

Lessard - Sams Outdoor Heritage Council

September 15, 2010

Room 5, State Office Building

Meeting Summary

Members Present:

Chair Michael Kilgore
Les Bensch
Ryan Bronson (phone)
Jim Cox

Wayne Enger
Sen. Lisa Fobbe
Rep. Bob Gunther
Rep. Rick Hansen

David Hartwell
Sen. Bill Ingebrigtsen
Scott Rall

Members Absent: Darby Nelson

Call to order

Chair Kilgore called the meeting to order at 8:31 a.m. A quorum was present. Mr. Kilgore reminded members Ryan Bronson is joined via conference phone and due to that all motions of council business require a roll call vote.

Review and approve agenda

Motion by D. Hartwell to approve the agenda as presented.

Les Bensch - yes	Sen. Lisa Fobbe - yes	Sen. Bill Ingebrigtsen - yes
Ryan Bronson - yes	Rep. Bob Gunther - yes	Michael Kilgore - yes
Jim Cox - yes	Rep. Rick Hansen - absent	Darby Nelson - absent
Wayne Enger - yes	David Hartwell - yes	Scott Rall - yes

10 – yes, 0 – no, 2-absent Motion adopted.

Review and approve summary of August 24 and 25, 2010

Motion by M. Kilgore to approve the summary as presented.

Les Bensch - yes	Sen. Lisa Fobbe - yes	Sen. Bill Ingebrigtsen - yes
Ryan Bronson - yes	Rep. Bob Gunther - yes	Michael Kilgore - yes
Jim Cox - yes	Rep. Rick Hansen - absent	Darby Nelson - absent
Wayne Enger - yes	David Hartwell - yes	Scott Rall - yes

10 – yes, 0 – no, 2-absent Motion adopted.

Executive Director's Report (4:11)

Mr. Becker reviewed the schedule changes for this year and the tentative schedule for next year. January is a new meeting date for the election of new council officers. Mr. Becker asked Ms. Koop to review the memo in members' packets regarding follow up from questions raised during the hearings. Mr. Becker updated members on the 25 year framework and 10 year plan and advised that Judy Grew would go through the planning process in greater detail later. Members were reminded of Darby Nelson's absence from the meeting and Mr. Becker noted a letter from Mr. Nelson that will be read into the record prior to allocation discussion. Ms. Koop reviewed the joint LCCMR-LSOHC tour agenda for September .

Decision: Accomplishment Plan Format Approval (20:20)

Heather Koop reviewed and explained the format for the accomplishment plans that will be requested from program managers. Members will be reviewing the accomplishment plans at the December meeting. Motion by D. Hartwell to approve the accomplishment plan format as presented.

Les Bensch - yes	Ryan Bronson - yes	Jim Cox - yes
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Wayne Enger - yes
 Sen. Lisa Fobbe - yes
 Rep. Bob Gunther - yes

Rep. Rick Hansen - yes
 David Hartwell - yes
 Sen. Bill Ingebrigtsen - yes

Michael Kilgore - yes
 Darby Nelson - absent
 Scott Rall - yes

11 – yes, 0 – no, 1-absent Motion adopted.

Update/Discussion: LSOHC 25 Year Plan Process (36:40)

Judy Grew, MMB, Management Analysis and Development gave an update on the progress of the working group to date. Ms. Grew brought back to the Council two questions of clarity that the working group wanted Council reaction and direction on. Those two questions are as follows: 1) Does the Council feel that the current statewide priority criteria and ecological section vision and priorities should be included in the plan or how should this be changed?, 2) Would you like the working group to continue to develop a results management framework with an eye toward filling in observed gaps with suggestions or would the Council rather develop these? The Council’s direction on the questions was as follows:

(50:31) 1) Mr. Kilgore summarized the Council discussion as a 10 year check in along the way of the 25 years framework and is not a distinct initiative. Mr. Kilgore recommended check-in points to determine if the council has accomplished what was envisioned.

(1:05:43) 2) Ms. Grew explained the results management framework. (1:15:55) Mr. Kilgore summarized it as a good framework and a good way to articulate the goals. He directed staff to work with working group and Ms. Grew to continue to flush things out and come back with a completed framework for council reaction.

