

LEGISLATIVE-CITIZEN COMMISSION ON MINNESOTA RESOURCES

MINUTES

Tuesday, July 17, 2007

8:30 a.m. – 5:00 p.m.

Basement Hearing Room, State Office Building

St. Paul, MN

Co-Chair: David Hartwell

Commission Members Present: Sen. Ellen Anderson, Al Berner, Jeffrey Broberg, Rep. Lyndon Carlson, Sen. Satveer Chaudhary, Rep. Ron Erhardt, Sen. Dennis Frederickson, Nancy Gibson, David Hartwell, John Herman, John Hunt, Mary Mueller, Rep. Kathy Tingelstad, Sen. Pat Pariseau, Rep. Tom Rukavina, Sen. Jim Vickerman, Rep. Jean Wagenius.

Staff Present: Dir. J. Velin, S. Thornton, M. McDonough, D. Griffith

Excused Absence: None

Members indicate any conflicts of interest for today's business

David Hartwell called the meeting to order at 8:35 a.m.

1. Update on M.L. 2005, First Special Session, Chap. 1, Art. 2, Sec. 11, Subd. 6(r) – Birding Maps

Mark Martell gave an update on his work program and discussed the birding books completed with this program.

Pine to Prairie Birding Trail

The North Shore Birding Trail

The Minnesota River Valley Birding Trail

The Great River Birding Trail Guide

2. Final report on M.L. 2005, First Special Session, Chap. 1, Art. 2, Sec.11, Subd. 6(d) - Best Management Practices for Parks and Outdoor Recreation

Michelle Schneider presented her final report accomplishments.

3. Approve minutes of 6/19/07 and 6/20/07 and 6/26/07 – Co-Chair signs approved minutes

Sen. Jim Vickerman moved to approve the minutes of 6/19/07 and 6/20/07 and delay approving the minutes from 6/26/07 to the next LCCMR meeting – motion prevailed.

John Velin discussed the attachments on the minutes from 6/26/07.

4. Preliminary Statewide Conservation Plan presented – consultant team materials

Deb Swackhamer (U of M) and Jean Coleman (CR Planning) discussed first phase of the project called the "Preliminary Plan". (Presentation attached as Attachment 3.) Sections discussed today:

- Land & water habitat fragmentation, degradation, conversion & loss
- Land use practices
- Energy production and use
- Impacts of resource consumption
- Toxic contaminants
- Transportation
- Invasive species

01:23:09

Jean Coleman explained that the first six months of this project have been collecting data from all sources possible to collaborate into one report.

Deb Swackhamer stated they would continue with three topics with current funding: (1) Land & water habitat fragmentation, degradation, conversion & loss; (2) Land use practices; and (3) Energy production and use.

Sen. Ellen Anderson asked if there was enough funding available? Deb Swackhamer said that the short answer is yes but the degree of depth on the issues would be better if additional funding was allocated.

John Hunt moved that the Statewide Preservation and Conservation Plan team be requested to move ahead with their project to Phase II.

Rep. Jean Wagenius agreed with the motion but would like to have further discussion on more funding and for the Statewide Preservation and Conservation Plan group to provide information on additional funding needs. Sen. Ellen Anderson and Rep. Kathy Tingelstad agreed with the motion but would like to discuss the issue of additional funding.

John Hunt restated his motion that the Statewide Preservation and Conservation Plan team be requested to move ahead with their project to Phase II – motion prevailed.

Deb Swackhamer said an additional \$60,000 - \$70,000 per issue would be needed to do the entire list of key issues.

Rep. Jean Wagenius said getting the other 4 key issues studied would strengthen the other three key issues being evaluated in Phase II of the Statewide Preservation and Conservation Plan.

2:28:20

John Herman asked the Statewide Preservation and Conservation Plan team if they could provide in a few weeks a summary of funding needs to get the whole product done in a relatively quick timeframe, including the public policy integration. One of the reasons he thought the University was the right team to do the plan was because they brought both a broader focus and they would integrate the University's abilities in this decision making process in a much more active way than occurs in the normal budgeting process or in the normal legislative committee process where so much of the attention is focused on individual bills or the ongoing appropriations of the State agencies.

Deb Swackhamer said the best time to provide more information would be this fall.

02:34:18

Rep. Jean Wagenius moved to request the Statewide Preservation and Conservation Plan team provide a letter on additional funding needs by the September 25, 2007 meeting – motion prevailed.

Lunch break as appropriate

5. Finish Preliminary Strategic plan from June 26 LCCMR meeting – see advance material

Susan Thornton explained the draft Preliminary 6-year Strategic Plan as adopted by members to date (blue version from meeting agenda packet handed out).

Nancy Gibson said that the Preliminary 6-year Strategic Plan should be more focused. She passed out a handout (Attachment #1). Mary Mueller stated that she is in support of Nancy Gibson's handout as a change in the Strategic Plan. Sen. Jim Vickerman said he is not ready to take a vote on the handout as far as changing anything in the Preliminary 6-year Strategic Plan. Al Berner said maybe they could have a 3-year Strategic Plan instead of a 6-year Strategic plan. Al Berner agreed with Sen. Jim Vickerman that he also needs more time to review Nancy Gibson's handout.

