



Friends of Minnesota Scientific & Natural Areas

Recommendations for Pending Scientific and Natural Area (SNA) Acquisitions

Introduction

On April 10, 2020, Molly Roske, Supervisor of the Scientific and Natural Areas Program, gave a power point presentation on pending acquisitions to the Natural Heritage Advisory Committee's (NHAC) on "SNA Acquisition and Use Review Subcommittee."

Ms. Roske classified the pending acquisitions into three categories, based on the stage in the acquisition and designation process:

I. Sent to DNR Commissioner's Office – and awaiting a Commissioner's Designation Order;

II. Closed and ready for Commissioner's Designation Order preparation; and

III. An option agreement has been secured and acquisition is likely by end of this fiscal year or the next fiscal year.

The following contains our recommended language for the new Commissioner's Orders, in conformance with the statutory purposes of the SNA Program. As a reminder, Minnesota Statute 86A.05, Subdivision 5 states:

"Subd. 5. State scientific and natural areas; purpose; resource and site qualifications; administration; designation. (a) A state scientific and natural area shall be established to **protect and perpetuate in an undisturbed natural** state those natural features which possess exceptional scientific or educational value. [Emphasis added.] ...

(c) State scientific and natural areas **shall be administered** by the commissioner of natural resources, in consultation with qualified persons, in a manner which is **consistent with the purposes of this subdivision to preserve, perpetuate and protect from unnatural influences** the scientific and educational resources within them. Interpretive studies may be provided for the general public. Physical development shall be limited to the facilities absolutely necessary for protection, research, and educational projects, and, where appropriate, for interpretive services. [Emphasis added.]

Finally, it is important to **thank** Molly Roske for her generous time and effort – particularly during our pandemic to help NHAC – and the public - understand the SNA acquisition process.

I. “Sent to CMO (awaiting Commissioner’s Designation Order)”

A. Avon Hills Forest SNA [addition]

Commissioner’s Order #186 (10/17/2006) states:

“... open to the public for nature observation and general education and research activities...”

“open to deer hunting on such occasions and with such limitations as the Commissioner determines are necessary to ensure proper management of deer populations.”

[Recommendation]: The above language conforms to the statutory purposes of the SNA program and, therefore, is acceptable in the new Commissioner’s Designation Order.]

B. Agassiz Dunes SNA [addition]

Commissioner’s Order #190 (6/27/2007) states:

“... open to the public for nature observation and general education and research activities...”

[Recommendation]: The above language conforms to the statutory purposes of the SNA program and, therefore, is acceptable in the new Commissioner’s Designation Order.]

C. Crystal Spring SNA [addition]

Commissioner’s Order #247 (2/8/2017) states:

“... open to the public for nature observation and general educational and research activities”

“... the Commissioner may decide to allow hunting if and when documented ecological needs arise that can best be resolved by hunting with such limitations as the Commissioner determines are necessary for protection of the values for which the site was designated.”

[Recommendation]: The above language conforms to the statutory purposes of the SNA program and, therefore, is acceptable in the new Commissioner’s Designation Order.]

II. “Closed, ready for Commissioner’s Designation Order Preparation”

A. Myhr Creek Ridge SNA [addition]

Commissioner’s Order #182 (5/21/2004) states:

“... open to the public for nature observation and general educational and research activities.”

Commissioner’s Order #214 (6/21/2011), issued after a public hearing, states:

“... open to the public for nature observation and general educational and research activities.”

“... the provisions of *Minn. Rules* 6136.0100 through 6136.0600 shall apply ... except that the following uses will be permitted with such limitations as Commissioner determines are necessary for protection of the values for which the site was designated: **picnicking, dogs, picking edible berries for non-commercial purposes, and hunting** in seasons for protected game species.”

[Recommendation: We acknowledge that the policies and practices at the time of the original acquisition resulted in Commissioner’s Orders that allowed some uses that are incompatible with the SNA statutes. These uses are highlighted in **red font text**.

However, based on the increasing ecological crisis, both within and outside of SNAs, we recommend taking the steps necessary to remove these incompatible uses.

For example, dogs are incompatible with SNA legislation and have adverse impacts, including spread of invasive species. (See attached e-mail from Scott Milburn, President of the MN Native Plant Society.)

If hunting is allowed, it should only be “... if and when documented ecological needs arise that can best be resolved by hunting with such limitations as the Commissioner determines are necessary for protection of the values for which the site was designated.” (This language quotes Crystal Spring SNA’s Commissioner’s Order, on page 1 above.)]

B. Purrington Prairie SNA [new]

[Recommendation: The Commissioner’s Designation Order state the SNA is only “... open to the public for nature observation and general educational and research activities.” No other activities should be allowed.]

C. Cannon River Turtle Preserve SNA [addition]

Commissioner’s Order #107 (1/27/1997) states

“... open to the public for nature observation and general educational and research activities.”

“... **dogs are permitted**, and **public hunting** is permitted during the open season subject to all applicable laws and regulations.”

“... public use including hunting is prohibited on sandbars posted as closed from May 1 to October 1 to protect breeding and nest sites of turtles.”

[Recommendation: We acknowledge that the policies and practices at the time of the original acquisition resulted in Commissioner’s Orders that allowed some uses that are incompatible with the SNA statutes. These uses are highlighted in **red font text**.

