

M.L. 2015 Project Abstract

For the Period Ending June 30, 2018

PROJECT TITLE: Multi-benefit Watershed Scale Conservation on North Central Lakes

Project Manager: Katherine DonCarlos (6/1/18 – 8/15/18); Dan Steward

Organization: Leech Lake Area Watershed Foundation; Board of Water and Soil Resources

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FUNDING SOURCE: Environment and Natural Resources Trust Fund

LEGAL CITATION: M.L. 2015, Chp. 76, Sec. 2, Subd. 09j

APPROPRIATION AMOUNT: \$950,000

AMOUNT SPENT: \$404,526

AMOUNT REMAINING: \$545,474

Overall Project Outcome and Results

Land conservation is a critical tool in the water plans of Crow Wing and Cass County. Limiting development within the watershed has multiple benefits that extend far beyond water quality protection. Science and geographic information system studies were used to strategically identify and prioritize the most significant lake watersheds on which to focus conservation efforts. This pilot project acquired five conservation easements protecting approximately 218 acres and 1,750 feet of strategic shoreland and forestland within the watersheds of priority recreational lakes in Cass and Crow Wing counties.

The focus was on 8 strategic “tullibee-refuge lakes” that are near 75% protection and where additional protection in the watershed can measurably move the needle of protection towards or to full 75% protection. These included notable lakes such as Ten Mile, Roosevelt, Thunder, Washburn, and the Whitefish Chain of Lakes –some of Minnesota’s premier recreational lakes.

BWSR’s RIM Reserve easement program has been a successful tool to protect environmentally sensitive land and water quality throughout agricultural regions of the state. In recent years, BWSR has received increasing requests from soil and water conservation districts for BWSR to make available a RIM tool in the forested region of the state.

Geographic data and existing technical criteria were used to identify parcels that would provide the highest conservation protection investment with a goal of 75% watershed protection. Leech Lake Area Watershed Foundation focused on landowner recruitment including presentations at targeted lake association meetings, direct mail, landowner visit’s and a workshop. Applications were ranked based on the scoring criteria. Approved applications were integrated into the standard BWSR RIM process using soil and water conservation districts (SWCDs) as local agents teamed up with easement acquisition expertise of BWSR staff. Long –term monitoring and enforcement will be provided by BWSR in partnership with the SWCDs.

Project Results Use and Dissemination

Landowner outreach was conducted to provide information to landowners on the opportunity for conservation easements to protect land and preserve water quality. A press release announced two workshops which were hosted in May 2016 at the Crooked Lake Town Hall (Outing, MN) and the Ideal Town Hall (Pequot Lakes, MN).



Environment and Natural Resources Trust Fund (ENRTF) M.L. 2015 Work Plan Final Report

Date of Report: September 19, 2018

Final Report

Date of Work Plan Approval: June 25, 2015

Project Completion Date: June 30, 2018

PROJECT TITLE: Multi-benefit Watershed Scale Conservation on North Central Lakes

Project Manager:	Katherine DonCarlos (6/1/18 – 8/15/18)	Dan Steward
Organization:	Leech Lake Area Watershed Foundation	Board of Water and Soil Resources
Mailing Address:	P.O. Box 124	1601 Minnesota Drive
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Web Address:	www.leechlakewatershed.org	www.bwsr.state.mn.us

Location: Cass and Crow Wing Counties

Total ENRTF Project Budget: \$950,000

ENRTF Appropriation: \$950,000

Amount Spent: \$404,526

Balance: \$545,474

Legal Citation: M.L. 2015, Chp. 76, Sec. 2, Subd. 09j

Appropriation Language:

\$950,000 the first year is from the trust fund to the Board of Water and Soil Resources to secure permanent conservation easements on at least 480 acres of high-quality habitat in Crow Wing and Cass Counties. Of this amount, up to \$65,000 must be deposited in a conservation easement stewardship account; and \$54,000 is for an agreement with the Leech Lake Area Watershed Foundation in cooperation with Crow Wing County Soil and Water Conservation District and Cass County Soil and Water Conservation District. Deposits into the conservation easement stewardship account must be made upon closing on conservation easements or at a time otherwise approved in the work plan. A list of proposed easement acquisitions must be provided as part of the required work plan. This appropriation is available until June 30, 2018, by which time the project must be completed and final products delivered.

I. PROJECT TITLE: Multi-benefit Watershed Scale Protection for North Central Lakes

II. PROJECT STATEMENT:

The North Central counties of Cass and Crow Wing are often considered the heart of Minnesota's premier lake region with high quality waters, exceptional fisheries, pristine forests, thousands of miles of recreational trails, and healthy ecosystems. The region is also one of the sources for drinking water for the Twin Cities. Local economies are highly dependent on the legacy of high quality natural resources that draw people to live, work, and play in these counties. Yet, the future of these natural resources is in question. As the economy picks up and baby boomers retire, a population growth of up to 30% is projected for these counties. As lake shorelines become completely developed, there is increasing demand for development near the lakes – if people cannot live on a lake, they want to live near a lake. The high density of quality lakes, coupled with the relatively close distance to the Twin Cities metropolitan area produce a high demand for new development of seasonal cabins and permanent houses in the vicinity. Additionally, high commodity prices are driving a conversion of forest lands to agriculture in both Crow Wing and Cass counties. With more land development pressure to accommodate growth, both on shorelands and second tier development within the watersheds of priority lakes, threatens the future quality of water and forest resources. Additionally, with climate change looming on the horizon, protection of high-quality landscapes that will be adaptable and resilient is ever more important.

