

SUSTAINABLE FORESTRY INVESTMENT ACT (SFIA)

Public access to timber industry lands has historically played a large part in our Minnesota hunting heritage. Previous property tax programs under the Tree Growth Tax law and the Auxiliary Forest law contained a requirement that enrolled lands be kept open to the public for recreational use, creating this public access tradition.

The Sustainable Forestry Investment Act (SFIA) replaced the Tree Growth and Auxiliary Forest programs as the only property tax program available for timber industry lands and contains a similar requirement for public access. The SFIA program is one of only two programs aimed at helping privately owned forest acreages, both large and small, stay undeveloped, and available for forestry activities and wildlife habitat. The SFIA program does not reduce taxes, but instead makes a payment to the landowner of more than \$7.50/acre each year the land is enrolled.

Forest Capital Partners LLC has enrolled 267,123 acres (lands purchased from Boise Cascade) in the SFIA program to keep these lands undeveloped and actively involved in forest management, and subsequently open to public recreation.

Governor Pawlenty's budget balancing unallotment process is proposing to cap SFIA payments at \$100,000 per landowner.

Forest Capital Partners has stated that the annual SFIA payment is the primary reason they are able to allow the public unrestricted access to their lands. Roads control access to significant acreage of state and county lands. Forest Capital's land sales of scattered parcels and Potlatch Corp. leasing policy for their lands have already blocked significant public access and were drivers for the Lessard-Sams Heritage Council funding a large conservation easement for 187,000 acres of Blandin Company lands.

Therefore be it resolved the Minnesota Division Izaak Walton League of America in Convention April 11, 2010 opposes the Governor's funding cap for the SFIA program as a threat to Minnesota's hunting and outdoor recreation heritage, due to the likelihood of losing access to significant public and timber industry lands in Koochiching and west St. Louis Counties.

Submitted by: Prairie Woods Chapter

2010—03

COAL-FUELED/GASIFICATION POWER PLANTS AND CLIMATE CHANGE

Climate change is a serious threat to all life on earth, and coal-fired power plants are the greatest single producer of carbon dioxide and other greenhouse gases.

Therefore be it resolved the Minnesota Division of The Izaak Walton League of America in convention April 11, 2010 supports a total ban on construction of new coal-fueled power plants that do not capture and sequester greenhouse gases.

Submitted by: Grand Rapids Wes Libbey Chapter

2010—05

**OPPOSE THE SALE OR TRANSFER OF MINNESOTA
NATIONAL FOREST LANDS FOR SULFIDE STRIP MINING**

BACKGROUND:

Sale or transfer of national forest land for the purpose of sulfide strip mining is not consistent with the intent of the 1911 Weeks Act. The Weeks Act of March 1, 1911 (Public No. 435.) does not allow strip mining of National Forest Lands. The national forest lands that would be destroyed by this project are protected “to secure the maintenance of a perpetual growth of forest.” The NorthMet project is contrary to the purpose of the Weeks Act. Quoting Henry S. Graves, forester, US Department of Agriculture Forest Service (issued march 27, 1911) on the purpose of the Weeks Act: “The general purpose of this law is to secure the maintenance of a perpetual growth of forest on the watersheds of navigable streams where such growth will materially aid in preventing floods, in improving low waters, in preventing erosion of steep slopes and the silting up of the river channels, and thereby improve the flow of water for navigation. While the improvement of the flow of navigable streams is the fundamental purpose, other benefits incidental in character but nevertheless important will be kept in view. Among these are (1) protection against disastrous erosion of the soil on mountain slopes and against the destruction of the soil and soil cover by forest fires; (2) preservation of water powers, since, like navigation, they depend for their value upon the evenness of streamflow; (3) preservation of the purity and regularity of flow of the mountain streams, with a view to their use for the water supply of towns and cities; (4) preservation of a timber supply to meet the needs of the industries of the country; (5) preservation of the beauty and attractiveness of the uplands for the recreation and pleasure of the people.”

