
Susan Thornton, Director

MINUTES

Wednesday, November 19, 2014

9:00 a.m. – 4:00 p.m.

State Office Building, Room 5

St. Paul, MN 55155

Members Present: Jeff Broberg, Sen. Gary Dahms, Sen. Kari Dziedzic, William Faber, Bonnie Harper-Lore, Sen. John Hoffman, Gary Lamppa, Sen. John Hoffman, Rep. Leon Lillie, Norman Moody, Rep. John Persell, Sen. David Tomassoni, Rep. Jean Wagenius, Sen. Torrey Westrom, Della Young

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

Members Excused: Rep. Dan Fabian, Nancy Gibson, and Rep. Paul Torkelson

Co-Chair: Sen. David Tomassoni

1. Approve the minutes for July 10, 2014

Co-Chair Sen. Tomassoni started the meeting at 9:15 a.m.

MOTION: Commissioner Dahms moved to approve the minutes for July 10, 2014 – motion prevailed.

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

MS 116P.09 Subd 6 Conflict of interest. A commission member, technical advisory committee member, a peer review panelist, or an employee of the commission may not participate in or vote on a decision of the commission, technical advisory committee, or peer review panel relating to an organization in which the member, panelist, or employee has either a direct or indirect personal financial interest. While serving on the commission, technical advisory committee, or peer review panel, or being an employee of the commission, a person shall avoid any potential conflict of interest.

Sen. Kari Dziedzic reminded members of a letter from Tom Bottern, Senate Counsel, regarding a family member working at the DNR affirming it did not constitute a conflict of interest with MN DNR's proposals submitted. (See Attachment #1)

3. Final Environment and Natural Resources Trust Fund (ENRTF) Reports Update

Susan Thornton discussed the final reports that were completed on June 30, 2014.

4. 2015 ENRTF Recommendations Peer Review Update

Michael McDonough gave an overview of the peer review process.

Commissioner Persell asked if the word 'research' is defined. Michael McDonough explained that the LCCMR follows the statute in defining 'research'.

Co-Chair Tomassoni read the meaning of 'research' from the Webster's Dictionary. Research – 1. careful or diligent search; 2. studious inquiry or examination; *especially* : investigation or experimentation aimed at the discovery and interpretation of facts, revision of accepted theories or laws in the light of new facts, or practical application of such new or revised theories or laws 3. the collecting of information about a particular subject.

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5. Review for adoption LCCMR Appropriations Bill for the 2015 MN Legislative Session Funding Recommendations from the Environment and Natural Resources Trust Fund (ENRTF)

- ENRTF Draft Appropriations Bill for M.L. 2015 (FY2016) including items requiring members attention related to recommended appropriations
- M.L. 2015 ENRTF Recommendations Spreadsheet (FY2016)

Susan Thornton started reviewing the ENRTF draft Appropriations Bill for the 2015 MN Legislative Session.

MOTION (00:45:55): Commissioner Wagenius moved the ENRTF Draft Appropriations Bill for M.L. 2015 for the 2015 MN Legislative Session Funding Recommendation for FY16 Environment and Natural Resources Trust Fund and to amend the ENRTF Draft Appropriations Bill for M.L. 2015 on page 11 for Subd. 10a titled "Legislative-Citizen Commission on Minnesota Resources (LCCMR)" by deleting \$990,000 in the language and replacing with \$1,072,000 – motion prevailed.

MOTION (00:47:35): Commissioner Moody moved to amend the ENRTF Draft Appropriations Bill for M.L. 2015 on page 2 for Subd. 03c titled "Minnesota Biological Survey (ENRTF ID: 002-A)" by deleting \$2,000,000 in the language and replacing with \$2,450,000.

Commissioner Dahms asked about the additional \$450,000 being added to Subd. 03c in the draft ENRTF language and which part of the letter from the DNR dated October 20, 2014 (see Attachment #2) would this money be going towards: Item 1 for the staff or Item 2 for direct and necessary expenses. Commissioner Moody concurred that the additional money should go towards Item 1 of the DNR letter.

RENEWED MOTION (01:11:46): Commissioner Moody renewed his motion to amend the ENRTF Draft Appropriations Bill for M.L. 2015 on page 2 for Subd. 03c titled "Minnesota Biological Survey (ENRTF ID: 002-A)" by deleting \$2,000,000 in the language and replacing with \$2,450,000 and the additional dollars are to be used for Item 1 from the DNR Letter dated October 20, 2014 - motion prevailed.

MOTION (01:12:35): Commissioner Broberg moved to amend the ENRTF Draft Appropriations Bill for M.L. 2015 on page 8 for Subd. 8h title "Improving Community Forests Through Citizen Engagement (ENRTF ID: 127-F)" by replacing the language as follows:

\$800,000 the first year is from the trust fund to the Minnesota Pollution Control Agency to design and pilot a program to mobilize citizen volunteers to protect, improve, and maintain local forests in communities around the state. Participation is open to any municipality in the state and participating municipalities will be selected through a competitive proposal process that will include representation from both metropolitan and non-metropolitan areas of the state. Trees planted using this appropriation must be species that are native to Minnesota. Any participating municipality must provide ~~an equal~~ a match of not less than 25%, up to half of which may be in the form of in-kind support. This appropriation is available until June 30, 2018, by which time the project must be completed and final products delivered.

MOTION (01:15:19): Commissioner Broberg moved to adopt the ENRTF Draft Appropriations Bill for M.L. 2015 for the 2015 MN Legislative Session Funding Recommendation for FY16 Environment and Natural Resources Trust Fund as amended. The staff are requested to make any grammatical and stylistic changes as needed and send to the Office of the Revisor of Statutes – motion prevailed (unanimous – 12 members present).

