

Lessard - Sams Outdoor Heritage Council
Meeting Summary
November 15, 2011

Members Present:

Les Bensch
Ryan Bronson
Jim Cox
Wayne Enger

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

Rep. Denny McNamara
Scott Rall
Ron Schara
Sen. Tom Saxhaug

Members Absent: none

Call to order: Call to order at 8:01 a.m. A quorum was present.

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

Review and Approve Minutes: September 20, 2011: Motion by J. Kingston to approve the minutes. Motion adopted.

Members report any Conflict of Interest on Today's Agenda:

J. Kingston – PA 04 - Minnesota Prairie Recovery Project, Phase III and PA07 - Northern Tallgrass Prairie National Wildlife Refuge Land Acquisition -- is a former The Nature Conservancy Trustee and there might be a perception of conflict of interest and will not be participating in the discussion of that project.

J. Cox – HA 02 – Metro Big Rivers Habitat, Phase III -- sits on the board on the National Wildlife Refuge Trust and will not be participating in the discussion of that project.

Chair Hartwell asked for council member's permission to allow J. Cox to participate on agenda item 7, the discussion on hunting on lands, although it pertains to Metro Big Rivers Habitat, Phase III. Chair Hartwell noted that his comments are not about a specific recommendation, but about the philosophy of the issue.

Motion by W. Enger moved that J. Cox be allowed to participate in the discussion. Motion adopted.

Greg Knopff clarified stated that he didn't think Jim Cox would have a conflict because this agenda item is not discussing the specifics of the project and/or funding recommendation.

Executive Director's Report:

- 2011 Schedule: Next two meetings: December 13 and January 25 beginning the next round and finalize FY 14 priorities
- 2012 Schedule: Check against your schedule as it will be adopted at the December meeting.
- Contract for office recommendation management systems is underway. The system will be handling the following paperwork: funding requests, accomplishment plans, status reports, final reports, filing copies of easements, documenting parcel selection process, filing land transaction report, analysis of increased operation and management costs, filing of Conservation Corps of Minnesota letter, filing annual acquired land interest status report, filing annual easement stewardship account financial statement, project mapping/GIS capabilities, and improved interface with LCC Legacy site
- Baseline OHF awareness survey (U of MN Survey Research Center) 278 completed out of the 750 expected to receive part of the communication plan measurement
- Staff has been working on ML 2012 Accomplishment Plans, managing Status Reports ML 2010, and managing Final Reports for ML 2009 and ML 2010 and Status of MN Laws 2011 contracts
- Contract attachment issues: title opinions vs. title commitments/insurance and county board approval for third parties. Have scheduled a meeting of pass-through appropriation recipients to discuss issues.
- Staff is working on reimbursement denials for personnel expenses and travel expenses and may get third-party recipients together to voice concerns to send to the Commissioner.

(11:01) Discussion Lands Open to Hunting: exemptions to the constitution and the requirement in the Call for Requests that "Land acquired in fee with money deposited in the outdoor heritage fund must be open to the public for taking of fish and game unless otherwise provided by law."

Greg Knopff, Senate Lead Analyst, provided a handout for members and discussed the various statutes that address the land open to hunting that is refer to in state law. Mr. Knopff addressed the openness as it applies to Wildlife Management Areas, Game Refuges, Scientific and Natural Areas, and National Wildlife Refuge System. The Council directed staff to come back at the December 15th meeting with several options from specific to general on management on non-state land purchased with Outdoor Heritage Funds. One of the directions should include granting authority to the DNR Commissioner.

(47:34) Presentation: PILT Working Group Update Management Solution

Kent Sulem, MN Association of Townships gave an update on the work of the task force, answered questions posed by members and engaged in two-way discussion with members. Future updates and discussion will be scheduled. The working group will continue discussion in hopes of a resolution for the 2013 legislative session.

(1:27:10) Update: Conservation Partners Grant Program Update

Pete Skwira, Department of Natural Resources, updated members on the current round of funding. Mr. Skwira stated that a great number of applications for the first round of funding were not eligible due to misunderstanding of the requirements of the funding. Changes have been made to the system in hopes that the ease in the application system will bring in new applicants and increase the overall number of applicants. Mr. Skwira also outlined the various marketing efforts that have been completed as well new initiatives that will be addressed. Members discussed options for growing the program, increasing applicants, and easing the match requirements.

(1:58:27) Discussion: ML 2012 Accomplishment Plan - Mississippi River Northwoods Habitat Complex Protection

Susan Schmidt, Trust for Public Land, addressed several questions of concern and provided an update of the status of this project. She anticipates receiving a letter from Commissioner Landwehr, which will be forwarded to members. The letter is anticipated to be in support of the land purchase and a preference for county ownership. Ms. Schmidt stated she has been working with Crow Wing County, which voted in support of protection to this land and are open to county ownership. Ms. Schmidt also explained the financial support process and fees Trust for Public Land (TPL) uses. As a 501c3 non-profit, they receive support from foundations, corporations, individual and the land owners in the form of a fee similar to a real estate broker. This fee is paid by the landowner only when conservation takes place and is typically 7-10% of purchase price; for this project the fee is agreed to at 4%. TPL is not asking tax payers to cover the cost, but rather the landowner.

(2:11:23) Crow Wing County Commissioner Paul Thiede, testified the county is open to ownership of this parcel. The county is setting up several public hearings on this project.

Members discussed the issue of trails on this land, the effects on habitat and hunting, and who would own and maintain the potential trail gap on the property. Members also discussed purchase options for the trail portion and repayment to the Outdoor Heritage Fund if OHF funded land is taken for a trail, as well as parameters on the location of the future trail, and a requirement that LSOHC approve future trail alignments.

Greg Knopff stated that if the intended use of the land changes then automatically reverts to the state.

Motion by S. Rall that any trail development on this property needs Council approval and any dollar used for land purchased for trail development revert back to the OHF, the trail (if developed) be closed during hunting season. Motion adopted.

(3:08:17) Action / Discussion: Accomplishment Plan Amendment - ML 2011, 1st Sp. Session, Ch. 6, Art. 1, Sec. 2, Subd. 3(a) Forest for the Future

Richard Peterson, MN Dept of Natural Resources, presented the details of the amendment request and answered question posed by members.

Motion by S. Rall to approve the Accomplishment Plan Amendment for ML 2011, 1st Sp. Session, Ch. 6, Art. 1, Sec. 2, Subd. 3(a) Forest for the Future as presented. Motion adopted.

(3:18:36) Discussion: Draft Accomplishment Plans

Heather Koop gave an update of what is in the packet of draft accomplishment plans. Generally the scope of work is basically the same on a reduced scale. Members asked questions on the following programs:

- 2(b) Prairie Recovery Project, pg 15 – question travel costs
- 2(a) MN Buffers for Water and Wildlife, page 3 - question of \$180,000 in stewardship costs
- 2(i) Habitat Restoration/Enhancement in the Anoka Sandplain, page 83 – question Great River Greening contract work and the need for materials.
- 3(e) MN Moose Habitat Collaborative, page 146 – question staffing breakdown and parcel selection process

(3:58:30) Action: Move Recommendations forward to Appropriations Bill

Motion by W. Enger to direct staff to proceed based on the Draft Accomplishment Plans as presented and previously discussed at the meeting for inclusion in the appropriation bill recommendations to the 2012 legislature. Motion adopted.

Opportunity for Public to Address the Council: none

(4:10:07) Adjournment: The meeting adjourned at 12:10 p.m.

APPROVED:

Wayne Enger, Secretary

Date