

### What about agricultural practices like grazing, planting and harvesting?

Livestock crossing streams and grazing on stream banks can cause silting and erosion. County or township zoning restrictions on livestock grazing and cropland activities will be stated in the easement. Additional restrictions are open to negotiation.

### Could I harvest timber inside the easement?

Trout need overhead cover, but select timber harvesting can generally be allowed within the easement corridor. Conditions for timber harvesting are usually addressed in the easement. DNR Foresters can help landowners with timber harvest through the department's forestry program for private landowners.

### Will the DNR provide erosion control and stream improvements?

Streams with the most potential for improved trout fishing get the highest priority for available funding. On average, the DNR conducts habitat improvement activities on 10.5 miles of trout stream and habitat maintenance on 450 miles of trout stream each year.

**For additional information contact** the Department of Natural Resources, Division of Fish and Wildlife, 500 Lafayette Rd, Box 12, St. Paul, MN 55155 (651) 259-5209 888-646-6367 (toll free) or your local fisheries office, or the website: [mndnr.gov](http://mndnr.gov)



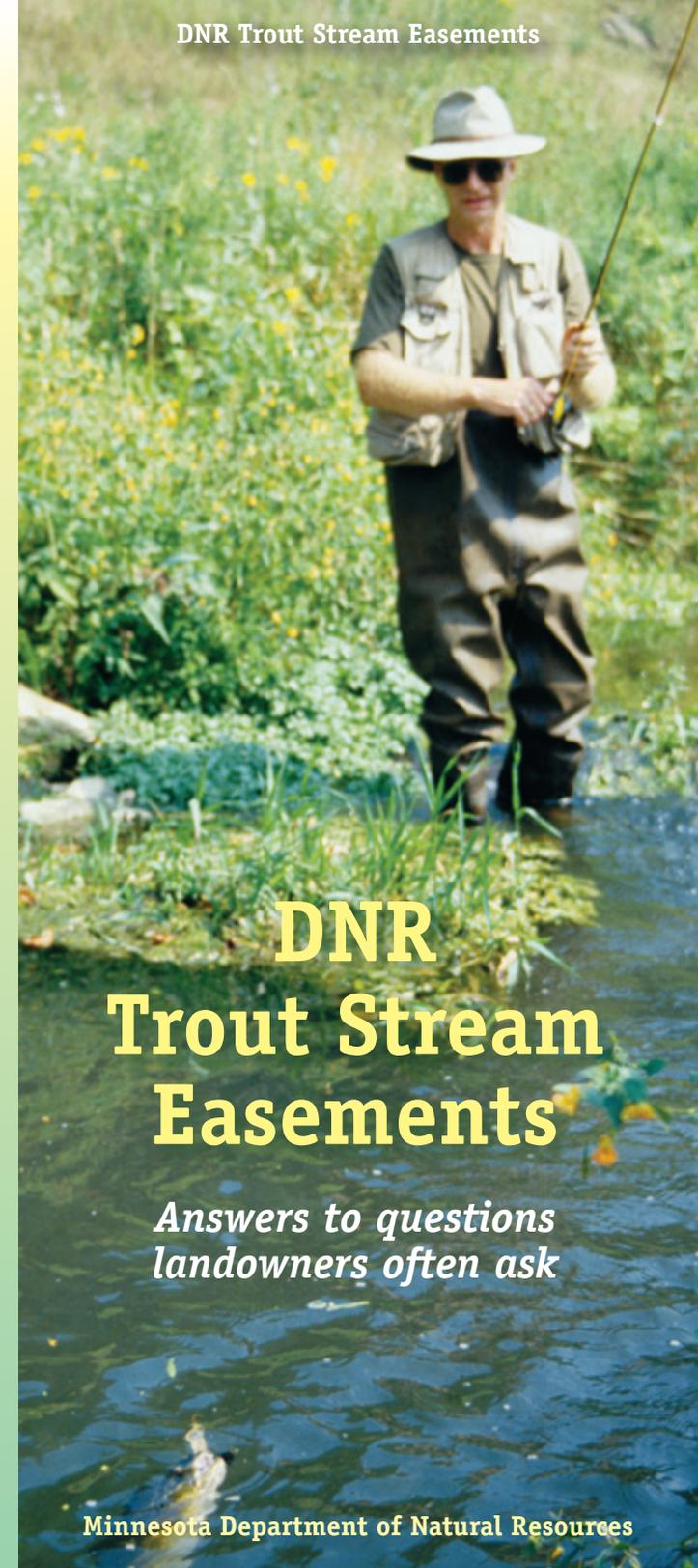
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# DNR Trout Stream Easements

*Answers to questions landowners often ask*

*Landowners who have a trout stream on their property can help protect Minnesota's coldwater habitat and receive a cash payment by granting a streamside easement.*

**I**n cooperation with willing landowners, the Minnesota Department of Natural Resources has established over 530 miles of public fishing easements along Minnesota's trout streams. Money for purchasing trout stream easements comes from a variety of funding sources, including the sale of trout stamps, the Lessard-Sams Outdoor Heritage fund, the Environment and Natural Resources Trust Fund (state lottery), Heritage funds (in lieu of sales tax on state lottery), and State Bonding.

Generally easement corridors encompass 66 feet of land and water on either side of the centerline of the stream. Easements permit angler access, provide corridor protection, and allow the DNR to conduct habitat improvement activities if needed. Landowners retain ownership of the land and all rights not restricted by the easement.

The following questions and answers will help landowners determine if a streamside fishing easement is right for them.



### **How does an easement work?**

An easement is a permanent legal contract with the DNR. In return for payment, the landowner must allow public fishing and DNR management activities along a stream corridor on their property. The size and shape of the easement is negotiable. Easements put an encumbrance on the title that stays on the land even if it is sold or deeded to an heir.

The easement only provides for angler access. Landowners are not required to allow access for activities such as hunting, trapping, camping or hiking.

### **How does the DNR determine the value of an easement?**

Payments for easements are determined under Minnesota Statute 84.0272. They are based on the land's estimated market value in your township plus a set payment per foot of stream. Payments generally range from \$6 to \$12 per linear foot of stream corridor.

### **How do anglers know about the location and boundaries of the easement?**

The DNR marks the boundaries of the easement with 5 x 7 inch, tan colored signs, which ask anglers

to respect the landowner's rights and not to trespass outside of the easement boundary.

### **Will my property be damaged?**

While you may see more anglers in the easement corridor over time, most landowners who grant an angling easement report little damage. Landowners retain the right to have anyone acting unlawfully removed from their property. If necessary, you can request help from local law enforcement, including your local DNR Conservation officer.

### **Am I responsible if an angler gets hurt or injures someone else?**

When there is no charge for public use of the land, landowners are not responsible for making property safe and are not liable for damages resulting from injury or death. Landowners are not required to exclude aggressive livestock from easement areas.

However, landowners who engage in activities that involve a substantial risk of death or serious bodily harm to others who are present may be held liable.

### **Will the DNR fence the easement?**

Maintaining a fence on private property is costly, so the DNR does as little fencing as possible. Easements may however, include fencing agreements.

