

**Lessard-Sams Outdoor Heritage Council
 25-year funding framework
 Public comments on draft report (November 23 publication)
 Comments received as of 4:30pm, December 10, 2010**

Name	Are you writing on behalf of a particular organization? If so, please specify below.
Dave Zentner	n/a
Paul Swenson	No
Joseph Walton	Refugia, LLC, and as a citizen of Minnesota
Thomas Castonguay	BIA in general, Red Lake Agency in particular
George R. Finn, Jr.	
Elizabeth Wilkens	
Steve Henry	No, however I am a resource specialist for a non-profit working in out state MN.
Dick Duerre	
Bruce Carlson	
Rex Johnson	Supervisor, Habitat and Population Evaluation Team, USFWS
Richard Hemmingsen	Director, University of Minnesota Initiative for Renewable Energy and the Environment
Neal Feeken	The Nature Conservancy
Kristen Blann	Minnesota Chapter of the American Fisheries Society
Steve Wilds	Upper Great Lakes Woodcock and Young Forest Initiative--Wildlife Management Institute
Brian Nerbonne	No
Anonymous	

Name	Question 5: Are any points in the draft unclear to you - require more explanation? Please note page numbers in the report, if applicable.
Joseph Walton	<p>Most everything is quite clear. I had a couple questions regarding the Metropolitan Urbanizing Area. On page 50 of the report, you state: “Where possible, the habitats will connect, making corridors for wildlife and species in greatest need of conservation, and hold wetlands and shallow lakes open to public recreation and hunting.” I was wondering how you will connect the habitats? Wouldn’t this require a great deal of effort coordinating and partnering with local governments? I know that the Metropolitan Council just had all of the cities in the area update their Comprehensive Plans in 2008. Too bad this couldn’t have been done in the light of the information and recommendations contained within this report. I think this will be the biggest challenge in the Metro Area.</p> <p>Another question I have is: specifically, which SGCN are you talking about? I realize that the scope of this report is not big enough to get into that kind of detail, but you may want to consider this a little more than discussed in the report, since each species requires a distinct set of habitat requirements. This may be challenging to achieve.</p> <p>Lastly, how do you propose to hold areas in the metro open to hunting? This may be difficult because of the high human population density in the metro.</p>
Steve Henry	<p>Where do the historic maintenance costs disappear to when converting to the two build out scenarios? Who will fund the increased maintenance costs associated with the planned acquisitions, restorations, and enhancements?</p>
Dick Duerre	<p>I am interested in getting funding for the Minnesota River Valley Trail so that it can be completed. The trail was first proposed by Floyd B. Olson in 1934 and it still has not been built. Much of the land it would be on in the metro area is already in public ownership but there is no hard surface bike trail in place. If there was, the whole metro area, about 4 million people would be benefactors.</p>
Bruce Carlson	<p>I think most Minnesotans have no idea where their LSOHC tax dollars are being spent, who the recipients are, what projects are being funded, the goals of the projects, and if those goals were achieved or not. I would like to see more transparency and accountability in the entire process.</p>

Name	Question 5: Are any points in the draft unclear to you - require more explanation? Please note page numbers in the report, if applicable.
Kristen Blann	<p>The framework repeatedly refers to all designated public waters as “permanently protected”, despite the fact that protected waters are clearly not that. Aquatic habitat is a function of natural dynamic processes that determine water quantity, quality, hydrology, connectivity, and geomorphology, all of which can be significantly altered by off-site activities and land uses. It is widely recognized that significant threats to freshwater are pervasive despite the fact that in most states, surface waters are publicly owned and managed. At least 40% of assessed Minnesota waters are designated impaired, despite being protected . The sources of threats to aquatic habitats are extensive and include invasive species, recreational use impacts, altered hydrology and connectivity, and terrestrial inputs and impacts (i.e. nonpoint source pollution, land use and drainage modifications, atmospheric deposition, groundwater withdrawals, etc). Most recently, the summer 2010 series of articles in the Minneapolis Star Tribune on loving our lakes to death highlighted the threats to lakes that are already designated as protected, largely due to gaps in the regulatory and management framework and the high impact of activities on private land, which represents the majority of lakeshore and nearshore land ownership. The AMA plan recognizes that despite being protected many near-shore inlake habitats have been substantially modified by humans, and recommends developing programs and projects to restore habitat structure within lakes, for example by accelerating the restoration of woody habitat where it has been removed, and restoration of emergent and floating vegetation where it has been eliminated.</p> <p>Granted, the framework acknowledges in a several places that there are threats to aquatic habitat that are not currently adequately addressed by existing protections. One of the more effective ways to protect, enhance, or restore aquatic habitats is through abatement of critical threats, i.e. strategic acquisitions, easements, or restorations of upstream habitats contributing high runoff into target lakes and streams. This is perhaps implicit in the focus on terrestrial habitat acquisition and acreage targets. Nevertheless, the plan is not explicit about identifying which priority acquisition targets achieve multiple benefits and how such upland acquisitions would be identified. With the exception of the opportunities listed in Appendix B, there is very little in the framework to suggest that this will change, and that the framework will guide projects in strategically and effectively addressing these impacts on aquatic habitat. Recent analysis from Michigan supports our contention that terrestrial conservation networks do not automatically protect aquatic resources (Herbert et al. 2010).</p>
Steve Wilds	<p>Page 36, Table 20. Scenario 1 figures seem unlikely given earlier figures that indicated work done by all conservation groups would roughly be equal to what LSOHF could do over 25 years.</p>

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Brian Nerbonne	<p>The analysis that focuses on a per-care accounting of protection or restoration status does not serve aquatic systems well. For systems like rivers where habitat quality is a function of a multitude of factors that occur both within and outside of the bounds of the stream itself, a single classification does not incorporate any of this complexity. Instead, an alternative framework that looks at factors such as the existence of barriers to fish migration, channel alteration, riparian buffers, etc. would better capture the true status of these systems. I recognize that such an analysis may be beyond the scope of this report, but it should be explicitly stated in the report that aquatic habitat is not well represented in the analysis that was used.</p>
Anonymous	<p>Purpose of the framework needs to be clearly stated. It is not clear what the purpose of the framework is. It is clear that the legislature has required it be developed, but not clear how it can be used. The purpose should be clearly stated in the executive summary. Page five suggests that the framework will qualitatively and quantitatively describe what can be accomplished with OHF funds, and to identify constraints and boundaries which may be encountered. Since the framework does not deliver a qualitative assessment perhaps the framework definition should be changed or the document clearly state why this assessment is not being done.</p> <p>“Permanently protected” must be defined, and distinguished from actual protection.</p> <p>The framework needs to address the working definition of “permanently protected” habitat at the outset. It should clarify that this definition may differ substantially from how the average citizen might think about it. The average person likely assumes that “permanently protected” in the context of natural resource conservation means that the land or water, and its ability to support fish, game and wildlife, is in fact protected from degradation. Careful reading of the draft reveals that instead of this phrase may mean nothing more than that a parcel is in public ownership, even where that parcel is or could be managed (or not managed) in such a way as to substantially degrade aquatic and terrestrial wildlife habitat. Whatever definition is being used it must be spelled out, and the implications for using it for quantifying habitat discussed. Failure to do so can cause the public to get the mistaken notion that most of Minnesota’s lakes and streams are protected in the normal sense that they cannot be harmed or degraded.</p> <p>On page 7, the conservation estate section fails to define “permanently protected”. It then brushes over the importance by saying that only the quantity, not quality, of habitat will be looked at. This misses the fact that in order to quantify protected and unprotected habitat there must be some qualitative judgments made. This is especially apparent in the attempt to</p>

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	quantify protected aquatic habitat. The consequence of using a definition not tied to enforceable land use restrictions is to greatly overstate the quality of the resource and understate the need for action. This is especially true in the aquatic habitat area.

