

## Appendix M – Real Estate Plan

**PRELIMINARY REAL ESTATE PLAN  
MARSH LAKE ECOSYSTEM RESTORATION PROJECT**

22 November, 2010

1. General Description: This Real Estate Plan is part of the draft Feasibility Report for the Marsh Lake Ecosystem Restoration Project. Marsh Lake is a shallow 5,000 acre reservoir with an average depth of approximately 3 feet. Marsh Lake is located in Big Stone County, approximately 4 miles west of Appleton, Minnesota. The Marsh Lake Dam has a fixed crest elevation and was built as a Works Progress Administration project sponsored by the State of Minnesota and was completed in 1938. The dam increased lake-like fish and wildlife habitat and created new colonial water bird habitat, but it also disrupted natural flood plain functions and blocked fish movement. The lack of natural flooding and drying cycles combined with increased sedimentation in the reservoir have caused a decline in plant diversity, water quality and associated fish and wildlife benefits over the years since the dam was built.
2. PROJECT AUTHORIZATION: Authorization was recommended in the December 2004 Minnesota River Reconnaissance study (approved January 13, 2005) and is authorized by a May 10, 1962 resolution of the House Committee on Public Works. Federal (Corps of Engineers) interest in Marsh Lake is based on the potential benefits of aquatic ecosystem restoration and the fact that the existing Marsh Lake Dam is owned and operated by the Corps of Engineers.
3. PROJECT DESCRIPTION: To restore aquatic and riparian habitat in Marsh Lake and restore connectivity between Lac qui Parle and the Pomme de Terre River. The major features include modifying the Marsh Lake Dam to allow for periodic drawdown, fish passage and more natural variation in water surface; returning the Pomme de Terre River to its pre-dam alignment; installation of rock island structures to reduce sediment resuspension within the lake; and developing a management plan to define how the new features would be used.
4. NON-FEDERAL SPONSOR-OWNED LER: The Minnesota Department of Natural Resources (DNR) is sponsoring the study. The DNR also has fee title to the entire lake area northwest of the dam and southeast of Corps fee title land in and around the dam. The State of Minnesota received LERRDs credits at the initial construction of the dam and surrounding area in 1938. DNR has agreed there will be no new lands for LERRDs crediting provided for this project.
5. ESTATES: The Minnesota Department of Natural Resources and U.S. Army Corps of Engineers own all necessary land in fee title required for the project.
6. EXISTING FEDERAL PROJECT: The lands required for this project are within the La Qui Parle Reservoir on the Minnesota River, Watson, Minnesota.

7. FEDERALLY-OWNED LANDS: All necessary LER required for this project are federal or state-owned lands.
8. NAVIGATIONAL SERVITUDE: The proposed work is not within the navigational servitude.
9. MAPS: Maps for reference are in the Appendix N, Plates.
10. INDUCED FLOODING: There will be no induced flooding as a result of the project
11. BASELINE COST ESTIMATE: The preliminary estimated value of the lands and damages for the project (including contingencies) are summarized below:

	<u>Federal</u>	<u>Non-Federal</u>	<u>Total</u>
Lands/damages	\$0	\$0	\$ 0
RE Admin Costs	\$10,000	\$0	\$ 10,000
Contingencies	<u>\$0</u>	<u>\$0</u>	<u>\$ 0</u>
Total	\$10,000	\$0	\$ 10,000
		Rounded	\$ 10,000

The project is restoration in nature for lands that were previously provided with LERRDs credits in 1938. The only additional lands that may be necessary are from a potential 5.7 barrow site which will be restored to present condition at the completion of the project. The lands in and around this project are all low lying swamp ground with a value of \$500.00 per acre. The difference in amount of land needed for the differing alternatives is insignificant for valuation purposes since each alternative is relatively the same amount of land.

Real Estate administrative costs include: realty specialist time, supervisory time, file openings, document review, document preparation to include the REP, data input, correspondence, meeting attendance and filing.

12. PUBLIC LAW 91-646 RESIDENCE/BUSINESS RELOCATIONS: No residential or business relocations are anticipated.
13. MINERAL ACTIVITY: No present or anticipated mineral activity is within the proposed project.
14. SPONSOR ASSESSMENT: An assessment was completed on the Sponsor. The Minnesota Department of Natural Resources has legal authority to acquire and hold title to real property for project purposes and has the power of eminent domain for this project.

15. ZONING: No application or enactment of zoning ordinances will be used for the proposed project.
16. ACQUISITION SCHEDULE: All lands necessary for this project are owned by either the Minnesota Department of Natural Resources or the U.S. Army Corps of Engineers.
17. FACILITY/UTILITY RELOCATIONS: No facility/utility relocations are required as part of the project.
18. ENVIRONMENTAL CLEARANCE: An environmental assessment will be prepared concurrently with the Feasibility Report. The Phase 1 HTRW report will be completed early in the design phase.
19. LANDOWNERS: The U.S. Army Corps of Engineers and the Minnesota Department of Natural Resources are both in favor of this project.
20. NON-FEDERAL SPONSOR NOTIFICATION: The Non-Federal Sponsor has been notified of the risk of acquiring LER prior to the execution of a Project Cooperation Agreement with the U.S. Army Corps of Engineers.

  
\_\_\_\_\_  
Rodney Peterson  
Realty Specialist  
St. Paul District, COE

22 NOV, 2010