In order to combat emerging challenges like population growth and climate change, we have a unique opportunity to design and implement conservation easement programs that maximize the dollars invested, strategically acquire conservation easements on key parcels, and match the right easement program with the landowner application. While donated easements will result in important areas being protected, they have limitations when parcels are highly targeted, as the parcel in need of protection may not be owned by someone in a position to donate. This program will build on the foundation of donated easements and the DNR's work on tullibee lake watershed protection to provide significant watershed level protection to several key lake watersheds. Our approach will be to pilot the use of the Reinvest in Minnesota (RIM) Reserve program administered by the Board of Water and Soil Resources (BWSR). RIM conservation easements have been a successful tool to achieve multiple conservation goals across Minnesota. This pilot will use (RIM) Reserve easements to permanently protect identified high priority, undeveloped shoreland and forest parcels in select watersheds. Shoreland easements protect fisheries habitat and limit nutrient runoff that can impair water quality. Forest easements further reduce nutrient laden runoff by reducing forest fragmentation and allowing infiltration of water to restore hydrology.

Specifically, this pilot project will apply RIM to a watershed context by acquiring conservation easements on approximately 480 acres of critical shoreland and forest within the watersheds of 8 selected lakes

While many lakes in our region are vital to our social and economic health, it is important to focus this pilot on lakes that play a dual role in fisheries and source water. A subset of priority recreational lakes in Cass and Crow Wing County that have been designated by the DNR as "tullibee-refuge lakes" in need of further protection were selected. These lakes are deep, cold, well-oxygenated lakes that support high populations of tullibee, the primary food source for game fish. DNR Fisheries research has determined if two conditions are met: 1) the land surface of the watershed is less than 25% disturbed by development or intensive land use; and 2) 75% of the land area of the watershed is permanently protected, these lakes can then generally be assured of maintaining high water quality for the survival of tullibee along with recreational benefits and resiliency against climate change. Lakes selected for this project are near the watershed protection threshold of 75%, where additional protection of undeveloped shoreland and forest parcels can measurably move these lake watersheds toward the goal of 75% protected status. Additionally, these lakes have received extensive sensitive shoreland analysis and we will focus our protection strategy on these critical areas of the selected 8 lakes.

Leech Lake Area Watershed Foundation will conduct landowner outreach that taps into existing complimentary programs, utilize a multi-faceted approach to prioritizing easements, a technical committee comprised of County and State Agencies and project partners will weigh the overall habitat benefits of the property against the costs of acquiring the easement and over the grant timeline begin to move targeted lakes into a 75 % protected status. Additionally, this program serves as an important means by which BWSR can pilot a watershed-based RIM tool in Minnesota's northern forest region. Landowner interest in this project will help gauge whether BWSR should consider developing a statewide program aimed at shoreland and watershed protection. This program also will help BWSR and its partners understand whether landowners are willing to accept less than the standard RIM rates set by the BWSR Board. This program will use BWSR's current rate of 60% of county assessed value for shoreland and 50% of township average assessed value for forested parcels. Project selection will follow the BWSR-established process used for similar programs (Granite Rock Outcrop, Wild Rice, etc.) but in addition to the environmental criteria, landowners will receive "bonus" points if he/she is willing to accept less than the standard payment rate.

The project will result in multiple conservation benefits. Benefits include: protection of water quality, a sustainable sport fishery, reduction of forest fragmentation, wildlife habitat connectivity, source water protection, support for the forest industry, economic stability, and a legacy of quality recreational opportunities for Minnesotans.

III. OVERALL PROJECT STATUS UPDATES:

Project Status as of [Jan 15, 2016]: GIS data and our existing technical team criteria will identify parcels that will provide the highest conservation protection investment with a goal of 75% watershed protection and develop a priority landowner list with contact information for each county. Leech Lake Area Watershed Foundation will focus on landowner recruitment including presentations at targeted lake association meetings, direct mail, and landowner visit's

Once a landowner indicates an interest we will assist them in filling out a competitive application that includes an indication of their willingness to take less than full compensation. Applications will be ranked based on the scoring criteria. Approved applications will be integrated into the standard BWSR RIM process using soil and water conservation districts (SWCDs) as local agents teamed up with easement acquisition expertise of BWSR staff.

Project Status as of [Sept 15, 2016]: After conducting a very successful landowner recruitment campaign that included direct mail appeals, targeted lake association presentations, two workshops, site visits and phone calls, we successfully recruited 35 landowners to apply. We reviewed and evaluated each application and they were graded and scored. Additionally, we created evaluation maps for each parcel. All the info was compiled into a Master Spreadsheet.

The Technical team met and reviewed all the applications. The top 8 applicants were approved to begin work with the SWCD staff. We identified 4 applicants to be placed on a wait list. We also referred one applicant (40 acres on Ten Mile) to the MNDNR Forest for the Future and one applicant (43 acres on Thunder) to BWSR Wild Rice program.

The Cass County and Crow Wing SWDC staff is at various levels of review including title and access. One Landowner who is enrolled in SFIA had to drop out due to current easement contract and another landowner bank was unwilling to allow the easement to move forward.