Name	Question 6: Any comments on the conservation estate analysis or the scenarios?
Dave Zentner	The analysis refers in several places and appropriately so; to the need for coordination of the complex financial and organizational elements- I believe that the four “pots” that represent the MN Legacy dollars should have an overarching strategic plan that requires continuous interface between the “3/8”; and, one that integrates that planning with state, federal, local and NGO PLANS AND GOALS.
Joseph Walton	I think this was done in a very thoughtful and thorough way. Good job.
George R. Finn, Jr.	<p>Congratulations on your choice of spending in the first two years, especially on your refusal to fund CRP with Heritage Money.</p> <p>I urge you to resist proportionate funding geographically, and to instead have great courage, and fund the most critical projects instead. The most critical needs are protection of 1.) water and watersheds; 2.) wetlands and grassland complexes. The most critical needs are clearly in the Prairie and Southeast sections.</p> <p>This is public money and should be spent on Public Property....buy critical habitat...improve publicly owned habitat....do not temporarily rent private land, through programs like RIM, CRP etc., do not spend taxpayer money improving private land, nor gaining access to private land. At the very least fund only permanent easements as you have done already.</p> <p>Do not waste funds on the Metro Urbanizing area...it may be popular, but is certainly not “best use” funding....the metro is Urban, and will only become more developed, and the public lands will be sold, or benefit only the adjacent private landowners.</p> <p>Small local projects like funding outdoor group A’s pet project to improve 40 acres in nowhere township is a waste. Think big...think functioning systems.</p> <p>Invasive species are here....not one has ever been stopped...don’t waste money on impossibilities.</p> <p>Resist the pressure of current constituencies....protect, preserve and enhance for the future generations. Funding for popular programs will be gained through the normal legislative process. Use the funds for exceptional spending, that the legislature will not do.....do not allow the money merely to replace ordinary funding! This will be the greatest challenge.</p> <p>As you have clearly demonstrated...the need is far greater than the funding available. Congratulations on having the courage to identify and then spend the money on the most critical needs. You are in position to achieve results the state legislature dare not. Lead....do not follow. Thank you on behalf of myself, and my fellow Minnesotans.</p>
Elizabeth Wilkens	Conservation estate analysis is weighted heavily toward “protected” aquatic habitat simply because it is public waters. Without adequate, consistent, and enforced state-wide shoreline rules and the help of landowners, these numbers are greatly exaggerated.

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Steve Henry	<p>I show a \$31 million dollar maintenance backlog at year 25 with the build out scenarios, and this does not factor in the conservation professionals stated advice (pg 41 comment 36) that “invasive species are degrading habitats faster than we are restoring them.” If we assume that maintenance in the past has been lacking then the future build out scenarios need to account for an increase in maintenance activities or our public habitats will be further degraded at the end of 25 years of effort than current conditions. Build out scenario #1 includes Zero funding to restore or enhance current holdings and insufficient funds to restore or enhance projected acquisitions. The ratio of restoration to acquisition is shown to fall from a historic 9:1 to projected 2:1. I believe current public sentiment is that the State should do more with the land they have and this framework does not achieve that but instead exacerbates the land management problems currently experienced.</p>
Dick Duerre	<p>I did not see a discussion of trails. Where did I miss it?</p>
Rex Johnson	<p>Comments on the LSOHC 25-Year Funding Framework Rex Johnson, PhD, Executive Advisory Board Member, LSOHC:</p> <ol style="list-style-type: none"> 1) The document represents an outstanding body of work conducted over a short time span. I congratulate the authors on the working group. 2) I believe these recommendations are profound enough that they warrant a renewed and revised allocation plan based on the working group s recommendations. 3) The report should emphasize the uncertainty associated with continued Federal and State conservation expenditures. I would have liked to see an scenario evaluated that cuts these expenditures to the bone, e.g., 15-20 million annually. 4) The future state of the farming economy (over the next 23 years, and land owner attitudes/resistance as more acres are taken out of production should be highlighted. 5) Decisions about restoration should focus on predicted outcomes relative to costs. For example, forest land may be inexpensive to protect, but prairies and prairie wetlands are by far the most imperiled systems in MN, and investments here will result in a much greater proportional increase in the ecological goods and services they provide.
Richard Hemmingsen	<p>I’m not sure how best to reconcile this thought w/ statutory purpose of the fund “to restore/protect/enhance” (habitats), but where does “utilization” fit in....broadly defined utilization? There is mention towards the end of the document (p. 48, statewide priority criteria #9) about providing greater access for the public w/ hunting/fishing/etc. opportunities) which is encouraging, but will the “restored/protected/enhanced” habitats actually be available for (responsible) use by the public? What could be the nature and impact of “multi-purpose utilization”? Will we/ can we devise strategies to restore/protect/enhance as well as “responsibly utilize” these public resources?</p>

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Kristen Blann	<p>Outside of shoreline acquisition, aquatic habitat does not appear to be a priority focus of this fund. A few of our members participated in the input meetings for conservation professionals, and expressed the perception that aquatic professionals were highly underrepresented in the working groups. The details in Appendix C (visions and matrix of outcomes) as they relate to aquatic habitats (particularly lakes) perhaps reflect that lack of aquatic expertise on planning teams. For example, activities and outcomes specified for the Metro area list focus on enhancing and restoring coldwater fisheries systems. In reality, the metro area probably had few coldwater fisheries to begin with, with the exception of small tributaries to the St. Croix, Mississippi, and Minnesota Rivers. We hope the listing of riparian and littoral habitat under priority action 4 indicates that the many warmwater lakes and rivers are at least equivalent, if not higher, priority. It is not clear how the aquatic habitat acreage goals relate to the outcomes, outputs and results table for different regions in Appendix C.</p> <p>Both the Minnesota Statewide Conservation and Preservation Plan (SCPP) and the 2008 Aquatic Management Area Acquisition Plan (AMA Plan) acknowledge the need to go beyond acquisition in addressing aquatic habitat. Major habitat recommendations in the SCPP include keep water on the land, review and analyze drainage policy, improve understanding of groundwater resources, and improve understanding of watersheds response to multiple drivers of change. Likewise, the AMA plan notes that more than just acquisition is needed to successfully sustain the state's aquatic resources, even if all acquisition targets for shoreline established in the plan were achieved. Realizing that this report can't address all of the efforts that are needed to adequately protect critical shoreland habitat and preserve Minnesota's clean water legacy, the AMA plan acknowledged that watershed management in the uplands has significant implications for aquatic habitat. The plan explicitly acknowledged that long-term sustainable protection of aquatic habitats requires not just public acquisition, but effective upland and riparian management, best management practices, public and private easements, zoning and shoreland regulations, and targeted incentives to enhance management on the highest impact private lands. For example, for many impaired lakes, acquisition of the entire watershed and restoration of natural land cover would be insufficient to remediate the lake, at least in the short-term, without active in-lake restoration. Likewise, in riverine systems, recovery of degraded habitats is unlikely in the short-term without actions addressing the historic legacy of drainage, altered hydrology, and resulting changes in channel morphology.</p> <p>The fact that the LSOHC framework provides very little to indicate that such approaches will receive attention or support through amendment funding is, in our view, a major concern.</p>

