

*Upper Harbor Conservation*

*Easement:*

*June 2, 2010*

# Agenda for the Meeting

- I. Meeting Purpose and Introductions
- II. Presentation
- III. Open Public Comment
- IV. Conclusions and Next Steps

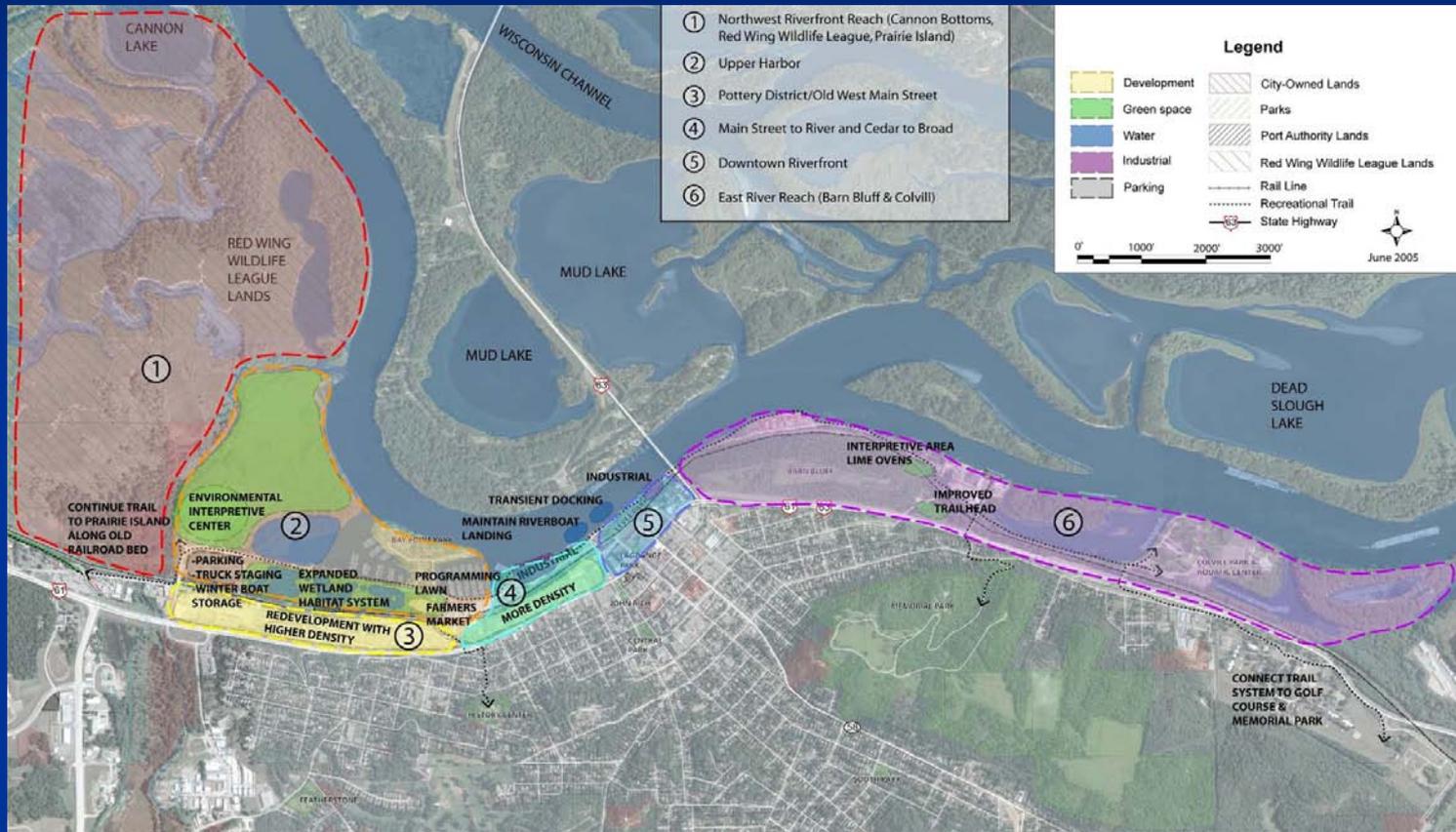
# Purpose of the Meeting

- Kick Off Meeting to initiate public dialogue
- Present background information about the proposed conservation easement
- Present information about the Minnesota Land Trust and their role
- Provide opportunity for public comment and questions
- Discuss the next steps in the process