Project Status as of [Feb 24, 2017]: In December of 2016 we held a technical committee team meeting. This meeting allowed our partners to provide critical feed-back on our parcel review process, status update on our

current projects and review applications / projects on our current wait list. Overall the technical committee concluded that a number of the current wait list applications / projects that the proposed conservation easements were not a good match for BWSR RIM conservation easements. The parcels have significant wetlands and or other issues that would require significant carve outs and or exclusions which greatly reduced the size of the conservation easement. Overall, we are having a number of projects terminated due to size of easement, title concerns and other challenges. Sheila Boldt's from Crow Wing SWCD indicated a selected applicant was initially very interested but, after seeing a map including the required exclusions, decided they wanted their entire parcel included in the easement or they were not interested in moving forward. This landowner will be removing their application for further consideration. Kelly Condiff of Cass County SWCD noted that there is a problem determining valuation on the Richard Grewe project. One of the areas to be included in the Conservation Easement is part of their resort parcel. Kelly is trying to figure out how to divide the value. Since the RIM CE program is more aligned with agricultural property it is not surprising to see issues like the Grewe project run into challenges.

We feel our pilot project will help provide some strategic insight and assist BWSR as it develops their RIM in the Trees in Northern MN effort. Additionally, the technical team provided feed-back on our current vetting process. They requested that we do more previewing to weed out parcels with substantial limitations. Much of this can be done from maps and County data. It was noted that we have been accepting parcels that are too small. If there are significant wetlands on smaller parcels, there is nothing left to put an easement on once building sites, driveways, utility easements, etc are excluded. It was determined that our programs minimum acres be changed to 20 acres, and we will make allowance for smaller parcels that have outstanding qualities. We will also be modifying the landowner application to determine if there is a mortgage on the property and, if so, who the holder is. For example if the mortgage is with Wells Fargo there is no reason to proceed with the application.

There has been some internal discussion about possible adding a couple more lakes to our current list of targeted lakes. Since this grant was approved MNDNR launched a conservation easement program (Forest for the Future) and some of our targeted Tullibee lakes. In late spring the technical committee will need to determine if there too many programs and not enough landowners on these targeted lakes. At this point, we will keep to our targeted lakes and conduct another landowner outreach appeal that will include a direct mail, press release and landowner testimonial on LLAWF's web site.

Amendment Request (Feb 24, 2017) Given some of the challenges (number of acres and lending institutions) we are facing with our current finalists and applications on the wait list, it was concluded that we should conduct another round of landowner outreach in order to satisfy the grant deliverables including number of conservation easements and acres. Transferred funds will cover the cost of producing a direct mail appeal to targeted landowners. Funds will cover LLAWFF Communication Manager hrs, technical support of the development the materials, print and mail expense. We will be reducing the Professional / Technical / Service Contract Service by \$2,700 and mileage by \$200. Total requested shift in funds will be \$2,900. Our current Contract Service employee could use strategic help with the development of the materials, so we will be utilizing LLAWF communication manager – Kathy Don Carlos to assist with this outreach effort. Funds will be reallocated to Personnel \$2,250 and \$730 to cover printing expenses. Additionally, I found \$80 not allocated in our original budget. This will increase the shift of funds to \$2,980. All of these funds will go towards our landowner outreach efforts. This request will not change any of the strategies or deliverables associated with this grant.

“Amendment Approved by LCCMR 2/27/2017”

Project Status as of [Sept 15, 2107]: As we last reported our soil and water district partners are activity working with 5 landowners that will protect 217 acres of both shoreline and forested parcels on the targeted Tullibee lakes. These projects are near closing and we anticipate all 5 projects closing in early 2018.

In the spring of 2017, LLAWF staff revised our outreach materials which included a landowner letter, program fact sheet and updated our landowner application. In the spring we conducted a direct mail appeal in partnership with the Soil and Water Districts. LLAWF staff conducted 5 Lake Association presentations and worked with 25 landowner inquiries regarding the application process. In June 2017 LLAWF reviewed, scored and mapped 17 landowner applications. We facilitated an all-day Technical Committee meeting in July that determined which landowner applications we will work with. As a result of the technical committee review, they identified 7 landowner applications as finalist and requested the soil and water districts to begin working with these selected landowners. To date, 3 of the landowners drop their interest for a variety of reasons included compensation, current leans on the property and or scale (size of) the conservation easement. Additionally, we have two landowners who had been previously selected, who are enrolled in SFIA, and it appears that we will not be able to move forward with a BWSR – RIM CE due to timing of this grant. In the next week LLAWF will work with our soil and water partners to begin working with four landowners who are currently on our wait list. The technical team had placed these application is the wait list category. If any of these projects move forward, I would anticipate the need to request a one year extension on accommodate these projects.

Project Status as of [Feb 1, 2018]: As we last reported our soil and water district partners have been activity working with 5 landowners that will protect both shoreline and forested parcels on the targeted Tullibee lakes. Four projects have closed or are near closing protecting 208 acres. We have one small project on Ten Mile Lake / Cass County, that has an access issues that we hope will be resolved soon. Additionally, during this period we added a six landowner who recently signed a letter of interest on a 103 acres parcel in Cass County. With the project under contract this will allow the grant to utilize an additional year to complete this RIM easement. Overall, we are pleased we will protect 320 acres and utilize about 50% of the budget. While we will not reach the grant acre targets, we feel that the use of RIM conservation easements has expanded greatly under this grant time line. We will use the final grant report to provide a more detailed explanation regarding challenging with the implementation of this grant, competitive / overlapping conservation easements in this region that could be leading to landowner confusion and how all the partners in this region are working together to combat these issues moving forward.

Overall Project Outcomes and Results [August 9, 2018] This program piloted the use of Reinvest in Minnesota (RIM) Reserve conservation easements administered by the Board of Water and Soil Resources (BWSR) for tullibee lake watershed protection on several key lake watersheds. RIM Reserve easements were used to permanently protect high priority, undeveloped shoreland and forest parcels in select watersheds. Shoreland easements protect fisheries habitat and limit nutrient runoff that can impair water quality. Forest easements further reduce nutrient laden runoff by reducing forest fragmentation and allowing infiltration of water to restore hydrology.

