

John Velin, Director

LEGISLATIVE-CITIZEN COMMISSION ON MINNESOTA RESOURCES

MINUTES

Tuesday, October 30, 2007

8:30 a.m. – 5:00 p.m.

Room 5, State Office Bldg

100 Rev. Dr. Martin Luther King Jr. Blvd.

St. Paul, MN 55155

**Co-Chair Rep. Kathy Tingelstad**

Commission Members Present: Sen. Ellen Anderson, Al Berner, Jeffrey Broberg, Rep. Lyndon Carlson, 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: J. Velin, S. Thornton, M. McDonough, M. Banker, D. Griffith

Excused: Sen. Satveer Chaudhary

Rep. Kathy Tingelstad called the meeting to order at 8:45 a.m.

**1. Approve agenda for LCCMR meeting**

Agenda for Oct. 30, 2007 was approved on Oct. 29, 2007.

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

David Hartwell reported a potential conflict of interest with Proposal Line #81 titled "The MN Breeding Bird Atlas" (Audubon Minnesota). He is on the National Advisory Board.

Nancy Gibson reported a potential conflict of interest with Proposal Line #85 titled "Wildlife Disease Surveillance: Emerging Disease Assessment System" (U of M - Raptor Center). She is a volunteer at the Raptor Center.

Rep. Lyndon Carlson explained he is a member of the Northwest YMCA Advisory Board and does not think he has a conflict of interest with Proposal Line #114 titled "Bertram Chain of Lakes Acquisition" in which Wright County seeks to acquire land from the YMCA but he wanted it on the record.

**3. Continue 2008 Proposal recommendations if needed.**

David Hartwell handed out a proposal and moved to put the handout on the table for discussion (see Attachment 1).

After other members raised concerns, David Hartwell agreed to remove Proposal Line # 5, 8, 12, 117 from the handout and they will be considered at a later time.

Nancy Gibson moved to fund Proposal Line #94 titled "Metro Conservation Corridors (MeCC)" and Proposal Line #98 titled "Minnesota Habitat Conservation Partnership" at \$4.0M each. Nancy agreed to wait on her motion while members discussed process.

David Hartwell renewed his motion to have as a starting point all projects Line 1.1 through 4.4, 4.8, and 5.10 from the Yellow sheet titled "2008 LCCMR Members Final Scores – Sorted by Highest

## LEGISLATIVE-CITIZEN COMMISSION ON MINNESOTA RESOURCES

Average % (All Member Scores)" (Attachment 2) and remove Proposal Lines #5, 8, 12, 117 from Hartwell's handout (Attachment 1) – motion prevailed.

Discussion began on Proposal Line # 104 titled "Public Lands for Minnesotans". Members discussed bonding versus cash and the need for more information from Peter Wattson (Senate Counsel) and Peter Sausen (Dept. of Finance).

Concerns were expressed about bonding because it would be committing future LCCMR appropriations and should be determined by the Capital Investment Committee.

Al Berner moved that the LCCMR only recommend cash to certain areas of Proposal Line #104 titled "Public Land for Minnesotans" and not consider bonding – motion prevailed.

Rep. Lyndon Carlson suggested that the LCCMR recommend to DNR that they go through the bonding committees for a request for Lake Vermillion. DNR has a \$25M request for development of Lake Vermillion. The Senate Bonding Committee and House Capital Investment Committee have been to the proposed Lake Vermillion State Park.

Rep. Jean Wagenius moved to fund Proposal Line #104 titled "Public Land for Minnesotans" at \$1.0M for Scientific and Natural Areas (SNA) in the southern two-thirds of the state and Proposal Line #92 titled "State of Minnesota Land Consolidation Revolving Fund" at \$500,000 – motion prevailed.

Rep. Lyndon Carlson raised the issue of wanting to start the review of proposals at \$0 and insert amounts for funding recommendations as they proceed instead of using a process of reducing the amount requested. John Velin asked for clarification from David Hartwell about his motion. David Hartwell responded that the intent of his motion was to insert the dollars requested and reduce.

Rep. Kathy Tingelstad moved to have staff round down the dollars requested to the nearest thousand dollars – motion prevailed.

