

Lessard Outdoor Heritage Council (LOHC)
Monday, February 23, 2009
Room 550 N, State Office Building
8:00 a.m. – 11:00 a.m.
3:00 p.m. – 7:45 p.m.

Meeting Summary

Members Present: Chair Michael Kilgore, Lester Bensch, Darby Nelson, Representative Rick Hansen, Senator Bill Ingebrigtsen, Representative Bob Gunther, James Cox, Bob Schroeder, Scott Rall, Senator Ellen Anderson, Wayne Enger, and Acting Executive Director Bill Becker

1. Call to Order

Chair Kilgore called the meeting to order at 8:04 a.m. A quorum was present.

2. Review and Approve Agenda

Motion to approve the February 23, 2009 agenda with no changes. **Motion prevailed.**

3. Public Testimony

Dave Zumeta, Executive Director, MFRC – The MN forest Resources Council is not seeking or endorsing any specific proposals. Dave wanted the council to be aware of four forestry issues identified in landscape level planning: Forestland-based parcelization, forest biomass harvesting, sequestration, health – insect disease.

Kathleen Priest, MFRP – Kathleen is not at the meeting to endorse any specific proposal. MFRP has a vested interest in forest issues. Kathleen brought up four issues: retention of industrial forested lands, fragmentation of family and private forestlands, improving, restoring and protecting habitats within forests through the application of intermediate treatments, and consolidation of public land ownerships.

Greg Mack, Director, Ramsey County Parks and Recreation – Greg discussed the Metro Regional Parks system.

Dell Erickson – Mr. Erickson commented on Representative Wagenius' hearing on funding. He also made suggestions to make the LOHC website more user friendly. Mr. Erickson stressed restoring ecological corridors to Minnesota.

Bob Austin – Mr. Austin noted his impression is that the council is transparent. He doesn't believe that private lands should be given funds. The council should concentrate on public lands that are open for hunting.

John O'Reilly, MN Forestry Association – Mr. O'Reilly discussed the need for following up on stewardship holders after the plans have been delivered. Three approaches that would help are: Contact stewardship plan holders, neighbor to neighbor, and coop-like services.

Katie Himanga, Consulting Forester, President of the MN Shade Tree Advisory. Ms. Himanga did not endorse any specific proposal or seeking any funds. Ms. Himanga spoke about the connectivity in habitat. She hopes the council will support resource conservation efforts throughout the state.

4. Legislative Update

Rep. Rick Hansen said House File 18, appropriating funds for the LOHC, has moved through the Environmental Finance Committee and should be heard by Rep. Mary Murphy's committee next week. Senator Anderson sent information on the Capital Investment Committee to council members. It contained current bonding projects for the DNR.

Bill Becker is waiting to hear back from the Attorney General's Office on the ability to issue state revenue or general obligation bonds whose debt service would be paid from the Outdoor Heritage Fund. He should hear back with a week or two.

Senator Ellen Anderson has a bill that should be introduced today establishing an Office of Accountability and would like feedback from the council members. Bob Schroeder asked where the funding would come from. Senator Anderson suggested that the Outdoor Heritage Fund, Clean Water Fund, and the Parks and Trails Fund contribute money to staff one person to maintain the office and keep up a website. Bob Schroeder asked if Senator Anderson was looking for an endorsement. Senator Anderson said at some point, yes, she would like an endorsement. Senator Bill Ingebrigtsen asked if he could work with Senator Anderson on including the Arts and Cultural Heritage Fund in the bill since they would benefit also. Les Bensch questioned why another bill was being introduced when we already have a bill for the LOHC. Senator Anderson stated that this was not a duplicate bill and that procedures should be put in law so that they are permanent. Wayne Enger said he appreciated the work of Representative Hansen and Senator Anderson and asked if this would be using Outdoor Heritage Funds to work on non-constitutional objectives?

Representative Rick Hansen was excused at 8:50 a.m. to attend the Legislative Audit Commission meeting.

Bill Becker will send a spreadsheet to all council members within the next few days. Members will rank the proposals and distribute the estimated available funds. Council members are to send the completed spreadsheet to Bill by March 2nd. Members should include their names in the file name. At the March 9 meeting, the council will review and adopt a final spreadsheet.

Scott Rall will present a draft Conservation Partners Grant Program appropriations bill at the March 16 meeting, with a final bill ready by the March 23 meeting. These meetings will likely be half-day meetings, adjourning when session starts.