This program helps BWSR and its partners understand whether landowners are willing to accept less than the standard RIM rates set by the BWSR Board. This program used BWSR's current rates of 60% of county assessed value for shoreland and 50% of township average assessed value for forested parcels.

The goal for protection was 480 acres. The funding resulted in conservation easements on five properties on Ossawinamakee Lake (3) and Roosevelt Lake (1) in Crow Wing County and Ten Mile Lake (1) in Cass County. The total acreage protected was approximately 220 acres. Easement applications were in process for an additional three properties totaling 312 acres; however, the applications could not be completed by the expiration of the appropriation.

Outreach efforts included direct mailings to landowners, lake association presentations, and individual meetings with many landowners. Challenges for the program included other easement or covenant programs and the lesser value of RIM easements. Landowners with existing Sustainable Forest Incentive Act (SFIA) agreements had to wait for their covenants to expire in order to qualify for a RIM Reserve easement. This provision was modified during the 2016 Legislative session, however, it was too late for some landowners interested in this program. The lesser values offered for RIM easements were a disincentive for some landowners. Many landowners applying for the program had properties less than 10 acres in size greatly reducing the cost/benefit ratio.

Conservation easements are a popular tool for private landowners to protect ecological attributes of their land for perpetuity. As demands increase for clean water throughout Minnesota, stressors of development and a changing climate increases the challenges for providing clean water and healthy watersheds. Continuing to offer landowners a variety of options for protecting their land through conservation easements will be an effective and important approach in the future.

IV. PROJECT ACTIVITIES AND OUTCOMES:

ACTIVITY 1: 480 acres permanently protected in Cass and Crow Wing Counties. There will be a focus on protection within the Pine River and Leech Lake Watersheds using RIM easements; Project criteria and parcel selection process will determine the number of conservation easements (approximately 13) and whether they be designated forested or shoreland .

Description

Land conservation is a critical tool in the water plans of Crow Wing and Cass County recognizing that limiting development within the watershed has multiple benefits that extend far beyond water quality protection. Science and GIS-based studies by the DNR, MPCA, and local governments have already been used to strategically identify and prioritize the most significant lake watersheds on which to focus conservation efforts in these North Central counties. This pilot project will acquire an estimate of 13 conservation easements protecting approximately 480 acres of strategic shoreland and forestland within the watersheds of priority recreational lakes in Cass and Crow Wing counties.

The focus will be on 8 strategic “tullibee-refuge lakes” that are near 75% protection and where additional protection in the watershed can measurably move the needle of protection towards or to full 75% protection. These include notable lakes such as Ten Mile, Roosevelt, Thunder, Washburn, and the Whitefish Chain of Lakes – some of Minnesota’s premier recreational lakes.

BWSR’s RIM Reserve easement program has been a successful tool to protect environmentally sensitive land and water quality throughout agricultural regions of the state. In recent years, BWSR has received increasing requests from soil and water conservation districts for BWSR to make available a RIM tool in the forested region of the state. Landowner interest in this project will help gauge whether BWSR should consider developing a statewide program aimed at shoreland and watershed protection.

GIS data and our existing technical team criteria will identify parcels that will provide the highest conservation protection investment with a goal of 75% watershed protection and develop a priority landowner list with contact information for each county. Leech Lake Area Watershed Foundation will focus on landowner recruitment including presentations at targeted lake association meetings, direct mail, landowner visit’s and a workshop. Once a landowner indicates an interest we will assist them in filling out a competitive application that includes an indication of their willingness to take less than full compensation. Applications will be ranked based on the scoring criteria. Approved applications will be integrated into the standard BWSR RIM process using soil and water conservation districts (SWCDs) as local agents teamed up with easement acquisition

expertise of BWSR staff. Long –term monitoring and enforcement will be provided by BWSR in partnership with the SWCDs.

ENRTF Budget: \$ 950,000

Summary Budget Information for Activity 1:

Amount Spent: \$ 404,526

Balance: \$ 545,474

Outcome	Completion Date
1. Criteria for parcel selection established and priority landowners identified; outreach/recruitment materials developed. Landowner recruitment initiated.	<i>January 1, 2016</i>
2 480 watershed acres are permanently protected with RIM conservation easements	<i>June 30, 2018</i>
3. Movement (acres protected) towards 75% full protection is demonstrated in 3 lakes watersheds	<i>June 30, 2018</i>
4. Monitoring and enforcement of easement by BWSR and SWCDs	<i>Perpetuity</i>

Activity Status as of [Jan 15, 2016]: GIS data and our existing technical team criteria will identify parcels that will provide the highest conservation protection investment with a goal of 75% watershed protection and develop a priority landowner list with contact information for each county. Leech Lake Area Watershed Foundation will focus on landowner recruitment including presentations at targeted lake association meetings, direct mail, landowner visit’s

Once a landowner indicates an interest we will assist them in filling out a competitive application that includes an indication of their willingness to take less than full compensation. Applications will be ranked based on the scoring criteria. Approved applications will be integrated into the standard BWSR RIM process using soil and water conservation districts (SWCDs) as local agents teamed up with easement acquisition expertise of BWSR staff.

Activity Status as of [Sept 15, 2016]: We are currently working with 8 landowners. We are at various stages of review with these projects. We referred two landowners to other conservation easement programs totally 83 acres of protection on Ten Mile and Thunder Lake. Of the 8 landowners selected, they represent approximately 214 acres of protection on sensitive shoreland, riparian and forested areas.

The Technical Team will be meeting shortly to review all the applicants and identify 3 to 5 additional projects to work toward our target of 480 acres. We will only select high quality parcels.