[PUBLIC-NO. 435.] [H. R. 11798]

“AN ACT To enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers.

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That the consent of the Congress of the United States is hereby given to each of the several States of the Union to enter into any agreement or compact, not in conflict with any law of the United States, with any other State or States for the purpose of conserving the forests and the water supply of the States entering into such agreement or compact....

...SEC. 9. That such acquisition may in any case be conditioned upon the exception and reservation to the owner from whom title passes to the United States of the minerals and of the merchantable timber, or either or any part of them, within or upon such lands **at the date of the conveyance**, but in every case such exception and reservation and the time within which such timber shall be removed and the rules and regulations under which the cutting and removal of such timber and **the mining and removal of such minerals shall be done shall be expressed in the written instrument of conveyance,...**" (emphasis added)

Passage of single project federal legislation for NorthMet would result in land transfer before completion of the environmental process. According to the proposed 2007 HR 4292/S3411, the U.S. Forest Service would be required to sell 6,700 acres of public land to PolyMet before completion of an Environmental Impact Statement (EIS). This is contrary to the National Environmental Policy Act (1969) and negates the purpose of the EIS, which is to allow for disclosure of environmental impacts of an action and for public input. There is an existing process for the Forest Service to exchange lands with private companies but exchange takes place after review that is open to the public in the form of an Environmental Impact Statement. This bill would circumvent that existing process. The sale would be conducted without the normal public input and without environmental review of the land exchange.

A single project land sale or transfer would be separate from the mine plan review and is contrary to the National Environmental Policy Act (NEPA). No administrative appeal of the sale would have been allowed under HR 4292/S 3411, disregarding public input by specifically denying appeal of the outcome.

The 2007 bill HR 4292/S3411 would have also required that the U.S. Forest Service assume the responsibility for wetland replacement contrary to existing law and rules.

A single project land sale or transfer would be a special favor for the benefit of a single Canadian mining company. A single project land sale or transfer bill would bypass existing law and the normal process by which National Forest land is transferred to private entities through a proven land exchange process, which requires environmental review and verification that the swap is in the public interest. The Forest Service says it cannot allow a strip mine on this forestland because of the environmental protections that currently protect the forest, water and wildlife located there. PolyMet's plans call for a massively destructive open pit strip mine. PolyMet needs to privatize the USFS land before its plans for a copper strip mine can go forward.

The U. S. Forest Service owns less than half of the mineral estate in the Superior National Forest and in the Boundary Waters Canoe Area Wilderness. Likewise, the Forest Service lacks mineral rights to many of its lands nationwide. This bill, if passed, could set precedence for the sale of public lands to private mining companies across the country. It would also open the doors for more than a

dozen other mining companies who are currently exploring the Duluth Complex of rocks throughout Minnesota and other sulfide mineral deposits in the Upper Peninsula of Michigan. These sulfide-bearing rocks encompass an area that extends underneath the Boundary Waters Canoe Area Wilderness and between Voyageurs National Park and Lake Superior, before dipping down into the southern part of the state.

Passage of single project federal legislation for NorthMet would result in ignoring potential harm to the environment enabled by the sale or transfer. The hidden purpose of a land sale or transfer bill would be to remove long standing environmental review and protections from public lands. A sale or transfer under these conditions would create a precedent by which the Superior National Forest could sell public lands each time a mine gets close to the permitting phase. A sale or transfer bill would relieve the Forest Service of their responsibilities to protect public lands in Minnesota. This could become a justification elsewhere; each time a federal land agency chooses to ignore its mandated management responsibilities in order to rapidly facilitate mining operations.

Passage of single project federal legislation for NorthMet would set a precedent for the sale of public lands to mining companies across the nation where the Forest Service does not own the mineral rights to its lands and would pave the way for the sale of public lands throughout Minnesota's Arrowhead Region.

The potential effects of acid mine drainage are serious and have always accompanied this type of mining. Sulfuric acid is a byproduct of metallic sulfide mining and in all previous mines required perpetual treatment of any affected watershed.

