

**Lessard - Sams Outdoor Heritage Council**  
**Meeting Summary**  
October 7, 2014

**Members Present:**

Bob Anderson  
Jim Cox  
David Hartwell, Chair  
Rep. Rick Hansen

Jane Kingston  
Rep. Denny McNamara  
Sue Olson  
Scott Rall

Ron Schara  
Elizabeth Wilkens

**Members Absent:** Sen. Bill Ingebrigtsen, Sen. Tom Saxhaug

**Call to order:** Call to order at 1:04 p.m. A quorum was present.

**Review and Approve Agenda**

Motion by Ms. Kingston to approve the agenda for October 7<sup>th</sup> as presented. Motion Adopted.

**Review and Approve Minutes – September 9-11<sup>th</sup>, 2014**

Motion by Rep. Hansen to approve the minutes as presented. Motion Adopted.

**Members Report any Conflict of Interest on Today's Agenda**

No new conflicts were noted.

**(00:01:10) Executive Director's Report**

Executive Director Bill Becker welcomed incoming Executive Director Mark Johnson. Mr. Becker reviewed a pending Ducks Unlimited parcel transference that will require the Council's consideration. This item will appear before the Council on a subsequent agenda.

Chair Hartwell distributed his response to a letter from the City of Lake Park originally sent to all Council Members. Chair Hartwell distributed a press release to the Council on behalf Kris Larson of Minnesota Land Trust regarding an event honoring Mr. Becker.

**(00:06:56) Action: The Nature Conservancy (TNC) Advance Request**

Neal Feekan described the fringe benefits advance request on behalf of TNC. Members discussed the issue.

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

**(00:14:50) Discussion: PILT Discussion**

Janelle Taylor outlined issues raised by OHF land acquisition in terms of payments in lieu of taxes (PILT). Members discussed various aspects of these issues.

**(00:44:07) Action: Allocation Discussion**

Chair Hartwell reminded the Council of the discussion of September 10-11, 2014, regarding organizations that have received OHF funding in previous years and have not met final reporting deadlines. Ms. Wilkens called attention to MS 97A.056, sub. 11 as referenced in Agenda Memo 7, stating Outdoor Heritage Fund recipients "must compile and submit all information from funded projects or programs, including proposed measurable

outcomes” and that “future eligibility for money from the outdoor heritage fund is contingent” upon satisfying all applicable requirements in this section.

Members discussed various approaches to imposing a deadline for managers past due on their reports and requesting new funds for FY 16.

Members discussed whether consequences for project manager would extend to all project managers requesting funding within that organization, and/or their partners.

**(01:02:07)** Motion by Mr. Rall that future hearing and consideration of funding proposals from programs be contingent upon the following:

- a. Required prior funding reports for individual projects within organizations with proposals being considered for new funding must be submitted to LSOHC staff by December 1, 2014. Those project managers not submitting required reports will have proposed new funding for similar projects removed from the upcoming bill.
- b. The Council will not approve for funding any accomplishment plans for programs whose reports for previously funded projects have not been submitted and approved.
- c. The Council will not hear new funding proposals for phases of programs that are delinquent with reporting requirements for previously funded projects.

Members discussed the importance of the motion applying to similar programmatic funding requests, not individual project managers, and that the intent of the motion is for all existing and future programs.

**(01:03:58)** Motion adopted.

Chair Hartwell and Mr. Becker reviewed an erratum included in the meeting materials.

**(01:07:07)** Chair Hartwell reviewed his proposal for opening the discussion of allocation recommendations. He proposed allocating the average allocation of those proposals receiving a funding recommendation from nine or more members. This would account for approximately \$82,560,000 of \$100,000,000 available, minus administrative expenses. The remaining funds available would total \$16,225,000. With ten members being present to vote, \$1,622,000 would be available per member to increase any project’s funding allocation.

**(01:10:58)** Motion by Mr. Rall to forward the Chair’s proposal of 90% of the average of all allocations recommended by nine or more Council Members. Each Member would have \$1,622,000 of the remainder to recommend toward their preferred project.

**(01:16:00)** Chair Hartwell suggested revising the main motion, by recommendation of Ms. Koop, that \$15,000 be added to the administrative budget line representing the required cost to the LCC of the Comprehensive Legacy Website. Mr. Rall accepted the revision.

Members discussed partially funding projects.

**(01:21:02)** Mr. Rall amended the main motion to stipulate that funds not be subtracted from those projects receiving support from nine or more members, and that once the balance of funds has been allocated by the ten present members, motions cease.

Members discussed allocation recommendations to PA-07, Minnesota Buffers for Wildlife and Water – Phase V and other projects for which additional information requested at the September 10-11<sup>th</sup> hearings was provided by staff to members before the deadline to submit their allocations.