A number of landowners applied who live outside the targeted lakes and or applied with parcels Under 5 acres.

In general, the landowner applicants are on smaller parcels.

Activity Status as of [Feb 24,2017]: BWSR has encumbered \$124,505 of the acquisition budget for 4 conservation easement projects that are in the final stage of review. These projects total 114.1 acres and 1950 feet of shoreline on the Whitefish Chain of Lakes. Project sizes range from 56 acres to a donated easement on 15 acres. Cass SWCD is working to resolve the Grewe project. We are still trying to determine the value of the acres. The project is very small – 4 acres- but will protect sensitive shoreline on Ten Mile Lake. Additionally, Cass SWCD staff is working with a landowner on Roosevelt Lake. Their parcel is small but strategically located on Woods Bay. LLAWF just purchased 103 acres and will be donating the property to MNDNR to be managed as an

Aquatic Management Area. This parcel will help to protect Woods Bay. Once our work plan modification is approved we will begin to work on our landowner outreach efforts.

There was been some internal discussion about possible adding a couple more lakes to our current list of targeted lakes. Our current approach is to conduct another round of targeted outreach on our list of lakes. We currently have a number of conservation easements applications on other lakes. If our new applications grade well we will not request for additional lakes. If we cannot satisfy the acre total then we request permission to add additionally tullibee lakes to the list. In late spring the technical committee will need to determine if we need to make this request and identify what tullibee lakes we should add to the lake list.

Activity Status as of [Sept 15, 2017]: As we last reported our soil and water district partners are activity working with 5 landowners that will protect 217 acres of both shoreline and forested parcels on the targeted Tullibee lakes. BWSR has encumbered \$124,862 for these projects. All of these projects are moving forward regarding their conservation easement and we anticipate all 5 closing in early 2018. As stated early, in June 2017 LLAWF reviewed, scored and mapped 17 landowner applications. We facilitated an all-day Technical Committee meeting in July that gave final determination on which landowner applications we should work with. As a result of the technical committee review, they identified 7 landowner applications as finalist and requested the soil and water districts to begin working with these selected landowners. To date, 3 of the landowners drop their interest for a variety of reasons included compensation, current leans of the property and or scale (size of) the conservation easement. Additionally, we have two landowners who had been previously selected, who are enrolled in SFIA, and based on reports it appears we will not be able to move forward with a BWSR – RIM CE due to the timing of this grant. In the next week LLAWF will work with our soil and water partners to begin working with four landowners who are currently on our wait list. If any of these projects move forward, I would anticipate the need to request a one year extension on accommodate these projects.

Activity Status as of [Feb 1, 2018]: Our soil and water district partners have been activity working with 5 landowners that will protect both shoreline and forested parcels on the targeted Tullibee lakes. Four projects have closed or are near closing protecting 208 acres. We have one small project on Ten Mile Lake / Cass County, that has an access issues that we hope will be resolved soon. Additionally, during this period we added a six landowner who recently signed a letter of interest on a 103 acres parcel in Cass County. With the project under contract this will allow the grant to utilize an additional year to complete this RIM easement. Overall, we are pleased we will protect 320 acres and utilize about 50% of the budget. While we will not reach the grant acre targets, we feel that the use of RIM conservation easements has expanded greatly under this grant time line.

Final Report Summary (August 9, 2018):

The goal for this program was to protect 480 acres using RIM Reserve easements. The funding resulted in conservation easements on five properties on Ossawinamakee Lake (3) and Roosevelt Lake (1) in Crow Wing County and Ten Mile Lake (1) in Cass County. The total acreage protected was approximately 220 acres. Easement applications were in process for an additional three properties totaling 312 acres in the last six months of the funding; however, the applications could not be completed by the expiration of the appropriation. Easements typically take from 9-12 months to complete depending on the exclusions and complexity of the properties.

BWSR has continued success with other partnership programs using the same payment rate calculation as this project, which is an easement payment of 60% of the assessed value of the acreage enrolled. These other programs include five Wild Rice Shoreland Protection LSOHC appropriations which will protect over 4,700 acres and surpass project goals. In addition, there are two LSOHC appropriations in partnership with the Mississippi Headwaters Board which are on track to exceed acreage goals. In comparison, these other projects have a larger project area and larger pool of applicants. This LCCMR project consisted of a more limited project area and

smaller pool of eligible landowners, which may have called for a different rate and along with it greater or lesser easement terms to necessitate a separate valuation.

The issues relating to existing Sustainable Forest Incentive Act (SFIA) agreements and waiting for covenants to expire has been evident in several of BWSR’s other programs in the northern forest region. Recent legislative change to SFIA withdrawal procedures (290C.10) now allows early withdrawal without penalty for enrollment into an easement program.

V. DISSEMINATION:

Description: All project partners will disseminate project results through their information systems including but not limited to web sites, Facebook, organizational newsletters, press releases and presentations at county lake association meetings (ACCL).

Status as of [Jan 15, 2016]: At this point the only dissemination of information has been directed to landowner outreach. We anticipate doing a press release on our next application round and hope to be sharing a success story in the Spring of 2017.

Status as of [Sept 15, 2016]: At this point the only dissemination of information has been directed to landowner outreach. We anticipate doing a press release on our next application round and hope to be sharing a success story in the Spring of 2017.

Status as of [Jan 15, 2017]: At this point the only dissemination of information has been directed to landowner outreach. We anticipate doing a press release on our next application round and hope to be sharing a success story in the Spring of 2017.

