



Environment and Natural Resources Trust Fund

M.L. 2020 Approved Work Plan

General Information

ID Number: 2020-068

Staff Lead: Corrie Layfield

Date this document submitted to LCCMR: August 13, 2021

Project Title: Whiskey Creek & Mississippi River Water Quality/Habitat/Recreation

Project Budget: \$500,000

Project Manager Information

Name: Tim Terrill

Organization: Mississippi Headwaters Board

Office Telephone: (218) 824-1189

Email: timt@mississippiheadwaters.org

Web Address: <http://mississippiheadwaters.org/>

Project Reporting

Date Work Plan Approved by LCCMR: August 13, 2021

Reporting Schedule: April 1 / October 1 of each year.

Project Completion: June 30, 2024

Final Report Due Date: August 14, 2024

Legal Information

Legal Citation: M.L. 2021, First Special Session, Chp. 6, Art. 5, Sec. 2, Subd. 09m

Appropriation Language: \$500,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with the Mississippi Headwaters Board to acquire and transfer approximately 13 acres of land to the city of Baxter for future construction of water quality, habitat, and recreational improvements to protect the Mississippi River.

Appropriation End Date: June 30, 2024

Narrative

Project Summary: Project will purchase 13.8 acres and construct water quality, habitat, and recreational improvements to protect the Mississippi River from contaminants in the 400-acre, highly impervious watershed in Baxter Minnesota.

Describe the opportunity or problem your proposal seeks to address. Include any relevant background information.

This project will purchase 13.8 acres in the 400-acre, highly impervious, Trunk Highway 371 watershed in Baxter Minnesota. This overall goal is for the city of Baxter to purchase these acres, by utilizing funding administered by the Mississippi Headwaters Board to accomplish this goal. This project needs to be completed so future goals through other grants can be obtained.

In 2021, the Crow Wing Soil and Water Conservation District was awarded \$890,000 of the Board of Water and Soil Resources Clean Water fund to construct an estimated nine-acre wetland stormwater pond and restore an estimated five acres of native prairie upland habitat adjacent to the pond and aquatic plant communities within the pond. This LCCMR proposal will allow for the implementation to begin. A feasibility study was already completed for this site, and the stormwater basin and green space will remove 145.7 lbs. of phosphorus, and 84,560 lbs of total suspended solids annually.

What is your proposed solution to the problem or opportunity discussed above? i.e. What are you seeking funding to do? You will be asked to expand on this in Activities and Milestones.

MHB will work with the City to execute the City's purchase agreement for the 13.8 acres, which, in combination with land currently owned by the City, comprises the 20.6 acres. The cost of this purchase includes attorney, survey, county filing, and apportioned taxes.

What are the specific project outcomes as they relate to the public purpose of protection, conservation, preservation, and enhancement of the state's natural resources?

The project outcome of this LCCMR project will be to acquire 13.8 for the city of Baxter to maintain and restore with current grants awarded to the partnership.

Project Location

What is the best scale for describing where your work will take place?

Region(s): Central

What is the best scale to describe the area impacted by your work?

Region(s): Central, Metro, SE,

When will the work impact occur?

During the Project

Activities and Milestones

Activity 1: Land Acquisition

Activity Budget: \$500,000

Activity Description:

The Mississippi Headwaters Board submits this application to the LCCMR for funding for Fee Title Land Acquisition, Personnel Wages, and Professional Services for Acquisition required for the design and construction of a major water quality and habitat improvement project protecting the Mississippi River. MHB will work with the City to execute the City's purchase agreement for the 13.8 acres, which, in combination with land currently owned by the City, comprises the 20.6 acres. The cost of this purchase includes attorney, survey, county filing, and apportioned taxes.

Activity Milestones:

Description	Completion Date
Survey project area	February 28, 2022
Complete legal work related to acquisition	April 30, 2022
complete acquisition	June 30, 2023

Project Partners and Collaborators

Name	Organization	Role	Receiving Funds
Brad Chapulis	City of Baxter	accept acquisition, survey, legal, filing with county, title holder	Yes

Dissemination

Describe your plans for dissemination, presentation, documentation, or sharing of data, results, samples, physical collections, and other products and how they will follow ENRTF Acknowledgement Requirements and Guidelines.

The Mississippi Headwaters Board will hold a biennial conference in the fall of 2023 in which this project will be highlighted under the agenda title of stormwater and recreational benefit project. About 85-100 state and local elected officials, committee members, and agency personnel will attend this meeting to see a comprehensive overview presentation of how partners worked with the LCCMR to complete the fee-title acquisition and restoration of this site.

