

Community Development Committee

Item: 2010-37

For the Metropolitan Council meeting of February 24,
2010

Date

Prepared: February 17, 2010

Subject: **Amending boundary of Spring Lake Park Reserve to acknowledge transferring land in the park for a Minnesota Dept. of Natural Resources Wildlife Management Area, Dakota County**

Proposed Action:

That the Metropolitan Council approve an amendment to the Spring Lake Park Reserve development master plan and its boundary to allow the Mississippi River islands depicted on Figure 3 to be owned by the Minnesota Department of Natural Resources and managed under a joint powers agreement with Dakota County for wildlife management and other uses compatible with the wildlife management area.

Summary of Committee Discussion / Questions:

The Committee had no questions. The Committee unanimously approved the recommendation.



Community Development Committee

Meeting date: February 16, 2010

Business Item

Item: 2010-37

Date:	February 2, 2010
Subject:	Amending boundary of Spring Lake Park Reserve to acknowledge transferring land in the park for a Minnesota Dept. of Natural Resources Wildlife Management Area, Dakota County
District(s), Member(s):	16, Wendy Wulff
Policy/Legal Reference:	Minnesota Statute Section 473.313, Subd. 2
Staff Prepared/Presented:	Arne Stefferud, Planning Analyst-Parks (651-602-1360)
Division/Department:	Community Development Division

Proposed Action

That the Metropolitan Council approve an amendment to the Spring Lake Park Reserve development master plan and its boundary to allow the Mississippi River islands depicted on Figure 3 to be owned by the Minnesota Department of Natural Resources and managed under a joint powers agreement with Dakota County for wildlife management and other uses compatible with the wildlife management area.

Background

The development master plan for Spring Lake Park Reserve, approved by the Metropolitan Council on April 14, 2004 proposed that islands on the Mississippi River within the park's boundary should be eventually owned and managed by a State or Federal agency since those entities had the expertise and mission to manage such lands for conservation or flood control purposes. The MN Dept. of Natural Resources (MDNR) and Dakota County have come to terms on transferring the County owned islands to the MDNR to create a wildlife management area.

In addition to the County owned land, the Metropolitan Council's Environmental Services Division owns 84 acres of islands within the park's boundary that are also proposed to be transferred to the MDNR under a separate action of the Metropolitan Council's Environment Committee.

The Community Development Committee action is to consider recommending approval of an amendment to the Spring Lake Park Reserve master plan which deletes the County and Metro Council land from the park's boundary to be consistent with the County and MDNR agreement.

Rationale

Deleting this wildlife management area from the Spring Lake Park Reserve master plan boundary acknowledges the MDNR and Dakota County agreement and the intent of the original development master plan for the park reserve.

Funding

MDNR and Dakota County are funding the operations and management of the wildlife management area as outlined in their agreement.

Known Support / Opposition

The Metropolitan Parks and Open Space Commission reviewed this request at its meeting on February 2. The Commission unanimously approved the recommendation. There is no known opposition to this proposal.

METROPOLITAN COUNCIL
390 North Robert Street, St. Paul, MN 55101
Phone (651) 602-1000 TDD (651) 291-0904

DATE: January 26, 2010

TO: Metropolitan Parks and Open Space Commission

FROM: Arne Stefferud, Planning Analyst-Parks (651) 602-1360

SUBJECT: (2010-37) Amending boundary of Spring Lake Park Reserve to acknowledge transferring land in the park for a Minnesota Dept. of Natural Resources Wildlife Management Area, Dakota County

INTRODUCTION

The development master plan for Spring Lake Park Reserve, approved by the Metropolitan Council on April 14, 2004 (Referral No. 19125-1) proposed that islands on the Mississippi River within the park's boundary should be eventually owned and managed by a State or Federal agency since those entities had the expertise and mission to manage such lands for conservation or flood control purposes. The MN Dept. of Natural Resources (MDNR) and Dakota County have come to terms on transferring the County owned islands to the MDNR to create a wildlife management area.