Status as of [[Sept 15, 2017]: At this point the only dissemination of information has been directed to landowner outreach. We anticipate doing a press release on our next application round and hope to be sharing a success story in the early 2018, when we anticipate closing on some of these projects.

Status as of [Feb 1, 2018]: We anticipate doing a press release sharing a couple success story in the early 2018.

Final Report Summary: Landowner outreach was conducted to provide information to landowners on the opportunity for conservation easements to protect land and preserve water quality. A press release announced two workshops which were hosted in May 2016 at the Crooked Lake Town Hall (Outing, MN) and the Ideal Town Hall (Pequot Lakes, MN).

VI. PROJECT BUDGET SUMMARY:

A. ENRTF Budget Overview:

Budget Category	LLAWF	LLAWF Actual	BWSR	BWSR Actual	Overview Explanation
Personnel:	\$ 34,450	\$29,950	\$ 32,500	\$22,256	BWSR technical assistance and easement processing 0.5 FTE, LLAWF project management and coordination/outreach/landowner recruitment 0.0625 FTE per year.
Professional/Technical/Service Contracts:	\$ 15,700	\$9,636	\$ 39,000	\$10,000	SWCD contracts for local easement processing assistance/ admin / conservation planning for funded

					easements @ \$ 3,000 /easement, LLAWF Communication landowner outreach technical support .
Easement Acquisition:	\$		\$ 727,000	\$293,875	Approximately 480 ac (13 easements) will be held by the state through BWSR
Professional Services for Acquisition:	\$		\$32,500	\$2,886	Services for 13 easement acquisitions
Printing:	\$ 1,500	\$1,396			Outreach and Grant Administration
Travel Expenses in MN:	\$ 1,600	\$1,279			Travel to various outreach presentations and landowner site visits. Travel cost covered includes mileage (approximately 2,800 miles) and allowed staff meals
Other: Landowner Workshop	\$ 750	\$750			Facility rental, speaker fee's and light refreshments
Other: Easement Stewardship			\$65,000	\$32,500	BWSR easement stewardship 13 easements @ \$5000/easement per Ch.4, Article3, Sec. 74 (MS 103B.103)
TOTAL ENRTF BUDGET:	\$ 54,000	\$43,010	\$ 896,000	\$361,516	

Explanation of Use of Classified Staff: Permanent BWSR staff will be used for easement processing (mapping, GIS, title work, etc.) and project management (Dan Steward). RIM staff is funded by the same funding sources as the easement acquisition and not General Fund.

Number of Full-time Equivalent (FTE) Directly Funded with this ENRTF Appropriation: BWSR 0.5 FTE, LLAWF 0.125 .158

Number of Full-time Equivalent (FTE) Estimated to Be Funded through Contracts with this ENRTF Appropriation: SWCD's 0.78 FTE, Consultant 0.031

B. Other Funds:

Source of Funds	\$ Amount Proposed	\$ Amount Spent	Use of Other Funds
Non-state -			
LLAWF	\$ 2,500	\$ 1,000	<i>Local outreach and project oversight</i>
		\$	
TOTAL OTHER FUNDS:	\$ 2,500	\$ 1,000	

VII. PROJECT STRATEGY:

- **Project Partners:** Leech Lake Area Watershed Foundation: project administration; partner coordination; team assembly for parcel criteria and prioritization; landowner outreach/recruitment; and project assessment/outcome measurement.
- Board of Water and Soil Resources: project team; field oversight; easement processing/administration; easement acquisition; and ongoing easement stewardship.

- Cass County and Crow Wing County Soil and Water Conservation Districts: project team for parcel prioritization; local easement processing and BWSR interface.

B. Project Impact and Long-term Strategy:

Over the past 5 years, LLAWF projects funded by the Environment and Natural Resources Trust Fund (ENRTF) and Outdoor Heritage Fund (OHF) have focused primarily on donated easements for the protection of sensitive and critical shorelands in North Central Minnesota. Through these projects miles of shoreland in need of protection and over 600 targeted landowners have been identified. The number of landowners willing to donate easements is diminishing but many were identified that would participate at full or bargain rate easements. SWCDs in the forested region of the state believe that RIM is a tool that could be applied to help accomplish the goals of local water plans, but no large-scale RIM program currently exists in this region. Together with other conservation tools, RIM easements can be used to achieve permanent watershed protection with multiple conservation benefits. A successful pilot can be expanded and funded long term to sustain the ecological integrity of North Central Minnesota and ensure continued high quality recreational opportunities for all Minnesotans. While a regional project, it meets state objectives for prioritized, targeted, and measurable water quality and habitat protection goals. This project represents a step forward in a cooperative, strategic, and targeted protection effort between a regional nonprofit, a state agency, and local governments that has not been adequately approached or addressed previously- this type of collaboration builds local conservation capacity.

C. Funding History:

Funding Source and Use of Funds	Funding Timeframe	\$ Amount
Funding History: <i>\$1,150,300-OHF for ML2014 Fisheries Habitat Protection on Strategic North Central Lakes: Under MN Laws 2014, regular session, chapter 256, Article 1, Section 2, Subd 5(b).</i>	June 30, 2014-2017	\$1,150,300
\$339,000 - OHF for ML2011 <u>Protecting Sensitive Shorelands in North Central Minnesota</u> . Under MN Laws 2011, 1 st special sessions, Chapter 6, Article 1, Section2, Subd 5(b)	July 1, 2011 –June 30, 2014	\$ 112,399
3.) ML 2010 ENRTF \$300,000 <u>Protecting Sensitive Shorelands in Cass County</u> "; LLAWF Subcontract for \$76,200 to conduct landowner outreach and completed easements. Under MN Laws 2010, Chapter 362, Section 2, Subdivision 4h by Cass County Environmental Services	June 30, 2011 – June 30, 2014	\$ 76,200
		\$ 1,338,899

