

Minnesota Forest Resources Council
Meeting Minutes
Itasca State Park – Visitors Center
July 27, 2005

Council Members Present: Al Sullivan (Chair), Wayne Brandt, Brad Moore (alternate for Mike Carroll), Jan Green, Shaun Hamilton, Dave Parent, Kathleen Preece, John Stauber, Bob Stine, Dave Sterr (alternate for Bob Lintelman), Paige Winebarger, Bruce Cox, Kathy Manteuffel, Shawn Perich, Jim Sanders, Dick Walsh

Absent: Bob Oswold

Guests: Clair Nelson – Lake County Commissioner, Matt Radzak – St. Louis County, Al Mitton, Josh Davis – Minnesota Sierra Club, John Bathke – Minnesota Forestry Association, Norm Wagoner – Chippewa National Forest, Terry Weber – MN Forest Resources Partnership, Bob Fenwick – Cook County Commissioner, Tom Duffus – The Conservation Fund, Bernadine Joselyn – Blandin Foundation, Mike Kilgore – University of Minnesota

Staff: Dave Zumeta, Mike Phillips, Jenna Fletcher, Clarence Turner

Chair's Remarks

Al Sullivan shared the good news that the Minnesota Legislature approved, and the Governor signed, a budget bill giving the Minnesota Forest Resources Council the same level of funding as last year -- \$730,000.

Public Input/Communications to the Minnesota Forest Resources Council

Josh Davis – Minnesota Sierra Club said that the Superior National Forest plan did not adequately protect roadless areas since over half of the acres in Roadless areas can be managed for timber. Josh pointed out that to date, most Governors have decided not to petition. Since Minnesota just completed the forest management plans, the Sierra Club, Northeast Minnesotans for Wilderness, Minnesota Audubon, Friends of the Boundary Waters Wilderness and Friends of the Izaak Walton League are unified in their position of discouraging the MFRC from recommending to the Governor that Minnesota participate in the petition process. These groups believe that the state of Minnesota would spend up to half a million dollars to petition, with a likely result of no change on the management designations of the roadless areas.

Bob Fenwick, a Cook County Commissioner, said that Cook County is one of three counties that has been most affected by the designation of roadless areas. A large majority of roadless area acres, over 60,000 acres, are located within Cook, Lake and St. Louis counties. Bob encourages the MFRC to at least consider the local impact of petitioning. He also said that the Roadless Area Rule presupposes conversations between local units of government, the Forest Service and local tribes with the Governor. To that end, Bob reported that Cook, Lake and St. Louis County board chairs and the Grand Portage Tribal Council intend to send a letter to Governor Pawlenty asking for such a meeting. Bob promised to provide a copy of the letter to the MFRC. Bob ended by saying that the counties see the petitioning as separate from how the areas were originally designated. They do not see this petition process as a means to rectify past history.

Approval of May 18, 2005 Meeting Minutes*

Bob Stine asked for correction in the minutes to the name of the College of Agriculture, Food and Environmental Sciences. Paige Winebarger moved to approve May 18 meeting minutes as amended by Bob. Jim Sanders seconded. The motion to approve the minutes with the correction was unanimous.

Approval of July 27, 2005 Meeting Agenda*

Shaun Hamilton moved to approve the July 27th meeting agenda, and Bob Stine seconded. The motion carried.

Executive Director Report

Dave Zumeta reported that Dave Miller retired on July 26, but due to delays in hiring a replacement caused by the special legislative session, Dave will continue to work as needed under an “emergency appointment.” Interviews of the seven candidates for the Landscape Planning Manager position will be held on August 1st. Dave Zumeta mentioned that Lindberg Ekola’s 18 month temporary position ended June 30th.

Dave announced that an annual summary report is now available detailing the two concerns filed under the Public Concerns Registration Process.

MFRC Committee Reports

Personnel and Finance

Al Sullivan (Chair) reported that the Personnel and Finance Committee met on June 5th. The meeting summary was included in the meeting materials.

