

## Gary Drotts

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**From:** Hodgson, Jim <Jim\_Hodgson@fws.gov>  
**Sent:** Tuesday, June 29, 2021 12:04 PM  
**To:** Gary Drotts  
**Cc:** Dave Olfelt  
**Subject:** Fw: Minnesota Habitat Management Grant Condition Statements Timber Harvest  
**Attachments:** MN Habitat Management Grant condition statement v2.1.docx

FYI, in the spirit of your original FOIA request, below is the most recent communication concerning the Minnesota Habitat Grant.

Let me know if you have questions.  
Jim

Jim Hodgson, Regional Manager  
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**From:** Hodgson, Jim <Jim\_Hodgson@fws.gov>  
**Sent:** Thursday, June 24, 2021 12:03 PM  
**To:** Dave Olfelt <Dave.Olfelt@state.mn.us>; Heather.kieweg@state.mn.us <Heather.kieweg@state.mn.us>  
**Cc:** Kucera, Abbey <Abbey\_Kucera@fws.gov>; Daly, Kyle <Kyle\_Daly@fws.gov>; Palaia, Nick <nick\_palaia@fws.gov>; Hewitt, Anthony R <anthony\_hewitt@fws.gov>  
**Subject:** Minnesota Habitat Management Grant Condition Statements Timber Harvest

Dave and Heather.

Since it has been a while that we have heard from you, we would like to approve parts of your Habitat grant while we continue to work on the timber issues. Attached are the conditions we will be placing on the grant when we approve it.

The conditions will allow us to continue to work on the timber issues without delays in grant approval.

Please let me know if you have concerns or questions.

Jim

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The Service approves this grant for reimbursement of costs associated only with resource assessment, farmland/grassland management, water/wetland management and brushland/open land habitat management as defined in the grant narrative. Approved costs associated with forest management include prescribed fire, non-commercial vegetation removal, herbicide treatment, site preparation and seeding of old log landings sites and logging trails, and associated training for the above activities. Costs associated with clear cuts, selective timber harvest, natural or mechanical reforestation, an improvement of hardwood mast stands through selective thinning (referred to collectively as “timber harvest activities” from now on) are not eligible for reimbursement until the grantee submits the following documentation. The Service must review and approve the documentation and complete appropriate compliance (e.g., ESA, NEPA) before these costs are charged to the grant.

Prior to timber harvest activities occurring on FAW properties that may occur during this grant period, WSFR needs the following documentation to ensure that timber harvests include eligible costs under this grant. Future performance reports also need to document that the following details were accomplished at each FAW property and timber harvest activity site:

- FAW must provide a list of sites, site management prescriptions, and the wildlife restoration purposes for their timber harvest activities beginning July 1, 2021 and ending June 30, 2023.
- FAW must provide documentation showing they have maintained control over FAW properties where a federal nexus exists through the Wildlife and Sport Fish Restoration Program (WSFR) and FAW properties purchased or managed with license fees per Minnesota’s assent legislation.
- FAW must provide documentation showing Division of Forestry charges and costs for work under this grant separate from charges from FAW in the performance reports.
- FAW must provide documentation showing it has control of all phases of planned timber harvest activities on FAW properties, and FAW conducts timber harvest activities primarily to benefit wildlife to ensure that 2021 to 2023 timber harvests are eligible for WSFR funding.
- FAW must provide documentation that the purposes for all timber harvest activities planned under this grant, site by site, are for wildlife restoration needs and are consistent with the purposes of the Pittman-Robertson Acts.
  - Where FAW property wildlife habitat management plans exist, document how the timber harvests implement specific objectives.
  - Where a FAW property wildlife habitat management plan does not exist, document how the timber harvests benefit native birds and mammals.
- FAW must provide documentation showing planned timber harvest activities exclude areas with high fish and wildlife value and irreplaceable forest types except where

explicitly identified in FAW wildlife habitat management plans as requiring harvest for wildlife restoration purposes.

- FAW must provide documentation that ancillary developments (e.g., access roads, landings) to timber harvest activities are designed, developed, and eventually restored using methods that preserve the natural processes critical to the FAW property and the fish and wildlife it supports.
- FAW must provide documentation that grant activities comply with the Endangered Species Act and National Environmental Policy Act as approved by the Service as part of the grant application.
- FAW must provide documentation that timber harvests under this grant does not exceed 5,000 acres annually for the two-year grant period (as reported in Section 7 compliance).
- FAW must review and provide documentation that current Section 7 analyses are adequate and only discountable or insignificant effects on listed species are expected from timber harvest activities.
- FAW must review and provide documentation if planned timber harvest activities require further consultation. The Service's Minnesota-Wisconsin Ecological Services Field Office must review timber harvest in Critical Habitat prior to bidding out for a logging contract.
- FAW must confer with WSFR that current NEPA compliance is appropriate and evaluated thoroughly.
- FAW must provide documentation that timber harvest activities comply with all Federal, State, and local laws and regulations.
- Any decision on lands with a WSFR nexus, including license fee lands, must comply with all applicable rules and regulations and must be certified by the commissioner every 5 years.
- Any decision on lands with a WSFR nexus, including license fee lands, must be able to pass audit tests concerning diversion from the DOI OIG.