



## Environment and Natural Resources Trust Fund

M.L. 2023 Approved Work Plan

### General Information

**ID Number:** 2023-213

**Staff Lead:** Mike Campana

**Date this document submitted to LCCMR:** June 20, 2023

**Project Title:** Above the Falls Park Acquisition and Restoration Planning

**Project Budget:** \$1,376,000

### Project Manager Information

**Name:** Adam Arvidson

**Organization:** Minneapolis Park and Recreation Board

**Office Telephone:** (612) 230-6470

**Email:** aarvidson@minneapolisparcs.org

**Web Address:** <https://www.minneapolisparcs.org/>

### Project Reporting

**Date Work Plan Approved by LCCMR:** June 22, 2023

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

**Project Completion:** December 31, 2025

**Final Report Due Date:** February 14, 2026

### Legal Information

**Legal Citation:** M.L. 2023, Chp. 60, Art. 2, Sec. 2, Subd. 09m

**Appropriation Language:** \$1,376,000 the first year is from the trust fund to the commissioner of natural resources for an agreement with the Minneapolis Park and Recreation Board to acquire land along the Mississippi River from willing sellers for habitat restoration, trail development, and low-intensity recreational facilities in Above the Falls Regional Park. This appropriation may also be used to prepare restoration plans for lands acquired. This appropriation may not be used to purchase habitable residential structures. Before the acquisition, a phase 1 environmental assessment must be completed and the Minneapolis Park and Recreation Board must not accept any liability for previous contamination of lands acquired with this appropriation.

**Appropriation End Date:** June 30, 2026

## Narrative

**Project Summary:** This project would acquire land from willing sellers along the Mississippi River for parkland within the Above the Falls Regional Park and prepare restoration plans.

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

All of the waterfront in Minneapolis has been public for more than 100 years—except the Mississippi River in North and Northeast Minneapolis. This historic gap in habitat and public access illuminates disparities across the city and creates a break in the Mississippi Flyway. Over years and with significant state assistance, parcels were purchased by MPRB and other public entities in the interest of implementing a grand park vision known as RiverFirst. That 2012 vision established a framework for Above the Falls Regional Park that would acquire and restore the entire riverfront, thereby closing historic access and habitat gaps.

Today, approximately half of the land within Above the Falls Regional Park is owned by the Minneapolis Park and Recreation Board (MPRB). Through a variety of strategies including purchase with local tax dollars, traditional mortgages, grants from watershed partners, creative financing with willing sellers, and land banking, MPRB has accelerated this critical vision. However, properties are transitioning regularly, and MPRB needs to act quickly with flexible and immediate funding or opportunities for public water access and habitat restoration will be lost for many decades.

**What is your proposed solution to the problem or opportunity discussed above? Introduce us to the work you are seeking funding to do. You will be asked to expand on this proposed solution in Activities & Milestones.**

This project will establish a fund for land acquisition for habitat restoration, trail development, and low-intensity recreational facilities when willing sellers come forward. The parcel list accompanying this proposal includes ALL private parcels within Above the Falls. Though the geographic area is tightly defined and limited to a single regional park, MPRB is finding that more flexibility on specific parcels is necessary. The Above the Falls waterfront in Minneapolis is experiencing high volatility and unpredictability. MPRB needs to be ready with reliable funds and to act quickly when opportunities arise. MPRB cannot predict at this time which parcels will become available, but will carefully follow all state rules associated with land acquisition under LCCMR funding.

We understand this proposal is similar to the ENRTF-funded Parks Acquisition Opportunity Fund through the Metropolitan Council. We are bringing this single-park, multi-parcel proposal directly to LCCMR because urban acquisitions could exhaust the PAOF quickly. In addition, because of the urban character of these parcels, they could be viewed as out of character with typical PAOF purchases, notwithstanding the critical need to re-establish habitat along the Mississippi River. MPRB feels it is worthwhile to make this proposal directly so it can be discussed.

**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?**

This project will help complete a continuous green ribbon along Mississippi River in Minneapolis. The outcome of this project, therefore, is to contribute to the eventual acquisition of all the Minneapolis riverfront, as envisioned in plans that go back decades. This land will eventually be converted to parkland with a mix of habitat restoration, trail development, and low-intensity recreational facilities. Specific amenities will be guided by the Above the Falls Master Plan and will vary depending on the parcels acquired. We are requesting funds to accelerate the vision of parkland, water access, and habitat in North and Northeast Minneapolis.