VIII. FEE TITLE ACQUISITION/CONSERVATION EASEMENT/RESTORATION REQUIREMENTS:

A. Parcel List: Attached

Conservation Easement Acquisition

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

We used a multi-tiered approach when identifying the proposed parcel list. First we screened and targeted lakes that are near the watershed protection threshold of 75%. We then layered in DNR’s

Sensitive Shoreland data to identify lakes where we could maximize our conservation investment. We then evaluated our top tiered lakes watershed to determine prospect parcels proximity to protected land and the potential to expand habitat complexes. Once we receive landowner applications we will evaluate them based on our technical teams criteria that includes sensitive shoreline, size of parcel, amount of wetland, proximity to inlet and outlets etc. A key component to this evaluation and selection process will be the land owner's willingness to take less and ensure we get best conservation value for the easement acquisition costs.

M.S. 103F.515 provides authority for the BWSR Board to set payment rates for conservation easements acquired under the RIM program. The Board does this through a formal Board Resolution process for each sub-program of RIM. Past experience with the Army Compatible Use Buffer (ACUB) program demonstrated that the standard RIM rate structure (90% crop rate and 60% non-crop rate of the land value for permanent easements using the Township Average Tillable Land Value as reported by the MN Dept. of Revenue via the University of Minnesota Land Economics website) did not work for high-value riparian lands. Therefore, since 2011, the BWSR board has established high-value riparian land rates at 60% of the individual assessed value of the land. For forested parcels, the ACUB rate is 50% of the average assessed value within the township. Because the types of land proposed to be put under easement in this project are similar to those in the ACUB program, this is the rate structure proposed to be used in this project, subject to Board approval. Furthermore, the landowner will have the option to receive less than that rate in order to be more competitive in the application process, resulting in the potential of paying less than the established rate for easements.

2. **List all adopted state, regional, or local natural resource plans in which the lands included in the parcel list are identified. Include a link to the plan if one is available.** Long range plan for Fisheries Management, MN DNR Strategic Conservation Agenda, Minnesota Sustainability Framework, 2013 DNR Fish Habitat Plan: Strategic Guidance Document, Crow Wing County Water Plan and Cass County Water Plan.
3. **For any conservation easement acquired, a restoration and management 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.** A Conservation Plan is prepared by the SWCD in conjunction with the landowner prior to the easement being completed. The plan specifies the conditions of the parcel and any initial restoration practices to be implemented. The plan is kept on file at the SWCD and BWSR state office. The parcels enrolled in this project will not require any initial restoration. Sites are monitored annually for the first five years and then once every three years thereafter. Landowners are responsible for compliance with the terms of the easement.
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. A copy of the written approval should be provided to LCCMR.** Not applicable

6. Provide a statement addressing how conservation easements will address specific water quality protection activities, such as keeping water on the landscape, reducing nutrient and contaminant loading, protecting groundwater, and not permitting artificial hydrological modifications.

The conservation easement will prevent the housing or agricultural development of the parcel that would degrade water quality and destroy wildlife habitat. Forest and wetland cover have been proven to produce very low levels of runoff and phosphorus. Forest cover enhances interception and infiltration of precipitation to the point that most forest covers infiltrate nearly all water, and surface runoff is very limited to none. The easement adds the private forested parcel to the already protected lands in the watershed as protected clean water infrastructure, and moves the watershed toward 75% permanent protection. Lakes with 75% permanent watershed protection are more likely to maintain good water quality into the future. RIM Easements contain specific provisions relating to vegetation, wetland restorations, water appropriations and water level management of restored wetlands, etc. One of the stated purposes of a RIM Easement is to establish conservation practices that protect soil and water quality.

Describe the long-term monitoring and enforcement program for conservation easements acquired on parcels by your organization, including explanations of the process used for calculating conservation easement monitoring and enforcements costs, the process used for annual inspection and reporting on monitoring and enforcement activities, and the process used to ensure perpetual funding and implementation of monitoring and enforcement activities. All easements acquired under this project will be monitored and enforced according to BWSR's standard process and procedures for RIM easements. Specifically, easements are monitored annually for the first five years and every third year thereafter. Easements are monitored by local SWCD staff, with oversight and support from BWSR staff. Funds will be used for activities specified in ML 2015, 1st special session, Ch.4, Article3, Sec. 74 (MS 103B.103) will be used to cover the costs of managing easements held by the board, including costs associated with monitoring, landowner contacts, records storage and management, processing landowner notices, requests for approval or amendments, enforcement, and legal services associated with easement management activities. Perpetual monitoring and stewardship costs have been calculated at \$5,000 per easement based the considerations specified in 103B.103 subd. 3 as follows: (1) the estimated annual staff hours needed to manage the conservation easement, taking into consideration factors such as easement type, size, location, and complexity; (2) the average hourly wages for the class or classes of state and local employees expected to manage the easement; (3) the estimated annual travel expenses to manage the easement; (4) the estimated annual miscellaneous costs to manage the easement, including supplies and equipment, information technology support, and aerial flyovers; (5) the estimated annualized costs of legal services, including the cost to enforce the easement in the event of a violation; and (6) the expected rate of return on investments in the account. This value is based on using local SWCD staff for monitoring and landowner relations and existing enforcement authorities. The \$65,000 of Stewardship funds cover costs of the SWCD regular monitoring, BWSR oversight, and any enforcement necessary. Deposits into the account will occur after easements have closed and 5% of the balance will be transferred back to the agency annually per law. BWSR will report annually the beginning balance, fiscal year deposits, total deposits to date, fiscal year expenditures, interest earned, end balance and average 3-year rate of return.

