

Appendix O: Disposition of Public Comments on the Draft CCP

Minnesota Districts: Summary of Public Comments Received

- Public funds should be used to purchase or improve only fee title lands, not easements.
- No buildings should be built on public lands - even for administration.
- USDA program lands should be managed for wildlife and open to the public.
- FWS acquisition in the Heron Lake Watershed should be approved by the Heron Lake Area Restoration.
- Private lands within the historic Heron Lake should be condemned and restored and managed for wildlife.
- FWS Realty process too slow - landowners have to wait too long.
- Request that WPAs be used for non-motorized bike and hike trails
- Pheasant wintering areas on WPAs
- Establishment of food plots on WPAs
- Establishment of shelter belts on WPAs
- Increased management of resident Canada Geese
- Support for continuing the private lands program
- Numerous letters of general support for acquisition and management - keep up the good work

Responses to above comments:

1. *Public funds should be used to purchase or improve only fee-title lands, not easements that do not allow public access.*

The Small Wetlands Acquisition Program has included a perpetual easement program component since its inception in 1959. The acquisition model designed at that time was to purchase a core area in fee title that would provide a waterfowl brood marsh with surrounding permanent nesting cover. Perpetual Wetland Easements would protect satellite wetlands within one mile radius of this core area. These satellite easement wetlands could then be used by waterfowl for breeding and feeding purposes, while the same birds could utilize the fee title area (WPA) for nesting and brood rearing.

Since 1959, land use has changed. In response to these land use changes, the Service has expanded its suite of land protection programs. Habitat easements, which protect both upland and wetland habitats, has been successfully used to protect and restore important wildlife habitat since the mid-1990s.

Advantages to protecting wildlife habitat through perpetual easements include the initial reduced acquisition costs, reduced long-term management expenses and less public resistance to excessive fee title acquisition.

Fee title acquisition is the most frequently used land protection method within the five Minnesota Wetland Management Districts (180,267 fee-title acres

versus 70,749 perpetual easement acres), representing 71.8% of lands acquired. Based on waterfowl biology habitat needs and land-owner interests, the Service does not agree that we should eliminate the perpetual easement program. The CCP proposes to continue both the traditional wetland and the newer habitat (grasslands and wetlands) easements to protect high priority wildlife habitats in cooperation with willing landowners.

2. *No buildings such as Headquarters, Offices, or Maintenance facilities should be built on FWS managed lands.*

Personnel, equipment and materials are essential for the acquisition, restoration, protection and management of lands for the National Wildlife Refuge System. These resources require facilities, and it has been the Service's practice to place these facilities on NWRS lands in locations where there is minimal impact to wildlife or their habitats.

Visitor services facilities are also necessary to enhance the public's knowledge and understanding about issues that challenge the health of our wildlife resources. These facilities can also encourage appropriate use of NWRS lands and provide information that contributes to a quality experience by the visiting public.

Facilities within the Minnesota Wetland Districts occupy only a minute portion of fee-title acreage. For example, the Windom headquarters complex is set on three acres - 0.02% of the District's fee title acreage. Other districts are similar. As new facilities are planned in the future, the Service will continue to consider all impacts and effects of such plans on wildlife habitat and make every attempt to minimize long-term adverse impacts.

3. *Any private lands that come into federal ownership through delinquent loan payments with the USDA should become public lands, managed for wildlife and open for public use such as hunting.*

The Service agrees that certain lands with high value to wildlife which come into USDA ownership should appropriately be added to the National Wildlife Refuge System. In the 1990's, the Service worked closely with USDA to transfer Farmers Home Administration Inventory Properties in the NWRS. Many of these tracts are now actively managed for wildlife and open for public use. Other tracts are protected from habitat destruction through perpetual conservation easements enforced by the Service.

The Service will continue to look for opportunities to work in partnership with the USDA to permanently protect high value wildlife habitat.

4. *Several comments were received that addressed Service land acquisition procedures in terms of the approval process and timeliness of appraisals and offers to willing sellers.*

The U.S. Fish and Wildlife Service acquires lands in Minnesota for the Small Wetlands Acquisition Program under an agreement with the State of Minne-

sota. This agreement provides an opportunity for comments by locally elected officials. Prior to final acquisition approval by the State of Minnesota (through the Land Exchange Board headed by the Governor), each tract is discussed and reviewed in detail with the Commissioners of the County where the tract is located. Township boards are also informed of these proposed acquisitions and invited to attend and participate in the meeting with the County Commissioners. Interested members of the public may attend these meetings and make comments.

The Service believes the current approval process provides ample opportunity for review and comment by locally elected officials and the public and does not support the addition of another layer of approval to this process.

