

LEGISLATIVE-CITIZEN COMMISSION ON MINNESOTA RESOURCES

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Susan Thornton, Director

MINUTES

Tuesday, December 10, 2013

9:00 a.m. – 4:00 p.m.

State Office Building, Room 5

St. Paul, MN 55155

Members Present: Jeff Broberg, Tom Cook, Sen. Gary Dahms, Sen. Kari Dziedzic, William Faber, Rep. Dan Fabian, Nancy Gibson, Bonnie Harper-Lore, John Herman, Sen. John Hoffman, Rep. Leon Lillie, Norman Moody, Rep. John Persell, Sen. David Tomassoni, Rep. Paul Torkelson, Rep. Jean Wagenius, Sen. Torrey Westrom

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

Members Absent: None

Co-Chair: Sen. David Tomassoni

1. Approve the minutes for October 22-23, 2013

Co-Chair Tomassoni called the meeting to order at 9:15 a.m.

MOTION: Rep. Fabian moved the minutes for October 22-23, 2013 – motion prevailed. (00:00:18)

2. (00:00:27) Members report potential conflicts of interest regarding today's business

MS 116P.09 Subd 6 Conflict of interest. A commission member, technical advisory committee member, a peer review panelist, or an employee of the commission may not participate in or vote on a decision of the commission, technical advisory committee, or peer review panel relating to an organization in which the member, panelist, or employee has either a direct or indirect personal financial interest. While serving on the commission, technical advisory committee, or peer review panel, or being an employee of the commission, a person shall avoid any potential conflict of interest.

See Attachment #1 for member's conflict of interest reported previously.

Due to the weather conditions, the sequence of the agenda was revised.

4. (00:01:40) Draft LCCMR Calendar for 2014

MOTION: Sen. Dahms moved the calendar for 2014 with amendment that April 1st be changed to March 28th for proposals due in response to 2015 Request for Proposal – motion prevailed. See Attachment #2 with revision.

5. (00:05:45) Review for adoption LCCMR Appropriations Bill for the 2014 MN Legislative Session Funding Recommendations from the Environment and Natural Resources Trust Fund (ENRTF)

Jeff Broberg, Tom Cook, Sen. Gary Dahms, Sen. Kari Dziedzic, William Faber, Rep. Dan Fabian, Nancy Gibson, Bonnie Harper-Lore, John Herman, Sen. John Hoffman, Rep. Leon Lillie, Norman Moody, Rep. John Persell, Sen. David Tomassoni, Rep. Paul Torkelson, Rep. Jean Wagenius, Sen. Torrey Westrom

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Susan Thornton started the discussion on the adoption of the LCCMR ENRTF Appropriations Bill for the 2014 MN Legislative Session Funding Recommendation. Ms. Thornton explained the handout titled "LCCMR M.L. 2014 Environment and Natural Resources Trust Fund Recommendations Draft Bill Language as of 12/10/13" and the handout titled "DNR Request for Bill Language Change, December 9, 2013".

MOTION: Commissioner Gibson moved the handout titled "LCCMR M.L. 2014 Environment and Natural Resources Trust Fund Recommendations Draft Bill Language as of 12/10/13" and the handout titled "DNR Request for Bill Language Change, December 9, 2013" and incorporate Co-Chair Tomassoni suggested to add the following language to line 110 of the draft M.L. 2014 Appropriation Bill after the word "River" add "and two tributaries of the Red River of the North" – motion prevailed. (00:33:18)

According to the ENRTF Constitution, \$29,460,000 can be recommended for fiscal year 2015. Members agreed to leave approximately \$190,000 without recommendation.

