
Susan Thornton, Director

MINUTES

June 5, 2010

10:00 a. m. – 4:00 p.m.

Room 5. State Office Building,

St. Paul, MN 55155

Members Present: Al Berner, Jeff Broberg, Tom Cook, Sen. Gary Dahms, Sen. Al Dekruif, Sen. Kari Dziedzic, Nancy Gibson, John Herman, Rep. Tom Hackbarth, John Herman, Norman Moody, Sen. Gen Olson, Rep. Ron Shimanski, Sen. Rod Skoe, Rep. Paul Torkelson, Elizabeth Wilkens

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

Members Absent: Rep. David Dill, Rep. Tom Rukavina

Co-Chair: Nancy Gibson

1. Approve agenda for LCCMR meeting for June 5, 2012

Co-Chair Gibson called the meeting to order at 10:10 a.m.

Commissioner Gibson welcomed the new members (Sen. Kari Dziedzic and Rep. Paul Torkelson) and Commission members introduced themselves.

Commissioner Gibson asked Commissioner Dziedzic and Commissioner Skoe to discuss who would be interested in being on the LCCMR Executive Committee as co-vice chair due to Commissioner Higgins retirement.

Susan Thornton reviewed the packet materials and handed out the video titled "Aquatic Invasive Species" created by funding from M.L. 2011, First Special Session, Chp. 2, Art. 3, Sec. 2, Subd. 9c "Aquatic Invasive Species".

2. Approve minutes for February 10, 2012

MOTION: Commissioner Broberg moved approval of the minutes for February 10, 2012 – motion prevailed.

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

Commissioner Broberg sent a letter to LCCMR members listing the proposals that he has a conflict of interest with: (1) ENRTF ID: 014-B "Understanding Environmental/Economic considerations of Frac Sand Mining", U of MN - Duluth; (2) ENRTF ID: 017-B "Controlling Terrestrial Invasive Plants with Grazing Animals", Hiawatha Valley Resource Conservation & Development, Inc.; (3) ENRTF ID: 047-C1 "Shallow Lake Carp Exclusion: Shell Rock

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Watershed”, Shell Rock River Watershed District; and (4) ENRTF ID: 079-D “Wedge Creek Stream Habitat Restoration and Enhancement”, Shell Rock River Watershed District. See Attachment #1.

Commissioner Dzedzic stated that she had asked Senate Counsel for a letter regarding a family member working at the DNR affirming it did not constitute a conflict of interest with MN DNR’s proposals submitted.

Commissioner Herman stated a conflict of interest with parts of ENRTF ID: 64-D, “Metropolitan Conservation Corridor Partnership Phase VII” entity MN Valley Trust and ENRTF ID: 105-F, “Youth Outdoors: Mississippi River Education and Employment Opportunities”, Wilderness Inquiry.

4. 2012 Legislative Session Report – staff review of items related to ENRTF funding and 2012-2013 proposals

Susan Thornton reviewed the 2012 legislation that is pertinent to the LCCMR in the 2012 Legislative Session Report. Ms. Thornton explained Dr. Peter Sorensen will be presenting a work plan at one of the next LCCMR Meetings this month due to the \$2,000,000 in funding appropriated during the 2012 Legislative Session for the creation of an Aquatic Invasive Species Center at the U of MN from the ENRTF beginning July 1, 2012.

5. Aquatic Invasive Species Overview by MN DNR

- **Update on MN DNR past and current efforts on Invasive Carp**
- **Update on expenditures from the M.L. 2011, First Special Session, Chp. 2, Art. 3, Sec. 2, Subd. 9c “Aquatic Invasive Species” as amended by M.L. 2012, Chp. 264, MN DNR, \$4,680,000**

Steve Hirsch and Tim Schlagenhaft, MN DNR, presented an overview. See Attachment #2.

Commissioner Hackbarth asked for a hard copy of the presentation.

6. Update on findings from M.L. 2011, First Special Session, Chp. 2, Art. 3, Sec. 2, Subd. 3p “Species of Concern; Investigations” – PART A \$250,000 – “Investigations on Minnesota’s Common Loons and American White Pelicans”, Carrol Henderson, MN DNR, \$500,000

Carrol Henderson and Rich Baker, MN DNR, presented an overview.