In addition to the County owned land, the Metropolitan Council's Environmental Services Division owns 84 acres of islands within the park's boundary that are also proposed to be transferred to the MDNR under a separate action of the Metropolitan Council's Environment Committee.

The MPOSC action is to consider recommending approval of an amendment to the Spring Lake Park Reserve master plan which deletes the County and Metro Council land from the park's boundary to be consistent with the County and MDNR agreement.

Since removing the land from the park reserve and using it for the DNR Wildlife Management Area is consistent with the intentions of the previously approved master plan, staff recommends approval of the plan amendment.

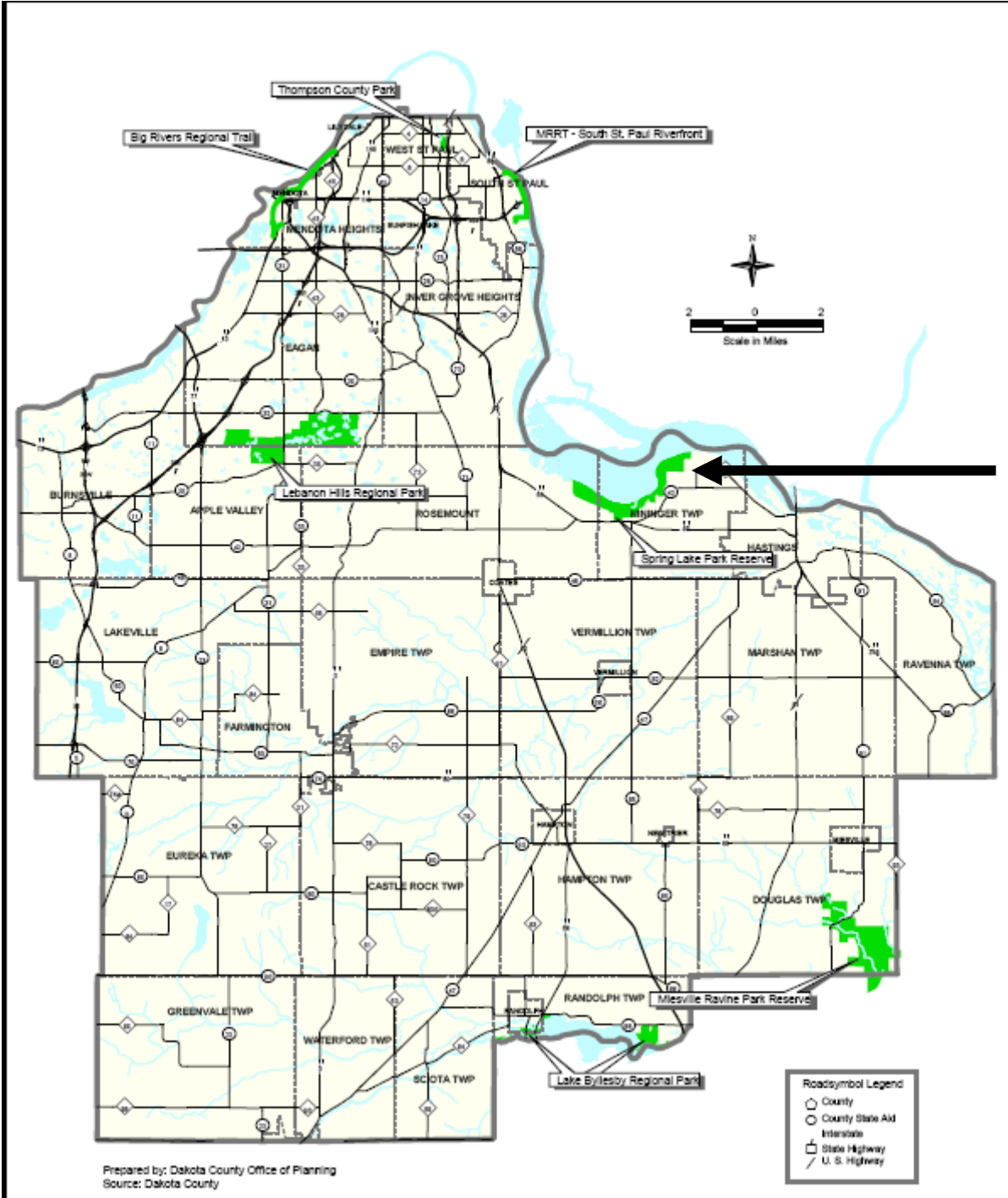
AUTHORITY TO REVIEW

