

**Lessard-Sams Outdoor Heritage Council Meeting
Meeting Summary
November 16, 2016**

Members Present

Bob Anderson, Chair
Julie Blackburn
David Hartwell
Jane Kingston

Rep. Leon Lillie
Rep. McNamara
Susan Olson

Ron Schara
Barry Tilley
Elizabeth Wilkens (phone)

Members Absent

Sen. Bill Ingebrigtsen, Sen. Tom Saxhaug

Call to Order: Call to order at 8:12 a.m. A quorum was present.

Review and Approve Agenda

Motion by Mr. Tilley to approve the agenda for November 16, 2016 as presented. Mr. Hartwell put forth an amendment to the motion to postpone the *ATV Trails in Minnesota* presentation until a research organization can also present on the effects of ATVs on wildlife. Chair Anderson agreed to put a research presentation on the effects of ATVs on wildlife habitat on the December 14, 2016 council meeting agenda. Mr. Hartwell withdrew his amendment. Motion adopted.

Review and Approve Minutes – September 29, 2016

Motion by Ms. Blackburn to approve the minutes. Motion adopted.

Conflicts of Interest:

No new conflicts were noted.

(00:08:40) Executive Director's Report

Executive Director Mark Johnson reviewed a letter sent by the council to the commissioner of the MN Department of Natural Resources (DNR).

(00:13:10) Treasurer's Report

Ms. Blackburn confirmed the Outdoor Heritage Fund (OHF) administrative budget stands as presented at the September 29, 2016 council meeting. She also reviewed a concept paper provided by the Environmental Initiative (EI) regarding outcomes reporting for the OHF. Mike Harley, EI Executive Director, provided testimony to the council. Members discussed the testimony and OHF outcomes.

(00:48:15) Easement Working Group Report

Mr. Hartwell provided an overview of the October 4, 2016 Easement Working Group meeting. Members discussed the overview.

(01:08:02) Evaluate Effectiveness of AIS Prevention Strategies, ML 2014, Ch. 256, Art. 1, Sec. 2, Subd. 5(k)

Don Hickman, VP for Community & Workforce Development, Initiative Foundation, provided an update on the program.

(01:28:30) ATV Trails in Minnesota

Ray Bohn, Lobbyist, ATV Association of Minnesota (ATVAM), George Radke, president, ATVAM, Karen Umphres, Trail Riders, Amateur Riders Motorcycle Association, and Laura Preus, Policy, Programs, and Planning Manager, Parks & Trails, DNR, presented to the council. Members discussed the presentation.

(02:31:00) Rider Language for ML 2017: Revenues

Assistant Director Joe Pavelko reviewed proposed language regarding revenues and the OHF. Grant Wilson, Fish & Wildlife Policy & Planning Supervisor with DNR provided testimony regarding Pittman-Robertson Federal Aid in Wildlife Restoration Act funds. Members discussed the issue.

(02:42:00) Motion by Mr. Tilley to accept the revenue language as proposed with the amendment represented via strikeout and underline below:

(a) A recipient or grantee must disclose to the Lessard-Sams Outdoor Heritage Council and the commissioner of natural resources all revenues received before the close of the availability of the appropriation that are generated from activities on land acquired in fee title or easement, restored, or enhanced with money from an appropriation from the outdoor heritage fund. The revenues must be disclosed to the council and commissioner no later than 60 days after the close of the availability of the appropriation.

(b) For all revenues disclosed under paragraph (a), a recipient or grantee must:

(1) use the revenues to protect, restore, or enhance wetlands, prairies, forests, and habitat for fish, game, and wildlife within the appropriation purposes and in accordance with the approved accomplishment plan;

(2) use the revenues for other purposes as approved within the accomplishment plan by the Lessard-Sams Outdoor Heritage Council, or

(3) transfer the revenues to the outdoor heritage fund no later than 60 days after the close of the availability of the appropriation, unless otherwise approved by the council.

(c) ~~This subdivision~~ Paragraph b, clause 3 does not apply to the state and its departments and agencies.

(02:45:00) Roll call vote on Mr. Tilley's amendment:

Bob Anderson, Chair - Yes
Julie Blackburn - Yes
David Hartwell - Yes
Jane Kingston - Yes

Rep. Leon Lillie - Yes
Rep. McNamara - Yes
Sue Olson - Yes
Ron Schara - Yes

Barry Tilley - Yes
Elizabeth Wilkens - Yes

Motion is adopted (10-yes, 0-no).