Discussion of Requests / Allocation and Recommendation Funding Process (1:25:36)

Mr. Becker read the memo submitted by Darby Nelson into the record and explained the two spreadsheet handouts. D. Hartwell raised the question of the Conservation Grants Program and a possible change in administration of the program. Members discussed issues around this topic. It was decided to review this in one year after this program is more established and see what progress has been made.

(1:53:18) Motion by D. Hartwell to approve the **Chair’s proposal** as the starting point for allocation discussion. The proposal allocates \$68,786,000 and is noted in the green column on the spreadsheet handout.

Project ID	Project Title	Organization	Fund Request	Chairs Proposal
H-01	DNR Aquatic Habitat Program	<i>MN DNR</i>	<i>\$17,815,000</i>	\$ 6,500,000
P-10	Accelerating the Waterfowl Production Area Program	<i>Pheasants Forever</i>	<i>\$9,815,000</i>	\$ 5,971,000
X-02	Conservation Partners Legacy Grants Program	<i>MN DNR</i>	<i>\$4,318,784</i>	\$ 3,680,000
F-03	La Salle Lake: Protecting Critical Mississippi Headwaters Habitat	<i>The Trust for Public Land</i>	<i>\$4,631,500</i>	\$ 3,595,000
W-01	The RIM-WRP Partnership	<i>BWSR</i>	<i>\$18,000,000</i>	\$ 9,703,000
F-01	Minnesota Forests for the Future	<i>MN DNR</i>	<i>\$20,772,000</i>	\$ 5,409,000
P-01	Acquisition: WMA, SNA, Prairie Bank Easement, Forest Lands	<i>MN DNR</i>	<i>\$26,614,000</i>	\$ 5,136,000
P-06	MN Prairie Recovery Project Phase 2	<i>The Nature Conservancy</i>	<i>\$6,761,798</i>	\$ 3,407,000
W-04	Shallow Lake Shoreland Protection: Wild Rice Lakes	<i>Ducks Unlimited</i>	<i>\$3,000,000</i>	\$ 1,891,000
H-02	MN Trout Unlimited Coldwater Fish Habitat Enhancement Program	<i>MN Trout Unlimited</i>	<i>\$2,332,000</i>	\$ 1,533,000
P-07	Cannon River Headwaters Habitat Complex (Phase I)	<i>The Trust for Public Land</i>	<i>\$2,495,000</i>	\$ 1,533,000

X-01 (a)	L-SOHC Pass-Through Contract Mgmt; Tech Asst Panel Coord	<i>MN DNR</i>	\$175,000	\$ 127,000
X-01 (b)	L-SOHC Pass-Through Contract Mgmt; Tech Asst Panel Coord	<i>MN DNR</i>	\$84,000	\$ 42,000
P-03	Minnesota Buffers for Wildlife & Water	<i>Pheasants Forever</i>	\$5,500,000	\$ 2,249,000
P-11	Green Corridor Legacy Program - Phase III	<i>Green Corridor Inc.</i>	\$6,383,000	\$ 1,771,000
H-10	Restoring Native Habitat/Water Quality to Shell Rock River	<i>Shell Rock River Watershed District</i>	\$2,576,500	\$ 1,524,000
H-06	Protecting Sensitive Shorelands in North Central Minnesota	<i>Leech Lake Area Watershed Foundation</i>	\$2,006,000	\$ 1,098,000
F-07	Protect Key Forest Habitat Lands - Cass County	<i>Cass County</i>	\$1,064,100	\$ 604,000
P-09	Accelerating the Wildlife Mgmt Area Program	<i>Pheasants Forever, Inc.</i>	\$7,690,500	\$ 3,433,000
H-05	Metro Big Rivers Habitat Phase 2	<i>Minnesota Valley National Wildlife Refuge Trust, Inc.</i>	\$5,170,558	\$ 2,419,000
P-04	Northern Tallgrass Prairie National Wildlife Refuge Land Acquisition	<i>The Nature Conservancy</i>	\$3,500,000	\$ 1,720,000
W-03	Wetlands and Shallow Lakes	<i>MN DNR</i>	\$1,408,020	\$ 800,000
H-04	Land Addition to Janet Johnson Memorial WMA	<i>Chisago Cty Dept of Environmental Services</i>	\$576,500	\$ 332,000
P-02	Accelerated Prairie Restoration and Enhancement on DNR Lands	<i>MN DNR</i>	\$4,082,337	\$ 1,652,000
F-05	Northeastern Mn Sharp-Tailed Grouse Habitat Partnership	<i>Minnesota Sharp-Tailed Grouse Society</i>	\$3,151,750	\$ 988,000
F-04	DNR Accelerated Forest Habitat Enhancement	<i>MN DNR</i>	\$2,640,030	\$ 826,000
F-06	Lower Mississippi River Habitat Partnership	<i>MN DNR</i>	\$1,587,951	\$ 707,000
W-02	Marsh Lake Ecosystem Enhancement	<i>MN DNR</i>	\$300,000	\$ 136,000
P-05	Mustinka River Fish & Wildlife Corridor	<i>Bois de Sioux Watershed District</i>	\$13,100,000	0
P-08	Seven Mile Creek Watershed Riparian Protection and Enhancement	<i>Nicollet County SWCD</i>	\$1,203,000	0
H-03	Grand Marais Creek Outlet Restoration	<i>Red Lake Watershed District</i>	\$4,746,000	0

