

Minnesota Department of Natural Resources

500 Lafayette Road • St. Paul, MN • 55155-4037



January 15, 2008

The Honorable Ellen R. Anderson
State Senator – District 66
120 Building
Saint Paul, Minnesota 55155-1606

The Honorable Satveer S. Chaudhary
State Senator – District 50
205 Capitol
Saint Paul, Minnesota 55155-1606

The Honorable David Dill
State Representative – District 6A
423 Bear Island
Crane Lake, Minnesota 55725

The Honorable Kent Eken
State Representative – District 2A
3463 - 170th Avenue
Twin Valley, Minnesota 56584

The Honorable Jean Wagenius
State Representative – District 62B
449 State Office Building
Saint Paul, Minnesota 55155

Dear Senators Anderson and Chaudhary, and Representatives Dill, Eken, and Wagenius:

Enclosed you will find a report summarizing the Department of Natural Resources' recommendations for a walk-in public access program.

Minnesota Session Laws 2007, Chapter 131, Article 1, Section 85 requires the commissioner to present a walk-in public access plan to the house and senate committees with jurisdiction over natural resources policy and finance, with recommendations on program implementation, by January 15, 2008.

Please let us know if you have any questions or comments.

Sincerely,

Mark Holsten
Commissioner

MH/EKB/jls; Enclosure
c Committee Members

Ms. Laurie Martinson, Deputy Commissioner, Department of Natural Resources
Mr. Bob Meier, Assistant Commissioner for Legislative Affairs, Department of Natural Resources
Mr. David R. Schad, Director, Division of Fish and Wildlife
Mr. Edward K. Boggess, Deputy Director, Division of Fish and Wildlife
Mr. Dennis E. Simon, Chief, Wildlife Management Section



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Access to Minnesota Outdoors Plan

1/15/2008



The purpose of this report is to comply with Minnesota Session Law 2007 Chapter 131 Section 85 Access to Minnesota Outdoors Plan (Appendix A).

This report can be found on the DNR web site at: <http://www.dnr.state.mn.us/hunting/walkin>

In accordance with MS 3.197 the following estimated costs are associated with the development and delivery of this report to the legislature as required by Session Law 2007 Chapter 131 Section 85. Personnel: \$16,700, Travel: \$365, Miscellaneous: \$400.

Executive Summary

Public demand for access to the outdoors in general, and hunting and fishing lands in particular likely exceeds current access to existing public lands. The constituent demand is for a farmland private land access program designed primarily for small game (upland bird) and possibly deer hunting. Minnesota already has an active Forest Legacy program that has permanently conserved nearly 57,500 acres of public access. In addition Minnesota's Trout Stream Easement Program has secured 618 miles of perpetual stream access easements.

The DNR surveyed 22 states where walk-in programs are in place. Data from this survey is summarized in the report. Generally speaking, western states, where land values and rental rates are low, ownerships are vast, and populations are sparse, tend to have successful walk-in programs. Eastern states where parcel sizes are small, land prices are high and populations are greater tend to be less successful.

This report also describes both public and private benefits and costs associated with a walk-in program. The report also provides cost estimates based on various payment scenarios.

South Dakota has one of the more successful walk-in programs. The "East River" of South Dakota access program primarily targets existing CRP acres for pheasant hunting. Contracts are annual and pay one dollar per acre with a five-dollar bonus per acre if the habitat is left undisturbed through out the hunting season. Advantages of the South Dakota program are that it fairly inexpensive, is easy to administer, and relatively popular with both landowners and hunters. The primary disadvantage is that lease hunting is beginning to out compete what the state can pay east of the Missouri River.

A walk-in program has the potential to add significant acres of opportunity for hunters, anglers and other recreational users in the farmland zone of Minnesota. Minnesota is perhaps most similar in nature to eastern South Dakota and the model that we have proposed is based upon the South Dakota model.