# Introductions

- Committee: Michael Schultz, City Council President; Kay Kuhlmann, Council Administrator; Myron White, Executive Director of Red Wing Port Authority; Rick Moskwa, Red Wing Public Works Director; Scott Safe, Chair - Red Wing Planning Commission; Brian Peterson, Planning Director
- Minnesota Land Trust: Kris Larson, Executive Director; Nancy Kafka, Southern District Conservation Director

# Background: Riverfront Planning



Riverfront Redevelopment Plan



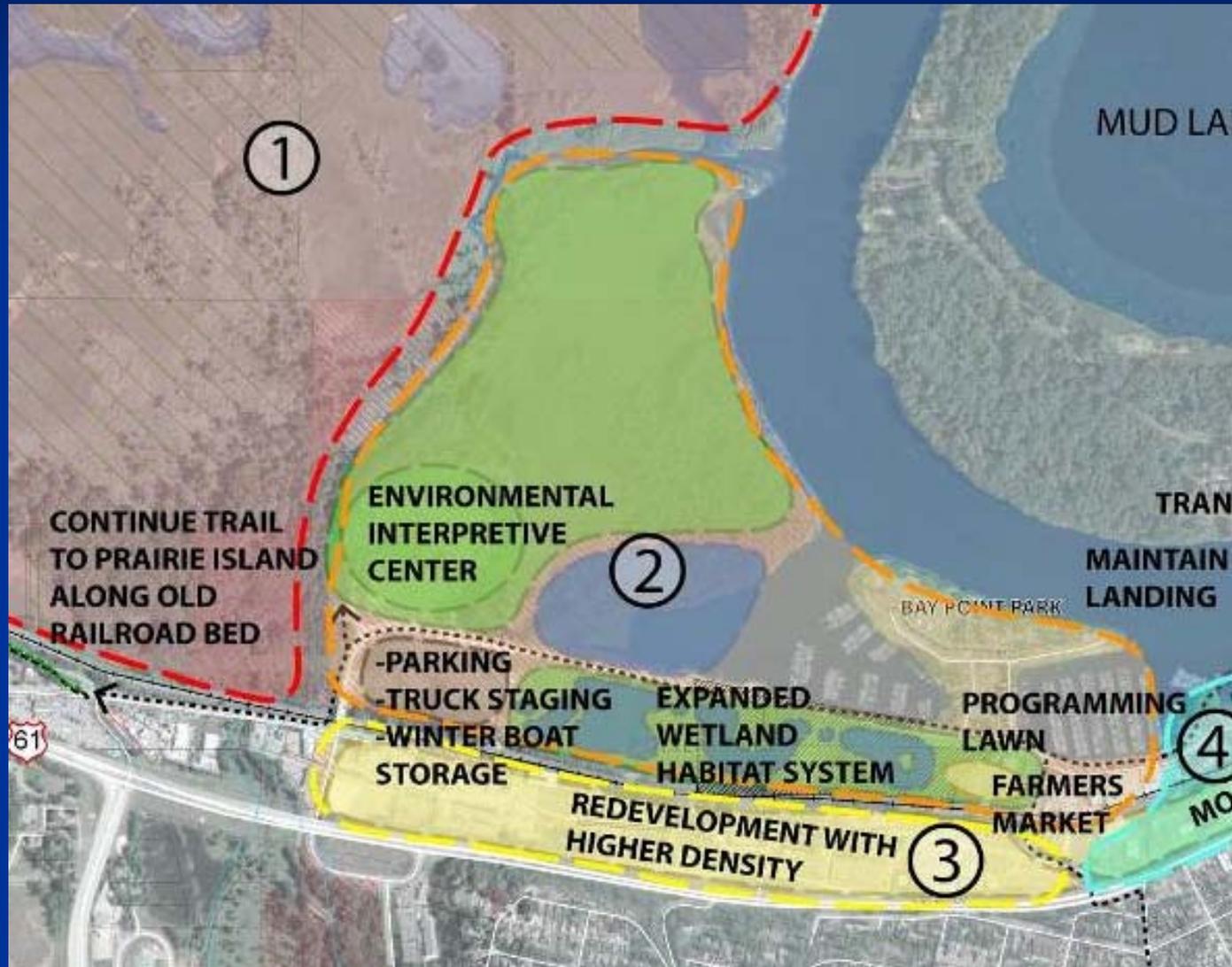
Consensus Plan

JJR

# Guiding Principles

- Recognize the Mississippi River as a priceless, irreplaceable natural and cultural heritage with significance nationally, regionally, and to local citizens.
- Recognize that benefits to residents will also benefit visitors.
- Promote views of River; promote physical public access to and along the River.
- Foster the ongoing vitality of existing commercial enterprises.
- Promote economic sustainability.
- Accommodate many types of circulation needs including pedestrian, bike, automobile, truck, boat, etc.
- Comply with regulatory requirements of the multiple jurisdictions that govern the Riverfront.
- Maintain ecological health of Rivers (i.e. water quality, wetland systems, wildlife habitat, etc.)
- Engage residents and visitors via public art, programming and events that celebrate the River.
- Retain City ownership of land currently owned.
- Require compatibility of riverfront development with the Red Wing Comprehensive Plan update.
- Commit to ongoing meaningful public dialogue.
- Successfully balance diverse interests to best serve Red Wing's future.

