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Mark Liedl
Land Services Director
Crow Wing County
322 Laurel Street, Suite 11
Brainerd, MN 56401

Dear Mr. Liedl

I am writing to comment on the proposed trail system on the Mississippi Northwoods acquisition.

At the time the funding for this request was made to the LSOHC and subsequently recommended for funding, I was serving as its chairperson. I continue to be a member of the LSOHC.

I would like to make clear that this plan for motorized recreation is not what was proposed or discussed when the request recommended for funding. I am unequivocally against it and believe it is not close to the intent or spirit of the proposal. The request was made to insure protection of habitat and for the benefit of wildlife. That it could be used for passive recreation was understood but not the primary intent. This is consistent with the constitutional language that created the funding source that was used to fund this acquisition.

When Crow Wing County became involved in this project, it knew what the funding source was and what the constitutional restrictions would be. That the county is now trying to redefine this is simply unacceptable. If the county had stated that they intended to allow motorized use on the property, I doubt their involvement would have gotten a hearing and can state with complete certainty that the project would not have been recommended for funding.

The constitutional language that governs the habitat portion of the Legacy Amendment that provided the funds for this project states clearly that:

33 percent of the receipts shall be deposited in the outdoor heritage fund and may be spent only to restore, protect, and enhance wetlands, prairies, forests, and habitat for fish, game, and wildlife

Nowhere does this constitutional language indicate that public access or trails is part of what the funding is for. The funds were intended for restoration, protection and enhancement of habitat for wildlife. Improved trails, and especially trails for motorized vehicles are simply inconsistent with the constitutional mandate as they do not benefit habitat or wildlife.

In fact, the discussion around this project in testimony before the LSOHC included significant discussion about bike trails and if you go back into the records, you will find that the expectation was that if a bike trail was put through this property that some other funding would have to pay back to the LSOHC fund the value of the land under the trail and adjoining property that would be effected by these trails. The effect of motorized trials is of course far greater in its detrimental effect on wildlife.

In the discussions of the project, there was discussion about timber management. Since the LSOHC understands that there is a benefit to having both different succession stage forests, having sustainable timber management was expected as was occasional forest management practices to enhance the health of the forest and therefore the benefits to wildlife.

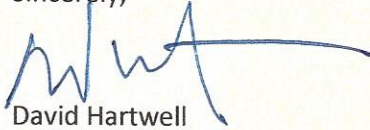
But Crow Wing County is taking the leap of believing that complying with their timber management practices then means that they can apply what they do with other properties that they manage timber over with regard to trails. This was never discussed or disclosed in the testimony or in written materials submitted to support the grant application to the LSOHC. This simply put, means that the county is stepping into an area where their proposed trails and use are contrary to the purposes outlined for the funds in the constitutional amendment and beyond what the request entailed.

On Page 7 of the accomplishment plan that was submitted by the county it notes it will provide protection from fragmentation, protection of shoreline and wetlands, trout stream protection, acres protected as habitat and access for hunting and wildlife viewing. There is nothing about ATV trails.

I would urge Crow Wing County to do the right thing, consistent with the grant application and the constitutional language that provided the funds for this project and reject this and any future proposal that improves trails and allows access to this property for ATV use other than maintenance of the property and its natural resources by resource professionals. This would insure you are in compliance with the constitutional requirements for the use of the property purchased with funds dedicated for habitat and wildlife.

And if that is unacceptable, then either pay back the fund to the LSOHC or turn the property over to an organization of unit of government that will comply with the constitutional restrictions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'David Hartwell', with a long horizontal flourish extending to the right.

David Hartwell