Therefore be it resolved the Minnesota Division of the Izaak Walton League of America in convention April 11, 2010 opposes the sale or transfer of Minnesota national forest lands for sulfide ore hard rock strip mining *except under the normal land exchange process.*

Submitted by: Walter J. Breckenridge Chapter

INVASIVE SPECIES & THE MISSISSIPPI RIVER GORGE IN TWIN CITIES

BACKGROUND:

This request is based on decreased barge traffic and the unique capability of the Saint Anthony and #1 (Ford) dams to slow or prevent the spread of invasive species.

Barge traffic through the Twin Cities locks has decreased by 50% in the last 5 years to well below the US Army Corps of Engineers viability threshold of 1 million tons per year (686, 470 tons). Barge traffic is less than 3% of the traffic through the Melvin Price Lock near St. Louis. The Port of Minneapolis has essentially closed. The major use of the locks is for sand and gravel which are locally available around the Twin Cities.

Shipping volume has fallen below the critical 1-million-ton mark that the U.S. Army Corps of Engineers uses to determine whether a lock is viable. Shipping through the Twin Cities locks represents a federal tax subsidy of approximately \$20,000 per ton. (William Barton's rough estimate from available data 2-2010)

There has been no grain /agricultural products shipped through the Twin Cities locks in the last five years. There has been no oil in the last five years and shipment of coal ceased in April of 2009 with the shutdown of the Excel Energy Riverside Coal Power Plant reducing tonnage by ~90,000 tons per year. Sand and gravel that is available literally all around the Twin Cities area makes up the major product shipped through the Twin Cities locks. The shipment of sand and gravel last year decreased by 51% (466,040 tons) compared to the last five years average. Scrap Iron shipment through the Twin Cities locks averages 73,132 tons per year over the last six years. (USACOE Lock Commodities Report)

Bighead and Silver carp have continued to migrate up the Mississippi River from Louisiana and have been caught just below the Hastings lock and dam. The carp have steadily made their way northward up the Mississippi, becoming the most abundant species in some areas of the River.

“This is a National problem that is on the brink of becoming an environmental crisis of tremendous significance.” MINNESOTA DEPARTMENT OF NATURAL RESOURCES *Feasibility Study to Limit the Invasion of Asian Carp into the Upper Mississippi River Basin March 2005*

“1.4 million Minnesota anglers spend an amazing \$2.5 billion on their sport.”
USFWS

“...exotic fish species are associated with an estimated \$1 billion per year economic loss.” (Pimentel et al., 2000).

The introduction of Aquatic Nuisance Species fish species has the potential to alter ecosystems and food webs (Pflieger, 1997) and cause extinction of some species (Taylor et al., 1984).

It is estimated that 44 species native to the United States are threatened or endangered by non-indigenous species. (Wilcove and Bean, 1994 in Pimentel et al., 2000).

Fifty-one (51) Mississippi River fish species have been listed on state and federal threatened and endangered (T&E) lists. Many of these species naturally occur in the Upper Mississippi River. MN DNR

The federal government is spending billions of dollars for Mississippi River ecosystem management and restoration. USACE, UMR-IWW System Navigation Feasibility Study Final Integrated Feasibility Report and PEIS (September 2004) UMRM act 1986, HREP, LTRMP, NESP

“1) Spread of Wild Populations via Interstate Waters ... NEW

RECOMMENDATION: Pursue restoration of a physical fish barrier to prevent Asian carp from migrating upstream past St. Anthony Falls in the Mississippi River.” *Preventing the Introduction of Asian Carp into Minnesota* MN DNR 2007

The only Mississippi Structures that are overflow dams capable of providing a physical barrier to invasive species are the two St. Anthony Falls dams, Ford Dam #1, Dam #19 and Dam #27.

Therefore be it resolved the Minnesota Division of the Izaak Walton League of America in convention April 11, 2010 requests that the US Army Corps of Engineers assess the Twin Cities lock and dam system operation and costs to determine viability and invasive species barrier potential.