Recommended Walk-In Program Option for Minnesota

Target existing programs such as CRP, CREP, RIM, RIM-CE, WRP, etc. with an additional layered payment

One to two year contracts

- Contract should have an opt-out provision.
- Simple payment structure
- Annually published, high quality, widely available map books
- Sign each parcel at corners and access points. Large parcels may need more signs.
- Build habitat complexes by targeting program around existing wildlife habitat
- Focus on grassland and wetland habitats
- Ensure contract compliance through inspections before and after season
- Increase enforcement efforts to reduce landowner conflicts

Change liability law to protect landowners enrolled in state sponsored walk-in program

New funding is key

MORE ACCESS FOR HUNTERS

In recent years, the participation rate in all forms of hunting has dropped, according to a recent national survey by the U.S. Fish and Wildlife Service (National Survey of Fishing, Hunting and Wildlife-Associated Recreation 2006). In Minnesota while the number of licensed hunters has remained stable, DNR license sales data reveals a downward trend in the number of young people taking up the sport. If this trend continues, it will mean less license revenue to support important conservation work as well as a decline in the state's strongest advocates for clean water and wildlife habitat.

One of the main reasons cited by those who do not hunt or have quit the sport is lack of a suitable place to hunt (Bissel, Duda and Young, 1998). Although Minnesota has 3.5 million acres of state forests open to hunting and one of the premier Wildlife Management Area systems in the country with more than 1.3 million acres open to public hunting, much of the acreage is in the northern part of the state. In the south, where the majority of the population lives, the WMA system consists of smaller, individual units and hunter use is very high.

In response to this demand, the DNR has developed a stakeholder-based long-range WMA acquisition plan that calls for acquiring an additional 702,000 acres of WMAs over the next 50 years with 30 percent (210,500) acquired in the next ten years (2002 Citizens Advisory Committee Report) of these 178,600 additional acres are planned for the farmland area. Thanks to increased legislative funding for acquisitions and easements, the DNR is implementing the WMA acquisition and Forest Legacy easement plan. Still, the public demand for access to the outdoors in general, and hunting and fishing lands in particular will likely exceed even the lands that would be added under this plan.

This report is in response to the provisions of Minnesota Session Law 2007, Chapter 131, Section 85 that requires the commissioner of natural resources to "...prepare a plan for a walk-in public access program under which the commissioner may encourage owners and operators of privately held land to voluntarily make that land available for walk-in access by the public for hunting and fishing under programs administered by the commissioner..." (See Appendix A for the complete session law).

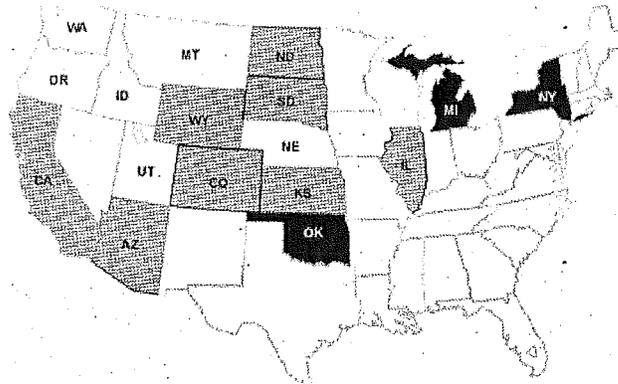
Although not explicitly stated in the session law, the constituent demand and likely the primary intent of the law is for a farmland private land access program designed primarily for small game (upland bird) and possibly deer hunting. That type of access will be the focus of this report. This also recognizes the fact that Minnesota already has abundant public forest lands and an active Forest Legacy program that provide access to public and private forest lands and that fishing access is provided through a very active Trout Stream easement program that allow access to private lands (Appendix B).

The plan presented in this report is designed primarily as a farmland access program for small game and possibly deer hunting. Numerous western and Midwest states have such programs that entail leasing hunting rights from private landowners for public use, and are generally known as "Walk-in" programs.

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WALK-IN PROGRAMS ACROSS THE COUNTRY

In the fall of 2007, the DNR surveyed natural resource professionals in 22 states where walk-in programs are in place. (Appendix C) Table 1 is a summary of the information gathered from the survey. Of the 17 states that replied, all but New York, Michigan and Oklahoma reported acres enrolled in their programs were increasing or stable.



Gaining
Stable
Losing

Figure 1. Seventeen states responded to the DNR's walk-in survey in the fall of 2007.

