projects very late in the acquisition process, following County Board approval. Landowners and the decisions they make can be very unpredictable. The Smith conservation easement project continues to be delayed due to inaction by the landowner. The Smith project may still move forward, but it did not meet the June 30, 2016, grant funding deadline.

Anticipated restoration activities took place for all listed projects, except the Smith natural area easement acquisition. Natural Resource Management Plans (NRMPs) and Property Reports (PRs) were completed for the Betzold, Odette, Ruppe and Schweich projects. Initial site preparation, seeding and area restoration occurred on the former Cemstone property and the Schweich easement property. The wetland berm was constructed and seeded for the Malecha wetland restoration project.

**Overall Project Outcomes and Results**

The project goal was to acquire permanent conservation easements or land along rivers, streams, and undeveloped lakeshore in Dakota County; prepare Natural Resource Management Plans (NRMPs) for conservation easements; and restore/enhance protected land. The project scope encompassed some of the best natural resource features found in the metropolitan region. A sound fiscal and ecological conservation approach was taken, while attempting to balance the interests, rights and responsibilities of private landowners, with public concerns about water, wildlife habitat, outdoor recreation, and climate change.

In November 2011, Dakota County adopted a comprehensive Land Conservation Vision that includes establishing permanent vegetative buffers along all rivers, streams and undeveloped lakeshore, and protecting quality natural areas. The County's land conservation programs targeted specific areas in the County and mailings were issued to determine landowner interest. Program applications were reviewed and evaluated using County Board-approved criteria; and top-ranking projects were considered for permanent protection. Appraisals were conducted for recommended projects. NRMPs and baseline Property Reports were prepared for projects where landowners accepted purchase offers; and landowners agreed to cash or in-kind restoration and management contributions. Restoration projects were also completed on existing easement and fee title properties.

The project goals were to acquire an estimated five permanent conservation easements and one fee title property, totaling 235 acres, and restoring/enhancing 40 acres of protected land. In spite of significant County efforts, a wide variety of issues prevented projects from being completed. Landowner inflated easement value expectations, family discrepancies, and inability to make timely decisions delayed and derailed projects. Subsequently, the County only acquired two conservation easements and the fee tile land, totaling 100 acres, not meeting its goal; and completed NRMPs and/or restoration projects on six properties, including restoration of 46 formerly cultivated acres, which exceeded its goal. Approximately 2.5 miles of shoreline were permanently protected through this project.

## **IV. PROJECT ACTIVITIES AND OUTCOMES:**

### **ACTIVITY 1: Acquire Fee Title/Conservation Easements**

#### **Description:**

The County's land conservation initiatives are part of a comprehensive Dakota County Land Conservation Vision that also includes regional parks, multi-purpose greenways and the protection of high quality natural areas and working lands.

The County's Land Conservation Vision integrates and prioritizes the combined protection and improvement of water quality, wildlife habitat and appropriate outdoor recreational opportunities, and includes the LCCMR-funded Vermillion River Corridor Plan as the basis for land protection within the Vermillion River system. Established criteria area used to evaluate projects, 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. The easements do not require public access, but projects including public access receive higher evaluation scores. In addition, payment for public access easements, similar to the DNR Angler Access Easement Program, is available to landowners. Easements will be written in a way that will not preclude future public trails 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 technical staff team from the County's Environmental Resources Department and the Dakota County SWCD reviews and ranks projects and forwards recommendations to the County Board for approval.

Many projects will involve riparian buffers. GIS and outreach efforts have and will identify critical and willing landowners interested in protecting and managing important parcels as part of the County's comprehensive initiative to provide buffers along all rivers and streams.

Easement values for projects in cities or with an estimated cost exceeding \$20,000 will be based on an independent fair market appraisal. Due to the lack of sale 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 values below the \$20,000 DNR threshold that triggers an appraisal. Updated aerial photography and Minnesota Land Cover Classification System data, official FEMA floodplain boundaries, and site visits will be used to determine the following respective acreage components of each easement:

- Agricultural Land - within and outside of 50 feet from shoreline
- Woodlands - within and outside of 100-year floodplain
- Fields and wetlands - within and outside of 100-year floodplain

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 on \$5/foot for stream length or lakeshore within the easement. This process was reviewed and approved by the County Attorney's Office, County Assessor's Office, County Administration and the County Board of Commissioners. In addition, the process was reviewed by three independent appraisers and their comments were integrated within the approach.

All provisions of Dakota County easements are perpetual and include standard requirements to minimize negative impacts to surface water and groundwater quality and quantity. In part, these are addressed adaptively through required Natural Resource Management Plans that are updated every five years.

The County will provide a draft template of the easement for review and approval by LCCMR staff and written approval from the DNR Commissioner will be obtained prior to closing per 116P.17.

Phase I Environmental Site Assessments will be completed for all projects and all solid waste 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 and Natural Resource Management Plans, 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 to determine 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.

