

## **Other Program- or Project-Specific Terms and Conditions**

The USFWS WSFR Program 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, and improvement of hardwood mast stands through selective thinning (referred to collectively as “timber harvest management actions” from now on), will be eligible for reimbursement. Subject to the USFWS WSFR Program receiving and approving documentation related to the wildlife restoration and management purposes of those activities, and completion of related compliance documentation. Timber harvest management actions on federally acquired lands are considered real property actions, and must be approved under this grant, or another active Wildlife Restoration Program grant if determined by USFWS WSFR Program.

### **Timber Harvest Action Specific Conditions**

#### **Documentation of wildlife restoration purpose and objectives consistent with the Pittman-Robertson Wildlife Restoration Act.**

- For all timber harvest management actions included in this grant or for timber harvest management actions on federally acquired lands, Fish and Wildlife Division will provide site-by-site documentation of the purpose and objectives to the USFWS WSFR Program in advance of stands being offered for sale or auction.
- Documentation will use the form attached to this grant agreement, or a successive version of the form approved by the USFWS WSFR Program.
- The form will include, at a minimum, the following elements:
  - Stand identification number.
  - Existing tree species, age and size class.
  - Wildlife species that will benefit from the timber harvest management activity.
  - A description of the planned timber harvest management action.
  - Landscape and area habitat goals, including references to DNR planning documents as applicable.
  - An explanation of how the timber harvest management actions benefit wildlife habitat and the identified species.
  - Underlying land acquisition funding (e.g., Wildlife Restoration acquired, Sport Fish Restoration acquired, License fee acquired, a combination of these, or other funding source)
  - Area Manager signature
- A separate form will be provided for each proposed timber harvest management action and related to an individual timber permit.
- For all timber harvest management actions included in this grant or for timber harvest management actions on federally acquired lands, the USFWS WSFR Program will review and approve the documentation before the Minnesota DNR offers timber stands for sale or auction.
- On lands acquired with Pittman-Robertson Wildlife Restoration Act or Dingell-Johnson Sport Fish Restoration Act funds, timber is considered real property. The USFWS WSFR Program review

and approval will constitute approval to consider the disposal of the real property, and the treatment of the timber revenue as program income under this grant.

- For all timber harvest management actions included in this grant or for timber harvest management actions on federally acquired lands, the USFWS WSFR Program will review and approve the documentation before the DNR offers timber stands for sale or auction. The USFWS WSFR Program will review each site's documentation as soon as practicable.

### **Compliance Documentation**

- Compliance documentation may be provided for a single timber harvest management activity, or multiple related timber harvest management activities. Compliance documentation includes:
  - Endangered Species Act Section 7 compliance documentation of effects of the timber harvest management activities on listed species and critical habitats.
  - Cultural and historical resources compliance documentation of the effects of the timber harvest management activities.
  - Natural Heritage Information System checks to document avoidance of other rare species/habitats
  - Proposed treatment (e.g., Categorical Exclusion with no extraordinary circumstances, Environmental Assessment, Environmental Impact Statement) under the National Environmental Policy Act (NEPA).

Timber harvest management actions on lands considered license revenue assets will also comply with the above documentation of wildlife restoration purpose consistent and objectives with the Pittman-Robertson Wildlife Restoration Acts, even if the proposed timber harvest management activity is not included in the grant costs. For timber harvest management actions on license revenue assets not included for reimbursement, this documentation will not be provided in advance to the USFWS WSFR Program but will be available upon request.

The Minnesota DNR will not conduct timber harvest management actions on lands acquired with Pittman-Robertson Wildlife Restoration or Dingell-Johnson Sport Fish Restoration grants without providing above identified wildlife restoration purpose and objectives, and compliance documentation for review and approval by the USFWS WSFR Program. This documentation approval requirement is in place for lands whether or not the costs of the sale are included in the grant.

The Minnesota DNR will certify that lands acquired with Pittman-Robertson Wildlife Restoration or Dingell-Johnson Sport Fish Restoration grants are being used for the purpose for which they were acquired as specified in 2 CFR 200.330 and 2 CFR 1402.329(d).

The USFWS WSFR Program will make all final determinations on compliance with grant regulations and other federal compliance requirements.

### **Annual Performance Reporting**

The Minnesota DNR will provide the following documentation annually with the performance report for license revenue assets, lands acquired with previous Pittman-Robertson Wildlife Restoration or Dingell-Johnson Sport Fish Restoration grants, and other lands managed as WMAs/AMAs and managed as part of this grant (as indicated in the project statement):

- The annual stand exam list.
- List of timber permits offered for sale during the most recently closed fiscal year.
- List of timber permits previously sold that are awaiting harvest.
- Summary of issues and resolution for disputes resolved at Regional and Executive FRIT.

- Summary of timber management on major WMAs and description of how management aligns with master plans.
- Documentation of Forestry Division charges and costs for work under this grant separate from other grant eligible expenses.

**Site Monitoring**

The USFWS WSFR Program and the Minnesota DNR will engage in site monitoring as described in the “U.S. Fish and Wildlife Service, Wildlife and Sport Fish Restoration Program – Minnesota Department of Natural Resources Field-based Grant Monitoring Protocol.” This monitoring will allow for review of timber harvest management activity implementation.