Les Bensch - yes
Ryan Bronson - yes
Jim Cox - yes
Wayne Enger - yes

Sen. Lisa Fobbe - yes
Rep. Bob Gunther - yes
Rep. Rick Hansen - yes
David Hartwell - yes

Sen. Bill Ingebrigtsen - yes
Michael Kilgore - yes
Darby Nelson - absent
Scott Rall - yes

11 – yes, 0 – no, 1-absent Motion adopted.

(1:54:38) Motion by S. Rall to fully fund **H-10: Shell Rock River Headwaters Restoration Project** at \$2,576,000 with the conditions that the mining lease can NOT be extended and that the revenue from the lease go back into the Outdoor Heritage Fund. Managers answered questions posed by the Council. Rep. Hansen questioned the mining activities (lease) on the property and the ownership of the dam on the property.

Les Bensch - yes
Ryan Bronson - yes
Jim Cox - yes
Wayne Enger - yes

Sen. Lisa Fobbe - yes
Rep. Bob Gunther - yes
Rep. Rick Hansen - yes
David Hartwell - yes

Sen. Bill Ingebrigtsen - yes
Michael Kilgore - yes
Darby Nelson - absent
Scott Rall - yes

11 – yes, 0 – no, 1-absent Motion adopted.

(2:07:34) Motion by W. Enger to fully fund **F-03: La Salle Lake: Protecting Critical Mississippi Headwaters Habitat** at \$4,632,000. Mr. Becker asked the manager the potential for this purchase not going through and what happens with the appropriation. The manager said the money would be returned to the fund. Mr. Becker pointed out that the problem could be eliminated if the appropriation went to the DNR rather than Trust for Public Land for the DNR to use for the next priority project. The manager stated that the appropriation going to the DNR would be fine with them.

Les Bensch - yes
Ryan Bronson - yes
Jim Cox - yes
Wayne Enger - yes

Sen. Lisa Fobbe - yes
Rep. Bob Gunther - yes
Rep. Rick Hansen - yes
David Hartwell - yes

Sen. Bill Ingebrigtsen - yes
Michael Kilgore - yes
Darby Nelson - absent
Scott Rall - yes

11 – yes, 0 – no, 1-absent Motion adopted.

(2:12:18) Motion by J. Cox to fully fund **P-10: Accelerating the Waterfowl Production Area Program** at \$9,815,000. Rep. Hansen mentioned funding this at the average level of \$7,017,612 instead. D. Hartwell expressed concern over the lack of matching funds (donated value) in this program. Mr. Becker pointed out on page 8 of the proposal the leverage of \$5.12 million. Rep. Hansen also pointed out that this program does not have a PILT liability. R. Bronson stated a concern for more revenue going to the federal government than the state government with state funds.