6. Overview - Conservation Easement Process and Criteria

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- Office of the Legislator Auditor summary of recommendations “Evaluation Reports - Conservation Easements”, February 2013 – Judy Randall, OLA
- Conservation easement costs and benefits - Steve Taff and Mike Kilgore, U of MN
- Appraisal Process for Conservation Easements – Cindy Nathan, DNR
- “Minimum Standards for Conservation Easements Acquired with Public Money”, DNR, February 1, 2008 – Susan Damon, DNR

Judy Randall, OLA, provided an overview of the “Evaluation Reports - Conservation Easements”.

Steve Taff and Mike Kilgore, U of MN, provided an overview on “Conservation easement costs and benefits”.

Cindy Nathan, DNR, provided an overview on the “Appraisal Process for Conservation Easements”.

Susan Damon, DNR, provided an overview on the “Minimum Standards for Conservation Easements Acquired with Public Money”.

Members recessed at 12:30 p.m. and reconvened at 1:15 p.m.

MOTION (03:22:49): Commissioner Wagenius moved to reconsider the ENRTF Draft Appropriations Bill for M.L. 2015 for the 2015 MN Legislative Session Funding Recommendation for FY16 Environment and Natural Resources Trust Fund as amended – motion prevailed.

MOTION(03:14:04): Commissioner Wagenius moved to amend the ENRTF Draft Appropriations Bill for M.L. 2015 by having 5% of the dollars previously recommended for purchasing easements (\$250,000) to be provided for a new appropriation. LCCMR staff are requested to work with the U of MN to create a new work plan for evaluation and development of a benefit system with objective standards for conservation easements.

AMENDMENT (03:14:46): Commissioner Dziejcz moved to amend Commissioner Wagenius motion to have LCCMR staff send a letter to the Lessard-Sams Outdoor Heritage Council (LSOHC) requesting an equal match of the dollars for this appropriation with the goal being an evaluation of ecological benefits received and expected from easements. - Commissioner Wagenius concurred.

RENEWED MOTION (03:23:35): Commissioner Wagenius renewed her motion to amend the ENRTF Draft Appropriations Bill for M.L. 2015 by having 5% of the dollars previously recommended for purchasing easements (\$250,000) to be provided for a new appropriation. The following appropriations are to be reduced by 5%:

1. Subd. 09d “Native Prairie Stewardship and Prairie Bank Easement Acquisition”, MN DNR, Jason Garms for \$3,500,000 is reduced by \$175,000;
2. Subd. 09e “Metro Conservation Corridors Phase VIII – Coordination and Mapping and Conservation Easements, Minnesota Land Trust, John Brosnan for \$540,000 (\$500,000 was for conservation easements) is reduced by \$25,000; and
3. Subd. 09j “Multi-benefit Watershed Scale Conservation on North Central Lakes, Leech Lake Area Watershed Foundation, Lindsey Ketchel for \$1,000,000 is reduced by \$50,000.

LCCMR staff are requested to work with the U of MN to develop a new work plan before the legislature makes the appropriation for evaluation and development of a benefit system with objective standards for conservation easements. LCCMR staff is requested to send a letter to the Lessard-Sams Outdoor Heritage Council (LSOHC) requesting an equal match of the dollars to go towards this recommendation with the goal being an evaluation of ecological benefits received and expected from easements. – motion prevailed.

MOTION (3:24:34): Commissioner Wagenius moved the adoption of the draft LCCMR ENRTF Appropriations Bill for the 2015 MN Legislative Session Funding Recommendation for FY16

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Environment and Natural Resources Trust Fund as amended. The staff are requested to make any grammatical and stylistic changes as needed and send to the Office of the Revisor of Statutes – motion prevailed (unanimous – 12 members present).

7. **Overviews**

- M.L. 2011, First Special Session, Chp. 2, Art. 3, Sec. 2, Subd. 03i “Change and Resilience in Boreal Forests in Northern Minnesota”, Lee Frelich, U of MN
- M.L. 2011, First Special Session, Chp. 2, Art. 3, Sec. 2, Subd. 03c “Completion of Statewide Digital Soil Survey” and M.L. 2011, First Special Session, Chp. 2, Art. 3, Sec. 2, Subd. 03l “Measuring Conservation Practice Outcomes”, Megan Lennon, BWSR

Lee Frelich, U of MN, provided an overview of his completed work plan - M.L. 2011, First Special Session, Chp. 2, Art. 3, Sec. 2, Subd. 03i “Change and Resilience in Boreal Forests in Northern Minnesota”.

Megan Lennon, BWSR, provided an overview of her completed work plans - M.L. 2011, First Special Session, Chp. 2, Art. 3, Sec. 2, Subd. 03c “Completion of Statewide Digital Soil Survey” and M.L. 2011, First Special Session, Chp. 2, Art. 3, Sec. 2, Subd. 03l “Measuring Conservation Practice Outcomes”.

8. **Begin Discussion FY17 LCCMR 2016 ENRTF Request for Proposal (RFP)**

Susan Thornton started the discussions on the FY17 LCCMR 2016 ENRTF Request for Proposal (RFP).

Susan Thornton reviewed the draft LCCMR 2015 Calendar options. The staff recommended the draft calendar with proposal presentation dates in October and the other draft calendar has proposal presentation dates being held in June. Members will continue discussions at the LCCMR meeting on December 9, 2014.

Commissioner Broberg asked staff to handout some draft language regarding the water priorities for the 2016 RFP. Member discussion followed and will continue at the December 9 meeting. See Attachment #3.

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

- Next LCCMR meeting dates: Tuesday, December 9, 2014 and Tuesday, December 16, 2014
- Discuss and Review 2014 – 2015 Calendar

10. **Adjourn**

The meeting adjourned at 2:20 p.m.