7. Discussion of possible fee title acquisition of Scientific and Natural Areas (SNAs) with M.L. 2011 ENRTF funding of lands with existing permanent conservation easements held by BWSR through funding from the ENRTF for Granite Rock Outcrop Easements

- **M.L. 2011, First Special Session, Chp. 2, Art. 3, Sec. 2, Subd. 4g “Minnesota River Valley Green Corridor Scientific and Natural Area Acquisition”, Brad Cobb, Redwood Area Communities Foundation, \$2,000,000, Completion date: 6/30/2014**

Previous Related Appropriations for Granite Rock Outcrop Easement Acquisitions held by BWSR

- M.L. 2010, Chp. 362, Sec. 2, Subd. 4e "Protection of Rare Granite Rock Outcrop Ecosystem", \$1,800,000, Completion date: 6/30/2012

- M.L. 2009, Chp. 143, Sec. 2, Subd. 4h "Protection of Granite Rock Outcrop Ecosystem", \$1,500,000, Completion date: 6/30/2012

- M.L. 2007, Chp. 30, Sec. 2, Subd. 5b "Protection of Rare and Unique Rock Outcrop Wetlands", \$563,000, Completed 6/30/2009

Peggy Booth, MN DNR, and Brad Cobb, Redwood Area Communities Foundation, presented an overview.

1:58:57

Commissioner Olson asked for clarification on the M.L. 2011 work plan. Susan Thornton reminded members that the M.L. 2011 work plan was in their packet and a one page sheet that is related to this discussion from the Outdoor Heritage statute (M.L. 2011, 97A.056, Subd. 9 "Lands in public domain" and the appropriation language from M.L. 2008, Chp. 362, Sec. 2, Subd. 3e "Minnesota River Valley Green Corridor Land Protection"). Ms. Thornton explained what is being requested is to acquire lands that already have conservation easements acquired with ENRTF funds in previous years.

Ms. Thornton explained that members do not have the authority to disapprove purchase of the lands to go to MN DNR but explained that there is a concern about the perception of these lands being purchased twice by the state. The authority to approve the purchase is with the MN DNR Commissioner.

Commissioner Olson asked about the appraisal process and how it is assessed and ongoing PILT payments. Brad Cobb said the lands would be owned by MN DNR and would have PILT payments like all MN DNR lands. Mr. Cobb said the assessed value of the lands would be evaluated and are usually assessed at a lower value due to the conservation easement.

Commissioner Herman asked about the easements acquired in the past. What uses are permitted on the lands (i.e. rights to monitor and enforce the easement, limit motorized use, any ecological values). Commissioner Herman doesn't believe it makes much sense to pay the full amount twice for purchasing the fee title but if only paying the difference in value between the easement cost and the fee title cost then it might make sense. Peggy Booth said when they have discussed this issue at MN DNR their belief is they shouldn't pay twice and should only pay for the part of the value of the land that the seller has not previously received payment for. Ms. Booth said that the main things that are gained through the acquisition is the public access which also provides support for a lot of work being done around the river.

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Ecological management by the MN DNR would be another component acquired through fee-title acquisition on a parcel with an existing conservation easement.

Commissioner Herman said he was a big supporter of the ongoing purchase of the rock outcrop easements. Commissioner Herman asked if the information related to the appraisal of the land under consideration is available. Mr. Cobb said that they will provide the appraisal on request by the LCCMR staff.

Commissioner Broberg asked if there is any other history of conservation easements becoming fee title acquisition before. Ms. Booth said she is not aware of this being done in the MN River Valley but there has been about a half a dozen out of the hundred easements done in Prairie Bank Conservation Easements in which the state has acquired the fee title. She said in most instances they have become WMA's and one became an SNA.

Commissioner Broberg asked how did they account for those purchases. Ms. Booth said she does not have the information available. Commissioner Broberg asked how the assessments differ between easements and fee title. Ms. Booth said that the formula is set forth in statute for RIM easements and prairie bank easements. It is entirely based on the assessed value of land in that specific township.

Commissioner Broberg asked about payback. Mr. Cobb said he did not have that information available.

Commissioner Broberg asked if this discussion will change future funding requests. Mr. Cobb said they would like their process to be fully transparent and that is why they came in today.

After members discussion with Ms. Booth and Mr. Cobb, members asked for additional meetings to discuss the complexity of the issue of purchasing fee title acquisitions on lands with existing permanent conservation easements purchased by the ENRTF so that more information can be provided as to how this might proceed.

Members recessed at 12:40 p.m. for lunch. Members reconvened at 1:20 p.m.

Commissioner Gibson asked Commissioner Dziejdzic and Commissioner Skoe if there was a decision made regarding the opening on the LCCMR Executive Committee.

MOTION: Commissioner Hackbarth moved to have Commissioner Skoe to serve for co-vice chair on the LCCMR Executive Committee as co-vice chair – motion prevailed.

8. **Review of the Environment and Natural Resources Trust Fund, M.S. 116P.08 and adopted LCCMR Six-Year Strategic Plan**
9. **Selection of 2012-2013 proposals for the Environment and Natural Resources Trust Fund for further consideration**

Susan Thornton reviewed the handouts distributed. Ms. Thornton explained the blue sheet titled "2012-2013 – LCCMR Member Presentation Selection Rankings – Environment and Natural Resources Trust Fund Proposals" is sorted in overall rank order according to

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compiled member rankings. Ms. Thornton explained the yellow sheet titled “2012-2013 – LCCMR Member Presentation Selection Rankings – Environment and Natural Resources Trust Fund Proposals” is sorted by issue area in rank order according to compiled member rankings.

Members general consensus was to follow the blue sheet titled “2012-2013 – LCCMR Member Presentation Selection Rankings – Environment and Natural Resources Trust Fund Proposals” sorted in overall rank order according to compiled member rankings. See Attachment #3.

Members discussed how many days they would be hearing presentations and what other proposals they have an interest in hearing a presentation. Members concluded to go around the room and have each member select a proposal they would like to nominate to receive further consideration to invite in for a presentation.

MOTION: Commissioner Hackbarth moved to recommend Lines 1 to 47 (score of 6 or higher) on the blue sheet titled “2012-2013 – LCCMR Member Presentation Selection Rankings – Environment and Natural Resources Trust Fund Proposals” for a presentation to the LCCMR (47 proposals) – motion prevailed.

Commissioner Gibson expressed an interest in hearing a presentation on:

Line 56 - ENRTF ID: 068-D “Preserving the Avon Hills Landscape: Phase 2”

Line 68 - ENRTF ID: 064-D “MeCC VII – Metropolitan Conservation Corridors”

Commissioner Skoe expressed an interest in hearing a presentation on:

Line 76 - ENRTF ID: 027-B “Realizing County Forests’ Full Potential Through Improved Inventory”

Line 84 - ENRTF ID: 016-B “Rapid Forest Ecosystem and Habitat Inventory by Imputation”

Commissioner Herman expressed an interest in hearing a presentation on:

Line 49 – ENRTF ID: 090-E2 “Addressing Ozone and Particulate Matter Pollution in Minnesota”

Line 52 – ENRTF ID: 018-B “Sulfate Release Rates from Specific Mine Waste Types”

Commissioner Wilkens expressed an interest in hearing a presentation on:

Line 88 – ENRTF ID: 112-F “Using Training to Prevent Salt Pollution”

Commissioner Berner expressed an interest in hearing a presentation on:

Line 51 – ENRTF ID: 087-E1 “Mapping Landscapes for Better Land and Water Quality

Line 92 – ENRTF ID: 052-C2 “Developing Economic Incentives for Eradicating Buckthorn”

Commissioner Olson expressed an interest in hearing a presentation on:

Line 117 – ENRTF ID: 062-D “Landscape Arboretum Acquisition of Property Surrounding Lake Tamarack”

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Commissioner Broberg expressed an interest in hearing a presentation on:

Line 79 – ENRTF ID: 123-F “Building Recreational Learning Sites in the Zumbro Watershed”

Line 60 – ENRTF ID: 073-D “Frogtown Farm and Park”

Commissioner DeKruif expressed an interest in hearing a presentation on:

Line 107 – ENRTF ID: 076-D “Restoring Water Quality on Fourteen Southern Minnesota Lakes”

Commissioner Dahms expressed an interest in hearing a presentation on:

Line 57 – ENRTF ID: 023-B “Conservation Grazing to Improve Wildlife Habitat on WMA’s”