Les Bensch suggested starting the meetings at 7 a.m. Bill Becker said the Sergeant of Arms does not unlock the door until 7:20 and we would need to bring him in to work earlier if the meetings started before 8 a.m.

Bill Becker will provide conflict of interest forms to the council members, which will need to be completed and turned in before hearing proposals.

5. Conservation Stakeholder Collaborative Priority Setting Reports

Forest Conservation Priority Reports:

(1) Forest Protection, Enhancement and Restoration in Minnesota. Mark Johnson, MDA led the discussion – (12 collaborators).

F1 – Industrial Forest Land Investment and Productivity Program. Proposal submitted by Josh Stevenson and Norm Moody. Dollars requested: \$5,000,000 to prevent fragmentation of our industrial forestlands, allow for consolidation of state, county, and industrial forestland ownerships, and promote

better efficiencies of forest management activities. The \$5,000,000 request is for 2010. A 10-year budget was submitted for information purposes. Bob Schroeder clarified that getting funds for 2010 would not guarantee funding in the future.

F2 – Clair A. Nelson Memorial Forest Acquisition. Proposal submitted by Tom Martinson. Dollars requested: \$1,900,000 to purchase 6,085 acres that make up the Clair A. Nelson Memorial Forest. Lake County has already purchased the land assuming timber proceeds would be used to pay off the loan. The economic turndown has put this burden back on the county.

F3 – Minnesota Forests for the Future/Upper Mississippi Forest Project. Proposal submitted by Richard Peterson, MnDNR. Dollars requested: \$42,700,000 (to be revised in mid-March when appraisal/offer completed). Using permanent easements, the project stitches together 4,000 square miles of public lands. All development or subdivision of the property will be prohibited. The easement would also provide permanent public access for hunting and fishing and keep working forest lands in tact. This forest land is currently owned by Blandin Paper Company-UPM Kymmene (UPM). There has not been a discussion with UPM about selling easements in phases and/or receiving payments over multiple years.

Representative Rick Hansen returned at 9:30 a.m.

F4 – Habitat Enhancement and Restoration in the Minnesota River Watershed. Proposal submitted by Dave Neu, NWTF. Dollars requested: \$3,817,000 to acquire conservation easements on 1,000 acres and restore approximately 1,000 acres through on-the-ground restoration efforts. Identifying willing landowners to link corridors between wooded areas would be first priority. Les Bensch asked if these easements with private landowners would be open to the public for hunting or fishing. Mr. Neu said that that has not been determined, but more habitat could be available to hunters.

F5 – TPL Cooperative Forest Protection Initiative 2010. Proposal submitted by Robert McGillivray. Dollars requested: \$6,000,000 to acquire 318 acres of forestland to be protected in public ownership for long-term stewardship and public use. There are three parcels: 38 acres of frontage on Leech Lake, Cass County; 200 acres of MCBS quality forested lakeshore in Kandiyohi County as a SNA; and, 80 acres of MCBS quality forest near the St Croix River as an SNA. The DNR commissioner can determine what activities are restricted on each SNA.

F6 – Crow-Hassan Park Reserve Natural Area Expansion. Proposal submitted by Paul Kortebein, Three Rivers Park District. Dollars requested: \$1,232,400 to acquire 39 acres of land; reforestation of 38 acres with native plants; and, restore 1 acre of wetland. Mr. Kortebein was not present for discussion.

F7 – Family Forestland Protection Initiative. Proposal submitted by Kris Larson, MLT. Dollars requested: \$910,000 to protect 800-1,000 acres of family forestland from fragmentation and development through conservation easements. MLT has selected the lands by looking at biological significance and site visits.

F8 – Linking Forest and Savanna Habitat Restoration to Bioenergy. Proposal submitted by Don Arnosti, Audubon Minnesota. Dollars requested: \$1,000,000 to restore and enhance 800 acres of habitat while using biomass markets to provide funds for further restoration work. 7,000 acres have been identified on dedicated conservation lands. All lands are open for appropriate recreational use.

F9 – St Croix Bluffland Forest Restoration (Franconia-Scandia Corridor). Proposal submitted by Wayne Ostlie. Deb Karasov, Great River Greening, was present for discussion. Dollars requested:

\$312,000 to restore and enhance 400 acres within the publicly-owned/managed areas of the Franconia-Scandia Corridor, by removal of woody/invasive species and planting native plants/seeds. This early infestation of buckthorn and garlic mustard would not be too difficult to control if removal could begin soon.