## Project Location

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

Region(s): Metro

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

Region(s): Metro

**When will the work impact occur?**

In the Future

## Activities and Milestones

### Activity 1: Land Acquisition

**Activity Budget:** \$1,326,000

**Activity Description:**

MPRB would work with its partners and current property owners to acquire fee title to or easements across parcels, once sellers are willing to transfer ownership or rights. MPRB staff time, legal costs, appraisals, and closing costs would be paid by MPRB as part of the grant match, with the entirety of the ENRTF funding going to actual land acquisitions. It is possible that this funding could be applied to multiple acquisitions. It is also possible MPRB may match ENRTF funds with other sources, in order to ensure the most effective use of state funds.

Because this is a developed urban area, many properties will contain "urban fill," which often classifies the site soil as contaminated, requiring a response plan under MPCA rules. Acquisition due diligence will include appropriate environmental analysis and response planning. Typically, MPRB has funded any necessary clean-up efforts (either soil export or covering/capping) through its own general fund or with assistance from Hennepin County. MPRB would not ask ENRTF for clean-up costs. MPRB will provide a clear response plan with clean-up timelines as a resolution to any environmental issues discovered, or will resolve the contamination through other methods prior to or concurrent with acquisition.

**Activity Milestones:**

Description	Approximate Completion Date
Appraisals, Negotiations, and Due Diligence	December 31, 2024
Parcel and/or Easement Acquisitions	December 31, 2025

### Activity 2: Restoration Planning

**Activity Budget:** \$50,000

**Activity Description:**

MPRB will hire an ecological restoration professional through a competitive process and work with them to prepare restoration plans for acquired sites. The restoration plans will guide future restoration of the sites. After completion of restoration plans, MPRB will seek additional funding through a variety of sources to implement the site restorations, likely in conjunction with restoration activities on adjacent parcels. Restoration will be performed in concert with the envisioned recreational components of Above the Falls Regional Park, which will at a minimum include paved trails on most parcels. Specific recreational amenities to be implemented will depend on the specific parcels acquired, but will be reflected in the restoration plans for that parcel.

**Activity Milestones:**

Description	Approximate Completion Date
Selection of Restoration Ecologist Professional	December 31, 2024
Completion of Restoration Plans	December 31, 2025

## 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.**

Minneapolis Park and Recreation Board (MPRB) will notify the public about successful acquisitions on the MPRB website, targeted e-mails, and social media. These notifications will follow ENRTF guidelines and include required ENRTF acknowledgment. At a future date, when land is acquired and restored and the land is open to the public, MPRB will post signage recognizing ENRTF for its participation in land acquisition and restoration. Signage will follow ENRTF guidelines. Restoration plans will be stored in the MPRB archive, where they will be publicly accessible for research purposes.

## 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 work be funded?**

Long term maintenance and management of the acquired parcels, including protection prior to restoration activities, will be performed by the Minneapolis Park and Recreation Board as part of its overall maintenance programs. Eventual conversion of the parcels to parkland will also be managed by MPRB. Such activities do include paid staff work, volunteers, consultants, and partnerships with nonprofit organizations. MPRB will seek additional funding from a variety of sources to accomplish future restoration of the site.

## Other ENRTF Appropriations Awarded in the Last Six Years

Name	Appropriation	Amount Awarded
Invasive Carp Management Research in Lake Nokomis Subwatershed	M.L. 2016, Chp. 186, Sec. 2, Subd. 06g	\$189,000
Expanding Nature Knowledge and Experience with New Interactive Exhibits at North Mississippi Regional Park	M.L. 2018, Chp. 214, Art. 4, Sec. 2, Subd. 05h	\$500,000
Mississippi River Aquatic Habitat Restoration And Mussel Reintroduction	M.L. 2021, First Special Session, Chp. 6, Art. 5, Sec. 2, Subd. 09e	\$1,800,000
Above The Falls Regional Park Acquisition	M.L. 2021, First Special Session, Chp. 6, Art. 6, Sec. 2, Subd. 09q	\$950,000

## Budget Summary

Category / Name	Subcategory or Type	Description	Purpose	Gen. Ineligible	% Benefits	# FTE	Classified Staff?	\$ Amount
<b>Personnel</b>								
							<b>Sub Total</b>	-
<b>Contracts and Services</b>								
Restoration Ecologist Professional to be Determined	Professional or Technical Service Contract	The Restoration Ecologist Professional will prepare the restoration plan for the site, based on BWSR guidelines.				0.24		\$50,000
							<b>Sub Total</b>	\$50,000
<b>Equipment, Tools, and Supplies</b>								
							<b>Sub Total</b>	-
<b>Capital Expenditures</b>								
							<b>Sub Total</b>	-
<b>Acquisitions and Stewardship</b>								
	Fee Title Acquisition	Acres: 4 Parcels: 2						\$1,326,000
							<b>Sub Total</b>	\$1,326,000
<b>Travel In Minnesota</b>								
							<b>Sub Total</b>	-
<b>Travel Outside Minnesota</b>								
							<b>Sub Total</b>	-