John Herman moved to add to the funding of Proposal Line #104 titled "Public Land for Minnesotans" \$2.0M in Outdoor Recreation Non Metro that is covered by State Parks and State Trails and \$2.0M to Proposal Line #120 titled "Metropolitan Regional Park System Land Acquisition".

John Herman said his intentions would be not for new park acquisition but for inholdings in existing parks in the state.

Nancy Gibson moved to divide John Herman's motion.

John Herman renewed his motion to add to the funding of Proposal Line #104 titled "Public Land for Minnesotans" by adding \$2.0M designated for acquisition of inholdings of State Parks and State trail alignments. Priority for the acquisitions should be for those with the highest natural resource value including riparian connections and unique features. A list of projects should be provided in the work program. – motion prevailed.

John Herman renewed his motion to fund Proposal Line #120 titled "Metropolitan Regional Park System Land Acquisition" to \$2.0M for use in new acquisitions and not reimbursement – motion prevailed.

Nancy Gibson moved to fund Proposal Line #94 titled "Metro Conservation Corridors (MeCC) at \$4.0M and Proposal Line #98 titled "Minnesota Habitat Conservation Partnership at \$4.0M.

Members discussed adding language in Proposal Line #94 titled "Metro Conservation Corridors (MeCC) and Proposal Line #98 titled "Minnesota Habitat Conservation Partnership" that priority is for high quality lands and the LCCMR would want to be provided with a list of what lands are under consideration.

David Hartwell would like to see them both be one year funding. John Hunt reminded everyone that both of these projects have a lot of money already to spend. He has some concerns that they can't spend new money. Sen. Ellen Anderson has concerns that the money can't be spent. Rep. Jean Wagenius - first part of the money is for restoration and

## LEGISLATIVE-CITIZEN COMMISSION ON MINNESOTA RESOURCES

thinks that should be acknowledged and should be at least for two years and also it should be noted that priority should be acquisition over easements. Al Berner doesn't believe that Metro and Outstate have a problem with easements. Al Berner thinks it should just be emphasized. Nancy Gibson stated that she received a note (from Deb Loon) stating that all outstate corridor money will be spent by December 2007. John Herman stated that all restoration funding should be given three years.

1:49:42

Nancy renewed her motion to fund Proposal Line #98 titled "Minnesota Habitat Conservation Partnership" at \$4.0M and Proposal Line #94 titled "Metro Conservation Corridors (MeCC) at \$4.0M with the following: for acquisition, easements and restorations and a specific, more detailed list of projects must be provided – motion prevailed.

Rep. Jean Wagenius moved to fund Proposal Line #79 titled "South-Central MN Groundwater Dynamics for Conservation and Protection" at \$1.6M (\$1.2M should go to Minnesota Geological Survey for County Geologic Atlases and \$.4M to the rest). They should concentrate on the number of counties that can be started without doing Result 3 if the money comes from bonding for 2008 and 2009 (long term plan to do 3 or 4 atlases a year) – and they are to be invited back for future long term funding - motion prevailed.

Nancy Gibson moved to fund Proposal Line #114 titled "Bertram Chain of Lakes Acquisition" at \$2.0M with rider language that states funds will go to the DNR Regional Parks Grants Program, which is in Proposal Line #104 titled "Public Lands for Minnesotans" if not completed by a certain date – motion prevailed.

Sen. Dennis Frederickson moved to fund Proposal Line # 100 titled "Minnesota River Valley Green Corridor" at \$2.0M with no more than 10% for planning and management. Priority should be given to lands with unique geologic features, fens, and wetlands - motion prevailed

Al Berner moved to fund Proposal Line #13 titled "Biofuel Production and Wildlife Conservation in Working Prairies" for \$750,000 and just do 3 sites instead of 6 sites – motion did not prevail (Yes: 6 / No: 8).

David Hartwell moved to drop Proposal Line #13 titled "Biofuel Production and Wildlife Conservation in Working Prairies" – withdrawn

Rep. Jean Wagenius moved to fund Proposal Line #13 titled "Biofuel Production and Wildlife Conservation in Working Prairies" at \$500,000 – motion prevailed.

