

NORTHERN COUNTIES LAND USE COORDINATING BOARD
In Joint meeting with
JOINT POWERS CONSOLIDATED CONSERVATION NATURAL RESOURCE BOARD
Meeting Minutes
Wednesday, March 21, 2012
Crowne Plaza – Riverfront; St. Paul, Minnesota

Call to Order: The meeting of the Northern Counties Land Use Coordinating Board was called to order at 7:35 a.m. by Chair Brian McBride with the following in attendance:

NCLUCB Member Counties Present:

Commissioner Sue Hakes, Cook County
Commissioner Brian McBride, Koochiching County
Commissioner Wade Pavleck, Koochiching County
Commissioner Rich Sve, Lake County
Commissioner Todd Beckel, Lake of the Woods County
Commissioner Ken Moorman, Lake of the Woods County
Commissioner Don Jensen, Pennington County
Commissioner Jack Swanson, Roseau County
Commissioner Chris Dahlberg, St. Louis County
Commissioner Steve Raukar, St. Louis County

Joint Powers Member Counties and other County Commissioners

Commissioner Joe Vene, Beltrami County
Commissioner Mike Hanson, Koochiching County
Commissioner Rob Ecklund, Koochiching County
Commissioner Kevin Adee, Koochiching County
Commissioner Tom Hanson, Lake of the Woods County
Commissioner Jerry Dahl, Mahnomen County
Commissioner Gary Kiesow, Marshall County
Commissioner Warren Affeldt, Polk County
Commissioner Russell Walker, Roseau County
Commissioner Roger Falk, Roseau County

Others Present:

Dan Fabion, State Representative District 1A
Tom Landwehr, Commissioner, Department of Natural Resources
Bob Lessard, Assistant to the Commissioner, Department of Natural Resources
Lori Dowling, Northwest Regional Director, Department of Natural Resources
Rodman Smith, Assistant Director for Enforcement, Department of Natural Resources
Dan Larson, MRCC
Douglas Skrief, NCLUCB Staff

INTRODUCTION OF VISITOR

Vance Sternberg introduced himself as a candidate for Association of Minnesota Counties Secretary/Treasurer.

Administrative Actions (following the Pledge of Allegiance):

1. Approval of Agenda (informal)
2. Approval of NCLUCB Minutes: February 2, 2012.
m. Swanson s. Beckel

3-4. NCLUCB Financial Report and Bills:

A quorum was not established at the March 1, 2012, meeting of NCLUCB. The following reflects financial reports and bills presented at that meeting. The income and expenditures sheets as presented reflected a general account balance of \$101,196.31 and a Land Use Conflict Management balance of \$15,005.28. The total accounts balance, after payment of approved expenses of \$1,439.02, was \$115,201.59.

	m. Swanson	s. Beckel
Bills:	Administrative expenses for Douglas Skrief as presented at the March 1 meeting \$729.18	
	Web hosting North Star Interactive balance at \$34.10	
	m. Swanson	s. Beckel

ISSUES OF DISCUSSION

STATE

1. Beaver Control – Commissioner Jack Swanson introduced the topic, noting that northern counties, as local road and bridge authorities, wish to have authority to control nuisance beaver without having to go through the Department of Natural Resources as a middle agency at every step. Northern counties are not against the licensing of trappers. The suggestion from northern counties is to create a template – akin to policies used by Pennington, Lake of the Woods and Beltrami Counties – related to beaver control that would satisfy both local government and DNR needs across northern Minnesota.

Rep. Fabian recalled that about a year ago Kittson, Roseau and Marshall County engineers asked about gaining more leeway in managing nuisance beavers. Rep. Fabian worked with the engineers and Rep. Andrew Falk and had conversations with DNR representatives. A bill was drafted in which county authorities would inform the DNR within ten days of activities to control beaver; it did not require pre-approval. The bill passed in the House; Senator Ingebrigtsen agreed to forward the language in the Senate. Language was changed by conference committee in the final bill. Last autumn, issues in regards to nuisance beaver control arose. The DNR looked back two years into records of requests for nuisance beaver bounties and started to issue citations. Rep. Fabian reviewed the legislation and heard that the DNR had not been comfortable with some of the proposed language and it was changed on the department's behalf. In 2012, Rep. Fabian requested that language he had requested be reinserted. He recommends establishing language while working with the Kittson and Roseau County engineers that will work and he will carry it forward. Efforts to reinsert old language have been made.

Comm. Swanson underscored that the counties do not want unlicensed trappers in the field but they do want to make control efforts easier for local government entities. Rep. Fabian has had conversations with various local commissioners.

Commissioner Landwehr made clear his understanding of a need for local control, as local beaver populations have skyrocketed since the 1960s when there was a 10-animal annual limit. Pelts today have a cash value of \$50, and a need for a system of lawful taking is required that allows a county to lawfully take nuisance beaver with a minimum of coordinating activities while not facilitating poaching and, as well, allowing maximum legal harvest during the season. If boilerplate language works, that may be sufficient.