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Brian Nerbonne	<p>The classification of public waters as "protected" areas is very misleading. Buried in the appendix is a mention that threats still face these systems that state ownership and regulatory authority will not address, but the body of the report suggests that the majority of waterbodies in the state do not need additional protection. This ignores the impacts that watershed-level and riparian zone alteration can have on water quality and aquatic habitat. I believe that this sort of analysis is inappropriate and should be removed altogether from the report. Instead, you should look at the percentage or riparian area protected by public ownership or easement as at least a better indication of protection status for aquatic systems.</p>
Anonymous	<p>Quantification of protected aquatic habitat is seriously flawed. I strongly disagree with the assumption that inclusion of a water body on the PWI actually confers real, permanent protection. The PWI is not the best available statewide data, although it could serve as a base layer. The assumptions used in quantifying "permanently protected" aquatic habitat are simply too great and render the results meaningless. The two bullets on page 69 describe the problem and are better placed in the main body of the document on page 8. Even so, their inclusion in the document cannot overcome the fatal flaw in equating listing on the PWI with actual permanent protection of aquatic habitat. While listing on the PWI may sometimes result in some measure of protection, the protections are often inadequate, and inconsistently enforced. What protections there are, are anything but permanent. Also, the logical consequence of designating all lakes, streams, etc. included on the PWI as being "permanently protected" is that there will be close to zero increase in the amount of aquatic habitat protected no matter how much OHF funding very appropriately goes to achieve real protection on aquatic habitat and resources.</p> <p>The best way to correct this major flaw in the aquatic habitat numbers would be to narrow the data to just that small subset of PWI waters which actually are permanently protected from degradation by virtue of their location on and adjacent to public or private lands which contain sufficient legal restrictions on land use practices. An example would be a lake within the boundaries of a state park or SNA. There is no away around the fact that some level of qualitative assessment is needed to make the quantitative calculation. Alternatively, if the working group is not willing to make the basic qualitative assessments of which waters have meaningful protections (from a ecological standpoint) afforded by land use restrictions on adjacent land, then the two aquatic habitat categories should be merged and not designated either way.</p> <p>Citizens are looking for real protection of and improvement to the conditions of our lakes, forests, prairies, etc. They do not care about definitions, but about whether the ecological processes and functions which produce benefits such as fish, game and wildlife are actually protected from</p>

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	<p>degradation. Mischaracterizing all public waters as protected threatens to downplay the scope of the problem and perhaps even steer funding away from acquisitions and measures which would protect aquatic systems. Explore how land acquisitions for one purpose can be tweaked to protect aquatic habitat.</p> <p>I am not sure how the following concern can be worked into the framework, but I offer it for your consideration. As you well know, all land in Minnesota lies within a watershed, and how land is used within a watershed determines the productivity and sustainability of the aquatic resources in the “receiving” stream or lake. I am concerned that the public may be missing opportunities to capture protections for aquatic resources when acquisitions intended primarily for other benefits are being made. I suspect that the potential impacts/benefits to aquatic habitats are included in the ranking/scoring process for most land acquisitions programs. However, there may be opportunities being missed to obtain greater protections for aquatic resources when some easements are being written. For example, if OHF is funding a conservation easement intended to prevent forest parcelization and fragmentation, the opportunity exists at that time to include a few additional restrictions which would better protect aquatic resources in the forests. In this way aquatic habitats which are not adequately protected with permanent legal constraints could be protected and/or enhanced at low or no additional cost to the public. The outcomes for aquatic habitat protection or enhancement could be added on top of the terrestrial habitat outcomes.</p> <p>Framework should highlight the role of existing regulations</p> <p>While the draft framework appears primarily to quantify existing habitat and the amount of habitat which could be protected, restored and enhanced with OHF funds, it could do more to identify where actions by state agencies (e.g., enforcement of key law or regulation) could substantially magnify the natural resource impacts of OHF expenditures. Similarly, the framework should do more to identify where the lack of enforcement of existing laws and regulations by agencies can negate the impacts of OHF expenditures. A failure to enforce existing protections afforded by state law can potentially cause greater collective loss of functioning habitat than actual conversion. If habitat is so degraded it no longer supports fish, game and wildlife, it is effectively lost. Somehow this loss through something less than outright conversion should be captured and worked into the various scenarios.</p> <p>Perhaps a fourth scenario could be added which shows how much more OHF spending could accomplish if several of the most important laws and regulations were uniformly enforced across the state.</p> <p>Other concerns: I am quite concerned that fisheries biologists and aquatic ecologists appear to have been underrepresented on both the advisory group and working group. I suspect that this may have played some role in the flawed approach to quantifying protected aquatic habitat.</p>

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	<p>I am also concerned that funding for aquatic habitat protection, restoration and enhancement appears to be substantially smaller than projected spending on terrestrial habitat acquisition. Indeed the overall methodology and focus appears to be the acquisition of land targeted toward terrestrial wildlife. This is certainly important work, but the State may be missing important opportunities to protect and improve aquatic resources if the framework fails to acknowledge the limitations of the quantitative model being proposed.</p>

Name	Question 7: Any comments on the report conclusions?
Joseph Walton	<p>I whole-heartedly agree with your Visions and Priority Actions for each ecological section. Great job! However, I am curious to know how you intend to go forward with restoration of remnant oak savannas in the Metro Urbanizing section, as stated on P. 50 of the report, “Remnant oak savanna will be protected and its health restored, as will forests contributing to quality fisheries.” Is there a good database containing all remnant oak savannas in the Metro? Since they are typically grossly overgrown with brush (due to fire suppression for the last 150 years), it may be difficult to identify them from an aerial photo or a satellite image. This may require more ground verification. How do you propose to do this, especially on privately owned lands? Also, since uplands are not protected like wetlands and lakes, it will be more difficult to accomplish this objective.</p> <p>Another comment is regarding allocation of OHW monies. Will there be a budget created for each Ecological Section, that reflects the “Inputs (what we invest)” portion of the recommendations (first column on the table on pp. 59-69 if the report)? Also, how will “outcomes (what success looks like)” be determined, and by whom? Also, since a considerable amount of monitoring and maintenance will need to be done to restored areas, how much will be allocated for that and who will perform that task? Will success criteria be clearly stated before “activities/outputs” occur, so that the standards for success are known going into each project? How will standards be kept somewhat flexible, in accordance with adaptive management?</p>
Thomas Castonguay	<p>Comments on healthy habitat & resources should mention the yet to be determined challenges of climate change & invasive species. The ability to react as the situation changes is a necessity.</p>
Elizabeth Wilkens	<p>Conclusions include lack of skilled help to accomplish goals. Money is projected to be spent on professionals, those who are already committed to “protect, enhance, restore”. To truly do the job, Minnesota citizens need to take on part of that responsibility and that can only be done through hands-on education. In other words, a conservation ethic in young and old needs to be developed so that many hands, pocketbooks, and private lands, are devoted to the task. I see great limitations on what can be done using trained professionals; these limitations can be removed by building capacity to serve as active conservationists in youth, families, and retired folks. Only that way will you have a long-term solution to MN environmental problems.</p>

Name	Question 7: Any comments on the report conclusions?
Steve Henry	The conclusion that the restoration and enhancement funded will be more intensive seems to indicate they will encompass even less acres. Hopefully the increased intensity will result in less maintenance cost; this could be asked of the restoration professionals “Given the highly technical restoration and enhancement work planned will maintenance need to increase or decrease”. I agree with the shifting in priorities over the 25 years and expected the framework to be an outline of this shifting from protection, to restoration, to a long term sustainable maintenance outline that leaves our habitats in a higher quality then current condition for the long term.
Dick Duerre	How do I submit a request for trail money?
Rex Johnson	<p>1) I would like to see the recommendations moved into the body of the report since they are the meat of this document. I hope these recommendations will be evident in the Council s future resource allocation strategy.</p> <p>2) A 15% increase in the conservation estate is a very significant accomplishment that Council and its supporters can be proud of if achieved.</p>
Richard Hemmingsen	<p>The report points out the challenges associated with acquiring more land and the having the (human and financial) resources to maintain/manage the new/enhanced resources. As I read through the framework, I was struck with a “missing link” - perhaps. It would be interesting to set aside an appropriate portion of the funds and “habitat” in some/all of the five identified “sections” of Minnesota’s conservation estate, devoted to integrated research/demonstration on how to achieve the “best” mix of “protection/restoration/ enhancement” for environmental/ecological benefits, AS WELL AS economic benefits for the state and the citizens. How might these “new and restored/enhanced resources” provide additional economic benefit as well. For example, how might some of these habitats concurrently meet the “restoration/ protection/ enhancement” goals and provide economic benefit...economic benefit from increased tourism/outdoor recreational activities, as well, for example the potential for renewable (sustainable) energy development? In the Northern Forest section, for example, could these lands be managed in such as way to achieve the wildlife/environmental/ecological benefits, as well as providing renewable energy (e.g. biopower/biofuels), perhaps other renewable energy attributes which could spur local economic activity, produce energy locally (enhancing our “balance of payments”), while lowering our collective carbon footprint? In the Forest/Prairie and Prairie sections, one could envision a different mix of sustainable energy solutions on the landscape. What about geothermal installed under the restored prairie ecosystems, or wind turbines, or solar installations on the public lands, or researching and developing protocols for managing biomass for both the desired ecological/environmental/habitat/recreational benefits as well as economic benefit and energy independence opportunities? Adding such opportunities to the mix might significantly leverage the investments the L-SOHC funds will be making over time. A relatively modest set aside (both in terms of \$\$ and appropriate</p>

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	research/demonstrations sites) could - potentially - achieve significant added/leveraged value.
Neal Feeken	The 25 year framework does not present prescriptions or mechanisms for prioritizing habitats to be protected and enhanced. We encourage the council to continue working with stakeholders to develop and implement habitat based plans consistent with the framework.
Kristen Blann	Given the obvious constraints, we encourage the Council to be more explicit in the framework about how spending can be targeted so as to achieve multiple benefits. The framework acknowledges that even under the most optimistic scenarios or under scenarios where all funds are spent on a particular habitat type, many of the goals articulated in previous conservation plans are not achievable. For this reason, in a fact sheet we developed in 2009 to advise the Council on aquatic habitat (see attachments), we recommended that projects that have both clean water and aquatic habitat benefits should be able to leverage both habitat funds and clean water funds. At that time, we recommended that the Council clarify the interaction and overlap between the habitat and the Clean Water funding processes. While we recognize that this has indeed been the focus of numerous conversations, it is not clear to us that the Council has succeeded in establishing framework criteria for ranking proposals based on their potential for synergistic benefits or in articulating this in the results/outcomes tables. Most recently, the Water Sustainability Framework process led by the University of Minnesota acknowledges that land and water are intimately connected, and recommends that planning for land and water resources should be more fully integrated at all scales. Appendix C does list multiple enduring conservation benefits as item #2 under Statewide Priority Criteria. Proposals that protect, restore, or enhance aquatic habitats and also contribute to clean water or terrestrial habitat goals should be given a high priority for funding. Recognizing that protecting already functioning and undegraded systems is infinitely more cost effective than restoring degraded resources, the Council should also perhaps give some attention to triage.
Steve Wilds	Page 58. Ecological Section Vision and Priorities, Northern Forest Section Vision. The second paragraph is perfect. Thank you for including recognition of the need for active brushland and young forest management. Page 58. Priority Actions for Northern Forest Sections. Given the support indicated in the Section Vision above on this page, I would like to encourage you to add a 5th priority action: 5. Support active forest and brushland management which enhances habitat for important recreational wildlife species.
Brian Nerbonne	I second the conclusion that restoration/enhancement may need additional emphasis going forward. The Council must recognize that land ownership is an ongoing responsibility that has costs. In the climate of shrinking government budgets, the workforce and funds to do this work may become more scarce while the land-base for management is growing.

Name	Question 8: How well will this report serve the Council and the Legislature?
Dave Zentner	The work done in this draft are of excellent value; and, will serve numerous “interested parties” very well going forward; if, there is an interest in utilizing this very valuable information. Thank you to all who participated in a v. good effort!
Paul Swenson	How much are we spending to arrive at a method for how to spend these dollars? I am concerned that while the taxpayers have approved the additional tax, they perhaps are not aware of the unintended consequence of raising the pressure on the general fund via payments in lieu of tax and net loss of revenue to other governmental agencies both of which expand the taxes payable by residents. Perhaps the fund should pay all costs of the acquisitions including making up for lost revenue to the local entities.
Joseph Walton	I think it will serve the Council very well. This is an informed and thorough report. I learned a lot from it, that’s for sure. I noticed however that the Leadership, Advisory, and Working Groups were heavily represented by government, which is logical, but perhaps under-represented from academia. You may want to consult more professors and researchers at the U. of MN and other academic institutions for their input. You might also consider including someone from The Nature Conservancy, Minnesota Land Trust, Minnesota Waters, etc.
George R. Finn, Jr.	It will serve the Council well.....it will be up to the council to lead the legislature, so lead.
Elizabeth Wilkens	Provide them with a lot of words to argue over
Steve Henry	This report outlines several intriguing possibilities to achieve higher quality habitats in MN in the discussion areas including active, adaptive management. But as written this framework appears to stress continuation of the Councils current work and does not adequately highlight the actual condition of the public resource likely to result from the expenditures outlined. Obviously the LSOHC is not going to solve MN’s conservation problems but please act in a balanced approach that ensures quality habitats do result from these activities.
Dick Duerre	I don’t know how well it will serve but I hope they consider allocating money to complete the Minnesota River Valley Trail.

Name	Question 8: How well will this report serve the Council and the Legislature?
Neal Feeken	We applaud the council s efforts to establish a long term vision for the protection and enhancement of Minnesota s landscapes. The 25 year draft framework provides a foundation for completing a multi-stakeholder Prairie Recovery implementation planning process recently convened by The Nature Conservancy. This implementation plan will build on the council s work by identifying specific action and investment strategies for achieving our mutual prairie protection goals. We look forward to continued engagement with the council and to implementing many of the strategies articulated in your draft report.
Kristen Blann	We commend the Council on the excellent job the framework has done in articulating the very significant workforce and base budget challenges facing wise use of constitutional amendment dedicated funds for habitat protection. We also appreciate that aquatic habitat was explicitly included in all of the framework tables. However, we feel that the framework should undergo some adaptive, substantive revisions, in particular to be more explicit about how to prioritize for multiple benefits (terrestrial & aquatic habitat, aquatic habitat and clean water) and about how to go beyond acquisition to evaluate threat abatement and other strategies that have the potential to be more cost effective in protecting, restoring, and enhancing a much larger slice of the state’s aquatic habitat.
Steve Wilds	This report may serve the Council, but, regrettably, I am afraid its length and complexity will make it virtually useless to most Legislators due to their limited time to spend on this and the many other issues they have to deal with.
Brian Nerbonne	There needs to be a better way for the Council to assess the status of aquatic habitat protection or restoration. The protected/unprotected framework used in the report should not be used to evaluate project merit; in fact, focusing on the few pieces of aquatic habitat that do not appear in the public waters inventory would likely focus on waterbodies that are not high priorities for quality aquatic habitat. Focus on riparian protection, fish passage, and the benefits that a project can have beyond the physical boundaries of the land parcel. Look for opportunities that include both terrestrial and aquatic habitat benefits. Work with Clean Water Legacy administrators to identify projects that can improve both physical aquatic habitat and water quality.

