

Lessard - Sams Outdoor Heritage Council

November 4, 2010

Room 5, State Office Building Meeting Summary

Members Present:

Chair Michael Kilgore
Les Bensch
Ryan Bronson

Jim Cox
Wayne Enger
Rep. Rick Hansen

David Hartwell
Sen. Bill Ingebrigtsen
Darby Nelson

Members Absent:

Sen. Lisa Fobbe Rep. Bob Gunther Scott Rall

Call to order

Chair Kilgore called the meeting to order at 8:02 a.m. A quorum was present.

Review and approve agenda

Motion by D. Hartwell to approve the agenda as presented. Motion adopted.

Review and approve summary of September 15, 2010

Motion by W. Enger to approve the summary as presented. Motion adopted.

Executive Director's Report (0:21)

Mr. Becker reported on the recent staff activity: preparing bill language; reviewing accomplishment plans; and reporting on the summary data as well as developing a project database. Mr. Becker brought to the Council's attention three issues that have arisen. 1) Private easement stewardship trust payments; the legality of such a payment; and the general need for state policy. 2) OHF money being used to purchase properties containing improvements. Staff examined a recent question concerning improvements on land brought forth by DNR. Currently, there is no policy that addressing this type of purchase. 3) County Board approval of land purchased for SNAs and WMAs by non-governmental organizations.

Mr. Becker reminded members of the placeholder for a January 18th meeting. The meeting depends on new member appointments; the primary purpose of the meeting is to elect new officers. Mr. Becker also reported that it is expected the administrative budget will be \$470,000 each year of the biennium. It is anticipated that some carry-forward will be available, however, the amount is unknown at this time. Staff met with the directors of House and Senate public information services last week in an effort to explore options and opinions on a public information program for the council. Future information will be forthcoming.

Discussion / Review / Approval for Public Review: LSOHC 25 Year Plan Process (20:07)

Judy Grew and Peter Butler, MMB, Management Analysis and Development, led a discussion on the 25 year framework and plan. Ms. Grew introduced the members of the working group and described their roles in the development and analysis of the plan. She briefly discussed each section of the report and reviewed the first part in greater detail.

(1:12:50) Council member discussion began.

W. Enger suggested reviewing the language of the plan for readability and statements on the significance of the tables in the document. Ms. Grew stated that the framework will be reviewed by the Citizens' League, as well as a professional technical editor. D. Nelson commented that the working groups' observations and recommendations on the bottom of page 41 suggest the need for a more detailed plan. Members discussed a timeframe for the Executive Committee to review the revised framework/plan prior to the public comment copy being released.

Members discussed the loss of CRP lands and land development pressures and the resulting loss of habitat asking that these be incorporated into the framework. Members also wanted emphasized the impact of the restoration and enhancement work.

The Council approved direction to Ms. Grew to revise the draft framework as discussed and prepare an edited version for Executive Committee approval prior to public review.

Discussion: Draft Accomplishment Plans (1:35:41)

Mr. Becker addressed member comments on the FY 12 proposals not acted on by members at the Sept. 15 meeting. Heather Koop reviewed a summary of the accomplishment plans to-date.

Members discussed the plans in detail. Below are projects where testimony was requested by the Council.

F-01 – MN Forest for the Future (1:59:11)

Richard Peterson was questioned by the Council on the stewardship accounts and criteria used for the parcel selection. The top ranked parcels have back taxes due because of an ongoing dispute on the fair market value and assessed value. Mr. Peterson answered questions on how the state goes about purchasing property with taxes owed on them. Mr. Peterson pointed out the unpaid taxes and assessed value dispute will not affect the price paid by the state for easements on this land. He emphasized that the parcels presented are the best and highest priority parcels. The Council did not direct any changes to this accomplishment plan.

F-04 – DNR Accelerated Forest Habitat Enhancement (2:15:05)

Cynthia Osmundson answered question regarding adaptive management being direct and necessary for this appropriation. She said that the information gained from the adaptive management assessment could be applied to future funding requests and would also be helpful for DNR staff in the ranking future projects.

Members discussed adaptive management and concluded that as presented it was research. Motion by David Hartwell to strike adaptive management out of the proposal and only fund restoration and enhancement work. Mr. Hartwell accepted a friendly amendment from R. Bronson to forward a message to the LCCMR that adaptive management research be considered for future ENRTF funding. Motion adopted.

P-01 – Acquisition: WMA, SNA, Prairie Bank Easement, and Forest Lands (2:23:47)

Members questioned Dennis Simon on the accomplishment plan. Mr. Simon stated that all of the parcels are open to public hunting, that there is no adaptive management in this program, and he clarified the use of contract and professional services of \$226,450. Part of the use of the contract services are for minimal access roads and parking lots. Council directed Mr. Simon to remove funding for parking lots from the accomplishment plan and resubmit.