F10 – Meeting Hunter Expectations Through Intensive Ruffed Grouse Habitat Management. Proposal submitted by Russell Sewell, Ruffed Grouse Society. Dollars requested: \$550,000 to intensify aspen habitat management by establishing or refurbishing herbaceous openings on public land in central and northern Minnesota. Mr. Sewell explained that trail openings, when properly planted, provide food and related edge habitat for ruffed grouse.

F11 – Urban Forest Management and Restoration. Proposal submitted by Adam Robbins, St Paul Parks and Recreation. Dollars requested: \$450,000 to restore and enhance 125 acres of native woodland through non-native woody species removal and reforestation efforts. Efforts include planting 6,250 bareroot trees and shrubs.

F12 – Washington County Forest Health Initiative. Proposal submitted by John Elholm. Dollars requested: \$300,000 to restore 217 acres of Washington County owned land to native forestland. This would entail invasive species removal and native plant seeding.

Chair Mike Kilgore passed the gavel to Vice Chair Jim Cox at 10:45 a.m. due to a work conflict with the next proposal.

(2) Wildlife Research Buffer Lands Acquisition. Proposal submitted by Ron Severs, Cloquet Forestry Center. Dollars requested: \$118,000 to add 240 buffer acres to the research forest. This land will be open to public recreational use.

Gavel returned to Mike Kilgore at 11:00 a.m. Kilgore motioned to recess. Motion prevailed. Meeting will reconvene at 3:00 p.m.

Meeting reconvened at 3:35 p.m.

Representative Diane Loeffler was not present at this time so council moved on to the next agenda item.

(4) RneighborWoods Reforestation of Rochester Boulevards. Proposal submitted by Rene Lafflam and Jacob Ryg, Rneighbors. Dollars requested: \$2,275,000 to plant 10,000 boulevard trees in Rochester, MN. Bob Schroeder asked for the definitions of a forest versus forestland. Bill Becker described a forest as 20 acres of continuous forestland. The definition of forestland is 10% forested. Discussion followed on the cost of the seedlings.

(3) Forest Protection Task Force: Forest Protection Plan. Proposal submitted by Representative Diane Loeffler. Dollars requested: \$75,000 to establish an Invasive Forest Pests Response Fund to ensure that funds are available for immediate response to a possible invasion of the emerald ash borer. Bob Schroeder asked if there was a fully fleshed-out plan available for viewing. Representative Loeffler stated that the task force continues to plan but are not at an operational level yet. The task force has not met since 2008 due to lack of funding.

(5) David French Forest Health Initiative. Proposal submitted by Steve Nelson, East Central Forest Landowners. Dollars requested: \$650,000 to fund the first year of a three-year pilot project to control

oak wilt on private lands around four parcels of public land. Funding in previous years came from the state and federal government, but this funding is no longer available.

Representative Bob Gunther was excused for voting purposes at 4:16 p.m.

(6) Wildlife and Fish Habitat Enhancement on Private Forestlands in Minnesota. Proposal submitted by Steve Hughes, MN Forested Counties Workgroup. Tom Schulz, Wadena SWCD introduced Steve Hughes. Dollars requested: \$8,946,000 to provide cold deep-water lakes habitat protection, forest management assistance to private landowners, establish shoreland buffers and re-vegetation, and acquire conservation easements in 27 counties. Representative Rick Hansen asked if Mr. Hughes could provide existing reports on funding for SWCDs (RIM etc.). Mr. Hughes said he would be happy to provide that information.

Fish and Wildlife Habitat Conservation Priority Reports:

(7) Fish, Game and Wildlife Habitat Protection, Restoration, and Enhancement in Minnesota. Leading the discussion was Susan Schmidt, The Trust for Public Land (16 collaborators).

1 – Shoreland Protection Program. Submitted by Kris Larson, Minnesota Land Trust. Dollars requested: \$970,000 to acquire 600-800 acres in conservation easements. These private lands have critical shoreline habitat. This is an existing program but a new geographic location. Landowners are ready to move forward.

Representative Rick Hansen was excused at 4:45 p.m. to attend the House Cultural and Outdoor Resources Finance Division meeting.

2 – Rock River WMA Expansion. Proposal submitted by Scott W. Roemhildt, Pheasants Forever. Dollars requested: \$240,000 to add an additional 91 acres to the Rock River WMA. Mr. Roemhildt was not present to discuss the proposal.