**Summary Budget Information for Activity 1:**

**ENRTF Budget:** **\$328,000**  
**Amount Spent:** **\$195,804**  
**Balance:** **\$132,196**

**Activity Completion Date:**

<b>Outcome</b>	<b>Completion Date</b>	<b>Budget</b>
<b>1. 150 acres protected through perpetual conservation easements</b>	June 30, 2016	\$215,069
<b>2. 61.7 acres protected through fee title acquisition</b>	June 30, 2016	\$104,931
<b>3. Professional Services for Acquisition</b>	June 30, 2016	\$8,000

**Project Status as of April 1, 2014:**

During the reporting period, negotiations continued with the Grannis family on the easement. Mr. Grannis worked with the City of Inver Grove Heights on a revision of the current comprehensive plan that would allow the proposed visitor center and an assisted living facility. The draft appraisal of the Grannis property was completed in August and required significant revisions. It was revised and the County and the landowners met in late September to discuss values. The landowners were not pleased with the methodology and resulting easement value. The Grannis family requested that the County Board to release the full appraisal by specific Board Resolution, which the Board did in early November. The landowners have now contracted for a separate appraisal, and the County has contracted for a new appraisal that will include a residential subdivision plan to assist the County to better determine fair market value for this unique property. This appraisal should be completed in March.

The County Board approved the MeCC VII Dakota County Lakeshore and Riparian Protection grant agreement with DNR on January 21, 2014.

A legal description of the proposed easement was prepared based on a survey completed by the County. The easement deed was drafted (without LCCMR-related language), the Purchase Agreement was drafted without the acquisition cost, and the environmental assessment was completed with no issues.

**Project Status as of August 1, 2014:**

See status summary on pages 3 and 4 above.

**Project Status as of May 15, 2015:**

Based on discussions with LCCMR staff in late March, County staff will not seek ENRTF funding for the Grannis project and is withdrawing the project from this appropriation Workplan and associated Acquisition and Restoration lists. Staff is requesting approval of the addition of two new conservation

easement projects and several general river and stream reaches to enable future addition of specific river/stream easement acquisition projects to this Workplan and associated Acquisition list.

#### **Project Status as of August 1, 2015:**

To date, none of the three projects listed for this appropriation have closed. The County is awaiting Minnesota Department of Natural Resources Commissioner approval of the Cemstone fee title acquisition. The Betzold and Odette project appraisals were ordered in July and are underway.

#### **Project Status as of February 1, 2016:**

Dakota County purchased a 61.7-acre portion of the former Cemstone property on July 22, 2015. Staff was not informed that the purchase was complete prior to submittal of the August 1, 2015, status report. The Cemstone portion of that report was incorrect. The appraisals for the Betzold and Odette permanent conservation easements are complete; and the landowners accepted County offers to purchase permanent conservation easements. County Board approval will be sought in early to mid-February 2016, for these two easement projects.

#### **Project Status as of June 30, 2016:**

The County purchased permanent conservation easements on portions of the Ruppe and Schweich properties, on April 4, 2016, and June 13, 2016, respectively. Following initial acceptance, the Betzolds and Odettes withdrew their projects very late in the acquisition process, following County Board approval. The Smith conservation easement project continues to be delayed due to inaction by the landowner; and although it may still move forward, it did not meet the June 30, 2016, grant funding deadline.

#### **Final Report Summary**

Over the years, County staff has come to understand that many factors within the acquisition process can significantly delay or derail a project (e.g., unconfined utility easements; financial issues including necessary bank subordinations and mortgages, and undisclosed bankruptcy proceedings; landowner uncertainty and family dynamics; and changes to the easement configuration, including last-minute partial land sales). County staff does its best to anticipate and incorporate time for these potential delays; however, success in the timing of the lengthy acquisition process is not always achievable. Of the six projects on the appropriation acquisition list, three were acquired by the June 30, 2016, funding deadline, and three were not. Landowner decisions not to move forward with conservation easement, made extremely late in the acquisition process, and one landowner's inaction regarding the County's offer, resulted in approximately \$136,000 of unexpended grant funds.

Acquisition project updates:

- Line 2 (Betzold): The 46.6-acre easement, including 0.8 miles of trout stream-designated, Vermillion River shoreline in Eureka Township, was withdrawn by the landowners, following County Board approval. County staff believes objections raised by the landowners' children strongly influenced their decision not to move forward. This landowner decision, made very late in the acquisition process, left no time to seek and process new projects and expend the estimated \$46,675 of available grant funds.
- Line 3 (Cemstone): The 61.7-acre fee title acquisition, along 1.7 miles of trout stream-designated, Vermillion River in Empire Township was acquired on July 22, 2015. Of the total acquisition cost of \$209,863, the Dakota County contribution was approximately \$104,932 (50%), and the ENRTF contribution for which reimbursement was requested was approximately \$104,931 (50%).
- Line 5 (Smith): The 7.2-acre easement along 0.3 miles of North Creek of the Vermillion River was not acquired due to landowner delays in making a decision to move forward with the easement. County staff has learned that regardless of how much time is built into the process to allow landowners time to make final project decisions, sometimes it is just not enough time. This landowner delay, throughout the acquisition process, left no time to seek and process new projects and expend the estimated \$14,000 of available grant funds.
- Line 9 (Odette): The 55.2-acre easement along 0.5 miles of a Chub Creek tributary and including a high-quality pond wetland in Greenvale Township was withdrawn by the landowners, following County Board approval. The main reason cited by the landowner for withdrawing the project was their ability to make more money over the long-term by renewing their new CRP contract, versus

selling an easement for a one-time payment. This landowner decision, made very late in the acquisition process, left no time to seek and process new projects and expend the estimated \$75,500 of available grant funds. Of the \$5,000 spent on the appraisal and \$610 spent on preliminary title work, the Dakota County contribution was \$2,500 (45%), and the ENRTF contribution for which reimbursement will be sought is \$3,110 (55%).