Al Berner moved to remove Proposal Line #108 titled "Conservation Easement Stewardship, Oversight and Maintenance" – withdrawn

John Herman moved to combine Proposal Line #108 titled "Conservation Easement Stewardship, Oversight and Maintenance" Result 1 at \$180,000 and Proposal Line #109 titled "Conservation Easement Stewardship and Enforcement Program Plan" Result 1 at \$50,000, Result 2 at \$170,000 and Result 3 at \$50,000 for a combined total of \$520,000. There will also be language explicitly stating that BWSR and DNR are to cooperate. - motion prevailed.

David Hartwell moved to add language that all funding for conservation easements must include a longterm stewardship plan and appropriate funding – motion prevailed.

Mary Mueller moved to fund Proposal Line #8 titled "Accelerated Prairie Management Survey, and Evaluation" at \$1,910,000 by adding \$1.0M for acquisition/easements and restoration buffers for old growth prairie specifically using native seed sources, and delete Proposal Line #122 titled "Local Water Management Matching Challenge Grants" and Proposal Line #12 titled "Climate Change, CO2, and Prairie/Forest Production".

Nancy Gibson expressed support for Mary Mueller's motion.

Sen. Ellen Anderson disagreed with withdrawing Proposal Line #12 titled "Climate Change, CO2, and Prairie/Forest Production". Mary agreed to take Proposal Line #12 titled "Climate Change, CO2, and Prairie/Forest Production" out of her motion.

## LEGISLATIVE-CITIZEN COMMISSION ON MINNESOTA RESOURCES

John Herman suggested removing Result 6 titled "Improved Monitoring and Enforcement of Prairie Bank Easement at \$135,000 from Proposal Line #8 titled "Accelerated Prairie Management Survey, and Evaluation". Mary Mueller agreed with John Herman's suggestion.

Mary Mueller amended her motion to fund Proposal Line #8 titled "Accelerated Prairie Management Survey, and Evaluation" at \$1.8M for acquisition/easements of old growth prairie and restoration buffers around old growth prairie using native seed sources, and delete Proposal Line #122 titled "Local Water Management Matching Challenge Grants" – motion prevailed.

Rep. Kathy Tingelstad moved to fund Proposal Line #9 titled "Best Practices for Native Prairie Management" at \$45,000 for Results 1 and 2 and directed to work with DNR on the website – motion prevailed.

John Herman moved to fund Proposal Line #124 titled "Global Warming - Reducing Carbon Footprint of Minnesota Schools" at \$750,000 – motion prevailed.

Jeff Broberg moved to fund Proposal Line #72 titled "Updating the National Wetlands Inventory for Minnesota" at \$550,000 – motion prevailed.

Jeff Broberg moved to fund Proposal Line #57 titled "Southeast Minnesota Showcase Stream Restoration Projects" at \$240,000 – motion prevailed.

David Hartwell moved to fund Proposal Line #53 titled "Intra-Lake zoning to Protect Sensitive Lakeshore Areas" at \$125,000 – motion prevailed.

Sen. Jim Vickerman moved to fund Proposal Line #64 titled "Accelerating Plans for Integrated Control of the Common Carp" at \$450,000 – motion prevailed.

John Hunt moved to delete Proposal Line #60 titled "Martin County Open Ditch Riparian Initiative" – motion prevailed.

Sen. Ellen Anderson moved to fund Proposal Line #12 titled "Climate Change, CO2, and Prairie/Forest Production" at \$180,000 for Result 1 – motion prevailed.

David Hartwell moved to fund Proposal Line #89 titled "Coordinated Natural Resources Data and Data Distribution Plan" at \$0 – motion prevailed.

Mary Mueller moved to delete Proposal Line #55 titled "Demonstrating Replicable Physical and Biological Monitoring of Streams" – motion prevailed.

Jeff Broberg moved to fund Proposal Line #29 titled "Testing Pesticides and Degradates in Public Drinking Water" at \$368,000 for capital equipment and supplies – motion prevailed.

John Herman moved to fund Proposal Line #56 titled "Native Shoreland Buffer Incentives Programs" at \$225,000 with a rider stating "to accelerate the native shoreland buffer incentive program through market research, technical assistance and competitive grants to local governments for creating and implementing shoreland buffer incentive programs. Eligibility for grants is dependent on having existing and effective shoreline enforcement." – motion prevailed.