MOTION: Co-Chair Tomassoni moved the adoption of the draft LCCMR ENRTF Appropriations Bill for the 2014 MN Legislative Session Funding Recommendation for FY15 (\$29,270,000) Environment and Natural Resources Trust Fund as amended. The staff are requested to make any grammatical and stylistic changes as needed and send to the Office of the Revisor of Statutes – motion prevailed (12 votes - unanimous). (00:52:00)

MOTION: Commissioner Harper-Lore moved to recommend \$160,000 to the Bell Museum for a project titled "Online Access to Minnesota's Botanical Record" – motion withdrawn. (00:57:34)

3. (01:04:11) National Caucus of Environmental Legislators (NCEL) – Jane Krentz (NCEL) and U of MN – Dr. Deb Swackhamer (U of MN) presentations on water

Jane Krentz (NCEL) provided an overview of NCEL. Deb Swackhamer (U of MN) provided the presentation and answered member's questions. Ms. Swackhamer was asked about possible ideas for RFP. Ms. Swackhamer suggested the following recommendations (03:02:20):

1. Funding research in technology to remove contaminants of emerging concern from drinking water and waste water.
2. Research on understanding our sources and environmental behavior of contaminants of emerging concern.
3. Research on appropriate environmental flows - how much flow is needed and the relation to groundwater withdrawal.
4. Environmental services: what are they? How can we better price them?
5. Air quality and health effects and impacts to air quality from frac sand mining.
6. Decline in monarchs – loss of habitat, climate change, etc and understanding the loss of milkweeds.

7. (03:14:32) Adopt FY16 LCCMR ENRTF Request for Proposal (RFP) and LCCMR ENRTF Strategic Plan discussion

Mike Banker gave an overview of the draft FY16 LCCMR ENRTF Request for Proposal (RFP) and LCCMR ENRTF Strategic Plan.

(03:23:20) Commissioner Harper-Lore asked about indirect costs. Susan Thornton explained indirect costs are listed on page 13 of the 2015 Request for Proposal. Ms. Thornton explained that during the previous RFP cycle, eligible and ineligible expenses were discussed at length and the language on page 13 is the result of those discussions.

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MOTION: Commissioner Wagenius moved to adopt FY16 LCCMR ENRTF Request for Proposal.
(03:28:25)

Members discussed the funding constraints regarding TMDLs. Commissioner Wagenius explained if the LCCMR was going to fund TMDLs then there would be no money left for anything else but she suggested that if you were going to demonstrate some new science or technique that can be applied broad scale then that's what the LCCMR should discuss.

MOTION: Commissioner Gibson moved to remove on page 5 of the FY16 Request for Proposal under the Funding Priority - C. Environmental Education under Item 2 the second sentence "Proposals to develop new curriculum will not be considered." – motion did not prevail. (03:34:24)

Members agreed there should be a special emphasis on acquisition of native prairies according to statutory definition.

MOTION: Commissioner Herman moved to remove on page 4 of the RFP under Priority B. Water Resources to change Item 1 by deleting "reducing nitrogen loss" – motion prevailed. (03:51:34)

Commissioner Broberg asked about setting aside approximately 10% of the funds for projects under \$100,000. After discussion, the decision was not to pre-allocate. Members decided to indicate in the RFP on page 2 that small funding requests will be equally considered.

MOTION: Commissioner Wagenius renewed her motion to adopt the FY16 LCCMR ENRTF Request for Proposal (RFP) as amended per discussions today – motion prevailed. (04:03:07)

MOTION: Commissioner Westrom moved to approve the LCCMR ENRTF Strategic Plan – motion prevailed. (04:06:15)

8. (04:06:48) Other business (as needed)
- Next steps in the process

Commissioner Gibson thanked and congratulated Commissioner Tom Cook on his retirement from the Legislative-Citizen Commission on Minnesota Resources (LCCMR).

9. Adjourn

Meeting adjourned at 1:20 p.m.