- Line 10 (Ruppe): The 17.2-acre easement along 0.5 miles of Chub Creek in Greenvale Township was acquired on April 4, 2016. Of the total acquisition costs (\$51,484), the Dakota County contribution was \$25,357 (49.3%), the landowner closing costs contributed were \$676 (1.3%), and the ENRTF contribution for which reimbursement will be sought is \$25,450 (49.4%).
- Line 11 (Schweich): The 20.7-acre easement along 0.3 miles of Chub Creek in Greenvale Township was acquired on June 13, 2016. Of the total acquisition costs (\$124,416), the Dakota County contribution was \$63,415 (51%), the landowner closing costs were \$601 (.5%), and the ENRTF contribution for which reimbursement will be sought is \$60,400 (48.5%).

There is money unfortunately left unspent from this total appropriation, for the reasons just outlined and in previous status reports. Of the \$328,000 the County anticipated it would spend before the June 30, 2016, funding deadline, total acquisition reimbursement for approximately \$195,804 will be requested.

## ACTIVITY 2: Restoration

### Description:

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 work plan, describing priority activities and responsibilities, is also completed as a core element of the NRMP. Easement deed language requires completion of the final NRMP within six months of closing.

In addition, restoration and enhancement activities will take place on public land and private lands already encumbered by a conservation easement.

### Summary Budget Information for Activity 2:

<b>ENRTF Budget:</b>	<b>\$40,000</b>
<b>Amount Spent:</b>	<b>\$22,808</b>
<b>Balance:</b>	<b>\$17,192</b>

### Activity Completion Date:

Outcome	Completion Date	Budget
1. 40 acres restored and/or enhanced	June 30, 2016	\$40,000

### Project Status as of February 1, 2014:

A preliminary Natural Resources Management Plan for the entire property was developed in cooperation with the landowners. No restoration/enhancement activities occurred during the reporting period.

### Project Status as of August 1, 2014:

No funds have been expended on restoration and enhancement due to the noted issues described above.

### Project Status as of May 15, 2015:

The Grannis acquisition is being removed from this appropriation Workplan and associated Acquisition and Restoration lists, so no restoration work has taken place to date. Staff is requesting approval of the addition of general river and stream reaches from the M.L. 2011 appropriation restoration list that will end on June 30, 2015, to enable future additions of specific river/stream restoration projects to this Workplan and associated Restoration list.

### Project Status as of August 1, 2015:

No amendment requests have been submitted for restoration projects to date; therefore, there is no activity to report.

**Project Status as of February 1, 2016:**

Since the previous status report, acquisition of a portion of the former Cemstone property has occurred. Initial restoration work is planned for this property this spring and early summer. Additionally, Natural Resource Management Plans must be prepared for five permanent conservation easement projects (Betzold, Odette, Ruppe, Schweich, and Smith), following County Board approval.

**Project Status as of June 30, 2016:**

Anticipated restoration activities took place for all listed projects, except the Smith natural area easement acquisition. Natural Resource Management Plans (NRMPs) and Property Reports (PRs) were completed for the Betzold, Odette, Ruppe and Schweich projects. Initial site preparation, seeding and area restoration occurred on the former Cemstone property and the Schweich easement property. The wetland berm was constructed and seeded for the Malecha wetland restoration project.

**Final Report Summary**

The proposed restoration work for the Betzold, Malecha, Odette, Ruppe and Schweich project is complete. A portion of the anticipated restoration work was completed on the former Cemstone property; and no proposed restoration work was completed for the Smith project. Additional detailed restoration project updates are as follows:

- Line 2 (Betzold): The Natural Resource Management Plan (NRMP) and baseline Property Report (PR) were prepared for this project. However, the project was withdrawn very late in the acquisition process, after the landowners decided not to move forward to sell and easement. County staff believes objections raised by the landowners' children strongly influenced their decision not to move forward. Of the total restoration costs (\$4,650), the Dakota County contribution was \$2,325 (50%), and the ENRTF contribution for which reimbursement will be sought is \$2,325 (50%).
- Line 3 (Cemstone): Site preparation and initial seeding was completed on approximately 19 acres of former and existing cultivated land. Of the total restoration costs (\$9,102.52), the Dakota County contribution was \$4,257.23 (47%), and the ENRTF contribution for which reimbursement will be sought is \$4,845.29 (53%).
- Line 5 (Smith): The 7.2-acre easement proposed along 0.3 miles of North Creek of the Vermillion River was not acquired due to landowner delays in making a decision to move forward with the easement. No restoration funds to prepare and NRMP and PR were expended.
- Line 9 (Malecha): The proposed wetland berm construction and initial seeding was completed. Of the total restoration cost (\$11,632), the Dakota County contribution was \$5,519.50 (47.5%), and the ENRTF contribution for which reimbursement will be sought is \$6,112.50 (52.5%). In addition, the landowners donated \$1,008 of time toward the berm construction.
- Line 10 (Odette): The NRMP) and baseline PR were prepared for this project. However, the project was withdrawn very late in the acquisition process, after the landowners decided not to move forward to sell and easement. The main reason cited by the landowner was their ability to make more money over the long-term by renewing their new CRP contract. Of the total restoration costs (\$75), the Dakota County contribution was \$0 (0%), and the ENRTF contribution for which reimbursement will be sought is \$75 (100%).
- Line 11 (Ruppe): The NRMP) and baseline PR were prepared for this project. Of the total restoration costs (\$11,250), the Dakota County contribution was \$5,625 (50%), and the ENRTF contribution for which reimbursement will be sought is \$5,625 (50%).
- Line 12 (Schweich): The NRMP) and baseline PR were prepared for this project. Of the total restoration costs (\$8,437.50), the Dakota County contribution was \$4,200 (49.8%), and the ENRTF contribution for which reimbursement will be sought is \$4,237.50 (50.2%).