Generally speaking, western states, where land values and rental rates are low, ownerships are vast, and populations are sparse, tend to have successful walk-in programs. Eastern states where parcel sizes are small, land prices are high and populations are greater tend to be less successful. Figure 2 demonstrates this relationship among several nearby states with walk-in programs. In Minnesota parcel sizes are smaller, and cropland values are greater than in some of the states to our west that have successfully implemented walk-in programs.

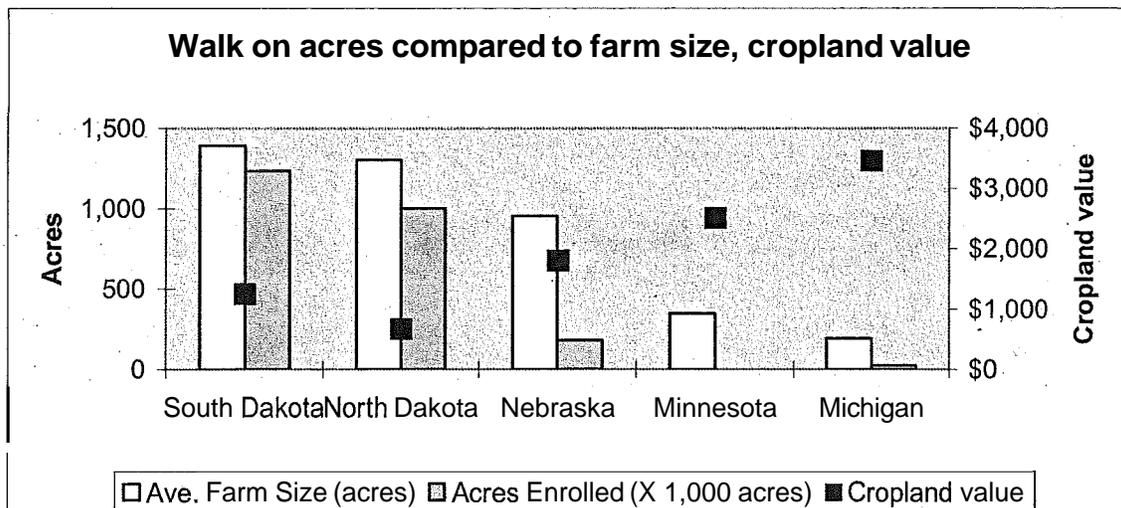


Figure 2. The relationship between average farm size and cropland value to the number of enrolled walk-in acres.

A summary of hunting access programs for private lands across the country is included in Table 1. There is high variability in the types of programs, their administration and costs depending on the area of the country. This report focuses on Midwestern states that should be more representative of the costs and administration that Minnesota could expect with a walk-in program.

Examples of Successful Programs

Both North and South Dakota have successful walk-in programs with more than 1 million acres enrolled in each state. South Dakota recently established a new goal of 2 million acres. The key elements of each state's program are described below:

South Dakota The "East River" of South Dakota access program primarily targets existing CRP acres for pheasant hunting. Contracts are annual and pay one dollar per acre with a five-dollar bonus per acre if the habitat is left undisturbed through out the hunting season. Signage and maps are provided by the State. Advantages of the South Dakota program are that it fairly inexpensive, is easy to administer, and popular with both landowners and hunters. The primary disadvantage is that lease hunting is beginning to out compete what the state can pay east of the Missouri River. Furthermore the South Dakota program is not as much of an incentive for enrollment into other long-term programs like CRP as the North Dakota program is. The South Dakota program is funded through hunting license surcharge and Pittman-Robertson Wildlife Restoration Funds. The program administration is spread out over 50 conservation Officers and one part time administrator for a total of 8 FTEs.

North Dakota North Dakota has a public access program called PLOTS (Private Lands Open To Sportsmen) that targets CRP and CREP enrolled acreages as well as working lands that includes 1,000,000 acres and is open to all forms of hunting. The North Dakota program is complex but offers landowners many options and provides for some of the longest contracts (up to 20-year) and best long-term habitat incentives with up to 50% cost share on seed for habitat improvements. North Dakota also has the most expensive program at \$10,000,000 per year. The North Dakota program is funded through a general game and habitat endorsement (\$13) on every hunting license and interest from the North Dakota Game and Fish Department's general fund. There are three full time administrators, 9 full time field staff and a shared full time position with USFWS for a total of 12.5 FTEs.

Table 1. Summary of hunter access programs in 2007

State	Program	Species	Acres	FTEs ¹	Cost	Funding
Arizona	Adopt-A-Ranch	Upland/big game	2 (M) ¹	3.40	\$600,000	State lottery/ casinos
California	No name	Upland game	2,000	N/A	\$60,000	Game bird stamps
Colorado	Walk-In Access	Pheasants	270,000	0.75	\$432,000	Access permit
Idaho	Access Yes!	All species	1.3 (M)	8	\$615,000	Hunting licenses/donations
Illinois	Access Illinois Outdoors	All species	250,000	1	None	Fee from hunter to landowner
Kansas	Walk In Hunting Access	All species	1 (M)	0.5	\$2 (M)	Hunting licenses/PR grant
Michigan	Hunting Access Program	All species	25,943	N/A	N/A	Hunting licenses
Minnesota ²	Forest Legacy	All Species	57,500	1	\$12 (M) ²	State/Private Partnership
	Trout Stream	Trout	620 miles	1	\$8.4 (M) ²	Licenses, RIM, bonding, LCCMR
Montana	Block mgrnt. Access	All species	8.3 (M)	23	\$6.5 (M)	Hunting licenses
Nebraska	CRP mgmt. access	All species	180,000	2	\$700,000	Hunting licenses, stamps, lottery
New York	F&W Mgmt. Act Coop Areas	Upland/big game	144,182	0	N/A	Hunting licenses, conservation find
N. Dakota	Prvt. Lands Open to Sportsmen	Upland, big game, waterfowl	1 (M)	12	10 (M)	Habitat stamp/ NDGF Dept general find interest
Oklahoma	No name	All species	500,000	3	\$200,000	Access permits
Oregon	Access and Habitat	Upland, big game, waterfowl	2 (M)	4	N/A	Hunting license, tag auctions
S. Dakota	Various	All species	1.2 (M)	6	\$2.3 (M)	Hunting licenses P-R fund
Utah	Various	All species	2 (M)	8	\$420,000	General finds, PR
Washington	Prvt Lands Access	Upland, big game, waterfowl	1.5 (M)	3.5	\$300,000	Hunting licenses P-R find
Wyoming	Walk-in Hunting	Upland, big game, waterfowl	1.3 (M)	5	\$870,000	Donations, stamps, restitution funds

¹ Some states include only the coordinator staff time, others include staff time to sign up contracts, check and post properties, make, print and distribute maps, etc.

² Access easements in these programs are perpetual easements. Totals are over the life of the programs.

COSTS AND BENEFITS

There are a variety of costs and potential benefits associated with a private lands access program for hunting and other recreation. Minnesota Session Law 2007, Chapter 131, Section 85 requires a description of "...the costs and benefits that a private lands access program will provide the public..."

Cost estimates for access programs

Estimating the cost per acre is difficult even in states that have established programs. Total program costs as reported by each state are found in Table 1. Each state has a unique method of calculating payments and accounting for costs. Some include field staff time and administrative costs in their calculations and others do not. Some states base their payment system on hunter use days (which requires an accurate accounting system), others pay a flat per acre fee, still others have a sliding per acre fee based upon habitat type, location, length of lease or other factors. In many instances states simply responded to our survey that they negotiate leases individually. Table 2 shows an estimated cost per acre for a select number of states as given in an Iowa DNR report from 2006.

Table 2. Cost per acre for state hunter access

	Montana (2004)	N. Dakota (2005)	S. Dakota (2005)	Nebraska (2004)	Kansas (2005)
Acres	8,767,805	849,335	1,032,570	180,000	1,009,885
Total cost	\$5,653,497	\$10,800,000	\$2,110,000	\$670,000	\$1,440,000
Land rental	\$3,939,481	\$7,240,000	\$1,800,000	\$550,000	\$1,290,000
Admin. Cost*	\$1,714,016	\$3,560,000	\$310,000	\$120,000	\$150,000
Total/acre	\$0.64	\$12.72	\$2.04	\$3.72	\$1.43
Land Payment/acre	\$0.45	\$8.52	\$1.74	\$3.06	\$1.28

*Staff time, signs, atlas, enforcement, etc.