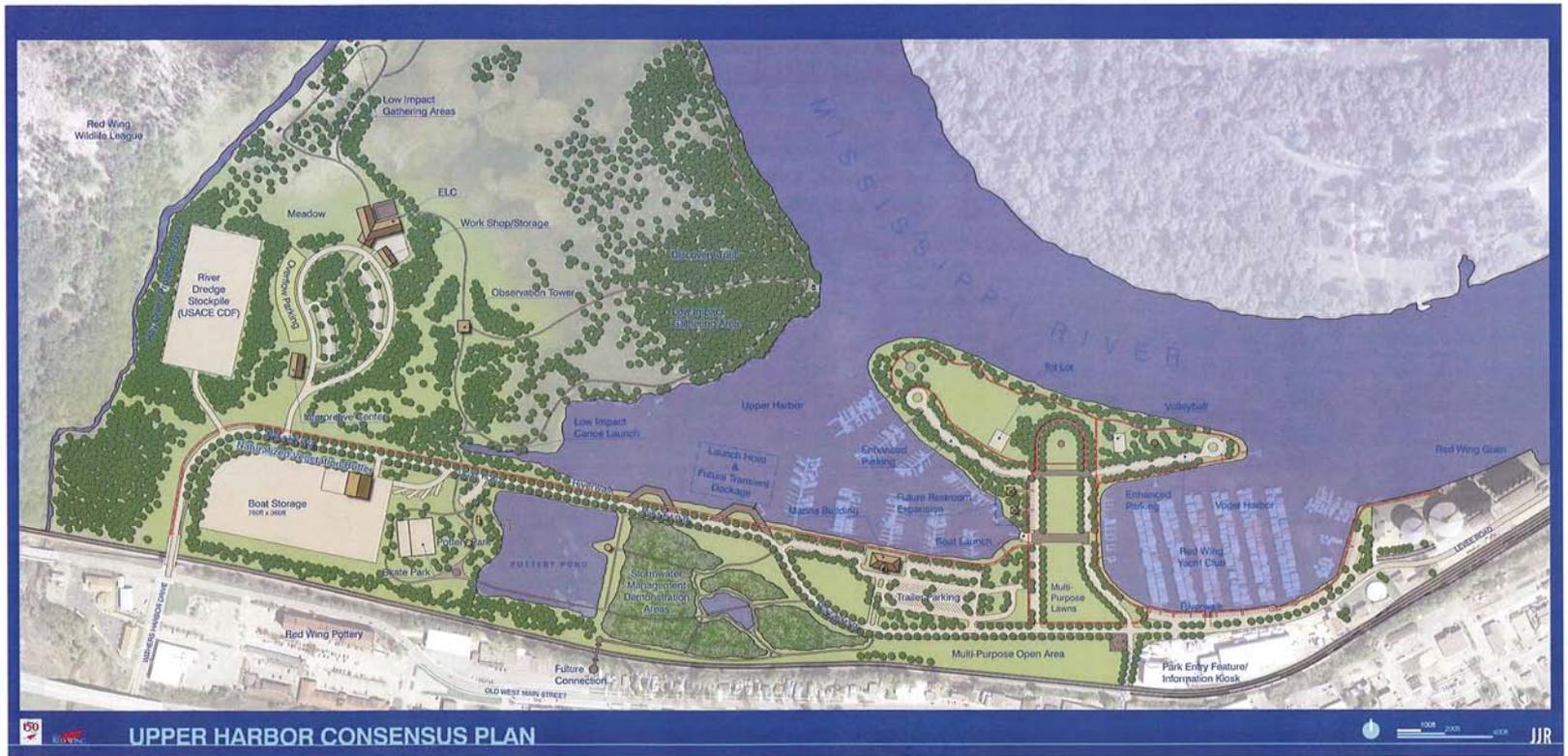
# Zone 2 General Plan - 2005



# Vision for Upper Harbor Area



# Upper Harbor Master Plan



# Implementation of the Vision

- Pottery Pond Park Improvements
- Phase I Environmental Assessment Completed
- Boat Storage Relocation
- Donation of funds to acquire 3 acre parcel
- Lease Negotiations with Red Wing Grain - 2010
- Removal of Buildings on 3 acres - 2010
- US Army Corp Relocation of Dredge Site – 2010
- Conservation Easement

# Why a Conservation Easement?

## Potential Benefits

- Supports Vision
- Restricts Selling Off
- Supports Guiding Principles
- Positions City for funding
- Establishes 202 acre conservation area
- Consistent with Wildlife League
- Recognizes Long Term Effort
- Restricts residential and commercial development
- Encourages housing on river terrace
- Reduces flooding risk
- Is tailor made for area
- Links to Important Bird Area

# Potential Disadvantages

- Some do not agree with overall direction
- Easement is permanent
- Additional layer of controls
- Introduces third party into decision making
- Increases some administrative requirements

# Who is Minnesota Land Trust?

*The Minnesota Land Trust preserves Minnesota's natural and scenic heritage through public and private partnerships.*



# What is a Conservation Easement?

Conservation easements  
are legally binding land use restrictions  
that preserve the *conservation values*  
of the land by restricting its  
use and development.

# How we work

Working with landowners, communities and conservation partners, the Minnesota Land Trust provides leadership through:

- PROTECTION: Permanently preserving land and water resources through conservation easements, land acquisition and other tools
- ASSISTANCE: Expanding conservation capacity in Minnesota by helping local communities achieve their conservation vision
- ENGAGEMENT: Connecting people with the benefits of Minnesota's natural heritage and ensuring appropriate laws, funding and professionals to implement long-term conservation

# Examples of Signature Parks

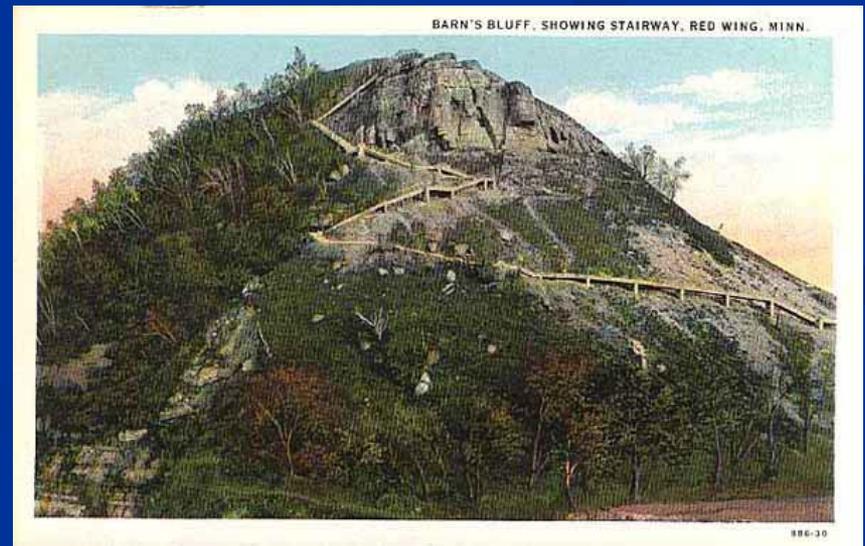
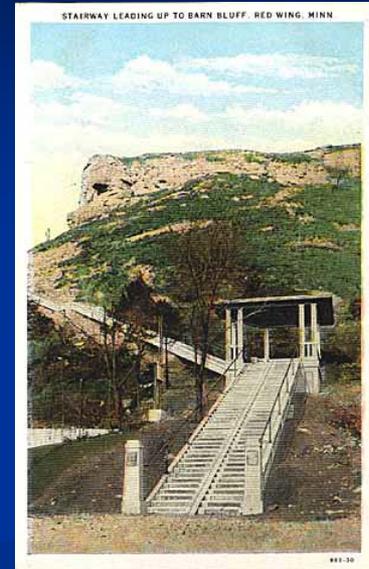
- Sunfish Lake Park (Lake Elmo)
- Billings-Tomfohr (Red Wing)
- Musser Park (Sunfish Lake)
- Henry's Woods (Hassan, MN)
- Gale Woods Farm (Hennepin County)
- Grand Marais Harbor (Grand Marais)
- Fritz-Loven Park (Lake Shore/Gull Lake)
- Vetsch Park (La Crescent)
- Minnesota Point (Duluth)

# History of Red Wing Open Space Preservation

- Red Wing Civic Club Organized in 1903
- First projects started on the Riverfront



# Barn Bluff Preserved – 1910



# Colvill Park Preserved - 1908

MUNICIPAL SWIMMING POOL, COLVILLE PARK, RED WING, MINN.



3A72



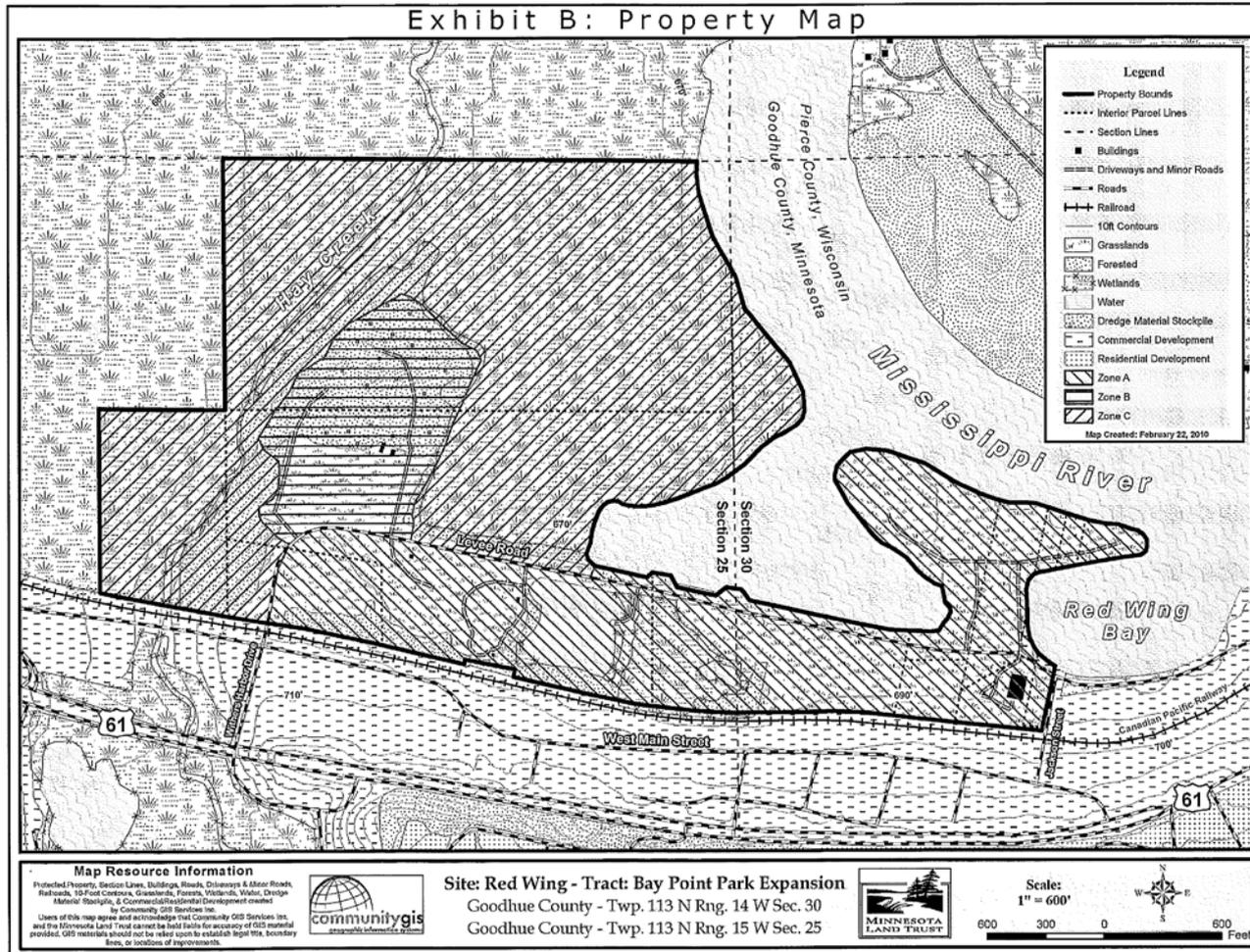


# Review of Draft Easement

## Major Elements of the Easement

- Background
- Section 1: Conservation Purpose
- Section 2: Restrictions
- Section 3: Rights
- Section 4: Land Trust Rights
- Sections 5, 6, and 7: Public Access, Documentation, and General Provisions

# City Owned Property – 202 Acres



# Conservation Purpose

To provide significant public benefit by preserving and protecting in perpetuity the Conservation Values of the Protected Property.

