

**Minnesota Forest Resources Council**  
**Minutes**  
**MN DOT Training and Conference Center – Shoreview**  
**19 May 2010**

**Members:** Al Sullivan, Wayne Brandt, Alan Ek, Dave Epperly, Dale Erickson, Shaun Hamilton, Rob Harper, Joel Koemptgen, Bob Lintelmann, Dave Parent, Shawn Perich, Kathleen Preece, Shawn Perich, Mary Richards, Bob Krepps (alternate for Bruce Cox), Jan Green (alternate for Gene Merriam)

**Members absent:** Bruce Cox, Mike Trutwin, Gene Merriam

**Guests:** Steve Betzler (MN Power), Dave Chura (MLEP), Sarah Crow (UMN), Rick Dahlman (DNR), Ray Higgins (MFI, MTPA), Jim Lemmerman (BWSR), Wade Mapes (DNR), Jon Nelson (DNR), Dick Rossman (DNR), Bob Sonnenberg (MFRP)

**Staff:** Dave Zumeta, Lindberg Ekola, Calder Hibbard, Leslie McInenly, Rob Slesak, Clarence Turner

**Chair's Remarks**

Al Sullivan opened the meeting with introductions. He noted that the Council made it through the budget uncertainty of the current fiscal year and recognized this was due to the strong support of many people. He thanked the Council members and staff for the work they have done on behalf of the MFRC. Dave Epperly commented that, as we move into biennial budget planning, members need to continue to tell the story of the Council's work. He indicated that, for \$750,000 dollars, the State is getting a bargain.

**Public Input/Communication to the MFRC**

None.

**\* Approval of the 10 March 2010 Meeting Minutes**

Kathleen Preece moved to approve the 10 March 2010 minutes. Dave Parent seconded the motion. *The minutes were approved.*

**\* Approval of the 19 May 2010 Meeting Agenda**

Bob Lintelmann moved, and Dave Parent seconded, approval of the 19 May 2010 meeting agenda. *The agenda was approved.*

**Executive Director Remarks**

Dave Zumeta yielded his time to Rob Harper. Rob distributed two letters, one on behalf of the MFRC from Dave Zumeta to USFS Regional Forester Kent Connaughton and the other from the Regional Forester to the USFS Chief Tom Tidwell. The letters were in support of a collaborative project proposed jointly by the Chippewa and Superior National Forests (*Building Resilience in the Mixed Forest Provenance of Northern Minnesota*). If approved, this project would be funded under the Collaborative Forest Landscape Restoration Project (CFLR) program, established by the Forest Service to fund large forest restoration projects. Development of the proposal was supported by The Nature Conservancy, MFRC, DNR and others. Numerous letters of support were provided by folks active in the MFRC landscape program. Rob reviewed the proposal details as well as the review process. Seven projects were submitted by National Forests in the Eastern Region; of those, the Minnesota proposal was one of two

recommended to the Chief for funding. Project selections will likely be made in July. Rob noted that he and Jim Sanders (Superior National Forest) are sharing the story of the MFRC and the Minnesota approach with staff in the Washington office.

## **Committee Reports**

### *Personnel and Finance*

Al Sullivan reviewed the P&F report, noting that the committee met March 30<sup>th</sup> in St. Paul. The committee reviewed the FY10 budget and was briefed on a February staff discussion regarding funding strategies. Staff has recognized that the Council budget will be challenged with respect to appropriated funds and is recommending opportunities to pursue other funding. However, to ensure the Council adheres to their statutory charge, the staff is recommending that core funding from the General Fund be maintained for staff and Council operations. Al stated that the P&F committee agrees, but wants to make sure the funding model does not get too heavily into an entrepreneurial effort. Dave Zumeta requested that Council members review the 2 ½ pages, appended to the Committee Reports document, that summarize staff perspectives on strategic funding.