3 – Army Compatible Use Buffer (ACUB). Proposal submitted by Mark Hauck, MnDNR. Dollars requested: \$276,250 to acquire 205 acres of habitat in the Nokassippi WMA. Mr. Hauck was not present to discuss the proposal.

4 – TPL's Cooperative Shoreland Protection Initiative 2010. Proposal submitted by Bob McGillivray, The Trust for Public Land. Dollars requested: \$3,800,000 to acquire 34 acres of shoreland in Crow Wing and Chisago Counties. Cost is high because some of the shoreline is a peninsula. Project will not likely proceed without funding.

5 – Bertram Chain of Lakes Acquisition. Proposal submitted by Marc Mattice, Wright County Parks and City of Monticello. Dollars requested: \$1,100,000 to acquire 169 acres of lakeshore, stream corridor, forest lands, wetlands, and a rare geological feature called an Esker Tunnel. This is a three-year project. Requested funding is for the first year of the project.

6 – Central Minnesota Aquatic Protection. Proposal submitted by Kent Montgomery, TNC. Dollars requested: \$1,000,000 to acquire 319 acres of land including 1.2 miles of shoreline on four priority lakes.

7 – Aquatic Management Area (AMA) Acquisition. Proposal submitted by Mike Halverson, MnDNR. Mike Duval, MnDNR was present for the discussion. Dollars requested: \$12,900,000 to secure 2,780 acres of lake and warmwater stream shoreline through fee title and permanent easement acquisition. 120 acres of permanent habitat management easements including angler access on designated trout streams. Mr. Duval explained that the program purpose was to protect and restore habitat and angler access was provided simultaneously.

8 – Metro Conservation Corridors (MeCC). Collaboration of public and private entities have submitted 10 proposals under Metro Conservation Corridors. The group's proposals were presented by Sarah Strommen, Metro Conservation Corridors c/o Minnesota Land Trust. Dollars requested: \$8,174,550 to protect through fee and conservation easement acquisition 1,791 acres, restore 675 acres, and enhance 565 acres. There are \$12,125,000 in other funds leveraged by the request. Sarah will find out if that additional funding is cash, donated land, etc and send that information to the council. Ms. Strommen also will provide a break-out of easement and fee simple acres acquired. All 10 projects have individual proposals for viewing.

9 – Metropolitan Habitat and Angler Access Improvement Program. Proposal submitted by Boe Carlson, Metropolitan Regional Parks System Agencies. Dollars requested: \$8,588,300 to replace a boat launch, create 8 fishing piers, protect over 3 miles of trout habitat, 12,650 linear feet of shoreline and restore over 25 acres of land. Dollars requested: \$1,135,000 for Access Projects. There are nine individual proposals for viewing. A question came up on justifying fishing piers - does it fit into the language of the constitution. Mr. Carlson explained that properly designed and placed fishing piers protect shoreline habitat from damage.

10 – River and Stream Habitat Restoration and Enhancement Program. Proposal submitted by Mark Ebbers, MnDNR. Mark Duval, MnDNR was the presenter. Dollars requested: \$1,250,000 to complete one by-pass channel on the Mississippi river, stabilize and restore ½ mile of stream, maintenance along 3-5 miles of a trout stream, and, survey and assessment sampling to evaluate the effectiveness of restoration and enhancement project activities.

11 – Lower St. Louis River Habitat Plan/Knowlton Creek Watershed Rehabilitation Program. Proposal submitted by Julene Boe, St. Louis River Alliance. Dollars requested: \$1,865,000 to rehabilitate the entire Knowlton Creek watershed (2.5 square miles) through protection, restoration and enhancement. Ms Boe stated that some of the project could be completed even if they don't receive the total dollars requested.

12 – Working Together to Improve Water Quality: Stormwater Parks and Fish Barriers. Proposal submitted by Jeff Broberg and Andy Herschel, Shell Rock River Watershed District. Dollars requested: \$966,000 to enhance water quality and fish habitat with stormwater collection. Senator Ingebrigtsen questioned whether this proposal was better suited for the Clean Water Fund. They are seeking bonding dollars also.

13 – Red River Basin Stream Restoration Initiative. Proposal submitted by Ron Harnack, Red River Water Management Board and Henry VanOfflen, MCEA. Dollars requested: \$990,000 to allow watershed districts to restore channels and their corridors to provide quality fish and wildlife habitat and reduce erosion. The Red River Basin Board thinks the LOHC is a better fit for these projects than the Clean Water Fund. Jim Cox asked if the presenters were aware of the Redpath project presented to the LOHC under the wetlands issue area and if these two projects were coordinated. Mr. VanOfflen replied in the affirmative.