David Hartwell believes having invited projects seems to work really well but thought there should be some defining of what an invited project would be. Nancy Gibson thought they should revisit the Trust Fund Advisory Task Force Report. Rep. Kathy Tingelstad said it was very important to not treat invited proposals differently from other proposals in the process.

03:25:10

Break for lunch at 12:10 p.m.

David Hartwell asked with a show of hands whether or not they will work on approving the Preliminary 6-year Strategic Plan today or continue discussion with modifying it at a future meeting. Show of hands showed they would complete it today.

Track 4

Rep. Kathy Tingelstad moved to put the Preliminary 6-year Strategic Plan on the table for discussion – motion prevailed.

John Herman moved to add language on page 4 of the Preliminary 6-yr Strategic Plan below the Trust Fund Mission Statement the following language with Dennis Frederickson's grammatical corrections:

Future Funding Focus Areas

In updated Six-Year Strategic Plans, the Commission intends to provide a schedule of future annual focus areas for funding. In selecting the areas of funding focus, the LCCMR will maintain a continuing awareness of issues identified by the long-term Statewide Conservation and Preservation Plan being developed by the University of Minnesota, Institute on the Environment, public input, the Commission's evaluation of natural resource issues, and major funding initiatives identified by the MN legislature.

- motion prevailed.

Sen. Ellen Anderson moved to replace on page 6 of the Preliminary 6-yr Strategic Plan the following "2. Land protection and acquisition must be focused on protecting habitat, native species and water quality" with "2. Land protection, acquisition, and land use practices must protect and promote habitat, native species and water quality." – motion prevailed.

David Hartwell moved to replace anywhere in the Preliminary 6-yr Strategic Plan that the phrase "fish" be replaced with "aquatic communities" – motion prevailed.

Sen. Dennis Frederickson moved to delete LIDAR on page 8 line 8.17 (under Number 3) and after the word Acquire insert "the most recent and accurate" in the Preliminary 6-yr Strategic Plan. Also, on page 12 delete the word LIDAR on line 12.13. – motion prevailed.

Rep. Kathy Tingelstad moved to add to page 11 on line 18 of the Preliminary 6-yr Strategic Plan the following language from the Statewide Preservation and Conservation Plan presented today:

Key Issues affecting the environment in Minnesota include:

- Land & water habitat fragmentation, degradation, conversion & loss
- Land use practices
- Energy production and use
- Impacts of resource consumption
- Toxic contaminants
- Transportation
- Invasive species

- motion prevailed.

Jeff Broberg moved to delete lines 6.4 to 6.8 in the Preliminary 6-year Strategic Plan - motion prevailed.

Rep. Kathy Tingelstad moved to direct staff to update line 10.27 in the Preliminary 6-year Strategic Plan – motion prevailed.

David Hartwell moved to approve the Preliminary 6-yr Strategic Plan as amended today – motion prevailed.

6. **Establish a value weighting system – points or otherwise, for the criteria in the RFP for 2008 – to be published by July 20**

David Hartwell passed out a handout regarding the criteria. (Attachment B)

01:20:00

Mary Mueller moved David Hartwell's handout as a concept for discussion. Yes:10 / No:5

Rep. Kathy Tingelstad moved to leave the criteria alone for this year and that the staff would use the traditional criteria – motion prevailed.

Rep. Kathy Tingelstad moved to equalize the score and that the maximum number of points would be 50 pts – motion prevailed.

Sen. Ellen Anderson disagreed with making the process this complex and suggested they leave it to each member individually to select which criteria to use. Rep. Lyndon Carlson agreed with Sen. Ellen Anderson.

Al Berner moved to take away the black out categories on the handout and that members will apply a "n/a" in the criteria not used.

Rep. Kathy Tingelstad moved to amend Al Berner's motion to include that each proposal must be judged against at least five criteria out of the seven criteria given – motion prevailed.

- Al Berner's motion prevailed.

Criteria for scoring proposals for potential 2008 funding from the Environment and Natural Resources Trust Fund

The Commission has determined that the following seven criteria will be considered in evaluating Trust Fund proposals (listed in alphabetical order):

- Add to the knowledge base and disseminate information
- Broad applicability with long term impacts having statewide or regional significance
- Innovation
- Leverage
- Measurable and demonstrated outcomes
- Partnerships
- Urgency

Each of the criteria will be eligible for zero to ten points. Some of the criteria may not be relevant to all proposals and may be determined to be non-applicable (N/A). A minimum of five of the seven criteria will be used to evaluate each proposal.

Proposals that do not receive scores for all seven criteria will be equalized with those that do by determining what percentage of the total possible points each proposal receives.

7. Discuss Regional Block Grant approach

01:42:47

John Velin explained Regional Block Grants. Rep. Kathy Tingelstad reminded members how important this issue was to the Trust Fund Advisory Task Force.