Submitted by: Walter J. Breckenridge Chapter

2010-07

OPEN LAKE DUMPING

The Izaak Walton League of America is a champion of water quality issues and had its origin with sportsmen's concerns over the impact of water pollution on fishing in 1922. The Great Lakes ecosystems are under extreme stress as aquatic invasive species and water quality issues continue to take their toll. The Great Lakes represent the single greatest freshwater resources on earth containing 20% of the earth's fresh water and 95% of North America's fresh water. The Great Lakes have many stakeholders who need its resources to sustain their lives and livelihoods. The effects of the aquatic invasive species have been traumatic, placing critical ecosystems at the tipping point of irreversible decline. Contributing to this situation are the ongoing impairments from water quality issues resulting from billions of gallons of untreated sewage being dumped into lakes along with millions of tons of sediment with a multitude of issues from non-point pollution. Compounding these issues is the fact that the Army Corps of Engineers persists in utilizing open lake dumping as a means of disposal of dredge materials to keep shipping channels open. This practice creates additional problems in that much of the sediment can contain a variety of hazards including toxic chemicals, nutrients, heavy metals and much more. Open lake dumping, depending on the soil types of dredge material, can further create problems. Clay and silt type soils contribute to excessive turbidity by remaining in suspension by boat traffic and wave action during heavy or even moderate weather conditions.

Water quality issues are of special concern to public health. Millions of people rely on the Great Lakes for their drinking water. The fishery, wildlife and tourism industries of the Great Lakes provide for millions of jobs and contribute billions of dollars to local and state economies in the region. These activities require that water resources be of the highest quality.

Open lake dumping of dredging spoil materials is not an acceptable means of disposal of sediment containing large quantities of clay or silt or any amount of toxic chemicals, heavy metals or other hazardous materials where waters are utilized for drinking or recreational activities. Suspension of fine material such as clay and silt seriously impacts safety of drinking water and impairs the integrity of the critical ecosystems.

The practice of open lake dumping should only be considered for use as a last resort and then only when special criteria are met. The criteria that must be met should include:

- Area where material is dumped must be deep enough to handle material without becoming an impediment to recreational or commercial shipping traffic.

- The safety of public drinking water and recreational areas must be the highest priority.
- Aquatic habitat must not be impaired.
- Location of materials dumped should not allow material to be re-suspended by wave, traffic or currents.

Open lake dumping is unacceptable due to the critical nature of the water resources and the shallowness of the waters of that area.

Therefore be it resolved the Minnesota Division in convention April 11, 2010 opposes the utilization of open lake dumping in the Western Basin of Lake Erie.

Submitted by the Resolutions Committee: Bill Henke & Dave Zentner

RUFFED GROUSE & OFF ROAD VEHICLES

With the increased use of ATV and other recreational vehicles since the 1980's, there has been a trend by ATV users to involve their machines in hunting small game such as grouse. The recent relaxation of restrictions of machine use (distance the hunter must be from the ATV, etc.) has been a discouraging development.

The Izaak Walton League of America has a long had a historic support for hunting and fishing, but has always predicated that support on the concept of fair chase and a high regard for the game species being sought.

The recent relaxations have put technology and convenience ahead of a quality and; respectful experience. The non-hunting public's image of hunters is not enhanced by what may appear to them to be the conversion away from a sporting tradition that encourages exercise and ethics, to one of convenience and expediency.

Recently the DNR has suggested returning to requiring an increased distance from the machines before use of a gun is allowed. This is an encouraging sign, and we support the MNDNR. However, we believe all vehicles used for hunting game large and small, should be used for travel only; and that all hunting should be on foot, and away from the machines, no exceptions. Before removing a gun from its case and loading the gun, the machine must be turned off. While on the machines guns must be encased, and unloaded. Effort to designate certain distances and other nuanced considerations, merely serve to complicate a very black and white situation.