**V. DISSEMINATION:****Description:**

The County has a well-established Communications Department that effectively uses print and electronic media. The County features land conservation projects in a separate section on its web-site.

The County installs signs for easement projects and has an agreement with the landowner to develop prominent signage to describe the natural area and funding partners.

**Project Status as of February 1, 2014:**

The County revised and updated the website to include a description and materials for the ShoreHolders program and added project summaries to the Lands Protected category of the website. (URL: <http://www.co.dakota.mn.us/Environment/LandConservation/Pages/default.aspx>.) The County also completed a fact sheet about the Lindberg acquisition (a connecting property within the Marcott Lakes chain) to encourage public interest in land protection in this area.

**Project Status as of August 1, 2014:**

No information on this project has been disseminated due to its pending status.

**Project Status as of May 15, 2015:**

The Grannis acquisition is being removed from this appropriation Workplan and associated Acquisition and Restoration lists. Projects added through approved amendments to this Workplan will be included in appropriate County communications.

**Project Status as of August 1, 2015:**

No information has been disseminated due to the pending status of the three acquisition projects, and no restoration projects at this time.

**Project Status as of February 1, 2016:**

An article about the Cemstone acquisition appeared in the St. Paul Pioneer Press. The County website includes up-to-date project information.

**Project Status as of June 30, 2016:**

The County website includes up-to-date land conservation statistics and project information.

**Final Report Summary:**

During the timeframe covered by this appropriation, information about the County land conservation efforts, including new and ongoing programs available, have been noted on County and watershed websites, and local and regional newspapers. There was a significant time gap between project acquisitions included in this appropriation, and with the most recent project acquisitions occurring in late June, the dissemination of information to date has been articles about specific projects in local town newspapers. Moving forward, County and watershed webpages will be updated as appropriate. In addition, the County ordered metal signs of the ENRTF logo to be posted with the County's land conservation signs to acknowledge our State funding partnership with LCCMR and advertise the presence of protected properties.

**VI. PROJECT BUDGET SUMMARY:**

**A. ENRTF Budget:**

Budget Category	\$ Amount	Explanation
Easement Acquisition:	\$215,069	Conservation easements
Fee Title Acquisition	\$104,931	One fee title acquisition
Restoration and Enhancement:	\$40,000	Conversion of agricultural land to wetlands, and shoreline/riparian area restoration
Professional Services for Acquisition:	\$8,000	Appraisal and closing costs
<b>TOTAL ENRTF BUDGET:</b>	<b>\$368,000</b>	

**B. Other Funds:**



Source of Funds	\$ Amount Proposed	\$ Amount Spent	Use of Other Funds
<b>Non-state</b>			
County	\$349,306	\$228,325	Matching funds
Landowner Donation	\$9,650	\$2,285	Reduce total cost
<b>State</b>			
<b>TOTAL OTHER FUNDS:</b>	<b>\$358,956</b>	<b>\$230,610</b>	

## VII. PROJECT STRATEGY:

### A. Project Partners:

The County works with Friends of the Mississippi River and the Dakota County Soil and Water Conservation District to develop Natural Resource Management Plans and baseline Property Reports for some acquisition projects, and complete restoration projects on public and private lands already encumbered by a conservation easement.

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

The County is currently implementing an ambitious, comprehensive, long-term approach to land and water conservation. This conservation vision and associated implementation plan will integrate acquisition of regional park in-holdings, development of a 200-mile multi-purpose greenway system, and protection and improvement of 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.

In 2011, the County Board of Commissioners adopted the protection of riparian and lakeshore buffers as one of its top 25 County-wide goals, and included an additional \$2M of Environmental Fund balance over the next five years.

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

### C. Spending History:

Funding Source	M.L. 2007 or FY08	M.L. 2008 or FY09	M.L. 2009 or FY10	M.L. 2010 or FY11	M.L. 2011 or FY12-13
ENRTF		\$509,965			\$1,097,000

## VIII. ACQUISITION LIST:

### Fee Title: Cemstone

The 61.7-acre portion of the Cemstone property lies along 1.7 miles of the northern shoreline of the Vermillion River in Empire Township. See Attachment B for additional detail and maps.

### Existing Easement: Malecha

The 27-acre portion of the Malecha property straddles approximately 900 feet of Hazelwood Creek, a tributary to Chub Creek, and includes about 71.2 acres of existing marsh, grassland and shrubland. See Attachment B for additional detail and maps. This project is not an acquisition, but is a restoration list project.

### Easement: Ruppe

The 17.2-acre portion of the Ruppe property straddles about 0.5 miles of Chub Creek in Greenvale Township.

Easement: Schweich

The 20.7-acre portion of the Schweich property includes 0.3 miles of Chub Creek in Greenvale Township.