Long-Term Implementation and Funding

Describe how the results will be implemented and how any ongoing effort will be funded. If not already addressed as part of the project, how will findings, results, and products developed be implemented after project completion? If additional work is needed, how will this be funded?

This phase of the project only includes acquisition. The Crow Wing SWCD current grant will implement the engineering and construction services. Local agencies have partnered with MHB and the City of Baxter to form a Technical Advisory Panel (TAP) that will guide the goals for the project, review technical documents, and advise the City during design and construction phases to ensure the project is adhering to permit standards and regulations. This includes the final design plan, environmental permitting, bid specifications, and construction management.

Budget Summary

Category / Name	Subcategory or Type	Description	Purpose	Gen. Ineligible	% Benefits	# FTE	Classified Staff?	\$ Amount
Personnel								
Tim Terrill		Project Coordinator			20%	0.04		\$3,500
							Sub Total	\$3,500
Contracts and Services								
city attorney and surveyor	Acquisition costs	acquisition costs, surveying project area, appraisal, complete legal work and due dilligence according to DNR acquisition rules for the LCCMR.				0.02		\$63,300
							Sub Total	\$63,300
Equipment, Tools, and Supplies								
							Sub Total	-
Capital Expenditures								
							Sub Total	-
Acquisitions and Stewardship								
	Fee Title Acquisition	Acres: 13.8 Parcels: 1						\$433,200
							Sub Total	\$433,200
Travel In Minnesota								
							Sub Total	-
Travel Outside Minnesota								
							Sub Total	-

8/19/2021

Printing and Publication								
							Sub Total	-
Other Expenses								
							Sub Total	-
							Grand Total	\$500,000

Classified Staff or Generally Ineligible Expenses

Category/Name	Subcategory or Type	Description	Justification Ineligible Expense or Classified Staff Request
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Non ENRTF Funds

Category	Specific Source	Use	Status	Amount
State				
Cash	Clean Water Funds	implementation of water quality and habitat project.	Secured	\$890,000
			State Sub Total	\$890,000
Non-State				
Cash	City of Baxter funds	For use of fee title acquisition expenses and/or possible match to Clean Water Funds.	Secured	\$75,000
			Non State Sub Total	\$75,000
			Funds Total	\$965,000

Acquisition and Restoration

Parcel List

Name	County	Site Significance	Activity	Acres	Miles	Estimated Cost	Type of Landowner	Easement or Title Holder	Status of Work
0336100090F0009 0336100090E0009	Crow Wing	Wetland and pond; this area is a natural habitat for aquatic species and wildlife. This parcel includes the project area and will be converted into a public green space.	Fee Title	13.8	-	\$500,000	Private	City of Baxter	Property Under Contract
Totals				13.8	0	\$500,000			

Fee Acquisition

1. Describe the selection process for identifying and including proposed parcels on the parcel list, including an explanation of the criteria and decision-making process used to rank and prioritize parcels.

In 2013, the Crow Wing Soil and Water Conservation District (the Conservation District) conducted an analysis of the Whiskey Creek subwatershed to determine potential locations for effective stormwater quality best management practices and address nutrient and sediment discharges to Whiskey Creek. The proposed site is located within a region with the highest risk factors for impacts on water quality in the county¹. A subsequent feasibility study, conducted in 2014, identified the proposed site as a high value area for water quality treatment efficiency. In the 2015 MHB regional study, this project was ranked second out of 59 projects for the removal of Total Phosphorus.

The parcels are located at the intersection of Golf Course Drive N. and Excelsior Road N., where Whiskey Creek makes its way across the Northland Arboretum before emptying into the Mississippi River. An abandoned golf course currently sits on the parcels. The Evangelical Lutheran Good Samaritan Society purchased the land for development and signed a purchase agreement to sell 13.8 acres to the City of Baxter for development of a stormwater BMP. The City of Baxter has acquired a purchase agreement for both parcels with the land owner and they have worked together for several years to develop this project.

2. List all adopted state, regional, or local natural resource plans in which the lands included in the parcel list are identified for the acquisition purposes you propose. Include the URL to the plan if one is available.