Site Level

Dave Parent (Chair) highlighted the status of field guideline implementation monitoring, announced that 4,000 copies of the revised guidelines book are being printed, and that the Riparian Science Technical Committee is compiling the scientific information that will be used to develop graphical representation of harvesting impacts in riparian areas. In addition, work is beginning on the economic review process. A thorough understanding is needed of what key measurable costs and benefits accrue from implementing various sustainable management practices in riparian forests. To hone in on the areas of costs and benefits that MFRC wants to examine, MFRC is contracting with a firm to conduct a literature review of economic costs and benefits of timber harvesting in these areas. This will provide the framework for a team of economists to conduct a credible economic analysis of measurable costs and benefits of managing forested riparian areas.

Landscape Planning/Coordination

Bob Stine (Chair) reported that the coordination groups in the six major forested regions are up and running. Outreach and education are a common theme being discussed by many of the coordination groups.

Forest Resources Information Management

Jan Green (Chair) reported that the Information Management Committee met on June 27th. She highlighted the committee’s discussion of the policy issue related to parcelization and fragmentation, and the role of conservation easements. Second, the committee discussed the status of the transition of the Interagency Information Cooperative to the University of Minnesota – College of Natural Resources. The committee also discussed the role of MFRC in the forest health policy issue. Lastly, the committee reviewed a draft of a FIA Strategic Plan and developed comments to the Forest Service.

Written Communications to the MFRC

Dave Zumeta referred to the letter received from Governor Pawlenty that requests advice on whether he should petition the USDA Secretary of Agriculture regarding inventoried National Forest Roadless Areas.

Committee of the Whole : Request from the Governor for Advice on Superior and Chippewa National Forest Inventoried Roadless Areas

Al Sullivan set the context for the discussion by reiterating that one of MFRC’s statutory mandates is to develop recommendations to the governor and to federal, state, county, and local governments with respect to forest resource policies and practices that result in the sustainable management, use, and protection of the state's forest resources. Governor Pawlenty has asked the MFRC to advise him by December 9th on whether to

petition for state-specific rule-making related to roadless areas in Minnesota. Al said that some Governors have expressed interest in petitioning, and some have not. For example, the Governor of Idaho has stated that he intends to petition. The MFRC will spend time during this meeting and the next two Council meetings to develop advice to the Governor. Jim Sanders made clear that he will recuse himself from the ultimate vote due to his role as the Supervisor of the Superior National Forest.

Jim Sanders then “switched hats” from MFRC member to a member of “staff” in order to provide a detailed overview of the new federal Roadless Area Rule. Jim began by pointing out that the issue of roadless areas has existed since the 1970’s with the advent of the RARE-I and RARE-II programs. This most recent Roadless Area Rule (May 5, 2005) replaces the Clinton-era 2001 Roadless Area Rule. Jim walked through the provisions of the new rule as published in the Federal Register. The Roadless Area Rule allows states to choose to petition for state-specific rulemaking for adjusting the management allocations of Roadless Areas. This is a process that allows Governors to have the opportunity to initiate changes to forest management plans, which is not the normal route. If the USDA Secretary of Agriculture accepts the petition, the state acts as a cooperating agency with the Forest Service - who serves as the lead agency - to develop a state-specific rule.

Jim distributed the recently completed Superior and Chippewa National Forest plans that describe Minnesota’s current inventoried roadless areas (IRAs). Specifically, he pointed out that Minnesota’s 32 roadless areas have been assigned various management allocations. There are 30 IRAs in SNF and 2 in the Chippewa National Forest.

MFRC members then asked questions. Wayne Brandt asked: if the petition for state-rulemaking is accepted, would the resulting state-specific rule revise just on-the-ground forest management, or would it amend the recently completed management plans too? Jim responded that both would be revised. Jan Green asked if Minnesota does not petition by the March 2006 deadline, does the whole category of roadless areas go away? Jim answered no, since other rules contained in the National Forest Management Act specify how to handle roadless areas.

