

## **M.L. 2017 Project Abstract**

For the Period Ending June 30, 2021

**PROJECT TITLE:** Metropolitan Regional Park System Land Acquisition – Phase IV

**PROJECT MANAGER:** Emmett Mullin, Parks Manager

**AFFILIATION:** Metropolitan Council

**MAILING ADDRESS:** 390 North Robert Street

**CITY/STATE/ZIP:** St. Paul, MN 55101

**PHONE:** (651) 602-1360

**E-MAIL:** emmett.mullin@metc.state.mn.us

**WEBSITE:** <http://metro council.org/Parks.aspx>

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

**LEGAL CITATION:** M.L. 2017, Chp. 96, Sec. 2 subd. 9(a) as amended by M.L. 2019, First Special Session, Chp. 4, Art. 2, Sec. 4

**APPROPRIATION AMOUNT: \$1,500,000**

**AMOUNT SPENT: \$1,436,000**

**AMOUNT REMAINING: \$64,000**

### **Sound bite of Project Outcomes and Results**

The Metropolitan Council along with Washington County and Carver County acquired 12 parcels to increase recreational opportunities for the Regional Parks System. These critical acquisitions protected over three miles of Minnesota River and St. Croix River shoreline and 192 acres of high-quality natural resource land in Washington and Carver Counties.

### **Overall Project Outcome and Results**

The Metropolitan Council works with the Regional Park Implementing Agencies to protect critical lands and provide recreational opportunities for the Regional Parks System. This \$1,436,000 ENRTF project was matched with \$1.7 million in Council funds and Agency funds to purchase 14 parcels for the Regional Parks System.

Washington County acquired a 102-acre property for St. Croix Bluffs Regional Park with funding from this and a previous appropriation. The property contains critical habitats including hardwoods, mixed forest, open meadow, and 3,800 feet of St. Croix River shoreline. With the addition of this 102-acre parcel, the park now protects 5,000 contiguous feet of shoreline. Carver County acquired 13 parcels for the Minnesota River Bluffs Regional Trail, protecting 90 acres of natural resources and 3 miles of regional trail, much of it along the Minnesota River corridor.

Acquiring these properties permanently protects critical natural resources while providing additional recreational opportunities for the region. All properties funded are inholdings or parcels that are included in master plan-approved park boundaries. The Regional Park Implementing Agencies work only with willing landowners when acquiring lands with ENRTF, and they focus on acquiring lands with high natural resources and habitat value that are at risk of being developed.

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

Articles were released both after the grant was awarded and after the Rowe parcel was purchased for Washington County's St. Croix Bluffs Regional Park, including an article in the Pioneer Press on June 11, 2019. Carver County celebrated the opening of their rebuilt portion of the Minnesota River Bluffs Regional Trail on July 13, 2021 with a public celebration. Several news releases were published, including the [SW News Media](#) and on [Carver County's website](#). The Council also issued news releases after each grant was awarded. The Agencies include the ENRTF sign when they install visitor signs. In addition, the Metropolitan Council and the Agencies acknowledge ENRTF for any media releases about the acquisitions.



# Environment and Natural Resources Trust Fund (ENRTF)

## M.L. 2017 Work Plan Final Report

<b>Date of Report:</b>	August 3, 2021	Quick links to content  <a href="#">Budget</a> <a href="#">Project summary</a> <a href="#">Project strategy</a>  <a href="#">Amendment #1</a> <a href="#">Amendment #2</a> <a href="#">Amendment #3</a>
<b>Date of Next Status Update Report:</b>	Final Report	
<b>Date of Work Plan Approval:</b>	September 30, 2017	
<b>Project Completion Date:</b>	June 30, 2021	
<b>PROJECT TITLE: Metropolitan Regional Park System Land Acquisition – Phase V</b>		

**Project Manager:** Emmett Mullin, Parks Manager  
**Organization:** Metropolitan Council  
**Mailing Address:** 390 North Robert Street  
**City/State/Zip Code:** St. Paul, MN 55101  
**Telephone Number:** (651) 602-1360  
**Email Address:** Emmett.mullin@metc.state.mn.us  
**Web Address:** <http://metro council.org/Parks.aspx>

**Location:**

The project will be accomplished in separate locations within Dakota, Hennepin and Washington Counties. Please see the [location list for more information](#).

<b>Total ENRTF Project Budget:</b>	<b>ENRTF Appropriation:</b>	<b>\$1,500,000</b>
	<b>Amount Spent:</b>	<b>\$1,436,000</b>
	<b>Balance:</b>	<b>\$64,000</b>

**Legal Citation:** M.L. 2017, Chp. 96, Sec. 2 subd. 9(a), as amended by M.L. 2019, First Special Session, Chp. 4, Art. 2, Sec. 4

**Appropriation Language:**

**Metropolitan Regional Parks System Land Acquisition.** \$1,500,000 the first year is from the trust fund to the Metropolitan Council for grants to acquire approximately 70 acres of land within the approved park boundaries of the metropolitan regional park system. This appropriation may not be used to purchase habitable residential structures. A list of proposed fee title acquisitions must be provided as part of the required work plan. This appropriation must be matched by at least 40 percent of nonstate money that must be committed by December 31, 2017. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

**I. PROJECT TITLE: Metropolitan Regional Parks System Land Acquisition – Phase 5**

**II. PROJECT STATEMENT:**

This project used \$1,436,000 in Environment and Natural Resources Trust Fund (ENRTF) funding to acquire 2 properties totaling 192 acres of high-quality wooded land and wetlands, including over three miles of shoreline for the Metropolitan Regional Parks System (MRPS). The Metropolitan Council (Council), serving as the fiscal agent, collaborated with the ten regional park implementing agencies (Agencies) to more than double the ENRTF dollars with \$1.7 million in Council bond proceeds and local Agency funds.

The Metropolitan Regional Park System (MRPS) encompasses 55,000 acres in 41 regional parks, 12 park reserves, eight special recreation features, and 348 miles of regional trails. With over 47 million visits last year, the MRPS hosted more annual visits than Yellowstone, Yosemite, and the Grand Canyon – combined.

The Twin Cities metropolitan region is expected to gain 750,000 people by 2040. The goals of this project are to help the region prepare for this growth by securing lands before they are developed and to make that land available for public enjoyment, recreational opportunities, and wildlife habitat protection. The Council oversees the MRPS by working together with our ten partner Agencies. Past ENRTF appropriations totaling over \$8.5 million have helped acquire more than 1,000 acres for the System.

This is the latest phase of ENRTF funding to help acquire 13,500 acres of high-quality natural resources lands as part of the MRPS. Acquisition protects these resources and helps meet the outdoor recreation needs of an expanding population in the seven-county metropolitan area.