Source: Iowa DNR

Part of the costs associated with walk-in programs are their potential impacts on other programs or interests. Some of these are detailed below.

Maintaining accelerated WMA/AMA acquisition. Constituent groups who have strongly supported the Wildlife Management Area and Aquatic Management Area systems have made it clear that they do not want resources diverted from WMA/AMA acquisitions and management for a walk-in program. These groups have successfully lobbied for additional funding in recent years for accelerated acquisitions and management activities for these programs. There is support for a private lands access program if it involved a new source of funding that would not divert resources from existing programs.

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Lease Hunting. Some states such as Michigan, Illinois, and eastern South Dakota have seen a rise in private lease hunting correlated to the state sponsored walk-in programs. Staff members who administer these programs believe that private individuals were using the walk-in program to locate prime hunting locations, identify willing landowners, and establish the minimum lease price. It was then a simple matter to out-bid the state the following year.

While this can be financially beneficial for the landowner the net result is a loss of public access and is counter productive to the intent of a walk-in program. One potential way to minimize or slow this impact is to require longer-term walk-in contracts but these may be less attractive to landowners particularly when a program is in its infancy.

Negative "Neighbor" Reaction to Increased Use. Some agricultural interests have stated that they have concerns regarding increased potential for trespass, litter, motor vehicle use, or property damage on lands neighboring walk-in area parcels.

Benefits to the public

More acres available to hunt

The most obvious benefit is that more acres will be available to hunt. This will help to alleviate crowding and offer more opportunity closer to home.

The time element associated with obtaining landowner permission is significant because finding landowners is increasingly difficult. Many of them have their primary job off the farm, work extremely large ownerships, or are absentee owners. Furthermore, asking a landowner for permission to hunt seems to have become increasingly difficult for suburban/ urban hunters that have lost their rural connections.

Easier to find a place to hunt

By posting walk-in areas and publishing an annual map delineating walk-in areas hunters are able to find these additional areas of opportunity with relative ease. This takes some pressure off of public lands while providing additional opportunity and distributing hunting pressure throughout the landscape. A secondary benefit is that, depending upon the contract language, these areas may be open for other activities such as nature-viewing, birding and photography as well as providing additional access for fishing opportunities along lakes and rivers.

Additional areas may attract new hunters

Walk-in programs are often designed with hunter recruitment and retention in mind. Two of the most frequent reasons that hunters cite for not participating are lack of time or lack of a place to hunt. The increased acres in a walk-in program provide additional places to hunt and closer to home. Moreover, having these areas identified can save a significant amount of time for hunters, because they do not need to find the landowner to ask permission.

While hunters report lack of access as an impediment, the scant data that is available suggests that high pheasant populations (as a result of good habitat) are a better "recruitment tool" as measured by resident license sales than are walk-in programs themselves (Iowa DNR, 2006).

Improved habitat complexes

Walk-in areas can be strategically located in order to maximize habitat value, in addition to providing recreation. By using the walk-in program as an additional incentive to build habitat complexes or add buffers around existing public lands to create larger blocks of quality (primarily grassland and wetland) habitat additional landscape level complexes can be built and/or maintained. This will maximize wildlife production, provide additional environmental benefits, and create hunting or wildlife viewing "destinations".

Benefits to landowners

Additional income for landowners

When layered with other incentives such as CRP, RIM, RIM-CE or CREP, or even sequestered carbon-banking payments, walk-in payments may make an attractive enough package to make it financially feasible for landowners to enroll marginal lands into conservation programs rather than continue to farm these lands.

Reduced wildlife depredation problems

At times landowners experience depredations caused by wildlife such as deer feeding in haystacks. This can become particularly troublesome in difficult winters. Allowing public access to private lands through a walk-in program could provide both recreation and significant control of nuisance deer. For example, absentee landowners often post their land out of convenience. This land can then become a defacto wildlife sanctuary and be the source of depredating deer for neighboring farms. If this land were enrolled in a walk-in program the sanctuary effect would be mitigated.

