

Lessard-Sams Outdoor Heritage Council

MEMO: Agenda Item #10

DATE: July 25, 2023

SUBJECT: Accomplishment Plan Amendment - Pheasants Forever Habitat Management Areas (HMAs)

- ML 2023, Ch. 40, Art. 1, Sec. 2, subd. 2(f) Accelerating the Wildlife Management Area Program - Phase XV

PRESENTER: Sabin Adams, Pheasants Forever

Suggested Motion:

Motion by Member XX to approve or not approve the accomplishment plan amendment.

Background:

Pheasant Forever's ML2023 accomplishment plan included a new form of fee-title ownership called Habitat Management Areas (HMA), in addition to the DNR Wildlife Management Areas (WMA) they have traditionally acquired. HMAs would be open to the public, property taxes would be paid by Pheasants Forever, and for all intents and purposes would be managed just like a Wildlife Management Area. Properties acquired as HMAs would be owned and managed in perpetuity by Pheasants Forever.

However, in some instances it may be beneficial for HMAs to become WMAs for long term protection and management. Pheasants Forever is requesting an accomplishment plan amendment to allow flexibility for HMAs to become WMAs where it proves beneficial.

Pheasants Forever provided the following justification in an email to staff:

Pheasants Forever would like to discuss the possibility of us donating a PF owned Habitat Management Area (HMA) purchased with OHF, to the MN DNR to become a WMA. Originally the primary purpose for HMA's was as a plan B for properties that where encumbrances are found that prevent DNR from accepting the property, despite it being a quality habitat project. PF would then hold and manage these properties in perpetuity. Common encumbrances that prevent DNR from taking ownership of a property include things like drainage agreements, wind, and other easements. On multiple occasions excellent acquisitions have been lost because DNR could not accept the property due to a drainage agreement that required the property owner to pay for the maintenance of a drainage system. Pheasants Forever could accept that maintenance agreement and pay for future maintenance. In these cases, we are prepared to be the long-term title holder, however In some instances, after PF has acquired the property, those encumbrances could be removed or may expire, at which point the MN DNR would be willing to accept the property as a donation. Therefore, it would no longer be in PF ownership as an HMA.

Besides allowing us to acquire properties that would traditionally be non-starters this method allows us to pursue acquisitions that may not be feasible due to time constraints. For example, In 2021 we attempted to attend an auction for a 600-acre property in Yellow Medicine, however there was a drainage agreement that DNR would not accept. We attempted to work with the neighbors to get it removed but were not successful before the auction date and thus did not attend. We could not acquire a property if we did not have any assurance of a long-term title holder. Afterwards we had discussions with the neighbors and feel confident we could have made this work but did not have the time. If PF were allowed to donate OHF acquired HMAs to DNR, we could have attended this auction. If we had won, we would have worked to remove the drainage agreements. If they could not have been removed, we would have been prepared to hold the property in perpetuity and manage it appropriately. If the drainage agreements were removed, we would proceed with donating the property to MN DNR.

As others have stated most of the “low hanging fruit” for land acquisitions are gone. As we keep moving forward its important that we look for new ways to make difficult acquisitions work. We already have a database of previous acquisitions that failed for various reasons. Some of these could be revisited.

Attachments:

- ML 2023 Accelerating the WMA Program - Phase XV Accomplishment Plan