<b>Printing and Publication</b>								
							<b>Sub Total</b>	-
<b>Other Expenses</b>								
							<b>Sub Total</b>	-
							<b>Grand Total</b>	<b>\$1,376,000</b>



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
<b>State</b>				
			<b>State Sub Total</b>	-
<b>Non-State</b>				
Cash	Minneapolis park and Recreation Board General Fund as designated for general staffing and fringe	Matching funds will be used for all personnel costs, including community engagement, landowner negotiation, and project administration for the acquisition and restoration activities.	Secured	\$50,000
Cash	Minneapolis Park and Recreation Board General Fund as designated for land acquisition.	Land acquisition designated funds will be used for all acquisition soft costs, as well as a portion of land costs.	Secured	\$350,000
Cash	Partnership funds from local non-profit organizations and agencies.	These funds will be used for a portion of acquisition costs. Though not secured for specific parcels, MPRB has had historic success with this type of local assistance, once parcels have been identified.	Potential	\$250,000
			<b>Non State Sub Total</b>	<b>\$650,000</b>
			<b>Funds Total</b>	<b>\$650,000</b>

## Acquisition and Restoration

### Parcel List

Name	County	Site Significance	Activity	Acres	Miles	Estimated Cost	Type of Landowner	Easement or Title Holder	Status of Work
1002924130001	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	0.46	-	\$500,000	Private	Minneapolis Park and Recreation Board	Has Not Begun
1002924130002	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	6.48	-	\$1,532,500	Private	Minneapolis Park and Recreation Board	Has Not Begun
1002924130003	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	1.21	-	\$6,000,000	Private	Minneapolis Park and Recreation Board	Has Not Begun
1002924130005	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	0.53	-	\$122,000	Private	Minneapolis Park and Recreation Board	Has Not Begun
1002924130006	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	0.26	-	\$53,000	Private	Minneapolis Park and Recreation Board	Has Not Begun
1002924130007	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	0.27	-	\$67,000	Private	Minneapolis Park and Recreation Board	Has Not Begun
1002924130008	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	0.41	-	\$91,000	Private	Minneapolis Park and Recreation Board	Has Not Begun
1002924130009	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	1.81	-	\$797,000	Private	Minneapolis Park and Recreation Board	Has Not Begun
1002924140008	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	0.16	-	\$150,000	Private	Minneapolis Park and Recreation Board	Has Not Begun
1002924140010	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	2.25	-	\$1,000,000	Private	Minneapolis Park and Recreation Board	Has Not Begun
1002924140011	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	2.07	-	\$2,000,000	Private	Minneapolis Park and Recreation Board	Has Not Begun
1002924140173	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	0.38	-	\$264,000	Private	Minneapolis Park and Recreation Board	Has Not Begun

1002924410009	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	0.63	-	\$566,000	Private	Minneapolis Park and Recreation Board	Has Not Begun
1002924410026	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	0.26	-	\$450,000	Private	Minneapolis Park and Recreation Board	Has Not Begun
1002924410029	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	0.24	-	\$500,000	Private	Minneapolis Park and Recreation Board	Has Not Begun
1002924410031	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	0.49	-	\$550,000	Private	Minneapolis Park and Recreation Board	Has Not Begun
1002924410145	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	0.33	-	\$481,000	Private	Minneapolis Park and Recreation Board	Has Not Begun
1002924410179	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	0.64	-	\$412,000	Private	Minneapolis Park and Recreation Board	Has Not Begun
1002924420005	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	1.64	-	\$483,700	Private	Minneapolis Park and Recreation Board	Has Not Begun
1002924420006	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	0.38	-	\$114,100	Private	Minneapolis Park and Recreation Board	Has Not Begun
1002924420007	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	9.58	-	\$2,584,500	Private	Minneapolis park and Recreation Board	Has Not Begun
1002924430007	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	1.12	-	\$195,500	Private	Minneapolis Park and Recreation Board	Has Not Begun
1002924430008	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	0.35	-	\$51,900	Private	Minneapolis Park and Recreation Board	Has Not Begun
1002924430009	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	0.38	-	\$62,000	Private	Minneapolis Park and Recreation Board	Has Not Begun
1002924430010	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	0.41	-	\$75,600	Private	Minneapolis Park and Recreation Board	Has Not Begun
1002924440005	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	1.05	-	\$2,000,000	Private	Minneapolis Park and Recreation Board	Has Not Begun