P-02 – Accelerated Prairie Restoration and Enhancement on DNR Lands (2:30:32)

Bill Penning was questioned on how the adaptive management is directly related to this project. D. Hartwell instructed staff to work with the project manager to strike the data collection and re-allocate

to other plan priorities and encourage DNR to seek funding from the ENRTF for adaptive management research.

W-04 – Shallow Lake Shoreland Protection: Wild Rice Lakes (2:43:02)

Council questioned Jon Schneider on the non-mandatory overall goal of a 20% landowner contribution to complete the project and the 1.2 FTE personnel outlined in the plan. Council directed Mr. Schneider to include under the Relationship to Current Budget “Ducks Unlimited *will seek* an overall landowner donation equal to 20% of the value of the acquired land and rights to the land” and resubmit the plan.

Chair Kilgore was excused from the meeting and the gavel was transferred to Mr. Jim Cox (Vice Chair).

F-06 – Lower Mississippi River Habitat Partnership (2:51:20)

Tim Schalgenhaft was questioned on the professional services dollar amount. No changes were recommended by the Council.

H-01 – DNR Aquatic Habitat Program (2:52:06)

Michael Duval was questioned on the \$115,000 in travel costs. He commented that \$100,000 was for heavy equipment fleet and fuel costs. Mr. Duval was directed to work with staff and re-submit including the \$100,000 into a more appropriate budget line item. Mr. Duval also received approval for the addition of two parcels that occur on DNR lands, which are not AMA parcels.

H-02 – MN Trout Unlimited Coldwater Fish Habitat Enhancement Program (2:59:26)

John Lenczewski was asked to clarify whether the stream work is being conducted on permanently protected land, i.e., AMA easement or public ownership. No changes were requested of this accomplishment plan.

W-01 – The RIM-WRP Partnership (3:03:20)

Kevin Lines was questioned on the inclusion of easement stewardship money. Mr. Lines explained, as less than 1% of the request, it is a contingency placeholder in the situation of a natural disaster and restoration work is needed. Mr. Lines was asked to re-submit the plan including a line that the easement stewardship restoration contingency be used for easements in the case it is not used in restoration.

H-06 – Protecting Sensitive Shorelands in North Central Minnesota (3:09:53)

Paula West was questioned on the budget. This project does not purchase easements; they are all donated. She explained the nature of staff needed to negotiate conservation easements. The proposal is divided out to be 1/3 is easement stewardship, 1/3 is contracts and 1/3 is personnel for an approximate \$6-8 million of easement land value. The Council requested no changes to this plan.

F-03 – La Salle Lake: Protecting Critical Mississippi Headwaters Habitat (3:20:44)

Bob McGillivray was asked if this project was in jeopardy because of the recent news article regarding a proposed AMA acquisition in Beltrami County. He confirmed that this is a different project than the one referenced in the article. Mike Carol, DNR office in the NW Region, has received many letters of support. He also reminded members that this acquisition is not successful, the funds will be transferred to the WMA/SNA acquisition program. The Council requested no changes to this plan.

H-04 – Land Addition to Janet Johnson Memorial WMA (3:23:04)

Jeff Fertig was asked about the \$24,000 land acquisition cost to be used for a parking lot and sign. W. Enger revisited the parking lot issue and stated a benefit to controlled parking lot area. Members discussed a future policy regarding this issue. Staff was directed to propose a policy for council review and discussion. The Council directed Mr. Fertig to remove the parking lot from the proposal.

F-05 – NE MN Sharp-tailed Grouse Habitat Partnership (3:30:21)

Joe Pavelko addressed buildings and other improvements on parcels in the current list of recommendations. The Tumler Tract has improvements that need to be considered for removal. Any proceeds made from the sale of buildings goes back to the appropriation. The Council requested no changes to this plan.

Discussion: Annual versus Biennial Recommendation Process (3:34:52)

Heather Koop reviewed the memo prepared by staff. Mr. Becker read into the record a letter from Scott Rall submitted in his absence stating his support of continuing with an annual process. Members discussed the pros and cons of the different processes. D. Nelson asked if there was a staffing issue regarding the time needed to do the amount of work. L. Bensch stated he supported Mr. Rall's opinion and that maybe it could be revisited in five years. W. Enger also supported the annual cycle and suggested fewer, but full-day meetings. R. Bronson also prefers the annual cycle as he feels closer to the programs. Members suggested that staff survey partners to get their opinion and report back to the Council.

Presentation: Prairie Plan (3:48:47)

Tom Landwehr, The Nature Conservancy, presented the draft prairie plan and answered questions posed by members.

Point of Personal Information

Mr. Lester Bensch addressed the council on the importance of additional conservation efforts in the Red River Valley.

Public comment on priority uses of the Outdoor Heritage Fund

None

Adjournment

Vice-Chair Cox adjourned the meeting at 12:37 p.m.

APPROVED:

Mike Kilgore, Chair

Date

Darby Nelson, Secretary

Date