Rod Smith of the DNR provided handouts and recalled that Northern Counties had discussed with Capt. Dunn and Lori Dowling of the DNR plans used successfully in Beltrami and Lake of the Woods Counties. The plan would work for both road authority and forestry locations. The plan gives the county some control. A second handout provided boilerplate language for a bounty program – without specific bounty amounts. A third handout included provisions for local landowners, local governments and road authorities. Counties divide their area into sections and assign a beaver control person for that section. The DNR can offer a general permit to the county for a certain number of beaver to be taken or the county may ask, after dividing the county into sections, that the DNR issue permits to trappers for those areas. The DNR wishes to know who is out trapping but does not want to make for a cumbersome process.

Comm. Jensen recalled that a control program run through the Department of Agriculture existed ten years ago and might be a model system. This was a cost share program, with participation of the local conservation officer, noted Comm. Landwehr. Comm. Beckel noted that while they work, the high expense of the Beltrami and Lake of the Woods policies is at issue. Lake of the Woods spends \$40,000 cash-out annually on control. Timing of control is an issue, as trappers will want to wait for the season of prime pelts to realize the highest return – while roads continue to degrade and trees drown. Legislation has helped. He recommended a common bounty among counties. Mr. Smith asked if there is a problem in getting a general

permit from a conservation officer. This is not a problem, Comm. Beckel responded. A boilerplate across county lines would help.

Comm. Hanson argued that for counties with hundreds of miles of ditches, a margin of control of 300-feet from a road is inadequate when impact can occur half a mile from a beaver dam. Comm. Landwehr noted that 300 feet is part of the general permit language; specific permits are still available. Comm. Pavleck noted that with 273,000 county-managed acres, it is not effective to wait for specific permits and that trappers are not interested in remote acreage. Each county is different and counties need flexibility. He suggested that a county might act and at year end inform the DNR of its activities. Comm. Landwehr noted that the 300-foot limit is statutory. Also, the beaver is protected in Minnesota, and the DNR carries out its protection mandates. If a law needs changing. How can layers be removed and still satisfy the DNR, asked Comm. Swanson, adding that counties know their trappers. Mr. Smith offered that counties may now get a general permit for a certain number of beaver and can return for another permit when the number is reached or the DNR can offer permits to individual trappers in county districts; he did not see an issue with delay. Permits could be expedited.

Comm. Beckel recommended that a boilerplate policy have language that includes the Drainage Authority as well as the Road Authority. He suggested, too, that funding for a ten-county control plan would be more likely after a boilerplate is adopted by all the northern counties. Comm. Walker added that in fifteen years he has never waited more than a day for a permit from the DNR. Comm. Affeldt recommended that Rep. Fabian look at the policy that was established through the Department of Agriculture ten years ago. Rep. Fabian recommended that Mr. Smith contact Kelly Bangsten of Marshall County to talk about roads and drainage.

Comm. Landwehr noted that he wishes to see DNR permitting processes expedited and that he would like to keep that issue separate from state-paid bounties about which the DNR cannot act.

2. Timber Wolf Management - The conversation has been opened on wolf management for the first time in many years, noted Comm. Landwehr. Interested parties would like to see it fail, and proceeding cautiously the first year is paramount. The wolf *program* must be seen not as solely a hunting *season*. A legal harvest is being proposed and, as well, a landowner may presently control a wolf threatening to do damage. A management plan was created in preparation for delisting. A population count was needed; it is currently estimated at 3,000 and cannot fall below 1,600. Going below that number would bump the wolf back into Federal control. A season was proposed. There is no data on how successful deer hunters will be, leading to caution on a wolf season during deer season. Trappers may be more successful than deer hunters. Trappers will wait till late November, after deer season, to take prime hides worth about \$500. The conservative decision for the first year is to take 400 wolves as a starting point during prime pelt time, issuing a separate license. There is need to determine quotas and just how to notify those with licenses when a quota is reached is still in discussion. The Commissioner was confident there will be a 2012 wolf season.

In response to a question by Joe Vene, Ms. Dowling related that the Red Lake, Leech Lake and White Earth reservations entered in discussions with the DNR and urged more conservative numbers. Comm. McBride added that Voyaguers National Park is radio-collaring two wolves and will have a stake in the discussion. Comm. Swanson asked after parallels with Montana. Comm. Landwehr did not expect much success by Minnesota's 200,000 deer hunters, unless baiting is allowed; the percentages of successful wolf takings cannot be projected for the first year. The Federal government has been taking about 200 problem wolves yearly. While the Commissioner can allow a season, only the Legislature has authority to issue a special wolf license. Statutes would give parameters of a season. An antlerless deer license lottery might be a model, for which there is necessary registration of animals taken.

Comm. Raukar asked about the value of material losses incurred by wolves. The Federal government had a wolf control program in place costing \$500,000 a year to take 200 wolves, or about \$2,500 a wolf. That program has been eliminated. The DNR is proposing a 50/50 cost share to reinstitute that federal trapper program. A State program, through the Department of Agriculture, is in place and reimburses for verified losses, such as a cow, leading to about \$100,000 spent annually. Taking away the control element might result in significantly higher reimbursement costs.