The ten regional park implementing agencies that own and operate the MRPS are:

- |                                       |                            |
|---------------------------------------|----------------------------|
| Anoka County Parks                    | Ramsey County Parks        |
| City of Bloomington Parks             | City of Saint Paul Parks   |
| Carver County Parks                   | Scott County Parks         |
| Dakota County Parks                   | Three Rivers Park District |
| Minneapolis Park and Recreation Board | Washington County Parks    |

[A map illustrating the MRPS](#) is included in Section IX, Visual Component of this work plan.

**III. OVERALL PROJECT STATUS UPDATES:**

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**Project Status as of January 31, 2018:** Although landowner negotiations continue, there have been no closing dates set on the listed properties.

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**Project Status as of July 19, 2018:** Although landowner negotiations continue, there have been no closing dates set on the listed properties.

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**Project Status as of September 11, 2018: Amendment request #1**

The Metropolitan Council requests the addition of Property #13 to the acquisition list and to delete Properties 1-12.

Carver County is working to purchase four parcels totaling 89.81 acres for the Minnesota River Bluffs Regional Trail, which runs for three miles through the combined length of the parcels. The property is on the bluffs above the Minnesota River adjacent to the Minnesota Department of Natural Resources Scientific and Natural Area of the Seminary Fen, Raguette Wildlife Management Area, and other lands of Minnesota River bottoms. The property has high scenic values of the river valley.

The property is owned by the Hennepin County Regional Rail Authority (HCRRA), which bought the entire 12-mile corridor for approximately \$2.45 million in 1990 to hold for a prospective light rail line. HCRRA conducted the Southwest Transitway Alternatives Analysis (AA) process beginning in 2005 and culminating in adoption in 2008. This analysis, conducted with the municipalities along the corridor, considered both mode and alignment for the proposed corridor and investigated eight alternative alignments. That alignment considered termini in Minneapolis and Eden Prairie and had not considered further extension to the west beyond Eden Prairie.

It was through this AA that a Locally Preferred Alternative (LPA) was chosen by HCRRA and the municipalities along the line. At that point, the LPA was forwarded to the Metropolitan Council for inclusion in our *Transportation Policy Plan* updated in 2010. That is the alignment that the Metropolitan Council has been working on building since then.

While the light rail route was being determined, HCRRA executed leases with Three Rivers Park District (Three Rivers) and the City of Chanhassen to build and operate an unpaved trail across the property in 1994. This portion of the trail is entirely within Carver County. The County took over the lease for the City's section of the trail in 2017 and will do the same for Three Rivers' portion of the trail after conveyance of the property from HCRRA to the County.

During the lease period, a section of the trail corridor had a significant slope failure, which has closed a good portion of the trail, forcing users to detour six additional miles around the site on roads not well suited for bike and pedestrian use. HCRRA has agreed to use the proceeds from the property sale to repair the slope failure. The current cost estimate to repair the trail is approximately \$1.45 million.

Even with the slope failure and its concomitant detour, the Minnesota River Bluffs LRT Regional Trail had 304,000 estimated visits in 2017. When Carver County is able to operate the trail as an owner and not a lessee, it will pave the trail, and it is reasonable to expect that trail use will increase. This acquisition will therefore support increased use of the regional parks and trail system, while offering a high-quality viewshed of the river valley in proximity to the superb natural resources of the Seminary Fen and Raguet Wildlife Management Area.

The trail is recognized as a regional trail in the *2040 Regional Parks Policy Plan* and as a Tier 1 alignment of the Regional Bicycle Transportation Network in the *2040 Transportation Policy Plan*.

Carver County is in the process of preparing an acquisition master plan amendment for Council review. Because the property is already held in the public domain, the Council requests that the LCCMR review the proposed purchase and approve adding the four parcels onto the approved acquisition list for this work plan. The Council will not move forward with an actual grant until and unless the acquisition master plan amendment is approved and all other requirements of ENRTF funding are met. It should be noted that regional rail authorities acquire land expressly for the purpose of providing for the preservation and improvement of local rail service, including the preservation of abandoned right-of-way for future transportation services. Because the rail authority no longer has a rail need for certain property for rail purposes, they dispose of those properties by making them available for sale – in other words, they do not hold property for general public purposes.

To be eligible for funding assistance through its Park Acquisition Opportunity Fund, the Council requires that Regional Parks Implementing Agencies contribute 25% of the cost of each property. This match amount may be a cash contribution, or, under certain circumstances, Council policy allows the use of a 'land donation' to be counted as all or part of the Agency match. To qualify, the Agency must have commissioned both an appraisal and a third-party appraisal review that meet the requirements of Uniform Standards of Professional Appraisal Practice (USPAP). Carver County has complied with this requirement.

The value that may be applied to the County's match is the difference between the agreed-upon purchase price based on the certified appraised value of the property and the lower amount the seller agrees to accept as

payment for the land. In this case, according to the appraisal dated July 6, 2018, the market value of the property is \$5.84 million, and HCRRA has agreed to accept \$1.7 million as the purchase price. The difference will be considered Carver County's match.

HCRRA is willing to sell the property below market value primarily because it does not have the funds to conduct the slope repair, which would need to be done before any sale. With this transaction, HCRRA will use the majority of the sale proceeds to repair the slope. Additionally, HCRRA's options for sale elsewhere are limited due to the configuration of the property. If it were to be subdivided, it would likely only serve adjacent sites upon assemblage. Therefore, the appraiser has cited the highest and best use of the property as continued use as a trail corridor.

Of the \$1.7 million purchase price, the Council requests that \$932,661 be approved from the ML 2015 appropriation and \$87,338 from the ML 2017 appropriation. A matching work plan amendment request for the 2015 work plan is being presented concurrent with this request for the 2017 work plan.

***Amendment request withdrawn January 31, 2019.***

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***Status update as of January 31, 2019***

The Bofenkamp property transaction has closed. No further properties will be requested via amendment until the Legislature has determined whether the acreage minimum for this appropriation will be reduced. If the acreage minimum is reduced as requested, the Council has identified enough properties to meet the new minimum and use the entire appropriation within the 2019 calendar year.

***Amendment request #2:*** The Metropolitan Council requests that the requirement in the appropriation to acquire "approximately 197 acres of land within the approved park boundaries of the metropolitan Regional Parks System" be amended to "approximately 70 acres of land within the approved park boundaries of the metropolitan Regional Parks System" to correct a technical error.

