

Lessard - Sams Outdoor Heritage Council
Meeting Summary
November 14, 2013

Members Present:

Bob Anderson	Jane Kingston	Ron Schara
Jim Cox	Rep. Denny McNamara	Elizabeth Wilkens
David Hartwell, Chair	Sue Olson	
Rep. Rick Hansen	Sen. Tom Saxhaug	

Members Absent: Scott Rall and Sen. Bill Ingebrigtsen

Call to order: Call to order at 8:01 a.m. A quorum was present.

Review and approve agenda: Motion by S. Olson to approve the agenda as presented. Motion adopted.

Review and approve minutes: Motion by Rep. McNamara to approve the September 20, 2013 minutes as presented. Motion adopted.

Members Report any Conflict of Interest on Today's Agenda

No conflicts were noted.

Executive Director's Report

S. Rall update on state appraisal requirements

Haying and Grazing Policies: BWSR/USDA and DNR Policies:

Members' packets contained information on BWSR/USDA and DNR haying and grazing policies. Members discussed the policies and heard testimony and asked questions of Bob Welsh, DNR. Members agreed to have staff work with agencies on incorporating haying and grazing language into the 2014OHF bill.

(28:16) Discussion: \$15,000 appropriation in M.L. 2014 for Legacy website maintenance

Mr. Becker explained the cost of the website. Greg Hubinger, LCC Director, answered questions posed by members explaining that the cost included improvements to the LCC website, as well as maintenance. Members agreed to include this in the bill.

(33:55) Action: 2014 Council Schedule

Members adopted the 2014 Council Schedule as presented, with one change moving the December 10th meeting date to December 11th.

(37:50) Action: Review AIS draft Accomplishment Plan

Don Hickman, Central Minnesota Initiative Fund, discussed the draft accomplishment plan and answered question posed by members. Members requested that Mr. Hickman come back at the December meeting and address the following requested changes in the plan: 1) specifically address the constitutionality issues raised regarding research, education, and evaluation;2) fund research component with match funds; 3) focus on how to get the money on the ground faster;4) bring clarity on the need for a comprehensive approach and working with the community.

(1:15:32) Action: Vermillion River WMA Acquisition combination with WMA/SNA acquisition and detailed overview

Pat Rivers and Ed Boggess, DNR, presented the request to the Council and answered questions. Members discussed the urgency of the request and the need for the Conservation Fund in the acquisition. DNR stated that the current landowners have agreed to a closing after July 1, 2014eliminating the need for TCF holding costs. Motion by Rep. Hansen noted that a precedent was being set to allow mining to continue on a parcel of land being purchased using Outdoor Heritage Funds.

Rep. McNamara made a motion to approve the Commissioner of DNR's request to combine its appropriation recommendations HA-03, Vermillion River WMA Acquisition into PA-01, DNR WMA and Scientific and Natural Area Acquisition, noting in the appropriation language that any unspent money from the Vermillion portion be used in the 7-county metro area and revise the accomplishment plan outlining consequences and effects of the trail and a source of funding for it. The accomplishment plan will come back to the Council for review at the December meeting. Motion adopted.

(1:49:36) Action: Vermillion River WMA proposal and use of High-Priority Transaction Services

Susan Damon, DNR presented the request to the Council and answered questions.

Motion by R. Schara to approve the DNR's request that the council authorize the use of funds appropriated under ML 2012, Ch. 137, Art. 1, Sec. 2, Subd. 6d High Priority Pre-Transaction Service Acceleration for LSOHC for an appraisal for the Vermillion River WMA acquisition. Motion adopted. Council members asked staff to come back at the December meeting with a recommendation to possibly replace this fund in ML 2014 recommendations bill. DNR will come back to the Council with information on the cost of the Vermillion restoration to include the percentage required by law and the percentage above and beyond this amount, a revised accomplishment plan for the combined Vermillion WMA and DNR WMA/SNA recommendations that includes specific information on the impact of the trail on habitat and how that issue will be resolved.

(2:01:03) Action: Review and progress draft accomplishment plans

Members asked specific questions relating to the following:

(2:06:36) 1) FA04 – NE MN Sharp-tailed Grouse Habitat Partnership. Rep. Hansen asked for clarification on the properties listed in the accomplishment plan and whether the appraisals are sound. Rep. Hansen also requested information on potential acquisitions located in counties with greater than 80% intact wetland. Staff will poll project managers and report back to the Council. Staff was also asked to research the way in which the Notice of Funding Restriction is attached to the land deed.

(2:12:32) 2) FA02 Preventing Forest Fragmentation and protecting and restoring Lake and Stream Habitat in the St. Louis River Watershed. Bob Anderson asked for clarification, on the hunting and fishing plan's shared tribal and DNR regulations on page 4 of the draft accomplishment plan. What guarantee that that shared system will continue into perpetuity? Greg Knopff stated there was a contract between the tribe and DNR that will cite specific provisions and contract terms; any disputes would be heard in Ramsey County Court. Fond du Lac was asked to revise the accomplishment plan to include detailed information on the hunting and fishing plan. Jim Cox asked questions regarding the enforcement of these laws. Questions were also posed on the conveyance of land to trust status. Staff to work with nonpartisan staff on developing issue statement/recommended language on enforcement provisions and the OHF.

(2:38:44) 3) FA05 – Protecting Pinelands Sands Aquifer Forestlands and Aquatic Habitat Phase 1. Rep. Hansen asked Richard Peterson, DNR, questions relating to conversion of forest land to potato production, buffering of wells adjacent to the potato productions, and specifics of jack pine habitat.

Motion by Sen. Saxhaug to move forward with drafting a bill recommending appropriations from the Outdoor Heritage Fund based on the accomplishment plans presented, with staff to follow up on the specific issues. Motion adopted.

(2:48:58) Action: Direct Support Services Authorization and Limits

Mr. Becker presented the materials for review in members' packets. Jim Cox detailed his concern regarding indirect expenses and fairness with all requesting entities.. Dave Schad, DNR, addressed the Council on the issue of service costs. Members agreed to pull the Executive Committee together or a sub group of the Council and work with the DNR to flesh out details on this issue.

(3:02:16) Action: Accomplishment Plan Approval - ML 2013, Ch. 137, Art. 1, Sec. 2, Subd. 5b: Habitat Protection in Dakota County. Motion by Sen. Saxhaug to approve the accomplishment plan as presented. Motion adopted.

(3:03:48) Information: Biennial vs. annual recommendation study - Ralph Brown & Kirby Anne Pitman, MN Mgmt & Budget, Management Analysis and Development presented the final draft to the Council and answered questions posed by members. Rep. Kahn spoke of the history of the request for the study and her experiences to date as Chair of the Legacy Committee. Members decided to bring this back at the December meeting and have MMB assist the Council in crafting a recommendation to the legislature.

(3:26:28) Information: 2009 Final Report Overview

Ms. Koop presented a summary of accomplishment of the ML 2009 final reports and answered questions posed by members.

Opportunity for public to address the council

Rep. Kahn wanted to remind members that the wolf hunting on the Fond du Lac reservation territory makes up three-millionth of 1% of the land open to wolf hunting in the State of MN.

(3:45:33) Meeting adjourned at 11:47 a.m.

APPROVED:

Susan Olson, Secretary

Date