**(01:29:40)** Mr. Becker reviewed the motion on the table.

On recommendation by Rep. McNamara, Chair Hartwell suggested amending the motion to state that members agree to stop making motions regarding funding recommendations, but members cannot actually be prevented from continuing to make motions until the meeting is adjourned. Mr. Rall accepted the change.

Members returned to a discussion of PA-07, Minnesota Buffers for Wildlife and Water – Phase V and fund balances that remain on previous phases of the program.

**(01:38:26)** Sarah Strommen, Acting Deputy Director of the Minnesota Board of Water and Soil Resources (BWSR) testified that a lag exists in the Buffers program between when BWSR allocates funding to a specific project and when payments are actually issued for conservation easements. Information presented to the Council represents steady progress towards expenditures during the program, and interest in the program is high, however, there has not been enough time to process payments for the most recently funded projects. Bill Penning, also of BWSR, concurred that interest in the program is high, adding that last year's funding was fully allocated 15 days after it was issued on July 1, 2014.

**(01:41:10)** Motion amended by Rep. McNamara to reduce the \$16,220,000 of funding remaining in the Chair's proposal to \$13,220,000 and add \$3,000,000 to PA-07, Minnesota Buffers for Wildlife and Water – Phase V. Motion to amend failed.

**(01:41:58)** Motion to move forward with the Chair's proposal adopted.

Members made the following motions to allocate their portion of the remaining \$16,220,000 of funding:

**(01:43:00)** Ms. Olson moved to add \$20,000 to O-1, Contract Management; \$1,038,000 to FA-02, Protecting Forest Wildlife Habitat in the Wild Rice River Watershed and \$564,000 to H RE-06, Shell Rock River Watershed Habitat Restoration Program - Phase IV. Division requested. Ms. Olson spoke in favor of passing the motion on project FA-02. Rep. Hansen also spoke in favor of FA-02.

- a. \$1,038,000 to FA-02, Protecting Forest Wildlife Habitat in the Wild Rice River Watershed. Motion passed.
- b. \$20,000 to O-1, Contract Management. Motion passed.
- c. \$564,000 to H RE-06, Shell Rock River Watershed Habitat Restoration Program - Phase IV. Motion passed.

**(01:55:20)** Rep. Hansen moved to add \$1,500,000 to PA-07, Minnesota Buffers for Wildlife and Water - Phase V and \$122,000 to H RE-07, Lake Nokomis Integrated Habitat Enhancements, restriction: no fish stocking. Division requested.

- a. \$1,500,000 to PA-07, Minnesota Buffers for Wildlife and Water - Phase V. Motion passed.
- b. \$122,000 to H RE-07, Lake Nokomis Integrated Habitat Enhancements, restriction: no fish stocking/ funding to be directed for shoreline restoration and enhancement only. Motion passed.

**(01:58:20)** Ms. Wilkens moved to add \$300,000 to CPL 2, Metro Conservation Partners Legacy Grant Program - Phase II and \$1,322,000 to FA-09, Mississippi Headwaters Habitat Partnership. Division requested.

- a. \$300,000 to CPL 2, Metro Conservation Partners Legacy Grant Program - Phase II. Motion passed.
- b. \$1,322,000 to FA-09, Mississippi Headwaters Habitat Partnership. Motion passed.

**(02:01:28)** Rep. McNamara moved to add \$1,622,000 to PA-07, Minnesota Buffers for Wildlife and Water - Phase V. Motion passed.

**(02:02:00)** Mr. Rall moved to add \$540,666 to WA-01, Accelerating the Waterfowl Production Area Program - Phase VII; \$540,666 to WA-02, Shallow Lake & Wetland Protection Program - Phase IV and \$540,667 to PA-02, Accelerating the Wildlife Management Area Program - Phase VII. Motion passed.

**(02:03:15)** Mr. Cox moved to add \$340,000 to WA-02, Shallow Lake & Wetland Protection Program - Phase IV, restriction: land purchased for the entire allocation (not just Mr. Cox's portion) must only be restored to wetlands and native vegetation, and \$1,282,000 to PA-03, MN Prairie Recovery Project - Phase VI.

**(02:05:27)** Jon Schneider, Manager, Conservation Programs for Ducks Unlimited, testified the restriction appears to be consistent with their proposal. Motion passed.

**(02:06:41)** Mr. Anderson moved to add \$500,000 to CPL-1, Conservation Partners Legacy Grant Program - Phase VII; \$680,000 to H RE-02, Lake Bemidji South Shore Restoration and Enhancement and \$442,000 to FA-06, Protect (Acquire) Key Forest Habitat Lands Cass County - Phase VI. Division requested.

- a. \$500,000 to CPL-1, Conservation Partners Legacy Grant Program - Phase VII. Motion passed.
- b. \$680,000 to H RE-02, Lake Bemidji South Shore Restoration and Enhancement. Motion passed.
- c. \$442,000 to FA-06, Protect (Acquire) Key Forest Habitat Lands Cass County - Phase VI. Motion passed.