Line 137 - ENRTF ID: 074-D “Americas Great Outdoors (AGO) Minnesota River Corridor Enhancement”

Commissioner Dziejdzic expressed an interest in hearing a presentation on:

Line 109 – ENRTF ID: 132-G “Fighting Carp by Improving Mississippi Access and Awareness”

Commissioner Shimanski expressed an interest in hearing a presentation on:

Line 146 – ENRTF ID: 133-G “Restoring Connectivity and Public Access to Campbell Lake”

Commissioner Moody expressed an interest in hearing a presentation on:

Line 102 – ENRTF ID: 136-H “Renewable Energy Leadership Centers”

Commissioner Torkelson expressed an interest in hearing a presentation on:

Line 124 – ENRTF ID: 119-F “Community Clean-Ups for Water Quality”

Line 130 – ENRTF ID: 075-D “Heron Lake Sediment and Phosphorus Reduction Implementation Projects”

Line 59 – ENRTF ID: 070-D “State Land Asset Management”

Commissioner Torkelson recommended on behalf of Commissioner Rukavina and Commissioner Dill an interest in hearing a presentation on:

Line 100 – ENRTF ID: 157-I “Voyageurs National park Clean Water Project”

Members asked staff to create a polling sheet with all the members nominations. Members would each select 5 and then staff would compile the votes and the top ranking 9 proposals would be called in for presentation.

Members recessed for 15 minutes for staff to create the polling sheet. See Attachment #4.

Members voted and meeting continued during this staff compilation of votes.

Mike Banker read the top ten ranking ENRTF proposals from the polling sheet indicating this was the natural break in the rankings.

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MOTION: Commissioner Berner moved to recommend the following ENRTF proposals: (1) ENRTF ID: 023-B "Conservation Grazing to Improve Wildlife Habitat on WMA's"; (2) ENRTF ID: 027-B "Realizing County Forests' Full Potential Through Improved Inventory"; (3) ENRTF ID: 062-D "Landscape Arboretum Acquisition of Property Surrounding Lake Tamarack"; (4) ENRTF ID: 064-D "MeCC VII – Metropolitan Conservation Corridors"; (5) ENRTF ID: 068-D "Preserving the Avon Hills Landscape: Phase 2"; (6) ENRTF ID: 073-D "Frogtown Farm and Park"; (7) ENRTF ID: 075-D "Heron Lake Sediment and Phosphorus Reduction Implementation Projects"; (8) ENRTF ID: 076-D "Restoring Water Quality on Fourteen Southern Minnesota Lakes"; (9) ENRTF ID: 090-E2 "Addressing Ozone and Particulate Matter Pollution in Minnesota"; and (10) ENRTF ID: 133-G "Restoring Connectivity and Public Access to Campbell Lake" for a presentation to the LCCMR – motion prevailed.

10. Confirm 2012-2013 proposal presentation dates and times and amend adopted 2012 calendar as needed

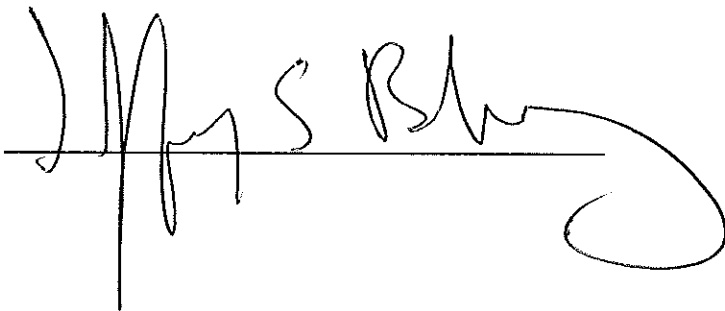
Members discussed the calendar for presentation dates. General consensus for the first week was June 19 and 20 and delete June 21, 2012. General consensus for the second week was June 27 and 28 and delete June 26.

Members agreed to have longer days on June 19 and June 27 and shorter days on June 20 and June 28.

11. Other business

12. Adjourn

Meeting adjourned at 3:30 p.m.

A handwritten signature in black ink, appearing to read "J. Berner", written over a horizontal line. The signature is stylized and includes a large, sweeping flourish at the end.