Minnesota Department of Natural Resources

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Office of the Commissioner

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December 10, 2010

Dear Dr. Kilgore:

The Outdoor Heritage Fund (OHF) is an unprecedented opportunity to reach historic conservation achievements in Minnesota. As we all agree, it is imperative to expend the fund in a strategic, thoughtful, and coordinated manner. The Lessard-Sams Outdoor Heritage Council has, and should continue to, provide visionary leadership toward that end. The Department of Natural Resources (DNR) appreciates the opportunity to review the Outdoor Heritage Fund 25-Year Funding Framework. It is a solid document that provides excellent information on the past, present, and potential futures of habitat conservation in Minnesota, while allowing for flexibility of future Councils. I would like to point out a few issues for the Council to consider as you finalize your funding framework and use it to inform Council decision-making.

One of the most important conclusions of the framework is the need to leverage multiple funding sources and to leverage multiple benefits. This includes other Legacy Funds (such as the Clean Water and Parks and Trails funds) and or other funding sources so that we can make our conservation actions as effective as possible. As much as possible, these funding sources should be complementary instead of competing with each other. There are tremendous efficiencies to be gained in leveraging clean water benefits from habitat protection and habitat benefits from waters and watershed restoration and protection. For instance, flood control projects can have major habitat benefits in addition to water resource benefits. Large-scale working forest conservation easements play an important role in protecting healthy watersheds that support healthy aquatic habitat.

The importance of private lands. The historic conservation efforts section focuses on public lands, yet the conservation estate analysis notes the significant extent of habitat on private lands. Furthermore, the report states the importance of working with private landowners. What happens on private lands will be a major determinant of the degree of conservation success over the next 25 years and beyond. First, it is important to recognize the importance of restoration/enhancement work occurring on private lands owned by both individuals, industries, and other organizations. Second, we encourage the Council to play a leadership role in supporting strategies for private lands conservation that include some public investment (for instance, acquiring easement interests that limit subdivision and provide public access), yet leave restoration, enhancement, and maintenance work to be conducted by the land owner.

The "conservation estate" could be significantly improved for aquatic habitat. The caveats and assumptions regarding the use of the Public Waters Inventory should be corrected to reflect the following. *The beds of public waters are not necessarily owned by the State of Minnesota. Rather, the activities occurring within public waters are regulated.* Thus, the reported acreages of effectively protected aquatic habitat are likely very inflated. We recommend that p. 69 be revised to reflect this.

As you probably know, there is excellent work being done by DNR and others to improve aquatic habitat data and approaches for characterizing and prioritizing it to guide conservation decisions. We hope that any updates of this framework include the latest data and approaches. DNR staff with expertise in aquatic habitat would welcome the opportunity to meet with the Council to share the latest work to focus aquatic habitat conservation efforts on the highest priorities.

Despite the significant additional contribution of the OHF to conservation capacity in the state, the major trends contributing to the loss and degradation of habitat and ecosystems - landscape change, invasive species, climate change, etc.- are daunting and will challenge the conservation community and the



Page 2
December 10, 2010

Council in achieving its vision. We encourage the Council to help foster innovative, novel conservation initiatives that match the scale of our conservation challenges.

Regards,

A handwritten signature in black ink, appearing to read "Mark Holsten". The signature is fluid and cursive, with the first name "Mark" written in a larger, more prominent script than the last name "Holsten".

Mark Holsten
Commissioner

December 9, 2010

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The Lessard-Sams Outdoor Heritage Council
G95 State Office Building
100 Reverend Dr. Martin Luther King Jr. Boulevard
St. Paul, MN 55155

Dear Colleagues,

Thank you for the opportunity to provide feedback on the 25-year funding framework. It is a vital tool for the Council in guiding wisely the remarkable investment that the citizens of Minnesota have approved. We congratulate you on a carefully developed document and look forward to the Council's deliberations.

As a state leader for natural resource restoration and enhancement, we read this document with a particular eye to the outcomes and issues related to this specific body of work.

We appreciate that the report recognizes that nonprofits are an important partner in achieving all of the goals of the Outdoor Heritage Fund. Capacity (staffing and human capital) is a significant limiting factor in the long-term implementation of this fund, and it is good that the report acknowledges this point. However, we feel that the need as expressed in this document is over simplified and does not adequately reflect the full need, particularly for organizations that are using or proposing to use these funds for hands-on restoration/enhancement or other human-intensive work.



On page 42, the authors note the challenge associated with indirect costs of staff doing indirect cost work, which is not funded by the Outdoor Heritage Fund:

"Furthermore, staff that do indirect-cost work (e.g., administrative, grant management, payroll, legal, human resources, information technology) are necessary but not funded by the OHF, and a relatively stable funding stream is critical to maintain operational capacity in these areas. Decreasing private fund support makes indirect costs particularly challenging for NGOs."

This reference to a distinct and separate body of indirect cost work, although relevant, is but a small relative challenge for our organization. As staff time associated with the implementation of the grant increases, the impact of indirect-cost work and the failure of OHF in covering that work, also increases. For a restoration and enhancement organization, such as ourselves, our indirect is integrated to the body of conservation work that we accomplish on the ground with our existing staff. Restoration and enhancement is a time-intensive activity and the associated indirect costs (which currently need to be met through fundraising) can be staggering.

Indirect items not covered by the Outdoor Heritage Fund include not only office use for ecologists and field crew, but also many direct costs that are shared across projects, such as equipment maintenance. For every project we do, we have to fundraise for these costs not covered, raising the cost of every project and adding a financial burden to the organization. We would like to see OHF allow for indirect cost reimbursement in line with federal grant allowances, which can range between 12 and 18 percent.

We hope that you will consider this clarification. Again, congratulations on the report and thank you for your leadership.

Sincerely,

A handwritten signature in black ink that reads "Deborah Karasov".

Deborah Karasov
Executive Director

*restoring the land,
renewing communities*



Minnesota Center for Environmental Advocacy

26 East Exchange Street • Suite 206 • Saint Paul, MN 55101-1667 • 651.223.5969

December 10, 2010

Lessard Sams Outdoor Heritage Commission
100 Rev. Dr. Martin Luther King Drive
State Office Building Room 85
St. Paul, MN 55155

RE: Comments on the LSOHC 25-year funding framework

Dear LSOHC:

The funding provided by the 2008 legacy amendment provides a tremendous opportunity to protect, restore and enhance a variety of habitats needed to sustain healthy fish, wildlife, and plant communities. The members and staff of the Lessard-Sams Outdoor Heritage Commission (LSOHC) have done a commendable job establishing a system to set priorities, request and review proposals, and recommending funding packages to the legislature.

Developing a working framework and plans to identify and prioritize actions needed to protect, restore and enhance habitats is critical to ensuring long term success of expenditures made with outdoor heritage and other legacy funds. The current 25-year funding framework will help fulfill this critical need; however, the current version needs substantial revisions.