Reduced landowner "annoyance"

Another, albeit, smaller benefit from a walk-in program is that it can reduce the "annoyance" factor for landowners that have their property enrolled, as hunters already know that the property is open to hunting and what the boundaries are. This saves the landowner from repeated interruptions from hunters seeking permission to hunt.

RECOMMENDED ELEMENTS OF A SUCCESSFUL MINNESOTA WALK-IN PROGRAM

Targeted to existing programs

In order for a walk-in program to be successful the land enrolled must provide good wildlife habitat. This can be obtained in two ways: 1) enrolling land that in its pre-existing condition contains good habitat; or 2) providing incentives to get landowners to establish cover on currently cropped acres (e.g. by enrolling those lands into other conservation programs such as CRP).

In Minnesota it will probably be appropriate to use both methods. Enrolling pre-existing habitat provides "instant opportunity" but does not create any new habitat whereas new enrollments of cropped acreages that are converted to conserving cover create new habitat. A walk-in program payment layered on top of other conservation programs such as CRP, CREP, RIM, RIM-CE or even newly emerging "industrial grasslands" for biofuels may make it financially feasible for landowners to enroll, or extend contracts, in these programs. This will result in added habitat. Minnesota has a significant existing base of private conservation resource acres (see Table 3). We recommend that current and future private lands enrolled in these existing conservation programs serve as the backbone of the walk-in program. It is unlikely that a stand-alone walk-in payment will be sufficient incentive to entice landowners to enroll on its own.

Table 3. Total acres enrolled in private land conservation programs across Minnesota, 2007.

PROGRAM	CRP	Cont. CRP	CREP	RIM	RIM/WRP	WRP	All Programs
STATE TOTAL	1,453,817	292,223	106,435	67,796	6,668	63,702	1,992,642

Short-term contracts

We recommend that short-term contracts be used because they are attractive to landowners and relatively easy to administer. Easements or long-term contracts are probably not feasible for this program at this time because of landowner unfamiliarity with the potential of the program and a desire to maintain control and flexibility over land use in the future. It is very important that landowners can easily sign up for and opt-out of the program if good participation is to be expected. For example in South Dakota a landowner can withdraw from the program with a 30-day written notice.

Simple fee structure

We also recommend that a relatively simple fee structure be developed to value contracts that would not require bids, appraisals, or complex valuations. As previously mentioned, we envision a walk-in payment to be an additional "layer" of conservation payment, which, collectively with payments from other programs, can provide an attractive financial incentive for landowner participation.

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Easy to find

Walk-in parcels must be easy for hunters and other users to locate. Quality map books are the corner stone of good walk-in programs. These books will be in high demand by hunters, and must be updated and printed annually.

Identifiable and Well-signed

Similarly, insuring that all parcels are well signed is a key component to successful walk-in programs. At a minimum, all enrolled parcels should be signed at property corners, and at major entry points. This allows the public to easily find the parcels and minimizes trespass issues for neighbors. Standardized signs are required that clearly indicate the lands are open for public hunting or other uses.

Build habitat complexes

Walk-in areas should be strategically located in order to maximize habitat value, in addition to providing recreation. In general, the walk-in program should be used as an additional incentive to build habitat complexes or add buffers around existing public lands to create larger blocks of quality habitat. This will maximize wildlife production, provide additional environmental benefits, and create hunting or wildlife viewing "destinations". We recommend a walk-in program focus on grasslands and wetlands, but including some limited mix of croplands to provide hunting opportunities.

Contract Enrollment and Compliance

Care must be taken to ensure that only high quality land is enrolled (or that substandard land is quickly brought up to standards) and that the quality of the cover and the identifying signs are maintained during the life of the contract. This will require pre- and post-enrollment inspection and monitoring of contract compliance.

Enforcement

Additional patrolling of walk-in areas likely will be required to ensure that a small minority of unethical hunters do not abuse walk-in properties and to assure that neighbors to the properties do not incur trespass issues.

