



**AMA Acquisition Criteria**  
*Required with B Work-units & Fact Sheet packages*

Name of Project <b>Deer Lake AMA (Kocemba's Acres) Lot#10</b>				Project No. (Leave Blank)	
County <b>Itasca</b>	Section <b>34</b>	Township <b>57</b>	Range <b>26</b> <input checked="" type="checkbox"/> W <input type="checkbox"/> E	Region <b>2</b>	Area <b>GrandRapids</b>
Lake or Stream Name: <b>Deer Lake</b>			Lake or Stream Identification No. <b>31-0719</b>		
Has this area previously been identified as critical habitat - in need of protection, during the lake or stream management planning process?				<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

*Check all of the following criteria that will be met by this project:  
 Under each criteria that applies to the proposed acquisition, provide a detailed paragraph explaining how this parcel qualifies.  
 The response areas are expandable, so use as many pages as necessary.*

1. Provides angler or management access  
 All AMA's are open to public use including angler access. This parcel, because of its wetland features has limited access potential.

2. Protects fish spawning, rearing or other unique habitat  
 Past spring muskellunge assessments on Deer Lake indicate that the bay in which this parcel is located is a very important muskellunge spawning area. The unique, varied habitat that define this bay should be protected in its natural state to maintain the naturally reproducing, native muskellunge fishery. Excellent spawning habitat also exists for walleye and smallmouth bass in this immediate area. The integrity of this important area will be impacted by development.

3. Protects aquatic wildlife feeding and nesting areas  
 This area is an important wildlife "quiet" area on the heavily developed Deer Lake. The islands and varied terrestrial and aquatic vegetation in this area provide food, cover, nesting and a resting area for a variety of wildlife and non-game wildlife species.

4. Protects critical shoreline habitat  
 The adjacent landowner recently deeded a Conservation Easement on about a mile of his shoreline to the Minnesota Land Trust to protect it from future development. This proposed AMA will extend the protection of this critical wetland complex.

A.) The occurrence of one or more of the state's various rare natural resources including plants, animals, and undisturbed natural ecological communities as identified by the department's Natural Heritage Program:  
 Not known at this time.

B.) The existing and potential value of the project to provide vital habitat for fish and wildlife, especially for species identified for special management consideration:

Muskellunge, in addition to walleye and smallmouth bass are listed as the primary species for management in the 1996 fisheries lake management plan for Deer Lake. Although Deer Lake has been stocked occasionally with muskellunge in the past, no stocking has occurred since 1985. It was determined, through spring assessments, that natural reproduction for this species is excellent and stocking was unnecessary. A Wisconsin DNR study on "The Influence of Spawning Habitat on Natural Reproduction of Muskellunge in Wisconsin" discusses the decline in natural reproduction of this species and the importance of protecting critical spawning habitat. In Wisconsin, historically known as the top muskellunge state in the United States, only 18% of the muskellunge populations are currently considered self-sustaining. The report suggests that one of the main reasons for this decline was due to habitat degradation. The report suggests that "Protection of spawning areas is critical. Acquisition of land adjacent to spawning areas and passage of laws moderating shoreline alterations can help preserve such habitats."

C.) The threat of habitat destruction if the project is not carried out:

Wetlands will be filled for development. Water quality and shoreline/shoal habitat will be negatively impacted.

D.) The surrounding land uses in terms of the amount and type of similar habitat and the projected loss of habitat in the area:

Maintaining this tract in it's natural state in perpetuity protects the vital, unique habitat present in this bay. Development of this parcel will have a negative impact on adjacent habitat.

E.) The location of the project within or adjacent to an existing management unit, including accessibility and relationship to other existing state lands or waters:

This parcel is adjacent to several small islands that are classified as Wildlife Management Areas and a large private parcel that has a conservation easement with the Minnesota Land Trust. Water access is available to the DNR WMA's.

F.) The integrity of the land or water parcel and the long-term viability of the project:

Development in this fragile area would diminish the value of the other protected parcels. The undisturbed "quiet" area for wildlife would be impacted as well as water quality from development in the wetland area.