Nancy Gibson moved to fund Proposal Line #33 titled "Install Riparian Buffers in the Whitewater River Watershed" at \$52,000 for Result #1 for the inventory with rider language regarding information about enforcement – motion prevailed. Recommend coming back next year.

Sen. Dennis Frederickson moved to fund Proposal Line #117 titled "County Trail System for Recreation & Environmental Awareness" at \$175,000 and drop off Le Sueur County – motion prevailed.

Sen. Ellen Anderson moved to fund Proposal Line #95 titled "Integrating Vermillion River Corridor Resource Protection and Funding" at \$400,000 for acquisition and funding for planning is at no more than 10% of the funding – motion prevailed.

Al Berner moved to fund Proposal Line #130 titled "The future of Energy and Minnesota's Water Resources" at \$188,000 – motion withdrawn.

## LEGISLATIVE-CITIZEN COMMISSION ON MINNESOTA RESOURCES

John Hunt moved to add \$150,000 to the Emerging Issues Account with better guidelines established – motion prevailed.

Hartwell suggested that a method to reduce the recommendations was to reduce all projects by 19%.

John Herman moved to change the funding of the following proposals to:

Proposal Line # 94 titled "Metro Conservation Corridors (MeCC)" at \$3.15M

Proposal Line # 98 titled "Minnesota's Habitat Conservation Partnership" at \$3.15M

Proposal Line # 8 titled "Accelerated Prairie Management, Survey, and Evaluation" at \$1.25M

Proposal Line #100 titled "Minnesota River Valley Green Corridor " at \$1.0M

Proposal Line #114 titled "Bertram Chain of Lakes Acquisition" at \$1.0M

Proposal Line #104 titled "Public Land for Minnesotans" at \$2.5M (\$1.0M for SNA's with the balance to State Parks and Trails)

Proposal Line #120 titled "Metropolitan Regional Park System Land Acquisition" at \$1.5M

- Motion prevailed

Sen. Dennis Frederickson moved to have staff put the recommendations into a bill form and do grammatical corrections, etc. – motion prevailed.

Rep. Kathy Tingelstad moved to add the \$5,000 difference between the \$22,866,000 and the recommendations be added to the Emerging Issues Account – motion prevailed.

Nancy Gibson moved to have any projects that drop out because their funding was not sufficient to complete their project be split between Proposal Line #94 titled "Metro Conservation Corridors (MeCC) and Proposal Line #98 titled "Minnesota's Habitat Conservation Partnership" – motion prevailed.

Rep. Lyndon Carlson moved to have the LCCMR ask DNR to submit a bonding request for acquisition of a new state park on Lake Vermillion. After discussion, it was added "and other significant inholdings, WMA's, etc." – motion prevailed

Sen. Jim Vickerman moved to approve the final package of recommendations – motion prevailed (unanimous – 15 votes).

Wagenius requested at the next meeting they have an agenda item to discuss whether state dollars used for acquisition can also be used for fundraising purposes for nonprofits who seem now to be using it for fundraising purposes and that is a discussion she would like to have at the next meeting as we are looking over the riders.

Rep. Jean Wagenius moved to not pursue a request of a legal opinion from bond counsel or the AG on the use of the Trust Fund for bonding debt service – motion prevailed.

Members discussed adding a meeting before the January meeting. Members were to be polled for December 11 to finish the October 30 agenda (Items 4, 5, 6, and 7) and other pending business.

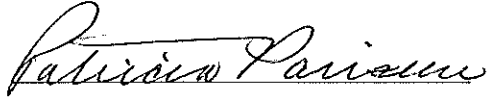
4. **Discuss a future meeting schedule and work plan for 2008**
  - **Determination of how much time to spend on background issues prior to RFP issuance**
5. **Consider establishing a Technical Review Committee(s) per M.S. 116P.09 Subd. 8**
6. **Discuss next RFP issuance and due date**
7. **Other business**
8. **Next meeting Jan. 15, 2008 in Room 10 SOB – adopt language for final recommendations; other business – Co-Chair David Hartwell**

LEGISLATIVE-CITIZEN COMMISSION ON MINNESOTA RESOURCES

9. Adjourn

Meeting adjourned at 4:20 p.m.

Respectfully submitted,

A handwritten signature in cursive script, reading "Patricia Parisien".

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