***Amendment approved by LCCMR 2/26/19***

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***Status update and amendment request #3***

1. The Metropolitan Council requests the addition of Property #13 to the acquisition list:

Carver County has a signed agreement to purchase four parcels totaling 89.81 acres for the Minnesota River Bluffs Regional Trail, which runs for three miles through the combined length of the parcels. The property is on the bluffs above the Minnesota River adjacent to the Minnesota Department of Natural Resources Scientific and Natural Area of the Seminary Fen, Raguet Wildlife Management Area, and other lands of Minnesota River bottoms. The property has high-quality scenic views of the river valley.

The property is owned by the Hennepin County Regional Rail Authority (HCRRA), which bought the entire 12-mile corridor in fee title for approximately \$2.45 million in 1990 to hold for a prospective light rail line. HCRRA conducted the Southwest Transitway Alternatives Analysis (AA) process beginning in 2005 and culminating in adoption in 2008. This analysis, conducted with the municipalities along the corridor, considered both mode and alignment for the proposed corridor and investigated eight alternative alignments. That alignment considered termini in Minneapolis and Eden Prairie and had not considered further extension to the west beyond Eden Prairie.

The AA enabled HCRRA and the municipalities along the line to choose a Locally Preferred Alternative (LPA), and the LPA was forwarded to the Metropolitan Council for inclusion in our *Transportation Policy Plan 2010* update.

While the light rail route was being determined, HCRRA awarded permits to Three Rivers Park District (Three Rivers) and the City of Chanhassen to build and operate an unpaved trail across the property in 1994. This portion of the trail is entirely within Carver County. The County took over the lease for the City's section of the trail in 2017 and will do the same for Three Rivers' portion of the trail after conveyance of the property from HCRRA to the County.

During the lease period, a section of the trail corridor had a significant slope failure, which has closed a good portion of the trail, forcing users to detour six additional miles around the site on roads not well suited for bike and pedestrian use. There has been considerable public pressure to repair the trail. HCRRA has agreed to use the proceeds from the property sale to repair the slope failure. The current cost estimate to repair the trail is approximately \$1.45 million.

Even with the slope failure and its related detour, the Minnesota River Bluffs LRT Regional Trail had 240,000 estimated visits in 2018. When Carver County is able to operate the trail as an owner and not a lessee, it will pave the trail, and it is reasonable to expect that trail use will increase. This acquisition will therefore support increased use of the regional parks and trail system, while offering a high-quality viewshed of the river valley in proximity to the superb natural resources of the Seminary Fen and Raguet Wildlife Management Area.

The trail is recognized as a regional trail in the 2040 Regional Parks Policy Plan and as a Tier 1 alignment of the Regional Bicycle Transportation Network in the 2040 Transportation Policy Plan.

Because the property is already held in the public domain, the Council requests that the LCCMR review the proposed purchase and approve adding the four parcels onto the approved acquisition list for this work plan. It should be noted that regional rail authorities acquire land expressly for the purpose of providing for the preservation and improvement of local rail service, including the preservation of abandoned right-of-way for future transportation services. Because the rail authority no longer has a rail need for certain property for rail purposes, they dispose of those properties by making them available for sale – in other words, they do not hold property for general public purposes.

To be eligible for funding assistance through its Park Acquisition Opportunity Fund, the Council requires that Regional Parks Implementing Agencies contribute 25% of the cost of each property. This match amount may be a cash contribution, or, under certain circumstances, Council policy allows the use of the value of a 'land donation' to be counted as all or part of the Agency match.

To qualify, the Agency must have commissioned an appraisal that meets the requirements of Uniform Standards of Professional Appraisal Practice (USPAP). Carver County has complied with this requirement. In March of 2018, the Council prepared another appraisal, which returned a value opinion of \$5.81 million. The value that may be applied to the County's match is the difference between the agreed-upon purchase price based on the certified appraised value of the property and the lower amount the seller agrees to accept as payment for the land. In this case, according to the appraisal dated March 22, 2019, the market value of the property is \$5.81 million, and HCRRA has agreed to accept \$1.7 million as the purchase price. The difference will be considered Carver County's match. The Council will contribute \$680,000 as the regional match and requests \$1,020,000 from ENRTF.

Hennepin County cannot bid the construction project until funding has been identified. If this amendment is approved, Council staff will bring a business item to the Council recommending awarding a grant to Carver County in the month following approval. The grant agreement will be subject to LCCMR approval and is binding on Carver County and the Council. HCRRA will then begin its bidding process and commence repair work at the earliest opportunity. In March of 2020, an updated appraisal will be prepared and submitted to LCCMR. HCRRA will complete the repair work. Carver County and HCRRA will close on the property within one year of the date of the updated appraisal, and HCRRA will use the

proceeds to fund the repair work. The joint powers agreement between the two parties covers contingencies such as cost overruns; in no case would the Council request more ENRTF funding for this acquisition.

***Amendment approved by LCCMR 6/18/19***

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***Status update as of July 25, 2019:***

The Council approved Carver County's Park Acquisition Opportunity Fund (PAOF) grant request on June 26, 2019, and the grant agreement has been prepared for the County to purchase the HCCRA property after obtaining the final appraisal.

The January 2019 status update mentions closing on the Bofenkamp property. This parcel was funded with previous year's appropriations and should not have been mentioned in this report.

The amendment request from February 2019 referred to the HCCRA property as property #14. This was an error and should have read "property #13." There is no parcel #14 currently.

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***Amendment request #4, August 26, 2019:***

The Metropolitan Council requests the addition of Property #14 to the acquisition list:

Washington County has a signed purchase agreement for the 100-acre Rowe property and hopes to close on the property by the end of 2019. Once acquired, this wooded St. Croix riverfront property will be an addition to the St. Croix Bluffs Regional Park. The Rowe property is on the approved parcel list for the Met Council's 2015 appropriation, but the purchase price exceeds the available funds. The Met Council is requesting it be added to the 2017 appropriation as well. Acquiring this parcel will use up the remaining balance for the 2015 appropriation and most of the remaining 2017 appropriation.

***Amendment approved by LCCMR 9/30/2019.***

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***Amendment request #5, November 19, 2019:***

The Metropolitan Council requests that the Legislative-Citizen Commission on Minnesota Resources approve funding an acquisition for Washington County's St. Croix Bluffs Regional Park at an amount that is 106.5% of the appraised value. Washington County has been working on the Rowe property purchase for over ten years in various capacities. A purchase such as the Rowe property is much more than a dollar amount: it is building lasting relationships with neighbors to the park and providing education in understanding the benefits of the natural resources experience that they provide.

The Rowe parcel is a 102-acre parcel that is on the approved list for this appropriation (parcel 16). Washington County has successfully negotiated with the landowner and has a signed purchase agreement that expires March 31, 2020. The seller has agreed to sell for \$2,935,000, which is 106.5% of the appraised value of \$2,755,000. Valuation of property can be thought of as a range of value at a given time based on facts regarding certain variables. Appraisers could provide different outcomes depending on how they review the data and make their adjustments. Because adjustments made in the appraisal to the various comparables are subjective, a six and one-half percent difference on a \$3 million-dollar property is very minimal and completely within a normal range of value. Based on the review of the appraisal and property in question, the purchase price for this property falls within a range that anyone in the open market would pay given the circumstances.