Les Bensch - yes
Ryan Bronson - no
Jim Cox - yes
Wayne Enger - yes

Sen. Lisa Fobbe - yes
Rep. Bob Gunther - yes
Rep. Rick Hansen - no
David Hartwell - yes

Sen. Bill Ingebrigtsen - yes
Michael Kilgore - yes
Darby Nelson - absent
Scott Rall - yes

9 – yes, 2– no, 1-absent Motion adopted.

(2:20:45) Motion by J. Cox to fully fund **X-02: Conservation Partners Legacy Grants Program** at \$4,319,000.

Les Bensch - yes
Ryan Bronson - no
Jim Cox - yes
Wayne Enger - yes

Sen. Lisa Fobbe - yes
Rep. Bob Gunther - yes
Rep. Rick Hansen - yes
David Hartwell - yes

Sen. Bill Ingebrigtsen - yes
Michael Kilgore - yes
Darby Nelson - absent
Scott Rall - yes

10 – yes, 1– no, 1-absent Motion adopted.

(2:22:54) Motion by L. Bensch to fund **P-05: Mustinka River Fish & Wildlife Corridor** at \$5 million. Mr. Bensch accepted a friendly amendment by Sen. Ingebrigtsen to increase the funding to \$6.5 million. Members asked questions of the program manager. S. Rall asked whether this was an “all or nothing” project and what the game and fish benefit of this project. The project manager explained how this project could be done in phases and the benefits of the various stages. Mr. Rall also questioned whether the DNR has money in the AMA program for this river work portion of this project. Members discussed this being a flood mitigation project rather than a game and fish benefit project and also the reduced match if the project request is reduced.

Les Bensch - yes
Ryan Bronson - yes
Jim Cox - no

Wayne Enger - yes
Sen. Lisa Fobbe - no
Rep. Bob Gunther - no

Rep. Rick Hansen - no
David Hartwell - no
Sen. Bill Ingebrigtsen - yes

Michael Kilgore - no

Darby Nelson - absent

Scott Rall - yes

5 – yes, 6– no, 1-absent Motion NOT adopted.

(2:48:37) D. Hartwell asked Mr. Becker to speak about the X-01(b): Technical Assistance Panel Coordination and X-01(a): L-SOHC Pass-Through Contract Management and the results if they do not get fully funded. Members posed questions to the program manager regarding program and quality measurement. Rep. Hansen expressed that increasing these to full funding is less than \$100,000 and it is an important evaluation piece.

(2:55:55) Motion by Rep. Hansen to fully fund **X-01(b): Technical Assistance Panel Coordination** at \$84,000.

Les Bensch - no

Sen. Lisa Fobbe - no

Sen. Bill Ingebrigtsen - no

Ryan Bronson - yes

Rep. Bob Gunther - yes

Michael Kilgore - no

Jim Cox - no

Rep. Rick Hansen - yes

Darby Nelson - absent

Wayne Enger - no

David Hartwell - yes

Scott Rall - no

4 – yes, 7– no, 1-absent Motion NOT adopted.

(3:00:00) Motion by Rep. Hansen to fully fund **X-01(a): L-SOHC Pass-Through Contract Management** at \$175,000.

Les Bensch - no

Sen. Lisa Fobbe - yes

Sen. Bill Ingebrigtsen - no

Ryan Bronson - yes

Rep. Bob Gunther - yes

Michael Kilgore - yes

Jim Cox - yes

Rep. Rick Hansen - yes

Darby Nelson - absent

Wayne Enger - no

David Hartwell - yes

Scott Rall - no

7 – yes, 4– no, 1-absent Motion adopted.

(3:01:22) Motion by W. Enger to fully fund **P-09: Accelerating the Wildlife Management Area Program** at \$7,691,000. Mr. Enger accepted a friendly amendment by D. Hartwell to fund at \$5.5 million instead as other projects worthy of an increase as well. The project manager answered question on the expenditures and progress to date on the previous appropriations.

Les Bensch - yes

Sen. Lisa Fobbe - yes

Sen. Bill Ingebrigtsen - yes

Ryan Bronson - yes

Rep. Bob Gunther - yes

Michael Kilgore - yes

Jim Cox - yes

Rep. Rick Hansen - no

Darby Nelson - absent

Wayne Enger - yes

David Hartwell - yes

Scott Rall - yes

10 – yes, 1– no, 1-absent Motion adopted.

