
Susan Thornton, Director

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Friday, January 16, 2009

8:30 a.m. – 4:00 p.m.

**Veterans Service Building, Room Vets B - 5th Floor
20 West 12th Street, St. Paul, MN 55155**

Members Present: Sen. Ellen Anderson, Al Berner, Jeff Broberg, Rep. Lyndon Carlson, Sen. Satveer Chaudhary, Sen. Dennis Frederickson, Nancy Gibson, John Herman, John Hunt, Mary Mueller, Sen. Pat Pariseau, Rep. Tom Rukavina, Sen. Jim Vickerman, Rep. Jean Wagenius

Staff Present: S. Thornton, S. Shreffler, M. McDonough, M. Banker, D. Griffith

Co - Vice-Chair: Rep. Jean Wagenius

Rep. Jean Wagenius called the meeting to order at 8:45 a.m.

1. Approve agenda for LCCMR meeting

MOTION: Rep. Lyndon Carlson moved to approve the agenda for today's meeting – motion prevailed.

2. Members report potential conflicts of interest regarding today's business

Members had no conflict of interest for today's meeting.

3. Approve minutes of January 9, 2009

MOTION: Rep. Tom Rukavina moved to approve the minutes for January 9, 2009 – motion prevailed.

4. Subd. 7c – “Energy Efficient Cities” - \$2,000,000 Center for Energy and Environment – budget detail proposed

At the request of the Commission, Sheldon Strom from the Center for Energy and Environment discussed their proposal “Subd. 7c – “Energy Efficient Cities”. See Attachment #1.

5. LCCMR discussion on Trust Fund mission, priorities, funding process

Member discussion is compiled as Attachment #2.

6. Final adoption of the 6-Year Strategic Plan for incorporation into January 16, 2009 Biennial Report

Susan Thornton reviewed the revised 6-Year Strategic Plan.

MOTION: Sen. Jim Vickerman moved adoption of the revised 6-Year Strategic Plan for insertion into the Biennial Report – motion prevailed.

LEGISLATIVE-CITIZEN COMMISSION ON MINNESOTA RESOURCES

7. Review and adopt appropriation language for 2009 Environment and Natural Resources Trust Fund recommendations to the 2009 Legislature

Susan Thornton reviewed the items in their packets for this agenda item.

The draft bill before the members is labeled JT034 12/31/08.

MOTION: Rep. Jean Wagenius moved to insert the following language:

Page 6, after line 6, insert:

“(e) Minnesota Conservation Corps Restoration Work

\$1,696,000 is from the trust fund to the commissioner of natural resources for contracted services with the Minnesota Conservation Corps for restoration of wildlife management areas and scientific and natural areas.”

Page 6, line 7, delete “(e)” and insert “(f)”

Page 6, line 9, delete “\$3,375,000” and insert “\$2,347,000”

Page 6, line 13, delete “\$770,000” and insert “\$607,000”

Page 6, line 15, delete “\$2,605,000” and insert “\$1,740,000”

Page 6, line 16, delete “\$450,000” and insert “\$225,000”

Page 6, line 18, delete “\$895,000” and insert “\$585,000”

Page 6, line 20, delete “\$365,000” and insert “\$340,000”

Page 6, line 21, delete “\$210,000” and insert “\$130,000”

Page 6, line 22, delete “\$350,000” and insert “\$175,000”

Page 6, line 23, delete “\$100,000” and insert “\$50,000”

Page 7, line 30, delete “(f)” and insert “(g)”

Page 7, line 32, delete “\$3,375,000” and insert “\$2,207,000”

Page 7, line 36, delete “\$2,185,000” and insert “\$1,445,000”

Page 8, line 2, delete “\$1,190,000” and insert “\$762,000”

Page 8, line 3, delete “\$380,000” and insert “\$190,000”

Page 8, line 6, delete “\$250,000” and insert “\$125,000”

Page 8, line 7, delete “\$225,000” and insert “112,000”

Page 9, line 14, delete “(g)” and insert “(h)”

Page 9, line 25, delete “(h)” and insert “(i)”

Page 9, line 26, delete “\$1,500,000” and insert “\$1,000,000”

Page 9, line 33, delete “(i)” and insert “(j)”

Page 10, line 10, delete “(j)” and insert “(k)”

Page 15, after line 22, insert:

“(d) Solar Energy for Parks

\$500,000 is from the trust fund to the commissioner of natural resources to acquire and install solar energy technology at state parks and recreation areas. \$500,000 is from the trust fund to the Metropolitan Council for subgrants for the acquisition and installation of solar energy technology at Metropolitan parks. Preference shall be given to sites that can be connected to the electric power grid.”

Members discussed the implications of this amendment to the Subd. 4e “Habitat Corridors Partnership (HCP) – Phase IV” and Subd. 4f “Metropolitan Conservation Corridors (MeCC) – Phase V”. Jane Prohaska from Minnesota Land Trust testified and handed out a letter with

DRAFT

DRAFT

LEGISLATIVE-CITIZEN COMMISSION ON MINNESOTA RESOURCES

respect to Habitat Corridors Partnership (HCP) and Metropolitan Conservation Corridors (MeCC). See Attachment #3.