**IX. MAP:** See Attachment B.

**X. RESEARCH ADDENDUM:** NA

**XI. REPORTING REQUIREMENTS:**

Periodic work plan status update reports will be submitted not later than February 1, 2014; August 1, 2014; February 1, 2015; August 1, 2015; February 1, 2016; and June 30, 2016. A final report and associated products will be submitted between June 30 and August 15, 2016, as requested by the LCCMR.

<b>Final Attachment A: Budget Detail for M.L. 2013 Environment and Natural Resources Trust Fund Projects</b>								
<b>Project Title: MeCC7: Dakota County Lakeshore and Riparian Protection</b>								
<b>Legal Citation: M.L. 2013, Chp. 52, Sec. 2, Subd. 04d2.6/3.7</b>								
<b>Project Manager: Lisa West</b>								
<b>M.L. 2013 ENRTF Appropriation: \$368,000</b>								
<b>Project Length and Completion Date: June 30, 2016</b>								
<b>Date of Update: August 12, 2016</b>								
<b>ENVIRONMENT AND NATURAL RESOURCES TRUST FUND BUDGET</b>	<b>Activity 1 Budget</b>	<b>Amount Spent</b>	<b>Balance</b>	<b>Activity 2 Budget</b>	<b>Amount Spent</b>	<b>Balance</b>	<b>TOTAL BUDGET</b>	<b>TOTAL BALANCE</b>
<b>BUDGET ITEM</b>				<i>Restoration</i>				
<b>Professional/Technical/Service Contracts</b> Contracts will be for undetermined private companies and/or non-profit organizations to implement priority restoration/enhancement activities on land already or soon to be protected by an easement.				\$40,000	\$22,808	\$17,192	\$40,000	\$17,192
<b>Easement Acquisition:</b> Acquiring an estimated 146.7 acres	\$215,069	\$86,460	\$128,609				\$215,069	\$128,609
<b>Fee Title Acquisition:</b> Acquiring 61.7 acres	\$104,931	\$104,931	\$0				\$104,931	\$0
<b>Professional Services for Acquisition</b> Appraisal and closing costs	\$8,000	\$4,413	\$3,587				\$8,000	\$3,587
<b>COLUMN TOTAL</b>	<b>\$328,000</b>	<b>\$195,804</b>	<b>\$132,196</b>	<b>\$40,000</b>	<b>\$22,808</b>	<b>\$17,192</b>	<b>\$368,000</b>	<b>\$149,388</b>

## **ATTACHMENT B**

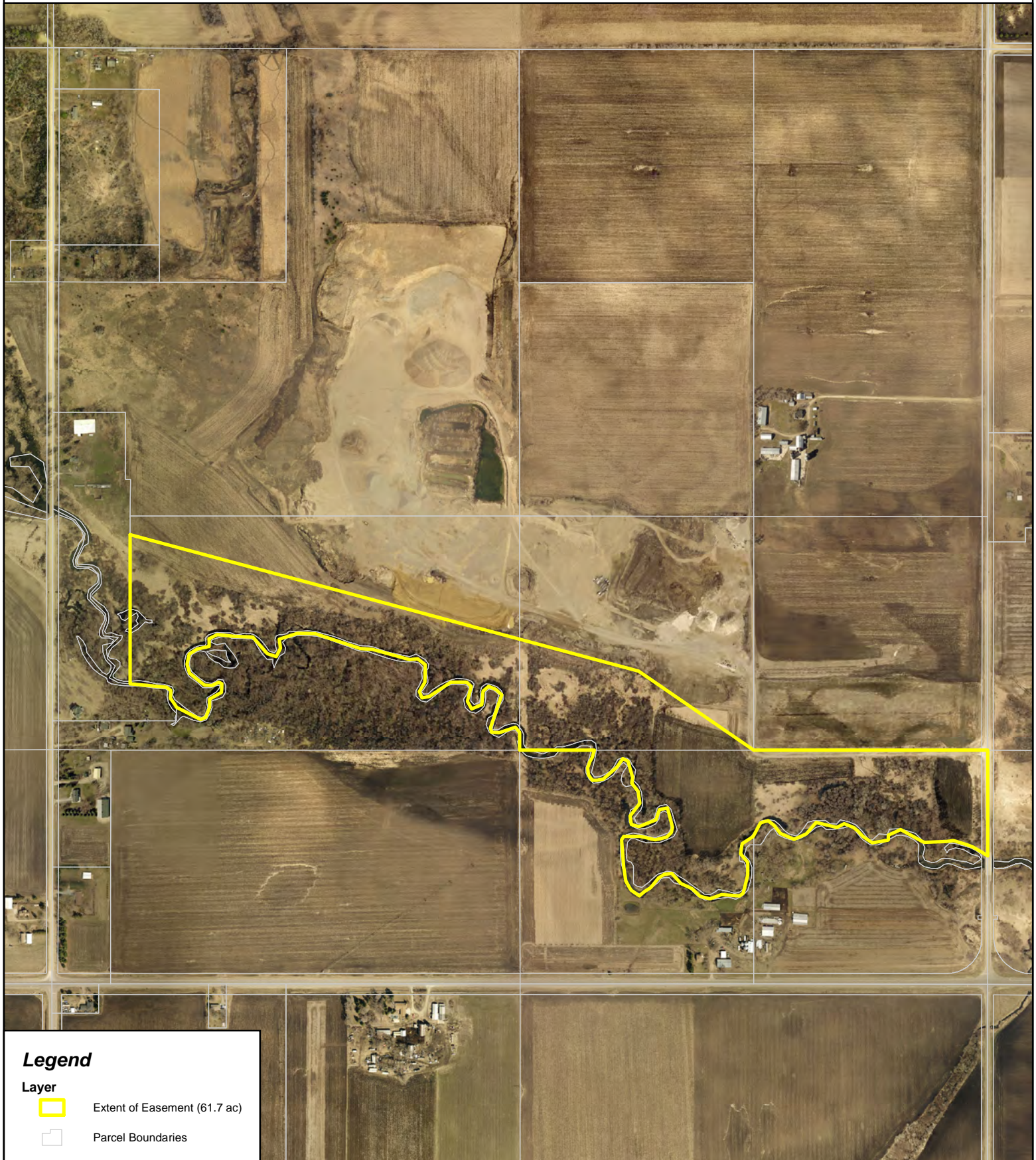
**M.L. 2013, Chp. 52, Sec. 2, Subd. 04d2.6/3.7**