Representative Rick Hansen returned at 6:15 p.m.

14 – Long-term Monitoring of Zizania (wild rice) Productivity and its Relationship to Migratory Waterfowl on the Leech Lake Reservation. Proposal submitted by Rebecca Knowles, Leech Lake Band of Ojibwe. Dollars requested: \$87,012 to produce a 17-year long dataset of wild rice and waterfowl productivity and implement long-term monitoring. This project has not been presented to the LCCMR. 13,000 acres of wild rice harvesting is limited to the Leech Lake Band members and all residents of the Leech Lake Reservation, tribal and non-tribal, but open to the public for hunting and fishing.

15 – Rydell Lakes Restoration Project. Proposal submitted by Dave Bennett, USFWS. Dollars requested: \$288,650 to restore 182 acres of lake basins back to pre-settlement conditions for waterfowl production. Mr. Bennett, in response to questioning, said this project had not been funded by the U.S. Department on Interior.

16 – Little Bemidji Fish Passage Project. Proposal submitted by Louise Mauldin, Fish and Wildlife Service. Dollars requested: \$25,000 to modify the Little Bemidji Lake dam to a rock weir to allow fish passage within the watershed.

Representative Bob Gunther was excused at 6:40 p.m. to attend the House Energy Committee meeting.

(8) Identification of Fish Habitat Restoration Priorities and Resource Investment Proposal to the Lessard Outdoor Heritage Council. Proposal submitted by John Lenczewski, Trout Unlimited. Dollars requested: \$2,050,060 to restore and enhance fish habitat through completing 11 priority conservation projects in 2009 and 2010. All 11 projects are described in the proposal. Mr. Lenczewski indicated his project was divisible.

(9) Knife River Habitat Rehabilitation. Proposal submitted by Craig Wilson, Lake Superior Steelhead Association. Dollars requested: \$320,500 to restore Knife River. Warm water temperatures, due to beaver dams, are causing fish to leave the river early. Work could be done in phases if necessary.

(10) Sullivan Lake Habitat Preservation. Proposal submitted by Roger Tadsen, Lake Sullivan Association. Dollars requested: \$705,000 to acquire approximately 11 acres and 609 feet of shoreline. This property is developable but has a bald eagle nest on the land. The question of public access was brought up, maybe archery hunting could be allowed. Council member Enger pointed out the eagle's nest was, for the time being, protecting the land from development.

(11) Rochester Plateau of the Paleozoic Plateau of the Eastern Broadleaf Forest Province. Proposal submitted by Kyle Herring, Herring Exterior Design. Dollars requested: \$1,220,000 to restore and enhance the publicly owned land within the Rochester Plateau of the Paleozoic Plateau of the Eastern Broadleaf Forest Province. In response to questioning Mr. Herring said the land being restored was a publicly owned park.

6. Council Discussion and Preliminary Decisions

Council members discussed guidance on making their recommendations for proposals. Suggestions included going back to the January plans and identifying the greatest conservation needs and keep referring to the language in the constitution.

Bill Becker repeated his plans for a ranking spreadsheet that he will distribute to the council members. Representative Hansen reminded councilors of the Open Meeting Law and the requirement that council members not discuss the proposals amongst themselves before sending in their spreadsheet to Bill

Becker. Mr. Becker also pointed out that the law required decisions be made in open meetings and that dropping requests receiving less than seven member's allocation might be construed as a delegated decision. He agreed to provide a list with all projects listed and a list with seven or more allocations.

7. Approve Minutes for February 9, 2009

Motion to approve the February 9, 2009 meeting minutes as drafted. **Motion prevailed.**

8. Conservation Partners Grant Program Committee – Scott Rall, Chair

Two questions remain: 1) Who will administer the grant program; and, 2) Is there any criteria in the law. One conclusion was that the administrator of the program should be ineligible for the grant program. A formal report will be presented to the council at the March 16 meeting. It was also emphasized that the council members need to use the spreadsheet to enter a sum for the Conservation Partners Grant Program.

Motion to adjourn the LOHC meeting at 7:52 pm. **Motion prevailed.**

APPROVED

Mike Kilgore, Chair

Date

Darby Nelson, Secretary

Date