The U.S. Fish and Wildlife Service Small Wetlands Acquisition Program is a willing seller program. Land condemnation has not been used by the program in the past and there are no plans to use condemnation in the future. Although its use would allow critical acquisitions to go forward in some cases where landowners are not interested in selling, the long-term negatives associated with condemnation often outweigh the short-term gain. The Service is proud of its willing seller - willing buyer methodology and the CCP maintains that means of land acquisition.

The Service agrees there is a need to reduce the length of time now typically required to make an acquisition offer to a landowner. The Service can be more responsive to acquisition opportunities and more effective in protecting wildlife habitat by reducing the time required to complete the appraisal process and make an offer. The CCP addresses this issue. On page 52, Goal 3/ Objective 3.3 outlines a timetable which would reduce the time allowed to make an offer to a landowner to seven months.

Additionally, the Service Realty Branch just recently made organizational changes designed to streamline the process time line.

5. *Several comments were received supporting increased management efforts for resident wildlife, notably, white-tailed deer and pheasants.*

As indicated in the CCP, the primary purpose of the U.S. Fish and Wildlife Service's Waterfowl Production Areas is to provide optimum habitat for breeding and nesting waterfowl. Although every management practice we implement for waterfowl may not be optimum for resident wildlife, we believe the majority of our actions are mutually beneficial. Several Districts have ongoing food plot or feeder crib programs, often in cooperation with Minnesota DNR or a local Pheasants Forever Chapter. It is the Service's intention to allow limited continued use of both food plots and feeder cribs. A draft compatibility determination to maintain food plots on critical sites has been prepared for public review and comment. That document helps managers determine where food plots or feeder cribs can be used and where they must be prohibited to ensure that our management is consistent with Service goals and national policy.

6. *One reviewer expressed a desire that Waterfowl Production Areas be used more to meet the needs of non-motorized bike and hike trail enthusiasts.*

Waterfowl Production Areas are part of the National Wildlife Refuge System (NWRS). The 1997 Refuge Improvement Act provides specific guidance to the Service concerning management of the NWRS and establishes wildlife conservation as the singular mission of this system. All uses of Refuge System lands must be compatible with the mission of the system and purpose of the specific unit involved. The Refuge Improvement Act established six priority uses of the NWRS. These priority uses all depend on the presence of or expectation of the presence of wildlife, and thus are called wildlife dependent uses. These uses include: hunting, fishing, wildlife observation, photography, environmental education, and interpretation.

Non-motorized bike and hike trails are not specifically identified as a priority public use. Each request for a bike/hike trail would need to be evaluated as a case-by-case basis. Many factors would need to be evaluated to determine the trail's potential impact on the WPA, and ultimately if the activity could be considered compatible with the purpose for which the land was acquired.

7. *Several reviewers expressed a desire that the Minnesota Wetland Districts make a commitment to increase efforts to manage resident Canada geese, specifically to minimize crop damage.*

Within the federal government, animal depredation responsibility rests primarily with the U.S. Department of Agriculture's Animal Plant Health and Inspection Service. Regardless of that mandate, the Minnesota Wetland Districts have been assisting Minnesota DNR with local goose depredation issues. In May of 2000 DNR and the Service agreed that each district would increase its cooperative efforts to assist local DNR offices with goose complaints which originate from WPAs. Each district has designated a staff person to respond to and work with their local DNR counterparts. Additionally, several districts have submitted funding requests to develop and manage a depredation program which could include an initiative to purchase small food plots in strategic locations on private land. Fencing to prevent geese from entering neighboring fields can also be effective in certain cases, but similarly is dependent on new specific funding.

8. *Numerous comments were received in support of the Service's Partners for Fish and Wildlife Program.*

The Partners for Fish and Wildlife Program has been extremely successful since its conception in 1986. Minnesota Wetland Management District staffs have been at the national forefront of wetland restoration and with the enthusiastic support of landowners throughout western Minnesota have restored thousands of wetlands previously drained for agricultural purposes. In recent years, we have also been working with landowners and private conservation groups to restore native grasslands and interest in this program is growing each year. The CCP declares our intention to continue working with interested private landowners and with a multitude of partners to accomplish conservation work on private land as well as public land as long as that work is supported by Congress.

9. *Numerous letters were received which expressed strong support for continuing the Small Wetlands Acquisition Program.*

The U.S. Fish and Wildlife Service appreciates the support of individuals, local sportsmen groups, and larger non-profit conservation organizations and their affiliated local chapters for our ongoing efforts to improve Service lands and add new lands for waterfowl and other wildlife. This CCP will provide a roadmap for future management which should increase and improve our efforts to work with partners to meet our Congressional mandate for management of migratory birds, especially waterfowl, in Minnesota.