8. Establish criteria for Emerging Issues Account

John Velin explained the Emerging Issues Account.

02:10:00

John Hunt moved language from the Fall 2006 Operations Plan with revisions as follows:

The funds in the Emerging Issues Account could be added to an existing Trust Fund funded project or in an extenuating circumstances may be recommended for a new effort that has an urgent need. Specific examples of such projects could include: (1) Opportunity to acquire critical land in a timely manner; (2) Opportunity to enhance natural resource management in a timely manner; (3) Addressing environmental or disease issues where delay will threaten the viability of segments of our State natural resources or human health; and (4) Where delay in implementing a natural resource corrective action will be detrimental to our State's natural resources.

Nancy Gibson moved to amend by striking from John Hunts motion "in extenuating circumstances" - motion prevailed.

Rep. Lyndon Carlson moved to divide John Hunt's motion into two parts:

1. The funds in the Emerging Issues Account could be added to an existing Trust Fund funded project or may be recommended for a new effort that has an urgent need. – motion prevailed.

2. Specific examples could include but not be limited to: (1) Opportunity to acquire critical land in a timely manner; (2) Opportunity to enhance natural resource management in a timely manner; (3) Addressing environmental or disease issues where delay will threaten the viability of segments of our State natural resources or human health; and (4) Where delay in implementing a natural resource corrective action will be detrimental to our state natural resources. – motion prevailed.

On the John Hunt motion as amended – motion prevailed.

9. Additional work program approvals as available

10. Update on remaining work programs

M.L. 2007, Chap. 30, Subd. 4(a) – Forest Legacy Conservation Easements;

M.L. 2007, Chap. 30, Subd. 5(g) – Innovative Springshed Mapping for Trout Stream Management;

Rep. Kathy Tingelstad moved approval of M.L. 2007, Chap. 30, Subd. 5(g) – motion prevailed.

M.L. 2007, Chap. 30, Subd. (4b)(3f) – Habitat Corridors Partnership (HCP) – Habitat Encroachment Buffers

John Velin explained this work program is not ready yet.

11. Adjust schedule of dates for fall and winter to accommodate extension of RFP issuance and due date.

John Velin discussed the changes in the calendar for next fall.

John Hunt suggested having no invited proposals on October 9 but he otherwise agrees with the schedule. John Hunt said October 9 should be just for deciding what proposals they will hear from and start with proposal hearings on the October 10.

Fall schedule agreed upon:

Keep Sept. 25 and **Drop** Oct. 3 - 4

Keep Oct. 9 – 10 and Oct. 15 - 16

Add Oct. 22, Oct. 29 and 30

Drop Jan. 3 and **Add** Jan. 15, 2008

12. M.L. 2007, Chap. 30, Subd. 4(a) – Forest Legacy Conservation Easements

Working Forest conservation easements – Update on easements subcommittee and assign a Chair, mission and timing desired – work program and standards to be considered on Sept. 25 or Oct. 3 possible next meeting dates (already scheduled dates)

02:26:00

Bill Becker (DNR) presented some suggested language for the work program and suggested that the work program be amended to restrict the use of the money to southeast Minnesota and to expressly prohibit any easements that are open to mining. On page 2 of the work program on line 3 change "forestland in Minnesota" to "forestland in southeast Minnesota". Add a new sentence at the end of the first paragraph on page 2 of the work program with "Easements will not allow mining on these lands except for gravel mining for gravel necessary to the sustainable forest management plan. On page 2, paragraph 2 delete "Sixteen landowners including one large industrial landowner in Koochiching County and a total of". Change the rest of that sentence to "Fifteen landowners in southeastern Minnesota have submitted eligible applications for Forest Legacy".

Sen. Satveer Chaudhary moved M.L. 2007, Chap. 30, Subd. 4a "Forest Legacy Conservation Easements" with the changes suggested by Bill Becker regarding the work program contingent on

later approval of Minimum Standards for State Forest Legacy Easements in Minnesota by the LCCMR – motion prevailed.

Members will discuss the Minimum Standards for the State Forest Legacy Easements in Minnesota at the next LCCMR meeting.

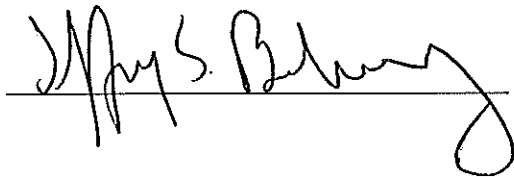
Subcommittee Members for "Minimum Standards for State Forest Legacy Easements in Minnesota": Subcommittee meeting will be September 25, 2007 from 8:30 a.m. to 9:30 a.m.

David Hartwell / Rep. Kathy Tingelstad / Mary Mueller / John Herman (chair) /
Rep. Tom Rukavina / Nancy Gibson

13. Adjourn

Meeting adjourned at 4:45 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mary S. Belongia", is written over a horizontal line.

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