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Susan Thornton, Director

**Minutes**

**June 24, 2009**

**9:00 a.m. to 4:00 p.m.**

**Room 5 State Office Building**

**St. Paul, MN 55155**

Members Present: Sen. Ellen Anderson, Jeff Broberg, Rep. Lyndon Carlson, Sen. Dennis Frederickson, Nancy Gibson, John Herman, Rep. Larry Howes, Norman Moody, Mary Mueller, Sen. Pat Pariseau, Rep. Tom Rukavina, Rep. Ron Shimanski, Sen. Jim Vickerman, Rep. Jean Wagenius, Elizabeth Wilkens

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

Members Absent: Al Berner, Sen. Satveer Chaudhary

**Chair: Sen. Jim Vickerman**

**1. Approve agenda for LCCMR meeting for June 24, 2009**

MOTION: Commissioner Gibson moved approval of the agenda for today's meeting – motion prevailed.

**2. Approve minutes for June 16, 2009**

MOTION: Commissioner Frederickson moved approval of the minutes for June 16, 2009 – motion prevailed.

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

Per the LCCMR Operating Procedures on Conflict of Interest, Commissioner Gibson (see Attach #1) spoke to a letter addressed to the LCCMR members dated June 23, 2009 regarding a conflict of interest on the following four 2010 proposals because she has either been a volunteer, part-time employee, or board member: (1) Project Manager – Carrol Henderson (DNR) titled "Lakescaping: Buffer Zones and Technology Transfer"; (2) Project Manager – Steve Hobbs (Belwin Conservancy) titled "Valley Creek Protection Initiative"; (3) Project Manager – Carrol Henderson (DNR) titled "Digital Photograph Bridge to Nature"; and (4) Project Manager – Mary Ortiz (International Wolf Center) titled "Minnesota Wolfink".

Commissioner Wilkens (see Attach #2) spoke to a letter addressed to the LCCMR members dated June 22, 2009 regarding a conflict of interest regarding Agenda Item #12. Commissioner Wilkens has been working with the DNR on both an acquisition and conservation easement for the past four years. Commissioner Wilkens acknowledges in her letter that there will be no motions regarding this agenda item but will abstain from commenting.

Commissioner Moody (see Attach #3) spoke to a letter addressed to the LCCMR members dated June 21, 2009 regarding a conflict of interest on the 2010 Proposal titled "Residential Environmental Learning Centers (RELCs) Sustainable Energy Project. Commissioner Moody is on the Deep Portage ELC Board and they are a partner on the proposal.

Commissioner Pariseau spoke to being Chair of the State Capitol Chapter of Ducks Unlimited.

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Susan Thornton reviewed the conflict of interest statement in the Operating Procedures dated September 23, 2008. Ms. Thornton said members usually reiterate having a conflict of interest on the LCCMR meeting date of any discussions regarding proposals that any member may have a conflict of interest.

### 4. LCCMR Executive Committee elections

Susan Thornton reviewed the LCCMR Election of Leadership – Nominations and Elections from the Operating Procedures dated September 23, 2009. Ms. Thornton distributed a nomination sheet for members to elect members for the position of LCCMR Co-Chair positions.

Commissioner Rukavina voiced nominations for Commissioner Vickerman for Senate Co-Chair, Commissioner Broberg or John Herman for Appointed Citizen Co-Chair and Commissioner Wagenius for House Co-Chair. Commissioner Herman respectfully declined the nomination.

Susan Thornton announced that LCCMR staff received two proxies. The first one was from Commissioner Berner and was to be given to Commissioner Gibson. The second one was from Commissioner Chaudhary and was to be given to Commissioner Gibson.

Commissioner Gibson voiced nominations for Commissioner Chaudhary for Senate Co-Chair and Commissioner Howes for House Co-Chair. Commissioner Howes respectfully declined the nomination.

Commissioner Mueller voice nominated Commissioner Carlson for House Co-Chair. Commissioner Carlson respectfully declined the nomination.

**MOTION:** Commissioner Herman moved to have the nominations closed for the LCCMR Co-Chair positions and proceed to voting – motion prevailed.