The parcels are included in the City of Baxter 2015 Comprehensive Plan, Section 4: Parks, Trails, and Open Spaces. A future trail is identified in the project area on page 4-9 as a Future Bike/Pedestrian Trail.

http://www.baxtermn.gov/download/comprehensive_plan/2015%20Comprehensive%20Plan.pdf

This area is also included in the Whiskey Creek Subwatershed Water Quality Retrofit Analysis published in December 2013 by MHB. <http://www.mississippiheadwaters.org/grants/stormreports/Whiskey%20Creek%20Report.pdf>

The Whiskey Creek area is included in the Crow Wing County Water Plan published in April 2013 by Crow Wing County. <https://crowwing.us/DocumentCenter/View/4696/Part7---Mississippi-River-?bidId=>

3. For any parcels acquired in fee title, a restoration and management plan must be prepared. Summarize the components and expected outcomes of restoration and management plans for parcels acquired by your organization, how these plans are kept on file by your organization, and overall strategies for long-term plan implementation, including how long-term maintenance and management needs of the parcel will be financed into the future.

The project area will be converted from an abandoned golf course to a publicly accessible green space. The project will also restore natural habitat within the 20.6-acre area for aquatic species, pollinators, and native wildlife. MHB and the City of Baxter will work together to restore the area along Whiskey Creek, and to protect the water quality of the Mississippi River from harmful contaminants. The project will convert the parcels into a restored natural habitat, recreational area, and stormwater BMP.

Native seed mix, tree and shrub seedlings, and pollinator mixes will be planted around the stormwater BMP to provide a native buffer and natural habitat in the project area for local wildlife. The City of Baxter will be responsible for overseeing and ensuring the growth and health of the plantings for this project. This includes, but is not limited to, watering during the growing season as required, spot spraying noxious weeds with an approved herbicide, determining and adhering to a mowing schedule following the initial planting of native buffer areas, and repairing any portions that may become damaged.

MHB, Crow Wing SWCD, and the City of Baxter will initiate a relationship with the Minnesota Conservation Corp to plant appropriate pollinator-friendly flower species and native seeds or plugs as they are applicable to the project site. A

pollinator planting restoration management plan will follow the Board of Water & Soil Resources native vegetation establishment guidelines and native species diversity required under Minnesota Statute § 84.973 – Pollinator Habitat Program.

4. For each parcel to be conveyed to a State of Minnesota entity (e.g., DNR) after purchase, provide a statement confirming that county board approval will be obtained.

N/A – These parcels will be owned and maintained by the City of Baxter.

5. If applicable (see M.S. 116P.17), provide a statement confirming that written approval from the DNR Commissioner will be obtained 10 business days prior to any final acquisition transaction.

N/A – These parcels will be owned and maintained by the City of Baxter.

Attachments

Required Attachments

Map

File: [5a8c2f45-dac.pdf](#)

Alternate Text for Map

On the map there is a project area of 13.8 acres where the acquisition will take place. Some features on the map are State Hwy 371, Whiskey Creek drainage area, Whiskey creek, and the Paul Bunyan Regional Trail....

Board Resolution or Letter

Title	File
MHB letter of support	1a811b5c-e00.doc

Optional Attachments

Support Letter or Other

Title	File
Northland Arboretum LOS	42bb55ca-bb5.pdf
Brainerd LOS	7af7debf-c77.pdf
Crow Wing Soil & Water Conservation Dist. LOS	c56d8c59-aad.pdf
MN Pollution Control Agency LOS	e19fa23b-228.docx
City of Baxter LOS	ae53faa0-bb2.pdf
background check form	79c3fc95-046.pdf

Difference between Proposal and Work Plan

Describe changes from Proposal to Work Plan Stage

Narrative- Changed paragraph to show that funding was obtained for restoration by the Crow Wing SWCD.

Specific project outcomes questions- changed narrative to show current grant is awarded to the partnership for restoration.

Long term imp. and funding- changed paragraph text to show current implementation grant is acquired by Crow Wing SWCD.

Activities & Milestones- deleted sentence in activity description that describes previous application efforts. Also removed milestone of approval by legislature and funding awarded to MHB which was recommended by LCCMR staff, and added 2 new milestones

Budget- updated annual FTE for the City of Baxter attorney's.

Non-ENRTF funds- Changed Clean Water Fund to \$890,000 and from potential to secured.

Disemination- added wording about biennial conference and presentation.

Per LCCMR comment moved city attorney and surveyor from personnel to professional contracts

Additional Acknowledgements and Conditions:

The following are acknowledgements and conditions beyond those already included in the above workplan:

Do you understand and acknowledge the ENRTF repayment requirements if the use of capital equipment changes?

N/A

Do you agree travel expenses must follow the "Commissioner's Plan" promulgated by the Commissioner of Management of Budget or, for University of Minnesota projects, the University of Minnesota plan?

N/A

Does your project have potential for royalties, copyrights, patents, or sale of products and assets?