**MeCC7: Dakota County Lakeshore and Riparian Protection**

### **Acquisition Maps**



# Cemstone Property



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 This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices and other sources, affecting the area shown, and is to be used for reference purposes only. Dakota County is not responsible for any inaccuracies herein contained. If discrepancies are found, please contact this office.

0 400 800  
 Feet

Prepared by the  
 Dakota County  
 Office of GIS





Map Date: 5/6/2015  
 Date of Photography: 2014



# Stanley E. Ruppe II and Marietta M. Ruppe Property



## Legend

-  Extent of Easement (17.2 ac.)
-  Parcel Boundaries

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0 200 400  
Feet

Prepared by the  
Dakota County  
Office of GIS





Map Date: 1/25/2016  
Date of Photography: 2015



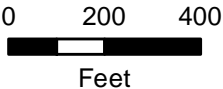
# Schweich Property



**Legend**

-  Extent of Easement (20.65 ac.)
-  Parcel Boundaries

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Prepared by the  
Dakota County  
Office of GIS



Map Date: 1/27/2016  
Date of Photography: 2015



## **ATTACHMENT B**

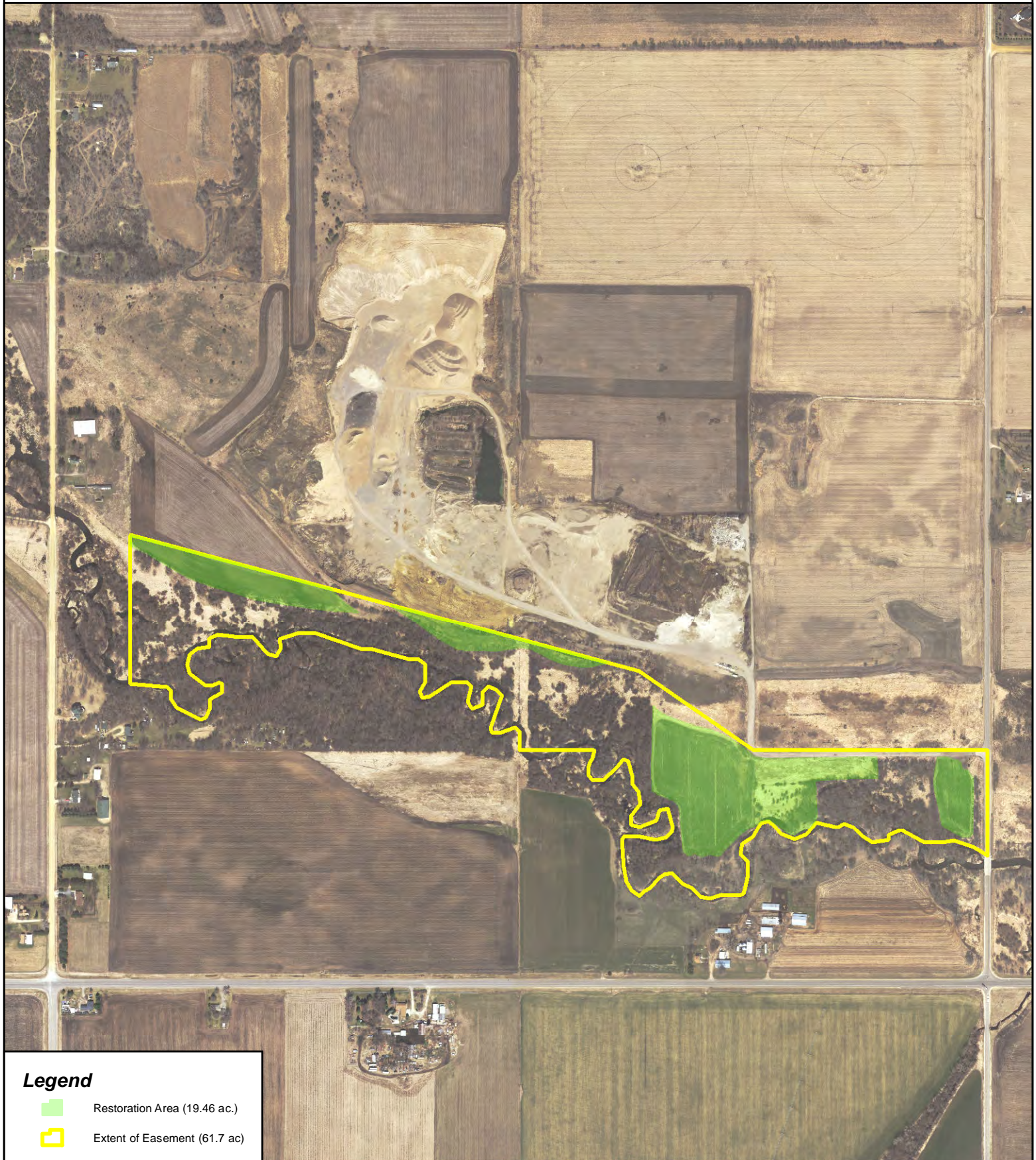
**M.L. 2013, Chp. 52, Sec. 2, Subd. 04d2.6/3.7**