Minnesota Statute Section 473.313 Subd. 2 authorizes the "Metropolitan Council shall review with the advice of the [Metropolitan Parks and Open Space] Commission, each master plan to determine whether it is consistent with the [Metropolitan] Council's [regional recreation open space] policy plan."

ANALYSIS

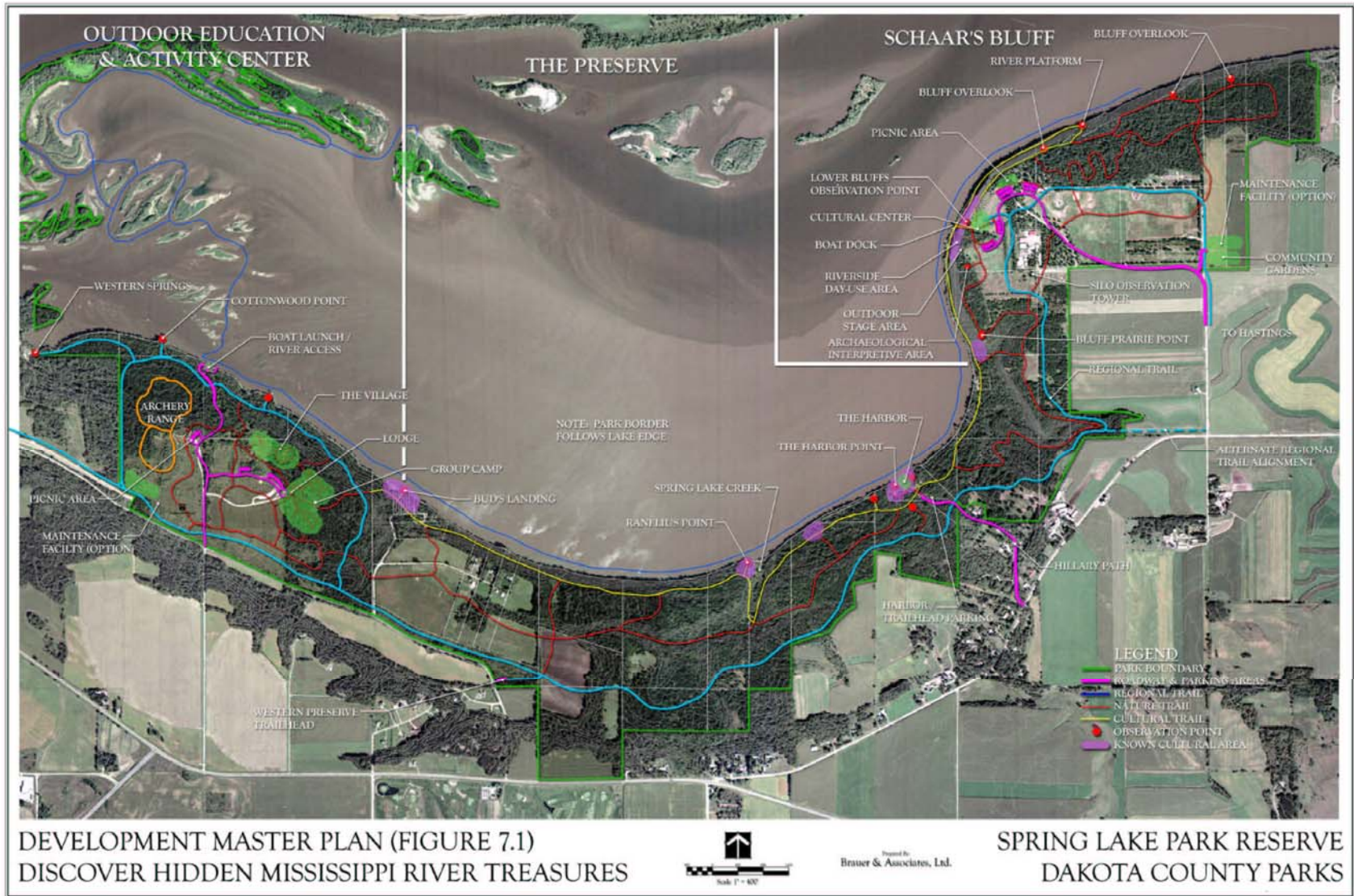
Spring Lake Park Reserve is located along the Mississippi River northwest of the City of Hastings. The park's master plan boundary encompasses about 3 miles of river shoreline as illustrated in **Figure 1: Location map of Spring Lake Park Reserve**. In April 2004, the Metropolitan Council approved the development master plan for the park. A map illustrating the recreation amenities for the park is shown in **Figure 2: Spring Lake Park Reserve Development Master Plan Map**.