LCCMR staff collected the voting ballots for the Co-Chair positions. Susan Thornton announced for the Senate LCCMR Co-Chair position: Commissioner Vickerman received 13 votes and Commissioner Chaudhary received 4 votes; for the House LCCMR Co-Chair position: Commissioner received 11 votes; for the Appointed Citizen LCCMR Co-Chair position: Commissioner Gibson received 9 votes and Commissioner Broberg received 8 votes.

Susan Thornton distributed a nomination sheet for members to elect members for the position of LCCMR Co-Vice Chair positions.

Commissioner Anderson voice nominated Commissioner Broberg for Citizen Co-Vice Chair.

Commissioner Wagenius voice nominated Commissioner Howes for House Co-Vice Chair.

Commissioner Broberg voice nominated Commissioner Frederickson for Senate Co-Vice Chair.

Commissioner Wilkens voice nominated Commissioner Shimanski for House Co-Vice Chair. Commissioner Shimanski respectfully declined the nomination.

**MOTION:** Commissioner Rukavina moved to have the nominations closed for the LCCMR Co-Vice Chair positions and for approval of the three members nominated: Commissioner Frederickson for Senate Co-Vice Chair, Commissioner Howes for House Co-Vice Chair, and Commissioner Broberg for Appointed Citizen Co-Vice Chair – motion prevailed.

Commissioner Carlson asked about the position of Secretary. Susan Thornton explained that the LCCMR Election of Leadership – Nominations and Elections from the Operating Procedures dated

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September 23, 2009 deleted the position of Secretary with the change to having three (3) Co-Chairs and three (3) Co-Vice Chairs.

Susan Thornton reinstated the LCCMR election results:

<b>Co-Chairs</b>	<b>Co-Vice Chairs</b>
Sen. Jim Vickerman	Sen. Dennis Frederickson
Rep. Jean Wagenius	Rep. Larry Howes
Nancy Gibson	Jeff Broberg

**5. Non-game Wildlife Program Biennial work program review and approval per M.S. 290.431 and MS 290.432 – Carrol Henderson, MN DNR**

Carrol Henderson presented the Non-game Wildlife Program. Mr. Henderson said that he has been the work program manager since 1982. The Non-Game Wildlife program has very diverse projects and activities. Mr. Henderson announced there is a website called Wildlife Viewing Areas – <http://www.wildlifeviewingareas.com> which shows you viewing areas across the country by state or type of animal.

MOTION: Commissioner Frederickson moved approval of the Non-Game Wildlife Biennial Work Program for FY2010-2011 – motion prevailed.

**6. Presentation and discussion – Overview of Natural Resource and Community Conservation Planning – Steve Taff, U of MN**

Steve Taff (Professor, U of M) made a disclaimer that he is not here in regards to the University of Minnesota and has associations with two (2) of the 2010 proposals, neither of which relate to Natural Resource and Community Conservation Planning.

Mr. Taff spoke to the commission about The RFP category "E. Natural Resources Conservation Planning and Implementation." He discussed a variety of tools to secure the public interest in ongoing and improved conservation on private lands.

Members participated in a discussion of the various conservation tools.

**7. Review proposed Environment and Natural Resources Trust Fund logo and website**

Staff distributed a proposed logo for the Environment and Natural Resources Trust Fund. Susan Thornton and Mike Banker reviewed the process used to develop the logo in partnership with the Minnesota State Lottery. There was general consensus in favor of the logo, but a few suggestions were offered regarding slight changes that could be made and there was interest in getting feedback from the MN Lottery designers regarding the suggestions.

Commissioner Carlson suggested a future LCCMR meeting discuss ways to implement the logo.

MOTION: Commissioner Rukavina moved to approve the Trust Fund logo with the understanding that staff should seek the professional opinion of Lottery staff regarding possible changes or whether to leave the logo as it was originally presented, with the opinion of Lottery staff determining the final version. The motion was also that there be a discussion on ways to implement the logo at a future LCCMR meeting - motion prevailed.

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Mike Banker presented an overview of the current LCCMR website and then talked about the new Trust Fund website that is currently in development.