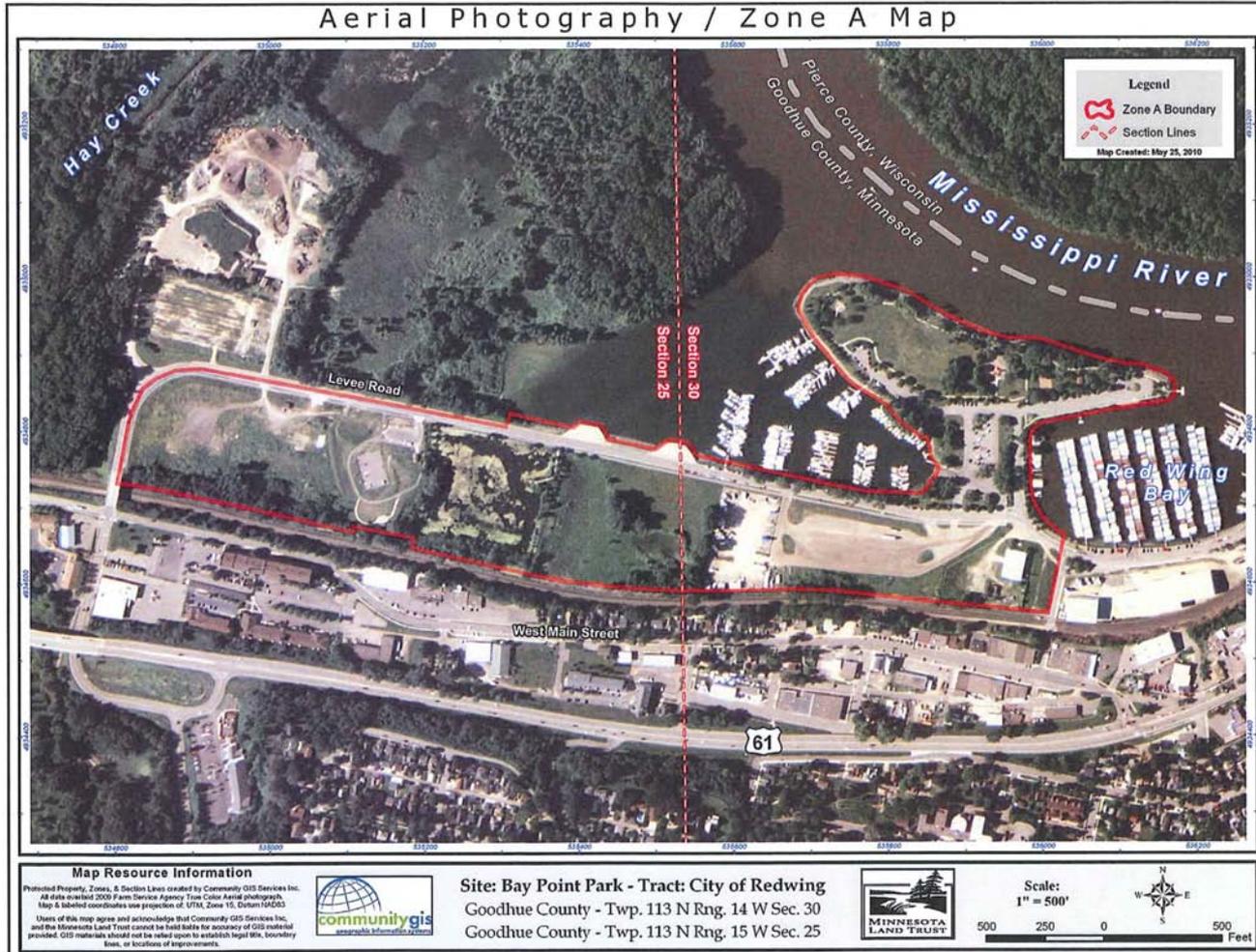
# Conservation Values

- Undeveloped and natural character that supports wildlife habitat
- Natural and undeveloped shoreline of the Mississippi River that supports aquatic plants, animals and natural communities
- Scenic Views to and from the property
- Public access to the natural and scenic environment and to outdoor recreational and educational activities

# General Restrictions for all Zones

- Industrial Use  
(Exceptions in Zones A and B)
- Commercial Use  
(Exceptions in Zones A and B)
- Agricultural Use
- Residential Use and Development  
(Except RV and Boat Docking)
- Division of the Property
- New Right of Ways