The current version contains key inconsistencies in how different habitat types are categorized, does not consider or evaluate any alternative scenarios except those based solely on maintaining a narrowly focused set of conservation practices to achieve goals, and falls short in addressing aquatic habitat protection, restoration, and enhancement needs. The following detailed comments on individual sections of the document discuss these primary concerns and others.

Please note that this is a review of the November 22, 2010 version of the framework document which I downloaded after the public call for comments on November 24. I just learned today that there has been another version of the framework document posted on the website.

Introduction

The legislative mandate for a framework is described and so is the difference between a framework and a plan but there is no stated purpose for this framework. At the end of this section on page 6 there is the statement “This report builds on the 2009 results by providing more detail on what could be accomplished with the OHF over the next 23 years.” If the purpose of this document is to describe “what could be accomplished in the

next 23 years” then I suggest it be stated clearly in the introduction and it may be good to provide some definition or some idea of what is meant by “build on the 2009 plan”.

Methods

Use of four stakeholder groups to develop this framework with the consultants makes good sense. A review of the membership on these groups reveals that only one person, Steve Hirsch, has a fisheries or aquatic science background among the 32 individuals listed. In comparison, wildlife and terrestrial habitat interests are well represented as well as the forestry industry, local governments, and agriculture. The underrepresentation of fisheries and aquatic habitat experts in the process used to develop this framework is unfortunate and likely contributed to some of the issues outlined in the rest of this review.

Framework Components

This section clearly describes the three parts of the framework and the approach used to complete these parts. In review of the plan and the table of contents it appears that the framework also includes two more parts: an “analysis of goals, opportunities, and constraints” and a section with “conclusions and options for consideration”. If these latter two sections are also considered parts of the framework they should be mentioned in this section of the report and the relationship among all the parts should be explained.

Minnesota’s conservation estate

The efforts to quantify the amount of various habitat types in Minnesota are commendable, but the descriptions of five categories of habitat are incomplete, inconsistent, and do not recognize the critical relationship between aquatic habitats and their surrounding landscape and watershed.

Of most concern is the wording of category 4, “public, permanently protected aquatic habitat.” The terms used to describe this habitat category in comparison to the others leaves an impression that virtually all the water habitat resources in the state are “protected” from the perspective of the LSOHC. If the reader does not also read the description of this habitat category provided in Appendix B one could easily jump to the conclusion that this habitat type is protected. The LSOHC has provided considerable funding to shallow lake protection and enhancement programs. These shallow lakes are already considered protected under this current definition. They are on the PWI. I recommend that some key language used in Appendix B be moved up to the description of this category to make it clear what “protection” means for aquatic resources. Also, the description in appendix B only discusses water quality and physical habitat. This list also needs to include “hydrology” and “connectivity” because these factors also influence whether aquatic habitat is “protected”. Further, for purposes of quantifying habitat, Appendix B makes it clear that stream and river resources are not substantively factored into this framework since they cannot be counted in acres. The 33,603 miles of watercourses are a footnote on the aquatic habitat map.

Unlike the aquatic habitat category, category 1 “publicly owned terrestrial habitat” does not also have the adjective “permanently protected” associated with it. Why? This is

inconsistent with the language used for publicly owned aquatic habitats and should be resolved. Also, should school trust lands be included in this category?

Category 2 is “privately owned permanently protected terrestrial habitat”. As described, protection of terrestrial lands, which in this situation includes most wetlands, only includes lands with some type of conservation easement. This is a very narrow definition considering that there are a number of federal, state, and local laws that directly protect these habitats in private ownership just as PWI protects aquatic habitat. For example, the Public Waters Inventory protects wetlands over 10 acres in size and the MN Wetlands Conservation Act (WCA), U.S. Army Corps of Engineers Section 404 regulatory authority, and swamp buster provisions of the farm bill protect many thousands of acres of wetlands throughout the state. Similarly, the shoreland standards protect riparian terrestrial habitats. If aquatic habitats are considered “protected” because of the enforceable laws described in this framework but these same types of laws do not “protect” wetlands there is a clear contradiction in the way the framework and presumably the council views terrestrial and aquatic habitat protection. This contradiction needs to be explained or reconsidered. To clarify how much of this privately owned permanently protected habitat is protected by existing laws, the working group could get reasonable estimates of these protected wetland and riparian habitats and map them just as has been done for protected aquatic habitats.

Historic conservation efforts

This section provides good background on the approach used to describe historic efforts. The statement: “Although many types of conservation work, such as public education, regulation, enforcement, environmental review, conservation status and priority assessments contribute to protection, restoration and enhancement, the working group focused on efforts similar to those the LSOHC funded in its first two years and those that directly conserve habitat so data for historic funding and recent council expenditures would be as comparable as possible.” makes it clear that the scenario work presented in subsequent sections of the report was constrained to a very narrow definition of protection activities and that this report does not provide any assessment of the effectiveness of any alternative approaches to habitat restoration, protection, and enhancement besides efforts “similar to those the LSOHC funded in its first two years”.

Three Scenarios for the Future

As described, the scenarios presented are “simple projections of recent conservation actions” intended to “help the council and other decision makers understand the potential impact and tradeoffs with different levels of support for habitat protection, restoration, enhancement”. Based on these statements and the description of the scenarios there is an inherent presumption in this framework that that the current way of doing business is the best way to protect, conserve, and enhance habitats and that the only factor to evaluate is the “level of support”. It is also unclear whether removal of numerous dams to enhance hundreds of mile of stream habitat and the direct restoration and enhancement of numerous miles of rivers and streams in the state are included in “recent conservation actions” and if they were part of the projections for the future.

The framework and scenarios presume an acquisition only approach to habitat protection. No attempt is made to explain why this is the only approach evaluated or to compare the long term effectiveness of this approach to an alternative approach that is not focused solely on acquisition. In the interest of looking at net habitat gains over the next 25 years there should be an assessment and comparison of more than one strategy to protect habitats. For example, this framework leads me to believe that no wetland protection strategies except acquisition will ever be evaluated for their effectiveness in protecting wetlands or even considered for funding. The effect and cost effectiveness of a wetland protection strategy that includes some funding for other activities such as increased enforcement of existing laws should also be evaluated as a scenario. Similarly, a comprehensive strategy to protect shoreland habitat that includes some funding of enforcement of shoreland rules should be evaluated as another scenario. The cost effectiveness and long-term protection benefits of these types of strategies should then be compared to the acquisition only strategy proposed in this framework. This framework should be the place to complete this sort of alternative analysis or at least mention this as an option to consider in the future.

The scenarios also inherently limit the measure of accomplishment to “acres” of habitat protected or restored/enhanced. This approach essentially excludes measurement of any benefits to the 33,603 miles of public watercourses and establishes a system where there is no incentive to protect or restore/enhance watercourses for the next 23 years. While acres is convenient measure and may be appropriate now, it is surprising that there is no mention or consideration of taking an “ecosystem services” based approach to habitat protection and enhancement/restoration in this section or in the “options for consideration” section later. This approach will integrate geospatial information and modeled habitat outcomes to allow for more precise and cost effective application of conservation measures that will achieve multiple benefits not just acres of habitat.