Figure 1: Location map of Spring Lake Park Reserve



**Spring
Lake
Park
Reserve**

Figure 2: Spring Lake Park Reserve Development Master Plan Map



The development master plan included the following excerpt regarding jurisdiction and proposed management of the Mississippi River islands within the park’s boundary.

Jurisdiction Over Mississippi River Islands

As the master plan illustrates, the islands in the river and lake are part of the overall vision for the park from a use perspective. From an ownership perspective, the master plan proposes that the islands be owned and managed by a State or Federal agency responsible for managing other aspects of the Mississippi River corridor. The rationale for this includes:

- The islands, lake, and river serve a broader constituency than Spring Lake Park, including sportsman (hunting and fishing) and recreational use of the larger river system.
- US Army Corps of Engineers management of the river for navigation affects the islands shape, potential for flooding, and usability for recreational purposes.
- The islands are part of a larger wildlife migratory system along the Mississippi River corridor, requiring a broader perspective on wildlife management.
- The tradition of hunting around the islands would be inconsistent with the policy of no hunting within a regional park reserve, as defined by the Metropolitan Council.

Dakota County will work on an interagency basis to determine which agency may be best suited to own and manage the islands. Potential agencies include:

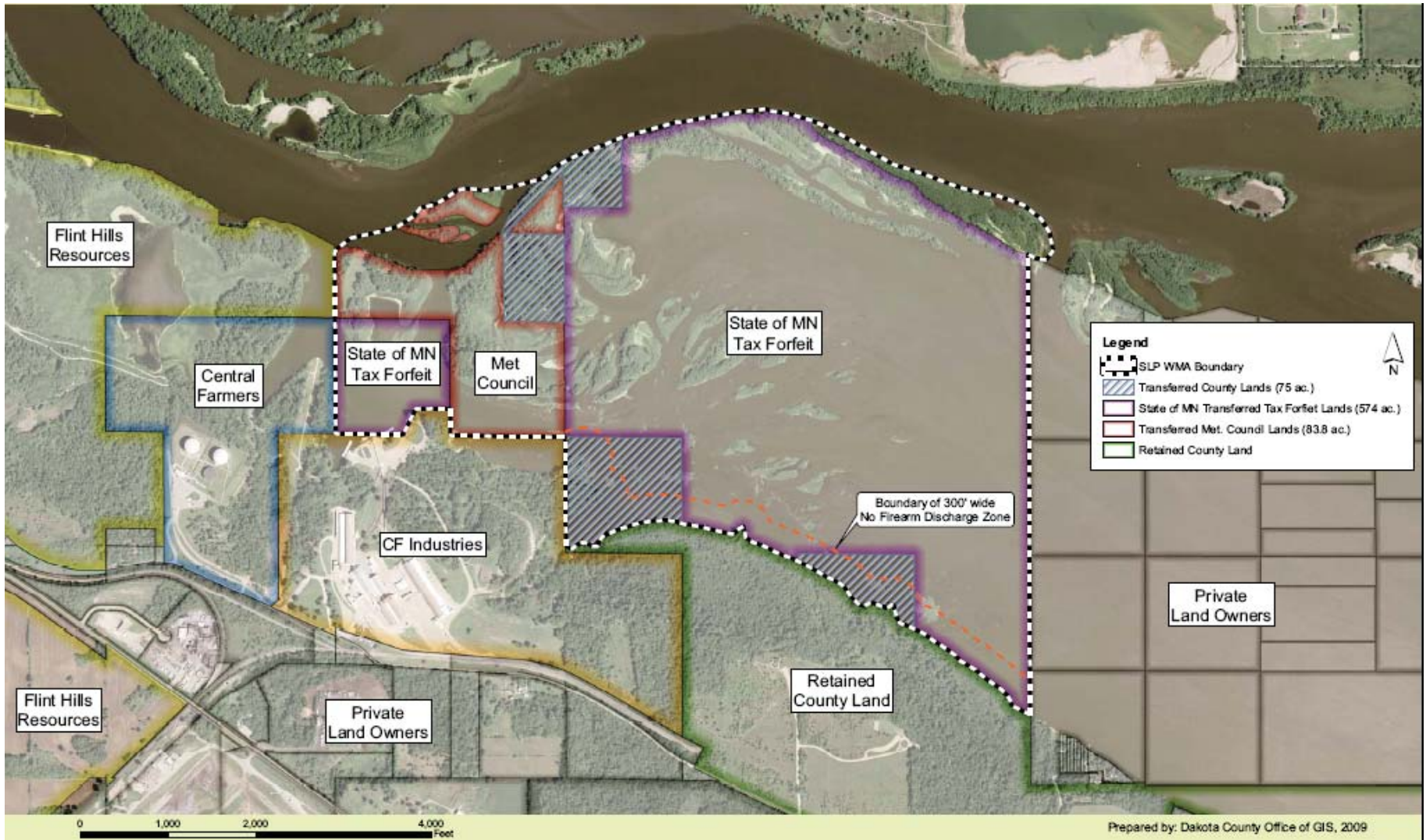