Marketing Plan

Initial marketing of the program to both landowners and hunters through a directed marketing plan will likely be needed. South Dakota reported that initial marketing to landowners was a critical component of their program. However after a period of years they were able to stop marketing the program as both landowners and hunters became familiar with it.

Program Funding and Administration

To address concerns raised by our stakeholders of diverting funding from existing programs, new funding will be a key component to ensuring a successful and viable walk-in program. Although the primary component of the budget will be contract dollars we have learned from other states that running an access program is labor intensive and adequate staff resources must be devoted to ensure success. Non-contract costs include signs, posts, atlases, labor, and contract administration.

The total number of acres that can be enrolled is a function of both landowner interest and total budget. At this time it is unknown what actual payment rates would be required to entice a significant number of landowners to enroll into a walk-in program. Table 4 below estimates the cost of a program based upon per acre landowner contract payment rates of \$5, \$10, \$15 and \$20 plus administrative costs. Some administrative costs such as atlas publication remain fixed regardless of program size. These costs are estimated at \$100,000 per year. Other costs such as signage and personnel increase with acres enrolled these costs are estimated at \$150,000 per 100,000 acres enrolled. Thus a 100,000 acre program at \$10/acre would cost \$1,250,000 per year and a 200,000 acre program would cost \$2,400,000 per year.

Assuming a user fee funding model, cost per hunter is also estimated at various landowner payment rates. These costs range between approximately \$17/hunter/yr for 300,000 acres at \$5/ac to \$178/hunter/yr for 1,000,000 at \$20/ac.

Table 4. Annual estimated cost of a walk-in program per 100,000 acres at various per acre payment rates and estimated cost per hunter at various per acre payment rates.

Landowner payment rate	\$5/acre	\$10/acre	\$15/acre	\$20/acre
Cost/ 300,000 acre* (per hunter**)	\$2,050,000 (\$17)	\$3,550,000 (\$29)	\$5,050,000 (\$41)	\$6,550,000 (\$54)
Cost/ 500,000 acre (per hunter)	\$3,350,000 (\$27)	\$5,550,000 (\$48)	\$8,250,000 (\$68)	\$10,850,000 (\$89)
Cost/ 1,000,000 acre (per hunter)	\$6,500,000 (\$53)	\$11,600,000 (\$96)	\$16,600,000 (\$136)	\$21,600,000 (\$178)

*includes \$100,000 fixed program costs and \$150,000 per 100,000 acres program costs.

** based upon the average number of pheasant hunters per year over the last 5 years (122,000).

Landowner Liability Protection

Minnesota Session Law 2007, Chapter 131, Section 85 specifies "...nothing in the plan may preempt trespass and liability laws. Recommendations submitted by the commissioner of natural resources under subdivision 3 shall include any changes to Minnesota Statutes, sections 604A.20 to 604A.27, necessary to ensure that landowners are not exposed to additional liability as a result of the walk-in access program."

Current Minnesota laws (sections 604A.20 to 604A.27) protect landowners from liability associated with public use of their lands for recreational purposes only if no fee is charged. Because landowners participating in a walk-in program will be receiving compensation from the state, the liability laws need to clearly protect participating landowners from any increased liability. Suggested language to amend existing statutes and make this clear is given below:

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Minnesota Statutes 2007, Section 604A.21, is amended by adding a new subdivision that shall read:

"Subd. 7. **State Walk-In Access Program.** Land enrolled in the State walk-in access program pursuant to section _____, is deemed, for the purposes of sections 604A.20 to 604A.27, to be land that an owner has made available without charge for recreational purposes, despite any payments which may be made to the owner by the state for enrollment of the land in such program."

Additional options

Minnesota has some other unique opportunities to increase public access to now private lands that the Legislature may wish to consider in the context of a walk-in package.

They are:

- Increase investment in Forest Legacy Program
- Increase investment in Trout Stream Access Program
- Insure that new programs such as RIM-Clean Energy include a provision and funding for public access

APPENDIX A

Minnesota Session Law 2007 Chapter 131 Omnibus Natural Resources

Sec. 85. ACCESS TO MINNESOTA OUTDOORS PLAN.