This parcel is a critical inholding for the St. Croix Bluffs Regional Park, which is currently 583.7 acres in size. After acquiring this 102-acre parcel, there will only be one 20-acre parcel left to acquire within the Council-approved park boundary.

This property has high natural resources value, including over 40 acres of hardwoods, mixed forest and open meadow. The remainder of the parcel will be restored to its natural state of oak savannah. This acquisition will also protect 1,000 feet of St. Croix River shoreline. St. Croix Bluffs Regional Park currently has over 3,800 feet of shoreline along the St. Croix River, and acquiring this parcel will result in the protection of nearly 5,000 contiguous feet of shoreline.

The Rowe acquisition will be funded by a combination of ENRTF (34%), Parks and Trails Legacy Fund (11%), local Agency match (25%), and Council bonds (30%). The total project cost is \$2,971,466.20, of which ENRTF will fund \$1,020,000 (\$612,834.63 from ML2015 and \$407,165.37 from ML2017). This acquisition will use the remaining funds in the ML2015 appropriation and most of the balance of the ML2017 appropriation.

This acquisition has been approved by the Metropolitan Parks and Open Space Commission and the Community Development Committee. The full Metropolitan Council will hear the request on January 22, 2020, following the January 16, 2020 LCCMR meeting. Washington County will be able to close on this acquisition immediately following Council approval.

***Amendment Approved by LCCMR 1/16/2020***

***January 2020 Status update (as of December 31, 2019)***

A grant agreement has been executed with Carver County to acquire the HCRRA property. \$480,000 remains unencumbered in this appropriation, and approximately \$407,000 will be used to acquire the Rowe property if the necessary approvals are obtained. If LCCMR approves the purchase price of 106.5% of the appraised value at its January 16, 2020 meeting, then the final Council approval will be requested on January 22, 2020. The Council will enter into a grant agreement with Washington County soon after and the County will purchase the property by the end of March 2020, with the goal of completing the project and closing the grant by the end of state fiscal year 2020.

***Amendment Request #6, April 29, 2020:***

The Metropolitan Council requests a one-year extension to its 2017 appropriation, which is being used to acquire two approved properties: #13 for Carver County's Minnesota River Bluffs LRT Regional Trail and #14 for Washington County's St. Croix Bluffs Regional Park. An extension is needed to complete the acquisition of these properties.

Carver County is acquiring property #13 from the Hennepin County Regional Railroad Authority and has an active purchase agreement, dated February 27, 2019. Carver County is currently having an additional appraisal conducted and will close on the property by the spring of 2021 (within a year of the new appraisal date). The grant agreement between Carver County and the Metropolitan Council expires on June 30, 2021, and their acquisition will be completed by that date.

Washington County has partially closed on the Rowe property, #14. This acquisition is funded by both the 2015 and 2017 Metropolitan Council appropriations. The purchase price of the property will be reimbursed to Washington County by the end of July 2020, which will use the balance of the 2015 appropriation and some of the 2017 appropriation. However, Washington County needs additional time to complete stewardship work on the property. These costs will be partially funded with the 2017 appropriation. The grant agreement between Washington County and the Metropolitan Council expires on January 23, 2021, and their acquisition will be completed by that date.

***Amendment approved 6/2/2020.***



**Status update as of July 23, 2020**

Washington County has acquired the Rowe property and will be requesting reimbursement soon. They are finishing stewardship work over the next few months to complete the project. Carver County has obtained a third appraisal for the HCCRA property and is now working with HCRRA to finish the trail repairs. The property will be purchased within the next year.

**Status update as of January 14, 2021**

Washington County has been reimbursed for the acquisition of the Rowe property. The Rowe project will be complete after the remaining initial stewardship work is complete. Carver County is still working with HCRRA to complete the trail repairs. They will be purchasing the property this spring after the work is complete.

**Status update as of August 3, 2021**

Both the Rowe and the HCRRA projects are complete. All stewardship and trail repair work is complete, and the Agencies have been reimbursed for their project costs. Carver County had a trail opening celebration on July 13, 2021.

**Overall Project Outcomes and Results:**

**IV. PROJECT ACTIVITIES AND OUTCOMES:**

**ACTIVITY 1:** Land acquisition.

**Description:** Award subgrants Agencies to acquire approximately 192 acres for the MRPS. After each property is acquired, [the Outcome section, below](#), will be updated by adding:

- a full description of the property;
- the date the property was acquired; and
- the final cost of this acquisition will be added to the [Budget section of this work plan](#).

**Finance breakdown.**

- ENRTF will finance 45% of the fee title acquisition cost;
- The Council will finance 30% with its own bond proceeds; and
- Agency funds will finance the balance of the acquisition cost.

The acquisition costs include the purchase price, costs for due diligence, legal services, stewardship and property taxes. Council bond proceeds also cover the tax equivalency payments as required by MN Statute 473.341.

There is no ENRTF funding proposed to finance a baseline assessment and high-quality site restoration or long-term management of the acquired parcels.

- Baseline assessments are financed by the acquiring Agency when it prepares the master plan for that park or trail unit. The master plan includes a natural resource inventory plus plans for restoration and long-term management including cost estimates for those activities. The Council reviews and approves those master plans.
- Other funds are used by the acquiring regional park agency to finance natural resource restoration activities and long-term management.

**Valuation:** Agencies acquiring property using any ENRTF funds must determine property values through an appraisal performed by qualified real estate professionals (Professionals) who work for or on behalf of the Agency. The price to be paid must be supported by a certified appraisal that should be no more than one year old at the time a purchase agreement is signed.

