

DRAFT FOR REVIEW

**Lessard Outdoor Heritage Council (LOHC)
Conservation Partners Grants Committee Meeting Minutes
Sunday, Sunday, March 8, 2009
5:00 p.m.
Saint Anthony Room
Kelly Inn, St. Paul, MN**

Members Present: Chair Scott Rall, Sen. Bill Ingebrigtsen, Darby Nelson, David Hartwell, Bob Schroeder, Wayne Enger, Jim Cox, Les Bensch, Mike Kilgore and Temporary Staff Bill Becker

Call to Order

Chair Rall called the meeting of the Lessard Outdoor Heritage Council Conservation Partners Grants Committee to order at 5:05 p.m. A quorum was present.

Review and Approve Agenda

Bob Schroeder moved approval of the agenda for the evening. **Motion approved**

Review and Approve Minutes

Les Bensch moved approval of the minutes of February 22, 2009. Mr. Bensch asked that the minutes be amended to reflect the fact that he was in attendance. The amendment was approved. **Motion approved**

Public Comments

Lance Ness introduced himself and described the intent of the group working on the council and the amendment legislation in the 2008 legislative session was seeking an independent council. He felt that was necessary for the council to be successful in the long term.

James Carlson of Optima Fish, a consulting firm, introduced himself and asked that the processes used by the LOHC be more inclusive and transparent. He admonished the LOHC for a lack of outreach to tribal groups.

Cordelia Pierson introduced herself and asked the committee to ensure the grant program administration be efficient for land stewards. She asked for a streamlined process with a centralized application process/location. Cordelia also advised the council to provide maps of priority areas.

Appearance of Conflict of Interest on the Part of an Administrative Body – Greg Knopff

If an agency operates a grant program from which the agency can receive a direct benefit to agency managed lands or agency promulgated plans, then a perceived conflict of interest exists. Organizational Conflicts of interest can occur with an organization that is a grant applicant or grantee of a state agency when the state's competing duties or loyalties impair the organization members are unable to render impartial assistance or has an advantage in

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application. Mr. Knopff reviewed remedies for situations where grant evaluators have a conflict of interest.

Chair Rall asked if it was a conflict of interest if the grant program administrator received a percentage of the grant amount for technical assistance. Mr. Knopff indicated that could be problematic if the money was part of the grant itself. The better route is to appropriate a set sum for technical assistance.

Mr. Bensch observed that we don't know who's going to have to provide the technical assistance so we don't know who to appropriate to. (Land could be state, county, city or federal).

Bob Schroeder observed that the rules seem to prevent the administrator from applying to the program. Can council members serving on in an advisory capacity provide a safeguard to perceived conflict of interest. Knopff replied it helps but does not solve the problem.

Mr. Knopff, Mr. Sames, Ms. Tannahill and members discussed the affect of confining the grants to work done on DNR managed lands. This eliminated some of the conflict of interest.

Mr. Enger asked if the final selection was made by someone other than a grantor with a conflict of interest, would that solve the problem. Mr. Knopff replied yes.

BWSR Presentation

John Jaschke presented an overview of BWSR and described the process he sees for the grants program. His presentation included state and local roles. He indicated the BWSR is the right place to locate the program if it is about working on private land, but not the right home for programs addressing private land. The discussion turned to details when other agencies might need to be involved in grant development and implementation.

David Hartwell asked if it made a difference that LOHC was looking for a grant program administrator not a grant manager. Jaschke said that makes a difference.

Mr. Cox observed that a BWSR program working on private land would require permanent easements on the private land. Jaschke agreed

Bob Schroeder asked about BWSR's overhead. Mr. Jaschke replied that it was in the range of 5% to 20% of the total grant amount. At the high end the overhead is evenly divided between administration and predesign. Schroeder asked if BWSR managed any land. Jaschke replied that they held land temporarily.

Jim Cox asked if BWSR had expertise on wildlife habitat. Mr. Jaschke replied no, BWSR does not maintain personnel with expertise on habitat.

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Senator Ingebrigtsen asked if BWSR were better suited to be involved with the clean water portion of the Heritage Amendment. Mr. Jaschke said they were better suited to the clean water portion.