FY15 Conflict of Interest

ENRTF ID	LCCMR Member
050-B	Commissioner Faber reported a conflict of interest for ENRTF ID: 050-B “Restoring Groundwater and Trout Habitat through Irrigation Efficiencies”, Gerry Maciej – Benton County Soil and Water Conservation District because he is on the board of the Benton County Soil and Water Conservation District.
074-C	Commissioner Herman reported a conflict of interest for ENRTF ID: 074-C “Urban Environmental Education Engaging Students in Local Resources”, Greg Lais.
086-C	Commissioner Gibson reported a conflict of interest for ENRTF ID: 086-C “The Wolf At Our Door”, Darcy Berus – International Wolf Center because she is on the board of the International Wolf Center.
134-E	Commissioner Faber reported a conflict of interest for ENRTF ID: 134-E “ District Heating With Renewable Biomass at Camp Ripley”, Mark Anderson – Minnesota Department of Military Affairs/Minnesota National Guard because he is on the board of the Citizen Committee.
137-E	Commissioner Moody reported a conflict of interest for ENRTF ID: 137-E “ Solar PV at Minnesotas Residential Environmental Learning Centers”, Dale Yerger– Deep Portage Learning Center because he serves on the Executive Committee of the Deep Portage Foundation.
147-F	Commissioner Wagenius reported a conflict of interest for ENRTF ID: 147-F “Healthy Prairies: Seed Storage, Beneficial Microbes, and Adaptation”, Ruth Shaw – U of MN because her son collaborates with Ruth Shaw on research.
	Commissioner Dzedzic called members attention to a previous letter from Tom Bottern, Senate Counsel, regarding a family member working at the DNR affirming it did not constitute a conflict of interest with MN DNR’s proposals submitted. (Attachment #1)

LCCMR 2014 Calendar (Annual Funding Cycle)

(13-16 meetings = 14-17 days)

Mtg #	# Days	Date	Subject
1*	1	February or March, 2014 (Tues.)	LCCMR Meeting (*if needed) - LCCMR Business
		Feb. 25, 2014 (Tues.)	2014 Legislative Session begins
		March 28, 2014 (Fri.)	Proposals due in response to 2015 Request for Proposal issued December 16, 2013
		May 19, 2014 (Mon.)	Last Day of 2014 Legislative Session
2	1	June 4, 2014 (Wed.)	LCCMR Meeting - Session Review; approve 2014 work plans
3	1	June 10, 2014 (Tues.)	LCCMR Meeting: Approve 2014 work plans; discuss 2015 proposals received; select 2015 proposals to call in for presentations
4*	1	June 11, 2014 (Wed.)	LCCMR Meeting (*if needed): Continue discussion of 2015 proposals received; select 2015 proposals to call in for presentations.
5	1	June 17, 2014 (Tues.)	LCCMR Meeting: 2015 Proposal Presentations
6	1	June 18, 2014 (Wed.)	LCCMR Meeting: 2015 Proposal Presentations
7	1	June 19, 2014 (Thurs.)	LCCMR Meeting: 2015 Proposal Presentations
8	1	June 24, 2014 (Tues.)	LCCMR Meeting: 2015 Proposal Presentations
9	1	June 25, 2014 (Wed.)	LCCMR Meeting: 2015 Proposal Presentations
10	1	June 26, 2014 (Thurs.)	LCCMR Meeting: 2015 Proposal Presentations
11	1	July 8, 2014 (Tues.)	LCCMR Meeting: 2015 Allocation discussion and decisions
12	1	July 9, 2014 (Wed.)	LCCMR Meeting: Finalize 2015 Allocation Decisions
13	2	July 22-24, 2014 (Tues.-Thurs.) OR July 29-31, 2014 (Tues. - Thurs) [2 out of 3 days]	LCCMR Site Visit and/or Issue Seminar
			Peer Review/ Technical Review
14	1	November 19, 2014 (Wed.)	LCCMR Meeting: Review language for 2015 recommendations
15	1	December 9, 2014 (Tues.)	LCCMR Meeting: Finalize language for 2015 recommendations; Discuss 2016 RFP
16*	1	December 16, 2014 (Tues.)	LCCMR Meeting (* if needed): Finalize 2016 RFP