Rep. Jean Wagenius renewed her motion – motion did not prevail.

MOTION: Rep. Jean Wagenius moved to insert the following language on line 18.24 and renumber lines 18.24, lines 18.28, and lines 19.15:

Subd. 11 Project Requirements

- (a) As a condition of accepting an appropriation in this section, any agency or entity receiving the appropriation must, for any project funded in whole or in part with funds from this appropriation:

Line 18.24 – insert following language

(5) when restoring or recreating habitat, prepare an ecological restoration and management plan to restore or recreate and maintain a high quality native plant community. The plan shall, at a minimum:

(i) consider factors including soils, soil nutrients, soil pH, geology, micro climate, moisture, drainage, topography, slope, sun/shade, location within the watershed and landscape, current land cover, historic land cover and surrounding land cover, potential disturbance regimes and other relevant factors. The Minnesota Department of Natural Resources Field Guides to the Native Plant Communities of Minnesota plan shall be consulted to help determine the appropriate native plant community.

(ii) the plan shall include the proposed time table for implementing the project, including site preparation, establishment of plant species, and on-going maintenance. It shall also describe the source of the local plant materials and the extent to which they meet the requirement for local ecotype.

(iii) the plan shall include a time table of at least four years to describe the proposed ongoing management and maintenance of the site including activities necessary to maintain a high quality native plant community.

(iv) The plan shall name the party responsible for ongoing management of the site and the source(s) of funding.

Renumber remaining items:

18.24 ~~(5)~~ (6) give priority to any acquisition of land

18.28 ~~(6)~~ (7) provide documentation to the

19.15 ~~(7)~~ (8) give consideration to contracting with the

Peggy Booth from Department of Natural Resources (DNR) - Div of Ecological Services testified about the procedures for preparing and completing restoration and management plans for Scientific and Natural Areas.

Rep. Jean Wagenius withdrew her motion.

MOTION: Nancy Gibson moved to insert the following language on line 18.24 and renumber lines 18.24, lines 18.28, and lines 19.15:

Subd. 11 Project Requirements

- (a) As a condition of accepting an appropriation in this section, any agency or entity receiving the appropriation must, for any project funded in whole or in part with funds from this appropriation:

DRAFT

DRAFT

LEGISLATIVE-CITIZEN COMMISSION ON MINNESOTA RESOURCES

Line 18.24- insert the following language:

(5) when restoration is desired, the plan for restoration should, to the degree be practical, be consistent with the highest quality conservation and ecological goals for that site.

(i) consideration should be given to soil, geology, topography, and other relevant factors that would provide the best chance for long-term success of the restoration project.

(ii) the plan shall include the proposed time table for implementing the restoration, including site preparation, establishment of diverse plant species, maintenance and additional encouragement during the establishment/restoration period.

(iii) the plan identify long-term maintenance and management needs of the restoration and how these needs will be financed

(iv) the plan should take advantage of the best available science that could include innovative techniques that heighten the best outcome.

Renumber remaining items:

18.24 ~~(5)~~ (6) give priority to any acquisition of land

18.28 ~~(6)~~ (7) provide documentation to the

19.15 ~~(7)~~ (8) give consideration to contracting with the

Amendment: Rep. Jean Wagenius moved to amend Nancy Gibson's motion to add to "(iii) the plan identify long-term maintenance and management needs of" and add "(6) New lands acquired must have a restoration and management plan in compliance with Clause 5 including sufficient funding for implementation." Then renumber the remaining items. Nancy Gibson agreed to the amendment.

Nancy Gibson renewed her motion – motion prevailed.

MOTION: Rep. Jean Wagenius moved to delete lines 17.9 through 18.23 and insert the following language:

Subd. 11. Project Requirements

(a) As a condition of accepting an appropriation in this section, any agency or entity receiving the appropriation must, for any project funded in whole or in part with funds from this appropriation:

(1) comply with Minnesota Statutes, chapter 116P;

(2) plant vegetation only of native ecotypes to Minnesota and preferably of the local ecotype using a high diversity of species grown as close to the restoration site as possible;

(3) when restoring prairies:

(i) the seeds and plant materials must originate as close to the site as possible in the same county as the restoration site or within 25 miles of the county border, but not across the boundary of an ecotype region. Ecotype regions are defined by the Department of Natural Resources map, "Minnesota Ecotype Regions Map - County Landscape Groupings Based on Ecological Subsections," dated February 15, 2007;

DRAFT

DRAFT

LEGISLATIVE-CITIZEN COMMISSION ON MINNESOTA RESOURCES

(ii) if seeds and plant material described in item (i) are not available, then the restoration must use seeds and plant materials from within the same ecotype region; or within 25 miles of the restoration site in a bordering ecotype region. ecotype region border.

~~(iii) if seeds and plant material described in item (i) or (ii) are not available, then the restoration must use seeds and plant material from within the same ecotype region or within 25 miles of the ecotype region boundary.~~

Use of seeds and plant materials from beyond the geographic areas described in this clause must be expressly approved in the work program.