### *Site-level*

Dave Parent reported that scoping comments on guideline revisions have been received, many focused on riparian guidelines. The committee will meet in mid-June to review comments and develop scoping suggestions to present to the full Council in July. He also reviewed discussions regarding effective communication on the necessity of monitoring guideline implementation as well as ensuring that online guideline training development is coordinated with the revision process. Shaun Hamilton inquired about the proposed timeline for guideline revisions. Rob Slesak responded that the timeline will be updated once the scoping process is complete. Wayne asked whether there were any surprises from the scoping comments. Rob responded that there were good comments, primarily addressing familiar issues (e.g., riparian, invasive and OHV issues). He noted that folks perhaps missed the opportunity to take a holistic approach to evaluate the guidelines.

### *Landscape Planning/Coordination*

Shaun reported that the Landscape Committee met on May 12<sup>th</sup> (minutes were circulated). The main items addressed included the L-SOHC forest vision, the Boreal Forest Project, the USFS Statewide Forest Resource Assessment, and the USFS Landscape-scale Stewardship project. He reported that things are moving along well with the regional committees and noted that the East and West Central committees recently met jointly to share ideas, also resulting in budget savings.

### *Forest Resources Information Management*

Rob Harper reported that the Information Management Committee (IMC) received an update from Dr. Tony D'Amato (Department of Forest Resources, UMN) on the statewide silvicultural practices survey. They also received updates on the MFRC budget, an informational legislative hearing on the million-acre study, and the forest retention study. The committee also shared updates on emerald ash borer (EAB) planning and related activities. The IMC is still working to clarify the committee role with respect to the Interagency Information Cooperative (IIC) and the Research Advisory Committee (RAC). By letter, the

IMC formally requested that the IIC be convened and an annual report be developed for submission to the IMC. Council discussion regarding EAB control, ash management and ash markets ensued.

### **Written Communications**

None.

#### **\* Committee of the Whole: Approval of MFRC forest retention study policy options**

Al introduced discussion on the forest retention study policy options, noting that the Council has had numerous discussions on the topic and suggested policy options. Legislators, frustrated with expensive proposals to address forest parcelization, asked the Council to develop a menu of policy options. Al stated that approval of the three resolutions today supports forwarding a comprehensive list of proposed options: it does not require that every Council member like every option.

#### *Conservation Easements*

Calder Hibbard reviewed the resolution and policy options associated with the use of conservation easements. Jan Green commented that some options were more explicit regarding responsible parties and asked who should be responsible for coordination. Calder responded that the research team proposed reliance on current structures, such as Minnesota Forests for the Future (MFF).

Dave Parent noted potential disparities among landowners receiving financial returns associated with different policy options, adding that different options address different landowner motivations and ownership types. Shawn Perich asked for clarification on “capitalizing land management costs into future land management acquisitions”. The reference was to conservation easements. Staff will revise the language accordingly. Wayne added that this issue will also be important relative to land acquisitions.

Shaun Hamilton requested better cross referencing of recommendations (e.g., the suggestion regarding tax treatment of conservation easements should also be noted with the set of options associated with taxation). John Rajala requested that the consistency of Sustainable Forestry Incentive Act (SFIA) applicability be included with the option pertaining to consistent tax treatment of conservation easements.

Wayne Brandt made a motion to approve the resolution with direction to the staff to cross reference applicable options and address the points made by Council members. John Rajala seconded the motion. *The resolution was unanimously approved.*

#### *Local Planning*

Calder reviewed the resolution and policy options associated with local planning. Jan asked why her previous suggestion that township planning be included in the option pertaining to comprehensive planning was rejected. Townships have the ability to do comprehensive planning but they are under a different statute. For example, she noted, by ignoring townships, all of Pine County is ignored. Calder asked whether the addition of a reference to the township planning statute would rectify the problem. Jan responded that inclusion of a reference to M.S. 462.355 would address the oversight.

Shawn stated that the Council has historically emphasized voluntary approaches and inquired why, in these options, we would suggest a forest resource element be required in comprehensive planning. Calder responded that the staff directed the contractors to be more flexible and avoid regulatory approaches that would seem heavy handed. For example, this language does not require comprehensive planning; the forest resources element would only be required for those counties that choose a comprehensive planning approach. Shawn asked whether we are leaving enough room for folks to make decisions about their own land. Wayne responded that if a county has a comprehensive plan and was required to include a forested component, they could decide what to plan for that forest.

Dave Parent brought up a concern about encouraging zoning for specific uses. Jan responded that zoning districts for explicit uses are quite common. Shaun suggested that better articulation of the benefits of tools should be made through information provided to the counties. Jan responded that the whole point of describing a zoning district is informational...what counts is how the zoning is regulated. On the informational aspect, Shaun added that while parcelization should be documented, forest management should also be encouraged.

Jan noted concern with the suggestion that would require land use decisions to be consistent with adopted comprehensive plans, asking what mechanism could be used. Calder responded that there may be a way to add detail on that and noted that he would communicate with the contractors.

Wayne Brandt moved support for the resolution as presented with the addition of statute MS 462.355. Dave Parent seconded the motion.

Discussion ensued regarding the expertise of the contractors; the approach used in determining the effectiveness and palatability of options along the voluntary-to-regulatory scale; and the study audience. John Rajala requested that the Council consider, at a future meeting, a complementary resolution that affirms private property rights.

The motion was called. *The resolution was approved (13 in favor, 1 opposed).*

#### *Taxation*

Calder reviewed the resolution and policy options associated with taxation. Shaun asked whether consideration was given to replacing the SFIA program or creating a new program. Calder responded that he looked at every property tax program in the 50 states and, while there are some ways to tweak and improve the SFIA program, it didn't make sense to scrap what we have. Shawn Perich added that the summary material indicates that SFIA works really well for industrial landowners. However, he noted, for many reasons it is not working well overall. Calder responded that the detailed report contains a greater assessment of where the program is and is not working. Dave Zumeta suggested Calder bring more of that information into the summary. Wayne noted that the program isn't currently working well on industrial forests because the Governor unallotted payments to large owners this year. Alan Ek commented that this issue a serious concern with the current SFIA; however, other aspects also cry out for refinement. He suggested the language be revised to "Enhance the current SFIA..."

Wayne Brandt made a motion to approve the resolution, with the incorporation of Alan's revised language. Dave Parent seconded the motion. Shaun again stressed the importance to integrating the policy options and using cross-references to enhance the connections.

The motion was called. *The resolution was approved (13 in favor, 1 opposed).*

**\* Approval of 25-year vision for the Northern Forest section**

Al introduced discussion on the final suggested sectional vision for the Lessard-Sams Outdoor Heritage Council. If approved, he and Bob Sonnenberg (2009 MFRP Chair) will present the statewide and sectional visions to the L-SOHC on June 16<sup>th</sup>. Al reminded Council members that the approach of the joint committee was to present a vision for forests through the lens of the L-SOHC mission.

Dave Zumeta and Leslie McInenly reviewed development of the suggested vision, which included review by regional landscape committees and MFRC-member colleagues. The documents also underwent technical review by DNR staff. Dave added that the L-SOHC has created an advisory committee to assist with the development of their 25-year framework. Members on the committee (including Dave Zumeta and Alan Ek) are all from public agencies or the University of Minnesota. The advisory group has also identified a working group to provide the analytical support. Dave reviewed membership of the working group and noted that Leslie will represent the MFRC. Dave stated he appreciated all the work of the MFRC/MFRP vision committee and collaboration of the Partnership.

Jan asked how the L-SOHC is using the Statewide Conservation and Preservation Plan (SCPP) and how the framework will relate to the SCPP. Alan responded that the L-SOHC compiled information from numerous plans for their planning work in 2009. The current charge is to develop an action plan of sorts, using the statewide plan as a more general piece.

Recognizing that the L-SOHC is the primary audience, Shaun asked about the possibility of providing these visions as a resource for conservation partners that are submitting project proposals. Dave Zumeta responded that he hopes that the L-SOHC would put this, or some future iteration, on their website. It is up to them to decide how they use the information. Al added that the MFRC and MFRP approach will be to provide our advice in response to their invitation; we are trying to be helpful and are not trying take over their work. He and Bob plan to present it to them and encourage them to do something with it. Bob Sonnenberg concurred and stated he would like to add emphasis to that point.

John asked for clarification on the statement regarding ecosystem services. Dave Zumeta responded that it is a general statement, an example of which might be decomposer organisms in forest soil breaking down organic debris. Jan added that, defined in that way, the meaning hardly differs from the way in which forest resources are defined by statute.

Joel Koemptgen moved to approve the suggested vision for the L-SOHC Northern Forest section. Alan Ek seconded the motion. *The motion was unanimously approved.*

Jan complimented MFRC staff on this work and commented that the definitions of "protect", "restore" and "enhance" may be problematic since the Senate rejected use of definitions during the session. Dave

responded that approval of this resolution does not preclude technical revisions; the intention is to reference the exact language agreed upon by the legislature.

### **2009 Site-level Guideline Monitoring Results**

Dave Parent introduced Rick Dahlman and Dick Rossman, DNR Forestry BMP Coordinators, for a presentation of the 2009 site-level guideline monitoring results. Rick also introduced Wade Mapes, a DNR Forester who has assisted with data processing.

Dick Rossman reviewed a history of guideline implementation monitoring as well as the assessment process. He reviewed the current monitoring process from site selection to data analysis. The monitoring program uses 3<sup>rd</sup> party contractors to assess implementation on all forest ownerships. The 2009 assessment was within 1% of the DNR's goal for survey responses on all ownerships. Dick reported that many of the guidelines are implemented well (e.g., filter strip, coarse woody debris retention, snag retention, landing condition, avoidance of steep slopes, visual quality guidelines such as apparent harvest size, and access control) and there has been a continual increase in implementation of these guidelines. He provided specific detail on a number of guidelines (e.g., over 90% implementation of filter strips, 99% of filter strips have evidence of no erosion, and almost 90% of sites meet coarse woody debris criteria).

Rick then reviewed guidelines for which improvements in implementation are needed (e.g., riparian management zones along streams and lakes, amount of infrastructure, wetlands crossings [rutting], water diversion and erosion control practices, leave tree retention, land locations, visual quality). Riparian Management Zone (RMZ) retention implementation has not improved and is still only at about 50% implementation. Rick noted that implementation needs to be improved, but perhaps also guideline revision is needed. There has also been a gradual increase in the amount of infrastructure (e.g., roads). Wetland crossings and rutting are also of concern. While 94% of locations didn't have rutting and approximately half of sites had no rutting, where rutting occurred in crossings (29%), 42% were rutted more than 25% and nearly 27% were more than 300 feet across. Erosion control was only used on a minority of approaches where it was needed. A large percentage of landings are being located in filter strips or wetlands, even though over 50% had an upland location available.

Dick reviewed conclusions and recommendations from the report. Overall, guideline implementation is fairly good. Guidelines that need improvement are ones we have had problems with in the past. Dick summarized recommendations to improve guideline implementation, such as: setting implementation goals, revising to clarify and simplify the forest management guidelines, demonstrating enhanced commitment to implementing the guidelines, ramping up guideline training, and improving access to information. Dick also reported that the DNR is developing landowner reports to provide feedback on monitoring results.

Dave Parent asked Dave Epperly to comment on the monitoring report. Dave stated that, while not making any excuses, there were some very real things that happened, mostly software-related, that complicated the report development. Because of the importance, the Division put additional time and money into getting this done. He commended those who worked on the assessment and noted that

they are looking forward to future assessments. Dave Parent responded that providing information for training and management is most important.

Jan noted the statistics indicate guideline implementation went down in the middle period and back up again and asked how much of that was due to variation in sites versus implementation. Rick responded that climate and market changes across years, as well as site variation, influence the results.

Joel asked about the ownerships that declined monitoring and whether it could be assumed that those that do not want monitoring may not have as high implementation rates. Rick responded that a certain response rate is always anticipated in surveys and that the monitoring assessment usually gets a positive response from about 1/3 of landowners. He did not agree with the assumption that sites where the monitoring request is not approved may have lower guideline implementation, noting that many monitored sites are in a condition that if he were the landowner he would not want monitoring. These may be folks with the best intentions but who are not knowledgeable of practices. Dale Erickson agreed with Rick, adding that negative responses are likely more indicative of people not wanting to be bothered. Rick stated that much of the credit needs to go to the loggers; in the vast majority of cases, the logger does not behave differently dependent on the landowner. Shawn asked why bad actors are allowed to continue their actions. Dave Epperly responded that the State deliberately focuses on encouraging responsible contractors and noted that there are fewer irresponsible contractors than in the past. Rick added that the Minnesota Logger Education Program and master logger certification have helped. Dave also noted that the increased call for certified wood products has also helped.