- The Council will not consider any purchase price that is 110% or more of the appraised value.
- If the purchase price is between 100% and 110% of the appraised value, the Council will submit information related to the acquisition to the Legislative Citizens Commission on Minnesota Resources (LCCMR) for review and approval before awarding the grant.
- The Council will use the following criteria to evaluate a proposed acquisition with a purchase price higher than the appraised value, in keeping with [Minnesota Statutes 84.0272, Subdivision 1](#) and [16B.297](#):
  1. Does the land have high value natural resources or provide critical habitat for Species of Special Concern?
  2. Is the land important for protecting interior or external view-sheds?
  3. Is the land critical to acquire because it limits internal public or management access to other portions of the park or trail?
  4. Is the land critical to acquire because it provides for an opportunity to fulfill a key natural-resource-based recreation or protection/preservation component of an approved master plan that cannot otherwise be reasonably achieved?
  5. Is there a threat of new development or significant improvements that would make the land more expensive or practically unavailable to acquire in the future? If so, answer criterion 6.
  6. Would the proposed development devalue the adjacent public land because of incompatible land use, visual intrusion or natural resource impacts such as habitat fragmentation or increased storm-water runoff?
  7. Would available non-state funding to be used for this property and adjacent park/trail property be jeopardized if the land is not secured?
  8. For trail rights of way, is the property critical to fill the gap between previously acquired properties for the trail?
  9. Would acquiring the land improve overall public safety (e.g., better turning radius for trails or better access), park security or management?
- Additional considerations:
  1. Offers: If the landowner provides one or more legitimate, written property offer to an Agency, and a Professional determines through a review of the landowner’s offer that the offer is reasonable, a negotiated value determined by the Professional based on the offer(s) and Agency’s appraisal should be considered a valid purchase price.
  2. Landowner Appraisal: If the landowner has completed and shared its own appraisal with the Agency and a review of the landowner’s appraisal by a Professional determines that this appraised value is reasonable, a negotiated value determined by the Professional based on the two appraisals should be considered a valid purchase price.

<b>Summary Budget Information for Activity 1:</b>	<b>ENRTF Budget:</b>	<b>\$ 1,500,000</b>
	<b>Amount Spent:</b>	<b>\$1,436,000</b>
	<b>Balance:</b>	<b>\$ 64,000</b>

Outcomes	Completion Date
1. Acquire 13 parcels for Minnesota River Bluffs Regional Trail in Carver County, for an ENRTF contribution of \$1,020,000	By June 30, 2021
2. Acquire Rowe property for St. Croix Bluffs Regional Park in Washington County, for an ENRTF contribution of \$416,000	By June 30, 2021

**Activity 1 Status as of January 31, 2018:** Although landowner negotiations continue, there have been no closing dates set on the remaining properties.

**Activity 1 Status as of July 19, 2018:** Although landowner negotiations continue, there have been no closing dates set on the remaining properties.

**Activity 1 Status as of January 31, 2019:** Although landowner negotiations continue, there have been no closing dates set on the remaining properties.

**Activity 1 Status as of April 26, 2019:** If amendment #3 is approved, the Council expects that the Carver County acquisition of parcel #13 will be completed by June 30, 2020.

**Activity 1 Status as of July 25, 2019:** The Council expects that the Carver County acquisition of parcel #13 will be completed by March 30, 2021.

**Activity 1 Status as of August 26, 2019:** Washington County hopes to close on the property by the end of 2019. A purchase agreement has been signed, but no closing date has been set yet.

**Activity 1 Status as of December 31, 2019:** The Council expects that the Carver County acquisition of parcel #13 will be completed by March 30, 2021. Washington County hopes to close on the Rowe property by the end of March 2020. A purchase agreement has been amended and signed, but no closing date has been set yet.

**Activity Status as of April 29, 2020:** Washington County has partially closed on the Rowe property, and has mainly stewardship work remaining. Carver County is working on obtaining an additional appraisal and will then close on the property within a year of the appraisal date, and before June 30, 2021.

**Activity Status as of July 23, 2020:** Washington County has closed on the Rowe property and they are now beginning stewardship work. Carver County obtained a final appraisal dated June 11, 2020 and will close on the HCRRA property by June 10, 2021.

**Activity Status as of January 14, 2021:** Washington County is completing stewardship work for the Rowe Property. Carver County is working with HCRRA to complete the trail repairs and will purchase the property later this spring.

**Activity Status as of August 3, 2021:** Washington County completed stewardship work and their grant has been fully expended and reimbursed, Carver County completed the trail repairs, purchased the property, and had a trail opening in July. They have also been fully expended and fully reimbursed.

**Overall Project Outcomes:**

The Metropolitan Council works with the Regional Park Implementing Agencies to protect critical lands and provide recreational opportunities for the Regional Parks System. This \$1,436,000 ENRTF project was matched with \$1.7 million in Council funds and Agency funds to purchase 14 parcels for the Regional Parks System.

Washington County acquired a 102-acre property for St. Croix Bluffs Regional Park with funding from this and a previous appropriation. The property contains critical habitats including hardwoods, mixed forest, open meadow, and 3,800 feet of St. Croix River shoreline. With the addition of this 102-acre parcel, the park now protects 5,000 contiguous feet of shoreline. Carver County acquired 13 parcels for the Minnesota River Bluffs Regional Trail, protecting 90 acres of natural resources and 3 miles of regional trail, much of it along the Minnesota River corridor.

Acquiring these properties permanently protects critical natural resources while providing additional recreational opportunities for the region. All properties funded are inholdings or parcels that are included in master plan-approved park boundaries. The Regional Park Implementing Agencies work only with willing landowners when acquiring lands with ENRTF, and they focus on acquiring lands with high natural resources and habitat value that are at risk of being developed.

## V. DISSEMINATION:

**Description:** Both the Council and the Agencies have dissemination responsibilities, which will include communication vehicles such as press releases, media inquiries and interactions, signs, publications, presentations, etc.

- The Council:
  - Publishes its Park Acquisition Opportunity Fund business items on the <http://www.metrocouncil.org/> web site when the item is considered and acted upon by the Metropolitan Parks and Open Space Commission, the Community Development Committee and the Metropolitan Council. In each phase, the business item will contain the following wording in its “Funding Sources” section:

Funding for this project was provided by the Minnesota Environment and Natural Resources Trust Fund as recommended by the Legislative-Citizen Commission on Minnesota Resources (LCCMR). The Trust Fund is a permanent fund constitutionally established by the citizens of Minnesota to assist in the protection, conservation, preservation and enhancement of the state’s air, water, land, fish, wildlife and other natural resources.

- The Council will issue a press release acknowledging ENRTF funding following the award of any grant funded through this work plan.
- The Agencies who are the subrecipients of ENRTF funds must:
  - Acknowledge financial support from ENRTF in project publications, signage and other public communications and outreach related to work completed using the appropriation. Acknowledgement may occur, as appropriate, though use of the trust fund logo or inclusion of language attributing support from the trust fund.

Please note, however, that until the parcels contain visitor support facilities, the Agencies will use their judgment about the timing of a public announcement that the property has been acquired.

**Status as of January 31, 2018:** Because none of the listed properties has closed, there have been no dissemination efforts.

**Status as of July 19, 2018:** Because none of the listed properties has closed, there have been no dissemination efforts.

**Status as of January 31, 2019:** Because none of the listed properties has closed, there have been no dissemination efforts.

**Status as of April 26, 2019:** Because none of the listed properties has closed, there have been no dissemination efforts.