(02:46:00) Roll call vote on Mr. Tilley's motion as amended:

Bob Anderson, Chair - Yes
Julie Blackburn - Yes
David Hartwell - Yes
Jane Kingston - Yes

Rep. Leon Lillie - Yes
Rep. McNamara - Yes
Sue Olson - Yes
Ron Schara - Yes

Barry Tilley - Yes
Elizabeth Wilkens - Yes

Motion is adopted (10-yes, 0-no).

(02:47:15) Review and Progress Draft Accomplishment Plans for ML 2017

Project Analyst Manager Sandy Smith reviewed the process for progressing the draft accomplishment plans. Ms.

Blackburn requested more information about ML 2017/FY 2018 program HRE 04, Knife River Habitat Rehabilitation, Ph. III, submitted by the Lake Superior Steelhead Association (LSSA), specifically regarding the DNR's request to LSSA to appoint a fiscal agent for the program. Katherine Sherman-Hoehn, Grants Manager at DNR, provided testimony regarding their involvement thus far with LSSA's prior OHF appropriations and the organization's progress toward hiring a fiscal agent to address conflict of interest issues raised by LSSA's president also owning the contracting firm, Environmental Troubleshooters, which received major contract work from LSSA on the program. Members discussed the issue.

Ms. Blackburn requested further information on program FA 01, Carnelian Creek Conservation Corridor. Wayne Ostlie, Director of Land Protection with the Minnesota Land Trust, testified on behalf of the program. Members discussed his testimony.

(03:12:05) Mr. Tilley stated he was unhappy to see fee title acquisition of parcels was dropped in the draft accomplishment plans in programs HA 04, Fisheries Habitat Protection on Strategic North Central Minnesota Lakes, Phase III, and HRE 07, Wolverton Creek Habitat Restoration. Rep. McNamara asked to hear from the Leech Lake Area Watershed Foundation (LLAWF) regarding HA 04. Lindsey Ketchel with the foundation provided testimony. Rep. McNamara asked Ms. Ketchel to confirm if the foundation takes into its ranking considerations whether landowners are willing to donate parcels. Ms. Ketchel confirmed they do. Mr. Pavelko stated for the record there will not be an acreage deliverable associated with the LLAWF portion of the program. Members continued to discuss the program.

(03:27:50) Motion by Mr. Hartwell to progress the ML 2017/FY 2018 draft accomplishment plans with the restriction on HRE 04 that no OHF may be spent on the services of a fiscal agent.

Craig Wilson, president of the LSSA and owner, Environmental Troubleshooters, and Kevin Bovee, program manager and secretary of the LSSA, provided testimony regarding the proposed restriction. Members discussed their testimony. Mr. Wilson stated LSSA would take responsibility for putting the financial management package together for the program without funding a fiscal agent with OHF, which would also satisfy the requirements of the DNR. Members continued to discuss the issue.

Mr. Johnson asked whether LSSA had the capacity to fund a fiscal agent. Mr. Wilson stated yes, but that the conflict of interest may not be an issue for this phase of the program since his company may not be awarded the contract for the work through LSSA's RFP process. Rep. McNamara recommended that no action be taken on the program by the council at this time given Mr. Wilson's testimony regarding his potential personal financial benefit from the LSSA receiving funding from the OHF. He recommended Chair Anderson, LSOHC staff and the DNR continue to examine the conflict of interest issues. Members continued the discussion.

(03:45:08) Mr. Johnson stated the DNR has already stipulated that should Environmental Troubleshooters bid on the RFP for Phase III of the program, Mr. Wilson must step down as president of the LSSA.

Mr. Hartwell added the provision to his motion that the DNR must report to the council on agreed upon terms of the fund management for the program prior to adoption of a final accomplishment plan in June 2017, should the 2017 legislature allocate funds to the program.

(03:49:15) Roll call vote on Mr. Hartwell's motion:

Bob Anderson, Chair - Yes

Jane Kingston - Yes

Sue Olson - Yes

Julie Blackburn - Yes

Rep. Leon Lillie - Yes

Ron Schara - Yes

David Hartwell - Yes

Rep. McNamara - Yes

Barry Tilley - Yes

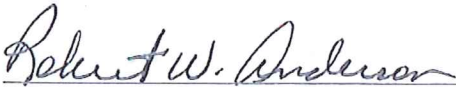
Motion is adopted (9-yes, 0-no).

(03:50:00) Opportunity for Public to Address the Council

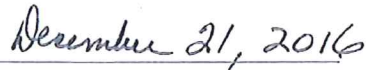
No testimony was heard.

Meeting adjourned at 12:10 p.m.

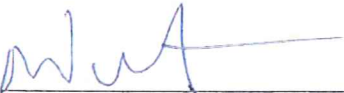
APPROVED:



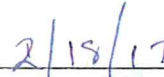
Bob Anderson, Chair



Date:



David Hartwell, Secretary



Date: