

**Omena Woods Association Addition
Conservation Easement
Baseline
Documentation Report**



**OMENA WOODS ASSOCIATION ADDITION
CONSERVATION EASEMENT
LEELANAU TOWNSHIP
LEELANAU COUNTY, MICHIGAN**

Prepared by:
Leelanau Conservancy
PO Box 1007, MI 49654
Completed: December 17th, 2015

**THIS BASELINE DOCUMENTATION REPORT
CONTAINS THE FOLLOWING INFORMATION:**

Preface and Preparer's Signature

**Acknowledgment and Grantor Certification Page
Acknowledgment and Grantee Certification Page**

Introduction/Background Information

Property Description

- A. Location and Size**
- B. Land Characteristics:
 Geology, Hydrology, Topography and Soils, Ecological Communities**
- C. Conservation Values**
- D. Condition of Property and Environmental Concerns**
- E. Management (Agriculture, Forestry and/or Ecological)**
- F. Human Made Features**
- G. Directions**

Appendix A: Conservation Easement

Appendix B: Maps

Appendix C: Photo Documentation

PREFACE

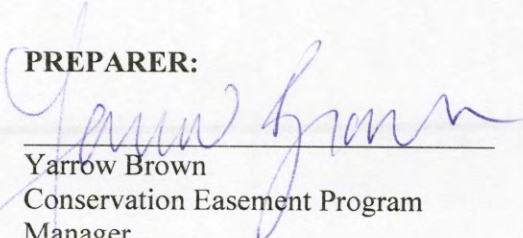
This Baseline Document contains the total information supporting the Omena Woods Association Addition Conservation Easement. This document is retained at the offices of the Leelanau Conservancy and a copy has been given to the President of the Omena Woods Association.

This Baseline Document establishes the existing conditions of the Property at the time of the conveyance of the Omena Woods Association Addition Conservation Easement to the Leelanau Conservancy. It will be used on an annual basis to monitor the condition of the Property and adherence to the provisions detailed by the Conservation Easement.

PREPARER'S SIGNATURE

This Baseline Documentation report was prepared by Yarrow Brown, Conservation Easement Program Manager for the Leelanau Conservancy. This is to certify that I, Yarrow Brown created the following 66 pages, which includes the Baseline Document, maps and photographs that are, to the best of my knowledge, an accurate description of the physical features and current land uses on the subject property. I have been trained the Leelanau Conservancy in the methods to document conservation easement properties and preparation of the baseline report.

PREPARER:

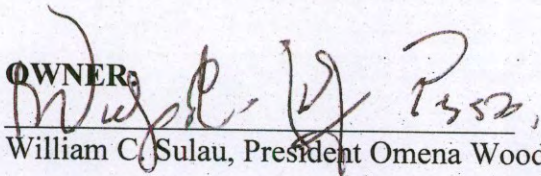


Yarrow Brown
Conservation Easement Program
Manager
Leelanau Conservancy
105 N. First St.
Leland, MI 49654

Date: December 18, 2015

ACKNOWLEDGMENT and DONOR CERTIFICATION

This is to certify that I, William C. Sulau, President of the Omena Woods Association, do accept and acknowledge the following ___ pages, which includes the Interim Baseline Document, maps and photographs that are, to the best of my knowledge, an accurate description of the physical features and current land uses on the subject property, and I affirm that there are no activities on-going on this property that are inconsistent with the terms of the Conservation Easement conveyed to the Leelanau Conservancy on December 18th, 2015.

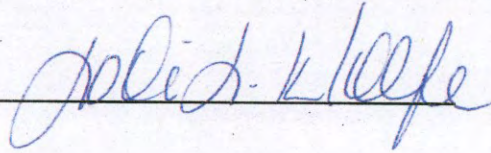
OWNER:

William C. Sulau, President Omena Woods Association

Date: December 18th, 2015

STATE OF MICHIGAN)
)ss.
COUNTY OF LEELANAU)

Acknowledged before me on December 18th, 2015, by William C. Sulau, President, Omena Woods Association, as his free act and deed.

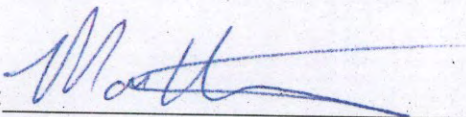
Jodi L. Wolfe
Notary Public, State of Michigan
County of Grand Traverse
My Commission Expires November 23, 2018
Acting in the County of Leelanau


*
Notary Public, _____ County,
Michigan. My commission expires: _____
Acting in the County of _____.

ACKNOWLEDGMENT and LEELANAU CONSERVANCY CERTIFICATION

This is to certify that I, Matt Heiman, Director of Land Programs, do accept and acknowledge the following pages, which includes the Interim Baseline Document, maps and photographs that are, to the best of my knowledge, an accurate description of the physical features and current land uses on the subject property.

LEELANAU CONSERVANCY

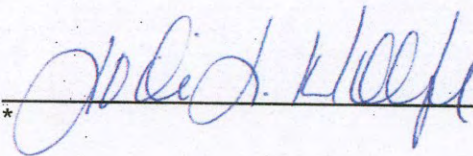
By: 
Matt Heiman
Its: Director of Land Programs

Date: 12-18-15

STATE OF MICHIGAN)
)ss.
COUNTY OF LEELANAU)

Acknowledged before me on 12-18, 2015, by Matt Heiman known to me to be the Director of Land Programs of the LEELANAU CONSERVANCY, a Michigan nonprofit corporation, on behalf of the corporation.

Jodi L Wolfe
Notary Public, State of Michigan
County of Grand Traverse
My Commission Expires November 23, 2018
Acting in the County of Leelanau


*

**Notary Public, Leelanau County,
Michigan. My commission expires: _____
Acting in the County of Leelanau.**

INTRODUCTION/BACKGROUND INFORMATION

In the fall of 2015 the Omena Woods Association offered to sell a perpetual conservation easement to the Leelanau Conservancy over 24 acres m/l that they had recently acquired adjacent to their property currently under conservation easement with the Conservancy. The 24 acre property is entirely forested with a mature stand of hardwood trees that does not show any signs of timber management in well over a decade or longer. The forest stand has a diverse assemblage of poplar, beech, maple, oak, ash, hemlock, paper birch and ironwood. Potential conversion of this property to residential usage could have negatively impacted the conservation values of their conservation easement. The terms of the conservation easement would allow recreational hiking trails and sustainable forest management but would prohibit construction of buildings or division of the property. The proposed conservation easement meets our acceptance criteria. The Land Protection Committee discussed this conservation easement opportunity and concurred with staff's recommendation that it would make a good addition to the OWA conservation easement and further strengthen those conservation values.

PROPERTY DESCRIPTION

A) LOCATION AND GENERAL DESCRIPTION:

Legal Description: Property consists of 24 contiguous acres more or less, located in Section 25 and 36, Township 31 North, Range 11 West, Leelanau Township, Leelanau County, Michigan, more fully in the attached survey in Exhibit B.

Surroundings:

The Omena Woods Association Addition Conservation Easement is bordered to the west by the Omena Woods Association original conservation easement. It is bordered by Omena Point Road to the north and Omena Heights road to the south. An orchard borders the conservation easement to the east. The surrounding area is residential along Omena Bay with rolling hills, northern hardwood forest and orchards.

Size: 24 acres

1. Hydrology

The Omena Woods Association Addition Conservation Easement contains no live streams or wetlands. It is within the West Grand Traverse Bay Watershed and provides important upland recharge areas.

2. Topography and Geology

The Omena Woods Association Conservation Easement sits on coarse textured glacial till. This conservation easement property is topographically diverse with the highest elevation of 705 feet on the south and western side of the property with the lowest elevation of 623 feet near the northern boundary. There are two ridge tops that are 705 feet in elevation.

3. Soils

The Soil Survey of Leelanau County, Michigan (USDA-SCS, 1973) indicates that the main soil types found on the Omena Woods Conservation Easement are Emmet-Omena sandy loams (EsB) 2-12% slopes and 25-50% slopes. :For soil complex distribution, see Soil Type Map in Appendix B). The specifics of these soil types for the Omena Woods Association Addition Conservation Easement are as follows:

Alpena gravelly sandy loam (AsC) 0-12% slopes:

This soil is nearly level to strongly sloping and is on lake terraces, moraines, and beach ridges. Run-off is slow to medium and the erosion hazard is moderate. These soils are moderately suited to woods and wildlife habitat.

East Lake loamy sand (EaC) 6-12% slopes:

This type of soil is strongly sloping and is on outwash plains, on beach ridges and in valley fills. Surface run-off is medium, and the erosion hazard is moderate. It is suited to woodlands.

Emmet-Omena sandy loams (EsB) 2-6% slopes:

This complex consists of gently sloping soils on ridgetops and shelves of drumlins and on moraines. It is about 50% Emmet sandy loam, 45% Omena sandy loam, and 5% small areas of included soils. Surface runoff is medium, and the erosion hazard is moderate. The soils of this complex are well suited to cultivated crops, forage crops, woods, and wildlife habitat. They are well suited to orchards.

Emmet-Omena sandy loams (EsC) 6-12% slopes:

This complex consists of strongly sloping soils on moraines and drumlins. It is about 50% Emmet sandy loam, 45% Omena sandy loam, and 5% small areas of included soils. The surface run-off is medium, with a moderate erosion hazard. They are well suited to forage crops, woods, and wildlife habitat. They are well suited to orchards if the erosion is controlled.

Emmet-Omena sandy loams (EsF) 25-50% slopes:

This soil consists of very steep soils on moraines and drumlins. The surface run-off is rapid and the erosion hazard is very severe. These soils are suited to woods and wildlife habitat.

Leelanau-East Lake loamy sands (LID), 12-18% slopes:

This complex consists of moderately steep soils on moraines. It is about 65% Leelanau loamy sand, 25% East Lake loamy sand, and 10% small areas of included soils. Surface runoff is medium, and the erosion hazard is severe. Soils of this complex are very poorly suited to cultivated crops and orchards. They are moderately well suited to woods and wildlife habitat.

Nester silt loam (NsB) 2-6% slopes:

This gently sloping soil is on till plains and moraines and includes a few, small, nearly level areas. Surface run-off is medium, and erosion hazard is moderate. This soil is moderately well suited to cultivated crops and forage. It is well suited to pasture, woods, wildlife habitat and to fruits other than cherries and peaches.

4. Ecological Communities

Ecological Communities are defined and described according to the Michigan Natural Features Inventory Natural Communities index. The Omena Woods Association Addition Conservation Easement supports a mesic northern forest habitat.

Mesic Northern Forest

Mesic northern forest is a forest type of moist to dry-mesic sites, characterized by the dominance of northern hardwoods. It is primarily found on coarse-textured ground and end moraines, and soils are typically loamy sand to sandy loam, but are also common on silty/clayey lakeplains, thin glacial till over bedrock, and medium-textured moraines. Mesic northern forest is a broadly defined community type with numerous regional, physiographic, and edaphic variations. Two broad classes are recognized, hardwood-dominated forest and hemlock-hardwood forest. This conservation easement contains predominately hardwood-dominated forest species. The natural

disturbance regime is characterized by gap-phase dynamics; frequent, small windthrow gaps allow for the regeneration of the shade-tolerant canopy species. These forests were multi-generational, with old-growth conditions lasting many centuries. Large contiguous tracts of old-growth and mature mesic northern forest provide important habitat for cavity nesters, species of detritus-based food webs, canopy-dwelling species, and interior forest obligates, including numerous neotropical migrants.

B) CONSERVATION VALUES:

The Property contains significant natural habitat in which fish, wildlife, plants or the ecosystems which support them, thrive in a natural state, as demonstrated by:

- The Property supports a high quality example of a Mesic Northern Hardwoods ecological community.
- The Property contains sustainable habitat for a diverse assemblage of native vegetation, birds, amphibians and terrestrial animals. The Owner [or Conservancy] has documented the existence of whitetail deer, turkey, red fox, coyote, raccoon, opossum, bobcat, bald eagle and red-tailed hawk on the Property.
- The Property is characteristic of a Mesic Northern Hardwood ecological community. Its dominant vegetation is sugar maple and poplar interspersed with a diverse assemblage of native hardwood species. This ecological community is in a relatively natural and undisturbed condition and supports the full range of wildlife species found in this habitat type.
- Valued native forest land exists on the Property, which includes diverse native species, trees of many age classes and structural diversity, including a multi-story canopy, standing dead trees and downed logs.
- The Property provides important natural land within the Grand Traverse Bay watershed. Permanent protection of the Property in its natural and open space condition helps to ensure the quality and quantity of groundwater resources by facilitating natural groundwater recharge for the West Grand Traverse Bay area.
- The Property is adjacent to the following conserved properties which similarly preserve the existing natural habitat: Omena Woods Association Conservation Easement established on September 20th, 2004, which was recorded at the Register of Deeds for the County of Leelanau, State of Michigan, Liber 823 Page 202.
- This Easement protects a natural area which contributes to the ecological viability of the adjacent permanently conserved land.
- Preservation of the Property enables the Owner to integrate the Conservation values with the adjacent permanently protected property.

Pursuant to U.S. Treasury Regulation § 1.170A-14 for Qualified Conservation Contributions, the Property provides open space for the scenic enjoyment of the general public and will yield a significant public benefit through:

- A scenic landscape and natural character which would be impaired by modification of the Property.
- Biological integrity of other land in the vicinity has been modified by intense urbanization, and the trend is expected to continue.

- There is a reasonable possibility that the Conservancy may acquire other valuable property rights on nearby or adjacent properties to expand the Conservation Values preserved by this Conservation Easement.
- The Property contains soil complexes classified as "prime farmland" and "farmland of local importance" by the U.S. Department of Agriculture and the Natural Resources Conservation Service.
- The Property is desirable for substantial residential development because of its size, location, and orientation and in the absence of this Conservation Easement the Property could be developed in a manner that would destroy the Conservation Values.

The Property is preserved pursuant to a clearly delineated federal, state, or local conservation policy and yields a significant public benefit. The following legislation, regulations, and policy statements establish relevant public policy:

- The State of Michigan has recognized the importance of protecting our natural resources as delineated in the 1963 Michigan Constitution, Article IV, Section 52, "The conservation and development of the natural resources of the state are hereby declared to be of paramount public concern in the interest of the health, safety, and general welfare of the people. The legislature shall provide for the protection of the air, water, and other natural resources of the state from pollution, impairment, and destruction."
- Conservation and Historic Preservation Easement, Sub part 11 of Part 21 of the Michigan Natural Resources and Environmental Protection Act - MCL §§ 324.2140 et seq.;
- Biological Diversity Conservation, Part 355 of the Michigan Natural Resources and Environmental Protection Act - MCL §§ 324.35501 et seq; (Legislative Findings § 324.35502);
- Farmland and Open Space Preservation, Part 361 of the Michigan Natural Resources and Environmental Protection Act - MCL §§ 324.36101 et seq.;
- Soil Conservation, Erosion, and Sedimentation Control, Parts 91 & 93 of the Michigan Natural Resources and Environmental Protection Act - MCL §§ 324.9101 et seq; 324.9301 et seq; (Legislative Policy § 324.9302);

D) CONDITION OF THE PROPERTY AND ENVIRONMENTAL CONCERNS:

The Omena Woods Association Addition Property is in good shape, ecologically speaking. The majority of the property is in a natural or forested condition. The forest has a diverse range of tree species and size classes and a general absence of exotic species, except along the margin with adjacent agricultural property. The Omena Woods Association Addition Conservation Easement supports a healthy and diverse upland forest. The primary environmental concerns for this property are impacts from residential development from nearby properties, tree diseases and invasive species. Beech fungus was evident on many of the beech trees while gathering data for the Baseline Documentation Report.

E) MANAGEMENT (Agriculture, Forestry, Ecological):

The Omena Woods Association Addition Conservation Easement can be managed for forestry with an approved forest management plan. Firewood can be gathered from dead or downed wood, but any live trees cut for firewood need to be outlined in a forest management plan. The

owners can also manage the property for ecological restoration, add and maintain trails and use motorized vehicles on established roads and trails. No permanent structures aside from trail related structures are allowed on this property.

F) HUMAN-MADE FEATURES:

There are no human-made features on the property.

G) DIRECTIONS TO THE OMENA WOODS ASSOCIATION ADDITION CONSERVATION EASEMENT PROPERTY:

The Omena Woods Association Addition Property is located off Omena Heights Road and Omena Point Road just north of Omena. From the Conservancy office, head North on M22 to Omena. Stay north on M22 to Omena Point Road on the right. The conservation easement begins near the corner of Omena Point Road and Ingalls Bay Road to the south and west. You can also access the property from the south along Omena Heights Road.