**MeCC7: Dakota County Lakeshore and Riparian Protection**

### **Restoration Maps**



# Cemstone Property



## Legend

- Restoration Area (19.46 ac.)
- Extent of Easement (61.7 ac)

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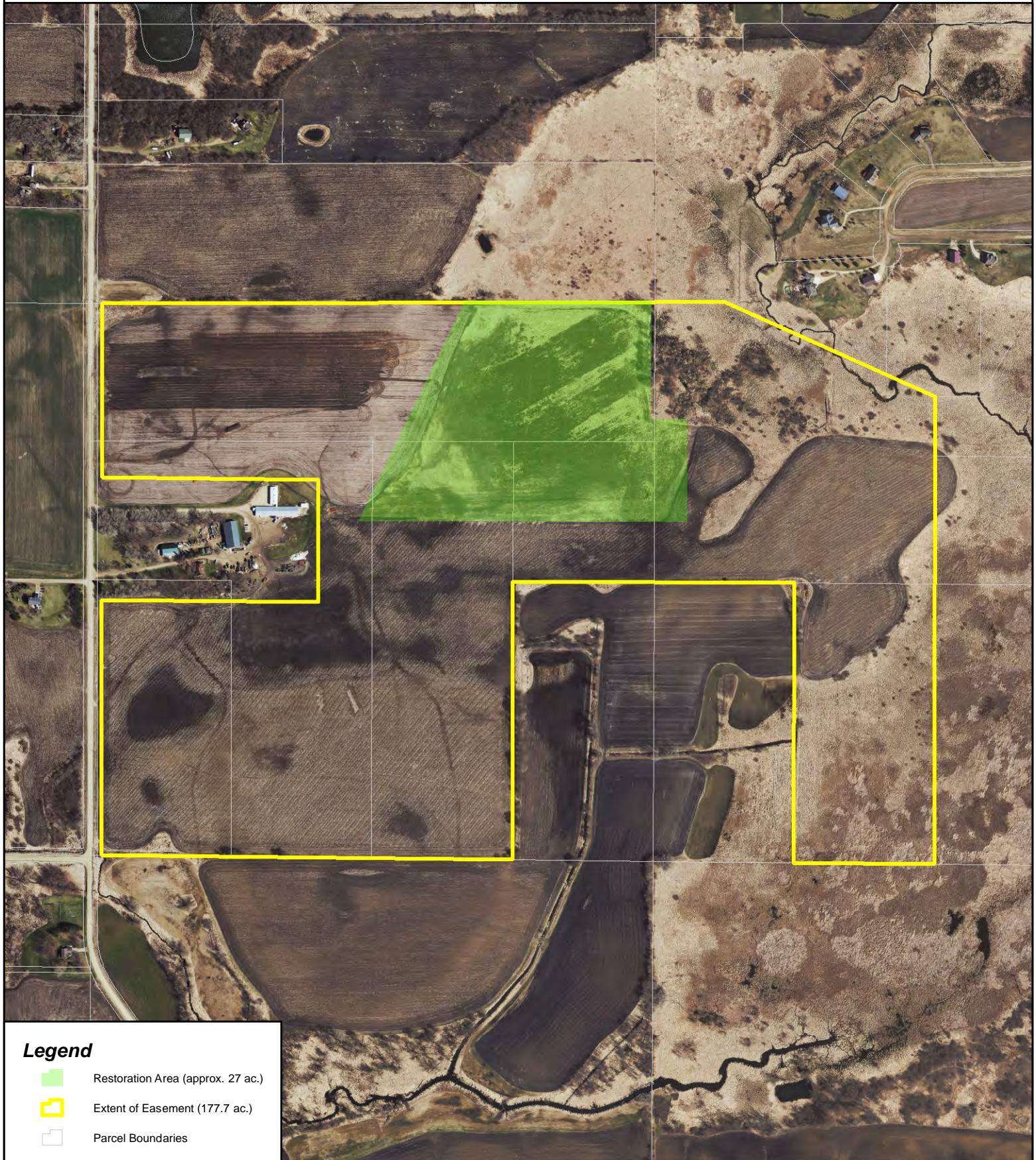
Prepared by the  
Dakota County  
Office of GIS






Map Date: 1/25/2016  
Date of Photography: 2015




# Mark J. Malecha & Lou Ann Malecha Property



## Legend

-  Restoration Area (approx. 27 ac.)
-  Extent of Easement (177.7 ac.)
-  Parcel Boundaries

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0 200 400  
  
Feet

Prepared by the  
Dakota County  
Office of GIS



Map Date: 1/25/2016  
Date of Photography: 2015



# Environment and Natural Resources Trust Fund

## M.L. 2013 Acquisition/Restoration List (8/12/16) We are requesting to amend these lists to remove three conservation easement acquisition projects.