**Status as of July 23, 2019:** Because none of the listed properties has closed, there have been no dissemination efforts.

**Status as of August 26, 2019:** Because none of the listed properties has closed, there have been no dissemination efforts.

**Status as of December 31, 2019:** Because neither property has closed, there have been no dissemination efforts.

**Status as of April 29, 2020:** Because neither property has completely closed, there have been no dissemination efforts yet.

**Status as of July 23, 2020:** Washington County will begin dissemination efforts once the stewardship work is complete and the property is open to the public. Carver County has not yet closed on the property.

**Status as of January 14, 2021:** Washington County will begin dissemination efforts once the stewardship work is complete and the property is open to the public. Carver County has not yet closed on the property.

**Status as of August 3, 2021:** Articles were released both after the grant was awarded and after the Rowe parcel was purchased for Washington County's St. Croix Bluffs Regional Park, including an article in the Pioneer Press on June 11, 2019. Carver County celebrated the opening of their rebuilt trail on July 13, 2021 with a public celebration, and several news releases were published, including at

[https://www.swnewsmedia.com/chanhassen\\_villager/news/local/carver-county-celebrates-reopening-of-minnesota-river-bluffs-regional-trail/article\\_2330e9e6-1ed7-550c-ae3f-7a22cd579bb9.html](https://www.swnewsmedia.com/chanhassen_villager/news/local/carver-county-celebrates-reopening-of-minnesota-river-bluffs-regional-trail/article_2330e9e6-1ed7-550c-ae3f-7a22cd579bb9.html) and

<https://www.co.carver.mn.us/Home/Components/News/News/3299/18>. The Council also issued news releases after each grant was awarded.

Washington County has also placed an ENRTF sign at the Rowe property:



**VI. PROJECT BUDGET SUMMARY:**

**A. ENRTF Budget Overview:**

This section represents an overview of the preliminary budget at the start of the project. It will be reconciled with actual expenditures at the time of the final report. The components of the budget are estimates only and may vary with the final purchase prices of the properties and the associated closing costs.

Budget Category	\$ Amount	Overview Explanation
Personnel:	\$0	
Professional/Technical/Service Contracts:	\$0	
Equipment/Tools/Supplies:	\$0	
Capital Expenditures over \$5,000:	\$0	
Fee Title Acquisition:	\$1,436,000	14 parcels totaling 192 acres
Easement Acquisition:	\$0	
Printing:	\$0	
Travel Expenses in MN:	\$0	
Other:	\$0	
<b>TOTAL ENRTF BUDGET:</b>	<b>\$1,436,000</b>	

Prohibited expenses include taxes and all expenses incurred prior to the latest of the following: the date this project is authorized, July 1, 2017 or before the date of LCCMR work plan approval.

**Explanation of Use of Classified Staff:** None expected.

**Explanation of Capital Expenditures Greater Than \$5,000:** None expected.

**Total Number of Full-time Equivalent (FTE) Directly Funded with this ENRTF Appropriation:** None expected.

**Total Number of Full-time Equivalent (FTE) Estimated to Be Funded through Contracts with this ENRTF Appropriation:** None expected.

**B. Other Funds:**

Source of Funds	\$ Amount Proposed	\$ Amount Spent	Use of Other Funds
Non-state – Council	\$1,000,000	\$957,333	Council bond proceeds and Agency match will finance a portion of the purchase price, 100% of tax equivalency payments, and they may partially finance related acquisition costs, such as legal services, closing costs, pro-rated property taxes and land stewardship costs.
Non-state – Agencies	\$825,000	\$790,000	
State	0	0	Not applicable
<b>TOTAL OTHER FUNDS:</b>	<b>\$1,825,000</b>	<b>\$1,747,333</b>	

**VII. PROJECT STRATEGY:**

**A. Project Partners:** The MRPS is owned and operated by the Agencies. The Council is responsible for MRPS policy and reporting and also serves as the MRPS’ fiscal agent. For each ENRTF funding round, the Council solicits proposals to identify target properties from all ten Agencies, who determine locally which projects to present for ENRTF consideration. This round, three Agencies have qualifying target properties that are far enough along in their acquisition timeline to be included for consideration.

Agencies are individually responsible for following ENRTF rules while negotiating to acquire property under this work plan. Individuals listed below are the primary contact people.

**Partners receiving ENRTF funding**

Agency	Contact
Metropolitan Council (Project Manager)	Emmett Mullin
Carver County	Marty Walsh
Washington County	Sharon Price

**Partners NOT receiving ENRTF funding:** None.

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

The Metropolitan Council’s *2040 Regional Parks Policy Plan* calls for expanding the MRPS to nearly 70,000 acres and tripling the trail system to more than 1,100 miles. This project builds on previous ENRTF appropriations by adding 192 acres to the MRPS:

Carver County: The *HCRRA* parcels along the corridor for the Minnesota River Bluffs Regional Trail will add superb views of the Minnesota River valley. The parcels are adjacent to the Seminary Fen Scientific and Natural Area.

Washington County: The *Rowe* parcels in St. Croix Bluffs Regional park will add 102 acres of wooded St. Croix River frontage to the system.

**C. Funding History:**

Funding Source and Use of Funds	Funding Timeframe	\$ Amount
<a href="#">ENRTF, M.L. 2007, Chap. 30, Sec. 2, Subd. 4(f), land acquisition</a>	July 1, 2007 – June 30, 2010	\$2,500,000
<a href="#">ENRTF, M.L. 2008, Chap. 367, Sec. 2, Subd. 3(i), land acquisition</a>	July 1, 2008 – June 30, 2011	1,500,000
<a href="#">ENRTF, M.L. 2009, Chap. 143, Sec. 2, Subd. 4(c) and M.L. 2012, Chap. 272, Sec. 88, Subd. b, land acquisition</a>	July 1, 2009 – June 30, 2013	1,290,000
<a href="#">ENRTF, M.L. 2011, First Special Session, Chap. 2, Art.3, Sec. 2, Subd. 04c, land acquisition</a>	July 1, 2011 – June 30, 2013	1,125,000
<a href="#">ENRTF, M.L. 2011, First Special Session, Chap. 2, Art.3, Sec. 2, Subd. 04c, land acquisition</a>	July 1, 2012 – June 30, 20124	1,125,000
<a href="#">ENRTF, M.L. 2014, Chp. 226, Sec. 2, Subd. 07b, land acquisition</a>	July 1, 2014 – June 30, 2017	1,500,000
<a href="#">ENRTF, M.L. 2015, Chp. 76, Sec. 2, Subd. 09b, land acquisition</a>	July 1, 2015 – June 30, 2018	1,000,000
<a href="#">ENRTF, M.L. 2017 Chp. 96, Sec 2, Subd. 9(a), land acquisition</a>	July 1, 2017 – June 30, 2020	1,500,000
	Total	\$11,540,000

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

**A. Parcel List:** The parcels which are eligible for acquisition are shown in the attached M.L. 2017 Acquisition List for Metropolitan Regional Park System Land Acquisition-Phase 5.