No

Do you understand and acknowledge IP and revenue-return and sharing requirements in 116P.10?

N/A

Do you wish to request reinvestment of any revenues into your project instead of returning revenue to the ENRTF?








N/A

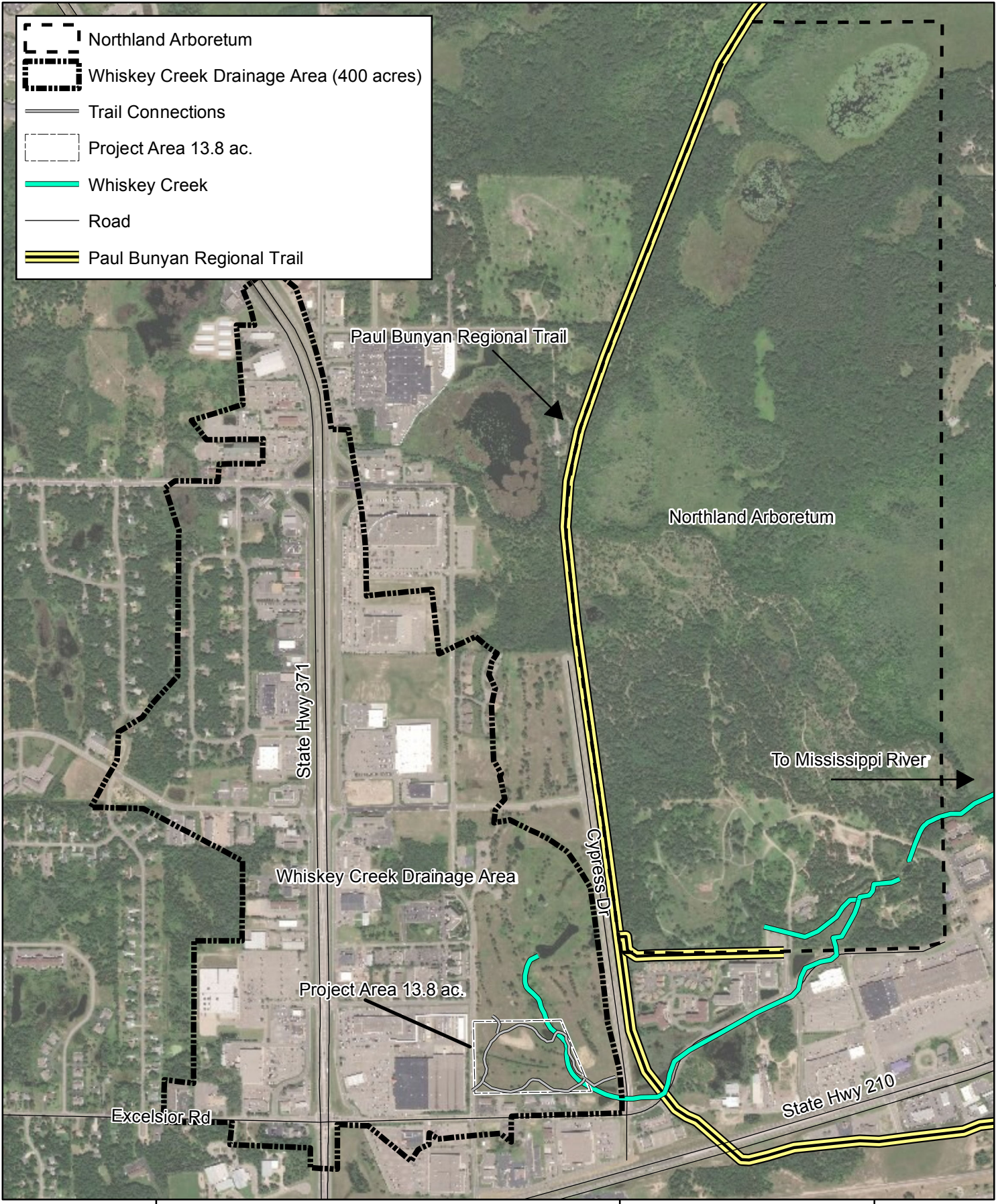
Does your project include original, hypothesis-driven research?

No

Does the organization have a fiscal agent for this project?

Yes, Crow Wing County

-  Northland Arboretum
-  Whiskey Creek Drainage Area (400 acres)
-  Trail Connections
-  Project Area 13.8 ac.
-  Whiskey Creek
-  Road
-  Paul Bunyan Regional Trail



Attachment B - Project Area
Whiskey Creek
City of Baxter