(3:07:26) Motion by Sen. Fobbe to fully fund **H-04: Land Addition to Janet Johnson Memorial WMA** at \$577,000. The program manager answered question posed by members. S. Rall asked about encroachment on development. Dennis Simon, DNR stated that this was on the priority list for DNR.

Les Bensch - yes

Sen. Lisa Fobbe - yes

Sen. Bill Ingebrigtsen - yes

Ryan Bronson - yes

Rep. Bob Gunther - yes

Michael Kilgore - yes

Jim Cox - yes

Rep. Rick Hansen - no

Darby Nelson - absent

Wayne Enger - yes

David Hartwell - yes

Scott Rall - yes

10 – yes, 1– no, 1-absent Motion adopted.

(3:12:21) Motion by Rep. Gunther to increase funding for **W-01: The RIM-WRP Partnership** to \$16 million. Mr. Gunther accepted a friendly amendment by L. Bensch to reduce the funding at \$13 million instead. Sen. Ingebrigtsen asked questions of the program manager regarding past funding sources. Mr. Lines passed out a handout with a chart showing

the past funding. Mr. Lines also explained the process for selection in the RIM program. Rep. Hansen spoke about bonding and the possibility of including this in a bill again. L. Bensch asked what was being done in the Red River watershed and basin area. S. Rall suggested \$11.4 million funding level instead. Sen. Ingebrigtsen stated past funding has exceeded 50% of the project list. He could support this at a lower level. W. Enger said that funding this at such a high level, is reducing the legislatures future responsibility to this project. Rep. Hansen stated the legislature fully intends to fund this in the future and reminded members of the Governor's veto.

Les Bensch - yes	Sen. Lisa Fobbe - yes	Sen. Bill Ingebrigtsen - no
Ryan Bronson - yes	Rep. Bob Gunther - yes	Michael Kilgore - yes
Jim Cox - yes	Rep. Rick Hansen - yes	Darby Nelson - absent
Wayne Enger - yes	David Hartwell - yes	Scott Rall - no

9 – yes, 2– no, 1-absent Motion adopted.

(3:34:04) Motion by Rep. Hansen to increase funding for **H-05: Metro Big Rivers Habitat Phase 2** to \$5 million. Mr. Hansen accepted a friendly amendment to amend the motion to require the restoration management on permanent easements. D. Hartwell stated support for the project with the omission of the Crosby Park portion and including a provision for the Friends of the Mississippi's project be amended so that the conservation easement is in perpetuity. S. Rall questioned acquiring easements and then not including restoration management, as it is uncertain whether conservation value will continue in the future.

Les Bensch - no	Sen. Lisa Fobbe - yes	Sen. Bill Ingebrigtsen - no
Ryan Bronson - yes	Rep. Bob Gunther - yes	Michael Kilgore - yes
Jim Cox – abstain - conflict	Rep. Rick Hansen - yes	Darby Nelson - absent
Wayne Enger - no	David Hartwell - yes	Scott Rall - no

6 – yes, 4– no, 1 – abstain, 1-absent Motion adopted.

(3: 44:51) Motion by J. Cox to increase funding for **P-06: MN Prairie Recovery Project Phase 2** to \$4.5 million. Rep. Hansen asked the program manager what the administrative and capital equipment costs would be and used for. Mr. Landwehr stated that they were exploring a short term lease on vehicles rather than a capital purchase.

Les Bensch - yes	Sen. Lisa Fobbe - yes	Sen. Bill Ingebrigtsen - yes
Ryan Bronson - yes	Rep. Bob Gunther - yes	Michael Kilgore - yes
Jim Cox – yes	Rep. Rick Hansen - yes	Darby Nelson - absent
Wayne Enger - yes	David Hartwell - yes	Scott Rall - yes

11 – yes, 0– no, 1-absent Motion adopted.