Subdivision 1. Walk-in access plan. (a) The commissioner of natural resources shall prepare a plan for a walk-in public access program under which the commissioner may encourage owners and operators of privately held land to voluntarily make that land available for walk-in access by the public for hunting and fishing under programs administered by the commissioner.

(b) As part of the plan, the commissioner shall explore entering into contracts with the owners or lessees of land to establish voluntary walk-in public access for hunting, fishing, or other wildlife-dependent recreational activities.

(c) In the plan, the commissioner must describe:

(1) the costs and benefits that private land access will provide the public, such as hunting, fishing, bird watching, and related outdoor activities; and

(2) the types of game, fish, and wildlife habitat improvements made to the land that will enhance public uses.

(d) The commissioner shall explore the effectiveness and public and private cost of walk-in public access programs in other states and recommend walk-in program options for public access to private lands for hunting, fishing, and related recreational activities.

Subd. 2. Other law. Nothing in the plan may preempt trespass and liability laws. Recommendations submitted by the commissioner of natural resources under subdivision 3 shall include any changes to Minnesota Statutes, sections 604A.20 to 604A.27, necessary to ensure that landowners are not exposed to additional liability as a result of the walk-in access program.

Subd. 3. Report. The commissioner must present the walk-in public access plan to the house and senate committees with jurisdiction over natural resources policy and finance, with recommendations on program implementation, by January 15, 2008.

APPENDIX B

Brief Summaries of MN/DNR Forest Legacy and Trout Stream Easement Programs.

Trout Streams

The statewide goal for protection of Minnesota's 5,508 miles of coldwater stream habitat through public ownership should increase from the current 46% to 72 % by 2032. These public lands include federal, state, county, and municipal ownership. To achieve this goal, the vision for the AMA Acquisition Program is to acquire 1,500 miles of cold-water stream habitat in the next 25 years from willing sellers to provide sustainable populations of trout and greater opportunities for angling recreation for future generations. This vision would increase the portion of cold-water designated trout streams protected as AMAs from 11% (618 miles) in 2007 to 38% (2,118 miles) by 2032.

Due to increasing land costs and habitat loss, acquisition efforts should be accelerated over the next ten years by purchasing approximately 66% of the 25 year long-term goal or 1,000 miles in ten years at a rate of 100 miles per year. This may require approximately \$10 million per year from 2008-2017 and \$3.3 million per year between 2018-2032. Acquisitions should be concentrated in the southeast and northeast portions of the state where development and land use pressures, habitat fragmentation, and increased demand for outdoor recreation continue to expand.

This vision would increase trout stream AMAs from just over ½ foot of shoreland for each of Minnesota's 5.1 million citizens (2007) to nearly 2 feet for each of Minnesota's projected 6.3 million citizens (2030). Accessibility for Minnesota's growing urban populations would be tremendously increased.

Forest Legacy Program

The Minnesota Forest Legacy Program protects environmentally important forests throughout the state threatened by conversion to nonforest uses. Federal funds and local matching funds are used to purchase development rights and conservation easements on these forests in targeted areas of Minnesota to keep them intact and continuing to provide forest benefits. The landowner retains ownership and can continue to foster forest uses such as timber management, recreation, hunting, and hiking as long as they don't conflict with the terms of the easement. All easements are perpetual and any new owner is bound by the terms of the easement.

The Minnesota Forest Legacy Program has acquired public hunting rights and other public recreation opportunities on nearly 57,500 acres of private forestlands in Koochiching, Cass, Crow Wing, and Itasca counties. Hunting on Forest Legacy Conservation areas is allowed during the appropriate seasons and with the correct license. Other, non-Forest Legacy private properties adjoin these conservation areas, many of which are signed "no hunting."

APPENDIX C

Characteristics of Hunter Access Programs in the United States

This document is a compilation of the written responses received from state agencies responding to the hunter access survey summarized in Table 1.

Due to length this document has not been included but can be found on the DNR web site at: <http://www.dnr.state.mn.us/hunting/walkin>

APPENDIX D

Hunter Access Literature Review

This document provides a brief summary of programs by state and concludes with a bibliography of known hunter access publications.

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