However, based on the increasing ecological crisis, both within and outside of SNAs, we recommend taking the steps necessary to remove these incompatible uses.

For example, dogs are incompatible with SNA legislation and have adverse impacts, including spread of invasive species. (See attached e-mail from Scott Milburn, President of the MN Native Plant Society.)

If hunting is allowed, it should only be “... if and when documented ecological needs arise that can best be resolved by hunting with such limitations as the Commissioner determines are necessary for protection of the values for which the site was designated.” (This language quotes Crystal Spring SNA’s Commissioner’s Order, on page 1 above.)]

III. Option (acquisition) likely by end of this Fiscal Year or Next

A. Watrous Island SNA [addition]

Commissioner’s Order #256 (9/18/2017) states:

“... open to the public for nature observation and general educational and research activities.”

“... the provisions of *Minn. Rules* 6136.0100 through 6136.0600 shall apply ... except that the following uses will be allowed with such limitations as Commissioner determines are necessary for protection of the values for which the site was designated: **fishing, hunting, trapping, dogs under control or on leash, swimming, access by watercraft**.

[Recommendation: We acknowledge that the policies and practices at the time of the original acquisition resulted in Commissioner’s Orders that allowed some uses that are incompatible with the SNA statutes. These uses are highlighted in **red font text**.

However, based on the increasing ecological crisis, both within and outside of SNAs, we recommend taking the steps necessary to remove these incompatible uses.

For example, dogs are incompatible with SNA legislation and have adverse impacts, including spread of invasive species. (See attached e-mail from Scott Milburn, President of the MN Native Plant Society.)

If hunting is allowed, it should only be "... if and when documented ecological needs arise that can best be resolved by hunting with such limitations as the Commissioner determines are necessary for protection of the values for which the site was designated." (This language quotes Crystal Spring SNA's Commissioner's Order, on page 1 above.)]

B. Rock Valley Prairie SNA [new]

[Recommendation]: We request that the Commissioner's Designation Order state the SNA is only "... open to the public for nature observation and general educational and research activities." No other activities should be allowed.]

C. Hastings SNA [addition #1]

Commissioner's Order #3 (10/16/1974) states:

"... the use of watercraft, both motorized and otherwise, and fishing and the related removal of fish are allowed upon the waters included therein."

Commissioner's Order #244 (2/4/2015) states:

"... open to the public for nature observation and general educational and research activities."

"... **use of watercraft and fishing** are allowed with such limitations as the Commissioner determines are necessary for protection of the values for which the site was designated."

[Recommendation]: We acknowledge that the policies and practices at the time of the original acquisition resulted in Commissioner's Orders that allowed some uses that are incompatible with the SNA statutes. These uses are highlighted in **red font text**.

However, based on the increasing ecological crisis, both within and outside of SNAs, we recommend taking the steps necessary to remove these incompatible uses and that the new Commissioner's Order only states: "... open to the public for nature observation and general educational and research activities."]

D. Hastings SNA [addition #2] – see recommendation to Hastings SNA [addition #1]

E. Little Mantrap Lake SNA [new]

[Recommendation]: The Commissioner's Designation Order state the SNA is only "... open to the public for nature observation and general educational and research activities." No other activities should be allowed.]

F. Icelandic Fen SNA [new]

[Recommendation]: The Commissioner's Designation Order state the SNA is

only "... open to the public for nature observation and general educational and research activities." No other activities should be allowed.]

G. Wabu Woods SNA [addition]

Commissioner's Order #100 (1/11/1994) states:

"... open to the public for nature observation and general educational and research activities."

A Commissioner's Order was published in the State Register on March 24, 2003 (no Order #), after a public hearing, stating:

"I ... hereby order 1) the opening of Wabu Woods Scientific and Natural Area to **public hunting including the use of dogs for game birds.**"

[Recommendation: We acknowledge that the policies and practices at the time of the original acquisition resulted in Commissioner's Orders that allowed some uses that are incompatible with the SNA statutes. These uses are highlighted in **red font text.**

However, based on the increasing ecological crisis, both within and outside of SNAs, we recommend taking the steps necessary to remove these incompatible uses.

For example, dogs are not compatible with SNA legislation and have adverse impacts, including spread of invasive species. (See attached e-mail from Scott Milburn, President of the MN Native Plant Society.)

If hunting is allowed, it should only be "... if and when documented ecological needs arise that can best be resolved by hunting with such limitations as the Commissioner determines are necessary for protection of the values for which the site was designated." (This language quotes Crystal Spring SNA's Commissioner's Order, on page 1 above.)]

H. St. Louis River Wood Turtle SNA [new – named to be determined]

[Recommendation: The Commissioner's Designation Order state the SNA is only "... open to the public for nature observation and general educational and research activities." No other activities should be allowed.]

Very truly yours,



Thomas E. Casey
Board Chair
Friends of Minnesota Scientific and Natural Areas, Inc

*Friends of Minnesota Scientific and Natural Areas
Recommendations for Pending SNA Acquisitions
May 20, 2020*

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Attachment:

Scott Milburn, President of MN Native Plant Society (e-mail dated October 7, 2014)