- National Park Service – under the Mississippi River and Recreation Area designation.
- US Army Corps of Engineers – under a variety of programs for managing the river corridor.
- U.S. Fish and Wildlife Service – under a variety of programs for managing wildlife habitat along the river corridor.
- Minnesota Department of Natural Resources – under a variety of programs associated with lake protection, fisheries, and wildlife refuges.

In response to this portion of the plan, Dakota County and the Minnesota Department of Natural Resources (MDNR) staff have met during the past 18 months and developed a proposal to manage the islands as a State wildlife management area. Land within the proposed wildlife management area is owned by the following entities:

Dakota County	75 acres
State of MN transferred tax forfeit lands	574 acres
Metropolitan Council Environmental Services Division (Donated to MCES for wastewater treatment outfall pipe)	84 acres
Total	733 acres

All of this land is proposed to be transferred to the MDNR. The Metropolitan Council’s Environmental Services Division staff has reviewed this proposal and is recommending the transfer to the MDNR with a stipulation that the Metropolitan Council retain its easement for a sewage treatment outfall pipe on this land. The land owned by Dakota County does not have a regional park restrictive covenant on it. All parcels and their current ownership are shown in **Figure 3: Proposed boundary and current parcel ownership map of Spring Lake Islands Wildlife Management Area.**

