

Lessard-Sams Outdoor Heritage Council (LSOHC)
Monday October 19, 2009
Room 5, State Office Building
Meeting Summary

Members Present: Chair Michael Kilgore, Lester Bensch, Darby Nelson, David Hartwell, Representative Rick Hansen, Representative Bob Gunther, Senator Bill Ingebrigtsen, James Cox, Scott Rall, and Senator Ellen Anderson

Call to Order

Chair Kilgore called the meeting to order at 8:30 a.m. A quorum was present.

1. Review and Approve Agenda

David Hartwell moved to approve the October 19, 2009 meeting agenda. **Motion prevailed.**

2. Approval of August 13, 2009 Minutes

David Hartwell moved approval of the September 15 and 16, 2009 meeting minutes as submitted. **Motion prevailed.**

3. Executive Director's Report – Bill Becker

Mr. Becker introduced Sandy Smith, the Council's new Administrative Assistant. He reported on the progress in filling the Program Manager position. Becker reported on his schedule including a presentation to the State Road Rights-of-Way annual conference, a meeting with the St. Louis River Estuary Advisory Committee to discuss their application for funding, and a discussion with Renville County SWCD regarding their future request. Mr. Becker also discussed the process for deciding which requests to bring in to the Council for detailed presentation and questioning. Representative Hansen asked about whether or not the UPM-Kymenee land was on the market and the effect of a sale on the OHF financed conservation easements. Staff confirmed that they have heard the land is on the market and because an option is in place for the conservation easement, that transaction is not jeopardized by marketing the land. Mr. Becker also reported on recent meetings with the Legislative Auditor.

4. Treasurer's Report – David Hartwell

David Hartwell provided an update on the sales tax collections. Discussion included ideas for tracking the budget in future months and the level of the reserve. Staff recommended on the Minnesota Management and Budget's Finance group to provide an updated allocation target following the November forecast of state revenue. David Hartwell recommended using 55 million dollars as the estimate of funds available for recommendation until we hear from Finance in December.

5. Emerald Ash Borer Update – Information Item

Joe Martin, Geir Frisoe and Robert Koch from the Minnesota Department of Agriculture presented the Quarterly Report on the Emerald Ash Borer. They discussed the progress to date on the detection and readiness efforts. Mr. Martin updated the Council on the grants program. Mr. Martin updated the Council on the strategy to slow the spread of the pest and the reliance on local units of government to plan and take action. Members questioned the need for additional local planning, the research underway, the size and cost of the task of slowing the spread, and the administrative response.

6. Lessard-Sams Conservation Partners Grants Program –Information Item

Bruce Kleven, Bill Olson, Mike Ratslaff, and Garth Kaste provided the Council with some concerns about the impact of M.S. 84.02 on the Conservation Partners Grants Program. They are concerned that existing law on prairie seeds will reduce the amount of conservation implemented. They advocated the use of the NRCS seed guidelines in lieu of M.S. 84.02. Staff pointed out that M.S. 82.04 must be explicitly applied to an appropriation

to have an effect. Staff also indicated the requirements for procuring native seed for Conservation Partners Grant projects were developed by the MN DNR.

Mary Mueller provided the Council with an analysis of the impact of existing law from the perspective of someone who plans, manages and installs prairie. She appealed for flexibility for the installer to substitute less costly seed sources when there is no effect on quality.

Leslie Tannahill, DNR and Dan Shaw, BWSR discussed Executive Branch efforts to address the seed requirements in M.L. 2009, Chapter 172. Implementation of the requirement is based on approval by the local land managers/owners, documentation of actual source, and include factors such as distance (150 miles recommended), and substitution of seed sources when substitution does not harm achievement of restoration goals. Dan Shaw reviewed the BSWR draft seed standards. Mr. Shaw and Ms. Tannahill responded to questions about availability of seed, climate change affects on policy, and how seed cost affects Conservation Partners Program application scoring.

Ms. Tannahill updated the Council on the Conservation Partners Program. To encourage applications and help applicants submit good proposals, DNR has held 26 meetings around the state attended by 226 potential applicants. Ms. Tannahill also reviewed the use of the CP website, as well as the listserv created to communicate about the program. Finally DNR covered the review and scoring of the applications. In response to questions about feedback from meetings, Tannahill said common questions included what is a conservation easement, what are the requirements for acquisition, and why are restorations and enhancements limited to permanently protected land. A concern was raised about the eligibility of restorations on land with a permanent RIM conservation easement in place. The issue raised is that the seller of the RIM easement is required to maintain their property and restoration should be unnecessary. Tannahill responded that in the beginning of the RIM easement program land owners were not paid to maintain the property to any conservation standard, so grants to restore habitat on land brought into the program early in its history should be allowable. Ms. Tannahill said there was nothing in the grant application materials prohibiting applications for restoration on conservation easements and such could be awarded. Scott Rall and Mike Kilgore disagreed with the notion that such grants might be made, pointing to the responsibilities shouldered by the grantor of the easement. Kevin Lines joined the discussion of this issue and pointed out that early RIM easement management standards created lower quality restorations and the question at hand was whether or not the Outdoor Heritage Fund should be used to enhance these older easements. Scott Rall said he was concerned that funding these kinds of restorations will overwhelm the Conservation Partners Grant Program if DNR awards restoration or enhancement grants to treat eased property.

7. Public Comment

No comments were provided to the Council.

8. Adjournment

Chair Kilgore adjourned the Council at 11:30 a.m.

9. Field Trip

The Council reviewed habitat projects related to the Vermillion Highlands, Vermillion River, Minnesota River and Mississippi River with Dakota County, Dakota County SWCD, Dakota County Habitat Alliance, DNR and BWSR.