Amendment: John Herman moved to amend Rep. Jean Wagenius's motion to add the following language at the end of the last paragraph "..., but in all cases the seed and plant material shall originate within 200 miles of the restoration site." Rep. Jean Wagenius accepted John Herman's amendment.

Rep. Jean Wagenius renewed her motion – motion did not prevailed (6 / 7)

MOTION: Mary Mueller moved to delete lines 17.9 through 18.23 and insert the following language:

Subd. 11. Project Requirements

(a) As a condition of accepting an appropriation in this section, any agency or entity receiving the appropriation must, for any project funded in whole or in part with funds from this appropriation:

- (1) comply with Minnesota Statutes, chapter 116P;
- (2) plant vegetation only of native ecotypes to Minnesota and preferably of the local ecotype using a high diversity of species.
- (3) when restoring prairies **for SNA's**:

(i) the seeds and plant materials must originate in the same county as the restoration site or within 25 miles of the county border, but not across the boundary of an ecotype region. Ecotype regions are defined by the Department of Natural Resources map, "Minnesota Ecotype Regions Map - County Landscape Groupings Based on Ecological Subsections," dated February 15, 2007;

(ii) if seeds and plant material described in item (i) are not available, then the restoration must use seeds and plant materials from within the same ecotype region; or within 25 miles of the restoration site in a bordering ecotype region.

~~(iii) if seeds and plant material described in item (i) or (ii) are not available, then the restoration must use seeds and plant material from within the same ecotype region or within 25 miles of the ecotype region boundary.~~

(4) For all other prairie restorations seeds and plant materials must originate from within 200 miles of the restoration site.

Use of seeds and plant materials from beyond the geographic areas described in this clause must be expressly approved in the work program.

Rep. Jean Wagenius moved to amend Mary Mueller's motion to replace Item (3) with "When restoring prairies belonging to the State of Minnesota or in regional parks or restored with State money". Mary Mueller did not accept it. Rep. Jean Wagenius moved to replace Item (3) with "When restoring prairies belonging to the State of Minnesota or in regional parks or restored with State money" – motion did not prevail (6 / 7).

Mary Mueller renewed her motion - motion prevailed.

DRAFT

DRAFT

LEGISLATIVE-CITIZEN COMMISSION ON MINNESOTA RESOURCES

MOTION: Sen. Jim Vickerman moved to adopt language for the 2009 Environment and Natural Resources Trust Fund appropriations with amendments approved today and staff will make the grammatical and stylistic changes requested today.

The vote was 11-2. This vote represents a super majority of the seated commission members. However, the bill language was not adopted with the statutorily required 12 votes (MS 116P.05 Subd. 2 states "Approval of the recommended legislative bill requires an affirmative vote of at least 12 members of the commission."). At the time of this meeting, the Commission had only 14 members. There were three vacancies: two House of Representative members from the minority party and one non-legislative Governor appointee.

Sen. Ellen Anderson brought up for discussion that Senate Leadership is interested in using LCCMR staff to temporarily staff the Lessard Outdoor Heritage Council. Members discussed this item and concerns about whether this could be done without adding staff to the LCCMR. Because this is a personnel issue, Rep. Jean Wagenius suggested a personnel committee made up of the Executive Committee meet. All interested Commission members are encouraged to attend.

8. Final adoption of the Biennial Report to the Legislature - Due January 15, 2009

Susan Thornton completed the review of the Biennial Report. Members requested Section V reflect what transpired at today's meeting and that legislation will be introduced without the 12 vote requirement.

MOTION: Sen. Dennis Frederickson moved adoption of the Biennial Report with modifications made from discussions today regarding Section V – motion prevailed.

9. Discuss and adopt new Request for Proposal (RFP) for FY011 (beginning July 1, 2010)

Members began discussion on Attachment #4 (Possible Priorities for 2010 RFP). Rep. Jean Wagenius asked members to list their priority topics. After each member shared their ideas, the Commission identified common areas of interest. After lengthy discussion, the Commission reached consensus on the priority issue areas for the next RFP: Water Resources, Renewable Energy and Climate Change, Habitat Protection and Restoration, Invasive Species, Community- and Conservation-based Integrated Planning, Environmental Education, and Creative Ideas. The Priority Issue Areas are: (A) Water Resources, (B) Renewable Energy and Climate Change, (C) Habitat Protection and Restoration, (D) Invasive Species, (E) Integrated Community-Based Conservation Planning & Implementation, (F) Environmental Education, and (G) Creative Ideas.

MOTION: Sen. Dennis Frederickson moved to have staff draft the 2010 RFP for distribution to members via email for review. Members will email any comments to staff for compiling a final draft of the RFP. If there are unresolved issues, there will be an executive committee meeting to make a final decision of the 2010 RFP – motion prevailed.

10. Review schedule

Schedule not reviewed.

11. Other business

12. Adjourn

Meeting adjourned at 4:15 p.m.

Respectfully submitted,

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