Comm. Beckel suggested that a domestication of wolves is occurring, recounting an increasing proximity of wolves to human settlement. Wolves may retreat as a result of seasons, suggested Comm. Landwehr. Mr. Smith reviewed the State's authority to open "predator control areas" with trappers certified to be a controller. Zones have been opened in Itasca, Aitkin, Crow Wing, Carlton, Lake, Marshall and Cass Counties. There will be 38 trappers "online" in Region 2 and 24 in Region 1.

3. Timber Sales Rules – Comm. Raukar reviewed how the topic of intermediate timber sales was raised at the December joint meeting of the assembled boards, i.e., that legislation might be sought to empower local governments, that is to say, counties, to conduct intermediate sales of timber as does the State of Minnesota. The bill is dead for the season. Fourteen counties manage timberlands and six conduct intermediate sales under implied authority. The St. Louis County Attorney interprets statute as prohibiting such sales by counties. The county's Land Commissioner has mixed opinions, seeing that the county currently has enough "tools in the bag." Constituents in the logging industry from the Commissioner's district have voiced concern that they are not getting equal access to the auctions and cannot compete and are disappearing from the landscape like the family-owned farm. Information was requested from member counties. A draft resolution was written to allow intermediate sales like those of the State. The last change was in 2010, raising, rather than lowering, the minimum number of employees of a logging concern able to bid. Despite pushback from corporate logging concerns, Comm. Raukar argued that the issue be pursued.

Comm. Landwehr agreed that it is important to support small logging operations and he pointed to ways in which the state urges small operators to bid. The Minnesota Forest Industries organization might be supportive. A related issue is the 2.5 million acres of School Trust Fund Land in Minnesota given by the Federal government. The DNR currently manages those acres: 1 million acres of peatland; 1.5 million of commercial timberland. The income of the lands results in \$30 per student per year. There is a bill to create a separate agency to manage those acres, in response to a notion that there is a way to increase income from the land. The new administrator could manage according to any rules they wished, which might include only selling to corporate logging interests, further eliminating family loggers. The DNR is dependent on the logging community to manage its land and encourages maintaining capacity at all levels. Sen. Lessard added that maximizing use as a goal may have complications, such as questions of responsibility for road maintenance and of the ability of leasing of lands by interests that might wish to curtail all access.

Comm. Hanson asked about support by the assembled bodies. Comm. Raukar recommended that ongoing discussion occur as to whether the boards go on record in support of legislation to level the playing field and providing a flexible tool for counties to rely upon.

Comm. Hanson related that in Koochiching County intermediate sales are held for logging concerns with up to 30 employees. Conversations are held every few years with loggers, environmental community members and Minnesota timber producers and they supported sales. Koochiching also helps smaller loggers through Section One sales, added Commissioner Pavleck, who noted that "maximum benefit" may include benefit to local communities.

The topic will be on the NCLUCB agenda for May.

4. Aquatic Invasive Species – Comm. Landwehr related that current focus of discussion is related to Asian Carp, which has been discovered south of Winona. Zebra mussels is even more discussed – they are now in about 40 Minnesota lakes, including Mille Lacs and Minnetonka. They are easily transported and change the nature of lake systems. Eastern states have seen crashes of water ecosystems. Lakeshore associations are asking for the DNR to control transportation of mussels by boats, of which there are 850,000 using 3,000 public access points. About eighteen percent of boats coming off of Mille Lacs are not in compliance. Another problem is bringing docks from lake to lake. A three-prong program is being instituted: education; enforcement; and decontamination. The DNR asked at the last legislative session for a surcharge. Instead, one-time funding from the lottery provided \$8 million. Roadside inspections will be held, however controversial. Mr. Smith added that proposed bill 2945 includes surcharge language.

Comm. McBride noted that proposed inspection measures had not been discussed with Canada; International Falls sees 1,000 boats cross the border daily. DNR inspectors might be posted on the border. Comm. Landwehr appreciated the point that the DNR could be working with Ontario. The Federal government seems nonexistent on the issue, the commissioner said in response to a question by Comm. Sve.

5. School Trust Lands – Comm. Beckel related that PILT remains an issue. A PILT Committee on which he sits has had two meetings, mostly educational about the history of the program and types of lands, including how the two-sections per township quotas were shifted to the northern part of the State. Recommendations will be made at the end of the year.

Comm. Pavleck applauded the communication of the DNR Commissioner with counties. Comm. Landwehr added that the DNR and county governments are "in this together" and represent the citizens of Minnesota. Comm. Walker congratulated Comm. Landwehr on progress on issues such as the Land

Exchange Program. Comm. Beckel recommended that an update would be appropriate on the Land Exchange Program. Comm. Landwehr noted that only one exchange has occurred. Comm. Walker added that the process may well speed up.

NCLUCB

1. Ms. Dowling asked to clear up the next steps for beaver control policy. The next step might be for county engineers to discuss the matter, recommended Comm Beckel, using the boiler plates provided.
2. Comm. Sve asked that an update on NACo be added to the May agenda.

Next meeting May 3, 2012, at the Lori Dowling residence near Grand Rapids.

Submitted by Douglas Skrief