(3:51:46) Motion by D. Hartwell to only fund the conservation easements in **H-06: Protecting Sensitive Shorelands in North Central Minnesota** in order to leverage the donated easements

Les Bensch - yes	Sen. Lisa Fobbe - yes	Sen. Bill Ingebrigtsen - yes
Ryan Bronson - yes	Rep. Bob Gunther - yes	Michael Kilgore - yes
Jim Cox – yes	Rep. Rick Hansen - yes	Darby Nelson - absent
Wayne Enger - yes	David Hartwell - yes	Scott Rall - yes

11 – yes, 0– no, 1-absent Motion adopted.

(3:55:17) Motion by W. Enger to increase funding in **X-02: Conservation Partners Legacy Grants Program** to \$5,610,000 keeping the administration costs at \$319,000. Ms. Tannahill answered questions posed by members.

Les Bensch - yes	Ryan Bronson - no	Jim Cox – yes
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Wayne Enger - yes
Sen. Lisa Fobbe - yes
Rep. Bob Gunther - yes

Rep. Rick Hansen - yes
David Hartwell - yes
Sen. Bill Ingebrigtsen - yes

Michael Kilgore - yes
Darby Nelson - absent
Scott Rall - yes

10 – yes, 1– no, 1-absent Motion adopted.

(4:02:28) Motion by S. Rall in **H-01: DNR Aquatic Habitat Program** to only use the allocation funds for restoration and acquisition in AMA program only.

Les Bensch - yes
Ryan Bronson - yes
Jim Cox – yes
Wayne Enger - yes

Sen. Lisa Fobbe - yes
Rep. Bob Gunther - yes
Rep. Rick Hansen - yes
David Hartwell - yes

Sen. Bill Ingebrigtsen - yes
Michael Kilgore - yes
Darby Nelson - absent
Scott Rall - yes

11 – yes, 0– no, 1-absent Motion adopted.

(4:04:08) D. Hartwell asked about prohibiting road access for mining on eased lands. Motion by D. Hartwell in program **F-01: Minnesota Forests for the Future** require that the holder of the easement (State), in the event that the easement is used for providing road access to a non-eased property for mining, that an adjoining parcel, on a 10:1 acreage based on road acres, be a land addition to the eased property to compensate for the road access. Members discussed this motion. Richard Peterson, DNR Forest for Future Program answered questions posed by members. D. Hartwell accepted a friendly amendment by S. Rall that the 10:1 acreage be a nearby parcel if adjoining is not possible. Rep. Hansen requested of Mr. Peterson how many forest legacy easements are school forest lands and where the mineral rights are on those lands.

Les Bensch - yes
Ryan Bronson - no
Jim Cox – yes
Wayne Enger - yes

Sen. Lisa Fobbe - yes
Rep. Bob Gunther - yes
Rep. Rick Hansen - yes
David Hartwell - yes

Sen. Bill Ingebrigtsen - yes
Michael Kilgore - yes
Darby Nelson - absent
Scott Rall - yes

10 – yes, 1– no, 1-absent Motion adopted. Chair Kilgore directed staff to work within the spirit of the motion and consult with DNR lands and minerals.

(4:21:15) Chair Kilgore asked the project manager of **W-02: Marsh Lake Ecosystem Enhancement** to answer questions. Mr. Norgaard was asked if the project was still possible with the reduced funding and it will ultimately lead to some work on the ground – not just a design study. Motion by D. Hartwell to remove the \$136,000 funding for **W-02: Marsh Lake Ecosystem Enhancement** and put the money into **X-02: Conservation Partners Legacy Grants Program**. Mr. Hartwell accepted a friendly amendment from R. Bronson to put the \$136,000 into **W-03: Wetlands and Shallow Lakes** instead.

Les Bensch - yes
Ryan Bronson - yes
Jim Cox – yes
Wayne Enger - yes

Sen. Lisa Fobbe - yes
Rep. Bob Gunther - yes
Rep. Rick Hansen - yes
David Hartwell - yes

Sen. Bill Ingebrigtsen - yes
Michael Kilgore - yes
Darby Nelson - absent
Scott Rall - yes

11 – yes, 0– no, 1-absent Motion adopted.

Public comment on priority uses of the Outdoor Heritage Fund
none

Adjournment (4:31:00)

Chair Kilgore adjourned the meeting at 1:29 p.m.

APPROVED:

Mike Kilgore, Chair Date

Darby Nelson, Secretary Date