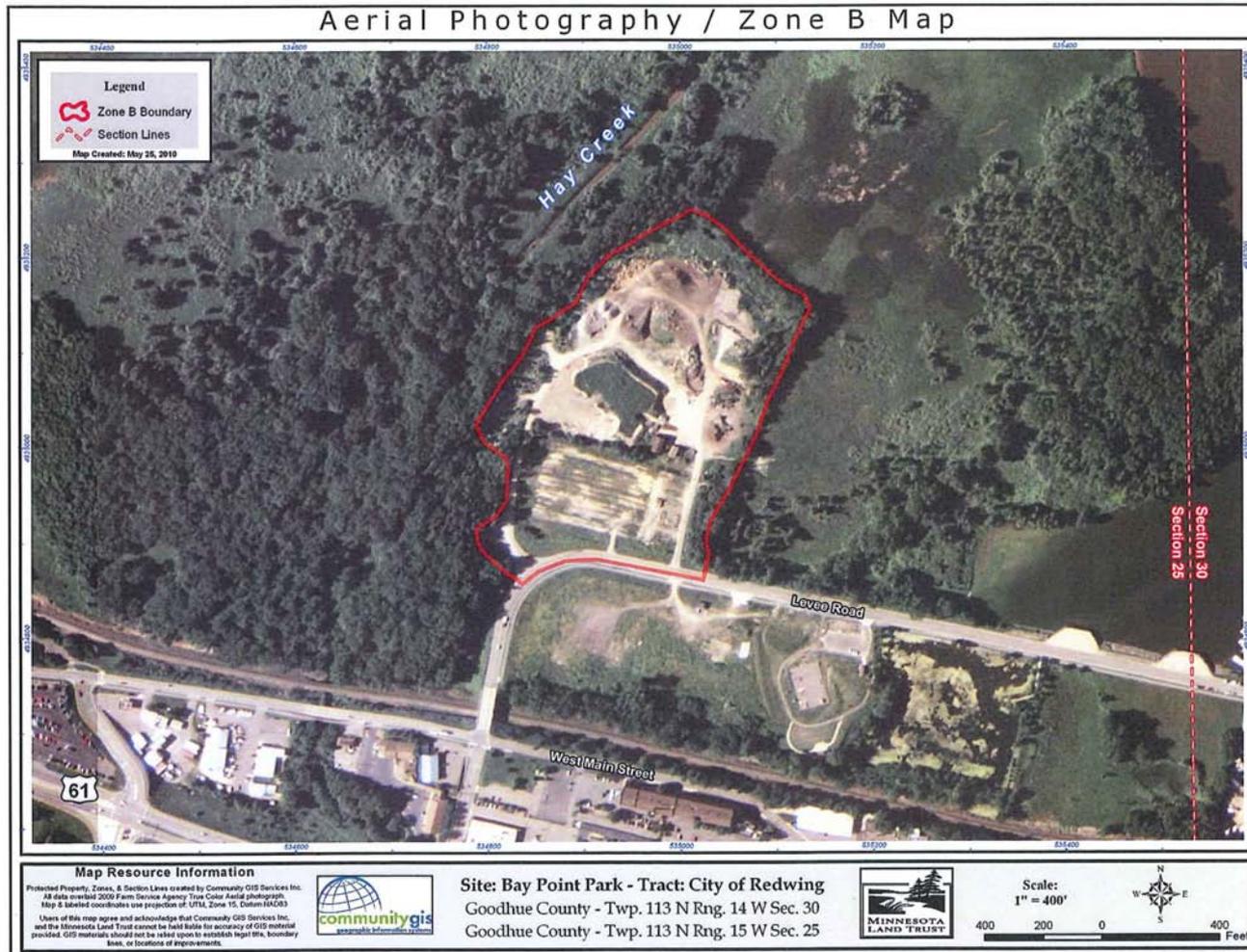
# Zone A



# Zone A: Recreational and Park

- Least Restrictive Zone
- Permitted Uses include public park, public gathering, recreation, boat launching, docking and storage, gardening, landscaping, outdoor education, public access to marinas, docking and parking, marina services, limited truck fleet, concessions, and public events
- Permits a new Marina Services Building up to 10,000 s.f. footprint
- Total cumulative footprint of up to 26,000 square feet
- No building height in excess of 22 feet in height to maintain scenic views
- No limit for allowable structures
- No Industrial Use except for Bulkhead Operation

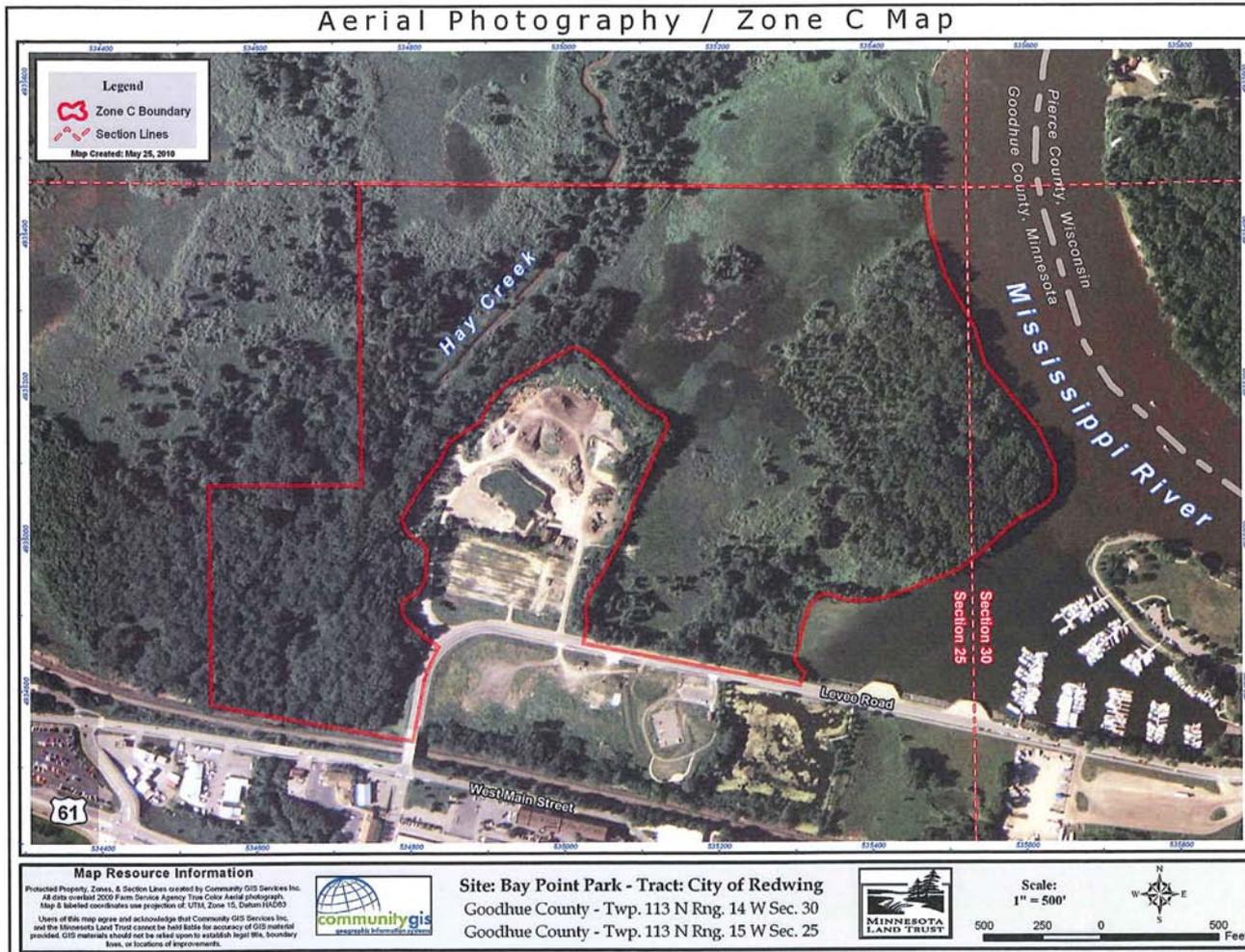
# Zone B



# Zone B: City Storage Area

- Moderately Restrictive Zone
- Permits public park activities such as gardening and landscaping, habitat restoration and environmental, recreational or educational uses with associated buildings, structures and parking.
- New buildings up to 10,000 s.f. footprint
- No limit for allowable structures
- Requires Vegetative Buffer to Hay Creek
- Allows Dredge Stockpile and temporary storage
- Allows City storage until it is relocated

# Zone C



# Zone C: Natural Area

- Most Restrictive Zone
- May be used for low-impact recreational and educational purposes and as natural habitat
- No buildings
- No structures except boardwalks, trail barriers, nature observation structures, canoe and/or kayak launches, or minor rustic structures used for non-intensive recreation and education programs

# Other Easement Provisions

## Land Trust Role

- Right to Enter
- Right of Enforcement

## Public Access

- The public has a right to use the protected land for the uses listed

## Documentation

- Property Report

## General Provisions

- Assignment
- Amendment
- Termination
- Warranties
- Ownership Responsibilities
- Other

# Next Steps

- June 2<sup>nd</sup> Public Comment
- July 6<sup>th</sup> Harbor Commission Review
- July 6<sup>th</sup> Port Authority Review and
- July 20<sup>th</sup> Planning Commission Review
- July 27<sup>th</sup> Sustainability Commission Review
- August 9<sup>th</sup> City Council Consideration