## B. Acquisition/Restoration Information:

### Fee Title Acquisition

- **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.** The parcels that are included in the list are private lands within Metropolitan Council approved boundaries of regional parks and trails (inholdings) that contain high quality natural resources and do not include habitable residential structures. The subject parcels described in amendment request #1 have been leased by Carver County from Hennepin County Regional Rail Authority (HCRRA); this amendment would secure fee title ownership to the parcels to protect them in perpetuity.
- **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.** The master plans for the regional parks and trail units listed in the acquisition list include a natural resources management plan for these parcels and other lands in that park or trail.

An acquisition master plan amendment for the Minnesota River Bluffs LRT Regional Trail has been submitted to the Metropolitan Council for review and is expected to be approved in October 2018. The Council will not entertain a grant request for the four parcels described in amendment request #1 until the acquisition master plan amendment has been approved. The currently-approved version is online at <https://www.co.carver.mn.us/home/showdocument?id=6122>.

- **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.** Not applicable.
- **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
- **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.** Not applicable.

### IX. VISUAL COMPONENT or MAP(S):

See attached parcel maps for each parcel listed in the M.L. 2017 Acquisition/Restoration List for Metropolitan Regional Park System Acquisition.

### X. RESEARCH ADDENDUM

Not applicable.

### XI. REPORTING REQUIREMENTS:

Periodic work plan status update reports will be submitted no later than February 2018, July 2018, January 2019, July 2019, January 2020, July 2020, and January 2021. A final report and associated products will be submitted by August 15, 2021.



**Environment and Natural Resources Trust Fund  
M.L. 2017 Project Budget**



**Project Title:** Metropolitan Regional Parks System Land Acquisition - Phase 5

**Legal Citation:** M.L. 2017, Chp. 96, Sec. 2 subd. 9(a) as amended by M.L 2019, First Special Session, Chp. 4, Art. 2, Sec. 4

**Project Manager Name:** Emmett Mullin

**Organization:** Metropolitan Council

**M.L. 2017 ENRTF Appropriation:** \$1,500,000

**Project Length and Completion Date:** Four years, June 30, 2021

**Date of Report:** August 3, 2021

The timing of when acquisitions will occur and the negotiations to acquire the parcels are confidential. The following table illustrates descriptions of the information that would be inserted when acquisition subgrants are awarded for specific parcels. Additional columns will be added to the table for each parcel when those subgrants are awarded. The updated budget will be included in future status reports of the work plan.

<b>ENVIRONMENT AND NATURAL RESOURCES TRUST FUND BUDGET</b>	<b>Activity 1 Budget</b>	<b>Amount Spent</b>	<b>Activity 1 Balance</b>	<b>TOTAL BUDGET</b>	<b>TOTAL BALANCE</b>
<b>BUDGET ITEM</b>	<i>Fee Title Acquisition</i>				
<i>Property acquisition</i>	\$1,500,000	\$1,436,000	\$64,000	\$1,500,000	\$64,000
<b>COLUMN TOTAL</b>	<b>\$1,500,000</b>	<b>\$1,436,000</b>	<b>\$64,000</b>	<b>\$1,500,000</b>	<b>\$64,000</b>

## Environment and Natural Resources Trust Fund 2017 Proposed Acquisition List

**Project Title:** Metropolitan Regional Parks System Land Acquisition - Phase 5

**Legal Citation:** M.L. 2017, Chp. 96, Sec. 2 subd. 9(a) as amended by M.L. 2019, First Special Session, Chp. 4, Art. 2, Sec. 4