Project Title: MeCC7: Dakota County Lakeshore and Riparian Protection

Project Manager Name: Lisa West

M.L. 2013 ENRTF Appropriation: \$368,000

#	Acquisition or Restoration Parcel Name	Geographic Coordinates		Estimated Cost	Estimated Annual PILT Liabilities	County	Ecological Significance	Activity Description	# of Acres	# of Shoreline Miles	Type of Landowner	Proposed Fee Title or Easement Holder (if applicable)	Status
		Latitude	Longitude										
Acquisition													
1	1. Vermillion River Headwaters and western Main Stem												
2	1.a. Betzold	44°39'53.7"N	93°2'56.36"W	\$46,675	\$0	Dakota	Designated trout stream riparian area and upland	Easement Acquisition	46.6	0.8	Private	Dakota County	Offer accepted; Co. Bd. approval in Feb.; Landowners withdrew after further consideration
3	1.b. Cemstone	44°39'53.7"N	93°2'56.36"W	\$104,931	\$0	Dakota	Designated trout stream riparian area and upland	Fee Title Acquisition	61.7	1.7	Public	Dakota County	Fee title acquired
4	2. South, Middle, and North Creeks and Central Main												
5	2.a. Smith	44°41'47.9"N	93°10'7.2"W	\$14,000	\$0	Dakota	Tributary to North Creek of Vermillion River; adjacent to proposed greenway	Easement Acquisition	7.2	0.3	Private	Dakota County	Appraisal complete; offer was not accepted prior to funding deadline
6	3. Vermillion River South Branch												
7	4. Eastern Main Stem of the Vermillion River												
8	5. Chub, Dutch, and Mud Creeks												
9	5.a. Odette	44°39'53.7"N	93°2'56.36"W	\$75,500	\$0	Dakota	Chub Creek tributary, riparian area, high-quality pond, cultivated land to be restored to natural area	Easement Acquisition	55.2	0.5	Private	Dakota County	Offer accepted; Co. Bd. approval in Feb.; Landowners withdrew after further consideration
10	5.b. Ruppe	44°31'18.8"N	93°11'51.1"W	\$24,200	\$0	Dakota	Chub Creek riparian area	Easement Acquisition	17.2	0.5	Private	Dakota County	Easement acquired 4/4/16
11	5.c. Schweich	44°31'22.4"N	93°12'23.1"W	\$61,000	\$0	Dakota	Chub Creek riparian area, and upland	Easement Acquisition	20.7	0.3	Private	Dakota County	Easement acquired 6/13/16
12	6. Cannon River												
13	7. Pine and Darden Creeks												
14	8. Trout Brook												

NOTES:

#	Acquisition or Restoration Parcel Name	Geographic Coordinates		Estimated Cost	Estimated Annual PILT Liabilities	County	Ecological Significance	Activity Description	# of Acres	# of Shoreline Miles	Type of Landowner	Proposed Fee Title or Easement Holder (if applicable)	Status
Restoration													
1	1. Vermillion River Headwaters and western Main Stem												
2	1.a. Betzold	44°39'53.7"N	93°2'56.36"W	\$3,500	\$0	\$3,500	Designated trout stream riparian area and upland	Complete NRMP	46.6	0.8	Private	Dakota County	Offer accepted; NRMP and PR drafted; project withdrawn by landowner
3	1.b. Cemstone	44°39'53.7"N	93°2'56.36"W	\$19,000	\$0	\$6,000	Designated trout stream riparian area and upland		61.7	1.7	Public	Dakota County	Property acquired; initial site preparation, seeding and first phase restoration completed
4	2. South, Middle, and North Creeks and central Main Stem of the Vermillion River												
5	2.a. Smith	44°41'47.9"N	93°10'7.2"W	\$2,000	\$0	\$3,000	Tributary to North Creek of Vermillion River; adjacent to proposed greenway	Complete NRMP	7	0.3	Private	Dakota County	Appraisal complete; offer not accepted before funding deadline
6	3. Vermillion River South Branch												
7	4. Eastern Main Stem of the Vermillion River												
8	5. Chub, Dutch, and Mud Creeks												
9	5.a. Malecha	44°30'51.6"N	93°15'8.7"W	\$6,000	\$0	\$7,600	Cultivated land to be restored to wetland	Wetland Restoration	27	NA	Private	Dakota County	Existing easement; wetland berm completed
10	5.b. Odette	44°39'53.7"N	93°2'56.36"W	\$3,500	\$0	\$3,500	Riparian area, high-quality pond, cultivated land to be restored to natural area	Complete NRMP	55.2	0.5	Private	Dakota County	Offer accepted; NRMP and PR drafted; project withdrawn by landowner
11	5.c. Ruppe	44°31'18.8"N	93°11'51.1"W	\$3,000	\$0	\$3,000	Chub Creek riparian area	Complete NRMP	17.2	0.5	Private	Dakota County	Easement acquired 4/4/16; NRMP and PR completed
12	5.d. Schweich	44°31'22.4"N	93°12'23.1"W	\$3,000	\$0	\$3,000	Chub Creek riparian area, and upland	Complete NRMP	20.7	0.3	Private	Dakota County	Easement acquired 6/13/16; NRMP and PR completed; buffer seeded
13	6. Cannon River												
14	7. Pine and Darden Creeks												
15	8. Trout Brook												
NOTES: NRMP = Natural Resource Management Plan; PR = Property Report (baseline easement condition document)													