

Lessard - Sams Outdoor Heritage Council
Meeting Summary
August 1, 2012

Members Present:

Les Bensch
Ryan Bronson
Jim Cox
Wayne Enger

Chair David Hartwell
Sen. Bill Ingebriksen
Jane Kingston
Rep. Leon Lillie

Rep. Denny McNamara
Scott Rall

Members Absent: Sen. Tom Saxhaug Ron Schara

Call to order: Call to order at 1:03 p.m. A quorum was present.

Review and approve agenda: Motion by W. Enger to approve the agenda. Motion adopted.

Review and Approve Minutes - June 6, 2012: Motion by W. Enger to approve the minutes. Motion adopted.

(00:02:03) Members Report any Conflict of Interest on Today's Agenda

Chair Hartwell stated that he has an affiliation with an organization that received a Conservation Partners Legacy (CPL) grant in the past. He declared an indirect conflict and would not be voting on the CPL request before the Council.

Members received a memo relating to a contract that Council member Bensch entered into with DNR for an enhancement on a state wildlife management area abutting his personal property. Members discussed the potential conflict. Motion by W. Enger that Councilmember Bensch be allowed to discuss the DNR Gaslands, Ph. V request (PRE01) before the Council, but recuse himself from advocating or voting on the request. Motion adopted.

Council member Enger stated that he has a WRP contract and received a RIM grant from NRCS for a dike failure on his property. Because the money received was for a dike failure, not an easement, he believes there is no appearance of a conflict. W. Enger, however, recused himself from advocating or voting on the RIM-WRP proposal.

(00:15:31) Executive Director's Report

Mr. Bill Becker reviewed the 2012 schedule and asked Ms. Smith to provide an update on the progress of the on-line grants application and management system.

(00:18:18) Action: Advance Authority, M.L 2011, 1st Sp. Session, Ch. 6, Art., Sec. 2, Subd. 2(i) The Green Corridor Legacy Program - Phase III

Brad Cobb, Green Corridors Inc., presented his request for a cash advance and answered questions posed by members. Motion by W. Enger to amend the accomplishment plan for Green Corridors Phase III, M.L. 2011, First Special Session, Chap. 6, Art. 1, Sec. 2, Subd 2(i) to allow an advance of up to \$50,000. Motion failed.

(00:30:59) Action: Review and Approve ML 2012, Ch. 264, Art. 1, Sec. 2, Accomplishment Plans

2(g) Green Corridors, Phase IV - \$1,730,000

Brad Cobb, Green Corridors Inc. presented the accomplishment plan and answered question posed by members. Motion by J. Cox to approve the accomplishment plan for Green Corridors, Phase IV, M.L. 2012, Chap. 264, Sec. 2, Subd 2(g) striking the language on page one authorizing an advance and approve the accomplishment plan as amended. Motion adopted.

5(g) Knife River Habitat Restoration - \$380,000

Craig Wilson, Lake Superior Steelhead Association, presented the accomplishment plan and answered questions posed by members. Motion by S. Rall to approve the accomplishment plan as presented. Motion adopted.

2(h) Accelerated Prairie Restoration & Enhancement on DNR Lands, Ph IV - \$4,300,000

Bill Penning, DNR, presented the accomplishment plan and answered question posed by members. Motion by S. Rall to approve the accomplishment plan as presented. Motion adopted.

(1:13:30) 3(b) Mississippi Northwoods Habitat Complex Protection Program - \$11,040,000

Becca Nash, Trust for Public Land, presented the accomplishment plan, gave an update on the progress and the appraisal purchase price. Motion by R. Bronson to approve the accomplishment plan as presented, adding "at the appraised purchase price of \$11.0 million, contingent on sufficient funds available to Subd. 3(b)" after the word "plan." Motion adopted.

(1:29:28 – 01:58:05, resumed at 02:23:07) 5(h) Protect Aquatic Habitat from Asian Carp - \$7,500,000

Steve Hirsh, DNR, presented the accomplishment plan and answered questions posed by members. Motion by W. Enger to approve the accomplishment plan as presented, amending on page 3 under Accomplishment Timeline, "construct electrical barriers" and to include language stating that "any barriers constructed out of the state to be maintained and operated by the state where the structure is located, and subject to any constitutional restrictions to spend Outdoor Heritage Money outside Minnesota." Motion adopted.

(02:42:10) 5(i) Outdoor Heritage Conservation Partners Legacy Grants Program, Ph IV - \$4,990,000

Pete Skwira and Sam Fleitman, DNR, presented the accomplishment plan and answered question posed by members. Motion by S. Rall to approve the accomplishment plan as presented, incorporating the expedited activity list into the plan and allowing staff to approve additional activities or deletions as the process evolves. Motion adopted. Chair Hartwell (recused) did not vote on this motion.

(01:58:06 – 02:22:53) Update: “Grasslands and Grants”

Commissioner Tom Landwehr, DNR, and Director John Jaschke, BWSR, gave an update to the Council on the prairie conservation framework.

(02:56:15) Open Meeting Law Review

Deb Dyson, House Research, gave a review of the Open Meeting Law and answered questions posed by members.

(03:15:38) Update: Restoration Evaluation Program per MS 97A.056, Subd. 10

Wade Johnson, DNR, gave an update on the restoration evaluation program and answered questions posed by members.

(3:31:17) Action: Operating Procedure Amendment – Travel Policy

Mr. Becker reviewed the travel policy and procedure amendment and highlighted the sections to be changed requested at the last meeting. Motion by J. Kingston moved to amend LSOHC Operating Procedures, Section II A.5 as presented. Motion adopted.

(03:32:47) Panel Discussion: Land Acquisition Procedures

Michael Pressman and Neal Feeken, The Nature Conservancy

Joe Pavelko, Pheasants Forever

Brad Cobb, Green Corridor Inc.

Bob McGillivray, Trust for Public Land

Pat Rivers, DNR

Panel members described their acquisition processes and related issues.

(05:02:00) Review Member Ranking and Selection for Hearings

Members discussed the evaluation ranking and the hearing schedule. Members discussed hearing all requests received and the meaning of the evaluation process if all requests were called in. Motion by W. Enger to hear all requests with an average score of 60 or above.

Members agreed to 30 minute presentation slots with the first hearing day running into the evening and the second day ending at noon.

Opportunity for Public to Address the Council

No one addressed the council

(5:31:04) Adjournment: The meeting adjourned at 2:31 p.m.

APPROVED:

Wayne Enger, Secretary

Date