Shawn Perich pointed out that a possible petition covers all 32 inventoried roadless areas (IRAs) in Minnesota. So, if there are one or two IRAs in dispute, amending forest management plans for the Superior and Chippewa could be an alternative process for dealing with these roadless areas. Brad Moore asked what the timeline and process would be to amend forest management plans. Jim noted that the Superior National Forest typically sees a plan amendment once every few years. Amendments that are deemed “non-significant” do not need to be published in the Federal Register, but all amendments require environmental analysis.

Wayne Brandt asked if motorized logging equipment can be used in areas designated as non-motorized. Jim responded that “non-motorized” in the management allocation name refers to the *recreational* use limits. Wayne Brandt added that IRAs areas may have forest roads due to timber harvesting in the past.

Dave Sterr expressed a concern from one tribal chair about the Roadless Rule’s impact on treaty rights. Dave asked if Jim would be willing to discuss this question with the tribes, but initially responded that this rule does not affect treaty rights. It is important to look at the provisions of the Roadless Area Rule petition, which specifically includes working with tribal members.

Wayne Brandt cited concerns with the 2001 Roadless Area Rule that it limited motorized access to private inholdings. Jim responded that, 1) the 2001 Roadless Rule is now history and, 2) there are few private inholdings in Minnesota - most inholdings are state or county owned. In addition, the current Superior National Forest management plan recognizes and honors the right of access.

Shawn Perich pointed out that since the state has management responsibilities for waters, Forest Service decisions affect anglers’ access to waters. What consultation occurred between the State re: management

objectives for managing the waters vis-à-vis Forest Service's objectives for managing the forest? Jim responded that a user is bound by the access limits defined by Federal land management in order to get to a waterbody. Jim pointed out that in order to stock fish in the BWCAW, the DNR is introducing fish into lakes by air! Fishing is not restricted since fish management is covered by the State, but access to the fishing is bound by the management objectives for the adjacent lands.

Shawn Perich pointed out that DNR stocked two new trout lakes in the Vegetable Lakes chain in the last two years, and was unaware of the change in access when they invested in stocking the lakes. Jim responded that there was ample communication of the draft management plans to the DNR.

Jan Green asked: If the Governor decides to petition, does the petition include what the management allocation for the Roadless areas should be changed *to*? For example, Jan would want the allocations to be *more* restrictive. Jim responded that yes, the petition must contain recommendations for the change in management allocation and the rationale. Jim reiterated – the change in management allocations could be *more or less* restrictive.

Wayne Brandt suggests that the Governor simply asked MFRC whether to petition or not, not to revise the list of IRAs, so MFRC should not suggest addition or removal of IRAs. Wayne feels our options are: *No petition, petition to change all areas, petition to change some of the areas*. So we need to examine the whole question, and the specific areas.

Shawn asked if MFRC will base its recommendation on concerns expressed by tribes and other public stakeholders. Bruce Cox added that counties want to express their concerns too. Brad emphasized the need to keep in mind that members of local governments and others need to be heard.

Shaun Hamilton noted that western Governors are very concerned about the cost associated with petitioning. Dave Zumeta added that state rule-making steps include complying with the National Environmental Policy Act, which entails extensive public involvement, performed by the state as a cooperating agency, and could be expensive. Dave Parent expressed his opinion that it is not MFRC's role to factor in the expense of petitioning and state rule-making in our recommendation - cost is outside the question. Jan Green noted that while cost may be outside the question, MFRC still should consider the opportunity cost of staff time if a petition is recommended.

Al Sullivan summarized the discussion. The MFRC should have a good process to address public input. Also, while the Governor did not specifically ask for the details of petitioning, MFRC could work with the Governor to lay out the implications of our recommendation. For example, a key implication mentioned already is the cost of state-specific rulemaking. At the next MFRC meeting, we will clarify what we will include in the recommendation to the Governor.

Proposed Resolution to Approve MFRC Staff Involvement in Developing Site-Level Forest Residue and Brushland Harvest Guidelines*

Dave Zumeta handed out a summary of the legislative outcomes related to the Laurentian Authority Project. Dave Parent offered the resolution (included in the mailing), and pointed out that development of these brushland and biomass guidelines will be consolidated and conducted in cooperation with the DNR. Dave Parent moved to approve the proposed resolution to approve staff involvement in creating these guidelines. Paige Winebarger seconded. Discussion of the resolution ensued.

Bob Stine asked what the phrase "preparatory work" means in the resolution. Dave Zumeta responded that since MFRC will not get grant money from the Laurentian Authority Project immediately, this resolution allows MFRC staff to begin initial work immediately. Jan Green commented that she would like to see

landscape and watershed scale implications included in these new guidelines. Jim Sanders noted that the Superior National Forest has obtained a grant to examine site-level practices and economic aspects of forest residue collection. Paige Winebarger asked when the \$150,000 grant from Laurentian Authority Project will be given to MFRC. Dave Zumeta responded that the grant money is expected April 1 2006, if approved. The statutory deadline for completion of the forest residue and brushland guidelines is July 1, 2007.

Al Sullivan disclosed his advisory role for IREE, and clarified that he will abstain from voting on this resolution, then asked for a vote on the resolution. The motion passed unanimously, with one abstention.

GEIS Report Card Study Outcomes: Implications for MFRC Programs

Mike Kilgore reported on the results of phases 1 & 2 of the GEIS “report card study.” This study is an assessment of the first ten years of Minnesota’s Timber Harvesting GEIS. The study objectives were to assess GEIS projections of forest resource conditions and to assess progress on implementing the GEIS mitigations. A third phase of this project, not yet complete, will identify future information needs and develop recommendations for future processes and evaluation.

Mike presented key findings from the study. The analysis of GEIS projections of forest resource conditions shows that actual harvests for the years 1990-2001 fell slightly short of the base scenario contained in the GEIS. He noted that timber imports is the primary explanation for the smaller than expected level of harvesting. Next, he described the analysis of forest change as projected in the GEIS, and as actually measured using 2001 FIA data. In summary, the GEIS projection of the number of timberland acres is quite close to the actual acres of timberland. GEIS projections of bird, mammal, reptile and amphibian population predictions were also assessed to be consistent with GEIS projections in many cases. In many other cases the changes were non-significant. Projections were least accurate for species with limited populations or for which there is limited population data.

The second portion of the study, assessment of GEIS mitigations, concludes that: 1) timber harvesting is largely consistent with MFRC’s voluntary site-level forest management guidelines, and 2) MFRC’s Landscape Program has modestly influenced forest management activities, and perception of the programs effectiveness varies.

The report detailing both the forest resource findings and the assessment of GEIS mitigations will be available in the near future.

Al Sullivan asked for members’ responses to the Landscape Program results. Dave Zumeta noted that the results were based on a survey, and that the respondents were largely from the Northeast, North Central and Northern landscape regions. Due to the methodology chosen, many landscape committee members were not surveyed since they do not manage forestland. Survey responses seem to suggest that there is room for improvement in the coordination phase of landscape planning, and that more tangible impacts are desired. Bob Stine pointed out that the landscape program, unlike the site-level program that has *before* and *after* implementation measures, cannot be evaluated in a similar way. Also, some plans were completed in the recent past. Therefore, it is difficult to see the impact of the program on landscape-level forest management work, and premature to assess the program based on coordination of land management activities or evaluation of implementation strategies.

Shaun Hamilton asked about the relationship of this study’s result and the recent Environmental Quality Board’s determination that that the GEIS was not adequate for the EIS analysis of the Thunderhawk project. Brad Moore clarified that these are totally separate results; when the EQB ruled that the GEIS is inadequate, it resulted in allowing the EIS to utilize those portions of the GEIS that are still current and relevant, but also allows the EIS analysis to utilize other sources for the Thunderhawk environmental review process.