G.) The recreational potential of the parcel including present and future demand and the opportunities to meet this demand in the surrounding area:

The recreational potential on this parcel is limited, however, the recreational potential that this parcel provides to Deer Lake by providing an excellent spawning and nursery area for muskellunge (and other species) and therefore and excellent fishery is extremely important. Recreational opportunities to view and hunt wildlife species by maintaining this area in it's natural state, as a "green" space is also very important as lakeshore development reaches it's saturation level.

H.) The projected acquisition or management costs and potential future management problems.

Extremely limited when considering the long term value of protecting critical habitat such as this parcel affords.

5. Provides a site for research on natural history

Opportunities exist for research on this and adjacent sites.

Additional Information: (Include comments regarding existing buildings, donations, possible cost share partners, etc.)

The Deer Lake Association has been contacted and has expressed an interest in protecting and maintaining this parcel in it's natural state. Muskie Inc. will also be contacted.

Submitted By:	Title	Date
Richard Thompson	Natural Resource Specialist	1/23/01

## INITIAL SITE ASSESSMENT CHECKLIST

<b>Project</b> Deer Lake AMA (Kocemba's Acres) Lot #10	<b>Parcel</b>	<b>County</b> Itasca
<b>Owner Names-Joint Tenants</b> Wally Kocemba 18105 24 <sup>th</sup> Ave. No. Plymouth, MN. 55447 Fredrick John Kocemba 910 11 <sup>th</sup> Street Lake Charles, Louisiana 70601		<b>Telephone No. (including area code)</b> 612-868-0993 337-433-1868
<b>Description</b> Lot 10, Blk 1, SE 1/4, NE 1/4, NE 1/4 S. 34, T. 57, R. 26		

### CHECKLIST TO ASSESS CONTAMINATION POTENTIAL

#### 1. LAND USE HISTORY & DEVELOPMENT:

Setting: Rural  Urban \_\_\_\_\_ (check one)

Current Land Uses (check applicable)

<input type="checkbox"/> Residential	<input type="checkbox"/> Commercial	<input type="checkbox"/> Industrial
<input type="checkbox"/> Agricultural	<input type="checkbox"/> Dump/Landfill	<input checked="" type="checkbox"/> Wetland
<input type="checkbox"/> Gravel/Mining	<input checked="" type="checkbox"/> Woods	<input type="checkbox"/> Other _____

Previous Land Uses (check applicable)

<input type="checkbox"/> Residential	<input type="checkbox"/> Commercial	<input type="checkbox"/> Industrial
<input type="checkbox"/> Agricultural	<input type="checkbox"/> Dump/Landfill	<input checked="" type="checkbox"/> Wetland
<input type="checkbox"/> Gravel/Mining	<input checked="" type="checkbox"/> Woods	<input type="checkbox"/> Other _____

Adjacent Land Uses (check applicable)

<input checked="" type="checkbox"/> Residential	<input type="checkbox"/> Commercial	<input type="checkbox"/> Industrial
<input type="checkbox"/> Agricultural	<input type="checkbox"/> Dump/Landfill	<input checked="" type="checkbox"/> Wetland
<input type="checkbox"/> Gravel/Mining	<input checked="" type="checkbox"/> Woods	<input type="checkbox"/> Other _____

#### 2. VISUAL INSPECTION:

STORAGE STRUCTURES (check applicable)

<input type="checkbox"/> Wells	<input type="checkbox"/> Transformers	<input type="checkbox"/> Ponds
<input type="checkbox"/> Septic	<input type="checkbox"/> Sumps	<input type="checkbox"/> Basins
<input type="checkbox"/> Underground Tanks	<input type="checkbox"/> Drums	<input type="checkbox"/> Other _____
<input type="checkbox"/> Landfills	<input type="checkbox"/> Surface tanks	

Comments: NONE

CONTAMINATION (check applicable)

<input type="checkbox"/> Surface Staining	<input type="checkbox"/> Oil Sheen	<input type="checkbox"/> Odors
<input type="checkbox"/> Vegetation Damage	<input type="checkbox"/> Other	Comments: <u>NONE</u>

POTENTIAL ASBESTOS-CONTAINING MATERIALS (check applicable)

<input type="checkbox"/> Sprayed textured ceilings	<input type="checkbox"/> Building materials	<input type="checkbox"/> Sprayed-on fireproofing
<input type="checkbox"/> Floor tile	<input type="checkbox"/> Pipe wrap	<input type="checkbox"/> Acoustical tile ceilings

Comments: NONE

3. OPTIONAL REVIEW OF OUTSIDE RECORDS WHICH MAY INDICATE PAST LAND USES: (To be completed when checklist numbers 1 and 2 indicate a potential for contamination).

N/A

(Land Titles, Business Licenses, Insurance Records, Fire Hazard Maps, Tank Permits, etc.)

4. OPTIONAL REVIEW OF REGULATORY AGENCY RECORD: (To be completed when checklist numbers 1 and 2 indicate a potential for contamination).

N/A

(Contact MPCA Site Assessment Unit, Program Development Section for this information. They will check their files to determine if there has been a release of a contaminant at or near the project location).

#### CERTIFICATION

The undersigned, after conducting a field inspection and/or record search for the subject property believes to the best of my knowledge that:

there is no apparent contamination potential: the project is considered cleared.

contamination potential exists, additional investigation is needed.

Signed: Richard Hoop Dated: 2/1/01

Natural Resources Specialist

State of Minnesota  
Department of Natural Resources

Project No.

Acquisition No.

## LAND ACQUISITION FACT SHEET

Project Deer Lake AMA (Kocemba's Acres) Lot #10	Parcel Number	County Itasca
Owner's Full Name Wally Kocemba (See #2 for additional information)	Bus. Telephone Number (include Area Code) 952-831-3300	
Spouse's Full Name N/A	Home Telephone Number (include Area Code) 612-888-0993	
Address (No. & Street, RFD, Box #, City, State, Zip Code) 18105 24 <sup>th</sup> Ave. No. Plymouth MN. 55447	Tenant <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Length of Occupancy: N/A	

## INTEREST:

Fee Simple  Easement  Other (describe): \_\_\_\_\_

**OTHER AGREEMENTS:** Check or list all other agreements on the property including hunting rights, Federal wetland reserve program, leases, and easements, etc.

CRP (conservation reserve payments)	RIM RESERVE	OTHER (list) N/A
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**ACQUISITION METHOD:**  Gift  Purchase  Condemnation

DESCRIPTION OF LAND:	SECTION	TOWNSHIP	RANGE
FORTY Lot 10, Blk 1, SE 1/4, NE 1/4, NE 1/4 (Kocemba's Acres of Deer Lake)	34	57	26

Total Contiguous Ownership  Part of Total Contiguous Ownership of \_\_\_\_\_ acres

Legal Description: (Use attachment if more space is needed)

Lot 10, Blk 1, SE 1/4, NE 1/4, NE 1/4, Govt Lot 1, Section 34, T. 57N, R.26 W.

Acres 2.8 acres	(mark one) <input type="checkbox"/> Actual <input checked="" type="checkbox"/> Estimated	County Tax Parcel ID Number 65-470-0150	-Survey Required <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
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Initial Site Assessment completed:  Yes - See Initial Site Assessment

Improvements to be acquired:  Yes  No - If Yes, see Improvement Disposition

Improvements on contiguous property:  Yes  No

Relocation needed:  Yes  No

Name of Water Body Deer Lake	Lake I.D. Number 31-0719	Front Feet Approx. 748'	River Mile N/A
Road Access (Identify) <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	Name/Number of Road Ridge Road	Front Feet 20'	(mark one) <input type="checkbox"/> Paved <input checked="" type="checkbox"/> Gravel

**1. Type of Land and justification for purchase:**

Lot #10 of Kocemba's Acres is predominantly a wetland lakeshore lot located adjacent to a large tract of private lakeshore (about 1 mile) that has a conservation easement with the Minnesota Land Trust. This area has unique, critical habitat and has been confirmed to be one of the most important muskellunge spawning areas on Deer Lake. Development of this lot has the potential to impact water quality and the fish and wildlife habitat on this bay of Deer Lake.

**2. Landowner's Representative, Other Property Owners, or Special Appraisal Instructions:**

Co-owner of this property as Joint Tenants -Fredrick Kocemba 910 11<sup>th</sup> Street Lake Charles, Louisiana 70601

**REQUIRED ATTACHMENTS:**

- Complete legal description of acquisition, if it doesn't fit in space provided
  - Initial Site Assessment
    - Hazardous waste location map, if applicable
  - Improvement Disposition Sheet
  - Terms of easement or lease to be acquired
  - Receipt for Landowners' Bill of Rights
  - Copy of Deed by which ownership was acquired
  - Plat book map showing parcel and contiguous ownership
  - Sketch or survey of property, if available
  - Aerial Photo, if available
  - Landowner contact documentation
- For Water Access, Wildlife, Fisheries, Scientific & Natural Areas, and Forest Roads
- Project Proposal, if not on file at Bureau of Real Estate Management
  - Project Unit Map, if not on file at Bureau of Real Estate Management

Fact Sheet Prepared by: Richard Thompson	Date 2/1/01	Telephone No. 218-327-4198	Discipline/Reg. Supervisor Signature	Date
Division Director Signature	Date	Realty Specialist Signature	Date	

Name of Project: Deer Lake AMA (Kocemba's Acres) Lot #10  
 Project No. (Leave Blank)

County: Itasca      Section: 34      Township: 57      Range: 26       W       E      Region: 2      Area: Grand Rapids

**TYPE OF ACQUISITION:**     Aquatic Management Area (AMA)     Fish Management Area (FMA)\*  
 Lakeshore Protection                       Natural Spawning Area     Fish Rescue Site  
 Lake and Stream Improvement     Rearing Pond                       Rough Fish Trap  
 Stream Angler Access                       Fish Barrier                       Other \_\_\_\_\_

\*Check this box if original Fish Project Proposal was submitted prior to 1993

**TYPE OF INTEREST:**     Purchase     Easement     Gift     License

Purpose of Project (Name Waters Benefitted)  
**Maintain the critical fish and wildlife habitat that exists on this parcel and in this bay of Deer Lake.**

LAND TYPES	NUMBER OF ACRES	ESTIMATED COST PER ACRE	ESTIMATED TOTAL COST
WATER			
MARSH			
MARSH-WATER			
BRUSH			
TIMBER	Approx. 2.8 acres and 748 feet of lakeshore		\$11,700- Taxable Value from Itasca County Assessor's Office
HAYLAND (tame)			
HAYLAND (wild)			
PASTURE			
CROPLAND Class (1-2-3)			
OTHER			
Total			\$11,700

OWNER'S	ADDRESS
1) Wally Kocemba	18105 24 <sup>th</sup> Ave No. Plymouth, MN. 55447
2) Fredrick Kocemba	910 11th Street Lake Charles, Louisiana 70601
3)	
4)	
5)	
6)	
7)	
8)	

**PROPOSED FISHERIES DEVELOPMENT:**

Buildings                                       Pump (Water Supply)                       Dams, Dikes or Levees  
 Canals or Channels                           Roads     Fences  
 Public Use Facilities                           Fishways, Screens or Barriers               Bank Stabilization  
 Tree Planting                                       In Stream Structure                           Leave in it's natural condition

Submitted By: Richard Thompson <i>RT</i>	Title N.R. Fisheries Specialist	Date 2/1/01
Regional Manager Signature		Date

APPROVED BY COMMISSIONER, DEPARTMENT OF NATURAL RESOURCES

Director of Fisheries	Date
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PHONE NO. 218-327-4198

FILE NO.

February 28, 2002

Maxine Gunsolly  
President, Deer Lake Association  
805 NW 2<sup>nd</sup> Ave.  
Grand Rapids, MN. 55744

Dear Gunny:

I would like to thank the Deer Lake Association for participating with the Department of Natural Resources and the local Star of the North Chapter of Muskie's Inc. in the protection of over 900 feet of lakeshore in Kocemba's Bay of Deer Lake. Your generous contribution to this project was very much appreciated and shows the strength and commitment of your organization.

This area will be set aside as an Aquatic Management Area and left in it's natural state in perpetuity. As development continues to put pressure on our lakes, it is refreshing to see so many lake residents and users back and financially support our efforts in protecting critical fish and wildlife habitat. In fact, it wouldn't have happened without you. In addition to an important muskellunge spawning area, the islands and varied terrestrial and aquatic habitat in this bay provide food, cover, nesting and resting area for a variety of wildlife. Protecting this bay in its natural state will have increasing significance as years pass and development increases. Thanks again for your support.

Sincerely yours,  
Richard Thompson

Asst. Area Fisheries Supervisor

P.S. On February 26, 2002 the Itasca County Board of Commissioners passed a resolution approving the purchase of these properties by the Department of Natural Resources.



# Office Memorandum

DEPARTMENT: NATURAL RESOURCES  
Division of Fisheries

DATE: October 16, 2001

TO: Patricia Kandakai  
Program Operations Manager

FROM: Ron Payer, Director  
Division of Fisheries

PHONE: (651) 297-4098

EMAIL: ron.payer@dnr.state.mn.us

SUBJECT: Acquisition # 129710, Deer Lake AMA, par 2, Itasca County,



The certified appraisal value of this 1.8 acre parcel is \$33,000. The appraisal is current and reflects the value of comparable properties, however the seller is unwilling to sell for this price. Ordinarily we would go to the next priority on our acquisition list, however we feel that this property is important enough to offer up to 10% above the appraised value for the following reasons:

1. The property is adjacent to one mile of shoreline that is protected by a conservation easement.
2. The other adjoining property owner is in the process of selling his shoreline property to us.
3. All three properties are adjacent to an important musky spawning area on Deer Lake.
4. The acquisition includes 180 feet of natural shoreline

Both the negotiator and our Area Fisheries Manager agree that an increase in our offer is reasonable and fair. I agree to authorize the negotiator to offer up to 10 percent above the certified appraisal value (up to \$36,300) to acquire this important parcel.

We have enough money in our negotiation bank to offset the 10% increase on this property.

cc: Mike Halverson  
Joe Mix  
Chris Kavanaugh  
Dick Hillstrom  
Joyce Davis

## **Statutes & Rules Governing Aquatic Management Area Acquisition**

### **Statute 86A.05**

**Subd. 14** Aquatic management areas. (a) Aquatic management areas may be established to protect, develop, and manage lakes, rivers, streams, and adjacent wetlands and lands that are critical for fish and other aquatic life, for water quality, and for their intrinsic biological value, public fishing, or other compatible outdoor recreational uses. (b) Aquatic management areas may be established to protect wetland areas under ten acres that are donated to the department of natural resources. (c) No unit may be authorized unless it meets one or more of the following criteria:

- 1.) Provides angler or management access:
- 2.) Protects fish spawning, rearing, or other unique habitat:
- 3.) Protects aquatic wildlife feeding and nesting areas:
- 4.) Protects critical shoreline habitat:
- 5.) Provides a site for research on natural history:

Criteria #4 is further clarified by Rule in **Chapter 6136 - Priorities for Acquisition and improvement of critical natural habitat.**

### **Rule 6136 Chapter 6136.0700**

**Subpart 1. Specific criteria for selecting critical natural habitat.** As provided by Minnesota Statutes, section 84.944, the commissioner must consider the following specific criteria in assessing the value of a proposed critical natural habitat project:

- A.) The occurrence of one or more of the state's various rare natural resources including plants, animals, and undisturbed natural ecological communities as identified by the department's Natural Heritage Program:
- B.) The existing and potential value of the project to provide vital habitat for fish and wildlife, especially for species identified for special management consideration:
- C.) The threat of habitat destruction if the project is not carried out:
- D.) The surrounding land uses in terms of the amount and type of similar habitat and the projected loss of habitat in the area:
- E.) The location of the project within or adjacent to an existing management unit, including accessibility and relationship to other existing state lands or waters:
- F.) The integrity of the land or water parcel and the long-term viability of the project:
- G.) The recreational potential of the parcel including present and future demand and the opportunities to meet this demand in the surrounding area:
- H.) The projected acquisition or management costs and potential future management problems.