**(02:09:31)** Mr. Schara moved to add \$200,000 to H RE-07, Lake Nokomis Integrated Habitat Enhancements, restriction: no fish stocking/funding to be directed for shoreline restoration and enhancement only, and \$1,422,000 to PA-07, Minnesota Buffers for Wildlife and Water - Phase V. Motion passed.

**(02:14:15)** Ms. Kingston moved to add \$400,000 to FA-04, Southeast MN Protection and Restoration - Phase III; \$422,000 to PA-02, Accelerating the Wildlife Management Area Program - Phase VII; \$400,000 to PA-03, MN Prairie Recovery Project - Phase VI and \$400,000 to FA-05, Protecting Pinelands Sands Forest and Aquatic Habitat - Phase II. Motion passed.

**(02:17:40)** Chair Hartwell moved to add \$300,000 to H RE-01, MN Trout Unlimited Coldwater Fish Habitat Enhancement - Phase VII; \$400,000 to FA-08, Critical Shoreland Habitat Protection Program - Phase III; \$400,000 to HA-02, Metro Big Rivers Partnership - Phase VI; \$400,000 to F RE-01, Southeast Forest Habitat Enhancement and \$122,000 to H RE-07, Lake Nokomis Integrated Habitat Enhancements, restriction: no fish stocking/funding to be directed for shoreline restoration and enhancement only. Division requested.

- a. \$300,000 to HRE-01, MN Trout Unlimited Coldwater Fish Habitat Enhancement - Phase VII. Motion passed.
- b. \$400,000 to FA-08, Critical Shoreland Habitat Protection Program - Phase III. Motion passed.
- c. \$400,000 to HA-02, Metro Big Rivers Partnership - Phase VI. Motion passed.
- d. \$400,000 to FRE-01, Southeast Forest Habitat Enhancement. Motion passed.
- e. \$122,000 to HRE-07, Lake Nokomis Integrated Habitat Enhancements, restriction: no fish stocking/funding to be directed for shoreline restoration and enhancement only. Ms. Kingston spoke against the motion. Motion passed.

Chair Hartwell recommended the remaining \$5000 from the total available be left as rounding error.

**(02:21:13) Discussion:** Rep. McNamara moved to institute a policy allowing the Metro Conservation Partners Legacy Grant Program to permit the Conservation Partners Legacy Grant Program to allocate those funds the Metro program has not been able to award due to a lack of applications. Members discussed various aspects of reciprocity between the two programs and demand thus far. Rep. McNamara withdrew his motion and recommended the DNR provide information about demand for the program to the Council at the November 13<sup>th</sup>

Council meeting before the discussion continues.

Rep. Hansen recommended a presentation on rider language for grazing be added to the agenda for the November 13<sup>th</sup> Council meeting.

Rep. McNamara recommended a presentation on rider language for NGOs be added to the November 13<sup>th</sup> Council meeting agenda.

**(02:28:50)** Rep. McNamara requested clarification from the DNR on the status of their position on acquiring lands in the White Earth Nation’s proposal, FA 02, Protecting Forest Wildlife Habitat in the Wild Rice River Watershed, as a Wildlife Management Area. Chair Hartwell recommended the White Earth Band and DNR be invited to present on the issue at the November 13<sup>th</sup> Council meeting.

**(02:30:06)** Ron Schara suggested adding a question to the proposal process asking project managers to explain whether projects are contingent upon receiving full funding, or can they move forward with partial funding. Chair Hartwell asked staff to prepare suggested language for the November 13<sup>th</sup> Council meeting.

**(02:31:40)** Rep. McNamara called the Council’s attention to the %300 match available for project FA 03, Camp Ripley ACUB – Phase V and suggested it for consideration should the December forecast indicate funds still available for allocation.

**(02:32:25)** Rep. Hansen requested a question about whether project managers intend to plant crops on land acquired or restored with OHF funds be added to accomplishment plans prior to the November 13<sup>th</sup> Council meeting.

**(02:38:24)** Motion by Mr. Rall to accept the recommendation package as amended, rounded down to the nearest \$10,000, before the Council and a roll call vote be taken.

ROLL CALL: 10-0, Motion passed.

Bob Anderson - yes

Jim Cox - yes

David Hartwell, Chair - yes

Rep. Rick Hansen - yes

Jane Kingston - yes

Rep. Denny McNamara - yes

Sue Olson - yes

Scott Rall - yes

Ron Schara - yes

Elizabeth Wilkens - yes

**Opportunity for Public to Address the Council**

No public comment was heard.

Meeting adjourned at 3:42 p.m.

APPROVED:

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Susan Olson, Secretary

Date