IX. VISUAL COMPONENT or MAP(S): (see attached)

X. RESEARCH ADDENDUM: Not applicable

XI. REPORTING REQUIREMENTS:

Periodic work plan status update reports will be submitted no later than Jan. 15, 2016; Sept 15, 2016; Jan 15, 2017; Sept 15, 2017; and Jan 15, 2018. A final report and associated products will be submitted between June 30 and August 15, 2018.

Environment and Natural Resources Trust Fund
M.L. 2015 Project Budget



Project Title: Multi-benefit Watershed Scale Conservation on North Central Lakes

Legal Citation: M.L. 2015, Chp. 76, Sec. 2, Subd. 09j

Project Manager: Lindsey Ketchel

Organization: Leech Lake Area Watershed Foundation

M.L. 2015 ENRTF Appropriation: \$ 54,000

Project Length and Completion Date: June 30, 2018

Date of Report: Feb 1 2018

ENVIRONMENT AND NATURAL RESOURCES TRUST FUND BUDGET	Revised Activity 1 Budget 2-24-2017	Amount Spent	Activity 1 Balance	TOTAL BUDGET (Revised)	TOTAL BALANCE
BUDGET ITEM					
Personnel (Wages and Benefits)					
Lindsey Ketchel - Executive Director - Project Management and Coordination/Outreach/Landowner Recruitment; 0.125% FTE per year with a total of .375% over the 3 year grant; (75% salary, 25% benefits for three years). Executive Director spends 65% of FTE on programmatic activities and this grant will cover .125% of their time per year. <u>Kathy Don Carlos - Communication Manager will support programmatic activities and landowner outreach materials. This grant will cover .033 of her time per year.</u>	\$34,450	\$29,950	\$4,500	\$34,450	\$4,500
Professional/Technical/Service Contracts					
Conservation Landowner Recruitment and Outreach: 0.05 % FTE; (100% salary for three years).	\$13,400	\$8,000	\$5,400	\$13,400	\$5,400
technical support with the development of landowner outreach materials and landowner workshop	\$2,300	\$1,636	\$664	\$2,300	\$664
Professional Services for Acquisition					
Printing					
Direct Mail, workshop and grant reports and project administration	\$1,500	\$1,396	\$104	\$1,500	\$104
Travel expenses in Minnesota					
Travel to various outreach presentations and landowner site visits. Travel cost covered includes mileage (approximately 2,800 miles) and staff meals if appropriate	\$1,600	\$1,279	\$321	\$1,600	\$321
Other					
Landowner workshop expense for facility and speakers	\$750	\$750	\$0	\$750	\$0
COLUMN TOTAL	\$54,000	\$43,010	\$10,990	\$54,000	\$10,990

**Environment and Natural Resources Trust Fund
M.L. 2015 Project Budget**



Project Title: Multi-benefit Watershed Scale Conservation on North Central Lakes

Legal Citation: M.L. 2015, Chp. 76, Sec. 2, Subd. 09j

Project Manager: Dan Steward

Organization: BWSR

M.L. 2015 ENRTF Appropriation: \$ 896,000

Project Length and Completion Date: June 30, 2018

Date of Report: August 13, 2018

ENVIRONMENT AND NATURAL RESOURCES TRUST FUND BUDGET	Revised Activity 1 Budget 2-24- 2017	Amount Spent	Activity 1 / Total Balance	TOTAL BUDGET	TOTAL BALANCE
BUDGET ITEM	480 acres permanently protected				
Personnel (Wages and Benefits)					
<i>BWSR Easement Processing and Technical Assistance - 0.1 FTE will be used for project technical assistance not directly tied to easement processing. 0.4 FTE will be utilized for all steps in the easement processing from application to recording. Easement specialists, GIS specialist and other staff will be used to perform these functions. The 0.5 FTE in total equates to 80 hours per easement over the length of the project.</i>	\$32,500	\$22,255.70	\$10,244	\$32,500	\$10,244
Professional/Technical/Service Contracts					
<i>Cass and Crow Wing County (SWDC) 13- easements X \$2,000 per easement for local easement processing assistance.</i>	\$ 26,000.00	\$10,000.00	\$16,000	\$26,000	\$16,000
Easement Acquisition					
<i>Acquisition (BWSR RIM Permanent Easements): 480 acres. Project criteria and parcel selection process will determine the number of conservation easements (approximately 13) and whether they be designated forested or shoreland. For budget project purposes the following breakdown includes: (2) shoreland parcels; 80 acres, acquired at 60% of cty tax-assessed value and (11) forest easements; 400 acres, acquired at 50% of county tax-assessed value. Easements acquired and held by BWSR.</i>	\$759,500.00	\$293,874.75	\$465,625	\$759,500	\$465,625
Professional Services for Acquisition					
<i>Title search, title opinion, title insurance, gap check, recording fees, legal fees, etc.</i>	\$13,000	\$2,886.03	\$10,114	\$13,000	\$10,114
Other					
<i>13 easements X \$5,000 stewardship per easement to be deposited in Easement Stewardship account. 5% of balance each year will be appropriated back to BWSR and will be used for long- term monitoring and enforcement. As per ML 2015, 1st special session, Ch.4, Article3, Sec. 74.</i>	\$65,000	\$32,500.00	\$32,500	\$65,000	\$32,500
COLUMN TOTAL	\$896,000	\$361,516.48	\$534,484	\$896,000	\$534,484