

**Lessard-Sams Outdoor Heritage Council Meeting**  
**Meeting Summary**  
**November 15, 2018**

**Members Present**

Bob Anderson, Chair  
Jamie Swenson  
Jane Kingston  
Julie Blackburn

Denny McNamara  
Rep. Leon Lillie  
Rep. Dan Fabian  
Barry Tilley

Sen. Andrew Lang  
Sen. David Tomassoni

**Members Absent**

David Hartwell and Ron Schara

**Call to Order:** Call to order at 8:07 a.m. A quorum was present.

**Review and Approve Agenda**

Motion by Ms. Blackburn to approve the agenda for November 15, 2018 as presented. **Motion adopted.**

**Review and Approve Minutes – September 27, 2018**

Motion by Ms. Kingston to approve the minutes. **Motion adopted.**

**Conflicts of Interest:**

No conflicts of interest were noted.

**(00:05:34) Executive Director’s Report**

Executive Director Mark Johnson provided an update on recent staff activities. Mr. Johnson also pointed member’s attention to the memo regarding the ML 2013, Ch. 137, Art. 1, Sec. 2, Subd 5(f) Lower Mississippi River Habitat Partnership final report noting concerns over the final deliverables of this appropriation.

**(00:30:16) Discussion / Action: Communications and Outcomes**

Sandy Smith, Program Analyst Manager, provided an overview of the Communications RFP process. Ms. Smith noted that six proposals were received, staff reviewed the proposals, and interviewed four respondents. Ms. Smith noted that staff is recommending engaging with one of the firms for a limited term contract. Members discussed at length. Motion by Ms. Kingston to engage in a contract to set up the process for Communications Outreach Process Development and Implementation. **Motion adopted.**

Joe Pavelko, Assistant Director, outlined the Outcomes RFP process. Mr. Pavelko noted that two proposals were received and are under review by staff. Staff will be interviewing the respondents and provide a recommendation at the December Council meeting. Motion by Mr. Tilley directing staff to move forward in the Outcomes RFP process and for Ms. Blackburn to participate. **Motion adopted.**

**(01:14:05) Discussion / Action: Enforcement**

Executive Director Mark Johnson noted that at the September 27, 2018 LSOHC meeting staff was asked to provide a recommended course of action and potential language for bill inclusion regarding enforcement. Mr. Johnson outlined current legal considerations, options for action, and language for potential bill inclusion. Council members discussed at length. Motion by Ms. Kingston directing staff to bring language for bill inclusion, including the allocation of funds, to the next meeting. Chair Anderson did not accept the motion stating the motion was out of the Council’s purview. Council members continued to discuss. Mr. McNamara requested staff bring back a recommendation addressing the issue of how DNR or the AG could get paid should the need arise for investigation or enforcement involvement by either entity. Ms. Kingston asked to table the discussion until the December meeting. The Chair ended the discussion and called for a short break.

**(02:05:55) Discussion: Conservation Retrospective**

Tom Landwehr, Commissioner of the Department of Natural Resources, reflected on the past ten years of conservation and the Outdoor Heritage Fund (OHF) noting the uniqueness of the OHF to Minnesota. Commissioner Landwehr looked back at the early years of the Outdoor Heritage Fund and spoke to how the Council's structure was developed. Commissioner Landwehr spoke to the collaborations and partnerships which have enabled the successful completion of projects and programs. Speaking specifically to the Conservation Partners Legacy Grants Program, Commissioner Landwehr praised the work being done at the local level. Commissioner Landwehr commended the Council's support of phased programs noting that conservation works best taking a programmatic approach. Council members thanked Commissioner Landwehr for his time and service.

**(02:29:55) Discussion: Nongame Considerations**

Carol Henderson, Retired DNR Nongame Supervisor, gave a brief update on conservation efforts underway. Mr. Henderson informed the Council that the federal government is awarding money to Minnesota to help the loon population which was negatively impacted by the BP oil spill of 2010. Mr. Henderson described the cumbersome application process and noted that the Minnesota project is one of three projects being awarded remediation money.

Mr. Henderson pointed member's attention to the State Wildlife Action Plan and noted that the Plan further prioritizes work by identifying Conservation Focus Areas (CFAs) to distinguish high quality habitat conservation opportunities. Mr. Henderson suggested the Council partner with work on the Conservation Focus Areas. Rep. Fabian suggested submitting a proposal for consideration.

Mr. Henderson closed with highlighting a pilot project which is assessing the use of industrial hemp seed as bird food.

Council members discussed and thanked Mr. Henderson for taking the time to address the Council and for his years of service.

**(02:57:48) Action: Fee Title Acquisition of Parcel with Partial Existing Protection**

Rich Biske, The Nature Conservancy (TNC), explained TNC is in the process of a fee title acquisition in Winona County (305 acres) and Fillmore County (641 acres) with the ML 16, 17, 18 appropriation from the Southeast Minnesota Protection and Restoration programs. The parcel in question has an existing trout stream access easement held by the State of MN and also a 40.5 acre Prairie Bank Easement. Both easements were taken into account in the appraisal of the land.

Motion by Mr. Tilley to approve the request by TNC to proceed with the 946 acre fee title acquisition in Winona County and Fillmore County along the Rush Creek and tributaries with the ML 16, 17, 18 appropriation from the SE MN Protection and Restoration programs. **Motion adopted (9 members present).**

**(03:00:44) Action: Easement Acquisition of Parcel with Partial Existing Protection**

Kris Larson, Minnesota Land Trust, provided a brief overview explaining MLT is in the process of acquiring a 947 acre easement in Lake County with money from the ML 2017 3(f) Critical Shoreland Habitat Protection Program – Phase 4 appropriation. The parcel in question has an existing trout stream access easement held by the State of Minnesota.

Motion by Ms. Kingston to approve the request by MLT to proceed with an easement in Lake County. **Motion adopted (9 members present).**

**(03:04:11) Action: Easement Acquisition of Parcel with Partial Existing Protection**

Kris Larson, Minnesota Land Trust, provided a brief overview explaining MLT is in the process of acquiring a 106 acre easement in Houston County using the ML 2018 3(b) Southeast Minnesota Protection and Restoration –

Phase 6 appropriation. The parcel in question has an existing trout stream access easement held by the State of Minnesota.

Motion by Ms. Kingston to approve the request by MLT to proceed with an easement in Houston County. **Motion adopted (9 members present).**

**(03:07:17) Action: Review and Approval of the 2019 Council Meeting Calendar**

Council members reviewed and discussed the proposed 2019 meeting calendar. Motion by Mr. Tilley to approve the 2019 LSOHC meeting calendar. Ms. Kingston offered an amendment to move the November 2019 meeting to Thursday, November 21, 2019. **Motion to amend adopted. Motion as amended adopted.**

**(03:11:05) Action: Review and Progress Draft Accomplishment Plans for ML 2019**

Sandy Smith, Program Analyst Manager, provided a brief introduction and pointed member's attention to staff comments. Members discussed briefly.

Motion by Mr. Tilley to progress the ML 2019 Draft Accomplishment Plans and allow staff to proceed with drafting the Outdoor Heritage Fund (OHF) bill based on the draft accomplishment plans as discussed and directed. **Motion adopted.**

**(03:19:05) Opportunity for Public to Address the Council**

Rick Heller, unofficial representative of twice exceptional and print disabled, spoke to the accessibility of Council documents. Mr. Heller provided two handouts.

Meeting adjourned at 11:57 a.m.

APPROVED: December 11, 2018. A signed copy is on file with LSOHC staff.