Role of the MFRC Relative to Forestland Conservation Easements

Bernadine Joselyn announced that Blandin Foundation recently awarded a \$6.25 million grant to The Nature Conservancy (TNC) to acquire forest conservation easements. The grant will be applied to purchases of conservation easements on up to 75,000 acres of private industrial forestland in and around Itasca County. This fund is one of the largest grants ever made by Blandin Foundation, and the first to an environmental organization. Bernadine described the role of the Minnesota DNR as the lead agency in program administration, in approving projects, securing state funding, developing easement language, and holding and monitoring the conservation easements. The Blandin Foundation will assist in raising additional funds to match the initial monies. The Nature Conservancy will assist with fundraising and administer the funds, which will require a coordinator working in Itasca County to assist in public relations, coordinate the advisory group, and facilitate the mechanics of securing conservation easements. The Conservation Fund will assist through project conceptualization and design, landowner outreach and transaction support. Finally, the Forest Service will hopefully provide funds via the Forest Legacy Program.

An advisory group has been formed to oversee program development and implementation, including the development of criteria for project/site selection; protocol for program implementation; and approval of potential projects. Members include representatives from DNR, Blandin Foundation, Minnesota Forest Industries (Wayne Brandt), Trust for Public Land, Grand Rapids Chamber of Commerce, Minnesota Forest Resources Council (Dave Zumeta), Conservation Fund, and The Nature Conservancy.

Blandin Foundation would like to see additional matching funds. The fundraising goal is \$26 million. This would include approximately \$6 million from other foundations/private parties; \$3 million from the federal Forest legacy Program, \$9 million in state bonding and \$2 million from landowners when they sell at less than market value (i.e. bargain sales).

Brad Moore commented that a \$9 million bonding request has been included in DNR's capital budget request. He expects strong support from the Governor's office.

Public Communications to the MFRC

None. (Note: comments were made at the beginning of the meeting)

MFRC Member Comments

Jim Sanders announced that the new USDA Secretary of Agriculture Mike Johanns will be visiting Minnesota on Wednesday August 3rd.

John Stauber asked about the status of the resolution to create a secondary task force. Al Sullivan responded that due to the difficulties associated with the recently completed Legislative session, we delayed the distribution of the Resolution. Al said that now is good time to send it, so staff will finalize and send the resolution.

Wayne Brandt announced that the Northstar Expo will be held September 16-17 at Itasca County fairgrounds in Grand Rapids.

Bruce Cox asked MFRC members to be aware of the difficulty of regeneration after timber harvest due to deer browsing. Counties have tried to have discussions about deer herd management, with little results. Even with bud capping is ineffective with deer herds at current level. Bruce said that the most affected counties cannot regenerate conifer species (which is the goal of several MFRC landscape plans). Brad Moore commented that this discussion is worth having, but people should realize that the solution is not as simple as issuing more deer hunting permits. The issue also results from, 1) not enough hunters, and 2) private lands increasingly being inaccessible for hunting. Shawn Perich added that the wolf population is down due to mange and that also

affects the deer population. Bruce Cox added that he has seen a map of deer density that shows that Clearwater, Beltrami and Hubbard are in a zone of the highest density of deer population.

Future Agenda items

Dave Zumeta said that public input from local interests, tribes, and others will be a substantial part of MFRC's September 21st meeting. In addition, ample time for Council members to discuss and deliberate will be provided.

There may be an action item related to selection of economists for the RSTC. Dave Zumeta said he will begin scheduling a presentation by Dr. Shuh re: "globalization", what he calls global economic integration, for after the September meeting.

A request to have John Guenther from DNR Fisheries and Wildlife come to an MFRC meeting was discussed. Jan recommends Dave Schad come to a meeting instead, based on the earlier discussion of deer browse on regenerating conifers. Dave Schad can provide more specific information on levels of deer and variation across the state. Brad also suggested Mike DonCarlos, and said that they are relooking at deer population levels and ways to involve the public in setting deer density targets. Wayne Brandt asked how and if the issue of deer browse on regeneration fits within MFRC's five major policy issues. Dave Zumeta responded that this fits within the issue of forest health.

Wayne Brandt moved to adjourn the meeting, Dick Walsh seconded. The motion passed unanimously.