1002924440006	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	0.39	-	\$250,000	Private	Minneapolis Park and Recreation Board	Has Not Begun
1002924440071	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	0.24	-	\$270,000	Private	Minneapolis Park and Recreation Board	Has Not Begun
1002924440072	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	0.24	-	\$350,000	Private	Minneapolis Park and Recreation Board	Has Not Begun
1002924440073	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	0.24	-	\$291,000	Private	Minneapolis Park and Recreation Board	Has Not Begun
1002924440074	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	0.24	-	\$345,000	Private	Minneapolis Park and Recreation Board	Has Not Begun
1502924110002	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	1.09	-	\$1,300,000	Private	Minneapolis Park and Recreation Board	Has Not Begun
1502924110033	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	0.66	-	\$189,000	Private	Minneapolis Park and Recreation Board	Has Not Begun
1502924110034	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	0.63	-	\$215,000	Private	Minneapolis Park and Recreation Board	Has Not Begun
302924230102	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	1.12	-	\$200,000	Private	Minneapolis Park and Recreation Board	Has Not Begun
302924240006	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	0.12	-	\$83,200	Private	Minneapolis Park and Recreation Board	Has Not Begun
302924310012	Hennepin	Mississippi riverfront within Above the Falls Regional Park	Fee Title	3.25	-	\$934,800	Private	Minneapolis Park and Recreation Board	Has Not Begun
<b>Totals</b>				<b>42.01</b>	<b>0</b>	<b>\$25,530,800</b>			

## 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.**

The extents of Above the Falls Regional Park were determined through extensive community engagement as part of the RiverFirst vision in 2011 and 2012. The boundary of this park is recognized by the Metropolitan Council and it includes both publicly owned and privately owned parcels. The ultimate vision is to acquire and bring into MPRB ownership all parcels within the boundary. Specific decisions around which parcels to acquire when is dependent on three main factors: willingness of the owner to sell, impact on completeness of the park, and available funding. ENRTF funds will not be used to purchase habitable residential structures.

**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.**

Though not strictly a natural resources plan, the MPRB- and City of Minneapolis-adopted RiverFirst Vision calls for the acquisition and restoration of the entire riverfront in North and Northeast Minneapolis. The principles of RiverFirst are displayed in MPRB's Master Plan for Above the Falls Regional Park, which has been adopted by the Board of Commissioners and the Metropolitan Council. A link to the ATF Master Plan is found below.

[https://www.minneapolisparcs.org/park\\_care\\_\\_improvements/park\\_projects/current\\_projects/above-the-falls-regional-park-master-plan-update/](https://www.minneapolisparcs.org/park_care__improvements/park_projects/current_projects/above-the-falls-regional-park-master-plan-update/)

**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.**

Components of the restoration and management plan will include a description of current conditions, with a focus on hydrology, geology, and the aquatic biotic community as they apply to large river systems; description of a target restoration community, which is most likely to be partly an aquatic to emergent wetland/riparian system and partly an upland grassland or savanna system; a timeline for restoration; and guidance for ongoing management of the restored areas. The restoration plan will be included in the creation of any future construction plans for the project and will guide both future construction and ongoing management. This plan will be kept both in MPRB staff project files and in the MPRB archive, as well as posted publicly on the MPRB website. Funding to implement the restoration plans is unknown at this time but would be a part of the overall implementation of parkland. Likely, this work would be funded through MPRB's regional park funds, including Parks and Trails Legacy Funds and Met Council/State Regional Park Bonding.

**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.**

Not applicable.

**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.**

MPRB confirms that M.S. 116P.17 will be followed and that written approval from the DNR Commissioner will be obtained.

## Attachments

### Required Attachments

#### *Map*

File: [308c6882-940.pdf](#)

#### *Alternate Text for Map*

Page from the Above the Falls Regional Park Master Plan showing current private inholdings...

#### *Board Resolution or Letter*

Title	File
MPRB Resolution 2022-201	<a href="#">f9941f1f-ff0.pdf</a>

### Optional Attachments

#### *Support Letter, Photos, Media, Other*

Title	File
Background Check Certification Form	<a href="#">e7e67bf3-100.pdf</a>

## Difference between Proposal and Work Plan

### *Describe changes from Proposal to Work Plan Stage*

Reduced budgets in Activities and Milestones Section and Budget Section. Reduced MPRB match to reflect reduction in funding recommendation. New descriptions of future park use as requested (included in the Narrative and Activities and Milestones sections). Additional staff comments addressed throughout. Second round of staff comments related to potential for both fee title and easement acquisitions addressed. Title changed to match appropriation language (6/20/2023).

## 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?**

No