Therefore be it resolved the Minnesota Division Izaak Walton League of America in Convention, April 11, 2010 requests that the Minnesota Department of Natural Resources require that all hunting should be on foot, and away from the off road vehicle with the only exceptions being those that are physically disabled. Before removing a gun from its case and loading the gun, the off road vehicle must be turned off. While on or in the off road vehicle, guns must be cased and unloaded.

Submitted by: W.J. McCabe Chapter

2010—09

STOP ASIAN CARP FROM REACHING LAKE MICHIGAN

The Izaak Walton League of America has a long history of involvement with the Mississippi River; in fact, the League was founded in 1922 by 54 Anglers upset with how the Mississippi and many other waterways were being managed and manipulated.

In 1905, the Chicago Sanitary and Ship Canal (CSSC) was built to flush the sewage and industrial waste of Chicago away to the Des Plaines and Illinois Rivers instead of into Lake Michigan.

Arkansas catfish farms imported silver, black, and bighead carp, collectively known as Asian carp, to control aquatic vegetation in their operations. The fish escaped confinement during flooding and since, have infested the lower Mississippi River, the Missouri River, the Illinois River and others. They make up 70% of the entire biomass of the Illinois and promise the same for any other waters they populate.

Though government agencies have known about the threat of Asian carp to the Great Lakes for over ten years, poor planning, poor execution, and the lack of a lead agency have allowed the advancement of the carp to, and probably through, the CSSC.

The fish have the potential to ruin Great Lakes ecology and sport fisheries and infest every river and bay that connects to the Great Lakes. The bulk of the current opposition to separating the CSSC from Lake Michigan is due to the impact on the shipping of the barge industry using the canal.

The fish are thought to have breached the electrical barriers built by US Army Corps of Engineers and there is DNA evidence that some may have already entered Lake Michigan.

The only way to prevent more carp from entering the Great Lakes and to prevent other invasive species from entering one watershed from the other is to physically isolate Lake Michigan CSSC.

Therefore be it resolved the Minnesota Division of the Izaak Walton League of America in convention, April 11, 2010 supports immediate funding and action to permanently and physically isolate Lake Michigan from the Chicago Sanitary and Ship Canal and any other nearby water body known to contain Asian carp.

Submitted by: W. J. McCabe Chapter

A TOOL TO PRESERVE AND ENHANCE OUR NATURAL HERITAGE

As we struggle to invent ways to preserve and protect our Natural heritage from division, overcrowding and development, all phases of our population need to become involved. An overlooked resource is landowners of low or modest income, many of whom are retired and own relatively large parcels of land.

With rising property tax assessments there is a great tendency to divide and/or sell parcels not only for cash but in many cases to escape the escalating real estate taxes. Many of these owners would prefer to keep their land in a natural state or to pass it to their heirs in a natural state. But increasingly neither they nor their heirs can afford to do so. It should also be noted that, because of their low income, many of these land owners are not eligible to take advantage of federal income tax deductions available to those who choose conservation easements through organizations like the Minnesota Land Trust.

Undeveloped woodlands, wetlands and prairies that are not used for commercial purposes can serve as a strong nucleus for wildlife preservation, both flora and fauna. Birds and animals that are raised on these properties will disperse either themselves or by their offspring to nearby areas. So will seeds of native and endemic plants. Inadvertently, much needed wildlife corridors may be established.

We know that wetlands, forests and prairies that stay intact are good for groundwater, surface water and the air we breathe as well as wildlife and the general public. Such parcels would be a great benefit far beyond their borders. Therefore, we need to devise a system whereby the low and modest income landowner will be inspired to neither develop, divide nor destroy the natural amenities of their property.

Therefore bit resolved the Minnesota Division Izaak Walton League of America, in convention April 11, 2010 urges that a system be devised by the Minnesota Legislature whereby real estate taxpayers of low and modest income who engage in a perpetual conservation easement, pay considerably less real estate tax on such portion of their land, according to an escalating scale base on their income.

Submitted by: Walter J. Breckenridge Chapter
Author: Richard Brown