**Project Manager Name:** Emmett Mullin

**Organization:** Metropolitan Council

**M.L. 2017 ENRTF Appropriation:** \$1,500,000

**Date of report:** Aug. 3, 2021

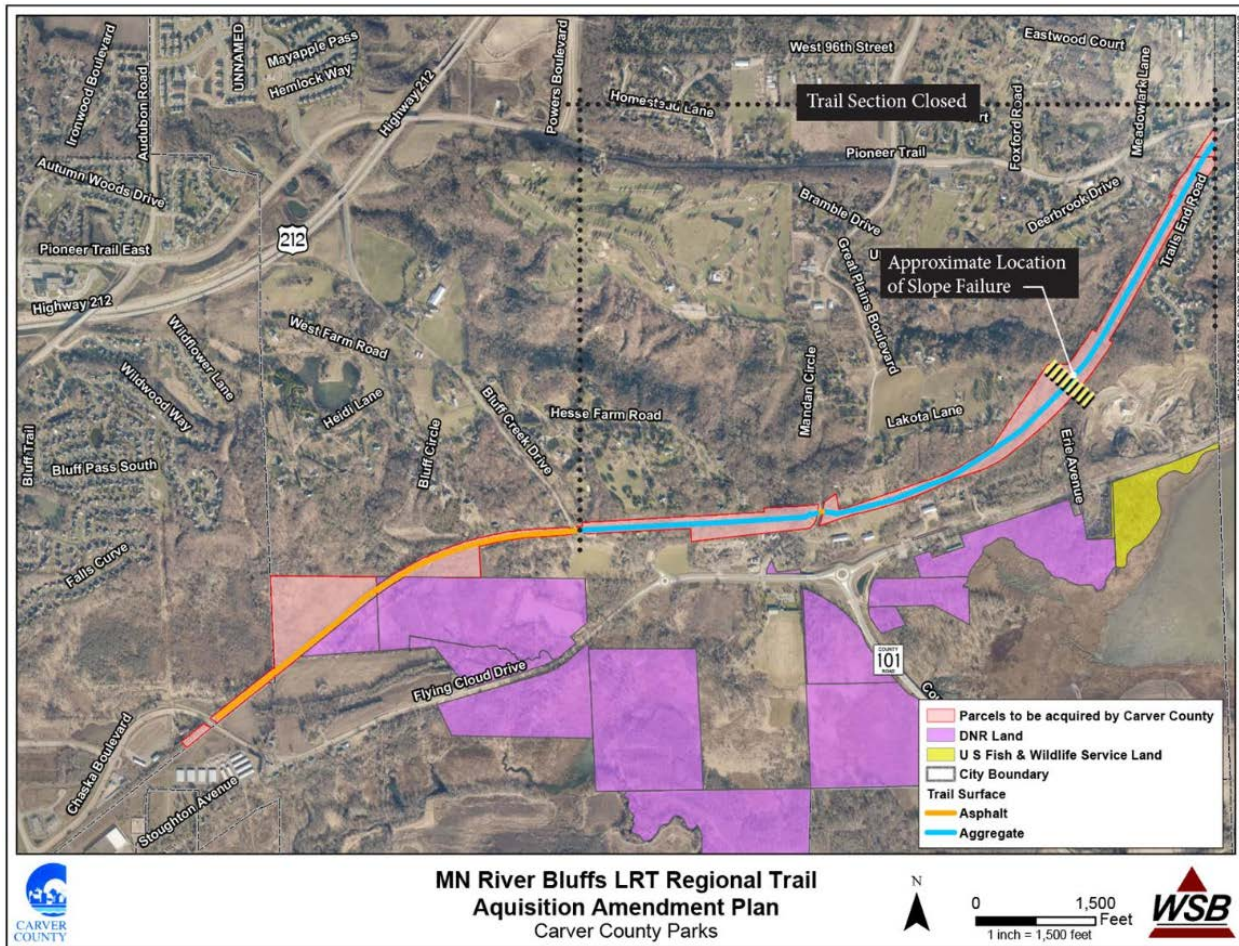
# 2017

#	Acquisition or Restoration Parcel Name	Geographic Coordinates			Estimated Cost (ENRTF)	County	Leg Districts	Ecological Significance	Activity Description	# of Acres	# of Shoreline Miles	Type of Land-owner	Proposed Fee Title Holder
		Latitude	Longitude	PIDs									
13	Carver County - Minnesota River	44.82	-93.52	259990000 259990500 259990700	\$ 1,020,000	Carver	47B Sen Jensen	Traverses Minnesota River bluffs forested &	Fee Title Acquisition	90	3	Public (HCRRA)	Carver County
14	Washington County- St. Croix Bluffs Regional Park- Rowe property	44°48' 36"N	92° 47' 17" W	2202720420001 2202720130002	\$ 416,000	Washington	54B	Wooded St. Croix river frontage	Fee Title Acquisition	102.00	0.28	Private	Washington Co.

Environment and Natural Resources Trust Fund  
2017 Work Plan Parcel Maps  
Project Title: Metropolitan Regional Parks System Acquisition  
Parcel #: 13  
Parcel Name: Hennepin County Regional Rail Authority  
Latitude: 44.82  
Longitude: -93.52  
Acreage: ~90

*Proposed ENRTF-funded parcels*

- 259990600
- 259990500
- 259990700
- 309990310



**Environment and Natural Resources Trust Fund**

**2017 Work Plan Parcel Maps**

**Project Title:** Metropolitan Regional Park System Acquisition

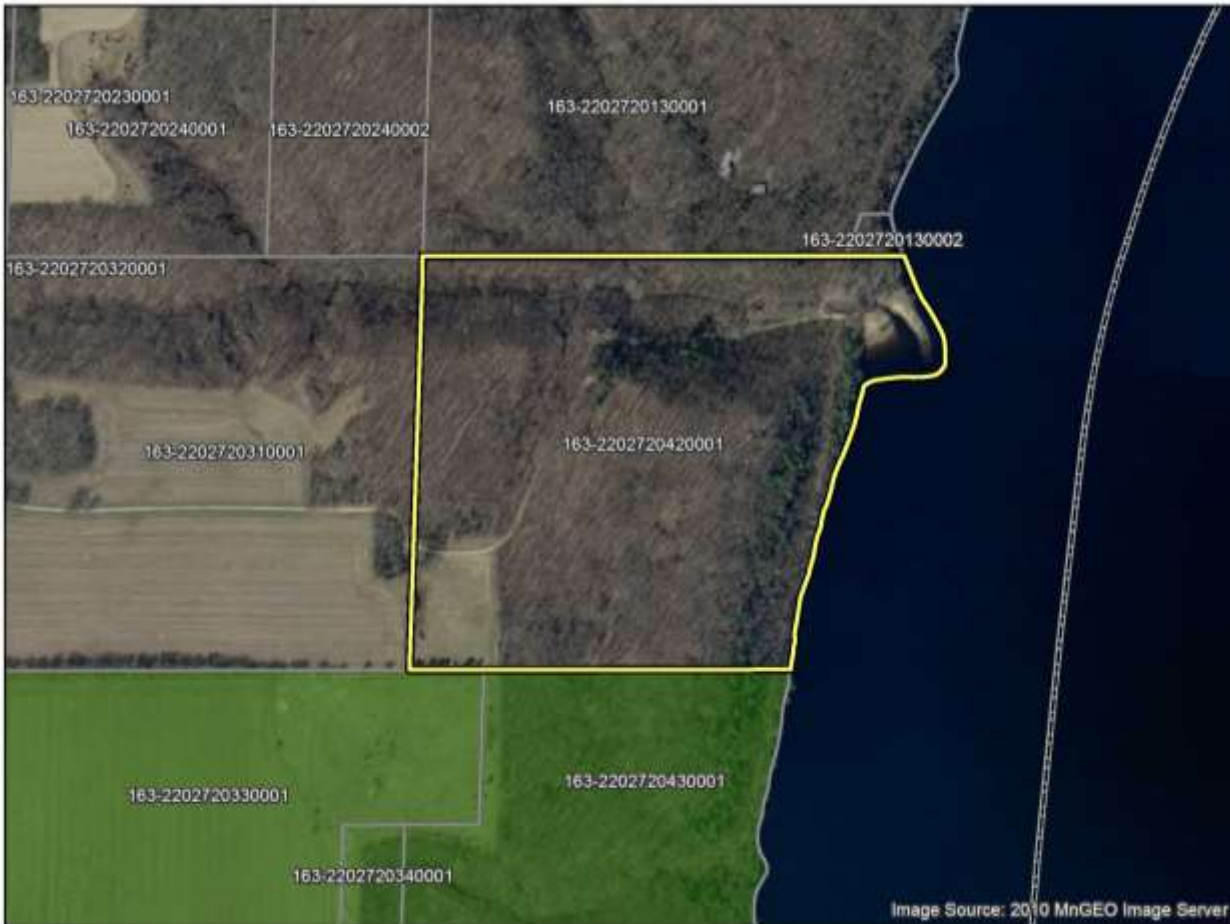
**Parcel #:** 14







**Parcel Name:** Washington County, St. Croix Bluffs Regional Park – Rowe property

**Latitude:** 44° 48' 36"N

**Longitude:** 92° 47' 17" W

**Acreage:** 42



-  Existing Regional Parks
-  Existing Regional Trails
-  Planned Regional Trails
-  Parcels - Washington County
-  County Boundaries
-  City and Township Boundaries

Extent of Main Map 1/14/2014