The scenarios also list acres of aquatic habitat “protected”. This language is inconsistent with the description and maps presented earlier in the framework that determined 93% of all aquatic habitat in the state measured in acres is already protected (an argument could also be made that 100% of the priority aquatic habitat is already protected because of the types of waters listed on the PWI). This inconsistency between the aquatic habitat described here and the aquatic habitat described earlier needs to be resolved. Since the report estimates that 10% of all protection dollars from 2000-2009 were expended on aquatic habitat protection this distinction between what aquatic habitat protection is here and what it is earlier needs to be explained. Presumably these expenses were for protection of “shoreline miles” reported in other LSOHC documents. Counting shoreline miles as aquatic habitat in some documents and limiting the definition of aquatic habitat to water here creates an inconsistency. The current language could lead one to conclude that 10% of the funds expended to date were used to protect aquatic habitats that were already protected. Under the definitions in this framework, shoreline miles are, in fact, terrestrial habitat since they are not water.

Finally, it should be acknowledged somewhere here that the scenarios look only at one side of the habitat equation. Habitat loss and degradation will also occur over the time

period and the net impact of the protection and enhancement strategies on acres of habitat in the state over 25 was not evaluated. In the future, it would be interesting to develop and analyze a scenario that looks at the expected **net** habitat gains and losses over the next 25 years. For example, in a recent investigation into the net change in wetland area in Minnesota from 1980 to 2007, researchers estimated that 15,707 acres of wetland were drained and just 4,517 acres were restored in the LSOHC Prairie Section for a net loss of 11,278 acres (Assessing Wetland Changes in the Prairie Pothole Region of Minnesota from 1980 to 2007. Fred T. Oslund, Rex R. Johnson, and Dan R. Hertel. 2010.). The scenarios should put their results in context of this reality since this investigation revealed there were net losses in wetland acres in all ecoregions located within the prairie pothole region of the state. This reality is recognized in the next section of the report since it is ranked as the number one constraint but should also be part of the discussion in this section.

Goals, opportunities and constraints

This section of the framework provides a basic overview of goals and opportunities identified by conservation organizations and agencies that have received LSOHC funding and a good identification and review of the constraints identified by these groups. Of particular importance is that the number one constraint is “loss of functioning systems and habitat fragmentation/degradation” and that a “net positive change is difficult to achieve”. Listing this as the highest priority constraint is significant and suggests to me that the current organizations being supplemented by funding by LSOHC are concerned about net habitat gains over the next 25 years. I suggest that the “options for consideration” section later in the report include a discussion of this net habitat issue.

The public has clear expectation that spending 60 to 80 million dollars a year for 25 years on habitat protection, restoration, and enhancement will result in widespread and significant benefits. The impacts of other factors on net habitat gains needs to be assessed further to develop a more comprehensive approach to habitat work that includes other strategies and funding resources to mitigate these factors. The last bullet item in the “options for consideration” section of the report does vaguely suggest that this type of approach is needed but more specifics are needed.

It is also good to see that at least one respondent mentioned the impacts of invasive species on habitat. From an aquatic habitat perspective, invasive species are a serious threat to habitat and the sustainability of healthy aquatic communities. Unfortunately, protection of these habitats from the effects of invasive species is not possible through an acquisition only approach to protection. Similar to the net habitat loss concerns, protection and enhancement of habitats could be negated by impacts of invasive species yet there is no substantive discussion of this issue.

Conclusions and options for consideration

The conclusion statements and tables are difficult to evaluate since they are based on habitat category definitions that are inconsistent as described above. The conclusions listed are mostly a summary of the results of the scenario exercise. At a minimum, the basic results of the assessment of constraints should also be included in the list of bulleted conclusion statements.

The options for consideration listed are interesting and almost all seem to apply only to terrestrial habitat. In addition to the “ecosystem services approach” suggested earlier, I recommend that an additional option be listed here titled “consider watershed approaches and the watershed context of actions that protect, restore, and enhance aquatic habitat”. The successful and sustainable protection, restoration, and enhancement of wetlands and aquatic habitats must consider the watershed context in addition to the ecoregion context. A discussion of watershed approaches could be included in the new and nontraditional programs strategies section and it should be noted that there are numerous examples of watershed-based approaches to effective management of aquatic and wetland habitats in Minnesota.

Part 2: Planning and managing for results

This part of the funding framework is a compilation of previously reported information compiled by and for the LSOHC.

The following statement from the forest/prairie transition section vision provides more evidence that aquatic habitats are being considered differently by the council than other habitat types. “The council sees a future in which ample grasses and other vegetation on shorelands and higher in the watershed keep water on the land. This will yield clean lakes and streams, steady lake and stream levels, and improved aquatic vegetation and provide plentiful habitat for fish, game, and wildlife, especially waterfowl and upland birds.” This presents the idea that restoration and enhancement of lakes, rivers and stream will follow directly from actions to restore wetlands and prairies.

This presumed outcome is far from certain especially since the primary consideration for the location of habitat projects on the landscape seems to be the wildlife benefits (e.g. HAPET-based priorities) or the existence of willing sellers. If substantial benefits to aquatic resources are going to be realized in some regions as an indirect effect of protection/restoration/enhancement of terrestrial habitat types as is stated, then the process for selecting terrestrial habitat projects must be revised over time to include factors that directly influence priority aquatic resources. Fisheries and aquatic habitat professionals understand the relationship between a healthy landscape and healthy waters and there is a growing knowledge base. They would welcome discussion of this topic which will add value to the current approaches to site selection being used by the LSOHC and result in multipurpose projects that provide a range of ecosystem services and could leverage multiple funding sources.

It continues to be disappointing that the priorities outlined in the prairie section vision do not even mention aquatic habitat. In August, 2009, I was one of at least 12 fisheries professionals who attended the Detroit Lakes planning meeting for the LSOHC. This group of fisheries professionals provided goals and a detailed quantitative summary of the number of dams that need to be removed and the number of miles of streams that need to be restored and enhanced in the prairie section. This is a very large region of the state with hundred of miles of rivers and streams in need of restoration and enhancement. Based on this framework, section plans, and existing funding history the residents and

resource professionals in the region should not expect these activities to be funded directly through outdoor heritage funds.

Results Management Framework

This section of the report primarily puts the information presented in the LSOHC section plans in a table format that may be useful for some readers.

Thank you for the opportunity to provide comments on the framework document.

Sincerely,

Henry VanOffelen
Natural Resource Scientist
MN Center for Environmental Advocacy
50785 Bucks Mill Rd
Detroit Lakes, MN 56501
218-849-5270



Ryan P. Heiniger

Director of Conservation Programs – MN/IA

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December 10, 2010

The Lessard-Sams Outdoor Heritage Council
G95 State Office Building
100 Reverend Dr. Martin Luther King Jr. Boulevard
St. Paul, MN 55155

Dear Council:

Ducks Unlimited sincerely appreciates the opportunity to review and comment on the draft Outdoor Heritage Fund (OHF) 25-year funding framework dated 23 November 2010. Indeed, we are also thankful for the opportunity previously provided to us in 2009 to provide science-based recommendations to help shape the Council's statewide and regional vision and priorities. We are confident that with continued fidelity to the constitutional mission of the Outdoor Heritage Fund through 2034, the Minnesota landscape will be dramatically improved for the benefit of waterfowl, other wildlife and future generations.

Many of our suggestions and ideas are captured within the draft funding framework, which we appreciate. We are very pleased to see multiple references to the importance of enhancing, restoring, and protecting Minnesota's shallow lakes and large wetlands for waterfowl, as these wetlands serve as the cornerstones of waterfowl habitat in this state. We are also gratified to see the importance of partnerships and non-profit conservation partners highlighted in the report, as it will take a very broad-range of dedicated conservation partners working together to implement the goals outlined in the framework. We are encouraged the framework explicitly acknowledges the importance of human resources and staff capacity to delivering this challenging work. It will take significant and sustained investments in new staff to successfully implement this framework in the years to come.

Given the huge loss of wetlands and prairies in southern, central, and western Minnesota, and the significant negative impact those losses have had on our remaining wetlands, shallow lakes, and related waterfowl habitats, our concerns and perspectives relate primarily to addressing those issues. This is especially relevant in the prairie and transition zones. With that context, we encourage the final report to clarify how management activities relate or differ from restoration and enhancement projects and programs. Our perspective is that restoration of previously converted habitats and enhancement of existing, but degraded habitats are one-time investments that result in significant, measurable improvements of habitat condition whereas management is the ongoing and frequent action necessary to maintain those improvements over time (such as periodic burning needed to maintain native prairie). It would be beneficial if the final report clarified this issue, especially in the context of projected increased management expenses resulting from new protection accomplishments and the potential for traditional sources of funding to decline as is referenced in the draft report.

Regarding traditional sources and to ensure scenario 2 is additive to scenario 1, we believe the general fund, the Environment & Natural Resources Trust Fund, and bonding are all sources of traditional conservation funds in Minnesota. These sources will be critical to continuing the same level of historic accomplishments that existed prior to the creation of the Outdoor Heritage Fund. We also believe it is important for the report to acknowledge the important role that the Legislative-Citizen Commission on Minnesota Resources has played over the years in providing Trust Fund grants directly for wildlife habitat conservation projects, most recently through grants to both the Habitat Conservation Partnership and to the Metro Conservation Corridors.

Related to Minnesota's conservation estate, we agree there are limitations to some of the data that only capture the quantity, not quality of terrestrial and aquatic habitats. For example, many of the permanently protected aquatic habitats referenced on pages 8 and 69 may be degraded despite being legally protected. In the case of shallow lakes, which are protected by state statute, many are currently in a turbid state due to invasive fish, abnormally high inflows of nutrient laden water and stabilized water regimes. Thus, it is important to explicitly mention the need to enhance these degraded habitats, despite their protected status that implies they are providing quality habitat. We also recommend that "in-basin nutrient loading" be added to the first bullet on page 69 after watershed as another influencing factor of water quality and habitat conditions.

Regarding Appendix B: Options for consideration, we believe it is imperative the framework explicitly include a reference to the goals and objectives of the Minnesota DNR Duck Recovery Plan and the Shallow Lakes Program Plan. These plans form the basis for many of the wetland, shallow lake, and upland habitat goals in the framework, and include many partners that are working together to restore and enhance waterfowl habitats throughout the state.

Further, it may be important to link the habitat conservation objectives of this plan to some wildlife population goals listed in other habitat-based conservation plans. This would elevate the framework in the context of state, national, and continental wildlife species conservation plans and programs. This is especially true for migratory waterfowl, the goals and objectives for which are captured under the North American Waterfowl Management Plan and implemented in regional, landscape based joint ventures.

Finally, we appreciate and thank the Council for the transparency, accountability and science-based process related to the first three years of recommendations from the Outdoor Heritage Fund. Ducks Unlimited strongly believes the Council has done a tremendous job delivering outcomes Minnesota voters desired and envisioned in 2008 with they passed the Legacy amendment.

Sincerely,

A handwritten signature in black ink that reads "Ryan Heiniger". The signature is written in a cursive, flowing style.

Ryan Heiniger
Director of Conservation Programs, Minnesota & Iowa

Cc: Jon Schneider, DU Manager of Conservation Programs



Minnesota Farm Bureau[®] Federation
Farmers • Families • Food

December 10, 2010

Lessard-Sams Outdoor Heritage Council
100 Rev. Dr. Martin Luther King Jr. Blvd.
State Office Building, Room 85
St. Paul, MN 55155

Re: 25-year Funding Framework

On behalf of nearly 30,000 member families, the Minnesota Farm Bureau Federation (MFBF) appreciates the opportunity to comment on the Lessard-Sams Outdoor Heritage Council's (LSOHC) 25-year funding framework.

After reviewing the conclusions on pages 36 – 38, it appears to us the LSOHC faces some significant challenges if it continues down the scenarios laid out in the framework. Specifically the conclusions state; "the LSOHC 2009 planning targets for protection exceed the capacity of the Outdoor Heritage Fund (OHF) and major conservation efforts added together. The ability to meet restoration and planning targets is less clear."

In addition; "The OHF and current efforts could increase the number of publicly owned and privately protected terrestrial habitat by 15% over the next 23 years. Although this may sound encouraging, it also creates a greater maintenance burden for conservation organizations. A recent Office of the Legislative Auditor report and the LSOHC 2009 planning sessions raised concerns about the shortfall in maintaining current wildlife lands and waters. This implies that serious consideration should be given to prioritizing expenditures among activities, and that priorities may justifiably need to shift from protection to restoration/enhancement over the life of the OHF."

The Legislative Auditor's report also stated; "while its long-range plans propose significant future acquisitions of land, the Department of Natural Resources (DNR) appears to lack adequate resources to manage and maintain its current land holdings."

Paying for the ongoing management and maintenance of state owned land and the impact of removing that land from local property taxes is a major concern of Farm Bureau members. Farm Bureau voting delegates adopted the following public policy position at our 2010 annual meeting. "We support requiring the development of a management plan for all state land purchases, which at a minimum, includes a budget, funding source and the fiscal impact on local government tax revenues."

The 3 scenarios laid out in the 25-year funding framework focus on total acres protected, resorted or enhanced with protection meaning fee title acquisition or permanent easements. Is this the best way to measure success of the LSOHC? While this may be a cost-effective way to measure success, does it give Minnesota taxpayers the "best bang for the buck" in restoring, protecting and enhancing wetlands, prairies, forests, and habitat for fish, game and wildlife as required in the constitutional language?

With the challenges laid out in the conclusions of the 25-year framework we believe come opportunities. The LSOHC should look long and hard at part of the conclusion on page 29; "serious consideration should be given to prioritizing expenditures among activities, and that priorities may justifiably need to shift from protection to restoration/enhancement over the life of the OHF."

Minnesota farmers and landowners have a proven history of participating in conservation programs that are a mix of permanent easements and long term contracts. According to a Conservation Land Summary prepared by the Board of Soil and Water Resources, dated August 16, 2010, a total of over 1.8 million acres are enrolled in various conservation programs. Those programs include; Conservation Reserve Program, Continuous Conservation Reserve Program, Conservation Reserve Enhancement Program, Reinvest In Minnesota, Reinvest In Minnesota Wetland Preserve Program and Wetland Preserve Program. Participants in these programs have invested significant resources, their time and money, to participate in these programs.

We respectfully ask the LSOHC to consider the following opportunities when looking to future uses of the OHF.

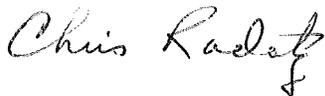
- Focus on targeted approaches to restoring, protecting and enhancing habitat such as DNR's Working Lands Initiative.
- Explore and implement options for leveraging OHF dollars with current and possible new conservation programs, some of which may not be permanent.

We also feel strongly that a management plan for all state land purchases or permanent easements should include, at a minimum, a budget, funding source and the fiscal impact on local government tax revenues.

Please contact me at 651-768-2104 or Cradatz@fbmn.org if you have any questions.

Thank you for consideration of MFBF's comments.

Sincerely,



Chris Radatz, Director, Public Policy

Cc: MFBF President Kevin Paap