### **8. Update on M.L. 2010 Proposals received and discussion of proposal review procedure**

Susan Thornton reviewed the 2010 proposal books. Sen. Jim Vickerman stated that there is \$163M in requests for the approximate \$25M available through the LCCMR.

Susan explained a few 2010 proposals were withdrawn because during 2009 legislative session the proposals received funding from other sources. Members reviewed the proposed scoring process presented.

MOTION: Commissioner Broberg moved to adopt the proposed (green sheet – Attach #4) for members to select their top 50 proposals by July 24 for presentations as a starting point for the Commission meeting on July 28 to select proposals for further consideration - motion prevailed.

Commissioner Carlson asked if there was going to be any collaboration with the Lessard-Sams Outdoor Heritage Council. Susan Thornton said she has a meeting with Bill Becker (staff to the Council) to discuss having a joint meeting.

### **9. Request for Acquisition conveyance from appropriation in M.L. 2007, Chp. 30, Sec. 2, Subd. 4b, "Minnesota Habitat Corridors Partnership - Phase IV" to U.S. Fish and Wildlife Service as required in M.S. 116P.15 Land Acquisition Restrictions (Pheasants Forever, Matt Holland and Ron Leathers)**

Ron Leathers (Pheasants Forever) explained the conveyance to U.S. Fish and Wildlife Service.

Ron Leathers explained they have no interest in being the longterm landowner and this particular parcel is next to land already owned by U.S. Fish and Wildlife Service. He explained that this parcel fills in a gap that the U.S. Fish & Wildlife already owns.

Commissioner Howes said that this land should stay with the citizens of Minnesota.

Commissioner Mueller expressed her support for this conveyance to U.S. Fish & Wildlife.

Commissioner Wagenius asked about the management plan for this property. Ron Leathers affirmed the legal constraints show long-term restrictions on this parcel. Mr. Leathers said the management plan is for long-term protection of ducks and endangered species.

Commissioner Howes asked staff if they could add a reversionary clause so if the U.S. Government decided to change the use of the land to something different there would be a reversionary clause to give the land back to Minnesota. Commissioner Moody agrees with the reversionary clause. Susan Thornton explained that this is already covered in M.S. 116P.

Susan Thornton said she will discuss the management plans with Pheasants Forever and U.S. Fish & Wildlife. Ms. Thornton stated that staff will request in writing management plan information and specific acknowledgement of M.S. 116P.15 and 116P.16 (the reversionary clause governing Trust Fund acquisitions).

MOTION: Commissioner Frederickson moved approve the acquisition conveyance request from Pheasants Forever for the sum of \$1 to U.S. Fish & Wildlife – motion prevailed. Commissioner Rukavina asked for a division (8 yes / 4 no) – motion prevailed.

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**10. M.L. 2009 Work Programs approval for work programs not approved on June 16 – proposed consent agenda**

Susan reviewed the remaining five (5) work programs on the consent agenda.

MOTION: Commissioner Gibson moved approval of the consent agenda (Attach #5) as proposed including Subd. 4f1.1 titled "Mapping and Coordination" to approve Result 1 (\$50,000) contingent upon receipt of a revised coordination revision and approve Result 2 (\$50,000) – motion prevailed.

**11. LCCMR Administrative budget approval for 2010-2011**

MOTION: Commissioner Broberg moved approval of the LCCMR administrative budget – motion prevailed.

**12. Project update – DNR Conservation Easement Stewardship and Enforcement Program (M.L. 2008, Chap. 367, Sec.2, Subd. 5h) – Kathy Lewis and Susan Damon, MN DNR**

**Additional items of interest on conservation easements may be added.**

Kathy Lewis (MN DNR) reviewed the DNR report titled "Proposed Minimum Standard for Conservation Easements". This report was required by the 2007 MN Legislature.

Kathy Lewis (MN DNR) and Susan Damon (MN DNR) reviewed the progress to date on their appropriation from M.L. 2008, Chp. 367, Sec. 2, Subd. 5h titled "DNR Conservation Easement Stewardship and Enforcement Program".

**13. Other business (as needed)**

Susan Thornton announced the next meeting will be July 14, 2009.

Meeting adjourned at 3:30 p.m.

Respectfully submitted,

  

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