

Lessard-Sams Outdoor Heritage Council

MEMO: **Agenda Item #8**
DATE: November 16, 2023
SUBJECT: Accomplishment Plan Amendment Requests – Change in Activity and Outputs
PRESENTER: LSOHC Staff

Suggested Procedure:

Council staff to provide Council with an overview, followed by Council discussion.

Background:

Amendment requests regularly received are reviewed carefully by LSOHC staff and are evaluated against many components including appropriation law language, original intent of accomplishment plan, budget, timelines, acre outputs, and reasonableness.

Small, non-controversial accomplishment plan amendment requests are approved by LSOHC staff.

Examples include:

- Parcel list additions/deletions (most common)
- Minor budgetary shifts
- Timeline shifts
- Program Manager changes, etc.

Larger or controversial accomplishment plan amendment requests have always come before the Council for approval.

- Large shifts in budget
- Appropriation extension requests
- Large shifts in activities
- Large downward shifts in acre outputs, etc.

LSOHC staff would like to bring to the attention of the Council to what appears to be an increasing number of accomplishment plan amendment requests that include larger budgetary, and acre shifts in activities and outputs. These amendment requests appear to happen more commonly in acquisition programs perhaps due to the difficulties in acquiring land within the general current strong real estate markets and/or within smaller geographic areas of the state (e.g. Southeastern MN).

As is generally seen with these amendment shifts, acquisition outputs are greatly reduced, and program managers are requesting increasing restoration / enhancement budgets and acre outputs. With these significantly large shifts, one may argue the intent of the accomplishment plan is being shifted from an acquisition focused project to a restoration / enhancement focused project.

While completing acquisition goals and wanting to move additional acquisition budgets to restoration / enhancement activities to do additional work is beneficial, not completing acquisition goals and requesting to move funds to restoration / enhancement may be considered a substantial change in intent. Whether or not this is a trend that will continue is yet to be seen, but Council staff suggests that the Council should be thinking about whether these larger amendments in budgets and acre outputs do

change the intent of appropriations and to what degree they should be examined and potentially allowed in the future.

Questions to Consider:

- Are acquisition acres equally valued to restoration / enhancement acres?
- Is 100 acres of acquisition plus 100 acres of restoration / enhancement (200 acres total) the same as 200 acres of restoration / enhancement?
- While “intent” is important because it is the basis from which the legislature bases its approval of appropriations, is there a threshold to when changes in outputs can be considered an inappropriate change in intent?