Figure 3: Proposed boundary and parcel ownership map of Spring Lake Islands Wildlife Management Area

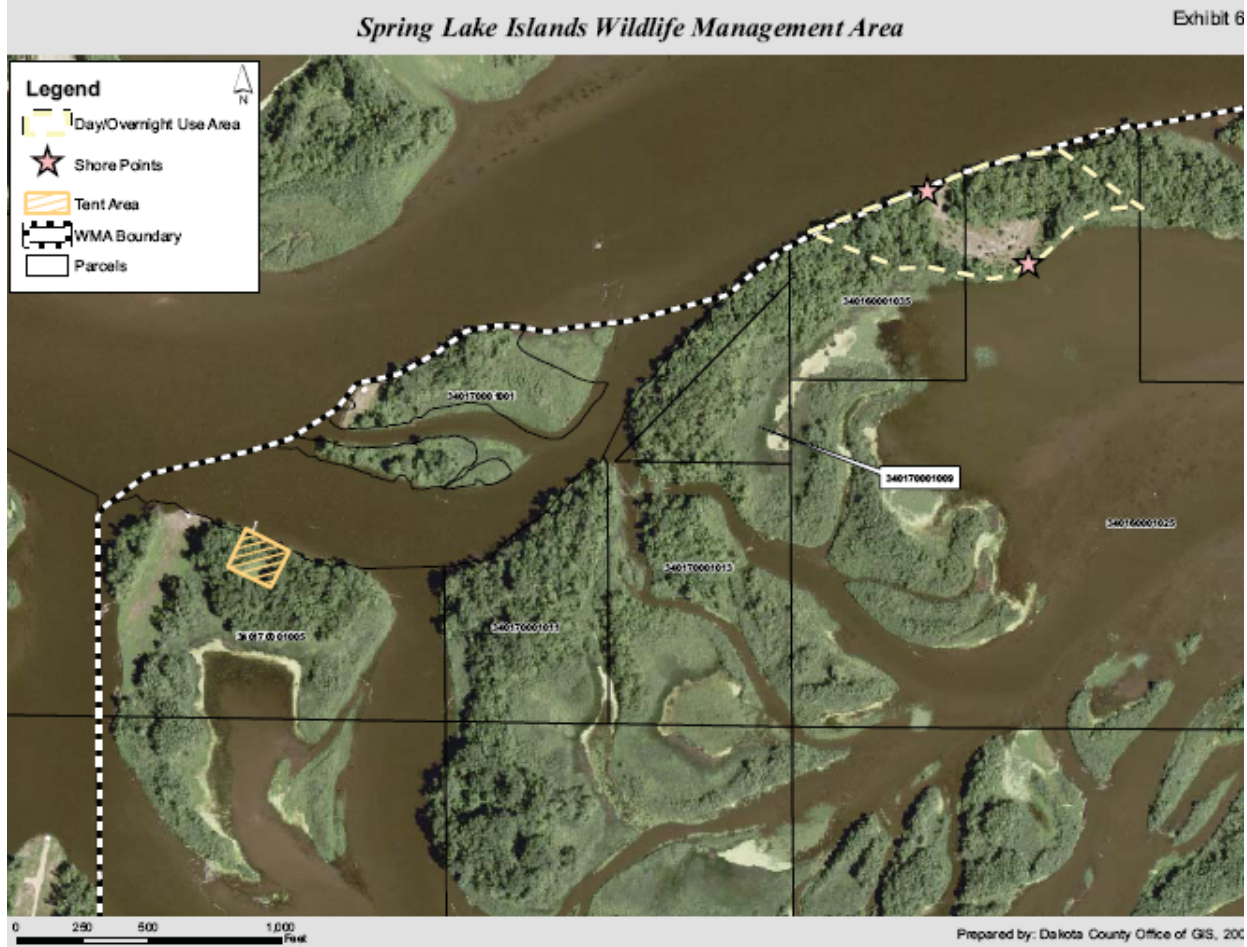


Under a joint powers agreement between the MDNR and Dakota County, the wildlife management area would be managed for wildlife habitat and open for hunting, trapping and fishing activities under applicable laws and regulations. Dakota County would be responsible for operations/maintenance of the following:

- (1) a “day/overnight use area” for boat landing/mooring, swimming and picnicking
- (2) tent camping sites
- (3) a water trail (signed canoe/kayak/boat route)
- (4) other motorized boating uses and snowmobiling with all such activities limited or restricted to align with hunting/trapping seasons, or if they disturb wildlife.

No firearms could be discharged within 300 feet of the river shoreline to provide a safety zone for park users. Figure 4 shows the proposed non-hunting activity areas to be managed by Dakota County.

Figure 4: Proposed Non-hunting Activity Areas to be managed by Dakota County



CONCLUSION

Amending the Spring Lake Park Reserve master plan and its boundary to allow the Mississippi River islands to be owned by the MDNR and managed under a joint powers agreement with Dakota County for wildlife management and other compatible uses is consistent with the master plan for Spring Lake Park Reserve approved by the Metropolitan Council on April 14, 2004 (Referral No. 19125-1).

RECOMMENDATION

That the Metropolitan Council approve an amendment to the Spring Lake Park Reserve development master plan and its boundary to allow the Mississippi River islands depicted on Figure 3 to be owned by the Minnesota Department of Natural Resources and managed under a joint powers agreement with Dakota County for wildlife management and other uses compatible with the wildlife management area.

Attachment 1: Letter from Steve Sullivan, Dakota County



December 16, 2009

Physical Development Division
Lynn Thompson, Director

Dakota County
Western Service Center
14955 Galaxie Avenue
Apple Valley, MN 55124

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Fax 952-891-7031
www.dakotacounty.us

Environmental Mgmt Dept
Office of GIS
Parks & Open Space
Surveyor's Office
Transit Office
Transportation Department
Water Resources Department

Arne Steffrud
Bryce Pickart
Metropolitan Council
390 Robert Street North
St. Paul, MN 55101-1805

Dear Arne and Bryce:

Dakota County requests Metropolitan Council consideration to establish a State owned and managed wildlife management area within the island portion of the boundary of Spring Lake Park Reserve. The request is:

- Authorization to amend the Spring Lake Park Reserve boundary and master plan
- Declaration of Metropolitan Council property no longer needed for MCES purposes and authorization to convey property to Minnesota Department of Natural Resources subject to reservation of sanitary sewer easement.

On December 15, 2009, the Dakota County Board of Commissioners approved the following (see attached report):

- Approved an amendment to the Spring Lake Park Reserve boundary and master plan
- Authorized execution of a joint powers agreement between Dakota County and the Minnesota Department of Natural Resources
- Authorized conveyance of County-owned real property to the Minnesota Department of Natural Resources
- Devoted tax forfeited property to the Minnesota Department of Natural Resources for conservation purposes

Based on our prior discussion, it is understood that this item will be scheduled as follows:

- Metropolitan Council Parks and Open Space Committee
January 7, 2010
- Metropolitan Council Environment Committee
January 12, 2010
- Metropolitan Council Community Development Committee
January 18, 2010
- Metropolitan Council
January 27, 2010

If you have any questions please call me at 952.891.7088 or email at steve.sullivan@co.dakota.mn.us. Thank you for the consideration.

Respectfully,



Steve Sullivan
Dakota County Director, Parks and Open Spaces

- c: Michelle Beeman, Dakota County Director, ENR
Al Singer, Dakota County Supervisor, FNAP
Bob Peterson, Dakota County Real Estate Specialist
Tim Bremicker, Minnesota Department of Natural Resources