

Susan Thornton, Director

MINUTES

Wednesday, September 24, 2008

8:30 a.m. – 5:30 p.m.

Room 5, State Office Building

Members present: Sen. Ellen Anderson, Al Berner, Jeff Broberg, Rep. Lyndon Carlson, Sen. Sen. Dennis Frederickson, David Hartwell, John Hunt, Mary Mueller, Sen. Pat Pariseau, Rep. Kathy Tingelstad, Sen. Jim Vickerman, Rep. Jean Wagenius

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

Members excused: Sen. Satveer Chaudhary, Rep. Ron Erhardt, Nancy Gibson, John Herman, Rep. Tom Rukavina

Wednesday, September 24, 2008 – REVISED 9/22/08 Item #3

Co-Chair: Rep. Kathy Tingelstad

1. Approve agenda for LCCMR meeting

Rep. Kathy Tingelstad called the meeting to order at 8:50 p.m.

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

John Hunt informed members that his firm has been retained by DNR related to the water treatment proposal at Soudan Mine State Park that is being discussed at 4:00 p.m. under the Emerging Issues Account (Item #5 on Agenda). He said he would recuse himself from any vote.

3. Continue 2009 Phase 1 Proposal Presentations – Presentation Agenda Attached

AGENDA ADDITION: In addition to Proposal Number B13 "Implementing Forests for the Future Program" a work program amendment request for M.L. 2007, Chp. 30, Sec. 2, Subd. 4a "Forest Legacy Conservation Easements", \$2,000,000 will be considered.

See Attachment #1 for the presentation schedule.

Richard Peterson discussed Proposal Number B13 "Implementing Forests for the Future Program". Mr. Peterson explained the amendment request handed out to members related to M.L. 2007, Chp. 30, Sec. 2, Subd. 4a "Forest Legacy Conservation Easements". Mr. Peterson requested that the LCCMR increase the allowance for compatible nonforest use area in the Minimum standards for Forest Conservation Easements that was approved by the LCCMR on October 9, 2007. The proposed amendment is to increase the area of compatible nonforest use from 10% to 25 % for easements in SE Minnesota. This increased allowance is for this specific appropriation. When the Commission adopted the minimum standards the focus was on lands in Northern Minnesota and consideration was not given to the different landscapes for such easements in the forested areas of SE Minnesota. Mr. Peterson stated this amendment request will more effectively protect the conservation values intended by the easements.

LEGISLATIVE-CITIZEN COMMISSION ON MINNESOTA RESOURCES

David Hartwell moved approval of the amendment for M.L. 2007, Chp. 30, Sec. 2, Subd. 4a "Forest Legacy Conservation Easements" – motion prevailed unanimously.

4. Continue 2009 Phase 1 Proposal Presentations

During the discussion of the Habitat Conservation Partnership at 10:30 a.m. regarding the proposed submission, Susan Thornton informed members that she and staff had many conversations with the Executive Committee and full partnership of the Habitat Conservation Partnership (HCP) in regards to the Commission's request for a proposal for regular cycle of funding of at least two-year proposals and not on an annual basis.

5. Discuss Emerging Issues Account requests

Susan Thornton gave a quick review of what has been received to-date regarding the Emerging Issues Account that was posted on the LCCMR website in summer 2008.

DNR: Soudan Underground Mine State Park Water Treatment \$150,000

Larry Peterson (DNR) and Paul Eger (DNR) explained the letter dated July 3, 2008 requesting using the Emerging Issues Account for "Soudan Underground Mine State Park Water Treatment" and updated changes to the request. No action was taken.

LCCMR initiative follow-up to July 18 discussion - Nonferrous Mining and Water Quality Impacts Research

Sen. Ellen Anderson explained a letter from her dated September 22, 2008 requesting using the Emerging Issues Account for "Non-Ferrous Metal Mining Procedural Review". Sen. Anderson explained that the request is comprised of two parts. First, review of the current elements required in an Environmental Impact Statement (EIS) for issuing non-ferrous metal mining permits. Second, all statutes and agency rules regarding the permitting and operation of non-ferrous metal mines to be reviewed and evaluated to determine the adequacy of environmental and financial safeguards.

Sen. Ellen Anderson said a report would be given to the legislature for use in policy review. She said she wanted this report to be ready by the next legislative session. Sen. Jim Vickerman read the letter dated September 24, 2008 from the Iron Range Delegation regarding funding "Non-Ferrous Metal Mining Procedural Review" under the Emerging Issues Account. See Attachment #2 for the following 3 letters (1) Letter dated September 22, 2008 from Sen. Ellen Anderson regarding "Non-Ferrous Metal Mining Procedural Review"; (2) Letter dated September 23, 2008 from the Iron Range Delegation; and (3) Letter dated September 23, 2008 from Rep. Tony Sertich.

Sen. Dennis Frederickson asked the DNR about the Environmental Impact Statement (EIS) for Polymet. Paul Eger (DNR) responded to Sen. Dennis Frederickson's question along with Jennifer Engstrom (DNR). Jennifer Engstrom (DNR) said they are working on the draft of the Environmental Impact Statement (EIS). She was asked if EIS will address the issues that are raised in this proposal. Ms. Engstrom stated that she believes EIS will.

Ms. Engstrom said after the draft is complete it will be released to the public for 45 days for comment. There will be a public meeting. Concurrently, the first 10 days is also to determine whether the EIS is adequate. The comments will be evaluated and addressed.

The next step is permitting after the Environmental Impact Statement is completed.

Sen. Ellen Anderson moved to request the Water Resource Center at the U of M and the NRRI in Duluth put together a more specific proposal based on her letter and the LCCMR discussion for review at the next LCCMR meeting.

Sen. Ellen Anderson, Alfred Berner, Jeff Broberg, Rep. Lyndon Carlson, Sen. Salveer Chaudhary, Rep. Ron Erhardt, Sen. Dennis Frederickson, Nancy Gibson, David Hartwell, John Herman, John Hunt, Mary Mueller, Sen. Pat Parseau, Rep. Tom Rukavina, Rep. Kathy Tingelstad, Sen. Jim Vickerman, Rep. Jean Wagenius

LEGISLATIVE-CITIZEN COMMISSION ON MINNESOTA RESOURCES

Testimony was given by Frank Ongaro (Executive Director) from Mining Minnesota. He said there are federal agencies that will be reviewing the EIS. He said Polymet has been in the EIS process for 3 years. He believes the EIS process is working. Making sure the financial review is adequate would be important.

Testimony was given by Bob Tammen on Birch Lake, a resident living near the Soudan Mines said that he was in favor of Sen. Anderson's proposal.

Sen. Anderson's motion was adopted by a voice vote.

6. Any remaining business from September 23 Agenda

7. Other business

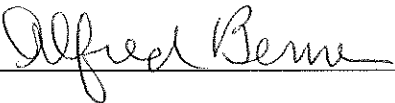
- **Next LCCMR meeting is scheduled for December 2, 2008, Co-Chair – David Hartwell**

An additional meeting will be scheduled in late November pending polling of LCCMR members on availability (November 21 or 25).

8. Adjourn

Meeting adjourned at 5:50 p.m.

Respectfully submitted,



Sen. Ellen Anderson, Alfred Berner, Jeff Broberg, Rep. Lyndon Carlson, Sen. Salveer Chaudhary, Rep. Ron Erhardt, Sen. Dennis Frederickson, Nancy Gibson, David Hartwell, John Herman, John Hunt, Mary Mueller, Sen. Pat Parisseau, Rep. Tom Rukavina, Rep. Kathy Tingelstad, Sen. Jim Vickerman, Rep. Jean Wagenius