Jan asked about incorporating biomass guidelines into the monitoring program. Rick responded that 8 of 88 forested sites monitored this year had a biomass harvest. Dave Zumeta added that monitoring of biomass guideline implementation has not had a lot of discussion. Rob Slesak stated that implementation of the biomass guidelines is tough to monitor (e.g., how does one measure whether 1/3 of existing fine woody debris is left on site?). There may be ways to monitor but we are also going to modify the existing guidelines. Rick also added that less fine woody debris (FWD) may be left on a regular harvest site than on a biomass site...which is problematic. Dick stated that the FWD gets a lot of attention but there are a whole suite of biomass guidelines that can and will be monitored. Dave stated that Jan's question is important; we were at the forefront of guideline development and now we need to figure out the science. Jan added that the snag guidelines are also problematic.

#### **DNR statewide forest resource assessment**

Dave Epperly introduced Helen Cozzetto and Jon Nelson, DNR, for a presentation of the USFS Statewide Forest Resource Assessment (SFRA). The Assessment is due June 18<sup>th</sup>.

Jon stated that the DNR receives several million dollars each year for State and Private Forestry (S&PF) programs. Similar to the Wildlife Action Plan that had to be completed to continue to receive federal funding, the Farm Bill is requiring development of the Resource Assessment in order for MN DNR to continue to receive S&PF funding. The intent is to better focus federal and state resources on priority issues and areas. Because of very little financial support for this, the DNR relied heavily on existing data, reports and plans.

Helen stated that the purpose of the Assessment is to identify key issues and priority areas in the state and that the purpose of the state strategy is to address the identified issues and priorities. The report will be a living document that can be updated as information comes about. Helen had a good deal of one-on-one contact with organizations and received positive feedback. The DNR is currently identifying state priority areas through geospatial analysis that should dovetail quite well with landscape plans.

Rob Harper asked about multi-state priorities and the potential role for the Great Lakes Forestry Alliance. Jon responded that the DNR wanted the issues to be more than just those common to all states but also issues that would be value-added by having states working collaboratively. He noted that the Great Lakes Forestry Alliance is seen as a vehicle or mechanism to address the multi-state issues. Bob Krepps reported that the Alliance is reviewing Strategies documents from the three states to determine where the Alliance could potentially play a role.

John Rajala thanked Jon and Helen for the huge amount of work and asked Dave Epperly and Rob Harper whether they feel Minnesota will be any better off in managing forests and benefits because of this effort. Dave responded that he hopes that the Assessment will improve coordination by bringing together a number of plans. This provides some decision-making tools for scarce dollars. Rob encouraged folks to remember that there are a lot of items in the Farm Bill. His initial impression was that this effort seemed to be somewhat redundant in Minnesota; however, to the extent that the statewide Assessment can build off landscape plans and align with multi-state priorities, it could be beneficial. Dave Zumeta mentioned that MFRC staff has previously discussed development a forest assessment. He also suggested opportunities for more MFRC involvement in the future.

Dave Epperly briefly reviewed the strategic planning currently underway in the Division of Forestry. Over the past few years the DNR has identified a number of trends that are influencing the work of the DNR. In response, there have been structural changes such as blending divisions (Parks and Trails as well as Ecological Resources and Waters). The Commissioner asked the Division of Forestry to identify and complete three strategies by June, to step back and look at what works and what should be revised to lay a foundation for the next 100 years. Dave described the timeline for development of the strategies as well as stakeholder participation.

#### **Public Communications to the MFRC**

None.

#### **MFRC Member Communications**

Ray Higgins reported that this year is the 100<sup>th</sup> anniversary of Boise mill. There will be a community picnic on Friday, June 25<sup>th</sup>. Kathleen Preece reported that Bob Sonnenberg has recently been named the Northern Regional Tree Farmer of the year. Dave Parent stated that he is pleased to see the cooperation taking place among the partners here today.

Shaun Hamilton moved, and Bob Lintelmann seconded, adjournment. *The meeting was adjourned at 3:15 pm.*