

# Lessard-Sams Outdoor Heritage Council

## Agenda Item Memo

**DATE:** October 7, 2014

**SUBJECT:** TNC advance accomplishment plan amendments

**PRESENTER:** Neal Feeken, The Nature Conservancy

Amanda Graeber, Department of Natural Resources

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### Background:

At the September 11 Council meeting, The Nature Conservancy (TNC) requested ongoing advance authority for fringe benefit expense payments. Prior advances have been one-time authorizations. This ongoing advance authority is precedent setting. Because it is precedent setting, council members wanted to ensure the advance authority was well-drafted and protects the public interest. Staff was directed to develop conservative language with DNR contract management and TNC. That amendment is below:

As provided under the subdivisions titled "Payment Conditions and Capital Equipment Expenditures" (ML 2010, Ch. 361, Art. 1, Sec. 2, Subd. 10; ML 2011, First Special Session, Ch. 6, Art. 1, Sec. 2, Subd. 10; ML 2012, Ch. 264, Art. 1, Sec. 2, Subd. 8; ML 2013, Ch. 137, Art. 1, Sec. 2, Subd. 8; ML 2014, Ch. 256, Art. 1, Sec. 2, Subd. 8) The Nature Conservancy (the Conservancy) may be reimbursed for salary and fringe benefits based on a provisional fringe benefits rate consistent with OMB Circular A-122 and negotiated annually with the Conservancy's cognizant agency. Within 120 days of the end of each Nature Conservancy fiscal year, the Conservancy will provide MN DNR with the actual fringe benefits rate for the prior year and reconcile any overpayment made by the State.

Each of the following Outdoor Heritage Fund accomplishment plans will be amended to include the above language.

ML 2010, Ch. 361, Article 1, Sec. 2, Subd. 2(f) as amended by ML 2011, 1st Special Session, Chapter 6, Article 1, Section 12: Minnesota Prairie Recovery Project

ML 2011, 1st Special Session, Ch.6, Art. 1, Sec. 2, Subd. 2 (e): Minnesota Prairie Recovery Project – Phase II

ML 2012, Ch. 264, Art . 1, Sec. 2, Subd. 2(b): Minnesota Prairie Recovery Project – Phase III

ML 2013, Ch. 137, Art. 1, Sec. 2, Subd. 2(d): Minnesota Prairie Recovery Project – Phase IV

ML 2014, Ch. 256, Art. 1, Sec. 2, Subd. 2(c): Minnesota Prairie Recovery Project – Phase V

ML 2010, Ch. 361, Art. 1, Section 2, Subd. 2(d): Northern Tallgrass Prairie National Wildlife Refuge Land Acquisition - Phase II

**Agenda Item # 5**

ML 2011, 1st Special Session, Ch. 6, Art. 1, Sec. 2, Subd. 2(d) Northern Tallgrass Prairie National Wildlife Refuge Land Acquisition - Phase III

ML 2012, Ch. 264, Art. 1, Sec. 2, Subd 2(e) Northern Tallgrass Prairie National Wildlife Refuge Land Acquisition - Phase IV

ML2014, Ch. 256, Article 1, Sec. 2, Subd 2(d) Northern Tallgrass Prairie National Wildlife Refuge Land Acquisition - Phase V

ML 2013, Ch. 137, Art. 1, Sec. 2, Subd 5(c) Root River Protection and Restoration

ML 2014, Ch. 256, Art. 1, Sec. 2, Subd 3(f) Southeast Minnesota Protection and Restoration - Phase II

**Suggested Motion:**

Move to approve amendments to accomplishment plans listed to incorporate the above provision in each accomplishment plan for advance payment of salary-related fringe benefits as provided by TNC and DNR.

**Suggested Procedure:**

Place motion before the council, discuss and vote as amended.