

# Midwest Public Lands Working Group Report for the Midwest Directors – 2007

State public lands administrators from Illinois, Indiana, Iowa, Kansas, Kentucky, Nebraska, North Dakota, Ohio, South Dakota and Wisconsin attended this years meeting in Dodgeville, WI, May 6-9, 2007. The three remaining states in the MAFWA (Colorado, Missouri and Michigan) had representatives that primarily attended the concurrent Midwest Private Lands Working Group meeting, but interacted to a limited degree with their public land counterparts. Therefore, participation among member states continues to increase. Each state presented a comprehensive report with general information regarding state land holdings, land acquisition and management budgets, organizational structure, current projects and specific management issues. The agenda was developed by assessing the 2006 minutes, canvassing sates prior to the meeting as well as at the outset of the meeting itself. Issues were presented in the following format:

## **Discussion format**

*Issue*

**Proposed by:**

Ranking: **H M L**

**Summary of states' perspectives:**

**Recommended action:**

Below are the topics (ranked) the states wished to discuss in some detail:

1. *Use conflicts resolution process (note- primary uses (hunting, fishing, trapping))*
  - *Commercial & private development*
  - *Recreational trail development*
  - *Paintballing*
  - *Geocaching*
  - *ATV trails*
  - *Horse trails*
  - *Rock Climbing*
2. *Use of income from agricultural leases to trade for goods and services*
3. *Forest management on land acquired with federal aid*
4. *Wildlife area plans and management with more land and decreased staff*
5. *Alternative funding*
6. *Invasive species management (efforts, funding regulations)*
7. *Nuisance/invasive/exotic species (e.g., mute swans, feral hogs)*
8. *Prescribed burning dates in the spring that are affected by MBTA and programmatic agreements*
9. *Prescribed burning minimum requirements*
10. *Managing Wildlife Areas on an ecosystem scale*
11. *Update on shooting ranges*
12. *Recruitment/retention hunts with the help of NGO's*

### 13. Youth seasons

As a point of reference, I've iterated the topics from the 2006 meeting. As it happens, there was a fair amount of overlap, meaning that some issues are either dynamic or not yet resolved. The business meeting discussed a possible solution (see Recommendation # 6 from the business meeting).

- The continued erosion and diversion of state resources from public land management
- The role of public lands in hunter recruitment and retention
- Private and commercial development, such as cabins and resorts, on wildlife lands
- Prescribed fire guidelines and requirements on state lands
- Shooting range funding, development and operation on wildlife lands
- Recreational trail developments on wildlife lands
- Field trials and dog training activities on wildlife lands
- Other compatible/incompatible use issues on wildlife lands
- Archeological and cultural resource issues on wildlife lands
- The changing diversity of wildlife land user groups
- Invasive species management

The group got to only topics 1 – 3 in our formal discussion. We were fortunate to have Bob Bryant, USFWS, Federal Aid) join us for four hours of facilitated discussion.

**Recommendations from the Business Meeting** 9 May 2007 (IL, IN, KS, MN, NE, SD, NE, WI present):

1. Relative to Attachment N of OMB Circular A-102\* - Directors should address the need for clear parameters to enable states to divest themselves of federal funded lands no longer needed for conservation. Sec 80.14(b) Real property acquired or constructed with Federal Aid funds must continue to serve the purpose for which acquired or constructed.

(1)

(2)

\*(3) When such property is no longer needed or useful for its original purpose, and with prior approval of the regional director, the property shall be used or disposed of as provided by Attachment N of OMB Circular A-102.

A fourth paragraph is needed that allows states to divest themselves of federally funded lands if the state and the FWS agree that such a transaction results in no net loss as reflected in (1). Further, we recommend that the directors ask the Joint Task Force to develop language on this issue.

- 2 A standing agenda item for the Public lands committee is to develop recommendations for the directors to pass onto the Joint Task Force.

3. Need to identify a contact person in CODOW to coordinate the 2008 meeting. Public land and Private Land Committees should meet concurrently to maximize attendance and save travel funds. We recommend separate meetings field trips for the respective committees. Shane Briggs (CO) will be in touch.
  - Volunteers for assisting in setting up the 2008 meeting include Todd Peterson (WI), Jennifer (OH), Bill Bean (IN), Scott Peterson (ND)...
4. Two issues that we didn't get to include burning and recruitment of new users. These should be agenda items for 2008 and perhaps years to follow. Compatible uses will likely be a recurring theme as well and should be a standing agenda item.
5. We encourage states to be in ongoing contact with one another to exchange information, policies, regulations, allowable uses, etc between meetings.
6. We need to truncate state oral reports to focus on issues that affect management of lands generally devoted to fish wildlife habitat and recreation.
7. The host state should solicit agenda items by April 1 of each year and the submitting state should circulate an issue brief to all states by April 1.
8. Todd Peterson (WI) will circulate bylaws along with the meeting minutes. Ask Ollie to post the bylaws on the MWAWA website.
9. In 2008, the committee should devote some time to developing a standard format for annual, both oral and written, state reports.

Adjourned at 9:20.

Here are the notes that Bill Bean took during our discussion.

*1. Use conflicts resolution process (note- primary uses (hunting, fishing, trapping))*

- *Commercial & private development*
- *Recreational trail development*
- *Paintballing*
- *Geocaching*
- *ATV trails*
- *Horse trails*
- *Rock Climbing*

Can't interfere with hunting or nesting seasons. WI handles at state level. Then FA affirms later. Two examples of where states were being pressured to put in bike trails. FA office backed state decisions. Pressure from bicyclists to put trails on WMA's. MN holds the line on WMA's being for Hunt, Fish, Trap, and compatible use. IN agrees. Addition of other uses adds staff time. WI wants to allow bike trails for possible educational purposes. KS has bike trail on land given to state by county – not FA land. Once a mountain biker gains access they tend to want to have access to more area. OH has one WMA with paved bike trail – Spring Valley. On RR right of way. WI – Bike trail is located on WMA purchased with money that was not solely license funds. FA is involved in some part with most all lands bought for WMA's. 2.5 million acres of FA land in Region 3. 4 million acres in all of US including Alaska. ND – North Country National Scenic Trail – trail about half done in ND. Trail runs across a lot of public land. Now they are battling with trying to finish trail on private land, and also want to cross Wolf Creek WMA. WI has 1180 mile trail (Glaciation). Runs through several WMA's. IA formerly allowed unorganized HB riding. Now has changed to allowing organized riding on 9 areas, but eliminated it from all other WMA's. Trails on FA land are probably incompatible. Lands purchased with FA funds must be used for the purpose for which it was purchased. Example in IA. WMA had horse trails on it when it was purchased for hunting access. Now rec. HB riders use it and cause more maint. Problems. Can FA money be used for maint.? MN would like to see changes in FA rules that would allow them to transfer FA interest from one parcel to another. States may surplus FA land with FA Region approval. If state loses control of parcel, they have three years to replace it. IA has problems with Rock Climbers on environ. sensitive areas. Politically motivated. Trying to keep them off other areas. Will RC be looked at differently in different FA regions. Depends on how resources are affected. Each state should have a definite process for making decisions about activities on FA land.

*Use of income from agricultural leases to trade for goods and services*

**combined with**

*Forest management on land acquired with federal aid*

Ag leases: NE accepts goods and services in exchange for tenant farming. Sometimes use received goods on other properties.

Ag leases: NE accepts goods and services in exchange for tenant farming. Sometimes use received goods on other properties.

When goods and services are received, they have value and must be accounted for. If there is a positive net gain then it must be reported. If it is a wash then it doesn't need to be. FA auditors claim that goods and services need to be accounted for and reported. Task force has been working on agreement to allow: if no net gain then doesn't need to be reported.

Timber harvest is no different than tenant farming. Income must be reported to FA as program income.

MN and WI: Foresters and Wildlife Managers work hand in hand to make sure that timber harvest works with wildlife management objectives on the property.

Issue as to whether timber is program income or real property.

In the case of Katrina, states can use income as cost share on projects rather than program income, with region approval.

If you purchase property with FA funds, let it sit for 50 years, and use no FA money to manage the tract. If you then sell timber off the parcel, then it does not need to be reported as program income. If over the period of years you use FA money to manage it, then income must be reported.

**Recommended action: States need to be vigilant in protecting primary purpose of lands purchased with FA funds. States should be able to deal with this using the master planning process. States need to be talking internally and with their respective USFWS Regional offices. Regional offices are willing to help. States should have clear policies on when other activities will be allowed on state areas.**