Wayne Enger observed that the council has had feedback about not being open enough. Can BWSR help? Jaschke replied that the presence of BWSR helps.

DNR Presentation

Wayne Sames, Leslie Tanahill, and Pete Skwira of DNR presented their position. Mr. Sames led the presentation with the observation that DNR is unsure of the scope and nature of the program so they did not bring a formal proposal. Pete Skwira elaborated that DNR didn't understand whether the program was on public or private land or the level of long term monitoring required. DNR agreed with BWSR that the land owner needs to be involved and that grants require technical assistance before proposing and after selection. Skwira further said DNR wants a successful program and an accountable program. He also said DNR has habitat expertise and experience with local clubs.

Mike Kilgore asked DNR if they needed added capacity to manage the program. Mr. Sames replied that if it is hundreds of applicants with 200 grants per year DNR would have to add staff. Kilgore followed up with a question about the effect on grant dollars and Skwira estimated it would require administrative fee in the range of 5% to 10% of the program. Sames agreed. He said field staff technical assistance would be in addition.

National Fish and Wildlife Foundation Presentation

Donn Waage presented the National Fish and Wildlife Foundation's (NFWF) proposal. He discussed the solicitation, grant selection, grant management, and evaluation phases of NFWF's proposal. Waage said acquisition grants required extra effort, but that he was versed in acquisition grants. He elaborated on NFWF's dedication to habitat results and emphasized that the grant application would have an outcomes component. He proposed to use cluster evaluation – Evaluation of groups of grants to see if on balance the grant program was achieving the overall program goals. David Hartwell asked if someone viewed each grant in the evaluation process and Waage replied yes although photographic evidence is sometimes used.

Bob Schroeder asked what NFWF would charge for administration? Waage replied 5% to 10% depending on the size of the program. Cost goes down as a percentage as the program size goes up. Schroeder followed up with a question about governance of NFWF inquiring if the NFWF board would need to approve all Conservation Partner Grants. Waage replied no. Schroeder asked if LOHC members could advise. Waage said yes.

NFWF indicated that 5% of their fee would be technical assistance. Wayne Enger asked what is in the 5%. Waage said there was no engineering involved and that the majority of the technical assistance would be aid in completing quality applications and answering common habitat questions. Waage went on to explain that his office in St. Paul employed 3 people and NFWF maintained 21 program people nationwide.

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Kilgore asked if the charge would be 5.25% of whatever was being managed. Waage replied it could go as high as 6.5% of a program the magnitude the council is looking at. Kilgore pointed out that NFWF was created by congress and asked if there were any federal laws that would conflict with state laws? Waage replied no.

Bob Schroeder asked if audits by the federal government examined the records of grantees as well as NFWF records. Waage replied in the affirmative.

Wayne Enger asked how NFWF would publicize the grant program. Waage said NFWF would engage the user groups in the solicitation of grants.

Public Input

Becky Knowles of the Leech Lake Band pointed out BWSR focuses on private land and wondered if they would address grants for work on private land.

Joe Duggan of Pheasants Forever pointed out that the committee should separately consider the role of the fiscal agent and the grantee.

Mike Carlson of Optima Fish said the question is whether the dollars are being spent effectively and that evaluating the grants is an important role of the administrator.

Cordelia Pierson said she had experience with DNR working with public and private entities. She recommended the LOHC promote the grant program. She further recommended that evaluation of benefits should be done for all Legacy Fund expenditures.

John Shors pointed out the need to get the best bang for the buck and offered his opinion that independent evaluation is best.

Paul Langseth pointed out that the SWCDs have experience in grant-making and that they work with watershed districts. He saw benefit going outside the bureaucracy.

Discussion

The council discussed the merits of each presenter as a grant administrator. Conflict of interest issues, the desire for an independent fiscal agent, work with other state programs, simplicity, and the fact that Minnesota state agencies will be involved with any grantee working on land they manage. The committee agreed to recommend the National Fish and Wildlife Foundation as the manager of the program.

Adjourn

Chair Rall adjourned the meeting at 7:20 p.m.

APPROVAL:

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Scott Rall, Chair

Date